



FAYETTEVILLE CITY COUNCIL
AGENDA
MARCH 26, 2012
7:00 P.M.
CITY HALL COUNCIL CHAMBER

1.0 CALL TO ORDER

2.0 INVOCATION

3.0 PLEDGE OF ALLEGIANCE

4.0 APPROVAL OF AGENDA

5.0 CONSENT

- 5.1 Authorizing a Right of Way Deed to NCDOT for the NC 24/210 (Grove Street) and US 301/BUS 95 Road Improvement Project
- 5.2 P12-06F Rezoning from SF-10 Single Family Residential District to OI Office and Institutional District, or a more restrictive district, on properties located at 3401 , 3405, 3409 and 3413 Village Dr., and 1802 Conover Dr., and 1803 Fargo Dr. Containing 2.7 acres more or less and being the property of Kaavu LLC and Catherine & Billy Parker.
- 5.3 P12-09F Rezoning from MR-5 Mixed Residential District to LC Limited Commercial District, or a more restrictive district, on property located on Whitfield St. at the intersection with the rail road tracks. Containing 0.36 acres more or less and being the property of Neil Grant.
- 5.4 P12-10F Rezoning from HI Heavy Industrial District to LC Limited Commercial District, or a more restrictive district, on property located at 202 Eastern Blvd. Containing 1.03 acres more or less and being the property of DJSMD LLC.
- 5.5 Response to Request to Sell City Lot on Mann Street
- 5.6 Phase 5 Annexation Areas 8 and 9
- 5.7 Acceptance and Establishment of Revised Policy on Disposal of City Owned Property

6.0 PUBLIC HEARINGS

For certain issues, the Fayetteville City Council may sit as a quasi-judicial body that has powers resembling those of a court of law or judge. The Council will hold hearings, investigate facts, weigh evidence and draw conclusions which serve as a basis for its decisions. All persons wishing to appear before the Council should be prepared to give sworn testimony on relevant facts.

6.1 P12-07F Request for a Special Use Permit - medical office use within 100' of residential zoning in the Hospital Area Overlay, on properties located at 3401 , 3405, 3409 and 3413 Village Dr., and 1802 Conover Dr., and 1803 Fargo Dr. Containing 2.7 acres more or less and being the property of Kaavu LLC and Catherine & Billy Parker.

Presenter(s): Craig Harmon, AICP, CZO - Planner II

6.2 The Proposed Street Name Change from Sherrerd Avenue to Myrtle Hill Lane.

Presenter(s): Scott Shuford, Director of Development Services

6.3 Quasi-Judicial Public Hearing - Subdivision Waiver to allow a building permit to be issued on a parcel that does not abut a public or private street but is accessed via a recorded easement.

Presenter(s): Scott Shuford, Development Services Director

6.4 Amendments to certain requirements for educational facilities and child care centers in the downtown (DT) zoning district, including separation requirements from certain uses.

Presenter(s): Scott Shuford, Director of Development Services

6.5 Case No. P12-04F. Special Use Permit for a Major Utility, on property located at 8880 Cliffdale Rd. Containing 1.9 acres more or less and being the property of Lumbee River EMC.

Presenter(s): Craig Harmon, AICP, CZO - Planner II

7.0 OTHER ITEMS OF BUSINESS

7.1 Uninhabitable Structures Demolition Recommendation

- 906 Branson Street
- 211 Davis Street
- 407 Quality Road
- 505 Quality Road
- 608 School Street

Presenter(s): Bart Swanson, Housing and Code Enforcement Division Manager

8.0 ADMINISTRATIVE REPORTS

8.1 Monthly Statement of Taxes for February 2012

9.0 ADJOURNMENT

CLOSING REMARKS

POLICY REGARDING NON-PUBLIC HEARING AGENDA ITEMS

Anyone desiring to address the Council on an item that is not a public hearing must present a written request to the City Manager by 10:00 a.m. on the Wednesday preceding the Monday meeting date.

POLICY REGARDING PUBLIC HEARING AGENDA ITEMS

Individuals wishing to speak at a public hearing must register in advance with the City Clerk. The Clerk's Office is located in the Executive Offices, Second Floor, City Hall, 433 Hay Street, and is open during normal business hours. Citizens may also register to speak immediately before the public hearing by signing in with the City Clerk in the Council Chamber between 6:30 p.m. and 7:00 p.m.

POLICY REGARDING CITY COUNCIL MEETING PROCEDURES SPEAKING ON A PUBLIC AND NON-PUBLIC HEARING ITEM

Individuals who have not made a written request to speak on a non-public hearing item may submit written materials to the City Council on the subject matter by providing twenty (20) copies of the written materials to the Office of the City Manager before 5:00 p.m. on the day of the Council meeting at which the item is scheduled to be discussed.

COUNCIL MEETING WILL BE AIRED

**March 26, 2012 - 7:00 PM
COMMUNITY CHANNEL 7**

COUNCIL MEETING WILL BE RE-AIRED

**March 28, 2012 - 10:00 PM
COMMUNITY CHANNEL 7**

***Notice Under the Americans with Disabilities Act (ADA):** The City of Fayetteville will not discriminate against qualified individuals with disabilities on the basis of disability in the City's services, programs, or activities. The City will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City's programs, services, and activities. The City will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all City programs, services, and activities. Any person who requires an auxiliary aid or service for effective communications, or a modification of policies or procedures to participate in any City program, service, or activity, should contact the office of Ron McElrath, ADA Coordinator, at rmcelrath@ci.fay.nc.us, 910-433-1696, or the Office of the City Clerk at cityclerk@ci.fay.nc.us, 910-433-1989, as soon as possible but no later than 72 hours before the scheduled event.*

CITY COUNCIL ACTION MEMO

TO: Mayor and Member of City Council
FROM: Kecia Parker, Real Estate Manager
DATE: March 26, 2012
RE: **Authorizing a Right of Way Deed to NCDOT for the NC 24/210 (Grove Street) and US 301/BUS 95 Road Improvement Project**

THE QUESTION:

How to respond to a request from NCDOT to grant them a Right of Way Deed of approximately 608.97 square feet for the upcoming NC 24/210 (Grove Street) and US 301/BUS 95 Road Improvement Project.

RELATIONSHIP TO STRATEGIC PLAN:

More Efficient City Government

BACKGROUND:

The City of Fayetteville owns approximately 7.70 acres located at 455 Grove Street. NCDOT is requesting that the City of Fayetteville give them approximately 608.97 square feet of said property so that they may utilize it for highway right of way which is needed so that NCDOT may complete the NC 24/210 (Grove Street) and US 301/BUS 95 Road Improvement Project.

ISSUES:

Conveyance of this property to NCDOT meets Council's interest in providing NCDOT necessary access to complete the NC 24/210 (Grove Street) and US 301/BUS 95 Road Improvement Project.

BUDGET IMPACT:

- No significant impact to budget.

OPTIONS:

- Authorize the City Manager to sign the attached Deed for Highway Right of Way
- Decline the request from NCDOT to grant the Deed for Highway Right of Way




RECOMMENDED ACTION:

Staff recommends that Council move to authorize the City Manager to sign the attached Deed for Highway Right of Way for NC 24/210 (Grove Street) and US 301/BUS 95 Road Improvement Project.

ATTACHMENTS:

Map
Deed of Right of Way

FAYETTEVILLE METROPOLITAN
DB 4447 PG 481

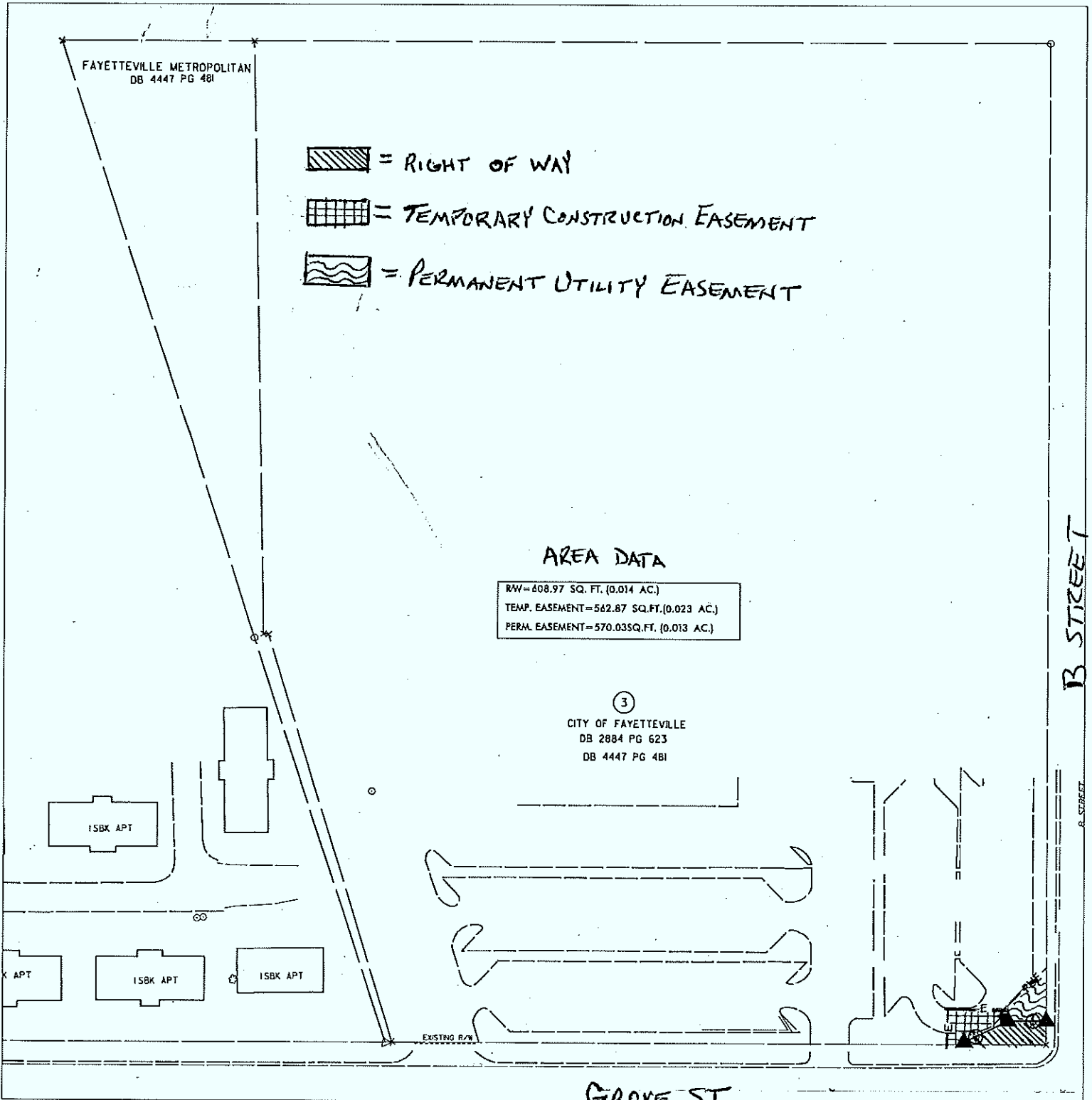
-  = RIGHT OF WAY
-  = TEMPORARY CONSTRUCTION EASEMENT
-  = PERMANENT UTILITY EASEMENT

AREA DATA

RAW=608.97 SQ. FT. (0.014 AC.)
TEMP. EASEMENT=562.87 SQ. FT. (0.023 AC.)
PERM. EASEMENT=570.03 SQ. FT. (0.013 AC.)

3

CITY OF FAYETTEVILLE
DB 2884 PG 623
DB 4447 PG 481



Revenue Stamps \$

DEED FOR HIGHWAY RIGHT OF WAY

THIS INSTRUMENT DRAWN BY E.R. [Signature]

CHECKED BY John H. Moody

The hereinafter described property Does Does not include the primary residence of the Grantor.

RETURN TO: Division Right of Way Agent - NCDOT
225 Green Street, Systel Bldg., Suite 503
Fayetteville, NC 28301

NORTH CAROLINA	T.I.P. No.:	W-5335
COUNTY OF Cumberland	WBS ELEMENT:	45428.2.1
TAX MAP AND LOT 0437-95-6043	TIP/PARCEL NUMBER:	W-5335 003
	ROUTE:	NC24/210 and US 301/BUS 95

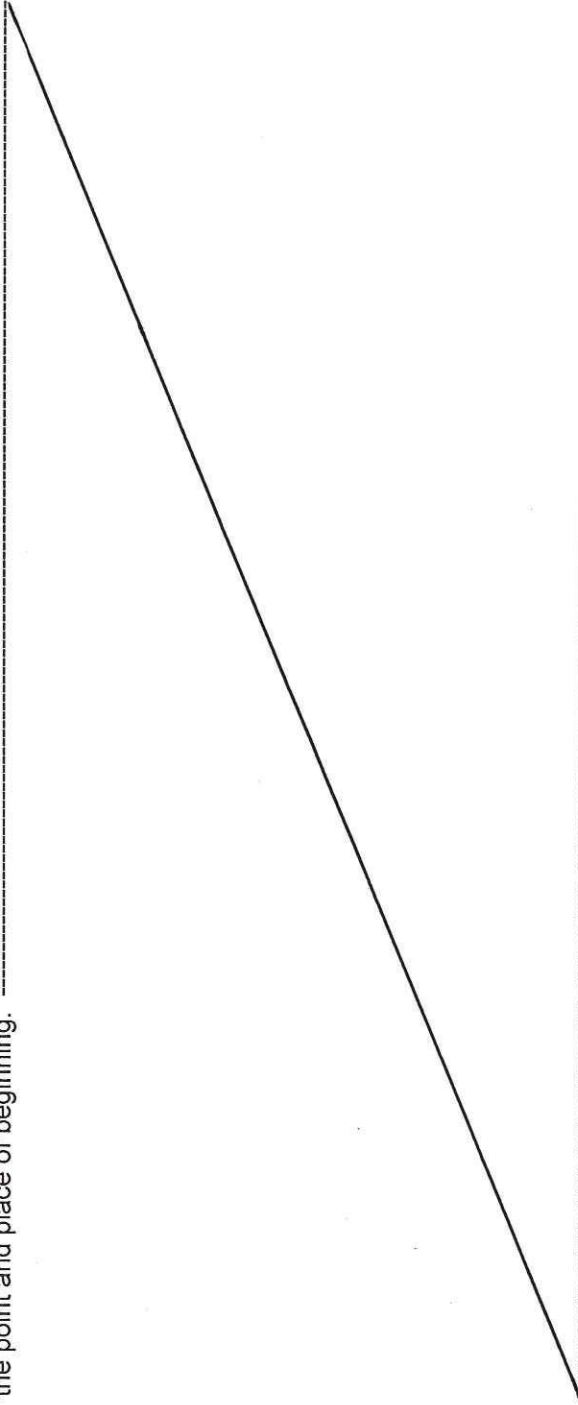
THIS FEE SIMPLE DEED, made and entered into this the _____ day of _____, by and between City of Fayetteville, a North Carolina Municipal Corporation
433 Hay Street
Fayetteville, NC 28302-5537

hereinafter referred to as GRANTORS, and the Department of Transportation, an agency of the State of North Carolina, 1546 Mail Service Center, Raleigh, NC 27611, hereinafter referred to as the Department;

WITNESSETH

That the GRANTORS, for themselves, their heirs, successors, and assigns, for and in consideration of the sum of \$ _____ agreed to be paid by the DEPARTMENT to the GRANTORS, do hereby give, grant and convey unto the DEPARTMENT, its successors and assigns, in FEE SIMPLE that certain property located in Cross Creek Township, Cumberland County, North Carolina, which is particularly described as follows:

Point of beginning being N 50°19'6.8" E, 55.877 feet from -L-Sta.42+00; thence to a point on a bearing of S 67°07'53.1" E, 53.401 feet; thence to a point on a bearing of N 22°51'5.0" E, 15.505 feet; thence to a point on a bearing of N 67°11'50.1" W, 25.248 feet; thence to a point on a bearing of S 84°03'56.8" W, 32.122 feet; returning to the point and place of beginning.



IN ADDITION, and for the aforesaid consideration, the GRANTORS further hereby convey to the DEPARTMENT, its successors and assigns the following described areas and interests:

Permanent Utility Easement described as follows:

Point of beginning being N 62°30'40.7" E, 84.492 feet from -L-Sta.42+00; thence to a point on a bearing of S 67°1'50.1" E, 25.248 feet; thence to a point on a bearing of N 22°51'5.0" E, 35.000 feet; thence to a point on a bearing of S 68°16'58.1" W, 35.452 feet; thence to a point on a bearing of S 22°48'9.9" W, 10.142 feet; returning to the point and place of beginning.

Said Permanent Utility easement in perpetuity is for the installation and maintenance of utilities, and for all purposes for which the DEPARTMENT is authorized by law to subject same. The Department and its agents or assigns shall have the right to construct and maintain in a proper manner in, upon and through said premises a utility line or lines with all necessary pipes, poles and appurtenances, together with the right at all times to enter said premises for the purpose of inspecting said utility lines and making all necessary repairs and alterations thereon; together with the right to cut away and keep clear of said utility lines, all trees and other obstructions that may in any way endanger or interfere with the proper maintenance and operation of the same with the right at all times of ingress, egress and regress. It is understood and agreed that the Department shall have the right to construct and maintain the cut and/or fill slopes in the above-described permanent utility easement area(s). It is further understood and agreed that Permanent Utility Easement shall be used by the Department for additional working area during the above described project.

Temporary Construction Easement described as follows:

Point of beginning being N 40°30'42.9" E, 52.033 feet from -L-Sta.42+00; thence to a point on a bearing of S 67°07'53.1" E, 9.987 feet; thence to a point on a bearing of N 84°03'56.8" E, 32.122 feet; thence to a point on a bearing of N 22°48'9.9" E, 5.000 feet; thence to a point on a bearing of N 67°11'50.1" W, 38.195 feet; thence to a point on a bearing of S 22°41'6.7" W, 20.433 feet; returning to the point and place of beginning.

It is understood and agreed that the Department of Transportation shall have the right to construct and maintain the cut and/or fill slopes in the above described areas until such time that the property owners alter the adjacent lands in such a manner that the lateral support of the cut and/or fill slopes are no longer needed. Any additional construction areas lying beyond the right of way limits and beyond any permanent easement areas will terminate upon completion of the project.

SPECIAL PROVISIONS. This deed is subject to the following provisions only:

NONE

The property hereinabove described was acquired by the GRANTORS by instrument(s) recorded in the
Cumberland County Registry in Deed Book 2884 Page 623

The final right of way plans showing the above described right of way are to be certified and recorded in the Office of the Register of Deeds for said County pursuant to N.C.G.S. 136-19.4, reference to which plans is hereby made for purposes of further description and for greater certainty.

The Grantors acknowledge that the project plans for Project # 45428.2.1 have been made available to them. The Grantors further acknowledge that the consideration stated herein is full and just compensation pursuant to Article 9, Chapter 136 of the North Carolina General Statutes for the acquisition of the said interests and areas by the Department of Transportation and for any and all damages to the value of their remaining property; for any and all claims for interest and costs; for any and all damages caused by the acquisition for the construction of Department of Transportation Project # 45428.2.1, Cumberland County, and for the past and future use of said areas by the Department of Transportation, its successors and assigns for all purposes for which the said Department is authorized by law to subject the same.

TO HAVE AND TO HOLD the aforesaid premises and all privileges and appurtenances thereunto belonging to the DEPARTMENT, its successors and assigns in FEE SIMPLE, or by easement as indicated, for the past, present and future use thereof and for all purposes which the said Department is authorized by law to subject the same.

And the GRANTORS covenant with the DEPARTMENT, that the GRANTORS are seized of the premises in fee simple, have the right to convey the same in fee simple, or by easement as indicated, that the title thereto is marketable and free and clear of all encumbrances, and that the GRANTORS will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated. Title to the property hereinabove described is hereby conveyed subject to the following exceptions:
NONE

IN WITNESS WHEREOF, the GRANTORS have hereunto set their hands and seals (or if corporate, has caused the instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors) the day and year first above written.

Corporate Seal

 City of Fayetteville, a North Carolina
 Municipal Corporation
 (Corporate Name)

BY: _____
 Dale Iman, City Manager

ATTEST: _____
 Jennifer Penfield, Deputy City Clerk

ACCEPTED FOR THE DEPARTMENT OF TRANSPORTATION BY: _____

	STATE OF _____ COUNTY OF _____ I, _____ a Notary Public for said County and State, so hereby certify that _____ GRANTORS, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this the _____ day of _____, _____, _____. My commission expires _____ Notary Public
(Stamp/Seal)	STATE OF <u>North Carolina</u> COUNTY OF <u>Cumberland</u> I, _____ a Notary Public for said County and State, certify that <u>Jennifer Penfield</u> personally came before me this day and acknowledged that he/she is Deputy City Clerk of <u>City of Fayetteville, a North Carolina Municipal Corp.</u> and that by the authority duly given and as the act of the Corporation, the foregoing instrument was signed in its name by its City Manager _____ as its Deputy City Clerk Herself _____ Witness my hand and official stamp or seal, this the _____ day of _____, _____, _____. My commission expires _____ Notary Public

The foregoing Certificate(s) of _____ is/are certified to be correct. This instrument and this certificate are duly registered on the _____ day of _____, 20____, in Book _____, Page _____ at _____ o'clock _____ M. REGISTER OF DEEDS FOR _____ COUNTY
 BY: _____ Deputy/Assistant - Register of Deeds

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Craig Harmon, AICP, CZO - Planner II
DATE: March 26, 2012
RE: **P12-06F Rezoning from SF-10 Single Family Residential District to OI Office and Institutional District, or a more restrictive district, on properties located at 3401 , 3405, 3409 and 3413 Village Dr., and 1802 Conover Dr., and 1803 Fargo Dr. Containing 2.7 acres more or less and being the property of Kaavu LLC and Catherine & Billy Parker.**

THE QUESTION:

Does the proposed zoning to Office and Institutional fit with the character of the neighborhood and the long range plans of the City of Fayetteville?

RELATIONSHIP TO STRATEGIC PLAN:

Livable Neighborhoods
Growth and development.

BACKGROUND:

Owner: Kaavu LLC and Catherine & Billy Parker
Applicant: Kaavu LLC and Catherine & Billy Parker
Requested Action: SF-10 to OI
Property Address: 3401 , 3405, 3409 and 3413 Village Dr., and 1802 Conover Dr., and 1803 Fargo Dr.
Council District: 5
Status of Property: Developed Single Family
Size: 2.7 acres +/-
Existing Land Use: Single Family Residence
Adjoining Land Use & Zoning:
North - SF-10 Residential & OI Office & Institutional
South - SF-10 Residential
East - SF-10 Residential & LC Limited Commercial
West - P2/C Professional
Letters Mailed: 81
Land Use Plan: Office & Institutional
Small Area Studies: Hospital Area Overlay - Office & Institutional

ISSUES:

The owners of these properties have requested a rezoning to Office and Institutional in order to build office building on this site. The request is in compliance with the City's new Hospital Area Overlay Plan. The plan calls for office use on the properties fronting this section of Village Drive and the lots immediately behind them. Because of the proximity to residential zoning this request will also require a Special Use Permit before offices could be built.

Zoning Commission and Staff recommend approval of the OI district based on:

1. Hospital Area Plan calls for Office use on these properties.
2. The size of the property in question is large enough for a medical complex.
3. That a Special Use Permit is also required before offices could be built.

BUDGET IMPACT:

The City would be required to provide an increase in public services that should be offset by the increase this development would bring to the City's tax base.

OPTIONS:

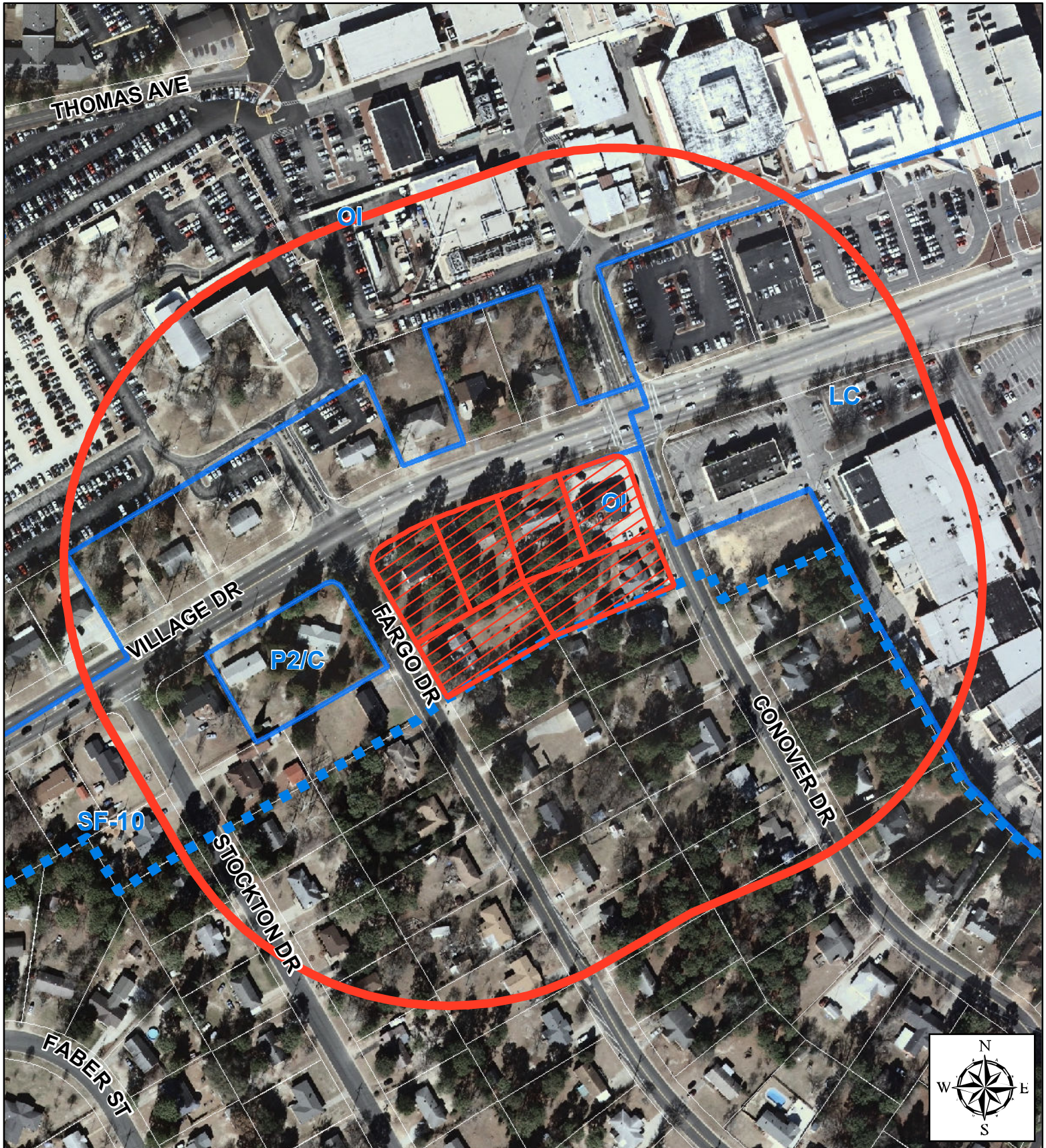
- 1) Approval of rezoning as presented by staff (Recommended);
- 2) Approval of rezoning to a more restrictive district;
- 3) Denial of the rezoning request.

