

**Project Overview**

**#2086626**

**Project Title:** 1651 Cedar Creek Rd

**Jurisdiction:** City of Fayetteville

**Application Type:** 5.4) Variance

**State:** NC

**Workflow:** Staff Review

**County:** Cumberland

**Project Location**

**Project Address or PIN:** 1651 CEDAR CREEK RD  
(0446815034000)

**Zip Code:** 28312

Please see checklist for instructions for multiple buildings on a single parcel submittals

**Is it in Fayetteville? A Fayetteville mailing address does not mean it is in the jurisdictional boundaries of the city.**  
**If you're not sure, click this link:** [Cumberland County Tax Office GIS system](#)

E911 Addressing confirmation, please ensure that new developments have an address assigned by Cumberland County E911 before submitting. There may be delays and penalties for not doing so.

**GIS Verified Data**

**Project Address:** 1651 CEDAR CREEK RD

**Variance Request Information**

**Requested Variances:** Height,Fence/wall

**Section of the City Code from which the variance is being requested.:** table 30-5.D.4

**Describe the nature of your request for a variance and identify the standard(s)/requirement(s) of the City Code proposed to be varied.:**

**Identify the zoning district designation and existing use of land for all adjacent properties, including those across the street.:**

I want to project/business to be uniform with appearance and security necessary to have storage secure. The height of the fence needs to be 6' at minimum to prevent foot traffic scaling the fence. The like/kind of fence materials and construction will be the same as was required previously on the second phase of expansion. The frontage areas facing Cedar Creek Road required 6' commercial black aluminum bar fencing. The side road required the 6' black chain link. I simply moved the existing side fencing outward closer to the property line at the L A Dunham road. Maintaining the fence location on or near the property line.

This property is CC commercial zoning with the same use as is currently being used. It is currently part of Cedar Creek Road Mini Storage. I am simply changing the perimeter fence out closer to the property line.

Adjacent property use is commercial on the north and west are residential. South is commercial use and across the street along Cedar Creek Road.

**Justification for Variance Request - Use this and the following pages to answer the questions (upload additional sheets if necessary).**

The Variance Standards states: A variance application shall be approved only upon a finding that **all** of the following standards are met.

1. Strict application of the Ordinance requirements results in practical difficulties and unnecessary hardships; it shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property;

2. Any practical difficulties or unnecessary hardships result from unique
3. circumstances related to the land, such as location, size, or topography, and are not the result from conditions that are common to the neighborhood or the general public be the basis from granting a variance;
4. The Variance is the minimum action that will make possible a reasonable use of land or structures;
5. The Variance is in harmony with the general purpose and intent of this Ordinance and preserves its spirit; and
6. In the granting of this Variance, the public safety and welfare have been assured and substantial justice has been done.

**Expiration - Variance**

**30-2.C.14.e.5.- Variance approval shall automatically expire if the applicant does not record the Variance with the Cumberland County Register of Deeds within 30 days after the date the Variance is approved.**

Please complete the following five (5) questions to verify the evidence that all the required standards are applicable to your property and/or situation.

**Please describe how strict application of the Ordinance requirements results in practical difficulties and unnecessary hardships. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.:**

If the strict application of the ordinance is applied, I will not be able to secure the contents of the storage buildings and stored vehicles/trailers/boats.

**Please describe how any practical difficulties or unnecessary hardships result from unique circumstances related to the land, such as location, size, or topography, and are not the result of the actions of the landowner, nor may hardships resulting from personal circumstances as well as hardships resulting from conditions that are common to the neighborhood or the general public be the basis for granting a variance.:**

By this partial being a corner lot, the side setback will limit the usable space.

**Please describe how the Variance is the minimum action that will make possible a reasonable use of land or structures.:**

If I am not allowed to erect a fence on the property, I cannot secure the property for the intended use.

**Please describe how the Variance is in harmony with the general purpose and intent of this Ordinance and preserves its spirit.:**

Being given the variance, it will keep the existing company setting, appearance and uniformity with what was previously required by the city.

**Height of Sign Face : 0**

**Height of Sign Face: 0**

**Square Footage of Sign Face : 0**

**Height of Sign Face: 0**

**Square Footage of Sign Face: 0**

**Square Footage of Sign Face: 0**

Square Footage of Sign Face: 0

Please describe how, in the granting of the Variance, the public safety and welfare have been assured and substantial justice has been done.:

Our customer base requires that every potential security measures are taken to safely protect their belongings. The fence height will help prevent or at least make it hard to simply jump the fence to do harm.

Square Footage of Sign Face: 0

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Square Footage of Sign Face: 0

**Primary Contact Information**

**Project Owner**

James Smith  
J H Smith Investments  
1675 Cedar Creek Rd  
Fayetteville, NC 28312  
P:910-322-6822  
[jhsbearhunter@aol.com](mailto:jhsbearhunter@aol.com)

**Project Contact - Agent/Representative**

James Smith  
J H Smith Investments  
1675 Cedar Creek Rd  
Fayetteville, NC 28312  
P:910-322-6822  
[jhsbearhunter@aol.com](mailto:jhsbearhunter@aol.com)

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

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 Electrical Contractor #1 License Number:

NC State Electrical Contractor #2 License Number:

NC State Electrical Contractor #3 License Number:

NC State General Contractor's 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: