

CITY OF FAYETTEVILLE  
STATE OF NORTH CAROLINA  
ORDER TO APPROVE A SPECIAL USE PERMIT

The issuance of a Special Use Permit to allow for the reduction in the separation requirement between Animal Care Uses and adjoining property lines, located at 4417 Ramsey Street.

SUP 25-05

Property Address: 4417 Ramsey Street  
Tax Map Number: REID #s 0439598207000  
Property Owner: RIDDLE PROPERTIES LLC

The City Council for the City of Fayetteville, NC, held an evidentiary hearing on May 27, 2025, to consider a Special Use Permit request filed by Jake Henning of Hounds Town USA ("Applicant"), on behalf of, Riddle Properties LLC ("Property Owner"), to issue a Special Use Permit to allow the reduction of the separation requirement between Animal Care Uses and adjoining property lines at 4417 Ramsey Street, Fayetteville, NC ("Subject Property"). The Subject Property is presently zoned as Community Commercial (CC).

On May 15, 2025, a notice of evidentiary hearing was mailed to the Property Owner and all the owners of property within 1,000 feet of the Subject Property. On May 13, 2025, a notice of evidentiary hearing sign was placed on the Subject Property. On May 16 and 23, 2025, a notice of evidentiary hearing advertisement was placed in the legal section of *The Fayetteville Observer*.

Having considered all of the sworn testimony, evidence, and oral arguments submitted at the hearing by the parties, the City Council makes the following FINDINGS OF FACT and CONCLUSIONS OF LAW:

Findings of Fact

1. Riddle Properties LLC is the Property Owner of property zoned Community Commercial (CC) located 4417 Ramsey Street, which contains approximately 0.93 acres in the City of Fayetteville, NC.
2. The Subject Property is currently zoned Community Commercial (CC) and has a former drug store on it, which will be repurposed for this use.
3. The Property Owner/Applicant seeks to reduce the required 75-foot separation from Animal Care Uses and adjoining property lines.
4. The Applicant filed a timely application for a Special Use Permit on behalf of the Property Owner on April 17, 2025.
5. The City of Fayetteville adopted the Unified Development Ordinance (UDO), codified under Chapter 30 of the City Code, to establish that "This Ordinance

consolidates the City's zoning and subdivision regulatory authority as authorized by the North Carolina General Statutes . . . ”.

6. Chapter 30, Article 30-4, Section 30-4.C.4.b. allows an Animal Care use to operate inside of 75 feet from an adjoining property line with the approval of a Special Use Permit.

- a. The special use complies with all applicable standards, conditions, and specifications in this Ordinance, including Section 30-4.C.4.b., Animal Care Uses, as the Property Owner seeks to operate a kennel on its property pursuant to Section 30-4.C.4.b.

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.
  - 2. The animal care use shall be sufficiently insulated so no unreasonable noise or odor can be detected off the premises.
  - 3. Any open runs or pens used to house animals shall be located at least 75 feet from any 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.
- b. The special use will be in harmony with the area in which it is located, as Animal Care Uses are a permitted in CC zoning but require a SUP to reduce the separation from adjoining properties.
  - c. The special use will not materially endanger public health or safety if located where proposed and developed according to the plans that were submitted to and approved by the City. The Subject Property will not materially endanger the public health and safety because it is in a commercial area with direct access to a single intersection.
  - d. The subject property was previously used as a drug store in a commercial zoning district.
  - e. The special use will not substantially injure the value of the abutting land, and the use is a public necessity because the use will be almost exclusively indoors and little to no noise or smells will be noticed beyond its property lines.

- f. The special use complies with all other relevant City, State, and Federal laws and regulations since the Property Owner will be required to comply with all applicable laws and regulations.
- 7. The Special Use Permit applies to the entire Subject Property currently zoned Community Commercial (CC) located at 4417 Ramsey St.
- 8. The City's Unified Development Ordinance (UDO) requires that the Property Owner adhere to all City, State, and Federal requirements. Compliance with the required regulations will ensure that the surrounding properties are not harmed by this type of use.
- 9. An approved special use expires after 12 months if work has not commenced or permits have not been obtained or if the approved activity by the Special Use Permit is discontinued and not resumed for a period of one year.

#### Conclusions of Law

- 1. The City of Fayetteville adopted the Unified Development Ordinance (UDO), codified under Chapter 30 of the City Code, to consolidate the City's zoning and subdivision regulatory authority as authorized by the North Carolina General Statutes . . . " See City Code, Chapter 30.
- 2. The application on behalf of Riddle Properties LLC was timely, notice was properly given, and an evidentiary hearing was held by the City of Fayetteville's City Council in compliance with the laws of North Carolina.
- 3. The Property Owner shall adhere to all City, State, and Federal requirements.
- 4. All of the general and specific conditions precedent to the issuance of a Special Use Permit have been satisfied.
  - a. The special use complies with all applicable standards, conditions, and specifications in this Ordinance, including in Section 30-4.C, Use-Specific Standards;
  - b. The special use will be in harmony with the area in which it is located;
  - c. 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;
  - d. The special use is in general conformity with the City's adopted land use plans and policies;
  - e. The special use will not substantially injure the value of the abutting land; and

- f. The special use complies with all other relevant City, State, and Federal laws and regulations.
5. The special use expires after 12 months if work has not commenced or permits have not been obtained or if the approved activity by the Special Use Permit is discontinued and not resumed for a period of one year.

WHEREFORE, BASED ON THE FOREGOING FINDINGS OF FACT AND CONCLUSIONS OF LAW, it is ORDERED by the City of Fayetteville's City Council that the application for the issuance of a Special Use Permit is APPROVED.

VOTE: 9 to 0

This the 23rd day of June, 2025.

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MITCH COLVIN, Mayor

#### ATTACHMENTS

1. Application
2. Aerial Map
3. Zoning Map
4. Land Use Plan Map
5. Subject Property
6. Surrounding Properties
7. Site Plan
8. PowerPoint