

BOARD OF ADJUSTMENT - SEPTEMBER 16, 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. Board of Adjustment - Regular Meeting - August 19th, 2025

III. Agenda Items

A. **Tippmann Construction, LLC Variance – P-7.** - ArTriel Kirchner, Planning & Neighborhood Services

IV. Adjournment

Lumberton Board of Adjustment

Item: II.A.

Lumberton, North Carolina



Request for Action

Meeting Date: September 16, 2025

Originated By:

Submission Date: 09/10/2025

Subject: Board of Adjustment - Regular Meeting - August 19th, 2025

Summary/Background of Subject Matter:

Minutes from the August 19th, 2025 are available for review and approval.

Staff Recommendation:

Review and approve minutes.

City Manager's Comments:

Signature:

Department:

ATTACHMENTS:

1. August 19, 2025



CITY OF LUMBERTON

PLANNING BOARD

MINUTES • AUGUST 19, 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 - May 20, 2025

III. Agenda Items

- A. Proposed Creation of an Ordinance for Multifamily Conversion of Hotels/Motels - Withdraw Request - ArTriel Kirchner, Planning & Neighborhood Services

Deputy Planning Director, Brian Nolley gave a brief overview that previous draft ordinance to allow conversion of hotels/motels to multi-family dwellings was being withdrawn due to developers no longer interested in pursuing conversions within the city at this time.

- B. Request for Sign Ordinance Amendment-Feather Flags - P4 Request - ArTriel Kirchner, Planning & Neighborhood Services

Deputy Planning Director, Brian Nolley presented the board with a copy of a draft ordinance to allow and regulate feather flags. As this was not a public meeting, no discussion took place. The board was advised to review the draft ordinance and come back at the next meeting to discuss.

IV. Adjournment

Hearing no other business before the board, Chairman Terranova called for a motion to adjourn. The meeting was adjourned.

[MIN_SIGNATURES]

Lumberton Board of Adjustment

Item: III.A.

Lumberton, North Carolina



Request for Action

Meeting Date: September 16, 2025

Originated By: Planning & Neighborhood
Services

Submission Date: 08/29/2025

Subject: Tippmann Construction, LLC Variance – P-7.

Summary/Background of Subject Matter:

Tippmann Construction, LLC is requesting a Variance for property located on Emery Road (parcel #02080101402) to reduce the 50' setback from the right of way for the pump house to 35 feet, a 15-foot reduction.

Staff Recommendation:

Hold tonight's public hearing and make a separate vote on each of the four (4) factors stated in the application.

City Manager's Comments:

Signature:

Department: Planning & Neighborhood
Services

ATTACHMENTS:

1. Tippman Variance Application packet

9.147

DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
CITY OF LUMBERTON, NORTH CAROLINA
APPLICATION FOR A VARIANCE

TO: THE BOARD OF ADJUSTMENT OF THE CITY OF LUMBERTON

1. **Applicant:**

TIPPMANN CONSTRUCTION, LLC

(Name)

9009 COLDWATER ROAD

(Address)

FORT WAYNE, IN. 46825

City/State/Zip

(260) 490-3000

(Telephone)

Owner (if different from Applicant):

THE CITY OF LUMBERTON

(Name)

500 N. CEDAR ST.

(Address)

LUMBERTON, NC 28359

City/State/Zip

(910)671-3800

(Telephone)

2. **Description of Property:**

289 EMERY ROAD, LUMBERTON, NC. 28358

(Address)

37

(Map Book)

(Page)

2334; 403

(Deed Book)

EMERY ROAD

(Frontage)

612; 201

(Page)

55 acres

(Area)

3. **Tax Map Identification:**

ROBESON COUNTY, CITY
OF LUMBERTON

(Township)

0208-01-01402

(Map)

(Block)

937007614600, 937016692400

(Parcel)

4. **Proposed Use of Property:**

REFRIGERATED STORAGE WAREHOUSE

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

HEAVY MANUFACTURING (M-2)

6. **Variance requested to requirement of Section 35-:**

141.3 (b)

7. **Purpose of Variance:**

SETBACK VARIANCE FOR PUMP HOUSE ALONG EMERY ROAD

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

9. **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.

10. **Factors Required to Grant a Variance:** When unnecessary hardships would result from carrying out the strict letter of a zoning ordinance, the board of adjustment shall vary any of the provisions of the ordinance upon a showing of all of the following "factors". In the spaces provided below, indicate the facts that you intend to show and the arguments that you intend to make so that the Board may conclude that the factors exist. (No change in permitted uses may be authorized by variance. Appropriate conditions may be imposed on any variance, provided that the conditions are reasonably related to the variance.):

a) **Unnecessary hardship would result from the strict application of the ordinance:**

UNDER THE CITY LAND USE ORDINANCE (SEC. 35-185 (b)), AN ACCESSORY BUILDING WOULD HAVE A 20' SETBACK OFF OF A STREET RIGHT-OF-WAY. THE PROPOSED PUMP HOUSE LOCATION WOULD BE COMPLIANT TO THIS REQUIREMENT, HOWEVER, THIS SECTION OF THE ORDINANCE IS SUPERSEDED BY THE OVERLAY DISTRICT.

b) **The hardship results from conditions that are peculiar to the property, such as location, size, or topography.**

(Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.):

SETBACK VARIANCE FOR PUMP HOUSE LOCATION NEAR TRUCK STAGING AND DOCK AREA. THIS STRUCTURE IS AN ACCESSORY BUILDING AND WILL BE SCREENED ALONG EMERY ROAD BASED ON THE CITY OF LUMBERTON'S FUTURE PLANS. TIGHT BOUNDARY CONDITIONS MAKE RELOCATING THIS PROPOSED PUMP HOUSE VERY DIFFICULT. IT'S CURRENT LOCATION IS IDEAL FOR WATER CONNECTION AND ACCESS DURING EMERGENCY OR FOR ROUTINE MAINTENANCE.

c) The hardship did not result from actions taken by the applicant or the property owner:

THE PROJECT'S HARDSHIP WAS NOT CREATED FROM ANY PREVIOUS ACTION TAKEN BY THE
PROPERTY OWNER OR APPLICANT. NO SITE WORK HAS TAKEN PLACE UP TO THIS POINT.

d) The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured and substantial justice is achieved:

UNDER THE CITY LAND USE ORDINANCE (SEC. 35-185 (b)), AN ACCESSORY BUILDING WOULD HAVE A
20' SETBACK OFF OF A STREET RIGHT-OF-WAY. HOWEVER, THIS SECTION OF THE ORDINANCE IS
SUPERSEDED BY THE OVERLAY DISTRICT. THIS DEMONSTRATES THAT THE DESIGN OF THE PUMP
HOUSE IS CONSISTANT WITH THE INTENT OF THE ORDINANCE.

