

**Project Overview****#1296460****Project Title:** Gillespie St**Jurisdiction:** City of Fayetteville**Application Type:** 5.3) Special Use Plan Review**State:** NC**Workflow:** Staff Review**County:** Cumberland**Notice Regarding Special Use Permit Procedural Process**

## Special Use Permit

Dear Applicants,

Thank you for applying for a Special Use Permit with the City of Fayetteville. Due to legislative changes, the procedural process for Special Use Permits have changed:

1. Special Use Permits are now considered Evidentiary Hearings. With an Evidentiary Hearing, it is incumbent upon the applicant to present evidence that supports the application. This evidence is required both in writing and verbally.
2. Since the written evidence comes mainly from the application, the eight (8) Findings of Fact are essential. The answers must be complete and accurate.
3. Applicants are required to make, at minimum, an oral presentation to the City Council that addresses the eight (8) Findings of Facts. The applicant has the option of doing a visual presentation as well, but this is not required.
4. Lastly, Special Use Permits no longer have to be reviewed by the Zoning Commission and will proceed directly to the City Council. The deadline dates for Special Use Permits have changed.

### Expiration - Special Use Permit (SUP)

30-2.C.7.d.7.a.2 - Unless specified otherwise by the City Council, a Special Use Permit shall automatically expire if a Building Permit for the development authorized by the Special Use Permit is not obtained within one year after the date of issuance of the Special Use Permit, or if the development authorized by the Special Use Permit is discontinued and not resumed for a period of one year.

Again, thank you for your application. If you have any additional questions, please contact the Planning & Zoning Division at 910-433-1612 to speak with a Professional Planner.

If you would like a copy of the above text, you can [download a copy here](#).

**Please enter your full name in the space below to confirm your acknowledgement of the above statement.**

**Enter Your Full Name Here:** Patrick Dakota Prather

**Project Location**

**Project Address or PIN:** 639 GILLESPIE ST (0436592379000) **Zip Code:** 28306

Is it in Fayetteville? [Click this link to the Cumberland County Tax Office GIS system](#)

#### GIS Verified Data

**Property Owner: Parcel**

- 639 GILLESPIE ST: H & A JOINT ADVENTURES LLC

**Zoning District: Zoning District**

- 639 GILLESPIE ST: HI

**Fire District:**

**Hospital Overlay District:**

**Cape Fear District:**

**Haymount Historic District:**

**100 Year Flood:** <100YearFlood>

**Watershed:**

**Acreage: Parcel**

- 639 GILLESPIE ST: 2.38

**Subdivision Name:**

**Airport Overlay District: Airport Overlay District**

- 639 GILLESPIE ST: 1

**Coliseum Tourism District:**

**Downtown Historic District:**

**Floodway:**

**500 Year Flood:** <500YearFlood>

#### Written Description of Special Use

**Is the proposed project for a cell tower?:** No

**A) Provide a written description of the proposed special use, including summary of existing uses and the proposed use/activity in detail. Also include hours and days of operation, number of employees, number of clients, etc.:**

We are requesting a special use for permit due to our wrecker yard being less than 200 feet away from a vacant lot that is zoned for residential use only. J & P Towing consists of three office staff and five tow truck drivers. Our business has been operating out of this yard for 14 months now and we consider ourselves to be well established in the surrounding community. Our hours of operation are 8 AM-5PM for our office and we are open 24/7 for anyone needing an after hours release. The yard is used to tow in vehicles involved in motor vehicle accidents and also unauthorized vehicles that are removed from private property. We have contracts with several apartment complexes and other private businesses to remove unauthorized vehicles from their respective properties. We are at a very short distance from those properties which does benefit both our business and the owner of the towed vehicle as in some cases the vehicle was towed from a property within walking distance, thus eliminating the inconvenience for them of having to find a ride to our lot.

**B) Please provide a description of the Zoning District designations and existing uses on adjacent properties, including across the street.:**

639 Gillespie Street (Our current address)- HI

641 Gillespie Street, Reds AutoWorx, Auto body shop- HI

620 Gillespie Street, Air Pro Heating, Air & Electric, Air conditioning company- CC

650 Gillespie Street, Simply Screen Printing, Screen printer- CC

617 Gillespie Street- Residential (Vacant lot on the opposite side of the railroad track)

**Special Use Justification. Answer all questions on this and the following pages (upload additional sheets as needed).**

**Indicate how the special use complies with all applicable standards, conditions, and specifications in this Ordinance, including in Section 30-4.C, Use-Specific Standards;:**

The property already has vehicles stored on the property for mechanic work as there is an auto body shop and a mechanic shop within the same building. Also we do not store vehicles on this lot for over 10 days, after the 10 day waiting period we transport the remaining vehicles to our overflow lot. Furthermore the vacant lot that is less than 200 feet away is separated from the yard by an active railroad track.

**Describe how the special use will be in harmony with the area in which it is located;:**

As previously stated, the property that we are operating from has existing use of storing cars. There will be no negative impact on us continuing to operate from the property.

**Indicate how the special will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved;:**

We do not store cars for longer than 10 days on the property. Therefore there is no negative impact on the public health or safety. Also, we keep all vehicles behind a 6 foot wooden fence locked with a padlock with 24/7 camera monitoring.

**Demonstrate how the special use is in general conformity with the City's adopted land use plans and policies;:**

The property that we are on is zoned for high industrial use. The only thing that is preventing us from storing the vehicles we have at the position we have is the vacant plot of land that has not been used and the owner is not willing to sell.

**Explain how the special use will not substantially injure the value of the abutting land, or the special use is a public necessity; and:**

The property we are using is zoned for high industrial use therefore it's already zoned for what we need it for- storing vehicles on a wrecker yard.

**Will the special use comply with all other relevant City, State, and Federal laws and regulations?:**

Yes

**Primary Contact Information**

**Contractor's NC ID#:**

**Project Owner**

Jainelys Prather  
J & P Towing and Transporting LLC  
5938 Richfield Ave  
Hope Mills, NC 28348  
P:9107292479  
[jptowingandtransporting@gmail.com](mailto:jptowingandtransporting@gmail.com)

**Project Contact - Agent/Representative**

Jainelys Prather  
J & P Towing and Transporting LLC  
5938 Richfield Ave  
Hope Mills, NC 28348  
P:9107292479  
[jptowingandtransporting@gmail.com](mailto:jptowingandtransporting@gmail.com)

**As an unlicensed contractor, I am aware that I cannot enter into a contract that the total amount of the project exceeds \$40,000. :**

NC State General Contractor's License Number:  
NC State Electrical Contractor #1 License Number:  
NC State Electrical Contractor #2 License Number:  
NC State Electrical Contractor #3 License Number:  
NC State Mechanical Contractor's #1 License Number:  
NC State Mechanical Contractor's #2 License Number:  
NC State Mechanical Contractor:  
NC State Plumbing Contractor #1 License Number:  
NC State Plumbing Contractor #2 License Number:

Indicate which of the following project contacts should be included on this project: