

HARNETT COUNTY
BOARD OF ADJUSTMENTS
February 10, 2025

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CASE NUMBER: BOA2412-0004
APPLICANT: Paul Munana
OWNER: Herbet A. & Allen C. Ennis
LOCATION: Collins Drive, Lillington NC 27546
ZONING: RA-30
PIN#: 0680-17-9382, 0680-27-1642, 0680-27-2864
ACREAGE: +/- 44.22
LAND USE
CLASSIFICATION: Medium Density Residential
WATERSHED: WS-IV-P

REQUEST: Multifamily Apartments & Townhome Development

MAP



Directions from Lillington: Hwy 421 to Buies Creek, left on Leslie Campbell Avenue, left onto Main Street, right on Collins Drive
Also see application for directions

PHYSICAL CHARACTERISTICS

- A. Site:** The parcels are currently vacant (agricultural)
- B. Surrounding Land Uses:**
North: Single-Family Residences & Agricultural
East: Solar Farm
South: Agricultural
West: Multifamily & storage facility (approved, not constructed)

TRANSPORTATION

- Site distances are moderate.
- Traffic counts for Main Street are 2,500 vehicles per day.
- A traffic impact analysis has been submitted. The proposed traffic improvements can be found on Page 4 under “Recommendations.”

BACKGROUND

- The applicant requests a Special Use Permit for an apartment and townhome development of 277 dwelling units.
- This project is to be served by public water and sewer.
- Per the development regulations, 9 units per acre are allowed with a minimum of 15% open/recreational space. Required parking is 1.5 spaces per bedroom plus 1 space per bedroom when there are more than 2 bedrooms.
- Buffering will be classes A & C.
- If approved, this project will be required to go through the commercial site plan review process. The Commercial Site Plan review process includes a thorough review from Planning, Building Inspections, Fire Marshal, Public Utilities, E911/ Addressing, and Environmental Health Departments.
- A technical review has not been performed at this time.

UNIFIED DEVELOPMENT ORDINANCE REGULATIONS

ARTICLE V. USE REGULATIONS

1.2 Table of Use Types & Regulations

	IND	LI	COMM	O&I	CONS	RA-40	RA-30	RA-20R	RA-20M	PARKING	USE GROUP LEVEL	BUILDING CODE CLASS
RESIDENTIAL USES												
Multifamily Dwelling (three (3) or more dwelling units on individual parcel)				P*			S*	S*	P* S*	1.5 per bdm + 1 per bdm over 2	2	R-3
Townhome Development				P*			S*	S*	P* S*	1.5 per bdm + 1 per bdm over 2	2	R-3

3.2.1 Multifamily Residential Development: General Regulations

The following regulations shall apply to all Apartment Development, Condominium Development, Duplex Development, Multifamily Development (other), and Townhome Development.

- A.** Multifamily residential development shall be permitted in Rural Center, Employment Mixed Use and Compact Mixed Use Land Use Classifications, and shall require a Special Use permit in all other Land Use Classifications.
- B.** Residential density shall not exceed nine (9) dwelling units per acre unless otherwise allowed by this Ordinance.
- C.** A minimum of 15 percent (15%) of the tract shall be set aside for recreational open space unless otherwise allowed by this Ordinance. Of the total set aside five percent (5%) of the area shall be developed for improved recreational open space. This area shall be installed and maintained by the developer until ownership of the recreational open space area is transferred to the Homeowners' Association, if applicable. In cases where no Homeowners' Association is created, the developer shall be responsible for continued maintenance of recreational open space areas.
 - 1. Improved recreational open space areas, such as golf courses, basketball courts, swings, etc., shall be clearly defined. Any equipment used for improved recreational open space areas shall be permanently affixed to the ground.
 - 2. All recreational open space areas shall be equipped and maintained by the appropriate body.
- D.** A network of sidewalks and pedestrian trails, where applicable, shall be provided to connect all parking areas, driveways, residential structures, and amenities. Approval of such shall be based on connectivity.
 - 1. Sidewalks shall be constructed along all streets, driveways, parking areas, and residential structures. Said construction shall be in accordance with the construction standards set forth in this Ordinance.
 - 2. Pedestrian trails may be provided in place of sidewalks between all separate accessory structures and amenities, including open space and recreational open space areas. Said pedestrian trails shall be a minimum of four (4) feet wide and three (3) inches thick.

E. Developments larger than five (5) acres in size shall install street trees along both sides of all newly created public or private street(s). Said improvements shall be in accordance with the applicable requirements set forth in this Ordinance.

F. Recordation of the declaration, if applicable, and plan shall be completed by the developer or his agent prior to issuance of the first Certificate of Occupancy (CO) on the project following approval by the Development Review Board (DRB) or such approval shall be null and void.

G. In any multifamily development in which lots and/or units are individually sold, a Homeowners' Association (HOA) shall be required.

1. The required organizational documents and by-laws shall include, but are not limited to, the following:
 - a. The Homeowners' Association shall be established before any lots are sold.
 - b. Membership shall be mandatory for each buyer and any successive buyer.
 - c. The developer shall be responsible for all maintenance and other responsibilities of the Homeowners' Association until 60 percent (60%) of all units to be sold are sold. After 60 percent (60%) of all units are sold, the Homeowners' Association shall levy assessments and assume its responsibilities.
 - d. The Homeowners' Association shall be responsible for liability insurance, taxes and maintenance of all recreational open space facilities, grounds and common areas. Any sums levied by the Homeowners' Association that remain unpaid shall become a lien on the individual property.
 - e. The declaration shall contain a statement addressing street maintenance and ownership, if applicable.

H. Entrances

A minimum of two (2) entrances shall be required on all multifamily developments of 100 or more units.

I. Streets, driveways, and parking areas shall meet the following requirements:

1. All driveways, streets, and parking areas whether private or public, shall be paved and constructed to NCDOT standards. Once ownership of the private streets has been transferred to the Homeowners' Association, if applicable, the association shall assume maintenance of said streets.
2. When parking lots are located within the required front yard, the minimum front setback for each unit or the development as a whole, whichever is applicable, shall be increased by an additional 20 feet.
3. Curb & gutter shall be installed in accordance with Subsection "Curb & Gutter", Section "Street & Transportation Systems" of Article VII "Development Design Guidelines."

J. Individual lots shall meet the following minimum dimensional requirements as applicable. Minimum side yard requirements shall apply to perimeter boundaries only, except in cases of a duplex development, where the minimum side yard on one (1) side shall meet the requirements below.

MINIMUM REQUIREMENT:	WIDTH:
Lot Width	20 ft
Front Yard	35 ft
Front Yard (Parking within Front Yard)	55 ft
Rear Yard	25 ft
Side Yard	10 ft
Side Yard, Corner Lot	20 ft

3.2.2 Multifamily Residential Development: Specific Regulations

Townhome Development

A. In a townhome development in which any facilities such as but not limited to streets, parking areas, recreational open space facilities and common open space are to be held and maintained in common ownership a Homeowners' Association shall be organized. Documents showing the association's organizational structure and by-laws for the property shall be filed with the Planning Department. For townhome developments, the aforementioned documents shall become part of the application for a Special Use permit.

B. All townhome units shall be subject to the conveyance of a fee-simple lot.

ARTICLE XIV. DEFINITIONS & CERTIFICATIONS

2.2 General Definitions

Multifamily Residential Development

A building or development containing two (2) or more dwelling units, including units that are located over one (1) another in one (1) or more buildings on the same lot, or attached or detached units on separate lots at densities permitted by this Ordinance.

Multifamily, Townhome

An attached single-family dwelling on a fee-simple lot meeting the minimum front and rear yard setback requirements, fronting on a dedicated street, and sharing a common side(s) with adjoining units within a townhome complex.

HARNETT COUNTY COMPREHENSIVE GROWTH PLAN

FUTURE LAND USE PLAN

The Harnett Community envisions a future where the county will continue to grow and prosper in a way that promotes a high quality of life, capitalizes on and protects the assets that make Harnett County unique, and ensures that all Harnett Residents have access to a variety of housing, transportation, recreation and employment options.

FUTURE LAND USE CATEGORIES/ RESIDENTIAL AREAS

Medium Density Residential: Medium density residential with a mix of housing types including single-family detached homes with average lot sizes, small-lot homes and patio homes, gross densities of 2-5 units per acre. Located in areas served by current or planned utilities or in areas near the extra-territorial jurisdiction (ETJ) of towns. Additional housing types (including townhomes and apartments) and higher densities may be appropriate as part of planned developments or near Development Nodes.

LAND USE GOALS & STRATEGIES

LU-1: Reinforce countywide economic development goals with land use decisions.

LU-2: Encourage growth where infrastructure exists.

LU-4: Accommodate a mixture of housing types in appropriate areas.

SITE PHOTOS

Posted Sign



Posted Sign



Posted Sign



Collins Drive (looking west)



Main Street (looking south)



Multifamily (across Main Street)



Apartments (adjacent)



Single-Family (adajcent)

