



CITY OF LUMBERTON
CITY COUNCIL
MINUTES • OCTOBER 23, 2013

Special Meeting

Council Chambers

11:00 AM

500 N Cedar St, Third Floor, Lumberton, NC 28358

I. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Raymond B. Pennington	Mayor	Present	
Don Metzger	Precinct 1	Present	
John Robinson	Precinct 2	Present	
Jackie Taylor	Mayor Pro Tem	Present	
Harry Ivey	Precinct 4	Present	
John Cantey Jr.	Precinct 5	Present	
Robert L. Jones	Precinct 6	Present	
Leon Maynor	Precinct 7	Present	
Erich Hackney	Precinct 8	Present	
Wayne Horne	City Manager	Present	
Laney Mitchell-McIntosh	City Clerk	Present	
Robert E. Price	Interim City Attorney	Present	

II. PUBLIC COMMENT

III. AGENDA ITEMS

1. Lumberton Christian Care Center Requests a Conditional Use Permit for 220 E. 2nd Street - Brandon Love, Planning Director

Lumberton Christian Care Center has submitted a Conditional Use Permit application for property located at 220 East Second Street, parcel #3238-01-014. This request is to obtain a Conditional Use Permit to operate a soup kitchen/transient housing (Organized Shelter type "C").

On February 11, 2013 City Council voted to approve Lumberton Christian Care Center's previous CUP request for an Organized Shelter type "B" which allows for 15 individuals.

Lumberton Christian Care has been selected to participate in the North Carolina Housing Finance Agency Supportive Housing Program. They have been awarded \$600,000 for the construction of the emergency housing portion of the new facility. In order to receive the funds, the facility has to increase the number of individuals they will be able to assist at one time from 15 to 44.

On July 29, 2013 Lumberton Christian Care Center is requesting to operate an Organized Shelter type "C". They stated that the Organized Shelter type "C" will best suit their needs. Sec. 35-178. Organized shelters

(C) An organized shelter Type C shall meet all of the following standards:

(1) The organized shelter Type C shall house no more than forty-five (45) individuals at any one time.

(2) No individual shall remain in any one shelter longer than (90) consecutive days. No individual shall be readmitted to any organized shelter Type C until at least thirty (30) days have elapsed from his last residency at that shelter.

(3) Counseling and/or therapeutic activities may be conducted in an organized shelter Type C.

(4) The shelter operators shall provide at least one employee or volunteer at all times to maintain continuous on-site supervision of the shelter.

(5) No organized shelter Type C shall be located within a one and one-half mile radius (determined by straight line and not street distances) of another organized shelter Type C, an organized shelter Type B or an organized shelter Type A.

On August 20, 2013 the Planning Board tabled the petition and requested additional information.

On September 17, 2013 the Planning Board reviewed the request and recommends approval. Recommend that City Council hold today's public hearing and approve the attached Conditional Use Permit.

Mayor Pennington opened the public hearing to consider issuing a Conditional Use Permit to operate a soup kitchen/transient housing (Organized Shelter type "C") located at 220 East Second Street in Lumberton. City Clerk Laney Mitchell-McIntosh submitted the Affidavit of Publication showing that the Notice of the Hearing was advertised in The Robesonian.

The following list of individuals appeared before Council and spoke in opposition of the new location for the Lumberton Christian Care Center:

Dr. Jim Baker; Rob Redfearn

The following list of individuals appeared before Council and spoke in favor of the new location for the Lumberton Christian Care Center:

Former Councilman Wyatt Johnson; Barbara Andrews, Carla Carter, Doug Mills, Bob Caton, Joe Burke, Robert DeLane Shaw, Renie Mills, James Robinson, Columbus Howard and Dave Whiner.

Mr. Eric Dent congratulated the LCCC for obtaining the grant and he believes that this could be a win-win situation for all if the people meet and be of one accord before a motion is passed.

