Rawls Howard
Director

David Moon
Deputy Director

CUMBERLAND COUNTY
NORTH CAROLINA

Cumberland County Joint Planning Board

October 15, 2025

M E M O R A N D U M

TO: Cumberland County Joint Planning Board

FROM: Rawls Howard, Director of Planning & Inspections

SUBJECT: October 21, 2025, Meeting

The next scheduled meeting of the Cumberland County Joint Planning Board will be held on **Tuesday, October 21, 2025, at 6:00 p.m.**, in **Hearing Room #3 of the Historic Courthouse at 130 Gillespie Street.** You will find the following information included in your packet:

1. Tentative Minutes of the August 19, 2025 and September 16, 2025, meetings.
2. Tentative Agenda for the October 21, 2025, meeting.
3. Information on cases ZNG-012-25, ZON-25-0022, ZON-25-0033, ZON-25-0034, ZON-25-0035, ZON-25-0036, ZON-25-0037, ZON-25-0038, ZON-25-0039, ZON-25-0040, ZON-25-0041, ZON-25-0042, ZON-25-0043, and DEV-0120-25.

Should you have any questions about the enclosed materials, please call me at 678-7618.

Rawls Howard
Director

David Moon
Deputy Director

CUMBERLAND COUNTY
NORTH CAROLINA

Cumberland County Joint Planning Board

Tentative AGENDA
October 21, 2025
6:00 P.M.

I. INVOCATION AND PLEDGE OF ALLEGIANCE

II. ADJUSTMENTS TO / APPROVAL OF AGENDA

III. PUBLIC MEETING WITHDRAWALS / DEFERRALS

IV. ABSTENTIONS BY BOARD MEMBERS

V. APPROVAL OF THE MINUTES OF AUGUST 19, 2025 & SEPTEMBER 16, 2025

VI. CHAIRMAN'S WELCOME AND RULES OF PROCEDURE

VII. PUBLIC MEETING CONSENT ITEMS

REZONING CASES

A. **ZNG-012-25:** Initial zoning of 14.97 +/- acres to C2(P) Planned Service and Retail District, located approximately +/- 200ft East from the intersection of Town Center Dr and Rockfish Rd. REIDs 9494870736000, 9494872795000, 9494875714000, 9494878784000, 9494980467000 (portion). Submitted by Lori S. Epler (applicant) on behalf of Palmer Williams, Sycamore Corner LLC, SRW Builders LLC, Williams Timber LLC, and Great Oaks Property Holdings LLC (Owners). **(Hope Mills)**

B. **ZON-25-0022:** Rezoning request from C(P) Planned Commercial District and C-3 Heavy Commercial District to R-5/CZ Residential District Conditional Zoning or to a more restrictive zoning district for two parcels totaling 9.02 +/- acres; located at 604 N. Main St and the abutting parcel located at the northeast corner of Rainbow Ct and N. Main St; submitted by Alex Edwards (Agent) on behalf of Gwendolyn and Lorenzo McLean Jr (Owners/Applicant) and BBC Enterprises (Owner/Applicant). **(Spring Lake)**

C. **ZON-25-0034:** Rezoning request from R40 Residential District to A1 Agricultural District or to a more restrictive zoning district for 7.00 +/- acres of a 14.50 +/- acres parcel; located southeast of Abco Ln and northwest of Dudley Rd; submitted by Carl Sims (Agent) on behalf of Albert W Robinson Jr. (Owner).

D. **ZON-25-0035:** Rezoning request from RR Rural Residential District to A1 Agricultural District or to a more restrictive zoning district for a parcel comprising 374.57 +/- acres; generally located north of the Cape Fear River, south of McBryde St, 1.8 miles west of the intersection of Lane Road and Slocomb Rd, and one mile east of River Bend Rd; submitted by J. Scott Flowers (Agent) on behalf of Keith L. McCormick Revocable Trust (Owner).

E. **ZON-25-0036:** Rezoning request from RR Rural Residential and PND Planned Neighborhood District to A1 Agricultural District or to a more restrictive zoning district for twelve parcels comprising 1,038.09 +/- acres; all located north of the Cape Fear River and east and north of Slocomb Rd, along the north and south side of McBryde St, and approximately 1.25 miles west of the intersection E. Reeves Bride Road and McBryde St, submitted by J. Scott Flowers (Agent) on behalf of McCormick Farms Limited Partnership (Owner).

F. **ZON-25-0037:** Rezoning request from A1 Agricultural, RR Rural Residential, PND Planned Neighborhood District, and CD Conservancy District to A1 Agricultural District or to a more restrictive zoning district for six parcels comprising 775.88 +/- acres; located north of the Cape Fear River, along the north and south sides of McBride St and Slocomb Rd, and approximately three-quarters of a mile west of Lane Road; submitted by J. Scott Flowers (Agent) on behalf of McCormick Farms Limited Partnership (Owner).

G. **ZON-25-0038:** Rezoning request from R6 Residential District to C2(P) Commercial District or to a more restrictive zoning district for a parcel comprising of 0.67 +/- acres; located at 3241 Natal St.; submitted by Lino Abreu (Agent/Owner).

H. **ZON-25-0039:** Rezoning request from A1 Agriculture District to R40A Residential District or to a more restrictive zoning district for a parcel comprising of 2.40 +/- acres; located at 6650 Oak Grove Church Road; submitted by Mike Adams, Maps Surveying (Agent) on behalf of Crystal McGee (Owner).

I. **ZON-25-0040:** Rezoning request from C3 Heavy Commercial District to R6 Residential District or to a more restrictive zoning district for a parcel comprising of 1.03 +/- acres; located at 1410 and 1414 Lillington Hwy; submitted by Edward Ball (Agent) on behalf of Charlie Ball (Owner).

J. **ZON-25-0041:** Rezoning request from A1 Agriculture District to R40A Residential District or to a more restrictive zoning district for a parcel comprising 1.79 +/- acres; located at 5888 Butler Nursery Rd.; submitted by Joseph Wilson Marsh (Owner).

K. **ZON-25-0042:** Rezoning request from R40 Residential District to R40A Residential District or to a more restrictive zoning district for a parcel containing 1.50 +/- acres; located at 3158 Beard Rd.; submitted by Lawrence and Patricia McLemore (Owners). **(Eastover)**

L. **ZON-25-0043:** Rezoning request from A1A Agriculture District and CD Conservancy District to M1(P)/CZ Manufacturing District Conditional Zoning or to a more restrictive zoning district for 4.92 +/- acres of a parcel comprising 193 +/- acres; located at 8421 Burnett Rd.; submitted by Stephen Cain (Agent) on behalf of David Kemnitz (Owner).

VIII. PUBLIC MEETING CONTESTED ITEMS

REZONING CASES

A. **ZON-25-0033:** Rezoning request from A1 Agricultural District to R30A Residential District or to a more restrictive zoning district for a parcel comprising 3.97 +/- acres; located at 10255 Ramsey St; submitted by James Edgar Houston Brown II and Dezia Brown (Owners).

IX. PUBLIC HEARING ITEMS

WAIVERS

A. **DEV-0120-25:** Consideration of Subdivision Waiver(s) from Section 2404.E(3)[a] and [c], Location of Manufactured Home Spaces, and Section 2404.F, Street Access, Cumberland County Subdivision Ord, for the reduction in minimum spacing requirements between manufactured home spaces and the reduction in the setback distance from a street right-of-way for all manufactured home spaces, and waiving internal driveway access requirements for Space No. 14, for a manufactured home park on two parcels comprising 8.83 +/- acres located at the northeast corner of McArthur Rd and Jacob St; submitted by Fernando Orozco (Agent) on behalf of Fayetteville NC MHP LLC (Owner).

X. ITEMS OF BUSINESS

XI. DISCUSSION

XII. ADJOURNMENT

Rawls Howard
Director

David Moon
Deputy Director

CUMBERLAND COUNTY
NORTH CAROLINA

Cumberland County Joint Planning Board

TENTATIVE MINUTES

August 19, 2025

Members Present	Members Absent	Others Present
Mr. James Baker, Vice- Chair	Ms. Kassandra Herbert	Mr. Rawls Howard, Director
Ms. Betty Lynd	Mr. Tom Lloyd, Chair	Mr. David Moon, Deputy Director
Mr. Stan Crumpler		Mr. Rick Moorefield, County Att.
Mr. Todd Mobley		Mrs. Amanda Ozanich, Exec. Asst.
Mr. Mark Williams		Mr. Tim Doersam, Planner II
Mr. Charles Jones		Mr. Richard Fagan, Planner II
Mr. William Walters		Mr. Trey Smith, Planning Manager
Ms. Jamie McLaughlin		

I. INVOCATION AND PLEDGE OF ALLEGIANCE

Mr. Baker called the meeting to order at 6:00 PM. Mr. Crumpler delivered the invocation and led those present in the Pledge of Allegiance.

II. ADJUSTMENTS TO / APPROVAL OF AGENDA

Mr. Baker asked if there were any adjustments to the agenda. Mr. Howard informed the Board that there were none.

Mr. Crumpler made a motion, seconded by Mr. Walters to approve the agenda, as submitted by staff. Unanimous approval.

III. PUBLIC MEETING WITHDRAWAL/DEFERRALS

There were none.

IV. ABSTENTIONS BY BOARD MEMBERS

There were none.

V. APPROVAL OF THE MINUTES OF JULY 15, 2025

Mr. Baker recalled that at the July 15, 2025 meeting, the Board deferred an action and requested Mr. Carr relay to Mr. Moorefield a request for

information be given to the board via emails before the next meeting. The board recalled the same and stated that no one received the requested information.

Mr. Moorefield stated he did not get the message and that he did not provide any information.

Board members expressed concerns over a lack of specific information placed in the minutes regarding Case ZON-25-0023 and lack of response for a request to receive emails regarding legal clarifications to questions.

Mr. Crumpler made a motion, seconded by Ms. McLaughlin to direct staff to add language to the July 15, 2025 minutes for Case ZON-25-0023 to indicate that the board asked for a pathway to be given to them via email or some other form so that the board could look at it before this meeting. The Board approved the July minutes with this amendment. Unanimous approval.

VI. CHAIRMAN'S WELCOME AND RULES OF PROCEDURE

Mr. Baker read the Chairman's Welcome and Rules of Procedure.

VII. PUBLIC MEETING CONSENT ITEMS

REZONING CASES

A. **ZNG-011-25:** Text Amendment to the Town of Hope Mills Subdivision Ordinance to update and amend as needed throughout the ordinance. **(Hope Mills)**

In Case ZNG-011-25, the Town of Hope Mills Planning staff recommends approval Text Amendment to the Town of Hope Mills Subdivision Ordinance to update and amend as needed throughout the ordinance.

In Case ZNG-011-25, Mr. Crumpler made a motion, seconded by Ms. Lynd to recommend approval of the Text Amendment to the Town of Hope Mills Subdivision Ordinance to update and amend as needed throughout the ordinance. Unanimous approval.

B. **ZON-25-0030:** Rezoning from R6A Residential District to C2(P) Planned Service and Retail District or to a more restrictive zoning district for a parcel comprising 3.72 +/- acres; located at 6235 Camden Rd and 6320 Rockfish Rd; submitted by Thomas Neville (Agent) on behalf of Charles Koonce, Donald Koonce Heirs, Peggy Koonce, and Tanna Kim Hutton (Owners).

In Case ZON-25-0030, Planning and Inspections staff recommends approval of the rezoning request from R6A Residential District to C2(P) Planned Service and Retail District. Staff finds that the request is consistent with the Southwest Cumberland Land Use Plan which calls for "Mixed Use" at this location. Staff also finds that the request

is reasonable and in the public interest as it is compatible to and in harmony with the surrounding land use activities and zoning.

In Case ZON-25-0030, Mr. Crumpler made a motion, seconded by Ms. Lynd to recommend approval of the rezoning request from R6A Residential District Residential to C2(P) Planned Service and Retail District. The board finds that the request is consistent with the Southwest Cumberland Land Use Plan which calls for "Mixed Use" at this location. The board also finds that the request is reasonable and in the public interest as it is compatible to and in harmony with the surrounding land use activities and zoning. Unanimous approval.

C. **ZON-25-0031:** Rezoning from A1/CZ Agricultural District Conditional Zoning to A1A Agricultural District or to a more restrictive zoning district for a parcel comprising 1.00 +/- acres; located at 10785 Dunn Rd; submitted by Timothy and Troi Buckholz (Owners).

In Case ZON-25-0031, Planning and Inspections staff recommends approval of the rezoning request from A1/CZ Agricultural District Conditional Zoning to A1A Agricultural District and find that: 1. Approval is an amendment to the adopted, current Vision Northeast Land Use Plan and that the Board of Commissioners should not require any additional request or application for amendment to said map for this request. 2. The requested district is more complimentary with plan policies by proposing uses that are less intense than the current use allowed on the property. 3. The proposed district allows residential uses that are commonly found in the immediate area. Staff also finds that the request is reasonable and in the public interest as it is compatible to and in harmony with the surrounding land use activities and zoning.

In Case ZON-25-0031, Mr. Crumpler made a motion, seconded by Ms. Lynd to recommend approval of the rezoning request from A1/CZ Agricultural District Conditional Zoning to A1A Agricultural District and find that: 1. Approval is an amendment to the adopted, current Vision Northeast Land Use Plan and that the Board of Commissioners should not require any additional request or application for amendment to said map for this request. 2. The requested district is more complimentary with plan policies by proposing uses that are less intense than the current use allowed on the property. 3. The proposed district allows residential uses that are commonly found in the immediate area. The board also finds that the request is reasonable and in the public interest as it is compatible to and in harmony with the surrounding land use activities and zoning. Unanimous approval.

VIII. PUBLIC MEETING CONTESTED ITEMS

REZONING CASES

A. **ZON-25-0023:** Rezoning from A1 Agricultural District to R40/CZ Residential District Conditional Zoning or to a more restrictive zoning district for a parcel comprising 10.16 +/- acres; located at the northwest corner of the intersection of Hayfield Rd. and South River School Rd; submitted by Mike Adams (Agent) on behalf of JF Johnson Family Farms LLC (Owner/Applicant).

In Case ZON-25-0023, Planning and Inspections staff recommends approval of the rezoning request from A1 Agricultural District to R40/CZ Residential District Conditional Zoning and find that the request is consistent with the Bethany Area Land Use Plan which calls for "Rural" at this location. Staff also finds that the request is reasonable and in the public interest as it is compatible to and in harmony with the surrounding land use activities and zoning.

Mr. Baker asked if the County Attorney wished to address this case prior to hearing public comments.

Mr. Moorefield indicated his intent to address the Board.

Mr. Moorefield stated that this case is one of the reasons or situations why the Board of Commissioners eliminated zero lot line subdivisions. He expressed concerns about how the ordinance has traditionally been applied and advised the Board to deny the rezoning request as the request has nothing to do with the subdivision issue.

Mr. Baker stated that he wanted to make sure that he understood and to provide clarity to others who may have the same question, that the board has absolutely no authority over a subdivision approval.

Mr. Moorefield stated that that was correct. The problem with this is the subdivision and not the rezoning. He further stated that Lot 7 is part of an existing zero lot line subdivision that was approved in 2018. He asked Mr. Howard if this site has been in an A1 zoning jurisdiction?

Mr. Howard stated that was correct.

Mr. Moorefield stated that his problem was with the application of the zero lot line standards. He stated the incompatibility of the zero lot line standards in A1 zoning, in general, and that it does not fit and does not work. Regarding this situation, we ended up with six on one side of the street that were all half acre and then one ten-acre lot that was left. And there's no common area or anything in it. The old subdivision ordinance had a provision that zero lot line developments are exempt from the minimum lot size provisions provided that at the overall average density of the zoning district and which the development is located, does not exceed it. This entire track was 14 acres in A1, that meant seven lots.

Mr. Moorefield went further and stated that the standards are no longer part of the ordinance. It also had a provision in it that a declaration of covenants and restrictions

governing the common areas, the owner's association, and the building sites, if required. That would have to be approved. That was one of the few things that had to be approved by the County Attorney prior to the recording of those documents and the plat. There needed to be, even just attached to a lot, area for common area and restrictions on the lots and it is also required to be on that plat, that there be the stipulation about no further conveyance subdivision. That was left out of this. As a result, we're left with a subdivision that has six lots that don't comply with the zoning jurisdiction. It was improvidently approved that way.

Mr. Moorefield referenced past situations that the Board should be aware of whereby rights-of-way, common area and other items should be noted on recorded plats. If it is not designated on plats as such, it is a "for sale" lot with no restrictions on it for development or future subdivision in accordance with the zoning designation.

Mr. Moorefield stated that the conditional zoning site plan is identified as South River Landing Phase Two. This is not phase two. This is just a subdivision of an existing lot approved in 2018. The County does not have zero lot line anymore and the applicant was not asking for it, but this request can't be separated from the existing subdivision because it was approved together.

Mr. Moorefield stated that he fully understood Planning staff's logic for recommending approval of the rezoning, because R40 is consistent with the adopted land use plan in that area. But to rezone this to a lower or a higher density going from two acre lots to one acre lots would make this issue with the deficiency in the existing zero lot line subdivision even worse. That is the reason it would be my recommendation and advice to the Planning Board to not approve this rezoning request.

Mr. Baker requested staff to re-present their presentation as a month's time has passed since hearing it.

Mr. Fagan presented staff's presentation and findings to the Board.

Ms. Lynd raised questions concerning the conditions sheet associated with the 2018 subdivision file. Specifically, she inquired whether the Parks and Recreation fees had been paid and whether the condition sheet explicitly required compliance with all applicable ordinance standards.

Mr. Crumpler asked if this request had been researched as a zero-lot line from 2018.

Mr. Moon stated that, yes, after extensive review and discussions with the County Attorney and discussions that the zero-lot line did not apply because the restrictions were not legally established through the plat and provided through the recognition with the Register of Deeds.

Mr. Crumpler stated that if the applicant applied for a zero-lot line development, they assume the conditions and restrictions of that development type. If they accepted it as

a zero-lot line, it has restrictions. Whether they're listed or not, the developer assumes those restrictions.

Mr. Crumpler further stated if it was researched as a zero-lot line and staff indicated that it was, it does not have to be a legal replica if the developer accepted it under the ordinances that were in effect in 2018, he signed off on all of the things with it. So, how can we have progressed to this point that we've got 10 lots over here on this piece when you can only build one on it by the conditions that were existing then?

Mr. Howard stated that as part of the project review staff conducted research on the subdivision and had questions relative to the applicant's submittal and passed those concerns to the County Attorney for review.

Mr. Baker asked if anyone had any more questions.

Mr. Williams stated that he had concerns that the developer came to staff and drew out 7 lots as part of a zero-lot line subdivision and also staff's ability to protect land that is supposed to be protected. Then based on the opinion of the Attorney, that all gets set aside after residents have moved in. He also had concerns about the noncompliant lots out there being nonconforming.

Mr. Willaims stated that he feels that the Board is doing this to improve the developer's opportunity for profit and that the development is being arbitrarily changed.

Mr. Howard stated that staff's review was not arbitrary and that it was reviewed extensively in consultation with the County Attorney.

Mr. Williams asked if that opinion is legally binding and if there were monies available for the Board to retain their own counsel or obtain a second opinion.

Ms. McLaughlin expressed confusion as staff recommended approval based on the extensive research and advice from the attorney. But the attorney came back to recommend denial.

Ms. Lynd expressed concerns about the existing lot owners and potential for nonconforming situations.

Mr. Mobley suggested the Board hear from the public.

Mr. Baker opened to the public meeting for comments after ensuring the board was satisfied with the questions they have presented.

Mr. Howard explained that there are two people to speak in favor and they will speak first. He called the first speaker to come to the podium.

Thomas Neville approached and gave his name and address for the record.

Thomas Neville represented the property owner and stated he was not prepared for what he was currently hearing as the dialogue. It was his understanding that because the plat controls, that there was no question that the subdivision was legal. Staff

recommends approval because they understand that the plat controls and the subdivision is entirely possible and in fact, illegal to not allow subdivision, but certainly respects Mr. Moorefield and his opinion.

Mr. Neville stated because the plat does not show restrictions on it, then the subdivision is legal and would be illegal to not allow the subdivision. He noted staff's recommendation as consistent with the future land use plan, and they recommended rezoning. So, he prepared to consider determining whether the property should be rezoned or not. Not weather this is a legally permissible action or not and to focus on the rezoning.

Mr. Neville stated he understood what was permissible, which would be A1, which is what it is truly zoned right now. He submitted that the Board's decision should be based upon on what the best land use management is. He asked to look at the permitted uses for A1 versus the permitted uses for R40 for A1A and suggest to anyone living in that area as an adjacent landowner, it would have much more preferential uses under R40 than A1. When looking at what you can put in A1 versus R40, R40 is much more appealing.

Mr. Neville stated, based on the staff recommendation, and that subdivision, we believe that rezoning is in the best land use practice here. It's consistent with the land use plan. The only reports you've heard from the staff is that it is consistent with the language of plan, which is a requirement that you find one way or the other and I understand you to make your own decision based on that. You're supposed to review that and review that critically. So, from a rezoning standpoint, again, I believe that R40 or A1A is much more desirable to A1 in an area that is surrounded by some agricultural, but mostly residential housing. The rezoning makes sense to me from the land use plan and would urge the Board to consider that.

Mr. Howard stated a second speaker has signed up in favor of the rezoning.

Mr. Baker asked the speaker to approach the podium.

Mike Adams approached and gave name and address for the record.

Mike Adams stated he was just there if there's any questions regarding the conditional site plan and that he agreed with everything that Mr. Neville stated.

Mr. Baker stated Mr. Adams is here to answer and questions the board may have.

The Board had no questions at that time.

Mr. Baker thanked those persons representing the applicant. He understood there were also speakers who have signed up in opposition.

Mr. Howard stated there were three people speaking in opposition and called the first speaker.

Mr. Bullard approached the podium, gave his name and address for the record, and handed out attachments to the Board and staff.

Stephen Bullard addressed stated that only one lot can be placed on Lot 7 and that an attorney he has hired supported that position because it is part of a zero-lot line subdivision. He felt he believes that Mr. Moorefield's interpretation was wrong simply by the fact there is no common area listed on the plat. Lot 7 is a lot to be sold in a zero-lot line subdivision.

Mr. Bullard stated that nowhere in Cumberland County ordinance on zero-lot line subdivision is there mention of common area is required. He referenced the current plat which shows lots 1-6 and lot seven is 10.67 acres. He stated 14 acres equals 7 houses with the existing zoning. What the ordinance does say is that the total number of residential buildings that's created shall not exceed density standards for search development. The homes on lot 1-6 could not have been built if it was not for lot 7. Fourteen acres equals 7 houses in A1 zoning and that is exactly what the plat shows. There are homes already been built on these six lots. Lots 1-7 are part of a zero-lot line subdivision and at the time in 2018, it was drawn, platted, recorded and built by the zero-lot line ordinance of Cumberland County.

Mr. Bullard stated that staff advised that the County Attorney said at least 5 houses can be put on lot 7 under the current zoning and is unrestricted. There can only be one house put on lot seven or then the county themselves has created 6 nonconforming lots in lots 1-6.

Mr. Bullard concluded by stating that he had concerns that if this moved forward for approval or if the developer can build on the lot currently, it would lead to legal problems.

Mr. Howard introduced the second speaker in opposition.

Keith Jackson approached the podium and gave his name and address for the record. His first concern was the proposed result of A1 to R40. He fully supports what Mr. Bullard just spoke about and went on to discuss his interpretation of the Bethany Land Use Plan and how the Planning Department interpreted it.

There is not an R40 zoned parcel within 1 mile of this location. The pictures in the Bethany land use plan serves residential housing of 2 acre or greater lots, is of farmland and woodland. There is discussion throughout the land use plan of preservation of agricultural and woodlands and numerous times throughout the plan, new growth shall be well managed, high quality and harmonious with surrounding areas as well as protecting of natural resources.

Mr. Jackson stated that 83% is currently A1, 10% conservation district, and 93% of the land use is 2 acres or larger residential or is swamped, marshland, flood land, poor or severe soil or severe soils or managed or unmanaged woodland. R40 is zoned in such a small percentage, it would not quantify in the land use plan.

Mr. Jackson noted the survey of residents whereby residents overwhelmingly noted development is occurring too quickly and wanted larger lot sizes. He also referenced compatibility of development as part of the goals and to remain rural. He also referenced how zoning for R40 and R40A could be appropriate, if utilizing higher development standards.

Mr. Jackson noted that he was heavily involved in the plan along with many other residents out in the area. He stated everyone out there supports minimum two-acre lot sizes and the promotion of agriculture.

Mr. Jackson concluded by expressing appreciation for everyone's time and for volunteering for the betterment of the County.

Mr. Baker approved 3 extra minutes for the third opposition speaker who was called to the podium by Mr. Howard.

Angela Adams gave her name and address for the record.

Ms. Adams expressed concerns about her community and the love of quiet areas and shared respect for the land and each other. She felt as though their lifestyle is under threat by bringing new houses and permanent changes. She questioned the peace and quiet of the area and residents for more rooftops and putting money in someone's pocket. She further discussed issues with noise, traffic, wildlife habitat destruction, trash, and other concerns.

Ms. Adams concluded by asking for the Board to consider their way of life and the impact to generations and to consider it as part of policies.

Mr. Baker closed the public comment portion of the meeting and opened to the Board discussion.

Ms. Lynd expressed concern that the staff report did not adequately address the issue of zero-lot line development. She emphasized that following Mr. Moorefield's advice could potentially have legal impacts and additional complications related to zero-lot line properties. Furthermore, Ms. Lynd stated that she would oppose any changes to the original density as plotted, citing potential impacts on the integrity of the development plan.

Mr. Williams noted that this is not the only zero-lot line development in the area and expressed concern about the long-term impact of such developments. He concluded by stating that allowing this proposal to proceed sets a troubling precedent for future cases brought before the board.

Mr. Crumpler expressed respect for the applicant and acknowledged Mr. Neville's difficult position, noting that he was unexpectedly presented with a complex issue. Mr. Crumpler stated his support for rezoning the property to R-40, suggesting it would be a suitable use and comparable to A1A zoning, which the community has previously supported. He clarified that the zoning itself was not the central issue.

Mr. Crumpler emphasized that the proposal should never have reached the board, as proper research would have revealed that the development involves zero-lot line characteristics. He explained that the property consists of six half-acre lots zoned A1 and one ten-acre A1-zoned lot, totaling 14 acres. The configuration effectively accepts a zero-lot line subdivision with seven homes conforming to A1 zoning, a condition that would persist indefinitely.

Mr. Crumpler further noted concerns about the long-term implications for homeowners, particularly those living in one of the six houses.

Mr. Mobley reiterated his concern from the previous meeting, stating that the matter should not have come before the board, as staff should have identified the development as a zero-lot line subdivision. He noted that while last month's presentation materials clearly referenced zero-lot line, the current package omitted that detail.

Mr. Mobley pointed out a contradiction in the board's authority, stating that although they were previously told they had no jurisdiction over subdivisions, the current agenda included votes on subdivision amendments, referencing updates to the Hope Mills Subdivision Ordinance. Mr. Mobley emphasized that the Planning Board operates under the authority of State Statute through appointments by the County Commissioners and therefore does have some jurisdiction over subdivision matters.

Mr. Mobley argued that the board cannot rule on rezoning a single property when the development consists of seven properties that were platted and approved as a zero-lot line subdivision. He expressed despite requesting a legal justification from staff at the previous meeting, he did not receive that information. He was told the matter would be addressed by the County Attorney, who was not present at the last meeting. Mr. Mobley noted that the County Attorney later stated he had not received the request.

Mr. Mobley posed a question to Mr. Howard about whether the County Commissioners had voted to eliminate zero-lot line subdivisions, and if so, why the provision remains in the ordinance.

Mr. Howard confirmed that the County Commissioners voted to remove zero-lot line provisions from being applicable to single family residential home regulations. However, he clarified that the provision had to remain in effect within the broader subdivision ordinance for other development types.

Mr. Mobley asked Mr. Moorefield for clarification on the rationale behind his recommendations. Mr. Mobley asked why Mr. Moorefield initially advised staff to recommend approval of the rezoning case but later advised the Board to deny the same request. He expressed concern over the apparent inconsistency in guidance provided at different stages of the process.

Mr. Moorefield replied with staff didn't ask about a rezone. They asked about a subdivision of a 10-acre lot.

Mr. Howard clarified that staff does not seek recommendations specifically on rezoning cases from the County Attorney. Instead, their initial focus was to determine whether the development in question constituted a zero-lot line subdivision. Based on the legal opinion previously provided, staff was advised to treat the development as a standard subdivision rather than a zero-lot line case.

He explained that this provided a very linear view in staff's decision-making process. If the development was no longer considered a zero-lot line subdivision, staff was obligated to evaluate it as they would any other unrestricted subdivision. This involved referencing the County's land use plans and applying standard review procedures, which ultimately informed the staff's recommendation for approval of the rezoning request.

Mr. Howard acknowledged that Mr. Moorefield's recommendation for denial may stem from specific interpretations of the subdivision ordinance and its applicability, as previously discussed. However, he emphasized that staff follows the guidance provided by the County Attorney and evaluated the case through that lens, which shaped staff's conclusions presented in the staff report.

Mr. Mobley expressed continued confusion regarding the matter, noting that during the previous month's meeting, staff was unable to answer his questions definitively, as the issue appeared to hinge entirely on legal advice provided by the County Attorney.

Mr. Howard responded by stating that, in the absence of Mr. Moorefield, he was not comfortable speaking on his behalf at the last meeting.

Mr. Mobley then sought clarification, asking whether he had correctly understood Mr. Moorefield to say that the plat had been recorded incorrectly.

Mr. Moorefield explained that the plat should have included recorded covenants. Specifically, if Lot 7 was intended to accommodate only a single residence, that restriction should have been documented on the plat. In his opinion, if someone had bought lot 7 and wanted to subdivide, they could because the restrictions were not annotated on the plat.

Mr. Mobley wanted to see the ordinance that stated this needed to be recorded on the plan.

Mr. Moorefield provided the ordinance and verbiage to Mr. Mobley and stated that it is required as Lot 7 is considered a "building site".

Ms. Lynd explained that, at the time the plat was designated, staff permitted applicants to pay a Parks and Recreation fee in lieu of designating a common area. Under that practice, covenants and related documentation were not required to be submitted to the County Attorney's office. She acknowledged that while this may or may not have been an error, it reflected the standard procedure followed by staff during that period.

Mr. Moorefield added that the restrictions would have been necessary, given that all the lots in the development were essentially the same size.

Ms. Lynd noted that if the applicant had indeed paid a Parks and Recreation fee in lieu of designating common area, then no covenants would have been required or submitted. This would explain the absence of such documentation in the original plat approval process that staff signed off on.

Mr. Mobley emphasized the importance of clarifying that the development in question is part of a zero-lot line subdivision. Without such clarification, the board's decision could inadvertently render six property owners non-conforming. As a result, these homeowners would face significant obstacles in rebuilding their homes, potentially requiring extensive legal or governmental intervention.

Mr. Baker stated that we need to do two things: first, deny the staff recommendation, but go beyond that and send a message to the County Commissioners explaining the issue and asking for clarification. He called for a motion.

In Case ZON-25-0023, Mr. Mobley made a motion, seconded by Mr. Crumpler to recommend denial of the rezoning request from A1 Agricultural District to R40/CZ Residential District Conditional Zoning. The board finds that the request is not consistent with the Bethany Area Land Use Plan which calls for "Rural" at this location. The board also finds that the request is not reasonable or in the public interest based on the grounds that Lot #7 of the existing subdivision is part of a zero-lot line subdivision and cannot be further subdivided. Unanimous approval.

Mr. Baker requested guidance on the appropriate method for communicating to the County Commissioners that approval of the rezoning request could result in the creation of non-conforming lots. He emphasized the importance of ensuring that the implications of the decision are clearly understood at the county level.

Mr. Howard and Mr. Moorefield acknowledged the concern and agreed to communicate the matter through their respective channels.

Mr. Baker requested that the meeting minutes reflect the Board's formal request for clarification from the County Commissioners regarding possible similar future issues.

Ms. Lynd emphasized that the rezoning request remains under consideration and could still be approved. She noted that the matter is scheduled to go before the County Commissioners at their regular meeting in September. At that time, the Commissioners will have the opportunity to vote on whether to approve the proposed rezoning.

B. **ZON-25-0032**: Rezoning from A1 Agricultural District to RR Rural Residential or to a more restrictive zoning district for a parcel comprising 0.92 +/- acres; located at 1708 Smoky Canyon Dr.; submitted by Edward Klement (Owner/Applicant).

In Case ZON-25-0032, Planning and Inspections staff recommends denial of the rezoning request from A1 Agricultural District to RR Rural Residential District. Staff finds that the request is not consistent with the South-Central Land Use Plan which calls for “Farmland” at this location. Staff also finds that the request is not reasonable or in the public interest as it is not compatible to or in harmony with the surrounding land use activities and zoning.

Timothy Doersam presented staff’s presentation and findings.

Mr. Crumpler questioned why it was zoned A1 and if it was non-conforming.

Mr. Howard explained that the if it is the original zoning, the ordinance has stipulations that if you are zoned A1 and subdivided before a specific date, we could consider the lot under alternative standards for conformity.

Mr. Crumpler also questioned why it was not in harmony with the land use plan as there are manufactured home surrounding the area.

Mr. Moon explained that the applicant's intent was to rezone to RR to accommodate two single family homes on a lot. All lots within that community only have one single family home on them. So, it's an established recorded residential plat. In this case, you would be changing to RR when the remainder of the community is under the A1 character.

Mr. Baker asked if this would be the only lot in the area with two homes, were this to go forward?

Mr. Moon stated it would be.

Ms. Lynd noted that the lots in question were created in 1993 and expressed her belief that the zoning designation was applied after that date. She recalled that staff reports used to include the date when an area was initially zoned, which was particularly helpful in cases where historical context could influence decision making.

Mr. Crumpler agreed, stating that scattered parcels like these complicate the implementation of land use plans. He shared an additional example and questioned how such inconsistencies occur.

Mr. Howard responded by explaining that during initial countywide zoning efforts, a broad zoning blanket is typically applied due to the scale and complexity of the process. He noted that small, individual lots may not be addressed in detail during that phase. Instead, the fine-tuning occurs later when property owners bring specific requests before the board, as was the case in the current meeting.

Mr. Baker opened the public comments section.

There was one speaker in favor.

Mr. Howard called Mr. Edward Klement to the podium who gave his name and address for the record.

Mr. Edward Klement addressed the board regarding his intention to build a 1,200-square-foot home at the front of his property and relocate a renovated manufactured home to the rear for rental income. He noted that the mobile home had undergone substantial upgrades, including new cabinets and flooring.

Mr. Mobley inquired about the model and year of the manufactured home, emphasizing the importance of retaining the original data plate for inspection and verification purposes. He explained that data plates are often located inside cabinets, and with the installation of new cabinetry, Mr. Klement may encounter difficulty accessing or relocating the home if the plate has been removed or obscured.

Mr. Klement stated he believed it was 1986 and he knew it needed to be of a certain age to move.

Mr. Baker asked if there were any more questions for Mr. Klement. Seeing none he closed the public comments.

Mr. Mobley asked staff whether, under the current ordinance, a non-conforming lot such as the one in question could it be subdivided?

Mr. Howard responded that, given the existing lot size and zoning, subdivision is not available.

In Case ZON-25-0032, Mr. Walters made a motion, seconded by Ms. Lynd, to recommend denial of the rezoning request from A1 Agricultural District to RR Rural Residential District. The board finds that the request is not consistent with the South-Central Land Use Plan which calls for "Farmland" at this location. The board also finds that the request is not reasonable or in the public interest as it is not compatible to or in harmony with the surrounding land use activities and zoning. Unanimous approval.

IV. ITEMS OF BUSINESS

A. NORTHEAST CUMBERLAND LAND USE PLAN – REVIEW AND RECOMMENDATION

Planning Manager Trey Smith presented key highlights of the Northeast Cumberland Land Use Plan.

Board members commended Mr. Smith and the Comprehensive Planning staff for their work, offering congratulations on a job well done. A concern was raised regarding the level of input from municipalities.

Mr. Howard clarified that incorporated areas retain the flexibility to adjust the plan as they see fit to meet their specific needs for their jurisdiction during their adoption process.

Mr. Crumpler made motion, seconded by Mr. Williams, to recommend adoption of the Northeast Cumberland Land Use Plan, as submitted by staff. Unanimous approval.

V. DISCUSSION

A. BOARD APPOINTMENT UPDATE

Mr. Howard informed the board that County Commissioners will now appoint Planning Board members twice annually. The next round of appointments is scheduled for October and that we were working to have vacant seats addressed. Current members will continue to serve until new appointments are finalized.

B. AWARD ANNOUNCEMENT – NORTH CENTRAL AREA LAND USE PLAN

Mr. Howard announced that the Department has been recognized by the North Carolina Chapter of the American Planning Association for a 2025 Marvin Collins Honorable Mention award for the North Central Area Land Use Plan. He acknowledged the Comprehensive Planning Division staff in attendance and noted the group will be travelling to Charlotte, NC in October to formally accept the award at the annual conference.

VI. ADJOURNMENT

There being no further business, the meeting adjourned at 8:02pm.

Rawls Howard
Director

David Moon
Deputy Director

CUMBERLAND COUNTY
NORTH CAROLINA

Cumberland County Joint Planning Board

Tentative MINUTES

September 16, 2025

Members Present	Members Absent	Others Present
Mr. James Baker, Vice Chair	Ms. Kassandra Herbert	Mr. Rawls Howard, Director
Ms. Betty Lynd	Mr. Tom Lloyd, Chair	Mr. David Moon, Deputy Director
Mr. Charles Jones	Mr. William Walters	Mr. Rick Moorefield, County Att.
Ms. Jamie McLaughlin	Mr. Stan Crumpler	Mrs. Amanda Ozanich, Exec. Asst.
	Mr. Todd Mobley	
	Mr. Mark Williams	

Mr. Baker convened the meeting at 6:00PM and noted the lack of members present.

Mr. Baker addressed the staff and members of the public, stating that the board would wait an additional five minutes for two remaining Planning Board members to arrive. Without their presence, the board would not meet quorum requirements, and the meeting would be canceled.

Mr. Baker noted in the event of cancellation, all cases scheduled for tonight's agenda will be rescheduled to the next Planning Board meeting on **October 21, 2025**. Each case will be **readvertised** with **notification letters** being resent to all relevant parties with the updated hearing dates.

I. INVOCATION AND PLEDGE OF ALLEGIANCE

II. ADJUSTMENTS TO / APPROVAL OF AGENDA

III. PUBLIC MEETING WITHDRAWAL/DEFERRALS

IV. ABSTENTIONS BY BOARD MEMBERS

V. APPROVAL OF THE MINUTES OF SEPTEMBER 17, 2024

VI. CHAIRMAN'S WELCOME AND RULES OF PROCEDURE

VII. PUBLIC MEETING CONSENT ITEMS

REZONING CASES

VIII. PUBLIC MEETING CONTESTED ITEMS

REZONING CASES

IX. ITEMS OF BUSINESS

X. DISCUSSION

XI. ADJOURNMENT

Mr. Baker dismissed the members, staff, and the public at 6:08pm and adjourned the meeting as the two needed board members did not arrive. There was no quorum present.

STAFF REPORT

REZONING CASE# ZNG-012-25
Planning Board Meeting: 10/21/2025
Hope Mills Board Meeting: 11/17/2025

Address: Approximately +/- 200ft East from the intersection of Town Center Dr. and Rockfish Rd

ZONING REQUEST: Initially Zone to C2(P) Planned Service and Retail District

The Town of Hope Mills staff received an application request to initially zone 14.97 +/- acres of land to C2(P) Planned Service and Retail District, parcel identification numbers 9494-87-0736, 9494-87-2795, 9494-87-5714, 9494-87-8784, 9494-98-0467 (portion). The subject property is adjacent to developed commercial properties and residential properties. Towards the rear of the property there is residential housing zoned R10 (county), to the left of the property there is Traemoor Village which is a mix of commercial properties along with multi-family housing zoned mixed use with conditional zoning (town), to the right of the property there is residential housing zoned R10 (county), as well as CrossPointe Church zoned C2(P)(town limits), and across the street there is service and retail businesses zoned C2(P) (town limits). The Plan Review staff worked diligently with the applicant to facilitate the submission of this rezoning request. The location of the subject property is illustrated in Exhibit "A."

SUBJECT PROPERTY INFORMATION

OWNER/APPLICANT:
Lori S. Epler (applicant), on behalf of Palmer Williams, Sycamore Corner, LLC, SRW Builders, LLC, Williams Timber, LLC, and Great Oaks Property Holdings, LLC (owners)

ADDRESS/LOCATION:
Approx. +/- 200ft from the Intersection of Town Center Dr, REID 9494870736000, 9494872795000, 9494875714000, 9494878784000, 9494980467000 (portion).
For additional Information on the site location, refer to Exhibit "A"

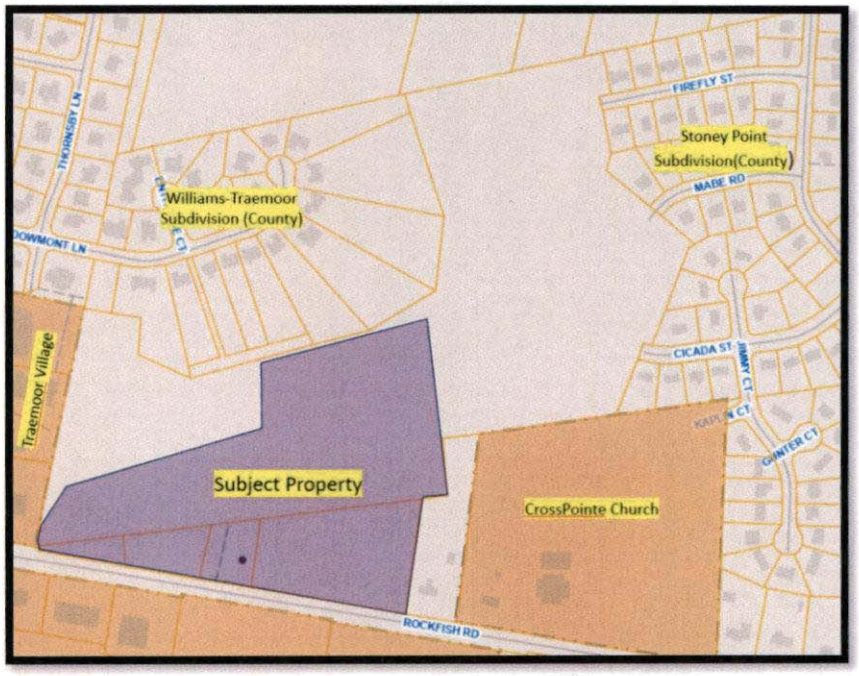


Exhibit "A" Aerial View

SIZE: As stated above, the subject property is 14.97 +/- acres in size with varying lengths of depth are being looked at today.

EXISTING ZONING: The subject property is currently zoned under C2(P) Planned Service and Retail District (county), as well as other parts being zoned R10 (county).

EXISTING LAND USE: This property is currently undeveloped/unoccupied.

OTHER SITE CHARACTERISTICS: Exhibit "C" provides the location of water and sewer availability.

Exhibit "B" Zoning

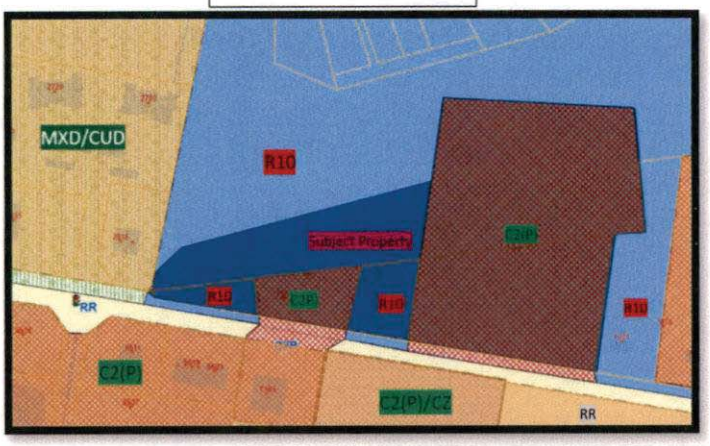
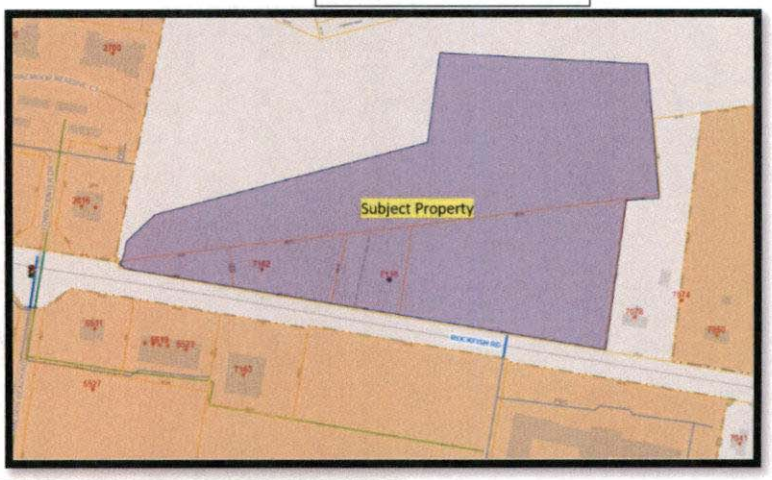


Exhibit "C" Utilities



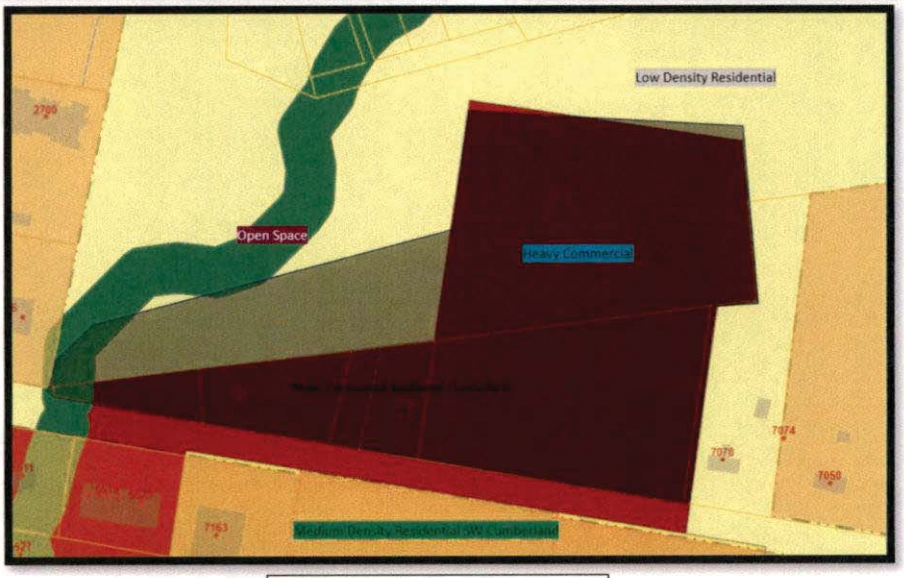


Exhibit "D" Future Land Use

DEVELOPMENT REVIEW: Site plan approval is required before development.

COMPREHENSIVE DEVELOPMENT PLANS: This site is located within the Southwest Cumberland Land Use Plan area (2013) and is predominantly designated as "Heavy Commercial", with a portion being designated as "Low Density Residential", and "Open Space". The requested zoning does fit within the guidelines of the Southwest Cumberland Land Use

Plan, and complements the surrounding area nicely. Please refer to Exhibit "D" for additional information.

DIMENSIONAL PROVISIONS TIED TO THE REQUEST:

MINIMUM STANDARD	EXISTING ZONING	PROPOSED ZONING
Front Yard Setback	50 feet	50 feet
Side Yard Setback	30 feet	30 feet
Rear Yard Setback	30 feet	30 feet
Lot Area	N/A	N/A
Lot Width	N/A	N/A

IMPACTS ON AREA FACILITIES

UTILITIES: Water and sewer are available for connection and will be provided by PWC.

STORMWATER: Stormwater Management Plan will be required, and development will occur near the existing wetlands; we will require state verification that no delineation is required.

PLAN REVIEW COMMENTS: The Town of Hope Mills Plan Review team has no objections to this request.

SPECIAL OVERLAY DISTRICTS: No comment.

FIRE MARSHAL: No comment currently.

PUBLIC WORKS: No comment

INSPECTIONS: Must meet all NC building codes that are applicable.

PARKS & REC: No comment.

Health Department: This site is connected to public water and sewer.

Cumberland County: No comment.

FCEDC: Has no issue with this action.

RLUAC: No comment.

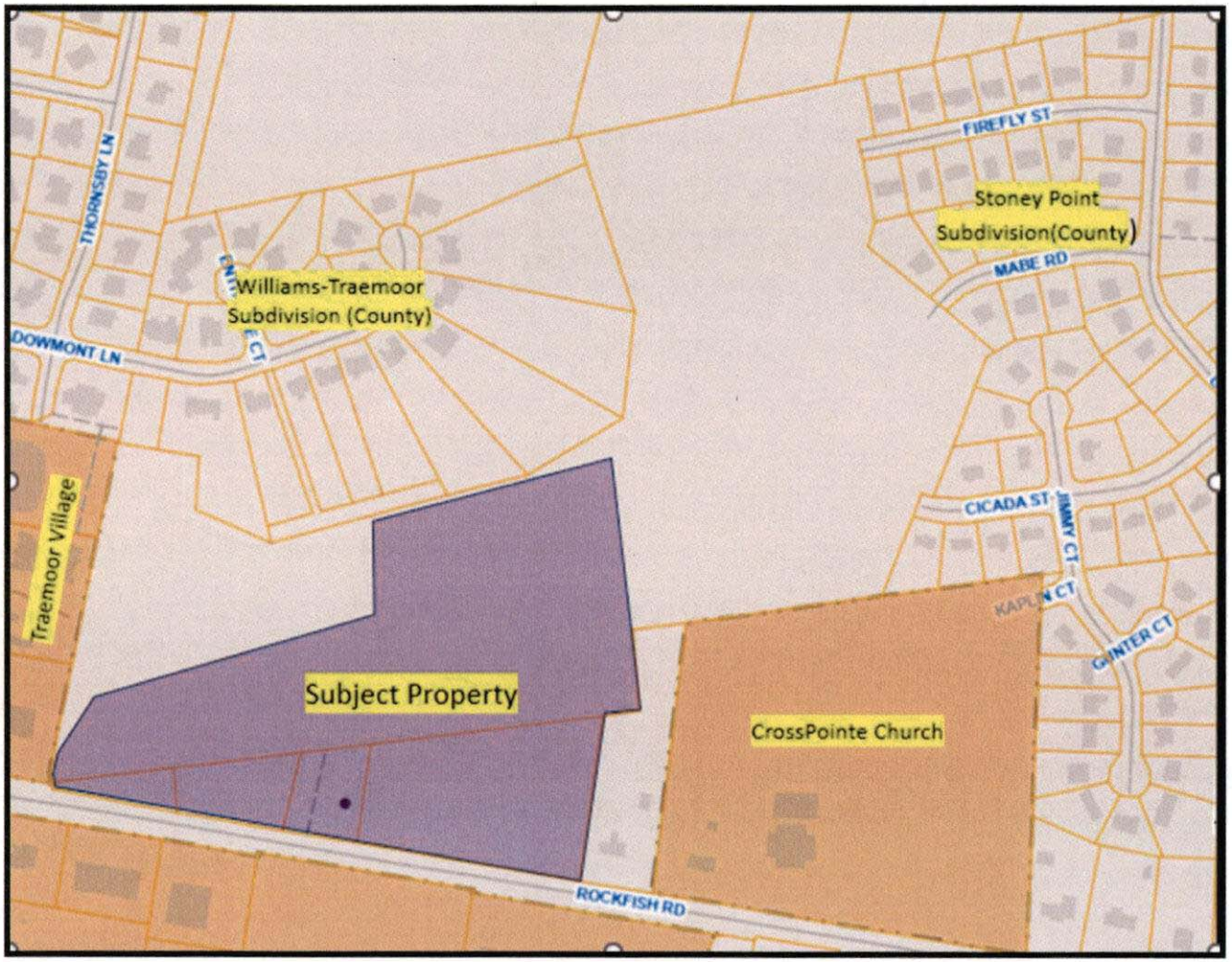
FAMPO: The subject property sits on Rockfish Road and is identified as a minor arterial in the Metropolitan Transportation Plan. There are no roadway construction improvement projects planned and the subject property will have no significant impact on the Transportation Improvement Program. In addition, Rockfish Road has a 2021 AADT of 13,500 and a road capacity of 12,300. Due to lack of data and the small scale, the new zoning request does not demand a trip generation. The new development should generate enough traffic to significantly impact Rockfish Road as it is currently over capacity.

Cumberland County Schools:

School Name	Enrollment	Capacity
Stoney Point Elementary	824	826
John R Griffin Middle	1026	1,273
Jack Britt High	1925	1,929

STAFF RECOMMENDATION

Town of Hope Mills Planning staff **recommends approval** of the initial zoning request to the C2(P) Planned Service and Retail District, as it is consistent with the 2013 Southwest Cumberland Land Use Plan. The proposed zoning is a strategic fit with the Town's ongoing and future goals for economic growth and development. It is also appropriate given the existing and anticipated land uses nearby, making the request both reasonable and beneficial to the public.


Williams-Traemoor
Subdivision (County)
Stoney Point
Subdivision(County)
Traemoor Village
Subject Property
CrossPointe Church
FIREFLY ST
MABE RD
CICADA ST
JIMMY CT
KAPLIN CT
GUNTER CT
ROCKFISH RD
THORNSBY LN
DOWMONT LN

TOWN OF HOPE MILLS
NORTH CAROLINA
Development Services
A PROUD PAST, A BRIGHT FUTURE
EST. 1891

Town *of* Hope Mills

Planning Department

CASE NO.: ZNG-012-25

ZONING BOARD MEETING DATE: 10-21-25

DATE APPLICATION SUBMITTED: 8-19-25

RECEIPT NO.: 00028347

RECEIVED BY: XJR

APPLICATION FOR (CHECK ONE):
☑ INITIAL ZONING OR ☐ REZONING
HOPE MILLS ZONING ORDINANCE

The following items are to be submitted with this completed application:

1. A digital and hard copy of the *recorded* deed and/or plat;
2. If portion(s) of an existing tract is/are being submitted for rezoning, an accurate written legal description of only the area to be considered for the rezoning; and
3. A check made payable to "Town of Hope Mills" in the amount of $700.00. (updated fee schedule can be found on the Town website)

Rezoning & Initial Zoning Procedure:

1. Complete application submitted by the applicant.
2. Notification to surrounding property owners.
3. Cumberland County Joint Planning Board hearing.
4. Re-notification of interested parties and adjacent property owners; public hearing advertisement in the newspaper.
5. Hope Mills Board of Commissioners' public hearing (approximately two to four weeks after Planning Board public hearing)
6. If approved by the Hope Mills Commissioners, rezoning/initial zoning of the property/properties becomes effective immediately.

The Town Planning Staff may advise on zoning options, inform applicants of development requirements and answer questions regarding the application and rezoning/initial zoning process. For questions, call (910) 424-4555. Hours of operation are 8:00 a.m. to 5:00 p.m., Monday through Friday.

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TO THE CUMBERLAND COUNTY JOINT PLANNING BOARD AND THE TOWN OF HOPE MILLS BOARD OF COMMISSIONERS, HOPE MILLS, NORTH CAROLINA:

I (We), the undersigned, hereby submit this application, and petition the Hope Mills Board of Commissioners to amend and to change the zoning map of the Town of Hope Mills as provided for under the provisions of the Hope Mills Zoning Ordinance. In support of this petition, the following facts are submitted:

1. Requested Rezoning/Initial Zoning from C2(P) COUNTY to C2(P) HOPE MILLS

   If the area is a portion of an existing parcel, a written metes and bounds description of only that portion to be considered for rezoning, including the exact acreage must accompany this application along with a copy of the recorded deed and/or plat. If more than one zoning classification is requested, a correct metes and bounds legal description, including acreage, for each bounded area must be submitted.

2. Address/location of property to be Rezoned/Initially Zoned: ROCKFISH ROAD

3. Parcel Identification Number (PIN #) of property: 9494878784000, 9494980467000, (also known as Tax ID Number or Property Tax ID)

4. Acreage: 9.27 Frontage: 540 Depth: 700

5. Water Provider: Well: _____ PWC: YES

6. Septage Provider: Septic Tank _____ PWC YES Other (name) _____

7. Deed Book 11347 11930, Page(s) 713 794 Cumberland County Register of Deeds. (Attach copy of deed of subject property as it appears in Registry).

8. Existing use(s) of property: VACANT

9. Proposed use(s) of the property: COMMERCIAL (TO BE DECIDED)

10. Do you own any property adjacent to, including across the street from, the property being submitted for rezoning? Yes X No _____
    If yes, where? ALL TO THE NORTH AND WEST

11. Has a violation been issued on this property? Yes _____ No X

The Planning Staff is available for advice on completing this application; however, they are not available for completion of the application.

The undersigned hereby acknowledge that the Planning Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.

SRW BUILDERS LLC - PALMER WILLIAMS
WILLAMS TIMBER LLC - PALMER WILLIAMS

Property owner(s)' name (print or type)

2709 THORNGROVE COURT, FAYETTEVILLE, NC 28303

Complete mailing address of property owner(s)

910-864-1125 — Telephone number

910-261-7012 — Alternative telephone number

PWILLIAMS@C-PROP.COM — E-mail address

Fax number

LORI S EPLER

Agent, attorney, or applicant (other than property owner) (print or type)

1333 MORGANTON ROAD, SUITE 201, FAYETTEVILLE, NC 28305

Complete mailing address of agent, attorney, or applicant

910-483-4300 — Telephone number

Alternative telephone number

LEPLER@LKANDA.COM — E-mail address

Fax number

Owner's signature

Agent, attorney, or applicant's signature (other than property owner)

Owner's signature

Upon submission, the contents of this application becomes "public record" and is available for review and/or copies upon request.

TOWN OF HOPE MILLS
NORTH CAROLINA
Development Services
A PROUD PAST, A BRIGHT FUTURE
EST. 1891

Town *of* Hope Mills

Planning Department

CASE NO.: ZNG-012-25

ZONING BOARD MEETING DATE: 10-21-25

DATE APPLICATION SUBMITTED: 8-19-25

RECEIPT NO.: 00028347

RECEIVED BY: XJR

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2. Address/location of property to be Rezoned/Initially Zoned: 7162 ROCKFISH ROAD

3. Parcel Identification Number (PIN #) of property: 9494872795000 (also known as Tax ID Number or Property Tax ID)

4. Acreage: 0.86 Frontage: 227 Depth: 147

5. Water Provider: Well: _____ PWC: YES

6. Septage Provider: Septic Tank _____ PWC YES Other (name) _____

7. Deed Book 11820, Page(s) 0256 Cumberland County Register of Deeds. (Attach copy of deed of subject property as it appears in Registry).

8. Existing use(s) of property: VACANT

9. Proposed use(s) of the property: COMMERCIAL (TO BE DECIDED)

10. Do you own any property adjacent to, including across the street from, the property being submitted for rezoning? Yes X No _____
    If yes, where? ALL TO THE NORTH, EAST AND WEST

11. Has a violation been issued on this property? Yes _____ No X

The Planning Staff is available for advice on completing this application; however, they are not available for completion of the application.

The undersigned hereby acknowledge that the Planning Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.

GREAT OAKS PROPERTY HOLDINGS LLC

Property owner(s)' name (print or type)

2709 THORNGROVE COURT, FAYETTEVILLE, NC 28303

Complete mailing address of property owner(s)

910-864-1125 | 910-261-7012

Telephone number | Alternative telephone number

PWILLIAMS@C-PROP.COM |

E-mail address | Fax number

LORI S EPLER

Agent, attorney, or applicant (other than property-owner) (print or type)

1333 MORGANTON ROAD, SUITE 201, FAYETTEVILLE, NC 28305

Complete mailing address of agent, attorney, or applicant

910-483-4300 |

Telephone number | Alternative telephone number

LEPLER@LKANDA.COM |

E-mail address | Fax number

Owner's signature | Agent, attorney, or applicant's signature (other than property owner)

Owner's signature

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TOWN OF HOPE MILLS
NORTH CAROLINA
Development Services
A PROUD PAST, A BRIGHT FUTURE
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Town *of* Hope Mills

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2. Address/location of property to be Rezoned/Initially Zoned: 7138 ROCKFISH ROAD

3. Parcel Identification Number (PIN #) of property: 9494870736000, 9494980467000, 9494875714000 (also known as Tax ID Number or Property Tax ID)

4. Acreage: 4.84 Frontage: 476 Depth: 450

5. Water Provider: Well: _____ PWC: YES

6. Septage Provider: Septic Tank _____ PWC YES Other (name) _____

7. Deed Book 12103 11930 11928 8775, Page(s) 386 794 204 538 Cumberland County Register of Deeds. (Attach copy of deed of subject property as it appears in Registry).

8. Existing use(s) of property: VACANT

9. Proposed use(s) of the property: COMMERCIAL (TO BE DECIDED)

10. Do you own any property adjacent to, including across the street from, the property being submitted for rezoning? Yes X No _____
    If yes, where? ALL TO THE NORTH

11. Has a violation been issued on this property? Yes _____ No X

The Planning Staff is available for advice on completing this application; however, they are not available for completion of the application.

The undersigned hereby acknowledge that the Planning Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.

SYCAMORE CORNER LLC - PALMER WILLIAMS
SRW BUILDERS LLC - PALMER WILLIAMS
WILLAMS TIMBER LLC - PALMER WILLIAMS

Property owner(s)' name (print or type)

2709 THORNGROVE COURT, FAYETTEVILLE, NC 28303

Complete mailing address of property owner(s)

910-864-1125 | 910-261-7012

Telephone number | Alternative telephone number

PWILLIAMS@C-PROP.COM |

E-mail address | Fax number

LORI S EPLER

Agent, attorney, or applicant (other than property owner) (print or type)

1333 MORGANTON ROAD, SUITE 201, FAYETTEVILLE, NC 28305

Complete mailing address of agent, attorney, or applicant

910-483-4300 |

Telephone number | Alternative telephone number

LEPLER@LKANDA.COM |

E-mail address | Fax number

Owner's signature | Agent, attorney, or applicant's signature (other than property owner)

Owner's signature

Upon submission, the contents of this application becomes "public record" and is available for review and/or copies upon request.

Town of Hope Mills
5770 Rockfish Road
Hope Mills, NC 28348

Receipt Number: R00028347
Cashier Name: Vhitney Martinez
Terminal Number: 1
Receipt Date: 9/3/2025 10:40:51 AM

Tran. Code: 103651 - Zoning Petitions
Name: WILLIAMS TIMBER LLC
$700.00

REZONING $700.00

Payment Method: Check
Payor: WILLIAMS TIMBER LLC
Reference: 1034

Total Amount Applied: $700.00
Amount: $700.00
Total Payment Received: $700.00
Change: $0.00

GL Distribution:

Account Number	Account Name	Amount
10-3651	ZONING PETITIONS	700.00
	Total Distribution Amount:	700.00

Town of Hope Mills
5770 Rockfish Road
Hope Mills, NC 28348

Receipt Number: R00028455
Cashier Name: Vonda Johnson
Terminal Number: 5
Receipt Date: 9/23/2025 11:03:45 AM

Tran. Code: 103650 - Zoning Permits/Applications Name: PALMER N WILLIAMS-ANNEXATION PARCEL-ROCKFIS $500.00

Zoning Permits/Applications $500.00

Total Amount Applied: $500.00

Payment Method: Credit Card Payor: PALMER N WILLIAMS-ANNI Reference: Amount: $500.00

Total Payment Received: $500.00

Change: $0.00

GL Distribution:

Account Number	Account Name	Amount
10-3650	ZONING PERMITS	500.00
	Total Distribution Amount:	500.00

Town of Hope Mills
Voluntary Annexation Packet

VOLUNTARY ANNEXATION SUBMITTAL REQUIREMENTS:

Only complete submittals will be processed. The following items are required to be submitted to the Town of Hope Mills in order for your application to be deemed complete:

- ☑ Original Petition Form Signed by ALL Owners of the property
- ☑ Legal description of the area to be annexed in both hard and digital (Word) format
- ☑ A complete copy of the last deed of record for each parcel of property to be annexed
- ☑ 1 paper copy and 1 digital copy of the ***filed** annexation plat prepared by a registered land surveyor including the following information:
  - Title block:
    Annexation Map for Town of Hope Mills
    Annexation File # A2025-009
  - Vicinity map showing location of property in relation to the primary corporate town limits, (indicate where corporate limits are adjacent to the property or the location of the closest point of the primary Town Limits)
  - Surveyors' certificate
  - Plat book and page numbers

CHECK PAYABLE TO TOWN OF HOPE MILLS IN THE AMOUNT OF $500.00 FOR VOLUNTARY ANNEXATION FEE MUST BE SUBMITTED.

* (Per the Secretary of State's Office, said plat must be signed by a surveyor but **is not required to be sent through any approval process**. Per GS 47-30 paragraph g. and j. "The provisions of this section shall not apply to boundary plats of State lines, county lines, **areas annexed by municipalities**, nor to plats of municipal boundaries, whether or not required by law to be recorded.")

For Town Clerk Use:

Annexation #_____

Town of Hope Mills
Voluntary Annexation Petition

To the Board of Commissioners of the Town of Hope Mills:

We, the undersigned, being of all the owners of the real property described herein, respectfully request that the area described herein be annexed to the Town of Hope Mills pursuant to the provisions of G.S. 160A-31.

The area to be annexed is ☑ **contiguous** ☐ **non-contiguous** to the existing Town Limits of Hope Mills and the boundaries of such territory are as indicated below and on the attached map and description.

Property Information:

If only part of a parcel is included, then write "Part" after the Cumberland County Parcel Identification Number and Real Estate Identification Number (s).

Cumberland County Parcel Identification Number (s):	Cumberland County Real Estate Identification Number (s):
9494-87-0736	9494870736000
9494-87-2795	9494872795000
9494-87-5714	9494875714000
9494-87-8784	9494878784000
9494-98-0467	9494980467000 (PORTION)

Acreage of Annexation Area: 14.97

Existing Population: 0

Number of existing residential dwelling units: 0

Do you declare vested rights*? ☐ yes ☒ no

*We acknowledge that any zoning vested rights acquired pursuant to G.S. 160D-108.1 must be declared and identified on this petition. We further acknowledge that failure to declare such rights on this petition shall result in a termination of vested rights previously acquired for the property. (If zoning vested rights are claimed, indicate "yes" and attach proof.)

Property Owner(s):	Address:	Signature:	Date:
All property owners must sign this petition including husband and wife if jointly owned			
SYCAMORE CORNER LLC	2409 THORNGROVE CT, STE 1		6-17-25
GREAT OAKS PROPERTY HOLDINGS LLC	SAME		6-17-25
WILLIAMS TIMBER LLC	SAME		6-17-25
SRW BUILDERS LLC	SAME		6-17-25

*Vested Right – Means the right to undertake and complete the development and use of property under the terms and conditions of an approved site specific development plan or an approved phased development plan. A vested right shall be deemed established with respect to any property upon valid approval, or conditional approval, of a site specific development plan or phased development plan, following notice and public hearing by the county with jurisdiction over the property.

Town of Hope Mills
5770 Rockfish Road
Hope Mills, NC 28348

Receipt Number: R00027818
Cashier Name: Vonda Johnson
Terminal Number: 5
Receipt Date: 6/18/2025 7:40:01 AM

Tran. Code: 103650 - Zoning Permits/Applications Name: WILLIAMS TIMBER, LLC-ROCKFISH ANNEXATION $500.00

Zoning Permits/Applications $500.00

Total Amount Applied: $500.00

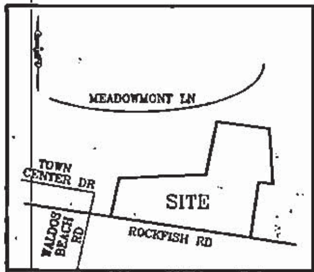
Payment Method: Check Payor: WILLIAMS TIMBER, LLC-RO Reference: 1033 Amount: $500.00

Total Payment Received: $500.00

Change: $0.00

GL Distribution:

Account Number	Account Name	Amount
10-3650	ZONING PERMITS	500.00
	Total Distribution Amount:	500.00



VICINITY MAP

NOT TO SCALE

I, W. LARRY KING, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DESCRIBED IN PLAT / ~~DEED~~ BOOK 74 PAGE 61); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN PLAT / DEED BOOK As PAGE Shown; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS, MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL, THIS 17 DAY OF June A.D., 2025.

W. Larry King PLS 1339

PROFESSIONAL LAND SURVEYOR
(W. LARRY KING, P.L.S.)
LICENSE NUMBER L-1339

NORTH CAROLINA PROFESSIONAL SEAL L-1339 LAND SURVEYOR W. LARRY KING

I, W. LARRY KING, HEREBY CERTIFY THAT THE CHECKED ITEM BELOW APPLIES TO THIS MAP.

(D) THAT THE SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXEMPTION OR EXCEPTION TO THE DEFINITION OF SUBDIVISION.

PRELIMINARY

DO NOT USE FOR CONSTRUCTION

THIS DRAWING HAS NOT BEEN REVIEWED BY ANY GOVERNMENTAL AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT OR OTHER REGULATIONS.

THE UNDERSIGNED HEREBY ACKNOWLEDGE THAT THE LAND SHOWN ON THIS PLAT IS WITHIN THE SUBDIVISION REGULATION JURISDICTION OF ______ COUNTY AND THAT THIS PLAT IS OUR FREE ACT AND DEED. I DO HEREBY DEDICATE FOR PUBLIC USE OF ALL RIGHTS-OF-WAY AND EASEMENTS AS SHOWN ON THIS MAP.

PROPERTY OWNER

STATE OF NORTH CAROLINA
COUNTY OF CUMBERLAND

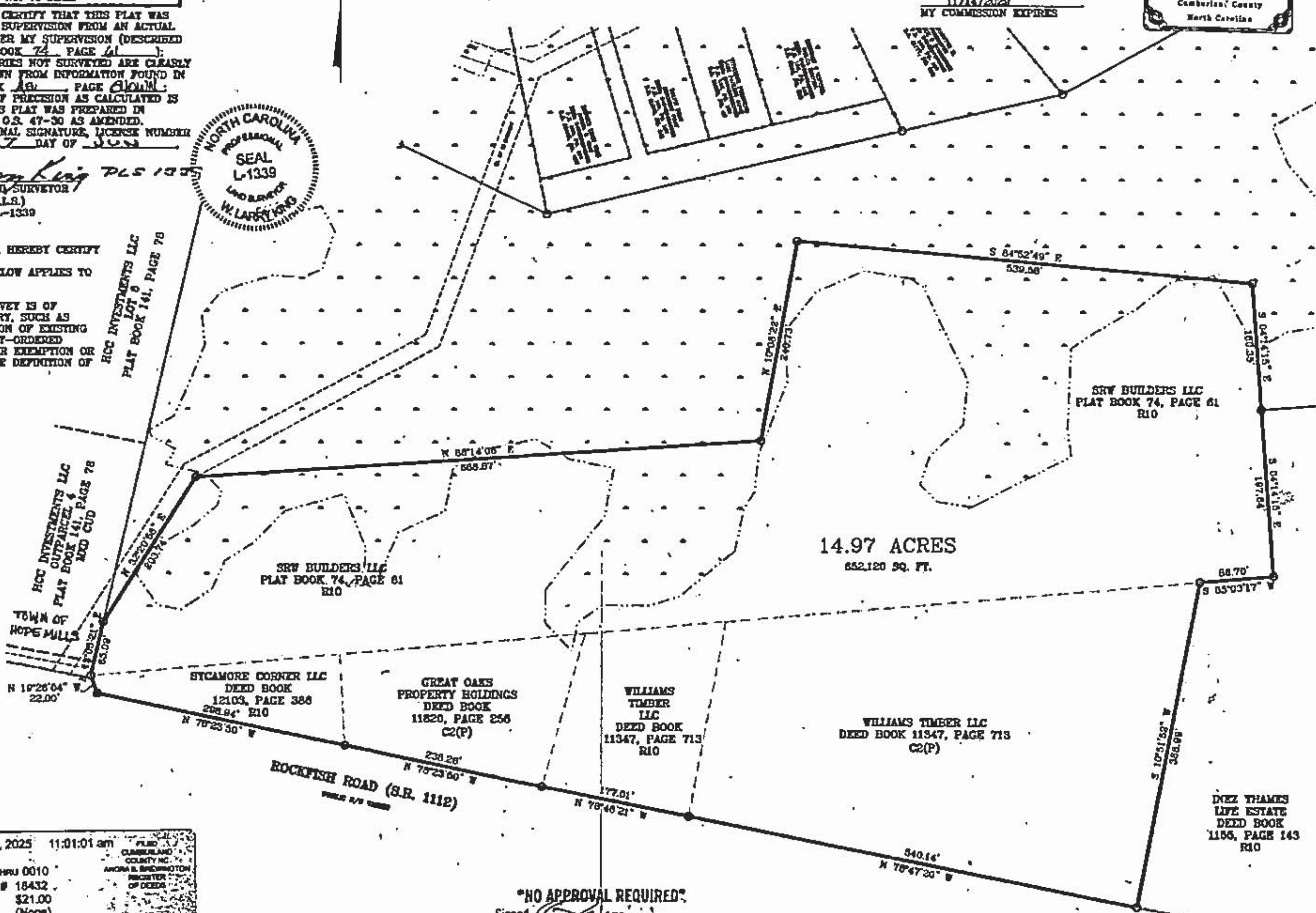
I, LORI SIMPSON EPLER, A NOTARY OF THE COUNTY AND STATE, AFORESAID, CERTIFY THAT, [signature] SUBJECT PROPERTY OWNER PERSONALLY APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT. WITNESS MY HAND AND OFFICIAL STAMP OR SEAL. THIS 17th DAY OF June 2025.

Lori Simpson Epler
NOTARY PUBLIC

11/14/2029
MY COMMISSION EXPIRES

Notary Public
Lori Simpson Epler
Cumberland County
North Carolina

NOTES:
1. PROPERTY SUBJECT TO ALL EASEMENTS, RIGHTS-OF-WAY AND RESTRICTIVE COVENANTS OF RECORD.
2. AREAS COMPUTED BY COORDINATE METHOD.
3. RATIO OF PRECISION > 1:10,000
4. DASHED LINES NOT SURVEYED.
5. TAX PIN - 9494870736000, 9494872795000, 9494875714000, 9494878784000, 9494980467000
6. ANY LOCATION OF UNDERGROUND UTILITIES AS SHOWN ARE BASED ON VISIBLE EVIDENCE AND DRAWINGS IF PROVIDED TO THE SURVEYOR. LOCATION OF UNDERGROUND UTILITIES AND STRUCTURES MAY VARY FROM LOCATIONS SHOWN HEREON, AND ADDITIONAL BURIED UTILITIES MAY EXIST. CONTACT THE APPROPRIATE UTILITY COMPANIES FOR INFORMATION REGARDING BURIED UTILITIES.
7. EXCEPT AS SPECIFICALLY STATED OR SHOWN, THIS SURVEY DOES NOT REPORT ANY OF THE FOLLOWING: EASEMENTS, OTHER THAN THOSE VISIBLE DURING FIELD EXAMINATION OR AS IN DOCUMENTATION PROVIDED BY THE CLIENT OR ATTORNEY, BUILDING SETBACKS, RESTRICTIVE COVENANTS, ZONING OR LAND USE REGULATIONS AND ANY FACTS WHICH A TITLE SEARCH MAY DISCLOSE.
8. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.
9. THIS SURVEY WAS DONE WITHOUT A TITLE SEARCH AND IS BASED ON REFERENCED INFORMATION. THERE MAY EXIST OTHER DOCUMENTS OF RECORD, WHICH COULD AFFECT THIS PROPERTY. ALL RESEARCH DATA CURRENT AS OF 06/13/2025.
10. ALL BUILDINGS, SURFACE AND SUBSURFACE IMPROVEMENTS ON AND ADJACENT TO THIS PROPERTY ARE SHOWN, IF REQUIRED.
11. BUILDING SETBACKS ARE AS SHOWN HEREON. IF NO SETBACKS ARE SPECIFIED, ANY STRUCTURES OR IMPROVEMENTS PLACED ON THIS SUBJECT PROPERTY MUST COMPLY WITH RESTRICTIVE COVENANTS, ZONING, DOCUMENTS OF RECORD GOVERNING SUCH IMPROVEMENTS AND ANY BINDING AGREEMENT BETWEEN THE DEVELOPER AND THE BUILDER/OWNER.
12. IF THIS PLAT IS OF THE CATEGORY DETERMINED TO BE A RECOMBINATION OF PREVIOUSLY PLATTED OR RECORDED PROPERTY, ANY RESTRICTIONS AND SPECIFICS APPLICABLE TO THAT PREVIOUSLY FILED DOCUMENT APPLY TO THIS SUBJECT PROPERTY ALSO, EXCEPT AS ALLOWED FOR BY THE ORDINANCE FOR THE JURISDICTION THAT OVERSEES AND GOVERNS THIS SUBJECT PROPERTY.
13. UNLESS OTHERWISE NOTED, THIS PROPERTY HAS NOT BEEN INVESTIGATED WITH REGARDS TO WETLANDS AND NO DETERMINATION HAS BEEN MADE AS TO THE EXISTENCE OF WETLANDS WITHIN THE BOUNDARIES SHOWN HEREON.
14. IF WETLAND AREAS ARE SHOWN ON THIS SUBJECT PROPERTY, THOSE AREAS WERE STAKED AND DETERMINED TO BE SUCH BY OTHERS. THE SURVEYOR'S CERTIFICATION HEREON CERTIFIES TO THE LOCATION OF THOSE AREAS, AS STAKED BY OTHERS, BUT LOCATED UNDER THIS SURVEYOR'S SUPERVISION AND PLATTED HEREON.
15. SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED DURING THIS SURVEY. NO STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND CONTAINERS, WHICH MAY AFFECT THE USE OF THIS TRACT.
16. NON-CONFORMING STRUCTURES HAVE NOT BEEN CREATED BY THIS SUBDIVISION.
17. UNLESS NOTED OTHERWISE, THERE WERE NO U.S.C.G.S., N.C.G.S. OR OTHER GOVERNMENTALLY RECOGNIZED HORIZONTAL CONTROL MONUMENTATION FOUND WITHIN 2,000 FEET OF THIS SUBJECT PROPERTY.
18. IF THIS PLAT IS LABELED "ZERO LOT LINE" THERE ARE, IN ADDITION TO OTHER EASEMENTS SHOWN, MAINTENANCE EASEMENTS ON ALL INTERIOR LOT LINES, SAID EASEMENTS BEING 10 FEET IN WIDTH AND UNLESS OTHERWISE NOTED, 5 FEET EACH SIDE OF SAID INTERIOR LOT LINE.
19. IF THE STREETS AND ROADS SHOWN ON THIS MAP ARE LABELED AS PRIVATE STREETS, THE FOLLOWING NOTICE APPLIES TO THOSE STREETS: NO PUBLIC AGENCY IS PRESENTLY RESPONSIBLE FOR MAINTENANCE OF THE PRIVATE STREETS SHOWN ON THIS PLAT. PRIVATE STREETS ARE FOR THE USE OF ALL OWNERS OF PROPERTY WITHIN THIS SUBDIVISION, THEIR GUESTS AND ALL REPRESENTATIVES OF GOVERNMENTAL AGENCIES FOR INGRESS AND EGRESS, AND FOR THE CONSTRUCTION, INSPECTION AND MAINTENANCE OF PUBLIC STREETS, UTILITIES, AND DRAINAGE STRUCTURES. THE STREETS ARE THE SOLE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION.
20. ANY COMMON AREA SHALL NOT BE FURTHER SUBDIVIDED, DEVELOPED OR CONVEYED BY THE OWNERS ASSOCIATION, EXCEPT WHERE APPROVED UNDER THE PROVISIONS OF THIS ORDINANCE AND THE COUNTY ZONING ORDINANCE.



"NO APPROVAL REQUIRED"
Signed: [signature]
Date: 6/16/25

Plat Review Officer Certification
State of North Carolina Cumberland County
Plat Review Officer
of Cumberland County certify that the map or plat which this certification is affixed meets all statutory requirements for recording.
Signed: ______ Date: ______

ANNEXATION MAP FOR
TOWN OF HOPE MILLS
ANNEXATION FILE # A2025-009

FILED Jun 19, 2025 11:01:01 am
BOOK 00153
PAGE 0010 THRU 0010
INSTRUMENT # 18432
RECORDING $21.00
EXCISE TAX (None)

LEGEND

- ○ DENOTES REBAR OR BREAK IN LINE
- CONTROL CORNER
- ECM (EXISTING CONCRETE MONUMENT)
- EIR EXISTING IRON REBAR
- SIR SET IRON REBAR
- EPK EXISTING PK NAIL
- SPK SET PK NAIL
- NOTE - IRON REBAR SET AT ALL PROPERTY CORNERS UNLESS OTHERWISE NOTED.

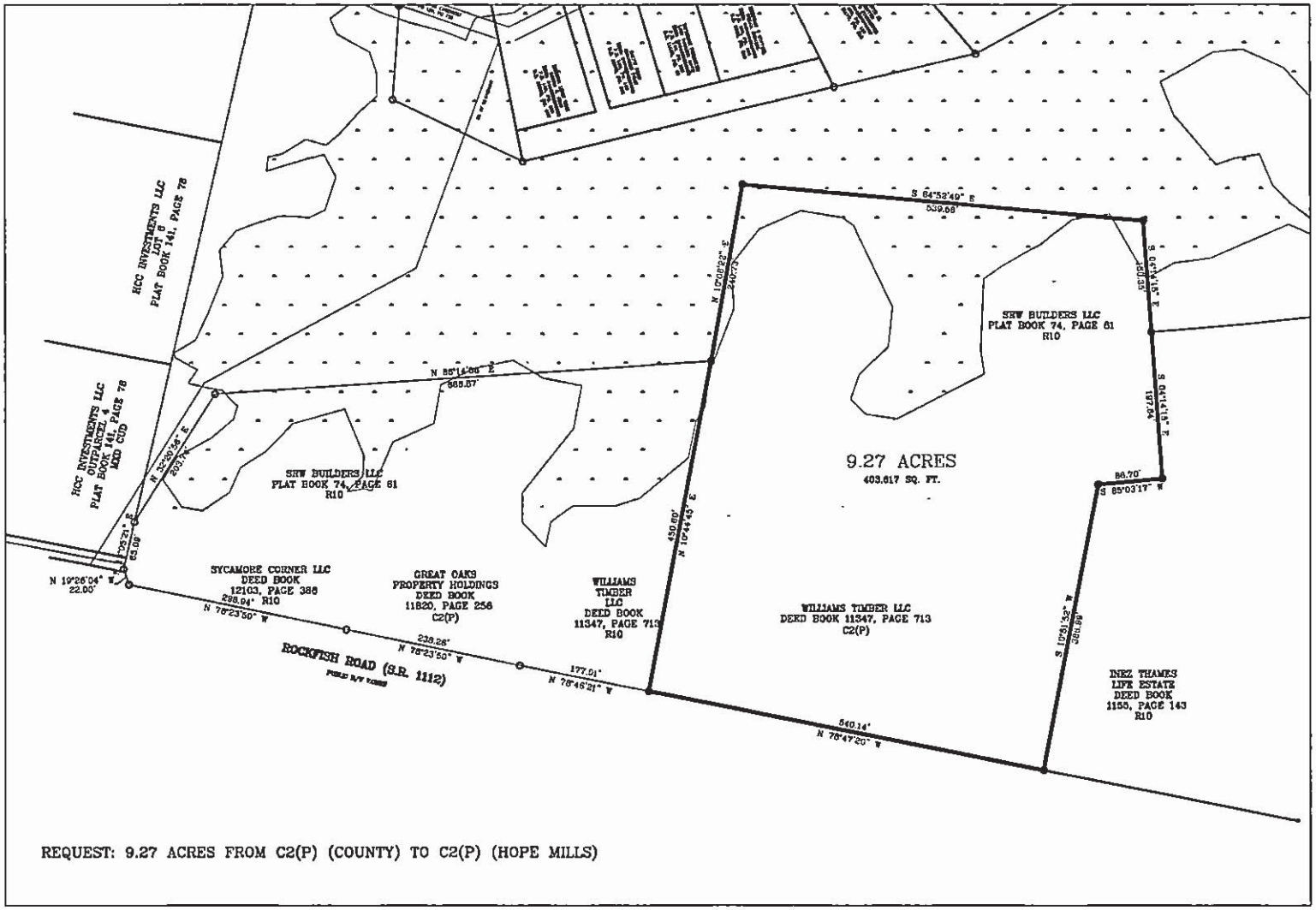
LINE TABLE
BOUNDARY LINE
ADJOINER
EASEMENT

GRAPHIC SCALE
100 0 50 100 200 400
(IN FEET)
1 inch = 100 ft.

REVISIONS	ANNEXATION MAP FOR LAND OF: SRW BUILDERS LLC ET. AL.
	TOWNSHIP: ROCKFISH COUNTY: CUMBERLAND
	STATE: NORTH CAROLINA
	PROPERTY OF: SRW BUILDERS, SYCAMORE CORNER LLC, WILLIAMS TIMBER LLC, GREAT OAKS PROPERTY HOLDINGS

LARRY KING & ASSOCIATES, R.L.S., P.A.
P.O. BOX 53787
1333 MORGANTON ROAD, SUITE 201
FAYETTEVILLE, N. C. 28305
TELEPHONE: (910) 483-4300
FAX: (910) 483-4052
NC FIRM LICENSE C-0887

153/10



ENGINEERING - SURVEYING - DESIGNING - DRAFTING
Larry King & Associates, R.L.S., P.A.
P.O. Box 53787
1333 Morganton Road, Suite 201
Fayetteville, North Carolina 28305
P. (910) 483-4300 F. (910) 483-4052
NC Firm License C-0887
www.LKandA.com

Owner:
GREAT OAKS PROPERTY HOLDINGS, LLC
CONTACT:
PALMER WILLIAMS
910.864.1125

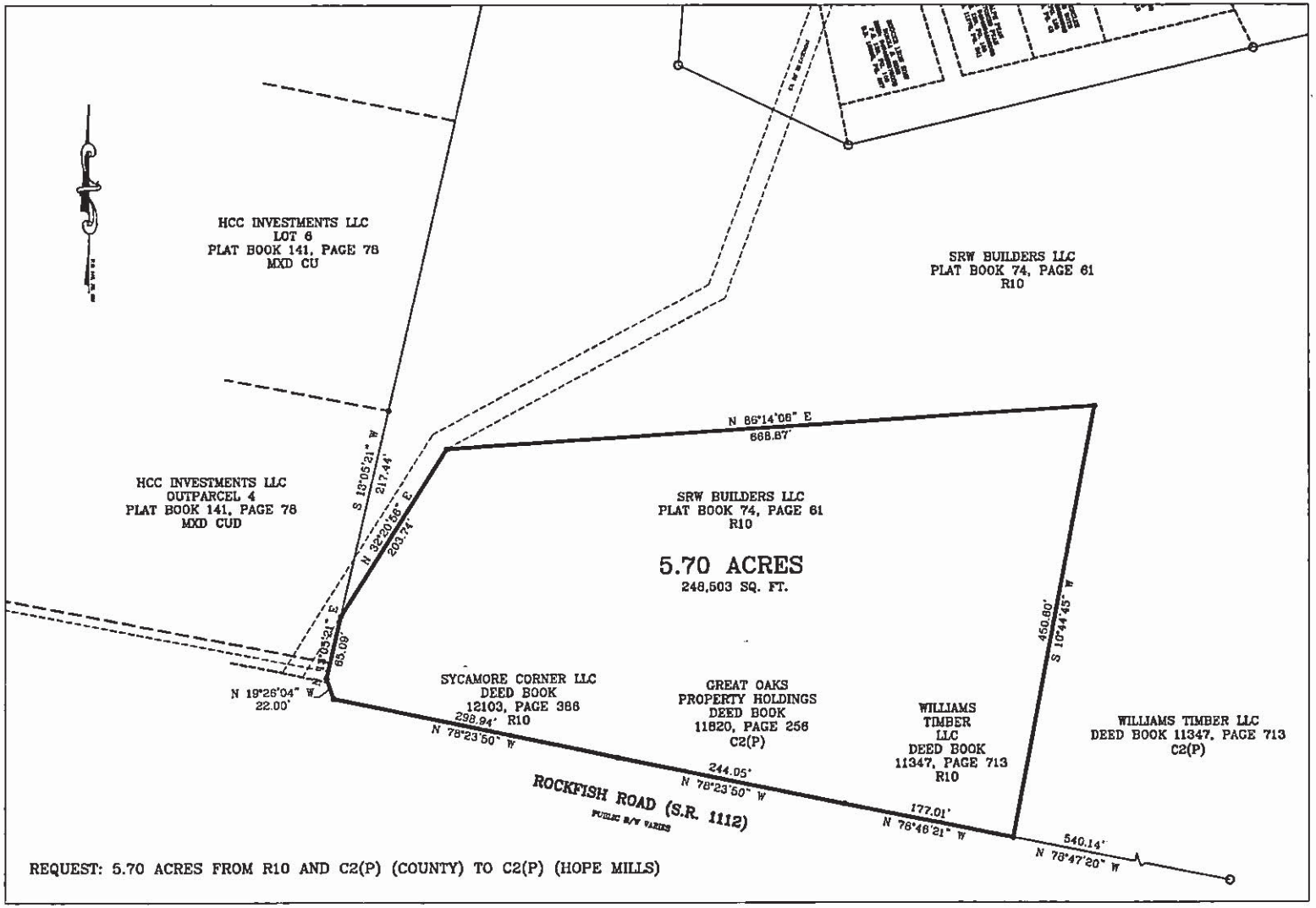
Project:

ROCKFISH COMMERCIAL

tax id #:	VARIES
township:	ROCKFISH
county:	CUMBERLAND
state:	NC
job no.:	P24-028
date:	07/23/2025
drawn by:	LSE
survey by:	
checked by:	

PRELIMINARY
DO NOT USE FOR CONSTRUCTION
THIS DRAWING HAS NOT BEEN REVIEWED BY ANY GOVERNMENTAL AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT OR OTHER REGULATIONS.

P:\P24-028 SRW - ROCKFISH RD\CADCIVIL\SRW - ROCKFISH RD\DWG\ROCKFISH REZONE BALANCE 1.dwg 7/23/2025 Scale: Custom LORI



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P.O. Box 53787
1333 Morganton Road, Suite 201
Fayetteville, North Carolina 28305
P. (910) 483-4300 F. (910) 483-4052
NC Firm License C-0887
www.LKandA.com

Owner:
GREAT OAKS PROPERTY HOLDINGS, LLC et. al.
CONTACT:
PALMER WILLIAMS
910.864.1125

Project:

ROCKFISH

REZONING MAP

tax id #:	VARIES
township:	ROCKFISH
county:	CUMBERLAND
state:	NC
job no.:	P24-028
date:	07/14/2025
drawn by:	LSE
survey by:	
checked by:	

PRELIMINARY

DO NOT USE FOR CONSTRUCTION

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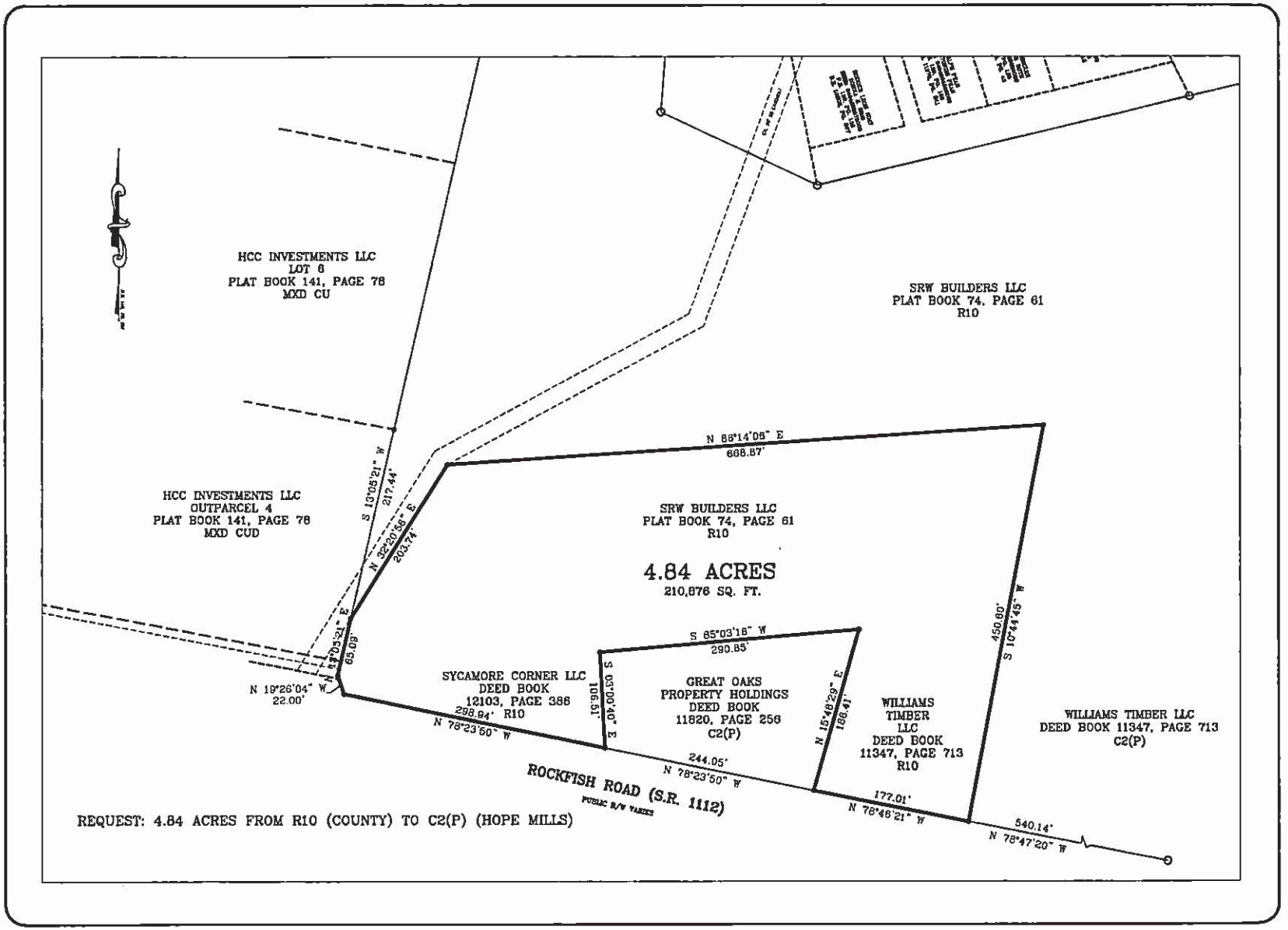
P:\P24-028 SRW - ROCKFISH RD\CAD\CIVIL\SRW - ROCKFISH RD\DWG\ROCKFISH REZONE 1.dwg 7/14/2025 Scale: Custom LDR



ENGINEERING - SURVEYING - DESIGNING - DRAFTING
Larry King & Associates, R.L.S., P.A.
P.O. Box 53787
1333 Morganton Road, Suite 201
Fayetteville, North Carolina 28305
P. (910) 483-4300 F. (910) 483-4052
NC Firm License C-0887
www.LKandA.com

Owner:
GREAT OAKS PROPERTY HOLDINGS, LLC et. al.
CONTACT:
PALMER WILLIAMS
910.864.1125

Project:

ROCKFISH

REZONING MAP

tax id #:	VARIES
township:	ROCKFISH
county:	CUMBERLAND
state:	NC
job no.:	P24-028
date:	06/13/2025
drawn by:	LSE
survey by:	
checked by:	

PRELIMINARY
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P:\P24-028 SRW - ROCKFISH RD\CAD\CIVIL\SRW - ROCKFISH RD\DWG\ROCKFISH REZONE 1.dwg 6/13/2025 Scale: Custom LORI

TOWN OF
HOPE MILLS
NORTH CAROLINA
Development Services
A PROUD PAST, A BRIGHT FUTURE
EST. 1991

PLAN REVIEW MEMORANDUM

DATE: July 21, 2025

TO: Chancer F. McLaughlin – Town Manager

FROM: Stephen F. Dollinger – Police Chief
Elisabeth Brown – Stormwater Administrator
Don Sisko – Public Works Director
Matt Cain – Fire Chief
Robert Carter – Fire Marshal
Kenny Tatum – Chief Building Official
Lamarco Morrison – Parks & Recreation Director
Emily Weidner – Planning/Economic Development Director

SUBJECT: A2025-009
REQUEST: Annexation
REID: 9494870736000, 9494872795000, 9494875714000, 9494878784000, & 9494980467000
SIZE: 14.97 +/- acres
LOCATION: +/- 200ft east from the intersection of Town Center Dr. and Rockfish Rd.

POLICE DEPARTMENT:
Recommendation: **APPROVAL**
Comments: No objections

STORMWATER DEPARTMENT:
Recommendation: **APPROVAL**
Comments: No comment on annexation. If development occurs, Stormwater Management Permit Application is required. State Wetland and Erosion Control will apply. No Floodplain or AOD regulations apply.

PUBLIC WORKS DEPARTMENT:
Recommendation: **APPROVAL**
Comments: No objections.

FIRE DEPARTMENT:
Recommendation: **APPROVAL**
Comments: No objections

INSPECTIONS DEPARTMENT:
Recommendation: **APPROVAL**
Comments: No objections. Must meet all applicable NC State Building Codes.

PARKS & RECREATION:
Recommendation: **APPROVAL**
Comments: No objections.

PLANNING AND ZONING DEPARTMENT:
Recommendation: **APPROVAL**
Comments: Planning staff is requesting approval to begin the initial zoning process to designate the site under the C2(P) Planned Service and Retail District.

FILED ELECTRONICALLY
CUMBERLAND COUNTY NC
J. LEE WARREN, JR.

FILED	Nov 05, 2024
AT	11:14:01 AM
BOOK	12103
START PAGE	0386
END PAGE	0388
INSTRUMENT #	33646
RECORDING	$26.00
EXCISE TAX	$0.00

NORTH CAROLINA NON-WARRANTY DEED

Excise Tax:	$0.00
Parcel ID:	9494-87-0736
Mail/Box to:	Reaves Law, PLLC, PO Box 53187, Fayetteville, NC 28305
Prepared by:	L. Holden Reaves, Esq.
Brief description for the Index:	0 Rockfish Road (0.49 acre) – Alternate Legal Description

THIS GENERAL WARRANTY DEED ("Deed") is made on the 4 day of November 2024, by and between:

GRANTOR	GRANTEE
Jimmy Edward Mabe and wife, Barbara K. Mabe 173 Sugarloaf Road Elizabethtown, NC 28337	Sycamore Corner, LLC, a North Carolina limited Liability company 2709 Thorngrove Court, Suite 1 Fayetteville, NC 28303

Enter in the appropriate block for each Grantor and Grantee their name, mailing address, and, if appropriate, state of organization and character of entity, e.g. North Carolina or other corporation, LLC, or partnership. Grantor and Grantee includes the above parties and their respective heirs, successors, and assigns, whether singular, plural, masculine, feminine or neuter, as required by context.

FOR VALUABLE CONSIDERATION paid by Grantee, the receipt and legal sufficiency of which is acknowledged, Grantor by this Deed does hereby grant, bargain, sell and convey to Grantee, in fee simple, all that certain lot, parcel of land or condominium unit in or near the City of Fayetteville, Cumberland County, North Carolina and more particularly described as follows (the "Property"):

See Exhibit A attached hereto and incorporated herein by reference.

All or a portion of the Property was acquired by Grantor by instrument recorded in Book 995, Page 667.

All or a portion of the Property ☐ includes or ☒ does not include the primary residence of a Grantor.

A map showing the Property is recorded in Plat Book _____ Page 1.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

The Grantor makes no warranty, express or implied, as to title to the property hereinabove described.

IN WITNESS WHEREOF, Grantor has duly executed this North Carolina General Warranty Deed, if an entity by its duly authorized representative.

Jimmy Edward Mabe

Barbara K. Mabe

STATE OF NC., COUNTY OF Cumberland

I Joel S Jenkins Jr, a Notary of the above state and county, certify that the following person(s) personally appeared before me on the 4th day of November 2024 each acknowledging to me that he or she signed the foregoing document, in the capacity represented and identified therein (if any): Jimmy Edward Mabe and wife, Barbara K. Mabe.

Affix Notary Seal/Stamp

JOEL S JENKINS JR NOTARY PUBLIC CUMBERLAND COUNTY, N.C.

Notary Public (Official Signature)

My commission expires: 3-5-2026

EXHIBIT A

[Legal Description]

Located in the City of Fayetteville (Township of Rockfish), Cumberland County, North Carolina, and being more particularly described as follows:

BEGINNING at a set rebar in the northern right of way margin of Rockfish Road, a variable public right of way, said set rebar being also located at the western corner of that certain parcel owned by Great Oaks Property Holdings LLC (DB 11820, PG 256), now or formerly; thence leaving the northern right of way margin of Rockfish Road and running along the western boundary of the aforesaid parcel owned by Great Oaks Property Holdings LLC, now or formerly, North 10 degrees 15 minutes 39 seconds West 107.39 feet to a set rebar, said set rebar being located in the southern property line of that certain parcel owned by SRW Builders LLC (DB 11930, PG 794), now or formerly; thence running along the southern boundary of the aforesaid parcel owed by SRW Builders LLC, now or formerly, South 85 degrees 52 minutes 55 seconds West 361.24 feet to an existing iron rod, said existing iron rod being located at the southeast corner of that certain parcel owned by HCC Investments LLC (DB 7458, PG 610, PB 141, PG 78), now or formerly, said existing rod also being located South 79 degrees, 26 minutes 11 seconds East 64.99 feet of another existing iron rod) running thence South 11 degrees 23 minutes 18 seconds East 11.39 feet to a set rebar in the northern right of way margin of Rockfish Road, thence running along the northern right of way margin of Rockfish Road South 79 degrees 45 minutes 47 seconds East 383.88 feet to the POINT and PLACE OF BEGINNING, said parcel containing 0.49 Acres, and being the same property as shown on that certain Survey Map dated October 1, 2024, prepared by W. Larry King, Professional Land Surveyor L-1339, of Larry King & Associates, R.L.S., P.A., Fayetteville, North Carolina.

FILED ELECTRONICALLY
CUMBERLAND COUNTY NC
J. LEE WARREN, JR.

FILED	Mar 20, 2024
AT	02:06:29 PM
BOOK	11930
START PAGE	0794
END PAGE	0796
INSTRUMENT #	07904
RECORDING	$26.00
EXCISE TAX	$0.00

NORTH CAROLINA NON-WARRANTY DEED

Excise Tax: $0.00
Parcel Identifier No. 9494-77-8838 (portion) Verified by _____ County on the ____ day of _____, 20__
By: _____ & 9494-77-8768 (portion) & 9494-88-9518

Mail/Box to: Reaves & Reaves, PLLC, P.O. Box 53187, Fayetteville, NC 28305

This instrument was prepared by: L. Holden Reaves, Esq.

Brief description for the Index: Rockfish Road (near Waldo's Beach Road)

THIS DEED made this 18 day of March, 20 24, by and between

GRANTOR	GRANTEE
Godwin Family Partnership, LLC, a North Carolina limited company	SRW Builders, LLC, a North Carolina limited liability company
1007 Hay Street Fayetteville, NC 28305	2709 Thorngrove Court, Suite 1 Fayetteville, NC 28303

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in or near the Town Hope Mills, Cumberland County, North Carolina and more particularly described as follows:

See Exhibit A attached hereto and incorporated herein by reference.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 10719, Page 309.

A map showing the above described property is recorded in Plat Book 74, Page 61.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

The Grantor makes no warranty, express or implied, as to title to the property hereinabove described.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be duly executed and delivered.

GRANTOR:

Godwin Family Partnership, LLC

By: Lawrence W. Blake (SEAL)
Lawrence W. Blake
Administrative Member

STATE OF NORTH CAROLINA

COUNTY OF Cumberland

I certify that the following person personally appeared before me this day, acknowledging to me that he signed the foregoing document for the purpose stated therein and in the capacity indicated: Lawrence W. Blake in his capacity as Administrative Member of Godwin Family Partnership, LLC, a North Carolina limited liability company.

Date: 3-18-2024

Official Signature of Notary: Emily Price

Notary's Printed Name: Emily Price

My commission expires: 8-4-2026

[Affix Notary Seal or Stamp]

EMILY PRICE
NOTARY
PUBLIC
HOKE COUNTY, N.C.

EXHIBIT A

BEING all of that certain 57.816 Acre parcel as shown on that recombination plat entitled "Biltwell, Inc.", said plat having been duly recorded in Plat Book 74, Page 61, Cumberland County, NC Registry.

8775
0538

BK08775 PG0538

FILED
CUMBERLAND COUNTY NC
J. LEE WARREN, JR.
REGISTER OF DEEDS

FILED	Nov 30, 2011
AT	04:54:00 pm
BOOK	08775
START PAGE	0538
END PAGE	0540
INSTRUMENT #	39257
RECORDING	$26.00
EXCISE TAX	(None)

RT

NORTH CAROLINA SPECIAL WARRANTY DEED

Excise Tax: $0.00

Parcel Identifier No. 9494-88-9518 Verified by _____ County on the ____ day of_____ __, 20__
By:_____

Mail/Box to: Reaves Law, PLLC, P.O. Box 53187, Fayetteville, NC 28305

This instrument was prepared by: L. Holden Reaves, Esq. [Without Title Examination]

Brief description for the Index: 57.816 Acres - Stoney Point (Rockfish Road)

THIS DEED made this 30 day of November, 20 11, by and between

GRANTOR	GRANTEE
Sharlene R. Williams (divorced)	SRW Builders, Inc., a North Carolina corporation
238 N. McPherson Church Road Fayetteville, NC 28303	238 N. McPherson Church Road Fayetteville, NC 28303

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in or near the Town of Hope Mills, Cumberland County, North Carolina and more particularly described as follows:

See Exhibit A attached hereto and incorporated herein by reference.

All or a portion of the property herein conveyed does not include the primary residence of Grantor.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 5464, Page 389.

B08775 P00539

8775 A map showing the above described property is recorded in [Set out description for plat reference, if any].
0539

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever claiming by, under, or through, Grantor, other than the following exceptions: all easements, restrictions, covenants and conditions of record, if any, and taxes which are not yet due and payable.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

_____ (Entity Name)

Sharlene R. Williams (SEAL)

By: _____ Title: _____ _____ (SEAL)

By: _____ Title: _____ _____ (SEAL)

By: _____ Title: _____ _____ (SEAL)

State of North Carolina - County of Cumberland

I, the undersigned Notary Public of the County and State aforesaid, certify that Sharlene R. Williams personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this 7th day of November, 20 11

My Commission Expires: _____

My Commission Expires August 25, 2014

_____ Notary Public

State of North Carolina - County of _____

I, the undersigned Notary Public of the County and State aforesaid, certify that _____ personally came before me this day and acknowledged that he/she is _____ of _____, a North Carolina corporation/limited liability company/general partnership/limited partnership (strike through the inapplicable), and that by authority duly given and as the act of such entity, he signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal this ____ day of _____, 20__.

My Commission Expires: _____

_____ Notary Public

State of North Carolina - County of _____

I, the undersigned Notary Public of the County and State aforesaid, certify that _____

Witness my hand and Notarial stamp or seal, this ____ day of _____ (N.P. SEAL) 20__.

My Commission Expires: _____

_____ Notary Public

The foregoing Certificate(s) of _____ is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

_____ Register of Deeds for _____ County

By: _____ Deputy/Assistant - Register of Deeds

EXHIBIT A

STONEY POINT 57.816 ACRE TRACT

BEGINNING at a point said point being the southwest corner of Lot 60 as shown on the plat entitled, Section 3, Part Two, Stoney Point, recorded in Plat Book 52, Page 62 Cumberland County Registry and running thence with the boundary of the 57.816 acre tract as shown on that plat entitled "BILTWELL INC.", and recorded in Plat Book 74, Page 61, Cumberland County Registry the following courses and distances: South 84 degrees 07 minutes 27 seconds West 595.57 feet, South 04 degrees 13 minutes 00 seconds East 198.00 feet to the line of C. Edwards (now or formerly); with said Edwards line South 85 degrees 06 minutes 06 seconds West 1398.48 feet; South 04 degrees 53 minutes 54 seconds East 15.00 feet to a point in Rockfish Road; with Rockfish Road North 80 degrees 56 minutes 25 seconds West 81.91feet; North 15 degrees 04 minutes 00 seconds East 1349.88 feet; North 80 degrees 00 minutes 40 seconds East 1711.36 feet; South 09 degrees 59 minutes 20 seconds East 145.00 feet; South 80 degrees 00 minutes 40 seconds West 40.00 feet; South 09 degrees 59 minutes 20 seconds East 50.00 feet; South 09 degrees 59 minutes 20 seconds East 145.00 feet; South 15 degrees 05 minutes 00 seconds West 60.00 feet; South 48 degrees 36 minutes 00 seconds East 186.08 feet; South 52 degrees 55 minutes 28 seconds East 50.18 feet; South 47 degrees 30 minutes 00 seconds East 151.75 feet; South 57 degrees 48 minutes 00 seconds West 25.06 feet; South 22 degrees 30 minutes 00 seconds West 348.70 feet to the north margin of Cicada Street; thence running with the north margin of Cicada Street 27.70 feet along the arc of a curve to the right having a radius of 176.30 feet to a point at the terminus of said street; thence South 22 degrees 47 minutes 00 seconds West 258.19 feet to the point of BEGINNING, and being all of the property recorded in Plat Book 52, Page 61, Plat Book 52, Page 63, Plat Book 53, Page 3, Cumberland County Registry and also being all of 2001 Tax Parcels 9498.08-77-8768, 9498.08-77-8838, and 9494.08-88-9518. The above-described property also includes all of the property described in Plat Book 74, Page 61, Cumberland County Registry.

For history of title see Deed Book 3636, Page 411, Cumberland County Registry.

The property conveyed hereby is the same property described as "Tract One" in that certain prior vesting deed recorded in Book 5464, Page 389, aforesaid Registry, and has Cumberland County tax parcel number 9494-88-9518.

LESS AND EXCEPT that certain conveyance of overlap acreage to HCC Investments, L.L.C. and Traemoor Village Owners Association, Inc. by deeds recorded immediately prior hereto in Book 8775, Page 531, and in Book 8775, Page 535, respectively, aforesaid Registry.

BK 10433 PG 0274

FILED
CUMBERLAND COUNTY NC
J. LEE WARREN, JR.
REGISTER OF DEEDS

FILED	Jan 16, 2019
AT	10:55:23 am
BOOK	10433
START PAGE	0274
END PAGE	0274
INSTRUMENT #	01232
RECORDING	$26.00
EXCISE TAX	(None)

BLF

North Carolina Department of The Secretary of State

Return: Leave with Firm

CERTIFICATION OF CONVERSION

I, ELAINE F. MARSHALL, Secretary of State of the State of North Carolina, do hereby certify that on the 27th day of December, 2018, Articles of Organization Including Articles of Conversion was filed in this office

CONVERTING

SRW BUILDERS, INC. NC

INTO

SRW BUILDERS, LLC NC

a limited liability company duly formed under the laws of the State of North Carolina with its period of duration being Perpetual.

The name of the resulting entity was changed by virtue of said conversion to: N/A.

The effective date of said conversion, if different from the date of filing was: 1 January 2019

The resulting entity has not filed articles of dissolution and continues to be in existence in this State as of the date of this certificate.

I FURTHER certify that this certificate is in compliance with North Carolina General Statutes §47-18.1 and §55D-26 and may be recorded in the office of the Register of Deeds in the same manner as deeds, the name of the resulting entity appearing in the "Grantee" index.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at the City of Raleigh, this 16th day of January, 2019.

Elaine F. Marshall

Secretary of State

Scan to verify online.

Certification# 103726112-1 Reference# 14938249- Page: 1 of 1
Verify this certificate online at http://www.sosnc.gov/verification

FILED ELECTRONICALLY
CUMBERLAND COUNTY NC
J. LEE WARREN, JR.

FILED	Mar 15, 2024
AT	12:23:10 PM
BOOK	11928
START PAGE	0204
END PAGE	0206
INSTRUMENT #	07409
RECORDING	$26.00
EXCISE TAX	$0.00

NORTH CAROLINA NON-WARRANTY DEED

Excise Tax: $0.00
Parcel Identifier No. 9494-77-8838 (portion) Verified by _____ County on the ____ day of _____, 20__
By: _____ & 9494-77-8768 (portion) & 9494-88-9518

Mail/Box to: Reaves Law, PLLC, P.O. Box 53187, Fayetteville, NC 28305

This instrument was prepared by: L. Holden Reaves, Esq.

Brief description for the Index: Rockfish Road (near Waldo's Beach Road)

THIS DEED made this 14th day of March, 20 24, by and between

GRANTOR	GRANTEE
Landmark, Inc., a North Carolina corporation	SRW Builders, LLC, a North Carolina limited liability company
1019 Hope Mills Road Fayetteville, NC 28304	2709 Thorngrove Court, Suite 1 Fayetteville, NC 28303

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in or near the Town Hope Mills, Cumberland County, North Carolina and more particularly described as follows:

See Exhibit A attached hereto and incorporated herein by reference.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 2817, Page 602 & Book 2807, Page 591.

NC Bar Association Form No. 7 © 1977, 2002
Printed by Agreement with the NC Bar Association – 1981

A map showing the above described property is recorded in Plat Book 74, Page 61.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

The Grantor makes no warranty, express or implied, as to title to the property hereinabove described.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be duly executed and delivered.

GRANTOR:

Landmark, Inc.

By: Randall S. Faircloth (SEAL)

Print Name: Randall S. Faircloth

Title: AVP

STATE OF NORTH CAROLINA

COUNTY OF Cumberland

I certify that the following person personally appeared before me this day, acknowledging to me that he or she signed the foregoing document for the purpose stated therein and in the capacity indicated: Randall S. Faircloth in capacity as AVP of Landmark, Inc., a North Carolina corporation.

Date: March 14, 2024

Official Signature of Notary: Robin S. Zawisha

Notary's Printed Name: Robin S. Zawisha

My commission expires: 10-12-28

[Affix Notary Seal or Stamp]

ROBIN S ZAWISHA NOTARY PUBLIC CUMBERLAND COUNTY, N.C.

EXHIBIT A

BEING all of that certain 57.816 Acre parcel as shown on that recombination plat entitled "Biltwell, Inc.", said plat having been duly recorded in Plat Book 74, Page 61, Cumberland County, NC Registry.

It is noted that the Grantor entity no longer has active status with the North Carolina Secretary of State; and this Non-Warranty Deed is given as part of the winding up Grantor's business and affairs pursuant to NCGS 55-14-05.

FILED ELECTRONICALLY
CUMBERLAND COUNTY NC
J. LEE WARREN, JR.

FILED	Dec 22, 2021
AT	09:55:54 AM
BOOK	11347
START PAGE	0713
END PAGE	0716
INSTRUMENT #	59117
RECORDING	$26.00
EXCISE TAX	$0.00

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: $0.00
Parcel Identifier No. 0423-83-2187, 9476-64-9280, 0542-23-4876 Verified by _____ County on the ___ day of _____, 20__
By: 9494-87-8784, 9494-87-5714

Mail/Box to: Reaves Law, PLLC, PO Box 53187, Fayetteville, NC 28305

This instrument was prepared by: L. Holden Reaves, Esq. [WITHOUT TITLE EXAMINATION]

Brief description for the Index: Five (5) Parcels

THIS DEED made this 22nd day of December, 20 21, by and between

GRANTOR	GRANTEE
Pelican Property Holdings, LLC, a North Carolina limited liability company	**Williams Timber, LLC**, a North Carolina limited liability company
2709 Thorngrove Court, Suite 1 Fayetteville, NC 28303	2709 Thorngrove Court, Suite 1 Fayetteville, NC 28303

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple all of that certain lot or parcel of land situated in Cumberland County, North Carolina and more particularly described as follows:

See Exhibit A attached hereto and incorporated herein by reference.

The property hereinabove described was acquired by Grantor by instrument recorded in [See Exhibit A for prior deed references].

A map showing the above described property is recorded in [See Exhibit A for plat references].

The property herein conveyed does not include the primary residence of Grantor.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor has done nothing to impair such title as Grantor received, and Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions: all easements, restrictions, covenants and conditions of record, if any, and taxes for the current year and thereafter.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

GRANTOR:

Pelican Property Holdings, LLC

By: _____ (SEAL)
Robert J. Williams V
President

STATE OF NORTH CAROLINA

COUNTY OF _____

I certify that the following person personally appeared before me this day, acknowledging to me that he signed the foregoing document for the purpose stated therein and in the capacity indicated: Robert J. Williams V, in his capacity as President of Pelican Property Holdings, LLC, a North Carolina limited liability company.

Date: 12-22-2021

Official Signature of Notary: _____

Notary's Printed Name: Leonard H Reaves

My commission expires: My Commission Expires August 25, 2024

[Affix Notary Seal or Stamp]

LEONARD H REAVES
NOTARY PUBLIC
CUMBERLAND COUNTY, N. C.

EXHIBIT A

Tract One:

Being the tract of real property listed below and designated by the Deed Book and Page of the deed recorded in the Cumberland County Registry in which the Grantor or its predecessor in title was conveyed the tract, as applicable. The tract is further identified by the tax parcel number designated on the records of the Cumberland County Tax Department. This conveyance is made subject to easements, restrictions, and rights of way of record, if any, and are subject to any conveyances made by Grantor preceding or subsequent to the deed that is referenced.

Internal tract number, Tax Parcel Number, and Deed reference	Property description as designated on the corresponding tax listing
LS4 0423-83-2187 (formerly 0423-74-3261) Book 8373, Page 335	78.10 ACS Mill TR and Parker LD (located on Corporation Drive)

For prior vesting deed, see Book 8868, Page 885, Cumberland County, NC Registry.

Grantor intends by this deed to convey its 50% undivided interest in Tract One as described above.

Tract Two:

Being the tract of real property listed below and designated by the Deed Book and Page of the deed recorded in the Cumberland County Registry in which the Grantor or its predecessor in title was conveyed the tract, as applicable. The tract is further identified by the tax parcel number designated on the records of the Cumberland County Tax Department. This conveyance is made subject to easements, restrictions, and rights of way of record, if any, and are subject to any conveyances made by Grantor preceding or subsequent to the deed that is referenced.

Internal tract number, Tax Parcel Number, and Deed reference	Property description as designated on the corresponding tax listing
S 16 9476-64-9280 Book 4692, Page 188	45.2 ACS McCallum LD (located on Sykes Pond Rd)

For prior vesting deed, see Book 8868, Page 885, Cumberland County, NC Registry.

Grantor intends by this deed to convey its 50% undivided interest in Tract Two as described above.

Tract Three:

BEING the same property described in that certain prior General Warranty Deed recorded in Book 6952, Page 715, Cumberland County, NC Registry, less and except any prior out conveyances.

Subject property has Cumberland County tax parcel number 0542-23-4876 (and is commonly known as 7249 Ramsey Street).

For prior vesting deed, see Book 10423, Page 23, aforesaid Registry.

Grantor intends by this deed to convey its 100% interest in Tract Three as described above.

Tract Four:

BEING the same property described in that certain prior General Warranty Deed recorded in Book 8720, Page 776, Cumberland County, NC Registry, less and except any prior out conveyances.

Subject property has Cumberland County tax parcel number 9494-87-8784 (and is commonly known as 7106 Rockfish Road).

For prior vesting deed, see Book 10423, Page 23, aforesaid Registry.

Grantor intends by this deed to convey its 100% interest in Tract Four as described above.

Tract Five:

BEING all of Lot 1 (0.81 Ac.) as shown on plat duly recorded in Plat Book 128, Page 50, Cumberland County, NC Registry.

For prior vesting deed, see Book 11299, Page 695, aforesaid Registry.

Subject property has Cumberland County tax parcel number 9494-87-5714.

Grantor intends by this deed to convey its 100% interest in Tract Five as described above.

FILED ELECTRONICALLY
CUMBERLAND COUNTY NC
J. LEE WARREN, JR.

FILED	Sep 14, 2023
AT	10:36:20 AM
BOOK	11820
START PAGE	0256
END PAGE	0258
INSTRUMENT #	29082
RECORDING	$26.00
EXCISE TAX	$600.00

NORTH CAROLINA GENERAL WARRANTY DEED
PREPARED WITHOUT TITLE EXAMINATION

Excise Tax: $ 600.00

Parcel Identifier No. 9494-87-2795 Verified by _____ County on the ____ day of _____, 20___
By: _____
Mail/Box to: Reaves Law Firm
This instrument was prepared by: The Real Estate Law Firm, 2919 Breezewood Avenue, Suite 300, Fayetteville, NC 28303
Brief description for the Index: 7162 Rockfish Rd

THIS DEED made this 7th day of September, 2023, by and between

GRANTOR	GRANTEE
Wendi P. Kmet, divorced 125 Sir Richard West Kill Devil Hills, NC 27948	Great Oaks Property Holdings, LLC, a North Carolina Limited Liability Company 2709 Thorngrove Ct, Suite 1 Fayetteville, NC 28303

Enter in appropriate block for each Grantor and Grantee: name, mailing address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context. WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot, parcel of land or condominium unit situated in the City of Fayetteville, Rockfish Township, Cumberland County, North Carolina and more particularly described as follows:

See Exhibit "A"
Parcel ID: 9494-87-2795

Property Address: 7162 Rockfish Road, Fayetteville, NC 28306

The property hereinabove described was acquired by Grantor by instrument recorded in Book 8979 page 501.
All or a portion of the property herein conveyed ____ includes or _X_ does not include the primary residence of a Grantor.
A map showing the above described property is recorded in Plat Book _____ page _____.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple. And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

SUBJECT TO ALL VALID AND SUBSISTING RESTRICTIONS, RESERVATIONS, COVENANTS, CONDITIONS, RIGHTS OF WAYS AND EASEMENTS PROPERLY OF RECORD, IF ANY, AND AD VALOREM TAXES DUE FOR THE CURRENT YEAR.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

Wendi P Kmet (SEAL)
Print/Type Name: Wendi P. Kmet

State of North Carolina County of Dare

I, the undersigned Notary Public of Dare County and State aforesaid, certify that Wendi P. Kmet personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed and in the capacity indicated. Witness my hand and Notarial stamp or seal this 8th day of 09, 2023.

My Commission Expires: 03/20/2028

Michael F Jones JR
Notary Public

MICHAEL F JONES JR
NOTARY PUBLIC
Dare County
North Carolina
My Commission Expires Mar. 20, 2028

The foregoing Certificate(s) of _____
is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

_____ Register of Deeds for _____ County
By: _____ Deputy/Assistant –Register of Deeds

Exhibit "A"

A 0.855 acre tract (more or less), located at 7162 Rockfish Road, Cumberland County, North Carolina. Being bounded on the North by a tract of land now or formerly owned by SRW Builders, Inc. as recorded in Deed Book 8775, Page 538 of the Cumberland County Registry; on the East by a tract of land now or formerly owned by Wadus A. Clark, Jr. and wife, Leigh A. Clark as recorded in Deed Book 6255, page 216 of the Cumberland County Registry; on the South by State Road #1112 (Rockfish Road), having a 60' Right-of-Way; on the West by a tract of land now or formerly owned by Jimmy E. Mabe as recorded in Deed Book 995, page 667 of the Cumberland County Registry, and being more particularly described as follows:

BEGINNING at a ½" rebar, the Southwest boundary corner of a tract of land now or formerly owned by the above-mentioned Wadus A. Clark, Jr. and wife, Leigh A. Clark, said ½" rebar also being located N 78° 30' W, 189.45' from an existing ½" rebar, the Southeast corner of the above-mentioned Wadus Clark, Jr. tract of land, said ½" rebar also being located in the Northern Right-of-Way margin of State Road #1112 (Rockfish Road) and running thence and with State Road #1112 (Rockfish Road) N 78° 47' 16" W, 227.33' to a Set ¾" iron pipe, said ¾" iron pipe also being the Southeastern boundary corner of a tract of land now or formerly owned by Jimmy E. Mabe as recorded in Deed Book 995, page 667 of the Cumberland County Registry; said ¾" iron pipe also being located N 52° 51' 42" E, 37.89' from a Set nail and cap in the centerline of the asphalt of State Road #1112 (Rockfish Road); thence and with Mabe's Eastern boundary line N 11° 47' 16" W, 109.49' to a Set ¾" iron pipe, the Northeastern boundary corner of the Mabe tract of land, said ¾" iron pipe also being in the Southern boundary line of a tract of land now or formerly owned by SRW Builders, Inc. as recorded in Deed Book 8775, Page 538 of the Cumberland County Registry, and running thence and with the Southern boundary line of the SRW Builders, Inc. tract of land N 84° 28' 52" E, 296.15' to an existing ¾" iron rod, said ¾" iron rod also being the Northwestern boundary corner of the above-mentioned Wadus A. Clark, Jr. and wife, Leigh A. Clark tract of land as recorded in Deed Book 6255, page 216 of the Cumberland County Registry; said ¾" iron rod also being located S 84° 32' 11" W, 166.94 from an existing angle iron, the Northeastern boundary corner of the above-mentioned Wadus A. Clark, Jr. tract of land, thence and with the Western boundary line of the Clark's tract of land S 15° 21' 42" W, 186.53' to the point and place of BEGINNING, containing 0.855 acres (more or less), 37,262.70 sq ft and being a portion of the two (2) acres (more or less) tract of land as recorded in Deed Book 995, page 667 of the Cumberland County Registry.

Together with any and all other easements of record or otherwise, restrictive covenants, if any, and any other right-of-ways of record or otherwise.

October 1, 2025

Sycamore Corner LLC
2709 Thorngrove Ct. STE 1
Fayetteville, NC 28303

Dear Sycamore Corner, LLC,

The Joint Planning Board of Cumberland County will hold a public meeting on October 21, 2025, beginning at 6:00 p.m. or shortly thereafter, in Court Room 3 on the 2nd floor of the Old Historic Court House Building, located at 130 Gillespie Street, Fayetteville, NC, and will consider the following:

> ***Case ZNG-012-25:*** *Initial zoning of 14.97 +/- acres to C2(P) Planned Service and Retail District, located approximately +/- 200ft East from the intersection of Town Center Dr and Rockfish Rd. REIDs 9494870736000, 9494872795000, 9494875714000, 9494878784000, 9494980467000 (portion), submitted by Lori S. Epler (applicant) on behalf of Palmer Williams, Sycamore Corner LLC, SRW Builders LLC, Williams Timber LLC, and Great Oaks Property Holdings LLC (owners).*

Persons who wish to speak at this public meeting before the Joint Planning Board must sign up prior to the commencement of the meeting. A sign-up sheet will be available 15 minutes before the start of the JPB meeting.

A copy of the zoning application can be viewed by the public at the Hope Mills Town Hall, 5770 Rockfish Road, Hope Mills, NC, from 8:00 am to 4:30 pm weekdays, but excluding holidays. Further information can also be found at: https://www.townofhopemills.com/527/Pending-Public-Hearing-Items. If you have questions regarding the proposed rezoning application or the upcoming Joint Planning Board meeting, please call the Town Planning staff at (910) 424-4555.

Sincerely,

Xavier J. Robinson

Xavier J. Robinson
Town of Hope Mills
Town Planner

Cc: Adjacent Property Owners

Owner	Street	City	State	Zip
Sycamore Corner LLC	2709 Thorngrove Ct. Ste 1	Fayetteville	NC	28303
Great Oaks Property Holdings LLC	2709 Thorngrove Ct. Ste 1	Fayetteville	NC	28303
Williams Timber LLC	2709 Thorngrove Ct. Ste 1	Fayetteville	NC	28303
SRW Builders LLC	2709 Thorngrove Ct. Ste 1	Fayetteville	NC	28303
Raj Fay LLC	4423 Ferncreek Rd.	Fayetteville	NC	28314
Venture Properties VI LLC	Po Box 843	Wilkesboro	NC	28697
DT Retail Properties LLC	500 Volvo Pkwy	Chesapeake	VA	23320
Barbara M. Johnson Heirs	Po Box 53349	Fayetteville	NC	28305
Cumberland AL Investors LLC	4423 Pheasant Ridge Rd. 301	Roanoke	VA	24014
Inez J. Thames Life Estate	4559 Camden Rd.	Fayetteville	NC	28306
HCC Investments LLC	3077 N. Main St.	Hope Mills	NC	28348
Traemoor Village Owners Association INC	3077 N. Main St. 201	Hope Mills	NC	28348

CUMBERLAND COUNTY
NORTH CAROLINA
PLANNING & INSPECTIONS

PLANNING STAFF REPORT
REZONING CASE # ZON-25-0022
Planning Board Meeting: Oct. 21, 2025

Location: 604 N. Main St
Jurisdiction: Town of Spring Lake

REQUEST	Rezoning C(P) and C-3 to R-5/CZ

Applicant requests a rezoning from C(P) Planned Commercial District and C-3 Heavy Commercial District to R-5/CZ Residential District Conditional Zoning for two parcels containing a total of 9.02 +/- acres located at 604 N. Main St and the abutting parcel located at the northeast corner of N. Main St and Rainbow Ct, as illustrated in Exhibit "A". The intent of the request is for a proposed 204-unit multifamily apartment community as shown on the conditional zoning site plan, which appears in Exhibit "B" (attached) within the Conditions of Approval. Five buildings are proposed, three of which front N. Main St. with each having three stories at a maximum height of 36 ft. Interior buildings will consist of two, four-story apartment buildings with a maximum height of 54 ft.

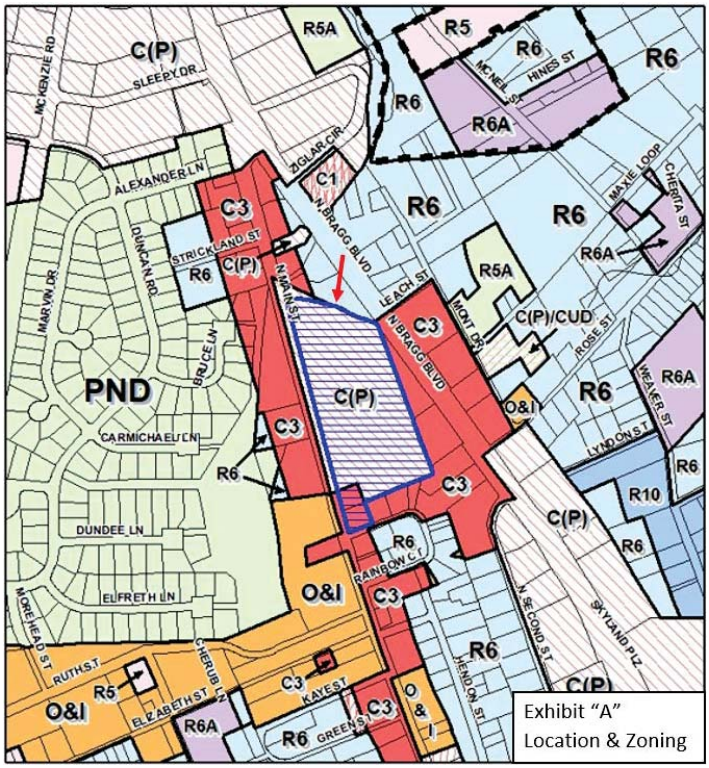
PROPERTY INFORMATION

OWNER/APPLICANT: Lorenzo McLean Jr. and Gwendolyn McLean and BBC Enterprises (Owners); Alex Edwards (Applicant/Agent).

ADDRESS/LOCATION: Refer to Exhibit "A", Location and Zoning Map. REID number(s): 0501684230000 and 0501674645000

SIZE: The parcels contain a total of approximately 9.02 acres. Road frontage along N. Main St approx. 1,152 feet, road frontage along Rainbow Ct is approx. 128 feet, and road frontage along N. Bragg Blvd is approximately 25 feet. The property is approximately 462 feet in length at its deepest point.

EXISTING ZONING: The subject property is currently zoned C(P) Planned Commercial District, C-3 Heavy Commercial District, and within the Main Street Overlay District, which requires all proposed uses and development plans to be consistent with the CB Central Business District. A description of each zoning district is provided in Exhibit "C" (attached).

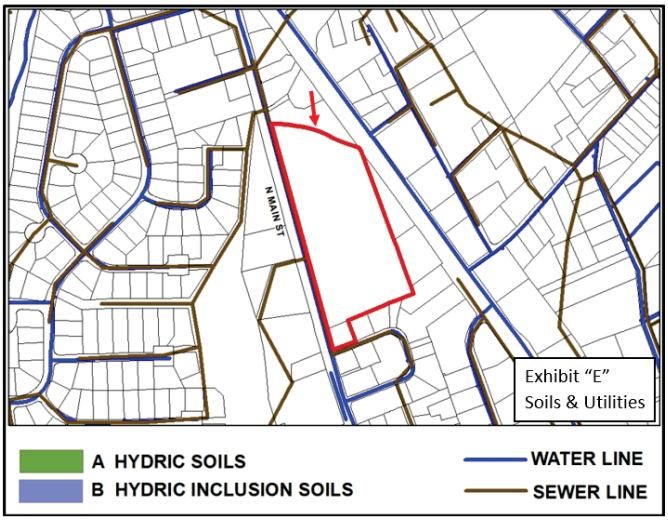


EXISTING LAND USE: The subject parcel is currently wooded lands with a single dwelling unit on the property. Exhibit "D" shows the existing use of the subject property.