RECOMMENDED ACTION:

Zoning Commission and Staff Recommend: That the City Council move to APPROVE the rezoning of this property to Office and Institutional as presented by staff.

ATTACHMENTS:

Zoning Map
Current Landuse

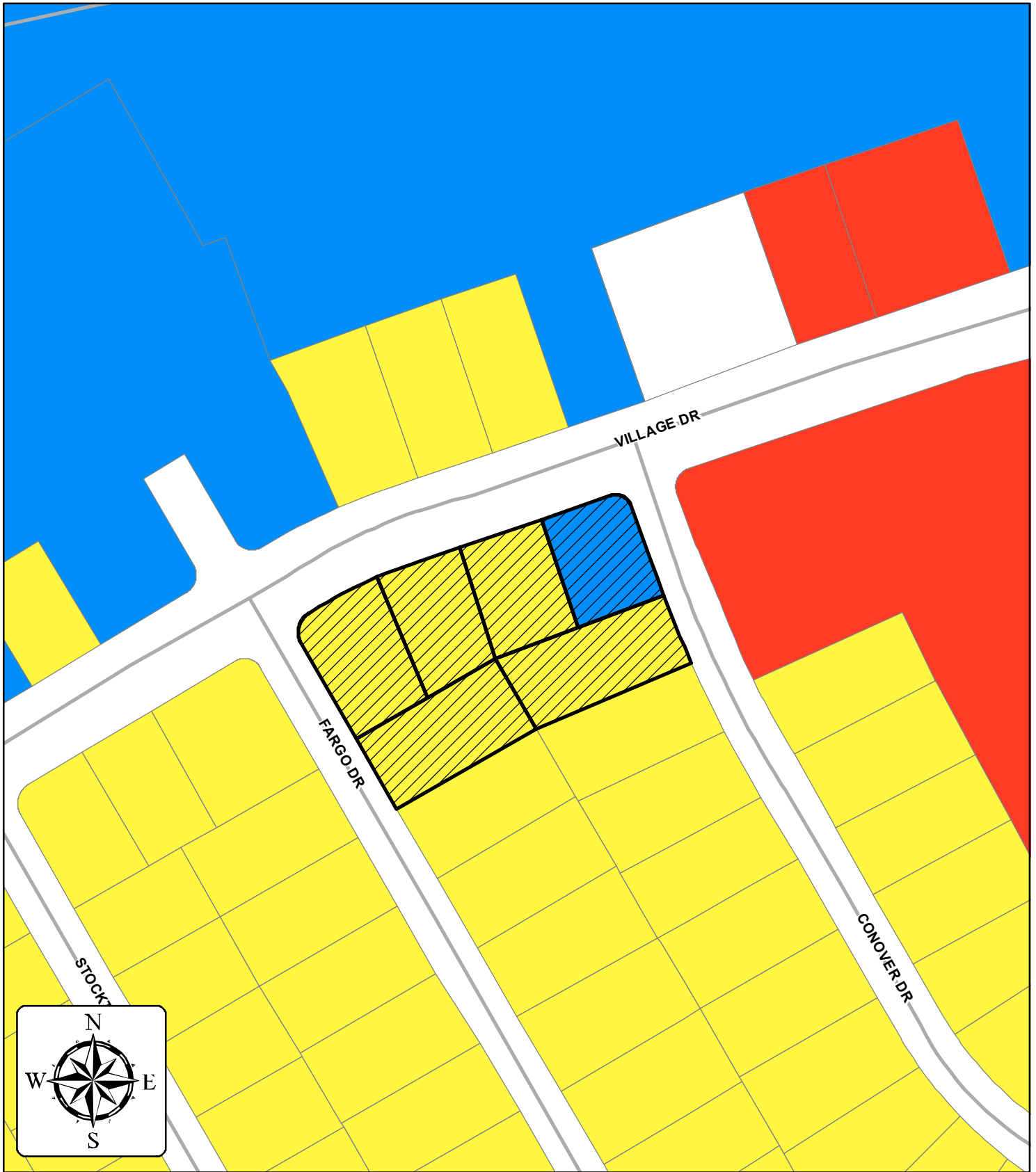


Request: R10 to OI
Location: 3401, 3405, 3413 Village &
1802 Conover & 1802 Fargo
Acreage: +/- 2.74 acres

Zoning Commission: 2/13/2012 Recommendation: _____
City Council: _____ Final Action: _____
Pin: 0416-95-8697, 0416-95-7693, 0416-95-6599,
0416-95-5595, 0416-95-7405 & 0416-95-8584-

Letters are being sent to all property owners within the circle, the subject property is shown in the hatched pattern.

Current Land Use
P11-06F



Legend

Existing Landuse	Common Area	Group Quarters	Industrial	Multi-Family	Open Space	Communications-Utilities	Vacant Commercial
Single Family Detached	Commercial	Golf Course	Institutional	Mobile Home	Parking	Under Construction	Not Verified
Single Family Attached	Cemetery	Government Office	Lake	Mobile Home Park	Predominantly Vacant	Vacant Land	Null PIN

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Craig Harmon, AICP, CZO - Planner II
DATE: March 26, 2012
RE: **P12-09F Rezoning from MR-5 Mixed Residential District to LC Limited Commercial District, or a more restrictive district, on property located on Whitfield St. at the intersection with the rail road tracks. Containing 0.36 acres more or less and being the property of Neil Grant.**

THE QUESTION:

Does the proposed zoning to Limited Commercial fit with the character of the neighborhood and the long range plans of the City of Fayetteville?

RELATIONSHIP TO STRATEGIC PLAN:

Livable Neighborhoods
Growth and development.

BACKGROUND:

Owner: Neil Grant
Applicant: Neil Grant
Requested Action: MR-5 to LC
Property Address: Whitfield St. at the intersection with the rail road tracks.
Council District: 2
Status of Property: Vacant
Size: 0.35 acres +/-
Existing Land Use: Mixed Residential
Adjoining Land Use & Zoning:
North - CC- Community Commercial
South - MR-5 Mixed Residential
East - MR-5 Mixed Residential
West - LI - Light Industrial
Letters Mailed: 52
Land Use Plan: Conservation & a small section of Industrial

ISSUES:

The owner of this property is requesting a rezoning to a Limited Commercial district. Their proposed use is to build a commercial building of possible office and storage use. While the Land Use Plan calls for Conservation on this property, there is commercial zoning to the north and light industrial to the west. This property is also cut off from its neighboring residentially zoned properties by a creek and flood plain. There is also an active rail road track adjacent to this property.

Zoning Commission and Staff recommend approval of the LC district based on:

1. Proximity to other commercial and industrial zoning districts.
2. The property is separated from the adjoining residential properties by a creek.
3. Adjacent rail road tracks limit the residential use of this property.

BUDGET IMPACT:

The City would be required to provide an increase in public services that should be offset by the increase this development would bring to the City's tax base.

OPTIONS:

- 1) Approval of rezoning as presented by staff (Recommended);
- 2) Approval of rezoning to a more restrictive district;
- 3) Denial of the rezoning request.

RECOMMENDED ACTION:

Zoning Commission and Staff Recommend: That the City Council move to APPROVE the rezoning of this property to Limited Commercial as presented by staff.

ATTACHMENTS:

Zoning Map



Request: SF-15 to LC
Location: Whitfield St near Robeson
Acreage: +/- 0.35 acres

Zoning Commission: 2/13/2012 Recommendation: _____
City Council: _____ Final Action: _____
Pin: 0436-09-7772 & 0436-09-8723-

Letters are being sent to all property owners within the circle, the subject property is shown in the hatched pattern.

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Craig Harmon, AICP, CZO - Planner II
DATE: March 26, 2012
RE: **P12-10F Rezoning from HI Heavy Industrial District to LC Limited Commercial District, or a more restrictive district, on property located at 202 Eastern Blvd. Containing 1.03 acres more or less and being the property of DJSMD LLC.**

THE QUESTION:

Does the proposed zoning to Limited Commercial fit with the character of the neighborhood and the long range plans of the City of Fayetteville?

RELATIONSHIP TO STRATEGIC PLAN:

Livable Neighborhoods
Growth and development.

BACKGROUND:

Owner: DJSMD LLC
Applicant: City of Fayetteville
Requested Action: HI to LC
Property Address: 202 Eastern Blvd.
Council District: 2
Status of Property: Vacant Building
Size: 0.35 acres +/-
Existing Land Use: Commercial
Adjoining Land Use & Zoning:
North - HI - Heavy Industrial
South - HI - Heavy Industrial
East - MR-5 Mixed Residential
West - HI - Heavy Industrial
Letters Mailed: 25
Land Use Plan: Downtown

ISSUES:

The City of Fayetteville is bringing this request forward to help correct/clean up a property's zoning associated with the UDO remapping project from this summer. Next month we will be bringing a larger area forward to be cleaned up as well. Under the City's old zoning this property was zoned M-2 (Industrial). This translated over to the new HI (Heavy Industrial). Under the old zoning commercial uses were allowed in industrial districts, under the new HI zoning they are not. This property is located along Eastern Blvd. in an area with both industrial and commercial uses. Staff is reviewing this area to try to ensure that no nonconforming uses were created in this area.

Zoning Commission and Staff recommend approval of the LC district based on:

1. Land Use Plan calls for Downtown uses which include both commercial and industrial uses.
2. The property has traditionally been used as commercial.
3. The property is adjacent to other commercial zoning and across from other commercial uses.

BUDGET IMPACT:

The City would be required to provide an increase in public services that should be offset by the increase this development would bring to the City's tax base.

OPTIONS:

- 1) Approval of rezoning as presented by staff (Recommended);
- 2) Approval of rezoning to a more restrictive district;
- 3) Denial of the rezoning request.

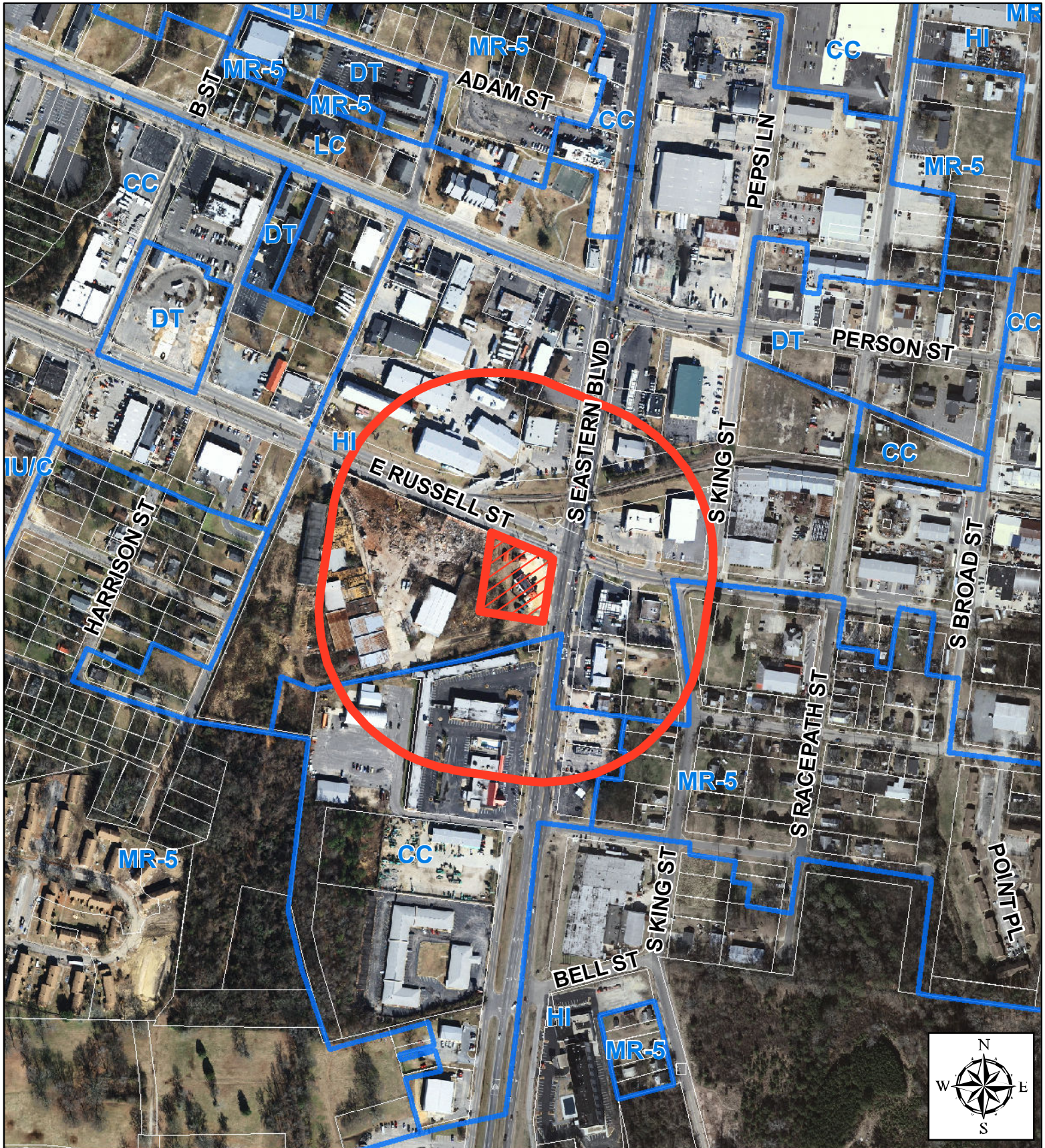
RECOMMENDED ACTION:

Zoning Commission and Staff Recommends: That the City Council move to APPROVE the rezoning of this property to Limited Commercial as presented by staff.

ATTACHMENTS:

Zoning Map
Current Landuse
Land Use Plan

ZONING COMMISSION
P12-10F



Request: HI to LC
Location: 202 Eastern Blvd
Acreage: +/- 1.03 acres

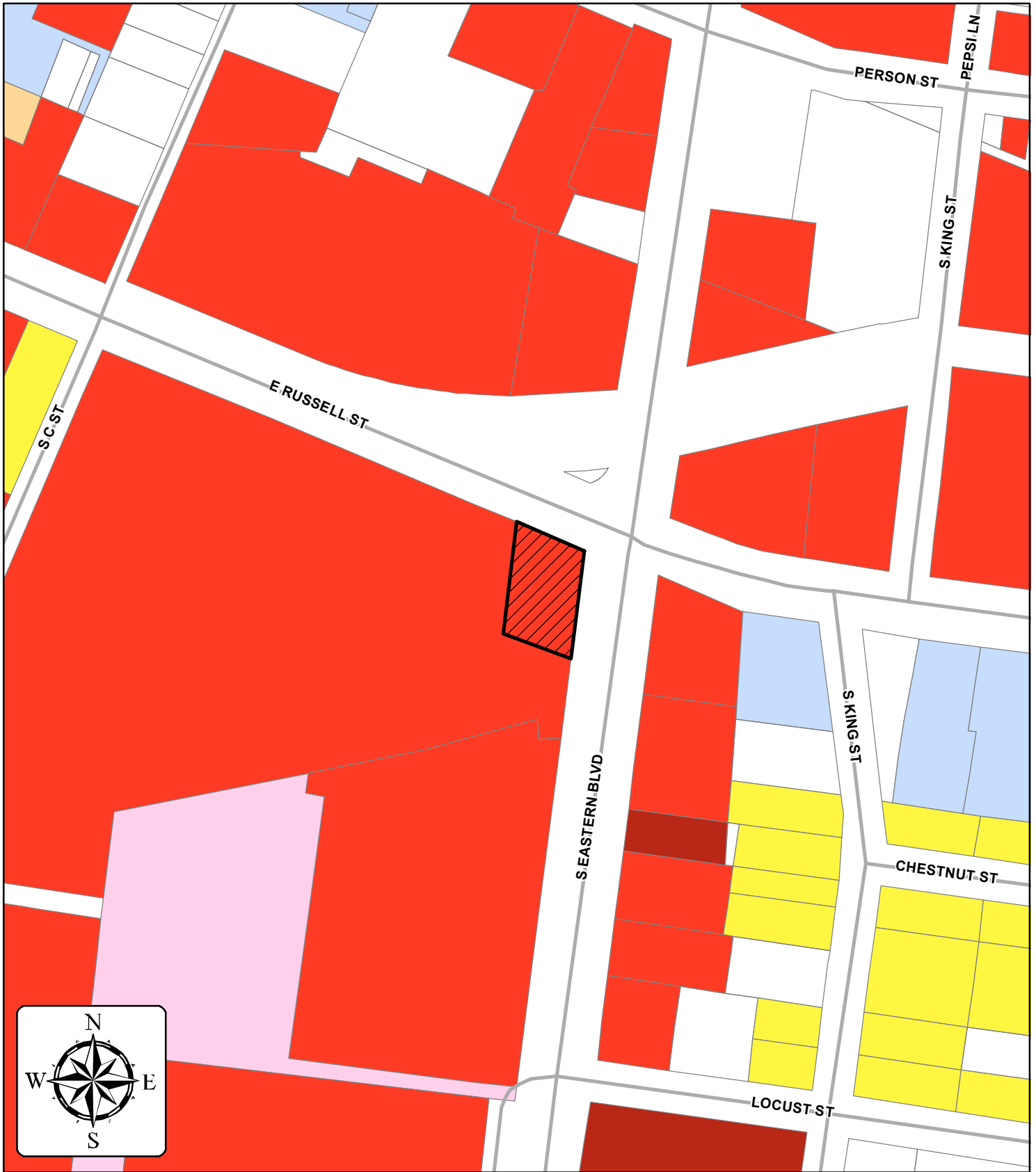
Zoning Commission: 2/13/2012
City Council: _____
Pin: 0447-01-0567-

Recommendation: _____
Final Action: _____

Letters are being sent to all property owners within the red circle, the subject property is shown in the middle with a hatched pattern.

Current Land Use

P11-10F

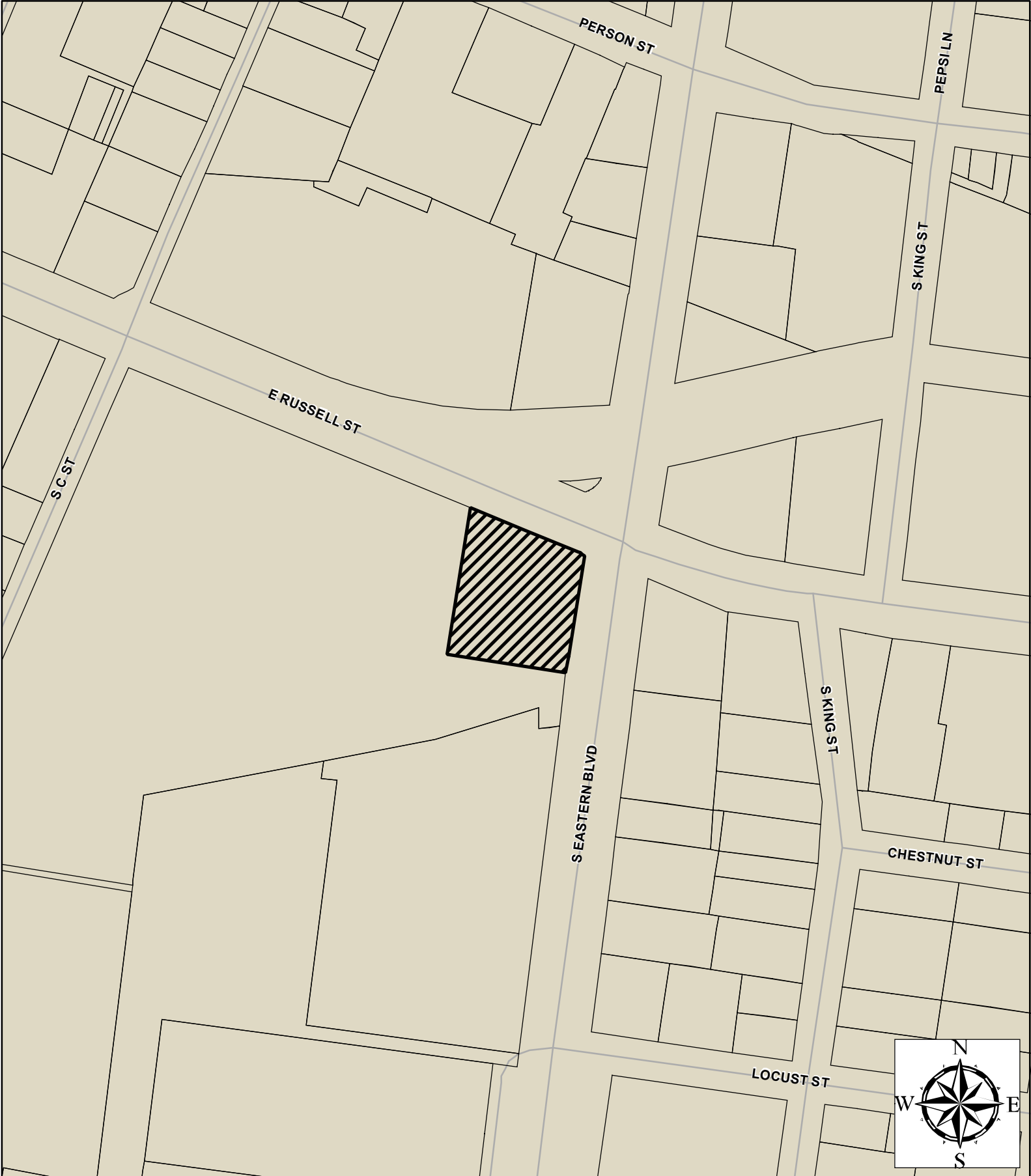


Legend

Existing Landuse	Common Area	Group Quarters	Industrial	Multi-Family	Open Space	Communications-Utilities	Vacant Commercial
Single Family Detached	Commercial	Golf Course	Institutional	Mobile Home	Parking	Under Construction	Not Verified
Single Family Attached	Cemetery	Government Office	Lake	Mobile Home Park	Predominantly Vacant	Vacant Land	Null PIN

2010 Land Use Plan

Case No. P12-10F



CITY COUNCIL ACTION MEMO

TO: Mayor and Member of City Council
FROM: Kecia Parker, Real Estate Manager
DATE: March 26, 2012
RE: **Response to Request to Sell City Lot on Mann Street**

THE QUESTION:

How best to respond to a request by St. Paul Full Gospel Baptist Church for the City to sell a City lot Mann Street for public off street parking.

RELATIONSHIP TO STRATEGIC PLAN:

A Growing City- Great Place to Live

BACKGROUND:

Parcel was acquired as part of the Southeast Redevelopment plan. In April of 2007 St. Paul Full Gospel Baptist Church made an offer of \$100 for said parcel. At that time Council rejected the offer due to it being below tax value. The City received an offer requesting the property be donated to the Church in September of 2011. At that time Council rejected the offer due to it being below tax value.

The City is now in receipt of another letter from St. Paul Full Gospel Baptist Church asking the City to sell the parcel for \$3,000.00 so that they may use the property for "public" off street parking. Staff has circulated among the Senior Management Team and found no need for the parcels by any City Department. The church has deposited a 5% deposit of \$150.00 with the City.

ISSUES:

- Parcel is undeveloped and not needed by any City Agency.
- North Carolina General Statute §160A-279 provides authority and the method for response to a request for City owned property to disposed of at private sale.
- The tax value of the property is \$6,000 and parcel is shown on attached map.
- The compensation the church is offering would be \$3,000 and in addition to this the public off street parking which would be addressed as a restriction on the deed that would mandate the property be used for this and would revert back to the City in the event it ceases to be used as such. Cost of advertisement and recording will be paid by St. Paul Full Gospel Baptist Church and the City will incur no cost.

BUDGET IMPACT:

No significant impact to the budget

OPTIONS:

- Adopt the Resolution conveying the property.
- Decline to adopt the Resolution conveying the property.

RECOMMENDED ACTION:

Approve the Resolution for conveying Mann Street lot to St. Paul Full Gospel Baptist Church.

ATTACHMENTS:

Resolution

Deed

**STATE OF NORTH CAROLINA
COUNTY OF CUMBERLAND
CITY OF FAYETTEVILLE**

Resolution R2012-_____

**RESOLUTION TO CONVEY REAL PROPERTY TO THE ST. PAUL FULL
GOSPEL BAPTIST CHURCH**

WHEREAS, the City of Fayetteville owns a vacant residential lot on Mann Street, having the tax map PIN 0436-79-1759; and

WHEREAS, the St. Paul Full Gospel Baptist Church has requested that the City-owned lot be conveyed to them for "public" off street parking; and

WHEREAS, the St. Paul Full Gospel Baptist Church is a non-profit organization and;

WHEREAS, North Carolina General Statutes §160A-279 authorizes the City to convey real property to organizations carrying out such public purposes.

NOW THEREFORE, the City Council of the City of Fayetteville does hereby resolve to convey the property, PIN 0436-79-1759 to the St. Paul Full Gospel Baptist Church pursuant to the procedures in NCGS §160A-279. The City Manager is directed to execute such documents and procedures necessary to convey the lot.

ADOPTED this 26th day of March, 2012 by the City Council of the City of Fayetteville, North Carolina

CITY OF FAYETTEVILLE

By: _____
Anthony G. Chavonne, Mayor

ATTEST:

Pamela Megill, City Clerk

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax \$6.00	Recording Time, Book and Page
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Tax Lot No. _____ Parcel Identifier No. 0436-79-1759

Verified by _____ County on the ____ day of _____, 20____

by _____

Prepared by/Mail after recording to: Brian Meyer, Assistant City Attorney, City of Fayetteville, 433 Hay Street, Fayetteville NC 28301-5537

Brief Description for the Index:

Lot Mann Street

THIS DEED made this _____ day of _____, 2012, by and between:

GRANTOR	GRANTEE
<p>CITY OF FAYETTEVILLE, a North Carolina Municipal Corporation</p> <p>Mailing Address: 433 Hay Street Fayetteville NC 28301-5537</p>	<p>ST PAUL FULL GOSPEL BAPTIST CHURCH</p> <p>Mailing Address: PO Box 1652 Fayetteville, NC 28302</p>

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

WITNESSETH:

That the Grantors, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, have and by these presents do grant, bargain, sell and convey unto the Grantee in fee simple that parcel of land situated in the City of Fayetteville, Cross Creek Township, Cumberland County, State of North Carolina, and more particularly described as follows:

BEING Lot 4, Block "C", Project NCA-7, Section 1 per Plat Book 43, Page 3 of the Cumberland County Registry.

For title reference, see Deed Book 6988, Page 738 and Corrective Deed 7051, Page 1 of the Cumberland County Registry.

