

**BOARD OF ADJUSTMENT - APRIL 28, 2026
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 - DATE

III. Agenda Items

A. Davis Ray variance request- 2109 Griffin St. P-2 - ArTriel Kirchner, Planning & Neighborhood Services

IV. Adjournment

Lumberton Board of Adjustment

Item: II.A.

Lumberton, North Carolina



Request for Action

Meeting Date: April 28, 2026

Originated By:

Submission Date: 04/01/2026

Subject: Board of Adjustment - Regular Meeting - DATE

Summary/Background of Subject Matter:

Staff Recommendation:

City Manager's Comments:

Signature:

Department:

ATTACHMENTS:

None

Lumberton Board of Adjustment

Item: III.A.

Lumberton, North Carolina



Request for Action

Meeting Date: April 28, 2026

Originated By: Planning & Neighborhood Services

Submission Date: 04/01/2026

Subject: Davis Ray variance request- 2109 Griffin St. P-2

Summary/Background of Subject Matter:

Davis Ray is requesting a Variance from the requirements of Section 35-167, Multifamily Developments, and Section 35-181. Minimum lot size. of the City Code for property located at 2109 Griffin St. (parcel # 10090200403) for a multifamily development with 84 units.

Staff Recommendation:

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

1. Unnecessary hardship would result from the strict application of the ordinance.
2. The hardship results from conditions that are peculiar to the property, such as location, size, or topography.
3. The hardship did not result from actions taken by the applicant or the property owner.
4. 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.

City Manager's Comments:

Signature:

Department: Planning & Neighborhood Services

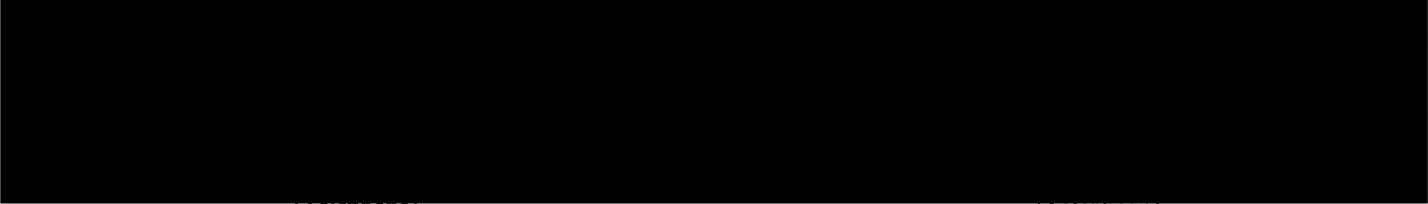
ATTACHMENTS:

1. VARIANCE Application -et.al. (FINAL)

**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: <u>Trinity Housing Development</u> (Name)	Owner (if different from Applicant): <u>Jonathan David Edwards</u> (Name)
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2. Description of Property:			
<u>2109 Griffin Street, Lumberton, NC 28358</u>	<u>01059</u>	<u>0852</u>	
(Address)	(Deed Book)	(Page)	
<u>63</u>	<u>47</u>	<u>192'</u>	<u>5 +/- acre</u>
(Map Book)	(Page)	(Frontage)	(Area)

3. Tax Map Identification:			
<u>0302</u>	<u>04</u>	<u>9070</u>	
(Township)	(Map)	(Block)	(Parcel)

4. Proposed Use of Property: Multifamily development (Up to 84 Units)

5. Zoning District Designation of Property: B-3

6. Variance requested to requirement of Section 35-: Requesting to exceed the approved density Section 35-167, Multifamily Developments
Section 35-181, Minimum Lot Size

7. Purpose of Variance: To allow the development of multifamily

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:
It is our experience of multiple development communities throughout the region that this project will not result in any hardships for the property or the neighborhood. The project will be in harmony with the development of the surrounding uses

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.):

The topography of this property will not result in any extreme site work. The location lends it self to immediate access to all life amenities and the size will fit the additional density with no hardships

(Over)

File # _____ 1


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

The current zoning restrictions have a radius measurement that will not allow more than 48 units on the site, as is. Due to the need of additional housing throughout the state and the community, we are requesting the variance of this requirement

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:

The request is consistent with the goals and plans of incorporating additional affordable housing units in the City of Lumberton. Additionally, the most recent market study conducted by a third-party supports the area's addition of affordable housing. We will comply with the local and state requirements for permitting and inspections and the development will be a natural fit to the existing neighborhood. None of the development features will add to any concerns with a respect of public safety.

