

Project Overview**#1688684****Project Title:** Houndstown USA**Jurisdiction:** City of Fayetteville**Application Type:** 5.3) Special Use Permit**State:** NC**Workflow:** Staff Review**County:** Cumberland**Notice Regarding Special Use Permit Procedural Process**

Special Use Permit

Dear Applicant,

Thank you for applying for a Special Use Permit with the City of Fayetteville. The City Council's decision shall be based on written and sworn oral evidence presented at the evidentiary hearing. This application **MUST BE COMPLETE**, thorough responses must be provided. Incomplete applications and responses will not be accepted. The procedures you **MUST** follow are found in the Unified Development Ordinance (UDO) Sections 30-2.C.7., Special Use Permit, and 30-2.B.14., Public Evidentiary Hearing Procedures.

Pursuant to Section 30-2.C.7.d.7.a.2 of the UDO, the 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 or if the development authorized by the Special Use Permit is discontinued and not resumed for a period of one year, unless otherwise specified by City Council.

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 and to confirm that you are the owner or owner's representative and you have the authority to apply for this permit.

Enter Your Full Name Here: Jake Henning**Project Location****Project Address or PIN:** 4417 RAMSEY ST (0439598207000) **Zip Code:** 28311

Is it in Fayetteville? If you're not sure, click this link: [Cumberland County Tax Office GIS system](#)

GIS Verified Data**Project Address:** 4417 RAMSEY ST**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. :

We are proposing an upfit for a Hounds Town USA dog boarding facility at a location that was previously a pharmacy. As you know, North Carolina Zoning requirements stipulate that dog boarding facilities must have an outside play run. These play runs must be a minimum of 75 feet from the property line. Given that the location is situated on a property 150 feet wide, we are requesting a special use permit to install the required play area closer to the property line. The proposed fence would be approximately 23 feet from the property line.

Initially, we submitted this to the zoning department requesting a variance. However, we were advised that a variance was unnecessary because we are installing an 8-foot vinyl fence with low-visibility screening. Additionally, a tree/shrub line helps screen this area from the back alleyway of the adjacent businesses on the south side of the property where the fence is to be installed. Our plan also included the cleaning procedures set forth by Hounds Town USA. They have guided us to submitting the special use permit.

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

The proposed Hounds Town site and the surrounding businesses are currently zoned CC. Across Ramsey Street, the zoning changes to SF10.

North: Zaxbys restaurant

East (across Ramsey Street): Single-family residential homes

South: A multi-tenant building whose tenants include Jimmy Johns, Desire, DJ Nail and Spa, Brooklyn Pizza, Sports Clips, and Nona Sushi

West: Bobby Taylor Oil Company

Please indicate, in detail, how the proposed special use meets the following standard. Be thorough in your response, as it shall be used as written evidence in the evidentiary hearing, per Special Use Standards 30-2.C.7.e. You may upload additional pages

Finding Number 1 - The special use complies with all applicable standards, conditions, and specifications in this Ordinance, including in Section 30-4.C, Use-Specific Standards;:

30-4.C.4. Commercial Uses

b.

Animal Care Uses

Animal shelters, kennels (indoor and outdoor), and veterinary clinics shall comply with the following standards:

1. Animal care uses providing boarding services for dogs shall provide a fenced and screened outdoor area of at least 50 square feet per dog. **We will meet the fencing and screening requirements by installing an 8-foot vinyl fence designed to limit visibility. Additionally, we can fulfill the requirement for an outdoor area by ensuring at least fifty square feet per dog.**

2. The animal care use shall be sufficiently insulated so no unreasonable noise or odor can be detected off the premises. The building's interior is a standalone structure featuring a brick facade, which effectively minimizes sound transfer. **The outdoor play area will be enclosed with 8-foot screening to limit visibility, thereby reducing dog noise and promoting a calm environment for the dogs. Additionally, the cleaning procedures established by Hounds Town USA are designed to mitigate odors.**

3. Any open runs or pens used to house animals shall be located at least 75 feet from any lot line. **This requirement is the reason we are submitting the Special Use Permit (SUP) as directed by Zoning Department. Due to the property's width of approximately 150 feet, it is not possible to meet the 75-foot setback requirement from the lot line.**

4. Accessory uses to an indoor kennel may include retail sales and grooming services, as long as the accessory uses do not occupy more than 25 percent of the total gross floor area. **All retail sales and grooming services will be under the occupancy of 25% of the total gross floor area**

Please indicate, in detail, how the proposed special use meets the following standard. Be thorough in your response, as it shall be used as written evidence in the evidentiary hearing, per Special Use Standards 30-2.C.7.e. You may upload additional pages

Finding Number 2 - The special use will be in harmony with the area in which it is located;:

The proposed fence area will be designed to complement the building's features while providing the necessary screening for the dog play area. Additionally, the fence will be further obscured by the existing trees and shrubbery, which serve to separate the Hounds Town space from the rear alley of the neighboring businesses.

Please indicate, in detail, how the proposed special use meets the following standard. Be thorough in your response, as it shall be used as written evidence in the evidentiary hearing, per Special Use Standards 30-2.C.7.e. You may upload additional pages

Finding Number 3 - The special use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved;:

All materials used in constructing the screening fence will be of Class A workmanship and professionally manufactured. Additionally, we have accounted for the need to maintain a fire lane and ensure access to all utilities throughout the property.

Please indicate, in detail, how the proposed special use meets the following standard. Be thorough in your response, as it shall be used as written evidence in the evidentiary hearing, per Special Use Standards 30-2.C.7.e. You may upload additional pages

Finding Number 4 - The special use is in general conformity with the City's adopted land use plans and policies;:

The screening fence is a city-mandated requirement and will be installed in compliance with the standards established by the code.

Please indicate, in detail, how the proposed special use meets the following standard. Be thorough in your response, as it shall be used as written evidence in the evidentiary hearing, per Special Use Standards 30-2.C.7.e. You may upload additional pages

Finding Number 5 - The special use will not substantially injure the value of the abutting land, or the special use is a public necessity; and:

We believe that the installation of the screening fence will neither negatively impact property values nor create a public nuisance.

Please indicate, in detail, how the proposed special use meets the following standard. Be thorough in your response, as it shall be used as written evidence in the evidentiary hearing, per Special Use Standards 30-2.C.7.e. You may upload additional pages

Finding Number 6 - The special use complies with all other relevant City, State, and Federal laws and regulations?:

The proposed fence and screening will adhere to all applicable city, state, and federal laws and regulations, contingent upon the approval of the reduction in the 75-foot setback requirement from the lot line.

Primary Contact Information

Contractor's NC ID#:

Project Owner

Jake Henning
Banyan Construction Services, LLC
650 Patrick Place
Bronwsburg, IN 46112
P:317-354-5570
jake@banyancs.com

Property Owner Email: tstanton@riddlecommercial.com

Project Contact - Agent/Representative

Jake Henning
Banyan Construction Services, LLC
650 Patrick Place
Bronwsburg, IN 46112
P:317-354-5570
jake@banyancs.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: 80621

Project Contact - General Contractor

Jake Henning
Banyan Construction Services, LLC
650 Patrick Place
Bronwsburg, IN 46112
P:317-354-5570
jake@banyancs.com

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 #3 License Number:

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: General Contractor