

HARNETT COUNTY
BOARD OF ADJUSTMENTS

January 13, 2025

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

CASE NUMBER: BOA2410-0005
APPLICANT: Dave Stepp & Terry Walton
OWNER: D Dubs Real Estate, LLC.
LOCATION: 762 Pope Lake Road Angier, NC 27501
ZONING: RA-30 & Conservation
ACREAGE: 12.74 PIN# 0692-39-3045.000
LAND USE CLASSIFICATION: Agricultural & Environmentally Sensitive Areas

REQUEST: The applicant has appealed the Administrator's decision that the placement and construction of an access driveway in a Conservation district is allowed due to the inability to restrict access to personal property.

AERIAL:

GIS Aerial



Google Aerial



new access
drive

Pope Lake Rd

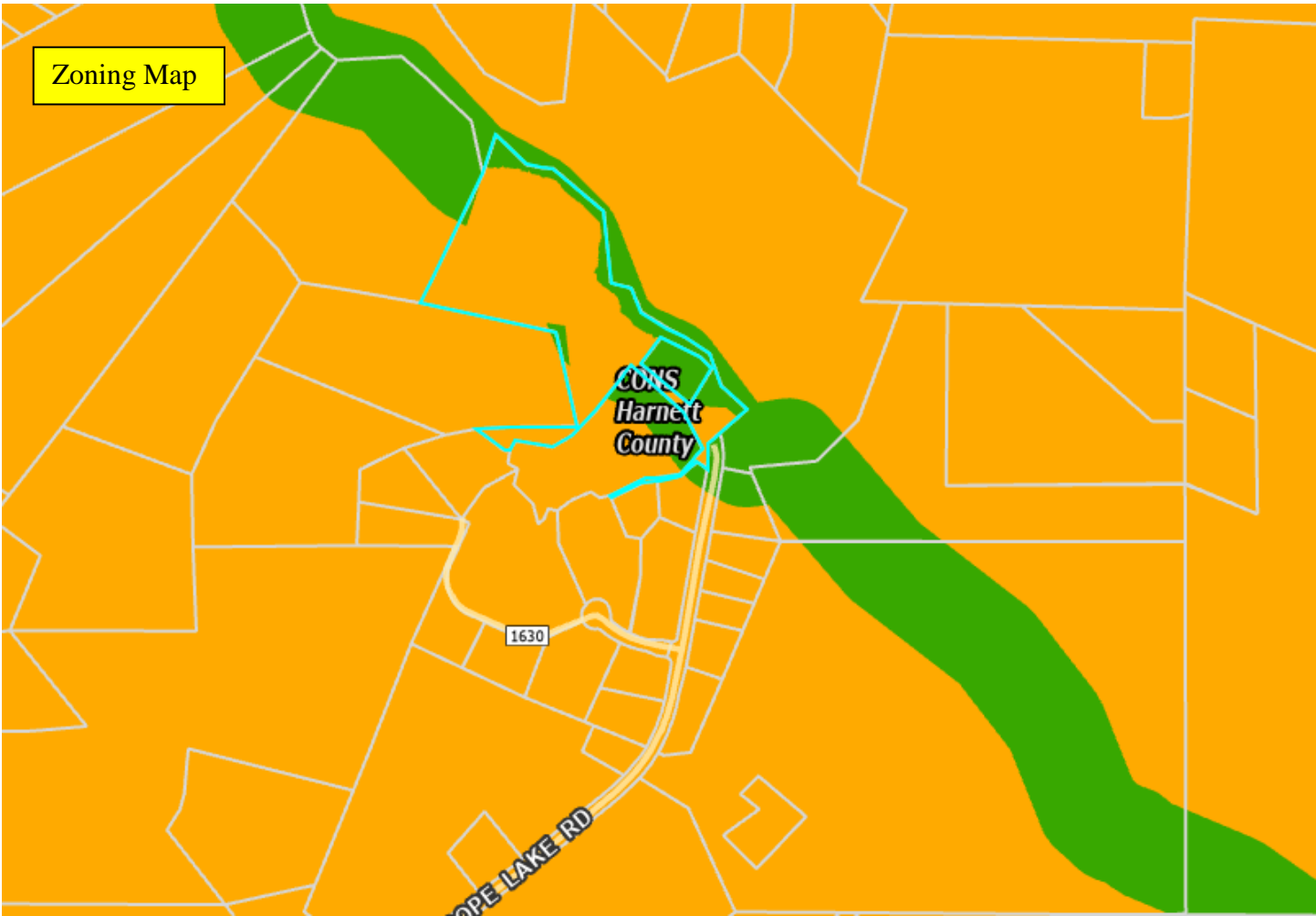
Black River


Zoning Map

CONS
Harnett
County

1630

DOPE LAKE RD





Land Use
Classification Map

PHYSICAL CHARACTERISTICS

- A. Site:** Currently under construction for mixed residential development.
- B. Surrounding Land Uses:** Single Family Residential / Agricultural / Undeveloped Forestry
- C. Utilities:** **Water** – Public **Sewer** – Public

BACKGROUND:

- May 2024 a code case was created due to a citizen complaint in reference to development without permits.
- August 2024 another code case was created due to a citizen complaint in reference to development without permits.
- NC Department of Environmental Quality approved a permit for land disturbance of 0.18 acres to construct the driveway/ access road.
- US Army Corps of Engineers approved a permit for the dam repairs/ improvements.
- US Army Corps of Engineers approved a permit for the new driveway access road.
- After several site visits, Development Services staff and the County's Sr Staff Attorney met to discuss this situation. Since the State as well as the USACE approved this access, it was then determined that a driveway was not considered 'development' from the County's perspective and Conservation zoning violation did not exist.
- A Floodplain permit was required due to the disturbance, as similar to the DEQ permit. That was applied for and granted.

UNIFIED DEVELOPMENT ORDINANCE REGULATIONS

ARTICLE IV. ZONING & OVERLAY DISTRICTS

SECTION 11.0 CONSERVATION - CONS

11.1 Purpose

The purpose of the Conservation District is to encourage the preservation of and continued use of the land for conservation purposes in its natural state, and to prohibit intrusive development of the land in areas with alluvial soils, perennial streams, or that are subject to flooding or considered wetland.

WILKERSON SUBMITTED SITE PLAN