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

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

Title to the property hereinabove described is subject to the following exceptions:

City conveys property to St. Paul Full Gospel Baptist Church and its heirs and assigns upon the condition that if they or their successors cease to use the property for "public" parking, City or its successors shall have the right to re-enter and possess property.

Such liens, encumbrances, restrictive covenants & easements as may appear of record.

IN WITNESS WHEREOF Grantor has set his hand and seal, the day and year first above written.

CITY OF FAYETTEVILLE

By: _____

ATTEST:

Pamela Megill, City Clerk

APPROVED AS TO FORM:

Brian Meyer, Assistant City Attorney

**STATE OF NORTH CAROLINA
COUNTY OF CUMBERLAND**

I, _____, a Notary Public for _____ County, North Carolina, certify that **Pamela Megill** personally came before me this day and acknowledged that she is the **City Clerk** of **City of Fayetteville**, a North Carolina Municipal Corporation, and that by authority duly given and as the act of the Corporation, the foregoing instrument was signed in its name by its City Manager, sealed with its corporate seal and attested by herself as its **City Clerk**.

Witness my hand and official seal, this the _____ day of _____, 2012.

Place seal here ↓



Notary Public

My commission expires: _____

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Steven K. Blanchard, PWC CEO/General Manager
DATE: March 26, 2012
RE: **Phase 5 Annexation Areas 8 and 9**

THE QUESTION:

Providing sanitary sewer service to Areas 8 and 9 of the Phase 5 Annexation.

RELATIONSHIP TO STRATEGIC PLAN:

Goal 4: More Efficient City Government – Cost-Effective Service Delivery.

BACKGROUND:

With sanitary sewer construction now complete in the LaGrange and Summerhill areas, we are requesting Council adopt the attached Resolution Declaring Cost, Ordering Preparation of Preliminary Assessment Roll, and Setting Time and Place for Public Hearing on Preliminary Assessment Roll.

The sanitary sewer assessment rate for single family residential lots is recommended at \$5,000 which includes both the main and lateral charges. For non-single family residential properties, a per front foot rate of \$55.56 with a 90 foot minimum plus the area average lateral charge of \$1,036 is recommended.

I am also attaching a proposed schedule of the remaining tasks for Areas 8 and 9 for your information. Upon adoption of the Resolution Declaring Cost, PWC will notify the affected property owners of the public hearing date of April 10, 2012.

ISSUES:

n/a

BUDGET IMPACT:

n/a

OPTIONS:

n/a

RECOMMENDED ACTION:

Authorize the Resolution Declaring Cost, Ordering Preparation of Preliminary Assessment Roll, and Calling Public Hearing.

ATTACHMENTS:

Resolution Declaring Cost and Ordering Preparation of Preliminary Assessment Roll and Setting Time and Place for Public Hearing on Preliminary Assessment Roll
Schedule

RESOLUTION DECLARING COST AND ORDERING PREPARATION OF PRELIMINARY ASSESSMENT ROLL AND SETTING TIME AND PLACE FOR PUBLIC HEARING ON PRELIMINARY ASSESSMENT ROLL

WHEREAS, the extension of the sanitary sewer collection system to serve all or a portion of Area 8 known as LaGrange and Area 9 known as Summerhill to include adjoining streets and development; said extension to be financed by assessment of part of the cost against the benefitted real property and was ordered by Resolution of City Council duly passed on the 14th day of June, 2010 and has been completed for Areas 8 and 9 in accordance therewith; and

WHEREAS, the total cost of the project to date has been computed;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Fayetteville that:

1. The total cost of the above described project to date is hereby declared to be \$5,316,417.
2. The City Clerk is hereby directed to prepare a Preliminary Assessment Roll showing the individual assessments upon the benefitted parties.
3. The City Clerk is hereby directed to make available during regular office hours, in their office, the Preliminary Assessment Roll for public inspection from this day through the 23rd day of April, 2012.
4. The City Council will hold a public hearing at 7 p.m. on the 10th day of April, 2012 at the City Hall of Fayetteville for the purpose of hearing all interested persons.
5. The City Clerk is hereby directed to publish the required notice of the public hearing and, no later than 10 days before the public hearing, to mail by first class mail copies of the notice to the owners of real property listed on the Preliminary Assessment Roll.

ADOPTED this _____ day of _____, 2012 by the City of Fayetteville, North Carolina.

CITY OF FAYETTEVILLE

Anthony G. Chavonne, Mayor

Pamela J. Megill, CMC, City Clerk

The following City Council members voted for passage of the above Resolution:

The following City Council members voted against passage of the above Resolution:

ANNEXATION/ASSESSMENT CHECKLIST

Phase 5 Annexation Area 8 and 9 - LaGrange and Summerhill

ITEM NUMBER	DATE	ITEM
1	September 8, 2003	Resolution of Intent Adoption <i>(at least 30 days before public hearing)</i>
2	September 19, 2003	Notice to Property Owners of Resolution of Intent <i>(at least 4 weeks before public hearing)</i>
3	October 20, 2003 October 28, 2003 October 30, 2003 November 3, 2003 November 6, 2003	Neighborhood Meetings
4	November 10, 2003	Public Hearing <i>(at least 60 days before adoption of ordinance)</i>
5	November 17, 2003	Deadline for Water & Sewer Extension Request from Property Owner <i>(not later than 5 days after the public hearing)</i>
6	November 24, 2003	Annexation Ordinance Adopted
7	September 30, 2005	Annexation Effective
8	September 29, 2009	Survey & Appraisal Notification/Lateral Location Letters Sent
9	May 10, 2010	Preliminary Assessment Resolution Adopted
10	May 13, 2010	Pending Assessment List Provided to Accounting
11	May 13, 2010	Publish Notice of Adoption of Preliminary Assessment Resolution <i>(at least 10 days before public hearing)</i>
12	May 13, 2010	Mail Copies of Preliminary Assessment Resolution to Property Owners <i>(at least 10 days before public hearing)</i>
13	May 13, 2010	Certification of Mailing of Preliminary Assessment Resolution
14	May 24, 2010	Public Hearing
15	June 14, 2010	Resolution Directing Project be Undertaken adopted <i>(not earlier than 3 weeks nor later than 10 weeks from date of adoption of preliminary assessment resolution)</i>
16	February 14, 2012	Connection notifications mailed
17	March 26, 2012	Resolution Declaring Cost, Ordering Preparation of Preliminary Assessment Roll and Calling Public Hearing
18	March 31, 2012	Publish Notice of Completion of Preliminary Assessment Roll <i>(at least 10 days before public hearing)</i>
19	March 28, 2012	Mail Copies of Notice to Affected Property Owners <i>(at least 10 days before public hearing)</i>
20	March 28, 2012	Certification of Mailing of Preliminary Assessment Roll
21	April 10, 2012	Public Hearing
22	April 23, 2012	Resolution Confirming Assessment Roll and Levying Assessments adopted
23	April 24, 2012	Resolution Confirming Assessment Roll and Levying Assessments Delivered to Tax Collector
24	April 25, 2012	Mail Individual Assessment Notices to Property Owners
25	May 14, 2012	Publish Notice Assessment Roll has been Confirmed <i>(after 20 days from confirmation of assessment roll)</i>

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Kecia Parker, Real Estate Manager
DATE: March 26, 2012
RE: **Acceptance and Establishment of Revised Policy on Disposal of City Owned Property**

THE QUESTION:

Should the City revise its existing real property disposal policy?

RELATIONSHIP TO STRATEGIC PLAN:

More efficient City Government-Cost Effective Services Delivery

BACKGROUND:

The City occasionally receives requests from citizens and entities wishing to purchase City property. The City Council asked staff to review its policy for the disposal of City property to address the requests. Staff reviewed the State laws for disposal of property by municipalities, and the City's existing policy and suggests revisions to the policy.

ISSUES:

The City Council wishes to have a policy for the disposal of the City's surplus property which complies with North Carolina law and which assures the dispositions are fair, non-discriminatory, serves the general public welfare and increases the ad valorem tax base.

This policy was presented and discussed at the March 5th worksession and revisions were made to the ordinance based on those discussions.

BUDGET IMPACT:

No significant impact to budget

OPTIONS:

- Adopt the revised policy
- Reject the revisions and keep the old policy

RECOMMENDED ACTION:

Staff recommends that the City Council adopt the revised policy.

ATTACHMENTS:

Policy

PROPOSED CITY COUNCIL POLICY

**SUBJECT – CITY PROPERTY
Real Property - Disposal**

**Number
155.1**

**Revised
- -2012**

**Effective
Date
05-06-1985**

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I. Purpose:

The City of Fayetteville strives to dispose of its surplus real property in a fair, equitable, and non-discriminatory manner which avoids the appearance of favoritism, best serves the general public welfare and increases the ad valorem tax base.

The following procedures are hereby adopted to carry out this policy in compliance with North Carolina law. Nothing in these procedures will be construed to conflict with North Carolina law, the Charter of the City of Fayetteville, or the Fayetteville City Code. These procedures do not attempt to cover rare dispositions or real property such as leasing, equal exchanges between governmental units, or the sale of historic and artistic property.

II. Procedures:

- A. In all real property dispositions, the City shall comply with Article 12 of the North Carolina General Statutes which mandates the various methods available to North Carolina Municipalities for the disposition and conveyance of real property, and which mandates the procedure for each available method.
- B. Each Request to acquire real property owned by the City shall be sent to the Real Estate Division. The Real Estate Division will determine how the property was acquired by the City and whether it is surplus to the needs of the City. If property is still in government use, Real Estate will notify the Requestor that the property is not surplus.
- C. Surplus property shall be disposed of according to Article 12 of the North Carolina General Statutes following a determination of the terms of sale which may include but are not limited to the following factors:
 1. The nature of the sale (whether by private negotiation and sale; advertisement for sealed bids; negotiated offer, advertisement, and upset bid; public auction; or exchange).
 2. The minimum sale price; (if not controlled by Article 12);
 3. The need for and amount of any deposit;
 4. A showing by the purchaser of financial responsibility;
 5. That the purchaser is current on property tax payments;
 6. Whether payment will be by cash or on some other basis;
 7. Whether employees may bid on the property;

PROPOSED CITY COUNCIL POLICY

**SUBJECT – CITY PROPERTY
Real Property - Disposal**

**Number
155.1**

**Revised
- -2012**

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05-06-1985**

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8. The time of closing; and
9. Whether the property is sold “as is.”

- D. In addition to the determinations of the terms set forth above, and if the surplus property is one which can be conveyed by private sale to a nonprofit entity, the City may consider Requests to convey surplus property to a nonprofit organization by private sale without monetary consideration. The recipient must agree to use the property for a continued public purpose. The City shall attach to any such conveyance covenants or conditions which assure that the property will be put to a public purpose by the recipient entity. Prior to making this type of conveyance, the City will determine whether the proposed public purpose is consistent with the City’s comprehensive plans, land use plan, strategic plan or its community development action plan.

If the City deems that the use proposed by the purchasers is in fact a public use, but one not necessarily consistent with the comprehensive plans, land use plan, strategic plan or its community development action plan then Council will follow the standard that the purchase price shall be equal to 50% of the value of the property plus the cost incurred to close the sale and the required public use deed restriction.

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Craig Harmon, AICP, CZO - Planner II
DATE: March 26, 2012
RE: **P12-07F Request for a Special Use Permit - medical office use within 100' of residential zoning in the Hospital Area Overlay, on properties located at 3401 , 3405, 3409 and 3413 Village Dr., and 1802 Conover Dr., and 1803 Fargo Dr. Containing 2.7 acres more or less and being the property of Kaavu LLC and Catherine & Billy Parker.**

THE QUESTION:

Does the proposed Special Use Permit fit with the character of the neighborhood and the long range plans of the City of Fayetteville?

RELATIONSHIP TO STRATEGIC PLAN:

Livable Neighborhoods
Growth and development.

BACKGROUND:

Owner: Kaavu LLC and Catherine & Billy Parker
Applicant: Kaavu LLC and Catherine & Billy Parker
Requested Action: Special Use Permit
Property Address: 3401 , 3405, 3409 and 3413 Village Dr., and 1802 Conover Dr., and 1803 Fargo Dr.
Council District: 5
Status of Property: Developed Single Family
Size: 2.7 acres +/-
Existing Land Use: Single Family Residence
Adjoining Land Use & Zoning:
North - SF-10 Residential & OI Office & Institutional
South - SF-10 Residential
East - SF-10 Residential & LC Limited Commercial
West - P2/C Professional
Letters Mailed: 81
Land Use Plan: Office & Institutional
Small Area Studies: Hospital Area Overlay - Office & Institutional

ISSUES:

The owners of these properties are requesting a Special Use Permit in order to build office buildings on this site. The request is in compliance with the City's new Hospital Area Overlay Plan (Plan Ordinance Attached). The plan calls for office use on the properties fronting Village Drive and adjacent parcels. A draft site plan is attached as part of this request. This site plan still has to get formal approval from the City's Technical Review Committee and approval should not be conditioned on following this draft site plan.

Zoning Commission and Staff recommend approval of the SUP based on:

1. Hospital Area Plan calls for Office use on these properties.
2. The size of the property in question is large enough for a medical complex.
3. The major elements of the attached site plan.

A Special Use Permit shall be approved only upon a finding that all of the following standards are met:

- (1) The special use complies with all applicable standards in Section 30-4.C, Use-Specific Standards; **There are no use-specific standards for this use.**
- (2) The special use is compatible with the character of surrounding lands and the uses permitted in the zoning district(s) of surrounding lands; **The use is compatible with the character of the surrounding lands and uses as prescribed in the Hospital Area Plan.**
- (3) The special use avoids significant adverse impact on surrounding lands regarding service delivery, parking, loading, odors, noise, glare, and vibration; **The proposal avoids significant adverse impacts by keeping with the requirements of the Hospital Overlay District.**
- (4) The special use is configured to minimize adverse effects, including visual impacts of the proposed use on adjacent lands; **The proposal minimizes the adverse effect by keeping with the requirements of the Hospital Overlay District.**
- (5) The special use avoids significant deterioration of water and air resources, wildlife habitat, scenic resources, and other natural resources; Council Hearing/Decision **The proposal avoids significant deterioration of natural resources by keeping with the requirements of the Hospital Overlay District (Please see attached Hospital Plan Ordinance).**
- (6) The special use maintains safe ingress and egress onto the site and safe road conditions around the site; **Safe ingress and egress will be maintained to both Conover and Fargo Drives.**
- (7) The special use allows for the protection of property values and the ability of neighboring lands to develop the uses permitted in the zoning district; and **The proposal allows for the protection of property values and the ability of neighboring land to develop by keeping with the requirements of the Hospital Overlay District.**
- (8) The special use complies with all other relevant City, State, and Federal laws and regulations. **The project will comply with all relevant regulations.**

BUDGET IMPACT:

The City would be required to provide an increase in public services that should be offset by the increase this development would bring to the City's tax base.

OPTIONS:

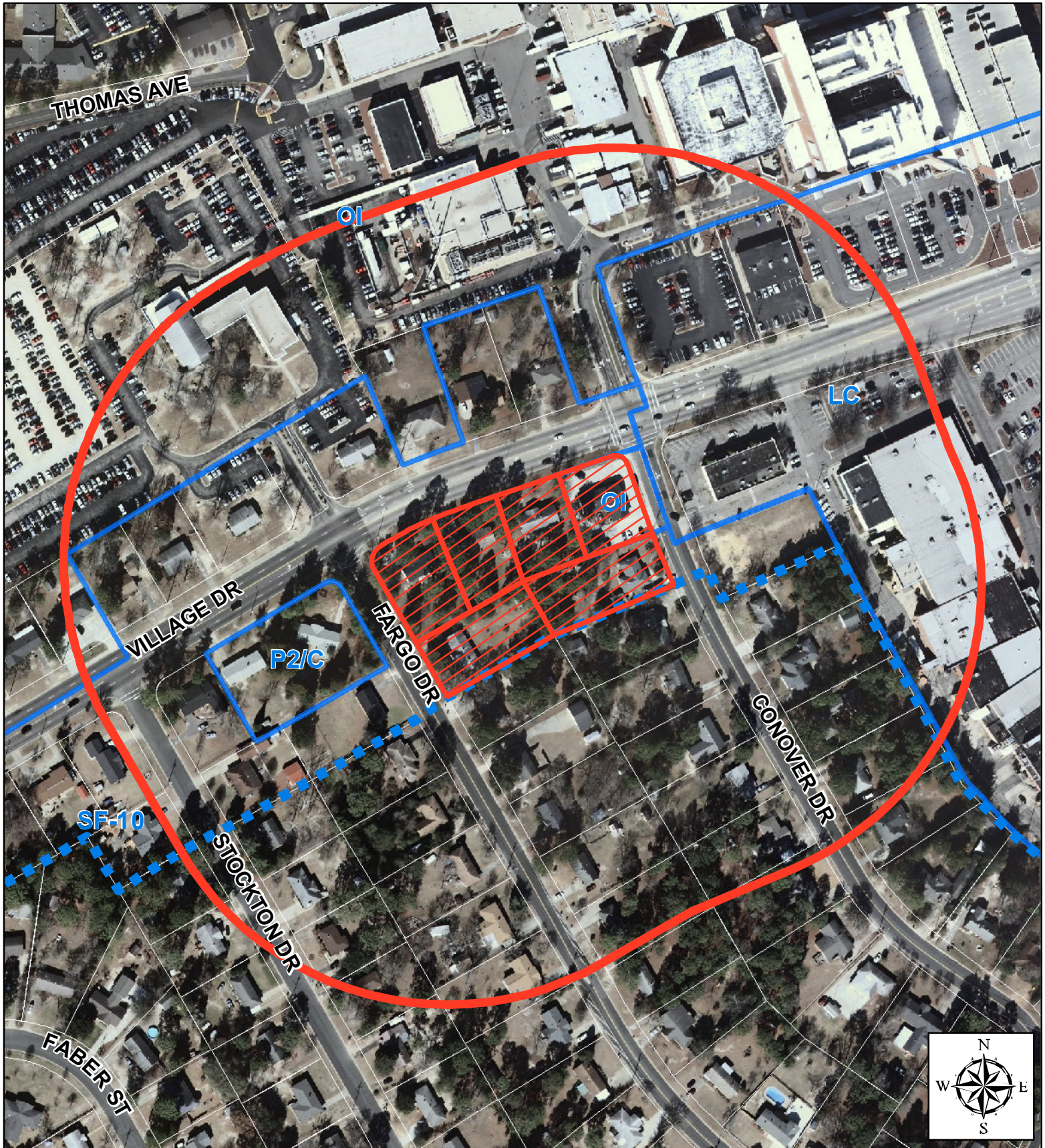
- 1) Approval of the SUP as presented by staff (Recommended);
- 2) Approval of the SUP with conditions;
- 3) Denial of the SUP request.

RECOMMENDED ACTION:

Zoning Commission and Staff Recommend: That the City Council move to APPROVE the Special Use Permit for this property to allow office use as presented by staff.

ATTACHMENTS:

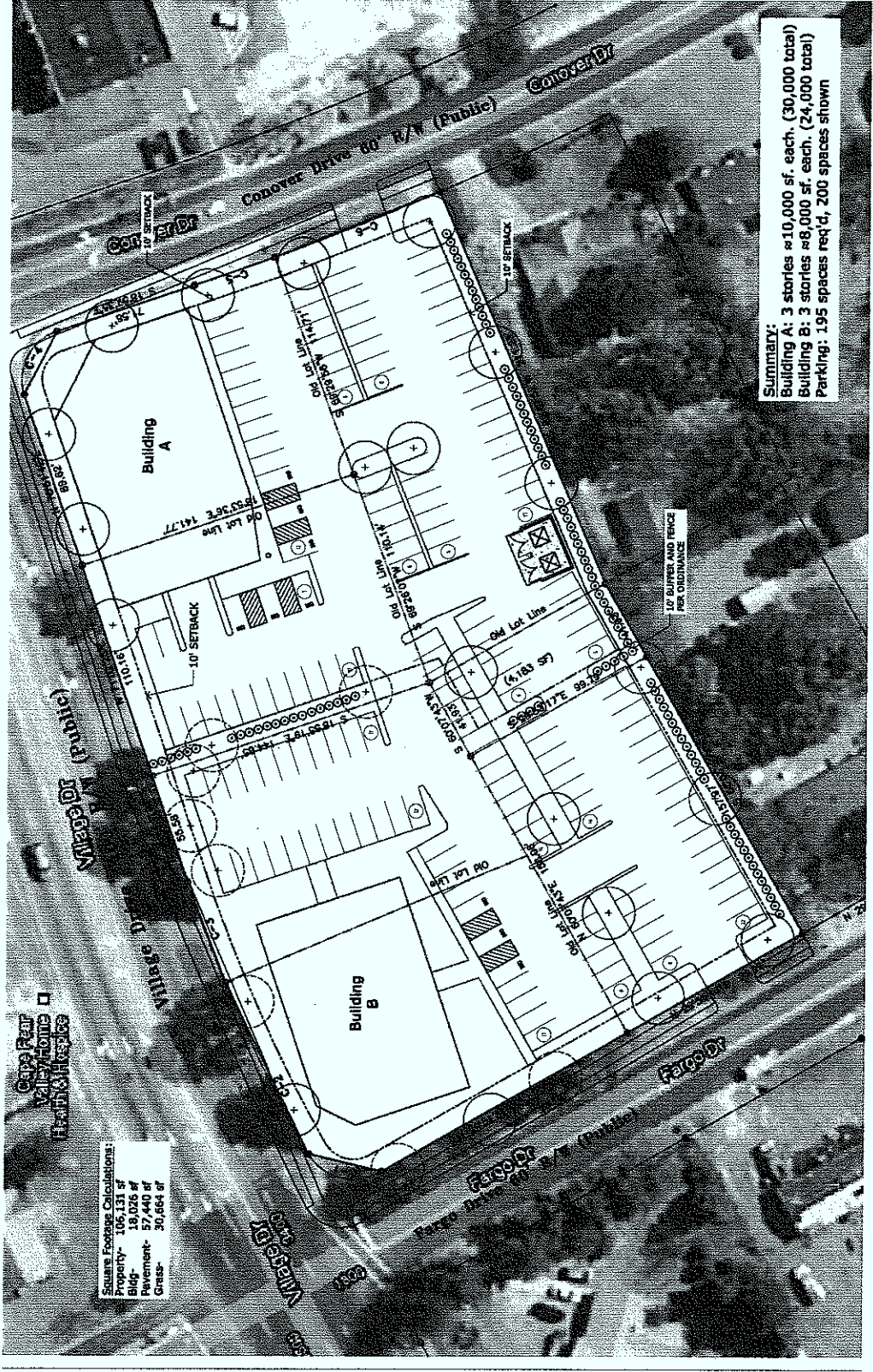
Zoning Map
Current Landuse
Site Plan
Hospital Area Plan Ordinance



Request: SUP - HAO
Location: 3401, 3405, 3413 Village &
1802 Conover & 1802 Fargo
Acreage: +/- 2.74 acres

Zoning Commission: 2/13/2012 Recommendation: _____
City Council: _____ Final Action: _____
Pin: 0416-95-8697, 0416-95-7693, 0416-95-6599,
0416-95-5595, 0416-95-7405 & 0416-95-8584-

Letters are being sent to all property owners within the circle, the subject property is shown in the hatched pattern.

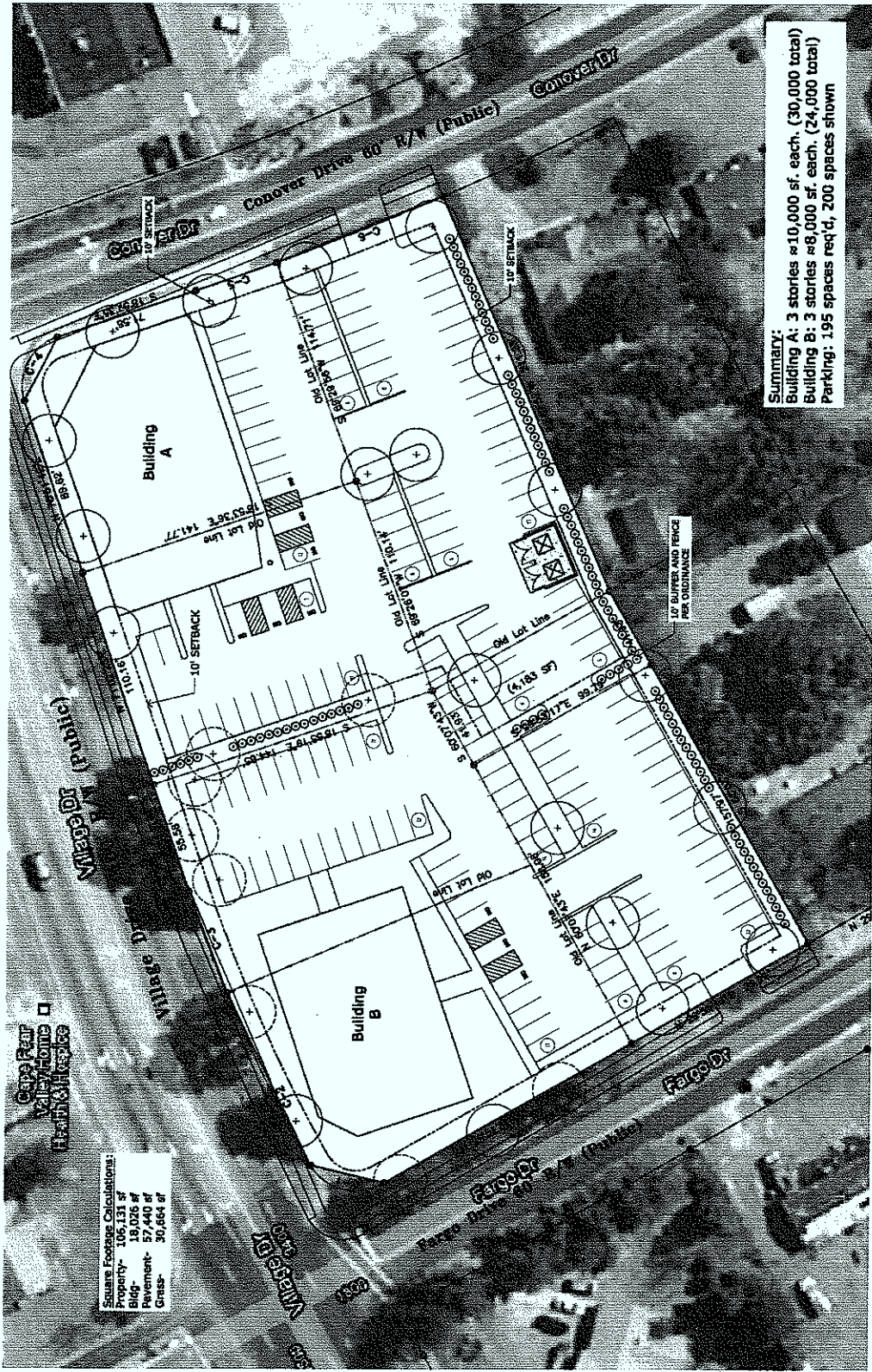


Square Footage Calculations:
 Property- 106,131 sf
 Bldg- 54,000 sf
 Basement- 50,000 sf
 Grass- 20,000 sf

Cape Fear Valley Home Health & Hospice

Angelo Architects, PLLC
 Architectural Design and Consulting Services
 712 E. Tenth Street
 Winston-Salem, NC 27101
 www.angeloarchitects.com • 704.333.0463

Proposed Medical Offices
 Village Drive
 Winston-Salem, NC



Angelo Architects, PLLC
 Architectural Design and
 Consulting Services
 712 E. Tennessee
 Charlotte, NC 28202
 www.angeloarchitects.com • 704.333.0463

Proposed Medical
 Offices
 Village Drive
 Matthews, NC

HOSPITAL AREA OVERLAY (HAO) DISTRICT

(a) Purpose

The purpose of this district is to protect the public health, safety and welfare in the vicinity of the Cape Fear Valley Hospital by lessening conflicts between residential and non-residential land uses and by promoting compatible quality development. Specifically, the requirements of the overlay are intended to:

- (1) Protect surrounding neighborhoods from being adversely affected by inappropriate or poor quality development.
- (2) Allow for compact development, providing adequate room for parking, landscaping and buffering.
- (3) Create more attractive, pedestrian-friendly developments, less dominated by the automobile.
- (4) Minimize traffic impacts through specified land uses, access management, traffic calming, street improvements, intersection improvements and other means.

(b) Applicability and Permits Required

- (1) The provisions of this section shall apply to all new non-residential development within the Hospital Area Overlay District (HAO) and any addition, remodeling, relocation or construction of non-residential property requiring a zoning permit or a building permit.
- (2) No zoning or building permit may be issued until the City Manager determines that the proposal complies with all design standards of this overlay district, as well as those of the underlying zoning district.
- (3) A Special Use Permit ~~(See Section 30-2.C.7.)~~ shall also be required for non-residential development within 100 feet of a lot occupied by a single family dwelling.
- (4) In the case of conflict between these standards and other design standards of this Ordinance, the design standards of this overlay shall control.
- (5) The boundary of the Hospital Area Overlay (HAO) District is hereby established as shown on the map included on the Introduction page of Appendix 7.4 of the Hospital Area Plan. This map is hereby declared to be a part of this chapter. A copy of this map is on file in the office of the city clerk. The boundary of the HAO is also established as a layer on the Official Zoning Map in digital format and is hereby adopted and incorporated into these provisions.

(c) Permitted Land Uses and General Requirements

All land uses permitted in the underlying zoning districts shall continue as a permitted use within the overlay area except as noted in paragraph (d) below. All district, area, yard and height regulations, and all additional requirements for underlying districts shall continue to apply except as otherwise noted in this section.

(d) Certain Streets Reserved for Offices and Single Family Residences Use Only

While the ~~Office and Institutional (O&I) P1, P2, and P4~~ Districts of this Ordinance allows for uses other than offices, some street segments within the Overlay area zoned for ~~O&I P1, P2, and P4~~ shall be reserved only

for existing single family residences and an appropriate range of office and medical uses. Specifically, the following types of office and medical facilities, in addition to existing single family residences, are permitted along certain street segments [when zoned P1, P2 or P4](#) within the Overlay area.

- **Medical or Dental Clinic***

An establishment where patients are admitted for examination and treatment by one or more physicians, dentists or psychologists and where patients are not usually lodged overnight.

- **Medical or Dental Lab**

Facilities and offices for performing diagnostic or therapeutic medical procedures of a nonsurgical nature.

- **Medical Treatment Facility**

A small-scale facility which may or may not be located in a converted dwelling or residence for the short term care and treatment of up to 20 chronically or terminally ill patients on an overnight basis. Such facilities may include sleeping rooms for care workers and members of patient's families.

- **Office, Business Services**

A room, or group of rooms used for conducting the affairs of a general business establishment, other than financial services and professional services. Examples of business services office uses include offices for retail and wholesale establishments.

- **Office, Professional Services**

A room or group of rooms used for conducting the affairs of a business, profession, or service industry. Examples of professional services offices include offices for lawyers, accountants, engineers, architects, doctors, dentists, and similar professions.

- **Office, Sales**

A room or group of rooms used for conducting the affairs of a business engaged in the buying and/or selling of real or personal property, services, or other products, such as real estate sales, artwork, artifacts, or other specialized services.

Other types of typically larger or more intensive uses are specifically not permitted so as to protect nearby residential neighborhoods from encroachment by incompatible land uses. The intent of this range of uses is to (a) allow existing residents to continue to live in and enjoy their homes, (b) provide for and encourage office and medical uses supportive of the economy of this sector of the City, and (c) provide for an appropriate transitional use between the hospital and nearby neighborhoods. The specific locations reserved for these uses are identified below and on the zoning map:

- (1) **Village Drive**

from Conover Drive west to Roxie Avenue.

- (2) **Owen Drive and Terry Circle**

from one lot north of Player Avenue to the south entrance of Terry Circle.

(e) Numerical Performance Standards

(1) Minimum Lot Size

The minimum lot size shall be twenty thousand (20,000) square feet. A reduction in the minimum lot size of up to ten percent (10%) may be approved administratively, provided that this meets the purpose and other standards of the overlay.

(2) Maximum Floor Area Ratio

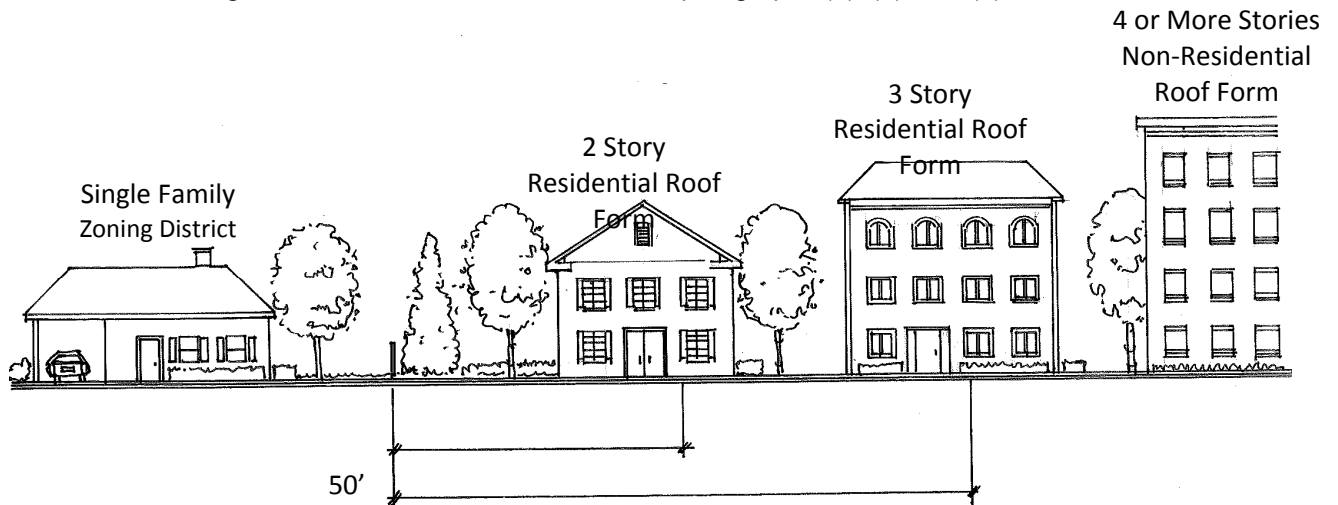
A maximum floor area ratio (FAR) of .33 (i.e. thirty-three hundred (3300) square feet of heated building space for every ten thousand (10,000) square feet of lot area) shall apply when surface parking is employed. Developments with parking under the building or in a parking deck may exceed the maximum FAR, provided that all parking, landscaping and buffering requirements can still be met.

(3) Front Yard “Build To” Line

The front face of the principal building shall be placed at a “build to” line ten (10) feet from the front yard street right of way. A greater setback of up to fifteen (15) feet from the right of way may be approved administratively.

(f) Building Heights and Roof Forms (See illustration below)

- (1)** Any non-residential building located within fifty (50) feet of a lot line shared with an existing single family zoning district shall not exceed two (2) stories or thirty-five (35) feet in height and shall have a residential style roof form (i.e. hipped or gabled).
- (2)** Any non-residential building located between fifty (50) and one hundred (100) feet of a lot line shared with an existing single family zoning district shall not exceed three (3) stories or forty-five (45) feet in height and shall have a residential style roof form (i.e. hipped or gabled).
- (3)** Any non-residential building located over one hundred (100) feet from a lot line shared with an existing single family zoning district may be four (4) or more stories in height and may have a non-residential style roof form (i.e. flat or other).
- (4)** Buildings may have sections stepped in height so long as each section is built in compliance with the height/distance standards set forth under paragraphs (1), (2), and (3) above.



(g) Parking

(1) Number of Parking Spaces

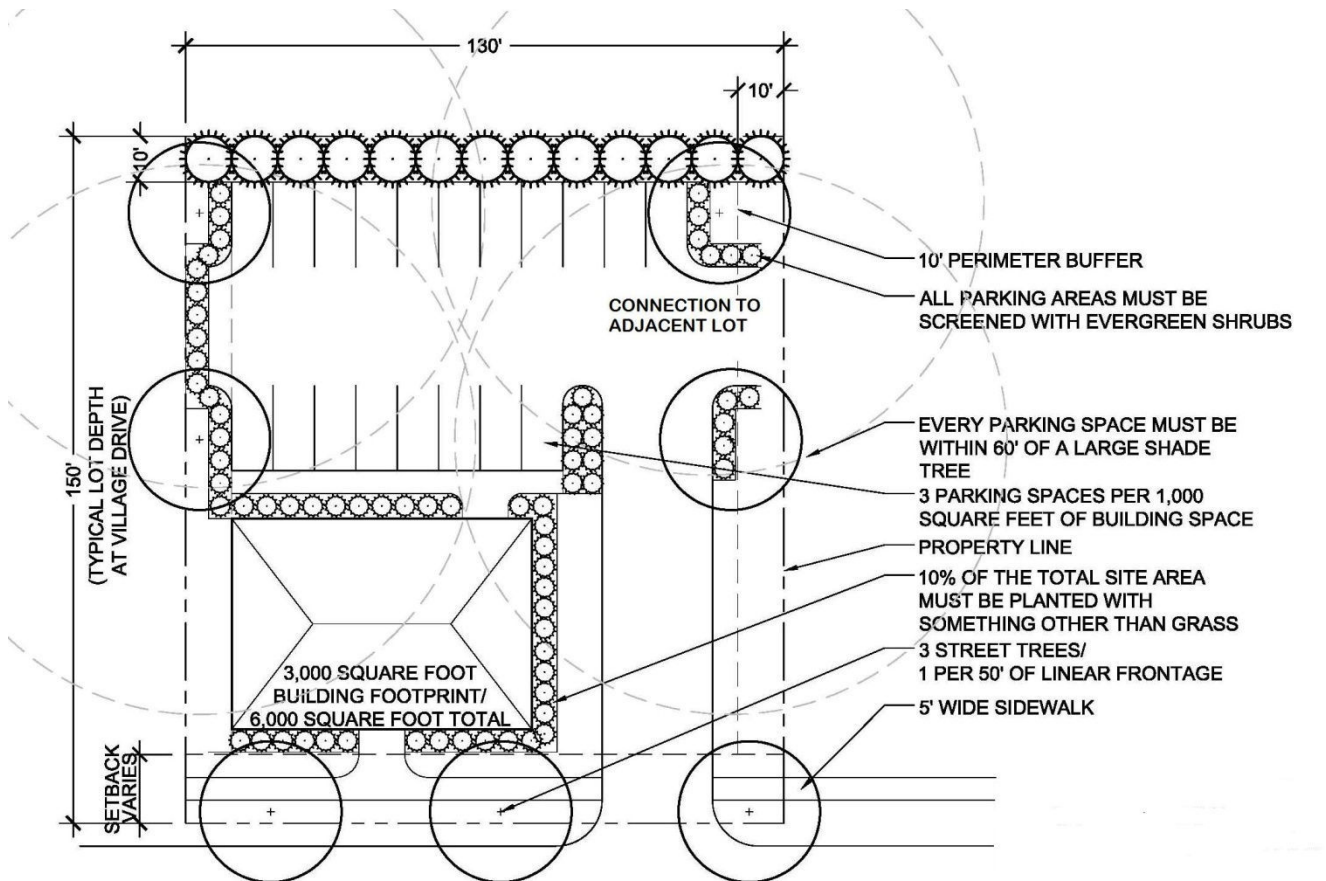
- a. Office Uses.** There shall be three (3) parking spaces for every one thousand (1000) square feet of heated office space. This requirement shall supersede the parking requirements for offices specified in [Table 30-5 other sections](#) of this Ordinance.
- b. All Other Non-Residential Uses.** Parking requirements for all non-residential uses other than offices, including health care facilities, shall comply with the parking requirements of [Table 30-5 other sections](#) of this Ordinance.

(2) Location of Parking

New buildings shall have parking generally located behind the rear building face of the principal building on the lot. Up to 25% of parking spaces may be located at the side of the building rearward of the front building face.

(3) Parking Lot Cross-Access

Cross-access between adjoining lots shall be provided in accordance with [Section 30-5.A.3.f. the drawing below and other sections of this Ordinance.](#)



(h) Landscaping Requirements

(1) General.

Ten percent (10%) of the total site area must be planted with something other than grass. Required planting materials shall correspond to the approved materials listed in ~~the Administrative Manual Section 30-296 of this Ordinance, unless alternative materials are proposed as part of an Alternative Landscape Plan (Section 30-5.B.1.h).~~

(2) Street Trees

There shall be an approved street tree for every fifty (50) feet of street frontage, including both front and side streets.

(3) Parking Lot Shade Trees

No parking space shall be separated from the trunk of a shade or canopy tree by more than sixty (60) feet.

(4) Parking Lot Perimeter Landscape Screen

The edge of all areas containing parking spaces shall be planted with a continuous evergreen landscape screen of a type that will reach thirty-six (36) inches in height at maturity within five (5) years of building occupancy.

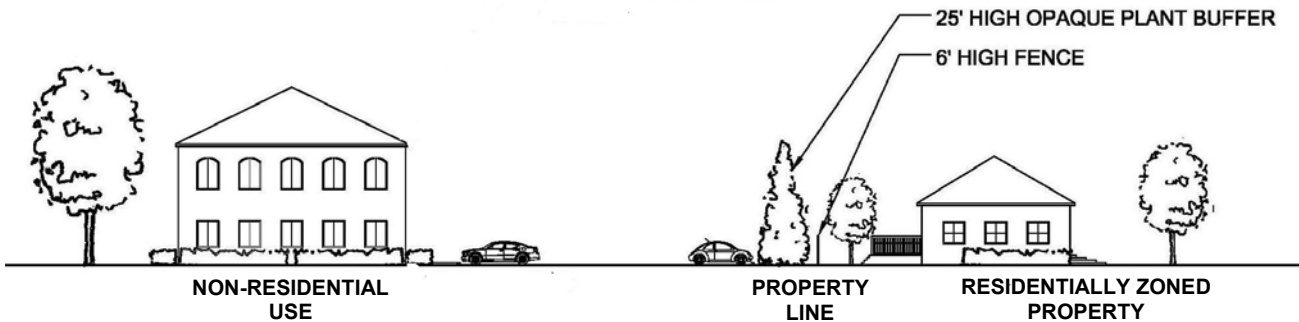
(i) Buffering Requirements

(1) Perimeter Buffer

There shall be a ten (10) foot wide perimeter buffer along all property lines, regardless of the adjoining land use. No buildings or parking areas may encroach into the perimeter buffer. Permitted encroachments (e.g. fences) are as specified ~~under Permitted Encroachments into Required Setbacks (Section 30-9.B.1.f(2) in other sections of this Ordinance.~~

(2) Residential Buffer

A combination fence and vegetated buffer shall be required along any property line adjoining a residentially zoned property.



- a. **Fence.** The good side of the fence must face the residential side and be a minimum of six (6) feet in height.
- b. **Vegetation.** Approved vegetation must include evergreen plant material of a type that will provide a completely opaque buffer greater than or equal to twenty-five (25) feet in height within five (5) years of building occupancy.

(j) Sidewalks

Upon development activity reviewed under the requirements of this overlay, a sidewalk no less than five (5) feet in width shall be provided along the street faces of all non-residentially zoned properties within the overlay district.

CITY COUNCIL ACTION MEMO

TO: Mayor and City Council Members
FROM: Marsha Bryant, Planner
DATE: March 26, 2012
RE: **The Proposed Street Name Change from Sherrerd Avenue to Myrtle Hill Lane.**

THE QUESTION:

Should Sherrerd Avenue be renamed to Myrtle Hill Lane.

RELATIONSHIP TO STRATEGIC PLAN:

Desirable Neighborhoods

BACKGROUND:

Gregory and Patsy Politowicz have purchased the property at 309 Kirkland Drive. This property is on the National Registry and is a Local Landmark property known as Myrtle Hill. This is the original home place of Robert Strange, a noted judge, author, militia officer and U.S. Senator. The Politowicz have submitted a Petition Requesting to Rename Sherrerd Avenue to Myrtle Hill Lane. There are only seven properties affected by the proposed name change. The County Addressing Department has followed the required procedures by notifying the property owners of the request and have received 100% approval by those owners of the name change.

ISSUES:

All property owners affected by the name change have agreed to the proposed name change.

The Historic Properties Manager, Bruce Daws, supports the proposed name change and has indicated that Myrtle Hill Lane is the most appropriate name for this area.

BUDGET IMPACT:

New street signs at two intersections and an update to the City's Street Name Coverage/Map.

OPTIONS:

City Council's options are:

1. Approve the Proposed Street Name Change.
2. Deny the Proposed Street Name Change.

RECOMMENDED ACTION:

Staff recommends that Council move to approve the Proposed Street Name Change.

ATTACHMENTS:

Vicinity Map

**PROPOSED STREET
NAME CHANGE**



Street Name Change
Present Name: Sherrerd Avenue
Requested Name: Myrtle Hill Lane

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Marsha Bryant, Planner II
DATE: March 26, 2012
RE: **Quasi-Judicial Public Hearing - Subdivision Waiver to allow a building permit to be issued on a parcel that does not abut a public or private street but is accessed via a recorded easement.**

THE QUESTION:

Based on the evidence presented should a building permit be issued for the construction of a single-family home on a parcel that is accessed by a legal easement? The easement was acquired through a legal settlement. The Code requires that every lot abut a public or private street and City policy has been to not accept easements as a means of access to serve a parcel. A Public Hearing was held by the Planning Commission on March 6, 2012. Based on the evidence presented the Planning Commission recommended Approval of the Waiver with Conditions.

RELATIONSHIP TO STRATEGIC PLAN:

Desirable Neighborhoods

BACKGROUND:

The Code - Article 30-6 4. (c) Lots - states that each lot shall abut a public or private street. The lot in question is accessed via a recorded easement and does not abut a street. The owners of the property are requesting a Waiver from the Code in order to obtain a building permit to construct a single-family residence. They proceeded with preparing the property for construction and obtaining services from PWC believing that the easement provided sufficient access to the parcel. If the City does not accept the easement the parcel will be unbuildable unless the owners can create a flag lot or otherwise configure the property so that it abuts a street. The owners have indicated that they have been unsuccessful in acquiring adjacent property. Even if additional land is acquired, the easement could still be used for accessing the property.

ISSUES:

Subdivision Waivers require City Council to hold a quasi-judicial public hearing and that Council's decision should be based on sworn testimony and evidence presented at the public hearing. There are three findings of facts that must be met to approve a Waiver.

The Code indicates that all lots shall abut a public or private street. In the past the City has not accepted easements as a means of accessing property as easements are agreements between property owners, not as permanent as fee simple ownership.

BUDGET IMPACT:

OPTIONS:

After reviewing the evidence presented Council must make the following findings or fact:

1. Does the strict application of the Ordinance's subdivision requirements result in practical difficulties and unnecessary hardships? *Staff finds that while the lot cannot be built on without a waiver, permitting the waiver will perpetuate a poor growth management practice that the City has inherited through annexation of landlocked properties.*
2. Do the practical difficulties or unnecessary hardships result from topographical or other conditions peculiar to the land, and are not the result of the actions of the landowner? *Staff finds that the lot was created in 1973. The legal easement was acquired in 1999. The property was annexed into the City in 2005. The County will issue building permits on landlocked property created prior to 1984 if there is a recorded access easement to a public or an approved private*

street.

3. Granting the Subdivision Waiver will not destroy the intent of the requirements being waived. *Staff finds that there is a hardship to the property owner, staff also has concerns about establishing a precedent. The goal of the Code is to require parcels to abut public or private streets and for the City not to be involved in easement agreements.*

City Council's Options Are:

Option 1: Make all of the three findings lists above in the affirmative and approve the waiver allowing a permit to be issued for a parcel that does not abut a public or private street and that is accessed via an easement.

Option 2: Make all of the three findings listed above in the affirmative as mitigated by the conditions required and approve the waiver with conditions allowing a permit to be issued for a parcel that does not abut a public or private street and that is accessed via an easement. (Recommended by Planning Commission)

Conditions:

1. That the legal easement, which is recorded by deed, shall be platted and that the plat indicates that the City shall not be involved in any property owner issues relating to the easement.
2. That the plat shall indicate that the easement allows for government access as needed.
3. That the garbage rollouts used by the residents of the parcels shall be rolled to Raeford Road for waste pickup by the City's Environmental Services.

Option 3: Make one or more of the findings of fact in the negative and deny the waiver and thereby not allow a permit to be issued for a parcel that does not abut a public or private street and that is accessed via an easement. (Staff Recommended)

RECOMMENDED ACTION:

Staff recommends that Council move to make finding of fact #3 in the negative and deny the waiver based thereon not allowing a permit to be issued for a parcel that does not abut a public or private street and not accepting access via an easement.

The Planning Commission recommend that Council make all three finding of fact in the affirmative with conditions discussed above and provide conditional approval of the waiver request.

ATTACHMENTS:

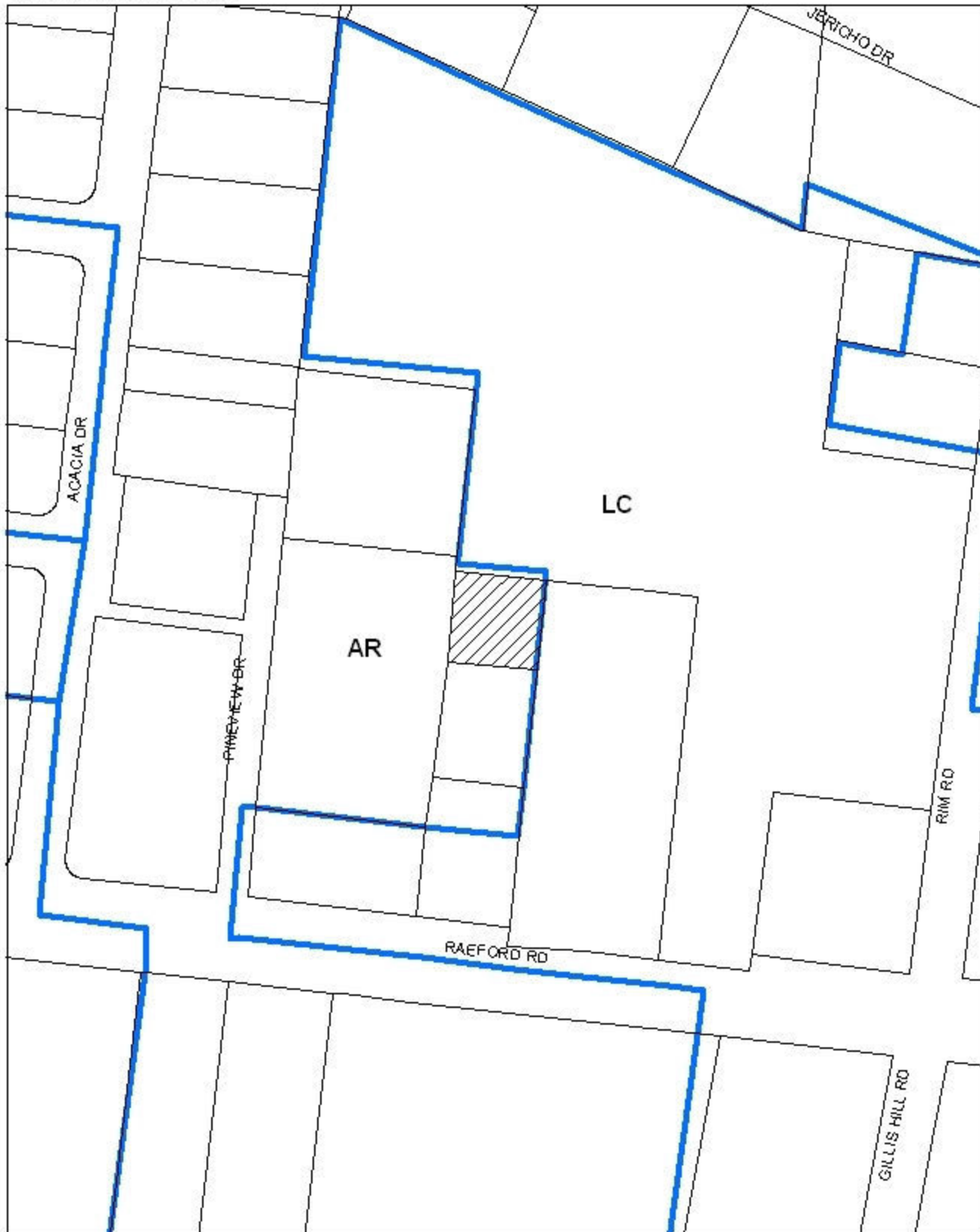
Map of the Property

Picture

Minutes from Planning Commission

App w/attachments

**REQUEST: SUBDIVISION WAIVER
CASE NO. 12-07F**



Request: To allow construction on a lot that does not abut a public or private street but is accessed by a legal easement.

Location: Northeastern side of Raeford Road and Pineview Drive

PIN: 9486-46-7492

Letters are being sent to all property owners within 300 feet of the subject property.



6-3-2-1

Minutes
Fayetteville Planning Commission Special Meeting
March 6, 2012
Lafayette Room, City Hall

Attending: Jack Cox, Dr. Fiden, Jimmy Holland, John Johnson, Mary Lavoie, Larnie McClung, Ron Michael, Jessica Ranavaya, Bill Watt, Maurice Wren
Staff: Scott Shuford, Marsha Bryant, Brian Meyer

ITEM 1: Approval of Agenda

Chairman Jack Cox called the meeting to order at 7:00 p.m. On motion by Mr. McClung with a second by Dr. Fiden, the agenda was approved with the corrected date of March 6, 2012.

ITEM 2: Approval of Minutes

On motion by Dr. Fiden with a second by Mr. McClung, the minutes of February 21, 2012 were approved provided they are amended to show that Mr. Watt was in attendance.