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

 _____ (Applicant Signature)	3/27/24 _____ (Date)
_____ (Owner Signature)	_____ (Date)
_____ (Received By)	_____ (Date)

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

The current zoning restrictions have a radius measurement that will not allow more than 48 units on the site, as is. Due to the need of additional housing throughout the state and the community, we are requesting the variance of this requirement

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

(Applicant Signature)
Jonathan Faircloth

(Owner Signature)

(Date)
3/27/2026

(Date)

(Received By)

(Date)

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.: 9.149

Property address: 2109 Griffin Street, Lumberton, NC 28358 Parcel #: 030204908300

I, Jonathan David Edwards (property owner), give Dr. (Mr./Ms.) Davis Ray the authority to appear before City Council/Planning Board/Board of Adjustment on my behalf.

Authorized Person (print/type full name): Davis Ray, Wynnefield Forward, LLC

Signature: Jonathan David Edwards (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... 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 North Carolina COUNTY OF Robeson

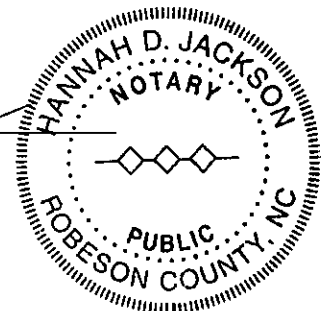
I, Hannah D Jackson, a Notary Public in and for said County and

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

WITNESS my hand and Notarial Seal this 27th day of March, 2024

Hannah D. Jackson Notary Public

My Commission Expires: 9-4-29



LOFTS AT GRIFFIN RIVER

Lumberton, North Carolina



THIS PROJECT COMPLIES
WITH 2026 QAP, APPENDIX B,
DESIGN QUALITY STANDARDS.

SEALS
NOT FOR
CONSTRUCTION

CONSULTANTS

Trinity Housing

PROJECT
LOFTS AT
GRIFFIN RIVER

2109 GRIFFIN ST.
LUMBERTON, NC

26-514.00

REVISIONS

DATE

DATE: JANUARY 23, 2025
ISSUED FOR: NCSPA 1ST ROUND APPLICATION

SHEET #

TITLE SHEET

#

TS100

THE WORK TEAM LEAD MCB



SEALS

CONSULTANTS

PROJECT

REVISIONS

DATE

SHEET #

SHEET

#

Trinity Housing
LOFTS AT GRIFFIN RIVER
2109 GRIFFIN ST.
LUMBERTON, NC
26-514.00

SA101

DATE: JANUARY 21, 2020
PROJECT FOR: NCHFA 1ST ROUND APPLICATION

Architect: R/DA Architects
Planning: R/DA Architects
Interior: R/DA Architects

TEAM LEAD: MCB

SA101

SITE INFORMATION:		C BUILDING LETTER
SITE ADDRESS: (N) 5.5 ACRES		
SITE ACCESS: FROM GRIFFIN STREET		
TOTAL PARKING SPACES PROVIDED: 151 SPACES		
TOTAL NUMBER OF BUILDINGS: (4) RESIDENTIAL BUILDINGS + (1) COMMUNITY BUILDING		
FLOOD PLAN: NONE		
RETAINING WALLS: EXISTING/PLANNED: NONE/NONE		

LEGEND

ACCESSIBLE ROUTE

ACCESSIBLE UNIT

A BUILDING 1 (3-STORY)
(6) - 1 BEDROOM UNITS
(12) - 2 BEDROOM UNITS
(6) - 3 BEDROOM UNITS

B BUILDING 2 (3-STORY)
(6) - 1 BEDROOM UNITS
(12) - 2 BEDROOM UNITS
(6) - 3 BEDROOM UNITS

C BUILDING 3 (3-STORY)
(12) - 2 BEDROOM UNITS
(12) - 3 BEDROOM UNITS

D BUILDING 4 (3-STORY)
(12) - 3 BEDROOM UNITS

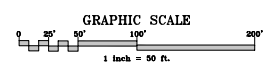
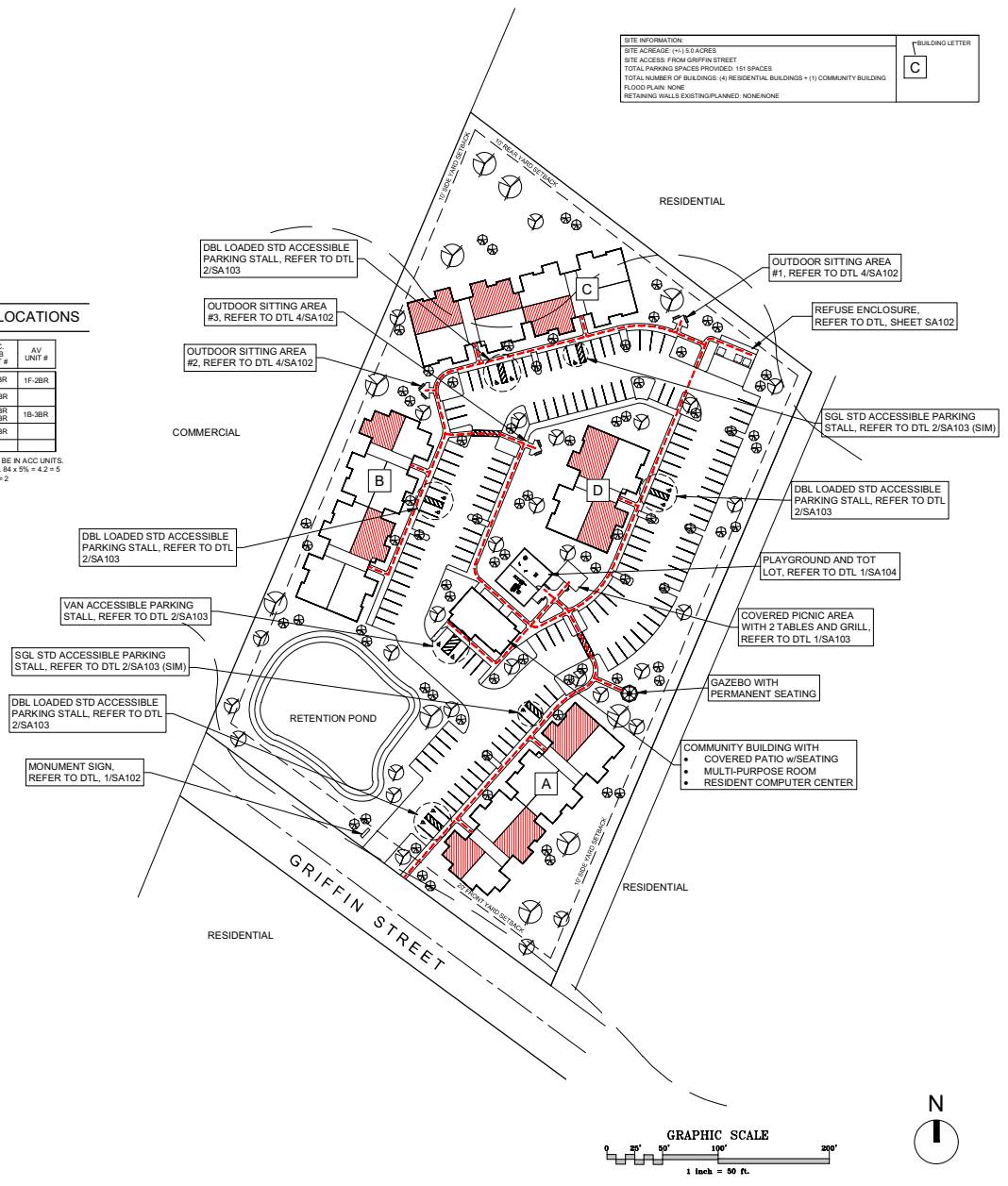
ACCESSIBLE PARKING CALCULATION

10	MOBILITY UNITS - 1 STALL / UNIT	= 10
18	FHA UNITS (2% OF THE REQ'D)	= 1
1	COMMUNITY BLDG	= 1
TOTAL REQUIRED		= 12

ACCESSIBLE UNIT LOCATIONS

BUILDING	ACC. UNIT #	ACC. MOB. UNIT #	AV. UNIT #
A	1A-3BR 1A-1BR	1F-2BR 1F-2BR	1F-2BR
B	1D-2BR	1G-1BR	
C	1C-2BR	1B-3BR 1E-2BR	1B-3BR
D	1C-3BR	1A-3BR	
TOTAL	S	S	

NCHFA - NC - 5%+2% AV UNITS TO BE IN ACC UNITS.
ACC: 84 x 5% = 4.2 + 5, ACC-MOB: 84 x 2% = 1.68 + 5
AV 84 x 2% = 1.68 + 2



SITE PLAN
SCALE: 1" = 50'-0"

1

City of *Lumberton*

Planning & Neighborhood Services

Request for Variance
2109 Griffin St.

File# 9.149

PETITIONER(S):	OWNER(S):

Variance Request: Davis Ray variance request- 2109 Griffin St. P-2

LOCATION: 2109 Griffin St.



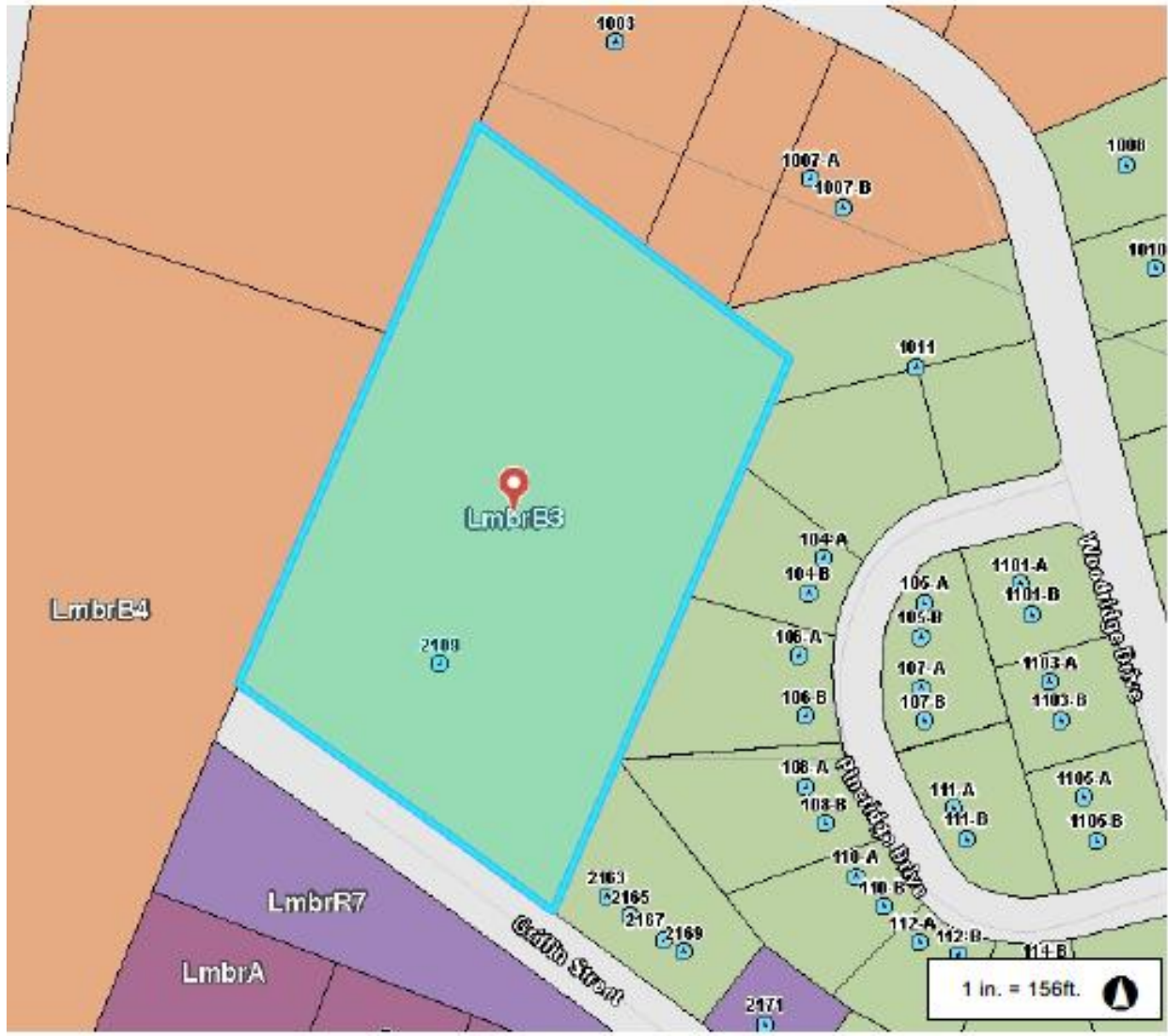
City of



Lumberton

Planning & Neighborhood Services

Zoning – The two lots subdivided from the track is not shown on this map.



City of



Lumberton

Planning & Neighborhood Services

PROJECT OVERVIEW

Analysis: Davis Ray is requesting a Variance from the requirements of Section 35-167, Multifamily Developments, and Section 35-181. Minimum lot size. of the City Code for property located at 2109 Griffin St. (parcel # 10090200403) for a multifamily development with 84 units.

- **Section 35-167, Multifamily Developments**, states “A multifamily residential development shall not be located at a site where there exists more than three hundred fifty (350) approved multifamily residential units (including approved mobile home spaces and those within the proposed multifamily residential development) within a one-half-mile radius of the geographic center of the proposed multifamily residential development.”
 - This location will not meet the requirements of Section 35-167(b) because with the addition of the proposed 84 units, there will be 376 multifamily units within a ½ mile radius of the aforementioned property (including this request).
 - This will be a variance to allow 26 additional units, which will total 376 units within a ½ mile radius of the aforementioned property.
- **Section 35-181. Minimum lot size** for the proposed B-2 zoning district is -3,000 square feet for each unit. With only 5.5 acres, he will only be allowed 80 units.
 - This will be a variance to allow 4 additional units.

He also submitted a rezoning application to rezone the property to B-2.

DEPARTMENT PRELIMINARY COMMENTS:

Public Works:

- Even though we don't have any details, Public Works would recommend the street be improved for a multi-family project. The street will not be able to handle the additional trips per day without improvements. The existing pavement width is approximately 20' and the right of way varies between 30' and 40' (see attached). The street drainage is not well defined and there are multiple utility conflicts (over head and under ground) that make street improvements a challenge. One alternative that may be considered is a primary drive for the project that has direct access out to Noody Johnson or Woodridge. Our ordinance states the developer will be responsible for these improvements.

Fire Department:

- All portions of the buildings must be within 400' of a Fire Hydrant. The developer may have to add supporting hydrants to meet these requirements.



Planning & Neighborhood Services

PLANNING & ZONING

PARCEL INFORMATION					
Owner	Parcel #(s)	Zoning	Square Footage/ Area	Limits of Construction	PROPOSED USE
Jonathan David Edwards	10090200403	Current B-3 Request to be rezoned to B-2	5.50 acres 239,580 SQ.FT	5.50 acres 239,580 SQ.FT	#1.310 MULTIFAMILY 84 PROPOSED UNITS

	Max Units
Current - B-3 – 7,000 sq.ft for the first two dwelling units in each building (units 8=56,000) + 2,500 sq.ft. for each additional units (76 units=190,0000). Total of 246,000 sq.ft/5.647 acres	<u>Maximum number of units without a variance – 58</u> 84 based on 5.5 acres. Not to exceed 8 dwelling units per building and/or 10 units per acre
Proposed - B-2 -3,000 square feet for each unit.	80 units based on 5.5 acres.

MAXIMUM HEIGHT: Notwithstanding subsection (b), in any zoning district the vertical distance from the ground to a point of access to a roof surface of any nonresidential building or any multifamily residential building containing four (4) or more dwelling units may not exceed thirty (30) feet unless the fire chief certifies to the permit-issuing authority that such building is designed to provide adequate access for firefighting personnel or the building inspector certifies that the building is otherwise designed or equipped to provide adequate protection against the dangers of fire. **This shall be addressed during the building plan review process.**

