



Cumberland County Joint Planning Board

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. Williams 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 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.