

**Project Overview**

**#1685972**

**Project Title:** Ice Machine at 2726 Raeford Rd

**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:** Davance Locklear

**Project Location**

**Project Address or PIN:** 2726 RAEFORD RD  
(0427217637000)

**Zip Code:** 28303

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

**GIS Verified Data**

**Project Address:** 2726 RAEFORD RD

## 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. :**

Im applying for a special use permit to reduce the setback requirements for an ice machine located at 2726 Raeford Rd. The ice machine has been operational for 17 months. It fails to meet setback requirements by 14ft. The required setback is 100ft and we have 86ft. If the SUP is not approved it would require a substantial expense to move the box 14 feet. The machine is set back further than the existing restaurant in the same commercial lot. All other requirements have been met.

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

The ice machine is currently located in the existing parking lot of a restaurant in commercial lot. Its surrounded by commercially zoned properties on all sides and across Raeford Rd.

**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;:**

Im applying for a special use permit to reduce the setback requirements for an ice machine located at 2726 Raeford Rd. The ice machine has been operational for 17 months. It fails to meet setback requirements by 14ft. The required setback is 100ft and we have 86ft. If the variance isnt granted that would require a substantial expense to move the box 14 feet. The machine is set back further than the existing restaurant in the same commercial lot. All other requirements have been met.

**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 ice machine is currently located in commercial lot and is in line with other retail businesses in the area.

The ice machine has been operational for 17 months. It fails to meet setback requirements by 14ft. The required setback is 100ft and we have 86ft. If the variance isnt granted that would require a substantial expense to move the box 14 feet. The machine is set back further than the existing restaurant in the same commercial lot. All other requirements have been met.

**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;:**

The ice machine has been operational for 17 months. It fails to meet setback requirements by 14ft. The required setback is 100ft and we have 86ft. If the variance isnt granted that would require a substantial expense to move the box 14 feet. The machine is set back further than the existing restaurant in the same commercial lot. All other requirements have been met. We feel that its current location and being set back from the existing structure in parking lot, the Ice machine poses no risk.

**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;:**

We are in conformity with the citys land use plans. We are a vending machine that sales ice at a discounted rate to the public community. The ice machine has been operational for 17 months. It fails to meet setback requirements by 14ft. The required setback is 100ft and we have 86ft. If the variance isnt granted that would require a substantial expense to move the box 14 feet. The machine is set back further than the existing restaurant in the same commercial lot. All other requirements have been met.

**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:**

The ice machines doesnt injure the value of surrounding land. We feel it enhances the attractiveness to the surrounding businesses. Our existing customers will be customers of the surrounding businesses due to proximity.

**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 complys with all other relevant City, State, and Federal laws and regulations?:**

Yes, the machine has stamped approved plans from an engineer. The plans ensure we are in compliance with all city, state, and federal law.

**Primary Contact Information**

**Contractor's NC ID#:**

**Project Owner**

Davance Locklear  
Two Cams  
2603 Cherry Plum Dr  
FAYETTEVILLE, NC 28306  
P:9108138696  
[davance.locklear@gmail.com](mailto:davance.locklear@gmail.com)

**Property Owner Email:** [Davance.locklear@gmail.com](mailto:Davance.locklear@gmail.com)

**Project Contact - Agent/Representative**

Davance Locklear  
Two Cams  
2603 Cherry Plum Dr  
FAYETTEVILLE, NC 28306  
P:9108138696  
[davance.locklear@gmail.com](mailto:davance.locklear@gmail.com)

**Project Contact - Primary Point of Contact for the Unlicensed Contractor (under \$40,000 of total construction cost)**

Davance Locklear  
Two Cams  
2603 Cherry Plum Dr  
FAYETTEVILLE, NC 28306  
P:9108138696  
[davance.locklear@gmail.com](mailto:davance.locklear@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. : Yes**

**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 #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:** Unlicensed Contractor