



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

Notice is hereby given that a Public Hearing will be held before the Town of Southern Pines Planning Board at the Douglass Community Center, 1185 West Pennsylvania Avenue, on Thursday, July 20, 2017 at 7:00 PM, for the purpose of giving all interested citizens and property owners an opportunity to speak for or against the adoption of the proposed Conditional Use Petition described as follows:

CU-08-16 Conditional Use Permit: Major Subdivision Application for a Single-Family Residential Development; Petitioners, Donnie Lee and Pete Mace

On behalf of property owners Donnie Lee and Pete Mace, Bob Koontz has submitted a Conditional Use Permit application requesting approval of a Major Subdivision at the corner of Yadkin Road and Clark Street. Per Section 2.20 of the Unified Development Ordinance of Southern Pines (UDO), any subdivision of land creating greater than five (5) lots requires a Conditional Use Permit (CUP). The proposed development consists of eight (8) residential lots, each with a detached single-family dwelling unit, therefore the proposal will require a CUP. The proposed subdivision will be primarily accessed via a private cul-de-sac road off Clark Street. The property on which the proposed development will occur consists of 2.82 acres currently zoned RS-1 Residential Single-Family and RS-3 Residential Single-Family. The properties are identified by the following: PIN 858200822983 (PARID 00032824) and PIN 858216820998 (PARID 00032748). Per the Moore County Tax records, the property owners are listed as Bradford Village, LLC and DDL Properties, 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 Inspections, 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