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

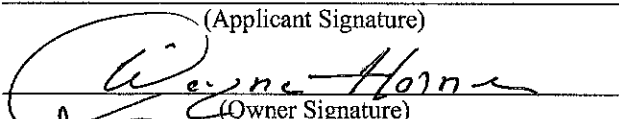
Jackson Grahovac

Digitally signed by Jackson Grahovac
DN: cn=Jackson Grahovac, OU=FW,
OU=IS-Users-All, DC=tippanangroup,
DC=ipm
Date: 2025.08.15 10:53:33 -0400

(Applicant Signature)

08/15/2025

(Date)



(Owner Signature)

8-18-25

(Date)



(Received By)

8-25-2025

(Date)



PROJECT WOLVERINE

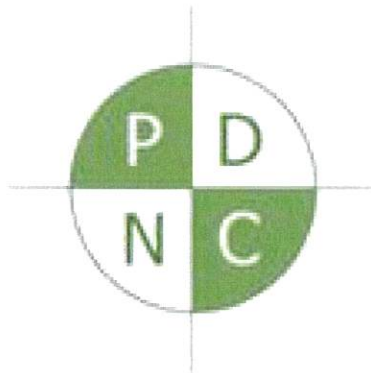
LUMBERTON, NC

APPENDIX A-2

WRITTEN APPLICATION – SETBACK VARIANCE

PROJECT NUMBER: 24-0031

DATE: 08/14/2025





(1) The name, address, and phone number of the applicant.

Tippmann Construction. 9009 Coldwater Road, Fort Wayne, IN 46825. (260)490-3000

(2) If the applicant is not the owner of the property in question, (i) the name, address, and phone number of the owner, and (ii) the legal relationship of the applicant to the owner that entitles the applicant to make application.

(i) The City of Lumberton. 500 N. Cedar St. Lumberton, NC 28359. (910)671-3800

(ii) Applicant is working as the Project's Design/Build Team for future property Owner. The current Owner is the City of Lumberton.

(3) The date of the application.

08/14/2025

(4) Identification of the particular permit sought.

Setback Variance for Land Use Permit

(5) A succinct statement of the nature of the development proposed under the permit or the nature of the variance.

Setback variance for pump house location near truck staging and dock area. The pump house currently is being proposed 35' off the right-of-way along Emery Road and has a 50' setback requirement. This structure is an accessory building and will be screened along Emery Road based on the city of Lumberton's future plans. Tight boundary conditions make relocating this proposed pump house very difficult. It's current, proposed location is ideal for water connection and access during an emergency or for routine maintenance.

(6) Identification of the property in question by street address and tax map reference.

289 Emery Road, Lumberton, NC. 28358. Tax Map – 0208-01-01402

(7) The zoning district within which the property lies.

M-2. Located in Industrial Park Overlay District

(8) The number of square feet in the lot where the development is to take place.

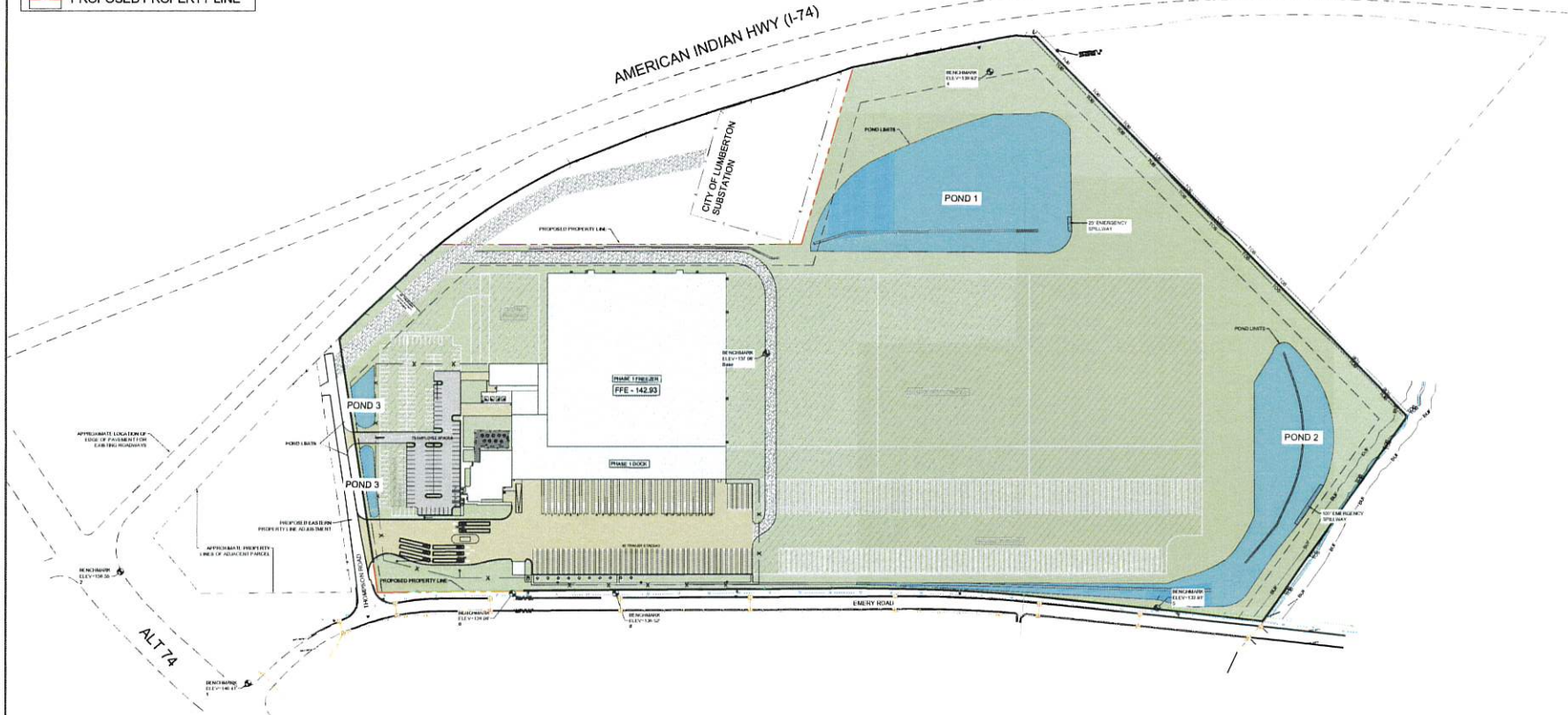
2,395,800 SF of Total development area.

(9) The gross floor area of all existing or proposed buildings located on the lot where the development is to take place.

753,750 SF of Gross Floor area for all proposed, including future design, buildings located on the site.

LEGEND:

	LIGHT DUTY ASPHALT
	CONCRETE WALK
	HD CONCRETE PAVEMENT
	GRAVEL DRIVE
	PROPOSED BUILDING
	GREEN SPACE
	DETENTION POND
	RIVER ROCK
	FUTURE DEVELOPMENT
	PROPOSED PROPERTY LINE



LIST OF BENCHMARKS

ID: BASE - X: 1971338.91165	Y: 307011.88269	Z: 137.083
ID: 1 - X: 1972611.28443	Y: 307631.92410	Z: 146.411
ID: 2 - X: 1972676.39182	Y: 307345.95314	Z: 158.663
ID: 4 - X: 1970752.44629	Y: 306418.15882	Z: 139.830
ID: 5 - X: 1970507.65912	Y: 307695.54117	Z: 132.567
ID: 6 - X: 1971082.42414	Y: 307492.25840	Z: 138.081
ID: 7 - X: 1972327.04288	Y: 307122.51567	Z: 139.972
ID: 8 - X: 1971745.95688	Y: 307516.74648	Z: 138.516



PROJECT WOLVERINE
FOR
TIPPMANN CONSTRUCTION
289 EMERY ROAD LUMBERTON, NC.

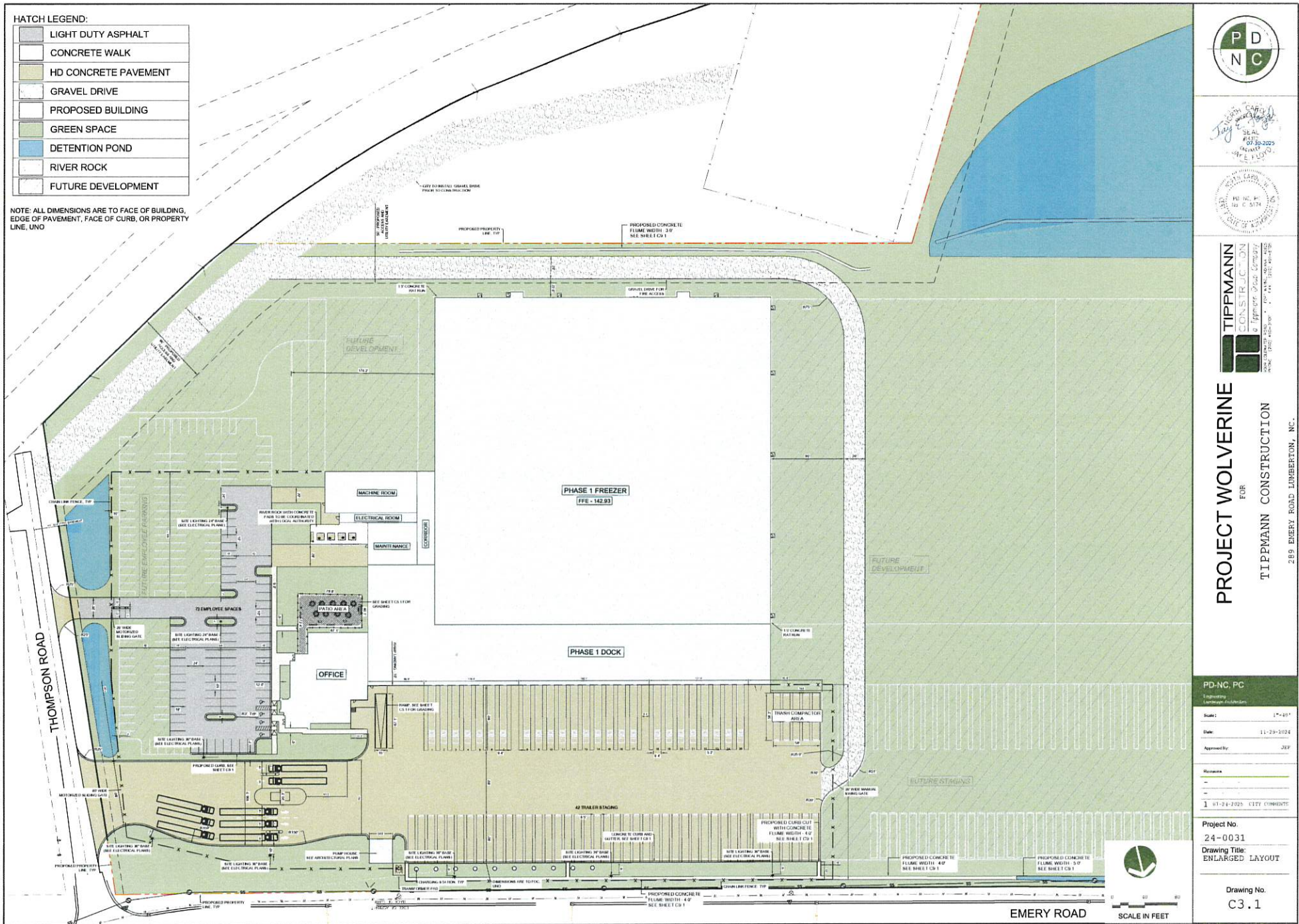
PD-NC, PC
Engineering
Landscape Architecture

Scale: 1"=100'
Date: 11-29-2024
Approved By: JEC

Revisions
1 07-24-2025 CITY COMMENTS

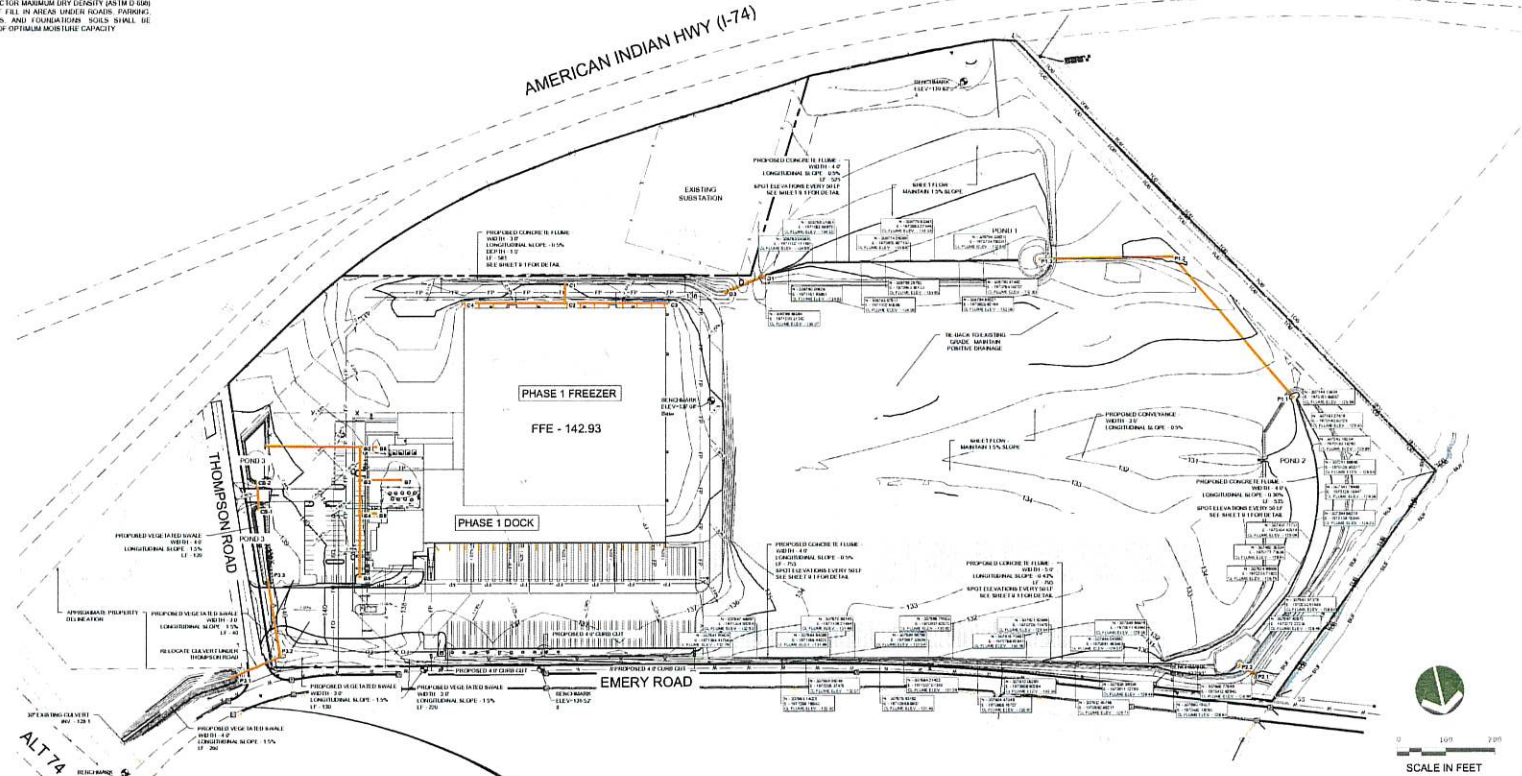
Project No.
24-0031
Drawing Title:
OVERALL LAYOUT

Drawing No.
C3.0



SITE GRADING & STORM DRAINAGE NOTES

- PRIOR TO BEGINNING CONSTRUCTION, SITE CONTRACTOR SHALL REVIEW GEOTECHNICAL REPORT. NO WORK SHALL BE DONE UNLESS FROM RECOMMENDATIONS IN THE GEOTECHNICAL REPORT WITHOUT APPROVAL FROM THE CIVIL ENGINEER AND TIPPMMAN CONSTRUCTION.
- ALL CUT AND FILL SHALL BE PERFORMED UNDER THE DIRECTION/SUPERVISION OF THE GEOTECHNICAL ENGINEERING COMPANY. ALL AREAS TO RECEIVE FILL SHALL BE PROOF ROLLED IN THE PRESENCE OF THE GEOTECHNICAL ENGINEERING COMPANY PRIOR TO PLACING OF FILL.
- UNLESS DIRECTED OTHERWISE BY GEOTECHNICAL ENGINEERING COMPANY, AFTER TOPSOIL STRIPPING ALL FILL AREAS SHALL BE BARRED IN UP TO NOT EXCEEDING 15% THICKNESS. THE RELATIVE COMPACTION OF EACH LAYER SHALL NOT BE LESS THAN 90% OF THE STANDARD PROCTOR MAXIMUM DRY DENSITY (ASTM D1557) IN ALL AREAS OF FILL. THE RELATIVE COMPACTION OF EACH LAYER SHALL NOT BE LESS THAN 100% OF THE STANDARD PROCTOR MAXIMUM DRY DENSITY (ASTM D1557) IN THE UPPER 12 INCHES OF FILL IN AREAS UNDER ROADS, PATIOWS, DRIVEWAYS, DRILLING SLEDS AND FOUNDATION SOILS SHALL BE WITHIN PLUS OR MINUS 3% OF OPTIMUM MOISTURE CAPACITY.



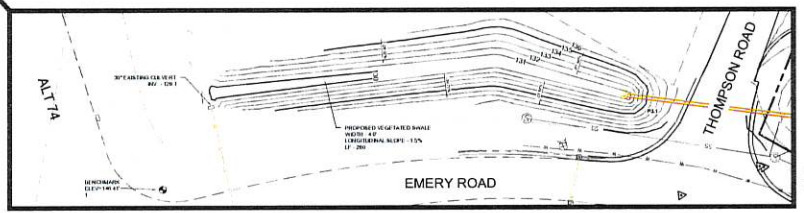
DRAINAGE STRUCTURE SCHEDULE		
NO.	TYPE*	HYD. R.O.V.
B1	HEADWALL	130.80 (B1)
B2	JUNCTION BOX	131.30 (B2)
B3	JUNCTION BOX	131.37 (B3)
B4	JUNCTION BOX	131.39 (B4)
B5	JUNCTION BOX	132.39 (B5)
B6	WYE/OUTLET INLET	131.71 (B6)
B7	WYE/OUTLET INLET	131.26 (B7)
B8	WYE/OUTLET INLET	132.22 (B8)
C1	HEADWALL	132.80 (C1)
C2	JUNCTION BOX	132.25 (C2)
C3	JUNCTION BOX	131.38 (C3)
C4	JUNCTION BOX	131.43 (C4)
C5-1	HEADWALL	132.75 (C5-1)
C5-2	HEADWALL	132.75 (C5-2)
C6	HEADWALL	132.79 (C6)
C7	HEADWALL	132.93 (C7)
P1-1	HEADWALL	129.91 (P1-1)
P1-2	WYE/OUTLET INLET	131.29 (P1-2)
P1-3	WYE/OUTLET INLET	132.25 (P1-3)
P2-1	HEADWALL	131.44 (P2-1)

DRAINAGE STRUCTURE SCHEDULE		
NO.	TYPE*	HYD. R.O.V.
P2-2	40" OUTLET CONTROL STRUCTURE	129.40 (P2-2)
P3-1	HEADWALL	131.01 (P3-1)
P3-2	WYE/OUTLET INLET	131.50 (P3-2)
P3-3	18" OUTLET CONTROL STRUCTURE	132.75 (P3-3)

PIPE TABLE			
LINE	SIZE/TYPE	LENGTH	SLOPE
B1-B2	18" 12' 10" RCP	152'	0.50%
B2-B3	36" 18" 12' 10" RCP	87'	0.50%
B3-B4	12" 12' 10" RCP	32'	1.00%
B4-B5	36" 18" 12' 10" RCP	87'	0.50%
B5-B6	12" 12' 10" RCP	22'	2.00%
C1-C2	24" 12' 10" RCP	47'	0.50%
C2-C3	36" 18" 12' 10" RCP	205'	0.50%
C3-C4	36" 18" 12' 10" RCP	330'	0.33%
C4-C5-1	36" 18" 12' 10" RCP	87'	0.50%
C5-1-C5-2	36" 18" 12' 10" RCP	87'	0.44%
P1-1-P1-2	24" 12' 10" RCP	330'	0.33%
P1-2-P1-3	24" 12' 10" RCP	47'	0.50%
P2-1-P2-2	36" 18" 12' 10" RCP	87'	0.50%
P2-2-P2-3	36" 18" 12' 10" RCP	330'	0.33%

LEGEND

PROPOSED STORM DRAIN



EMERY ROAD ROADSIDE DITCH IMPROVEMENT BLOW-UP



PROJECT WOLVERINE
FOR
TIPPMMAN CONSTRUCTION
289 EMERY ROAD LUMBERTON, NC.

PD-NC, PC
Engineering
License No. 1574

Scale: 1" = 100'

Date: 11-29-2024

Approved by: JEP

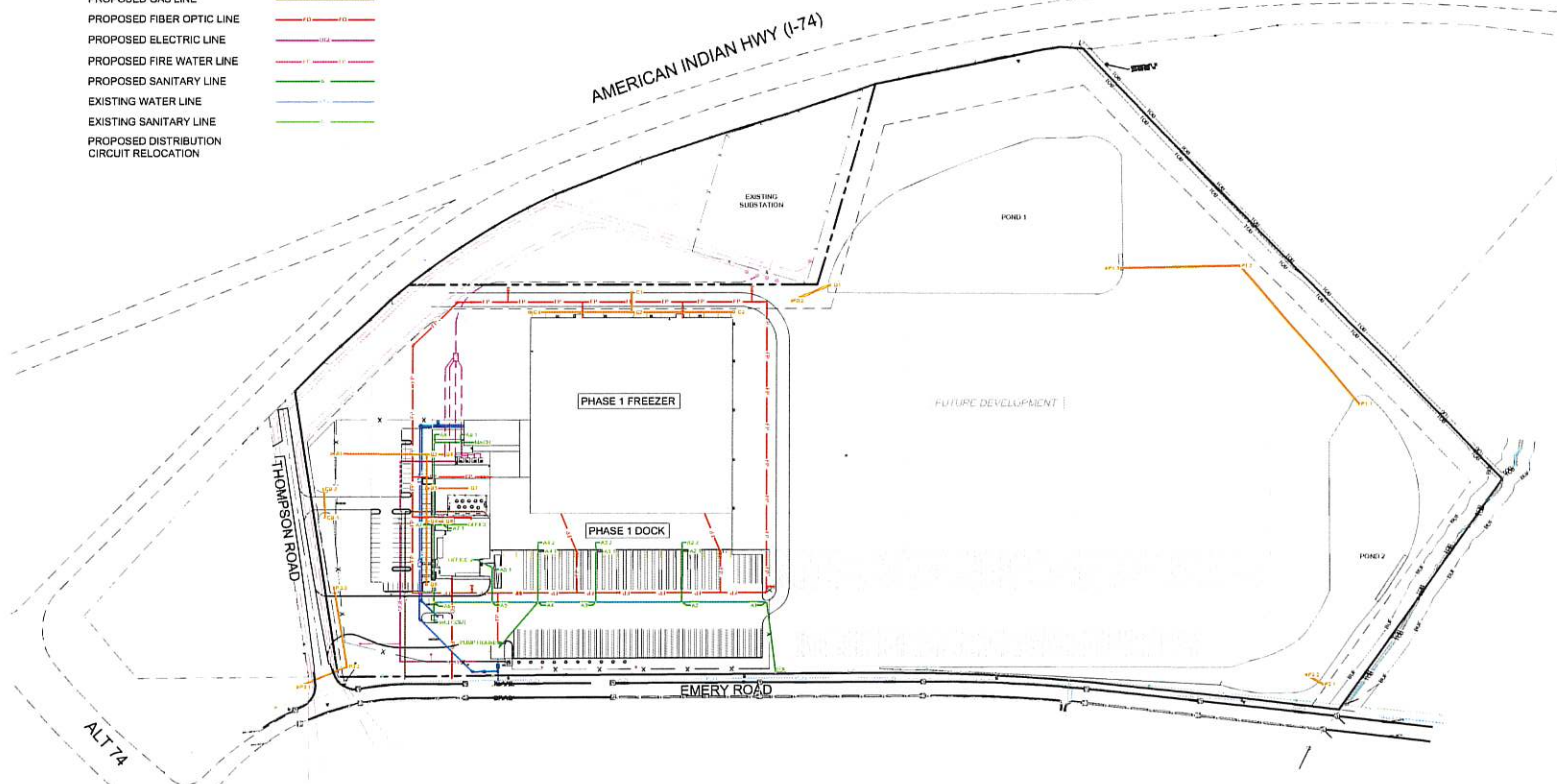
Revisions:

1 07-24-2025 CITY COMMENTS

Project No.
24-0031
Drawing Title:
GRADING AND DRAINAGE PLAN

Drawing No.
C5.0

- LEGEND**
- PROPOSED DOMESTIC WATER LINE
 - PROPOSED STORM DRAIN
 - PROPOSED GAS LINE
 - PROPOSED FIBER OPTIC LINE
 - PROPOSED ELECTRIC LINE
 - PROPOSED FIRE WATER LINE
 - PROPOSED SANITARY LINE
 - EXISTING WATER LINE
 - EXISTING SANITARY LINE
 - PROPOSED DISTRIBUTION
 - CIRCUIT RELOCATION



NO.	TYPE*	RIM	INVERTS
A1	48" DIA. MANHOLE	127.74	127.58 (A2) 127.46 (A3)
A2	48" DIA. MANHOLE	127.77	126.35 (A2) 126.46 (A3) 126.58 (A2.5)
A2.1	TWO WAY CLEANOUT	128.74	127.42 (A2) 127.23 (A2.5)
A2.2	TE. RI	127.78	127.25 (A2.5)
A3	48" DIA. MANHOLE	127.64	126.32 (A2) 126.43 (A2) 126.55 (A2.5)
A3.1	TWO WAY CLEANOUT	128.73	126.30 (A2) 126.22 (A2.5)
A3.2	TE. RI	127.76	126.25 (A2.5)
A4	48" DIA. MANHOLE	127.58	126.79 (PUMP HEAD) 126.72 (A2) 126.25 (A4.5) 126.37 (A2)
A4.1	TWO WAY CLEANOUT	128.72	126.26 (A4) 126.25 (A4.5)
A4.2	TE. RI	127.26	126.75 (A4.5)
A5	48" DIA. MANHOLE	127.62	126.09 (A4) 126.00 (A4) 126.38 (A2.5)
A5.1	TWO WAY CLEANOUT	128.43	122.80 (A2) 123.77 (A2.5) P.C. 2

NO.	TYPE*	RIM	INVERTS
A6	48" DIA. MANHOLE	128.90	128.00 (PH. CLEAN) 127.30 (A6) 127.36 (A7)
A7	48" DIA. MANHOLE	142.60	124.00 (A6) 124.00 (A6) 126.80 (A7.5)
A7.1	TWO WAY CLEANOUT	142.47	126.96 (A7) 129.00 (P.C. F.C.2)
A8	48" DIA. MANHOLE	142.60	126.35 (A7) 126.80 (A8.5)
A8.1	TWO WAY CLEANOUT	142.78	126.03 (A8) 126.79 (A8.5)
EX	EXISTING MANHOLE	124.24	126.75 (A1)
BACH	TE. RI	140.87	140.31 (A8.5)
OFFICE	TE. RI	129.72	129.30 (A7.5)
OFFICE 2	TE. RI	132.72	125.00 (A2.5)
PUMP HEAD	TE. RI	122.73	122.80 (A4)
WELCOME	TE. RI	123.29	124.50 (A4)

LINE	SIZE/TYPE	LENGTH	SLOPE
A1-A2	12" SDR35 PIPE	127'	0.04%
A2-A3	12" SDR35 PIPE	102'	1.00%
A2-A3	12" SDR35 PIPE	123'	0.04%
A2.1-A2.2	12" SDR35 PIPE	2'	1.00%
A3-A3.1	12" SDR35 PIPE	102'	1.00%
A3-A4	12" SDR35 PIPE	110'	0.20%
A3.1-A3.2	12" SDR35 PIPE	2'	1.00%
A4-A4.1	12" SDR35 PIPE	101'	1.00%
A4-A6	12" SDR35 PIPE	54'	0.20%
A4-PUMP HEAD	12" SDR35 PIPE	147'	1.00%
A4.1-A4.2	12" SDR35 PIPE	2'	1.00%
A5-A5.1	12" SDR35 PIPE	82'	1.00%

LINE	SIZE/TYPE	LENGTH	SLOPE
A6-A6	12" SDR35 PIPE	110'	1.75%
A6.1-1.1.1.1.2	12" SDR35 PIPE	27'	3.30%
A6-A7	12" SDR35 PIPE	127'	1.00%
A6-WELCOME	12" SDR35 PIPE	32'	5.20%
A7-A7.1	12" SDR35 PIPE	97'	1.00%
A7-A8	12" SDR35 PIPE	100'	0.20%
A7.1-1.1.1.1.2	12" SDR35 PIPE	12'	1.00%
A8-A8.1	12" SDR35 PIPE	12'	1.00%
A8.1-MANCH	12" SDR35 PIPE	14'	1.00%
EX-A1	12" SDR35 PIPE	180'	0.20%

SANITARY NOTE:
SEE SHEET C0.1 FOR SANITARY STRUCTURE NUMBERS



PROJECT WOLVERINE
FOR
TIPPMANN CONSTRUCTION
289 EMERY ROAD LUMBERTON, NC.

PD-NC, PC
Exempted
Exempted Exempted
Scale: 1"=100'
Date: 11-29-2024
Approved By: JEP

Revisions:
1 07-24-2023 CITY COMMENTS

Project No.
24-0031
Drawing Title:
UTILITY PLAN

Drawing No.
C6.0

City of



Lumberton

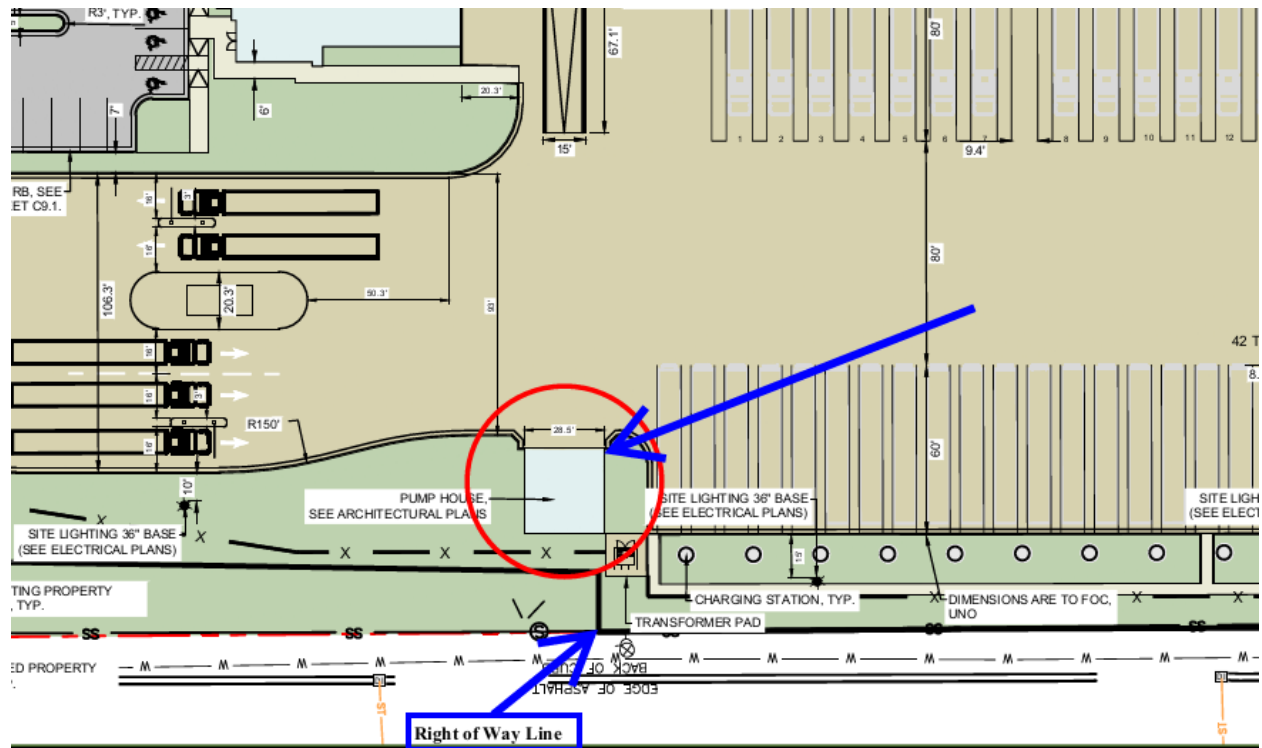
Planning & Neighborhood Services

Request for Variance
9.147 Tippman Construction, LLC

PETITIONER(S):	OWNER(S):
Name of Petitioner: Tippman Construction, LLC	Name of Owner: City of Lumberton
Address: 9009 Coldwater Road	Address: PO Box 1388
City/State/Zip: Fort Wayne, IN 46825	City/State/Zip: Lumberton, NC 28359

LOCATION: Emery Rd. Parcel # 0208-01-01402





STAFF ANALYSIS

PARCEL INFORMATION

Owner	Parcel #(s)	Zoning	Area
City of Lumberton	02080101402	M-2 Heavy Manufacturing with Overlay	~ 3.70 Acres

ADJACENT PROPERTY SITE DATA

	Zoning	Land Use
North	M-2 with Overlay	Vacant
South	City M-2 with Overlay	Vacant
East	City M-2 with Overlay	Vacant
West	City M-2 with Overlay	City of Lumberton POD #3

PROJECT OVERVIEW

Variance: Tippmann Construction, LLC is requesting a Variance for property located on Emery Road parcel #02080101402, Deed Bk. 2334, Pg. #0612. The Variance is to reduce the 50' setback from the right of way for the pump house to 35 feet, a reduction of 15 feet.

Section 35-141.3 - The I-95 / I-74 Industrial Park Overlay District

(4)(b) Setbacks

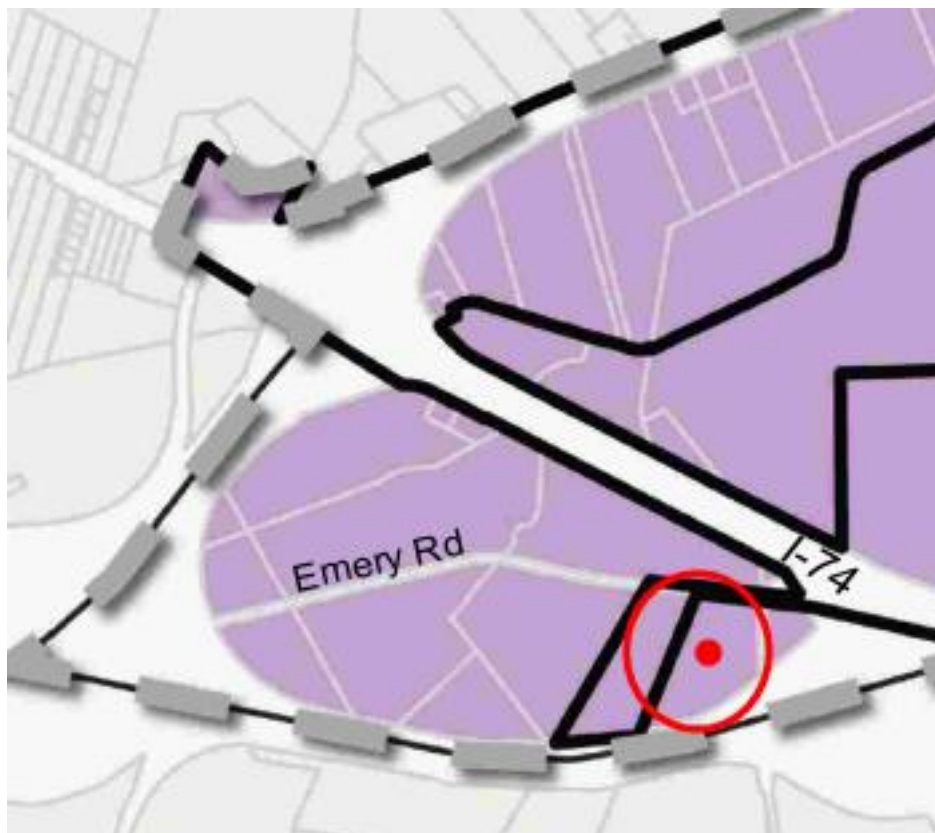
In the Overlay District building setbacks shall be a minimum of 50 feet from all property boundary lines for buildings with a maximum height equal to or less than 20 feet. An additional 1 foot of setback distance must be added for every 1 foot of building height above 20 feet. Maximum required building setback shall be 100 feet regardless of building height.

6. EXCEPTIONS TO APPLICABILITY, CONFLICTS OF LAW

(b) It is not intended that these regulations interfere with any legally enforceable easement, covenants or other agreements. However, if the provisions of these regulations impose greater restrictions or higher standards for the use of a building or land, then the provisions of these regulations shall control.

PLANNING & ZONING

Land Use Plan: The Land Use Plan designates the future use of this parcel as industrial and is located in Precinct 7.



City of *Lumberton*

Planning & Neighborhood Services

INDUSTRIAL

The Industrial land use category is intended to promote economic development by providing significant freedom in land use for the purposes of manufacturing, assembly, processing, fabrication, transportation, warehousing and logistics at a variety of intensities and scales. While not exclusively industrial in nature, commercial or other nonresidential uses which do not directly support the function of the industrial base within these areas should be discouraged in order to promote the compatible use of land and to preserve this land resource for industries that will promote stable employment growth in the region.

City of Lumberton

Planning & Neighborhood Services

Flood Zone 'X' Not in 100-YR Floodplain: Area of minimal risk and determined to be outside the 100 and 500-year floodplains.

Map Number: 3710937000K Panel Number: 9370 Panel Effective Date: 12/6/2019

City of Lumberton Annexation/Zoning

Apr 29, 2025



North Carolina Floodplain Mapping Program

Legend	
	Panels
	Political Areas
	Stream Centerline
	Cross Sections
	Levee
	Flood Hazard Areas
	AE
	Floodway (AE)
	0.2 % Chance Annual Flood Hazard
	Future Conditions 1% Annual Chance Flood Hazard





Planning & Neighborhood Services

PLANNING STAFF RECOMMENDATION TO COUNCIL

Hold tonight's public hearing and make a separate vote on each of the four (4) factors stated in the application.

Section 35-141.3 - The I-95 / I-74 Industrial Park Overlay District

1. DEFINITION OF AN OVERLAY PLAN

An overlay plan is generally a plan which is applied over a previously established area(s), establishing additional, stricter standards and criteria for a predetermined area(s). In this case, in order to accomplish the goals described below, some conditions applicable to this overlay district may simply be different (as opposed to necessarily more restrictive only) than those which would ordinarily apply with the underlying zoning.

These standards are in addition to any established ordinances, plans, federal and state regulations, unless otherwise stated.

2. BOUNDARIES OF THE PROJECT AREA

The boundaries of the proposed I-95 / I-74 Industrial Park Overlay Plan (Map #1), "Project Boundary Map" are described in Exhibit "A", attached. *This Plan is the ultimate goal for the City, but the Ordinance may not be applied all at once. For instance, it cannot be applied prior to annexation into the City of any contemplated property.*

3. OBJECTIVE

The Overlay District was created to insure the orderly development of a planned industrial park, strategically located at the critical intersection of Interstates 95 and 74, approximately 85 miles from the port of Wilmington and 25 miles from the inland port at Dillon, SC. The District was also designed (1) to discourage incompatible uses within the industrial park, (2) to provide general appearance guidelines for the construction of buildings within the park, (3) to create conditions which would facilitate and increase the likelihood of any economic incentives which may be available from the state of North Carolina, Robeson County and the City of Lumberton, and (4) to provide a basis for consistent decisions concerning the industrial park.

The objective is to establish a harmonious land use pattern, with adequate planned development of new commercial structures, as well as, create an environment conducive to the development and improvement of properties within the defined I-95 / I-74 Industrial Park. It is intended that these actions will be implemented over time and be coordinated with the needs of new businesses who locate within the industrial park.

4. OVERLAY DISTRICT MAP, PROVISIONS AND REQUIREMENTS

The provisions, restrictions, and requirements, within the district identified on the Project Boundary Map to which the overlay is applied, are as follows:

- (a) The permitted uses and special uses shall remain the same as allowed under the M-2 (Heavy Industrial) zoning district with the exception of the following list of uses which shall be prohibited within the overlay district boundary:
 - i. Body Shops, Auto Repair Shops, Automobile Graveyards, Junkyards, and Automobile Salvage yards.
 - ii. Coal and Wood Yards and Pole Treating Plants
 - iii. Concrete and Asphalt Product Plants

- iv. Contractors Offices and Storage Yards (except those temporarily associated with the construction of a primary facility otherwise allowed)
- v. Farm Machinery Sales and Repairs
- vi. Fertilizer Manufacturing and Sales
- vii. Foundries Producing Iron, Steel Copper, Brass, and Aluminum Products
- viii. Hospitals, Doctor Offices, Medical Clinics and other facilities associated with the medical treatment of patients
- ix. Livestock Sale Barns
- x. Meatpacking and Poultry Processing Plants
- xi. Mining or Quarrying Operations
- xii. Public Elementary and Secondary Schools, and their customary related uses
- xiii. Sawmills, Planing Mills, and Pallet, and Basket Factories
- xiv. Slaughter Houses or Meat Processing Plants
- xv. Off-Premises Advertising Displays and Billboards

(b) Setbacks

In the Overlay District building setbacks shall be a minimum of 50 feet from all property boundary lines for buildings with a maximum height equal to or less than 20 feet. An additional 1 foot of setback distance must be added for every 1 foot of building height above 20 feet. Maximum required building setback shall be 100 feet regardless of building height.

(c) Subdivisions - Lot Sizes

Subdivisions shall be allowed in the Overlay District subject to City ordinances. However, the minimum lot size in the Overlay District shall be 10 acres.

(d) Building Heights

Maximum allowable building height shall be 80 feet measured to the top of roof or parapet wall, whichever is higher. Except that a taller building height may be allowed with the issuance of a Special Use Permit.

(e) Signs – Freestanding, Building Mounted, Directional, and Entrance

(I) Developments shall be limited to one freestanding sign for each property boundary facing a public right-of-way.

- i. A single side of a freestanding sign shall not exceed five-tenths (0.5) square feet in surface area for every linear foot of street frontage along which the sign is primarily oriented and shall not exceed a maximum of 200 square feet.
- ii. Freestanding signs shall not exceed a maximum height of 50 feet.
- iii. Signs may not contain elements which move or are animated, or contain intermittent or flashing lights.
- iv. Minimum setbacks shall be 20 feet from all right-of-way's and 15 feet from property/boundary lines.
- v. Maximum size of directional signs shall be eight (8) square feet and a maximum overall height of six (6) feet and bear no

advertising matter. With the absence of a freestanding sign, directional signs at the entrance may contain identification information (i.e. logo, business name). However, there shall be no more than one such directional sign at each entrance of the facility.

(II) Wall mounted or building signage shall be limited to one sign for each building face.

- i. The maximum building sign area shall not exceed five percent (5%) of the total surface area of the building wall on which the sign is located.
- ii. Building signs shall not be mounted to the roof of a building, nor shall they extend above the parapet, or be mounted in such a way that they extend over a traveled portion of any public area.

(III) One high-rise, interstate sign shall be allowed for properties within 200' of an Interstate right-of-way.

- i. The high-rise, interstate sign shall have a height no greater than one hundred feet (100') measured from the adjacent ground level and shall have a sign area no greater than six square feet (6 ft²) for every foot in vertical height of the sign.
- ii. For developments which utilize a high-rise, interstate sign; this sign shall not reduce the number of freestanding signs allowed under subsection (e)(1).
- iii. Minimum setbacks shall be 20 feet from all right-of-way's and 15 feet from property/boundary lines.
- iv. Notwithstanding any other provisions of this section, a high-rise sign having a height greater than fifty and one-tenth (50.1) feet may be located zero (0) feet from the right-of-way line of an interstate highway only if all portions of the structure of the sign located below fifty (50) feet are located no closer than ten (10) feet from the right-of-way line of an interstate highway.
- v. Changeable copy signs are prohibited.

(IV) Maximum size of entrance signs for subdivisions shall be 64 square feet to allow for multi-tenant signs. Signs must be encased with brick or comparable and approved by the Planning and Neighborhood Services Department.

- i. Changeable copy signs are prohibited.

(i) Parking

Each development shall be required to provide employee and guest parking at a rate of 1.1 spaces for each employee on the maximum shift. Parking stalls shall be a minimum of 9 feet wide by 19 feet long measured from the face of curb to the end of the marked space. Required accessible spaces to meet Federal/State/Local codes shall be included in the stated calculation when determining the total parking count for the development. Driveways and drive aisles shall be a minimum of 24' wide for two-way traffic. All required parking areas and drive aisles shall be surfaced with asphalt, concrete or other

approved hard-surface material that resists potholes and the creation and transfer of undesirable dirt, dust and mud to the public right-of-way.

(j) Storm Water Management

All developments shall be constructed and maintained so that adjacent properties are not unreasonably burdened with surface waters as a result of such developments. More specifically:

- i. No development may be constructed or maintained so that such development unreasonably impedes the natural flow of water from higher adjacent properties across such development, thereby unreasonably causing substantial damage to such higher adjacent properties; and
- ii. No development may be constructed or maintained so that surface waters from such development are unreasonably collected and channeled onto lower adjacent properties at such locations or at such volumes as to cause substantial damage to such lower adjacent properties.

(k) Without limiting the generality of subsection (a) any development covering 5,000 or more square feet of land with an impervious surface shall be required to install a system of storage and controlled release of storm water such that, after development of the site, the calculated peak rate of storm water runoff resulting from a ten-year frequency storm having a duration of one hour shall be no greater than that which would result from a ten-year frequency storm on the same site prior to development.

(l) A reasonable effort must be made by each property developer to consolidate storm water management systems when possible and to allow for such “joint-use” when necessary to assure proper placement and management of said systems. Property developers may negotiate maintenance agreements with adjoining property owners, as well as the local unit(s) of government, to insure perpetual maintenance of the storm water systems for each site.

(m) Uniformity of structures within the overlay district.

- i. Materials for building facades are encouraged to be limited in number to three, one of which will be the predominant material. Preferred major exterior materials include brick or concrete masonry, natural stone masonry, and/or architectural precast panels. Preformed steel and aluminum panel systems shall be permitted but must be complimented by another “accent” material choice. All materials used will reflect a high degree of quality, durability and craftsmanship. Exterior stucco system may be used as trim and accent features in walls.
- ii. Liberal use of glass is encouraged. Glass used shall be tinted or reflective glass with an outdoor reflectance of no more than 20%.
- iii. Exterior building materials will not include painted or stained wood, aluminum or vinyl siding, simulated materials such as adhesive applied brick, etc.
- iv. Building coloration will consist predominantly of a neutral overall color that compliments the building’s surroundings. Accent colors are encouraged and must compliment the overall building color scheme.

- v. Roof and roof appurtenances: All fans, vents, cooling towers, skylights and any equipment located on the roof of any improvement shall be located in a manner to minimize their distraction from the architectural attractiveness of the building. It is suggested that sloping roofs will be screened by flat parapets and sloped to appropriate drains. Pitched roofs with a minimum slope of 6 in 12 will be permitted. Permissible materials for pitched roofs will be limited to standing seam or flat seam configuration metals. Non-weathering metals (i.e., galvanized steel) shall be appropriately painted. A reasonable effort must be made to screen roof appurtenances projecting above the roof, such as exhaust fans, heating and air conditioning units, condensers, electrical equipment, plumbing vents and stacks. Such screening may be achieved by extending exterior walls above the roof to form a parapet or through the use of other opaque walls to be constructed of materials compatible in texture, color and quality with exterior walls of the building.

5. GENERAL REGULATIONS AND CONTROLS

In addition to the regulations of the I-95 / I-74 Industrial Park Overlay District, development must follow the general regulations and controls of the City of Lumberton's Code of Ordinances, the City's Land Use Plan, federal and state regulations. The overlay requirements shall prevail over other inconsistent provisions, to include the following requirements:

- (a) All developments shall be appropriately landscaped and well maintained
- (b) Outside storage shall be properly screened from public view by either an opaque wall, fence or planted vegetation
- (c) No on-street parking shall be allowed for truck staging and/or commercial and passenger vehicles

- (d) No temporary structures shall be allowed on site except during that time of construction
- (e) There shall be no unlawful, unpermitted, or unapproved discharges to air/water
- (f) Site lighting is to be adequate enough for support of normal business operations but shall be “non-polluting” to adjoining properties

6. EXCEPTIONS TO APPLICABILITY, CONFLICTS OF LAW

- (a) Nothing contained herein shall repeal, modify, or amend any federal or state law or regulation, or any ordinance or regulation pertaining thereto except any ordinance which these regulations specifically replace; however, the adoption of this section shall and does amend any and all ordinances, resolutions, and regulations in effect in the City of Lumberton at the time of the adoption of this section that may be construed to impair or reduce the effectiveness of this section or to conflict with any of its provisions.
- (b) It is not intended that these regulations interfere with any legally enforceable easement, covenants or other agreements. However, if the provisions of these regulations impose greater restrictions or higher standards for the use of a building or land, then the provisions of these regulations shall control.

7. PROJECT BOUNDARY DESCRIPTION

A written property description shall be completed once the ordinance is approved and a map shall be included here as well.

- 8. Any provision in this Code section (the overlay ordinance) which would legally be considered a ‘building design element’ under NCGS 160D-702 shall be considered a guideline, and not an outright legal requirement, and shall be discussed with City staff in an effort to ensure as much consistency with the intent of the overlay district as possible.