



**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, December 12, 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-06-17: Conditional Use Permit; Major Amendment to CU-05-14; May Street Cottages; Petitioner, Jim Leach

Mr. Jim Leach has submitted a Conditional Use Permit application requesting the approval of a major amendment to Conditional Use Permit CU-05-14. Per §2.21.13 of the Town of Southern Pines Unified Development Ordinance, a major conditional use permit amendment shall be approved in the same manner and under the same procedures as the original approval. The purpose of the proposed amendment is to revise the previously approved phasing plan. The subject parcels are identified as follows:

PIN 858220706563 (PARID 20030218); PIN 858220706632 (PARID 00032175);
PIN 858100796995 (PARID 20100351); PIN 858220707038 (PARID 00036692);
PIN 858220708113 (PARID 00036693); PIN 858226708260 (PARID 00036694);
PIN 858220800349 (PARID 00038757); PIN 858100893900 (PARID 00036195);
PIN 858200803100 (PARID 20110183); PIN 858220708958 (PARID 00038105);
PIN 858200706860 (PARID 20070572); PIN 858200707954 (PARID 20070569);
PIN 858200707782 (PARID 00036276); PIN 858200708820 (PARID 20070571);
and PIN 858200708867 (PARID 00032187). The property owner is listed as Moore HL Properties, Inc.

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, November 22, 2017

Wednesday, November 29, 2017