



**NOTICE OF PUBLIC HEARING BEFORE THE TOWN OF SOUTHERN PINES  
TOWN COUNCIL  
TO CONSIDER A PROPOSED CONDITIONAL USE**

Notice is hereby given that a Public Hearing will be held before the Town of Southern Pines Town Council at the Douglass Community Center, 1185 West Pennsylvania Avenue, on Tuesday, October 11, 2016 at 7:00 PM, for the purpose of giving all interested citizens and property owners an opportunity to speak with respect to the proposed Conditional Use Petition described as follows:

**CU-06-16 Conditional Use Permit: Major Modification to CU-01-11 for a Daycare; Tyler's Ridge; Petitioner, Building Blocks Early Education Centers**

On behalf of the petitioner, Building Blocks Early Education Centers, Mr. Perry Melton has submitted a request for a major amendment to Conditional Use Permit CU-01-11. The approval of CU-01-11 approved a mixed-use development off of NC Highway 22 to include a commercial business park, a residential apartment section, and three (3) single-family homes. Mr. Melton is seeking a Major Amendment to the previously approved Conditional Use Permit to remove the requirement for the single-family homes in favor of a daycare center to be constructed on the same lots designated for single-family development. The subject property is comprised of 1.48 acres with the entirety of the subject property located within the corporate limits of the Town of Southern Pines. The subject property is identified by the following: PIN: 857300969695 (PARID: 00035939); PIN: 857300969508 (PARID: 20110241); and PIN: 857300967690 (PARID: 20110242). Per the Moore County Tax records, the property owner(s) are listed as Tyler's Ridge Business Park, LLC.

All interested citizens wishing to speak on the request or wishing to present evidence in order to have the request approved, approved with conditions, or denied should attend the public hearing.

The Hearing Body's decision must be based on substantial, competent, and material evidence. Substantial evidence is "that" which a reasonable mind would regard as sufficiently supporting a specific result." Competent evidence is evidence that can be subjected to cross-examination, inspection, explanation and rebuttal. Material evidence is evidence that is relevant to the issue being considered by the Hearing Body.

As a general rule, anyone with knowledge material to the case may provide factual information, but only experts may provide opinion testimony. Except as provided in G.S.

§ 160A-393(k)(3), lay witnesses may provide opinion testimony, but this testimony is generally deemed incompetent unless it is corroborated by competent evidence.

Competent evidence shall not be deemed to include the opinion testimony of lay witnesses as to any of the following:

- (1) The use of property in a particular way would affect the value of other property.
- (2) The increase in vehicular traffic resulting from a proposed Development would pose a danger to the public safety.
- (3) Matters about which only expert testimony would generally be admissible under the rules of evidence.

The full permit request application and maps delineating the properties affected may be reviewed at the Department of Planning and Development, 180 SW Broad Street, Southern Pines, North Carolina. Substantial changes in the permit request may be made following the public hearing.

Peggy K. Smith, Town Clerk

Publish Dates:

Wednesday, September 28, 2016

Wednesday, October 5, 2016