

MEMORANDUM

TO: Harnett County Board of Adjustment Members
FROM: Teresa Byrd, Senior Dept. Support Specialist/Board Clerk *TB*
DATE: May 30, 2025
RE: **Monday, June 9, 2025 Meeting**

On this meeting agenda, there are the following:

- A Communication Cell Tower (Monopole) in an RA20M Zoning District.
- A Fencing Business/Storage Facility in an RA-30 Zoning District.
- A Vehicle Sales Lot in an Industrial Zoning District.
- A Daycare Center in an RA-20R Zoning District.
- A Multi-Family Residential Townhome Units in an RA-20R Zoning District.
- A Request for a Rehearing for BOA2503-0002 which was denied at the May 12, 2025 BOA Meeting.

PLEASE CALL in advance if you **WILL NOT** be able to attend the meeting.

AGENDA
HARNETT COUNTY BOARD OF ADJUSTMENT
Harnett County Development Services
420 McKinney Parkway
Lillington, NC 27546
June 9, 2025 @ 6:00 p.m.

PUBLIC HEARING

Procedure to be followed at each Board of Adjustment Meeting:

- | | |
|---|---|
| 1. Call to order | 8. Cross-examination from the Board and others |
| 2. Invocation | 9. Close Conditional Use Hearing |
| 3. Swearing in of witnesses | 10. Deliberation by Board of Adjustment |
| 4. Briefing on application being considered | 11. Findings of Fact Checklist |
| 5. Public Hearing opened | 12. Decision by Board of Adjustment or Other Motion |
| 6. Testimony from applicant | 13. Approval of Minutes |
| 7. Testimony from other witnesses | 14. Board in Closed Session |

Special Use

1. BOA2503-0004. Duke Energy Progress, LLC / Tower Engineering Professionals. A Communication Cell Tower (Monopole) in an RA-20M Zoning District; Pin # 1527-91-9952.000; 34.74 acres; Averagesboro Township; SR # 1808 (Jonesboro Road).
2. BOA2504-0003. Justin & Ashley Fyle. A Fencing Business/Storage Facility in an RA-30 Zoning District; Pin # 0653-57-7755.000; 1.93 acres; Hector's Creek Township; US Hwy 401 N.
3. BOA2504-0004. CCC Properties of NC, Inc. / Chad Goodnight. A Vehicle Sales Lot in an Industrial Zoning District; Pin # 0654-56-0069.000; 1.00 acres; Hector's Creek Township; Off US 401 N (On Artic Way).
4. BOA2504-0006. Towana Burch. A Daycare Center in a RA-20R Zoning District; Pin # 9579-26-9333.000; 2.00 acres; Barbecue Township; SR # 1222 (Broadway Road).
5. BOA2504-0007. Lloyd Enterprises LP / Alexis Carambot, Mungo Homes. Multi-family Residential Townhome Units in an RA-20R Zoning District; Pin #'s 0508-41-0412.000 & 0508-41-7271.000; 212.12 acres; Barbecue Township; NC Hwy 27 W.

Request for Rehearing

Case heard at the May 12, 2025 Board of Adjustment Meeting

6. BOA2503-0002. CBD Homes, LLC / Blaire Drose. A Boat & RV Storage Facility in an RA-30 Zoning District; Pin # 0625-15-0335.000; 3.99 acres; Buckhorn Township; NC Hwy 42. Applicant is requesting a rehearing for the above referenced case that was denied at the May 12, 2025 meeting.

HARNETT COUNTY
BOARD OF ADJUSTMENTS
June 9, 2025

Staff Contact: Randy Baker, Assistant Manager of Planning Services
(910) 893-7525 or rbaker@harnett.org

CASE NUMBER: BOA2503-0004
APPLICANT: Tower Engineering Professionals
OWNER: Duke Energy Progress LLC
LOCATION: 1269 Jonesboro Road Dunn, NC 28334
ZONING: RA-20M (97.56%) RA-30 (2.44%) Acreage: 34.74 PIN#: 1527-91-9952.000
LAND USE CLASSIFICATION: Employment Mixed Use

REQUEST: Monopole Communications Cell Tower

AERIAL:



Directions from Lillington: Travel US 421 South toward Dunn – Turn left onto North Clinton Avenue – Cross over interstate 95 - Site is located on the left across from Wise Road.

PHYSICAL CHARACTERISTICS

- A. Site:** Currently under the development and construction stage of an approved mobile energy substation & operations storage center.
- B. Surrounding Land Uses:** Residential home sites, manufactured home park, religious structures, and agricultural related land uses.
- C. Utilities:** Water – Public Sewer – Private

TRANSPORTATION:

- Annual daily traffic count for this section of Jonesboro Road is 1600 vehicle trips per day.
- Site distances are poor to moderate along Jonesboro Road.

BACKGROUND:

- The applicant's request is for the placement of a wireless network device and utility pole as part of its communication network.
- Harnett County's tower consultant firm performed a technical review in order to verify that the request for tower location is consistent with the county's regulatory guidelines.
- The consulting firm has determined that the substation location is technically appropriate based on the lack of available alternatives and the need for wireless connectivity to this substation to improve grid reliability.
- If approved, this request would have to complete the Commercial Site Plan review process, which will include the proper permitting, review and inspections prior to any final approvals.

UNIFIED DEVELOPMENT ORDINANCE REGULATIONS

ARTICLE V. USE REGULATIONS

1.2 Table of Use Types & Regulations

	IND	LI	COMM	O&I	CONS	RA-40	RA-30	RA-20R	RA-20M	PARKING	USE GROUP LEVEL	BUILDING CODE CLASS
OTHER USES												
Comm. Towers: Microwave, TV, Telephone, Radio, & Cellular	S*	S*	S*	S*		S*	S*	S*	S*		4	U

HARNETT COUNTY COMPREHENSIVE GROWTH PLAN

FUTURE LAND USE PLAN

The Harnett community envisions a future where the county will continue to grow and prosper in a way that promotes a high quality of life, capitalizes on and protects the assets that make Harnett County unique, and ensures that all Harnett residents have access to a variety of housing, transportation, recreation and employment options.

FUTURE LAND USE CATEGORIES / DEVELOPMENT NODES

Employment Mixed Use: These areas are located along major thoroughfares and include prime locations for economic development opportunities. Uses encouraged in the Employment Mixed Use areas include but are not limited to industrial, warehouse, office, research and development, tech-flex, medical, energy and distribution. Residential development is appropriate only when not in conflict with existing or future industry or commercial uses.

LAND USE GOALS

Goal LU-1: Reinforce countywide economic development goals with land use decisions.

ECONOMIC DEVELOPMENT GOALS

Goal ED-2: Support existing industry to encourage retention and expansion of jobs.

SITE PHOTOS

Site



Adjoining Property



Site



Street View



Street View



Across Street



Across Street



Adjoining Property



SUBMITTED SITE PLAN



[illegible]

SCALE 1" = 50'

SCALE 1/2 MILE

CLASS PREPARED BY:

N.C. LICENSE # P-1403

DRAIN HT: 2.77 CHECKED BY: -

SHEET TITLE:

COMPOUND DETAIL

SHEET NUMBER:	REVISION:
---------------	-----------

C-2	5
TED# 13706103	

1. POLE TO REMAIN A CALCULATED COLUMN
2. POLE SHALL BE CUT ONLY IF REQUIRED BY THE FEDERAL AVIATION ADMINISTRATION
3. POLE DESIGN FOR STRUCTURAL ANALYSIS BY THE DATE MAY 3, 2026

IF POLE SECTIONS ARE JOINED TOGETHER PRIOR TO LIFTING AND SETTING THE POLE IN THE HOLE, THE POLE SECTIONS SHALL BE HULDED AT THE LIFT POINT.



SCALE: M.T.S.



SCALE: 1/8" = 1'-0"

SCALE IN FEET

DECLASSIFIED BY

N.C. LICENSE # P-1403

2024年12月	12月	2024年12月
----------	-----	----------

SHEET TITLE

POLE ELEVATION

EMERGENCY ADDRESS:	REVISION:
--------------------	-----------

C-3	5
------------	----------



Non-Residential Special Use Permit

Planning Department
420 McKinney Pkwy
P.O. Box 65, Lillington, NC 27546
Phone: (910) 893-7525 Opt. 2 Fax: (910) 893-2793

Total Fee: \$250.00
Receipt: _____
Date Submitted: 4-1-25
Meeting Date: 5-12-25
Case #: BOA2503-0004

Applicant Information

Owner of Record:

Name: Duke Energy Progress LLC
Address: 526 S Church St
City/State/Zip: Charlotte / NC / 28202
E-mail: Adam.Jackson3@duke-energy.com
Phone: (984) 444-5262

Applicant:

Name: Tower Engineering Professionals
Address: 326 Tryon Rd
City/State/Zip: Raleigh, NC 27603
E-mail: rjwoods@tepgroup.net
Phone: (919) 943-0397

Property Description

PIN(s): 1527-91-9952.000 Acreage: 34.74 acres
Address/SR No.: 1269 Jonesboro Rd, Dunn, NC 28334
Directions from Lillington: Take preferred route to US-421 S. Continue for approximately 14 miles then turn left onto S Clinton Ave. Continue on N Clinton Ave then straight onto Carolina Dri. Continue straight onto Jonesboro Rd, site will be on the left is approximately 1.3 miles.

Deed Book: 4145 Page: 0654

Plat Book: N/a Page: N/a

Zoning District: RA-20M

Township: Averasboro

Flood Plain & Panel: 'X' - Panel # 3720153700L

Watershed Dist: N/A

Water: ☐ Public (Harnett County)
☐ Private (Well)

Sewer: ☐ Public (Harnett County)
☐ Private (Septic Tank)

Requested Use:

Special Use for Monopole Installation

Required Information:

- Is an Erosion and Sedimentation Control Plan required? ☒ No ☐ Yes
If yes, is one on file? ☐ No ☐ Yes (Please attach a copy to your application)
- It is recommended that all non-residential developments have preliminary discussions with NC DOT concerning driveways and other traffic issues for each project. Has this been done? ☒ No ☐ Yes
Date of Meeting: _____ NCDOT Contact: _____
- Is a Driveway Permit required? ☒ No ☐ Yes
If yes, is one on file? ☐ No ☐ Yes (Please attach a copy to your application)
- Have you contacted applicable local, state, and federal agencies regarding building, fire, and other possible code compliance issues? ☒ No ☐ Yes

SKETCH PLAN REQUIRED: Provide a sketch plan along with application. It is strongly encouraged that sketch plans be prepared by a NC Professional Land Surveyor and that it meet the following (as applicable):

TITLE BLOCK INFORMATION	
Name of Project & Date (Including all Revision Dates)	<input type="checkbox"/>
Applicant/Owner(s) Contact Information (Name, Address, & Phone)	<input type="checkbox"/>
Surveyor/Engineer Contact Information (Name, Address, & Phone)	<input type="checkbox"/>
Parcel ID Number/Tax ID of Tract(s)	<input type="checkbox"/>
Deed Reference of Tract(s)	<input type="checkbox"/>
Zoning Classification of Tract(s)	<input type="checkbox"/>
Location (Including Township, County, & State)	<input type="checkbox"/>
Flood Plain Depicted & Noted (Zone, Map Number, & Effective Date)	<input type="checkbox"/>
Watershed District Noted & Extent of Coverage Depicted	<input type="checkbox"/>
GENERAL REQUIREMENTS	
Map Size 22" x 34" & Scale 1"=100' or Larger	<input type="checkbox"/>
North Point, Graphic Scale, & Vicinity Map	<input type="checkbox"/>
Name(s) & Location(s) of Adjacent Property Owner(s) & Use(s)	<input type="checkbox"/>
Existing Boundaries of Tract(s) Showing Bearings & Distances	<input type="checkbox"/>
Gross Acreage of Development	<input type="checkbox"/>
Name(s) & Right(s)-of-way of Streets & State Road Number(s), Including Notation of Public or Private	<input type="checkbox"/>
Name, Location, Width, & Acreage of Additional Easement(s) & Right(s)-of-way Within or Adjacent to Site	<input type="checkbox"/>
Building Envelope & Required Setbacks	<input type="checkbox"/>
Existing & Proposed Utilities	<input type="checkbox"/>
Signage Location, Easement, Type, & Size	<input type="checkbox"/>
Existing Structure(s) Located on Site	<input type="checkbox"/>
SITE PLAN	
Fire Hydrant(s) & Street Light(s) Noted	<input type="checkbox"/>
Erosion Control Plan Submitted	<input type="checkbox"/>
Hours & Days of Operation	<input type="checkbox"/>
Impervious Surface (% Coverage of Lot)	<input type="checkbox"/>
Hazardous Materials to be Stored on Site	<input type="checkbox"/>
Existing & Proposed Mechanical Areas	<input type="checkbox"/>
Existing & Proposed Trash Containment Areas	<input type="checkbox"/>
Existing & Proposed Utility Areas	<input type="checkbox"/>
Parking Space Typical	<input type="checkbox"/>
Parking Lot Material	<input type="checkbox"/>
All parking areas on site (Based on Type of Business and/or Sq. Ft.)	<input type="checkbox"/>
Existing & Proposed Fencing, Screening, Gate(s) and/or Dock(s)	<input type="checkbox"/>
Spillage & Pollution Prevention & Response Methods	<input type="checkbox"/>
BUFFERING REQUIREMENTS	
Buffering Regulations (Per Harnett County Zoning Ordinance)	<input type="checkbox"/>

Signatures

I, as the landowner, hereby CERTIFY that the information contained herein is true to the best of my knowledge; and by accepting this Permit (if approved) shall in every respect conform to the terms of this application and to the provisions of the Statutes and Ordinances regulating development in Harnett County. Any VIOLATION of the terms above stated immediately REVOKES this Permit. I further understand this structure is not to be occupied until a CERTIFICATE OF OCCUPANCY is issued. This Permit expires 24 months (2 years) after the date the Permit is granted by the Harnett County Board of Adjustment.

Kevin L. Lee

Property Owner(s) Signature

April 2, 2025

Date

Written Statement

**** Applicant is required to answer the following questions under oath at the Board of Adjustment Meeting – Please print answers ****

Public Convenience & Welfare

1. Why are you requesting this use? Duke Energy is completing an important electric reliability enhancement project to install a communications tower at the Dunn Operations Center located at 1269 Jonesboro Rd in Dunn, NC. These network upgrades will enhance reliability and provide additional security for Duke Energy assets. These upgrades are an important part of Duke Energy's day-to-day operations and are required to support Duke's SmartGrid, the new generation of energy grid supported by digital technology. The pole must be tall enough to communicate in a direct line of sight to other existing Duke Energy tower structures that connect across the State. Additionally, the communications tower at the Dunn location will be installed at an operations center to provide critical connectivity to the Operations Center & Duke's Core Network, which plays a key role in controlling the grid during daily operations. The tower also enables the use of Duke's Land Mobile Radio system, a tool that Duke Energy's first responders use to help make repairs to its critical infrastructure when restoring service to customers. To securely collect data and control Duke Energy equipment, Duke does not co-locate this device with other carriers or service providers. This Duke Energy enhancement project supports our commitment to providing customers with safe, reliable, affordable, and increasingly clean energy in Harnett County and throughout our service area. This project will also enhance Duke's ability to supply power efficiently and safely throughout the region and improve outage recovery times during storms with new smart technology.
2. How will this use benefit the citizens of Harnett County? This installation will improve reliability and quality of utility services in the surrounding area. See Narrative for further details.

On-site & Surrounding Land Uses

3. How will the use you are requesting affect the surrounding properties, residents and businesses in the area? Describe in detail **why and how** it will or will not affect the surrounding areas? The requested use will not substantially injure the value of adjoining properties and is a public necessity. This pole will be located on Duke's operations center and the monopole design was chosen as the least intrusive and most aesthetic option. Additionally, the pole is setback from the nearest property lines farther than its height, meaning it is not a hazard to nearby properties.

Utilities, Access Roads, Drainage, etc...

4. Describe the driveway (width and surface) that you will be using to enter and exit the property. The existing operations center's access drive will still be sufficient for the pole's addition to the property.
5. Describe the drainage of this property. The existing drainage will not be changed for this pole installation.
6. How is your trash and garbage going to get to the landfill? Any debris of trash generated by this project will be removed from the site by contractors.

Traffic

7. Describe the traffic conditions and sight distances at the State Road that serves the property. This pole will operate autonomously and requires no additional manpower. There will be no increase in traffic in the area due to this pole. For site distances, please see photo simulations provided in the Balloon Test Report.
8. What is the approximate distance between your driveway and the next nearest driveway or intersection? The nearest driveway is approximately 100' from entrance to entrance.

General

9. How many employees will this development employ? N/a
10. What is the estimated investment of the development? \$70,000
11. What experience do you have in the proposed field? Tower Engineering Professionals provide engineering services for companies wishing to build and design tower installations. TEP has designed and permitted similar monopoles for Duke with this exact same scope of work in this, and other jurisdictions.

Conditions

12. State any conditions that you would be willing to consider as part of the approved Special Use Permit. As discussed with County staff, conditions will be requested to accommodate the fact that the proposed monopole will only be used for Duke's internal purposes. As such, no 3rd party co-locates, or opaque fencing is planned due to the pole being located within Duke's Operations Center. If any additional conditions or stipulations are requested by the jurisdiction, Duke will assess them as they arise.

13. Additional comments the Board should consider in reviewing your application: _____
Duke is looking to upgrade their system and network at this location. This will allow for greater reliability and future growth for the Duke's power generation infrastructure and its capabilities. This addition will provide a boon for the surrounding properties and residents.

Action by the Board of Adjustment

The Board of Adjustment shall approve, modify, or deny the Application for Special Use Permit following the Public Hearing. In granting a Special Use Permit, the Board of Adjustment shall make written findings that the applicable regulations of the district in which it is located are fulfilled. With due regard to the nature and state of all adjacent structures and uses, the district within which it is located and official plans for future development, the Board of Adjustment shall also make written findings that the following provisions are fulfilled:

- 3.1 The requested use **is** in harmony with the surrounding area and compatible with the surrounding neighborhood.
- 3.2 The requested use **will not** materially endanger the public health and safety.
- 3.3 The requested use **will not** substantially injure the value of adjoining property, **or**, alternatively, the requested use **is or will be** a public necessity.
- 3.4 The requested use **will** meet all required conditions and specifications.
- 3.5 The requested use **is** in general conformance with the Harnett County Unified Development Ordinance (UDO), Land Use Plan, and other relevant adopted plans.

The Board of Adjustment may impose conditions on special use permits as part of the approval process. Conditions placed on the special use permit must be adhered to as part of the developmental process. Consent to any specified conditions must be received prior to the issuance of any development permits.

Note: There must be three (3) Board of Adjustment members present at the meeting to hear a request for a Special Use Permit. A concurring vote from the simple majority of the Board shall be necessary to grant a Special Use permit.

** I have received and read the above statement:

Ryan Woods
Signature

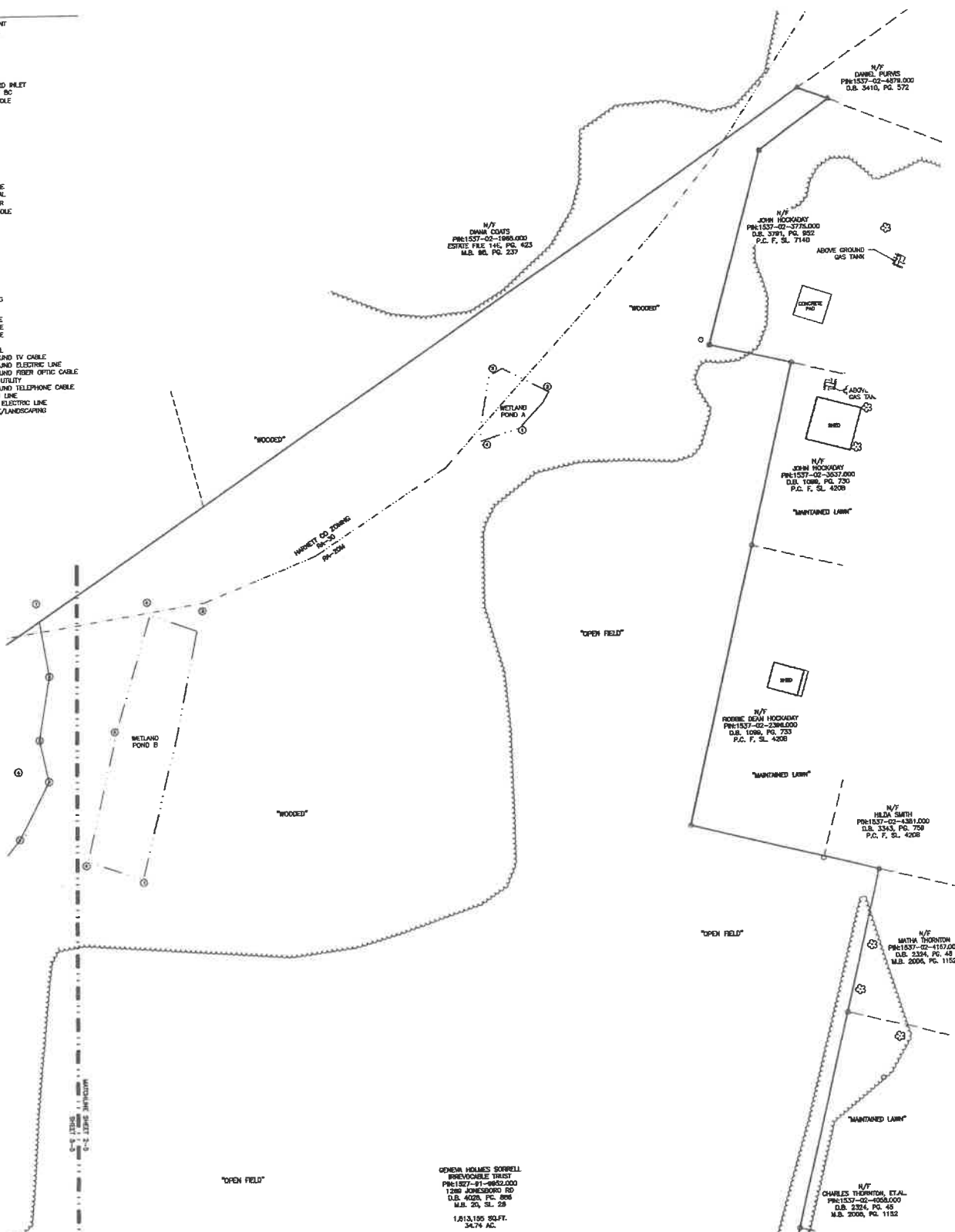
03/18/25
Date



PROPERTY LINE TABLE		
LINE	BEARING	DISTANCE
1	S 69°58'02" E	25.77
2	S 13°55'08" W	25.17

LEGEND

- CONCRETE MONUMENT
- EXISTING IRON PIPE
- IRON PIPE SET
- CALCULATED POINT
- FIRE HYDRANT
- WATER METER
- WATER MANHOLE
- WATER VALVE
- DRAINAGE INLET/POD INLET
- CL. CATCH BASIN AT PO
- STORM DRAIN MANHOLE
- FES
- ELECTRIC BOX
- GUY WIRE
- LIGHT POLE
- UTILITY POLE
- CLEAN OUT
- SEWER MANHOLE
- CABLE TV BOX
- CATV MANHOLE
- TELEPHONE BOX
- TELEPHONE MANHOLE
- TELEPHONE pedestal
- FIBER OPTIC MANHOLE
- FIBER OPTIC MANHOLE
- BOLLARD
- AIR CONDITIONER
- SKIN
- HALLBOX
- WATER WELL
- MAPLE
- PINE
- POPULAR
- WETLAND PLANTS
- P.O.B.
- POINT OF BEGINNING
- GAS LINE
- WATER LINE
- SEWER LINE
- STORM LINE
- FENCE
- GUARD RAIL
- UNDERGROUND TV CABLE
- UNDERGROUND ELECTRIC LINE
- UNDERGROUND FIBER OPTIC CABLE
- UNKNOWN UTILITY
- UNDERGROUND TELEPHONE CABLE
- FORCEMAIN LINE
- OVERHEAD ELECTRIC LINE
- WOOD LINE/LANDSCAPING

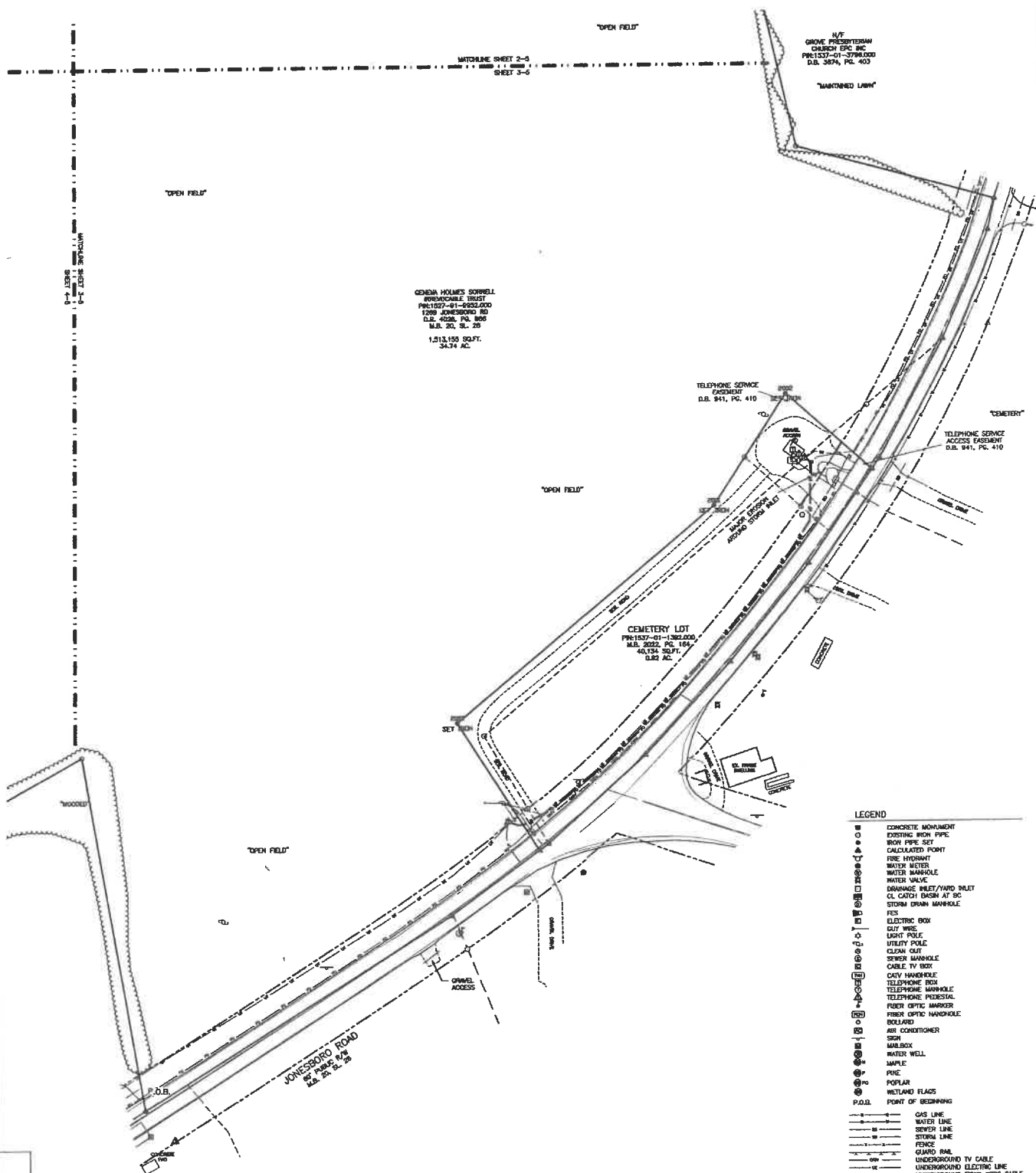


MACADAMAS
1209 JONESBORO
HARRIS
DATE: 2/17/2023

ALYNE
HARNE

GENIE HOLMES SORRELL
PREVOCHABLE TRUST
PRE1527-01-0002.000
1208 JONESBORO RD
D.B. 4028, P.C. 808
M.B. 20, S.L. 58
1/21,195 SQ.FT.
34.74 AC.

N/F
CHARLES THORNTON, ET AL.
PRE1527-02-0008.000
D.B. 3324, P.C. 45
M.B. 2006, P.C. 1152



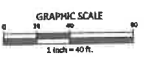
LEGEND

- CONCRETE MONUMENT
- EXISTING IRON PIPE
- IRON PIPE SET
- CALCULATED POINT
- FIRE HYDRANT
- WATER METER
- WATER MANHOLE
- WATER VALVE
- DRAINAGE INLET/YARD INLET
- CL. CATCH BASIN AT 50'
- STORM DRAIN MANHOLE
- FEIS
- ELECTRIC BOX
- UTILITY POLE
- UTILITY POLE
- CLEAN OUT
- SEWER MANHOLE
- CABLE TV BOX
- CATV HANDHOLE
- TELEPHONE BOX
- TELEPHONE MANHOLE
- TELEPHONE PERISTAL
- FIBER OPTIC MANHOLE
- FIBER OPTIC HANDHOLE
- BOLLARD
- AIR CONDITIONER
- SEW
- MAILBOX
- WATER WELL
- MAPLE
- PINE
- POPLAR
- WETLAND FLAG
- P.O.D. POINT OF BEGINNING
- GAS LINE
- WATER LINE
- SEWER LINE
- STORM LINE
- FENCE
- GUARD RAIL
- UNDERGROUND TV CABLE
- UNDERGROUND ELECTRIC LINE
- UNDERGROUND FIBER OPTIC CABLE
- UNKNOWN UTILITY
- UNDERGROUND TELEPHONE CABLE
- FORCE MAIN LINE
- OVERHEAD ELECTRIC LINE
- WOOD LINE/LANDSCAPING

12319 JONESBORO ROAD
HARNE
DATE: 2/17/2022



4/21/2022



LEGEND

- CONCRETE MONUMENT
- EXISTING IRON PIPE
- IRON PIPE SET
- CALCULATED POINT
- FIRE HYDRANT
- WATER METER
- WATER MANHOLE
- WATER VALVE
- DRAINAGE PILE/PIED PILE
- CL. CATCH BASIN AT DC
- STORM DRAIN MANHOLE
- FES
- ELECTRIC BOX
- GUY WIRE
- LIGHT POLE
- UTILITY POLE
- CLEAN OUT
- SEWER MANHOLE
- CABLE TV BOX
- DAY MANHOLE
- TELEPHONE BOX
- TELEPHONE MANHOLE
- TELEPHONE FIBER OPTIC
- FIBER OPTIC MANHOLE
- FIBER OPTIC MANHOLE
- SOILLAND
- AIR CONDITIONER
- SIGN
- MAILBOX
- WATER WELL
- MAPLE
- PINE
- POPLAR
- WETLAND FLAG
- P.O.B. POINT OF BEGINNING
- GAS LINE
- WATER LINE
- SEWER LINE
- STORM LINE
- FENCE
- GUARD RAIL
- UNDERGROUND TV CABLE
- UNDERGROUND ELECTRIC LINE
- UNDERGROUND FIBER OPTIC CABLE
- UNKNOWN UTILITY
- UNDERGROUND TELEPHONE CABLE
- FORCEMAIN LINE
- OVERHEAD ELECTRIC LINE
- WOOD LINE/LANDSCAPING

"OPEN FIELD"

H/T
SMU JOHNSON FARM LLC
PHE1507-85-2283.000
D.S. 3982, PG. 115
M.B. 2020, PG. 170

"WOODST"

H/T
CHARLES WEBB
TESTAMENTARY TRUST
PHE1507-82-3674.000
D.S. 3984, PG. 289

WETLAND WA

WETLAND POND B

"WOODST"

"OPEN FIELD"

GENEVA HOLMES SORRELL
REVOCABLE TRUST
PHE1507-81-4802.000
1228 JONESBORO RD
D.S. 4029, PG. 898
M.B. 20, SL. 28
1,513,155 SQ.FT.
34.74 AC.

WATCHLINE SHEET 3-5
SHEET 4-5

McAdams Engineering & Surveying
1234 JONESBORO RD
JONESBORO, NC 27454
TEL: 703.777.7777
WWW.MCADAMSENG.COM

1234 JONESBORO RD
JONESBORO, NC 27454
TEL: 703.777.7777
WWW.MCADAMSENG.COM

ACT/PA
HARNETT
1234 JONESBORO RD
JONESBORO, NC 27454
TEL: 703.777.7777
WWW.MCADAMSENG.COM

Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2024-ASO-22957-OE

Issued Date: 01/13/2025

Kevin Hursey
Duke Energy Business Services, LLC
9700 David Taylor Dr.
Charlotte, NC 28202

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Antenna Tower Dunn Operations Center
Location:	Dunn, NC
Latitude:	35-19-14.94N NAD 83
Longitude:	78-33-51.43W
Heights:	231 feet site elevation (SE) 124 feet above ground level (AGL) 355 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 M Change 1.

This determination expires on 07/13/2026 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO

SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission (FCC) because the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (816) 329-2525, or natalie.schmalbeck@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2024-ASO-22957-OE.

Signature Control No: 639681619-644050085
Natalie Schmalbeck
Technician

(DNE)

Attachment(s)
Frequency Data
Map(s)

cc: FCC

Frequency Data for ASN 2024-ASO-22957-OE

LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY UNIT	ERP	ERP UNIT
10	11.7	GHz	55	dBW
10	11.7	GHz	42	dBW





411 Fayetteville St
North Carolina Regional
Headquarters
Raleigh, N.C. 27601

Section 11.2.3: Location Alternatives Order Affidavit
Site Name: Dunn Operations Center - Monopole
Proposed Duke Energy Monopole
1269 Jonesboro Road, Dunn, NC 28344

Patrick Bernier first being sworn, deposes and says the following:

1. My name is Patrick Bernier and I am Senior Project Manager at Duke Energy.
2. I am familiar with the application submitted by Tower Engineering Professionals, on behalf of Duke Energy, requesting that Duke Energy be permitted to construct a telecommunications monopole on a parcel located at 1269 Jonesboro Road, Dunn, NC 28344 where a new operations center is being built.
3. The proposed telecommunications monopole will provide the structure, installed securely within the operations center property, to allow installation of wireless infrastructure to support smart technology improvements and to increase reliability and quality of service to customers.
4. Co-locations are not feasible due to the nature of the network Duke Energy is integrating at the site. It needs to tie directly into the operations center and will be part of Duke Energy's secure network.
5. A monopole design was deemed to be the least intrusive and most aesthetic option, as the monopole will not be painted and will be constructed of galvanized steel, typical of antenna supporting structures used for this purpose.
6. Concealed towers are not an option for safety concerns. Faux branches can and are designed to occasionally "shed" from the tower. This would cause safety concerns at an occupied operations center with pedestrians and vehicles passing nearby.
7. Attached antennas are not viable, as there are no existing structures with sufficient height within Duke Energy's operations center to provide line of site to Duke Energy's other antennas.
8. Co-locating on another tower off the operations center parcel will not provide the required location or security for Duke Energy's needs.
9. The proposed monopole and supporting equipment are partially obscured by a covered parking structure and set back over 500' from Jonesboro Road.

[Signature Page to Follow]

This the 12 day of MAR, 2025.

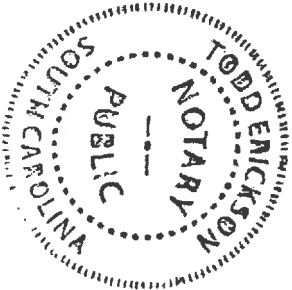
Patrick Bernier

Patrick Bernier, PE (SC#23110 06/30/2026)
Senior Project Manager
Duke Energy (Enterprise)
Tower & Shelter Replacement Effort

Sworn to and subscribed before me
this 12 day of MAR, 2025.

Todd Enickson
Notary Public

My Commission expires: 10/8/2031





Subject: **Site Name: Dunn Operations Center - Monopole**
 Proposed Duke Energy Monopole
 1269 Jonesboro Rd, Dunn, NC 28334

Section 11.2 – Communications Tower Narrative:

Duke Energy is completing an important electric reliability enhancement project to install a communications tower at the Dunn Operations Center located at 1269 Jonesboro Rd in Dunn, NC. These network upgrades will enhance reliability and provide additional security for Duke Energy assets. These upgrades are an important part of Duke Energy's day-to-day operations and are required to support Duke's SmartGrid, the new generation of energy grid supported by digital technology.

The pole must be tall enough to communicate in a direct line of sight to other existing Duke Energy tower structures that connect across the State. Additionally, the communications tower at the Dunn location will be installed at an operations center to provide critical connectivity to the Operations Center & Duke's Core Network, which plays a key role in controlling the grid during daily operations.

The tower also enables the use of Duke's Land Mobile Radio system, a tool that Duke Energy's first responders use to help make repairs to its critical infrastructure when restoring service to customers. To securely collect data and control Duke Energy equipment, Duke does not co-locate this device with other carriers or service providers.

This Duke Energy enhancement project supports our commitment to providing customers with safe, reliable, affordable, and increasingly clean energy in Harnett County and throughout our service area. This project will also enhance Duke's ability to supply power efficiently and safely throughout the region and improve outage recovery times during storms with new smart technology.

Section 11.2 Responses:

- 11.2.2.A – The proposed tower will be of a monopole design.
- 11.2.2.B – In the event the monopole is abandoned, Duke agrees to remove the pole from their facility per the timeline required per the ordinance. If needed, Duke will request an extended time for the pole's removal per the ordinance's guidelines.
- 11.2.2.C – Duke follows all Good Engineering Practices and follows the FCC guidelines for their installations. Duke has FCC Licensing Approval. Their Cambium network is covered by Part 15 – Radio Frequency Devices of the FCC, it is an unlicensed device per the FCC: <https://www.ecfr.gov/current/title-47/chapter-I/subchapter-A/part-15/subpart-C>. Additionally, Duke's proposed equipment will not interfere with any



existing telecommunications equipment by others, especially not with any public safety communications equipment owned or operated by the jurisdiction.

- 11.2.3.A – The proposed monopole construction will adhere to all applicable building code requirements.
- 11.2.3.B – The monopole design was chosen for several reasons. Concealed, co-location, and attached antenna installations were not viable options since a new tower was needed. A monopole design was deemed to be the least intrusive and most aesthetic option. The monopole will not be painted and will be constructed of galvanized steel which conforms aesthetically with the design of the operations center. Concealed towers were not an option for safety concerns. Faux branches can and are designed to occasionally “shed” from the tower. This would cause incredible safety concerns when placed at an active operations center. Co-locations are not feasible due to the nature of the network Duke is integrating at the site, as this will be part of Duke’s secure network. Co-locating on another tower will not provide the correct location or security for Duke’s needs. Finally, attached antennas were not viable. There are no existing structures with sufficient height within Duke’s operations center to provide line-of-sight to Duke’s other antennas.
- 11.2.3.C – This will be a Level III tower installation.
- 11.2.6.A – See attached applications and site plan.
- 11.2.6.B – No other tower can accommodate Duke’s needs. This monopole will interact directly with Duke’s Operations center and tie it into Duke’s private network. For safety and security reasons this must be placed within Duke’s secure, fenced facility. Additionally, to integrate with Duke’s system at the Operation Center it cannot be co-located on another tower.
- 11.2.6.C – Proposed pole will only be 120’ AGL in height. It will not exceed the 199’ and 300’ restrictions listed here.
- 11.2.6.D – The proposed monopole’s shortest setback is well over the height of the pole.
- 11.2.6.E – No cabinets will be installed along with the monopole; it will tie into the Operations Center in an existing telecom room.
- 11.2.6.F – Fencing, Relief is being requested for the opaque fencing ordinances, as a chain link fence is going to be installed as part of the Operation Center’s construction. Duke cannot install fully opaque fencing at this location. Technicians must have visibility into their sites to ensure safe and unobstructed access prior to the crew accessing the facility.
- 11.2.6.G – No commercial signage will be installed on the tower. Any required signs will already be present at the Operations Center. No power lines will be run to the new pole above ground.



- 11.2.6.H – The FAA does not require lighting for poles of this height and as such no lighting will be added.
- 11.2.6.I – The facility will not be used for storage of equipment for the monopole. See associated “Storage Letter” for further details.
- 11.2.6.J
 - Proposed monopole will maintain a galvanized steel finish. Photo simulations of the proposed pole are included in the Balloon Test Report.
 - A balloon test was conducted per the ordinances required by the jurisdiction. A report of the balloon test is attached with our deliverables.
 - No co-locations by 3rd parties will be allowed this pole is located within a secure operations facility and allocation of 3rd party co-locations causes safety and security concerns for Duke.
 - There will be almost no grading for this project. The pole will be directly embedded in the ground with removed sediment being dispersed around the property evenly.
 - A monopole is the proposed tower variant.
- 11.2.8:
 - A. N/a, installation is not a co-location.
 - B.
 1. The communications tower at the Dunn location will be installed at an operations center to provide critical connectivity and will play a key role in controlling the grid during daily operations. The pole will be used to integrate this site into Duke’s internal private network and requires direct means of communication with the Operations Center. No other towers in the area could provide this ability. Existing distribution poles within or around the Operations Center are not viable options, as these poles do not have the required height to meet Duke’s needs. See attached Affidavit of Patrick Bernier.
 2. Duke is installing a wireless network device and utility pole as part of Duke Energy’s communication network to securely transmit data , to support smart technology improvements, and to increase reliability and quality of service to customers.
 3. Duke owns and operates the Operations Center this will be constructed on. The installation is for their own use. See attached Deed.
 4. FCC Licensing Approval - Cambium is covered by Part 15 – Radio Frequency Devices of the FCC, it is an unlicensed device per the FCC:



<https://www.ecfr.gov/current/title-47/chapter-I/subchapter-A/part-15#subpart-C>

5. Sealed Structural Analysis is attached.
 6. This monopole will utilize a MW dish with a point-to-point connection.
 7. This pole will not be painted and will remain a galvanized steel finish which conforms aesthetically with the design of the operations center.
 8. See attached Structural Analysis.
 9. N/a, no parts of this installation will make any unusual sound emissions.
 10. N/a, as listed above; no other tower locations are options due to the direct integration needed at the Operation Center.
 11. N/a
 12. This pole will be utilize a Point-to-Point Microwave antenna system. Please see the PCN report attached with the submission for more details.
 13. Each Cambium Location is at one of Duke Energy's electrical substations with hubs at nearby Duke Energy Operations Facilities. This is one of those Operations Centers which are critical for the system to function.
 14. See provided survey documentation from Duke provided with the submission.
 15. 11x17 copies of the Site Plan and Elevations will be provided. This was approved by Jay Sikes with the jurisdiction.
 16. N/a
 17. Adjacent property info is attached. Additionally, (2) copies of mailing labels for the property are also included in the submission.
 18. See attached photo simulations of the proposed pole.
 19. See documents provided with the Communications Tower Ordinance Application Permit and the Non-Residential Special Use Permit Application.
 20. No pre-application meeting was held due to the scope of the project matching previous sites permitted with the jurisdiction. This has been confirmed by Jay Sikes, a planner with Harnett County. As no co-location would be allowed on the proposed monopole, no notice to other wireless service providers was sent.
 21. The FAA made their Determination of No Hazard per Aeronautical Study No. 2024-ASO-22957-OE. A copy of the letter is attached.
- C. N/a, per the pre-application meeting and communications with County Staff, the proposed monopole is classified as a Level III Tower.
-



If you have any questions, feel free to contact me at my direct number: (919) 943-0397 or correspond at the email address shown below.

Sincerely,
Ryan Woods
rjwoods@tepgroup.net
Tower Engineering Professionals

Harnett County, North Carolina
Communications Tower Review
Application for Permit (Level III) Non-Concealed Tower

CityScape
CONSULTANTS, INC.
2423 S. Orange Avenue, #317
Orlando, FL 32806
Tel: 877.438.2851 Fax: 877.220.4593

May 27, 2025

Mr. Jay Sikes, Manager
Harnett County Planning Services
420 McKinney Parkway
Lillington, NC 27546

Applicant: Tower Engineering Professionals (on behalf of Duke Energy)
Provider: Duke Energy
Site Name: Dunn Operations Center
Site Address: 1269 Jonesboro Road, Dunn, NC 28334
Latitude: N 35° 19' 14.94" **Longitude:** W 78° 33' 51.43"
Proposed Structure: 120' Monopole Tower (124' including lightning rod)

Dear Mr. Sikes,

At your request, on behalf of Harnett County, North Carolina ("the County"), CityScape Consultants ("CityScape"), in its capacity as telecommunications consultant for the County, has reviewed a Special Use Permit application for a new wireless communications facility submitted by Tower Engineering Professionals ("the Applicant") on behalf of Duke Energy ("the Provider").

The Applicant proposes to construct a new one hundred twenty (120) foot *non-concealed monopole* (self-support) tower with a four (4) foot attached lightning rod at the top, making the total height one hundred twenty-four (124) feet above ground, *see Figure 1*. The subject property, 34.74 acres in size, is owned by Duke Energy Progress, LLC (d/b/a Duke Energy) and is located at 1269 Jonesboro Road, about 0.60 mile east-northeast of the Jonesboro Road / Interstate 95 interchange, *see Figure 2*. The property is currently zoned Residential/Agricultural (RA-20M) with the Duke Energy Dunn Operations Center (under construction) as the principal land use on the site.

The proposed tower will be located approximately 550 feet north of the operations center building, situated behind a covered parking area. The tower is considered an accessory land use to the operations center because it will be used solely by Duke Energy to communicate with the Duke Energy tower at the Erwin substation, 5.3 miles west of the proposed tower, via a microwave dish antenna at the top of the tower. The Applicant states that due to safety and security concerns associated with operating an electric utility site, no collocations by third parties can be allowed on the proposed structure. Thus, the tower will not be leased to any personal wireless service providers.

Demonstration of Need for the Facility

Included with the Application is a Communications Tower Narrative, dated March 18, 2025, that contains the following statement: *"Duke Energy is completing an important electrical reliability enhancement project to install a communications tower at the Dunn Operations Center located at 1269 Jonesboro Rd in Dunn, NC. These upgrades will enhance reliability and provide additional security for Duke Energy assets. These upgrades are an important part of Duke Energy's day-to-day operations and are required to support Duke's SmartGrid, the new generation of energy grid supported by digital technology."*

The Narrative goes on to state the following objectives and functions of the proposed tower:

- *“The pole must be tall enough to communicate [via microwave] in a direct line of sight to other existing Duke Energy tower structures that connect across the State. Additionally, the communications tower at the Dunn location will be installed at an operations center to provide critical connectivity to the Operation Center & Duke’s Core Network, which plays a key role in controlling the grid during daily operations.”*
- *“The tower also enables the use of Duke’s Land Mobile Radio system¹, a tool that Duke Energy’s first responders use to help make repairs to its critical infrastructure when restoring service to customers To securely collect data and control Duke Energy equipment, Duke does not co-locate this device with other carriers or service providers.”*
[Emphasis added]
- *“This Duke Energy enhancement project supports our commitment to providing customers with safe, reliable, affordable, and increasingly clean energy in Harnett County and throughout our service area. This project will also enhance Duke’s ability to supply power efficiently and safely throughout the region and improve outage recovery times during storms with new smart technology.”*

Exceptions to County Code

Due to safety and security concerns, the Applicant has requested exceptions to the County’s Unified Development Ordinance, which include the following:

- Section 11.2.6.F to forgo the requirement of using opaque fencing around the tower due to the following: “[t]echnicians must have visibility into their sites to ensure safe and unobstructed access, prior to the crew accessing the facility.”
- Section 11.2.6.J.6 to forgo the requirement to provide for collocations by third parties due to the reason given above in bold type.

With respect to the requirement for investigating collocation as an alternative to building a new tower, the Applicant explains herewith: *“The [mono]pole will be used to integrate this site into Duke’s internal private network and requires direct means of communication with the Operations Center. No other towers in the area could provide this ability. Existing distribution poles within or around the Operations Center are not viable options, as these poles do not have the required height to meet Duke’s needs.”*

CityScape concurs that the proposed tower is intended to support a microwave dish antenna (and Land Mobile Radio equipment to be installed in the future) which must connect Duke Energy’s monitoring systems. Due to operational and security requirements, the Applicant cannot effectively utilize an existing communications tower or a tower located outside of the operation’s center property.

¹ At this time, the Applicant proposes to deploy equipment for only the microwave operation. The Land Mobile Radio System is indicated in the application as a future installation. This future addition is not included in this review and will need County approval by applying for a permit for an equipment upgrade of the facility.

As to the requested exceptions above relating to opaque fencing and providing for co-locations by third parties, CityScape defers to the County to decide if the variances are justified.

Locating Alternatives Order

Pursuant to Section 11.2.3.B.1 of the County Ordinance, the preferred siting alternatives, listed in order from most to least preferred, are as follows:

- a. Concealed attached antenna
- b. Collocated or combined antenna on existing tower
- c. Non-concealed attached antenna
- d. Mitigation of existing tower
- e. Concealed freestanding tower
- f. Non-concealed freestanding tower

According to the Location Alternatives Order Affidavit² provided by the Applicant:

1. The Applicant states that a concealed tower is not an option due to safety concerns. For example, because of the tendency of some monopines to “shed” its faux branches from time to time, the applicant is concerned that falling faux branches may cause injury or damage to Operations Center workers or nearby vehicles and pedestrians. There are wireless tower concealment providers that test their monopine branches in wind tunnels at 115 mph or greater sustained winds; still, a 120-foot monopine, or another type of concealed tower, may look out of place in an industrial setting.
2. Collocation on an existing tower elsewhere is not feasible because the project requires direct connection to the Operations Center, and there are no existing towers on the Duke Energy property. There is an existing tower located 0.17 miles northwest of the proposed Duke Energy tower site.³ It appears to be a personal wireless communications tower but is outside of the Duke Energy property; thus, this site does not meet the Applicant’s secure siting criteria.
3. An attached antenna is not feasible because there are no other structures at the Dunn Communications Center tall enough to provide a microwave line of sight connection.
4. Collocating on an existing tower outside the Duke Energy property will not meet the Applicant’s locational or security needs.

The applicant did state that there are no existing structures on the property with enough height for the microwave link to achieve line-of-sight clearance to the Erwin substation tower, but they did not state that it would not be possible to replace an existing or approved pole on the property, if any exist, with a 120-foot monopole that would be physically or visually less obtrusive to nearby residences than a monopole of the same height at the proposed location. However, upon examining the aerial images, it is clear that no existing towers are located on the property to be mitigated.

For these reasons, the non-concealed freestanding tower seems to be the only reasonable option.

² Signed by Patrick Bernier, PE, Senior Project Engineer for Duke Energy, and dated March 12, 2025.

³ This existing wireless tower can be seen in Photo #1 of the Applicant’s photosimulation document.

Structure Height

Section 11.2.6.C of the County Code establishes a new tower maximum permitted height of 199 feet, with an absolute maximum of 300 feet. The proposed 120' non-concealed monopole (124' with lightning rod) complies with the County's 199' height standards. CityScape finds the proposed tower height to be appropriate.

FAA Requirements

The Applicant filed a 7460-1 form with the FAA (Airspace Case No. 2024-ASO-22957-OE) and received a "no hazard" determination, *see Figure 3*. The FAA determined that marking and lighting the tower are not necessary for aviation safety. Thus, the tower can maintain a galvanized finish as is proposed by the Applicant.

Compliance with FCC Interference Rules

In the Tower Narrative, the Applicant stated that the proposed facility will be operated in compliance with the FCC rules regarding radio frequency interference to other communications services, including County services.

Compliance with FCC RF Exposure Rules

The Applicant submitted a Non-Ionizing EM Radiation (NIER) Study for the proposed tower. The report, dated February 25, 2025, was prepared by Tower Engineering Professionals and was signed and sealed by a North Carolina Professional Engineer. The report concluded that the operation of the microwave antenna, at 118' AGL, will not expose workers of Duke Energy nor the general public to RF emissions that exceed the Maximum Permissible Exposure Levels in accordance with OET Bulletin 65.

Structural Analysis

The Applicant provided a Structural Analysis Report for the proposed tower and tower-mounted equipment. The report, dated May 21, 2025, was prepared by Engineering Tower Solutions and signed and stamped by a North Carolina Professional Engineer. The analysis was conducted using the ANSI/TIA-222-H standard, 2018 North Carolina Building Code (2015 IBC), Risk Category III, and Exposure Category C criteria. The assumptions of equipment to be mounted on the tower include the proposed microwave dish, radio, and antenna interface module, as well as the Land Mobile equipment to be installed in the future.

The structural analysis calculated the maximum tower structural usage as 98.3% of capacity (maximum allowed is 105%), and the foundation structural usage as 101.0% of capacity (maximum allowed is 110%), *see Figure 4*.

The structural analysis report indicates that the Applicant's proposed cables will be bonded to the exterior of the monopole. When asked by CityScape why the lines will not be installed inside the structure as is customary for monopole installations, the Applicant stated the following:

"Regarding the exterior cable mounting, this is necessary because the poles do not have ports. Duke Energy has existing contracts with a pole manufacturer for their standard utility poles. While this site will primarily serve communications purposes,

they opted for a design that aligns more closely with their regularly purchased pole model."

Ground Equipment

As shown on Sheet C-2 of the construction drawings (CDs)⁴, the supporting equipment on the ground will consist of an equipment cabinet to be placed next to the tower. As seen on Sheet C-1 of the CDs, most of the Duke Energy property will be enclosed by a chain link fence. The fence will encompass the proposed tower and ground equipment, *see Figures 5 and 6*.

Setbacks

The County's minimum setback without breakpoint design is 100% of the tower height. As shown on Sheet C-1 of the CDs, *see Figure 6*, the proposed tower setbacks are 538' from the northwest property line, 345' from the east property line, 620' from the southeast property line, and 787' from the south property line. All tower setbacks comply with the applicable County requirements.

Fencing and Landscaping

As previously noted, the Applicant is requesting a waiver from the requirement to install an opaque fence citing the need to maintain an unobstructed view of the site to ensure a safe working environment. For similar reasons, the Applicant may also seek an exception to the landscaping requirements. The Operations Center compound will be enclosed by its own chain link fence, and the ground equipment and tower base will be positioned directly behind the parking area minimizing visibility from Jonesboro Road.

Visual Impact Assessment

The Applicant provided a photo simulation report prepared by Duke Energy that included a map identifying viewpoint locations for the proposed tower, *see Figure 7*.

The report includes photo simulations from three viewpoint locations: Location 1 at 1330 Jonesboro Road, Location 2 at 1081 Jonesboro Road, and Location 3 at 294 Mixon Road. At Location 1, the tower would be fully visible. At Location 2, the view would be partially obstructed by trees. From Location 3, the lower half of the tower would be obscured by tree cover.

The Applicant proposes to leave the tower with a galvanized finish and to run the antenna cables along the exterior of the monopole. While antenna cables are typically routed internally in monopole installations to minimize visibility and reduce wind-loading, the design of the proposed pole does not allow for internal cable routing.

⁴ CDs by Tower Engineering Professionals, Revision 8 dated 5/19//25 for "Construction" signed and stamped by a North Carolina Professional Engineer.

Summary

CityScape finds that, based on the safety and security requirements outlined by the Applicant, collocations on existing structures is not feasible. The proposed tower location is technically appropriate due to the absence of viable alternatives and the critical need for wireless connectivity to the Operations Center in support of grid reliability.

Given these factors, CityScape concludes there is a preponderance of evidence supporting the Applicant's need for a 120' tower to adequately serve Duke Energy's operational requirements and to enhance its wireless service network.

Should the County choose to approve the proposed wireless facility, CityScape recommends the following conditions:

- 1) Prior to permitting, the Applicant shall provide the NEPA and Section 106 review reports; and,
- 2) If a valid complaint of interference to an authorized County or municipal public safety radio facility is found to be associated with the new installation, the Applicant shall comply with all applicable rules regarding radio-frequency interference as mandated by the Federal Communications Commission (FCC), and in accordance with the FCC's Best Practices Guide.

The undersigned certifies that, to the best of our knowledge, all the information included herein is accurate at the time of this report. CityScape is employed only by public entities and has unbiased opinions. All recommendations are based on technical merit without prejudice or bias per prevailing laws and codes.

Respectfully submitted,



B. Benjamin Evans
Senior Project Engineer
CityScape Consultants, Inc.



Susan Rabold
Project Manager
CityScape Consultants, Inc.

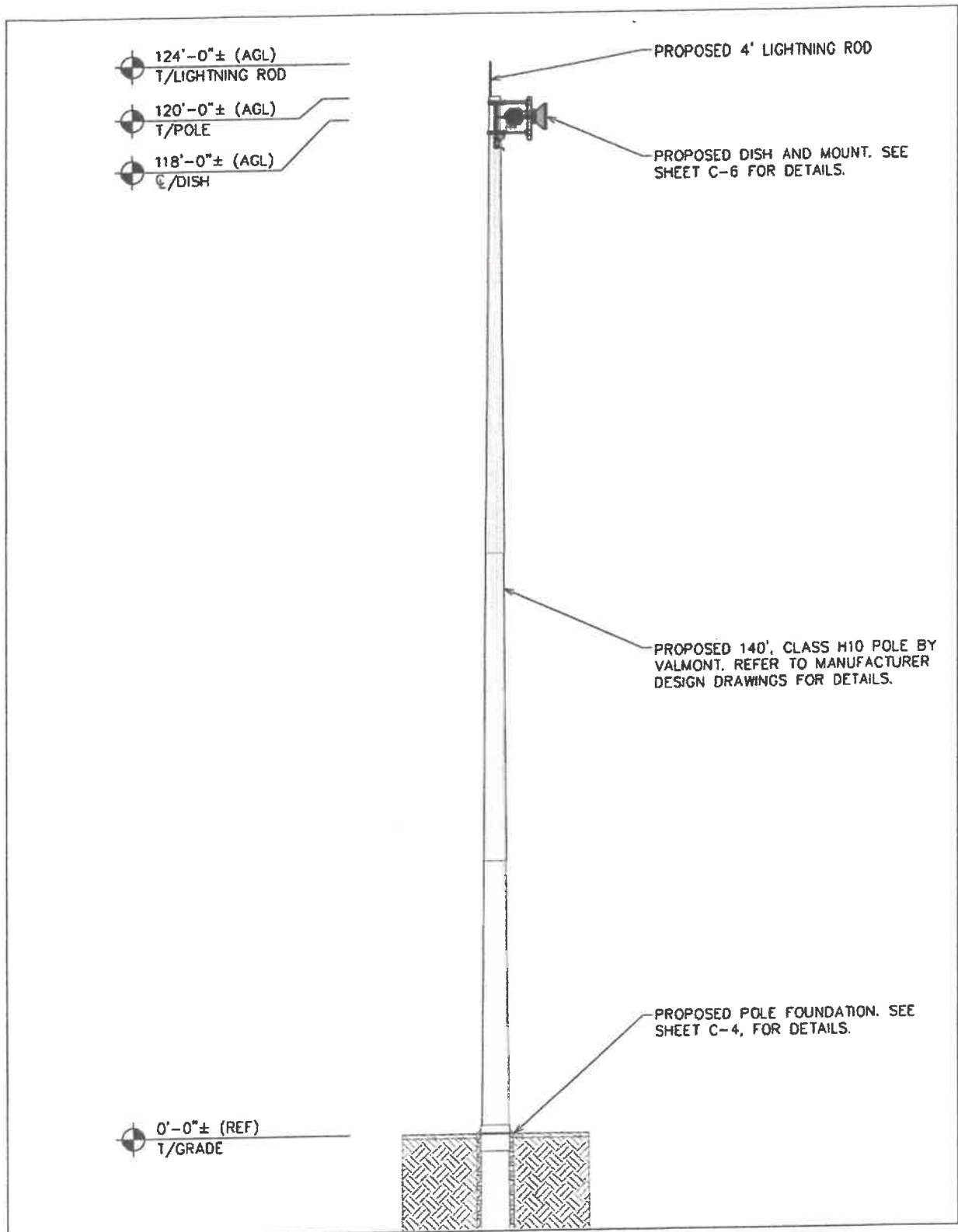


Figure 1. Tower Elevation Sketch

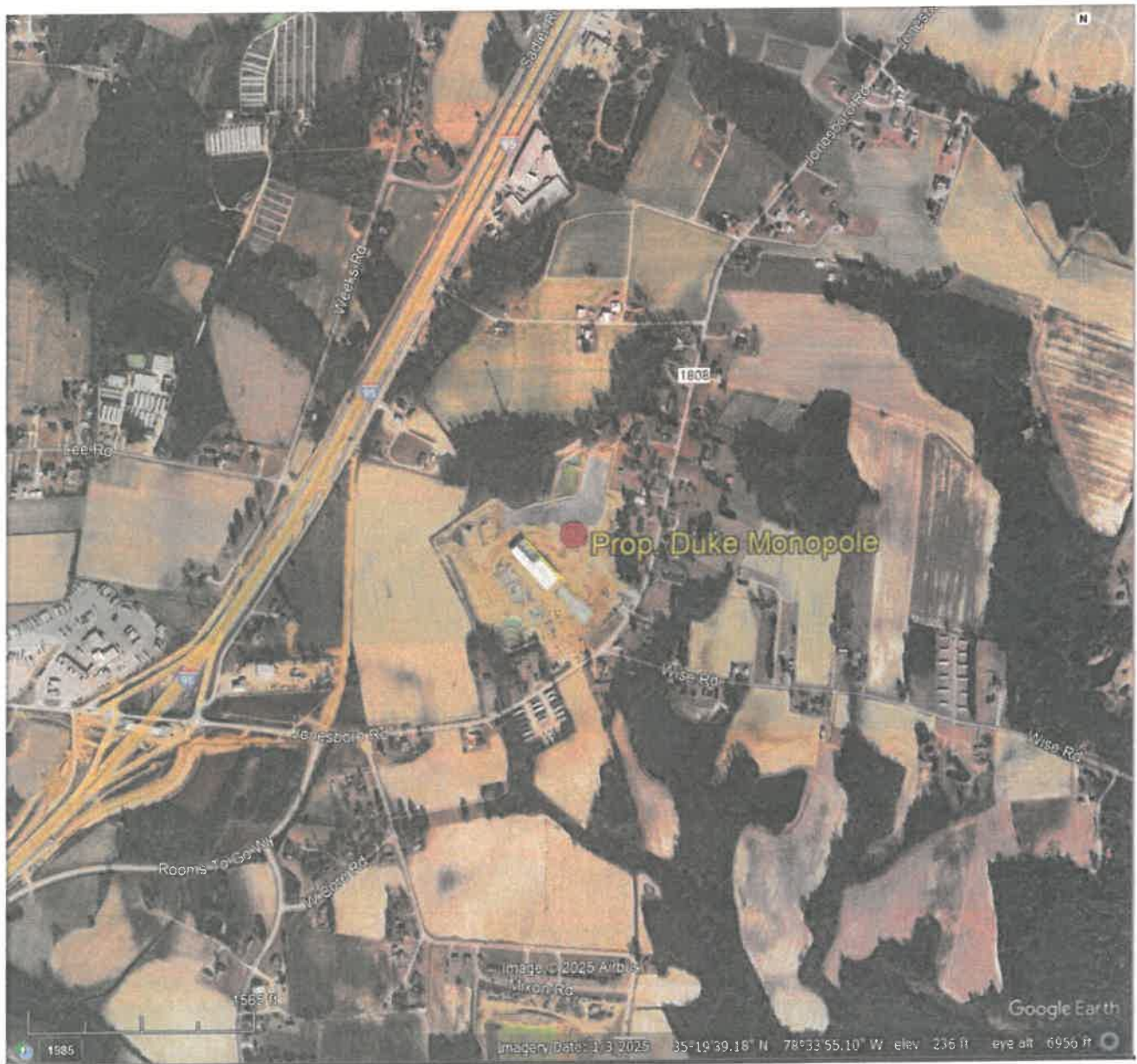


Figure 2. Vicinity Map of Proposed Facility Location

Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2024-ASO-22957-OE

Issued Date: 01/13/2025

Kevin Hursey
Duke Energy Business Services, LLC
9700 David Taylor Dr.
Charlotte, NC 28202

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Antenna Tower Dunn Operations Center
Location:	Dunn, NC
Latitude:	35-19-14.94N NAD 83
Longitude:	78-33-51.43W
Heights:	231 feet site elevation (SE) 124 feet above ground level (AGL) 355 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 M Change 1.

This determination expires on 07/13/2026 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO

Figure 3. FAA Determination of No Hazard



Date: May 21, 2025		 ENGINEERED TOWER SOLUTIONS Engineered Tower Solutions, PLLC 3227 Wellington Court Raleigh, NC 27615 (919) 782-2710
Matthew King Duke Energy 525 South Tyron Street Charlotte, NC 28285 matthew.king@duke-energy.com		
Subject:	Structural Analysis Report	
Duke Energy Designation:	Duke Energy Site Name:	Dunn Operations Center
Engineering Firm Designation:	ETS, PLLC Job Number:	24128783.STR.5114 Rev. 1
Site Data:	1325 Jonesboro Road, Dunn, Harnett County, NC 28334 Latitude 35.320817°, Longitude -78.564286° 140-ft Valmont H10 (Direct Bury 120-ft AGL) – Monopole Tower	
Dear Matthew King.		
Engineered Tower Solutions, PLLC is pleased to submit this "Structural Analysis Report" to determine the structural integrity of the above-mentioned tower.		
The purpose of the analysis is to determine acceptability of the tower stress level. Based on our analysis we have determined the tower stress level for the structure and foundation, under the following load case, to be.		
Final Equipment Configuration:	Tower:	98.3% Sufficient Capacity
	Foundation:	101.0% Sufficient Capacity
This analysis utilizes an ultimate 3-second gust wind speed of 128 mph as required by the 2018 North Carolina Building Code (2015 IBC). Applicable Standard references and design criteria are listed in Section 2 - Analysis Criteria.		
Structural Analysis Report prepared and submitted by:		
J. Scott Hilgoe, PE Structural Engineering Manager NC License # P-1016		
		

Figure 4. Tower Structural Analysis Report

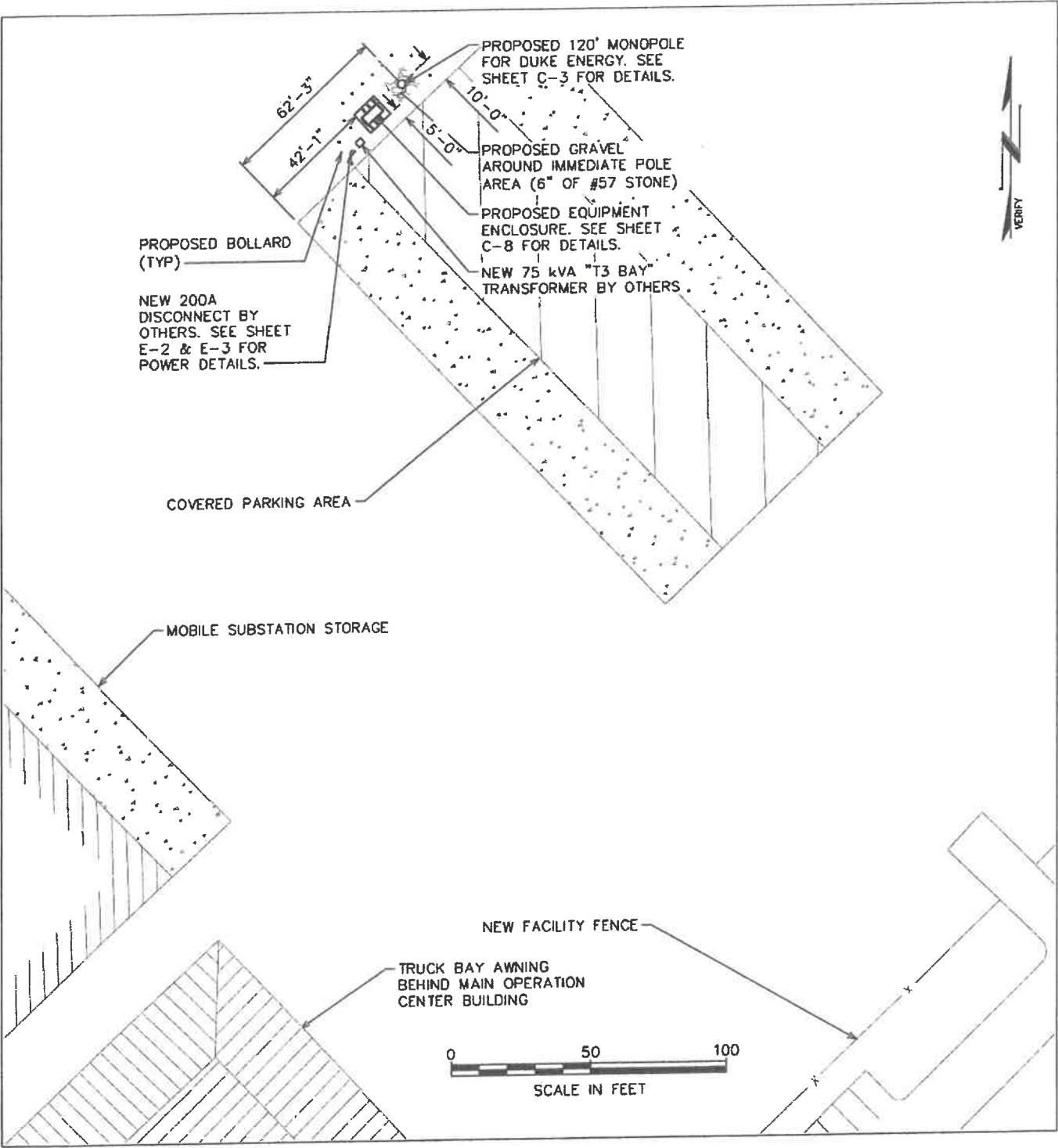


Figure 5. Applicant's Proposed Compound Detail

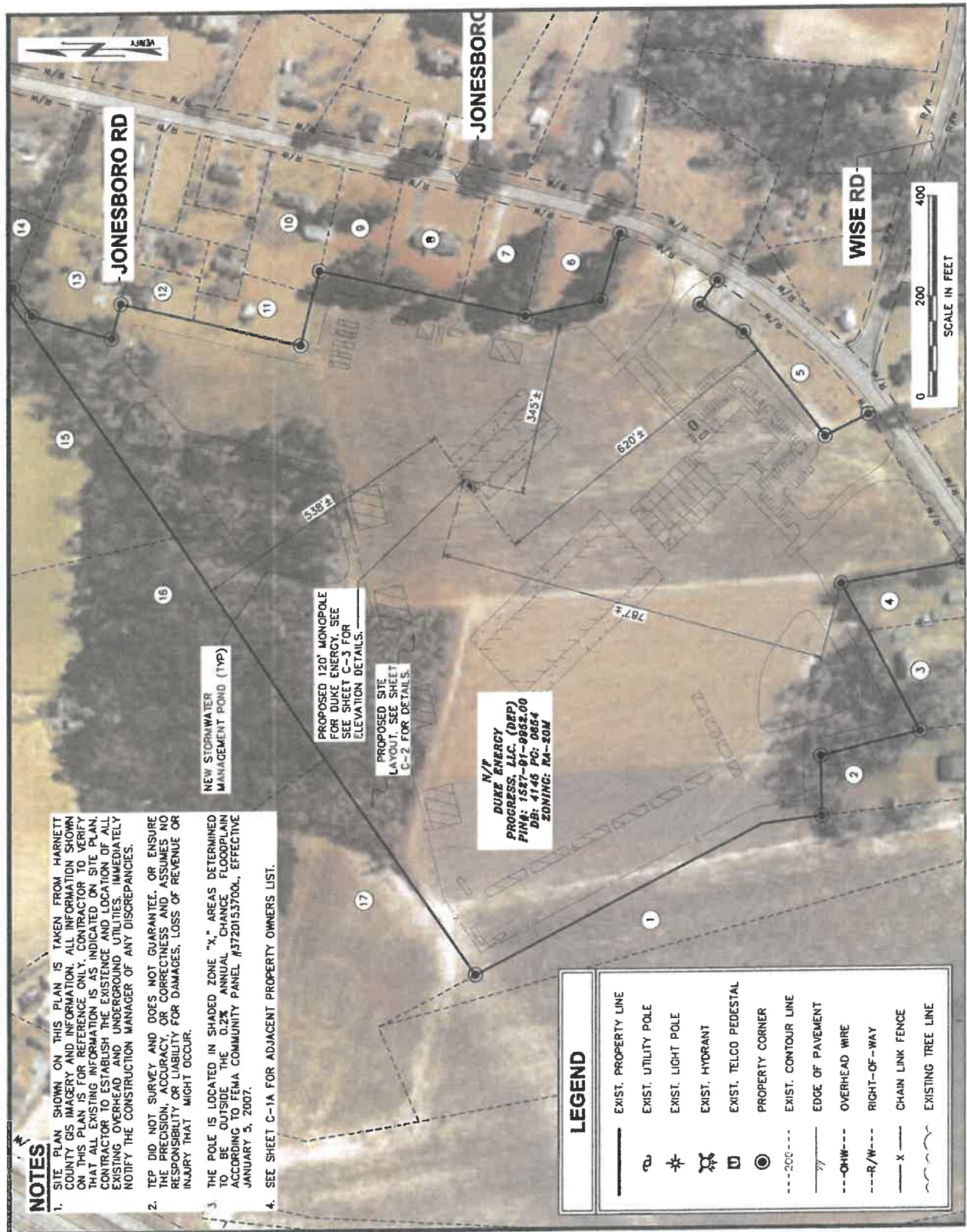


Figure 6. Applicant's Proposed Site Plan

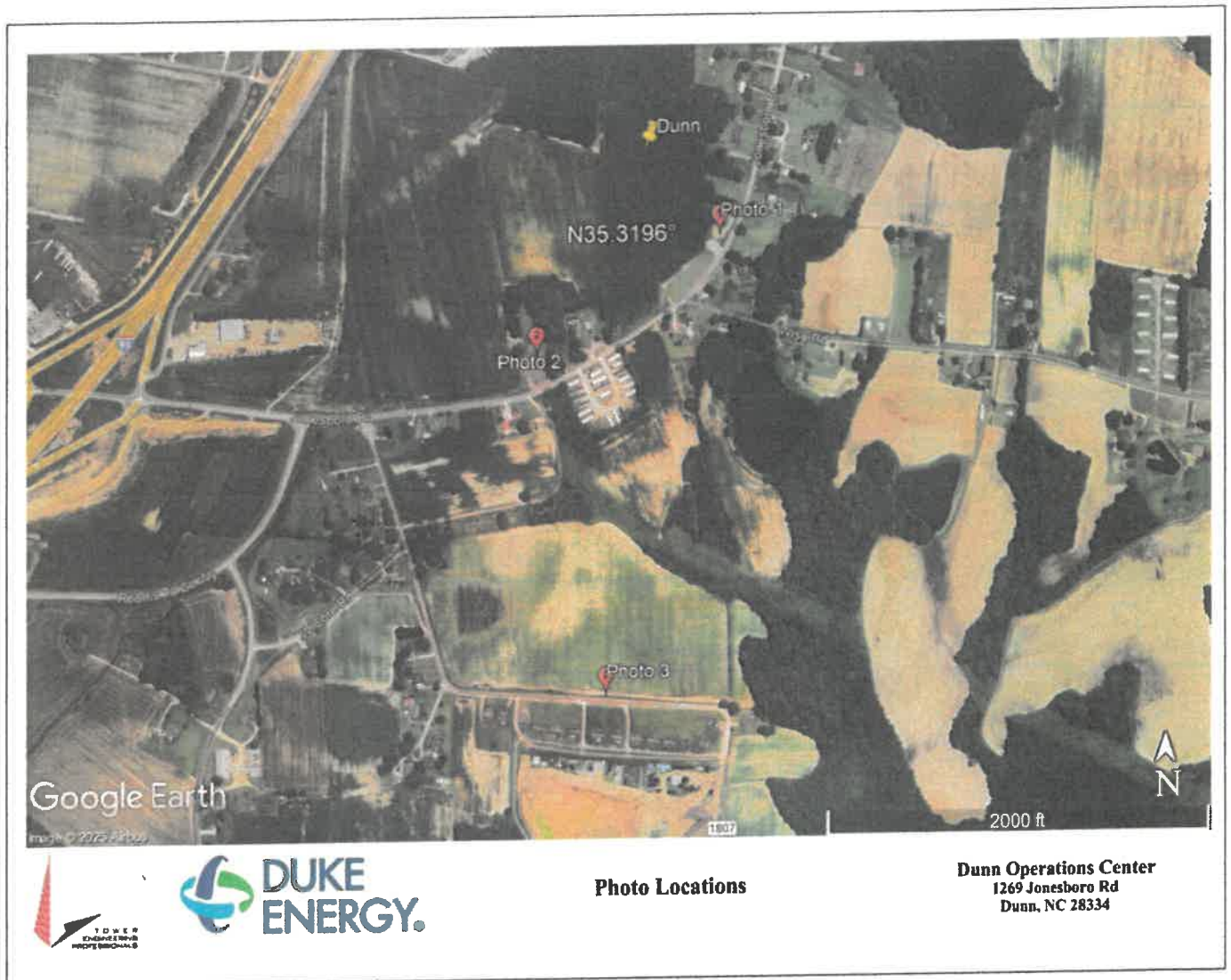


Figure 7. View Locations of Photo Simulations

**HARNETT COUNTY BOARD OF ADJUSTMENT
CONDITIONAL USE PERMIT WORKSHEET**

APPLICANT: Duke Energy Progress, LLC CASE NUMBER: BOA2503-0004
Tower Engineering Professionals

1. The requested use **is / is not** in harmony with the surrounding area and compatible with the surrounding neighborhood for the following reasons:

2. The requested use **will / will not** materially endanger the public health and safety for the following reasons:

3. The requested use **will / will not** substantially injure the value of adjoining property, **or**, alternatively, the requested use **is / is not** or **will / will not** be a public necessity for the following reasons:

4. The requested use **will / will not** meet all required conditions and specifications for the following reasons: _____

5. The requested use **is / is not** in general conformance with the Harnett County Unified Development Ordinance (UDO), Land Use Plan, and other relevant adopted plans for the following reasons: _____

CONDITIONS TO CONSIDER:

1. _____
2. _____
3. _____
4. _____
5. _____

HARNETT COUNTY
BOARD OF ADJUSTMENTS
June 9, 2025

Staff Contact: Emma Harris, Planner I
(910) 893-7525 or eharris@harnett.org

CASE NUMBER: BOA2504-0003
APPLICANT: Justin and Ashley Fyle
OWNER: Justin and Ashley Fyle
LOCATION: 8290 US 401 N, FUQUAY VARINA
ZONING: RA-30
ACREAGE: 1.93
PIN#: 0653-57-7755.000
LAND USE CLASSIFICATION: Employment Mixed Use
WATERSHED DISTRICT: WS-IV

REQUEST: Personal Service Establishment

AERIAL:



Directions from Lillington: Head north on McKinney Pkwy – Turn left onto US-401 N – Arrive at 8290 US-401.

PHYSICAL CHARACTERISTICS

- A. **Site:** The property contains a residential structure, an accessory structure and supplies and equipment for a personal service establishment
- B. **Surrounding Land Uses:** Surrounding land uses consist of institutional (fire department), residential, agricultural and forestry uses.
- C. **Utilities:** Water – Private (Well) Sewer – Private (Septic)

TRANSPORTATION:

- Annual average daily traffic count for US 401 N is 14000.
- Site distances are poor to the north and good to the south due to the topography and curvature of the road.

BACKGROUND:

- The applicant is requesting a Special Use Permit to conduct a Personal Service Establishment related to providing fencing services with accessory storage of trade-associated materials.
- This application is a compliance measure on behalf of the applicant to remedy an existing zoning code violation.
- The applicant has not completed a predevelopment meeting with various representatives associated with the County development process pertaining to the proposed use.
- If the applicant's request for a Special Use permit is approved, the next stage in the developmental process will be a complete and thorough review from the Development Review Board in order to verify all regulatory guidelines and protocols are adhered to. As part of the technical review process, the applicant may be required to improve the property or obtain additional permits to meet the developmental requirements listed within the Harnett County Unified Development Ordinance. Improvements can include, but are not limited to, an improved parking area, installation of buffering surrounding the site, and an approved NCDOT driveway permit. Other departments involved in the development review process include Harnett Regional Water, Environmental Health, Fire Marshal, E911/Addressing, and Building and Inspections.
- This site is located within the NC Watershed protected area of the County. If the development proposed within this area is calculated to be above the allowed the 24% built upon area, the applicant would be required to apply for a SNIA from the Watershed Board. The applicant has been advised of this requirement.

UNIFIED DEVELOPMENT ORDINANCE REGULATIONS

ARTICLE V. USE REGULATIONS

1.2 Table of Use Types & Regulations

	IND	LI	COMM	O&I	CONS	RA-40	RA-30	RA-20R	RA-20M	PARKING	USE GROUP LEVEL	BUILDIN G CODE CLASS
COMMERCIAL USES												
Personal Service Establishment	P	P	P			S	S	S	S	1 per 300 sq. ft.		B

ARTICLE XIV. DEFINITIONS & CERTIFICATIONS

Section 2.0 General Definitions & Acronyms

Personal Service Establishment: A facility primarily engaged in providing services involving the care of a person or personal goods or apparel, including but not limited to a laundry mat, beautician, plumber, carpenter, electrician, or other trade establishment.

HARNETT COUNTY COMPREHENSIVE GROWTH PLAN

FUTURE LAND USE PLAN

The Harnett community envisions a future where the county will continue to grow and prosper in a way that promotes a high quality of life, capitalizes on and protects the assets that make Harnett County unique, and ensures that all Harnett residents have access to a variety of housing, transportation, recreation and employment options.

FUTURE LAND USE CATEGORY/ EMPLOYMENT MIXED USE

Employment Mixed Use: These areas are located along major thoroughfares and include prime locations for economic development opportunities. Uses encouraged in the Employment Mixed Use areas include but are not limited to industrial, warehouse, office, research and development, tech-flex, medical, energy and distribution. Residential development is appropriate only when not in conflict with existing or future industry or commercial uses.

LAND USE GOALS & STRATEGIES

LU-2: Encourage growth where infrastructure exists.

LU-3: Promote quality commercial and retail development at well-located sites in order to help reverse retail leakage trends

SITE PHOTOS

Site/8290 US 401 N



Site



Site



Street View



Adjacent Properties



Across Street

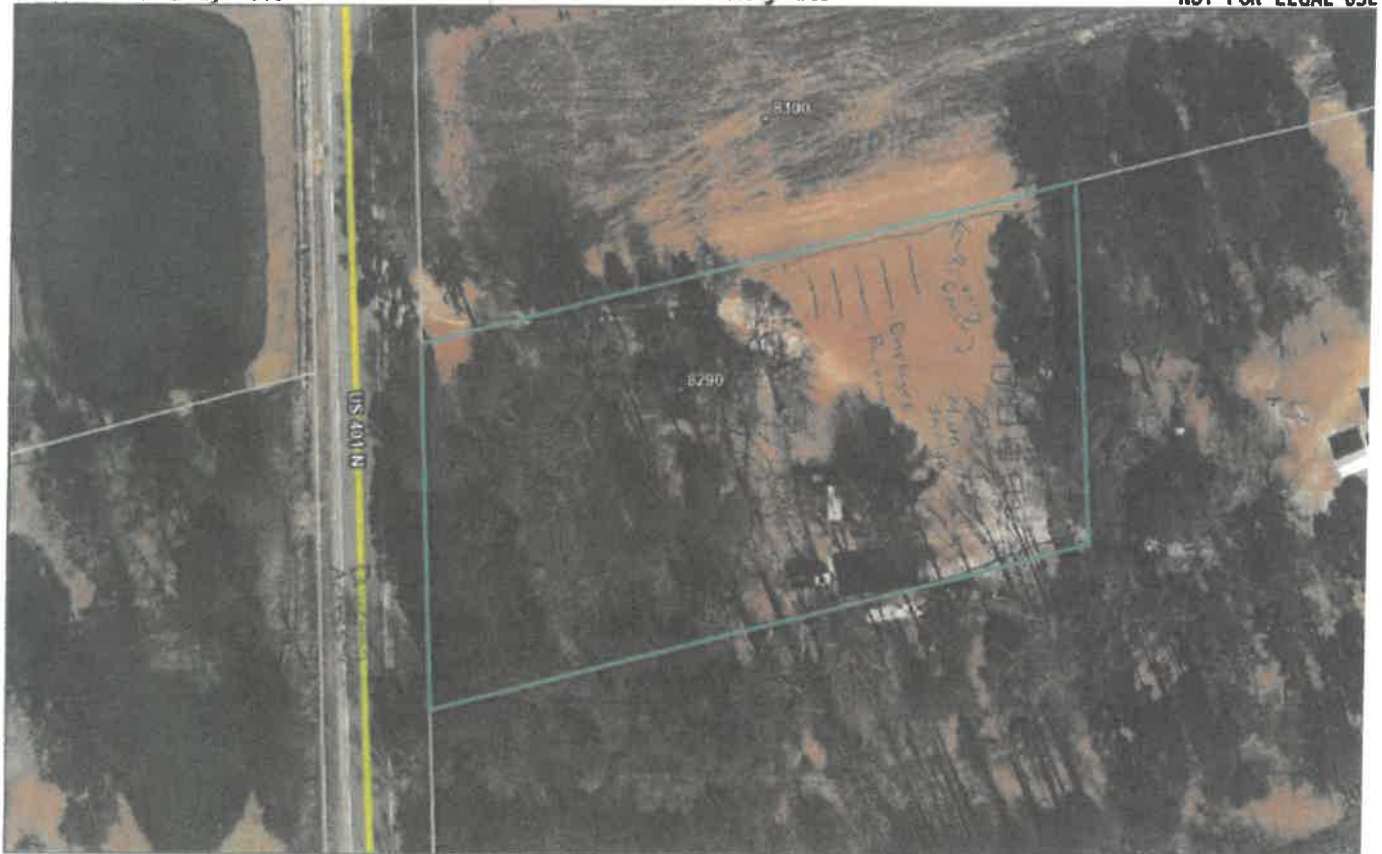


SITE PLAN






Harnett County GIS

Harnett County GIS **NOT FOR LEGAL USE**

NOT FOR LEGAL USE



Harnett.org/GIS
April 14, 2025

-  County Boundary
-  Address Numbers
-  Road Centerlines
-  US
-  Parcels





Non-Residential Special Use Permit

Planning Department
420 McKinney Parkway
P.O. Box 65, Lillington, NC 27546
Phone: (910) 893-7525 Fax: (910) 893-2793

Total Fee: 1250
Receipt: _____
Date Submitted: 4-14-25
Meeting Date: 6-9-25
Case #: BOA 2504-0003

Applicant Information

Owner of Record:

Name: Justin and Ashley Fyle
Address: 8290 US 401 Hwy
City/State/Zip: Fuquay-Varina, NC 27526
E-mail: justin.fyle@trfencing.11c
Phone: 919-923-1650

Applicant:

Name: Justin and Ashley Fyle
Address: 8290 US 401 Hwy
City/State/Zip: Fuquay-Varina, NC 27526
E-mail: justin.fyle@trfencing.11c
Phone: 919-923-1650

Property Description

PIN(s): 0653-57-7755-000 Acreage: 1.93 acres
Address/SR No.: 8290 US 401 Hwy N Fuquay-Varina, NC 27526
Directions from Lillington: North on 401 right next to fire station

Deed Book: 04210 Page: 2137
Zoning District: RA-30
Flood Plain & Panel: N/A 2B
Water: ☐ Public (Harnett County)
☒ Private (Well)

Plat Book: 2021 Page: 123
Township: Hectors Creek
Watershed Dist: IV

Sewer: ☐ Public (Harnett County)
☒ Private (Septic Tank)

Requested Use:

Special Use for Small Business material storage, employee parking

Required Information:

1. Is an Erosion and Sedimentation Control Plan required? ☒ No ☐ Yes
If yes, is one on file? ☐ No ☐ Yes (Please attach a copy to your application)
2. It is recommended that all non-residential developments have preliminary discussions with NC DOT concerning driveways and other traffic issues for each project. Has this been done? ☒ No ☐ Yes
Date of Meeting: _____ NCDOT Contact: _____
3. Is a Driveway Permit required? ☒ No ☐ Yes
If yes, is one on file? ☐ No ☐ Yes (Please attach a copy to your application)
4. Have you contacted applicable local, state, and federal agencies regarding building, fire, and other possible code compliance issues? ☒ No ☐ Yes

SKETCH PLAN REQUIRED: Provide a sketch plan along with application. It is strongly encouraged that sketch plans be prepared by a NC Professional Land Surveyor and that it meet the following (as applicable):

TITLE BLOCK INFORMATION	
Name of Project & Date (Including all Revision Dates)	<input type="checkbox"/>
Applicant/Owner(s) Contact Information (Name, Address, & Phone)	<input type="checkbox"/>
Surveyor/Engineer Contact Information (Name, Address, & Phone)	<input type="checkbox"/>
Parcel ID Number/Tax ID of Tract(s)	<input type="checkbox"/>
Deed Reference of Tract(s)	<input type="checkbox"/>
Zoning Classification of Tract(s)	<input type="checkbox"/>
Location (Including Township, County, & State)	<input type="checkbox"/>
Flood Plain Depicted & Noted (Zone, Map Number, & Effective Date)	<input type="checkbox"/>
Watershed District Noted & Extent of Coverage Depicted	<input type="checkbox"/>
GENERAL REQUIREMENTS	
Map Size 22" x 34" & Scale 1"=100' or Larger	<input type="checkbox"/>
North Point, Graphic Scale, & Vicinity Map	<input type="checkbox"/>
Name(s) & Location(s) of Adjacent Property Owner(s) & Use(s)	<input type="checkbox"/>
Existing Boundaries of Tract(s) Showing Bearings & Distances	<input type="checkbox"/>
Gross Acreage of Development	<input type="checkbox"/>
Name(s) & Right(s)-of-way of Streets & State Road Number(s), Including Notation of Public or Private	<input type="checkbox"/>
Name, Location, Width, & Acreage of Additional Easement(s) & Right(s)-of-way Within or Adjacent to Site	<input type="checkbox"/>
Building Envelope & Required Setbacks	<input type="checkbox"/>
Existing & Proposed Utilities	<input type="checkbox"/>
Signage Location, Easement, Type, & Size	<input type="checkbox"/>
Existing Structure(s) Located on Site	<input type="checkbox"/>
SITE PLAN	
Fire Hydrant(s) & Street Light(s) Noted	<input type="checkbox"/>
Erosion Control Plan Submitted	<input type="checkbox"/>
Hours & Days of Operation	<input type="checkbox"/>
Impervious Surface (% Coverage of Lot)	<input type="checkbox"/>
Hazardous Materials to be Stored on Site	<input type="checkbox"/>
Existing & Proposed Mechanical Areas	<input type="checkbox"/>
Existing & Proposed Trash Containment Areas	<input type="checkbox"/>
Existing & Proposed Utility Areas	<input type="checkbox"/>
Parking Space Typical	<input type="checkbox"/>
Parking Lot Material	<input type="checkbox"/>
All parking areas on site (Based on Type of Business and/or Sq. Ft.)	<input type="checkbox"/>
Existing & Proposed Fencing, Screening, Gate(s) and/or Dock(s)	<input type="checkbox"/>
Spillage & Pollution Prevention & Response Methods	<input type="checkbox"/>
BUFFERING REQUIREMENTS	
Buffering Regulations (Per Harnett County Zoning Ordinance)	<input type="checkbox"/>

Signatures

I, as the landowner, hereby CERTIFY that the information contained herein is true to the best of my knowledge; and by accepting this Permit (if approved) shall in every respect conform to the terms of this application and to the provisions of the Statutes and Ordinances regulating development in Harnett County. Any VIOLATION of the terms above stated immediately REVOKES this Permit. I further understand this structure is not to be occupied until a CERTIFICATE OF OCCUPANCY is issued. This Permit expires 24 months (2 years) after the date the Permit is granted by the Harnett County Board of Adjustment.

Property Owner(s) Signature

4-14-25

Date

NON-RESIDENTIAL SPECIAL USE PERMIT APPLICATION

Written Statement

** Applicant is required to answer the following questions under oath at the Board of Adjustment Meeting - Please print answers **

Public Convenience & Welfare

1. Why are you requesting this use? I own a local fencing company, we store materials on site and employees park vehicles on site.
2. Why is this use essential or desirable to you? I own the property and want to use for these purposes
3. Why is this use essential or desirable to the citizens of Harnett County? We serve the citizen by providing residential and commercial fencing services

On-site & Surrounding Land Uses

4. What is on the property now? A Residence, barn, and small amount of fencing materials
5. What uses are on the surrounding properties in the general vicinity? To the immediate left a fire station. To the right a vacant residence for sale.
6. How will the use you are requesting affect the surrounding properties, residents and businesses in the area? Describe in detail **why and how** it will or will not affect the surrounding area. We keep our property clean and neat, a fence has been constructed to not disturb neighboring residential properties.

Utilities, Access Roads, Drainage, etc...

7. Please select one: ☐ Public (County) Water ☒ Private Well
☐ Public (County) Sewer ☐ Private Septic Tank
8. Describe the driveway (width and surface) that you will be using to enter and exit the property. We have a private gravel driveway we use that comes off 401.
9. Describe the drainage of this property. Slight down grade with a small creek.
10. How is your trash and garbage going to get to the landfill? We utilize dumpsters that are picked up.

Traffic

11. Describe the traffic conditions and sight distances at the State Road that serves the property. US 401 is visible and overviews the property with a nice view from the road.
12. What is the approximate distance between your driveway and the next nearest driveway or intersection? 25 feet

Conditions

13. State any conditions that you would be willing to consider as part of the approved Special Use Permit. Just wish to operate for daily vehicle parking in organized fashion, and light material storage.
14. Additional Comments the Board should consider in reviewing your application: Property was purchased and is neatly maintained for this purpose. Our company serves many citizens of Harnett and will continue to do so.

Action by the Board of Adjustment

The Board of Adjustment shall approve, modify, or deny the Application for Special Use Permit following the Public Hearing. In granting a Special Use Permit, the Board of Adjustment shall make written findings that the applicable regulations of the district in which it is located are fulfilled. With due regard to the nature and state of all adjacent structures and uses, the district within which it is located and official plans for future development, the Board of Adjustment shall also make written findings that the following provisions are fulfilled:

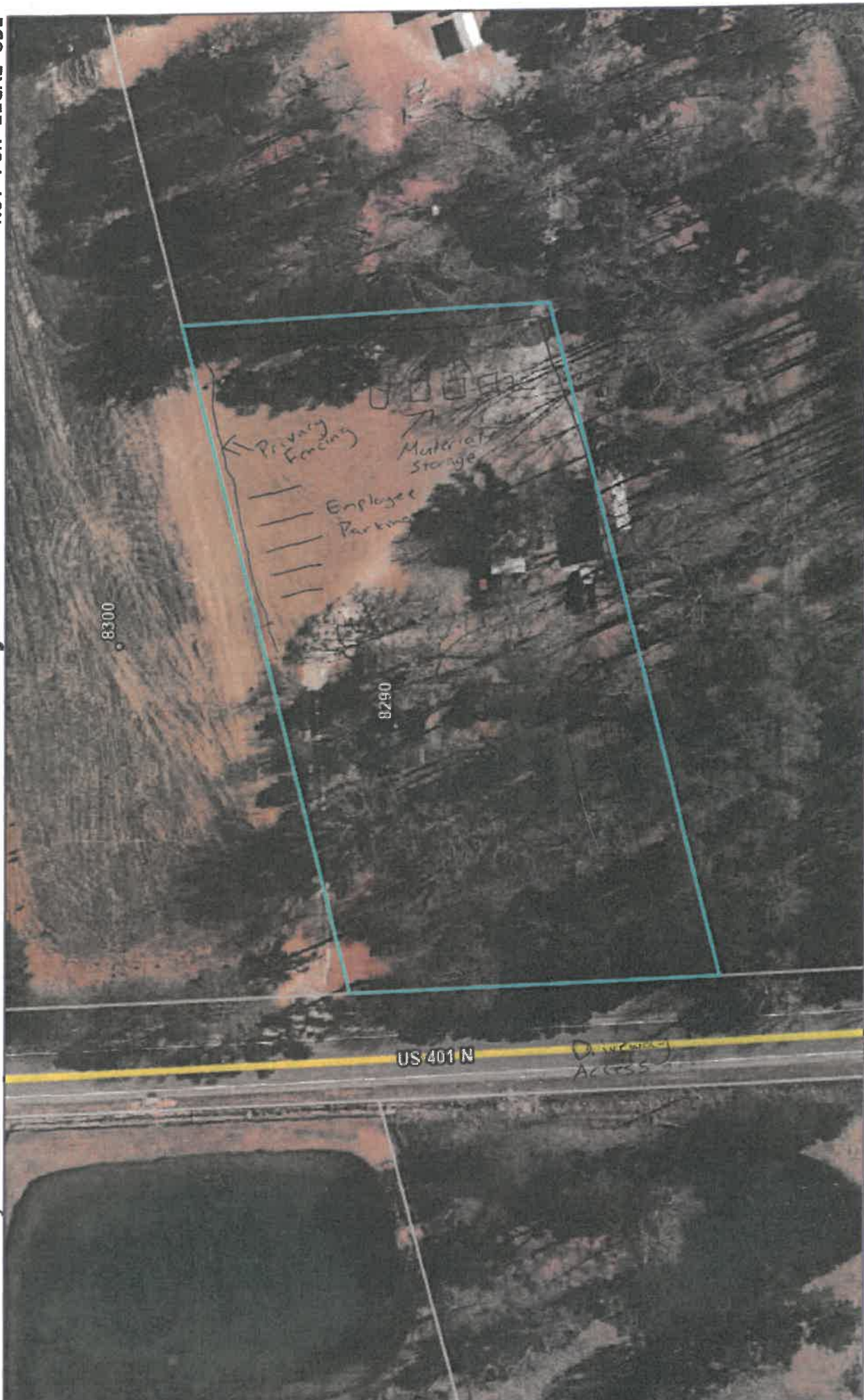
- 3.1 The requested use **is** in harmony with the surrounding area and compatible with the surrounding neighborhood.
- 3.2 The requested use **will not** materially endanger the public health and safety.
- 3.3 The requested use **will not** substantially injure the value of adjoining property, **or**, alternatively, the requested use **is** or **will be** a public necessity.
- 3.4 The requested use **will** meet all required conditions and specifications.
- 3.5 The requested use **is** in general conformance with the Harnett County Unified Development Ordinance (UDO), Land Use Plan, and other relevant adopted plans.

The Board of Adjustment may impose conditions on special use permits as part of the approval process. Conditions placed on the special use permit must be adhered to as part of the developmental process. Consent to any specified conditions must be received prior to the issuance of any development permits.

Note: There must be three (3) Board of Adjustment members present at the meeting to hear a request for a Special Use Permit. A concurring vote from the simple majority of the Board shall be necessary to grant a Special Use permit.

** I have received and read the above statement:

 Signature 2/14/08
Date



- County Boundary
- Address Numbers
- Road Centerlines
- US
- Parralels

**HARNETT COUNTY BOARD OF ADJUSTMENT
CONDITIONAL USE PERMIT WORKSHEET**

APPLICANT: Justin & Ashley Fyle

CASE NUMBER: BOA2504-0003

1. The requested use **is / is not** in harmony with the surrounding area and compatible with the surrounding neighborhood for the following reasons:

2. The requested use **will / will not** materially endanger the public health and safety for the following reasons:

3. The requested use **will / will not** substantially injure the value of adjoining property, **or**, alternatively, the requested use **is / is not** or **will / will not** be a public necessity for the following reasons:

4. The requested use **will / will not** meet all required conditions and specifications for the following reasons: _____

5. The requested use **is / is not** in general conformance with the Harnett County Unified Development Ordinance (UDO), Land Use Plan, and other relevant adopted plans for the following reasons: _____

CONDITIONS TO CONSIDER:

1. _____
2. _____
3. _____
4. _____
5. _____

HARNETT COUNTY
BOARD OF ADJUSTMENTS
June 9, 2025

Staff Contact: Emma Harris, Planner I
(910) 893-7525 or eharris@harnett.org

CASE NUMBER: BOA2504-0004
APPLICANT: Chad Goodnight
OWNER: CCC Properties of NC Inc
LOCATION: 136 ARCTIC WAY FUQUAY VARINA
ZONING: IND
ACREAGE: 1.00
PIN#: 0654-56-0069.000
LAND USE CLASSIFICATION: Employment Mixed Use
WATERSHED DISTRICT: WS-IV and HQW

REQUEST: Vehicle Sales

AERIAL:



Directions from Lillington: Head north on McKinney Pkwy – Turn left onto US-401 N – Turn Left onto Artic Way – Arrive at 136 Artic Way.

PHYSICAL CHARACTERISTICS

- A. **Site:** The property contains a metal building as well as vegetation and forestry products.
- B. **Surrounding Land Uses:** Surrounding land uses consist of residential, commercial, industrial, institutional and agricultural and forestry uses.
- C. **Utilities:** **Water** – Public **Sewer** – Private (Septic)

TRANSPORTATION:

- Annual average daily traffic count for US 401 N is 14000.
- Site distances are good.

BACKGROUND:

- The applicant has not completed a predevelopment meeting with various representatives associated with the County development process pertaining to the proposed use.
- If the applicant's request for a Special Use permit is approved, the next stage in the developmental process will be a complete and thorough review from the Development Review Board in order to verify all regulatory guidelines and protocols are adhered to.
- This project will be required to obtain all required permits, site plan approvals and inspections prior to final approval and the issuance of a certificate of occupancy.
- Due to the property being located within the High-Quality Watershed, state agencies will be included in the review and permitting process of the development.

UNIFIED DEVELOPMENT ORDINANCE REGULATIONS

ARTICLE V. USE REGULATIONS

1.2 Table of Use Types & Regulations

	IND	LI	COMM	O&I	CONS	RA-40	RA-30	RA-20R	RA-20M	PARKING	USE GROUP LEVEL	BUILDIN G CODE CLASS
COMMERCIAL USES												
Vehicle Sales, Leasing, & Rental	S*	S*	P*			S*	S*	S*	S*	1 per 2 employees (largest shift) OR 1 per 500 sq. ft.	3	B

ARTICLE V. USE REGULATIONS

Section 7.7.4 Vehicle Sales, Leasing, & Rental

- In no case shall the display area be located within public or private right(s)-of-way or in required landscaping or buffer yards.
- A permanent sales office shall be located on the site of the sales lot.
- No vehicle shall be parked or stored as a source of parts.
- Vehicle sales, leasing or rental activities are prohibited within approved residential subdivisions

ARTICLE XIV. DEFINITIONS & CERTIFICATIONS

Section 2.0 General Definitions & Acronyms

Vehicle Sales: Sales of automobiles, recreational vehicles, boats, farm equipment, and other similar products, typically in an open area, used for the display, sale, or rental of new or used vehicles in operable condition where no repair work is done. Small equipment shall not be considered a vehicle herein.

HARNETT COUNTY COMPREHENSIVE GROWTH PLAN

FUTURE LAND USE PLAN

The Harnett community envisions a future where the county will continue to grow and prosper in a way that promotes a high quality of life, capitalizes on and protects the assets that make Harnett County unique, and ensures that all Harnett residents have access to a variety of housing, transportation, recreation and employment options.

FUTURE LAND USE CATEGORY/ EMPLOYMENT MIXED USE

Employment Mixed Use: These areas are located along major thoroughfares and include prime locations for economic development opportunities. Uses encouraged in the Employment Mixed Use areas include but are not limited to industrial, warehouse, office, research and development, tech-flex, medical, energy and distribution. Residential development is appropriate only when not in conflict with existing or future industry or commercial uses.

LAND USE GOALS & STRATEGIES

LU-2: Encourage growth where infrastructure exists.

LU-3: Promote quality commercial and retail development at well-located sites in order to help reverse retail leakage trends

SITE PHOTOS

Site/8290 US 401 N



Site



Adjacent Properties



Adjacent Properties



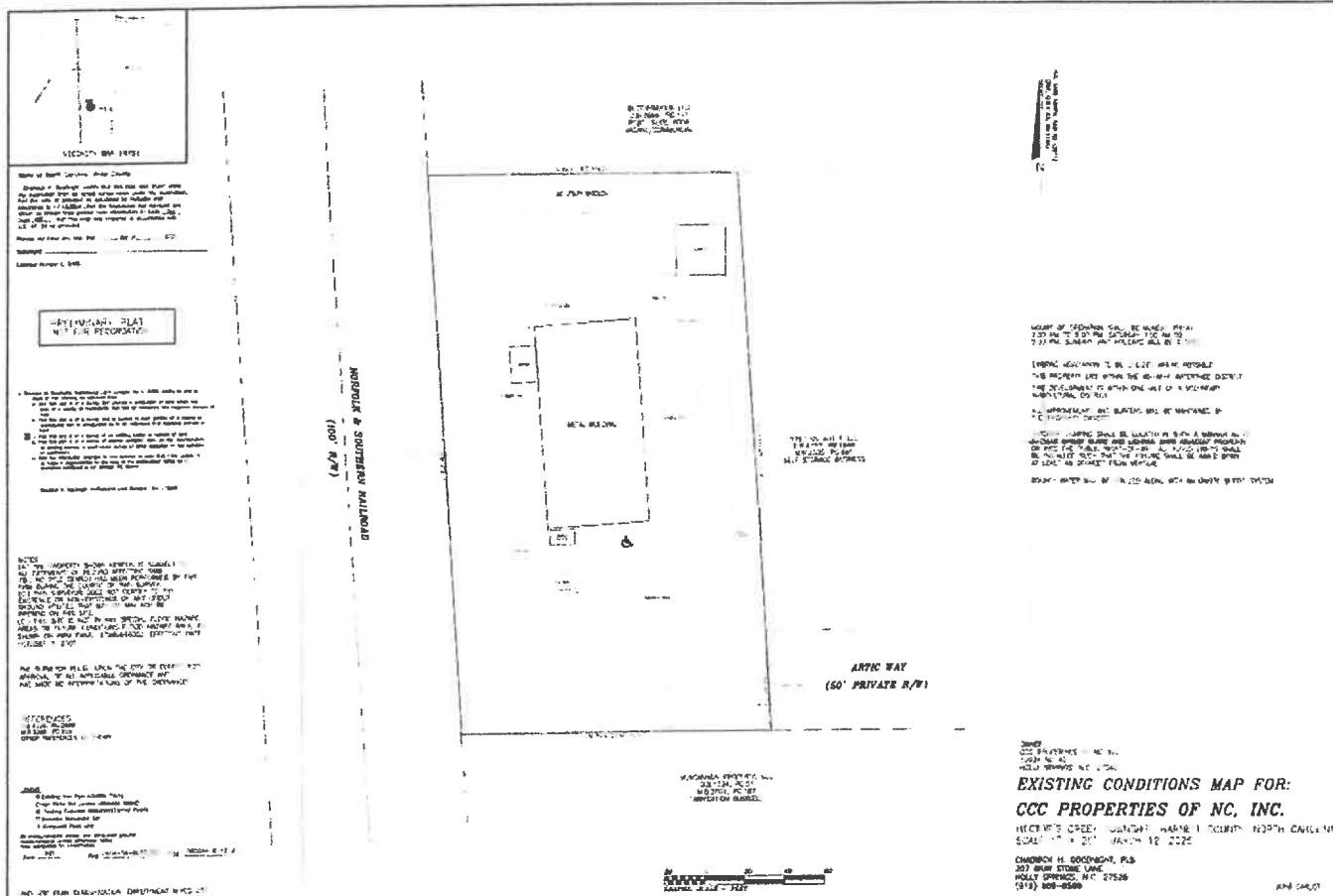
Access/Street View



Sign Posted



SITE PLAN





Non-Residential Special Use Permit

Planning Department
420 McKinney Parkway
P.O. Box 65, Lillington, NC 27546
Phone: (910) 893-7525 Fax: (910) 893-2793

Total Fee: \$250
Receipt: 232385
Date Submitted: 4/21/25
Meeting Date: 6/9/25
Case #: BOA2504-0004

Applicant Information

Owner of Record:

Name: CCC PROPERTIES OF NC INC
Address: 10924 NC HWY 42
City/State/Zip: HOLLY SPRINGS NC 27540
E-mail: lee.schnell@gmail.com
Phone: 919-637-0677

Applicant:

Name: CHAD GOODNIGHT
Address: 207 GRAY STONE LANE
City/State/Zip: HOLLY SPRINGS NC 27540
E-mail: CHADHGOODNIGHT@GMAIL.COM
Phone: 919 669 8586

Property Description

PIN(s): 0654-56-0069

Acreage: 1.00 acres

off Hwy 401 N

Address/SR No.: 136 ARTIC WAY FURWAY-VARNA NC 27526

Directions from Lillington: NORTH ON US 401 N, ~~RIGHT~~ LEFT ON ARTIC WAY. PROPERTY IS AT THE END OF ARTIC WAY ON THE RIGHT

Deed Book: 4229 Page: 2998

Plat Book: 2005 Page: 665

Zoning District: IND

Township: HERTFORD CREEK

Flood Plain & Panel: N/A 20

Watershed Dist: WS-IV, HOW

Water: ☒ Public (Harnett County)
☐ Private (Well)

Sewer: ☐ Public (Harnett County)
☒ Private (Septic Tank)

Requested Use:

Special Use for VEHICLE SALES

Required Information:

1. Is an Erosion and Sedimentation Control Plan required? ☒ No ☐ Yes
If yes, is one on file? ☐ No ☐ Yes (Please attach a copy to your application)
2. It is recommended that all non-residential developments have preliminary discussions with NC DOT concerning driveways and other traffic issues for each project. Has this been done? ☒ No ☐ Yes
Date of Meeting: _____ NCDOT Contact: _____
3. Is a Driveway Permit required? ☒ No ☐ Yes
If yes, is one on file? ☐ No ☐ Yes (Please attach a copy to your application)
4. Have you contacted applicable local, state, and federal agencies regarding building, fire, and other possible code compliance issues? ☒ No ☐ Yes

SKETCH PLAN REQUIRED: Provide a sketch plan along with application. It is strongly encouraged that sketch plans be prepared by a NC Professional Land Surveyor and that it meet the following (as applicable):

TITLE BLOCK INFORMATION	
Name of Project & Date (Including all Revision Dates)	<input type="checkbox"/>
Applicant/Owner(s) Contact Information (Name, Address, & Phone)	<input type="checkbox"/>
Surveyor/Engineer Contact Information (Name, Address, & Phone)	<input type="checkbox"/>
Parcel ID Number/Tax ID of Tract(s)	<input type="checkbox"/>
Deed Reference of Tract(s)	<input type="checkbox"/>
Zoning Classification of Tract(s)	<input type="checkbox"/>
Location (Including Township, County, & State)	<input type="checkbox"/>
Flood Plain Depicted & Noted (Zone, Map Number, & Effective Date)	<input type="checkbox"/>
Watershed District Noted & Extent of Coverage Depicted	<input type="checkbox"/>
GENERAL REQUIREMENTS	
Map Size 22" x 34" & Scale 1"=100' or Larger	<input type="checkbox"/>
North Point, Graphic Scale, & Vicinity Map	<input type="checkbox"/>
Name(s) & Location(s) of Adjacent Property Owner(s) & Use(s)	<input type="checkbox"/>
Existing Boundaries of Tract(s) Showing Bearings & Distances	<input type="checkbox"/>
Gross Acreage of Development	<input type="checkbox"/>
Name(s) & Right(s)-of-way of Streets & State Road Number(s), Including Notation of Public or Private	<input type="checkbox"/>
Name, Location, Width, & Acreage of Additional Easement(s) & Right(s)-of-way Within or Adjacent to Site	<input type="checkbox"/>
Building Envelope & Required Setbacks	<input type="checkbox"/>
Existing & Proposed Utilities	<input type="checkbox"/>
Signage Location, Easement, Type, & Size	<input type="checkbox"/>
Existing Structure(s) Located on Site	<input type="checkbox"/>
SITE PLAN	
Fire Hydrant(s) & Street Light(s) Noted	<input type="checkbox"/>
Erosion Control Plan Submitted	<input type="checkbox"/>
Hours & Days of Operation	<input type="checkbox"/>
Impervious Surface (% Coverage of Lot)	<input type="checkbox"/>
Hazardous Materials to be Stored on Site	<input type="checkbox"/>
Existing & Proposed Mechanical Areas	<input type="checkbox"/>
Existing & Proposed Trash Containment Areas	<input type="checkbox"/>
Existing & Proposed Utility Areas	<input type="checkbox"/>
Parking Space Typical	<input type="checkbox"/>
Parking Lot Material	<input type="checkbox"/>
All parking areas on site (Based on Type of Business and/or Sq. Ft.)	<input type="checkbox"/>
Existing & Proposed Fencing, Screening, Gate(s) and/or Dock(s)	<input type="checkbox"/>
Spillage & Pollution Prevention & Response Methods	<input type="checkbox"/>
BUFFERING REQUIREMENTS	
Buffering Regulations (Per Harnett County Zoning Ordinance)	<input type="checkbox"/>

Signatures

I, as the landowner, hereby CERTIFY that the information contained herein is true to the best of my knowledge; and by accepting this Permit (if approved) shall in every respect conform to the terms of this application and to the provisions of the Statutes and Ordinances regulating development in Harnett County. Any VIOLATION of the terms above stated immediately REVOKES this Permit. I further understand this structure is not to be occupied until a CERTIFICATE OF OCCUPANCY is issued. This Permit expires 24 months (2 years) after the date the Permit is granted by the Harnett County Board of Adjustment.

Property Owner(s) Signature

Date

3/9/25

Written Statement

**** Applicant is required to answer the following questions under oath at the Board of Adjustment Meeting – Please print answers ****

Public Convenience & Welfare

1. Why are you requesting this use? To obtain a Dealers license and sell cars.
2. How will this use benefit the citizens of Harnett County? IT WILL PROVIDE AFFORDABLE CARS REPAIRED BY A BUSINESS THAT HAS FIXED VEHICLES FOR 24 YEARS.

On-site & Surrounding Land Uses

3. How will the use you are requesting affect the surrounding properties, residents and businesses in the area? Describe in detail **why and how** it will or will not affect the surrounding areas? DUE TO ITS LOCATION & LOW TRAFFIC COUNT IT SHOULD NOT AFFECT THE NEIGHBORING COMMERCIAL PROPERTIES

Utilities, Access Roads, Drainage, etc...

4. Describe the driveway (width and surface) that you will be using to enter and exit the property. THERE IS AN EXISTING ASPHALT DRIVE THAT IS WIDE. ARTIC WAY IS A 50' PRIVATE RIGHT-OF-WAY.
5. Describe the drainage of this property. THE LOT SLOPES FROM RIGHT TO LEFT INTO AN EXISTING DITCH THAT RUNS TO THE RAILROAD
6. How is your trash and garbage going to get to the landfill? ALL GARBAGE IS REMOVED BY A PRIVATE COMPANY.

Traffic

7. Describe the traffic conditions and sight distances at the State Road that serves the property. THE ROAD SERVING THIS IS A 50' PRIVATE RIGHT-OF-WAY. TRAFFIC IS LOCAL TO THE BUSINESSES ON THIS PRIVATE ROAD.
8. What is the approximate distance between your driveway and the next nearest driveway or intersection? THE PROPERTY IS AT THE END OF ARTIC WAY WHICH IS A

General

9. How many employees will this development employ? 1
10. What is the estimated investment of the development? UPFIT ON THE EXISTING BUILDING
11. What experience do you have in the proposed field? THE OWNER HAS 24 YEARS OF REPAIRING VEHICLES BACK TO FACTORY STANDARDS.

Conditions

12. State any conditions that you would be willing to consider as part of the approved Special Use Permit. THE SITE IS EXISTING, HOWEVER, REASONABLE CONDITIONS BROUGHT UP BY THE BOARD WILL BE CONSIDERED FOR SAID SPECIAL USE PERMIT.
13. Additional comments the Board should consider in reviewing your application: WE ARE WILLING TO ANSWER ANY & ALL QUESTIONS THE BOARD SHOULD ASK AND LOOK FORWARD TO ITS CONSIDERATION.

Action by the Board of Adjustment

The Board of Adjustment shall approve, modify, or deny the Application for Special Use Permit following the Public Hearing. In granting a Special Use Permit, the Board of Adjustment shall make written findings that the applicable regulations of the district in which it is located are fulfilled. With due regard to the nature and state of all adjacent structures and uses, the district within which it is located and official plans for future development, the Board of Adjustment shall also make written findings that the following provisions are fulfilled:

- 3.1 The requested use **is** in harmony with the surrounding area and compatible with the surrounding neighborhood.
- 3.2 The requested use **will not** materially endanger the public health and safety.
- 3.3 The requested use **will not** substantially injure the value of adjoining property, or, alternatively, the requested use **is** or **will be** a public necessity.
- 3.4 The requested use **will** meet all required conditions and specifications.
- 3.5 The requested use **is** in general conformance with the Harnett County Unified Development Ordinance (UDO), Land Use Plan, and other relevant adopted plans.

The Board of Adjustment may impose conditions on special use permits as part of the approval process. Conditions placed on the special use permit must be adhered to as part of the developmental process. Consent to any specified conditions must be received prior to the issuance of any development permits.

Note: The Board of Adjustment is a "Quasi-Judicial" Administrative Board. Quasi-Judicial means that the Board functions like a Court when proceedings are conducted. Sworn testimony is given, so everyone wishing to speak for or against an application or ask questions about a case must be sworn in. Those persons who cannot be sworn in for religious reasons may be "Affirmed". Land use professionals, including architects and engineers, land use planners, and other agents for the property owner may appear and testify as to factual matters and any expert opinions that they are qualified to present at the Board of Adjustment hearing; however, the presentation of other evidence, including the examination and cross-examination of witnesses, making legal arguments, and the advocacy for approval of the application on behalf of the property owner(s) is the practice of law that may only be performed by a licensed attorney at law.

A party wishing to submit a document into evidence must provide a copy to the Clerk during the hearing. Any document submitted into evidence will not be returned to the individual and must be retained by the Clerk as part of the official record of the case. The Board will accept a single copy of a proposed exhibit; however it is strongly recommended that enough copies are provided for each of the five Board members and the Clerk. Photographs, Videos, Recordings, Power Points or other types of evidence that are submitted via an electronic or digital device; must be pre-approved by the Harnett County IT Department prior to the start of the hearing. Personal computers such as laptops or other external media devices not belonging to the County will not be permitted to attach to the County's internal network. Documents cannot be submitted after the close of the hearing.

Action taken by this Board is final and cases are not taken to the Harnett County Board of Commissioners for review. Appeals of this Board must be filed with Superior Court. There must be three (3) Board of Adjustment members present at the meeting to hear a request for a Special Use Permit. A concurring vote from the simple majority of the Board shall be necessary to grant a Special Use permit.

**** I have received and read the above statement:**


Signature

Date

**HARNETT COUNTY BOARD OF ADJUSTMENT
CONDITIONAL USE PERMIT WORKSHEET**

**APPLICANT: CCC Properties of NC, Inc.
Chad Goodnight**

CASE NUMBER: BOA2504-0004

1. The requested use **is / is not** in harmony with the surrounding area and compatible with the surrounding neighborhood for the following reasons:

2. The requested use **will / will not** materially endanger the public health and safety for the following reasons:

3. The requested use **will / will not** substantially injure the value of adjoining property, **or**, alternatively, the requested use **is / is not** or **will / will not** be a public necessity for the following reasons:

4. The requested use **will / will not** meet all required conditions and specifications for the following reasons: _____

5. The requested use **is / is not** in general conformance with the Harnett County Unified Development Ordinance (UDO), Land Use Plan, and other relevant adopted plans for the following reasons: _____

CONDITIONS TO CONSIDER:

1. _____
2. _____
3. _____
4. _____
5. _____

**HARNETT COUNTY
BOARD OF ADJUSTMENTS
June 9, 2025**

**Staff Contact: Randy Baker, Assistant Manager of Planning Services
(910) 893-7525 or rbaker@harnett.org**

CASE NUMBER: BOA2504-0006
APPLICANT: Towana Burch
OWNER: Towana Burch
LOCATION: Broadway Road Sanford, NC
ZONING: RA-20R
ACREAGE: 2.00 **PIN#** 9579-26-9333.000
LAND USE CLASSIFICATION: Low Density Residential

REQUEST: Childcare Facility

AERIAL:



PHYSICAL CHARACTERISTICS

- A. **Site:** Currently undeveloped parcel containing natural vegetation and wooded areas. A small portion of the property contains a waterbody & wetland area. Access to the property and proposed development location is currently not available due to the natural vegetation located within the access easement.
- B. **Surrounding Land Uses:** Consist of single-family residential home sites, agricultural uses and undeveloped wooded areas. Religious and commercial uses are located in the vicinity.
- C. **Utilities:** Water – Public Sewer – Private

TRANSPORTATION:

- Annual average daily traffic count for this section of Broadway Road is unavailable.
- Site distances are good toward the North East and Fair to the South West due to road elevation change.

BACKGROUND:

- Applicant would like to develop the site as a Childcare Facility.
- The applicant was previously approved for a Childcare Facility on April 10, 2023 but the applicant did not conclude the developmental process.
- Since that time, the property has been subdivided and placed under the sole ownership of the applicant.
- Due to the subdivision of the property, the location of the proposed facility is limited to the rear of the newly established parcel.
- If approved, this project will be required to go through the commercial site plan review and development process. The Commercial Site Plan review process includes a thorough review from Planning, Building Inspections, Fire Marshal, Public Utilities, E911/ Addressing, and Environmental Health Departments.
- If approved, appropriate buffering will be required in accordance with the Unified Development Ordinance as well as all other developmental improvement standards specified for this type of land use.

UNIFIED DEVELOPMENT ORDINANCE REGULATIONS

ARTICLE V. USE REGULATIONS

1.2 Table of Use Types & Regulations

	IND	LI	COMM	O&I	CONS	RA-40	RA-30	RA-20R	RA-20M	PARKING	USE GROUP LEVEL	BUILDING CODE CLASS
RESIDENTIAL USES												
Childcare Facility	S*	P*	P*	S*		S*	S*	S*	S*	1 per employee + 1 per 8 clients	2	

6.3.2 Daycare Facilities: Specific Regulations

A. Childcare Facility

Outdoor activity area(s) shall be enclosed by a security fence shall be located outside of the front building setback as established by this Ordinance.

1. The fence or wall shall be made of any suitable and durable material that is intended for a fence.
2. The fence or wall shall be designed so that a four inch (4") diameter sphere cannot pass through any opening.
3. All gates and doors opening through such fence or wall shall have self-closing and self-latching devices which keeps the gate or door closed at all times; however, the door of any dwelling which furnishes part of the enclosure need not be so equipped.
4. Parking areas shall not abut fenced play areas without provisions for ballasts or curbing.

B. Commercial Childcare Facility

Outdoor activity area(s) shall be enclosed by a security fence at least five (5) in height and shall be located outside of the front building setback as established by this Ordinance.

C. In-Home Childcare Facility

1. In no case shall any in-home childcare facility have more than that maximum number of children allowable. Of that number, the following requirements must be met:

- a) No more than five (5) pre-school-age children shall be cared for.
- b) No more than eight (8) school-age children shall be cared for.

2. Childcare provider must live in the residence full-time.

3. Required outdoor activity area(s):

- a) Shall be enclosed by a security fence at least four (4) feet in height;
- b) Shall be located outside of the front building setback as established by this Ordinance; and
- c) Shall be the product of 75 square feet times 50% of the approved enrollment.

D. In cases where manufactured homes are used for in-home childcare facilities, the structure shall have underpinning consisting of a brick curtain wall or have galvanized metal sheeting, ABS, or PVC plastic color skirting with interlocking edges, installed around the perimeter of the home. Skirting shall be consistent in appearance, in good condition, continuous, permanent, and unpierced except for ventilation and access.

ARTICLE XIV. DEFINITIONS & CERTIFICATIONS

2.2 General Definitions

Daycare Facility

An establishment providing for the care, supervision, and protection of facility clients, by person(s) other than the guardians or full-time custodians of the client(s), or from persons not related to them by birth, marriage, or adoption on a regular basis of at least once per week.

Daycare Facility, Adult Daycare

Adult Daycare is a facility providing care for the elderly and/or functionally impaired adults in a protective setting for part of a 24 hour day.

Daycare Facility, Childcare Facility

Childcare Facility is a childcare arrangement, not in a residence where, at any one (1) time, there are three (3) or more pre-school-age children or nine (9) or more school-aged children receiving care.

Daycare Facility, In-Home Childcare

In-Home Childcare is a child care arrangement located in a residence where, at any one (1) time, there are between three (3) and eight (8) children receiving care.

SITE PHOTOS

Site / Broadway Road

05-27-2025 01:33:42 PM GPS X= 35.389958 Y= -79.090978



Adjacent Property / Broadway Road



Adjacent Property / Broadway Road



Across Road

05-27-2025 01:33:13 PM GPS X= 35.389945 Y= -79.091058



Road View / North East

05-27-2025 01:32:06 PM GPS X= 35.389961 Y= -79.091012



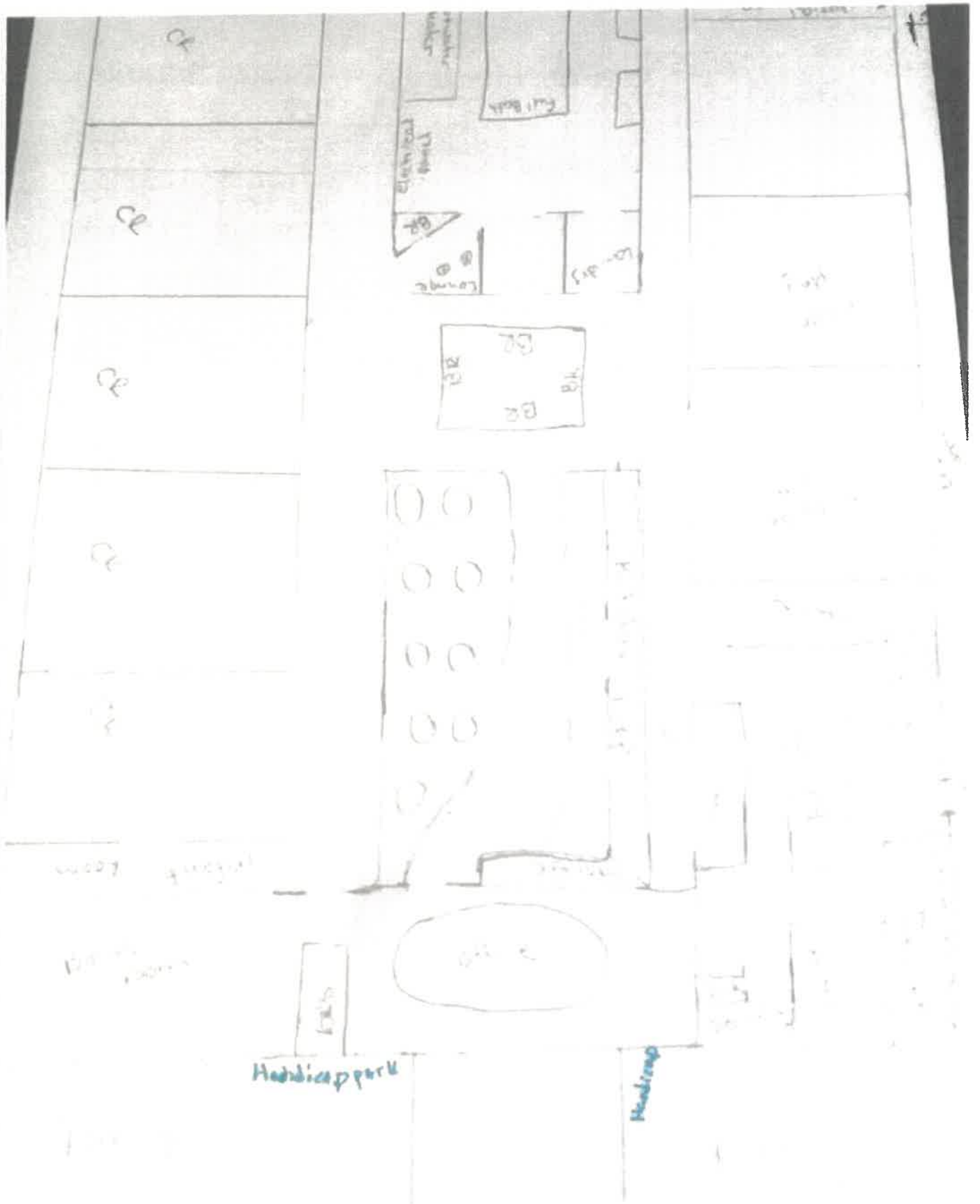
Road View / South West

05-27-2025 01:33:00 PM GPS X= 35.389944 Y= -79.091007



SUBMITTED SITE PLAN

72227 400





Non-Residential Special Use Permit

Planning Department
420 McKinney Parkway
P.O. Box 65, Lillington, NC 27546
Phone: (910) 893-7525 Fax: (910) 893-2793

Total Fee: \$320.250
Receipt: _____
Date Submitted: 4-24-25
Meeting Date: June 9, 2025
Case #: BDA 2504-0006

Applicant Information

Owner of Record:

Name: Tawana Burch
Address: 7337 Broadway Rd
City/State/Zip: Sanford, NC 27332
E-mail: ecmoney@windstream.net
Phone: (919) 770-7512

Applicant:

Name: Tawana Burch
Address: 7337 Broadway Rd
City/State/Zip: Sanford, NC, 27332
E-mail: ecmoney@windstream.net
Phone: (919) 770-7512

Property Description

PIN(s): 9579-26-9333 Acreage: 2 acres
Address/SR No.: 7337 Broadway Rd Sanford NC 27332
Directions from Lillington: _____

SL#1222
Broad
R
X

Deed Book: 4251 Page: 2333
Zoning District: RA 200
Flood Plain & Panel: NA 20
Water: ☒ Public (Harnett County)
☐ Private (Well)

Plat Book: 2024 Page: 347
Township: Barbecue
Watershed Dist: NA

Sewer: ☐ Public (Harnett County)
☒ Private (Septic Tank)

Requested Use:

Special Use for Daycare Center

Required Information:

1. Is an Erosion and Sedimentation Control Plan required? ☒ No ☐ Yes
If yes, is one on file? ☐ No ☒ Yes (Please attach a copy to your application)
2. It is recommended that all non-residential developments have preliminary discussions with NC DOT concerning driveways and other traffic issues for each project. Has this been done? ☐ No ☒ Yes
Date of Meeting: _____ NCDOT Contact: _____
3. Is a Driveway Permit required? ☐ No ☒ Yes
If yes, is one on file? ☒ No ☐ Yes (Please attach a copy to your application)
4. Have you contacted applicable local, state, and federal agencies regarding building, fire, and other possible code compliance issues? ☐ No ☒ Yes

SKETCH PLAN REQUIRED: Provide a sketch plan along with application. It is strongly encouraged that sketch plans be prepared by a NC Professional Land Surveyor and that it meet the following (as applicable):

TITLE BLOCK INFORMATION	
Name of Project & Date (Including all Revision Dates)	<input type="checkbox"/>
Applicant/Owner(s) Contact Information (Name, Address, & Phone)	<input type="checkbox"/>
Surveyor/Engineer Contact Information (Name, Address, & Phone)	<input type="checkbox"/>
Parcel ID Number/Tax ID of Tract(s)	<input type="checkbox"/>
Deed Reference of Tract(s)	<input type="checkbox"/>
Zoning Classification of Tract(s)	<input type="checkbox"/>
Location (Including Township, County, & State)	<input type="checkbox"/>
Flood Plain Depicted & Noted (Zone, Map Number, & Effective Date)	<input type="checkbox"/>
Watershed District Noted & Extent of Coverage Depicted	<input type="checkbox"/>
GENERAL REQUIREMENTS	
Map Size 22" x 34" & Scale 1"=100' or Larger	<input type="checkbox"/>
North Point, Graphic Scale, & Vicinity Map	<input type="checkbox"/>
Name(s) & Location(s) of Adjacent Property Owner(s) & Use(s)	<input type="checkbox"/>
Existing Boundaries of Tract(s) Showing Bearings & Distances	<input type="checkbox"/>
Gross Acreage of Development	<input type="checkbox"/>
Name(s) & Right(s)-of-way of Streets & State Road Number(s), Including Notation of Public or Private	<input type="checkbox"/>
Name, Location, Width, & Acreage of Additional Easement(s) & Right(s)-of-way Within or Adjacent to Site	<input type="checkbox"/>
Building Envelope & Required Setbacks	<input type="checkbox"/>
Existing & Proposed Utilities	<input type="checkbox"/>
Signage Location, Easement, Type, & Size	<input type="checkbox"/>
Existing Structure(s) Located on Site	<input type="checkbox"/>
SITE PLAN	
Fire Hydrant(s) & Street Light(s) Noted	<input type="checkbox"/>
Erosion Control Plan Submitted	<input type="checkbox"/>
Hours & Days of Operation	<input type="checkbox"/>
Impervious Surface (% Coverage of Lot)	<input type="checkbox"/>
Hazardous Materials to be Stored on Site	<input type="checkbox"/>
Existing & Proposed Mechanical Areas	<input type="checkbox"/>
Existing & Proposed Trash Containment Areas	<input type="checkbox"/>
Existing & Proposed Utility Areas	<input type="checkbox"/>
Parking Space Typical	<input type="checkbox"/>
Parking Lot Material	<input type="checkbox"/>
All parking areas on site (Based on Type of Business and/or Sq. Ft.)	<input type="checkbox"/>
Existing & Proposed Fencing, Screening, Gate(s) and/or Dock(s)	<input type="checkbox"/>
Spillage & Pollution Prevention & Response Methods	<input type="checkbox"/>
BUFFERING REQUIREMENTS	
Buffering Regulations (Per Harnett County Zoning Ordinance)	<input type="checkbox"/>

Signatures

I, as the landowner, hereby CERTIFY that the information contained herein is true to the best of my knowledge; and by accepting this Permit (if approved) shall in every respect conform to the terms of this application and to the provisions of the Statutes and Ordinances regulating development in Harnett County. Any VIOLATION of the terms above stated immediately REVOKES this Permit. I further understand this structure is not to be occupied until a CERTIFICATE OF OCCUPANCY is issued. This Permit expires 24 months (2 years) after the date the Permit is granted by the Harnett County Board of Adjustment.

Property Owner(s) Signature

Date

NON-RESIDENTIAL SPECIAL USE PERMIT APPLICATION

Written Statement

**** Applicant is required to answer the following questions under oath at the Board of Adjustment Meeting - Please print answers ****

Public Convenience & Welfare

1. Why are you requesting this use? I am requesting this use, to build a childcare facility.
2. How will this use benefit the citizens of Harnett County? The use of the facility will provide enrichment and inclusive childcare development

On-site & Surrounding Land Uses

3. How will the use you are requesting affect the surrounding properties, residents and businesses in the area? Describe in detail **why and how** it will or will not affect the surrounding areas? I hope it will provide childcare for families close to their homes or close to their place of employment.

Utilities, Access Roads, Drainage, etc...

4. Describe the driveway (width and surface) that you will be using to enter and exit the property. 20 ft wide asphalt
5. Describe the drainage of this property. The pond will be used for drainage
6. How is your trash and garbage going to get to the landfill? Trash collection company

Traffic

7. Describe the traffic conditions and sight distances at the State Road that serves the property. 2 lane road with minimal traffic
8. What is the approximate distance between your driveway and the next nearest driveway or intersection? The nearest driveway is approximately 150 ft

General

9. How many employees will this development employ? MAX. 25
10. What is the estimated investment of the development? approximately 800,000
11. What experience do you have in the proposed field? I have 4 children of my own. I have also taken child development classes at CCC.

Conditions

12. State any conditions that you would be willing to consider as part of the approved Special Use Permit. They are building a new housing development on Love Grove church Rd. This could mean that families would need childcare close to their home.
13. Additional comments the Board should consider in reviewing your application: I hope that the county understand that childcare is in high demand for my area.

Action by the Board of Adjustment

The Board of Adjustment shall approve, modify, or deny the Application for Special Use Permit following the Public Hearing. In granting a Special Use Permit, the Board of Adjustment shall make written findings that the applicable regulations of the district in which it is located are fulfilled. With due regard to the nature and state of all adjacent structures and uses, the district within which it is located and official plans for future development, the Board of Adjustment shall also make written findings that the following provisions are fulfilled:

- 3.1 The requested use **is** in harmony with the surrounding area and compatible with the surrounding neighborhood.
- 3.2 The requested use **will not** materially endanger the public health and safety.
- 3.3 The requested use **will not** substantially injure the value of adjoining property, or, alternatively, the requested use **is** or **will be** a public necessity.
- 3.4 The requested use **will** meet all required conditions and specifications.
- 3.5 The requested use **is** in general conformance with the Harnett County Unified Development Ordinance (UDO), Land Use Plan, and other relevant adopted plans.


The Board of Adjustment may impose conditions on special use permits as part of the approval process. Conditions placed on the special use permit must be adhered to as part of the developmental process. Consent to any specified conditions must be received prior to the issuance of any development permits.

Note: The Board of Adjustment is a "Quasi-Judicial" Administrative Board. Quasi-Judicial means that the Board functions like a Court when proceedings are conducted. Sworn testimony is given, so everyone wishing to speak for or against an application or ask questions about a case must be sworn in. Those persons who cannot be sworn in for religious reasons may be "Affirmed". Land use professionals, including architects and engineers, land use planners, and other agents for the property owner may appear and testify as to factual matters and any expert opinions that they are qualified to present at the Board of Adjustment hearing; however, the presentation of other evidence, including the examination and cross-examination of witnesses, making legal arguments, and the advocacy for approval of the application on behalf of the property owner(s) is the practice of law that may only be performed by a licensed attorney at law.

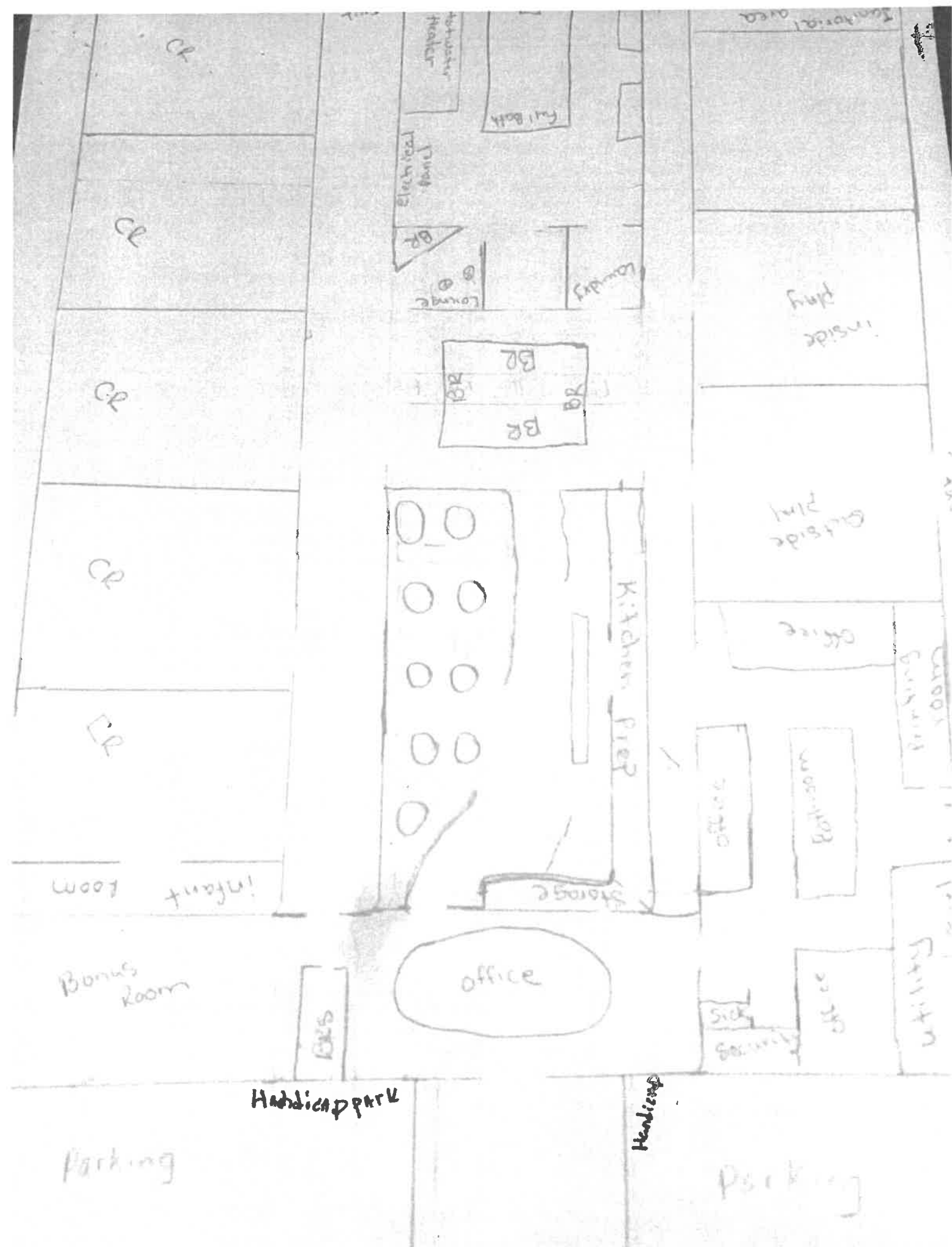
A party wishing to submit a document into evidence must provide a copy to the Clerk during the hearing. Any document submitted into evidence will not be returned to the individual and must be retained by the Clerk as part of the official record of the case. The Board will accept a single copy of a proposed exhibit; however it is strongly recommended that enough copies are provided for each of the five Board members and the Clerk. Photographs, Videos, Recordings, Power Points or other types of evidence that are submitted via an electronic or digital device; must be pre-approved by the Harnett County IT Department prior to the start of the hearing. Personal computers such as laptops or other external media devices not belonging to the County will not be permitted to attach to the County's internal network. Documents cannot be submitted after the close of the hearing.

Action taken by this Board is final and cases are not taken to the Harnett County Board of Commissioners for review. Appeals of this Board must be filed with Superior Court. There must be three (3) Board of Adjustment members present at the meeting to hear a request for a Special Use Permit. A concurring vote from the simple majority of the Board shall be necessary to grant a Special Use permit.

** I have received and read the above statement:


Signature

4/24/25
Date



**HARNETT COUNTY BOARD OF ADJUSTMENT
CONDITIONAL USE PERMIT WORKSHEET**

APPLICANT: Towana Burch

CASE NUMBER: BOA2504-0006

1. The requested use **is / is not** in harmony with the surrounding area and compatible with the surrounding neighborhood for the following reasons:

2. The requested use **will / will not** materially endanger the public health and safety for the following reasons:

3. The requested use **will / will not** substantially injure the value of adjoining property, **or**, alternatively, the requested use **is / is not** or **will / will not** be a public necessity for the following reasons:

4. The requested use **will / will not** meet all required conditions and specifications for the following reasons: _____

5. The requested use **is / is not** in general conformance with the Harnett County Unified Development Ordinance (UDO), Land Use Plan, and other relevant adopted plans for the following reasons: _____

CONDITIONS TO CONSIDER:

1. _____
2. _____
3. _____
4. _____
5. _____

**HARNETT COUNTY
BOARD OF ADJUSTMENTS**
June 9, 2025

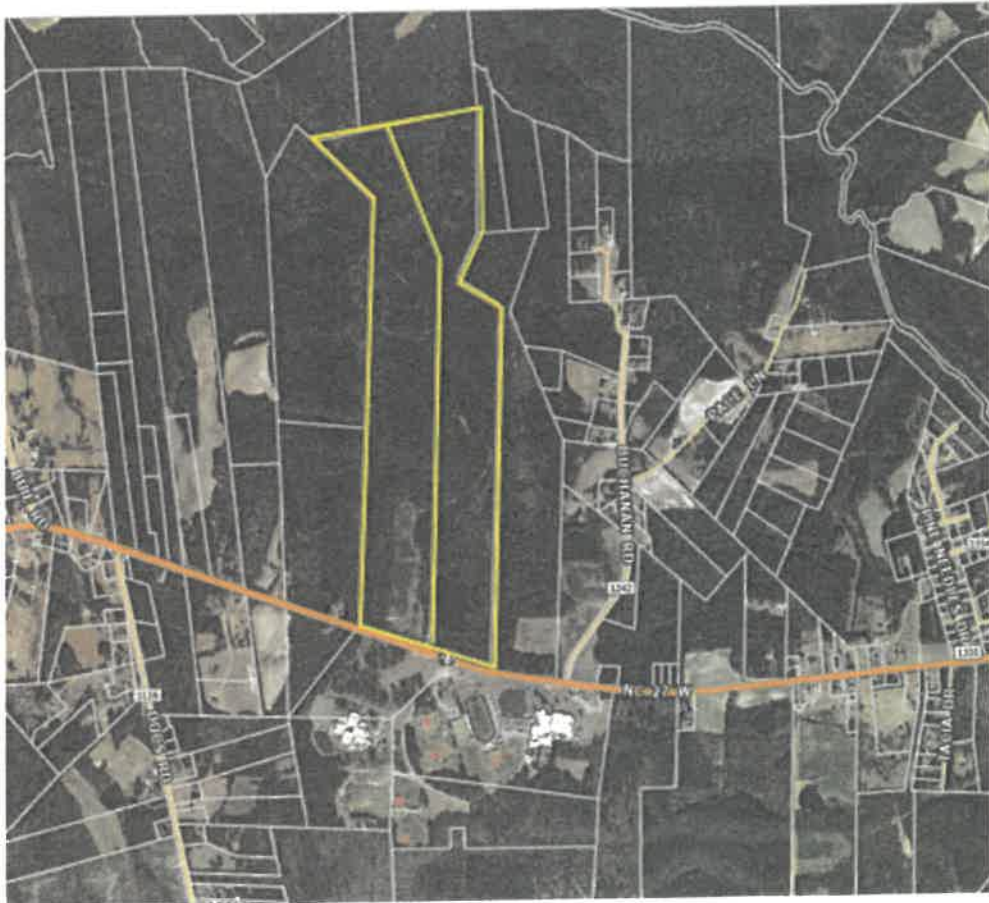
Staff Contact: Meade Bradshaw III, CZO, Senior Planner
(910) 893-7525 or mbradshaw@harnett.org

CASE NUMBER: BOA2504-0007
APPLICANT: Alexis Carambot
OWNER: Loyd Enterprises LP
LOCATION: NC 27 W
ZONING: RA-20R & Conservation
PIN#: 0508-41-0412 & 0508-41-7271
ACREAGE: +/- 212.12
LAND USE
CLASSIFICATION: Agriculture and Rural Residential
WATERSHED: N/A

REQUEST: Special Use Permit - Townhome Development

MAP

Directions from Lillington: NC 27 W
Also see application for directions



PHYSICAL CHARACTERISTICS

- A. Site: The parcels are currently vacant
- B. **Surrounding Land Uses:**
North: Vacant
East: Vacant
South: Western Harnett High School & Western Harnett Middle School
West: Single-Family Residence

TRANSPORTATION

- Traffic counts for NC 27 W are 7,100 vehicles per day.
- A traffic impact analysis was not required and not provided.

BACKGROUND

- The applicant requests a Special Use Permit for 385 townhomes within the development. There is a single-family detached residential component in the overall development, but does not require Board of Adjustments approval.
- This project is to be served by public water and sewer.
- Per the development regulations, 9 units per acre are allowed with a minimum of 15% open/recreational space. Required parking is 1.5 spaces per bedroom plus 1 space per bedroom when there are more than 2 bedrooms.
- Buffering will be classes A & C.
- If approved, this project will be required to go through the commercial site plan review process. The Commercial Site Plan review process includes a thorough review from Planning, Building Inspections, Fire Marshal, Public Utilities, E911/ Addressing, and Environmental Health Departments.
- A technical review has not been performed at this time.

UNIFIED DEVELOPMENT ORDINANCE REGULATIONS

ARTICLE V. USE REGULATIONS

1.2 Table of Use Types & Regulations

	IND	LI	COMM	O&I	CONS	RA-40	RA-30	RA-20R	RA-20M	PARKING	USE GROUP LEVEL	BUILDING CODE CLASS
RESIDENTIAL USES												
Townhome Development				P*				S*	P* S*	1.5 per bdm + 1 per bdm over 2	2	R-3

3.2.1 Multifamily Residential Development: General Regulations

The following regulations shall apply to all Apartment Development, Condominium Development, Duplex Development, Multifamily Development (other), and Townhome Development.

A. Multifamily residential development shall be permitted in Rural Center, Employment Mixed Use and Compact Mixed Use Land Use Classifications, and shall require a Special Use permit in all other Land Use Classifications.

B. Residential density shall not exceed nine (9) dwelling units per acre unless otherwise allowed by this Ordinance.

C. A minimum of 15 percent (15%) of the tract shall be set aside for recreational open space unless otherwise allowed by this Ordinance. Of the total set aside five percent (5%) of the area shall be developed for improved recreational open space. This area shall be installed and maintained by the developer until ownership of the recreational open space area is transferred to the Homeowners' Association, if applicable. In cases where no Homeowners' Association is created, the developer shall be responsible for continued maintenance of recreational open space areas.

1. Improved recreational open space areas, such as golf courses, basketball courts, swings, etc., shall be clearly defined. Any equipment used for improved recreational open space areas shall be permanently affixed to the ground.

2. All recreational open space areas shall be equipped and maintained by the appropriate body.

D. A network of sidewalks and pedestrian trails, where applicable, shall be provided to connect all parking areas, driveways, residential structures, and amenities. Approval of such shall be based on connectivity.

1. Sidewalks shall be constructed along all streets, driveways, parking areas, and residential structures. Said construction shall be in accordance with the construction standards set forth in this Ordinance.

2. Pedestrian trails may be provided in place of sidewalks between all separate accessory structures and amenities, including open space and recreational open space areas. Said pedestrian trails shall be a minimum of four (4) feet wide and three (3) inches thick.

E. Developments larger than five (5) acres in size shall install street trees along both sides of all newly created public or private street(s). Said improvements shall be in accordance with the applicable requirements set forth in this Ordinance.

F. Recordation of the declaration, if applicable, and plan shall be completed by the developer or his agent prior to issuance of the first Certificate of Occupancy (CO) on the project following approval by the Development Review Board (DRB) or such approval shall be null and void.

G. In any multifamily development in which lots and/or units are individually sold, a Homeowners' Association (HOA) shall be required.

1. The required organizational documents and by-laws shall include, but are not limited to, the following:
 - a. The Homeowners' Association shall be established before any lots are sold.

- b. Membership shall be mandatory for each buyer and any successive buyer.
- c. The developer shall be responsible for all maintenance and other responsibilities of the Homeowners' Association until 60 percent (60%) of all units to be sold are sold. After 60 percent (60%) of all units are sold, the Homeowners' Association shall levy assessments and assume its responsibilities.
- d. The Homeowners' Association shall be responsible for liability insurance, taxes and maintenance of all recreational open space facilities, grounds and common areas. Any sums levied by the Homeowners' Association that remain unpaid shall become a lien on the individual property.
- e. The declaration shall contain a statement addressing street maintenance and ownership, if applicable.

H. Entrances

A minimum of two (2) entrances shall be required on all multifamily developments of 100 or more units.

I. Streets, driveways, and parking areas shall meet the following requirements:

1. All driveways, streets, and parking areas whether private or public, shall be paved and constructed to NCDOT standards. Once ownership of the private streets has been transferred to the Homeowners' Association, if applicable, the association shall assume maintenance of said streets.
2. When parking lots are located within the required front yard, the minimum front setback for each unit or the development as a whole, whichever is applicable, shall be increased by an additional 20 feet.
3. Curb & gutter shall be installed in accordance with Subsection "Curb & Gutter", Section "Street & Transportation Systems" of Article VII "Development Design Guidelines."

J. Individual lots shall meet the following minimum dimensional requirements as applicable. Minimum side yard requirements shall apply to perimeter boundaries only, except in cases of a duplex development, where the minimum side yard on one (1) side shall meet the requirements below.

MINIMUM REQUIREMENT:	WIDTH:
Lot Width	20 ft
Front Yard	35 ft
Front Yard (Parking within Front Yard)	55 ft
Rear Yard	25 ft
Side Yard	10 ft
Side Yard, Corner Lot	20 ft

3.2.2 Multifamily Residential Development: Specific Regulations

Townhome Development

A. In a townhome development in which any facilities such as but not limited to streets, parking areas, recreational open space facilities and common open space are to be held and maintained in common ownership a Homeowners' Association shall be organized. Documents showing the association's organizational structure and by-laws for the property shall be filed with the Planning Department. For townhome developments, the aforementioned documents shall become part of the application for a Special Use permit.

B. All townhome units shall be subject to the conveyance of a fee-simple lot.

ARTICLE XIV. DEFINITIONS & CERTIFICATIONS

2.2 General Definitions

Multifamily, Townhome

An attached single-family dwelling on a fee-simple lot meeting the minimum front and rear yard setback requirements, fronting on a dedicated street, and sharing a common side(s) with adjoining units within a townhome complex.

Harnett Horizons 2040 Comprehensive Plan

FUTURE LAND USE MAP

The Future Land Use Map is intended to guide growth and development as well as infrastructure investment and conservation efforts over the next 10-15 years

FUTURE LAND USE CHARACTER AREAS

Rural/Agriculture: Primarily agricultural and forestry uses with some rural business and rural residential areas are located outside of existing and planned utility service areas and rely on septic systems for wastewater treatment. The lack of utility and transportation infrastructure should limit the density of development to very low density single-family residential up to one dwelling per acre.

GOALS & STRATEGIES

- **Land Use Strategy 1F:** Encourage growth where infrastructure exists
- **Housing Goal 2:** Encourage the preservation and construction of affordable and workforce housing
- **Agriculture and Natural Resources Strategy 1I:** Require the reservation of high-quality, connected open space in new development

SITE PHOTOS

Posted Sign



Posted Sign



Western Harnett High School



Western Harnett Middle School



Hwy 27 W (looking west)



Hwy 27 W (looking east)



Adjacent Property (east)





Non-Residential Special Use Permit

Planning Department
420 McKinney Parkway
P.O. Box 65, Lillington, NC 27546
Phone: (910) 893-7525 Fax: (910) 893-2793

Total Fee: \$1500.00
Receipt: _____
Date Submitted: April 25, 25
Meeting Date: June 9, 2025
Case #: BOA 2524-0007

Applicant Information

Owner of Record:

Name: LLOYD ENTERPRISES LP
Address: 3156 SPRING HILL CHURCH ROAD
City/State/Zip: LILLINGTON, NC 27546
E-mail: _____
Phone: _____

Applicant:

Name: ALEXIS CARAMBOT (MUNGO HOMES)
Address: 2521 SCHIEFFELIN ROAD, SUITE 116
City/State/Zip: APEX, NC 27502
E-mail: ACARAMBOT@MUNGO.COM
Phone: 919-503-2720

Property Description

PIN(s): 0508-41-0412 & 0508-41-7271 Acreage: 212.12 acres
Address/SR No.: 0 W. NC 27
Directions from Lillington: HEAD SOUTH ON MAIN ST, TURN RIGHT ON W OLD RD, TURN LEFT ON NC-27 FOR 10 MILES, PROPERTY WILL BE ON RIGHT.
Deed Book: 1573 Page: 0246 Plat Book: 2007 Page: 144
Zoning District: RA-20R Township: BARBECUE CREEK
Flood Plain & Panel: ZONE AE & X, 3720050800J & 3720050600J Watershed Dist: N/A
Water: ☒ Public (Harnett County) ☐ Private (Well) Sewer: ☒ Public (Harnett County) ☐ Private (Septic Tank)

Requested Use:

Special Use for MULTIFAMILY RESIDENTIAL TOWNHOME UNITS

135 Townhomes
250 Attach Single family

Required Information:

1. Is an Erosion and Sedimentation Control Plan required? ☐ No ☒ Yes
If yes, is one on file? ☒ No ☐ Yes (Please attach a copy to your application)
2. It is recommended that all non-residential developments have preliminary discussions with NC DOT concerning driveways and other traffic issues for each project. Has this been done? ☐ No ☒ Yes
Date of Meeting: 08/11/2023 NCDOT Contact: TRAVIS SALAZAR
3. Is a Driveway Permit required? ☐ No ☒ Yes
If yes, is one on file? ☒ No ☐ Yes (Please attach a copy to your application)
4. Have you contacted applicable local, state, and federal agencies regarding building, fire, and other possible code compliance issues? ☐ No ☒ Yes

SKETCH PLAN REQUIRED: Provide a sketch plan along with application. It is strongly encouraged that sketch plans be prepared by a NC Professional Land Surveyor and that it meet the following (as applicable):

TITLE BLOCK INFORMATION	
Name of Project & Date (Including all Revision Dates)	<input checked="" type="checkbox"/>
Applicant/Owner(s) Contact Information (Name, Address, & Phone)	<input checked="" type="checkbox"/>
Surveyor/Engineer Contact Information (Name, Address, & Phone)	<input checked="" type="checkbox"/>
Parcel ID Number/Tax ID of Tract(s)	<input checked="" type="checkbox"/>
Deed Reference of Tract(s)	<input checked="" type="checkbox"/>
Zoning Classification of Tract(s)	<input checked="" type="checkbox"/>
Location (Including Township, County, & State)	<input checked="" type="checkbox"/>
Flood Plain Depicted & Noted (Zone, Map Number, & Effective Date)	<input checked="" type="checkbox"/>
Watershed District Noted & Extent of Coverage Depicted	<input checked="" type="checkbox"/>
GENERAL REQUIREMENTS	
Map Size 22" x 34" & Scale 1"=100' or Larger	<input checked="" type="checkbox"/>
North Point, Graphic Scale, & Vicinity Map	<input checked="" type="checkbox"/>
Name(s) & Location(s) of Adjacent Property Owner(s) & Use(s)	<input checked="" type="checkbox"/>
Existing Boundaries of Tract(s) Showing Bearings & Distances	<input checked="" type="checkbox"/>
Gross Acreage of Development	<input checked="" type="checkbox"/>
Name(s) & Right(s)-of-way of Streets & State Road Number(s), Including Notation of Public or Private	<input checked="" type="checkbox"/>
Name, Location, Width, & Acreage of Additional Easement(s) & Right(s)-of-way Within or Adjacent to Site	<input type="checkbox"/>
Building Envelope & Required Setbacks	<input checked="" type="checkbox"/>
Existing & Proposed Utilities	<input type="checkbox"/>
Signage Location, Easement, Type, & Size	<input type="checkbox"/>
Existing Structure(s) Located on Site	<input type="checkbox"/>
SITE PLAN	
Fire Hydrant(s) & Street Light(s) Noted	<input type="checkbox"/>
Erosion Control Plan Submitted	<input type="checkbox"/>
Hours & Days of Operation	<input type="checkbox"/>
Impervious Surface (% Coverage of Lot)	<input type="checkbox"/>
Hazardous Materials to be Stored on Site	<input type="checkbox"/>
Existing & Proposed Mechanical Areas	<input type="checkbox"/>
Existing & Proposed Trash Containment Areas	<input type="checkbox"/>
Existing & Proposed Utility Areas	<input checked="" type="checkbox"/>
Parking Space Typical	<input checked="" type="checkbox"/>
Parking Lot Material	<input type="checkbox"/>
All parking areas on site (Based on Type of Business and/or Sq. Ft.)	<input type="checkbox"/>
Existing & Proposed Fencing, Screening, Gate(s) and/or Dock(s)	<input type="checkbox"/>
Spillage & Pollution Prevention & Response Methods	<input type="checkbox"/>
BUFFERING REQUIREMENTS	
Buffering Regulations (Per Harnett County Zoning Ordinance)	<input checked="" type="checkbox"/>

Signatures

I, as the landowner, hereby CERTIFY that the information contained herein is true to the best of my knowledge; and by accepting this Permit (if approved) shall in every respect conform to the terms of this application and to the provisions of the Statutes and Ordinances regulating development in Harnett County. Any VIOLATION of the terms above stated immediately REVOKES this Permit. I further understand this structure is not to be occupied until a CERTIFICATE OF OCCUPANCY is issued. This Permit expires 24 months (2 years) after the date the Permit is granted by the Harnett County Board of Adjustment.

Property Owner(s) Signature

Date

Written Statement

**** Applicant is required to answer the following questions under oath at the Board of Adjustment Meeting – Please print answers ****

Public Convenience & Welfare

1. Why are you requesting this use? TO MEET HARNETT COUNTY'S GROWING DEMAND FOR DIVERSE AND ATTAINABLE HOUSING OPTIONS IN THE AREA.

2. How will this use benefit the citizens of Harnett County? THIS DEVELOPMENT WILL HAVE AN OPTION FOR EVERY HOME BUYER. STARTING WITH THE TOWNHOME OPTIONS, THEN THAT FAMILY CAN MOVE UP TO A SINGLE FAMILY WHEN THE TIME IS RIGHT.

On-site & Surrounding Land Uses

3. How will the use you are requesting affect the surrounding properties, residents and businesses in the area? Describe in detail **why and how** it will or will not affect the surrounding areas? THE PROPOSED DEVELOPMENT INCLUDES AMPLE OPEN SPACE, GENEROUS LOT SIZES, AND INTENTIONAL SITE PLANNING TO ENSURE A SMOOTH TRANSITION FROM THE ADJACENT VACANT LAND TO OUR PROJECT.

Utilities, Access Roads, Drainage, etc...

4. Describe the driveway (width and surface) that you will be using to enter and exit the property. DEVELOPMENT WILL HAVE TWO DRIVEWAY ENTRANCES. BOTH WILL HAVE TWO 12' TRAVEL LANES & 2.5' CURB & GUTTER

5. Describe the drainage of this property. SITE HAS MULTIPLE RIDGE LINES AND NATURAL STREAMS THAT WILL DETERMINE THE DRAINAGE PATTERNS OF THE SITE. STORMWATER RUNOFF WILL BE CONVEYED TO THESE NATURAL STREAMS BY STORM DRAINAGE PIPES, REAR YARD SWALES, AND OUTLET SWALES.

6. How is your trash and garbage going to get to the landfill? EACH HOMEOWNER WILL HAVE THEIR OWN TRASH AND RECYCLE RECEPTACLES WHICH WILL BE COLLECTED BY A WASTE HAULER AND TAKEN TO THE LANDFILL.

Traffic

7. Describe the traffic conditions and sight distances at the State Road that serves the property. NC-27 HAS TWO TRAVEL LANES GOING WEST AND EAST BOUND WITH A THROUGH LANE IN THE MIDDLE. THIS WOULD ALLOW FOR LEFT TURNS INTO THE SITE, AND A RIGHT TURN LANE WILL BE ADDED AT EACH DRIVEWAY. THERE WILL BE 570' OF CLEAR SIGHT DISTANCE AT EACH DRIVEWAY ENTRANCE.

8. What is the approximate distance between your driveway and the next nearest driveway or intersection? PROJECT DRIVEWAY IS ABOUT 1,870 FEET WEST OF THE INTERSECTION OF NC-27 AND BUCHANAN RD.

General

9. How many employees will this development employ? _____

10. What is the estimated investment of the development? _____

11. What experience do you have in the proposed field? _____

Conditions

12. State any conditions that you would be willing to consider as part of the approved Special Use Permit. _____

13. Additional comments the Board should consider in reviewing your application: _____

Action by the Board of Adjustment

The Board of Adjustment shall approve, modify, or deny the Application for Special Use Permit following the Public Hearing. In granting a Special Use Permit, the Board of Adjustment shall make written findings that the applicable regulations of the district in which it is located are fulfilled. With due regard to the nature and state of all adjacent structures and uses, the district within which it is located and official plans for future development, the Board of Adjustment shall also make written findings that the following provisions are fulfilled:

- 3.1 The requested use **is** in harmony with the surrounding area and compatible with the surrounding neighborhood.
- 3.2 The requested use **will not** materially endanger the public health and safety.
- 3.3 The requested use **will not** substantially injure the value of adjoining property, or, alternatively, the requested use **is** or **will be** a public necessity.
- 3.4 The requested use **will** meet all required conditions and specifications.
- 3.5 The requested use **is** in general conformance with the Harnett County Unified Development Ordinance (UDO), Land Use Plan, and other relevant adopted plans.

The Board of Adjustment may impose conditions on special use permits as part of the approval process. Conditions placed on the special use permit must be adhered to as part of the developmental process. Consent to any specified conditions must be received prior to the issuance of any development permits.

Note: The Board of Adjustment is a "Quasi-Judicial" Administrative Board. Quasi-Judicial means that the Board functions like a Court when proceedings are conducted. Sworn testimony is given, so everyone wishing to speak for or against an application or ask questions about a case must be sworn in. Those persons who cannot be sworn in for religious reasons may be "Affirmed". Land use professionals, including architects and engineers, land use planners, and other agents for the property owner may appear and testify as to factual matters and any expert opinions that they are qualified to present at the Board of Adjustment hearing; however, the presentation of other evidence, including the examination and cross-examination of witnesses, making legal arguments, and the advocacy for approval of the application on behalf of the property owner(s) is the practice of law that may only be performed by a licensed attorney at law.

A party wishing to submit a document into evidence must provide a copy to the Clerk during the hearing. Any document submitted into evidence will not be returned to the individual and must be retained by the Clerk as part of the official record of the case. The Board will accept a single copy of a proposed exhibit; however it is strongly recommended that enough copies are provided for each of the five Board members and the Clerk. Photographs, Videos, Recordings, Power Points or other types of evidence that are submitted via an electronic or digital device; must be pre-approved by the Harnett County IT Department prior to the start of the hearing. Personal computers such as laptops or other external media devices not belonging to the County will not be permitted to attach to the County's internal network. Documents cannot be submitted after the close of the hearing.

Action taken by this Board is final and cases are not taken to the Harnett County Board of Commissioners for review. Appeals of this Board must be filed with Superior Court. There must be three (3) Board of Adjustment members present at the meeting to hear a request for a Special Use Permit. A concurring vote from the simple majority of the Board shall be necessary to grant a Special Use permit.

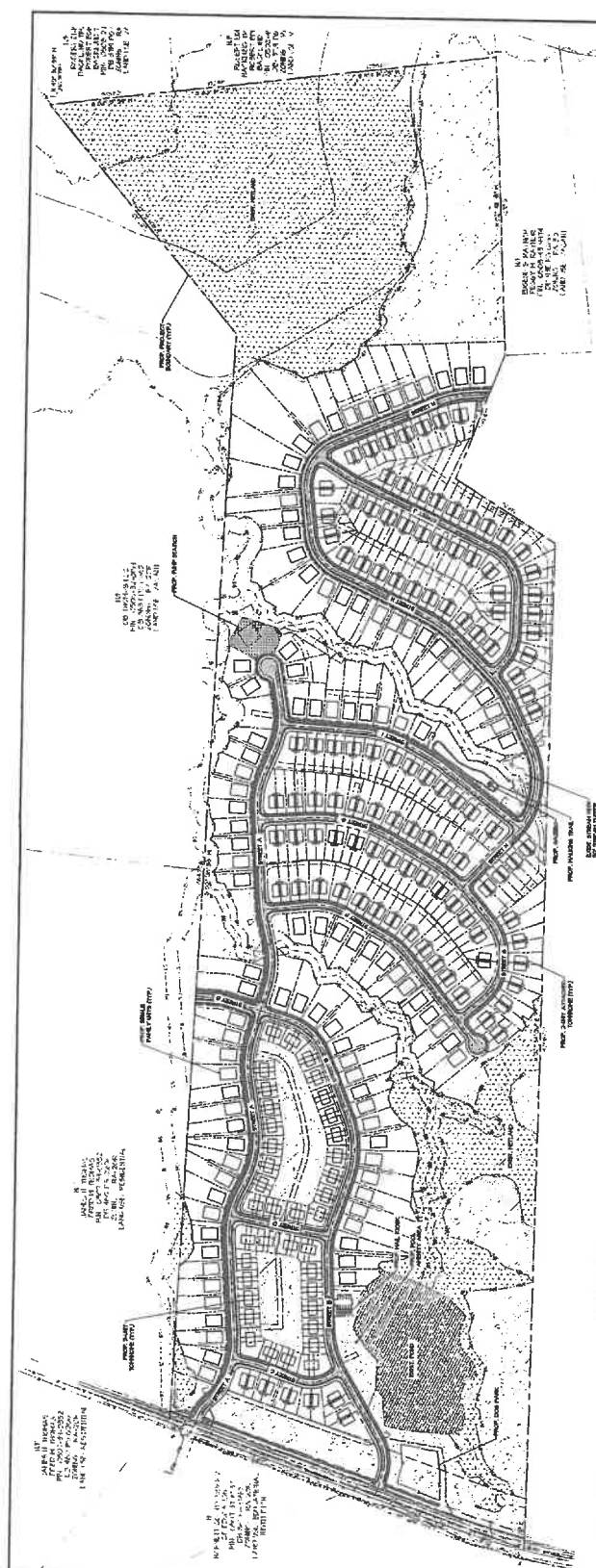
** I have received and read the above statement:

Alexis Carambot

Signature

4/24/2025

Date



**HARNETT COUNTY BOARD OF ADJUSTMENT
CONDITIONAL USE PERMIT WORKSHEET**

**APPLICANT: Lloyd Enterprises LP
Alexis Carambot, Mungo Homes**

CASE NUMBER: BOA2504-0007

1. The requested use **is / is not** in harmony with the surrounding area and compatible with the surrounding neighborhood for the following reasons:

2. The requested use **will / will not** materially endanger the public health and safety for the following reasons:

3. The requested use **will / will not** substantially injure the value of adjoining property, **or**, alternatively, the requested use **is / is not** or **will / will not** be a public necessity for the following reasons:

4. The requested use **will / will not** meet all required conditions and specifications for the following reasons: _____

5. The requested use **is / is not** in general conformance with the Harnett County Unified Development Ordinance (UDO), Land Use Plan, and other relevant adopted plans for the following reasons: _____

CONDITIONS TO CONSIDER:

1. _____
2. _____
3. _____
4. _____
5. _____



William J. Brian, Jr. | Of Counsel
700 W. Main St.
Durham, NC 27701

919-590-0372
bbrian@morningstarlawgroup.com
www.morningstarlawgroup.com

May 27, 2025

VIA ELECTRONIC MAIL AND FEDERAL EXPRESS

Christopher W. Appel
cappel@harnett.org
Senior Staff Attorney
Teresa Byrd
tbyrd@harnett.org
Senior Dept. Support Specialist / Board Clerk
County of Harnett
455 McKinney Pkwy
Post Office Box 238
Lillington, NC 27546

Re: Request for Rehearing | BOA2503-0002

Dear Mr. Appel and Ms. Byrd:

This firm represents Blaine Drose (the "Applicant") and CBD Homes, LLC ("CBD Homes" or the "Owner"), the owner of the property located at 8320 NC Hwy 42 in Harnett County, North Carolina, with PIN#: 0625-15-0335.000 (the "Property").

On or around March 11, 2025, the Applicant submitted a written application to Harnett County requesting that the Board of Adjustment issue a special use permit to allow for a boat and RV storage facility on the Property (the "Special Use Permit Application").

On May 12, 2025, the Board held a quasi-judicial hearing on the Special Use Permit Application (the "Hearing"). Following the quasi-judicial Hearing, the Board voted to deny the Special Use Permit Application.

Article VII, Section G, of the Harnett County Board of Adjustment By-Laws establishes the following procedure for requesting a rehearing:

A rehearing may be held provided that the applicant submits any new evidence in writing to the Board that will enable the Board to determine if there has been a substantial change in the facts, evidence, or conditions in the case to warrant a rehearing. The Board shall deny the request for a rehearing if, from the record, it finds that there has been no substantial change in facts, evidence, or conditions. If the Board finds that a change has occurred, the

applicant may re-file the application for consideration at the following regular meeting. Cases approved for a rehearing shall be filed and processed in the same manner as a new application.

BOA Bylaws, Art. VII, § G.

The Applicant hereby requests that the Board hold a rehearing in this matter. In support of this request, the Applicant states that new evidence will be submitted to the Board at a rehearing to show a substantial change in the facts and evidence that was presented at the Hearing. New evidence that will be presented will include, for example:

1. Expert testimony from a licensed and duly qualified transportation engineer that the project will not materially endanger the public health and safety;
2. A driveway permit and extension issued by the North Carolina Department of Transportation for the Property, which confirms the adequacy of the sight lines onto NC Highway 42, which Applicant was not allowed to submit at the Hearing;
3. Expert testimony from a licensed and duly qualified appraiser as to the lack of any injury to the value of adjoining properties; and
4. Fact testimony from as many as 12 neighbors as to the proposed use's harmony with the surrounding area and compatibility with the surrounding neighborhood, including testimony that numerous commercial uses are located near the property in question.

Additionally, the North Carolina Department of Transportation has responded favorably to the Applicant's request that the speed limit on NC Highway 42 be reduced to 35 MPH, and it may be possible to present evidence relating to that speed limit adjustment at the rehearing of this matter. Finally, the Applicant will show that evidence submitted against its request at the Hearing was false, and that the Board's decision therefore is fundamentally flawed.

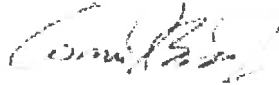
The Applicant believes that it satisfied its burden at the Hearing by producing substantial, competent, and material evidence on each of the elements for the issuance of the requested special use permit. However, it wishes to advance these additional facts and opinions to remove any doubt as to its entitlement to the requested special use permit. Accordingly, the Owner and Applicant hereby request that the Board of Adjustment rehear the Special Use Permit Application pursuant to Article VII, Section G, of the bylaws.

The Owner and the Applicant request that this Request for Rehearing be placed on the June 9, 2025, agenda for the Board's consideration.

If you have any questions, or if there is anything else that you would like for us to do in connection with this request, we trust that you will contact us.

Very truly yours,

MORNINGSTAR LAW GROUP

A handwritten signature in black ink, appearing to read "William J. Brian, Jr.", is positioned above the printed name.

William J. Brian, Jr., Esq.

cc. Jeffrey L. Roether, Esq., (by email; jroether@morningstarlawgroup.com)
Hunter B. Winstead, Esq., (by email; hwinstead@morningstarlawgroup.com)

Enclosure(s): none

HARNETT COUNTY BOARD OF ADJUSTMENT

Harnett County Development Services

420 McKinney Parkway

Lillington, NC 27546

May 12, 2025 at 6:00 PM

FINDINGS OF THE BOARD OF ADJUSTMENT

Having heard the evidence in the following case at their regular meeting on May 12, 2025 the Harnett County Board of Adjustment makes the following findings of fact:

Special Use Permit BOA2503-0002	CBD Homes, LLC / Blaine Drose. A Boat & RV Storage Facility in an RA-30 Zoning District; Pin # 0625-15-0335.000; 3.99 acres; Buckhorn Township; NC Hwy 42.	
The requested use <input type="checkbox"/> is <input checked="" type="checkbox"/> is not in harmony with the surrounding area and compatible with the surrounding neighborhood for the following reasons:	No other commercial businesses are operating on the adjacent properties or in the general vicinity of this location.	Motion By: <u>Pope</u> Second By: <u>Andrews</u> Vote: For <u>5</u> / Against <u>0</u>
The requested use <input checked="" type="checkbox"/> will <input type="checkbox"/> will not materially endanger the public health and safety for the following reasons:	There are severe issues with site distances where the driveway would be placed as they relate to this property.	Motion By: <u>Pope</u> Second By: <u>Andrews</u> Vote: For <u>5</u> / Against <u>0</u>
The requested use <input type="checkbox"/> will <input checked="" type="checkbox"/> will not substantially injure the value of adjoining property, or alternatively, the requested use <input type="checkbox"/> is <input type="checkbox"/> is not or <input type="checkbox"/> will <input type="checkbox"/> will not be a public necessity for the following reasons:	Testimony has verified that there will not be any working on or repairing of boats and recreational vehicles at this proposed site; nor would the storage of hazardous materials be allowed.	Motion By: <u>Summers</u> Second By: <u>Fairley</u> Vote: For <u>5</u> / Against <u>0</u>
The requested use <input checked="" type="checkbox"/> will <input type="checkbox"/> will not meet all required conditions and specifications for the following reasons:	The proposed application will meet all required conditions under the Harnett County UDO for this type of facility prior to a certificate of occupancy.	Motion By: <u>Andrews</u> Second By: <u>Summers</u> Vote: For <u>5</u> / Against <u>0</u>
The requested use <input type="checkbox"/> is <input checked="" type="checkbox"/> is not in general conformance with the Harnett County Unified Development Ordinance (UDO), Land Use Plan, and other relevant adopted plans for the following reasons:	The requested use is an allowed special use within the current zoning district and consistent with the comprehensive land use plan however: the concerns over the curvature of the road, driveway entrance and the school bus stop, have been identified as unfavorable with previous findings of fact.	Motion By: <u>Andrews</u> Second By: <u>Summers</u> Vote: For <u>5</u> / Against <u>0</u>
I move that special use permit application BOA2503-0002 has failed to meet all of the finding of facts in the affirmative and the special use permit be denied.		Motion By: <u>Andrews</u> Second By: <u>Fairley</u> Vote: For <u>5</u> / Against <u>0</u>