SURROUNDING LAND USE: Exhibit "D" illustrates the following:

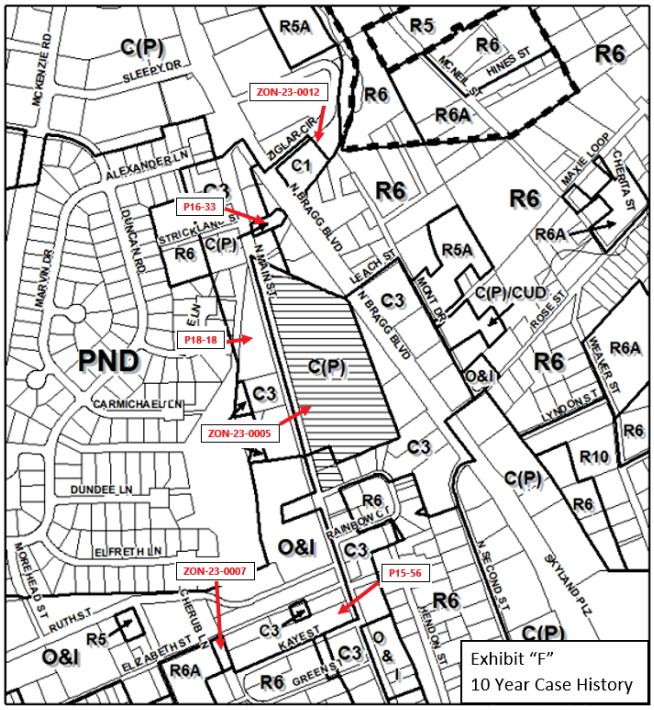
- **North**: NC HWY 87 (Bragg Blvd), Commercial
- **East**: NC HWY 87 (Bragg Blvd), Commercial
- **West**: N Main St, Commercial, and Manchester Forest Residential Subdivision
- **South**: Rainbow Ct, Commercial, Single-family Residential

- **OTHER SITE CHARACTERISTICS**: The site is not located in a Watershed Protection Area or within a Flood Zone Hazard Area. The subject property, as delineated in Exhibit "E", illustrates no hydric or hydric inclusion soils.



TEN YEAR ZONE CASE HISTORY:
Exhibit "F" denotes the location of the zoning 10-year case history described below.

- ZON-23-0012: R-6 to C-1; Approved.
- ZON-23-0007: O&I(P) to R-6; Approved.
- ZON-23-0005: C(P) & C-3 to R5A/CZ; Denied.
- P18-18: Remove MSOD, R6/C-3 to C-3; Approved.
- P16-33: Removal of MSOD, R6 & C-3 to C-3; Approved MSOD removal & rezoned to C(P).
- P15-56: Removal of MSOD; Approved.



DEVELOPMENT REVIEW: Should the request be approved, the applicant intends to submit a final site plan for an apartment community. Any site plan must be consistent with the Conditional Zoning Site Plan and the Town of Spring Lake's Code of Ordinances.

DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

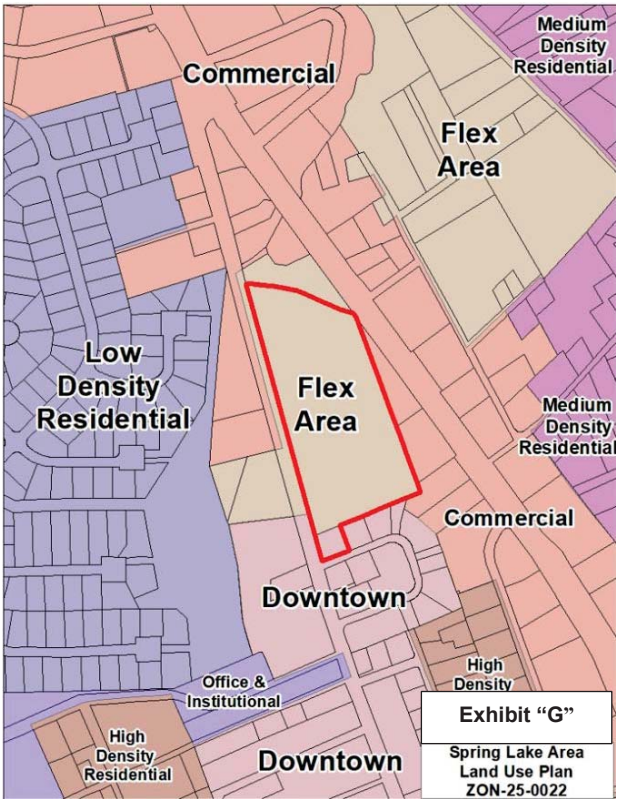
Minimum Standard	C(P) (Existing)	C-3 (Existing)	CB (Existing)	R-5/CZ (Proposed)
Front Yard Setback	50 feet	45 feet	20 feet	25 feet
Side Yard Setback	30 feet	15 feet	0 feet	10 feet (1 & 2-story) /4+ feet per story after 2
Rear Yard Setback	30 feet	20 feet	20 feet	30
Lot Area	2 acres	N/A	N/A	6,000 Sq. Ft. (1st DU)/ 3,000 Sq. Ft. (2nd & 3rd DUs)/ 2,500 Sq. Ft. (4 or more DUs)/ 1,500 Sq. Ft. (Min. Sq ft per each DU above ground floor)
Lot Width	N/A	N/A	N/A	60 feet

DEVELOPMENT POTENTIAL:

Existing Zoning C(P) and C-3	Proposed Zoning R-5/CZ
0 dwelling units	204 dwelling units

- Lot count may be rounded-up when a fraction occurs**.** When any requirement of this ordinance results in a fraction of a unit, a fraction of one-half or more shall be considered a whole unit, and a fraction of less than one-half shall be disregarded

COMPREHENSIVE PLANS:
This property is located within the Spring Lake Area Land Use Plan (2022). The future land use classification of the property is "Flex Area 2" with a small (0.30 +/- acre) portion classified as "Downtown", as shown is Exhibit "G". The associated zoning districts are MXD/CD, CB, C-1, R-5, and R-5A.



The proposed rezoning request is consistent with the adopted land use plan.

Flex Area 2 Development Goals:

- Flex Area 2 includes larger parcels which would benefit from intentional development that brings the highest density and best use to that land and to the Town (Spring Lake Area Land Use Plan 2022, p. 37).
- On larger parcels, these sites are suitable for apartment complex development. This usually due to proximity to existing apartments or to commercial areas. In this way, vertical development can act as a buffer between commercial areas and less dense residential areas (Spring Lake Area Land Use Plan 2022, p. 50).
- Also suitable in Flex Area 2 is the Central Business Zoning District, light commercial uses, and multi-family housing. If strategically developed, this area can create a transition between the locally important Main Street corridor and the regionally important Bragg Boulevard corridor, drawing in local and regional travelers (Spring Lake Area Land Use Plan 2022, p. 37)
- Encourage the use of both new and redeveloped housing (Spring Lake Land Use Plan 2022, p. 15)

IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: Town of Spring Lake Water and Sewer lines are available fronting the property along N. Main St and Rainbow Ct. It is the applicant's responsibility to determine if this utility provider will serve their development. Utilities for water and sewer are shown on Exhibit "E".

TRANSPORTATION: Pursuant to NC Department of Transportation District 6 Office, N. Main St will be improved to a 4-lane road in the future. Additionally, according to the Fayetteville Area Metropolitan Planning Organization (FAMPO), there are no additional improvement projects planned.

SCHOOLS CAPACITY/ENROLLMENT:

School	Enrollment	Capacity
William T. Brown Elementary	535	666
Spring Lake Middle	499	664
Pine Forest High	1553	712

ECONOMIC DEVELOPMENT: Fayetteville Cumberland County Economic Development Corporation has reviewed the request and had no objection to the proposed rezoning.

EMERGENCY SERVICES: At the site of the final site plan, the developer must comply with at State Fire Code driveway and building access standards, which shall be review and determined by the Town of Spring Lake's Fire Chief. Prior to submittal of a final site plan to the Town, the developer shall coordinate with the Town Fire Chief.

SPECIAL DISTRICTS/ OVERLAY DISTRICTS: The subject property is located approximately 2,291 feet east of Fort Bragg Military Reservation and is located within the Spring Lake Main Street Overlay District. RLUAC has reviewed the request and had no objection the proposed rezoning.

Special Districts			
Fayetteville Regional Airport Overlay:	☐	Averasboro Battlefield Corridor:	☐
Five Mile Distance of Fort Bragg:	☒	Eastover Commercial Core Overlay District:	☐
Voluntary Agricultural District (VAD):	☐	Spring Lake Main Street Overlay District:	☒
VAD Half Mile Buffer:	☐	Coliseum Tourism Overlay District:	☐

CONDITIONS OF APPROVAL: The proposed conditions of approval and conditional zoning site plan are provided in Exhibit "B".

DEVIATIONS: Pursuant to NC General Statutes, conditional zoning can include site-specific development standards that differ from the adopted Zoning Ordinance but should meet the intent of the codes. Exhibit "H" (attached) lists deviations from the Zoning Ordinance that are addressed through other standards recognized in the Conditions of Approval or the Conditional Zoning Site Plan.

KEY CONDITIONS:

1. The owner shall pay a "fee in lieu of on-site open space" in accordance with the Spring Lake Municipal Code §36-71(8) to satisfy the recreation/open space requirement in the total amount of $40,000. This shall be paid prior to issuance of the first building permit.
2. An architectural rendering of the proposed development, demonstrating conformance with the intent of Main Street Overlay District "Façade Guide" (Section 42-174, Spring Lake Code of Ord.) shall be submitted with the Final Site Plan.
3. At the time of Final Site Plan submittal, a Landscape Plan shall meet the requirements of the Spring Lake Landscaping Ordinance for tree plantings. If unable to comply with the tree planting requirements of the Landscape Ordinance, the Town manager can approve a fee-in-lieu of tree planting based on a rate of $300.00 per tree. Any such fees collected by the Town shall be used to beautify and landscape Parks and Recreation spaces or other Town properties located within the Town of Spring Lake. This shall be paid prior to issuance of the first building permit for any building.

STAFF RECOMMENDATION

In Case ZON-25-0022, Planning and Inspections staff **recommends approval** of the rezoning request from C(P) Planned Commercial District and C-3 Heavy Commercial District to R-5/CZ Residential District Conditional Zoning. Staff finds that the request is consistent with the Spring Lake Area Land Use Plan which calls for "Flex Area 2" at this location. Staff also finds that the request is reasonable and in the public interest as it is compatible to and in harmony with the surrounding land use activities and zoning.

Attachments:
Exhibit "B" – Conditions of Approval and Conditional Zoning Site Plan
General Project Summary
Zoning District Descriptions
Deviations
Notification Mailing List
Application

EXHIBIT "B"
Conditional Zoning No. ZON-25-0022
Conditions of Approval

General Address: 604 N. Main St	Acres: 9.02 +/-
REID: 0501-68-4230 & 0501-67-4645	Approval Date: TBD
Effective Date: TBD	Issued to: Lorenzo and Gwendolyn McLean Jr., BBC Enterprises (Owners); Alex Edwards (Agent and Applicant)

R-5 Residential/CZ Conditional Zoning District
Ordinance Related Conditions for Residential Use of Property

A. Applicability:

This Conditional Zoning only applies to the property appearing in the Conditional Zoning Site Plan titled "Eleve at Main". This property is rezoned from C(P) Planned Commercial District and C-3 Heavy Commercial District to R-5/CZ Residential Conditional Zoning District for 9.02 +/- acres; located at the Northeast corner of N. Main St and Rainbow Ct.

B. Permitted and Prohibited Uses.

The use of the subject property is limited to the residential multi-family apartment group development as well as the terms and conditions of this Conditions of Approval and the Conditional Zoning Site Plan for ZON-25-0022, as set forth in Exhibit "A" herein.

C. Development Standards.

1. This Conditional Zoning Site Plan is not the Final Site Plan. A final site plan must be submitted to and approved by the Town of Spring Lake, in accordance with the Conditions of Approval and the Town of Spring Lake's Code of Ordinances, prior to any development activity. The Final Site Plan shall be consistent with the intent of the Conditional Zoning Site Plan and the intent of the Town of Spring Lake's Code of Ordinances.

2. Where any conflicts occur between the Conditions of Approval and Conditional Zoning Site Plan herein, with the Town of Spring Lake's Code of Ordinances, the Conditional Zoning Conditions of Approval and Conditional Zoning Site Plan shall supersede.

3. All uses, dimensions, setbacks and other related provisions of the Town of Spring Lake Zoning and Subdivision Ordinances for the R-5/CZ Conditional Zoning must be complied with, as applicable, and as appearing with the conditional zoning site plan appearing in Exhibit "A". Any conditions set forth herein this ordinance, including Exhibit "A", shall supersede the Zoning Code. If not specifically addressed within this Ordinance, all requirements of the Zoning and Subdivision Codes shall be met.

4. The applicant/owner/developer shall pay a "fee in lieu of on-site open space" in accordance with Spring Lake Municipal Code §36-71(8) to satisfy the recreation/open space requirement in the total amount of $40,000. This shall be paid to the Town of Spring Lake prior to issuance of the first building permit.

5. An architectural rendering (in color) of the proposed development demonstrating conformance with the Main Street Overlay District "Façade Guide" shall be submitted with the Final Site Plan in conformance with Section 42-174 and must be approved by the Town Commission.

6. At the time of Final Site Plan submittal, a Landscape Plan shall demonstrate compliance with the Spring Lake Landscaping Ordinance for tree plantings. If unable to comply with the tree planting requirements of the Landscape Ordinance, the Town manager can approve a fee-in-lieu of tree planting based on a rate of $300.00 per tree. Any such fees collected by the Town shall be used to beautify and landscape Parks and Recreation spaces or other Town properties located within the Town of Spring Lake. This shall be paid prior to issuance of the first building permit for any building.

7. This conditional approval is not approval of any freestanding signs. Attached signage for this development must be in accordance with the applicable sign regulations as set forth in the Town of Spring Lakes Zoning Ordinance and that the proper permit(s) must be obtained prior to the installation of any permanent signs on the property. (Note: This conditional approval is not approval of the size, shape, or location of any signs.)

D. <u>Infrastructure and Utilities</u>:

1. **<u>Water and Sewer</u>:** Connection to Town of Spring Lake Public Utility Water and Sewer is required. The Developer/Applicant shall coordinate with Town of Spring Lake to provide public water and sewer service connection.

2. **<u>Fire Chief and Fire Inspections</u>:** At the site of the final site plan the developer must comply with at State Fire Code driveway and building access standards, which shall be review and determined by the Town of Spring Lake's Fire Chief. Prior to submittal of a final site plan to the Town, the developer shall coordinate with the Town Fire Chief.

3. **<u>Stormwater and Drainage</u>:**

   a. For any new development where the developer disturbs or intends to disturb more than one acre of land, the developer must provide the Code Enforcement Section with an approved NC Department of Environmental Quality (NCDEQ) sedimentation and erosion control plan(S&E). If any retention/detention bases are required for state approval of this plan, a formal revision application must be filed with Current Planning for review and approval.

   b. New development where the developer will disturb or intends to disturb more than one acre of land is subject to the Post- Construction Stormwater Management Permitting Program (Phase II Stormwater Management Requirements) administered by the Division of Water Quality, North Carolina Department of Environmental Quality. If one acre or more of land is to be disturbed, a copy of the State's *Post-Construction Permit* must be provided to County Code Enforcement prior to the issuance of the Certificate of Occupancy.

   c. For any new development, an adequate drainage system must be installed by the developer in accordance with the NC Department of Environmental Quality (NCDEQ) *Manual on Best Management Practices* and all drainage ways must be kept clean of free and debris. (Spring Lake Stormwater Utility Ord. Sec. 40-407)

   d. In the event a stormwater utility structure is required by the NC Department of Environmental Quality (NCDEQ), the owner/developer must demonstrate on the revised plan the placement of a four-foot-high fence with a lockable gate for the security of the stormwater utility structure. The owner/developer is required to maintain the detention/retention basin, keeping it clear of debris and taking measures for the prevention of insect and rodent infestation.

   e. For new development, all utilities, except for 25k or greater electrical lines, must be located underground.

4. **Outdoor Lighting:**

   a. An outdoor lighting plan shall be submitted with the Final Site Plan and shall illustrate outdoor lighting for all parking areas and pedestrian pathways.

   b. All pedestrian areas, including off-street parking areas are to be lighted with shielded, controlled lighting, and shall complement the proposed development in color and style while being consistent with existing lighting of adjacent or nearby developed nonresidential properties.

5. **Roads, Access, and Parking:**

   a. NCDOT, Connections to SR 1449 (Main St):

      i. Right and left turn lanes with a continuous three lane section between the two(2) connections shall be required.
      ii. Applicable right-of-way dedication will be required for the install of the roadway improvements. The installation of a closed drainage system with curb and gutter may negate any right-of-way dedication requirement (design dependent).
      iii. Right-of-way dedication requires a recorded plat and a North Carolina General Warranty deed with complete metes and bounds description referencing aforesaid plat.
      iv. Typical 100' driveway stem requires at both entrances as measured from the nearest edge of right-of-way.

   b. NCDOT, Connection to NC HWY 24/87 (Bragg Boulevard):

      i. If permitted, the driveway would be required to be constructed with concentric radii thereby removing any possibility of right turn movements into the site from the roadway.
      ii. Any connection NC HWY 24/87 will require roadway improvements if ingress were requested.
      iii. Egress only movements would be allowed a maximum of 24' width with a 25-30' radii (egress) for this type of development.

   c. Driveway Approval Required. Construction of any new connection or alteration of any existing street connection may require an approved Driveway Permit or approval from the Town of Spring Lake.

   d. Any street improvements or plans are required to be constructed to the Town of Spring Lake and NCDOT standards for secondary roads, as applicable. (Spring Lake Chapter 34 Ord. and NCGS §136-18(5) & §136-93]

   e. The developer must obtain driveway permits from the NC Department of Transportation (NCDOT). A copy of the approved driveway permit(s) must be provided to the Town of Spring Lake at the time of application for building/zoning permit.

   f. At the time of final site plan, the proposed gate located at the emergency access abutting NC HWY 24 shall be moved to demonstrate emergency vehicles and fire apparatus have sufficient area to turn and maneuver so as not to impede the flow of traffic along NC HWY 24 and the point emergency access.

   g. If any NCDOT permits are required, these permits must be obtained and submitted to the Town of Spring Lake prior to any issuance of a building permit or commence of any development activity.

h. If any right-of-way dedication is required by the NCDOT or by the Town of Spring Lake, a recorded plat referenced above shall identify any such right-of-way dedication and sight distance easements.

i. Turn lanes may be required by the NC Department of Transportation (NCDOT) or the Town of Spring Lake applicable.

j. The final site plan must provide an internal access to any stormwater facility serving the site, to allow the Owner's Association to have the ability to access the stormwater facility.

k. All designated parking areas shall only be used for operatable motor vehicles for the residents and guests and management staff of this residential community. All motor vehicles shall only park at designate parking stalls approved by the Town as appearing in the final site Plan. No parking is allowed in buffer or landscape areas.

l. Parking spaces shall not be used for storage or parking of recreational vehicles, boats, watercraft, commercial tractor trailers or for the storage of shipping containers or other materials.

m. All NCDOT permits must be obtained and submitted to the Town of Spring Lake Inspection Division prior to any issuance of a building permit or commencement of any development activity or change is property usage. Failure to secure required permits prior to construction or change in property usage may result in the removal of the driveway or street connections at the property owner's expense.

n. Where sidewalk construction is not feasible due to a change-in-use or redevelopment, the developer shall pay a fee in lieu of sidewalk construction in an amount consistent with the actual cost of installing the sidewalk. The Town Manager shall determine if the sidewalk construction is not feasible as well as the sidewalk installation cost. The monies generated from this section shall be used by the town for sidewalk construction and/or maintenance of sidewalks within the Central Business District. (Sec. 42-174 §2(c)[4] – *Pedestrian Pathways/Sidewalks and Amenities*)

o. The final site plan shall address and show any/all required roadway improvements as required by the Town of Spring Lake's Code of Ordinances and NC Department of Transportation's comments issued and stated herein.

6. <u>Landscaping</u>:

a. The final site plan shall include a detailed landscaping plan addressing all code requirements set forth in Article IX – Landscape Requirements and Sec. 42-174. Specifications for the CB Central Business District.

b. All open space areas and ground cover shall be grass, seeded or sodded, except for areas underneath trees and shrub plantings.

c. Flowering street trees shall be provided in an amount equivalent to at least one tree for every 20 feet of road frontage and shall be located within the amenity area required, including along any side street. In the event a nonflowering tree is proposed to be planted that would be conducive to the proposed development, an administrative modification from the administrative officer for the alternative tree specimens is mandatory.

d. All street trees shall be a minimum of two-inch caliper at the time of planning and additional plantings in pots or boxes is strongly encouraged.

7. **Development Review Process:**

   a. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application with the Town of Spring Lake Inspection Department.

   b. A detailed phasing schedule shall be submitted with the final site plan showing the proposed phasing labeled and delineated on the final site plan.

   c. Prior to any clearing or grading activity, applicant shall be required to submit a final site plan with the Town of Spring Lake Code of Ordinances and in conformance with the approved Conditional Zoning Site Plan and the Conditional Zoning terms and conditions.

   d. In the event the requirements or conditions from a State or Federal Agency or utility provider creates an inconsistency with the conditional zoning site plan in any manner, a revised conditional zoning site plan must be submitted to the Current Planning Division for review in conformance with the Town of Spring Lake Code of Ordinances and conditions hereto.

   e. Developer must coordinate with the Current Planning Division prior to making any changes to the conditional zoning site plan. Any changes to the conditional zoning site plan must be reviewed by the Current Planning Division to determine if any change is considered an insubstantial or substantial modification.

   f. A final site plan must be submitted to and reviewed by the Cumberland County Current Planning Division, in accordance with the Conditions of Approval and the Town of Spring Lake's Code of Ordinances, prior to any development activity. The Final Site Plan must be approved by the Town and shall be consistent with the intent of the Conditional Zoning Site Plan and the intent of the Town of Spring Lake's Code of Ordinances.

8. **Final Site Plan Standards:**

   a. A note on the final site plan shall state that all use and development occur consistent with Conditions of Approval for ZON-25-0022.

   b. All buildable lot areas shall comply with the setbacks established in the Conditional Zoning Site Plan (Exhibit "A" attached).

   c. Any/all easements appearing on the Conditional Zoning Zite Plan (Exhibit "A") must be reflected on the final site plan and labeled as to the type of easement, reference number for document that requires the easement, and the name of the agency, individual, entity, etc. who holds the easement.

   d. The NC Department of Transportation (NCDOT) driveway permit must be submitted to the Town prior to issuance of any building permit.

   e. The developer should be aware that any addition and/or revision to the final site plan may require an additional review and approval by the Town of Spring Lake Board of Commissioners prior to submission for final site plan approval of any portion of this development.

9. **Other Conditions:**

   a. A recombination plat must be submitted, reviewed by the Current Planning Division to ensure conformance with the Town of Spring Lake's Code of Ordinances, approved by the Town of Spring Lake, and recorded at the Cumberland County Registrar of Deeds prior to approval of the final site plan for this development.

b. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application.

c. This conditional approval is not to be construed as all-encompassing of the applicable rules, regulations, etc. which must be complied with for any development. Other regulations, such as building, environmental, health and so forth, may govern the specific development. The developer is responsible party to ensure full compliance with all applicable Federal, State, and local regulations.

d. The owner is responsible for maintaining the site clear and free of trash and debris and shall maintaining all landscaping according to the approved landscape plan.

e. All applications and plan submittals shall be submitted via the County online permitting self-service portal at the following website address: https://selfservice.co.cumberland.nc.us/EnerGov_Prod/SelfService#/home.

f. Modification to the Conditional Zoning Site Plan. All substantial modifications, including changes in use and/or increase in density, to approved plans, other than those listed below, shall be reviewed in the same manner as a new project (Sec. 42-359 (d), Code of Ordinances). The Town manager shall decide if a change constitutes a substantial or minor modification.

g. This conditional zoning applies to a multi-family apartment development intended for rental of residential units. If the ownership of the property changes to a condominium ownership, the condominium shall be formed consistent with Chapter 47C, NC General Statutes. A preliminary plan and final plat shall be required to create any residential lots and to establish common areas owned and maintained by an owner's association. Both the preliminary plan and final plat must be approved by the Town. The developer is required to submit to the Town the following documents through the County on-line customer service portal:

i. One copy of proposed covenants, by-laws and articles of incorporation for the proposed development designating responsibility for by the owners' association for the development;
ii. One copy of the deeds proposed for recordation conveying all common area to the proposed owner's association;
iii. One copy of any proposed supplemental covenants if the proposed development is to be submitted for final approval in phases; and
iv. One copy of the final site plan prior to the submission for final approval.

These documents must be approved by the Town of Spring Lake Attorney prior to the sale of or submission for final plat approval of any lot or unit within this development. (Spring Lake Subdivision Ord.)

10. Expiration. If no development activity occurs within five years from the date of the adoption of this ordinance, the Town may proceed to rezoning the property to another zoning district following the process set forth in NC General Statutes.

The property owner/applicant of rezoning case ZON-25-0022 agree to all terms and conditions set forth in this Conditional Zoning Conditions of Approval. All subsequent owners shall be subject to the terms and conditions set forth herein.

Property Owner/Agent Acceptance of Conditions

_____
(Print Name) - Gwendolyn McLean

_____ _____
(Signature) - Gwendolyn McLean Date

_____
(Print Name) - Lorenzo McLean, Jr.

_____ _____
(Signature) - Lorenzo McLean, Jr. Date

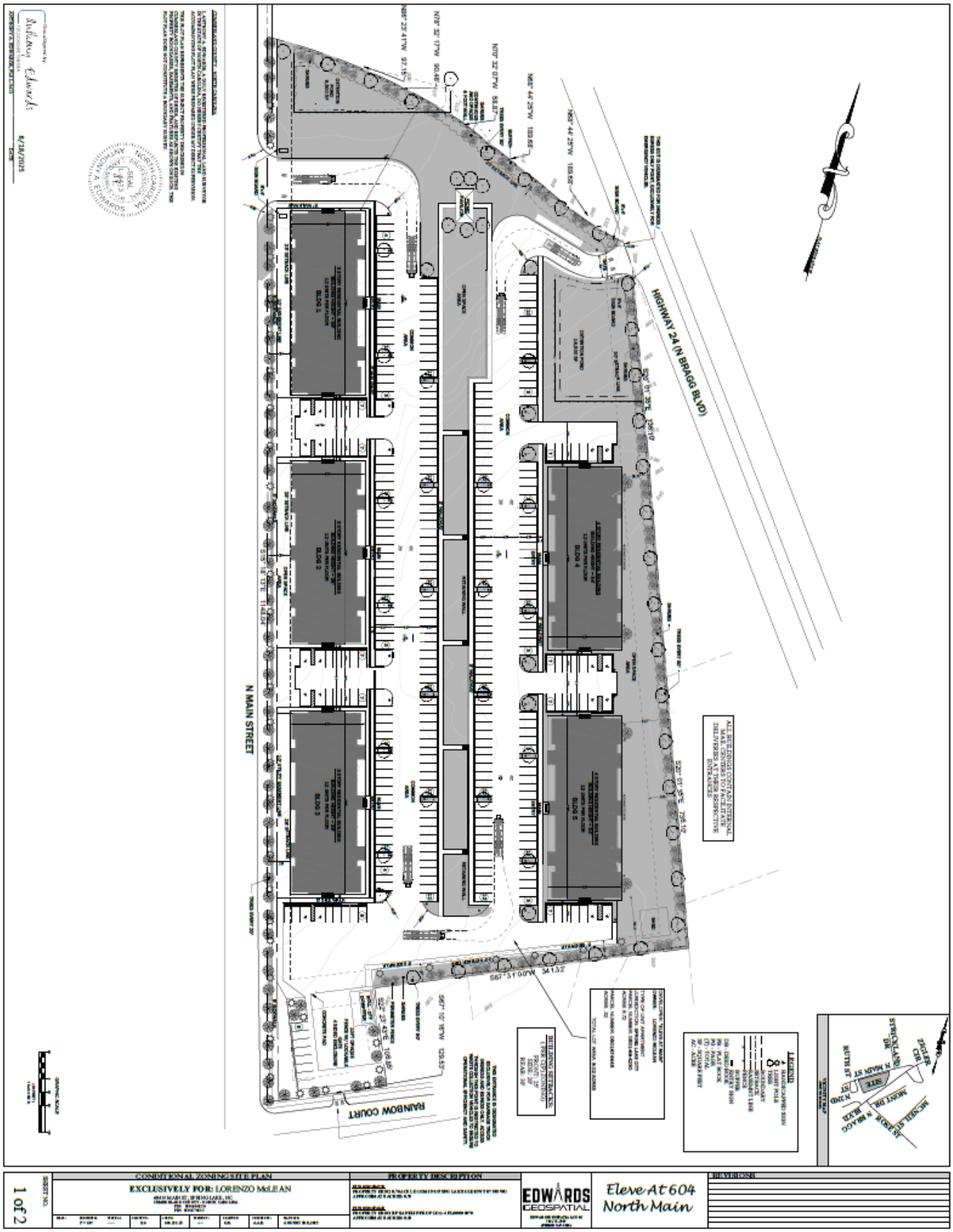
_____
(Print Name) - BBC Enterprises' Authorized Agent

_____ _____
(Signature) - BBC Enterprises' Authorized Agent Date

Issued by:

_____ _____
Jon Rorie Date
Spring Lake Town Manager

CONDITIONAL ZONING SITE PLAN – SHEET 01



CONDITIONAL ZONING SITE PLAN – SHEET 02

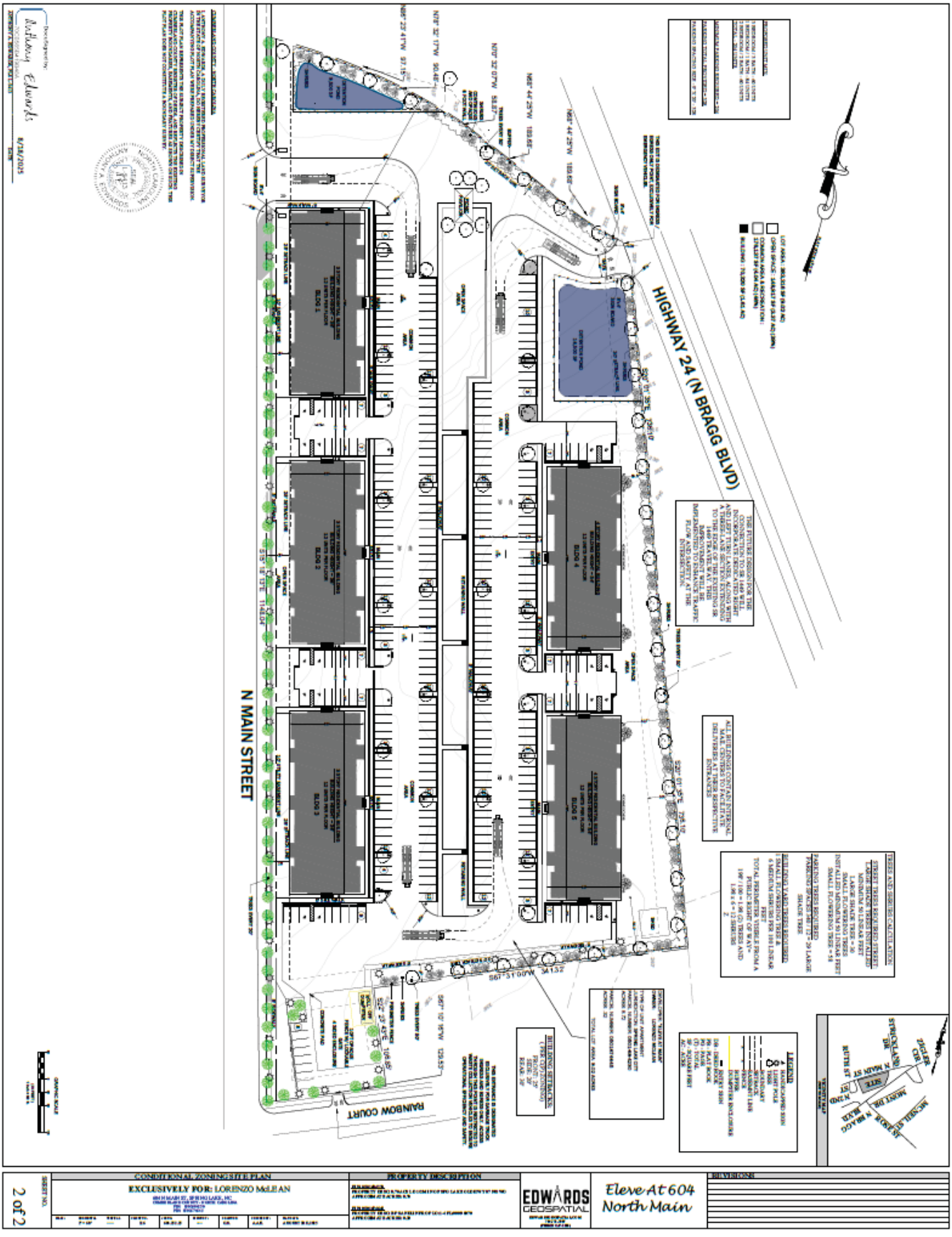


EXHIBIT "C"
GENERAL PROJECT SUMMARY

Total No. of Apartment Units	204-units
Total No. of 3-story Apartment Buildings, fronting N. Main St: 3 Buildings	Each structure will have 12-units per floor with a unit count per building of 36 units for a total 108 units. The building height will be approx. 36 ft.
Total No. of 4-story Apartment Buildings, interior: 2 Buildings	Each structure will have 12-units per floor with a unit count per building of 48 units for a total of 96 units. The building height will be approx. 54 ft.
Total proposed unit mix:	1 bed/1 bath = 84 units 2 bed/2 bath = 60 units 3 bed/3 bath = 60 units
Total acreage of Open Space:	3.37 Acres
Total acreage of Common Area/Recreation Space	4.04 Acres

EXHIBIT "D"
ZONING DISTRICT DESCRIPTIONS

The C(P) Planned Commercial District intent is to assure the grouping of buildings on a parcel of land so as to constitute a harmonious, efficient and convenient retail shopping area. To promote the essential design features within this district, plan approval is required. Any site plan shall assure traffic safety and the harmonious and beneficial relations between the commercial area and contiguous land.

The C-3 Heavy Commercial District is designed primarily for a wide variety of retail and wholesale business, commercial and contract services, commercial recreation and amusement, public assembly and office uses. Since this district has such a wide selection of uses, it will not be expanded without consideration as to its effect on surrounding lands and is limited to those areas of mixed commercial activity which lie adjacent to or at the intersection of major arterials and those areas which exhibit a highly mixed composition of commercial land uses.

The Main Street Overlay District (MSOD) is intended to protect and enhance the traditional downtown main street area by maintaining and stimulating a pedestrian-friendly, vibrant environment while encouraging economic growth that compliments and expands the unique character of the downtown area. Individual structures are encouraged to be multi-story with uses mixed vertically, street level commercial and upper-level office and/or residential. It is the purpose of these regulations to encourage vitality by excluding certain activities which have a negative effect on the public realm through motor vehicle dominated or non-pedestrian oriented design or uses. To facilitate the purpose and intent of this overlay district, proposed uses and all development plans shall be consistent with regulations as contained within this chapter for the CB Central Business District.

The CB Central Business District is intended to preserve and enhance the original downtown area as a compact, viable and convenient location for a wide variety of commercial and office uses. Residential uses are permitted only in conjunction with a mixed building or mixed-use development and shall be located to the rear or on the second floor of or above any structure. To preserve the compactness of the area and to lessen congestion the display, sales and storage of goods is conducted entirely within enclosed buildings. The yard requirements are based generally on the pattern of existing development so as to minimize dimensional disparities and to preserve the continued usefulness and essential character of the existing buildings located in the downtown area. In order to promote coordination and the compatible intermixture or residential and commercial development, this district is a planned district and site plan review is required for every development, re-development or change-in-use.

EXHIBIT "H" – DEVIATIONS

Code Section	Deviation
1. Sec. 42-174. Specifications for the CB Central Business District, §2(b)[2] – *"The maximum building height shall be 36 feet or a maximum of two stories, whichever is less; except where otherwise specifically approved by the Board of Commissioners through a Conditional District rezoning when it has been determined that a proposed building higher than two stories would not post an obstruction air traffic."*	Buildings #4 & #5 are both 4-stories and approx. 54 feet in height.
2. Sec. 42-174. Specifications for the CB Central Business District, §2(e)[1] – *"…Where on-street parking is provided immediately adjacent to the property to be developed, such parking immediately adjacent and in front of the lot where the proposed/existing structure is located may be counted toward the calculation of the minimum number of required off-street parking."*	On-street parking exists currently along N. Main St. NCDOT required street improvements will remove all existing on-street parking.
3. Sec. 42-35. Main Street Overlay District §17 – *An overlay zoning district intended to protect and enhance the traditional downtown main street area by maintaining and stimulating a pedestrian-friendly, vibrant environment while encouraging economic growth that compliments and expands the unique character of the downtown area. Individual structures are encouraged to be multi-story with uses mixed vertically, street level commercial and upper-level office and/or residential. It is the purpose of these regulations to encourage vitality by excluding certain activities which have a negative effect on the public realm through motor vehicle dominated or non-pedestrian oriented design or uses. To facilitate the purpose and intent of this overlay district, proposed uses and all development plans shall be consistent with the regulations as contained within this chapter for the CB Central Business District.*	Proposed development is entirely 'Residential', not 'Mixed-use'.
4. Sec. 42-35. CB Central Business District §7 – *"This conventional zoning district is intended to preserve and enhance the original downtown area as a compact, viable and convenient location for a wide variety of commercial and office uses. Residential uses are permitted only in conjunction with a mixed-use building or mixed development and shall be located to the rear or on the second floor of or above any structure. To preserve the compactness of the area and to*	Proposed development is entirely 'Residential', not 'Mixed-use'.

lessen congestion the display, sales, and storage of goods is conducted entirely within enclosed buildings. The yard requirements are based generally on the pattern of existing development so as to minimize dimensional disparities and to preserve the continued usefulness and essential character of the existing buildings located in the downtown area. In order to promote coordination and the compatible intermixture of residential and commercial development, this district is a planned district and site plan review is required for every development, re-development, or change-in-use.	

ATTACHMENT – MAILING LIST

REID, JORDAN COLLEEN
104 BRUCE LN
SPRING LAKE, NC 28390

DOWDY, JOHN W JR
3604 TATTERSOL CT
FAYETTEVILLE, NC 28306

BIRTS-FOWLKES, CARA-LYNN;ALICIA, M MARKS
3632 RANSOM PL
ALEXANDRIA, VA 22306

BROWN, DONNA L
1011 ROSSER RD
SPRING LAKE, NC 28390

WORTHY, CHARLES W;GWENDSLYN, B TRUSTEES
6808 ROBINIA RD
CAMP SPRING, MD 20748

WEBB, MYONG
126 RAINBOW CT
SPRING LAKE, NC 28390

GREEN'S TAX SERVICES LLC
33A N JOHNSON ST
ANGIER, NC 27501

WOODS INVESTMENT ENTERPRISE LLC
1264 OBJ RD
DUNN, NC 28334

MCNEILL, WILLIE JAMES LIFE ESTATE;MCNEILL, BOBBIE P LIFE ESTATE
585 MOORES CHAPEL RD
LILLINGTON, NC 27546

TOWN OF SPRING LAKE
300 RUTH ST
SPRING LAKE, NC 28390

JACKSON, GAIL EVETTE
217 DUNCAN ROAD
SPRING LAKE, NC 28390

SKINNER-ENCISO, FERNANDO J
124 STRICKLAND DR
SPRING LAKE, NC 28390

CROCKER, PATRICIA ANN
201 CHESHIRE DR
WARNER ROBINS, GA 31088

DOWDY, JOHN W JR
3604 TATTERSAL CT
FAYETTEVILLE, NC 28306

OGARRA, JAMES P;OGARRA, KENNETH RAY
614 DUNCAN RD
SPRING LAKE, NC 28390

DE LA PAZ, JUANITA
1006 BRAGG BLV 179
SPRING LAKE, NC 28390

YUN, SOON KU;YUN, YOUNG HUI
606 N BRAGG BLVD
SPRING LAKE, NC 28390

DUNBAR, ETHAN N;LOIS, D
319 N SECOND ST
SPRING LAKE, NC 28390

RAB GROUP ABERDEEN LLC
PO BOX 4406
PINEHURST, NC 28374

OGARRA, JAMES P
614 DUNCAN RD
SPRING LAKE, NC 28390

YANCEY, WILLIAM H;YANCEY, CHIN TOK
118 BRUCE LN
SPRING LAKE, NC 28390

HARBOUR, M W;HARBOUR, PATSY S
111 SOUNDVIEW DR
NEWPRT, NC 28570

RHINEHARDT, RONALD
108 BRUCE LN
SPRING LAKE, NC 28390

CONCORDE I LLC
PO BOX 32182
RALEIGH, NC 27622

JONES, WILTON C;W C JONES INVESTMENT COMPANY
951 S MCPHERSON CHURCH RD #201
FAYETTEVILLE, NC 28303

TOWN OF SPRING LAKE
300 RUTH ST
SPRING LAKE, NC 28390

BIRTS-FOWLKES, CARA-LYNN;MARKS, ALICIA M;JONES, ELLA DELORIS;WHARTON, ALTHEA FAYE;FARMER, LENDA VONITA;BIRTS, CAROLYN YVONNE;MARKS, PAMELA ELAINE
3632 RANSOM PL
ALEXANDRIA, VA 22306

SKIDMORE, JONATHON
709 ROCKY RUN CT
VIRGINIA BEACH, VA 23462

WIE CONTRACTING AND CONSULTING SERVICES LLC
1264 OBJ RD
DUNN, NC 28334

MCNEILL, WILLIE JAMES LIFE ESTATE;MCNEILL, BOBBIE P LIFE ESTATE
585 MOORES CHAPEL RD
LILLINGTON, NC 27546

HENDON, PHILLIP BRANDON;DELLA, PETTY HENSON
301 HOLLY GLEN DR
CHESAPEAKE, VA 23325

KRUPPA, THOMAS M;KRUPPA, A
102 BRUCE LN
SPRING LAKE, NC 28390

JONES, COLON;MCBRIDE, PETRONIA;CLAYTON, SHARION;MCMILLAN, CIKY JONES;LEACH,
108 ALEXANDER LN
SPRING LAKE, NC 28390

HENDON, PHILIP BRANDON;HENDON, DELLA PETTY
504 HENDON ST
SPRING LAKE, NC 28390

KANERIA, KISHOR;KANERIA, KUSUM
11222 EMPIRE LAKES DR
RALEIGH, NC 27617

VASQUEZ-MATOS, RUBEN;EDUARDA, GUTIERREZ
118 RAINBOW CT
SPRING LAKE, NC 28390

YUN, SOON;YUN, YOUNG H
207 DUNCAN ROAD
SPRING LAKE, NC 28390

FERGUSON, MICHEL J
504 SANTA FE DR
FAYETTEVILLE, NC 28303

LEACH, EARL
222 HARVARD RD
PEMBERTON, NJ 08068

MARKS, MICHAEL;MARKS, PAMELA JONES
337 LARCHMONT RD
FAYETTEVILLE, NC 28311

SPRING, LAKE ASSEMBLY OF GOD
105 STRICKLAND ST
SPRING LAKE, NC 28390

IGLESIA DE DIOS EL BUEN PASTOR I
510 N. MAIN ST
SPRING LAKE, NC 28390

GARFIELD, GWENDOLYN
101 SHADOWOOD DR
MARTINEZ, GA 30809

RAMSEY PLAZA LLC
3771 RAMSEY ST 10911
FAYETTEVILLE, NC 28301

BOFILL, JAMES
445 HALLMARK RD
FAYETTEVILLE, NC 28303

BELL, RITA MANNING;BELL, WILBERT R
445 SHORELINE DR
FAYETTEVILLE, NC 28311

ITHIER, RICHARD E, OSCAR I ITHIER MONTANEZ;ITHIER, TERRIE
114 BRUCE LN
SPRING LAKE, NC 28390

STAR PETROLEUM LLC
508 ALLIANCE CIR
CARY, NC 27519

BBC ENTERPRISES
PO BOX 766
SPRING LAKE, NC 28390

KNUTSON, CARL E JR
2102 BUSINESS CENTER DR STE 130
IRVINE, CA 92612

MCBRIDE, RICHARD BENJAMIN SR;MCBRIDE, PETRONIA JONES
108 ALEXANDER LN
SPRING LAKE, NC 28390

ELLENWOOD PROPERTIES LLC
518 N BRAGG BLV
SPRING LAKE, NC 28390

ATTIA INVESTMENTS LLC
500 WESTOVER DR # 10937
SANFORD, NC 27330

AK PREMIER PROPERTIES INC
6820 BUTTERMERE DR
FAYETTEVILLE, NC 28314

DOWDY, JOHN W JR
3604 TATTERSOL CT
FAYETTEVILLE, NC 28306

SAT FRIENDS PROPERTY LLC
624 COOOPER BEACH LN
WAKE FOREST, NC 27587

LANHAM, JADON CURTIS MEREDITH;LANHAM, HEAVEN ANN
215 DUNCAN ROAD
SPRING LAKE, NC 28390

SHEETS, DELLA HARDISON
997 N BRAGG BLVD
SPRING LAKE, NC 28390

COUSIN HOLDINGS LLC
800 PAMALEE DR
FAYETTEVILLE, NC 28303

MARKS, PAMELA ELAINE;WHARTON, ALTHEA FAYE;BIRTS, CAROLYN YVONNE;JONES, ELLA DELORIS;FARMER,
337 LARCHMONT RD
FAYETTEVILLE, NC 28311

JONES, THOMAS L
318 HENDON ST
SPRING LAKE, NC 28390

HUSKISSON, CATHY M;JOHNSON, WENDY L;JOHNSON, DAVID L
6036 WHITE TIP RD
JACKSONVILLE, FL 32258

JACKSON, RONALD;JACKSON, MARIAN R
5000 DOGWOOD TRL
PORTSMOUTH, VA 23703

MCNEILL, GREGORY J;MCNEILL, YVONNE
703 FRANCIS CT
SPRING LAKE, NC 28390

SLATER, JAMES
75 BRAFFORD ESTATES DR
CAMERON, NC 28326

TIANITECH HVAC & APPLIANCES, LLC
5623 DODGE DR
FAYETTEVILLE, NC 28303

FISHER, CHAD MICHAEL
211 DUNCAN ROAD
SPRING LAKE, NC 28390

ASHFIELD, WILLIAM F
112 CARMICHAEL LN
SPRING LAKE, NC 28390

PEPPERS, TIMOTHY;PEPPERS, DONG W
107 CARMICHAEL LN
SPRING LAKE, NC 28390

BROWN, DONNA L
1011 ROSSER RD
SPRING LAKE, NC 28390

BBC ENTERPRISES
PO BOX 766
SPRING LAKE, NC 28390

AK PREMIER PROPERTIES INC
6820 BUTTERMERE DR
FAYETTEVILLE, NC 28314

WORTHY, CHARLES W;GWENDSLYN, B TRUSTEES
6808 ROBINIA RD
CAMP SPRING, MD 20748

JONES, LILLIAN
717 MONT DR
SPRING LAKE, NC 28390

BIRTS-FOWLKES, CARA-LYNN;ALICIA, M MARKS
3632 RANSOM PL
ALEXANDRIA, VA 22036

MCNEILL, WILLIE JAMES LIFE ESTATE;MCNEILL, BOBBIE P LIFE ESTATE
585 MOORES CHAPEL RD
LILLINGTON, NC 27546

GREEN TAX SERVICE LLC
33 A N JOHNSON ST
ANGIER, NC 27501

SKIDMORE, JONATHON
37 UTAH PL
ATHENS, OH 45701

TANDON III LLC
PO BOX 2524
FAYETTEVILLE, NC 28302

HARTWICK, CLINTON;HARTWICK, LISA
219 DUNCAN RD
SPRING LAKE, NC 28390

JONES, BENNER III
115 NORTHVIEW DR
FAYETTEVILLE, NC 28303

TOWN OF SPRING LAKE
300 RUTH ST
SPRING LAKE, NC 28390

HART, JAMES E
714 A N MAIN ST
SPRING LAKE, NC 28390

WALLACE, LAKITA S;WALLACE, ANTHONY D
712 N BRAGG BLV
SPRING LAKE, NC 28390

HINNANT, JAMES;HINNANT, PENNAPA
61 NASSAU LN
SANFORD, NC 27332

HINNANT, JAMES;HINNANT, PENNAPA
801 N MAIN STREET
SPRING LAKE, NC 28390

B & B BUILDING MAINTENANCE LLC
5318 S NC 210 HWY
BUNNLEVEL, NC 28323

AK PREMIER PROPERTIES INC
6820 BUTTERMERE DR
FAYETTEVILLE, NC 28314

NEWSOME, SHIRLEY PARKER TRUSTEE
202 GRANTHAM DR
RAEFORD, NC 28376

DIAZ, ANGEL LUIS;DIAZ, NELSON
317 N SECOND ST
SPRING LAKE, NC 28390

GTH INVESTMENTS INC
PO BOX 1261
FAYETTEVILLE, NC 28302

MORALES, CYNTHIA M MELENDEZ
14186 EASTMOUNT RD
SPRING HILL, FL 34609

FISHER, KENNETH G;FISHER, PAMELA S
205 DUNCAN ROAD
SPRING LAKE, NC 28390

GREENS TAX SERVICES LLC
33A N JOHNSON ST
ANGIER, NC 27501

LEWIS, YON SUN TRUSTEE
287 JOHN WIL LN
BROADWAY, NC 27505

MCCAULEY & MCDONALD INVESTS IN
PO BOX 361
FAYETTEVILLE, NC 28302

PATTERSON, ZACKERY;PATTERSON, KELLI MONIQUE
112 BRUCE LANE
SPRING LAKE, NC 28390

FIELDS, ELEANOR LEACH
3413 DALTON ST
COPPERAS COVE, TX 76522

NOE, STEVEN PAGE;KIMBERLY, RENEE SHERIDAN
292 MOUNT VISTA DR
LILLINGTON, NC 27546

MDN RENTALS LLC
2014 BRAGG BLV
FAYETTEVILLE, NC 28303

OGARRA, JAMES P;OGARRA, JOY PATRICE
614 DUNCAN RD
SPRING LAKE, NC 28390

CLARK, ETHEL T;CLARK, DAVID L
126 CAVALIER DR
RAEFORD, NC 28376

SCOTT, MABEL MCLEAN
6105 WELSHIRE CT
UPPER MARLBORO, MD 20772

FORT SILL NATIONAL BANK
PO BOX 33009
FORT SILL, OK 73503

CLASSIC NETWORK PRIVATE LIMITED CONSTRUCTION LLC
11222 EMPIRE LAKES DR
RALEIGH, NC 27617

WORTHY REAL ESTATE LLC
6320 LYNETTE CIR
FAYETTEVILLE, NC 28314

MORALES, CYNTHIA M MELENDEZ
14186 EASTMOUNT RD
SPRING HILL, FL 34609

MCCAULEY & MCDONALD INVESTS IN
PO BOX 361
FAYETTEVILLE, NC 28302

GRIMES, YONG
2908 MERRIEFIELD CT
FAYETTEVILLE, NC 28301

BECK, FELICIA
644 RIVERSIDE DR 10D
NEW YORK, NY 10031

KANERIA, KISHOR;KANERIA, KUSUM
11222 EMPIRE LAKES DR
RALEIGH, NC 27617

TIANITECH HVAC & APPLIANCES, LLC
5623 DODGE DR
FAYETTEVILLE, NC 28303

SKINNER-ENCISO, FERNANDO J
124 STRICKLAND DR
SPRING LAKE, NC 28390

ATTACHMENT: APPLICATION

CASE #: _____

PLANNING BOARD

MEETING DATE: _____

DATE APPLICATION SUBMITTED: _____

RECEIPT #: _____

RECEIVED BY: _____

Town of Spring Lake

Planning & Inspections Department

APPLICATION FOR
CONDITIONAL USE DISTRICT & PERMIT
REZONING REQUEST
TOWN OF SPRING LAKE ZONING CODE

Upon receipt of this application (petition), the County Planning Staff will present to the Planning Board the application al a hearing. In accordance with state law and board's policy, a notice of the hearing will be mailed to the owners of the adjacent and surrounding properties, which may be affected by the proposed Conditional Use.

The Planning Board will make a recommendation to the Spring Lake Board of Aidermen concerning the request. The Board of Aldermen will schedule a public hearing and make a final decision on the matter. Generally, the Board will hold a public hearing four weeks following the meeting of the Planning Board. *The Conditional Use District anil Permit shall not be made effective until the request is heard and received approval by the Hoard of Aldermen.*

The following items arc to be submitted with the completed application:

1. **A copy of the recorded deed and/or plat;**
2. **If a portion ofan existing tract is/arc being submitted for rezoning, an accurate written legal description of only the area to be considered;**
3. **A copy of a detailed site plan drawn to an engineering scale, showing the location of all buildings, yard dimensions, driveways, fencing, lighting parking areas, landscaping, and all other pertinent data to the case; and**
4. **A check made payable to the "Cumberland County" in the amount of** $480.00 **. (Sec attached Fee Schedule)**

NOTE: Any revisions, inaccuracies or errors to the application or site plan may cause the case to be delayed and will be scheduled for the next available Board meeting according to the Board's meeting schedule. Also, the application fee is *nonrefundablc.*

The Town Staff and the County Planning Staff arc available for advice on completing this application; however, they arc not available for completion of the application or preparation of the site plan.

Town of Spring Lake
Revised: 01-25-2013

TO THE BOARD OF ALDERMEN, TOWN OF SPRING LAKE, NORTH CAROLINA THROUGH THE CUMBERLAND COUNTY JOINT PLANNING BOARD:

I (We), the undersigned, hereby submit this application, and petition the Town Board to amend and to change the zoning map of the Town of Spring Lake as provided for under the provisions of the Spring Lake Zoning Code. In support of this petition, as hereinafter requested, the following facts are submitted:

1. Applicant/Agent Alex Edwards

2. Address: 14051 Rockingham Rd Germantown, MD Zip Code 20874

3. Telephone: (Home) 239-313-9330 (Work) _____

4. Location of Property: 604 N. Main St Spring Lake, NC 28390

5. Parcel Identification Number (PIN #) of subject property: 0501-68-4230 & 0501-67-4845 (also known as Tax ID Number or Property Tax ID)

6. Acreage: 8.72 + .3 (OPTION) Frontage: 1069.3 ft + 108.25 ft (OPTION) Depth: 470.11 ft

7. Water Provider: Town of Spring Lake

8. Septage Provider: Town of Spring Lake

9. Deed Book 12221 & 8785, Page(s) 0868 & 0129 (*And option agreement for .3 ac Adjoining tract), Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).

10. Existing use of property: Old mobile home park and a single family detached house

11. Proposed use(s) of the property: High density residential multifamily housing

NOTE: Be specific and list all intended uses or in the alternative, list the uses to be excluded.

12. It is requested that the foregoing property be rezoned FROM: C(P) & C-3

TO: (Select one)

X Conditional Zoning District, with an underlying zoning district of R5 / CZ (Article IV)

_____ Mixed Use District/Conditional Zoning District (Article VI)

_____ Planned Neighborhood District/Conditional Zoning District (Article VII)

APPLICATION FOR
CONDITIONAL USE PERMIT

1. PROPOSED USE(S):

A. List the use(s) proposed for the Conditional Use Permit. (Use of the underlying district will be restricted only to the use(s) specified in this application.)

In keeping with page 50 of the Spring Lake Land Use Plan (May 24), R5 High density multifamily residential is requested for this parcel (Flex Area 2)

B. Density: List the amount of acreage that will be residential, commercial, and/or open space, and the number of lots and/or dwelling units proposed, and the square footage of the non-residential units.

Open space - 3.37 ac Common space - 4.04 ac
Residential - 1.61 ac
# of dwelling units - 204

2. DIMENSIONAL REQUIREMENTS: (Sec. 42-192):

Reference either the dimensional requirements of the district or list the proposed setbacks.

Match periphery setbacks to adjoining districts

3. OFF-STREET PARKING AND LOADING (Sec. 42-260 *et. seq.*):

Off-street parking and loading: List the number of spaces, type of surfacing material and any other pertinent information.

328 spaces (20 handicapped). All spaces will be asphalt. In the Spring Lake Use Plan on page 67, bullet #27 the drafters and community encourage the use of on-street parking to help meet a portion of the parking required for developments in Spring Lake.

4. SIGN REQUIREMENTS (Sec. 42-288 *et. seq.*):

Reference the district sign dimensional regulations. The site plan must reflect any areas for proposed freestanding signs.

Lighted permanent freestanding signs at the main development entrance from Main St are planned. The signs will be an integral part of an entrance structure identifying the development. There will be one sign structure at each entrance with verbiage on front and back of structure. Signage at each entrance will not exceed 32 square feet in area. Signage on buildings, and street signs will be IAW "Article XI Sign Regulations" of the Spring Lake municode.

5. LANDSCAPE AND BUFFER REQUIREMENTS (See. 42-223 *cl. . w/)*.

A. For all new non-rcsidcntial and mixed use development abutting a public street, indicate the number and type of large or small ornamental trees used in the streetscape, yard space, and/or parking areas, plus the number and type of shrubs - all required landscaping must be included on the site plan.

Small flowering trees planted along Main St and other landscaping throughout shall comport with Article IX requirements

B. Indicate the type of buffering and approximate location, width and setback from the property lines—all required buffering must be included on the site plan.

6 ft opaque fencing with trees every 50' and shrubs the length of sides and rear yard

6. MISCELLANEOUS:

This project will drive daily traffic onto Main St and will be a boost to the ongoing effort to revitalize the area. The rear of the property is a one-way exit only, to Bragg Blvd so all traffic into the community must enter from the Main street side. This is a huge benefit to the town of Spring Lake and is in keeping with the Land Use Plan. This project addresses critical housing needs and is aligned with town goals in the land use plan *(pg 50)* for Flex Area 2 which specifically lists R5 (High Density Residential) as a compatible zoning district for Flex Area 2. Pg 100 of the Land Use Plan in the 8th bullet also recommends R5 for the Central Business District. Flex Area 2 contains underdeveloped land within town limits. Concentrating residential growth here represents efficient use of underutilized land which reduces pressure to extend infrastructure into rural areas and allows the town to maximize return on existing public investments (roads, water, sewer). While the land use plan favors mixed-use, this purely residential project reflects Spring Lake's immediate needs, and supports the revitalization intent behind Spring Lake's plan. And by locating a high-density residential neighborhood near downtown Spring Lake, the local population base can be expected to increase, thereby boosting demand for downtown goods and services. This proximity naturally supports local businesses through increased opportunity for foot traffic and everyday economic activity. This project is the embodiment of the sentiments from local landowners and longtime residents who asked the board to approve housing that helps Spring Lake thrive now. The Vision Plan calls for a future where Spring Lake has high-quality housing and a sense of community. High density residential zoning in Flex Area 2 directly supports that goal. Two employees daily (Maint & Leasing), 8 hrs/day.

CUMBERLAND COUNTY

AFFIDAVIT OF OWNERSHIP/AGENT AUTHORIZATION FORM

PROPERTY OWNER (Company or Individual): Lorenzo McLean Jr & Gwendowlyn McLean

MAILING ADDRESS: 6105 Welshire Ct, Upper Marlboro, MD 20772

Officer's name and title: n/a

1. That I am (we are) owner's and record title holder(s) of the following described property legal description, to with:
2. That this property constitutes the property for which a request for (type of Application Approval Requested: R5 - Conditional Rezoning
3. That the undersigned has (have) appointed and does (do) appoint Alex Edwards as agent(s) to execute any petitions or other documents necessary to affect such petition, including development review time extension requests; and request that you accept my agent (s) signature as rep[resenting my agreement of all terms and conditions of the approval process;
4. That this affidavit has been executed to induce Cumberland County, North Carolina and act on the foregoing request;
5. That I, (we) the undersigned authority, hereby certify that the foregoing is true and correct.

Lorenzo McLean, Jr / Lorenzo McLean Jr.
Owner's Signature/Print Title

Gwendolyn McLean / Gwendolyn B. McLean
Owner's Signature/Print Title

Owner's Signature/Print Title

State of North Carolina Maryland
Cumberland County

The foregoing instrument was acknowledged before me by means of _____ physical presence or _____ online notarization, this 8th day of May (month), 2025 (year), by Lorenzo McLean Jr, Gwendolyn B. McLean (name of person acknowledging) who is personally known to me or who has produced Driver License (type of identification) as identification.

Signature of Notary Public – State of North Carolina Maryland
(Print, Type or Stamp Commissioned Name Of Notary Public to the Left of Signature)

VIKRAMJIT SINGH
NOTARY PUBLIC
CHARLES COUNTY, MARYLAND
EXP. 08/14/2027

8. STATEMENT OF ACKNOWLEDGMENT:

It is understood by the undersigned that the official zoning map, as originally adopted and subsequently amended, is presumed to be appropriate to the property involved and that the burden of proof for a zoning amendment (rezoning) rest with the petitioner.

It is the responsibility of the petitioner (personally or by agent) to submit to the County Planning Staff a valid request, not incompatible with existing neighborhood zoning patterns.

In order for the Planning Board to offer a favorable recommendation and for the Board of Aldermen to approve any Conditional Use District and Permit they must find from the evidence presented at their respective hearing that:

A. The use will not materially endanger the public health or safety if located according to the plan submitted and recommended;

B. The use meets all required conditions and specifications;

C. The use will maintain or enhance the value of adjoining or abutting properties, or that the use is a public necessity; and

D. The location and character of the use, if developed according to the plan as submitted and recommended, will be in harmony with the area in which it is to be located and in general conformity with Town's most recent Land Use Plan and adopted planning policies.

I further understand I must voluntarily agree to all conditions for the Conditional Use Permit. The undersigned hereby acknowledge that the County Planning Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.

Lorenzo McLean + Gwendolyn McLean
NAME OF ONWER(S) (PRINT OR TYPE)

6105 Welshire Ct Upper Marlboro, MD
ADDRESS OF OWNER(S)

Lxmjr2144@gmail.com
E-MAIL

202-480-3611
HOME TELEPHONE

WORK TELEPHONE

Lorenzo McLean Jr.
SIGNATURE OF OWNER(S)

Gwendolyn D. McLean
SIGNATURE OF OWNER(S)

CUMBERLAND COUNTY

AFFIDAVIT OF OWNERSHIP/AGENT AUTHORIZATION FORM

PROPERTY OWNER (Company or Individual): BBC ENTERPRISES

MAILING ADDRESS: PO BOX 766 SPRING LAKE, NC 28390

Officer's name and title: WILLIAM WELLONS, Owner & President

1. That I am (we are) owner's and record title holder(s) of the following described property legal description, to with:
2. That this property constitutes the property for which a request for (type of Application Approval Requested: Conditional Rezoning Application
3. That the undersigned has (have) appointed and does (do) appoint Alex Edwards as agent(s) to execute any petitions or other documents necessary to affect such petition, including development review time extension requests; and request that you accept my agent (s) signature as rep[resenting my agreement of all terms and conditions of the approval process;
4. That this affidavit has been executed to induce Cumberland County, North Carolina and act on the foregoing request;
5. That I, (we) the undersigned authority, hereby certify that the foregoing is true and correct.

William S Wellons.
Owner's Signature/Print Title

Owner's Signature/Print Title

Owner's Signature/Print Title

State of North Carolina
Cumberland County

The foregoing instrument was acknowledged before me by means of ✓ physical presence ~~or _____ online notarization~~, this 30th day of May (month), 2025 (year), by William S. Wellons, Jr (name of person acknowledging) who is personally known to me ~~or who has produced _____ (type of identification) as identification~~.

NANCY KAY WEST
Notary Public, North Carolina
Sampson County
My Commission Expires
March 27, 2027

Nancy Kay West
Signature of Notary Public – State of North Carolina
(Print, Type or Stamp Commissioned Name Of Notary Public to the Left of Signature)

8. STATEMENT OF ACKNOWLEDGMENT:

It is understood by the undersigned that the official zoning map, as originally adopted and subsequently amended, is presumed to be appropriate to the property involved and that the burden of proof for a zoning amendment (rezoning) rest with the petitioner.

It is the responsibility of the petitioner (personally or by agent) to submit to the County Planning Staff a valid request, not incompatible with existing neighborhood zoning patterns.

In order for the Planning Board to offer a favorable recommendation and for the Board of Aldermen to approve any Conditional Use District and Permit they must find from the evidence presented at their respective hearing that:

A. The use will not materially endanger the public health or safety if located according to the plan submitted and recommended;

B. The use meets all required conditions and specifications;

C. The use will maintain or enhance the value of adjoining or abutting properties, or that the use is a public necessity; and

D. The location and character of the use, if developed according to the plan as submitted and recommended, will be in harmony with the area in which it is to be located and in general conformity with Town's most recent Land Use Plan and adopted planning policies.

I further understand I must voluntarily agree to all conditions for the Conditional Use Permit. The undersigned hereby acknowledge that the County Planning Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.

William S. Wellons, Jr.
NAME OF ONWER(S) (PRINT OR TYPE)

P.O. Box 766 Spring Lake, NC 28390
ADDRESS OF OWNER(S)

billy@wswellonsrealty.com
E-MAIL

910-436-3131
HOME TELEPHONE

WORK TELEPHONE

SIGNATURE OF OWNER(S)

SIGNATURE OF OWNER(S)

Alex Edwards
NAME OF AGENT, ATTORNEY, APPLICANT (by assign) (PRINT OR TYPE)

14051 Rockingham Rd
Germantown, MD 20874
ADDRESS OF AGENT, ATTORNEY, APPLICANT

239-313-9330
HOME TELEPHONE

WORK TELEPHONE

harrisonedwards@hotmail.com
E-MAIL ADDRESS

FAX NUMBER

Alex Edwards
SIGNATURE OF AGENT, ATTORNEY, OR APPLICANT

* ***ALL*** **record property owners must sign this petition.**
* **The contents of this application, upon submission, become "public record."**

TOWN OF SPRING LAKE
CONDITIONAL USE DISTRICT AND PERMIT FEE SCHEDULE

REQUESTED ZONING DISTRICTS[1]	LESS THAN 5 ACRES	5 TO 50 ACRES	50 TO 100 ACRES	100+ ACRES
CONDITIONAL USE DISTRICTS[2] RESIDENTIAL DD/CUD	$500	$500	$500	$500
CONDITIONAL USE DISTRICTS[2] NONRESIDENTIAL PND/CUD MXD/CCUD	$700	$800	$800	$800

1 If more than one zoning district is requested in the same application, the highest fee for the district requested will apply.

2 If a general rezoning is requested and based on recommendations of the Planning Board or Town of Aldermen, the applicant desires to submit a Conditional Use District application; the original application fee will be credited towards the Conditional Use District and Permit application fee.

CUMBERLAND COUNTY
NORTH CAROLINA
PLANNING & INSPECTIONS

PLANNING STAFF REPORT
REZONING CASE # ZON-25-0034
Planning Board Meeting: Oct. 21, 2025
Location: Southeast of Abco Ln. and Northwest of Dudley Rd.
Jurisdiction: County-Unincorporated

REQUEST	Rezoning R40 to A1

Applicant requests a rezoning from R40 Residential District to A1 Agricultural District for 7.00 +/- acres of a parcel comprising 14.50 +/- acres, located Southeast of Abco Ln. and Northwest of Dudley Rd. The parcel is undeveloped, wooded lands. The intent of the property owner is to develop an Auto Repair Shop and, if approved, pursue a Special Use Permit for a Recreational Vehicle Campground.

PROPERTY INFORMATION

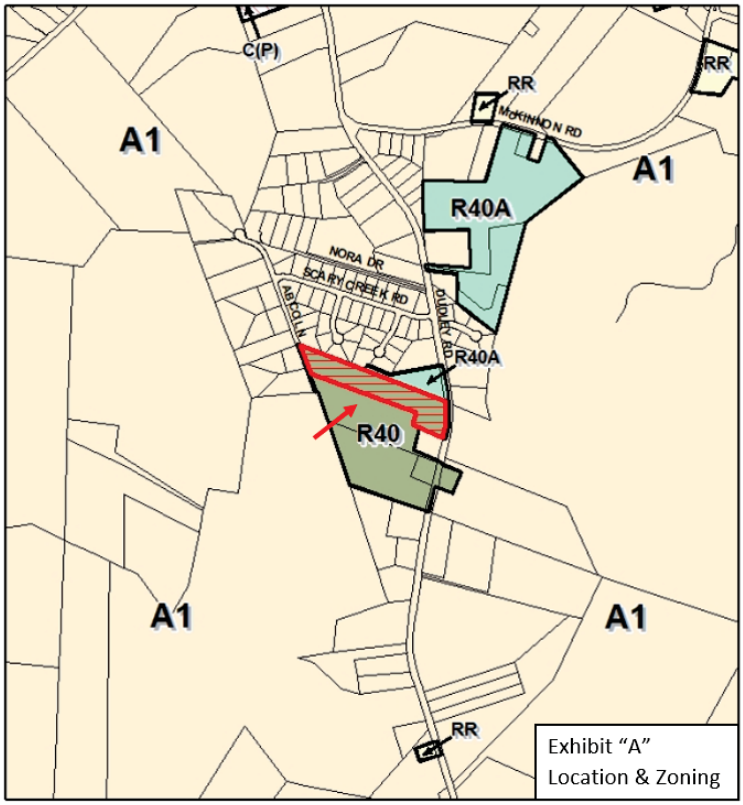
OWNER/APPLICANT: Albert W. Robinson, Jr. (Owner); Carl Simms (Applicant/Agent).

ADDRESS/LOCATION: Refer to Exhibit "A", Location and Zoning Map. REID number: 0472086036000.

SIZE: Seven acres of a parcel containing approximately 14.50 acres. A legal description of the seven acres is provided in the attachments. Road frontage along Abco Ln is 266 +/- feet and 333 +/- feet along Dudley Rd. The property is approximately 1,420 +/- feet in length at its deepest point.

EXISTING ZONING: The subject property is currently zoned R40 Residential District. This district is designed primarily for single-family dwelling units with a lot of area of 40,000 square feet or above.

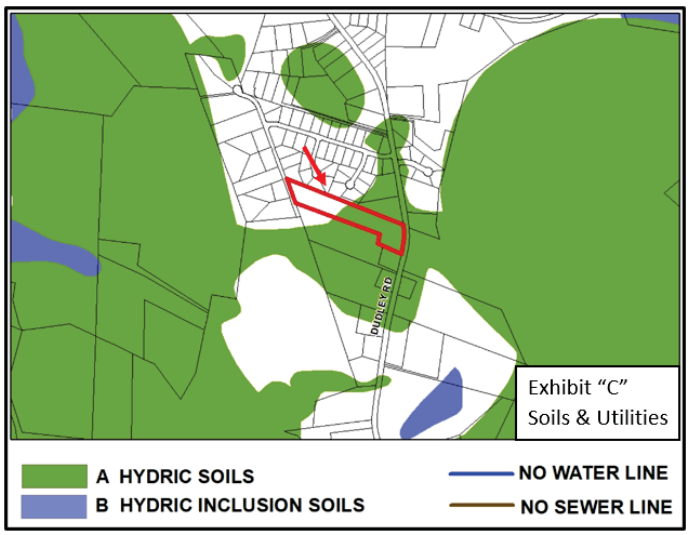
EXISTING LAND USE: The subject parcel is currently undeveloped wooded lands. Exhibit "B" shows the existing use of the subject property.



SURROUNDING LAND USE: Exhibit "B" illustrates the following:

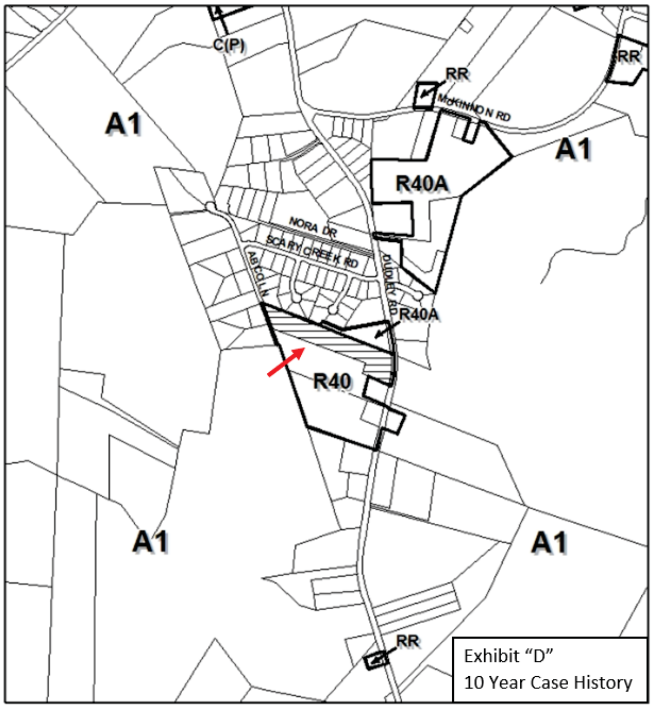
- **North**: McNeill Sands Subdivision.
- **East**: Wooded lands, single family homes.
- **West**: Wooded lands, single family homes.
- **South**: Wooded lands, single family homes.

OTHER SITE CHARACTERISTICS: The site is not located in a Watershed or within a Flood Zone Hazard Area. The subject property, as delineated in Exhibit "C", illustrates no presence of hydric inclusion soils, but does show hydric soils on the majority at the property.



TEN YEAR ZONE CASE HISTORY:

Exhibit "D" denotes no rezoning cases within the past ten years occurring near the subject property.



DEVELOPMENT REVIEW:

Prior to development activity, a site plan must be submitted, reviewed, and approved by Cumberland County Current Planning for compliance with the Subdivision and Zoning Ordinances. A special use permit may be required for some uses, such as an RV Park/Campground, in the A1 Agriculture District.

DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

Minimum Standard	R40 (Existing Zoning)	A1 (Proposed)
Front Yard Setback	30 feet	50 feet
Side Yard Setback	15 feet	20 feet
Rear Yard Setback	35 feet	50 feet
Lot Area	40,000 sq. ft.	2 acres
Lot Width	100 feet	100 feet

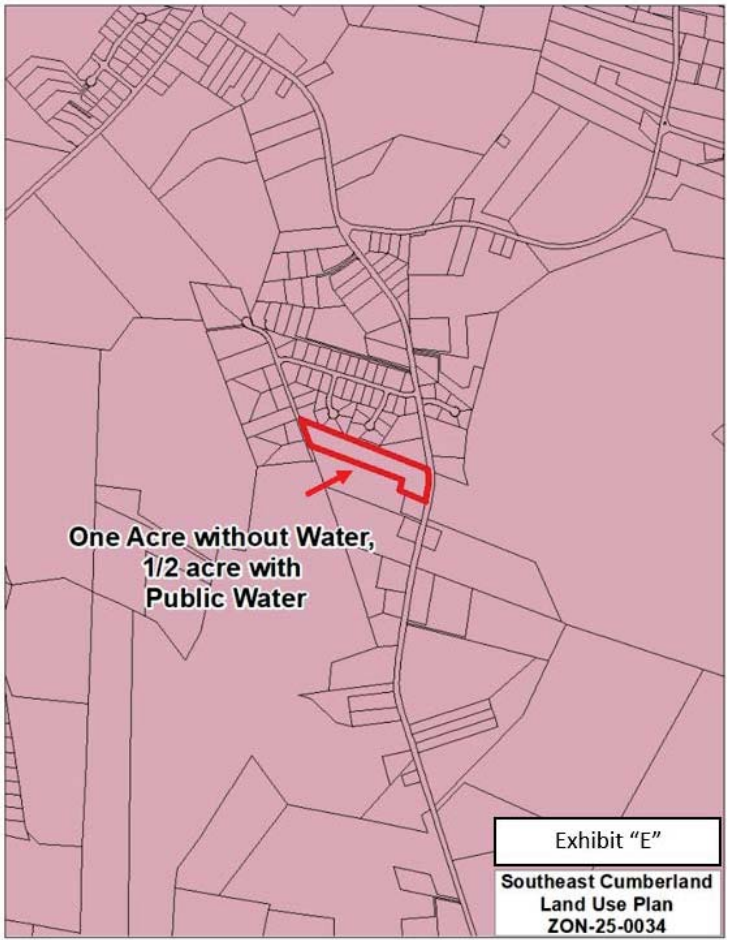
DEVELOPMENT POTENTIAL*

Existing Zoning (R40)	Proposed Zoning (A1)
8 dwelling units	4 dwelling units

(*) Based on 7.0 acres proposed to be rezoned. Lot count may be rounded up when a fraction occurs**.** When any requirement of this ordinance results in a fraction of a unit, a fraction of one-half or more shall be considered a whole unit, and a fraction of less than one-half shall be disregarded.

COMPREHENSIVE PLANS:

This property is located in the Southeast Cumberland Land Use Plan (2016). The future land use classification of the property is "One Acre without Water, ½ Acre with Public Water". If the property does not have public water, the associated zoning districts for One Acre without Water are R40, R40A, A1, and A1A. If the property does have public water, the associated zoning districts for ½ Acre with Public Water are R20, R20A, RR, R30, and R30A.



The proposed rezoning request is consistent with the adopted land use plan.

Plan Classification Development Goals:

- "Protect and preserve farmland, while maintaining a healthy and thriving farming community" (Southeast Cumberland Land Use Plan 2016, p. 92).
- "Support efforts to protect existing family farms and encourage new small farms" (Southeast Cumberland Land Use Plan 2016, p. 93).
- "It is recommended that to preserve the tree cover, clear cutting should be limited for all non-residential development and residential developments over seven lots" (Southeast Cumberland Land Use Plan 2016, p. 107).

IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: Water and sewer lines are not available near the subject property. It is the applicant's responsibility to determine what utility provider or system will serve their development. Utilities for water and sewer are shown on Exhibit "C". Well and septic will likely be required, and the lot size must meet the minimum area necessary to accommodate both.

TRANSPORTATION: According to the Mid-Carolina Rural Planning Organization (MCRPO), the subject property is located on Dudley Road, which has a current Functional Classification of a local, secondary route. There are no roadway construction improvement projects planned, and the subject property will have no significant impact on the Transportation Improvement Program. In addition, this segment of Dudley Rd has no Average Annual Daily Traffic data available. The proposed new development should not generate enough traffic to significantly impact Dudley Rd. Coordination with NCDOT is required for all access and driveway permits.

SCHOOLS CAPACITY/ENROLLMENT:

School	Enrollment	Capacity
JW Seabrook Elementary	253	267
Mac Williams Middle	1190	1164
Cape Fear High	1510	1476

ECONOMIC DEVELOPMENT: Fayetteville Cumberland County Economic Development Corporation has reviewed the request and had no objection to the proposed rezoning.

EMERGENCY SERVICES: Cumberland County Fire Marshal's office has reviewed the request and has no objections to the rezoning request.

SPECIAL DISTRICTS/ OVERLAY DISTRICTS: A portion of the subject property is located within the half-mile buffer of a Voluntary Agricultural District (VAD-01-22).

Special Districts			
Fayetteville Regional Airport Overlay:	☐	Averasboro Battlefield Corridor:	☐
Five Mile Distance of Fort Liberty:	☐	Eastover Commercial Core Overlay District:	☐
Voluntary Agricultural District (VAD):	☐	Spring Lake Main Street Overlay District:	☐
VAD Half Mile Buffer:	☒	Coliseum Tourism Overlay District:	☐

CONDITIONS OF APPROVAL: This is a conventional zoning. There are no conditions proposed at this time.

STAFF RECOMMENDATION

In Case ZON-25-0034, Planning and Inspections staff **recommends approval** of the rezoning request from R40 Residential District to A1 Agricultural District. Staff finds that the request is consistent with the Southeast Cumberland Land Use Plan which calls for "One Acre without Water, ½ Acre with Public Water" at this location. Staff also finds that the request is reasonable and in the public interest as it is compatible to and in harmony with the surrounding land use activities and zoning.

Attachments:
Notification Mailing List
Application
Legal Description of the rezoning area
Concept map showing portion requesting rezone

ATTACHMENT – MAILING LIST

JOHNSON, J SCOTT;JOHNSON, ROBIN C	115 NASH RD	ST PAULS, NC 28384
ADAMS, REGINALD	647 S PARK ST	ELIZABETH, NJ 07206
BIRELEY, HEATHER	560 H P ARKERTOWN RD	FOUR OAKS, NC 27524
HOLMES, RONALD LOUIS	1603 TROY DR	FAYETTEVILLE, NC 28312
LEWIS, PRISCILLA A	6019 ACOMA COURT	FAYETTEVILLE, NC 28312
MELVIN, TERRELL;CARTER, SUMMER	4635 TRUMILLA DR	FAYETTEVILLE, NC 28312
WEST, LUCY	4322 HALF ACRE CT	FAYETTEVILLE, NC 28312
SMITH, ROBERTS;SMITH, AMY	3521 ROSE OF SHARON RD	DURHAM, NC 27712
JURY, DAVID L JR	4217 NORA DR	FAYETTEVILLE, NC 28312
JURY, DAVID L JR	4217 NORA DR	FAYETTEVILLE, NC 28312
WHALEN, ROBERT E II	PO BOX 51215	DURHAM, NC 27717
SANCHEZ, GILBERTO;SANCHEZ, IGNACIO	4201 NORA DR	FAYETTEVILLE, NC 28312
WILLIAMS, RAYMOND HEIRS	4112 SCARY CREEK RD	FAYETTEVILLE, NC 28312
BLAND, PEGGY	3630 MCKINNON RD	FAYETTEVILLE, NC 28312
MENDOZA, DAVID OSUALDO JR	2123 OLD QUARRY RD	PRINCETON, NC 27569
JONES, HARVEY R SR;BRYANT, PATRICIA G	PO BOX 212	AUTRYVILLE, NC 28318
RUSSELL, URSULA	4347 DUDLEY RD	FAYETTEVILLE, NC 28312
JOHNSON, ROXANN S	3529 CHAUCER DR	HOPE MILLS, NC 28348
MELVIN, LEEVENTSIL	904 CARROLL ST	SAVANNAH, GA 31415
MORRISON, DENNIS LEE	214 BOB ST	FAYETTEVILLE, NC 28303
LEANDER, MANUEL JR	4000 BAIRD CT	FAYETTEVILLE, NC 28312
MCNEILL, RENA PEARL;MAGBY, BESSIE	1353 ESSEX PL	FAYETTEVILLE, NC 28301
JURY, DAVID LEE JR	4217 NORA DR	FAYETTEVILLE, NC 28312
MCLEOD, GRADY	4224 DUDLEY RD	FAYETTEVILLE, NC 28312
KINSEY, JAMES L;KINSEY, PATRICIA	900 JP HARRISON BLVD	KINSTON, NC 28501
ARROYO, ROBERT;ARROYO, ERIN B	101 MAIN ST	RIDGEFIELD PARK, NJ 07660
TOMLIN, ELLA LOUISE;MELVIN, DOUGLAS	4120 SCARY CREEK RD	FAYETTEVILLE, NC 28312
KD HOMES LLC	PO BOX 35886	FAYETTEVILLE, NC 28303
6109 ABCO LANE LAND TRUST	1249 KILDAIRE FARM RD #372	CARY, NC 27511
JACKSON, GARY;JACKSON, DESTRIA	3141 CROWS NEST DR	FAYETTEVILLE, NC 28306
JONES, JAMES A	390 MANSION AVE	PENLLYN, PA 19422
ALBINO, PATRICIA MARIA	1535 B SAINT GEORGE AVE	ROSELLE, NJ 07203
MCNEILL, ROSCOE;MAGBY, BESSIE	5708 CEDAR CREEK RD	FAYETTEVILLE, NC 28312
MCNEILL, CONNIE ANN	1330 JIM JOHNSON RD	FAYETTEVILLE, NC 28312
ASKEW, JESSICA ANN	5718 MIRACLE HILL RD	FAYETTEVILLE, NC 28312
JURY, DAVID JR	6009 ABCO LN	FAYETTEVILLE, NC 28312
ALFORD, JEANETTA	4214 SCARY CREEK RD	FAYETTEVILLE, NC 28312
BASS, JAMES M II;BASS, SANDRA G	2029 FALLOW RUN	FAYETTEVILLE, NC 28312
KD HOMES LLC	PO BOX 35886	FAYETTEVILLE, NC 28303
SANCHEZ, IGNACIO	5951 ABCO LN	FAYETTEVILLE, NC 28312
RACF LLC	11504 BLACK HORSE RUN	RALEIGH, NC 27613
SIMMONS, MARY RUTH J WILLIAMS	9720 ADMIRALTY DR	SILVER SPRING, MD 20910
BOWENS, ENOCH L;BOWENS, STEPHANIE WILSON	PO BOX 116	STEDMAN, NC 28391
MATTHEWS, RUPERT BREWER;MATTHEWS, LINDA S	3660 CORINTH CHURCH RD	ROSEBORO, NC 28382
STEWART, LESSIE	2156 DILLON DR	FAYETTEVILLE, NC 28306
KD HOMES LLC	PO BOX 35886	FAYETTEVILLE, NC 28303
MANCINI, VIVIAN	6020 ABCO LN	FAYETTEVILLE, NC 28312
MCNEILL-JONES, LILLIE M;EDDIE, L JONES	4045 DUDLEY RD	FAYETTEVILLE, NC 28312
JURY, DAVID	4217 NORA DR	FAYETTEVILLE, NC 28301
ROBINSON, ALBERT W JR	4320 DUDLEY RD	FAYETTEVILLE, NC 28312
ROBINSON, VILVAGE M	4320 DUDLEY RD	FAYETTEVILLE, NC 28312
GODWIN, KENDRICK T;TONYA, K MCARTHUR	4885 SOUTHMILL DR	HOPE MILLS, NC 28348
GILMORE, DAVID E III	4010 ABERCROMBIE CT	FAYETTEVILLE, NC 28312
HUCKABEE, DAVID RAY JR;HUCKABEE, BONNIE MARIE	4001 BAIRD CT	FAYETTEVILLE, NC 28312
MCARTHUR, ERICAL	3599 GABE SMITH RD	WADE, NC 28395
PARKER, CAROLYN;COLVIN, ELVA;RUSSELL, URSULA;ROBIN	4347 DUDLEY RD	FAYETTEVILLE, NC 28312
CARR, LINDA FISHER	3737 DUDLEY RD	FAYETTEVILLE, NC 28312
MELVIN, ANITA	4116 SCARY CREEK RD	FAYETTEVILLE, NC 28312
BRADY, JOHN R;NUNNERY, KAYE LYNN	4225 SCARY CREEK RD	FAYETTEVILLE, NC 28312
BABCOCK, LESTER J;SANDRA, M	907 BRANSON ST	FAYETTEVILLE, NC 28305
BROOKS, JANET;BROOKS, CHRIS	879 LONG IRON DR	FAYETTEVILLE, NC 28312
SMITH, MICHAEL BRIAN;NASH, CHRISSIE ANN JONES	4447 DUDLEY RD	FAYETTEVILLE, NC 28312
CARRIAGE CROSSING INC	PO BOX 64223	FAYETTEVILLE, NC 28306
BRUNSON, FRANCES C	4411 DUDLEY RD	FAYETTEVILLE, NC 28312
CAMPBELL, JAMES ERNEST TRUSTEE	1218 MOSSY GLADE CIR	APEX, NC 27502
VENTURA, FELIX SANTOS	6114 ABCO LN	FAYETTEVILLE, NC 28312
NASH, CHRISSIE	9720 ADMIRALTY DR	SILVER SPRINGS, MD 20910
MATHEWS, TERRA LYNN	6023 ACOMA CT	FAYETTEVILLE, NC 28312
SCHLEE, JULIUS	6019 ABCO LN	FAYETTEVILLE, NC 28312
MELVIN, LEEVENTSIL;MELVIN, JUSTIN LEE	3011 HAYFIELD RD	WADE, NC 28395
LEE, EDISON JR;STEWART, BETTY JO	4209 SCARY CREEK RD	FAYETTEVILLE, NC 28312
BILLINGSLEA, BOBBIE	7514 CROWN AVE	FAYETTEVILLE, NC 28303
PAGE, LARRY MONROE JR	2564 LIVE OAK METH CHURCH RD	WHITE OAK, NC 28399
HIGHTOWER, NAJIYYAH	2845 MULL HOLLAND DR APT 1621	CHARLOTTE, NC 28262
PORTER, CASSANDRA T	2233 KINGSBERRY LN	FAYETTEVILLE, NC 28304
CHAFFIN, GRANT;CHAFFIN, GRACE	213 N VALVERDE CIR 47	KEENE, TX 76059
HERNANDEZ-CALDERON, UZIAS;CRUZ-AZUA, EMELIA	601 FEATURE CT	HOPE MILLS, NC 28348
LOVELACE, BRANDON;LOVELACE, REBECCA	4437 DUDLEY ROAD	FAYETTEVILLE, NC 28312
B&T DREAMS	148 TIMBERLAKE DR	FLORENCE, SC 29501
CARTER, SARAH P FLOYD	2130 MADISON AVE #10C	NEW YORK, NY 10037
JACKSON, MILES F;JACKSON, BONNIE W	122 DAIRY RD	DUNN, NC 28334
JURY, DAVID	4217 NORA DR	FAYETTEVILLE, NC 28301
MELVIN, HARLESLY;MELVIN, MELISSA;MELVIN, DONALD WA	4635 TRUMILLA DR	FAYETTEVILLE, NC 28312
GUTIERREZ, ARACELI;GONZALEZ, LESLY	4205 NORA DRIVE	FAYETTEVILLE, NC 28312
BLACK ROSE 72 LLC	234 WYNNGATE DR	CAMERON, NC 28326
HICKS, DONALD L;SUE, B	104 FRANKLIN RD	RAEFORD, NC 28376
ANAYA'S CONSTRUCTION LLC	700 WAGSTAFF RD	FUQUAY VARINA, NC 27526
NASH, CHRISSIE ANN JONES	9720 ADMIRALTY DR	SILVER SPRINGS, MD 20910
RICKETTS, JULIE;RICKETTS, BLAKE	6024 PADDY HOLLOW COURT	FAYETTEVILLE, NC 28312
CHAFFIN, GRANT;CHAFFIN, GRACE	213 N VALVERDE CIR 47	KEENE, TX 76059
LOUYA, MAXIMILIEN LONGANGE PELLETIER SIERRA;BOCHA	3314 CIRCLE BROOK DR APT E	ROANOKE, VA 24018
VISCAYA, DEBORAH ANNA-RUTH	4117 SCARY CREEK RD	FAYETTEVILLE, NC 28312
BAKER, KRISTEN L;BAKER, CHARLES J	4000 ABERCROMBIE CT	FAYETTEVILLE, NC 28312
NEXT LEVEL AGENCY LLC	514 GOLDWATER ST	SHELBY, NC 28152
U S BANK NATIONAL ASSOCIATION TRUSTEE	1661 WORTHINGTON RD 100	WEST PALM BEACH, FL 33409

ATTACHMENT: APPLICATION

CUMBERLAND COUNTY
NORTH CAROLINA
Planning & Inspections Department

CASE #: _____

PLANNING BOARD MEETING DATE: _____

DATE APPLICATION SUBMITTED: _____

APPLICATION FOR
REZONING REQUEST
CUMBERLAND COUNTY ZONING ORDINANCE

The following items are to be submitted with the completed application:

1. A copy of the *recorded* deed and/or plat.
2. If a portion(s) of the property is being considered for rezoning, an accurate written legal description of only the area to be considered.
3. A check made payable to "Cumberland County" in the amount of $_____. (See County Fee Schedule).

Rezoning Procedure:

1. Completed application submitted by the applicant.
2. Notification to surrounding property owners.
3. Planning Board hearing.
4. Re-notification of interested parties / public hearing advertisement in the newspaper.
5. County Commissioners' public hearing (approximately four weeks after Planning Board public hearing)
6. If approved by the County Commissioners, rezoning becomes effective immediately.

The Planning & Inspections Staff will advise on zoning options, inform applicants of development requirement and answer questions regarding the application and rezoning process. For further questions, call (910)678-7627 or (910)678-7609. Hours of operation are 8:00 a.m. to 5:00 p.m., Monday through Friday.

NOTE: Any revisions, inaccuracies or errors to the application may cause the case to be delayed and will be scheduled for the next available board meeting according to the board's meeting schedule. Also, the application fee is *nonrefundable.*

TO THE CUMBERLAND COUNTY JOINT PLANNING BOARD AND THE BOARD OF COUNTY COMMISSIONERS OF CUMBERLAND COUNTY, NC:

I (We), the undersigned, hereby submit this application, and petition the County Commissioners to amend and to change the zoning map of the County of Cumberland as provided for under the provisions of the County Zoning Ordinance. In support of this petition, the following facts are submitted:

1. Requested Rezoning from R40 to A1
2. Address of Property to be Rezoned: 4300 Dudley Road
3. Location of Property, details: Cedar Creek Township
   Cedar Creek Rd (53) to Tabor Church Rd to Dudley Rd.
4. Parcel Identification Number (PIN #) of subject property: Portion of 0472086036000 (also known as Tax ID Number or Property Tax ID)
5. Acreage: 7.0 Frontage: 333' Depth: 1412'
6. Water Provider: Well: ✓ PWC: _____ Other (name): _____ (Not yet constructed)
7. Septage Provider: Septic Tank ✓ PWC _____
8. Deed Book 10190, Page(s) 652, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: None - Vegetated
10. Proposed use(s) of the property: 2 acre site near Dudley Rd: Auto Shop Storage & Managers office for RV Campground, 5 Acre site RV Campground (need special permit)
11. Do you own any property adjacent to or across the street from this property?
    Yes ✓ No _____ If yes, where? to the south, see plan
12. Has a violation been issued on this property? Yes _____ No ✓

A copy of the recorded deed(s) and/or recorded plat map(s) must be provided. If the area is a portion of a parcel, a written legal description by metes and bounds, showing acreage must accompany the deeds and/or plat. If more than one zoning classification is requested, a correct mete and bounds legal description, including acreage, for each bounded area must be submitted. (See attached)

The Planning and Inspections Staff is available for advice on completing this application; however, they are not available for completion of the application.

The undersigned hereby acknowledge that the County Planning Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.

Albert W Robinson Jr.
NAME OF OWNER(S) (PRINT OR TYPE)

4320 Dudley Road Fayetteville N.C 28312
ADDRESS OF OWNER(S)

(919)594-7258
HOME TELEPHONE #

(919)594-7258
WORK TELEPHONE #

Carl P. Sims PE - Sims Quality Engr-Const Consultant PLLC
NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)

5338 Clubhouse Lane Hope Mills, NC 28348
ADDRESS OF AGENT, ATTORNEY, APPLICANT

C Sims 51 @ twc.com
E-MAIL

757-419-1714
HOME TELEPHONE #

757-419-1714
WORK TELEPHONE #

SIGNATURE OF OWNER(S)

SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

SIGNATURE OF OWNER(S)

The contents of this application, upon submission, become "public record."

A1 Proposed Rezoning
Portion of 0472086036000

LYING in Cedar Creek Township, Cumberland County, near the city of Fayetteville, North Carolina, this subject property being bounded on the north by Lot 28 of McNeill Sands Subdivision-Section 3 as recorded in Plat Book 100, Page 159, Lots 18, 19, and 20 of McNeill Sands Subdivision – Section 1 as recorded in Plat Book 93, Page 42, Lots 6 and 7 of McNeill Sands Subdivision – Section 2 as recorded in Plat Book 99, Page 52, and Lot 69A of McNeill Sands Subdivision as recorded in Plat Book 97, Page 127; on the east by the western right of way margin of Dudley Road (SR 2226-having a 60 foot public right of way); on the south by lands deeded and conveyed to Vilvage Robinson in Deed Book 2501, Page 425, and by the remainder of the lands of which this is a part (lands deeded and conveyed to Albert W. Robinson Jr in Deed Book 10190, Page 652), and on the west by the eastern right of way margin of Abco Lane (having a 50 foot right of way). All referenced materials found in the Cumberland County Registry.

Beginning from a point, said point being on the western right of way margin of Dudley Road, said point being a common property corner between the subject property and Lot 69A, and runs thence as the western right of way margin of Dudley Road, along a curve to the right having a radius of 781.19 feet and an arc length of 199.83 feet, being subtended by a chord bearing of South 01 degrees 44 minutes 50 seconds West and a chord distance of 199.29 feet to a point;

Thence continuing with the western right of way margin of Dudley Road, South 12 degrees 20 minutes 24 seconds West for a distance of 133.07 feet to a point, said point being a common property corner between the subject property and the Vilvage Robinson property;

Thence with the common property line between the subject property and the Vilvage Robinson property, and beyond, North 65 degrees 56 minutes 08 seconds West for a distance of 281.10 feet to a point;

Thence a new line, North 14 degrees 03 minutes 52 seconds West for a distance of 112.43 feet;

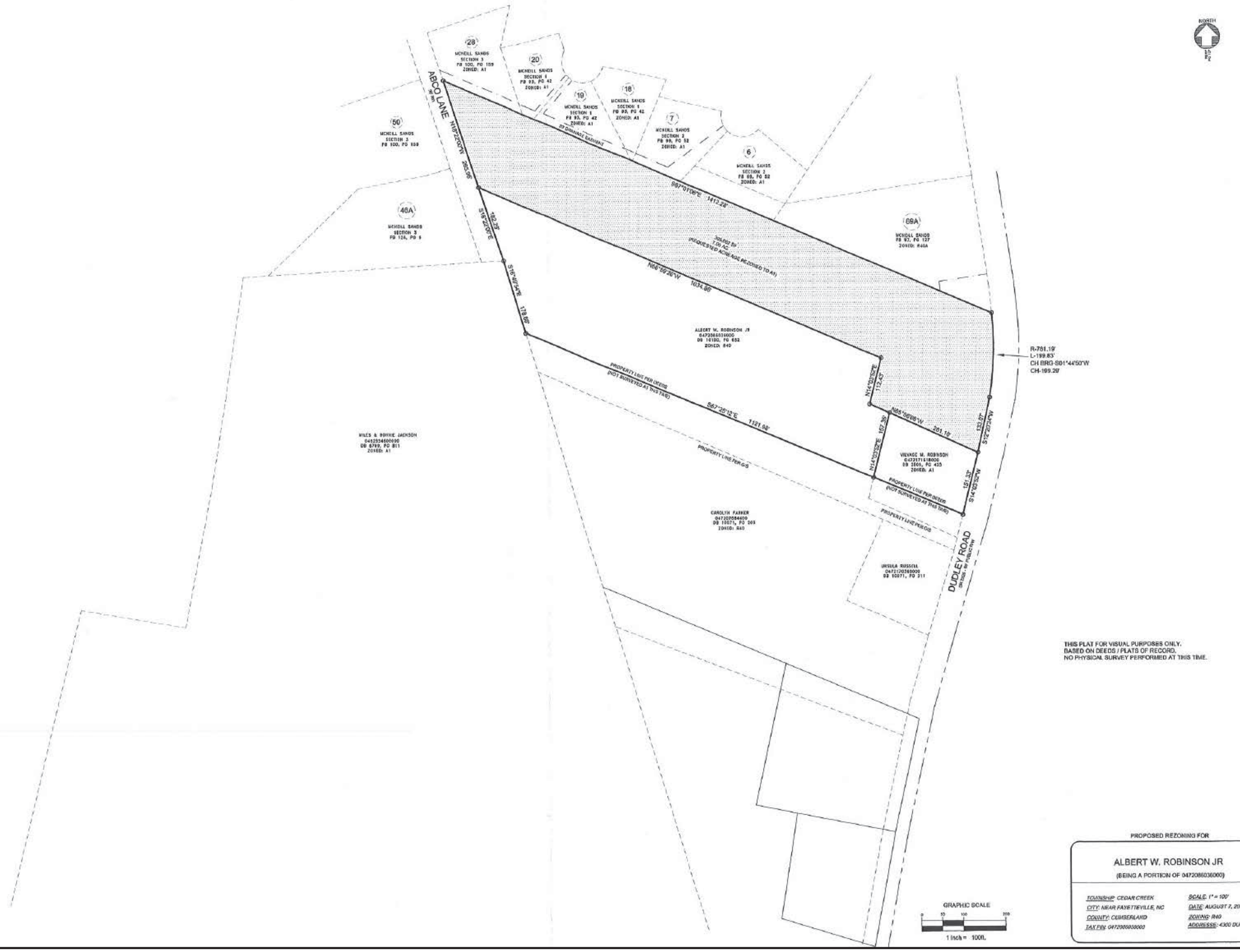
Thence a new line, North 66 degrees 59 minutes 26 seconds West for a distance of 1034.86 feet to a point, said point being on the eastern right of way margin of Abco Lane;

Thence with the eastern right of way margin of Abco Lane, North 18 degrees 22 minutes 00 seconds West for a distance of 265.96 feet to a point, said point being a common property corner between the subject property and Lot 28l

Thence with the common property line between the subject property and Lot 28, as well as Lots18, 19, 20, 6, 7, and 69A, South 67 degrees 01 minutes 06 seconds East for a total distance of 1412.28 feet to a point said point being the true point and place of Beginning and being a portion of the lands deeded and conveyed to Albert W. Robinson Jr in Deed Book 10190, Page 652, Cumberland County Registry.

Subject property contains **305,062 square feet / 7.00 acres**

This description was prepared on this 7th day of August, 2025 under the direct supervision of Michael J. Adams, PLS L-4491/CFS NC-075 and is based on deeds and plats of record. No physical survey performed at this time.



THIS PLAT FOR VISUAL PURPOSES ONLY.
BASED ON DEEDS / PLATS OF RECORD.
NO PHYSICAL SURVEY PERFORMED AT THIS TIME.

PROPOSED REZONING FOR

ALBERT W. ROBINSON JR

(BEING A PORTION OF 0472086036000)

TOWNSHIP: CEDAR CREEK	SCALE: 1" = 100'
CITY: NEAR FAYETTEVILLE, NC	DATE: AUGUST 7, 2025
COUNTY: CUMBERLAND	ZONING: R40
TAX PIN: 0472086036000	ADDRESSE: 4300 DUDLEY RD

CUMBERLAND COUNTY
NORTH CAROLINA
PLANNING & INSPECTIONS

PLANNING STAFF REPORT
REZONING CASE # ZON-25-0035
Planning Board Meeting: Oct. 21, 2025

Location: North of Cape Fear River, south of McBryde St, 1.8 miles west of intersection of Lane Rd and Slocomb Rd, and one mile east of River Bend Rd.
Jurisdiction: County-Unincorporated

REQUEST	**Rezoning RR to A1**

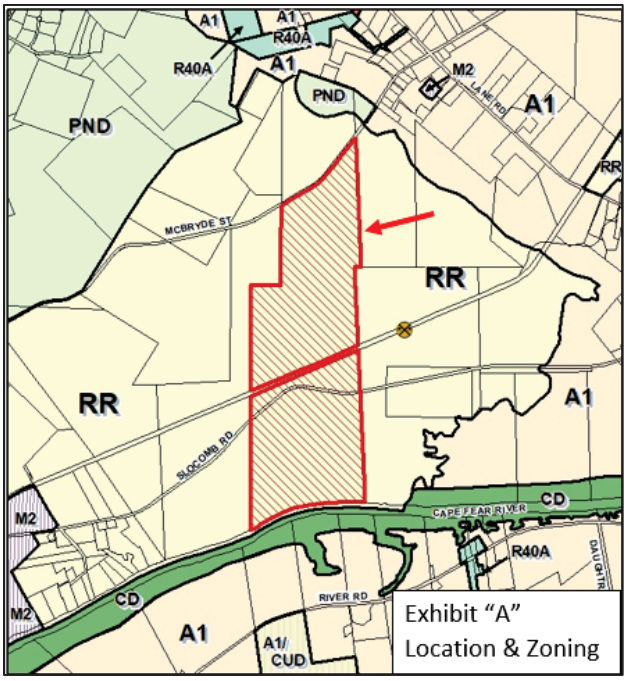
Applicant requests a rezoning from RR Rural Residential District to A1Agricultural District for a parcel located north of the Cape Fear River, south of McBryde St, 1.8 miles west of the intersection of Lane Road and Slocomb Rd, and one mile east of River Bend Rd containing approximately 374.57 acres. A Norfolk Southern Railroad track traverses through the middle of the property. The parcel is currently used for timber cultivation (silviculture). The property owner does not have a specific use intended at this time.

PROPERTY INFORMATION

OWNER/APPLICANT: Keith L. McCormick Revocable Trust (Owner); J. Scott Flowers (Agent/Applicant)

ADDRESS/LOCATION: Refer to Exhibit "A", Location and Zoning Map. REID number: 0552934519000

SIZE: The parcel contains approximately 374.57 acres. Road frontage along McBryde Street is .45 miles in length and a half mile along Slocomb Road. The property is approximately 1.5 miles in length at its deepest point.



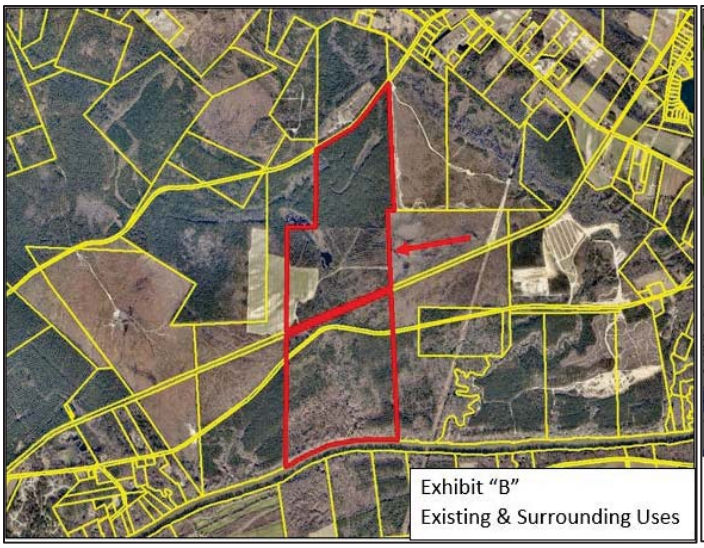
EXISTING ZONING: The subject property is currently zoned RR Rural Residential District, which is for traditional rural use with lots of 20,000 square feet or above. The principal use of the district is for suburban density residential, including manufactured housing units, and agricultural purposes. These districts are intended to ensure that residential development not having access to public water supplies and dependent upon septic tanks for sewage disposal will occur at a sufficiently low density to provide for a healthful environment.

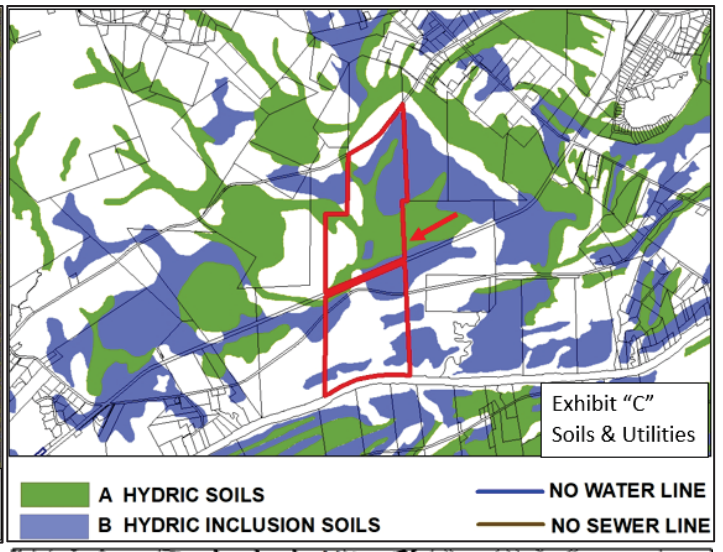
EXISTING LAND USE: The subject parcel is currently being used for timber cultivation. Exhibit "B" shows the existing use of the subject property.

SURROUNDING LAND USE: Exhibit "B" illustrates the following:

- **North**: Farmland and single-family homes
- **East**: Farmland and Woodlands
- **West**: Farmland and Woodlands
- **South**: Cape Fear River, farmland, and woodlands

OTHER SITE CHARACTERISTICS: The site is located in the Cape Fear River Watershed Protection Area and within a Flood Zone Hazard Area. The subject property, as delineated in Exhibit "C", illustrates the presence of hydric or hydric inclusion soils on substantial portions of the northern half of the property and some hydric inclusion soils on the southern half.



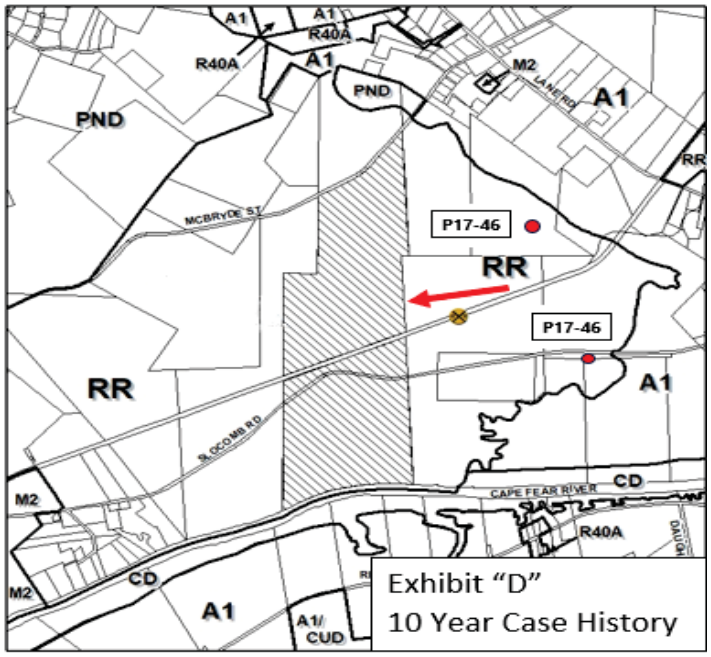


TEN YEAR ZONE CASE HISTORY:

Exhibit "D" denotes the following rezoning cases within the past ten years near the subject property:

- P17-46: RR, A1, PND, & CD to A1; Withdrawn by Applicant

DEVELOPMENT REVIEW: Should the request be approved, any development or subdivision of the property will require a preliminary plan or a site plan review and approval from the County Current Planning Division.



DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

Minimum Standard	RR (Existing Zoning)	A1 (Proposed)
Front Yard Setback	30 feet	50 feet
Side Yard Setback	15 feet	20 feet
Rear Yard Setback	35 feet	50 feet
Lot Area	20,000 sq. ft.	2 acres
Lot Width	100'	100'

DEVELOPMENT POTENTIAL:

Existing Zoning (RR)	Proposed Zoning (A1)
816 dwelling units	187 dwelling units

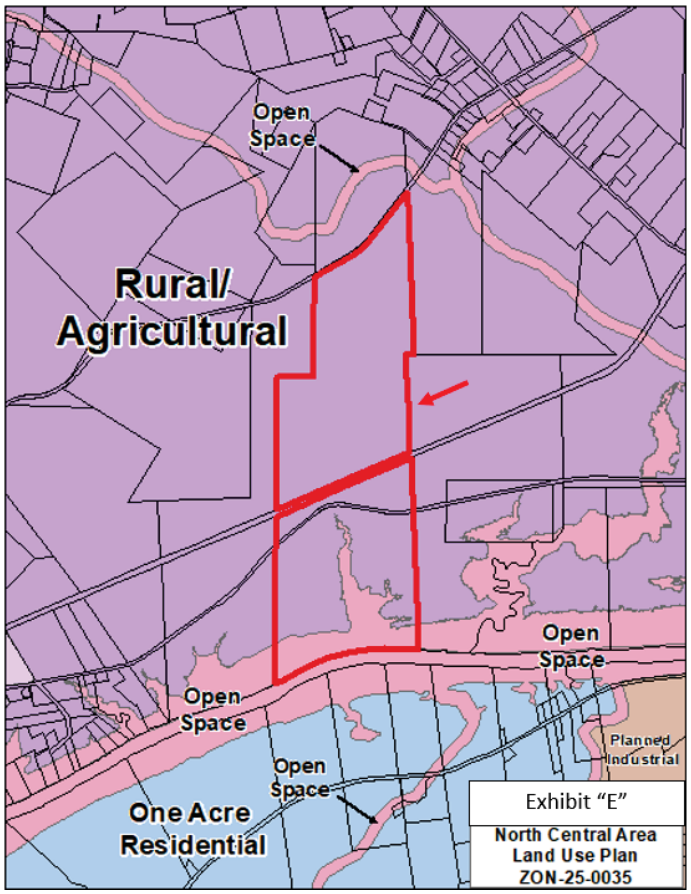
- Lot count may be rounded up when a fraction occurs**.** When any requirement of this ordinance results in a fraction of a unit, a fraction of one-half or more shall be considered a whole unit, and a fraction of less than one-half shall be disregarded.

COMPREHENSIVE PLANS:

This property is located in the North Central Area Land Use Plan (2024). The future land use classification of the property is split between "Rural/Agricultural" and "Open Space". The associated zoning districts for these two land use classifications are:

Rural/Agricultural	A1, A1A, R40, R40A
Open Space (*)	CD

(*)Note: "Property located within Open Space whether wholly or partially may use the most adjacent land use classification when considering a rezoning request" (North Central Area Land Use Plan 2024, p. 49).



The proposed rezoning request is consistent with the adopted land use plan.

Future Land Use Classification Development Goals, Notes, and Objectives:

- "Preserve the rural character of the county" (North Central Area Land Use Plan 2024, p. 52).
- "…this land use classification emphasizes traditional agricultural activities, pastureland, forestry, rural large-lot residential subdivisions, and sporadic residences situated on expansive land tracts" (North Central Area Land Use Plan 2024, p. 40).
- "Protect and preserve the rural character of the area to include green spaces, agricultural land, low population density, scenic views, natural features, tranquility, and outdoor opportunities" (North Central Area Land Use Plan 2024, p. 52).

IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: Water and sewer lines are not available near the subject property, as shown on Exhibit "C". Well and septic will be required, and the lot size must meet the minimum area necessary to accommodate both.

TRANSPORTATION: According to the Fayetteville Area Metropolitan Planning Organization (FAMPO), the subject property is located along both Slocomb Rd and McBryde St. Both streets are classified as local streets per NCDOT's Road Classification. There are no roadway improvement projects planned for either road. With no specific intent or development plans stated, it is indeterminable what impact any additional traffic would bring to Slocomb Rd or McBryde St.

SCHOOLS CAPACITY/ENROLLMENT:

School	Capacity	Enrollment
Raleigh Road Elementary	179	207
Long Hill Elementary	516	416
Pine Forest Middle	804	706
Pine Forest High	1712	1553

ECONOMIC DEVELOPMENT: Fayetteville Cumberland County Economic Development Corporation has reviewed the request and had no objection to the proposed rezoning at this time.

EMERGENCY SERVICES: Cumberland County Fire Marshal's office has reviewed the request and has no objections to the rezoning.

SPECIAL DISTRICTS/ OVERLAY DISTRICTS: The subject property is located within a Voluntary Agriculture District (VAD) Half Mile Buffer (VAD-10-08).

Special Districts			
Fayetteville Regional Airport Overlay:	☐	Averasboro Battlefield Corridor:	☐
Five Mile Distance of Fort Liberty:	☐	Eastover Commercial Core Overlay District:	☐
Voluntary Agricultural District (VAD):	☐	Spring Lake Main Street Overlay District:	☐
VAD Half Mile Buffer:	☒	Coliseum Tourism Overlay District:	☐

CONDITIONS OF APPROVAL: This is a conventional zoning. There are no conditions at this time.

STAFF RECOMMENDATION

In Case ZON-25-0035, Planning and Inspections staff **recommends approval** of the rezoning request from RR Rural Residential District to A1 Agricultural District. Staff finds that the request is consistent with the North Central Area Land Use Plan which calls for "Rural/Agricultural" and "Open Space" at this location. Staff also finds that the request is reasonable and in the public interest as it is compatible to and in harmony with the surrounding land use activities and zoning.

Attachments:
Notification Mailing List
Application

ATTACHMENT – MAILING LIST

UNDERWOOD, MARTHA A HEIRS
PO BOX 763
RED SPRINGS, NC 28377

RAYNOR, DONALD BRUCE
6153 BLUE BRANCH DR
LINDEN, NC 28356

MCCORMICK FARMS LIMITED PARTNERSHIP
8195 MCCORMICK BRIDGE RD
SPRING LAKE, NC 28390

LENNON, ORLANDA
76 SUMPTER DR
WHITEVILLE, NC 28472

MOODY, MAURIE MARIE JORDAN;MOODY, MARLO R
6090 BLUE BRANCH DR
LINDEN, NC 28356

HOLSTAD, GERALD BRUCE
109 FAIRWAY LN
CAPE CARTERET, NC 28584

MCCORMICK, KEITH L TRUSTEE
32 CHESTERTOWN DR
PINEHURST, NC 28374

BOUWENS, BRYCE EDWARD
3316 MCCOY CROSS
FAYETTEVILLE, NC 28311

ROYAL, MICHAEL D;KAY, ROYAL WILLIFORD
2035 MIDDLE RD
EASTOVER, NC 28312

XIONG, THAO PAO;YANG, CHIA
402 HOLLAND CIR
STATESVILLE, NC 28677

BOWYER, SAMUEL W JR;BOWYER, ROBERT L
PO BOX 53186
FAYETTEVILLE, NC 28305

HOLSTAD, GERALD BRUCE
109 FAIRWAY LN
CAPE CARTERET, NC 28358

THE DANIEL FAMILY REVOCABLE TRUST
2612 OLD LEXINGTON HWY
CHAPIN, SC 29036

OWEN, MILES THOMAS;GODWIN, TERESA OWEN;OWEN, MICHAEL ALAN;OWEN, TIMOTHY SCOTT
3095 MCBRYDE STREET
LINDEN, NC 28356

OWEN, MILES T;OWEN, CAROLYN D
3099 MCBRYDE ST
LINDEN, NC 28356

MOODY, MAURIE M
6090 BLUE BRANCH DR
LINDEN, NC 28356

UNDERWOOD, MARTHA A HEIRS
PO BOX 763
RED SPRINGS, NC 28377

ATTACHMENT: APPLICATION

County *of* Cumberland

Planning & Inspections Department

CASE #: ZON-25-0035

PLANNING BOARD MEETING DATE: _____

DATE APPLICATION SUBMITTED: _____

RECEIPT #: _____

RECEIVED BY: _____

APPLICATION FOR REZONING REQUEST
CUMBERLAND COUNTY ZONING ORDIANCE

TO THE CUMBERLAND COUNTY JOINT PLANNING BOARD AND THE BOARD OF COUNTY COMMISSIONERS OF CUMBERLAND COUNTY, NC:

I (We), the undersigned, hereby submit this application, and petition the County Commissioners to amend and to change the zoning map of the County of Cumberland as provided for under the provisions of the County Zoning Ordinance. Attached to this application are copies if the recorded deeds to the pertinent properties and a check made payable to "Cumberland County" in the amount of $7,650.00. In support of this petition, the following facts are submitted:

1. **Requested Rezoning from** Rural Residential District ("RR") **to** Agricultural District ("A1")
2. **Address of Property to be Rezoned:** 0 McBryde Street, Linden, North Carolina
3. **Location of Property:** Being the 374.57-acre property located east and northeast of the intersection of Slocomb Road and River Bend Road, south of 2801 McBryde Street, and between McBryde Street and Slocomb Road, abutting and extending across Slocomb Road to the south in Linden, North Carolina.
4. **Parcel Identification Number:** 0552-93-4519
5. **Acreage:** ≈ 374.57 **Frontage:** ≈ 7,697 ft **Depth:** ≈ 8,329 ft
6. **Water Provider:** N/A
7. **Septage Provider:** N/A
8. **Deed recorded in** Book 6394, **beginning at** Page 115, **Cumberland County Registry.**

9. **Existing use of the property:** _Lumber cultivation, among other permissible uses within Agricultural Districts_

10. **Proposed use(s) of the property:** _Permissible uses within Agricultural Districts_

11. **Do you own any property adjacent to or across the street from these properties?** _No_

12. **Has a violation been issued on these properties?** _No_

[ATTESTATION AND SIGNATURE BLOCK ON FOLLOWING PAGE]

The undersigned hereby acknowledge that the County Planning Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.

Keith L. McCormick Revocable Trust
APPLICANT-OWNER

32 Chestertown Drive, Pinehurst, NC 28374
ADDRESS OF OWNER

TELEPHONE # OF OWNER

J. Scott Flowers, Esq.
ATTORNEY FOR APPLICANT-OWNER

4317 Ramsey Street // P.O Box 2505, Fayetteville, NC 28302
ADDRESS OF ATTORNEY FOR APPLICANT-OWNER

Scott.Flowers@HutchensLawFirm.com
E-MAIL OF ATTORNEY FOR APPLICANT-OWNER

(910) 864-6888 ext. 1508
TELEPHONE # FOR ATTORNEY FOR APPLICANT-OWNER

KEITH L. MCCORMICK REVOCABLE TRUST

By: Keith L. McCormick

Title: Trustee

J. SCOTT FLOWERS, ESQ.

CUMBERLAND COUNTY
NORTH CAROLINA
PLANNING & INSPECTIONS

PLANNING STAFF REPORT
REZONING CASE # ZON-25-0036
Planning Board Meeting: Oct. 21, 2025
Location: North of the Cape Fear River and east and north of Slocomb Rd, along the north and south side of McBryde St, and approx. 1.25 miles west of the intersection of E. Reeves Bridge Rd and McBryde St
Jurisdiction: County-Unincorporated

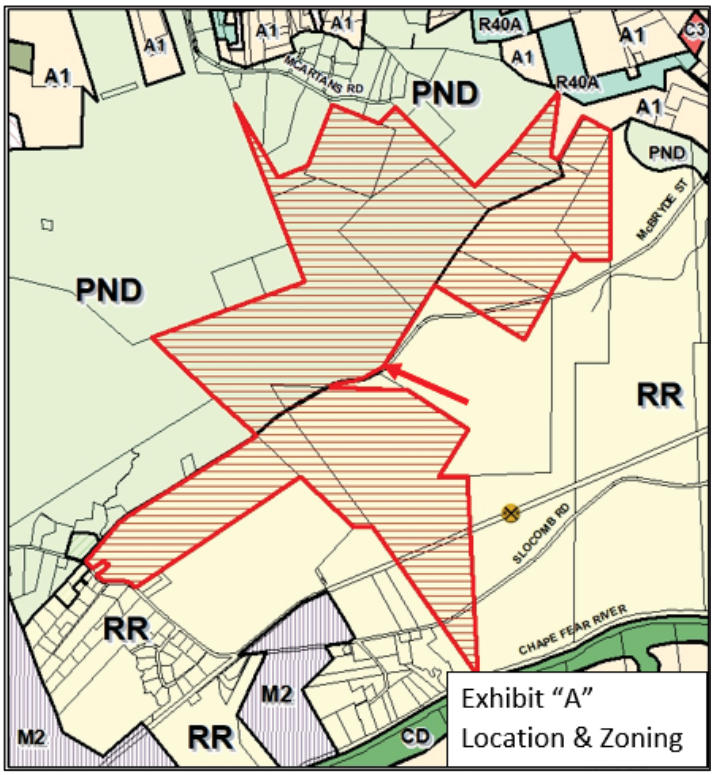
REQUEST	Rezoning RR and PND to A1

Applicant requests a rezoning from RR Rural Residential District and PND Planned Neighborhood Development District to A1Agricultural District for twelve contiguous parcels located north of the Cape Fear River and east and north of Slocomb Rd, along the north and south side of McBryde St, and approximately 1.25 miles west of the intersection of E. Reeves Bride Road and McBryde St containing a total of approximately 1,038.09 acres. The parcels are currently used for timber cultivation (silviculture). The property owner has not expressed a specific use intended at this time.

PROPERTY INFORMATION

OWNER/APPLICANT: McCormick Farms Limited Partnership (Owner); J. Scott Flowers (Agent/Applicant)

ADDRESS/LOCATION: Refer to Exhibit "A", Location and Zoning Map. REID number: 0552024169000, 0552238122000, 0552244598000, 0552265192000, 0552479824000, 0552199037000, 0552395482000, 0552587886000, 0552782144000, 0552663724000, 0552892583000, 0552884118000.



SIZE: The parcel contains approximately 1,038.09 acres. Total road frontage for parcels abutting McBryde St is approximately 2.1 miles. Road frontage for the parcel along Slocomb Rd is 780 feet. The properties are approximately 2.3 miles in length at its deepest point.

EXISTING ZONING: The subject property is currently zoned RR Rural Residential District and PND Planned Neighborhood Development District. RR Rural Residential District is for traditional rural use with lots of 20,000 square feet or above. The principal use of the district is for suburban density residential, including manufactured housing units, and agricultural purposes. These districts are intended to ensure that residential development not having access to public water supplies and dependent upon septic tanks for sewage disposal will occur at a sufficiently low density to provide for a healthful environment.

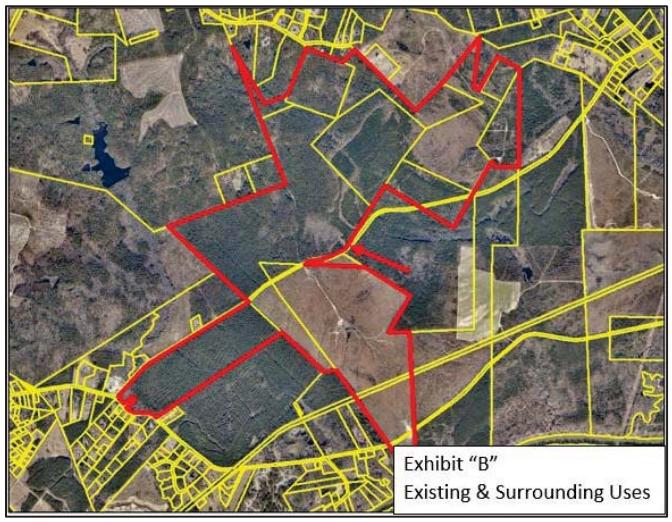
PND Planned Neighborhood Development District is a district designed for the planned development of various residential densities concurrent with neighborhood-oriented uses in a single project. PND is a dormant zoning district and development standards shall comply with those of the R7.5 Residential District.

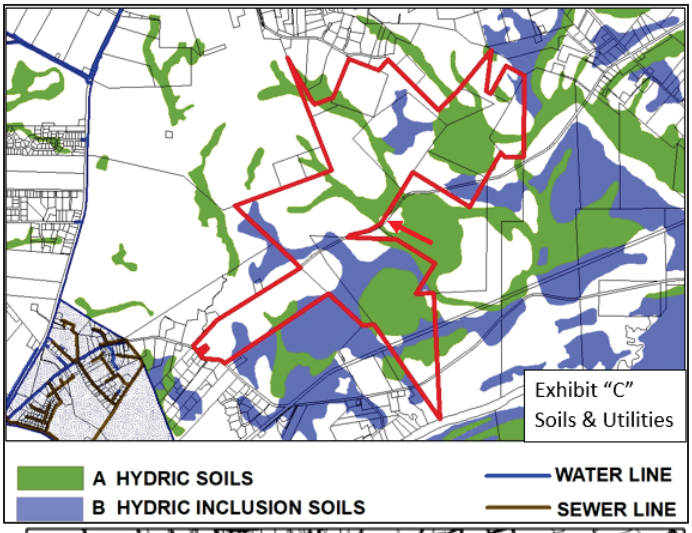
EXISTING LAND USE: The subject parcels are currently being used for timber cultivation. Exhibit "B" shows the existing use of the subject property.

SURROUNDING LAND USE: Exhibit "B" illustrates the following:

- **North**: Single-family homes, farmland, and woodlands
- **East**: Farmland and woodlands
- **West**: Single-family homes, farmland, and woodlands
- **South**: Cape Fear River, farmland, and woodlands

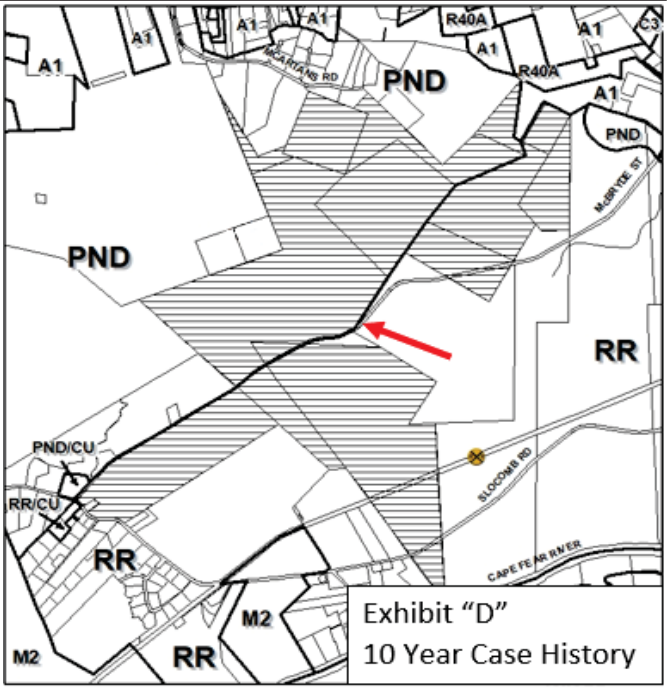
OTHER SITE CHARACTERISTICS: The sites are located in the Cape Fear River Watershed Protection Area. Among the twelve parcels, only the southern-most parcel abutting the Cape Fear River is located within a Flood Zone Hazard Area. The subject property, as delineated in Exhibit "C", illustrates the presence of hydric or hydric inclusion soils.





TEN YEAR ZONE CASE HISTORY:

Exhibit "D" denotes no rezoning cases within the past ten years near the subject property:



DEVELOPMENT REVIEW: Should the request be approved, a preliminary plan for any subdivision or a site plan for any nonresidential development will need to be submitted to the Current Planning Division for review and approval and to ensure conformance with the County Zoning and Subdivision Ordinances.

DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

Minimum Standard	PND (Existing Zoning/Defaults to R7.5)	RR (Existing Zoning)	A1 (Proposed)
Front Yard Setback	30 feet	30 feet	50 feet
Side Yard Setback	10 feet	15 feet	20 feet
Rear Yard Setback	35 feet	35 feet	50 feet
Lot Area	7,500 sq. ft.	20,000 sq. ft.	2 acres
Lot Width	75'	100'	100'

DEVELOPMENT POTENTIAL:

Existing Zoning (PND-Defaults to R7.5)	Existing Zoning (RR)	Proposed Zoning A1
3,369 dwelling units	1,193 dwelling units	519 dwelling units

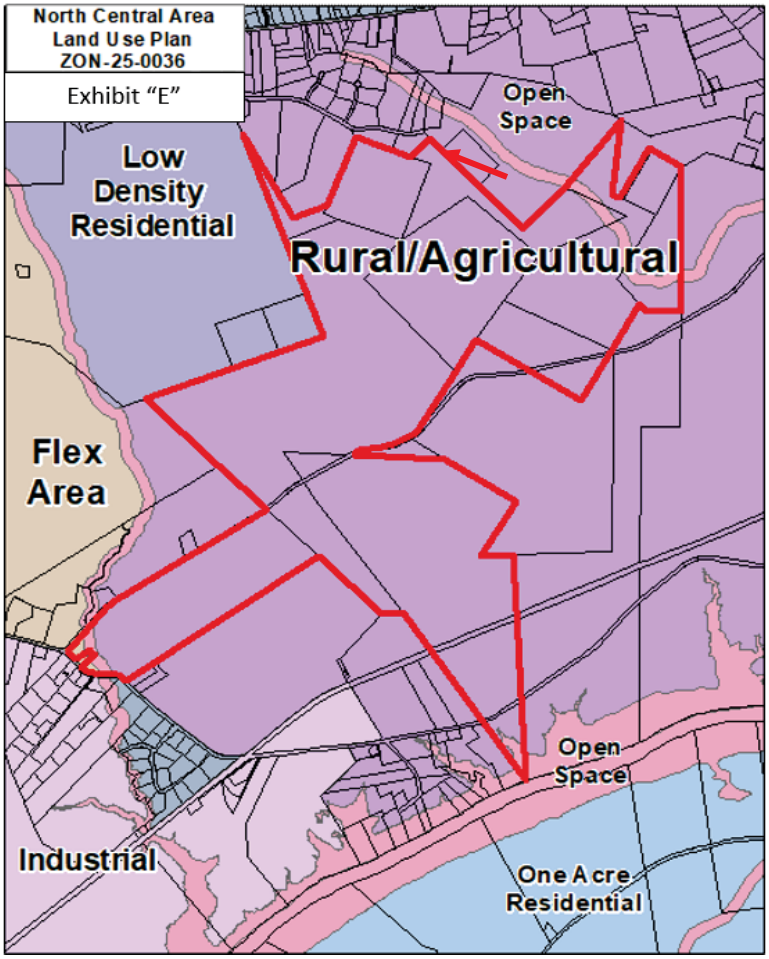
- Lot count may be rounded-up when a fraction occurs. When any requirement of this ordinance results in a fraction of a unit, a fraction of one-half or more shall be considered a whole unit, and a fraction of less than one-half shall be disregarded.

COMPREHENSIVE PLANS:

This property is located in the North Central Area Land Use Plan (2024). The future land use classification of the property is split between "Rural/Agricultural", "Open Space", and a 2.5± acre portion classified as "Flex Area". The associated zoning districts for these three land use classifications are:

Rural/Agricultural	A1, A1A, R40, R40A, DD/CZ.
Open Space*	CD
Flex Area	M1(P), M(P), O&I(P), C1(P), C2(P), and C(P).

*Note: "Property located within Open Space whether wholly or partially may use the most adjacent land use classification when considering a rezoning request" (North Central Area Land Use Plan 2024, p. 49).



The proposed rezoning request is consistent with the adopted land use plan.

Future Land Use Classification Development Goals, Notes, and Objectives:

- "Preserve the rural character of the county" (North Central Area Land Use Plan 2024, p. 52).
- "…this land use classification emphasizes traditional agricultural activities, pastureland, forestry, rural large-lot residential subdivisions, and sporadic residences situated on expansive land tracts" (North Central Area Land Use Plan 2024, p. 40).
- "Protect and preserve the rural character of the area to include green spaces, agricultural land, low population density, scenic views, natural features, tranquility, and outdoor opportunities" (North Central Area Land Use Plan 2024, p. 52).

IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: Water and sewer lines are not available near the subject property. Well and septic will be required, and the lot sizes must meet the minimum area necessary to accommodate both.

TRANSPORTATION: According to the Fayetteville Area Metropolitan Planning Organization (FAMPO), the subject property is located along both Slocomb Rd. and McBryde St. Both streets are classified as local streets per NCDOT's Road Classification. There are no roadway improvement projects planned for either

road. With no specific intent or development plans stated, it is indeterminable what impact any additional traffic would bring to Slocomb Rd or McBryde St.

SCHOOLS CAPACITY/ENROLLMENT:

School	Capacity	Enrollment
Raleigh Road Elementary	179	207
Long Hill Elementary	516	416
Pine Forest Middle	804	706
Pine Forest High	1712	1553

ECONOMIC DEVELOPMENT: Fayetteville Cumberland County Economic Development Corporation has reviewed the request and had no objection to the proposed rezoning at this time.

EMERGENCY SERVICES: Cumberland County Fire Marshal's office has reviewed the request and has no objections to the rezoning request.

SPECIAL DISTRICTS/ OVERLAY DISTRICTS: Eleven of the twelve parcels are designated in a Voluntary Agricultural District, VAD-10-08. The remaining parcel is within the Half Mile Buffer of VAD-10-08.

Special Districts			
Fayetteville Regional Airport Overlay:	☐	Averasboro Battlefield Corridor:	☐
Five Mile Distance of Fort Liberty:	☐	Eastover Commercial Core Overlay District:	☐
Voluntary Agricultural District (VAD):	☒	Spring Lake Main Street Overlay District:	☐
VAD Half Mile Buffer:	☒	Coliseum Tourism Overlay District:	☐

CONDITIONS OF APPROVAL: This is a conventional zoning. There are no conditions proposed at this time.

STAFF RECOMMENDATION

In Case ZON-25-0036, Planning and Inspections staff **recommends approval** of the rezoning request from RR Rural Residential District and PND Planned Neighborhood Development District to A1 Agricultural District. Staff finds that the request is consistent with the North Central Area Land Use Plan which calls for "Rural/Agricultural", "Open Space", and "Flex Area" at this location. Staff also finds that the request is reasonable and in the public interest as it is compatible to and in harmony with the surrounding land use activities and zoning.

Attachments:
Notification Mailing List
Application

ATTACHMENT – MAILING LIST

BIMSON, WILLIAM FORD;BIMSON, ERIKA
209 AUGUSTA AVE
PLEASANT VIEW, TN 37146

OWEN, MILES T;OWEN, CAROLYN D
3099 MCBRYDE ST
LINDEN, NC 28356

BOWYER, SAMUEL W JR;BOWYER, ROBERT L
PO BOX 53186
FAYETTEVILLE, NC 28305

WISNESKI, DENNIS M;WISNESKI, MELISSA M
8000 DREAMLAND DR
LINDEN, NC 28356

WILLIAMS, JAMES RAYVON;DEBRA, .;DOLPHINE, WILLIAMS TRUSTEES
108 BORDEAUX LN
SCOTTS VALLEY, CA 95066

JOHNSON, CHRISTOPHER DANIEL;JOHNSON, PAMELA GAYLE
2521 LIME KILN LN
EASTOVER, NC 28312

MEADOW BRANCH OWNERS CLUB INC
7933 MCARTHANS FORD
LINDEN, NC 28356

NORRIS, MARVIN EDWARD JR;NORRIS, JACQUELINE
6825 HOLDER LN
FAYETTEVILLE, NC 28311

CAPE FEAR RIVER HOLDINGS, LLC
505 FORSYTHE ST
FAYETTEVILLE, NC 28304

ARSENAL PARK LLC
PO BOX 53361
FAYETTEVILLE, NC 28305

HENDERSON, TERI J TRUSTEE;THE JOSEPH P RIDDLE III DESCENDANTS TRUST;WILLIAMS, ROBERTT J V TRUSTEE;RIDDLE, JOSEPH P III TRUSTEE;TRINA THOMPSON RIDDLE DESCENDANTS TRUST
PO BOX 53729
FAYETTEVILLE, NC 28305

WORRELL, CHRISTOPHER L;WORRELL, CORINTHIA D
5379 GOLDSBORO RD
WADE, NC 28395

MCCORMICK FARMS LIMITED PARTNERSHIP
8195 MCCORMICK BRIDGE RD
SPRING LAKE, NC 28390

BOWDEN, JAMIE;BOWDEN, HEATHER
595 PALESTINE RD
LINDEN, NC 28356

ERICKSON, ANDREW JAMES;ERICKSON, DEBRA YVONNE
1507 SLOCOMB RD
LINDEN, NC 28356

WEEKLY, KENNETH
7979 MCARTANS FRD
LINDEN, NC 28356

OWEN, MILES THOMAS;GODWIN, TERESA OWEN;OWEN, MICHAEL ALAN;OWEN, TIMOTHY SCOTT
3095 MCBRYDE STREET
LINDEN, NC 28356

SAXON, WILLIAM D SR
1480 SLOCOMB RD
LINDEN, NC 28356

K&JS PROPERTIES LLC;TPGM PROPERTIES LLC
PO BOX 53729
FAYETTEVILLE, NC 28305

THE DANIEL FAMILY REVOCABLE TRUST
2612 OLD LEXINGTON HWY
CHAPIN, SC 29036

MORRIS, CRAIG A;MORRIS, MARTHA A
6961 HOLDER LN
FAYETTEVILLE, NC 28311

MIDDLETON, REBECCA H;MIDDLETON, MATTHEW W
7027 PLOTTS DR
LINDEN, NC 28356

MEADOW BRANCH OWNERS CLUB
7933 MCARTANS FORD
LINDEN, NC 28356

MCCORMICK FARMS LIMITED PARTNERSHIP
8195 MCCORMICK BRIDGE RD
SPRING LAKE, NC 28390

SMITH, ROBERT R;SMITH, ELLEN J
758 SLOCOMB RD
FAYETTEVILLE, NC 28311

COLTON, MITCHELL JOHN;COLTON, BRIDGETTE CRITTENTON
2520 NC HWY 902
PITTSBORO, NC 27312

FLOYD PROPERTIES AND DEVELOPMENT, INC.
901 ARSENAL AVE
FAYETTEVILLE, NC 28305

LOVEC, JEFFREY W CO-TRUSTEES;LOVEC, SHANNON S CO-TRUSTEES
2730 CHIMNEY POINT
LINDEN, NC 28356

BOWDEN, JAMIE ALAN;BOWDEN, HEATHER
596 PALESTINE RD
LINDEN, NC 28356

VINCENT, JAMES C II;VINCENT, JOCELYN L
753 EAGLETON DR
AUGUST, GA 30907

SAXON, WILLIAM DONALD SR
1480 SLOCOMB RD
LINDEN, NC 28356

BROOKS, TIMOTHY
1669 BRIDLEWOOD DR
LINDEN, NC 28356

MCCARTHY, THOMAS J;MCCARTHY, JILLIAN L
7580 MCARTANS FORD
LINDEN, NC 28356

ABJ INVESTMENTS LLC
2031 MIDDLE RD
EASTOVER, NC 28312

UPCHURCH, ELMO W
3411 S GENOA ST
AURORA, CO 80013

MCCORMICK FARMS LIMITED PARTNERSHIP
8195 MCCORMICK BRIDGE RD
SPRING LAKE, NC 28390

MILLS, LOUISE R LIFE ESTATE
876 SLOCOMB RD
LINDEN, NC 28356

MCCORMICK FARMS LIMITED PARTNERSHIP
8195 MCCORMICK BRIDGE RD
SPRING LAKE, NC 28390

MORRIS, LEA ANN
2700 FORESTWOOD CT
LINDEN, NC 28356

NORRIS, JACQUELINE HOLDER;NORRIS, MARVIN EDWARD JR
6825 HOLDER LN
FAYETTEVILLE, NC 28311

CEPIS, RACHEL M
731 SLOCOMB ROAD
FAYETTEVILLE, NC 28311

HARTSELL, DENISE H
6901 HOLDER LN
FAYETTEVILLE, NC 28311

PITTMAN, GREGORY;PITTMAN, PATRICIA
7720 MCARTANS FRD
LINDEN, NC 28356

BLANTON, WILLIAM A TRUSTEE;BLANTON, SHANNA M TRUSTEE
4514 BRAGG BLVD
FAYETTEVILLE, NC 28303

ADORJAN, JOHN;ADORJAN, KIMBERLY
4809 KIARA DR
HOPE MILLS, NC 28348

RAYNOR, MARGARET YOUNG;GODWIN, DEBORAH RAYNOR;BRITT, RHONDA RAYNOR;PEADEN, MARY RAYNOR
505 WATERVIEW CT
FAYETTEVILLE, NC 28301

BOWDEN, JAMIE ALAN;BOWDEN, HEATHER RENEA
595 PALESTINE ROAD
LINDEN, NC 28356

BAGGETT, JOSEPH W JR BENJAMIN;MARY, WEBER BAGGETT MARTIN
2011 LITTLE PALM WAY
WILMINGTON, NC 28480

ROGERS, JEROME R;ROGERS, LOU P
827 SLOCOMB RD
LINDEN, NC 28356

DRAKE, RICHARD J
213 DAVIS ST
FAYETTEVILLE, NC 28305

HADDOCK, JAMES C.;HADDOCK, KIMBERLY P.
7811 SHORTBRANCH DR
LINDEN, NC 28356

BROOKS, TIMOTHY
1669 BRIDLEWOOD DR
LINDEN, NC 28356

KING, JEFFERY SCOTT TRUSTEE;KING, NATANYA LYNN TRUSTEE
992 SLOCOMB RD
LINDEN, NC 28356

SAXON, WILLIAM DONALD SR.
1480 SLOCOMB RD
LINDEN, NC 28356

MCCORMICK FARMS LIMITED PARTNERSHIP
8195 MCCORMICK BRIDGE RD
SPRING LAKE, NC 28390

DRAKE, RICHARD J
213 DAVIS ST
FAYETTEVILLE, NC 28305

BIBLE WAY PENTECOSTAL CHURCH MINISTRIES
PO BOX 91
LINDEN, NC 28356

SCOTT, WILLIAM HARVEY;SCOTT, LINDA S
7515 ANGIE DR
FAYETTEVILLE, NC 28311

SHAW, LORRISA;MATTHEW, BURCHETT
261 DUSTY LN
LINDEN, NC 28356

DIEHL, CATHERINE LOUISE
874 SLOCUMB RD
LINDEN, NC 28356

HALES, DANIEL THOMAS
7009 PLOTTS DR
LINDEN, NC 28356

KALOW, JASON ERIC;KALOW, AMY LYNN
2735 FORESTWOOD CT
LINDEN, NC 28356

NORTON, WARREN STEPHEN
1783 MCBRYDE ST
LINDEN, NC 28356

JOHNSON, WILLIAM H
941 SLOCOMB ROAD
LINDEN, NC 28356

SCOTT, BOBBY W.;SCOTT, JESSICA A.
693 SLOCOMB RD
FAYETTEVILLE, NC 28311

BAGGETT, BRADLEY G;SIMPSON, CRYSTAL D
1560 SLOCOMB ROAD
LINDEN, NC 28356

EICHNER, CHARLES LEE;EICHNER, MARGARET LEUPOLD
4164 SHERIDAN DR
CHARLOTTE, NC 28205

BOWDEN, JAMIE ALAN
595 PALESTINE RD
LINDEN, NC 28356

MEADOW BRANCH OWNERS CLUB
7933 MCARTANS FORD
LINDEN, NC 28356

MCCORMICK FARMS LIMITED PARTNERSHIP
8195 MCCORMICK BRIDGE RD
SPRING LAKE, NC 28390

CAPPS, TREVOR LANCE;CAPPS, CHRISTINA NICHOLE;JOHNSON, JERRY HEIRS
8811 CARLOS RD
LINDEN, NC 28356

O'REILLY, CLEMENT
6930 RIVER BEND RD
LINDEN, NC 28356

BOWDEN, DONNIE
1301 BUTCHER HOLLOW RD
LINDEN, NC 28356

UPCHURCH, ELMO W
9088 ALLISON CT
WESTMINSTER, CO 80021

MASENGALE, THERESA F.;MASENGALE, JEFFERY C.
693 SLOCOMB RD
FAYETTEVILLE, NC 28311

MILLS, LOUISE R LIFE ESTATE
876 SLOCOMB RD
LINDEN, NC 28356

SCOTT, BERRY RANDOLPH JR
PO BOX 1451
FAYETTEVILLE, NC 28302

STRICKLAND, WESTON;STRICKLAND, SAMANTHA
730 SLOCOMB ROAD
FAYETTEVILLE, NC 28311

BIMSON, WILLIAM FORD;BIMSON, ERIKA
7825 MCARTANS FORD RD
LINDEN, NC 28356

MCCORMICK, KEITH L TRUSTEE
32 CHESTERTOWN DR
PINEHURST, NC 28374

ROSE, GORDON A;ROSE, REBEKAH V
7933 MCARTANS FORD RD
LINDEN, NC 28356

BASS, CHARLES G;BASS, DEBRA A
2727 CHIMNEY PT
LINDEN, NC 28356

STOCKHAM, EARL A II;STOCKHAM, LAURA J
7570 MCARTANS FORD
LINDEN, NC 28356

MILLER, MERRICK M SR;MILLER, MERRICK J JR
7085 PLOTTS DRIVE
LINDEN, NC 28356

RACKLEY, SANFORD G JR;RACKLEY, GAIL V
6130 RAMSEY ST
FAYETTEVILLE, NC 28311

K&JS PROPERTIES LLC;TPGM PROPERTIES LLC;CAMERON PROPERTIES
PO BOX 53729
FAYETTEVILLE, NC 28305

HINTON, AMANDA M TRUSTEE;HINTON, WILLIAM R TRUSTEE
7635 MCARTANS FORD
LINDEN, NC 28356

BARCUS, LAKIA CHANEL
8005 FLOWERBUD LN
LINDEN, NC 28356

HARTSELL, DENISE HOLDER
6901 HOLDER LN
FAYETTEVILLE, NC 28311

JENKINS, DOUGLAS L;JENKINS, KAY B
7740 MCARTANS FORD
LINDEN, NC 28356

BOWYER, SAMUEL W JR;BOWYER, ROBERT L
PO BOX 53186
FAYETTEVILLE, NC 28305

SAXON, WILLIAM D SR
1480 SLOCOMB RD
LINDEN, NC 28356

ARNO, JAMES H;DEESE, JOSIANE KIRKHUM
1229 SLOCOMB RD
LINDEN, NC 28356

RODRIQUEZ, SHARON MICHELLE;RODRIQUEZ, RICHARD
7560 MCARTANS FORD
LINDEN, NC 28356

TART, JOHN W
783 SLOCOMB RD
FAYETTEVILLE, NC 28311

HOLSTAD, GERALD BRUCE
109 FAIRWAY LN
CAPE CARTERET, NC 28584

RACKLEY, SANFORD G JR;RACKLEY, GAIL V
6130 RAMSEY ST
FAYETTEVILLE, NC 28311

GARCIA, SHAREKA;GARCIA, SHAWN
2785 FORESTWOOD CT
LINDEN, NC 28356

BAGGETT, JOSEPH W TRUSTEE
2011 LITTLE PALM WAY
WILMINGTON, NC 28480

RACKLEY, SANFORD G JR;RACKLEY, GAIL V
6130 RAMSEY ST
FAYETTEVILLE, NC 28311

TYSON, J E JR;TYSON, ALICE
106 NE 67TH ST
OAK ISLAND, NC 28465

MARSHALL, E RANDOLPH;MARSHALL, PAIGE M
7575 MCARTANS FORD
LINDEN, NC 28356

SIMPSON, SAMUEL W III
1572 SLOCOMB RD
LINDEN, NC 28356

BOWDEN, JAMIE ALAN
595 PALESTINE RD
LINDEN, NC 28356

PHILLIPS, GARY JOE
4453 ZACK'S MILL RD
ANGIER, NC 27501

ABJ INVESTMENTS LLC
2031 MIDDLE RD
EASTOVER, NC 28312

CRABILL, PAUL D;CRABILL, RACHEL E
7557 MCARTANS FORD ROAD
LINDEN, NC 28356

ELLIOT, FRANCES H HEIRS
1470 ELLIOT BRIDGE RD
FAYETTEVILLE, NC 28311

XIONG, THAO PAO;YANG, CHIA
402 HOLLAND CIR
STATESVILLE, NC 28677

CRABILL, PAUL D;CRABILL, RACHEL E
7557 MCARTANS FRD
LINDEN, NC 28356

PLOTTS, JAMES ROBERT;SMITH, STACY LYNN
7001 PLOTTS DR
LINDEN, NC 28356

BOWDEN, DONNIE J
1352 BUTCHER HOLLOW RD
LINDEN, NC 28356

RACKLEY, SANFORD G JR;RACKLEY, GAIL V
6130 RAMSEY ST
FAYETTEVILLE, NC 28311

ATTACHMENT: APPLICATION

County *of* Cumberland

Planning & Inspections Department

CASE #: ZoN-25-0036

PLANNING BOARD MEETING DATE: _____

DATE APPLICATION SUBMITTED: _____

RECEIPT #: _____

RECEIVED BY: _____

APPLICATION FOR REZONING REQUEST
CUMBERLAND COUNTY ZONING ORDIANCE

TO THE CUMBERLAND COUNTY JOINT PLANNING BOARD AND THE BOARD OF COUNTY COMMISSIONERS OF CUMBERLAND COUNTY, NC:

I (We), the undersigned, hereby submit this application, and petition the County Commissioners to amend and to change the zoning map of the County of Cumberland as provided for under the provisions of the County Zoning Ordinance. Attached to this application are copies if the recorded deeds to the pertinent properties and a check made payable to "Cumberland County" in the amount of $20,910.00. In support of this petition, the following facts are submitted:

1. **Requested Rezoning from** Rural Residential District ("RR"), Planned Neighborhood Development – Conditional Zoning District ("PND") **to** Agricultural District ("A1")

2. **Addresses of Properties to be Rezoned:** 0 N/A Drive, Linden, North Carolina

3. **Description and Information of the Properties:**

   A. TRACT ONE
   Described generally as the 113.54-acre property located to the east of the intersection of McBryde Street and Slocomb Road in Linden, North Carolina
   Parcel Identification Number: 0552-02-4169
   Recorded in Deed Book 4435 beginning at Page 603, Cumberland County Registry
   Acreage: ≈ 113.54
   Frontage: ≈ 5,185.3 ft
   Depth: ≈ 4,289.9 ft

B. TRACT TWO

Described generally as the 34.00-acre property located southeast of McBryde Street and east of the intersection of McBryde Street and Slocomb Road in Linden, North Carolina.
Parcel Identification Number: 0552-23-8122
Recorded in Deed Book 5923 beginning at Page 461, Cumberland County Registry
Acreage: ≈ 34.00
Frontage: ≈ 766.9 ft
Depth: ≈ 2,744.7 ft

C. TRACT THREE

Described generally as the 223.56-acre property located between and east of the intersection of McBryde Street and Slocomb Road in Linden, North Carolina, extending over both.
Parcel Identification Number: 0552-24-4598
Recorded in Deed Book 5923 beginning at Page 461, Cumberland County Registry
Acreage: ≈ 223.56
Frontage: ≈ 3,333 ft
Depth: ≈ 7,003.7 ft

D. TRACT FOUR

Described generally as 267.39-acre property located northeast of the intersection of McBryde Street and Slocomb Road and south, east, and northeast of the property located at 448 Palestine Road in Linden, North Carolina.
Parcel Identification Number: 0552-26-5192
Recorded in Deed Book 5923 beginning at Page 461, Cumberland County Registry
Acreage: ≈ 267.39
Frontage: ≈ 2,116.1 ft
Depth: ≈ 5,183.4 ft

E. TRACT FIVE

Described generally as the 108.03-acre property located north of McBryde Street and east of the property located at 448 Palestine Road in Linden, North Carolina.
Parcel Identification Number: 0552-47-9824
Recorded in Deed Book 4435 beginning at Page 603, Cumberland County Registry
Acreage: ≈ 108.03
Frontage: N/A
Depth: ≈ 3,056.1 ft

F. TRACT SIX

Described generally as the 11.10-acre property located northwest, west, and southwest of 7715 Mcartans Ford Road in Linden, North Carolina.
Parcel Identification Number: 0552-19-9037
Recorded in Deed Book 4435 beginning at Page 603, Cumberland County Registry
Acreage: ≈ 11.10
Frontage: N/A
Depth: ≈ 2,519.4 ft

G. TRACT SEVEN

Described generally as the 50.00-acre property located southwest, south, and southeast of the property located at 7635 Mcartans Ford Road in Linden, North Carolina.
Parcel Identification Number: 0552-39-5482
Recorded in Deed Book 5923 beginning at Page 461, Cumberland County Registry
Acreage: ≈ 50.00
Frontage: N/A
Depth: ≈ 1,984 ft

H. TRACT EIGHT

Described generally as the 52.25-acre property located south and southwest of the property located at 7557 Mcartans Ford Road in Linden, North Carolina.
Parcel Identification Number: 0552-58-7886
Recorded in Deed Book 5923 beginning at Page 461, Cumberland County Registry
Acreage: ≈ 52.25
Frontage: N/A
Depth: ≈ 3,963.9 ft

I. TRACT NINE

Described generally as the 89.68-acre property located west and northwest of the property located at 2801 McBryde Street in Linden, North Carolina.
Parcel Identification Number: 0552-78-2144
Recorded in Deed Book 8993 beginning at Page 853, Cumberland County Registry
Acreage: ≈ 89.68
Frontage: N/A
Depth: ≈ 5,058.3 ft

J. TRACT TEN

Described generally as the 42.89-acre property located southwest of the property located at 2801 McBryde Street and abutting and extending over both sides of McBryde Street in Linden, North Carolina.
Parcel Identification Number: 0552-66-3724
Recorded in Deed Book 4435 beginning at Page 603, Cumberland County Registry
Acreage: ≈ 42.89
Frontage: ≈ 2,788.8 ft
Depth: ≈ 2,133.6 ft

K. TRACT ELEVEN

Described generally as the 15.00-acre property located southwest of the property located at 3099 McBryde Street and northwest of the property located at 2801 McBryde Street in Linden, North Carolina.
Parcel Identification Number: 0552-89-2583
Recorded in Deed Book 4435 beginning at Page 603, Cumberland County Registry
Acreage: ≈ 15.00
Frontage: N/A
Depth: ≈ 981.5 ft

L. TRACT TWELVE
Described generally as the 38.00-acre property located west and northwest of the property located at 2801 McBryde Street in Linden, North Carolina.
Parcel Identification Number: 0552-88-4118
Recorded in Deed Book 4435 beginning at Page 603, Cumberland County Registry
Acreage: ≈ 38.00
Frontage: N/A
Depth: ≈ 2,586.2 ft

TOTAL APPROXIMATE ACREAGE = 1,038.09

4. **Water Provider:** _N/A_

5. **Septage Provider:** _N/A_

6. **Existing use of the property:** _Lumber cultivation, among other permissible uses within Agricultural Districts_

7. **Proposed use(s) of the property:** _Permissible uses within Agricultural Districts_

8. **Do you own any property adjacent to or across the street from these properties?** _No_

9. **Has a violation been issued on these properties?** _No_

[ATTESTATION AND SIGNATURE BLOCK ON FOLLOWING PAGE]

The undersigned hereby acknowledge that the County Planning Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.

McCormick Farms Limited Partnership
APPLICANT-OWNER

8195 McCormick Bridge Road, Spring Lake, NC 28390
ADDRESS OF OWNER

(910) 813-0408
TELEPHONE # OF OWNER

J. Scott Flowers, Esq.
ATTORNEY FOR APPLICANT-OWNER

4317 Ramsey Street // P.O Box 2505, Fayetteville, NC 28302
ADDRESS OF ATTORNEY FOR APPLICANT-OWNER

Scott.Flowers@HutchensLawFirm.com
E-MAIL OF ATTORNEY FOR APPLICANT-OWNER

(910) 864-6888 ext. 1508
TELEPHONE # FOR ATTORNEY FOR APPLICANT-OWNER

MCCORMICK FARMS LIMITED PARTNERSHIP

By: BGM Farms, Inc., its General Partner

By: Thomas Lea Brooks IV

T.L. Brooks IV

Title: President

J. SCOTT FLOWERS, ESQ.

CUMBERLAND COUNTY
NORTH CAROLINA
PLANNING & INSPECTIONS

PLANNING STAFF REPORT
REZONING CASE # ZON-25-0037
Planning Board Meeting: Oct. 21, 2025
Location: North of the Cape Fear River, along north and south sides of McBryde St and Slocomb Rd, and approximately three-quarters of a mile west of Lane Rd.
Jurisdiction: County-Unincorporated

REQUEST	**Rezoning RR, PND, CD, and A1 to A1**

Applicant requests a rezoning from RR Rural Residential District, PND Planned Neighborhood Development District, CD Conservancy District, and A1 Agricultural District to A1 Agricultural District for six contiguous parcels located north of the Cape Fear River, along the north and south sides of McBryde St and Slocomb Rd, and approximately three-quarters of a mile west of Lane Road, containing a total of approximately 725.88 acres. The parcels are currently used for lumber cultivation. The property owner has not indicated a specific use intended at this time.

PROPERTY INFORMATION

OWNER/APPLICANT: McCormick Farms Limited Partnership (Owner); J. Scott Flowers (Agent/Applicant)

ADDRESS/LOCATION: Refer to Exhibit "A", Location and Zoning Map. REID number: 0562095188000, 0562265895000, 0562612890000, 0562461435000, 0562419727000, 0562312400000.

SIZE: The parcel contains approximately 725.88 acres. Total road frontage for parcels abutting McBryde St is approximately 857 ft. Road frontage for the parcels along Slocomb Rd is approximately 3,109 feet. The properties are approximately 1.4 miles in length at its deepest point.

EXISTING ZONING: The subject property is currently zoned RR Rural Residential District, PND Planned Neighborhood Development District, CD Conservancy District, and A1 Agricultural District.

RR Rural Residential District is for traditional rural use with lots of 20,000 square feet or above. The principal use of the land is for suburban density residential, including manufactured housing units, and agricultural purposes. These districts are intended to ensure that residential development not having access to public water supplies and dependent upon septic tanks for sewage disposal will occur at a sufficiently low density to provide for a healthy environment.

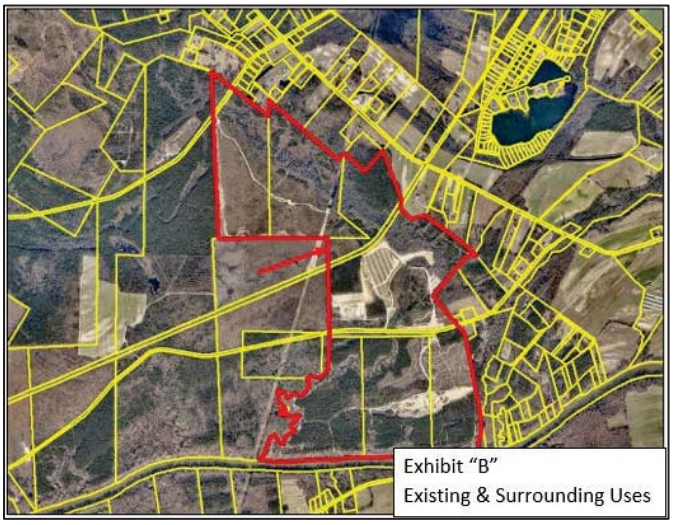
PND Planned Neighborhood Development is a district designed for the planned development of various residential densities concurrent with neighborhood-oriented uses in a single project. PND is a dormant zoning district and development standards shall comply with those of the R7.5 Residential District.

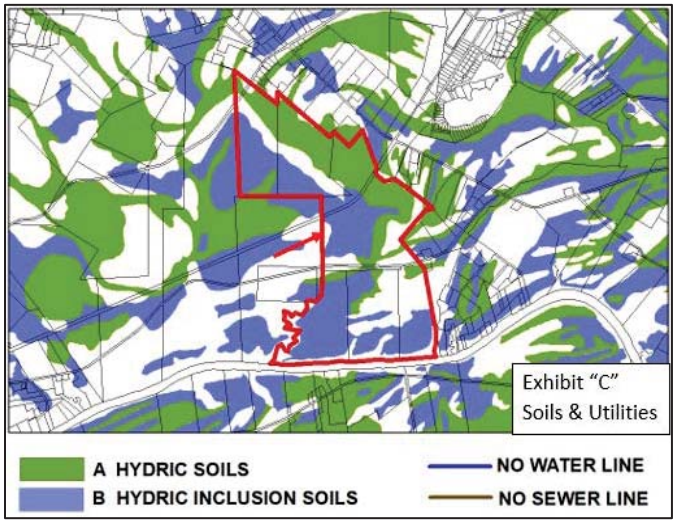
CD Conservancy District is designed to preserve and protect. This district is designed to preserve and protect identifiable natural resources from urban encroachment. The general intent of the district is to provide open area uses for such resource areas that will continue to provide limited development potential while preserving existing conditions to the extent feasible. Areas to be zoned in this district shall be identifiable as swamp, marsh, flood land, poor or very severe soils areas or managed and unmanaged woodland on USGS (Geological Survey) maps, soil maps prepared by the USDA (Department of

Agriculture) Soil Conservation Service or other appropriate sources and on file in the County Planning and Inspections

A1 Agricultural District is designed to promote and protect agricultural lands, including woodland, within the County. The general intent of the district is to permit all agricultural uses to exist free from most private urban development except for large lot, single-family development. Some public and/or semi-public uses as well as a limited list of convenient commercial uses are permitted to ensure essential services for the residents.

EXISTING LAND USE: The subject parcels are currently being used for lumber cultivation. Exhibit "B" shows the existing use of the subject property.

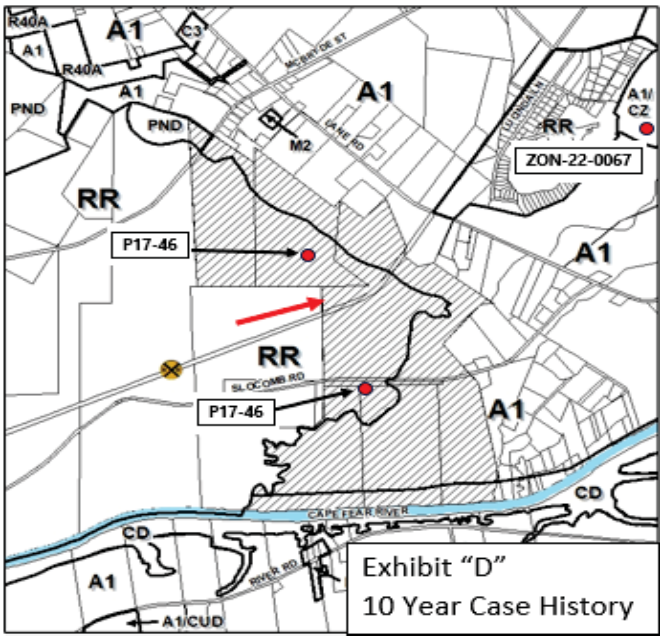




SURROUNDING LAND USE: Exhibit "B" illustrates the following:

- **North**: Farmland, woodlands, single-family homes
- **East**: Farmland, woodlands, and single-family homes
- **West**: Farmland and woodlands
- **South**: Cape Fear River, farmland, and woodlands

OTHER SITE CHARACTERISTICS: The sites are located in the Cape Fear River Watershed Protection Area and within a Flood Zone Hazard Area. The subject properties, as delineated in Exhibit "C", illustrates the presence of hydric or hydric inclusion soils.



TEN YEAR ZONE CASE HISTORY:
Exhibit "D" denotes the following rezoning cases within the past ten years near the subject property:

-
- P17-46: RR, A1, PND, & CD to A1; Withdrawn by Applicant
- ZON-22-0067: A1 to A1/CZ; Approved by County

DEVELOPMENT REVIEW: Should the request be approved, any proposed development will need a preliminary subdivision plan or a site plan reviewed and approved by the County Current Planning Division to ensure conformance with the County Zoning and Subdivision Ordinances.

DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

Minimum Standard	PND (Existing Zoning/Defaults to R7.5)	RR (Existing Zoning)	CD (Existing Zoning)	A1 (Existing and Proposed)
Front Yard Setback	30 feet	30 feet	50 feet	50 feet
Side Yard Setback	10 feet	15 feet	50 feet	20 feet
Rear Yard Setback	35 feet	35 feet	50 feet	50 feet
Lot Area	7,500 sq. ft.	20,000 sq. ft.	N/A	2 acres
Lot Width	75'	100'	N/A	100'

DEVELOPMENT POTENTIAL:

Existing Zoning (PND-Defaults to R7.5)	Existing Zoning (RR)	Existing Zoning (CD)	Existing Zoning (A1)	Proposed Zoning A1
26 dwelling units	666 dwelling units	0 dwelling units	183 dwelling units	363 dwelling units

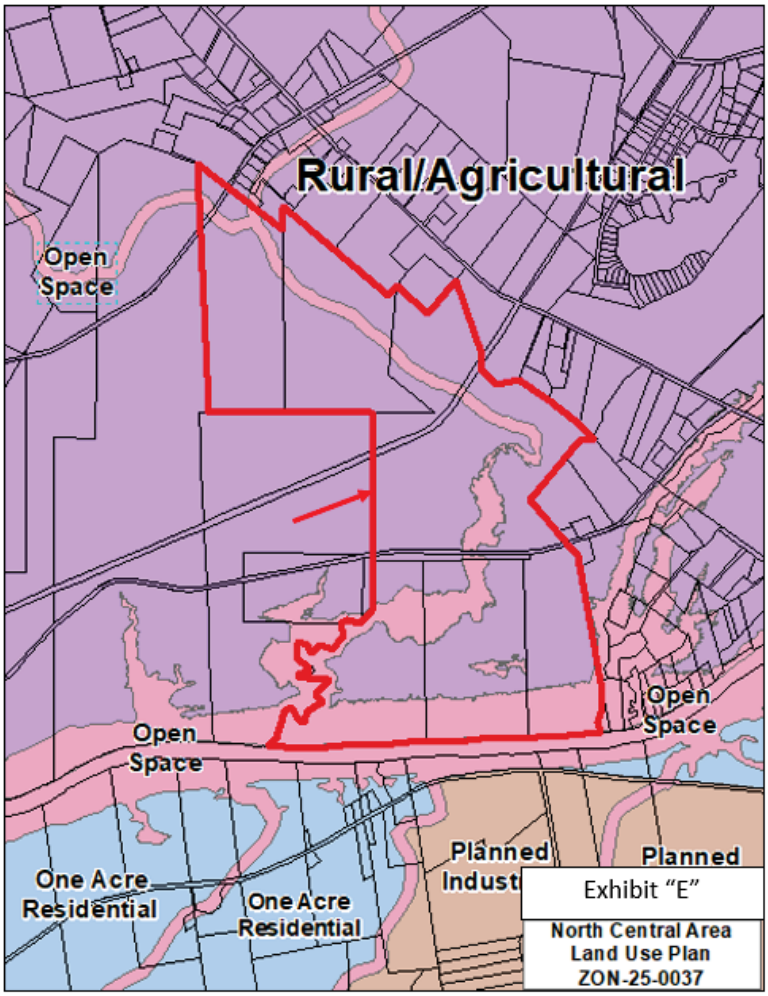
- Lot count may be rounded up when a fraction occurs**.** When any requirement of this ordinance results in a fraction of a unit, a fraction of one-half or more shall be considered a whole unit, and a fraction of less than one-half shall be disregarded.

COMPREHENSIVE PLANS:

This property is located in the North Central Area Land Use Plan (2024). The future land use classification of the property is split between "Rural/Agricultural" and "Open Space". The associated zoning districts for these two land use classifications are:

Rural/Agricultural	A1, A1A, R40, R40A, DD/CZ
Open Space (*)	CD

(*) Note: "Property located within Open Space whether wholly or partially may use the most adjacent land use classification when considering a rezoning request" (North Central Area Land Use Plan 2024, p. 49).



The proposed rezoning request is consistent with the adopted land use plan.

Future Land Use Classification Development Goals, Notes, and Objectives:

- "Preserve the rural character of the county" (North Central Area Land Use Plan 2024, p. 52).
- "…this land use classification emphasizes traditional agricultural activities, pastureland, forestry, rural large-lot residential subdivisions, and sporadic residences situated on expansive land tracts" (North Central Area Land Use Plan 2024, p. 40).
- "Protect and preserve the rural character of the area to include green spaces, agricultural land, low population density, scenic views, natural features, tranquility, and outdoor opportunities" (North Central Area Land Use Plan 2024, p. 52).

IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: Water and sewer lines are not available near the subject property. Water and sewer utility line locations are shown on Exhibit "C". Well and septic will be required, and the lot sizes must meet the minimum area necessary to accommodate both.

TRANSPORTATION: According to the Fayetteville Area Metropolitan Planning Organization (FAMPO), the subject property is located along both Slocomb Rd and McBryde St. Both streets are classified as local streets per NCDOT's Road Classification. No roadway improvement projects are planned for either road. With no specific intent or development plans stated, it is indeterminable what impact any additional traffic would bring to Slocomb Rd or McBryde St.

SCHOOLS CAPACITY/ENROLLMENT:

School	Capacity	Enrollment
Raleigh Road Elementary	179	207
Long Hill Elementary	516	416
Pine Forest Middle	804	706
Pine Forest High	1712	1553

ECONOMIC DEVELOPMENT: Fayetteville Cumberland County Economic Development Corporation has reviewed the request and had no objection to the proposed rezoning at this time.

EMERGENCY SERVICES: Cumberland County Fire Marshal's office has reviewed the request and has no objections to the rezoning request.

SPECIAL DISTRICTS/ OVERLAY DISTRICTS: Five of the six parcels are designated as a Voluntary Agricultural District, VAD-10-08. The remaining property is within the Half Mile Buffer of VAD-10-08.

Special Districts			
Fayetteville Regional Airport Overlay:	☐	Averasboro Battlefield Corridor:	☐
Five Mile Distance of Fort Liberty:	☐	Eastover Commercial Core Overlay District:	☐
Voluntary Agricultural District (VAD):	☒	Spring Lake Main Street Overlay District:	☐
VAD Half Mile Buffer:	☒	Coliseum Tourism Overlay District:	☐

CONDITIONS OF APPROVAL: This is a conventional zoning. There are no conditions proposed at this time.

STAFF RECOMMENDATION

In Case ZON-25-0037, Planning and Inspections staff **recommends approval** of the rezoning request from RR Rural Residential District, PND Planned Neighborhood Development District, CD Conservancy District, and A1 Agricultural District to A1 Agricultural District. Staff finds that the request is consistent with the North Central Area Land Use Plan which calls for "Rural/Agricultural" and "Open Space" at this location. Staff also finds that the request is reasonable and in the public interest as it is compatible to and in harmony with the surrounding land use activities and zoning.

Attachments:
Notification Mailing List
Application

ATTACHMENT – MAILING LIST

RAYNOR, DONALD BRUCE SR;RAYNOR, BEVERLY ROSE
8023 LANE RD
LINDEN, NC 28356

WILLIAMS, CLAUDIA M
3116 MCBRYDE ST
LINDEN, NC 28356

RECOD, MAX;RECOD, DONNA D
7210 MANASSA ST
FAYETTEVILLE, NC 28304

BLANCK, STEPHEN;BLANCK, ANA RUSSEL
2965 SLOCOMB ROAD
LINDEN, NC 28356

GOODSON, ERNEST JEROME;GOODSON, PATRICIA TIMMONS-GOODSON
1801 LAKESHORE DR
FAYETTEVILLE, NC 28305

BOUWENS, BRYCE EDWARD
3316 MCCOY CROSS
FAYETTEVILLE, NC 28311

STARLING, DORIS NAYLOR
PO BOX 282
WADE, NC 28395

PEACOCK, HOWARD R;PEACOCK, PATRICIA M
188 PEACE HAVEN DR
STAR, NC 27356

HART, CONNOR GRANT;HART, LORIEN D
504 PARISHGATE CIRCLE
FUQUAY VARINA, NC 27526

SWANN, BRENDA OQUINN;SWANN, RICHARD WILLIAM JR
7777 LANE RD
LINDEN, NC 28356

MOORE, MITCHELL DEAN;MOORE, TAMMY OQUINN
7513 LANE RD
LINDEN, NC 28356

OQUINN, TOMMY DOUGLAS;OQUINN, PATRICIA R
7597 LANE RD
LINDEN, NC 28356

BREWER, GRADY M;BREWER, MARITA
6051 RIVER RD
WADE, NC 28395

JORDAN, FANNIE O'QUINN;JOHNSON, GINGER ILEAN
704 TOKAY DR
FAYETTEVILLE, NC 28311

REA, CHARLOTTE W
5833 DUNN RD
WADE, NC 28395

GARDNER, TED W LIFE ESTATE;GARDNER, TRACY M LIFE ESTATE
6896 RIVER RD
WADE, NC 28395

LENNON, ORLANDA
76 SUMPTER DR
WHITEVILLE, NC 28472

MENA, ELOY M;MENA, VIOLET M
1044 STONEBRIDGE LN
LELAND, NC 28451

WALTZ, ROBERT C;KELLY, MARCIE
5327 OLD RAILROAD WAY
HOPE MILLS, NC 28348

HOUSE, MICHAEL R
229 OLIVER ST
SELMA, NC 27576

MCCORMICK, KEITH L TRUSTEE
32 CHESTERTOWN DR
PINEHURST, NC 28374

GAINEY, JAMES DAVID;KEVIN, ANTHONY
PO BOX 247
LINDEN, NC 28356

GARDNER, DORIS B;GARDNER, TED WAYLAND LIFE ESTATE;GARDNER, TRACY MARSHALL LIFE ESTATE
6896 RIVER RD
WADE, NC 28395

SNYDER, JASON L;ROBINSON, SEELIE A
7096 MONARCH DR
LINDEN, NC 28356

THOMAS, RICHARD
2931 SLOCOMB RD
LINDEN, NC 28356

PARKER, JERRY LANE
2835 SLOCOMB RD
LINDEN, NC 28356

VAUGHN, LINDA
1994 MERRIMAC DR
FAYETTEVILLE, NC 28304

MACIAS, MARIO
6098 RIVER RD
WADE, NC 28395

MORSE, RICHARD MANFRED;JULIE, MARIE
7045 MONARCH DR
LINDEN, NC 28356

HARDISON BROTHERS PROPERTIES LLC
101 FLYING HILLS CIR
CARY, NC 27513

RAYNOR, DONALD BRUCE JR
6100 BLUE BRANCH DR
LINDEN, NC 28356

DIXIE CONTRACTING SERVICES INC
000581 EXECUTIVE PL 200
FAYETTEVILLE, NC 28305

MCCORMICK FARMS LIMITED PARTNERSHIP
8195 MCCORMICK BRIDGE RD
SPRING LAKE, NC 28390

OWEN, MICHAEL A;OWEN, JANICE G
3097 MCBRYDE ST
LINDEN, NC 28356

CRUSEN, KENNETH M
6931 CAROWIND DR
LINDEN, NC 28356

YUHAS, DEBRA R.
3135 MCBYRDE ST
LINDEN, NC 28356

OBRIEN, PAT;OBRIEN, KATE R
6136 RAMSEY ST
FAYETTEVILLE, NC 28311

PARKER, JERRY LANE
2835 SLOCOMB RD
LINDEN, NC 28356

WILLIAMS, LAWRENCE F HEIRS
6021 RIVER RD
WADE, NC 28395

COFFMAN, CHRISTOPHER M;COFFMAN, ALLISON C
7602 LANE RD
LINDEN, NC 28356

RAYNOR, DONALD BRUCE
6153 BLUE BRANCH DR
LINDEN, NC 28356

LEON, LUIS MACIAS
401 ST THOMAS RD
FAYETTEVILLE, NC 28311

XIONG, THAO PAO;YANG, CHIA
402 HOLLAND CIR
STATESVILLE, NC 28677

MOODY, MAURIE MARIE JORDAN;MOODY, MARLO R
6090 BLUE BRANCH DR
LINDEN, NC 28356

RAYNOR, DONALD BRUCE SR;RAYNOR, BEVERLY ROSE
8023 LANE RD
LINDEN, NC 28356

DELAGARZA, EUGENE JR;DELAGARZA, KYONG C
8245 RAMSEY ST
LINDEN, NC 28356

HOLSTAD, GERALD BRUCE
109 FAIRWAY LN
CAPE CARTERET, NC 28358

ESQUIBEL, MARISSA R;JARVIS, ANDREW M
2995 SLOCOMB RD
LINDEN, NC 28356

W. L. SMITH PROFIT SHARING & PENSION TRUST PLAN
6541 RAEFORD RD
FAYETTEVILLE, NC 28304

PARKER, JERRY LYNWOOD
2797 SLOCOMB RD
LINDEN, NC 28356

SOLES, DAVID GLENN;SOLES, JILL BISHOP
615 FARRELL AVE
FAYETTEVILLE, NC 28312

OQUINN, TOMMY DOUGLAS II
7535 LANE RD
LINDEN, NC 28356

OQUINN, TOMMY D;OQUINN, PATRICIA
7597 LANE RD
LINDEN, NC 28356

WILLIAMS, CLAUDIA M
3116 MCBRYDE ST
LINDEN, NC 28356

OWEN, MILES T;OWEN, CAROLYN D
3099 MCBRYDE ST
LINDEN, NC 28356

LENNON, ORLANDA
76 SUMPTER DR
WHITEVILLE, NC 28472

BOOSE, MICHAEL C;DONNA, E
309 FARLEY PL
FAYETTEVILLE, NC 28303

OWEN, MILES THOMAS;GODWIN, TERESA OWEN;OWEN, MICHAEL ALAN;OWEN, TIMOTHY SCOTT
3095 MCBRYDE STREET
LINDEN, NC 28356

STARLING, DORIS NAYLOR
PO BOX 282
WADE, NC 28395

BARBER, GENELLA S
2888 SLOCOMB RD
LINDEN, NC 28356

MORRIS, CHARLES M JR
2794 SLOCOMB RD
LINDEN, NC 28356

MACIAS ENTERPRISE LLC
3057 US 401 S
LILLINGTON, NC 27546

YUHAS, DEBRA R.
3135 MCBYRDE ST
LINDEN, NC 28356

RAYNOR, DONALD BRUCE
6153 BLUE BRANCH DR
LINDEN, NC 28356

HART, CONNOR GRANT;HART, LORIEN D
504 PARISHGATE CIR
FUQUAY VARINA, NC 27526

MORSE, RICHARD MANFRED;MORSE, REGINA FAY
7045 MONARCH DR
LINDEN, NC 28356

WILLIAMS, CLAUDIA M
3116 MCBRYDE STREET
LINDEN, NC 28356

MOORE, MITCHELL DEAN;MOORE, TAMMY OQUINN
7513 LANE RD
LINDEN, NC 28356

JEFFREYS, KATHRYNE H TRUSTEE
8325 E REEVES BRIDGE RD
LINDEN, NC 28356

KAMIONKA, JONATHAN M;KAMIONKA, KATHERINE P
2913 HAYFIELD RD
WADE, NC 28395

OQUINN, TOMMY D;OQUINN, PATRICIA
7597 LANE RD
LINDEN, NC 28356

WALLER, WALLIS E;WALLER, ROSEMONDE F
7622 LANE RD
LINDEN, NC 28356

UNDERWOOD, MARTHA A HEIRS
PO BOX 763
RED SPRINGS, NC 28377

RAYNOR, DONALD BRUCE
6153 BLUE BRANCH DR
LINDEN, NC 28356

MOODY, MAURIE M
6090 BLUE BRANCH DR
LINDEN, NC 28356

DIXIE CONTRACTING SERVICES INC
000581 EXECUTIVE PL 200
FAYETTEVILLE, NC 28305

RECOD, MAX;RECOD, DONNA D
7210 MANASSAS ST
FAYETTEVILLE, NC 28304

CORRAL, SAVANNAH;CORRAL, LUIS RAUL
3015 SLOCOMB RD
LINDEN, NC 28356

WILLIAMS, CLAUDIA M
3116 MCBRYDE ST
LINDEN, NC 28356

RAYNOR, MARGARET YOUNG;GODWIN, DEBORAH RAYNOR;BRITT, RHONDA RAYNOR;PEADEN, MARY RAYNOR
505 WATERVIEW CT
FAYETTEVILLE, NC 28301

RICHARDS PROPERTY GROUP LLC
8957 HWY 96 SOUTH
BENSON, NC 27504

MOORE, MITCHELL DEAN;MOORE, TAMMY OQUINN
7513 LANE RD
LINDEN, NC 28356

JOHNSON, ROBERT E;JOHNSON, GINGER I
7804 LANE RD
LINDEN, NC 28356

OQUINN, TOMMY;OQUINN, PATRICIA ROBINSON
7597 LANE RD
LINDEN, NC 28356

JOHNSTON, MATTHEW G;JOHNSTON, KIMBERLY A
6109 RIVER ROAD
WADE, NC 28395

UNDERWOOD, MARTHA A HEIRS
PO BOX 763
RED SPRINGS, NC 28377

W. L. SMITH PROFIT SHARING & PENSION TRUST PLAN
6541 RAEFORD RD
FAYETTEVILLE, NC 28304

WILLIAMS, CLAUDIA M
3116 MCBRYDE ST
LINDEN, NC 28356

MCCORMICK FARMS LIMITED PARTNERSHIP
8195 MCCORMICK BRIDGE RD
SPRING LAKE, NC 28390

PAGE, STEPHEN P ADVANCED LIFE ESTATE;PAGE, MARY A ADVANCED LIFE
7455 LANE RD
LINDEN, NC 28358

WILLIAMS, LAWRENCE F
6021 RIVER RD
WADE, NC 28395

SNOW, WANDA ANN;PAULA, A JOHNSON
7101 MONARCH DR
LINDEN, NC 28356

PETERSON, DOMINIC R;PETERSON, HEIDI M
7339 LANE RD
LINDEN, NC 28356

CRUSEN, KENNETH M
6931 CAROWIND DR
LINDEN, NC 28356

CARTER, JAMES DAVID II
6204 CROCKETT RAYNOR RD
LINDEN, NC 28356

MOTON, LEONARD JR;MARY, KNIGHTEN
3122 BANCROFT AVE
FAYETTEVILLE, NC 28301

DUFFER, RONALD LOYE
7828 LANE RD
LINDEN, NC 28356

BREWER, GRADY M;BREWER, MARITA
6051 RIVER RD
WADE, NC 28395

ATTACHMENT: APPLICATION

County *of* Cumberland

Planning & Inspections Department

CASE #: ZON-25-0037

PLANNING BOARD MEETING DATE: _____

DATE APPLICATION SUBMITTED: _____

RECEIPT #: _____

RECEIVED BY: _____

APPLICATION FOR REZONING REQUEST
CUMBERLAND COUNTY ZONING ORDIANCE

TO THE CUMBERLAND COUNTY JOINT PLANNING BOARD AND THE BOARD OF COUNTY COMMISSIONERS OF CUMBERLAND COUNTY, NC:

I (We), the undersigned, hereby submit this application, and petition the County Commissioners to amend and to change the zoning map of the County of Cumberland as provided for under the provisions of the County Zoning Ordinance. Attached to this application are copies if the recorded deeds to the pertinent properties and a check made payable to "Cumberland County" in the amount of $14,670.00. In support of this petition, the following facts are submitted:

1. **Requested Rezoning from** Conservancy District ("CD"), Rural Residential District ("RR"), Planned Neighborhood Development – Conditional Zoning District ("PND") **to** Agricultural District ("A1")

2. **Addresses of Properties to be Rezoned:** 0 N/A Drive, Linden, North Carolina

3. **Description and Information of the Properties:**

   A. TRACT ONE
   Described generally as the 98.66-acre property located northwest, west, and southwest of the property located at 6090 Blue Branch Drive and northeast, east, and southeast of the property located at 2801 McBryde Street, abutting and extending north over McBryde Street in Linden, North Carolina.
   Parcel Identification Number: 0562-09-5188
   Recorded in Deed Book 4435 beginning at Page 603, Cumberland County Registry
   Acreage: ≈ 98.66
   Frontage: ≈ 1,594.5 ft
   Depth: ≈ 4,332.7 ft

B. TRACT TWO

Described generally as the 115.98-acre property located southeast of 6090 Blue Branch Drive and southwest of 7777 Lane Road in Linden, North Carolina.
Parcel Identification Number: 0562-26-5895
Recorded in Deed Book 4435 beginning at Page 603, Cumberland County Registry
Acreage: ≈ 115.98
Frontage: N/A
Depth: ≈ 3,618.7 ft

C. TRACT THREE

Described as 221.28-acre property located at what is known as 2601 Slocomb Road, Linden, North Carolina.
Parcel Identification Number: 0562-46-1435
Recorded in Deed Book 9077 beginning at Page 004, Cumberland County Registry
Acreage: ≈ 221.28
Frontage: ≈ 3,100.3 ft
Depth: ≈ 4,841.6 ft

D. TRACT FOUR

Described generally as the 73.77-acre property located west and southwest of the property located at 2794 Slocomb Road and south of the property located at 2797 Slocomb Road in Linden, North Carolina.
Parcel Identification Number: 0562-61-2890
Recorded in Deed Book 5923 beginning at Page 461, Cumberland County Registry
Acreage: ≈ 73.77
Frontage: ≈ 585.9 ft
Depth: ≈ 3,025.9 ft

E. TRACT FIVE

Described generally as 110.88-acre property located south of 2601 Slocomb Road and southwest of 2777 Slocomb Road in Linden, North Carolina.
Parcel Identification Number: 0562-41-9727
Recorded in Deed Book 5923 beginning at Page 461, Cumberland County Registry
Acreage: ≈ 110.88
Frontage: N/A
Depth: ≈ 2,898.1 ft

F. TRACT SIX

Described generally as the 105.31-acre property located southwest of 2601 Slocomb Road and north across the Cape Fear River of 6109 River Road in Linden, North Carolina.
Parcel Identification Number: 0562-31-2400
Recorded in Deed Book 5923 beginning at Page 461, Cumberland County Registry
Acreage: ≈ 105.31
Frontage: N/A
Depth: ≈ 2,959.4 ft

TOTAL APPROXIMATE ACREAGE = 725.88

4. **Water Provider:** N/A
5. **Septage Provider:** N/A
6. **Existing use of the property:** Lumber cultivation, among other permissible uses within Agricultural Districts
7. **Proposed use(s) of the property:** Permissible uses within Agricultural Districts
8. **Do you own any property adjacent to or across the street from these properties?** No
9. **Has a violation been issued on these properties?** No

[ATTESTATION AND SIGNATURE BLOCK ON FOLLOWING PAGE]

The undersigned hereby acknowledge that the County Planning Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.

McCormick Farms Limited Partnership
APPLICANT-OWNER

8195 McCormick Bridge Road, Spring Lake, NC 28390
ADDRESS OF OWNER

(910) 813-0408
TELEPHONE # OF OWNER

J. Scott Flowers, Esq.
ATTORNEY FOR APPLICANT-OWNER

4317 Ramsey Street // P.O Box 2505, Fayetteville, NC 28302
ADDRESS OF ATTORNEY FOR APPLICANT-OWNER

Scott.Flowers@HutchensLawFirm.com
E-MAIL OF ATTORNEY FOR APPLICANT-OWNER

(910) 864-6888 ext. 1508
TELEPHONE # FOR ATTORNEY FOR APPLICANT-OWNER

MCCORMICK FARMS LIMITED PARTNERSHIP

By: **BGM Farms, Inc. its General Partner**

By: Thomas Lea Brooks IV

T. L. Brooks IV

Title: President

J. SCOTT FLOWERS, ESQ.

CUMBERLAND COUNTY
NORTH CAROLINA
PLANNING & INSPECTIONS

PLANNING STAFF REPORT
REZONING CASE # ZON-25-0038
Planning Board Meeting: October 21, 2025

Location: 3241 Natal St.
Jurisdiction: County-Unincorporated

REQUEST	**Rezoning R6 to C2(P)**

Applicant requests a rezoning from R6 Residential District to C2(P) Planned Service and Retail District for a parcel containing approximately 0.67 acres located at 3241Natal St., as shown in Exhibit "A". The intent is to rezone the property to a commercial zoning district for future commercial or office uses.

PROPERTY INFORMATION

OWNER/APPLICANT: Lino Abreu (Owner/ Applicant).

ADDRESS/LOCATION: Located at 3241 Natal St. Refer to Exhibit "A", Location and Zoning Map. REID number: 0425494609000.

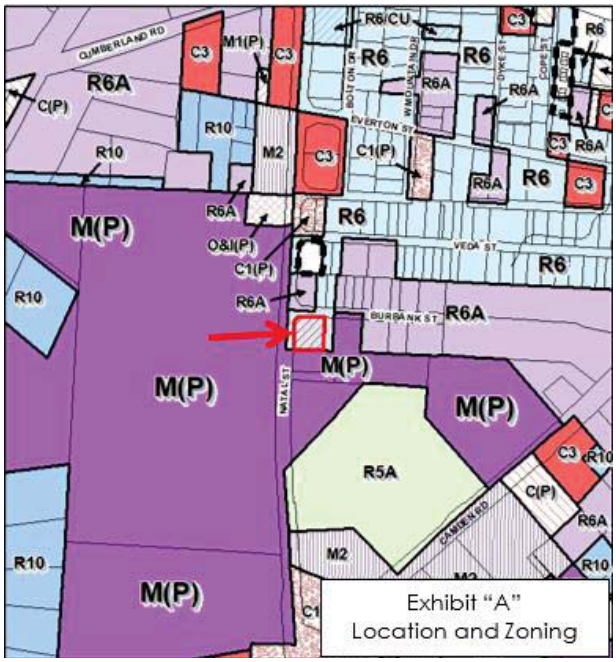
SIZE: The parcel contains approximately 0.67 acres. Road frontage along Burbank St. is approximately 143 feet, road frontage along Natal St. is approximately 190 feet. The property is approximately 185 feet in length at its deepest point.

EXISTING ZONING: The subject property is currently zoned R6 Residential District. R6 Residential District is a district designed for a mix of single- and multi-family dwellings.

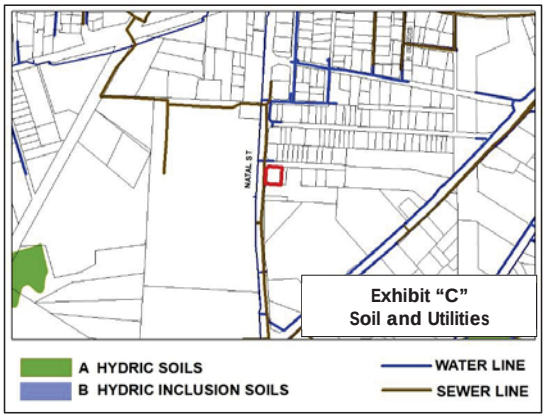
EXISTING LAND USE: A single-family dwelling.

SURROUNDING LAND USE: Exhibit "B" illustrates the following:

- **North**: Single family homes.
- **East**: Single family homes.
- **West**: Manufacturing use.
- **South**: Air Conditioning Company Manufacturing use.



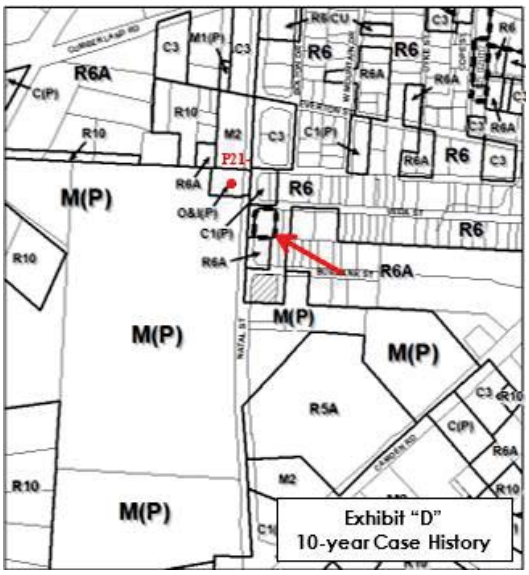
OTHER SITE CHARACTERISTICS: The site is not located in a Watershed Protection Area nor within a Flood Zone Hazard Area. The subject property, as delineated in Exhibit "C", illustrates that hydric and hydric inclusion soils are not located on the property.



TEN YEAR ZONE CASE HISTORY:

Exhibit "D" denotes the following rezoning cases within the past ten years near the subject property:

P21-13: M(P) to O&I(P); Approved by County



DEVELOPMENT REVIEW: A site plan review and approval, conforming to the County Zoning and Subdivision Ordinances, will be required via the Current Planning Division prior to commencement of any development activity. Any proposed subdivision will require preliminary plan review and approval by the Current Planning Division prior to any plat recordation, conforming to the County Zoning and Subdivision Ordinances.

DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

Minimum Standard	R6 (Existing)	C2(P) (Proposed)
Front Yard Setback	25 feet	50 feet
Side Yard Setback	10 feet	30 feet
Rear Yard Setback	30 feet	30 feet
Lot Area	6,000 sq. ft.	N/A
Lot Width	60 feet	N/A

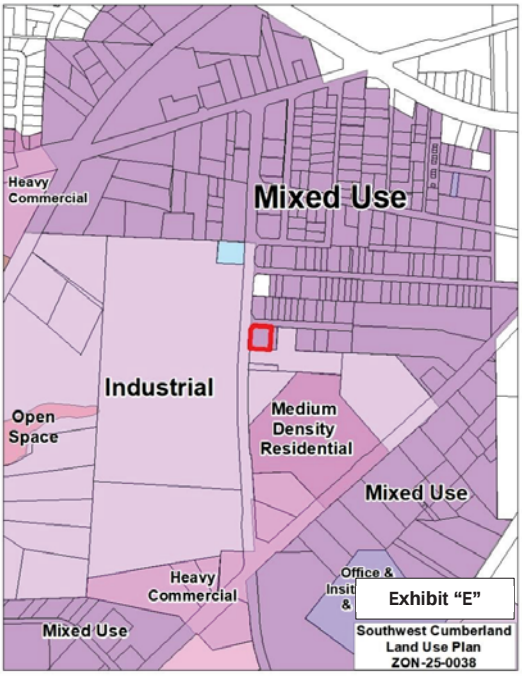
DEVELOPMENT POTENTIAL:

Existing Zoning (R6)	Proposed Zoning C2(P)
6 dwelling units	0 dwelling units

- Lot count may be rounded up when a fraction occurs. When any requirement of this ordinance results in a fraction of a unit, a fraction of one-half or more shall be considered a whole unit, and a fraction of less than one-half shall be disregarded.

COMPREHENSIVE PLANS:

This property is located in the Southwest Cumberland Land Use Plan (2013). The future land use classification of the property is "Mixed Use". The associated zoning districts for Mixed Use are R5, C1(P), and C2(P).



The proposed rezoning request is consistent with the adopted land use plan.

Future land use classification Development Goals, Notes, and Objectives:

- "Create an atmosphere that supports existing and future commercial activities while complimenting the existing residential area; encourages and fosters economic development that is harmonious with the character of the area; respects environmentally sensitive areas; is well-designed and attractive; located in areas with sufficient infrastructure to support the type of commercial activities; and provides a range of commercial locations that accommodate market demands that meet the needs of area residents" (Southwest Cumberland Land Use Plan 2013, p. 136).
- "Commercial development should be clustered in centers or districts that are appropriate for the location and scale with respect to adjacent land uses" (Southwest Cumberland Land Use Plan 2013, p. 137).
- "All commercial development in an established residential area should be in harmony with the area in scale, size, appearance, and accessibility" (Southwest Cumberland Land Use Plan 2013, p. 136).

IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: PWC water lines are available near the subject property along Burbank St. and the sewer lines are available along the Natal St. It is the applicant's responsibility to determine if this utility provider will serve their development. The available utilities are shown on Exhibit "C". If not connecting to public water and sewer, a private well and septic system shall be required, and the lot must meet all applicable minimum area requirements to accommodate both.

TRANSPORTATION. According to FAMPO, Natal Street is identified as a major collector in the Metropolitan Transportation Plan. There are no roadway construction improvement projects planned, and the subject property will have no significant impact on the Transportation Improvement Program. In addition, Natal Street has a 2021 AADT of 20,500 and a road capacity of 29,000.

SCHOOLS CAPACITY/ENROLLMENT:

School Name	Enrollment	Capacity
Elizabeth M Cashwell Elementary	535	624
South View Middle	608	847
South View High	1,418	1,871

ECONOMIC DEVELOPMENT: Fayetteville Cumberland County Economic Development Corporation has reviewed the request and has no objections to the proposed rezoning.

EMERGENCY SERVICES: Cumberland County Fire Marshal's office has reviewed the request and has no objections to the proposed rezoning.

SPECIAL DISTRICTS/ OVERLAY DISTRICTS: The property is not located within any special districts

Special Districts			
Fayetteville Regional Airport Overlay:	n/a	Averasboro Battlefield Corridor:	n/a
Five Mile Distance of Fort Bragg:	n/a	Eastover Commercial Core Overlay District:	n/a
Voluntary Agricultural District (VAD):	n/a	Spring Lake Main Street Overlay District:	n/a
VAD Half Mile Buffer:	n/a	Coliseum Tourism Overlay District:	n/a

n/a – not applicable

STAFF RECOMMENDATION

In Case ZON-25-0038, Planning and Inspections staff **recommends approval** of the rezoning request from R6 Residential District to C2(P) Planned Service and Retail District. Staff finds that the request is consistent with the Southwest Cumberland Land Use Plan which calls for "Mixed Use" at this location. Staff also finds that the request is reasonable and in the public interest as it is compatible to and in harmony with the surrounding land use activities and zoning.

Attachments:
Notification Mailing List
Application

ATTACHMENT: MAILING LIST

ABREU, LINO
3241 NATAL ST
FAYETTEVILLE, NC 28306

ANDERSON, KRISTINE A
817 VEDA STREET
FAYETTEVILLE, NC 28306

BREWINGTON, TERRY LYNN
1546 LONDONDERRY PL
FAYETTEVILLE, NC 28301

DAVIS, WILLIAM D;DAVIS, BILLIE JEAN
3221 NATAL ST
FAYETTEVILLE, NC 28306

DEKASCOR PROPERTIES, LLC
2964 WEDGEVIEW DR
FAYETTEVILLE, NC 28306

F B C CORPORATION
PO BOX 25762
CHARLOTTE, NC 28229

FINOCCHIARO, ALBERT JOHN;FINOCCHIARO, TONIA GAIL
3408 CANMORRE COURT
FAYETTEVILLE, NC 28306

GODS LITTLE BLESSING DAYCARE LLC
6521 ADDINGHAM COURT
FAYETTEVILLE, NC 28304

HOLCZER, KIM KARL;HOLCZER, NANCY WEISE
925 BURBANK STREET
FAYETTEVILLE, NC 28306

HYATT, VICTOR L;HYATT, CONNIE
1113 FOUR WOOD DR
FAYETTEVILLE, NC 28312

IGLESIA JESUS FUENTE DE VIDA INC
902 VEDA ST
FAYETTEVILLE, NC 28306

JACOBS, ANTHONY ROOSEVELT;JACOBS, VIVIAN BRYANT
204 TOM STARLING RD
FAYETTEVILLE, NC 28306

JMD INVESTMENTS OF FAY LLC
2748 SWAN CREEK RD
JONESVILLE, NC 28642

LEEZER INVESTMENTS, LLC
3621 NATAL ST
FAYETTEVILLE, NC 28306

LOVICK, DAVID T JR;LOVICK, JOANNE M
907 VEDA ST
FAYETTEVILLE, NC 28306

MONTES, MARIA TERESA
912 BURBANK ST
FAYETTEVILLE, NC 28306

MOSLEY, DIANA E
1434 GAIRLOCH DR
FAYETTEVILLE, NC 28304

PEARSON, JUSTIN D;PEARSON, LESLIE K
308 PARKVIEW AVE
FAYETTEVILLE, NC 28305

PUROLATOR FILTERS NA LLC
3200 NATAL ST
FAYETTEVILLE, NC 28306

QUICK PROPERTY SOLUTIONS INC
2503 SOUTHERN AVE UNIT 64221
FAYETTEVILLE, NC 28306

ATTACHMENT: APPLICATION

TO THE CUMBERLAND COUNTY JOINT PLANNING BOARD AND THE BOARD OF COUNTY COMMISSIONERS OF CUMBERLAND COUNTY, NC:

I (We), the undersigned, hereby submit this application, and petition the County Commissioners to amend and to change the zoning map of the County of Cumberland as provided for under the provisions of the County Zoning Ordinance. In support of this petition, the following facts are submitted:

1. Requested Rezoning from R4 to C2P
2. Address of Property to be Rezoned: 3241 Natal St, Fayetteville, NC 28306
3. Location of Property, details: Corner of Natal St and Burbank St.
4. Parcel Identification Number (PIN #) of subject property: 0425494609 (also known as Tax ID Number or Property Tax ID)
5. Acreage: 0.67 Frontage: 153ft. Natal St Depth: 143ft Burbank St.
6. Water Provider: Well: ✓ PWC: Other (name):
7. Septage Provider: Septic Tank PWC ✓
8. Deed Book 11595, Page(s) 337, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: No one lives at property
10. Proposed use(s) of the property: Used car dealership
11. Do you own any property adjacent to or across the street from this property?
    Yes No ✓ If yes, where?
12. Has a violation been issued on this property? Yes No ✓

A copy of the recorded deed(s) and/or recorded plat map(s) must be provided. If the area is a portion of a parcel, a written legal description by metes and bounds, showing acreage must accompany the deeds and/or plat. If more than one zoning classification is requested, a correct mete and bounds legal description, including acreage, for each bounded area must be submitted.

The Planning and Inspections Staff is available for advice on completing this application; however, they are not available for completion of the application.

The undersigned hereby acknowledge that the County Planning Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.

Lino Abreu
NAME OF OWNER(S) (PRINT OR TYPE)

3241 Natal St, Fayetteville, NC 28306
ADDRESS OF OWNER(S)

978-401-5101 (mobile)
HOME TELEPHONE # (5101)

N/A.
WORK TELEPHONE #

LINO ABREU
NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)

3241 Natal St, Fayetteville, NC 28306
ADDRESS OF AGENT, ATTORNEY, APPLICANT

labreu323@gmail.com
E-MAIL

978-401-5101 (mobile)
HOME TELEPHONE #

N/A.
WORK TELEPHONE #

x Lino Abreu
SIGNATURE OF OWNER(S)

x Lino Abreu
SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

N/A.
SIGNATURE OF OWNER(S)

The contents of this application, upon submission, become "public record."

CUMBERLAND COUNTY
NORTH CAROLINA
PLANNING & INSPECTIONS

PLANNING STAFF REPORT
REZONING CASE # ZON-25-0039
Planning Board Meeting: Oct. 21, 2025

Location: 6650 Oak Grove Church Road
Jurisdiction: County-Unincorporated

REQUEST	**Rezoning A1 to R40A**

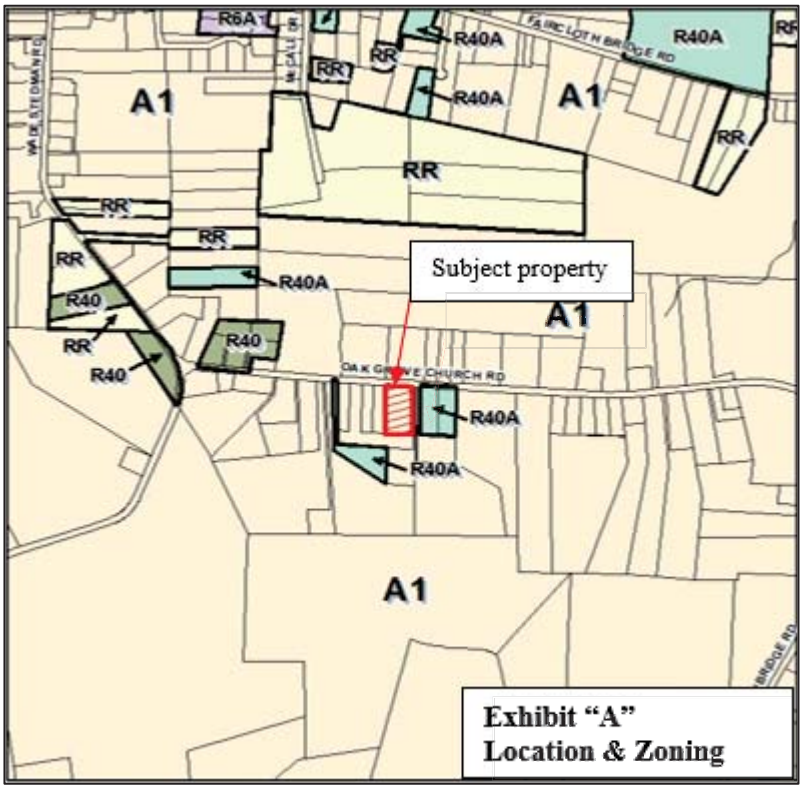
Applicant requests a rezoning from A1 Agricultural District to R40A Residential District for 6650 Oak Grove Church Road. This property contains approximately 2.40 acres and is currently occupied with one residential home. The intent of the property owner is to subdivide into two residential parcels with one home planned on each.

PROPERTY INFORMATION

OWNER/APPLICANT: Crystal McGee (Owner); Mike Adams, Maps Surveying (Agent)

ADDRESS/LOCATION: This is located at 6650 Oak Grove Church Rd; Refer to Exhibit "A", Location and Zoning Map. REID number: 0497523099000

SIZE: The parcel contains approximately 2.40 acres. Road frontage along Oak Grove Church Road is 240 feet. The property is approximately 437 feet in length at its deepest point.



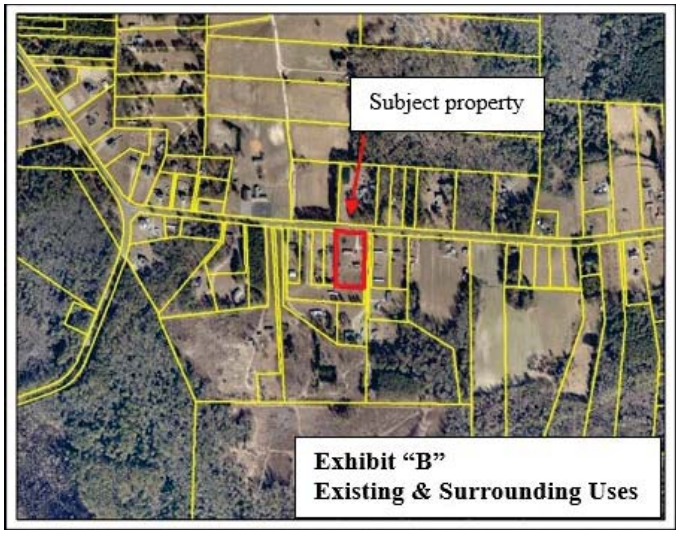
EXISTING ZONING: The subject property is currently zoned A1 Agricultural District. This district is designed to promote and protect agricultural lands, including woodland, within the County. The general intent of the district is to permit all agricultural uses to exist free from most private urban development except for large lot, single-family development. Some public and/or semi-public uses as well as a limited list of convenient commercial uses are permitted to ensure essential services for the residents.

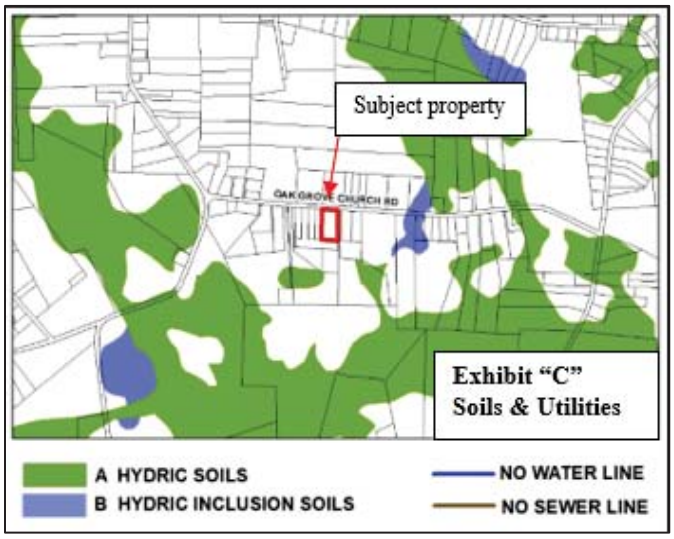
EXISTING LAND USE: The subject parcel is currently occupied with an existing home. Exhibit "B" shows the existing use of the subject property.

SURROUNDING LAND USE: Exhibit "B" illustrates the following:

- **North**: Farmland, single-family homes, and manufactured homes
- **East**: Wooded lands and single-family homes
- **West**: Wooded lands and single family manufactured homes
- **South**: Wooded lands and single-family homes

OTHER SITE CHARACTERISTICS: The site is not located in a Watershed or within a Flood Zone Hazard Area. The subject property, as delineated in Exhibit "C", illustrates no presence of hydric or hydric inclusion soils at the property.



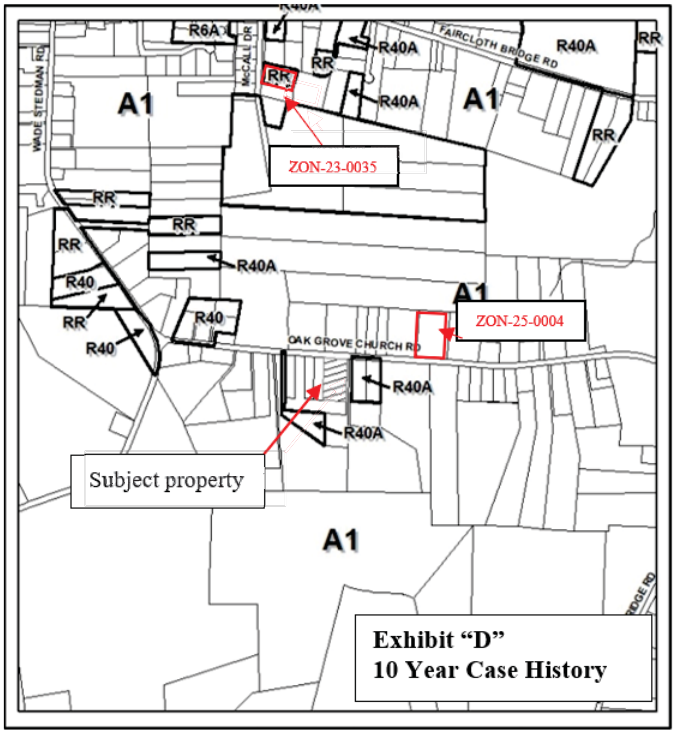


TEN YEAR ZONE CASE HISTORY:

Exhibit "D" denotes the location of the zoning case history described below.

- **ZON-25-0004:** A1 to R40; **Denied**; 3.64 acres
- **ZON-23-0035:** A1 to RR; **Approved;** 1.44 acres

DEVELOPMENT REVIEW: Should the request be approved, the property owner intends to submit a preliminary subdivision plan and plat to subdivide the parcel. Any subdivision must be consistent with County Subdivision and Zoning Ordinances.



DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

Minimum Standard	A1 (Existing Zoning)	R40A (Proposed)
Front Yard Setback	50 feet	30 feet
Side Yard Setback	20 feet	15 feet
Rear Yard Setback	50 feet	35 feet
Lot Area	2 acres	40,000 Sq. Ft.
Lot Width	100'	100'

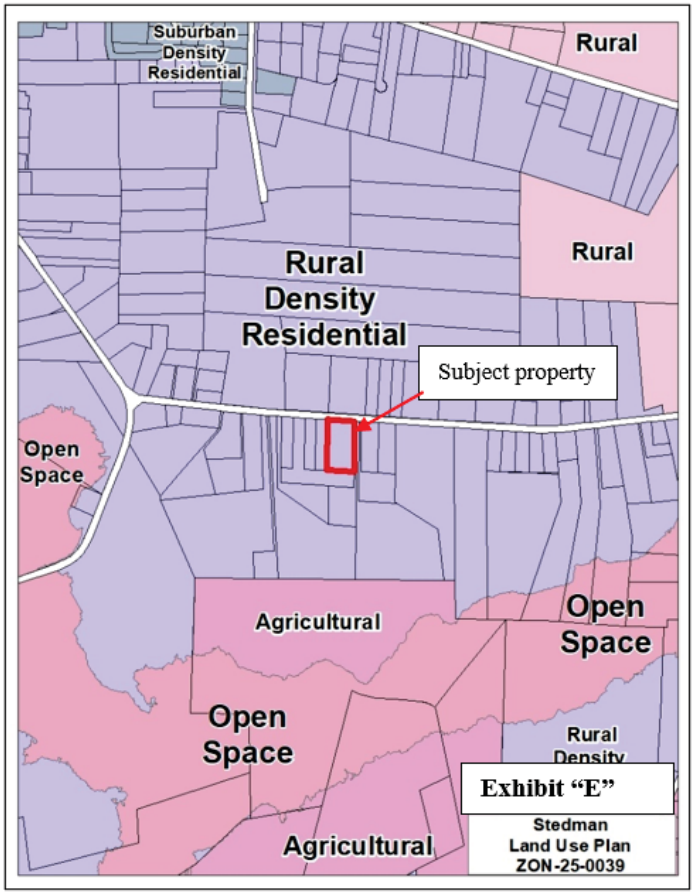
Development Potential:

Existing Zoning (A1)	Proposed Zoning (R40A)
1 dwelling units	3 dwelling units

- Lot count may be rounded up when a fraction occurs**.** When any requirement of this ordinance results in a fraction of a unit, a fraction of one-half or more shall be considered a whole unit, and a fraction of less than one-half shall be disregarded.

COMPREHENSIVE PLANS:

This property is located in the Stedman Area Land Use Plan (2020), as shown in Exhibit "E". The future land use classification of the property is "Rural Density Residential". The associated zoning districts for Rural Density Residential are A1, A1A, R40, R40A, and CD. R30 and R30A may be appropriate, but only if compatible with the neighborhood and surrounding uses; conditional zoning may be advisable.



The proposed rezoning request is consistent with the adopted land use plan.

Rural Density Residential Development Goal:

- "The Rural Residential land use classification represents land used for a mix of agricultural and residential while preserving the rural character of the area" (Stedman Area Land Use Plan 2020, p. 42).
- "This classification is designed for residential uses that are supported by individual septic and well systems and maintains the rural character of the area by allowing densities of no more than one unit per 30,000 square feet, or approximately 0.69 acres" (Stedman Area Land Use Plan 2020, p. 42).
- In accordance with location criteria, this property has "individual well and septic" and "access to a public or approved private street" (Stedman Area Land Use Plan 2020, p. 47).
- "Protect rural character, working agriculture, and water quality" (Stedman Area Land Use Plan 2020, p. 57).

IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: Water and sewer lines are not available near the subject property. It is the applicant's responsibility to determine if any utility provider will serve their development. Utilities for water and sewer are shown on Exhibit "C". Well and septic will likely be required, and the lot size must meet the minimum area necessary to accommodate both.

TRAFFIC: According to the Fayetteville Area Metropolitan Planning Organization (FAMPO), the subject property is located outside of FAMPO boundaries. Mid-Carolina Rural Transportation Planning Organization has reviewed the request and has found the proposed request will not have a significant impact on the Transportation Improvement Program.

SCHOOLS CAPACITY/ENROLLMENT:

School	Capacity	Enrollment
Stedman Primary	162	128
Stedman Elementary	358	292
Mac Williams Middle	1164	1127
Cape Fear High	1476	1500

ECONOMIC DEVELOPMENT: Fayetteville Cumberland County Economic Development Corporation has reviewed the request and has no objection to the proposed rezoning.

EMERGENCY SERVICES: Cumberland County Fire Marshal's office has reviewed the request and has no objections to the proposed rezoning.

SPECIAL DISTRICTS/ OVERLAY DISTRICTS: The subject property is not located within a defined special district.

Special Districts			
Fayetteville Regional Airport Overlay:	☐	Averasboro Battlefield Corridor:	☐
Five Mile Distance of Fort Liberty:	☐	Eastover Commercial Core Overlay District:	☐
Voluntary Agricultural District (VAD):	☐	Spring Lake Main Street Overlay District:	☐
VAD Half Mile Buffer:	☐	Coliseum Tourism Overlay District:	☐

CONDITIONS OF APPROVAL: This is a conventional zoning. There are no conditions proposed at this time.

STAFF RECOMMENDATION

In Case ZON-25-0039, Planning and Inspections staff **recommends approval** of the rezoning request from A1 Agricultural District to R40A Residential District. Staff finds that the request is consistent with the Stedman Area Land Use Plan which calls for "Rural Density Residential" at this location. Staff also finds that the request is reasonable and in the public interest as it is compatible to and in harmony with the surrounding land use activities and zoning.

Attachments:
Notification Mailing List
Application

ATTACHMENT – MAILING LIST

AUTRY, MARY B TRUSTEE 6842 OAK GROVE CHURCH RD STEDMAN, NC 28391	BULLARD, LOUISE A;BULLARD, SAM DOUGLAS 1432 WADE STEDMAN RD STEDMAN, NC 28391	BULLARD, SAM DOUGLAS;BULLARD, LO 1432 WADE-STEDMAN RD STEDMAN, NC 28391
CARROLL, JACQUELINE NICOLE;CARROLL, THOMAS WALTER JR 6522 OAK GROVE CHURCH ROAD STEDMAN, NC 28391	CASHWELL, BILLY PAUL 6662 OAK GROVE CHURCH STEDMAN, NC 28391	CUNNINGHAM, JUNE A 501 SANTA FE DR FAYETTEVILLE, NC 28303
FOX, MELISSA GAIL 6696 OAK GROVE CHURCH RD STEDMAN, NC 28391	FURR, SAMANTHA R;FURR, BOBBY M JR 6647 OAK GROVE CHURCH RD STEDMAN, NC 28391	GRIFFIN, JAMES EDWARD;RODNEY, EARL 6554 OAK GROVE CHURCH RD STEDMAN, NC 28391
HALO INVESTORS LLC 1270 CANADY POND RD HOPE MILLS, NC 28348	HOBSON, GARY;HOBSON, JOANN 6707 OAK GROVE CHURCH RD STEDMAN, NC 28391	HUNT, ROBERT BRICEY;HUNT, DEBORAH SHOOK 6544 OAKGROVE CHURCH RD STEDMAN, NC 28391
HUNT, ROBERT BRICEY;HUNT, DEBORAH SHOOK 9882 GUADLUPE ST CONROE, TX 77303	JONES, ARNOLD F 2434 GREEN SEA RD GARLAND, NC 28441	JONES, ARNOLD F 525 DUNN RD FAYETTEVILLE, NC 28312
JONES, ARNOLD F 4216 CLINTON RD FAYETTEVILLE, NC 28312	LCP GROUP LLC 12043 HARNETT-DUNN HIGHWAY DUNN, NC 28334	LOIS HUBBARD FAMILY LIMITED PARTNERSHIP 6090 JAKE RD STEDMAN, NC 28391
LONG, RONALD A JR;LONG, KIMBERLY A 6654 OAK GROVE CHURCH RD STEDMAN, NC 28391	MANNING, WALTER S;MANNING, SYLVIA D 7240 HARVESTGRAIN DR STEDMAN, NC 28391	MANNING, WALTER S;MANNING, SYLVIA D 7240 HARVESTGRAIN DR STEDMAN, NC 28391
MATTHEWS, RONNIE M 6767 OAK GROVE CHURCH RD STEDMAN, NC 28391	MCGEE, CRYSTAL 6650 OAK GROVE CHURCH RD STEDMAN, NC 28391	NEAD, ANDREW CRAIG;NEAD, KRISTEN ELIZABETH 6455 OAK GROVE CHURCH ROAD STEDMAN, NC 28391
OAK GROVE PENTECOSTAL FREE WILL BAPTIST CHURCH INC 6535 OAK GROVE CHURCH RD STEDMAN, NC 28391	PETERSON, POLLY JANE 6606 OAK GROVE CHURCH RD STEDMAN, NC 28391	POPE, SAMUEL W;POPE, RUTH M 6516 OAK GROVE CHURCH RD STEDMAN, NC 28391
RAPOLLA, TERESA P;RAPOLLA, MICHAEL A 6614 OAK GROVE CHURCH RD STEDMAN, NC 28391	RUSSELL, FLOYD E JR;RUSSELL, JACQUELINE C 6687 OAK GROVE CHURCH RD STEDMAN, NC 28391	SMITH, HALEY 6664 OAK GROVE CHURCH RD STEDMAN, NC 28391

ATTACHMENT: APPLICATION

County *of* Cumberland

Planning & Inspections Department

CASE #: _____

PLANNING BOARD MEETING DATE: _____

DATE APPLICATION SUBMITTED: _____

RECEIPT #: _____

RECEIVED BY: _____

APPLICATION FOR
REZONING REQUEST
CUMBERLAND COUNTY ZONING ORDINANCE

The following items are to be submitted with the completed application:

1. A copy of the *recorded* deed and/or plat.
2. If a portion(s) of the property is being considered for rezoning, an accurate written legal description of only the area to be considered;
3. A check made payable to "Cumberland County" in the amount of $ 400. (See attached Fee Schedule).

Rezoning Procedure:

1. Completed application submitted by the applicant.
2. Notification to surrounding property owners.
3. Planning Board hearing.
4. Re-notification of interested parties / public hearing advertisement in the newspaper.
5. County Commissioners' public hearing (approximately four weeks after Planning Board public hearing)
6. If approved by the County Commissioners, rezoning becomes effective immediately.

The Planning & Inspections Staff will advise on zoning options, inform applicants of development requirement and answer questions regarding the application and rezoning process. For further questions, call (910)678-7603 or (910)678-7609. Hours of operation are 8:00 a.m. to 5:00 p.m., Monday through Friday.

NOTE: Any revisions, inaccuracies or errors to the application may cause the case to be delayed and will be scheduled for the next available board meeting according to the board's meeting schedule. Also, the application fee is *nonrefundable*.

TO THE CUMBERLAND COUNTY JOINT PLANNING BOARD AND THE BOARD OF COUNTY COMMISSIONERS OF CUMBERLAND COUNTY, NC:

I (We), the undersigned, hereby submit this application, and petition the County Commissioners to amend and to change the zoning map of the County of Cumberland as provided for under the provisions of the County Zoning Ordinance. In support of this petition, the following facts are submitted:

1. Requested Rezoning from A1 to R40A
2. Address of Property to be Rezoned: 6650 Oak Grove Church Rd Stedman
3. Location of Property: 1880' eastward along Oak Grove Church Rd from intersection of Oak Grove Church Rd + Wade Stedman Rd
4. Parcel Identification Number (PIN #) of subject property: 0497523099000 (also known as Tax ID Number or Property Tax ID)
5. Acreage: 2.40 Ac Frontage: 240 Depth: 437
6. Water Provider: Well: X PWC: _____ Other (name): _____
7. Septage Provider: Septic Tank X PWC _____
8. Deed Book 10360, Page(s) 177, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: Residential - Single Family
10. Proposed use(s) of the property: Residential - Single Family
11. Do you own any property adjacent to or across the street from this property?
    Yes _____ No X If yes, where? _____
12. Has a violation been issued on this property? Yes _____ No X

A copy of the recorded deed(s) and/or recorded plat map(s) must be provided. If the area is a portion of a parcel, a written legal description by metes and bounds, showing acreage must accompany the deeds and/or plat. If more than one zoning classification is requested, a correct metes and bounds legal description, including acreage, for each bounded area must be submitted.

The Planning and Inspections Staff is available for advice on completing this application; however, they are not available for completion of the application.

The undersigned hereby acknowledge that the County Planning Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.

Crystal McGee
NAME OF OWNER(S) (PRINT OR TYPE)

6650 Oak Grove Church Rd Stedman, NC 28391
ADDRESS OF OWNER(S)

HOME TELEPHONE #

WORK TELEPHONE #

MAPS Surveying (Mike Adams)
NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)

216 Mason St Fayetteville NC 28301
ADDRESS OF AGENT, ATTORNEY, APPLICANT

Maps@mapssurveying.com
E-MAIL

910-484-6432
HOME TELEPHONE #

910-484-6432
WORK TELEPHONE #

Crystal Mcgee
SIGNATURE OF OWNER(S)

SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

SIGNATURE OF OWNER(S)

The contents of this application, upon submission, become "public record."

CUMBERLAND COUNTY
NORTH CAROLINA

PLANNING & INSPECTIONS

PLANNING STAFF REPORT
REZONING CASE # ZON-25-0040
Planning Board Meeting: Oct. 21, 2025

Location: 1410 Lillington Hwy
Jurisdiction: County-Unincorporated

REQUEST	Rezoning C3 to R6

Applicants request a rezoning from C3 Planned Commercial District to R6 Residential District for 1410 Lillington Hwy. The site contains approximately 1.03 acres and is currently occupied with one residential home and an existing church. The intent of the property owner is to replace the current home at this site with a new residential dwelling.

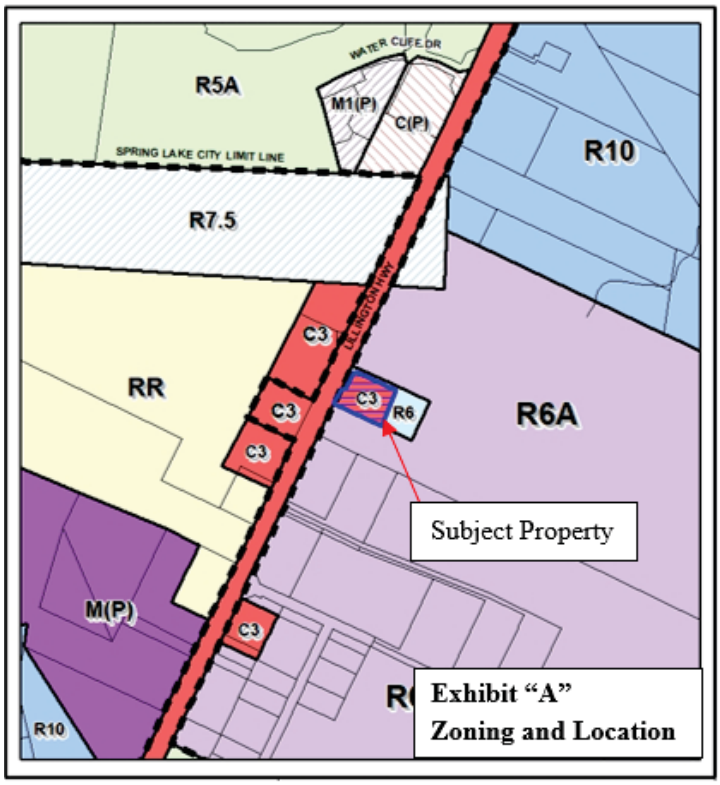
PROPERTY INFORMATION

OWNER/APPLICANT: Charles Ball (Owner); Edward Ball (Agent)

ADDRESS/LOCATION: Refer to Exhibit "A", Location and Zoning Map. REID number: 0512139712000

SIZE: The parcel contains approximately 1.03 acres. Road frontage along Lillington Hwy is 78 feet. The property is approximately 255 feet in length at its deepest point.

EXISTING ZONING: The subject property is currently zoned C3 Planned Commercial. The general intent of the district is to assure the grouping of buildings on a parcel of land to constitute a harmonious, efficient and convenient retail shopping area. To promote the essential design features within this zoning district, plan approval is required. Any site plan shall assure traffic safety and the harmonious and beneficial relations between the commercial area and contiguous land.

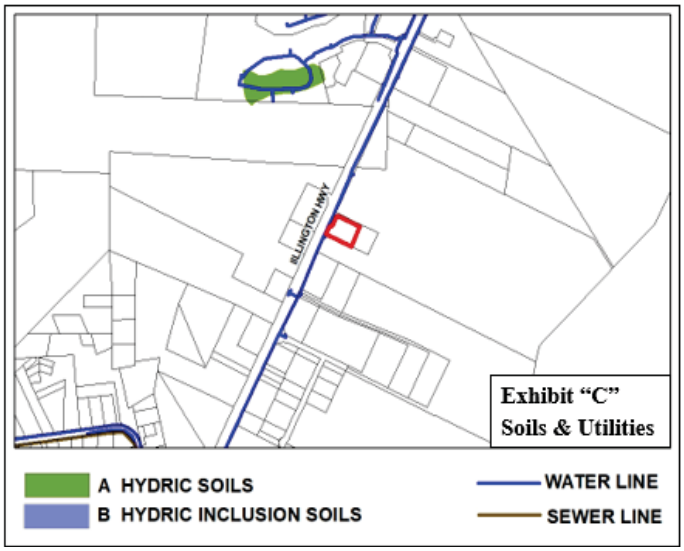


EXISTING LAND USE: The subject parcel is currently occupied with an existing home and a church. Exhibit "B" shows the existing use of the subject property.

SURROUNDING LAND USE: Exhibit "B" illustrates the following:

- **North**: Wooded Lands, manufactured homes, and single-family stick-built homes
- **East**: Wooded lands and single-family homes
- **West**: Commercial Businesses and wooded lands
- **South**: Wooded lands and Little River Baptist Church

OTHER SITE CHARACTERISTICS: The site is not located in a Watershed or within a Flood Zone Hazard Area. The subject property, as delineated in Exhibit "C", illustrates no presence of hydric or hydric inclusion soils at the property.

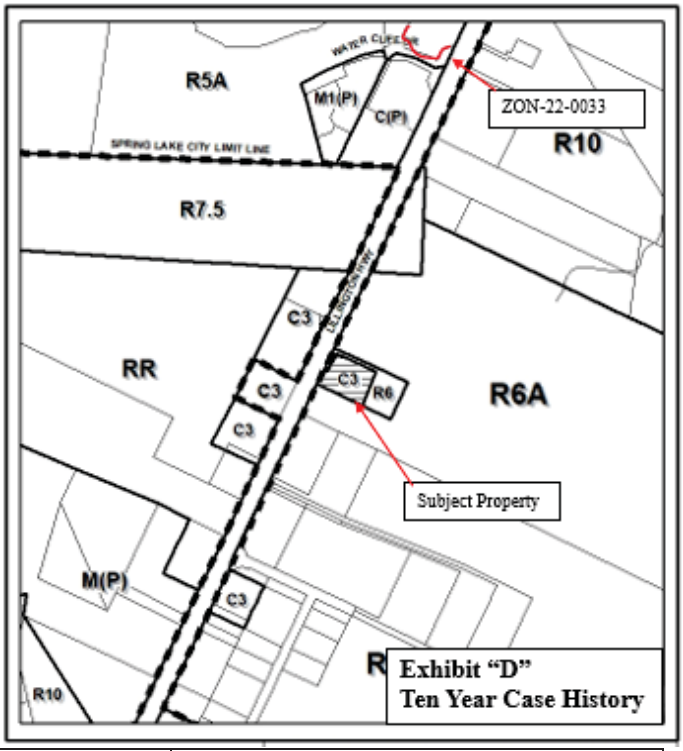


TEN YEAR ZONE CASE HISTORY:

Exhibit "D" denotes the location of the zoning case history described below.

-**ZON-22-0033** C(P) to R5A; Approved by County

DEVELOPMENT REVIEW: Prior to building permit issuance, a plan must be submitted, reviewed, and approved by the Cumberland County Current Planning Division for compliance.



DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

Minimum Standard	C3 (Existing Zoning)	R6 (Proposed)
Front Yard Setback	50 feet	25 feet
Side Yard Setback	30 feet	10 feet (one story 12 feet (two story)
Rear Yard Setback	30 feet	30 feet
Lot Area	N/A	6,000 Sq. Ft.
Lot Width	N/A	60'

Development Potential:

Existing Zoning (C3)	Proposed Zoning (R6)
0 dwelling units	10 dwelling units

- Lot count may be rounded up when a fraction occurs**.** When any requirement of this ordinance results in a fraction of a unit, a fraction of one-half or more shall be considered a whole unit, and a fraction of less than one-half shall be disregarded.

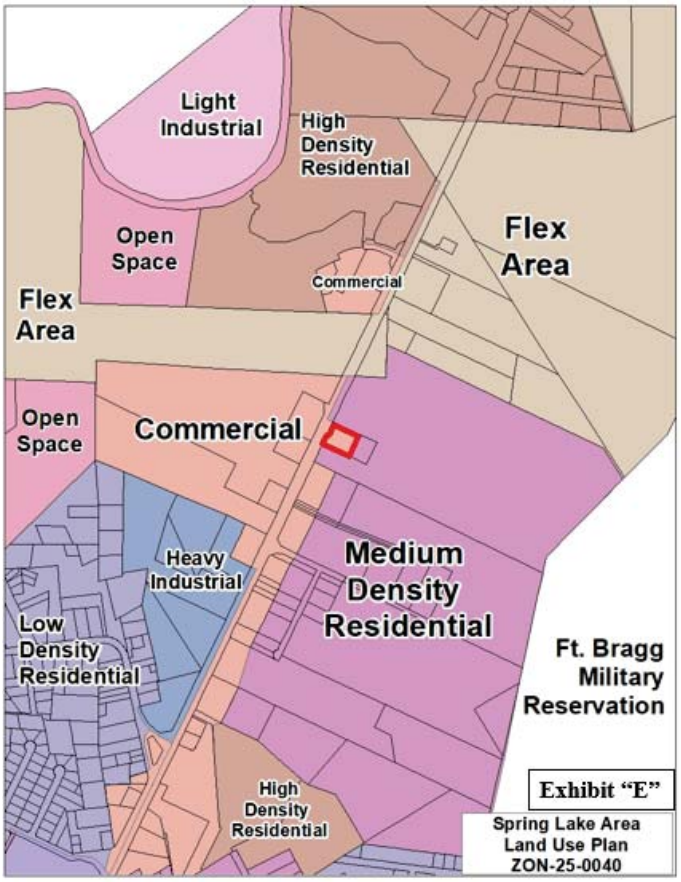
COMPREHENSIVE PLANS:

This property is located in the Spring Lake Area Land Use Plan (2022), as shown in Exhibit "E".

The future land use classification of the property is "Commercial". The associated zoning districts for Commercial are C1(P), C2(P), and C(P).

The proposed rezoning request is not consistent with the adopted land use plan.

Note: The future land use classification of the property is Commercial. However, the property is closely neighbored by an area designated by the Future Land Use Map as Medium Density Residential, and R6 is an associated zoning district. If the request is approved, a map amendment to Medium Density Residential will be made.



Commercial Land Use Classification Development Goal:

- "…promote denser development close to existing development, including multifamily housing" (Spring Lake Area Land Use Plan 2022, p. 48).
- "[R6 is an associated zoning district adjacent to this parcel along the] eastern side of NC 210" (Spring Lake Area Land Use Plan 2022, p. 48).
- "Attract residents at a variety of housing types and prices" (Spring Lake Area Land Use Plan 2022, p. 15).

IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: Water lines are available near the subject property. It is the applicant's responsibility to determine if this utility provider will serve their development. Utilities for water and sewer are shown on Exhibit "C". Septic will likely be required, and the lot size must meet the minimum area necessary to accommodate both.

TRAFFIC: According to FAMPO, the subject property sits on Lillington Highway and is identified as a principal arterial in the Metropolitan Transportation Plan. There are no roadway construction improvement projects planned, and the subject property will have no significant impact on the Transportation Improvement Program. In addition, Lillington Highway has a 2021 AADT of 21,000 and a road capacity of 29,000. Due to lack of data and the small scale, the new zoning request does not demand a trip generation. The new development should not generate enough traffic to significantly impact Lillington Highway.

SCHOOLS CAPACITY/ENROLLMENT:

School	Capacity	Enrollment
William T Brown Elementary	666	459
Spring Lake Middle	664	497
Pine Forest High	1,712	1,546

ECONOMIC DEVELOPMENT: Fayetteville Cumberland County Economic Development Corporation has reviewed the request and had no objection to the proposed rezoning.

EMERGENCY SERVICES: Cumberland County Fire Marshal's office has reviewed the request and has no objection to the rezoning.

SPECIAL DISTRICTS/ OVERLAY DISTRICTS: This subject property is not located within a defined special district.

Special Districts			
Fayetteville Regional Airport Overlay:	☐	Averasboro Battlefield Corridor:	☐
Five Mile Distance of Fort Liberty:	☐	Eastover Commercial Core Overlay District:	☐
Voluntary Agricultural District (VAD):	☐	Spring Lake Main Street Overlay District:	☐
VAD Half Mile Buffer:	☐	Coliseum Tourism Overlay District:	☐

CONDITIONS OF APPROVAL: This is a conventional rezoning. There are no conditions proposed at this time.

STAFF RECOMMENDATION

In Case ZON-25-0040, Planning and Inspections staff **recommends approval** of the rezoning request from C3 Planned Commercial to R6 Residential District and find that:

1. Approval is an amendment to the adopted, current Spring Lake Area Land Use Plan and that the Board of Commissioners should not require any additional request or application for amendment to said map for this request.
2. The requested district would be the most appropriate to maintain current use and site conditions and to allow reconstruction of residential structures.
3. Abutting land to the north, east, and south are assigned a residential zoning district and land use plan designation.

Staff finds that the request is reasonable and in the public interest as it is compatible to and in harmony with the surrounding land use activities and zoning.

Attachments:
Notification Mailing List
Application

ATTACHMENT – MAILING LIST

BALL, CHARLES M 1406 LILLINGTON HWY SPRING LAKE, NC 28390	BALL, CHARLES M;BALL, SALLY C 1406 LILLINGTON HWY SPRING LAKE, NC 28390	BRAZELL, BILLY R 1359 LILLINGTON HWY SPRING LAKE, NC 28390
BROWN, DONNA LANGLEY 1011 ROSSER RD SPRING LAKE, NC 28390	BROWN, DONNA LANGLEY;LANGLEY, WILLIAM;LANGLEY, DONNA JANE;LANGLEY, JOHN;LANGLEY, DAVID K 1011 ROSSER RD SPRING LAKE, NC 28390	LITTLE RIVER BAPTIST CHURCH 741 WHEELESS RD SPRING LAKE, NC 28390
MCCORMICK FARMS LIMITED PARTNERSHIP 8195 MCCORMICK BRIDGE RD SPRING LAKE, NC 28390	MDN RENTALS LLC 2014 BRAGG BLVD FAYETTEVILLE, NC 28303	ROBERTS, DAVID;ROBERTS, SONYA BROWN 844 WHEELESS RD SPRING LAKE, NC 28390

ATTACHMENT: APPLICATION

CASE #: _____

PLANNING BOARD
MEETING DATE: _____

DATE APPLICATION
SUBMITTED: _____

APPLICATION FOR
REZONING REQUEST
CUMBERLAND COUNTY ZONING ORDINANCE

The following items are to be submitted with the completed application:

1. A copy of the *recorded* deed and/or plat.
2. If a portion(s) of the property is being considered for rezoning, an accurate written legal description of only the area to be considered.
3. A check made payable to "Cumberland County" in the amount of $_____. (See County Fee Schedule).

Rezoning Procedure:

1. Completed application submitted by the applicant.
2. Notification to surrounding property owners.
3. Planning Board hearing.
4. Re-notification of interested parties / public hearing advertisement in the newspaper.
5. County Commissioners' public hearing (approximately four weeks after Planning Board public hearing)
6. If approved by the County Commissioners, rezoning becomes effective immediately.

The Planning & Inspections Staff will advise on zoning options, inform applicants of development requirement and answer questions regarding the application and rezoning process. For further questions, call (910)678-7627 or (910)678-7609. Hours of operation are 8:00 a.m. to 5:00 p.m., Monday through Friday.

NOTE: Any revisions, inaccuracies or errors to the application may cause the case to be delayed and will be scheduled for the next available board meeting according to the board's meeting schedule. Also, the application fee is *nonrefundable*.

TO THE CUMBERLAND COUNTY JOINT PLANNING BOARD AND THE BOARD OF COUNTY COMMISSIONERS OF CUMBERLAND COUNTY, NC:

I (We), the undersigned, hereby submit this application, and petition the County Commissioners to amend and to change the zoning map of the County of Cumberland as provided for under the provisions of the County Zoning Ordinance. In support of this petition, the following facts are submitted:

1. Requested Rezoning from C3 to R6
2. Address of Property to be Rezoned: 1410 Lillington Hwy Spring Lake, NC 28390
3. Location of Property, details: _____
4. Parcel Identification Number (PIN #) of subject property: 0512139712 (also known as Tax ID Number or Property Tax ID)
5. Acreage: 1.03 Frontage: 78' Depth: 255'
6. Water Provider: Well: _____ PWC: _____ Other (name): Spring Lake
7. Septage Provider: Septic Tank ✓ PWC _____
8. Deed Book _____, Page(s) _____, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: Church @ 1414 Lillington Hwy, Rental House @ 1410 Lillington Hwy
10. Proposed use(s) of the property: Residential and Church
11. Do you own any property adjacent to or across the street from this property?
    Yes ✓ No _____ If yes, where? 1406 Lillington Hwy.
12. Has a violation been issued on this property? Yes _____ No ✓

A copy of the recorded deed(s) and/or recorded plat map(s) must be provided. If the area is a portion of a parcel, a written legal description by metes and bounds, showing acreage must

The undersigned hereby acknowledge that the County Planning Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.

Charles M. Ball
NAME OF OWNER(S) (PRINT OR TYPE)

1406 Lillington Hwy. SpringLake, NC 28390
ADDRESS OF OWNER(S)

910-824-2648
HOME TELEPHONE #

WORK TELEPHONE #

Edward A. Ball
NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)

1406 Lillington Hwy. SpringLake, NC 28390
ADDRESS OF AGENT, ATTORNEY, APPLICANT

eddie_in_usa@yahoo.com
E-MAIL

910-303-8336
HOME TELEPHONE #

WORK TELEPHONE #

Charles M. Ball
SIGNATURE OF OWNER(S)

Edward A. Ball
SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

SIGNATURE OF OWNER(S)

CUMBERLAND COUNTY
NORTH CAROLINA
PLANNING & INSPECTIONS

PLANNING STAFF REPORT
REZONING CASE # ZON-25-0041
Planning Board Meeting: Oct. 21, 2025

Location: 5888 Butler Nursery Rd.
Jurisdiction: County-Unincorporated

REQUEST	**Rezoning A1 to R40A**

Applicant requests a rezoning from A1 Agricultural District to R40A Residential District for a parcel with approximately 1.79 acres located at 5888 Butler Nursery Rd. The parcel contains an existing manufactured home. The intent of the property owner is to add an additional residential dwelling unit through a group development application.

PROPERTY INFORMATION

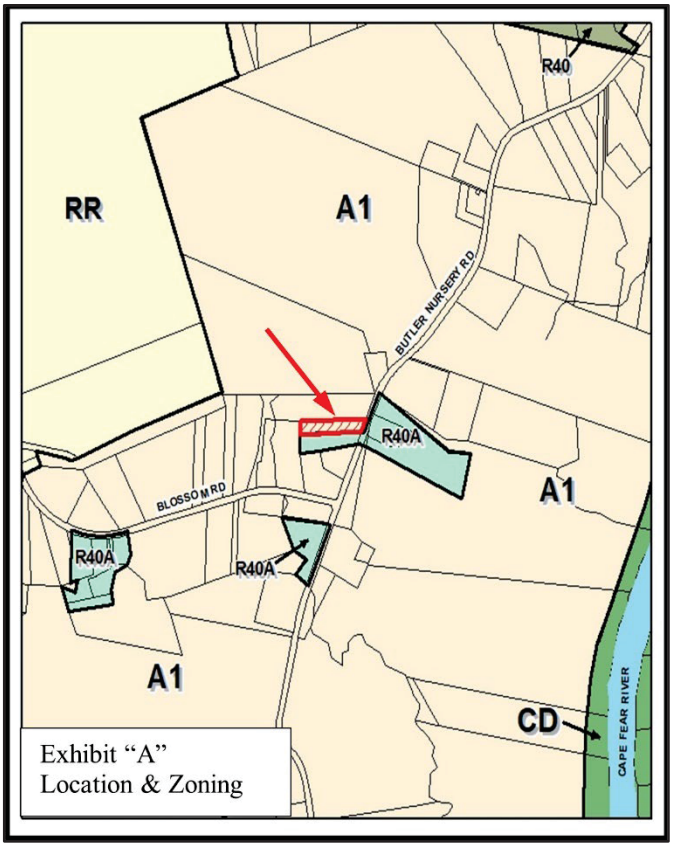
OWNER/APPLICANT: Joseph W. Marsh (Owner/ Applicant)

ADDRESS/LOCATION: Located at 5888 Butler Nursery Rd**.** Refer to Exhibit "A", Location and Zoning Map. REID number: 0452118922000

SIZE: The parcel contains approximately 1.79 acres. Road frontage along Butler Nursery Road is approximately 121 feet. The property is approximately 690 feet in length at its deepest point.

EXISTING ZONING: The subject property is currently zoned A1 Agricultural District. The A1 Agricultural District is a district designed to promote and protect agricultural lands, including woodland, within the County. The general intent of the district is to permit all agricultural use to exist free from most private urban development except for large lot, single-family development. Some public and/or semi-public uses as well as a limited list of convenient commercial uses are permitted to ensure essential services for residents.

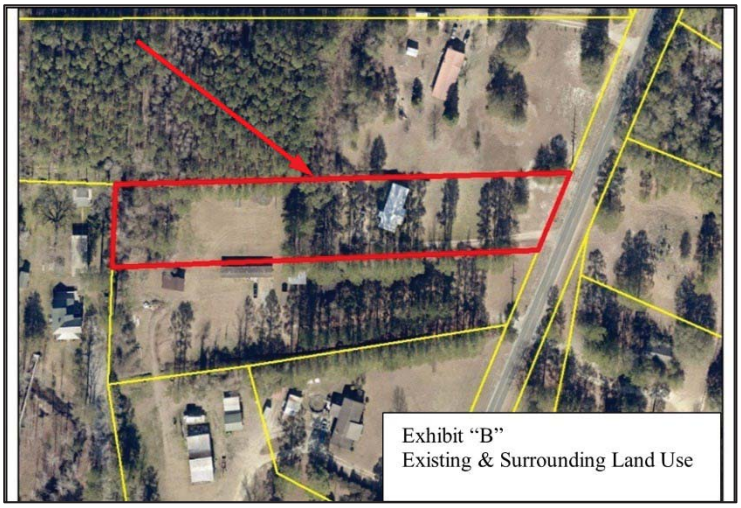
EXISTING LAND USE: The subject parcel contains an existing manufactured home. Exhibit "B" shows the existing use of the subject property.

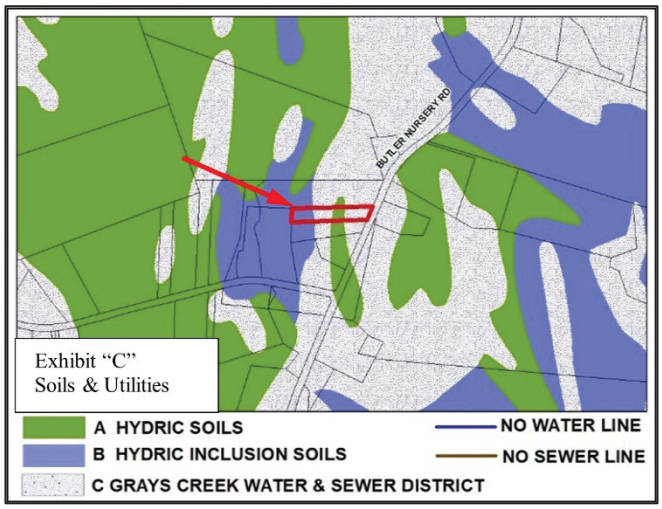


SURROUNDING LAND USE: Exhibit "B" illustrates the following:

- **North**: Wooded lands, and a manufactured residential dwelling home.
- **East**: SR 2233 'Butler Nursery Road' and wooded lands.
- **West**: Single-family residential dwellings, wooded lands.
- **South**: Wooded lands, single-family residential dwelling, and a manufactured residential dwelling home.

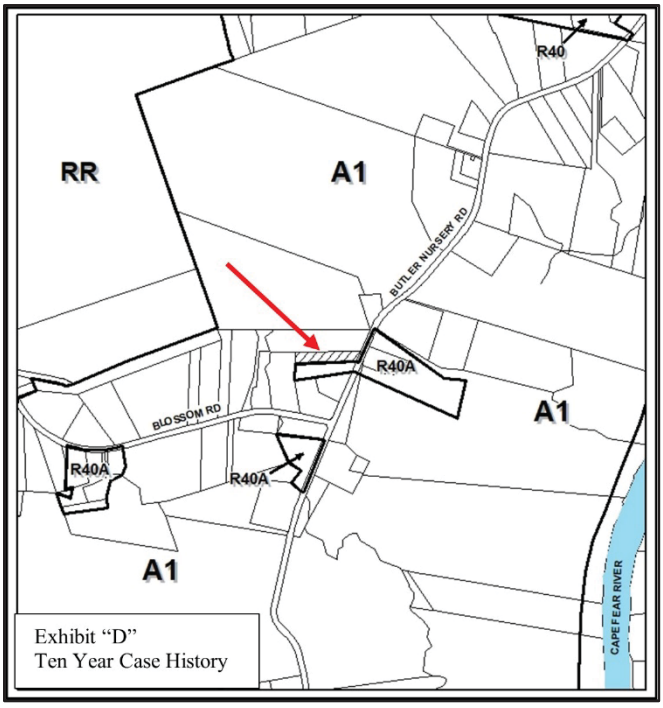
OTHER SITE CHARACTERISTICS: The site is not located in a Watershed Protection Area or within a Flood Zone Hazard Area. The subject property, as delineated in Exhibit "C", illustrates the presence of hydric and hydric inclusion soils on the property. The subject property is within the Grays Creek Water & Sewer District.





TEN YEAR ZONE CASE HISTORY:

Exhibit "D" denotes no rezoning cases within the last ten years near the site.



DEVELOPMENT REVIEW: Should the rezoning request be approved by the Board of County Commissioners, a group development site plan or Preliminary Plan for any development will need to be submitted to the Current Planning Division for review and approval to ensure conformance with the County Subdivision and Zoning Ordinances.

DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

Minimum Standard	A1 (Existing Zoning)	R40A (Proposed)
Front Yard Setback	50 feet	30 feet
Side Yard Setback	20 feet	15 feet
Rear Yard Setback	50 feet	35 feet
Lot Area	2 acres	40,000 square feet
Lot Width	100 feet	100 feet

Development Potential:

Existing Zoning (A1)	Proposed Zoning (R40A)
1 dwelling units	2 dwelling units

- Lot count may be rounded up when a fraction occurs**.** When any requirement of this ordinance results in a fraction of a unit, a fraction of one-half or more shall be considered a whole unit, and a fraction of less than one-half shall be disregarded.

COMPREHENSIVE PLANS:

This property is located within the South-Central Land Use Plan (2015), as shown in Exhibit "E". The future land use classification of the property is "Farmland". Associated zoning districts for this classification are A1, A1A, R40, R40A, and CD.

The proposed rezoning request is consistent with the adopted land use plan.

Development Goals, Notes, and Objectives:

- To provide a complete range of residential housing types that accommodates the needs of all residents with adequate infrastructure while preserving the character of the area and protecting environmentally sensitive areas (South Central Land Use Plan, 2015, pg. 93).
- Promote the building of quality housing (South Central Land Use Plan, 2015, pg. 93).
- Locate residential areas with respect to the natural and environmental sensitive areas (South Central Land Use Plan, 2015, pg. 93).

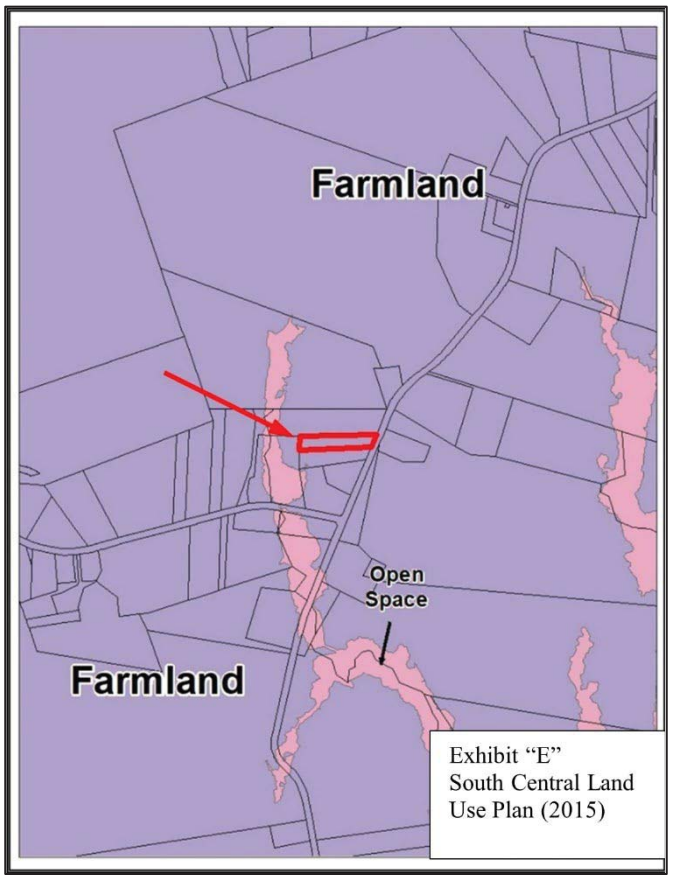


Exhibit "E"
South Central Land Use Plan (2015)

IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: Sewer and/or waterlines are not available near the subject property as shown in Exhibit "C". Well and septic will likely be required, and the lot size must meet the minimum area necessary to accommodate both. Applicant must coordinate with Environmental Health for their well and septic systems/permits.

TRANSPORTATION: Butler Nursery Rd. is classified as Local Road based on the NCDOT Functional Class Map. The subject property sits on Butler Nursery Road and is identified as a local road in the Metropolitan Transportation Plan. There are no roadway construction improvement projects planned, and the subject property will have no significant impact on the Transportation Improvement Program. In addition, Butler Nursery Road has a 2021 AADT of 450 and no road capacity is data available. Due to lack of data and the small scale, the new zoning request does not demand a trip generation. The new development should not generate enough traffic to significantly impact Butler Nursery Road.

SCHOOLS CAPACITY/ENROLLMENT:

School	Enrollment	Capacity
Alderman Road Elementary	613	707
Gray's Creek Middle	1,034	1,083
Gray's Creek High	1,480	1,517

ECONOMIC DEVELOPMENT: Fayetteville-Cumberland County Economic Development Corporation has reviewed the request and had no objection to the proposed rezoning.

EMERGENCY SERVICES: Emergency Services has reviewed the request and has no objections to the proposed rezoning.

SPECIAL DISTRICTS/ OVERLAY DISTRICTS: This site is not located within any special district or overlay district.

Special Districts			
Fayetteville Regional Airport Overlay:	N/A	Averasboro Battlefield Corridor:	N/A
Five Mile Distance of Fort Bragg:	N/A	Eastover Commercial Core Overlay District:	N/A
Voluntary Agricultural District (VAD):	N/A	Spring Lake Main Street Overlay District:	N/A
VAD Half Mile Buffer:	N/A	Coliseum Tourism Overlay District:	N/A

CONDITIONS OF APPROVAL: This is a conventional rezoning. There are no conditions proposed at this time.

STAFF RECOMMENDATION

In Case ZON-25-0041, Planning and Inspections staff **recommends approval** of the rezoning request from A1 Agricultural District to R40A Residential District. Staff finds that the request is consistent with the South-Central Area Land Use Plan which calls for "Farmland" at this location. Staff also finds that the request is reasonable and in the public interest as it is compatible to and in harmony with the surrounding land use activities and zoning.

Attachments:
Notification Mailing List
Application

ATTACHMENT – MAILING LIST

BAKER, LUCY B;BAKER, THOMAS H
1465 NEILL'S CREEK RD
LILLINGTON, NC 27546

BALSER, DARREN RAY;BALSER, CHERYL F.
3499 BLOSSOM RD
FAYETTEVILLE, NC 28306

BLACKWELL, AMBER;BLACKWELL, RICKEY
5117 ARCHER RD
HOPE MILLS, NC 28348

CAPE FEAR BAPTIST CH
6041 BUTLER NURSERY RD
FAYETTEVILLE, NC 28306

CAPE FEAR BAPTIST CHURCH
6041 BUTLER NURSERY RD
FAYETTEVILLE, NC 28306

CROSSE CREEK SHOOTERS INC
PO BOX 87641
FAYETTEVILLE, NC 28304

DAVIS, LORETTA L
3634 YORKTOWN RD
HOPE MILLS, NC 28348

FOY, JUSTIN
5901 BUTLER NURSERY RD
FAYETTEVILLE, NC 28306

HURLEY, DAVID
3808 HURLEYS LANDING DR
FAYETTEVILLE, NC 28306

MARSH, JOSEPH W
3608 BLOSSOM RD
FAYETTEVILLE, NC 28306

MARSH, JOSEPH W;MARSH, K S
3608 BLOSSOM RD
FAYETTEVILLE, NC 28306

MARSH, JOSEPH W;MARSH, KEVIN S
3608 BLOSSOM RD
FAYETTEVILLE, NC 28306

MARSH, JOSEPH WILSON
3608 BLOSSOME RD
FAYETTEVILLE, NC 28306

MARSH, O W
5950 BUTLER NURSERY RD
FAYETTEVILLE, NC 28306

MELVIN, DANIEL EARL
5940 BUTLER NURSERY RD
FAYETTEVILLE, NC 28306

MURPHY BROWN INVESTMENTS LLC
4365 DOMINIQUE ST
HOPE MILLS, NC 28348

O'HERN, MICHAEL LEWIS;O'HERN, SUZY STOUFER
5379 BUTLER NURSERY RD
FAYETTEVILLE, NC 28306

PATE, DEAN R.
5836 BUTLER NURSERY ROAD
FAYETTEVILLE, NC 28306

ROBERTS, SHIRL;FRANK, PERSON
6607 CARLOWAY DR
FAYETTEVILLE, NC 28304

STANFORD, LAMONT J;STANFORD, ROSETTA B
15588 60TH PL N
LOXAHATCHEE, FL 33470

STEPHENS, CARLA;WRIGHT, JEFFREY BRIAN SR
7789 BURNETT RD
DUNN, NC 28334

TYSON, VANCE U JR
4925 S NC 87 HWY
FAYETTEVILLE, NC 28306

WALTERS, MICHAEL W;WALTERS, BRENDA B
3530 BLOSSOM RD
FAYETTEVILLE, NC 28306

ATTACHMENT: APPLICATION

CUMBERLAND
COUNTY
NORTH CAROLINA
Planning & Inspections Department

CASE #: _____

PLANNING BOARD
MEETING DATE: _____

DATE APPLICATION
SUBMITTED: _____

APPLICATION FOR
REZONING REQUEST
CUMBERLAND COUNTY ZONING ORDINANCE

The following items are to be submitted with the completed application:

✓1. A copy of the *recorded* deed and/or plat.
✓2. If a portion(s) of the property is being considered for rezoning, an accurate written legal description of only the area to be considered.
✓3. A check made payable to "Cumberland County" in the amount of $_____. (See County Fee Schedule).

Rezoning Procedure:

1. Completed application submitted by the applicant.
2. Notification to surrounding property owners.
3. Planning Board hearing.
4. Re-notification of interested parties / public hearing advertisement in the newspaper.
5. County Commissioners' public hearing (approximately four weeks after Planning Board public hearing)
6. If approved by the County Commissioners, rezoning becomes effective immediately.

The Planning & Inspections Staff will advise on zoning options, inform applicants of development requirement and answer questions regarding the application and rezoning process. For further questions, call (910)678-7627 or (910)678-7609. Hours of operation are 8:00 a.m. to 5:00 p.m., Monday through Friday.

NOTE: Any revisions, inaccuracies or errors to the application may cause the case to be delayed and will be scheduled for the next available board meeting according to the board's meeting schedule. Also, the application fee is *nonrefundable*.

TO THE CUMBERLAND COUNTY JOINT PLANNING BOARD AND THE BOARD OF COUNTY COMMISSIONERS OF CUMBERLAND COUNTY, NC:

I (We), the undersigned, hereby submit this application, and petition the County Commissioners to amend and to change the zoning map of the County of Cumberland as provided for under the provisions of the County Zoning Ordinance. In support of this petition, the following facts are submitted:

1. Requested Rezoning from A1 to R40A
2. Address of Property to be Rezoned: 5888 Butler Nursery Rd. Fayetteville, NC
3. Location of Property, details: _____
4. Parcel Identification Number (PIN #) of subject property: PIN 0452118922 (also known as Tax ID Number or Property Tax ID)
5. Acreage: 1.79 Frontage: 121.28 Depth: 689.83
6. Water Provider: Well: ✓ PWC: _____ Other (name): _____
7. Septage Provider: Septic Tank ✓ PWC _____
8. Deed Book 7943, Page(s) 0365, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: Residence
10. Proposed use(s) of the property: Residence
11. Do you own any property adjacent to or across the street from this property?
    Yes ✓ No _____ If yes, where? Adjoining
12. Has a violation been issued on this property? Yes _____ No ✓

A copy of the recorded deed(s) and/or recorded plat map(s) must be provided. If the area is a portion of a parcel, a written legal description by metes and bounds, showing acreage must accompany the deeds and/or plat. If more than one zoning classification is requested, a correct mete and bounds legal description, including acreage, for each bounded area must be submitted.

The Planning and Inspections Staff is available for advice on completing this application; however, they are not available for completion of the application.

The undersigned hereby acknowledge that the County Planning Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.

Joseph Wilson Marsh
NAME OF OWNER(S) (PRINT OR TYPE)

3608 Blossom Rd. Fayetteville NC 28306
ADDRESS OF OWNER(S)

910-261-5505
HOME TELEPHONE #

WORK TELEPHONE #

Joe W. Marsh
NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)

3608 Blossom Rd Fayetteville NC 28306
ADDRESS OF AGENT, ATTORNEY, APPLICANT

Jnkmarsh56@gmail.com
E-MAIL

910-261-5505
HOME TELEPHONE #

WORK TELEPHONE #

Joseph Wilson Marsh
SIGNATURE OF OWNER(S)

SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

SIGNATURE OF OWNER(S)

The contents of this application, upon submission, become "public record."

Deed - 910-323-5409
J. March - 910-483-7234

NO REVENUE STAMPS - GOVERNMENT EXEMPTION

DRAWN BY: The O'Brien Law Firm Co., LPA

MAIL TO: 101 South Elm Street Suite 225, Greensboro, NC 27401

Property Address: 045211-89225888 BUTLER NURSERY RD., FAYETTEVILLE, NC, 28306
Tax Mailing Address: 3608 Blossome Road, Fayetteville, NC 28306

FHA Case No.: 381-677216

File No.: NC-7604R
Tax ID#: 0452-11-8922

SPECIAL WARRANTY DEED

THIS DEED, made this 2nd day of June, 200 8, by Secretary of Housing and Urban Development of Washington D.C., party of the first part, to JOSEPH WILSON MARSH, a married person, party(ies) of the second part,

WITNESSETH: That the said party of the first part in consideration of TEN DOLLARS ($10.00) amount and other considerations, to him paid by the said party(ies) of the second part, the receipt of which is hereby acknowledged, has bargained and sold and by these presents does bargain, sell and convey unto the said party(ies) of the second part, and the heirs and assigns of said party(ies) of the second part, all that certain lot or parcel of land situated in the County of CUMBERLAND, State of North Carolina, more particularly described as follows, to wit:

Beginning at a point in the western margin of SR 82233 (60 foot right of way), being the fourth corner of a tract conveyed to Loyal Freeman Colosky, III and wife, Kathy L. Colosky, by deed recorded in book 3432 at Page 419, Cumberland County registry, and running thence along the northern line of said tract North 88 degrees 34 minutes West 643.60 fee to a point, the third corner of said Colosky tract; thence a new line North 04 degrees 36 minutes east 124.57 feet to a point; thence South 87 degrees 18 minutes East 689.83 feet to a point in the western margin of said SR; thence Soth 27 degrees 19 minutes West 121.28 feet to the point and place of beginning, containing 1.79 acres, more or less.
Together with improvements located thereon; said property being located at 5888 Butler Nursery Road, Fayetteville, North Carolina.
parcel 0452-11-8922

TO HAVE AND TO HOLD the aforesaid tract or parcel of land all privileges and appurtenances thereunto belonging to the said party(ies) of the second part and the heirs and assigns of said party(ies) forever

SUBJECT to all covenants, restrictions, reservations, easements, conditions and rights appearing of record; and SUBJECT to any state of facts an accurate survey would show.

AND THE SAID PARTY of the first part doth covenant that he is seized of said premises in fee and has the right to convey same in fee simple; that he will WARRANT AND DEFEND the said title to the same against the claims of all persons claiming by, through and under him.

IN WITNESS WHEREOF the undersigned on this 2nd day of June, 20 08, has set his/her hand and seal as Authorized Agent for the Secretary of Housing and Urban Development, under authority and by virtue of a delegation of authority published at 70 FR 43171 (July 26,2005).

SECRETARY OF HOUSING AND URBAN DEVELOPMENT

By: Orlando C. Vereen (SEAL)

Name: Orlando C. Vereen

Title: Designated Signatory for Harrington, Moran and Barksdale,Inc., Marketing and Management Contractor, Authorized Agent

STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG

I, Cara S. Moore, a Notary Public for said County and State, do hereby certify that Orlando C. Vereen, Designated Signatory for Harrington, Moran and Barksdale,Inc., Marketing and Management Contractor and Authorized Agent for the Secretary of Housing & Urban Development, personally appeared before me this day whose authority is vested in him/her by 70 FR 43171 (July 26,2005) and acknowledged that he/she signed the foregoing instrument on the day and year within mentioned for and on behalf of the Secretary of Housing and Urban Development.

Witness my hand and official seal, this 2nd day of June, 2008.

(OFFICIAL SEAL) CARA S. MOORE NOTARY PUBLIC GASTON COUNTY, N.C.

Cara S. Moore
NOTARY PUBLIC Cara S. Moore

My Commission Expires: 2-26-2011

PREPARED BY THE O'BRIEN LAW FIRM CO., LPA, AS CLOSING AGENT FOR THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Sales Contract

Property Disposition Program

U.S. Department of Housing and Urban Development
Office of Housing
Federal Housing Commissioner

HUD Case No. 381-677216

1. I (We), Joseph Wilson Marsh
(Purchaser(s)) agree to purchase on the terms set forth herein, the following property, as more particularly described in the deed conveying the property to the Secretary of Housing and Urban Development:
5888 Butler Nursery Road, Fayetteville, NC 28306
(street number, street name, unit number, if applicable, city, county, State)

2. The Secretary of Housing and Urban Development (Seller) agrees to sell the property at the price and terms set forth herein, and to prepare a deed containing a covenant which warrants against the acts of the Seller and all claiming by, through or under him. Title will be taken in the following name(s) and style: Joseph Wilson Marsh

3. The agreed purchase price of the property is ..... ➤ **3.** $ 33,000.00
Purchaser has paid $ 500.00 as earnest money to be applied on the purchase price, and agrees to pay the balance of the purchase price, plus or minus prorations, at the time of closing, in cash to Seller. The earnest money deposit shall be held by Dew Construction & Realty, Inc., Trust Account.

4. ☑ Purchaser is applying for FHA insured financing [☐ 203(b), ☐ 203(b) repair escrow, ☐ 203(k)] with a cash down payment of $ _____ due at closing and the balance secured by a mortgage in the amount of $_____ for_____ months (does not include FHA Mortgage Insurance Premium, prepaid expenses or closing costs Seller has agreed to fund into mortgage.).
☐ Said mortgage involves a repair escrow amounting to $ _____.
☑ Purchaser is paying cash or applying for conventional or other financing not involving FHA.

5. Seller will pay reasonable and customary costs, but not more than actual costs, nor more than paid by a typical Seller in the area, of obtaining financing and/or closing (excluding broker's commission) in an amount not to exceed ..... ➤ **5.** $ 990.00

6a. Upon sales closing, Seller agrees to pay to the broker identified below a commission (including selling bonus, if offered by seller) of ..... ➤ **6a.** $ 1,650.00

6b. If broker identified below is not the broad listing broker, broad listing broker will receive a commission of: .... ➤ **6b.** $ _____

7. The net amount due Seller is (Purchase price [Item 3] less Items 5 and 6) ..... ➤ **7.** $ 31,125.00

8. Purchaser is: ☐ owner-occupant (will occupy this property as primary residence) ☑ investor
☐ nonprofit organization ☐ public housing agency ☐ other government agency. Discount at closing: _____ %
Discount will reduced by amounts, if any, listed on Line Items 5 and 6.

9. Time is of the essence as to closing. The sale shall close not later than 45 days from Seller's acceptance of contract. Closing shall be held at the office of Seller's designated closing agent or _____.

10. If Seller does not accept this offer, Seller ☑ may ☐ may not hold such offer as a back-up to accepted offer.

11. Lead based paint addendum ☐ is ☑ is not attached; Other addendum ☑ is ☐ is not attached hereto and made part of this contract.

12. **Should Purchaser refuse or otherwise fail to perform in accordance with this contract, including the time limitation, Seller may, at Seller's sole option, retain all or a portion of the deposit as liquidated damages. The Seller reserves the right to apply the earnest money, or any portion thereof, to any sums which may be owed by the Purchaser to the Seller for rent.** Purchaser(s) Initials: JWM Seller's Initials: _____

13. This contract is subject to the Conditions of Sale on the reverse hereof, which are incorporated herein and made part of this contract.
Certification of Purchaser: The undersigned certifies that in affixing his/her/its signature to this contract he/she/it understands: (1) all the contents thereof (including the Conditions of Sale) and is in agreement therewith without protest; (2) he/she/it is responsible for satisfying itself as to the full condition of the property; and (3) that Seller will not perform repairs after acceptance of this contract.

Purchaser(s): (type or print names & sign)	Purchaser(s) Address:	
Joseph Wilson Marsh Joseph Wilson Marsh	3608 Blossom Road, Fayetteville, NC 28306	
Purchaser(s) Social Security Number (SSN) or Employer Identification Number (EIN) (include hyphens)	Phone No:	Date Purchaser(s)Signed Contract:
242-04-4678	910-485-3793	04/23/2008
Seller: Secretary of Housing and Urban Development By: (type name & title, & sign) X		Date Contract Accepted by HUD:

Certification of Broker: The undersigned certifies that: (1) neither he/she nor anyone authorized to act for him/her has declined to sell the property described herein to or to make it available for inspection or consideration by a prospective purchaser because of his/her race, color, religion, sex, familial status, national origin, or disability; (2) he/she has both provided and explained to the purchaser the notice regarding use of Seller's closing agent; (3) he/she has explained fully to the purchaser the entire terms of the contract, including Condition B on the reverse hereof; and (4) he/she is in compliance with Seller's earnest money policy as set forth on HUD forms SAMS-1111, Payee Name and Address, and SAMS-1111-A, Selling Broker Certification, which he/she has executed and filed with Seller.

Broker's Business Name & Address: (for IRS reporting) (include Zip Code)	Broker's EIN or SSN: (include hyphens)	SAMS NAID:
Dew Construction & Realty, Inc. 4278 Marshwood Lake Road Fayetteville, NC 28306	201068346	DEWCNS8346
	Signature of Broker: X Elsie Marsh Dew	Broker's Phone No: 910-483-3910

Type or print the name and phone number of sales person: Elsie Marsh Dew 910-483-3910

This section for HUD use only. Broker notified of:	Authorizing Signature & Date:
☐ Acceptance ☐ Back-Up No. _____ ☐ Rejection ☐ Return Earnest Money Deposit	X

Previous editions are obsolete

ref. Handbook 4310.5 form **HUD-9548** (1/99)

THE O'BRIEN LAW FIRM, CO., LPA

Secretary of Housing and Urban Development North Carolina Closing Agent
101 South Elm Street, Suite 225 Greensboro, North Carolina 27401
Telephone: (336) 574-4299 ✧ Facsimile: (336) 574-4298

Real Estate Agent: ELSIE DEW
Fax: 910-326-5409
Buyer: JOSEPH WILSON MARSH
Property Address: 5888 BUTLER NURSERY RD. FAYETTEVILLE, NC
HUD Case Number: 381-677216
Closing Specialist to Contact: RENEE MITCHELL
Your Closing Specialist is your primary contact for scheduling, and other customer service needs.
****** The Secretary of Housing and Urban Development now requires that all funds be Certified Funds. The O'Brien Law Firm has been instructed to only accept Certified Funds.**********

1. Will our Office be the closing attorney for the buyer? ☐ Yes or ☐ No
   Please be advised if the buyer chooses to allow our firm to represent them in this transaction there will be a title examination fee in the amount of $225.00, a title binder procurement fee of $100.00. If there is a lender involved there will be additional fees: $35.00 courier fee, and email package printing fee of $25.00 per package. If you have any questions please feel free to call our office for assistance. We are disclosing these at the beginning of the process in order to eliminate questions when the HUD-1 statement arrives.
2. If No, please list below the closing attorney's name, phone number and fax number:
   _____
   _____
   Please advise the buyer's attorney that it is his/her responsibility to contact our office in order to receive instructions for the Seller's side HUD.
3. Is this a Cash sale? ☐ Yes or ☐ No
4. If yes, does the buyer want a title search completed and title insurance?
   ☐ Yes or ☐ No
5. If not a cash sale, please provide the lender's contact name, phone number and fax number: _____
   _____
6. Is this a Manufactured/Mobile Home? ☐ Yes or ☐ No
7. If there is a Homeowner's Association, please provide HMBI with that information so we may close in a timely manner.
8. Is the Buyer: ☐ Single, ☐ Married, ☐ Divorced or ☐ Widow
9. If the buyer is married, please list the spouse's name: _____
   **Spouse must attend closing unless there is a POA or termination of marital rights agreement. The cost to prepare these documents are $75.00, and a recording fee of $20.00.

Please fill out the form and fax it back to our Greensboro Office at (336) 574-4298.
As soon as we receive this information, we can begin to process the file.
Note: Earnest Money Must Be Brought To Closing Certified Funds Only.

7698
0340

BK7698PG0340

042187

(N.P. SEAL)
2ORA

RECEIVED
9-13-2007 PM 12:41:41
J. LEE WARREN JR.
REGISTER OF DEEDS
CUMBERLAND CO., N.C.

DECLARATION OF INTENT TO AFFIX THE MANUFACTURED HOME TO REAL PROPERTY

Drafted by and return to:
Shapiro and Ingle, LLP
8520 Cliff Cameron Drive, Suite 300
Charlotte, NC 28269

REO#: 04-58376

STATE OF NORTH CAROLINA
COUNTY OF CUMBERLAND

The undersigned Owners hereby certify and declare as follows:

1. We are the owners of that certain manufactured home (Home) described as follows:

   Manufacturer - Make : n/a
   Year/ Model or Series: 2000
   Identification Number: M1632MB

2. Said home has been or will be placed upon Real Property, which is owned by Owners pursuant to deed recorded in Book 7641, Page 339 in Cumberland County Registry.

   BEGINNING at a point in the western margin of State Road 82233 (60 foot right of way), being the fourth corner of a tract conveyed to Loyal Freeman Colosky, III and wife, Kathy L. Colosky by deed recorded in Book 3432, Page 419, Cumberland County Registry, and running thence along the northern line of said tract North 88 degrees 34 minutes Went 643.60 feet to a point, the third corner of said Colosky tract; thence a new line North 04 degrees 36 minutes East 124.57 feet to a point;, thence south 87 degreee 18 minutes East 689.83 feet to a point in the western margin of said State Road; thence South 27 degrees 19 minutes West 121.28 feet to the point and place of BEGINNING, containing 1.79 acres, more or less

   Address: 5888 Butler Nursery, Fayetteville, NC 28306
   Tax ID: 0452-11-8922

3. It is Owners' express intention that the Home be considered and treated as Real Property for all purposes, and that any conveyances of or encumbrances upon the Real Property shall include the Home as a permanent improvement thereto.

4. Either:
_☒_ (a) the Home has never been titled by the North Carolina Department of Transportation, Division of Motor Vehicles and the original Manufacturer's Certificate of Origin is not attached, or

_☐_ (b) the title has been surrendered and canceled by said Division of Motor Vehicles

_☐_ (c) the mobile home was acquired through a foreclosure on the property and Owner is unable to locate owners of record at the Department of Motor Vehicles for a release in order to satisfy Department of Motor Vehicles

5. The Home is or will be hereafter listed, assessed and taxed as real property for ad valorem taxes in the county where the Real Property is located. (NCGS 105-273(13)).

6. The following constitute all the liens or security interests upon the Home or Real Property:

None

Owners covenant that this Declaration may be relied upon by lenders, purchasers, attorneys certifying title to said property, Title Insurance Companies insuring title to said Real Property (including the home as a permanent improvement) and others dealing with said Owners, their successors and assigns unless and until an instrument severing the improvement is recorded in the aforesaid Registry.

7. All wheels and underpinning have been removed from the home and the physical appearance of the mobile home attests to its permanence to the Real Property upon which it sits.

IN WITNESS WHEREOF, the undersigned have set their hand(s) and seal(s) this _____day of August, 2007.

Secretary of Housing and Urban Development of Washington, D.C.

By:_____
Ralph Jackson, Director
Real Estate Owned Division,
Atlanta Homeownership Center

State of Georgia
County of Henry

I, Linda W. Harris, Notary Public for said County and State, certify that Ralph Jackson, Director of Real Estate Owned Division, Atlanta Homeownership Center, for the Secretary of Housing and Urban Development of Washington, D.C., personally came before me this day and whose authority is vested in him by 71 FR 60173 (Oct. 12, 2006), acknowledged that he is signed and delivered the foregoing instrument on the day and year within mentioned as the Director of the Real Estate Owned Division, Atlanta Homeownership Center, for the Secretary of Housing and Urban Development.

WITNESS my hand and official stamp or seal, this 30 day of August, 2007.

Linda W. Harris
Notary Public
My Commission Expires: Notary Public, Henry County, Georgia My Commission Expires July 30, 2010
(Affix Notarial Seal)

04-58376

CUMBERLAND COUNTY
NORTH CAROLINA
PLANNING & INSPECTIONS

PLANNING STAFF REPORT
REZONING CASE # ZON-25-0042
Planning Board Meeting: Oct. 21, 2025

Location: 3158 Beard Rd
Jurisdiction: Town of Eastover

REQUEST	**Rezoning R40 to R40A**

Applicants request a rezoning from R40 Residential District to R40A Residential District for 3158 Beard Rd. containing approximately 1.50 acres. Only a small accessory building is located on this parcel. The intent of the property owners is to place a manufactured home on the property for a family member.

PROPERTY INFORMATION

OWNER/APPLICANT: Lawrence and Patricia McLemore (Owners/Applicants)

ADDRESS/LOCATION: Refer to Exhibit "A", Location and Zoning Map. REID number: 0496257353000

SIZE: The parcel contains approximately 1.50 acres. Road frontage along Beard Rd is 125 feet. The property is approximately 496 feet in length at its deepest point.

EXISTING ZONING: The subject property is currently zoned R40 Residential District. This district is designed primarily for single-family dwelling units with a lot area of 40,000 square feet or above.

EXISTING LAND USE: An accessory structure does exist on the interior of the lot, but the site is absent a residential dwelling unit. Exhibit "B" shows the existing use of the subject property.

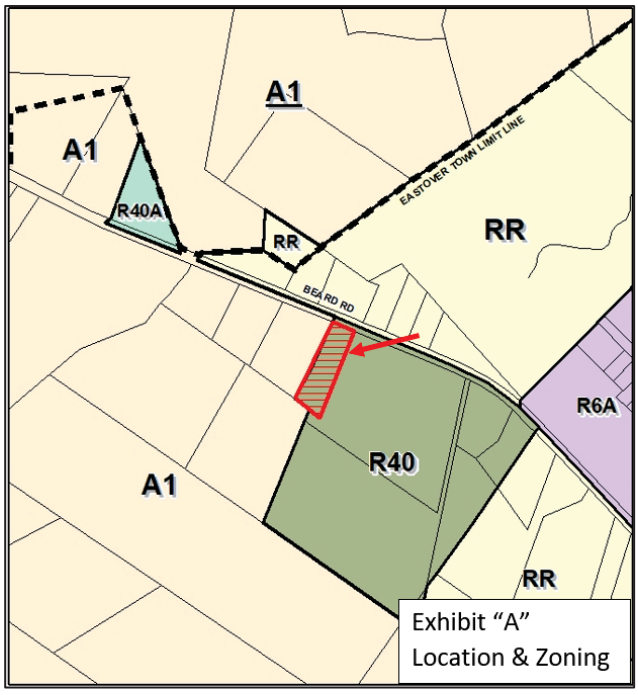
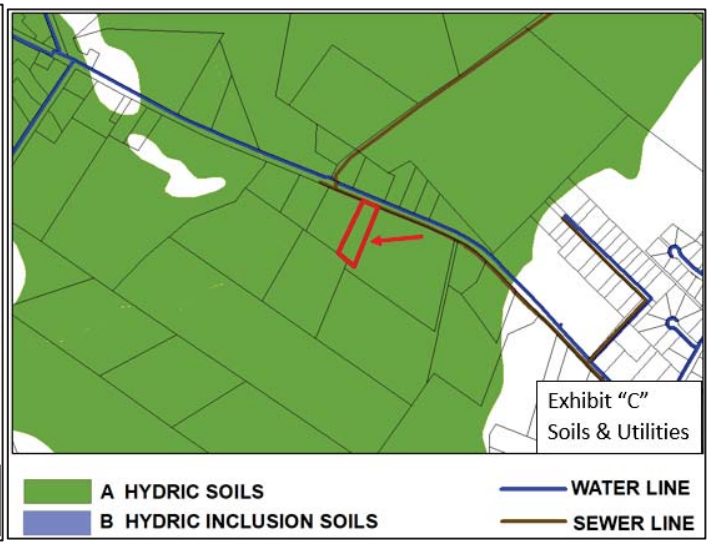


Exhibit "A"
Location & Zoning

SURROUNDING LAND USE: Exhibit "B" illustrates the following:

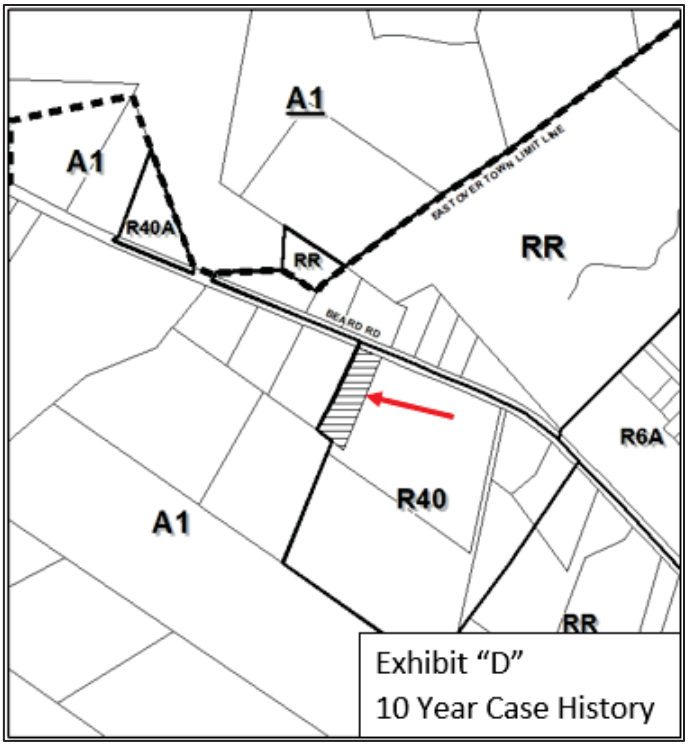
- **North**: Farmland, single-family homes, and manufactured homes
- **East**: Farmland and manufactured homes
- **West**: Farmland, single-family homes, and manufactured homes
- **South**: Farmland

OTHER SITE CHARACTERISTICS: The site is not located in a Watershed nor within a Flood Zone Hazard Area. The subject property, as delineated in Exhibit "C", illustrates hydric soils existing on the entirety of the property.



TEN-YEAR ZONE CASE HISTORY:

Exhibit "D" denotes no zoning cases within the last ten years near the subject property.



DEVELOPMENT REVIEW: Prior to installing any manufactured home on the property, a plot plan must be submitted, reviewed, and approved by Cumberland County Code Enforcement for compliance with the County Zoning Ordinances before development activity. If a second residential dwelling unit is proposed, a Group Development Permit must be submitted, reviewed, and approved by the Cumberland County Current Planning Division for compliance with the County Zoning and Subdivision Ordinances prior to development activity.

DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

Minimum Standard	R40 (Existing Zoning)	R40A (Proposed)
Front Yard Setback	30 feet	30 feet
Side Yard Setback	15 feet	15 feet
Rear Yard Setback	35 feet	35 feet
Lot Area	40,000 sq. ft.	40,000 sq. ft.
Lot Width	100'	100'

DEVELOPMENT POTENTIAL:

Existing Zoning (R40)	Proposed Zoning (R40A)
2 dwelling units	2 dwelling units

- Lot count may be rounded up when a fraction occurs**.** When any requirement of this ordinance results in a fraction of a unit, a fraction of one-half or more shall be considered a whole unit, and a fraction of less than one-half shall be disregarded.

COMPREHENSIVE PLANS:

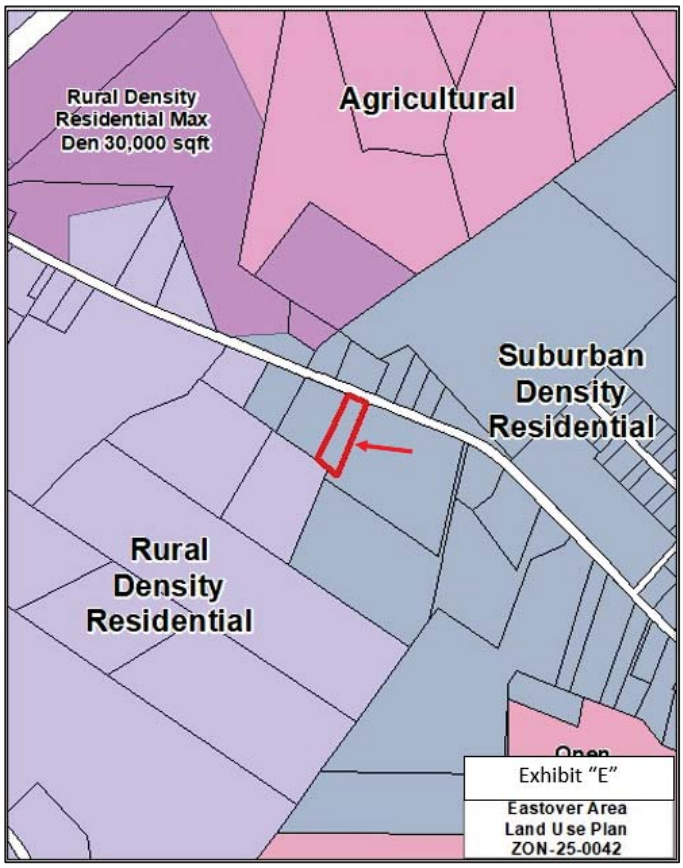
This property is located in the Eastover Area Land Use Plan (2018). The future land use classification of the property is "Suburban Density Residential".

The associated zoning districts for Suburban Density Residential are R7.5 and R15.

The proposed rezoning request is consistent with the adopted land use plan.

Future Land Use Classification Development Goals, Notes, and Objectives:

- "Provide for a full range of housing types with adequate infrastructure throughout that is in harmony with the surrounding areas and accommodates the future needs of the residents while maintaining the character of the area" (Eastover Area Land Use Plan 2018, p. 49).
- "Use development techniques that preserve the rural character of the area" (Eastover Area Land Use Plan 2018, p. 49).
- "Preserve and protect farmland, the agri-business industry and the rural character of the area in order to create a sustainable environment for agricultural operations" (Eastover Area Land Use Plan 2018, p. 48).



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: Eastover Sanitary District water and sewer lines are available near the subject property. It is the applicant's responsibility to determine if this utility provider will serve their development. Utilities for water and sewer are shown on Exhibit "C". If not connecting to public water and sewer utility lines, well and septic will be required, and the lot size must meet the minimum area necessary to accommodate both.

TRANSPORTATION: Beard Rd is identified as a Local Road based on the NCDOT Functional Classification Map. According to the Fayetteville Area Metropolitan Planning Organization (FAMPO), there are no roadway construction improvement projects planned near the subject property, and the proposed development should not generate enough traffic to significantly impact Beard Rd.

SCHOOLS CAPACITY/ENROLLMENT:

School	Capacity	Enrollment
Eastover-Central Elementary	480	380
Mac Williams Middle	1,164	1,127
Cape Fear High	1,476	1,500

ECONOMIC DEVELOPMENT: Fayetteville Cumberland County Economic Development Corporation has reviewed the request and had no objection to the proposed rezoning.

EMERGENCY SERVICES: Cumberland County Fire Marshal's office has reviewed the request and has no objections to the proposed rezoning.

SPECIAL DISTRICTS/ OVERLAY DISTRICTS: The subject property is not located within a special district or overlay district.

Special Districts			
Fayetteville Regional Airport Overlay:	☐	Averasboro Battlefield Corridor:	☐
Five Mile Distance of Fort Liberty:	☐	Eastover Commercial Core Overlay District:	☐
Voluntary Agricultural District (VAD):	☐	Spring Lake Main Street Overlay District:	☐
VAD Half Mile Buffer:	☐	Coliseum Tourism Overlay District:	☐

CONDITIONS OF APPROVAL: This is a conventional zoning. There are no conditions proposed at this time.

STAFF RECOMMENDATION

In Case ZON-25-0042, Planning and Inspections staff **recommends approval** of the rezoning request from R40 Residential District to R40A Residential District. Staff finds that the request is consistent with the Eastover Area Land Use Plan which calls for "Suburban Density Residential" at this location. Staff finds that the request is reasonable and in the public interest as it is compatible to and in harmony with the surrounding land use activities and zoning.

Attachments:
Notification Mailing List
Application

ATTACHMENT – MAILING LIST

CAIN, DEBRA
2728 GOBBLER LN
EASTOVER, NC 28312

CAMPBELL, LORINDA J
3072 BEARD RD
EASTOVER, NC 28312

CARNEY, ALISON N
3112 BEARD RD
EASTOVER, NC 28312

CASTRO, GUADALUPE
2674 BALLPARK RD
EASTOVER, NC 28312

DAVIS, CHRISTI O
3136 BEARD RD
EASTOVER, NC 28312

DUKE ENERGY PROGRESS INC
PO BOX 1551
RALEIGH, NC 27602

EDWARDS, WILLIAM A JR;EDWARDS, JUDY B
3023 BEARD RD
EASTOVER, NC 28312

FULCHER, LOUIS A JR;KENNETH, L
PO BOX 2799
FAYETTEVILLE, NC 28302

GUY, DEBRA THAMES;GUY, DAVID PHILLIP
2728 GOBBLER LN
EASTOVER, NC 28312

HARRELSON, DONNA JOYCE
3312 BEARD RD
EASTOVER, NC 28312

LEBANON BAPTIST CHURCH INC
3329 BEARD RD
EASTOVER, NC 28312

MCLAURIN, ESTHER S
6009 KINGSLAND DR
FAYETTEVILLE, NC 28306

MCLEMORE, LAWRENCE DAVID;MCLEMORE, PATRICIA FAYE
3543 BEARD RD
FAYETTEVILLE, NC 28312

MEJIA, TERRY
3274 BEARD RD
EASTOVER, NC 28312

MELVIN, TONY VANCE LIFE ESTATE;MELVIN, GLENDA F LIFE ESTATE
3414 VANCE MELVIN RD
EASTOVER, NC 28312

NUNNERY, BARBARA H HEIRS
3181 BEARD RD
EASTOVER, NC 28312

ROBINSON, MICHELLE H;ROBINSON, DENNIS A
3165 BEARD RD
EASTOVER, NC 28312

SMITH, GAYLE MCDONALD TRUSTEE
2936 COLEMAN RD
EASTOVER, NC 28312

SYKES, JERRY EUGENE;SYKES, JUDY JACKSON;SYKES, BRUCE RAY
3366 BEARD RD
EASTOVER, NC 28312

THAMES, DEANNA JOLYNN
3306 BEARD RD
EASTOVER, NC 28312

WILLHIDE, PAUL ELMER JR;WILLHIDE, JANET MARIE
3236 BEARD RD
EASTOVER, NC 28312

WILLIAMS, JERRY
3157 BEARD RD
EASTOVER, NC 28312

ATTACHMENT: APPLICATION

CUMBERLAND COUNTY
NORTH CAROLINA
Planning & Inspections Department

CASE #: _____

PLANNING BOARD
MEETING DATE: _____

DATE APPLICATION
SUBMITTED: _____

APPLICATION FOR
REZONING REQUEST
CUMBERLAND COUNTY ZONING ORDINANCE

The following items are to be submitted with the completed application:

1. A copy of the *recorded* deed and/or plat.
2. If a portion(s) of the property is being considered for rezoning, an accurate written legal description of only the area to be considered.
3. A check made payable to "Cumberland County" in the amount of $_____. (See County Fee Schedule).

Rezoning Procedure:

1. Completed application submitted by the applicant.
2. Notification to surrounding property owners.
3. Planning Board hearing.
4. Re-notification of interested parties / public hearing advertisement in the newspaper.
5. County Commissioners' public hearing (approximately four weeks after Planning Board public hearing)
6. If approved by the County Commissioners, rezoning becomes effective immediately.

The Planning & Inspections Staff will advise on zoning options, inform applicants of development requirement and answer questions regarding the application and rezoning process. For further questions, call (910)678-7627 or (910)678-7609. Hours of operation are 8:00 a.m. to 5:00 p.m., Monday through Friday.

NOTE: Any revisions, inaccuracies or errors to the application may cause the case to be delayed and will be scheduled for the next available board meeting according to the board's meeting schedule. Also, the application fee is *nonrefundable.*

TO THE CUMBERLAND COUNTY JOINT PLANNING BOARD AND THE BOARD OF COUNTY COMMISSIONERS OF CUMBERLAND COUNTY, NC:

I (We), the undersigned, hereby submit this application, and petition the County Commissioners to amend and to change the zoning map of the County of Cumberland as provided for under the provisions of the County Zoning Ordinance. In support of this petition, the following facts are submitted:

1. Requested Rezoning from R40 to R40A
2. Address of Property to be Rezoned: 3158 Beard Rd Eastover NC 28312
3. Location of Property, details: 3158 Beard Rd - Passed Lebon Church Vac. Lot 1.5 Acs. Underwood LD
4. Parcel Identification Number (PIN #) of subject property: 0469-25-7353 (also known as Tax ID Number or Property Tax ID)
5. Acreage: 1.5 Frontage: 125 Depth: 496
6. Water Provider: Well: _____ PWC: _____ Other (name): Eastover Water
7. Septage Provider: Septic Tank Eastover Septage PWC _____
8. Deed Book 09393 (8072), Page(s) 0582-0583 (2447), Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: Vacant LOT
10. Proposed use(s) of the property: To put a mobile home or Modular home on
11. Do you own any property adjacent to or across the street from this property?
    Yes _____ No ✓ If yes, where? _____
12. Has a violation been issued on this property? Yes _____ No ✓

A copy of the recorded deed(s) and/or recorded plat map(s) must be provided. If the area is a portion of a parcel, a written legal description by metes and bounds, showing acreage must accompany the deeds and/or plat. If more than one zoning classification is requested, a correct mete and bounds legal description, including acreage, for each bounded area must be submitted.

The Planning and Inspections Staff is available for advice on completing this application; however, they are not available for completion of the application.

The undersigned hereby acknowledge that the County Planning Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.

Laurence David McLemore And Patricia Faye McLemore
NAME OF OWNER(S) (PRINT OR TYPE)

3565 Beard Rd Eastover NC 28312
ADDRESS OF OWNER(S)

910 364 4965
HOME TELEPHONE #

910 624 1100
WORK TELEPHONE #

NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)

ADDRESS OF AGENT, ATTORNEY, APPLICANT

mclemoregirl@gmail.com
E-MAIL

HOME TELEPHONE #

WORK TELEPHONE #

SIGNATURE OF OWNER(S)

SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

Patricia F McLemore
SIGNATURE OF OWNER(S)

The contents of this application, upon submission, become "public record."

CUMBERLAND COUNTY
NORTH CAROLINA
PLANNING & INSPECTIONS

PLANNING STAFF REPORT
REZONING CASE # ZON-25-0043
Planning Board Meeting: October 21, 2025

Location: 8421 Burnett Rd.
Jurisdiction: County-Unincorporated

REQUEST	Rezoning A1A and CD to M1(P)/CZ

Applicant requests a rezoning from A1A Agricultural District and CD Conservancy District to M1(P)/CZ Planned Light Industrial District Conditional Zoning for a 4.62 +/- acre portion of a parcel containing 193 acres and located at 8421 Burnett Rd., as shown in Exhibit "A". The intent of the property owner is to operate a food processing and food production/wholesale business on the property. As shown on the conditional zoning site plan and on Exhibit "B", the business will locate within an existing 10,000 +/- sq ft. building located approximately 2,500 feet west of Burnett Road in a cleared area of the parcel surrounded by woods. The conditional zoning site plan also shows six standard parking spaces for employees or customers. Connection to Burnett Rd. will occur via paved driveway (A conditional zoning site plan is provided as Exhibit "A" to the CZ Conditions of Approval, which is found in Exhibit "F" (attached)).

PROPERTY INFORMATION

OWNER/APPLICANT: David Kemnitz (Owner); Stephen Cain(Applicant).

ADDRESS/LOCATION: Located approximately 2,500 feet west of Bernett Rd with an address of 8421 Burnett Rd. Refer to Exhibit "A", Location and Zoning Map. REID numbers: 0594219044000.

Exhibit "A"
Location and Zoning

SIZE: The area of the parcel to be rezoned contains approximately 4.62 +/- acres. Road frontage along Burnett Rd is 870.70 +/- feet. The property is approximately 3,720 +/- feet in length at its deepest point.

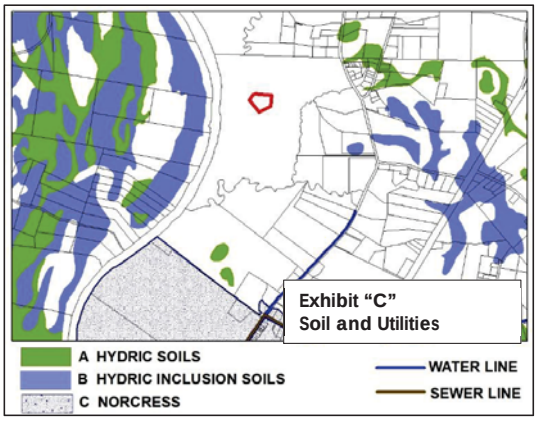
EXISTING ZONING: The subject property is currently zoned A1A Agricultural District and CD Conservancy District. A1A district is primarily designed to allow for residential use of single-family residential dwellings and/or Class A manufactured homes on lots with an area of one acre or greater and is to be located within predominantly agricultural areas. The district is not intended to encourage large scale developments and shall not be considered for tracts of land greater than ten acres. The CD district is designed to preserve and protect identifiable natural resources from urban encroachment. The general intent of the district is to provide open area uses for such resource areas that will continue to provide limited development potential while preserving existing conditions to the extent feasible.

EXISTING LAND USE: The subject parcel currently contains a non-operational metal building that is currently vacant. A paved driveway provides access to the property from Burnett Road.

SURROUNDING LAND USE: Exhibit "B" illustrates the following:

- **North**: Woodlands.
- **East**: Woodlands.
- **West**: Woodlands.
- **South**: Woodland.

OTHER SITE CHARACTERISTICS: The site is not located in a Watershed Protection Area. While portions of the parent parcel are located within a Flood Zone Hazard Area, the rezoning site must have further evaluation at the time of a final site plan to demonstrate a Flood Zone does not occur within subject site. The subject property, as delineated in Exhibit "C", illustrates that hydric and hydric inclusion soils are not located on the rezoning site.

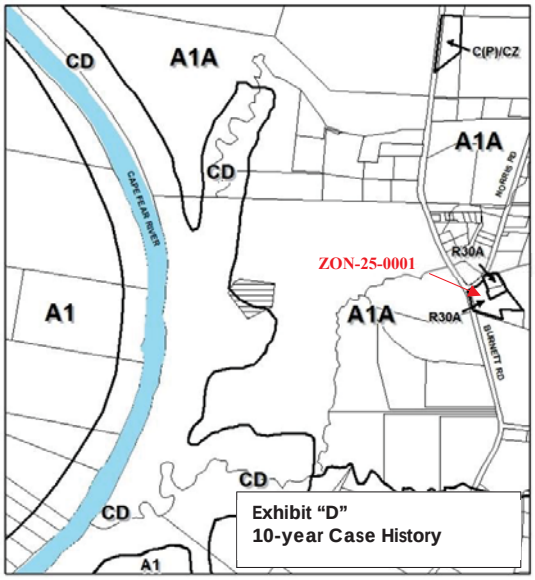


TEN YEAR ZONE CASE HISTORY:

Exhibit "D" denotes the following rezoning case history within the most recent 10-year period.

- **ZON-25-0001:** A1 to R30A; Approved by County

DEVELOPMENT REVIEW:
Site plan review and approval will be required via the Current Planning Division prior to commencement of any site construction activity. The final site plan must be designed pursuant to the conditional zoning site plan and conditional zoning conditions of approval.



DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

Minimum Standard	A1A (Existing)	M1(P)/CZ (Proposed)
Front Yard Setback	50 feet	50 feet
Side Yard Setback	20 feet	30 feet
Rear Yard Setback	50 feet	30 feet
Lot Area	1 Acre	N/A
Lot Width	100'	N/A

DEVELOPMENT POTENTIAL:

Existing Zoning (A1A)	Proposed Zoning (M(P)/CZ)
4 dwelling units	0 dwelling units

- Lot count may be rounded up when a fraction occurs. When any requirement of this ordinance results in a fraction of a unit, a fraction of one-half or more shall be considered a whole unit, and a fraction of less than one-half shall be disregarded.

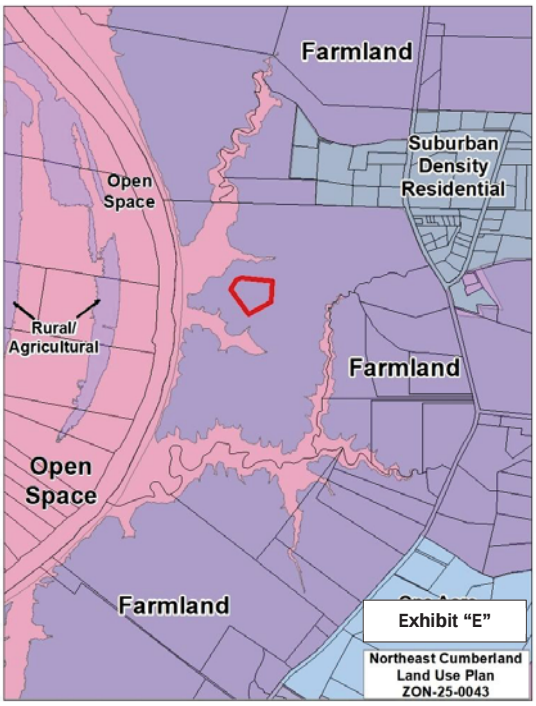
COMPREHENSIVE PLANS:

This property is located in the Northeast Cumberland Land Use Plan (2010). The future land use classification of the property is "Farmland". The associated zoning districts for Farmland are A1 and A1A.

The proposed rezoning request is not consistent with the adopted land use plan.

FUTURE LAND USE CLASSIFCIATION Development Goals, Notes, and Objectives:

- "Provide industrial areas that utilize unique resources of the area, while providing an atmosphere that is orderly, clean, safe and environmentally friendly" (Vision Northeast 2010, p. 18).
- "Locate industrial development so that it will not have an adverse effect on residential areas and other land uses" (Vision Northeast 2010, p. 18).
- "Promote efforts that protect rural family homesteads" (Vision Northeast 2010, p. 20).
- "Enhance and protect farming and the agricultural industry" (Vision Northeast 2010, p. 20).



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: As shown on Exhibit "C", water and sewer lines are not available near the subject property. The subject property will require well and septic permits from the Environmental Health Department.

TRANSPORTATION: Burnett Road is a designate a "Major Collector" road on NCDOT's Road Classification System. There are no planned roadway construction or improvement projects for this segment, and the proposed conditional rezoning is not expected to significantly impact the Transportation Improvement Program. The Average Annual Daily Traffic count for this portion of Burnett Road is 1,000. While the proposed conditional rezoning and the intended manufacturing use should not result in substantial traffic impacts, this is contingent upon the specific type of manufacturing being limited by the conditions of the rezoning. Additionally, any new access points will require coordination with the North Carolina Department of Transportation (NCDOT) for permits related to access/driveways. The subject property is located outside of FAMPO boundaries.

SCHOOLS CAPACITY/ENROLLMENT:

School Name	Enrollment	Capacity
District No 7 Elementary	174	307
Mac Williams Middle	1,127	1,164
Cape Fear High	1,500	1,476

ECONOMIC DEVELOPMENT: Fayetteville Cumberland County Economic Development Corporation has no objections to the proposed rezoning.

EMERGENCY SERVICES: Cumberland County Fire Marshal's office has reviewed the request and made the following comments:

1. Ensure all fire department access requirements are met in accordance with section 503 of the 2018 NC fire code.
2. Ensure fire protection water supply requirements are met in accordance with Section 507 of the 2018 NC Fire Code.
3. A commercial building permit for a change of occupancy classification will be required for new construction and/or building renovation.

SPECIAL DISTRICTS/ OVERLAY DISTRICTS: The property is not located within any special districts or overlay districts

Special Districts			
Fayetteville Regional Airport Overlay:	n/a	Averasboro Battlefield Corridor:	n/a
Five Mile Distance of Fort Bragg:	n/a	Eastover Commercial Core Overlay District:	n/a
Voluntary Agricultural District (VAD):	n/a	Spring Lake Main Street Overlay District:	n/a
VAD Half Mile Buffer:	n/a	Coliseum Tourism Overlay District:	n/a

n/a – not applicable

CONDITIONS OF APPROVAL: The proposed conditions of approval and conditional zoning site plan are attached to this report, which is found in Exhibit "F".

KEY CONDITIONS

1. Use and development of the site must occur consistent with the Conditional Zoning, Conditions of Approval and the Conditional Zoning Site Plan. The conditional zoning only allows a food processing and food production/wholesale business.

2. No inoperable vehicles or trailers, or vehicle or trailer parts, shall be stored or placed on the property. Junkyard operations are not allowed.

3. Junkyards are a prohibited use. Inoperable vehicles and inoperable trailers, including portions thereof, are not allowed to be stored or parked on the property.

STAFF RECOMMENDATION

In Case ZON-25-0043, Planning and Inspections staff **recommends approval** of the rezoning request from A1A Agricultural District and CD Conservancy District to M1(P)/CZ Planned Light Industrial District Conditional Zoning and find that:

1. Approval is an amendment to the adopted, current Northeast Cumberland Land Use Plan and that the Board of Commissioners should not require any additional request or application for amendment to said map for this request.
2. The requested use and zoning district are compatible with the land use plan policies that support industrial development and employment.
3. Impacts to surrounding areas are minimal as the rezoning site is fully screened by woodlands and will be more than 1,500 feet from the nearest residential use located outside the parent parcel.

Staff also finds that the request is reasonable and in the public interest as it is compatible to and in harmony with the surrounding land use activities and zoning.

Attachments:
Conditions of Approval and Site Plan
Notification Mailing List
Application

Exhibit "F" Conditions of Approval

General Address: 8421 Burnett Rd.	Acres: 4.62 +/-
REID: 0594219044000	Approval Date: TBD
Effective Date: TBD	Issued to: David Kemnitz

M1(P) Planned light Industrial/CZ Conditional Zoning District
Case ZON-25-0043
Ordinance Related Conditions for Retailing or Servicing Use of Property

Applicability: Rezoning from A1A Agricultural District and CD Conservancy District to M1(P)/CZ Planned Light Industrial District Conditional Zoning for a 4.62 +/- acre portion of a parcel containing 193 acres. located at 8421 Burnett Rd; submitted by David Kemnitz (owner).

A. Permitted and Prohibited Uses.

1. Permitted Uses. Use and development of the Food Processing, Production and wholesale sales building shall occur consistent with the Conditional Zoning Site Plan appearing in Exhibit "A" of the Conditions of Approval, the Conditions set forth herein, and the County Zoning and Subdivision Ordinances. The existing 10,000 sq. ft. metal building shall be the primary structure containing the food processing, food production, and wholesale sales operation as illustrated on the Conditional Zoning Site Plan.
2. Prohibited Uses or Activities.
   a. All other M1(P) uses not listed within Paragraph A.1.
   b. No inoperable vehicles or trailers, or vehicle or trailer parts, shall be stored or placed on the property. Junkyard operations are not allowed.

B. Development Standards.

1. The Conditional Zoning Site Plan is not the Final Site Plan. A final Site Plan must be submitted to and approved by the Current Planning Division prior to any development activity or occupancy of the existing building. The Final Site Plan shall be consistent with the intent of the Conditional Zoning Site Plan.

2. All vehicle parking associated with the food processing business shall only occur within the boundaries of the M1(P) zoning.

3. Where any conflicts occur between the Conditions of Approval herein, including the Conditional Zoning Site Plan, with the County Zoning and Subdivision Ordinances, the Conditions of Approval and Site Plan shall supersede.

4. This conditional zoning approval is not approval of any freestanding signs. If a freestanding sign is desired as stated in the written application, a site plan is required prior to application for any freestanding sign permits. Attached signage for this development must be in accordance with the applicable sign regulations as set forth in Article XIII of the County Zoning Ordinance and that the proper permit(s) must be obtained prior to the installation of any permanent signs on the property. (Note: This conditional approval is not approval of the size, shape, or location of any signs.)

5. The owner/developer is responsible and liable for maintenance and upkeep of this site, to include ensuring that the site is kept free of litter and debris, all grass areas mowed, all buffers/berms and shrubbery kept trim and maintained, so that the site remains in a constant state of being aesthetically and environmentally pleasing.

6. Noise levels shall not exceed 60 dB(A) between the hours of 9:00 am and 5:00 pm. In any event, the noise level, regardless of the time of day, shall not become a nuisance to neighboring properties and strict compliance with the County's Noise Ordinance is required.

7. The conditional zoning and conditional zoning site plan approval is only for a food processing, food production and wholesale sales, as proposed and depicted on the conditional zoning site plan and application. Applicant proposes only to use the two existing structures for the business. Any expansion of the proposed use deemed a substantial modification, change of use, or an additional use being proposed consistent with the permitted uses must have a modification to the conditional zoning applied for and approved by the Board of County Commissioners.

8. At final site plan, owner has the option to phase the project to accommodate potential future growth of the business when the need to increase production capacity arises, including but not limited to, adding employees and corresponding parking spaces/bathrooms and/or up 25,000 additional square feet to the building structure to facilitate potential future expansion plans of the same use.

C. Infrastructure and Utilities:

1. An outdoor lighting plan shall be submitted with the final site plan application. All lighting is required to be directed internally within this development and comply with the provisions of Section 1102 M, Outdoor Lighting, County Zoning Ordinance.

2. For new development, all utilities, except for 25k or greater electrical lines, must be located underground.

3. Property owner is responsible for waste management, disposal and hauling, of all trash, debris and byproducts and shall be disposed at authorized landfills or other approved sources.

D. Fire Marshal and Fire Inspections:

Developer must ensure fire protection water supply requirements are met in accordance with Section 507 of the 2018 NC Fire Code. Developer is required to provide advanced coordination and contact with the County Fire Marshal Office prior to final site plan submittal as well as during site construction. Submit plans for any permits required in Section 105 of the 2018 Fire Code. All fire department access requirements shall be met in accordance with Section 503 of the 2018 NC Fire Code and demonstrated at the time of final site plan and permit applications, as applicable. Construction plans may be required for review by the Fire Marshal, and the developer is responsible for contacting prior to any development activity, including clearing and grading.

E. Stormwater and Drainage:

1. For any new development where the developer disturbs or intends to disturb more than one acre of land, the developer must provide the Code Enforcement Section with an approved NC Department of Environmental Quality (NCDEQ) sedimentation and erosion control plan(S&E). If any retention/detention bases are required for state approval of this plan, a formal revision application must be filed with Current Planning for review and approval.

2. New development where the developer will disturb or intends to disturb more than one acre of land is subject to the Post- Construction Stormwater Management Permitting Program (Phase II Stormwater Management Requirements) administered by the Division of Water Quality, North Carolina Department of Environmental Quality. If one acre or more of land is to be disturbed, a copy of the State's *Post-Construction Permit* must be provided to County Code Enforcement prior to the issuance of the Certificate of Occupancy.

3. For any new development, an adequate drainage system must be installed by the developer in accordance with the NC Department of Environmental Quality (NCDEQ) *Manual on Best Management Practices* and all drainage ways must be kept clean of free and debris (Section 2306, D., County Subdivision Ordinance).

4. In the event a stormwater utility structure is required by the NC Department of Environmental Quality (NCDEQ), the owner/developer must demonstrate on the revised plan the placement of a four-foot-high fence with a lockable gate for the security of the stormwater utility structure. The owner/developer is required to maintain the detention/retention basin, keeping it clear of debris and taking measures for the prevention of insect and rodent infestation.

F. Landscaping:

Landscaping requirements have been satisfied by substantial forested areas surrounding the manufacturing site. No Landscape plan shall be required.

G. Roads/Access/Parking:

1. The developer must obtain a driveway permit from the NC Department of Transportation (NCDOT). A copy of the approved driveway permit must be provided to Code Enforcement at the time of application for building/zoning permits.

2. All NCDOT permits must be obtained and submitted to the Code Enforcement Division prior to any issuance of a building permit or commencement of any development activity or change is property usage. Per NCDOT comments for this rezoning, failure to secure required permits prior to construction or change in property usage may result in the removal of the driveway or street connections at the property owner's expense.

3. Access ways or drives within the premises shall be maintained in a dust-free condition through surfacing or such other treatment as may be necessary. Such driveways shall also be maintained to assure safe and expeditious passage of emergency response vehicles.

4. Per Section 1202.A, the required number of parking spaces are one space for each vehicle used directly in the conduct of the use, plus two additional spaces for each three employees on the largest shift.

5. Parking and storage shall only occur on designated parking/storage areas appearing on the Conditional Zoning Site Plan or Final Site Plan.

H. **Development Review Process**:

1. A final site plan, to include a detailed outdoor lighting plan, shall be provided to Planning staff with a written transmittal with a brief narrative of the plans provided. This plan shall be consistent with the approved conditional zoning site plan and the conditions of the approved conditional zoning.

2. At the time of a final site plan application, owner must demonstrate that the manufacturing site is not located within a Flood Zone.

3. In the event the requirements or conditions from a State or Federal Agency or utility provider creates an inconsistency with the conditional zoning site plan in any manner, a revised conditional site plan must be submitted to the Current Planning Division for review. Any substantial change to the conditional zoning site plan, as determined by the County Planning Director, requires Board of County Commission approval.

4. Developer must coordinate with the Current Planning Division prior to proposing any changes to the conditional zoning site plan. Any changes to the conditional zoning site plan must be reviewed by the Current Planning Division to determine if any change is considered an insubstantial or substantial modification.

5. The owner/developer(s) of this proposed use must obtain detailed instructions on provisions of the County Zoning Ordinance for any use, change of use, or permits required, prior to operations from the County Code Enforcement Section, Room 101 in the Historic Courthouse at 130 Gillespie Street. For additional information, the developer should contact a Code Enforcement Officer. In addition, applicant is responsible to obtain all other federal, state, and local permits required for the proposed use of the property.

   Note: This conditional zoning approval is not approval of the permitting of any structures or site construction activity for this site.

6. The developer must keep an updated copy of all applicable state permits and associated conditions on record with the County Planning & Inspections Department.

7. Building permits must be obtained for every building shown on the conditional zoning site plan, as reuse of the buildings constitutes a change of use. No building shall be occupied until authorized by the county fire marshals and building official.

I. **Other Conditions**:

1. This conditional zoning approval is not to be construed as all-encompassing of the applicable rules, regulations, etc., which must be complied with for any development. Other regulations, such as building, environmental health, and so forth, may govern the specific development. The developer is the responsible party to ensure full compliance with all applicable Federal, State, and local regulations.

2. Any substantial modification made to this approved conditional zoning site plan or conditions of approval, other than those set forth in the above conditions, must be approved by the Board of Commissioners as set forth by Section 506 of the Zoning Ordinance.

3. No clearing or grading shall occur until authorized by the Code Enforcement Manager. Authorized silviculture activities are exempt from this requirement.

J. **Time Limitation**

At the end of two years from the date of approval of this Conditional Zoning by the Board of County Commissioners, the Planning Board may examine progress made to determine if active efforts are proceeding. If the Planning Board determines that active efforts to develop are not proceeding, it may institute proceedings to rezone the property to its previous zoning classification.

Property Owner/Agent Acceptance of Conditions

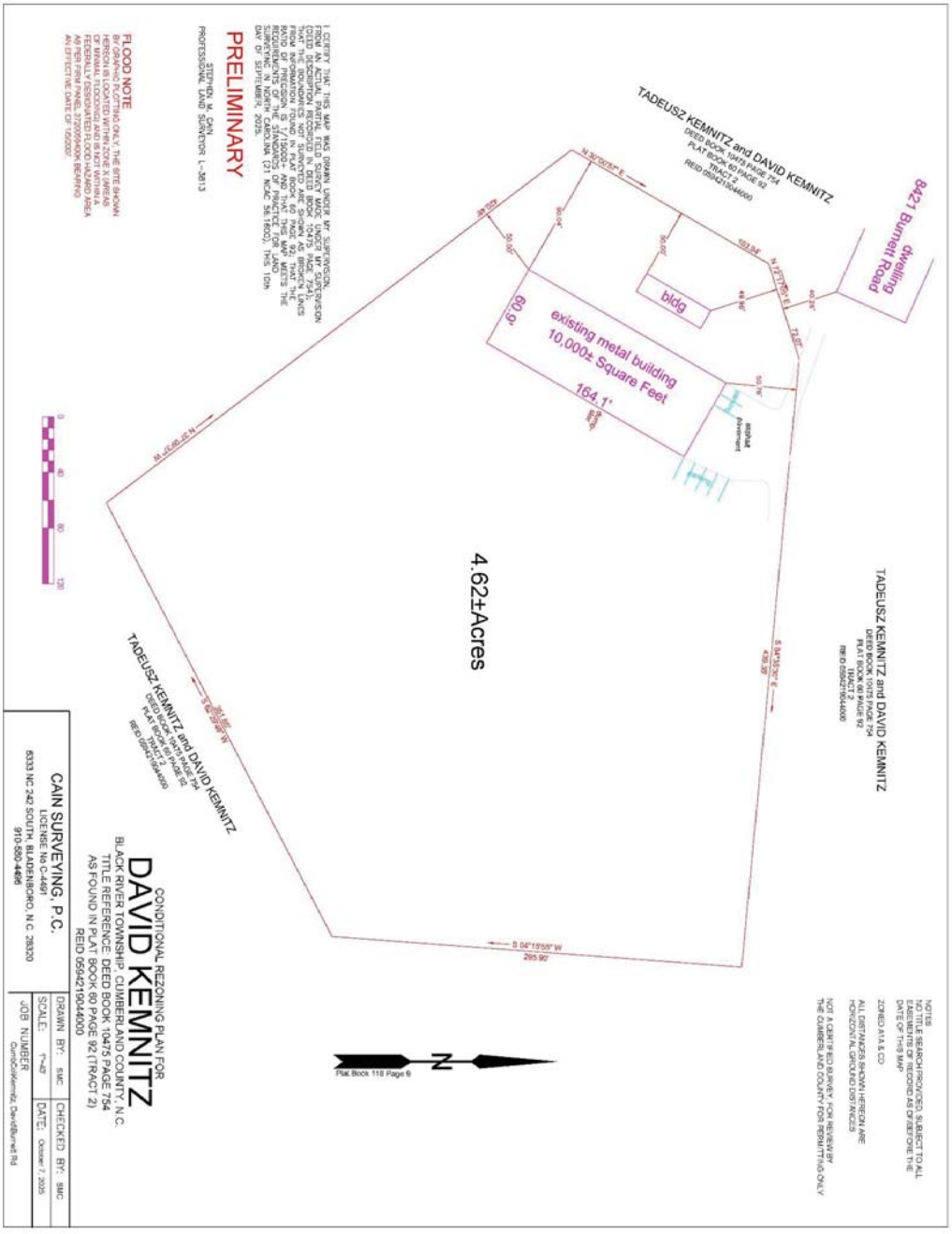
_____
(Print Name)

_____ _____
(Signature) Date

Issued by:

_____ _____
David B. Moon, AICP Date
Deputy Director of Planning & Inspections

Exhibit “A”: Conditional Zoning Site Plan (ZON-25-0043)



ATTACHMENT: MAILING LIST

ARTIS, DORETHA C
4850 OVERCREEK LN
DUNN, NC 28344

ARTIS, DORETHA CAMERON
4850 OVERCREEK LN
DUNN, NC 28344

BAILEY, DAVID EARL HEIRS
77 COURTNEY CIR
FOUR OAKS, NC 27524

BREWINGTON, JAMES ATTIE;JERNIGAN, ARCHIE GRAHAM
993 W BLACKMAN RD
DUNN, NC 28334

BROOKS, CARLTON
7667 ARBOY CT
LAUREL, MD 20707

BROOKS, LAURETTA CAMERON
944 CARNEGIE DR
FAYETTEVILLE, NC 28311

BURANDT, RONALD E TRUSTEE
6710 STARGAZE LN
LINDEN, NC 28356

CAMERON, NAOMI;BENJAMIN, F
PO BOX 272
GODWIN, NC 28344

CASTROLOPEZ, AUDELINA
8232 NORRIS RD
DUNN, NC 28334

COLLETTI, MICHAEL A;COLLETTI, TRICIA LEA
346 GRAPE ARBOR DRIVE
FAYETTEVILLE, NC 28312

CORBIN, JOSEPH WAYNE
1631 BEAVER DAM RD
ERWIN, NC 28339

DE VARGAS, VERONICA
PO BOX 562
FOUR OAKS, NC 27524

GODWIN, LILLIE JOANN WILLIAMS
8126 NORRIS RD
DUNN, NC 28334

GODWIN, LYNN MCLAMB, RITA MCLAMB JOHNSON;JOE, MCLAMB
PO BOX 943
DUNN, NC 28335

GREEN, COSTELLA LEE;GREEN, JADE F
PO BOX 1566
FAYETTEVILLE, NC 28302

HAIR, ROBERT L JR;HAIR, PAMELA FAYE
9055 DURANT NIXON RD
LINDEN, NC 28356

HARGROVE, JAMES E;HARGROVE, HAZEL W
8408 BURNETT RD
DUNN, NC 28334

HAWLEY, WILLIAM ROBERT JR;HAWLEY, TAMMY NORRIS
PO BOX 242
GODWIN, NC 28344

HOLDEN, POLLY P
6621 JULLIARD DR
FAYETTEVILLE, NC 28311

HOLT, BRENDA P
7809 BURNETTE RD
DUNN, NC 28334

JOHNSON, ANTHONY JOSEPH
90 LAURELWOOD LN
LILLINGTON, NC 27546

JOHNSON, RONNIE
2605 ARGOSY CT
FAYETTEVILLE, NC 28304

JOHNSON, SHERRY
6690 STARGAZE LN
LINDEN, NC 28356

JOHNSON, TERESA
5179 SPINNAKER LN
KING GEORGE, VA 22485

JONES, MONICA CAMERON;CAMERON, DANIEL TYRELL
8376 BURNETT ROAD
DUNN, NC 28334

JONES, MONICA CAMERON;DANIEL, TYRELL CAMERON RS
8376 BURNETTE RD
DUNN, NC 28334

KEMNITZ, TADEUSZ;KEMNITZ, DAVID
10404 CHAPEL HILL RD 100
MORRISVILLE, NC 27560

LENNON, DERRICK OLANDER;LENNON, ERIC LAMONT
1210 WEDGEWOOD LANE
DURHAM, NC 27713

LOPEZ, ABELARDO CARLOS JR;LOPEZ, KATHLEEN MARIE
565 TYLERSTONE DR
FUQUAY-VARINA, NC 27526

MATTHEWS FAMILY HOLDINGS LLC
7875 BURNETT ROAD
DUNN, NC 28334

ATTACHMENT: APPLICATION

County *of* Cumberland

Planning & Inspections Department

CASE #: _____

PLANNING BOARD MEETING DATE: _____

DATE APPLICATION SUBMITTED: _____

RECEIPT #: _____

RECEIVED BY: _____

APPLICATION FOR
CONDITIONAL ZONING DISTRICT
REZONING REQUEST
CUMBERLAND COUNTY ZONING ORDINANCE

Upon receipt of this application (petition), the Planning and Inspections Staff will present to the Planning Board the application at a hearing. In accordance with state law and board's policy, a notice of the hearing will be mailed to the owners of the adjacent and surrounding properties, which may be affected by the proposed Conditional Zoning. In addition, a sign will be posted on the property.

The Planning Board will make a recommendation to the Cumberland County Board of Commissioners concerning the request. The Board of Commissioners will schedule a public hearing and issue a final decision on the matter. Generally, the Commissioners will hold the public hearing four weeks following the Planning Board meeting. *The Conditional Zoning District is not effective until the request is heard and approval granted by the Board of Commissioners.*

The following items are to be submitted with the completed application:

1. **A copy of the recorded deed and/or plat,**
2. **If a portion of an existing tract is/are being submitted for rezoning, an accurate written legal description of only the area to be considered;**
3. **A copy of a detailed site plan drawn to an engineering scale, showing the location of all buildings, yard dimensions, driveways, fencing, lighting parking areas, landscaping, and all other pertinent data to the case; and**
4. **A check made payable to the "Cumberland County" in the amount of $ 700 (See County Fee Schedule)**

NOTE: Any revisions, inaccuracies or errors to the application or site plan may cause the case to be delayed and will be scheduled for the next available Board meeting according to the Board's meeting schedule. Also, the application fee is *nonrefundable*.

The Planning and Inspections Staff is available for advice on completing this application; however, they are not available for completion of the application or preparation of the site plan. For questions call (910)678-7603 or (910) 678-7602. Hours of operation are 8:00 a.m. to 5:00 p.m., Monday through Friday.

TO THE CUMBERLAND COUNTY JOINT PLANNING BOARD AND THE BOARD OF COUNTY COMMISSIONERS OF CUMBERLAND COUNTY, NC:

I (We), the undersigned, hereby submit this application, and petition the County Commissioners to amend and to change the zoning map of the County of Cumberland as provided for under the provisions of the County Zoning Ordinance. In support of this petition, as hereinafter requested, the following facts are submitted:

1. Applicant/Agent David Kemnitz

2. Address: 8421 Burnett Rd, Dunn, NC Zip Code 28334

3. Telephone: (Home) 919.475.3409 (Work) _____

4. Location of Property: 8421 Burnett Rd, Dunn, NC 28334

5. Parcel Identification Number (PIN #) of subject property: 0594-21-9044
(also known as Tax ID Number or Property Tax ID)

6. Acreage: 4.92 Frontage: N/A Depth: N/A

7. Water Provider: Well Septage Provider: Septic

8. Deed Book 10475, Page(s) 0754, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).

9. Existing use of property: A1A

10. Proposed use(s) of the property: M1(P), bakery production and whole sales, baking, Food Processing , and Food Produciton/Wholesale Sales.

NOTE: Be specific and list all intended uses.

11. Do you own any property adjacent to, including across the street from, the property being submitted for rezoning? Yes X No _____

12. Has a violation been issued on this property? Yes _____ No X

13. It is requested that the foregoing property be rezoned FROM: A1A

TO: (Select one)

X Conditional Zoning District, with an underlying zoning district of M1(P) (Article V)

_____ Mixed Use District/Conditional Zoning District (Article VI)

_____ Planned Neighborhood District/Conditional Zoning District (Article VII)

_____ Density Development/Conditional Zoning District, at the _____ Density (Article VIII)

APPLICATION FOR
CONDITIONAL ZONING

1. PROPOSED USE(S):

A. List the use(s) proposed for the Conditional Zoning. (Use of the underlying district will be restricted only to the use(s) specified in this application if approved.)

Bakery Production and Whole Sales, Baking, Food Processing , and Food Produciton/Wholesale Sales.

B. Density: List the amount of acreage that will be residential, commercial, and/or open space, and the number of lots and/or dwelling units proposed, and the square footage of the non-residential units.

one lot of 4.92 acres M1(P) with 10,624 sqft of non-residential units.

2. DIMENSIONAL REQUIREMENTS:

A. Reference either the dimensional requirements of the district, Sec. 1104 or list the proposed setbacks.

Front Yard 50 ft from R/W, 80ft from Street Centerlaine.
Side and Rear Yard 30 ft.

B. Off-street parking and loading, Sec.1202 & 1203: List the number of spaces, type of surfacing material and any other pertinent information.

5 parking spots, asphalt.

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Article XIII.

Incidental Sign on front door of building.

4. LANDSCAPE AND BUFFER REQUIREMENTS:

A. For all new non-residential and mixed use development abutting a public street, indicate the number and type of large or small ornamental trees used in the streetscape, yard space, and/or parking areas, plus the number and type of shrubs. (Sec. 1102N). **NOTE: All required landscaping must be included on the site plan.**

N/A

B. Indicate the type of buffering and approximate location, width and setback from the property lines. (Sec. 1102G). **NOTE: All required buffers must be included on the site plan.**

N/A

5. MISCELLANEOUS:

List any information not set forth above, such as the days and hours of the operation, number of employees, exterior lighting, noise, odor and smoke, emission controls, etc.

Days of operations Monday-Friday 8am to 5pm, less than 16 employees,
Overhead lighitng in parking and front entrance,
intermittent noise level less than 90 db (outdoor air compressor).

6. SITE PLAN REQUIREMENTS:

The application must include a site plan drawn to the specifications of Sec. 1402. If the proposed uses involve development subject to the County Subdivision Ordinance, the site plan required may be general in nature, showing a generalized street pattern, if applicable, and the location of proposed uses. If the proposed uses include development not subject to the Subdivision Ordinance, the site plan must be of sufficient detail to allow the Planning and Inspections Staff, Planning Board and County Commissioners to analyze the proposed uses and arrangement of uses on the site. It also must include the footprints of all buildings (proposed and existing), the proposed number of stories, location and number of off-street parking and loading spaces, proposed points of access to existing streets and internal circulation patterns. In addition, the location of all proposed buffers and fences and landscaping shall be included on the site plan.

7. STATEMENT OF ACKNOWLEDGMENT:

It is understood by the undersigned that the official zoning map, as originally adopted and subsequently amended, is presumed to be appropriate to the property involved and that the burden of proof for a zoning amendment (rezoning) rest with the petitioner.

It is the responsibility of the petitioner (personally or by agent) to submit to the Planning and Inspections Department a valid request within a complete application.

I further understand I must voluntarily agree to all ordinance related conditions prior to the first hearing on the case or any disagreement may be cause for an unfavorable recommendation. The undersigned hereby acknowledge that the Planning and Inspections Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.

David Kemntiz

NAME OF OWNER(S) (PRINT OR TYPE)

8421 Burnett Rd, Dunn, NC

ADDRESS OF OWNER(S)

DK@AMTLIQUIDFILLING.COM

E-MAIL

919.475.3409

HOME TELEPHONE | WORK TELEPHONE

David Kemnitz

SIGNATURE OF OWNER(S) | SIGNATURE OF OWNER(S)

NAME OF AGENT, ATTORNEY, APPLICANT (by assign) (PRINT OR TYPE)

ADDRESS OF AGENT, ATTORNEY, APPLICANT

HOME TELEPHONE | WORK TELEPHONE

E-MAIL ADDRESS | FAX NUMBER

SIGNATURE OF AGENT, ATTORNEY, OR APPLICANT

CUMBERLAND COUNTY
NORTH CAROLINA
PLANNING & INSPECTIONS

PLANNING STAFF REPORT
REZONING CASE # ZON-25-0033
Planning Board Meeting: Oct. 21, 2025

Location: 10255 Ramsey St.
Jurisdiction: County-Unincorporated

REQUEST	Rezoning A1 to R30A

Applicant requests a rezoning from A1 Agricultural District to R30A Residential District for a 3.97-acre parcel located at 10255 Ramsey St. The parcel has an existing single-family dwelling unit. The intent of the applicant is to rezone the property for residential use to be able to add one or more additional dwelling units on the subject property.

PROPERTY INFORMATION

OWNER/APPLICANT: James Brown (Owner/Applicant)

ADDRESS/LOCATION: Refer to Exhibit "A", Location and Zoning Map. Address: 10255 Ramsey St., REID number: 0564072985000.

SIZE: The parcel contains approximately 3.97 acres. Road frontage along Ramsey St. is 148.73 feet. The property is approximately 778.43 feet in length at its deepest point.

EXISTING ZONING: The subject property is zoned A1 Agricultural District. The A1 Agricultural district is designed to promote and protect agricultural lands, including woodland, within the County. The general intent of the district is to permit all agricultural uses to exist free from most private urban development except for large lot, single-family development. Some public and/or semi-public uses as well as a limited list of convenient commercial uses are permitted to ensure essential services for the residents.

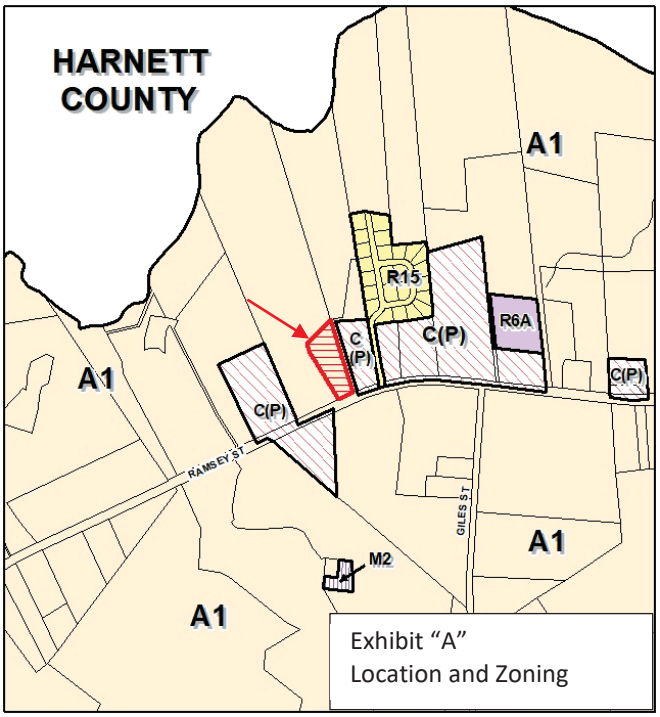


Exhibit "A"
Location and Zoning

EXISTING LAND USE: The subject parcel currently has a single-family dwelling structure on it. Exhibit "B" shows the existing use of the subject property.

SURROUNDING LAND USE: Exhibit "B" illustrates the following:

- **North**: Farmlands and undeveloped wooded lands.
- **East**: Predominately Commercial with some residential.
- **West**: Farmlands and undeveloped wooded lands.
- **South**: Farmlands and undeveloped wooded lands.

OTHER SITE CHARACTERISTICS: The site is not located in a Watershed Protection Area nor within a Flood Zone Hazard Area. Hydric inclusion soils cover the majority of the subject property, as delineated in Exhibit "C", while a small northwesterly portion of the property contains hydric soils.

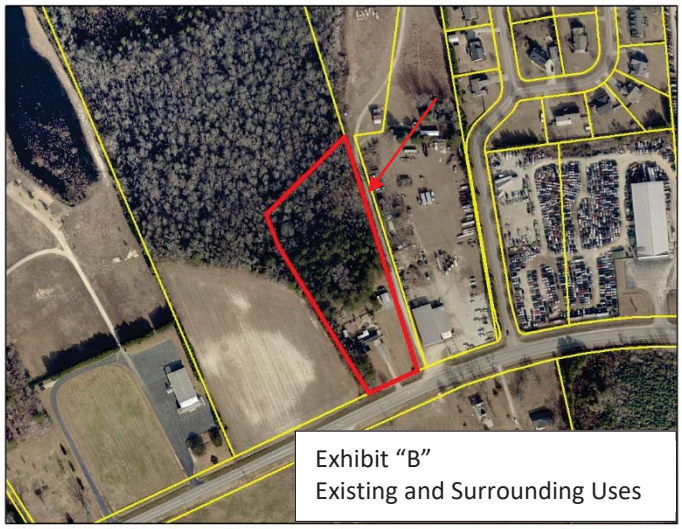


Exhibit "B"
Existing and Surrounding Uses

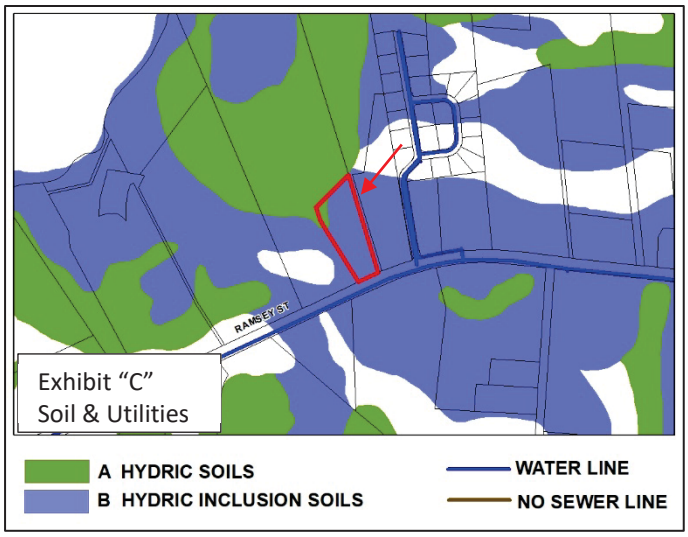


Exhibit "C"
Soil & Utilities

TEN YEAR ZONE CASE HISTORY:

Exhibit "D" denotes no rezoning cases within the past ten years near the subject property.

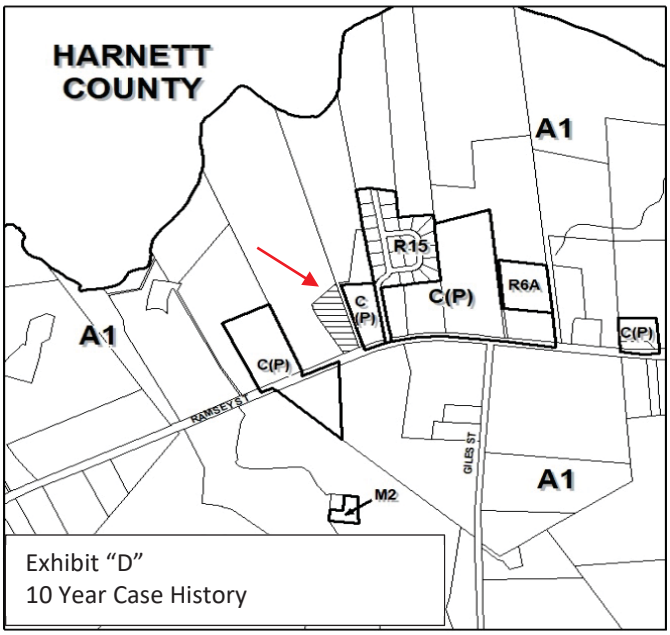


Exhibit "D"
10 Year Case History

DEVELOPMENT REVIEW: Should the request be approved, a preliminary plan for any subdivision or group development site plan to add a dwelling unit will require to be submitted to the Current Planning Division to ensure conformance with the County Subdivision and Zoning Ordinances.

DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

Minimum Standard	A1 (Existing Zoning)	R30A (Proposed)
Front Yard Setback	50 feet	30 feet
Side Yard Setback	20 feet	15 feet
Rear Yard Setback	50 feet	35 feet
Lot Area	2 Acres	30,000 sq. ft.
Lot Width	100 feet	100 feet

DEVELOPMENT POTENTIAL:

Existing Zoning (A1)	Proposed Zoning (R30A)
2 dwelling units	6 dwelling units

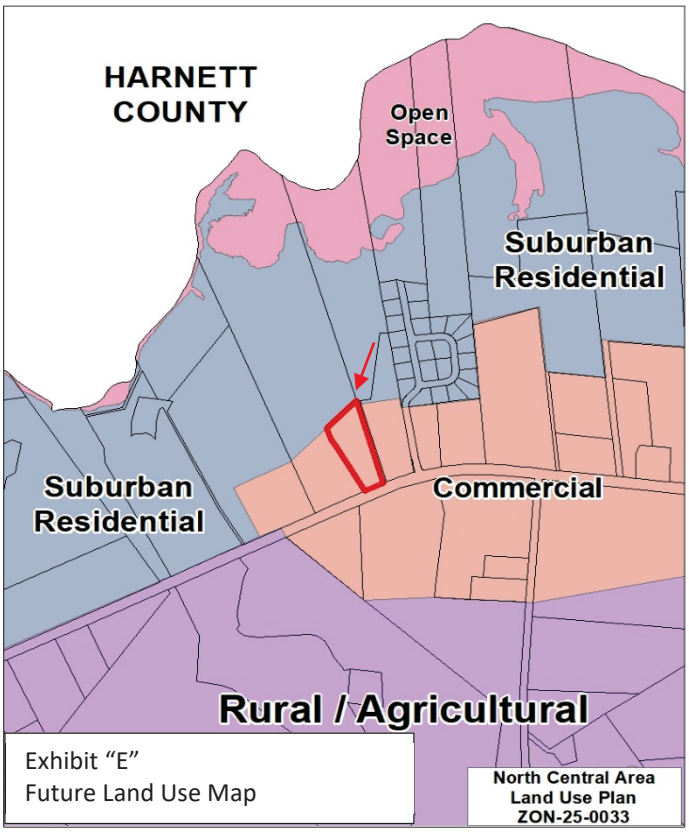
- Lot count may be rounded up when a fraction occurs**.** When any requirement of this ordinance results in a fraction of a unit, a fraction of one-half or more shall be considered a whole unit, and a fraction of less than one-half shall be disregarded.

COMPREHENSIVE PLANS:

This property is located in the North Central Area Land Use Plan (2024). The future land use classification of the property is "Commercial". Exhibit "E"

The associated zoning districts for Commercial are O&I(P), C1(P), C2(P), and C(P).

The proposed rezoning request is not consistent with the adopted land use plan.



FUTURE LAND USE CLASSIFICATION Development Goals, Notes, and Objectives:

- The Commercial land use classification calls for quality, attractive commercial development that meets market demand, is harmonious with its surrounding area, has supporting infrastructure, preserves the natural environment, and does not negatively impact neighboring properties" (North Central Land Use Plan 2024, p. 46).
- Establish an environment that sustains current and future commercial activities while complementing nearby existing residential areas" (North Central Land Use Plan 2024, p.54).
- Ensure a variety of commercial locations that accommodate market demands and address the specific needs of area residents to encourage strategic economic development" (North Central Land Use Plan 2024, p. 54).

IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: A Linden water line is available near the subject property. It is the applicant's responsibility to determine if a utility provider will serve their development. Any available utilities for water and sewer are shown on Exhibit "C". On-site septic will be required, and the lot size must meet the minimum area necessary to accommodate both.

TRANSPORTATION: The subject property sits on Ramsey Street and is identified as a minor arterial in the Metropolitan Transportation Plan. There are no roadway construction improvement projects planned at this time and the subject property will have no significant impact on the Transportation Improvement Program.

SCHOOLS CAPACITY/ENROLLMENT:

School	Enrollment	Capacity
Raleigh Road Elementary	207	179
Long Hill Elementary	416	516
Pine Forest Middle	706	804
Pine Forest High	1553	1,712

ECONOMIC DEVELOPMENT: Fayetteville Cumberland County Economic Development Corporation has reviewed the request and has no objection to the proposed rezoning.

EMERGENCY SERVICES: Cumberland County Fire Marshal's office has reviewed the request and has no objections to the rezoning.

SPECIAL DISTRICTS/ OVERLAY DISTRICTS:

Special Districts			
Fayetteville Regional Airport Overlay:	n/a	Averasboro Battlefield Corridor:	n/a
Five Mile Distance of Fort Liberty:	n/a	Eastover Commercial Core Overlay District:	n/a
Voluntary Agricultural District (VAD):	n/a	Spring Lake Main Street Overlay District:	n/a
VAD Half Mile Buffer:	n/a	Coliseum Tourism Overlay District:	n/a

n/a – not applicable

CONDITIONS OF APPROVAL: This is a conventional rezoning. There are no proposed conditions at this time.

STAFF RECOMMENDATION

In Case ZON-25-0033, Planning and Inspections staff **recommends denial** of the rezoning request from A1 Agricultural District to R30A Residential District. Staff finds that the request is not consistent with the North Central Area Land Use Plan which calls for "Commercial" at this location. Staff also finds that the request is not reasonable or in the public interest as it is not compatible to or in harmony with the surrounding land use activities and zoning.

Attachments:
Notification Mailing List
Application

ATTACHMENT – MAILING LIST

OWNER NAME	ADDRESS	CITY, STATE, ZIP
MCPHAI+A1+A2:C39+A2:C36	366 CARROLL STORE RD	AUTRYVILLE, NC 28318
CASHWELL, BILLY PAUL	6662 OAK GROVE CHURCH	STEDMAN, NC 28391
HALO INVESTORS LLC	1270 CANADY POND RD	HOPE MILLS, NC 28348
BULLARD, STEWART OGDEN;BULLARD, MARY ELIZABETH	1518 MCCALL DR	STEDMAN, NC 28391
AUTRY, MARY B TRUSTEE	6842 OAK GROVE CHURCH RD	STEDMAN, NC 28391
RUSSELL, FLOYD E JR;RUSSELL, JACQUELINE C	6687 OAK GROVE CHURCH RD	STEDMAN, NC 28391
MANNING, WALTER S;MANNING, SYLVIA D	7240 HARVESTGRAIN DR	STEDMAN, NC 28391
TAYLOR, DONNA MARIE	6693 SANDY CREEK RD	STEDMAN, NC 28391
AUTRY, MARY B TRUSTEE	6842 OAK GROVE CHURCH RD	STEDMAN, NC 28391
AUTRY, HELEN COLLIER LIFE ESTATE	2707 WADE STEDMAN RD	STEDMAN, NC 28391
MCGEE, CRYSTAL	6650 OAK GROVE CHURCH RD	STEDMAN, NC 28391
ROBERTS, STACY A;ROBERTS, NICOLE A	6857 OAK GROVE CHURCH RD	STEDMAN, NC 28391
AUTRY, MARY B TRUSTEE	6842 OAK GROVE CHURCH RD	STEDMAN, NC 28391
LONG, RONALD A JR;LONG, KIMBERLY A	6654 OAK GROVE CHURCH RD	STEDMAN, NC 28391
TAYLOR, EMMITT LARRY;TAYLOR, MARY U	2622 TRENTON RD	FAYETTEVILLE, NC 28304
RUSSELL, FLOYD E JR;RUSSELL, JACQUELINE C	6687 OAK GROVE CHURCH RD	STEDMAN, NC 28391
TAYLOR, EMMITT LARRY	2622 TRENTON RD	FAYETTEVILLE, NC 28304
MANNING, WALTER S;MANNING, SYLVIA D	7240 HARVESTGRAIN DR	STEDMAN, NC 28391
TAYLOR, PAMELA B LIFE ESTATE	6782 OAK GROVE CHURCH ROAD	STEDMAN, NC 28391
JONES, ARNOLD F	525 DUNN RD	FAYETTEVILLE, NC 28312
AUTRY, MARY B TRUSTEE	6842 OAK GROVE CHURCH RD	STEDMAN, NC 28391
RUSSELL, FLOYD E JR;RUSSELL, JACQUELINE C	6687 OAK GROVE CHURCH RD	STEDMAN, NC 28391
JONES, ARNOLD F	4216 CLINTON RD	FAYETTEVILLE, NC 28312
GREENWOOD, AMMER JEAN;PHILLIPS, RICHARD ERVIN JR;PHILLIPS, RICHARD ERVIN III;PHILLIPS, CHRISTOPHER DAVID	612 ARCH JORDAN RD	STEDMAN, NC 28391
RAPOLLA, TERESA P;RAPOLLA, MICHAEL A	6614 OAK GROVE CHURCH RD	STEDMAN, NC 28391
MORRIS, MARGARET HALL	1744 WADE STEDMAN RD	STEDMAN, NC 28391
SMITH, HALEY CHARLENE	6811 OAK GROVE CHURCH RD	STEDMAN, NC 28391
HUGHES, WILLIAM JAY	2750 OLD ST AUGUSTINE RD APT F57	TALLAHASSEE, FL 32301
TAYLOR, JAMES W;TAYLOR, HAZEL W	6903 OAK GROVE CHURCH RD	STEDMAN, NC 28391
SMITH, HALEY	471 FOX RUN LN	AUTRYVILLE, NC 28318
AUTRY, CLAUDE LEONARD;SAVAGE, PAULA AUTRY	6892 FAIRCLOTH BRIDGE RD	STEDMAN, NC 28391
TAYLOR, JAMES WAYNE	6903 OAK GROVE CHURCH RD	STEDMAN, NC 28391
TAYLOR, DWIGHT	6682 OAK GROVE CHURCH RD	STEDMAN, NC 28391
MATTHEWS, RONNIE M	6767 OAK GROVE CHURCH RD	STEDMAN, NC 28391
MOZINGO, DRUE G;MOZINGO, SONYA A	6878 OAK GROVE CHURCH RD	STEDMAN, NC 28391
FURR, SAMANTHA R;FURR, BOBBY M JR	6647 OAK GROVE CHURCH RD	STEDMAN, NC 28391
SCHOLL, GWEN A;RONNIE, M MATTHEWS	6847 OAK GROVE CHURCH RD	STEDMAN, NC 28391
JONES, ARNOLD F	4216 CLINTON RD	FAYETTEVILLE, NC 28312
HOBSON, GARY;HOBSON, JOANN	6707 OAK GROVE CHURCH RD	STEDMAN, NC 28391
TAYLOR, CLAYTON LEE	6682 OAK GROVE CHURCH RD	STEDMAN, NC 28391

ATTACHMENT: APPLICATION

CUMBERLAND COUNTY
NORTH CAROLINA
Planning & Inspections Department

CASE #: _____

PLANNING BOARD
MEETING DATE: _____

DATE APPLICATION
SUBMITTED: _____

APPLICATION FOR
REZONING REQUEST
CUMBERLAND COUNTY ZONING ORDINANCE

The following items are to be submitted with the completed application:

1. A copy of the *recorded* deed and/or plat.
2. If a portion(s) of the property is being considered for rezoning, an accurate written legal description of only the area to be considered.
3. A check made payable to "Cumberland County" in the amount of $_____. (See County Fee Schedule).

Rezoning Procedure:

1. Completed application submitted by the applicant.
2. Notification to surrounding property owners.
3. Planning Board hearing.
4. Re-notification of interested parties / public hearing advertisement in the newspaper.
5. County Commissioners' public hearing (approximately four weeks after Planning Board public hearing)
6. If approved by the County Commissioners, rezoning becomes effective immediately.

The Planning & Inspections Staff will advise on zoning options, inform applicants of development requirement and answer questions regarding the application and rezoning process. For further questions, call (910)678-7627 or (910)678-7609. Hours of operation are 8:00 a.m. to 5:00 p.m., Monday through Friday.

NOTE: Any revisions, inaccuracies or errors to the application may cause the case to be delayed and will be scheduled for the next available board meeting according to the board's meeting schedule. Also, the application fee is *nonrefundable*.

TO THE CUMBERLAND COUNTY JOINT PLANNING BOARD AND THE BOARD OF COUNTY COMMISSIONERS OF CUMBERLAND COUNTY, NC:

I (We), the undersigned, hereby submit this application, and petition the County Commissioners to amend and to change the zoning map of the County of Cumberland as provided for under the provisions of the County Zoning Ordinance. In support of this petition, the following facts are submitted:

1. Requested Rezoning from A1 to R30A
2. Address of Property to be Rezoned: 10255 RAMSEY ST., LINDEN, NC
3. Location of Property, details: 401 N - ¼ MILE BEFORE GILES Rd ON LEFT
4. Parcel Identification Number (PIN #) of subject property: 0564-07-2985 (also known as Tax ID Number or Property Tax ID)
5. Acreage: 3.97 Frontage: 148.7 Depth: 778.4
6. Water Provider: Well: _____ PWC: _____ Other (name): TOWN OF LINDEN
7. Septage Provider: Septic Tank ✓ PWC _____
8. Deed Book 002929, Page(s) 00361, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: SINGLE FAMILY DWELLING
10. Proposed use(s) of the property: ADDITIONAL SINGLE FAMILY DWELLINGS
11. Do you own any property adjacent to or across the street from this property?
    Yes _____ No ✓ If yes, where? _____
12. Has a violation been issued on this property? Yes _____ No ✓

A copy of the recorded deed(s) and/or recorded plat map(s) must be provided. If the area is a portion of a parcel, a written legal description by metes and bounds, showing acreage must accompany the deeds and/or plat. If more than one zoning classification is requested, a correct mete and bounds legal description, including acreage, for each bounded area must be submitted.

The Planning and Inspections Staff is available for advice on completing this application; however, they are not available for completion of the application.

The undersigned hereby acknowledge that the County Planning Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.

James Edgar Houston Brown II, Dezia Autry Brown
NAME OF OWNER(S) (PRINT OR TYPE)

10255 Ramsey St, Linden, NC 28356
ADDRESS OF OWNER(S)

910-723-1270
HOME TELEPHONE #

jaybrown247@gmail.com
WORK TELEPHONE #

NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)

ADDRESS OF AGENT, ATTORNEY, APPLICANT

E-MAIL

HOME TELEPHONE #

WORK TELEPHONE #

SIGNATURE OF OWNER(S)

SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

SIGNATURE OF OWNER(S)

The contents of this application, upon submission, become "public record."

CUMBERLAND COUNTY
NORTH CAROLINA
PLANNING & INSPECTIONS

PLANNING STAFF REPORT
SUBDIVISION WAIVER # DEV-0120-25
Planning Board Meeting: Oct 21, 2025

Location: NE Corner of McArthur Rd and Jacob St

Summary of Request	**Subdivision Waiver – Sec. 2404 §E(3)[a] & [c] and Sec. 2404 §F**

Exhibits
A. Location & Zoning
B. Previous Manufactured Home Site Plan
C. Applicant Responses to Waiver Criteria
D. Existing Use
E. Additional Property Information
F. Section 2404 Manufactured Home Parks
G. Subdivision Waiver Applications
H. Section 2601 Waivers
Attachment: Mailing List

The owner of an existing, nonconforming manufactured home park requests the following three waivers from the County Subdivision Ordinances as follow:

1. Section 2404 §E(3)[a] to allow for the reduction in minimum distance requirements between manufactured home spaces, applicable to all manufactured home spaces in the park. The code requires a minimum twenty-five feet (25') distance separation between manufactured home spaces. Applicant requests a reduction of this requirement to allow a minimum of fifteen feet (15').

2. Section 2404 §E(3)[c] to allow a reduction in setback distance for a manufactured home space from a public street right-of-way, applicable to all manufactured home spaces in the park. The code requires a minimum setback distance of twenty-five feet (25') from a public street for a manufactured home space. Applicant requests a reduction of this setback requirement to allow manufactured home spaces facing Jossie Street to be setback a minimum of eight feet (8') from the public street. Further, applicant requests a reduction of the setback requirement to allow manufactured home spaces facing Jacob Street to have a minimum setback of ten feet (10') from the public street.

3. Section 2404 §F waiving of internal driveway access requirements for Space No. 14 of the "McArthur Road" mobile home park. This code requires Space No. 14 to have direct access to an interior roadway but original design of Space No. 14 provided an internal walkway with parking along the internal road. Applicant requests waiver from this code requirement to have direct internal driveway for Space No. 14.

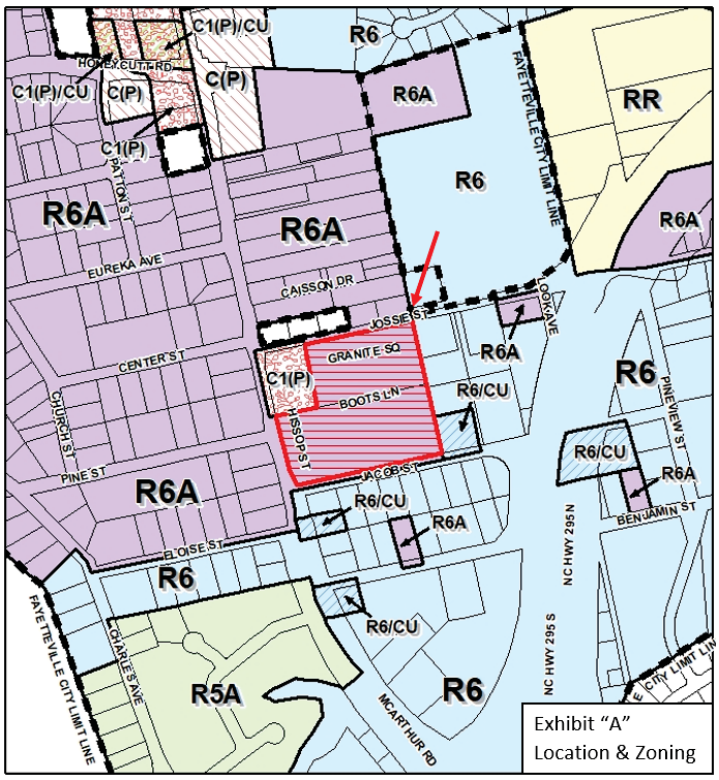


Exhibit "A"
Location & Zoning

Owner of the "McArthur Road Manufactured Home Park", location of which is illustrated in Exhibit "A", recently purchased the park and desires to lease numerous vacant spaces to manufactured homeowners. This park was established in 1972, and modern manufactured home designs have difficulties fitting into the spaces that were designed over fifty years ago. The manufactured home park currently has spaces that have been vacant for over a year and the owner would like to utilize the Subdivision Waivers to promote infill of existing current vacant spaces as well as those that become available in the future.

A narrative of the current hardship has been prepared by the owner and is provided within the Exhibit "C" (attached). These three hardships were discovered at the time the owner applied for permits with the Planning & Inspections Dept. to install new mobile homes within vacant spaces.

PROPERTY INFORMATION

Owner/Applicant: Fayetteville NC MHP, LLC (Owner and Applicant) / Fernando Orozco (Agent)

Address/Location: Two parcels located at the NE corner of McArthur Rd and Jacob St. Refer to Exhibit "A", Location and Zoning Map. REID number(s): 0520780497000 & 0520780164000

Size: 8.83 +/- acres. Road frontage along McArthur Rd is approx. 637 feet, road frontage along Jacob St is approx. 703 feet, and road frontage along Jossie St is approx. 707 feet. The property is approx. 720 feet in length at its deepest point.

Property Access: Boots Ln (Private Dr) is currently the only means of access to the "McArthur Road Mobile Home Park" (Refer to Exhibit "B).

Existing Zoning: The subject property is currently zoned R6A Residential District. The minimum lot size for parcels in this zoning district is 6,000 sq. ft. This district is designed for a mix of single- and multi-family dwellings including the use of manufactured homes on individual lots and in manufactured home parks, within the County.

The minimum lot area for a manufactured home park is one acre, excluding publicly dedicated or reserved right-of-way for streets, and floodplain areas. The maximum density of individual manufactured home units within a manufactured home park is 8 units per acre excluding public dedicated or reserved right-of-way for streets.

Existing Use: A 64-space existing manufactured home park originally named, "McArthur Road Mobile Home Park", as illustrated in Exhibit "D" (attached).

Additional Property Information: Refer to Exhibit "E" for other site-related information.

CASE HISTORY

New owners of the "McArthur Road Mobile Home Park" first reached out to Code Enforcement earlier in the year to begin the process of in-filling empty spaces for the park. After a search of the approved site plan of the existing aforementioned park, Code Enforcement could not find the approved site plan in their records and told the owners to coordinate with Current Planning Division to inquire about the site plan review process since they had determined one was required but one could not be found. A pre-application meeting was held between Current Planning, Code Enforcement, and the new owners to discuss potential options for the manufactured home park since the spaces desiring to be in filled were not in use for longer than a year.

During the meeting, a subdivision waiver request was brought up as a potential option to address spacing concerns for the existing nonconforming manufactured home spaces for potential in filling with the addition of a waiver for street access requirements for Space #14 that is currently vacant and nonconforming due it's lack of internal drive access. Afterwards, the owners submitted a site plan to staff for review and following Current Planning and Code Enforcement comments to the site plan, subsequently submitted three (3) subdivision waiver requests (Refer to Exhibit "C").

FINDINGS OF FACT

1. Fact: Section 2404 §E(3)[a], 'Location of Manufactured Home Spaces': "All manufactured home homes space shall be designed in such a manner that will allow for each manufactured home

space to be a minimum of 25 feet apart longitudinally, 15 feet apart end-to-end or corner-to-corner, and when spaces are designed in such a manner that one space is angled toward another space, 20 feet apart."

Finding: When the Manufactured Home Park was established in 1972, the spaces were likely designed for the average manufactured and mobile home size at that time, whereas today the average manufactured homes are typically larger, pursuant to the applicant.

2. Fact: Section 2404 §E(3)[c], 'Location of Manufactured Home Spaces': "All manufactured home spaces and structures, including buildings within the manufactured home park shall be located no closer than 25 feet of a public street right-of-way."

   Finding: When the Manufactured Home Park was established in 1972, the spaces were likely designed for the average manufactured and mobile home size at that time, whereas today the average manufactured homes are larger. Per the applicant, the availability of the smaller 12 x 60 manufactured homes, that could accommodate some of the spaces and meet current regulations, are scarcer and more difficult to procure. Additionally, the applicant indicates that existing manufactured homes on adjacent or neighboring spaces were already encroaching on the 25 ft distance separation requirement from public right(s)-of-way at the time of purchase of the manufactured home park.

3. Fact: Section 2404 §F, 'Street Access': "All manufactured home parks shall be direct access to a public right-of-way. Direct access to any public right-of-way shall not be permitted for any single manufactured home space within the manufactured home park; all manufactured home spaces must be served internally by means of a private drive. Street access and entrance area designed shall conform to the NC Department of Transportation Policy on Street and Driveway Access to North Carolina Highways guidelines."

   Finding: Space #14, as approved in 1972, was approved as a landlocked space with no direct access to the internal drive of the manufactured home park and has remained as such since then. Per available historical imagery, Space #14 was occupied with a home until 1999 where between that time and 2003 it was removed with no replacement home occupying the space.

PLANNING BOARD AUTHORITY AND WAIVER CRITERIA

Section 2601. Waivers.
The Planning Board may waive the requirements of this ordinance where it finds by resolution that:

1. Because of the size of the tract to be subdivided or developed, its topography, the condition or nature of adjoining areas, or the existence of other unusual physical conditions, strict compliance with the provisions of this ordinance would cause a special hardship to the property owner and be inequitable, and
2. The public purposes of this ordinance and the County Zoning Ordinance would be served to an equal or greater degree, and
3. The property owner would not be afforded a special privilege denied to others.

Applicant's Response to Waiver Criteria. The applicant's response to the above criteria is found in Exhibit "C".

PLANNING BOARD ACTION

The Planning Board has the authority to approve, deny, or approve with conditions a subdivision waiver. In granting waivers through a quasi-judicial hearing and decision, any condition approved by the Planning Board must be reasonable ad practical. Any waiver that is granted must satisfy the three criteria set forth in Section 2601, Waivers. The Board is requested to address each waiver request individually:

- Subdivision Waiver No. 1: Section 2404 §E(3)[A] Waiver Request – Location of Manufactured Home Spaces
- Subdivision Waiver No. 2: Section 2404 §E(3)[C] Waiver Request – Location of Manufactured Home Spaces
- Subdivision Waiver No. 3: Section 2404 §F Waiver Request – Street Access

Attachments:

Exhibits “B” to”H”;

Notification Mailing List

EXHIBIT "B"
"MCARTHUR ROAD MOBILE HOME PARK"

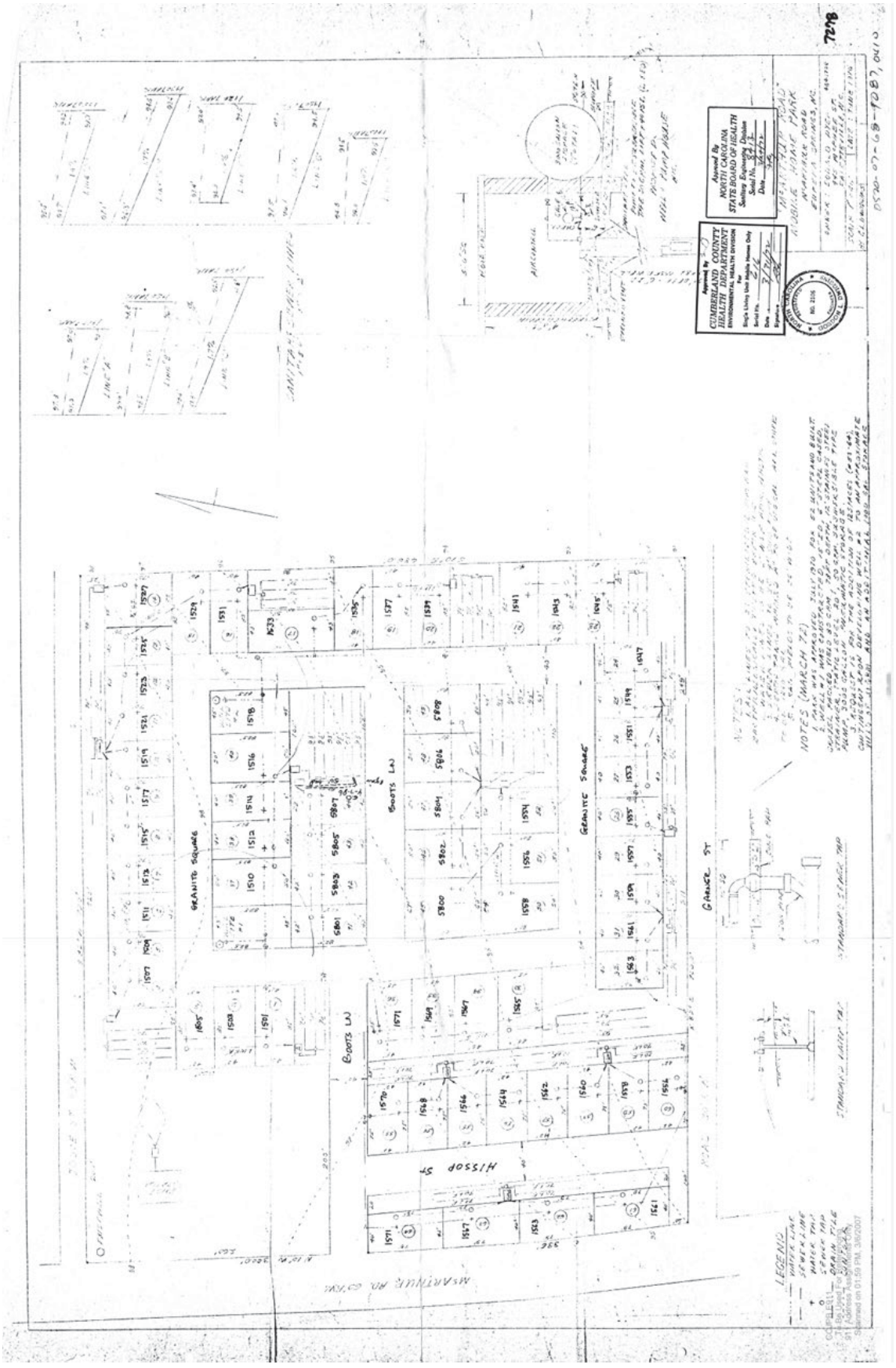


EXHIBIT "C"
APPLICANT'S RESPONSE - SECTION 2404 §E(3)[a]

H. Nature and extent of hardship involved in strict application of the County Subdivision Ordinance – attach additional sheet if necessary:

Strict application of Subdivision Ordinance §2404.E.3a would require the placement of 12-foot-wide homes on lots within the Fayetteville Mobile Home Community to maintain spacing from existing grandfathered homes. This requirement creates several hardships:

Market Hardship: 12-foot-wide manufactured homes are increasingly scarce in today's market, making them difficult to source in a timely and cost-effective manner.

Economic Hardship: 12-foot homes are less desirable and hold lower long-term value, resulting in a financial disadvantage for both the property owner and the community.

Functional Hardship: 12-foot homes do not adequately serve larger families and significantly limit the functionality of the lots compared to 14-foot homes.

Community Impact: Requiring 12-foot homes would create inconsistency with the 17 existing homes on the same row, all of which are 14 feet wide. This inconsistency would reduce uniformity and potentially diminish the overall appeal and cohesion of the community.

In summary, strict enforcement of the ordinance prevents the practical and reasonable use of the property for modern manufactured housing, imposes unnecessary economic burden, and limits the community's ability to offer quality, functional housing options.

EXHIBIT "C" – Cont.
APPLICANT'S RESPONSE - SECTION 2404 §E(3)[c]

H. Nature and extent of hardship involved in strict application of the County Subdivision Ordinance – attach additional sheet if necessary:

Strict application of Subdivision Ordinance §2404.E.3c, requiring all manufactured homes and structures to be set back at least 25 feet from a public street right-of-way, creates a hardship for the park:

The community has been established and approved for decades, with multiple existing homes already located along the same property line as the one referenced in the ordinance. Several of these existing homes measure 80 feet in length, whereas the proposed plan from the Planning Department limits homes on these lots to 60 feet in length per Section 2404.E.3c.

The hardship arises because:

Market Hardship: 12x60 homes, as previously suggested, are increasingly difficult to source in today's market.

Economic & Social Hardship: 60-foot homes are less desirable, provide reduced functionality, and fail to adequately serve families' needs.

Community Hardship: Restricting these lots to shorter, narrower homes diminishes the community's quality and appeal. Larger homes (14x80) would offer more livable, modern, and affordable housing options.

Our proposed plan aligns with the existing development pattern on-site while enhancing housing quality. The intent is not to deviate from the ordinance without justification, but to preserve the community's established character while providing more desirable, functional, and family-friendly homes that meet today's housing needs.

EXHIBIT "C" – Cont.
APPLICANT'S RESPONSE - SECTION 2404 §F

H. Nature and extent of hardship involved in strict application of the County Subdivision Ordinance – attach additional sheet if necessary:

Strict application of Subdivision Ordinance §2404.E.3f, requiring all manufactured home spaces to be served internally by a private drive and prohibiting direct access to a public right-of-way, creates unique hardships for Lot 14:

Pre-existing design: The park was originally laid out decades ago with street parking in mind, and Lot 14 has an existing pathway/driveway walking access from the inner street. Reconfiguring this would require significant alterations to a long-standing community design.

Lot 51 has a neighboring Lot 50 that serves as an example, this lot the fence moved back about 5 ft, an imaginary line that can be moved. This is something that we could do as well and that would allow a more desirable 16x80 home on this lot while still meeting the requirements.

Corner lot configuration: Lot 14 is positioned on a corner, and historic fence lines divide the spaces. These fences were set many years ago, do not align with modern regulations, and could be relocated if needed. However, the strict setback and access rules do not account for this historical layout.

Loss of functionality: Enforcing the strict rule would force Lot 14 into either being underutilized or restricted to a much smaller home footprint. This creates a hardship since the lot can reasonably accommodate a 14x80 or bigger home, as originally designed.

Affordable housing impact: Narrowing use of the lot would prevent placement of homes overall denying the fair housing opportunity for tenants, moreover the desire for a larger, more functional home. Smaller or restricted homes are less desirable, reduce long-term value, and do not meet the needs of families seeking affordable housing.

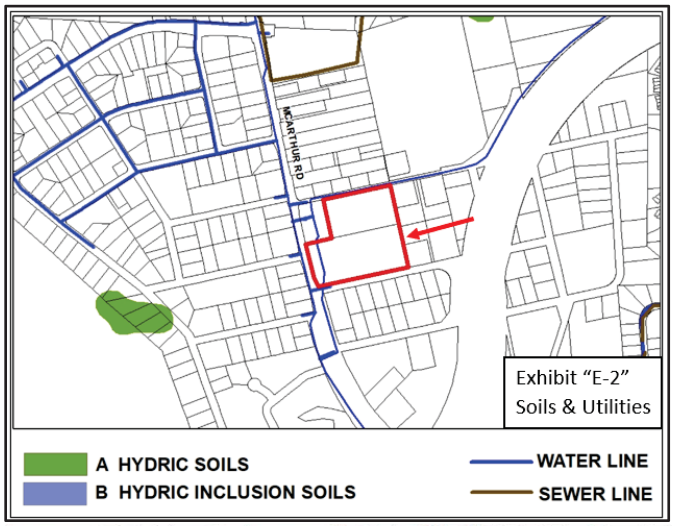
In short, Lot 14's existing conditions and corner placement make strict compliance impractical, while modest adjustments (e.g., moving fences, using planned parking) allow the lot to function as intended and support a 14x80 home, consistent with the rest of the community. On another note, if we move the fence to meet Lots 50 layout on lot 51 we could accommodate a bigger 16x80 more desirable home for a big family for a fair price.

EXHIBIT "D"
EXISTING USE

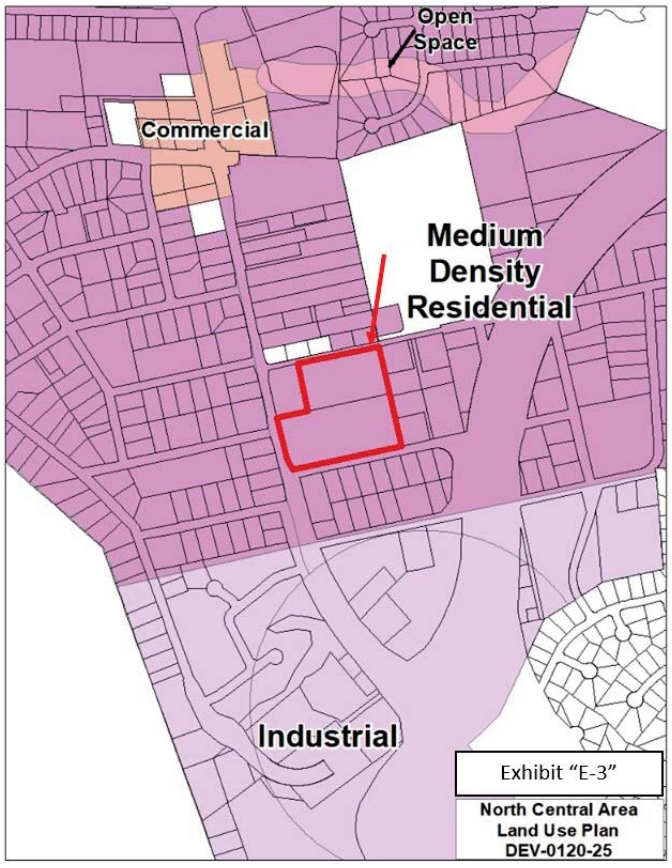
EXHIBIT "E"
ADDITIONAL PROPERTY INFORMATION

Existing Land Use: The subject property has an existing manufactured home park, "McArthur Mobile Home Park".

Surrounding Land Use: Exhibit "E" illustrates the following:



North: Eureka Baptist Church, and Residential
East: Single-family residential, and I-295
West: Single-family and multi-family residential
South: Single-family homes



Other Site Characteristics: The site is located in the Cape Fear River Watershed but is not located within a Flood Zone Hazard Area. The subject property, as delineated in Exhibit "E-2", also illustrates that no hydric or hydric inclusion soils are present.

Development Review: Final Site Plan review and approval by the Planning & Inspections Department will be required prior to any moving and in filling of vacant spaces for the manufactured home park. Plot plans for manufactured homes must be submitted as a survey prepared by a professional surveyor.

Comprehensive Plans: Exhibit "E3" illustrates that this property is located in the North Central Area Land Use Plan (2024). The future land use classification of the property is "Medium Density Residential". The associated zoning districts for Medium Density Residential are R6, R6A, and R5A.

Utilities: No public sewer is available but public water is existing and available to the subject property. The MHP is served by several septic tanks on the property.

EXHIBIT "F"
SECTION 2404. Manufactured Home Parks, SUBDIVISION ORDINANCE

SECTION 2404. MANUFACTURED HOME PARKS.

A. *Purpose*. The purpose of this section is to establish regulations and procedures for the initial construction and continued use of manufactured home parks, which is found to be necessary in order to protect the health, safety and welfare of the residents of the manufactured home park.

B. *Application of chapter*. The provisions contained herein are the minimum provisions every manufactured home park plan must comply with prior to allowing for the inhabitation of any manufactured home within the manufactured home park.

C. *Permits required*. It shall be unlawful for any person to construct, maintain or use any lot or other parcel of land within the jurisdiction of Cumberland County for a manufactured home park until application has been made and a permit has been issued by the Code Enforcement Coordinator. No on-site improvements may be made until after a permit has been granted by the Code Enforcement Coordinator in accordance with an approved manufactured home park site plan.

D. *Site plans*. Site plans for manufactured home parks in addition to all items required in Article 2203 for preliminary plans shall show the location of all proposed structures; pedestrian paths, type and location of the perimeter buffer, electric lighting plans, off-street parking areas, drainage facilities, and all other required provisions of this section.

E. *Dimensional criteria*.

1. *Lot area*. The minimum lot area for a manufactured home park shall be one acre, excluding publicly dedicated or reserved right-of-way for streets, and floodplain areas.

2. *Density*. The maximum density of individual manufactured home units within a manufactured home park shall be eight per acre excluding publicly dedicated or reserved right-of-way for streets.

3. *Location of manufactured home spaces.* Each proposed manufactured home proposed to be located within a manufactured home park must be located within a designated manufactured home space as approved on the manufactured home park site plan and every manufactured home space shall comply with the following minimum yard space provisions:

a. All manufactured home spaces shall be designed in such a manner that will allow for each manufactured home space to be a minimum of 25 feet apart longitudinally, 15 feet apart end-to-end or corner-to-corner, and when spaces are designed in such a manner that one space is angled toward another space, 20 feet apart;

b. All manufactured home spaces shall be located a minimum of 25 feet from any permanent building located within the manufactured home park;

c. All manufactured home spaces and structures, including buildings within the manufactured home park shall be located no closer than 25 feet of a public street right-of-way; and

d. All manufactured home spaces shall be located no closer than five feet of the internal drive within the manufactured home park.

F. *Street access*. All manufactured home parks shall have direct access to a public right-of-way. Direct access to any public right-of-way shall not be permitted for any single manufactured home space within the manufactured home park; all manufactured home spaces must be served internally by means of a private drive. Street access and entrance area designs shall conform to the *NC Department of Transportation Policy on Street and Driveway Access to North Carolina Highways* guidelines.

G. *Improvements*. In addition to all applicable improvements required by Article XXIII and the County Zoning Ordinance, the following improvements shall be constructed or implemented prior to application for the final building/park inspection:

1. *Parking.* Off-street parking spaces shall be provided in accordance with the applicable zoning district regulations; however, in no case shall there be less than two off-street parking spaces for each manufactured home space. Parking shall not be permitted on or along the internal drives in manufactured home parks.

2. *Internal drives.* All drives and courts shall be designed with a minimum 30-foot right-of-way and a minimum 20 foot paved traffic area which is adequately drained. Every dead-end drive more than 100 feet in length or serving more than four manufactured home spaces shall be provided with a paved turn-around having a radius of not less than 40 feet for a traffic surface.

3. *Drainage.* The manufactured home park spaces shall be situated on ground that is not designated as a *Special Flood Hazard Area* and designed and graded with drainage facilities installed to transport runoff to an appropriate outfall in such a manner as to comply with the N.C. Department of Environment and Natural Resources' *Manual of Best Management Practices* (BMP) for storm water control. When manufactured home parks abut an existing public drainage system, connection to the public system is mandatory.

EXHIBIT "G"
SUBDVISION WAIVER APPLICATION(S) – Section 2404 §E(3)[a]

CUMBERLAND COUNTY

COUNTY *of* CUMBERLAND

Planning & Inspections Department

CASE #: _____

PLANNING BOARD MEETING DATE: _____

DATE APPLICATION SUBMITTED: _____

RECEIPT #: _____

RECEIVED BY: _____

APPLICATION FOR WAIVER (VARIANCE) FROM CUMBERLAND COUNTY SUBDIVISION ORDINANCE PROVISION(S)

The Cumberland County Joint Planning Board meetings are held in the second floor hearing room of the Historic Courthouse at 130 Gillespie Street, Fayetteville, unless otherwise specified. The Joint Planning Board will advertise the public hearing and a notice will be mailed or delivered to surrounding residents or property owners that may be affected by the proposed waiver [variance] request, giving notice of date and time of the meeting.

The Joint Planning Board will conduct a quasi-judicial hearing on this request and all persons wishing to appear before the board should be prepared to give sworn testimony on relevant facts. Applicants for waivers [variances] are encouraged to read Section 2601, currently entitled *Waivers* of the County's Subdivision Ordinance to establish whether or not their case merits further consideration by the Board (see next page).

The following items are to be submitted with the complete application:

1. **A copy of the recorded deed and/or plat,**
2. **If a portion of an existing tract, an accurate written legal description of only the area to be considered;**
3. **A copy of a detailed site plan drawn to an engineering scale – see attached for site plan specifications; and**
4. **Cash or check payable to "Cumberland County" in the amount of $200 .**

NOTE: Any revisions, inaccuracies or errors to the application or site plan may cause the case to be delayed and will be scheduled for the next available Joint Planning Board meeting according to the board's meeting/deadline schedule. Also, the application fee is *nonrefundable.*

EXCERPT FROM
CUMBERLAND COUNTY SUBDIVSION ORDINANCE

SECTION 2601. WAIVERS [VARIANCES].

The Planning Board may waive the requirements of this ordinance where if finds by resolution that:

A. Because of the size of the tract to be subdivided, its topography, the condition or nature of adjoining areas, or the existence of other unusual physical conditions, strict compliance with the provisions of this ordinance would cause a special hardship to the property owner and be inequitable, and

B. The public purposes of this ordinance and the County Zoning Ordinance would be served to an equal or greater degree, and

C. The property owner would not be afforded a special privilege denied to others.

In granting waivers, the Planning Board may require such conditions as will secure, in so far as practicable, the objectives of the requirements waived. Any waiver, thus granted, is required to be entered in writing in the minutes of the Planning Board and the reasoning upon which departure was justified set forth.

Related State Statute: N. C. GEN. STAT. § 153A-336

Any waiver [variance] granted becomes null and void if not exercised within the time specified in such approvals, or if no date is specified, within two calendar years from the date of such approval. If the board denies the waiver [variance] request, it shall enter the reason for its action in the minutes of the meeting at which the action is taken. In the event of a denial, the Joint Planning Board shall not consider re-submission of the application for the same waiver [variance] request on the same property without a substantial material change concerning the property and the application.

TO THE CUMBERLAND COUNTY JOINT PLANNING BOARD, FAYETTEVILLE, NORTH CAROLINA:

I (We), the undersigned, hereby submit this application, and petition the Cumberland County Joint Planning Board to waive [vary] certain adopted provisions of the County's Subdivision Ordinance as specified below and provided for under the terms of the Subdivision Ordinance. In support of this petition, the following facts are submitted:

LOCATION OF PROPERTY: EUREKA SPRINGS, FAYETTEVILLE, NC.

OWNER: FAYETTEVILLE NC MHP LLC

ADDRESS: 1570 Hissop St, Fayetteville, NC ZIP CODE: 28311

TELEPHONE: HOME _____ WORK (910) 537-5261

AGENT: FERNANDO OROZCO

ADDRESS: P.O. BOX 622023 OVIEDO, FL 32762

TELEPHONE: HOME _____ WORK (407)860-5845

APPLICATION FOR A WAIVER [VARIANCE]
As required by the Subdivision Ordinance

A. Parcel Identification Number (PIN #) of subject property: 0520-28-0164, 0520-28-0497 (also known as Tax ID Number or Property Tax ID)

B. Acreage: 8.89 ACRE Frontage: 635 FT Depth: 700 FT

C. Water Provider: Fayetteville Public Works Commission

D. Septage Provider: Septic Tank System

E. Deed Book 12266, Page(s) 0829, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).

F. Existing and/or proposed use of property:

M101 - MOBILE HOME PARK COMMUNITY

G. Section and provision of the Cumberland County Subdivision Ordinance from which a waiver [variance] is requested:

SUBDIVISION ORDINANCE 2404.E.3a - All manufactured home spaces shall be designed in such a manner that will allow for each manufactured home space to be a minimum of 25 feet apart longitudinally, 15 feet apart end-to-end or corner-to-corner, and when spaces are designed in such a manner that one space is angled toward another space, 20 feet apart.

H. Nature and extent of hardship involved in strict application of the County Subdivision Ordinance – attach additional sheet if necessary:

Strict application of Subdivision Ordinance §2404.E.3a would require the placement of 12-foot-wide homes on lots within the Fayetteville Mobile Home Community to maintain spacing from existing grandfathered homes. This requirement creates several hardships:

Market Hardship: 12-foot-wide manufactured homes are increasingly scarce in today's market, making them difficult to source in a timely and cost-effective manner.

Economic Hardship: 12-foot homes are less desirable and hold lower long-term value, resulting in a financial disadvantage for both the property owner and the community.

Functional Hardship: 12-foot homes do not adequately serve larger families and significantly limit the functionality of the lots compared to 14-foot homes.

Community Impact: Requiring 12-foot homes would create inconsistency with the 17 existing homes on the same row, all of which are 14 feet wide. This inconsistency would reduce uniformity and potentially diminish the overall appeal and cohesion of the community.

In summary, strict enforcement of the ordinance prevents the practical and reasonable use of the property for modern manufactured housing, imposes unnecessary economic burden, and limits the community's ability to offer quality, functional housing options.

STATEMENT OF ACKNOWLEDGEMENT

Regarding appearance before the Joint Planning Board, the undersigned owner(s), agents, or their assigns, by virtue of their signature(s) to this application, hereby acknowledge the following:

- That although appearance before the board is not required, it is strongly encouraged;
- The board will hear any and all arguments for and against this matter before them and such relevant facts will be given under sworn testimony;
- At the public hearing the board has the authority to issue a final approval or denial decision on this request, or defer the request for additional information to be provided;
- If the petitioner or the representative of this application does not appear personally before the board, whether there is opposition or not, the board has full authority to consider the case and defer, approve, or deny the case.
- If the board's action is to deny the matter before them, the course of appeal to the decision will be that of Cumberland County Superior Court. (Affected parties of the board's decision have 30 days from date of proper notification in which to serve notice of appeal).

Signed acknowledgement that the County Planning & Inspections Staff has explained the application process and procedures regarding this request and the public hearing procedure stated above and that the application is complete and accurate.

Property owner(s)' signature(s)

JOHN SQUARTINO

Property owner(s)' name (print or type)

PO BOX 622023 OVIEDO, FL 32762

Complete mailing address of property owner(s)

321-946-7501

Telephone number

Alternative telephone number

JOHN@KEELTEAM.COM

Email address

FAX number

Agent, attorney, or applicant's signature (other than property owner)

FERNANDO OROZCO

Agent, attorney, or applicant (other than property owner) (print or type)

P.O. Box 622023, Oviedo FL 32762

Complete mailing address of agent, attorney, or applicant

(407) 860 - 5845

Telephone number

Alternative telephone number

fernando@kellteam.com

Email address

FAX number

Upon submission, the contents of this application becomes "public record" and is available for review and/or copies upon request.

CUMBERLAND COUNTY

COUNTY *of* CUMBERLAND

Planning & Inspections Department

CASE #: _____

PLANNING BOARD MEETING DATE: _____

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CUMBERLAND COUNTY SUBDIVSION ORDINANCE

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The Planning Board may waive the requirements of this ordinance where if finds by resolution that:

A. Because of the size of the tract to be subdivided, its topography, the condition or nature of adjoining areas, or the existence of other unusual physical conditions, strict compliance with the provisions of this ordinance would cause a special hardship to the property owner and be inequitable, and

B. The public purposes of this ordinance and the County Zoning Ordinance would be served to an equal or greater degree, and

C. The property owner would not be afforded a special privilege denied to others.

In granting waivers, the Planning Board may require such conditions as will secure, in so far as practicable, the objectives of the requirements waived. Any waiver, thus granted, is required to be entered in writing in the minutes of the Planning Board and the reasoning upon which departure was justified set forth.

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F. Existing and/or proposed use of property:

M101 - MOBILE HOME PARK COMMUNITY

G. Section and provision of the Cumberland County Subdivision Ordinance from which a waiver [variance] is requested:

SUBDIVISION ORDINANCE 2404.E.3c - All manufactured home spaces and structures, including buildings within the manufactured home park shall be located no closer than 25 feet of a public street rightof-way

H. Nature and extent of hardship involved in strict application of the County Subdivision Ordinance – attach additional sheet if necessary:

Strict application of Subdivision Ordinance §2404.E.3c, requiring all manufactured homes and structures to be set back at least 25 feet from a public street right-of-way, creates a hardship for the park;

EXHIBIT "H"

The community has been established and approved for decades, with multiple existing homes already located along the same property line as the one referenced in the ordinance. Several of these existing homes measure 80 feet in length, whereas the proposed plan from the Planning Department limits homes on these lots to 60 feet in length per Section 2404.E.3c.

The hardship arises because:

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Fernando Orozco

Agent, attorney, or applicant (other than property owner) (print or type)

P.O. Box 622023, Oviedo FL 32762

Complete mailing address of agent, attorney, or applicant

(407) 860 - 5845

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fernando@kellteam.com

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CUMBERLAND COUNTY

COUNTY *of* CUMBERLAND

Planning & Inspections Department

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Strict application of Subdivision Ordinance §2404.F.3f, requiring all manufactured home spaces to be served internally by a private drive and prohibiting direct access to a public right-of-way, creates unique hardships for Lot 14:

Pre-existing design: The park was originally laid out decades ago with street parking in mind, and Lot 14 has an existing pathway/driveway walking access from the inner street. Reconfiguring this would require significant alterations to a long-standing community design.

Lot 51 has a neighboring Lot 50 that serves as an example, this lot the fence moved back about 5 ft, an imaginary line that can be moved. This is something that we could do as well and that would allow a more desirable 16x80 home on this lot while still meeting the requirements.

Corner lot configuration: Lot 14 is positioned on a corner, and historic fence lines divide the spaces. These fences were set many years ago, do not align with modern regulations, and could be relocated if needed. However, the strict setback and access rules do not account for this historical layout.

Loss of functionality: Enforcing the strict rule would force Lot 14 into either being underutilized or restricted to a much smaller home footprint. This creates a hardship since the lot can reasonably accommodate a 14x80 or bigger home, as originally designed.

Affordable housing impact: Narrowing use of the lot would prevent placement of homes overall denying the fair housing opportunity for tenants, moreover the desire for a larger, more functional home. Smaller or restricted homes are less desirable, reduce long-term value, and do not meet the needs of families seeking affordable housing.

In short, Lot 14's existing conditions and corner placement make strict compliance impractical, while modest adjustments (e.g., moving fences, using planned parking) allow the lot to function as intended and support a 14x80 home, consistent with the rest of the community. On another note, if we move the fence to meet Lots 50 layout on lot 51 we could accommodate a bigger 16x80 more desirable home for a big family for a fair price.

STATEMENT OF ACKNOWLEDGEMENT

Regarding appearance before the Joint Planning Board, the undersigned owner(s), agents, or their assigns, by virtue of their signature(s) to this application, hereby acknowledge the following:

- That although appearance before the board is not required, it is strongly encouraged;
- The board will hear any and all arguments for and against this matter before them and such relevant facts will be given under sworn testimony;
- At the public hearing the board has the authority to issue a final approval or denial decision on this request, or defer the request for additional information to be provided;
- If the petitioner or the representative of this application does not appear personally before the board, whether there is opposition or not, the board has full authority to consider the case and defer, approve, or deny the case.
- If the board's action is to deny the matter before them, the course of appeal to the decision will be that of Cumberland County Superior Court. (Affected parties of the board's decision have 30 days from date of proper notification in which to serve notice of appeal).

Signed acknowledgement that the County Planning & Inspections Staff has explained the application process and procedures regarding this request and the public hearing procedure stated above and that the application is complete and accurate.

Property owner(s)' signature(s)

JOHN SQUARTINO

Property owner(s)' name (print or type)

PO BOX 622023 OVIEDO, FL 32762

Complete mailing address of property owner(s)

321-946-7501 _____

Telephone number | Alternative telephone number

JOHN@KEELTEAM.COM _____

Email address | FAX number

Agent, attorney, or applicant's signature (other than property owner)

Fernando Orozco

Agent, attorney, or applicant (other than property owner) (print or type)

P.O. Box 622023, Oviedo FL 32762

Complete mailing address of agent, attorney, or applicant

(407) 860 - 5845

Telephone number

Alternative telephone number

fernando@kellteam.com

Email address

FAX number

Upon submission, the contents of this application becomes "public record" and is available for review and/or copies upon request.

SECTION 2601. WAIVERS.

The Planning Board may waive the requirements of this ordinance where it finds by resolution that:

A. Because of the size of the tract to be subdivided or developed, its topography, the condition or nature of adjoining areas, or the existence of other unusual physical conditions, strict compliance with the provisions of this ordinance would cause a special hardship to the property owner and be inequitable, and

B. The public purposes of this ordinance and the County Zoning Ordinance would be served to an equal or greater degree, and

C. The property owner would not be afforded a special privilege denied to others.

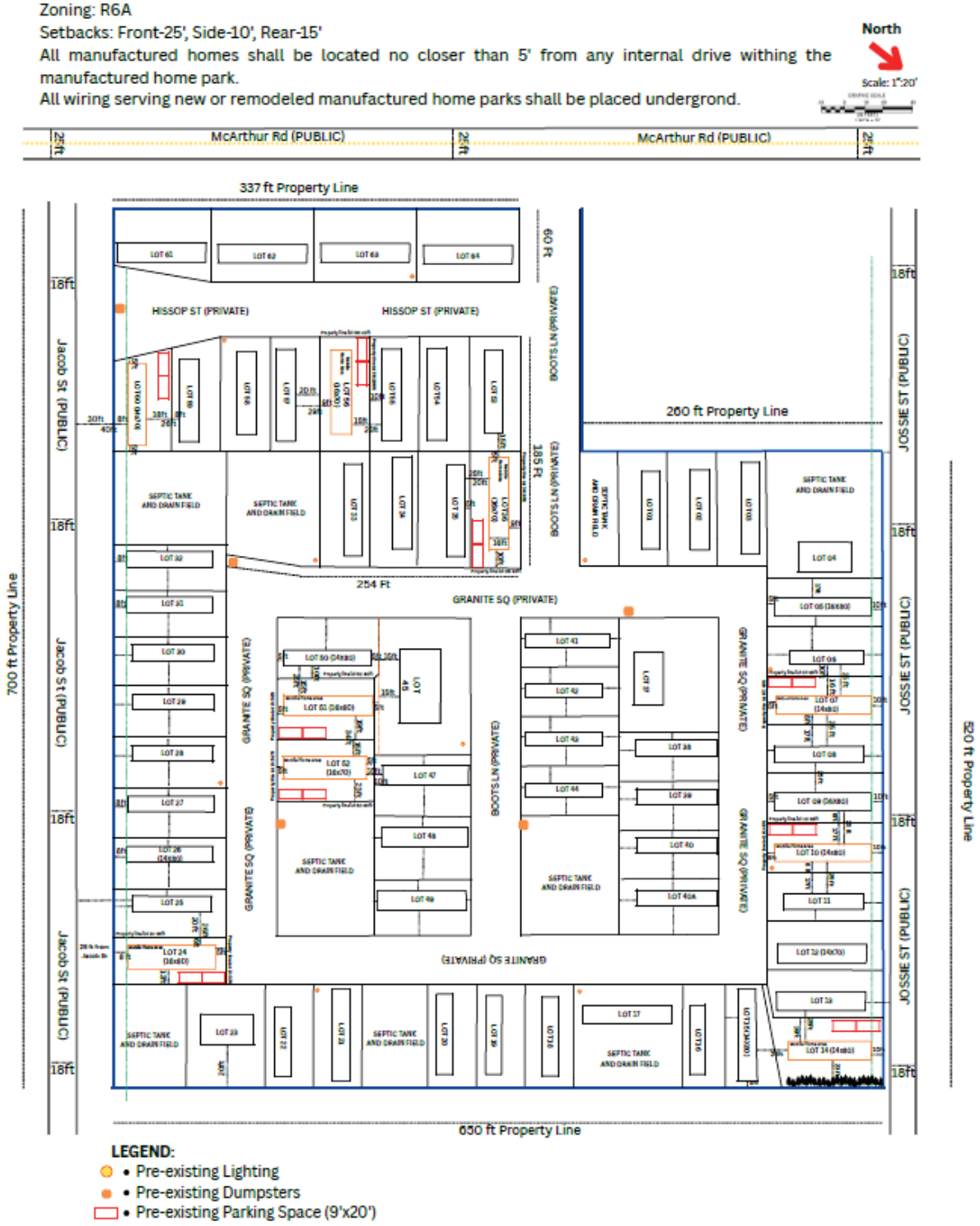
In granting waivers through a quasi-judicial hearing and decision, the Planning Board may require such conditions as will secure, in so far as practicable, the objectives of the requirements waived. Any waiver, thus granted, is required to be entered in writing in the minutes of the Planning Board and the reasoning upon which departure was justified set forth. *(Amd. 6-21-21)*

ATTACHMENT — Concept Plan for Illustrative Purposes

SUBDIVISION WAIVER PLAN:

FAYETTEVILLE MOBILE HOME COMMUNITY - FAYETTEVILLE NC MHP LLC
FAYETTEVILLE, CUMBERLAND COUNTY, NORTH CAROLINA

Use: Manufactured Home park
Intended Utilities: PWC Water and Septic
Zoning: R6A
Setbacks: Front-25', Side-10', Rear-15'
All manufactured homes shall be located no closer than 5' from any internal drive withing the manufactured home park.
All wiring serving new or remodeled manufactured home parks shall be placed undergrond.



LEGEND:

- Pre-existing Lighting
- Pre-existing Dumpsters
- Pre-existing Parking Space (9'x20')

ATTACHMENT – MAILING LIST

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EUREKA CHAPEL MISSIONARY BAPTIST CHURCH
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