City of



Lumberton

Planning & Neighborhood Services

PROPOSED DEVELOPMENT

BUILDING	NUMBER OF PROPOSED UNITS
BUILDING A	24
BUILDING B	24
BUILDING C	24
BUILDING D	12
TOTAL	84

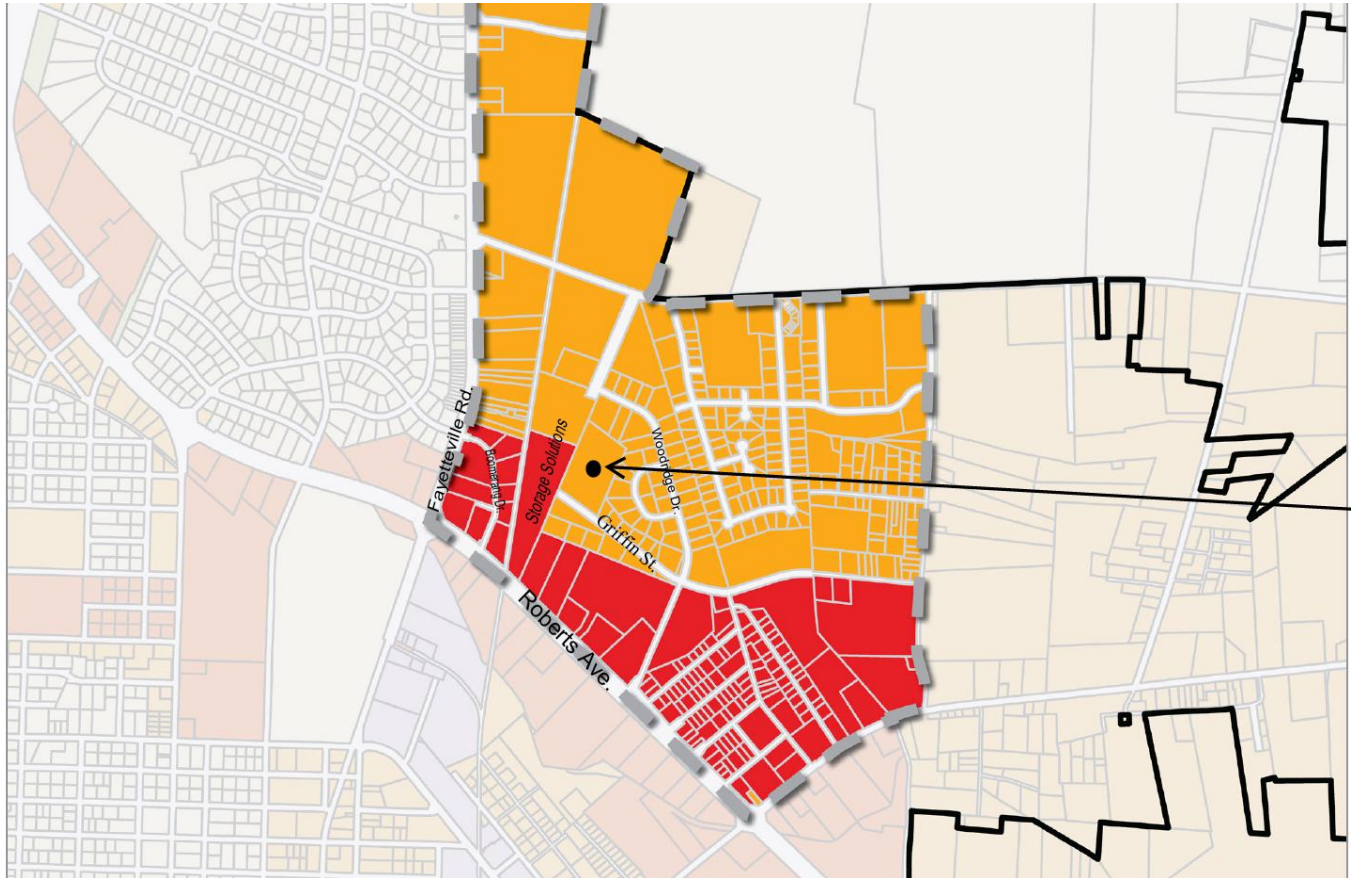
ADJACENT PROPERTY SITE DATA

	Zoning	Land Use
Subject Property	- B-3, request to be rezoned to B-2	- Multifamily Residential
North	B-4, Business General Commercial B-3, Office Residential	Healing Hands Family Practice – Medical Dr. Santhos Augustine – Medical Robeson Digestive - Medical
South	R-7, Residential Single Family/Duplex	Residential Single Family Vacant
East	B-3, Office Residential	Duplex
West	B-4, Business General Commercial	Storage Solutions



Planning & Neighborhood Services

Land Use Plan: The Land Use Plan Designation: Medium Intensity Precinct 2.



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 ‘X’ (Not in 100-yr floodplain): 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: 3720030200K **Panel #** 0302 **Panel Effective Date:** 12/6/2019



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

North Carolina Floodplain Mapping Program



City of



Lumberton

Planning & Neighborhood Services

DEVELOPMENT UPON APPROVAL

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

PLANNING STAFF RECOMMENDATION TO BOARD OF ADJUSTMENTS

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

- a) Unnecessary hardship would result from the strict application of the ordinance.
- b) The hardship results from conditions that are peculiar to the property, such as location, size, or topography.
- c) The hardship did not result from actions taken by the applicant or the property owner.
- 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.

BOARD OF ADJUSTMENTS DECISION: