



**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 Wednesday, October 11, 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-03-17: Conditional Use Permit for a 93.04 Acre Major Subdivision; West Side of Waynor Road; Petitioner, Allan Casavant

Mr. Allan Casavant has submitted a Conditional Use Permit application requesting the approval of a major subdivision for a residential development project on the west side of Waynor Road. Per §2.19 and §2.20 of the Town of Southern Pines Unified Development Ordinance, any subdivision of land creating greater than five (5) lots requires a Conditional Use Permit. The proposed major subdivision will consist of 97 residential lots and approximately 16.39 acres of open space. The development is proposed on land presently consisting of seven (7) existing parcels comprising a total area of 93.04 acres. The seven subject parcels are identified as PIN 857404819125 (PARID 00038372); PIN 857404708356 (PARID 00038373); PIN 857404712368 (PARID 00038374); PIN 857404800800 (PARID 00041610); PIN 857404719666 (PARID 00032317); PIN 857404817461 (PARID 00040331); and PIN 857400815642 (PARID 91000413) and property owners are listed as J.E. Ross, Adriane Chandler Dehghan, Thomas McLaughlin, Jr. and Brenda McLaughlin, and Treater C. Chambers and Harry L. Chambers (Curtis and Kate Chavis, heirs), respectively.

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

Publication Dates:

Wednesday, September 27, 2017

Wednesday, October 4, 2017