ITEM 3. PUBLIC HEARING: An application by Anthony Mendez for a Subdivision Waiver to allow the construction of a single-family residence on a lot that does not abut a public or private street, for property located at 7656 Raeford Road. Subject property is accessed by a legal easement.

Chairman Cox reviewed the public hearing procedures utilized by the Commission.

Marsha Bryant, Planner II, presented the staff report and answered questions from the Commission concerning:

- The need for a quasi-judicial hearing by the Commission (No)
- The purpose of the code requirement (To ensure adequate access for all properties)
- Whether annexation was creating additional circumstances similar to the subject case (Yes; many other properties are in similar situations)
- What the difference was between fee simple ownership (a flag lot) and the existing easement situation (A flag lot would provide adequate access and could not be revoked)
- Ownership of the easement (Better answered by applicant)
- Whether the easement was created by court order (Better answered by applicant)
- Whether the easement can still be used even if a flag lot was created (Yes)
- The ability to continue to use the easement over the long-term (Better answered by applicant)
- Who had rights to the easement (Better answered by applicant)
- Could the easement be revoked (Unlikely, but better answered by applicant)
- Court ordered access to landlocked properties (This was a statement by a Commission member.)
- Adequacy of Fire/EMS access (Substandard)
- Can financial hardship be considered (No)
- Are all three findings met by the applicant (No)

- Whether the waiver is needed for a building permit (Yes)
- Ownership of all lots affected by the easement (Better answered by applicant)
- Was the subdivision prior to the annexation (Yes)

Chairman Cox opened the public hearing at 7:25 PM. The following persons spoke:

Lee Zuravel, 138 Dick Street, Fayetteville (attorney representing the applicant) – Mr. Zuravel noted that an easement is a property right and that the subject easement was established through a lawsuit to establish an implied easement. The easement is deeded and is owned by the in-laws of the applicant. He presented pictures of heavy equipment clearing the lot to demonstrate suitable Fire access to the property. He noted that PWC utilities have been extended to the property that all setbacks have been met under the current zoning. The prior house on this lot was abandoned and demolished. He explained that the County regulations allowed the subdivision to occur and that annexation caused the issue by subjecting the property to different regulations. He noted development of the property would increase property values and therefore tax revenues to the City. It was his opinion that the purpose of the ordinance requirements were for larger developments to avoid congestion. He stated that he felt the purpose of the City development requirements is to allow appropriate use of property. He answered the following questions from the Commission:

- Current zoning of property (AR)
- Timing of purchase of the property (Prior to annexation)

Anthony Mendez, 4221 High Stake Circle, Apartment 121, Parkton, NC (applicant) - waived speaking time in favor of Mr. Zuravel. Available for questions.

Dee Hill, 7654 Raeford Road, Fayetteville (mother-in-law of applicant) - waived speaking time in favor of Mr. Zuravel. Available for questions.

Chairman Cox closed the public hearing at 7:42 PM.

Commission members had the following questions for the speakers and staff:

- When an adjoining owner was approached for possible purchase of property to create a flag lot (Applicant indicated three occasions in last six weeks with no answer)
- Ownership of the day care (Staff indicated that the owner was notified; applicant's representative indicated that owner is separate from applicant)
- Deeding of the land for the easement (Applicant's representative indicated that the easement is deeded)
- Were the current requirements also in the prior code (Staff indicated that they were)

Commission discussion ensued, with the following topics considered:

- Whether the applicant meets the findings
- Whether there was liability to the city with regard fire access
- Whether the easement actually represented a different situation than a flag lot

- How the property was addressed

On motion by Dr. Fiden with a second by Mr. McClung, the subdivision waiver was approved subject to the suggested conditions proposed by staff. The vote was 8-2, with Michael and Lavoie opposed.

ITEM 4. PUBLIC HEARING: An amendment to the Development Code (Chapter 30) to remove the spacing requirement prohibiting a child care center or educational facility from locating within 500 feet of a bar or place of entertainment in the DT Downtown District, and to adjust the use-specific standards for child care centers in the DT district.

Scott Shuford, Development Services Director, presented the staff report and answered general questions from the Commission.

Chairman Cox opened the public hearing at 7:57 PM.

Mike Lallier, 4500 Raeford Road, Fayetteville spoke in favor of the amendment, noting its relevance to a proposed charter school for The Capitol building, and asked for Commission approval.

Limited Commission discussion ensued. On motion by Dr. Fiden with a second by Mr. Holland, the Commission recommended approval of the code amendment by a unanimous vote (10-0).

ITEM 5. Upcoming Meetings

Tuesday March 20
Tuesday, April 17

ITEM 6. Other Business

Mr. McClung indicated he would not be able to attend the next meeting due to an out-of-town engagement.

Chairman Cox thanked the members for their thorough review and discussion of the subdivision waiver item on the agenda.

ITEM 7. Adjournment

On motion by Mr. Holland with a second by Mr. Wren, the Commission meeting was adjourned at 8:03 PM by a unanimous vote (10-0).



Subdivision Waiver Application Form

www.ci.fayetteville.nc.us/planning_department/

433 Hay Street, Fayetteville, North Carolina 28301
910-433-1612 Fax # 910-433-1776

Meeting Date: 3/6/12 Approved/Denied:
Meeting Date: 3/26/12 Approved/Denied:

Case #: 12-7E Date Submitted: 2/23/12 \$700.00 Received By: DB

Notes:

1. A pre-application conference is mandatory prior to submission of an application for a waiver. PC 13-6-12
2. A waiver application may be filed to request relief from the subdivision standards in the UDO – Article 30-6. FCC-3-26-12
3. Applicants are required to demonstrate that: There are special circumstances or conditions beyond the owner's control (such as exceptional topographical conditions, narrowness, shallowness, or the shape of the land), and That literal application of the standards would result in undue and unique hardship to the owner, and That the deviation would not be contrary to the public interest.)
4. The Planning Commission and City Council will review the case in a quasi-judicial manner, no hearsay evidence will be considered, and no ex parte communication is allowed. All persons wishing to appear before the Boards should be prepared to give sworn testimony on relative facts and **must sign up to speak prior to the start of the meeting. The applicant or someone representing the applicant should attend the meeting.**
5. Please reference Article 30-2 Section C. 15. Waiver - of the Unified Development Ordinance for more information.
6. A final plat subject to an approved subdivision plan shall include a notation describing the approved waiver.

1. General Project Information

Project/Subdivision Name:	Anthony D. Mendez & Emily C. Mendez property
Project Address:	7656 Raeford Road, Fayetteville, NC 28304
Parcel Identification Number:	9486-46-7492
Section of the UDO from which the waiver is being requested:	30-6A.4(c)

2. Written Description of Request – Answer all the questions under this section. Attach additional sheets as needed.

A) Identify what standard(s) or requirement(s) of the subdivision standards that is subject to this waiver request.

Article 30-6A Subsection 4(c) of the Unified Development Ordinance states that each lot shall front on a public or private street or highway. The Applicants are requesting that this requirement be waived. Applicants own a lot located at 7656 Raeford Road. This lot is landlocked except for a recorded easement for ingress and egress onto Raeford Rd. Since the City does not recognize an easement for purposes of Article 30-6A Subsection 4(c) the Applicants are requesting a waiver of this requirement in order to allow them to build their home on the lot.

The Waiver Standards state – A waiver application shall be approved only upon a finding that all of the following standards are met. Please complete the following three (3) questions to indicate the evidence that all the required standards are applicable to your property and/or situation.

C. (1) Strict application of the Ordinance's subdivision requirements result in practical difficulties and unnecessary hardships; and (Provide a written description of any hardship(s) and how such hardship(s) is not self-imposed.)

Strict application of the Ordinance's subdivision requirements result in practical difficulties and unnecessary hardship in that it prevents the Applicants from building their home on their lot. Applicants own a lot located at 7656 Raeford Rd. This lot was subdivided in 1973 and was annexed into the City in 2005. This lot is landlocked except for a recorded easement for ingress & egress onto Raeford Rd. Prior to annexation having an easement for access would have met the County requirements for building a residence. In fact, at one time there was a residence built on this property. Since the City does not recognize an easement for purposes of Article 30-6A Subsection 4(c) the Applicants have been denied a building permit. Therefore, the hardship is a result of the application of the Ordinance to this property and the hardship is not self-imposed.

C. (2) Any practical difficulties or unnecessary hardships result from topographical or other conditions peculiar to the land, and are not the result of the actions of the landowner; and
 (Indicate if the property has exceptional topographic conditions or some other extraordinary situation or condition that makes it unlike other properties in the immediate vicinity. Is the property exceptionally narrow, shallow or does it have an exceptional size or shape that existed prior to the effective date of this ordinance?)

The practical difficulties or unnecessary hardship result from unique conditions of this lot in that the lot is landlocked for a recorded easement giving access to the property from Raeford Rd. This lot was subdivided in 1973 and was not annexed until 2005. Prior to annexation it met the County requirements for building a residence. Its landlocked condition existed prior to the effective date of this ordinance and therefore the hardship is not a result of the actions of the landowner.

C. (3) The Subdivision Waiver would not destroy the intent of the requirements being waived.
 (Describe how the waiver is in harmony with the general purpose and intent of the UDO, and preserves its spirit.)

This Subdivision Waiver is in harmony with the general intent of the UDO and preserves its spirit. This is a single lot in which the applicants would like to build their personal residence. IT is not a development in which a large parcel of land is being subdivided into numerous lots. If the applicant are denied this waiver the lot would remian empty and they would be denied a reasonable use of their property. (See attached sheet)

D) Provide a written description of all applicable conditions of approval associated with the subdivision waiver (attach additional sheets if necessary)

3. Submittal Requirement Checklist

(Submittals should include copies of listed items, unless otherwise stated.)

- Pre-application conference completed
- Subdivision Waiver Application Form
- Copy of an approved Certificate of Appropriateness (COA) if located within the HLO
- Application fee of \$700.00
- A subdivision plan that has been reviewed and tentatively approved by the TRC
- Easement types, locations, and dimensions
- Detailed description of hardship(s) and how the hardship is not self-imposed
- Any additional information determined to be necessary by the Development Services Department

Primary Point of Contact Information for the Pre-application Conference

Primary Point of Contact Name:	David Lee Zuravel, Attorney for Applicants		
Mailing Address:	Post Office Box 747, Faye, NC 28302	Fax No.:	(910) 323-9465
Phone No.:	(910) 323-1853	Email:	mhz@mhzattorneys.com

C. (3)

If it had not been annexed into the City the applicant would have been given a building permit by the County because it was subdivided in 1973. Granting this waiver would allow for the most appropriate use of the land in the City and would not destroy the intent of the requirement being waived.

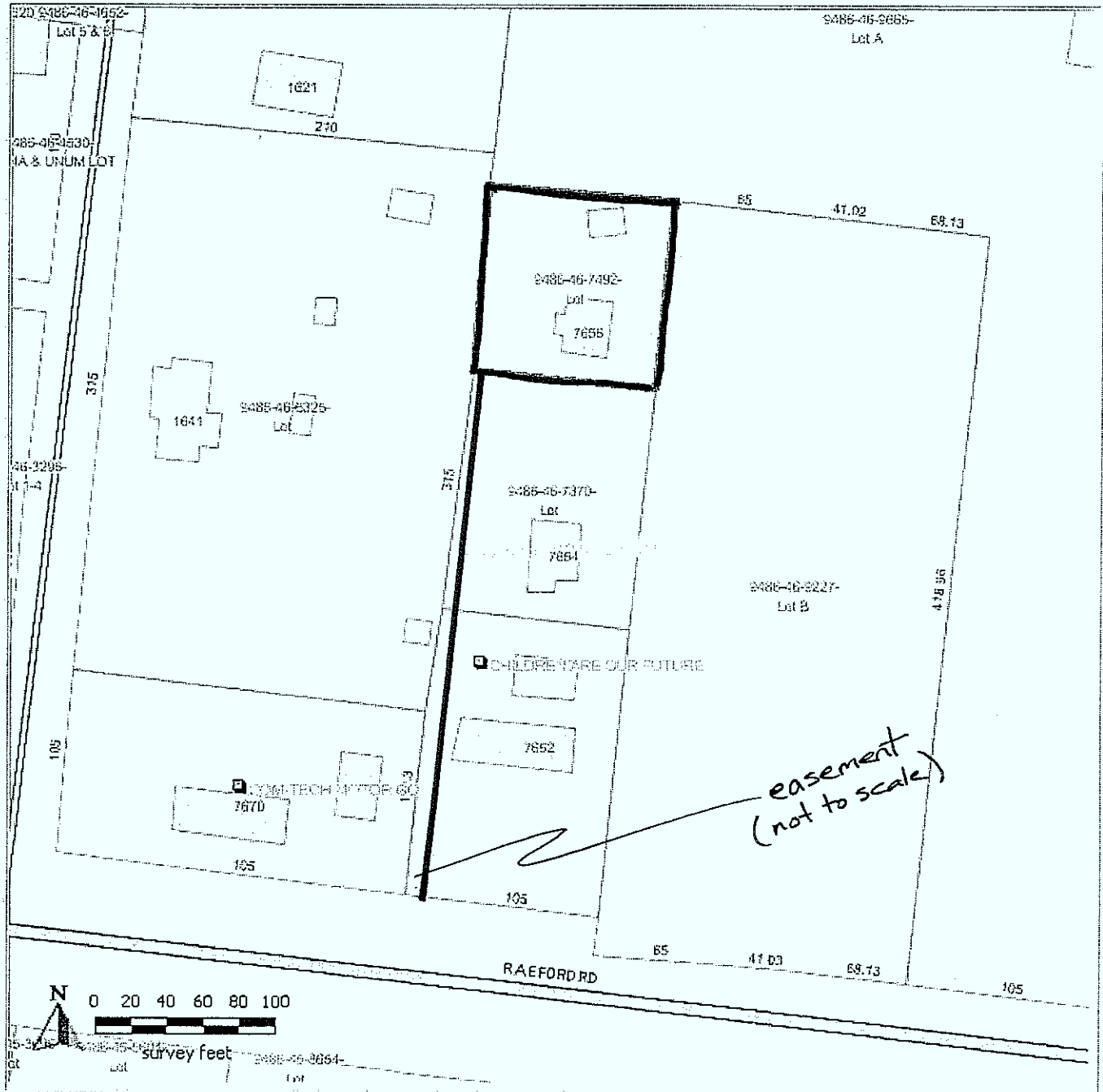


Cumberland County Planning Department

Fayetteville, North Carolina



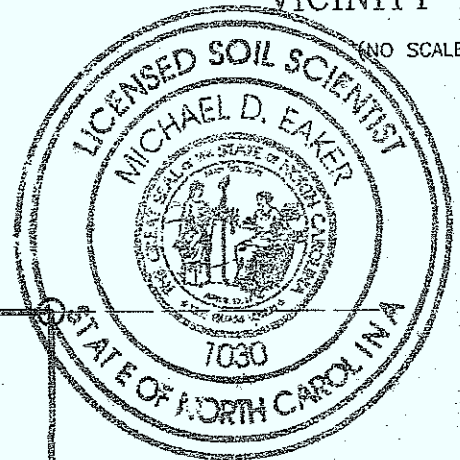
Created by Public on Tuesday, 21 February 2012



Map Zoom: 600 survey ft
Map Scale: 1:1,024

VICINITY MAP

(NO SCALE)



Existing well to be abandoned

JOSEPH GILLIS
P.B. 128, PG. 74

N84°10'00"W 105.00'

0.27 ACRES
11,917 SQ. FT.

S05°15'00"W 113.50'

Approximate Well (EXISTING)

HIEV NGOC SIFFORD
D.B. 3802, D.P. 433

PROPOSED DRIVE & WALK
25.0'

DRIVEWAY

PROPOSED HOUSE BRIGHTON

CVD. PORCH
28.83

GILLIS GROUP PARTNER
P.B. 128, PG. 74

N05°15'00"E 113.50'

D-Box
S.T. (1990 gal)

S84°10'00"E 105.00'

Approximate WELL (EXISTING)

ANTHONY & DEE HILL
D.B. 5081, D.P. 791

(*) Shift house to 25' from left POE Prop. LINE

proposed septic system

1 LINE SERIAL DIST.
1 x 300' (25% reduction)

TYPICAL SOIL PROFILE

0-20 LB (VF, -9-)
20-48 SCL (F, 16K)
LTAR = 0.4 gal/hr
CR 2 > 48"

L: RED DOOR HOMES

PLOT PLAN

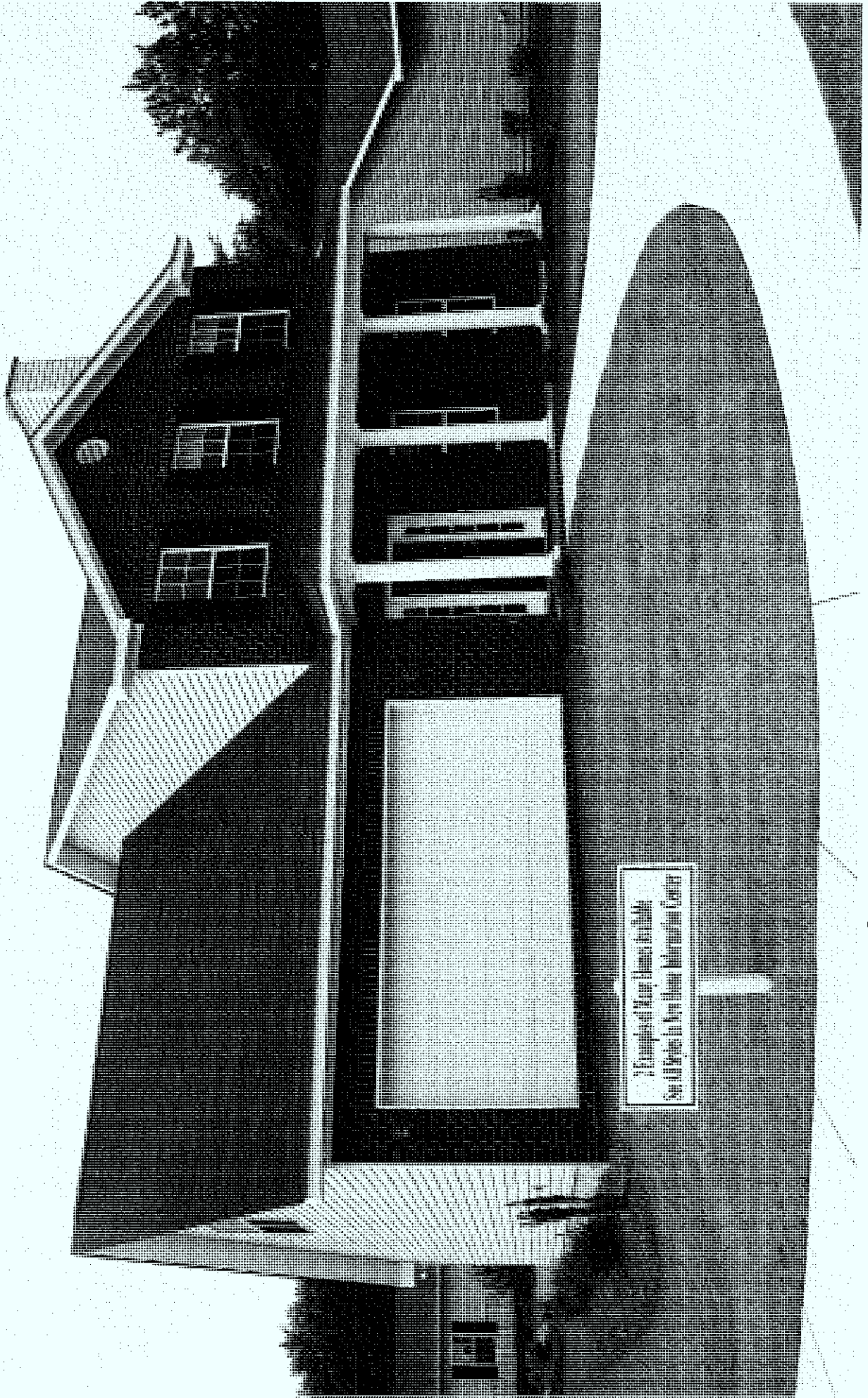
PROPERTY OF: ANTHONY MENDEZ

ADDRESS: 7656 RAEFORD ROAD

TOWNSHIP OF: SEVENTY FIRST

DATE: OCTOBER 4TH, 2011





Proposed house.



The Property

CITY COUNCIL ACTION MEMO

TO: Mayor and City Council
FROM: Scott Shuford, Director of Development Services
DATE: March 26, 2012
RE: **Amendments to certain requirements for educational facilities and child care centers in the downtown (DT) zoning district, including separation requirements from certain uses.**

THE QUESTION:

Should Article 30 of the City Code be amended to eliminate separation requirements between educational facilities and child care centers and bars, nightclubs and similar uses in the Downtown District and to provide traffic and access standards for educational facilities and child care centers in the Downtown District?

RELATIONSHIP TO STRATEGIC PLAN:

Desirable Neighborhoods

BACKGROUND:

This is a staff-initiated code amendment to facilitate the establishment of educational facilities and child care centers in the Downtown (DT) zoning district. Current separation requirements eliminate consideration of these uses in much of the Downtown due to the proximity of an existing bar. This amendment would also establish traffic and access standards for these uses in the Downtown District.

ISSUES:

Educational facilities and child care centers are desirable uses in downtown areas. Businesses may need to provide child care centers for their workers. Educational facilities are complementary to surrounding uses. Current standards significantly limit where these uses can be located in the Downtown District. This proposed text amendment has been shared with the Downtown Alliance and other Downtown stakeholders.

This proposed text amendment was considered by the City Planning Commission at their March meeting and was unanimously recommended for adoption. Staff concurs with this recommendation.

BUDGET IMPACT:

Some educational facilities and child care centers may be operated by nonprofit organizations and may therefore affect the tax base if allowed.

OPTIONS:

1. Approve the Text Amendment as recommended by the Planning Commission and City staff (recommended).
2. Deny the proposed Text Amendment.
3. Provide direction to staff for modifying the proposed Text Amendment.

RECOMMENDED ACTION:

Approve the Text Amendment as recommended by the Planning Commission and City staff.

ATTACHMENTS:

Text Amendment Ordinance

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE TO AMEND ARTICLE 30 UNIFIED DEVELOPMENT ORDINANCE TO AMEND CERTAIN REQUIREMENTS FOR EDUCATIONAL FACILITIES AND CHILD CARE CENTERS IN THE DOWNTOWN (DT) ZONING DISTRICT, INCLUDING SEPARATION REQUIREMENTS FROM CERTAIN USES.

BE IT ORDAINED, by the City Council of the City of Fayetteville, North Carolina, that the Unified Development Ordinance adopted December 13, 2010 as Article 30 of the Code of Ordinances of the City of Fayetteville and last amended January 23, 2012, be amended as follows:

Sec. 1: Revise section 30-4.C.3.(b)(1) and (2), Educational Facilities, to read:

(1) Separation

Except in the DT Downtown District, all educational facilities, except colleges and vocational or trade schools, shall be located at least 500 linear feet from any the following uses:

- a.** Adult entertainment;
- b.** Bar, nightclub, or cocktail use; or
- c.** Entertainment establishment.

(2) Schools, Elementary/Middle/High

a. Any temporary structures needed for the expansion of an elementary, middle, or high school located within SF-15, SF-10, or SF-6 districts, and on a site or parcel with an area of 20 acres or less, shall:

i. Not be located between the principal building and any abutting right-of-way, unless there is no other practical alternative due to topography, the presence of utilities or easements, the existence of undisturbed open space and buffers, or other site features beyond the landowner's control; and

ii. Have the base of the structure screened from view from abutting properties and public streets.

b. In the DT Downtown District the City Manager must approve a parking plan and designated drop-off and pick-up area that, based the maximum capacity of the facility as licensed by the State, mitigates traffic congestion and minimizes or avoids the need for children to cross vehicular travel ways to enter or exit the school.

Sec. 2: In 30-4.C.3(a)(1) Child Care Centers (non-residential), replace Sec. 1 to incorporate language exempting Centers in the DT Downtown District except for administrative review to provide for adequate drop-off and pick-up.

3(a). Child Care

(1) Child Care Centers (non-residential) including pre-schools, shall be licensed as a child care center by the State and comply with all State regulations for child care centers. Child care centers in any district except the DT Downtown District shall meet the following standards. Child care centers located in the DT zoning district are exempt from the following standards except as specifically noted below.

a. Separation

Child care centers shall be located at least 500 linear feet from the following uses:

- i. Adult entertainment;
- ii. Bar, nightclub, or cocktail use; or
- iii. Entertainment establishment.

b. Parking Area, Vehicular Circulation, and Drop-Off and Pick-Up

The parking areas and vehicular circulation for the child care center shall be designed to:

- i. Enhance the safety of children as they arrive at and leave the facility; and
- ii. Provide a designated pickup and delivery area that includes at least one parking space per 20 children and is located adjacent to the child care center in such a way that children do not have to cross vehicular travel ways to enter or exit the center.
- iii. In the DT Downtown District, the City Manager must approve a designated drop-off and pick-up area that, based the maximum capacity of the center as licensed by the State, mitigates traffic congestion and provides for access to the child care center in such a manner that children do not have to cross vehicular travel ways to enter or exit the center.

c. Accessory Uses

If allowed as an accessory use to a Retail Sales and Service or Office use, the heated floor area of a child care center shall not exceed 20 percent of the heated floor area of the principal use.

d. Outdoor Play Areas

- i. Outdoor play areas shall be provided, and shall:
 - A. Be located to the side or rear yard areas;
 - B. Be completely enclosed by a fence that is at least four feet in height;
 - C. Be safely segregated from parking, loading, or service areas; and

- ii. Outdoor play areas adjacent to a residential lot shall be screened by a six-foot solid fence or wall along with a ten-foot-wide landscaping buffer with evergreen shrubs capable of reaching six feet in height at maturity, planted six feet on-center.
- e. Capacity Information
Applications or site plans associated with a child care center shall indicate the maximum number of children, proposed hours of operation, and size of the outdoor play area.

Section 3: The City Clerk is hereby authorized to revise formatting, correct typographical errors, verify and correct cross references, indexes, and diagrams as necessary to codify, publish, and/or accomplish the provisions of this ordinance or future text amendments as long as doing so does not alter the material terms of the Unified Development Ordinance.

Section 4: It is the intention of the City Council, and it is hereby ordained that the provisions of this ordinance shall become effectively immediately and be made part of the Code of Ordinances, City of Fayetteville, North Carolina, and the sections of this ordinance may be renumbered to accomplish such intention.

Section 5: If any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

ADOPTED this the 26th day of March, 2012.

CITY OF FAYETTEVILLE

ANTHONY G. CHAVONNE, Mayor

ATTEST:

City Clerk

2/29/2012

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Craig Harmon, AICP, CZO - Planner II
DATE: March 26, 2012
RE: **Case No. P12-04F. Special Use Permit for a Major Utility, on property located at 8880 Cliffdale Rd. Containing 1.9 acres more or less and being the property of Lumbee River EMC.**

THE QUESTION:

Does the expansion of a major utility station requiring a Special Use Permit fit with the character of the neighborhood and the long range plans of the City of Fayetteville?

RELATIONSHIP TO STRATEGIC PLAN:

Livable Neighborhoods
Growth and development

BACKGROUND:

Owner: Lumbee River EMC
Applicant: Lumbee River EMC
Requested Action: Special Use Permit for the expansion of a major utility substation
Property Address: 8880 Cliffdale Road,
Council District: 8 (Fowler)
Status of Property: Substation
Size: 1.9 acres +/-
Existing Land Use: Utility Substation
Adjoining Land Use & Zoning:
North - SF-10 single family
South - SF-15 single family
East - AR agricultural residential
West - SF-10 single family
Letters Mailed: 75
Land Use Plan: Low density residential
Small Area Studies: 2025 Long Range Transportation Plan - No effect on this property.

This Public Hearing was tabled by the City Council on February 27th due to the lack of a representative from Lumbee River EMC. Council directed staff to contact Lumbee River to ensure that some one would be present and able to testify on their behalf.

ISSUES:

This property has an existing utility substation owned by Lumbee River EMC. Lumbee River would like to expand the facility. Under the UDO a Special Use Permit is required for such an expansion. There is still quite a bit of open area on this property for expansion as can be seen on the attached aerial photo. There is one Use-Specific Standard that is required of Major Utilities in the AR district. That standard is that they be set back at least 100 feet from any lot lines. Since this is an expansion of a utility that was in existence prior to the adoption of the UDO, only the new construction would fall under the UDO standards. All of the proposed expansion is greater than 100 feet from any property line. There are no special buffering standards for utilities and there are no buffering requirements between the AR district and other single family zoning districts. Conditions such as buffering along the existing frontage of Cliffdale Road may be included to soften the existing view.

Conditions: Since the Zoning Commission meeting the applicant has agreed to the

following conditions:

- (1) Planting additional evergreen trees to the south portion of the property to help increase the buffer with the adjoining residential use, and
- (2) To plant low growing trees, such as Crepe Myrtles, and ground cover along the road frontage of the property.

Zoning Commission & staff recommend Approval of the SUP based on the Special Use Permit Standards listed below:

- (1) The special use complies with all applicable standards in Section 30-4.C, Use-Specific Standards; **All proposed expansion is 100' or greater from the surrounding lot lines.**
- (2) The special use is compatible with the character of surrounding lands and the uses permitted in the zoning district(s) of surrounding lands; **The special use is an existing power substation and is compatible with the surrounding area.**
- (3) The special use avoids significant adverse impact on surrounding lands regarding service delivery, parking, loading, odors, noise, glare, and vibration; **This special use should have no impact on the surrounding lands regarding any of the above.**
- (4) The special use is configured to minimize adverse effects, including visual impacts of the proposed use on adjacent lands; **The special use is 100' or more from the surrounding lot lines to minimize these adverse effects.**
- (5) The special use avoids significant deterioration of water and air resources, wildlife habitat, scenic resources, and other natural resources; **The special use avoids deterioration of all of the above.**
- (6) The special use maintains safe ingress and egress onto the site and safe road conditions around the site; **The special use provides direct and safe access to Cliffdale Road.**
- (7) The special use allows for the protection of property values and the ability of neighboring lands to develop the uses permitted in the zoning district; and **Since this is only the expansion of an existing utility, there should be little to no impact on neighboring lands.**
- (8) The special use complies with all other relevant City, State, and Federal laws and regulations. **The special use does comply with all regulations.**

BUDGET IMPACT:

No Impact

OPTIONS:

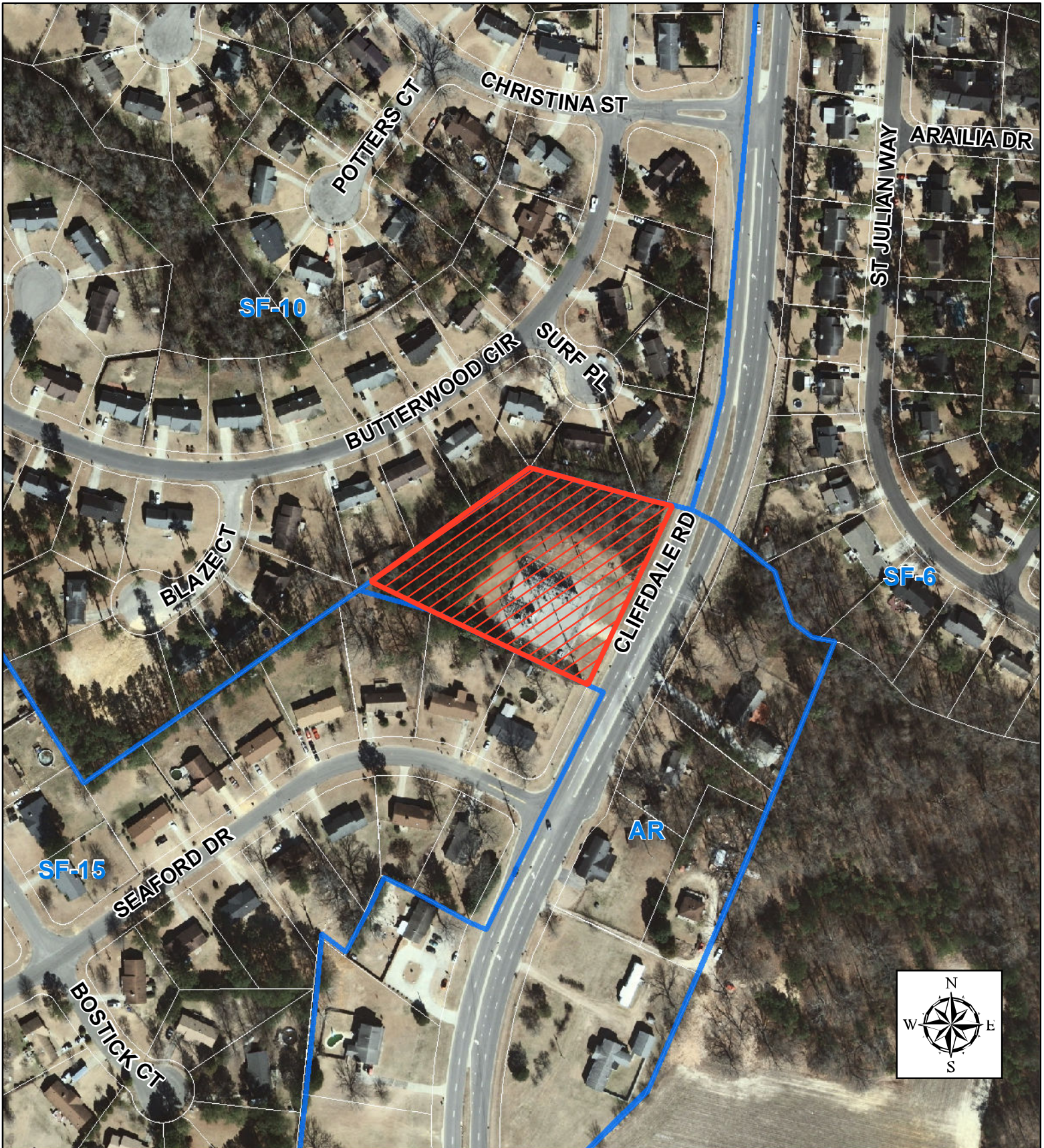
- 1) Approval of SUP as presented by staff
- 2) Approval of SUP with additional conditions of additional landscaping as noted in issues (recommended);
- 3) Denial of the rezoning request.

RECOMMENDED ACTION:

Zoning Commission & Staff Recommend: That the City Council move to APPROVE the issuance of a Special Use Permit with proposed conditions regarding landscaping based on positive findings to all eight Special Use Permit Standards.

ATTACHMENTS:

Zoning Map
Current Landuse
Land Use Plan

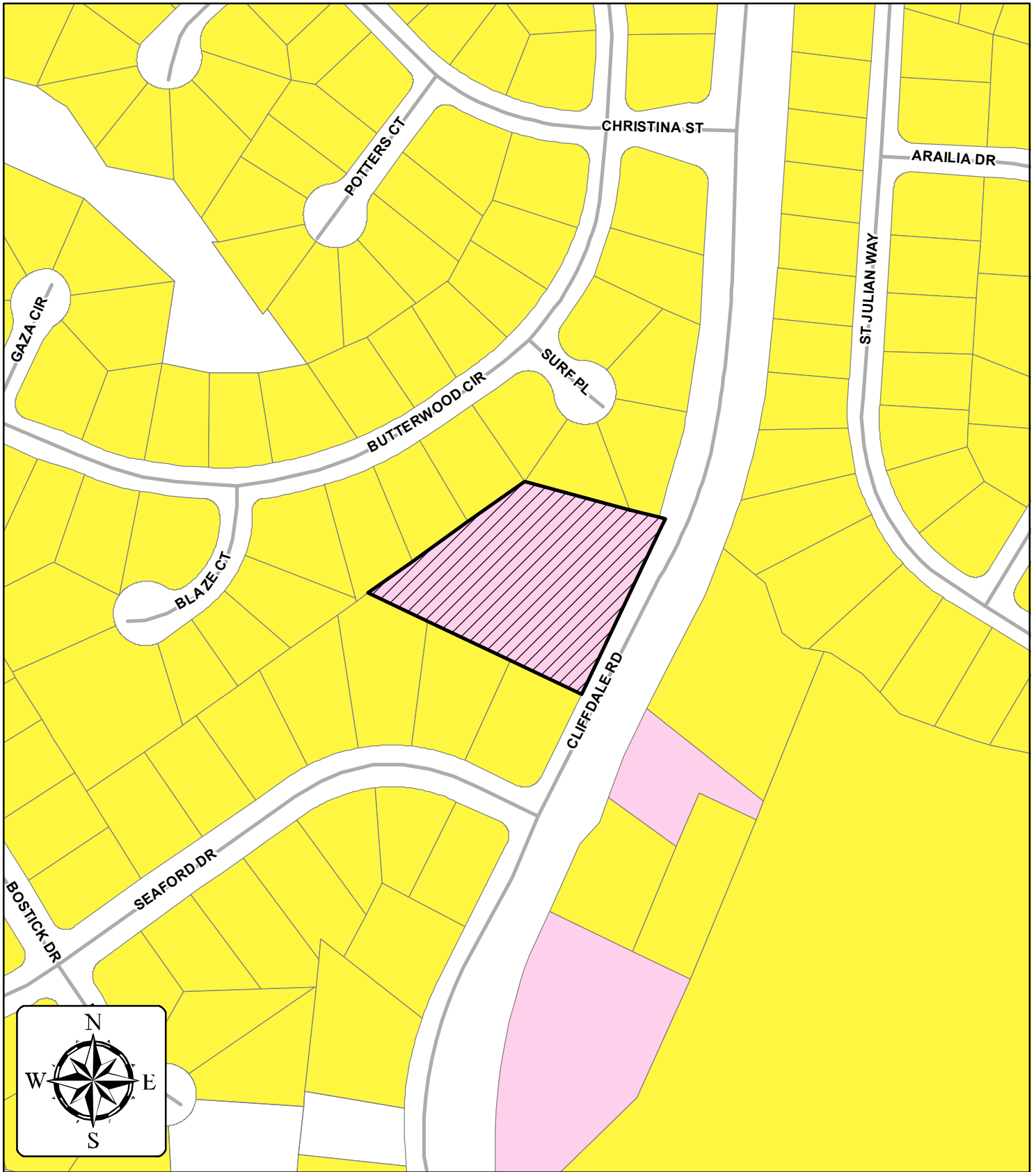


Request: SUP (Utility in AR)
Location: Kinlaw Rd
Acreage: +/- 1.9 acres

Zoning Commission: 1/110/2012 Recommendation: _____
City Council: _____ Final Action: _____
Pin: 9487-02-7947

Letters are being sent to all property owners within the circle, the subject property is shown in the hatched pattern.

Current Land Use
P12-04F

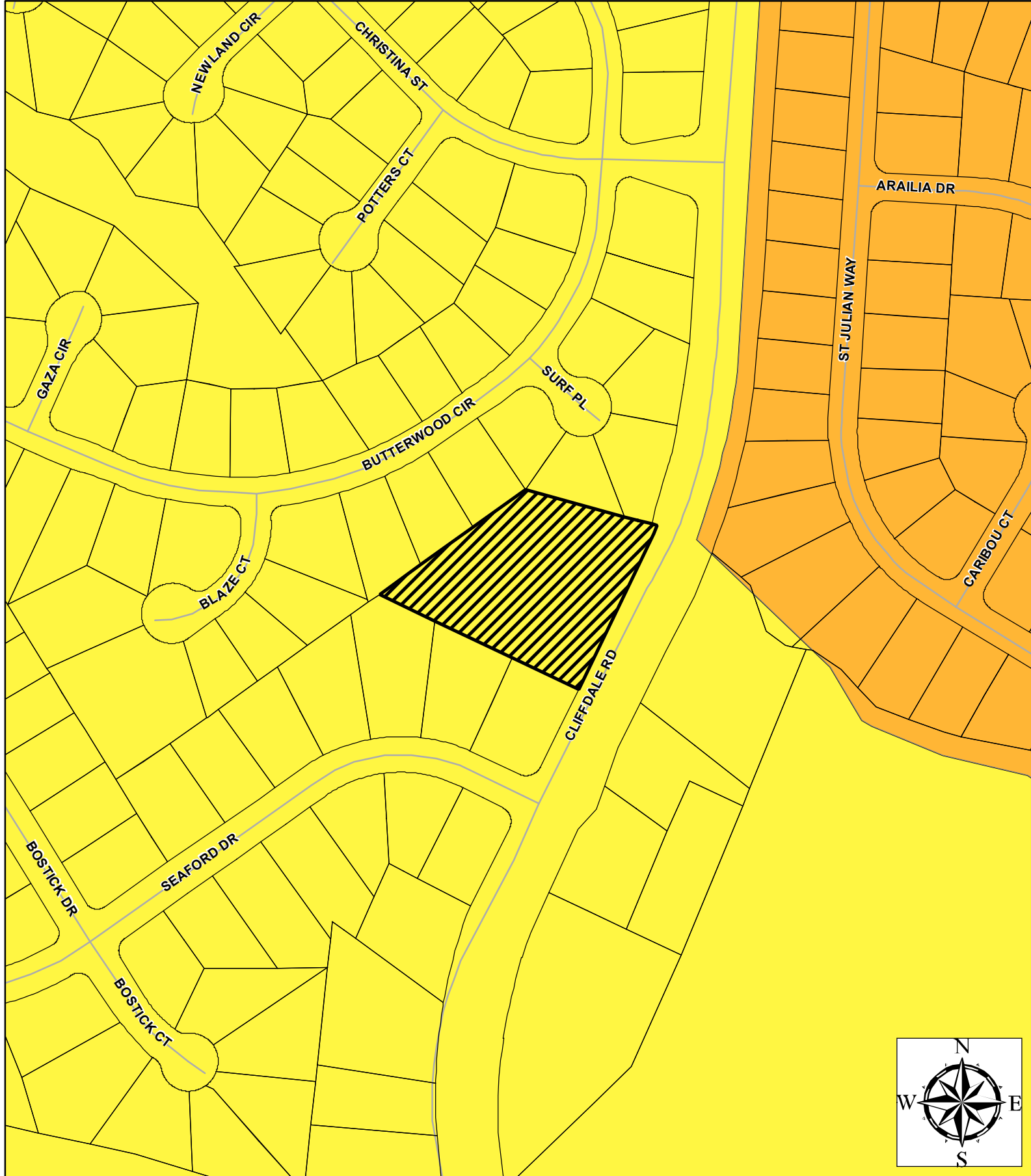


Legend

Existing Landuse	Common Area	Group Quarters	Industrial	Multi-Family	Open Space	Communications-Utilities	Vacant Commercial
Single Family Detached	Commercial	Golf Course	Institutional	Mobile Home	Parking	Under Construction	Not Verified
Single Family Attached	Cemetery	Government Office	Lake	Mobile Home Park	Predominantly Vacant	Vacant Land	Null PIN

2010 Land Use Plan

Case No. P12-04F



CITY COUNCIL ACTION MEMO

TO: Mayor and City Council
FROM: Bart Swanson, Housing and Code Enforcement Division Manager
DATE: March 26, 2012
RE: **Uninhabitable Structures Demolition Recommendation**

- **906 Branson Street**
- **211 Davis Street**
- **407 Quality Road**
- **505 Quality Road**
- **608 School Street**

THE QUESTION:

Would the demolition of these structures help to enhance the quality of life in the City of Fayetteville

RELATIONSHIP TO STRATEGIC PLAN:

Goal 2: More Attractive City- Clean and Beautiful; Goal 3: Growing City, Livable Neighborhoods- A Great Place To Live

BACKGROUND:

906 Branson Street

The City Inspector is required to correct conditions that are found to be in violation of the Dwellings and Buildings Minimum Standards. The structure is a vacant residential home that was inspected and condemned as a blighted structure on March 10, 2011. A hearing on the condition of the structure was conducted on April 6, 2011, in which the owner did not attend. A notice of the hearing was published in the Fayetteville Observer newspaper. A subsequent Hearing Order to repair or demolish the structure within 60 days was issued and mailed to the owner April 6, 2011. To date there have been no repairs to the structure. The utilities to this structure have been disconnected since July, 2005. In the past 24 months there have been 20 calls for 911 service to the property. There have been 9 code violations with pending assessments of \$535.80 for lot cleaning. The low bid for demolition is \$1,500.00.

211 Davis Street

The City Inspector is required to correct conditions that are found to be in violation of the Dwellings and Buildings Minimum Standards. The structure is a vacant residential home that was inspected and condemned as a blighted structure on October 3, 2011. A hearing on the condition of the structure was conducted on November 16, 2011, in which the owner did not attend. . A subsequent Hearing Order to repair or demolish the structure within 90 days was issued and mailed to the owner November 17, 2011. To date there have been no repairs to the structure. The utilities to this structure have been disconnected since December, 1999. In the past 24 months there have been no calls for 911 service to the property. There have been 2 code violations with no pending assessments. The low bid for demolition is \$2,300.00.

407 Quality Road

The City Inspector is required to correct conditions that are found to be in violation of the Dwellings and Buildings Minimum Standards. The structure is a vacant residential home that was inspected and condemned as a blighted structure on September 7, 2011. A hearing on the condition of the structure was conducted on October 5, 2011, in which the owner did not attend. A notice of the hearing was published in the Fayetteville Observer newspaper. A subsequent Hearing Order to repair or demolish the structure within 60 days was issued and mailed to the owner October 6, 2011. To date there have been no repairs to the structure. The utilities to this structure have been disconnected since December, 2007. In the past 24 months there have been 2 calls for 911 service to the property. There have been 6 code violations with pending assessments of \$758.40 for lot cleanings. The low bid for demolition is \$1,400.00.

505 Quality Road

The City Inspector is required to correct conditions that are found to be in violation of the Dwellings and Buildings Minimum Standards. The structure is a vacant residential home that was inspected and condemned as a blighted structure on August 15, 2011. A hearing on the condition of the structure was conducted on October 5, 2011, in which the owner did not attend. A notice of the hearing was published in the Fayetteville Observer newspaper. A subsequent Hearing Order to repair or demolish the structure within 60 days was issued and mailed to the owner October 6, 2011. To date there have been no repairs to the structure. The utilities to this structure have been disconnected since November, 2004. In the past 24 months there have been 3 calls for 911 service to the property. There have been 5 code violations with pending assessments of \$1,109.55 for lot cleanings. The low bid for demolition is \$1,400.00.

608 School Street

The City Inspector is required to correct conditions that are found to be in violation of the Dwellings and Buildings Minimum Standards. The structure is a vacant residential home that was inspected and condemned as a blighted structure on August 31, 2011. A hearing on the condition of the structure was conducted on September 21, 2011, in which the owner attended . A subsequent Hearing Order to repair or demolish the structure within 90 days was issued and mailed to the owner September 22, 2011. To date there have been no repairs to the structure. The utilities to this structure have been disconnected since July, 2007. In the past 24 months there have been 25 calls for 911 service to the property. There have been 11 code violations with no pending assessments. The low bid for demolition is \$1,300.00.

ISSUES:

All subject properties are sub-standard and detrimental to the surrounding neighborhood and promote nuisances and blight, contrary to the City's Strategic Plan.

BUDGET IMPACT:

The demolition of these structures will be \$7,900.00 ; there will be additional costs for asbestos testing and abatement if needed.

OPTIONS:

- Adopt the ordinances and demolish the structures.
- Abstain from any action and allow the structures to remain.
- Defer any action to a later date.

RECOMMENDED ACTION:

Staff recommends that Council move to adopt the ordinances authorizing demolition of the structures.

ATTACHMENTS:

Aerial Map-- 906 Branson Street

Docket-- 906 Branson Street

Ordinance-- 906 Branson Street

Photo 1-- 906 Branson Street

Photo 2-- 906 Branson Street

Photo 3-- 906 Branson Street

Photo 4-- 906 Branson Street

Photo 5-- 906 Branson Street

Aerial Map-- 211 Davis Street

Docket-- 211 Davis Street

Ordinance-- 211 Davis Street

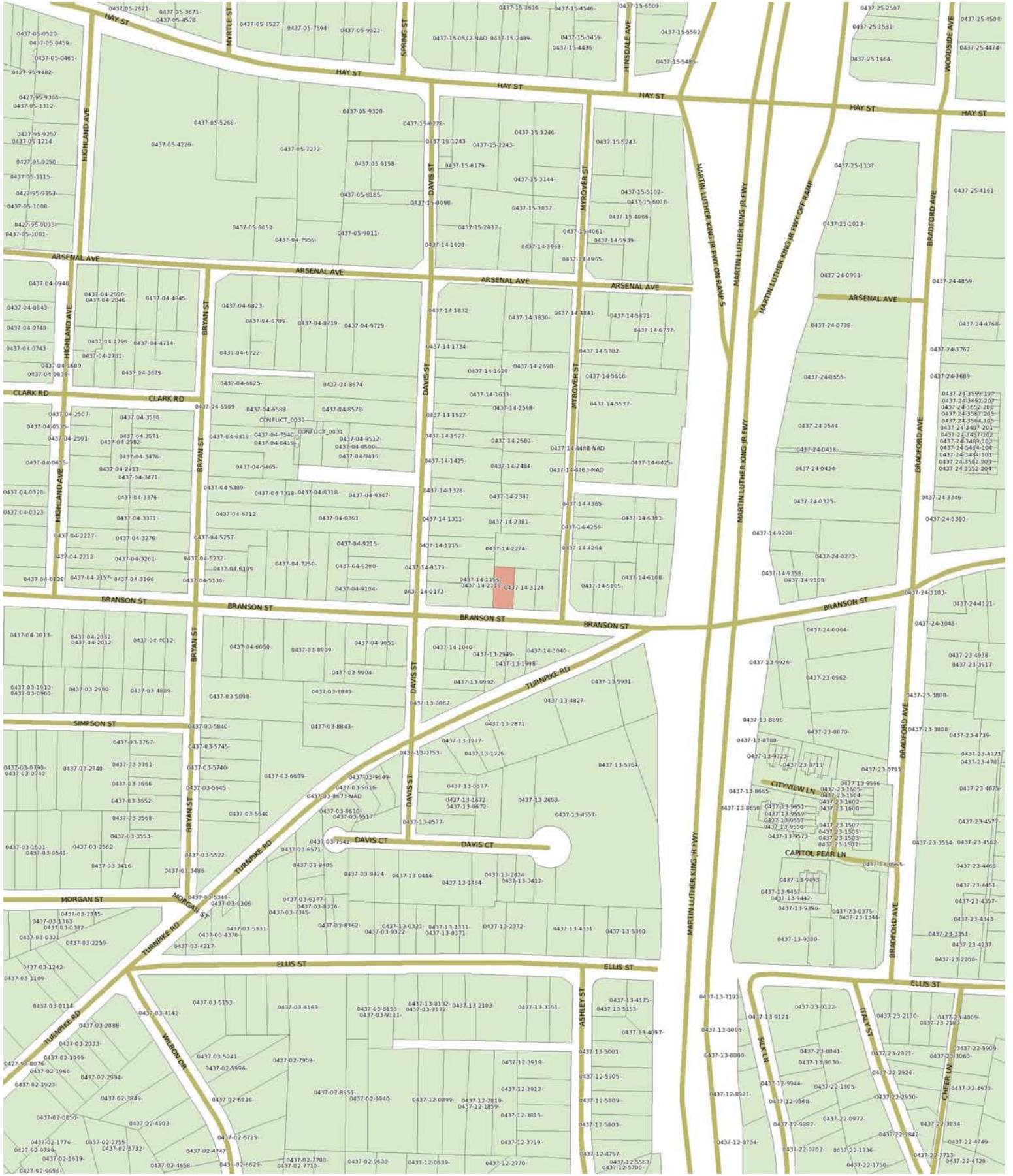
Photo 1-- 211 Davis Street

Photo 2-- 211 Davis Street

Photo 3-- 211 Davis Street
Photo 4-- 211 Davis Street
Photo 5-- 211 Davis Street
Photo 6-- 211 Davis Street
Aerial Map-- 407 Quality Road
Docket-- 407 Quality Road
Ordinance-- 407 Quality Road
Photo 1-- 407 Quality Road
Photo 2-- 407 Quality Road
Photo 3-- 407 Quality Road
Photo 4-- 407 Quality Road
Aerial Map-- 505 Quality Road
Docket-- 505 Quality Road
Ordinance-- 505 Quality Road
Photo 1-- 505 Quality Road
Photo 2-- 505 Quality Road
Photo 3-- 505 Quality Road
Photo 4-- 505 Quality Road
Photo 5-- 505 Quality Road
Aerial Map-- 608 School Street
Docket-- 608 School Street
Ordinance-- 608 School Street
Photo 1-- 608 School Street
Photo 2-- 608 School Street
Photo 3-- 608 School Street
Photo 4-- 608 School Street
Photo 5-- 608 School Street

Current Parcel: 0437-14-2115-

Address: 906 Branson St Fayetteville, NC (0437-14-2115-)



0437-14-2115-01

TO: Mayor
 City Council Members
 City Manager
 City Attorney

Under provisions of Chapter 14, titled Housing, Dwellings and Buildings of the Code of the City of Fayetteville, North Carolina, the Inspection Department is requesting the docket of the owner who has failed to comply with this Code, be presented to the City Council for action. All proceedings that are required by the Code, Section 14-61, have been complied with. We request the Council take action under the provisions of Chapter 14 of the Code and applicable NC General Statutes.

Location	906 Branson Street
Property Owner(s)	James Wilbert McPhaul, Jr. Kinston, NC
Date of Inspection	March 10, 2011
Date of Hearing	April 6, 2011
Finding/Facts of Scheduled Hearing	Notice to repair/demolish the structure within 60 days mailed April 6, 2011
Owner's Response	None
Appeal Taken (Board of Appeals)	No
Other	Utilities disconnected since July 2005.
	Hearing was advertised in the Fayetteville Observer March 2011.
Police Calls for Service (past 2 yrs)	20

The Housing Inspector dispatched a letter to the owner(s) with information that the docket would be presented to the City Council for necessary action.