The motion made by Councilman Cantey, and second of Councilman Robinson, granting the Conditional Use Permit entitled the Lumberton Christian Care Center to operate an Organized Shelter Type "C" and restricted them to a maximum of 24 beds. It was approved based upon the facts:

- | | |
|--|---------------|
| (1) that it will not materially endanger the public health or safety; and | |
| (2) that it will not substantially injure the value of adjoining or abutting | property; and |
| (3) that it will be in harmony with the area in which it is to be located; | and |
| (4) that it will be in general conformity with the Land Use Plan, | Thoroughfare |
- Plan, or other plan officially adopted by the City.

The vote carried unanimously.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John Cantey Jr., Precinct 5
SECONDER:	John Robinson, Precinct 2
AYES:	Pennington, Metzger, Robinson, Ivey, Cantey Jr., Jones, Maynor, Hackney
EXCUSED:	Taylor

2. Rezoning application for 806 E. 2nd Street, parcel #3239-01-014 - Brandon Love, Planning Director

Kenneth Gray Britt has submitted a rezoning application for property located at 806 E. 2nd Street, parcel #3239-01-014. This request is to rezone property from M-1, Light Manufacturing to B-4, Business General Commercial.

September 17, 2013 the Planning Board reviewed the request and recommends approval. Recommend that City Council hold tonight's public hearing and approve the attached ordinance rezoning 806 E. 2nd Street, parcel #3239-01-014 to B-4, Business General Commercial.

Mayor Pennington opened the public hearing to consider rezoning property located at 806 E. 2nd Street, Parcel #3239-01-014 to B-4 Business General Commercial. City Clerk Laney Mitchell-McIntosh submitted the Affidavit of Publication showing that the Notice of the Hearing was advertised in [The Robesonian](#).

Kenneth Britt, owner of the property appeared before Council and stated that he wants to open a tattoo shop and that it is governed by the State.

No one else appeared to speak and the hearing was closed.

RESULT:	APPROVED [UNANIMOUS]	Next: 1/13/2014 7:00 PM
MOVER:	John Cantey Jr., Precinct 5	
SECONDER:	Leon Maynor, Precinct 7	
AYES:	Pennington, Metzger, Robinson, Taylor, Ivey, Cantey Jr., Jones, Maynor, Hackney	

ADJOURNMENT

Lumberton City Council

Lumberton, North Carolina



REQUEST FOR CC ACTION

Meeting Date: October 9, 2013

Originated By: Planning / Inspections

Submission Date: October 2, 2013

Subject: CUP for Lumberton Christian Care

Summary/Background of Subject Matter -

Lumberton Christian Care Center has submitted a Conditional Use Permit application for property located at 220 East Second Street, parcel #3238-01-014. This request is to obtain a Conditional Use Permit to operate a soup kitchen/transient housing (Organized Shelter type "C").

On February 11, 2013 City Council voted to approve Lumberton Christian Care Center's previous CUP request for an Organized Shelter type "B" which allows for 15 individuals.

Lumberton Christian Care has been selected to participate in the North Carolina Housing Finance Agency Supportive Housing Program. They have been awarded \$600,000 for the construction of the emergency housing portion of the new facility. In order to receive the funds, the facility has to increase the number of individuals they will be able to assist at one time from 15 to 44.

On July 29, 2013 Lumberton Christian Care Center is requesting to operate an Organized Shelter type "C". They stated that the Organized Shelter type "C" will best suit their needs.

Sec. 35-178. Organized shelters

(C) An organized shelter Type C shall meet all of the following standards:

- (1) The organized shelter Type C shall house no more than forty-five (45) individuals at any one time.
- (2) No individual shall remain in any one shelter longer than (90) consecutive days. No individual shall be readmitted to any organized shelter Type C until at least thirty (30) days have elapsed from his last residency at that shelter.
- (3) Counseling and/or therapeutic activities may be conducted in an organized shelter Type C.
- (4) The shelter operators shall provide at least one employee or volunteer at all times to maintain continuous on-site supervision of the shelter.

Recommendation for CC Consideration:

Recommend that City Council hold today's public hearing and approve the attached Conditional Use Permit.

Signature: *Brandon Love*

Department: Planning / Inspections

City Manager's Comments:

Signature: *Wayne Horne*

Department: City Management

NORTH CAROLINA
ROBESON COUNTY

CONDITIONAL USE PERMIT

APPLICANT: Lumberton Christian Care
PROPERTY OWNER: City of Lumberton
TAX MAP: 3238-01-014
DEED REFERENCE: Deed Book: 1360 Page: 463
PROPOSED USE: Organized Shelter Type “C”
MEETING DATE: October 9, 2013

On the date listed above, the City Council of the City of Lumberton met to consider an application to issue a Conditional 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 Conditional 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:

To operate an Organized Shelter Type “C”

- (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 Conditional Use Permit, together with all its conditions, as binding on them and their successors in interest.

Attachment: CUP 2013 (1201 : CUP for Lumberton Christian Care)

CITY OF LUMBERTON

BY: _____
Raymond B. Pennington, Mayor

ATTEST:

Laney Mitchell-McIntosh, City Clerk

The undersigned, being all of the owners of the above described property, do hereby acknowledge: (1) receipt of this Conditional 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.

_____(SEAL) _____(SEAL)
Owner Owner

STATE OF NORTH CAROLINA
COUNTY OF _____

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

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

Notary Public

My Commission Expires: _____.

Attachment: CUP 2013 (1201 : CUP for Lumberton Christian Care)

**DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
CITY OF LUMBERTON, NORTH CAROLINA
APPLICATION FOR CONDITIONAL 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 Conditional Use Permit as hereinafter described:

1. Applicant: Renie Mills, Chairman

Name: Lumberton Christian Care

Mailing Address: 305 E. 1st St.

Lumberton, NC 28358

Business Address: 305 E. 1st St.

Lumberton, NC 28358

Telephone: _____

Owner (if different from Applicant):

Name: City of Lumberton

Mailing Address: 500 N. Cedar St

Lumberton, NC 28358

Business Address: 500 N. Cedar St

Lumberton, NC 28358

Telephone: _____

2. Description of Property:

220 E. Second Street

1360

463

(Address)

(Deed Book)

(Page)

216

1.1 acre

(Map Book)

(Page)

(Frontage)

(Area)

3. Tax Map Identification:

32

38

01

014

(Township)

(Map)

(Block)

(Parcel)

4. Proposed Use of Property: Organized Shelter Type "C"

5. Zoning District Designation of Property: M-1

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 Rolls 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. Please attach a detailed description of the proposed use/uses, to include information such as operating hours, staffing, business plan etc. 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.

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



DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
APPLICATION FOR CONDITIONAL USE PERMIT

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

Requested location 220 E. Second Street:

- Lumberton Christian Care Center is requesting a soup kitchen/transient housing for the above mentioned location.

- We would like to be able to house between 32 and 44 individuals at any one time.

- There will be a 90 day stay limit over the period of one year, with a 30 day break between stays.

- The hours of operation are as follows:

+ Client check in is 5:00 - 6:00 p.m. daily

+ Rooms locked (keys returned) 8:00 a.m. weekdays, 9:00 a.m. weekends

- Currently, there are 2 employees who manage the shelter and the kitchen. They maintain a residence on site. This will continue in the new facility.

- LCC is hoping to offer client services through various agencies who would come to the center on at least a monthly basis, or more frequently if need, to meet with them and assist them with any needs they may have.

We would like to provide the following programs:

+ Hospital mobile unit, or a nurse, Dept. of Social Services, Employment Agencies, Robeson County Church and Community Center, and others that may be helpful for our clients.

- Currently we have referrals from Red Cross, Southeastern Family Violence Center (battered men), and work with the Church and Community Center.

2 of 3

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

File # _____

6/18/2013

Updated 4/5/2012

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

Attachment: Lumberton Christian Care CCph application.pdf (1201 : CUP for Lumberton Christian Care)

City of



Lumberton

DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
APPLICATION FOR CONDITIONAL USE PERMIT

11. Notarized Signatures:

Applicant: Renie Mills, Chairman 305 E 1st Street L'ton NC
Full Legal Name (type or print) Physical Address

STATE OF North Carolina COUNTY OF Robeson

I, Teresa B. Johnson, 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: Renie Mills, Chairman
Signature

WITNESS my hand and official seal, this the 31st day of July, 2013.

(Official Seal)

Teresa B. Johnson
Official Signature of Notary

Teresa B. Johnson, Notary Public
Notary's printed or typed name

My Commission Expires: 11/16/2014

City manager

Owner: WAYNE HORNE 500 N. Cedar St. Lumberton NC 28358
Full Legal Name (type or print) Physical Address

STATE OF North Carolina COUNTY OF Robeson

I, Teresa B. Johnson, 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: Wayne Horne
Signature

WITNESS my hand and official seal, this the 31st day of July, 2013.

(Official Seal)

Teresa B. Johnson
Official Signature of Notary

Teresa B. Johnson, Notary Public
Notary's printed or typed name

My Commission Expires: 11/16/2014

3 of 3

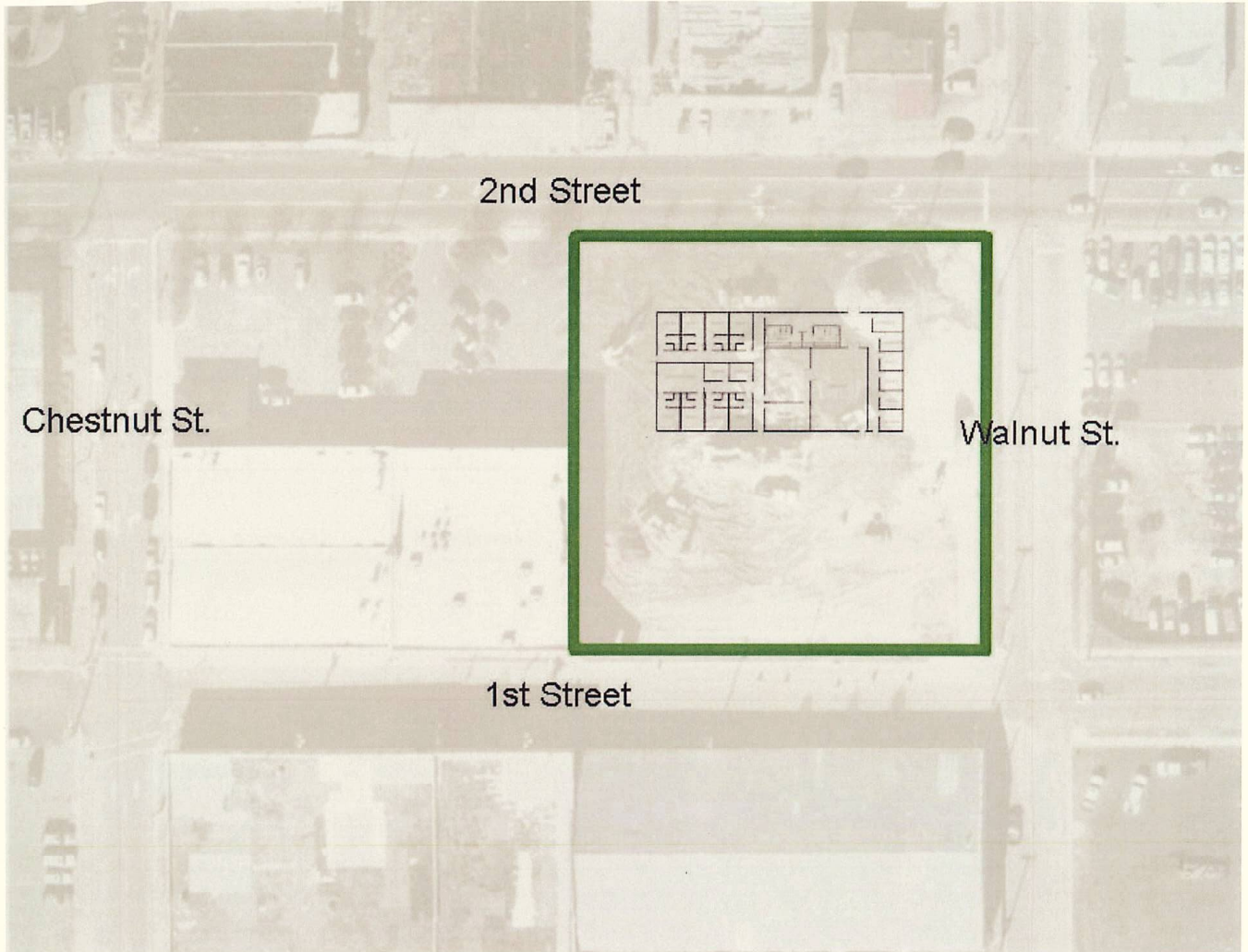
All property owners must provide a physical address and sign their application. Additional signature page(s) are available upon request.