This is the 26th day of March, 2012.

Frank Lewis, Jr.

 Sr. Code Enforcement Administrator (Housing)

**AN ORDINANCE OF THE CITY COUNCIL
OF
FAYETTEVILLE, NORTH CAROLINA**

**Requiring the City Building Inspector
to correct conditions with respect to,
or to demolish and remove a structure
pursuant to the
Dwellings and Buildings Minimum Standards
Code of the City**

The City Council of Fayetteville, North Carolina, does ordain:

The City Council finds the following facts:

- (1) With respect to Chapter 14 of the Dwellings and Buildings Minimum Standards Code of the City, concerning certain real property described as follows:

906 Branson Street
PIN 0437-14-2115

Beginning at a stake in the northern margin of Branson Street at a point North 87 degrees West 106.9 feet from the western margin of Myrover Street being also the southwest corner of a parcel conveyed to Joseph W. Pinkston and running thence from said beginning point with the northern margin of Branson Street North 87 degrees West 50 feet to a stake, the southeast corner of a parcel conveyed to Dorothy Pinkston McCanless; thence north 2 degrees 18 minutes East 102.45 feet to a stake; thence South 87 degrees East 51.24 feet to a stake; thence South 3 degrees West 102.44 feet to the beginning.

The owner(s) of and parties in interest in said property are:

James Wilbert McPhaul, Jr.
700 Harvey Street
Kinston, NC 28501

- (2) All due process and all provisions of the Dwellings and Buildings Minimum Standards Code of the City having been followed, the Inspections Director duly issued and served an order requiring the owners of said property to: repair or demolish the structure on or before June 6, 2011
- (3) And said owners without lawful cause, failed or refused to comply with said order; and the Building Inspector is authorized by said Code, and NC General Statute 160A-443(5), when ordered by Ordinance of the City Council, to do with respect to said property what said owners were so ordered to do, but did not.
- (4) The City Council has fully reviewed the entire record of said Inspections Director thereon, and finds, that all findings of fact and all orders therein of said Inspections Director are true and authorized except:

None.

- (5) That pursuant to NC General Statute 160A-443(6), the cost of \$1,500.00 shall be a lien against the real property upon which the cost was incurred.

Whereupon, it is ordained that:

SECTION 1

The Building Inspector is ordered forthwith to accomplish, with respect to said property, precisely and fully what was ordered by said Inspections Director as set forth fully above, except as modified in the following particulars:

This property is to be demolished and all debris removed from the premises, and the cost of said removal shall be a lien against the real property as described herein.

SECTION 2

The lien as ordered herein and permitted by NC General Statute 160A-443(6) shall be effective from and after the date the work is completed, and a record of the same shall be available in the office of the City of Fayetteville Finance Department, Collections Division, 2nd Floor - City, 433 Hay Street, Fayetteville, NC 28301.

SECTION 3

This ordinance shall be in full force and effect from and after its adoption.

Adopted this 26th day of March, 2012.

CITY OF FAYETTEVILLE

BY: _____
Anthony Chavonne, Mayor

ATTEST:

Pamela Megill, City Clerk





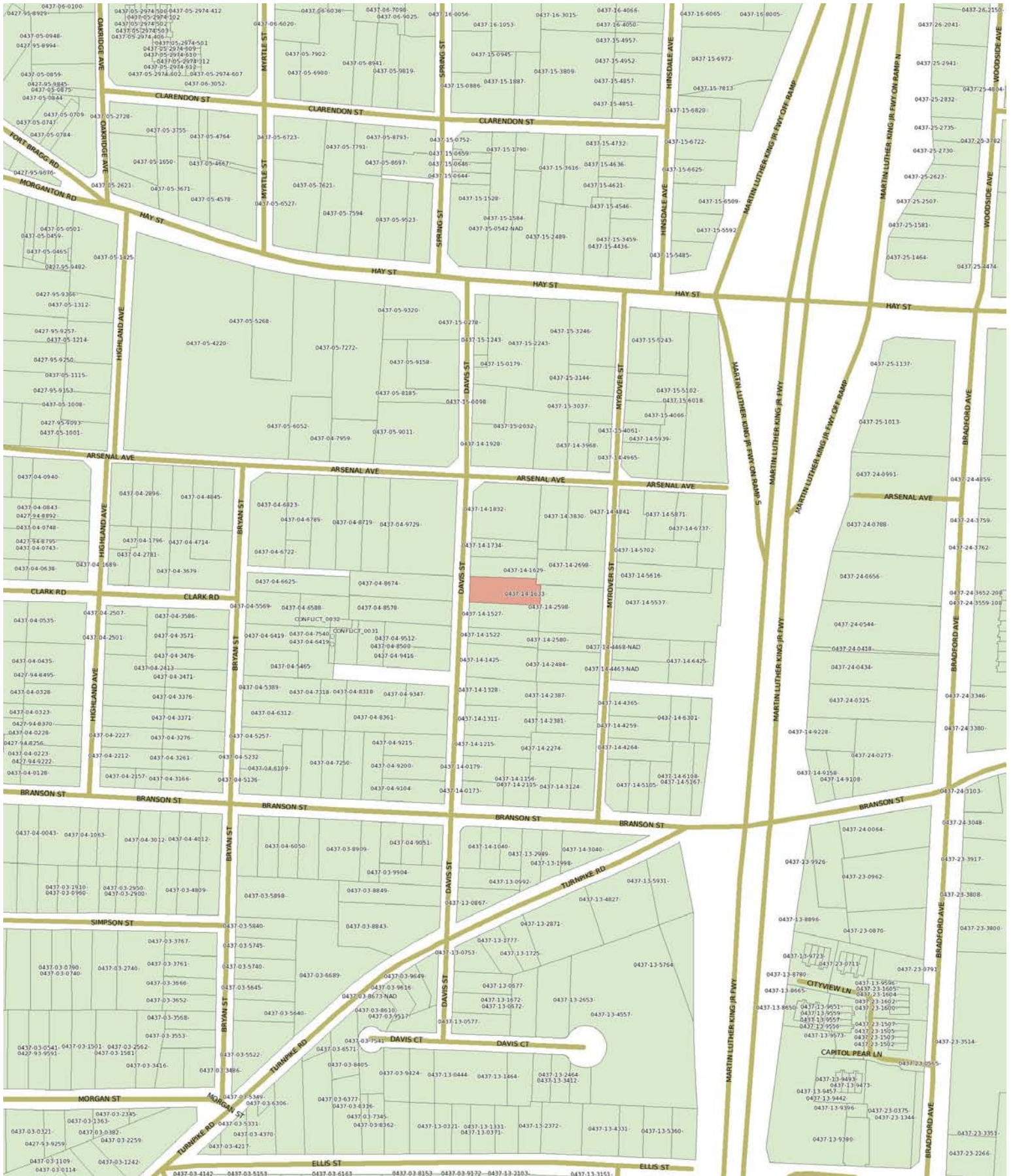






Current Parcel: 0437-14-1633-

Address: 211 Davis St Fayetteville, NC (0437-14-1633-)



TO: Mayor
 City Council Members
 City Manager
 City Attorney

Under provisions of Chapter 14, titled Housing, Dwellings and Buildings of the Code of the City of Fayetteville, North Carolina, the Inspection Department is requesting the docket of the owner who has failed to comply with this Code, be presented to the City Council for action. All proceedings that are required by the Code, Section 14-61, have been complied with. We request the Council take action under the provisions of Chapter 14 of the Code and applicable NC General Statutes.

Location	211 Davis Street
Property Owner(s)	David M Holmes Fayetteville,NC
Date of Inspection	October 31, 2011
Date of Hearing	November 16, 2011
Finding/Facts of Scheduled Hearing	Notice to repair/demolish the structure within 90 days mailed November 17, 2011
Owner's Response	None
Appeal Taken (Board of Appeals)	No
Other	Utilities disconnected since December, 1999.
Police Calls for Service (past 2 yrs)	0

The Housing Inspector dispatched a letter to the owner(s) with information that the docket would be presented to the City Council for necessary action.

This is the 26th day of March, 2012.

Frank Lewis, Jr.

 Sr. Code Enforcement Administrator (Housing)

**AN ORDINANCE OF THE CITY COUNCIL
OF
FAYETTEVILLE, NORTH CAROLINA**

**Requiring the City Building Inspector
to correct conditions with respect to,
or to demolish and remove a structure
pursuant to the
Dwellings and Buildings Minimum Standards
Code of the City**

The City Council of Fayetteville, North Carolina, does ordain:

The City Council finds the following facts:

- (1) With respect to Chapter 14 of the Dwellings and Buildings Minimum Standards Code of the City, concerning certain real property described as follows:

211 Davis Street
PIN 0437-14-1633

BEGINNING at an existing iron pipe in the eastern margin of Davis Street located South 253.00 feet from the centerline of Arsenal Avenue; and runs thence with the southern line of the J.A. Davis lot South 89 degrees 07 minutes 10 seconds East 181.62 feet to an existing iron stake; thence South 00 degrees 15 minutes 35 seconds West 62.27 to an existing iron pipe; thence South 89 degrees 12 minutes 40 seconds West 181.33 feet to an existing iron pipe in said eastern margin of Davis Street; thence North 62.55 feet to the BEGINNING.

The owner(s) of and parties in interest in said property are:

David M Holmes
483 Warm Springs Drive
Fayetteville, NC 28303

- (2) All due process and all provisions of the Dwellings and Buildings Minimum Standards Code of the City having been followed, the Inspections Director duly issued and served an order requiring the owners of said property to: repair or demolish the structure on or before February 17, 2012.
- (3) And said owners without lawful cause, failed or refused to comply with said order; and the Building Inspector is authorized by said Code, and NC General Statute 160A-443(5), when ordered by Ordinance of the City Council, to do with respect to said property what said owners were so ordered to do, but did not.
- (4) The City Council has fully reviewed the entire record of said Inspections Director thereon, and finds, that all findings of fact and all orders therein of said Inspections Director are true and authorized except:

None.

- (5) That pursuant to NC General Statute 160A-443(6), the cost of \$2,300.00 shall be a lien against the real property upon which the cost was incurred.

Whereupon, it is ordained that:

SECTION 1

The Building Inspector is ordered forthwith to accomplish, with respect to said property, precisely and fully what was ordered by said Inspections Director as set forth fully above, except as modified in the following particulars:

This property is to be demolished and all debris removed from the premises, and the cost of said removal shall be a lien against the real property as described herein.

SECTION 2

The lien as ordered herein and permitted by NC General Statute 160A-443(6) shall be effective from and after the date the work is completed, and a record of the same shall be available in the office of the City of Fayetteville Finance Department, Collections Division, 2nd Floor - City, 433 Hay Street, Fayetteville, NC 28301.

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Adopted this 26th day of March, 2012.

CITY OF FAYETTEVILLE

BY: _____
Anthony Chavonne, Mayor

ATTEST:

Pamela Megill, City Clerk



DANGER





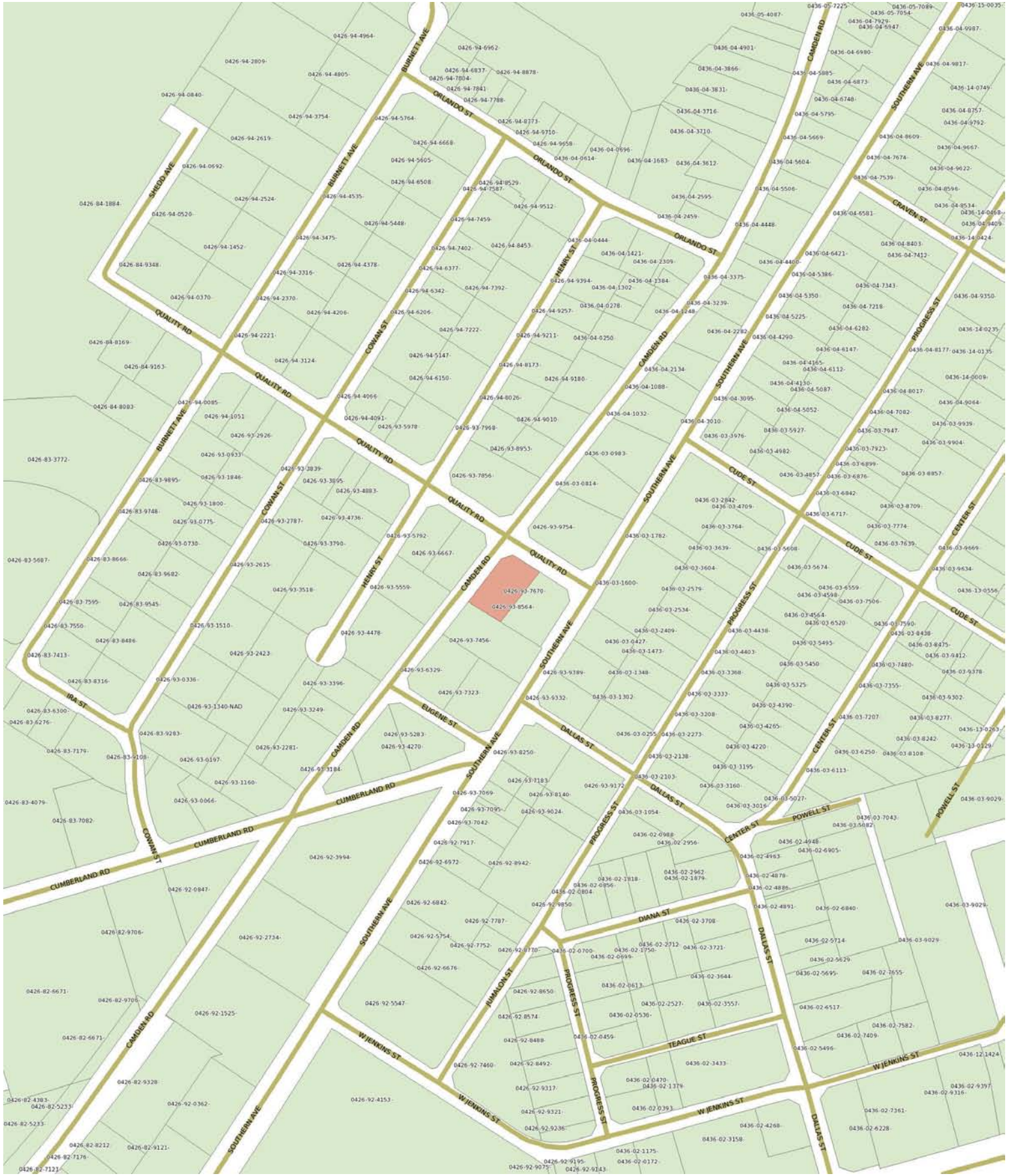






Current Parcel: 0426-93-7670-

Address: 407 Quality Rd Fayetteville, NC (0426-93-7670-)



© 2018 GIS/PLANNING DEPT. 02 01

TO: Mayor
 City Council Members
 City Manager
 City Attorney

Under provisions of Chapter 14, titled Housing, Dwellings and Buildings of the Code of the City of Fayetteville, North Carolina, the Inspection Department is requesting the docket of the owner who has failed to comply with this Code, be presented to the City Council for action. All proceedings that are required by the Code, Section 14-61, have been complied with. We request the Council take action under the provisions of Chapter 14 of the Code and applicable NC General Statutes.

Location	407 Quality Road
Property Owner(s)	Ruby Bledsoe Guy Raeford, NC
Date of Inspection	September 7, 2011
Date of Hearing	October 5, 2011
Finding/Facts of Scheduled Hearing	Notice to repair/demolish the structure within 60 days mailed October 5, 2011
Owner's Response	None
Appeal Taken (Board of Appeals)	No
Other	Utilities disconnected since December, 2007.
	Hearing advertised in Fayetteville Observer newspaper, September 2011
Police Calls for Service (past 2 yrs)	2

The Housing Inspector dispatched a letter to the owner(s) with information that the docket would be presented to the City Council for necessary action.

This is the 26th day of March, 2012.

Frank Lewis, Jr.

 Sr. Code Enforcement Administrator (Housing)

**AN ORDINANCE OF THE CITY COUNCIL
OF
FAYETTEVILLE, NORTH CAROLINA**

**Requiring the City Building Inspector
to correct conditions with respect to,
or to demolish and remove a structure
pursuant to the
Dwellings and Buildings Minimum Standards
Code of the City**

The City Council of Fayetteville, North Carolina, does ordain:

The City Council finds the following facts:

- (1) With respect to Chapter 14 of the Dwellings and Buildings Minimum Standards Code of the City, concerning certain real property described as follows:

407 Quality Road
PIN 0426-93-7670

BEGINNING at a stake in the Southern margin of M Street; thence North 52 degrees 45 minutes West 100 feet with the Southern margin of M Street to a stake at the intersection of M Street with an unnamed highway; thence South 44 degrees 18 minutes West 153 feet with the Southern margin of the unnamed highway to a stake; thence South 51 degrees 31 minutes East 100 feet to a stake; thence North 42 degrees 47 minutes East 151.12 feet to a stake in the Southern margin of M Street, the point of BEGINNING. Being the same land described in a deed from James Linwood Guy and wife, Elizabeth Ann Guy to Ruby Bledsoe Guy, recorded in the office of the Register of Deeds for Cumberland County in Deed Book 2454, Page 67.

LESS AND EXCEPTING all of that property conveyed to The City of Fayetteville, a Municipal Corporation, in Deed Book 2653, Page 504, Cumberland County Registry and being more particularly described as follows:

BEGINNING at the point of intersection of the southern margin of Quality Road and the eastern margin of Camden Road, and running thence with the southern margin of Quality Road South 52 degrees 45 minutes East 21.51 feet to a point; thence South 84 degrees 52 minutes West 29.55 feet to a point; thence South 42 degrees 29 minutes West 128.94 feet to a point; thence North 51 degrees 31 minutes West 2.46 feet to a point; thence North 42 degrees 51 minutes East 148.98 feet to the point of BEGINNING, containing 494 square feet, and being a portion of Lot 3, Block "N", of Villetex Mills, Inc. Subdivision, as shown on a plat of the same duly recorded in Book of Plats 10, Page 50, Cumberland County Registry.

The owner(s) of and parties in interest in said property are:

Ruby Bledsoe Guy
9601 Rockfish Road
Raeford, NC 28376

- (2) All due process and all provisions of the Dwellings and Buildings Minimum Standards Code of the City having been followed, the Inspections Director duly issued and served an order requiring the owners of said property to: repair or demolish the structure on or before December 5, 2011.
- (3) And said owners without lawful cause, failed or refused to comply with said order; and the Building Inspector is authorized by said Code, and NC General Statute 160A-443(5), when ordered by Ordinance of the City Council, to do with respect to said property what said owners were so ordered to do, but did not.
- (4) The City Council has fully reviewed the entire record of said Inspections Director thereon, and finds, that all findings of fact and all orders therein of said Inspections Director are true and authorized except:

None.
- (5) That pursuant to NC General Statute 160A-443(6), the cost of \$1,400.00 shall be a lien against the real property upon which the cost was incurred.

Whereupon, it is ordained that:

SECTION 1

The Building Inspector is ordered forthwith to accomplish, with respect to said property, precisely and fully what was ordered by said Inspections Director as set forth fully above, except as modified in the following particulars:

This property is to be demolished and all debris removed from the premises, and the cost of said removal shall be a lien against the real property as described herein.

SECTION 2

The lien as ordered herein and permitted by NC General Statute 160A-443(6) shall be effective from and after the date the work is completed, and a record of the same shall be available in the office of the City of Fayetteville Finance Department, Collections Division, 2nd Floor - City, 433 Hay Street, Fayetteville, NC 28301.

SECTION 3

This ordinance shall be in full force and effect from and after its adoption.

Adopted this 26th day of March, 2012.

CITY OF FAYETTEVILLE

BY: _____
Anthony Chavonne, Mayor

ATTEST:

Pamela Megill, City Clerk





DANGER
NO UNAUTHORIZED ACCESS

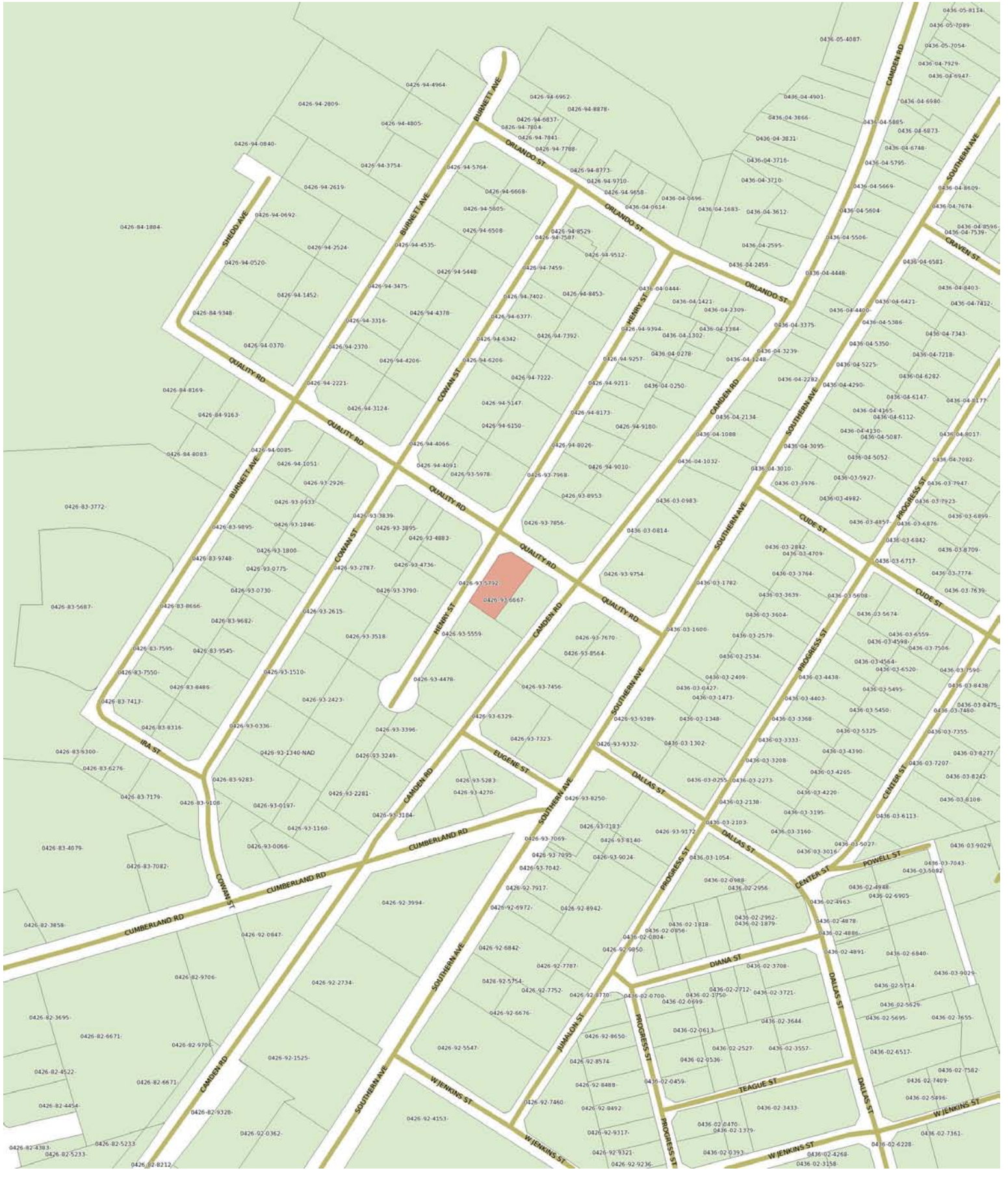
407





Current Parcel: 0426-93-5792-

Address: 505 Quality Rd Fayetteville, NC (0426-93-5792-)



TO: Mayor
 City Council Members
 City Manager
 City Attorney

Under provisions of Chapter 14, titled Housing, Dwellings and Buildings of the Code of the City of Fayetteville, North Carolina, the Inspection Department is requesting the docket of the owner who has failed to comply with this Code, be presented to the City Council for action. All proceedings that are required by the Code, Section 14-61, have been complied with. We request the Council take action under the provisions of Chapter 14 of the Code and applicable NC General Statutes.

Location	505 Quality Road
Property Owner(s)	Stanley Peters Norfolk, Va.
Date of Inspection	August 15, 2011
Date of Hearing	October 5, 2011
Finding/Facts of Scheduled Hearing	Notice to repair/demolish the structure within 60 days mailed October 5, 2011
Owner's Response	None
Appeal Taken (Board of Appeals)	No
Other	Utilities disconnected since November, 2004.
	Hearing advertised in Fayetteville Observer newspaper, September 2011
Police Calls for Service (past 2 yrs)	3

The Housing Inspector dispatched a letter to the owner(s) with information that the docket would be presented to the City Council for necessary action.

This is the 26th day of March, 2012.

Frank Lewis, Jr.

 Sr. Code Enforcement Administrator (Housing)

**AN ORDINANCE OF THE CITY COUNCIL
OF
FAYETTEVILLE, NORTH CAROLINA**

**Requiring the City Building Inspector
to correct conditions with respect to,
or to demolish and remove a structure
pursuant to the
Dwellings and Buildings Minimum Standards
Code of the City**

The City Council of Fayetteville, North Carolina, does ordain:

The City Council finds the following facts:

- (1) With respect to Chapter 14 of the Dwellings and Buildings Minimum Standards Code of the City, concerning certain real property described as follows:

505 Quality Road
PIN 0426-93-5792

BEGINNING at a stake in the Northern margin of D Street at the intersection with M Street thence S 37 Deg. 45 Min W 153 feet with the Southern margin of D Street to a stake, thence S 52 Deg. 10 Min. E 75 feet to a stake, thence N 43 Deg. 52 Min E 153 feet to a stake in the margin of M Street, thence N 52 Deg. 45 Min W 92.13 feet with the margin of M Street to a stake the point of BEGINNING.

The owner(s) of and parties in interest in said property are:

Stanley Peters
PO Box 1894
Norfolk VA. 23501

- (2) All due process and all provisions of the Dwellings and Buildings Minimum Standards Code of the City having been followed, the Inspections Director duly issued and served an order requiring the owners of said property to: repair or demolish the structure on or before December 5, 2011.
- (3) And said owners without lawful cause, failed or refused to comply with said order; and the Building Inspector is authorized by said Code, and NC General Statute 160A-443(5), when ordered by Ordinance of the City Council, to do with respect to said property what said owners were so ordered to do, but did not.
- (4) The City Council has fully reviewed the entire record of said Inspections Director thereon, and finds, that all findings of fact and all orders therein of said Inspections Director are true and authorized except:

None.

- (5) That pursuant to NC General Statute 160A-443(6), the cost of \$1,400.00 shall be a lien against the real property upon which the cost was incurred.

Whereupon, it is ordained that:

SECTION 1

The Building Inspector is ordered forthwith to accomplish, with respect to said property, precisely and fully what was ordered by said Inspections Director as set forth fully above, except as modified in the following particulars:

This property is to be demolished and all debris removed from the premises, and the cost of said removal shall be a lien against the real property as described herein.

SECTION 2

The lien as ordered herein and permitted by NC General Statute 160A-443(6) shall be effective from and after the date the work is completed, and a record of the same shall be available in the office of the City of Fayetteville Finance Department, Collections Division, 2nd Floor - City, 433 Hay Street, Fayetteville, NC 28301.

SECTION 3

This ordinance shall be in full force and effect from and after its adoption.

Adopted this 26th day of March, 2012.

CITY OF FAYETTEVILLE

BY: _____
Anthony Chavonne, Mayor

ATTEST:

Rita Perry, City Clerk









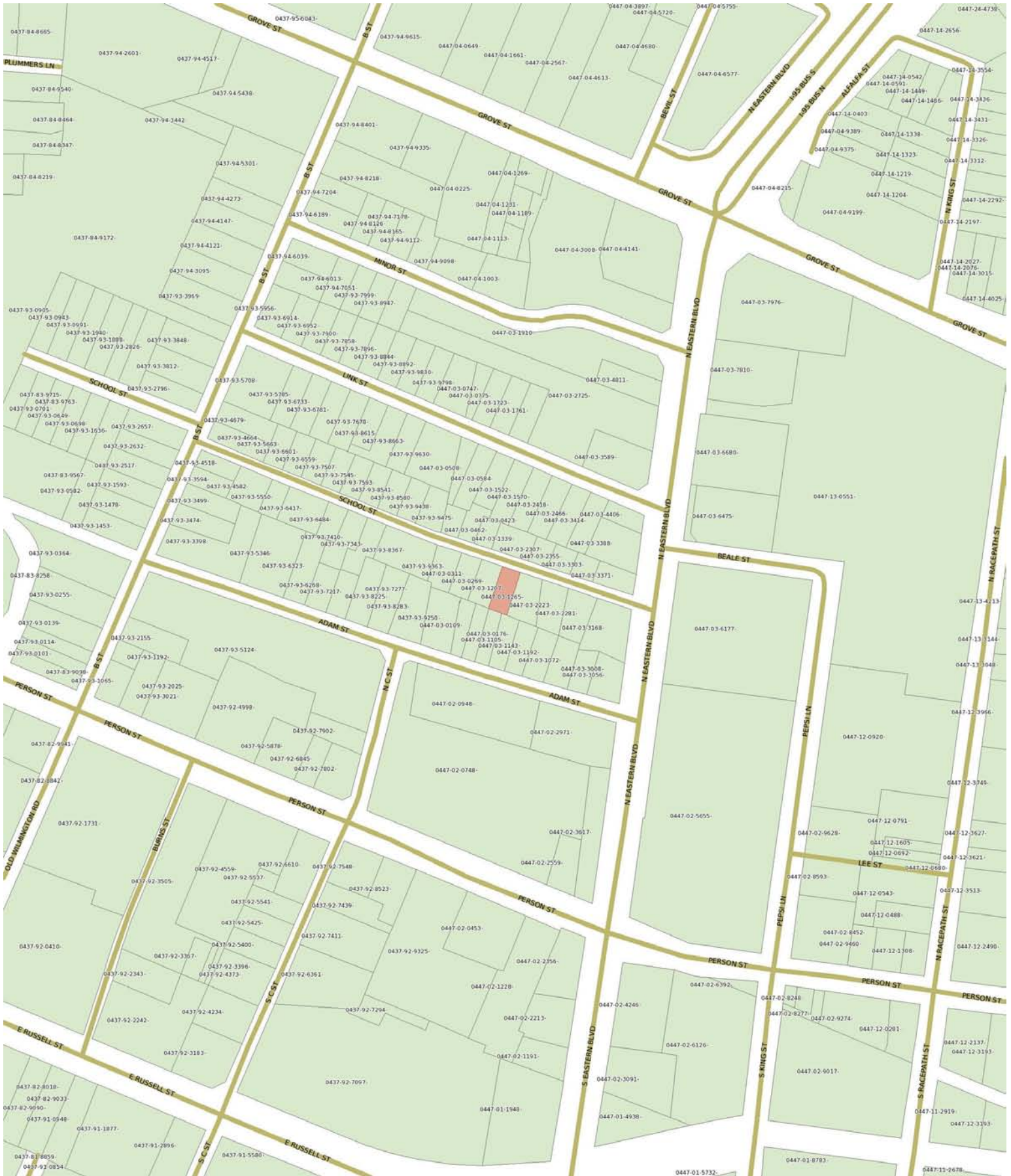
DANGER

505



Current Parcel: 0447-03-1207-

Address: 608 School St Fayetteville, NC (0447-03-1207-)



TO: Mayor
 City Council Members
 City Manager
 City Attorney

Under provisions of Chapter 14, titled Housing, Dwellings and Buildings of the Code of the City of Fayetteville, North Carolina, the Inspection Department is requesting the docket of the owner who has failed to comply with this Code, be presented to the City Council for action. All proceedings that are required by the Code, Section 14-61, have been complied with. We request the Council take action under the provisions of Chapter 14 of the Code and applicable NC General Statutes.

Location	608 School Street
Property Owner(s)	Adrian S. Pitts, Michael W. Liles, Cameron Easton III, Misty B. Easton
Date of Inspection	August 31, 2011
Date of Hearing	September 21, 2011
Finding/Facts of Scheduled Hearing	Notice to repair/demolish the structure within 90 days mailed September 21, 2011
Owner's Response	None
Appeal Taken (Board of Appeals)	No
Other	Utilities disconnected since July, 2007.
Police Calls for Service (past 2 yrs)	25

The Housing Inspector dispatched a letter to the owner(s) with information that the docket would be presented to the City Council for necessary action.

This is the 26th day of March, 2012.

Frank Lewis, Jr.

 Sr. Code Enforcement Administrator (Housing)

**AN ORDINANCE OF THE CITY COUNCIL
OF
FAYETTEVILLE, NORTH CAROLINA**

**Requiring the City Building Inspector
to correct conditions with respect to,
or to demolish and remove a structure
pursuant to the
Dwellings and Buildings Minimum Standards
Code of the City**

The City Council of Fayetteville, North Carolina, does ordain:

The City Council finds the following facts:

- (1) With respect to Chapter 14 of the Dwellings and Buildings Minimum Standards Code of the City, concerning certain real property described as follows:

608 School Street
PIN 0447-03-1207

BEGINNING in the southern margin of School Street at J.A. Horne's northwestern corner and running thence along School Street North 68 degrees West 55 feet to Maness' corner; thence with his line South 22 degrees 51 minutes West 114.8 feet; thence South 65 degrees 9 minutes East 55 feet to Horne's corner; thence with his line North 22 degrees 51 minutes East 114.8 feet to the BEGINNING. And being part of the lands conveyed to Tildon Walker and J. Warren Pate by Leroy Lee and wife, by their deed of May 23, 1946, of record in Book 497, page 78, registry of Cumberland County, North Carolina.

The owner(s) of and parties in interest in said property are:

Adrian Shaw Pitts PO Box 19680 Atlanta, GA. 30325-0680	Michael W. Liles 1428 Marlborough Road Fayetteville, NC 28304-3693
--	--

Cameron Easton, III 1401 Habersham Drive Fayetteville, NC 28304-3522	Misty B. Easton 3621 Wind Sock Court Eastover, NC 28312-9299
--	--

- (2) All due process and all provisions of the Dwellings and Buildings Minimum Standards Code of the City having been followed, the Inspections Director duly issued and served an order requiring the owners of said property to: repair or demolish the structure on or before December 22, 2011.

- (3) And said owners without lawful cause, failed or refused to comply with said order; and the Building Inspector is authorized by said Code, and NC General Statute 160A-443(5), when ordered by Ordinance of the City Council, to do with respect to said property what said owners were so ordered to do, but did not.
- (4) The City Council has fully reviewed the entire record of said Inspections Director thereon, and finds, that all findings of fact and all orders therein of said Inspections Director are true and authorized except:

None.
- (5) That pursuant to NC General Statute 160A-443(6), the cost of \$1,300.00 shall be a lien against the real property upon which the cost was incurred.

Whereupon, it is ordained that:

SECTION 1

The Building Inspector is ordered forthwith to accomplish, with respect to said property, precisely and fully what was ordered by said Inspections Director as set forth fully above, except as modified in the following particulars:

This property is to be demolished and all debris removed from the premises, and the cost of said removal shall be a lien against the real property as described herein.

SECTION 2

The lien as ordered herein and permitted by NC General Statute 160A-443(6) shall be effective from and after the date the work is completed, and a record of the same shall be available in the office of the City of Fayetteville Finance Department, Collections Division, 2nd Floor - City, 433 Hay Street, Fayetteville, NC 28301.

SECTION 3

This ordinance shall be in full force and effect from and after its adoption.

Adopted this 26th day of March , 2012.

CITY OF FAYETTEVILLE

BY: _____
Anthony Chavonne, Mayor

ATTEST:

Pamela Megill, City Clerk

NO
Tresspass

SP

DANGER

NO
Tress
SP







IF YOU
are
reading
this
You
are

Trespass
NO.
ON





CITY COUNCIL ACTION MEMO

TO: Mayor and Members of the City Council
FROM: Pamela Megill, City Clerk
DATE: March 26, 2012
RE: **Monthly Statement of Taxes for February 2012**

THE QUESTION:

RELATIONSHIP TO STRATEGIC PLAN:

BACKGROUND:

ISSUES:

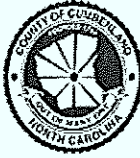
BUDGET IMPACT:

OPTIONS:

RECOMMENDED ACTION:

ATTACHMENTS:

February 2012 Monthly Statement of Taxes



CUMBERLAND
★ COUNTY ★
NORTH CAROLINA

OFFICE OF THE TAX ADMINISTRATOR

117 Dick Street, 5th Floor, New Courthouse • PO Box 449 • Fayetteville, North Carolina • 28302
Phone: 910-678-7507 • Fax: 910-678-7582 • www.co.cumberland.nc.us

MEMORANDUM

To: Pamela Megill, Fayetteville City Clerk

From: Aaron Donaldson, Tax Administrator *AD*

Date: March 1, 2012

Re: Monthly Statement of Taxes

Attached hereto is the report that has been furnished to the Mayor and governing body of your municipality for the month of February 2012. This report separates the distribution of real property and personal property from motor vehicle property taxes, and provides detail for the current and delinquent years.

Should you have questions regarding this report, please contact Catherine Carter at 678-7587

AD/cc
Attachments

Celebrating Our Past...Embracing Our Future

EASTOVER - FALCON - FAYETTEVILLE - GODWIN - HOPE MILLS - LINDEN - SPRING LAKE - STEDMAN - WADE

FAYETTEVILLE MACC LEDGER

2001-2011

DATE	REPORT #	REMITTED TO FINANCE	2011 CC	2011 VEHICLE	2011 CC REVIT	2011 VEHICLE REVIT	2011 FVT	2011 TRANSIT	2011 STORM WATER	2011 FAY STORM WATER
02/01/12	2011-154	83,280.44	48,891.06	15,242.20	0.00	0.00	1,932.92	1,932.92	1,356.43	2,712.86
02/02/12	2011-155	64,512.72	36,154.37	14,658.49	0.00	11.78	1,930.00	1,930.00	787.31	1,574.61
02/03/12	2011-156	81,098.12	46,485.44	14,258.51	5.25	0.00	2,103.72	2,103.71	1,339.77	2,679.55
02/06/12	2011-157	112,092.89	50,050.41	31,856.05	15.38	0.00	3,884.47	3,884.47	2,437.66	4,875.32
02/07/12	2011-158	102,868.20	59,905.89	22,115.56	319.57	9.49	2,932.61	2,932.61	1,559.59	3,119.20
02/08/12	2011-159	109,507.90	60,660.33	23,619.65	193.97	19.97	3,142.75	3,142.75	2,328.24	4,656.50
02/09/12	2011-160	80,266.60	35,503.15	24,321.00	39.14	30.20	3,268.83	3,268.85	1,127.33	2,254.69
02/10/12	2011-161	81,442.62	39,265.04	20,000.24	20.21	1.13	2,564.26	2,564.25	1,408.95	2,817.88
02/13/12	2011-162	102,445.44	48,122.95	30,581.66	5.09	7.04	3,567.13	3,567.14	1,879.87	3,759.76
02/14/12	2011-163	82,090.77	46,180.90	12,415.60	903.53	0.00	1,553.96	1,553.97	3,884.69	7,769.40
02/15/12	2011-164	100,917.96	48,639.13	17,886.16	278.63	18.93	2,184.63	2,184.63	2,666.31	5,332.62
02/16/12	2011-165	70,980.08	42,083.12	13,745.79	8.26	0.00	1,756.84	1,756.84	1,047.34	2,094.68
02/17/12	2011-166	81,723.38	42,226.07	17,589.82	225.58	0.00	2,174.48	2,174.49	1,549.33	3,098.67
02/20/12	2011-167	42,931.66	21,556.05	10,276.12	0.00	0.00	1,207.21	1,207.21	589.32	1,178.62
02/21/12	2011-168	101,467.31	58,098.10	25,480.22	21.46	42.40	2,738.87	2,738.87	1,234.29	2,468.56
02/22/12	2011-169	87,540.47	57,121.49	10,083.66	3,571.19	0.00	1,251.13	1,251.14	1,714.54	3,429.12
02/23/12	2011-170	125,455.64	74,149.54	20,504.31	37.75	8.09	2,340.82	2,340.82	2,575.69	5,151.40
02/24/12	2011-171	86,806.35	49,111.38	19,364.53	205.75	0.00	2,109.52	2,109.54	1,354.87	2,709.76
02/27/12	2011-172	111,595.96	59,841.92	28,607.74	379.03	12.19	3,092.71	3,092.73	1,776.10	3,552.19
02/28/12	2011-173	117,321.87	76,236.63	13,585.39	87.79	0.00	1,863.95	1,863.93	4,188.73	8,377.46
02/29/12	2011-174	196,240.51	125,237.95	24,772.65	267.46	0.00	2,852.96	2,852.97	5,319.22	10,638.44
TOTALS		2,022,586.89	1,125,520.92	410,965.35	6,585.04	161.22	50,453.77	50,453.84	42,125.58	84,251.29

TRUE
 MACC: MONTHLY ACCOUNTING (TOTALS COLLECTED FOR MONTH)
 CC: INCLUDES REAL & PERSONAL, LATE LIST, & PUBLIC SERVICE

FVT: FAYETTEVILLE VEHICLE TAX (\$5.00)

FAYETTEVILLE MACC LEDGER
2001-2011

FEBRUARY 2012

2011 FAY RECYCLE FEE	2011 ANNEX	2010 CC	2010 VEHICLE	2010 CC REVIT	2010 VEH REVIT	2010 FVT	2010 TRANSIT	2010 STORM WATER	2010 FAY STORM WATER	2010 FAY RECYCLE FEE	2010 ANNEX
2,463.15	0.00	260.15	4,176.28	0.00	0.00	545.00	545.00	12.00	24.00	38.00	0.00
2,040.92	0.00	617.46	2,128.67	0.00	(5.39)	341.75	341.74	0.00	0.00	0.00	0.00
2,764.55	0.00	884.87	3,034.05	0.00	10.29	555.00	555.00	27.25	54.50	86.29	0.00
4,592.32	0.00	801.14	2,778.47	0.00	5.71	490.00	490.00	36.00	72.00	114.00	0.00
3,456.71	0.00	527.38	1,956.56	0.00	0.00	350.00	350.00	13.79	27.59	43.69	0.00
3,355.94	0.00	1,070.32	2,525.31	0.00	3.89	365.81	365.82	18.65	37.28	61.85	0.00
3,108.85	0.00	241.25	2,926.06	11.40	0.00	566.63	566.62	0.00	0.00	0.00	0.00
2,753.48	0.00	2,639.75	3,126.42	0.00	0.00	606.24	606.24	11.31	22.62	35.82	0.00
3,016.92	0.00	63.54	3,129.66	0.00	36.06	573.13	573.12	36.00	72.00	0.00	0.00
2,156.90	0.00	777.88	1,750.38	0.00	0.00	340.00	340.00	0.00	0.00	0.00	0.00
2,823.50	0.00	2,898.15	2,974.46	0.00	0.00	504.29	504.28	98.43	196.86	266.00	0.00
2,366.58	0.00	194.43	2,591.27	0.00	0.00	448.76	448.76	12.00	24.00	38.00	0.00
3,348.23	0.00	2,289.96	2,522.75	0.00	0.00	414.23	414.23	72.00	144.00	38.00	0.00
1,657.91	0.00	823.00	1,784.35	0.00	0.00	200.55	200.56	12.00	24.00	38.00	0.00
2,958.56	0.00	242.69	1,555.81	0.00	0.00	315.00	315.00	0.00	0.00	0.00	0.00
2,690.17	0.00	600.39	1,601.61	0.00	0.00	270.00	270.00	0.00	0.00	0.00	0.00
3,368.37	0.00	735.71	3,533.73	0.00	0.00	485.00	485.00	2.32	4.64	7.34	0.00
4,065.57	0.00	156.03	1,935.67	0.00	0.00	376.15	376.15	0.00	0.00	0.00	0.00
4,084.37	0.00	329.37	2,509.81	0.00	0.00	425.00	425.00	36.38	72.75	0.00	0.00
4,199.61	0.00	473.74	2,077.87	0.00	0.00	366.08	366.09	12.00	24.00	38.00	0.00
6,406.01	0.00	2,771.47	3,115.55	0.00	0.00	560.00	560.00	84.00	168.00	152.00	0.00
67,678.62	0.00	19,398.68	53,734.74	11.40	50.56	9,098.62	9,098.61	484.13	968.24	956.99	0.00

8-1-1-3

FAYETTEVILLE MACC LEDGER

FEBRUARY 2012

2001-2011

2009 CC	2009 VEHICLE	2009 CC REVIT	2009 VEHICLE REVIT	2009 FVT	2009 TRANSIT	2009 STORM WATER	2009 FAY STORM WATER	2009 FAY RECYCLE FEE	2009 ANNEX	2008 CC	2008 VEHICLE	2008 CC REVIT
0.00	68.40	0.00	0.00	23.89	23.90	0.00	0.00	0.00	0.00	0.00	20.09	0.00
15.45	(41.00)	0.00	0.00	5.00	5.00	0.00	0.00	0.00	0.00	0.00	(86.41)	0.00
543.71	349.43	0.00	0.00	65.00	65.00	0.00	0.00	0.00	0.00	18.38	48.60	0.00
414.11	130.12	0.00	0.00	35.00	35.00	24.00	48.00	76.00	0.00	383.46	111.32	0.00
7.60	114.35	0.00	0.00	15.00	15.00	0.00	0.00	0.00	0.00	18.22	9.64	0.00
218.76	216.95	0.00	0.00	15.00	15.00	0.00	0.00	0.00	0.00	0.00	13.67	0.00
11.05	153.38	0.00	0.00	30.46	30.45	0.00	0.00	0.00	0.00	0.00	88.66	0.00
17.22	110.40	0.00	0.00	45.00	45.00	0.00	0.00	0.00	0.00	0.00	118.45	0.00
14.92	189.98	0.00	0.00	31.83	31.83	0.00	0.00	0.00	0.00	0.00	84.61	0.00
36.48	15.50	0.00	0.00	13.59	13.59	0.00	0.00	0.00	0.00	0.00	20.57	0.00
1,580.95	190.93	0.00	0.00	40.00	40.00	48.00	96.00	152.00	0.00	1,168.85	0.00	0.00
0.00	44.26	0.00	0.00	10.00	10.00	0.00	0.00	0.00	0.00	0.00	74.72	0.00
58.35	206.07	0.00	0.00	40.00	40.00	0.00	0.00	0.00	0.00	48.08	127.07	0.00
21.33	330.10	0.00	0.00	38.54	38.53	0.00	0.00	0.00	0.00	4.36	36.26	0.00
125.40	151.33	0.00	0.00	45.00	45.00	0.00	0.00	0.00	0.00	313.28	(9.91)	0.00
130.34	377.10	0.00	0.00	75.00	75.00	3.85	7.71	12.20	0.00	82.30	55.33	0.00
289.13	1,004.83	0.00	0.00	174.27	174.27	12.00	24.00	38.00	0.00	342.74	1,097.02	0.00
159.43	39.10	0.00	0.00	15.00	15.00	8.35	16.69	26.43	0.00	15.05	32.88	0.00
0.00	157.44	0.00	0.00	32.12	32.12	0.00	0.00	0.00	0.00	0.00	52.89	0.00
17.16	73.68	0.00	0.00	15.00	15.00	0.00	0.00	0.00	0.00	0.00	39.95	0.00
19.13	520.56	0.00	0.00	78.36	78.36	0.00	0.00	0.00	0.00	0.00	431.36	0.00
3,680.52	4,402.91	0.00	0.00	843.06	843.05	96.20	192.40	304.63	0.00	2,394.72	2,366.77	0.00

8-1-1-4

FAYETTEVILLE MACC LEDGER

FEBRUARY 2012

2001-2011

2008 VEH REVIT	2008 FVT	2008 TRANSIT	2008 STORM WATER	2008 FAY STORM WATER	2008 FAY RECYCLE	2008 ANNEX	2007 & PRIOR CC	2007 & PRIOR VEH	2007 & PRIOR REVIT	2007 & PRIOR VEH REVIT	2007 & PRIOR FVT	2007 & PRIOR STORM WATER
0.00	5.00	5.00	0.00	0.00	0.00	0.00	0.00	44.51	0.00	0.00	15.00	0.00
0.00	(10.00)	(5.00)	0.00	0.00	0.00	0.00	0.00	159.74	0.00	0.00	20.00	0.00
0.00	10.00	5.00	0.00	0.00	0.00	0.00	0.00	212.66	0.00	0.00	55.00	0.00
0.00	20.00	10.00	36.00	48.00	84.00	0.00	506.69	74.84	0.00	0.00	25.00	34.55
0.00	10.00	10.00	11.80	0.00	0.00	0.00	6.19	236.60	0.00	0.00	27.51	36.00
0.00	5.00	5.00	12.00	0.00	0.00	0.00	52.54	129.20	0.00	0.00	45.00	0.00
0.00	20.00	20.00	0.00	0.00	0.00	0.00	0.00	116.08	0.00	0.00	41.69	0.00
0.00	30.00	15.00	0.00	0.00	0.00	0.00	0.00	128.26	0.00	0.00	34.55	0.00
0.00	10.00	10.00	0.00	0.00	0.00	0.00	37.03	144.76	0.00	0.00	28.15	0.00
0.00	10.00	5.00	0.00	0.00	0.00	0.00	0.00	49.27	0.00	0.00	10.00	0.00
0.00	0.00	0.00	36.00	72.00	126.00	0.00	2,351.18	223.31	0.00	0.00	30.00	60.00
0.00	11.93	5.00	12.00	0.00	0.00	0.00	0.00	96.48	0.00	0.00	25.00	0.00
0.00	25.00	20.00	0.00	0.00	0.00	0.00	0.00	172.85	0.00	0.00	25.00	0.00
0.00	10.00	10.00	0.00	0.00	0.00	0.00	35.55	160.14	0.00	0.00	27.88	0.00
0.00	0.00	0.00	12.00	24.00	42.00	0.00	0.00	23.17	0.00	0.00	15.00	0.00
0.00	22.31	22.30	0.00	0.00	0.00	0.00	0.00	142.69	0.00	0.00	32.84	0.00
0.00	167.88	107.89	0.00	0.00	0.00	0.00	62.25	1,285.43	0.00	0.00	264.52	0.00
0.00	10.00	10.00	0.00	0.00	0.00	0.00	55.27	72.96	0.00	0.00	15.00	0.00
0.00	15.00	10.00	0.00	0.00	0.00	0.00	24.41	137.13	0.00	0.00	30.00	0.00
0.00	20.00	10.00	0.00	0.00	0.00	0.00	0.00	81.54	0.00	0.00	30.00	0.00
0.00	48.77	30.00	0.00	0.00	0.00	0.00	13.74	899.96	0.00	0.00	175.00	0.00
0.00	440.89	305.19	119.80	144.00	252.00	0.00	3,144.85	4,591.58	0.00	0.00	972.14	130.55

FAYETTEVILLE MACC LEDGER
2001-2011

2007 & PRIOR FAY STORM WATER	2007 & PRIOR ANNEX	INTEREST	REVIT INTEREST	STORM WATER INTEREST	FAY STORM WATER INTEREST	ANNEX INTEREST	FAY RECYCLE INTEREST	FAY TRANSIT INTEREST	TOTAL TAX & INTEREST
0.00	0.00	2,674.48	0.00	34.52	69.06	0.00	68.35	96.27	83,280.44
0.00	0.00	1,755.90	(0.51)	20.13	40.28	0.00	52.95	69.48	64,512.72
0.00	0.00	2,460.95	0.82	41.04	82.07	0.00	92.06	100.65	81,098.12
48.00	0.00	3,034.29	1.70	89.96	171.22	0.00	164.65	103.58	112,092.89
0.00	0.00	2,393.68	8.79	67.07	89.93	0.00	101.60	68.98	102,868.20
0.00	0.00	2,806.07	16.09	70.26	133.48	0.00	101.76	83.09	109,507.90
0.00	0.00	2,184.39	2.27	43.35	86.68	0.00	91.28	112.86	80,266.60
0.00	0.00	2,170.85	0.55	29.99	59.98	0.00	81.66	111.87	81,442.62
0.00	0.00	2,480.49	5.31	62.12	124.22	0.00	82.40	116.72	102,445.44
0.00	0.00	1,825.19	25.55	104.77	209.57	0.00	60.78	63.70	82,090.77
48.00	246.71	4,227.65	7.66	135.63	230.16	84.49	178.81	86.62	100,917.96
0.00	0.00	1,833.48	0.23	30.57	60.71	0.00	70.58	78.45	70,980.08
0.00	0.00	2,330.97	6.20	51.26	102.53	0.00	97.12	91.04	81,723.38
0.00	0.00	1,311.40	0.00	16.49	33.01	0.00	46.89	56.28	42,931.66
0.00	0.00	2,196.57	0.61	37.52	75.04	0.00	93.91	67.56	101,467.31
0.00	28.89	2,229.10	98.22	47.31	94.60	1.45	77.13	70.36	87,540.47
0.00	0.00	4,217.62	1.18	73.10	146.20	0.00	99.80	142.98	125,455.64
0.00	0.00	2,141.23	3.11	37.26	74.52	0.00	111.74	72.41	86,806.35
0.00	0.00	2,477.05	9.72	63.39	126.78	0.00	113.38	77.24	111,595.96
0.00	0.00	2,723.82	2.41	115.18	230.39	0.00	122.30	64.17	117,321.87
0.00	0.00	7,408.30	7.35	156.32	312.63	0.00	194.49	107.50	196,240.51
96.00	275.60	56,883.48	197.26	1,327.24	2,553.06	85.94	2,103.64	1,841.81	2,022,586.89