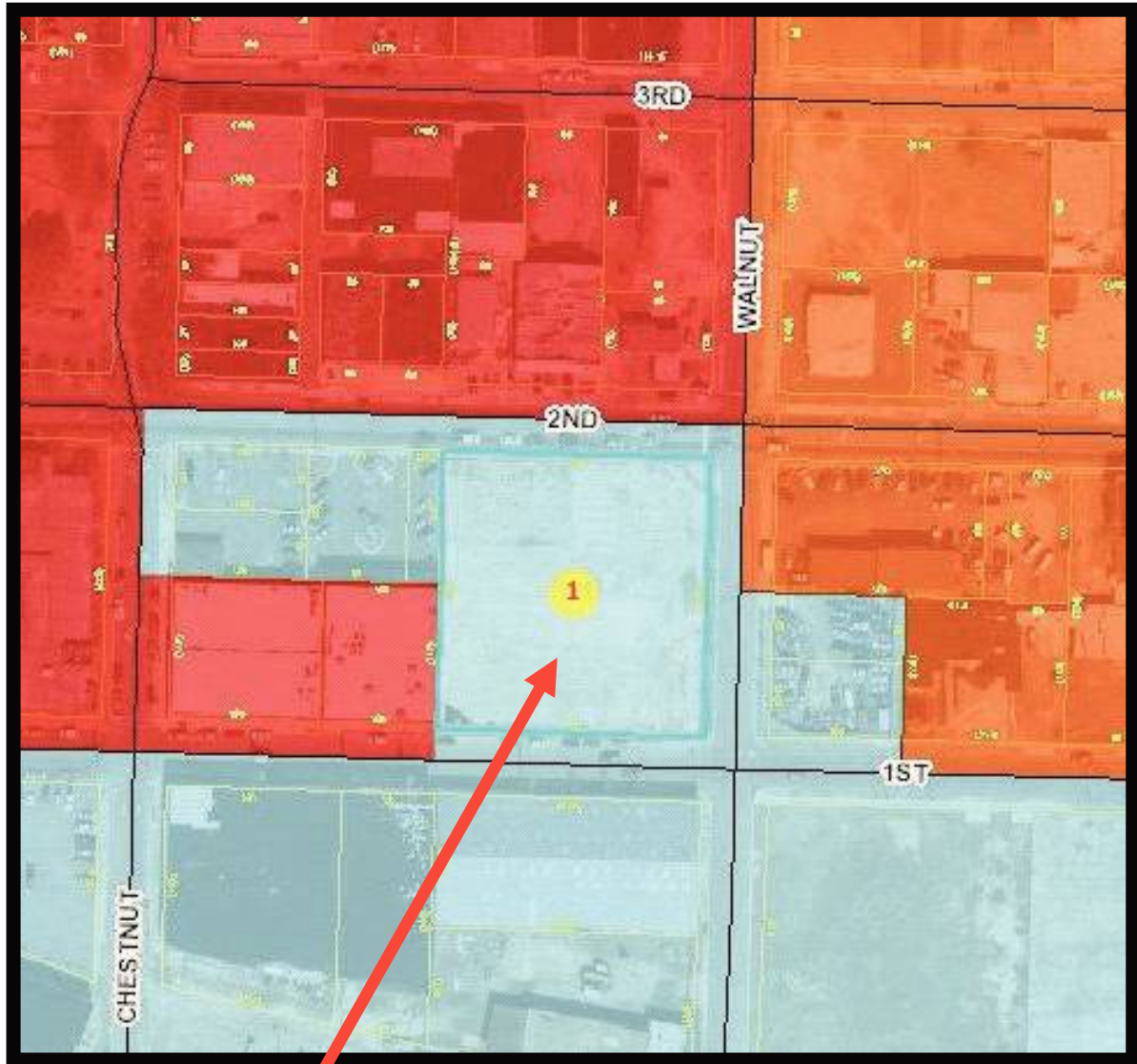
File #

6/18/2013

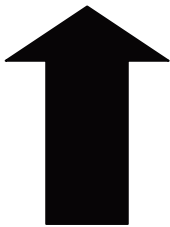
Updated 4/5/2012

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





NOT TO SCALE



REQUESTED: Conditional Use Permit

OWNER: City of Lumberton

MEETING DATE:

Public Hearing: October 9, 2013 at 11:00am

**PLACE: CITY HALL- CITY COUNCIL CHAMBERS
3rd Floor**

2013001663

ROBESON CO, NC FEE \$26.00

PRESENTED & RECORDED:

02-27-2013 03:27:00 PM

VICKI L LOCKLEAR

REGISTER OF DEEDS

BY: TOMASA MORALES PEAVY

ASSISTANT

BK:D 1892

PG:309-310

RETURN: CITY OF LUMBERTON

NORTH CAROLINA

CONDITIONAL USE PERMIT

ROBESON COUNTY

APPLICANT: Lumberton Christian Care Center

PROPERTY OWNER: City of Lumberton

TAX MAP: 3238-01-014

DEED REFERENCE: Deed Book 1360 Page 463

PROPOSED USE: Soup kitchen/Transient housing (type "B" Shelter)

MEETING DATE: February 11, 2013

On the date listed above, the City Council of the City of Lumberton met to consider an application to issue a Conditional 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 Conditional 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:

Section 35-178 (b) An organized shelter Type B shall meet all of the following standards:

- (1) The organized shelter Type B shall house no more than fifteen (15) individuals at any one time.
- (2) No individual shall remain in any one shelter longer than thirty (30) consecutive days per calendar year. No individual shall be readmitted to any organized shelter Type B until at least fourteen (14) days have elapsed from his last residency at that shelter.
- (3) No counseling or therapeutic activities shall be conducted in an organized shelter Type B. Referral of residents to employment agencies and other personal service agencies shall not be deemed to be counseling.
- (4) The shelter operators will provide an employee or volunteer to maintain a continuous on-site supervision of the shelter.
- (5) No organized shelter Type B shall be located within a one-half mile radius (determined by straight line and not street distances) of another organized shelter Type B, or an organized shelter Type A.

(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 Conditional Use Permit, together with all its conditions, as binding on them and their successors in interest.

CITY OF LUMBERTON

BY: Raymond B. Pennington
Raymond B. Pennington, Mayor

ATTEST:
Lancey Mitchell McIntosh
Lancey Mitchell McIntosh, City Clerk

The undersigned, being all of the owners of the above described property, do hereby acknowledge: (1) receipt of this Conditional 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.

Wayne Horne (SEAL) _____ (SEAL)
Owner Owner

STATE OF NORTH CAROLINA
COUNTY OF Robeson

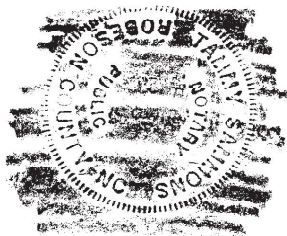
I, Tammy Sammons, a Notary Public in and for said County and State, do hereby certify that Wayne Horne personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal this 27th day of February, 2013.

Tammy Sammons
Notary Public

My Commission Expires: 9/7/2016

Ala 7/28/04



Lumberton City Council

Lumberton, North Carolina



REQUEST FOR CC ACTION

Meeting Date: October 9, 2013

Originated By: Planning / Inspections

Submission Date: October 2, 2013

Subject: Rezoning application for 806 E. 2nd Street, parcel #3239-01-014

Summary/Background of Subject Matter -

Kenneth Gray Britt has submitted a rezoning application for property located at 806 E. 2nd Street, parcel #3239-01-014. This request is to rezone property from M-1, Light Manufacturing to B-4, Business General Commercial.

September 17, 2013 the Planning Board reviewed the request and recommends approval.

Recommendation for CC Consideration:

Recommend that City Council hold tonight's public hearing and approve the attached ordinance rezoning 806 E. 2nd Street, parcel #3239-01-014 to B-4, Business General Commercial.

Signature: *Brandon Love*

Department: Planning / Inspections

City Manager's Comments:

<< FOR CITY MANAGER ONLY >>

Signature: *Wayne Horne*

Department: City Management



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:

Owner:

Full Legal Name: KENNETH GRAY BRITT Full Legal Name: SAME
Physical Address: 1341 OLD STAGE RD. Physical Address: FAIRMONT, NC 28340
Mailing Address: SAME Mailing Address: _____
Telephone: 910-301-4812 Telephone: _____
Legal Name of Business: N/A

2. Description of Property:

806 EAST 2ND ST., LUMBERTON 893 790
(Address) (Deed Book) (Page)
N/A N/A 54' 5,832 ft²
(Map Book) (Page) (Frontage) (Area)

3. Tax Map Identification Number (parcel number): 3239-01-014

4. Existing Zoning District Designation of Property: M-1 LIGHT MANUFACTURING

5. Requested Zoning District Designation of Property: B-4 BUSINESS/COMMERCIAL

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 # 6-103

7/23/2012

Updated 4/5/2012

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

Attachment: Ken Britt Application (1206 : Rezoning application for 806 E. 2nd Street, parcel #3239-01-014)

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, Kenneth Britt built the shop located at 806 E 2nd Street, Lumberton, NC in 1996 for the use of a Barber Shop. It stayed in operation until I became disabled. I am asking for it to be re-zoned so I can lease the property to someone. I would appreciate the re-zoning to be done. Thank You.

Sincerely,
Kenneth Britt

2 of 3

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

File #

7/23/2012

Updated 4/5/2012

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

Attachment: Ken Britt Application (1206 : Rezoning application for 806 E. 2nd Street, parcel #3239-01-014)



DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
APPLICATION FOR ZONING MAP AMENDMENT

11. Notarized Signatures:

Applicant: Kenneth Gray Britt 1341 Old Stage Rd Fairmont
Full Legal Name (type or print) Physical Address NC 283
170

STATE OF North Carolina COUNTY OF Robeson

I, Maecia H. Hammonds, 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: Kenneth Gray Britt
Signature

WITNESS my hand and official seal, this the 28 day of August, 2013.

(Official Seal)

Maecia H. Hammonds
Official Signature of Notary

Maecia H. Hammonds, Notary Public
Notary's printed or typed name

My Commission Expires: 4/22/2014

Owner: Kenneth Gray Britt 1341 Old Stage Rd Fairmont
Full Legal Name (type or print) Physical Address NC 283
170

STATE OF North Carolina COUNTY OF Robeson

I, Maecia H. Hammonds, 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: Kenneth Gray Britt
Signature

WITNESS my hand and official seal, this the 28 day of August, 2014.

(Official Seal)

Maecia H. Hammonds
Official Signature of Notary

Maecia H. Hammonds, Notary Public
Notary's printed or typed name

My Commission Expires: 4/22/2014

3 of 3

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

File #

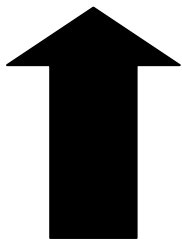
7/23/2012

Updated 4/5/2012

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



NOT TO SCALE



REQUESTED: Rezoning from M-1 to B-4

OWNER: Kenneth Gray Britt

MEETING DATES:

Public Hearing: October 9, 2013 at 11:00am

PLACE: CITY COUNCIL CHAMBERS
CITY HALL
3RD FLOOR

ORDINANCE AMENDING THE LAND USE ORDINANCE AND OFFICIAL ZONING MAP
BY REZONING PROPERTY FROM M-1 (LIGHT MANUFACTURING) TO B-4
(BUSINESS GENERAL COMMERCIAL)

Owner(s): Kenneth Gray Britt
Applicant(s) Kenneth Gray Britt
Address: 806 E. 2nd Street
Parcel: 3239-01-014
Deed: Deed Book 893 page 790

WHEREAS, a petition requesting the rezoning of certain property was filed with the Director of Planning and Neighborhood Services on August 28, 2013;

WHEREAS, the proposed amendment initiated by said petition was submitted to the Planning Board for review and recommendation and the Planning Board did make a recommendation at its September 17, 2013 meeting;

WHEREAS, the City Council set a public hearing on the proposed amendment for October 9, 2013;

WHEREAS, the public notice of said public hearing was published in a newspaper having general circulation in the City of Lumberton on September 27, 2013 and October 4, 2013;

WHEREAS, written notice of said public hearing was mailed to the owners of the property to be rezoned as well as the owners as shown on the county tax listing of all properties, any portion of which is within one hundred fifty (150) feet of the property rezoned by the amendment, pursuant to G.S. 35-323 on September 18, 2013;

WHEREAS, a sign containing notification of said public hearing was posted on the property to be rezoned on September 27, 2013;

WHEREAS, a public hearing on the question of rezoning was held on October 9, 2013, and all persons were given an opportunity to be heard;

WHEREAS, the City Council of the City of Lumberton does hereby determine and find that in accordance with the City of Lumberton's comprehensive zoning plan and for the purpose of promoting the health, safety, morals and the general welfare of the community, the property hereinafter described is best suited to be designated as B-4, Business General Commercial and;

Attachment: Britt Rezoning Ordinance (1206 : Rezoning application for 806 E. 2nd Street, parcel #3239-01-014)

WHEREAS, G.S. 160A-381 grants to the City of Lumberton the power to zone, G.S. 160A-382 permits the City of Lumberton to divide its territorial jurisdiction into districts, and G.S. 160A-385 permits the City of Lumberton to amend its zoning boundaries;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lumberton that the Land Use Ordinance and Official Zoning Map of the City of Lumberton be and the same is hereby amended by rezoning that property more fully described herein from M-1 (light manufacturing) to B-4 (business general commercial), said property being described as follows:

Lying and being adjacent to and on the south side of East Second Street, on the east side of but not adjacent to Chippewa Street and on the west side of but not adjacent to Seneca Street, adjacent to the lands of James Gibson (655/552) on the west, John Carter (795/147) on the east, James Chavis (601/502) and Rose Andrews (646/200) on the south and being more particularly described as follows:

BEGINNING at an existing iron rod in the southern right of way line (54 ft. right of way) of East Second Street, said iron being located South 85 degrees 45 minutes East 108.0 feet from an existing iron pipe at the intersection of the south right of way line of East Second Street with the eastern right of way line (54 ft. right of way) of Chippewa Street and runs thence from said beginning iron rod with the southern right of way line of East Second Street South 85 degrees 45 minutes East 54.0 feet to an existing iron rod in said southern right of way line; thence South 04 degrees 15 minutes West 108.0 feet to an existing iron rod; thence North 85 degrees 45 minutes West 54.0 feet to an existing iron rod; thence North 04 degrees 15 minutes East 108.0 feet to the beginning.

And being a part of Lot 231 of the City of Lumberton (Map Book 1, Page 16); the same being Tract No.3 conveyed to Martha Britt Bunn in Deed Book 569, Page 990, Robeson County Registry.

The property hereinabove described was acquired by Grantor by instrument recorded in Deed Book 569 at Page 990 and Deed Book 13-J at Page 18-5, Robeson County Registry.

On motion of Councilman _____, seconded by Councilman _____, the foregoing Amendment was adopted on the 8th day of October, 2012.

Raymond B. Pennington, Mayor

ATTEST:

Laney Mitchell-McIntosh, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Robert E. Price, Interim City Attorney

Ordinance No.