




Cumberland County Joint Planning Board

DECEMBER 8, 2025

MEMORANDUM

TO: Cumberland County Joint Planning Board

FROM: Rawls Howard, Director of Planning & Inspections 

SUBJECT: December 16, 2025 Meeting

The next scheduled meeting of the Cumberland County Joint Planning Board will be held on **Tuesday, December 16, 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 Agenda for the December 16, 2025, meeting.
2. Minutes of the November 18, 2025 meeting.
3. Information on cases: **ZNG-013-25, ZON-25-0047, ZON-25-0049, ZON-25-0050, ZON-25-0051, ZON-25-0053, ZON-25-0054, ZON-25-0055, ZON-25-0057, ZON-25-0058, and DEV-0140-25.**

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



Cumberland County Joint Planning Board

TENTATIVE AGENDA

December 16, 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 NOVEMBER 18, 2025
- VI. CHAIRMAN'S WELCOME AND RULES OF PROCEDURE
- VII. PUBLIC MEETING CONSENT ITEMS

REZONING CASES

- A. ZNG-013-25:** Rezoning of 0.68 +/- acres from R15 Residential District to R7.5 Residential District, located at 0 Legion Rd. The empty lot at the Southwest Corner of Brower Trail and Legion Rd. REID 0414749173000 Submitted by Maps Surveying (applicant) on behalf of Sewak, LLC (owners).
- B. ZON-25-0047:** Rezoning request from R10 Residential District to R10M Residential District or to a more restrictive zoning district for a parcel comprising .52 +/- acres; located at 210 Hillsboro St; submitted by Clayton Homes (Agent/Applicant) on the behalf of Anna Christine Lee (Owners). (Stedman)
- C. ZON-25-0049:** Rezoning request from A1 Agricultural District to R7.5 Residential District or to a more restrictive zoning district for two parcels comprising 34.72 +/- acres; located at 1539 & 1543 Tom Starling Rd; submitted by Max and Janet Carter (Applicant/Owner).
- D. ZON-25-0050:** Rezoning request from C(P) Planned Commercial District to A1 Agricultural District or to a more restrictive zoning district for a parcel comprising 25.78 +/- acres; located 200 feet East of the intersection of Kingfisher Dr. and Loon Dr.; submitted by Lori Epler (Agent/Applicant) on behalf of Riddle Companies Inc. (Owner).
- E. ZON-25-0051:** Rezoning request from A1 Agricultural District to C(P) Planned Commercial District or to a more restrictive zoning district for a parcel comprising .91 +/- acres; located northeast of the intersection of NC Hwy 87 and Upton Tyson Road; submitted by Alhubishi Abdurrahman (Agent/Applicant) on the behalf Sherwood Presbyterian Church (Owner).

- F. ZON-25-0053:** Rezoning request from A1 Agricultural District to R40 Residential District or to a more restrictive zoning district for a parcel comprising 14.74 +/- acres; located south at the intersection of Sanderosa Rd and Shadowmoss Dr.; submitted by Tim Evans (Agent/Applicant) on behalf of Mary W. Parker and Anna W. Taylor (Owners).
- G. ZON-25-0054:** Rezoning request from A1 Agricultural District to A1A Agricultural District or to a more restrictive zoning district for a parcel comprising 2.01 +/- acres; located at 4740 Mastercraft Ct; submitted by Bryan Lopez and Margarita Lopez Archbold (Applicant/Owner).
- H. ZON-25-0055:** Rezoning request from R30 Residential District to C2(P) Planned Service and Retail District or to a more restrictive zoning district for a parcel comprising 0.88 +/- acres; located at the southwest intersection of Wade Stedman Rd and Maxwell Rd; submitted by George D. Regan, Jr., Esq. (Agent/Applicant) on the behalf of Vu Hung Le (Owner).
- I. ZON-25-0057:** Rezoning request from RR Rural Residential District to C2(P) Planned Service and Retail District or to a more restrictive zoning district for a parcel comprising 1.37 +/- acres; located at 3883 Clinton Rd; submitted by Bevil Groves (Applicant/Owner).
- J. ZON-25-0058:** Rezoning request from A1 Agricultural District to A1A Agricultural District or to a more restrictive zoning district for a parcel comprising 2.23 +/- acres; located 7552 Turnbull Road; submitted by Laverne Robinson (Agent/Applicant) on the behalf of Key Legacy Group LLC (Owner).

VIII. PUBLIC MEETING CONTESTED ITEMS

REZONING CASES

NONE

IX. PUBLIC HEARING ITEMS

WAIVERS

- A. DEV-0140-25:** Consideration of Subdivision Waiver(s) from Section 2304.C.3, Upgrading Street Classification and 2304.C.4.c.(4), Class "C" Private Street Specifications, Cumberland County Subdivision Ord, for the subdivision of one lot into two lots on a Class "C" private street without upgrading the street classification, and to allow an additional lot on a Class "C" private street limited to a maximum of four lots, on a parcel comprising 1.00 +/- acres located at 3441 Nebular Drive; submitted by Michael Adams (Agent) on behalf of Harold McLaurin (Owner).

X. ITEMS OF BUSINESS

NONE

XI. DISCUSSION

- A. UPDATE ON UNIFIED DEVELOPMENT ORDINANCE (UDO) PROJECT**
- B. SCHEDULE OF PLANS – 2030 AND POLICIES PLAN**

XII. ADJOURNMENT



Cumberland County Joint Planning Board

MINUTES

November 18, 2025

Members Present	Members Absent	Others Present
Mr. James Baker, Vice Chair	Mr. Tom Lloyd, Chair	Mr. Rawls Howard, Director
Ms. Betty Lynd		Mr. David Moon, Deputy Director
Mr. Stan Crumpler		Mr. Christopher Carr, Asst. County Attorney
Mr. Todd Mobley		Mrs. Cherice Hill, Admin Professional
Ms. Jamie McLaughlin		Mr. Tim Doersam, Planner II
Mr. Charles Jones		Mr. Matthew Mottinger
Mr. William Walters		
Mr. Ray Jenkins		
Mr. Mark Williams		

I. INVOCATION AND PLEDGE OF ALLEGIANCE

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

II. ADJUSTMENTS TO / APPROVAL OF AGENDA

There were none.

Mr. Crumpler made a motion, seconded by Mr. Jones, to approve the agenda, as published. Unanimous approval.

III. PUBLIC MEETING WITHDRAWAL/DEFERRALS

Mr. Howard informed the Board that the applicant for Case ZON-25-0045 had submitted a written request to withdraw their case and that it would be removed from the agenda.

IV. ABSTENTIONS BY BOARD MEMBERS

There were none.

V. APPROVAL OF THE MINUTES OF OCTOBER 21, 2025

Ms. Lynd made a motion, seconded by Mr. Walters, to approve the minutes of October 21, 2025, as submitted by staff. Unanimous approval.

VI. CHAIRMAN'S WELCOME AND RULES OF PROCEDURE

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

VII. PUBLIC MEETING CONSENT ITEMS

REZONING CASES

- A. **ZON-25-0046:** Rezoning request from R10 Residential District and RR Rural Residential District to R6A Residential District or to a more restrictive zoning district for one parcel totaling 5.11 +/- acres; located at the south end of Morrozoff Dr.; submitted by Jane Yang (Agent) on behalf of 5100 Morrozoff Drive Property, LLC. (Owners/Applicant).

In Case ZON-25-0046, Planning and Inspections staff recommends approval of the rezoning request from R10 Residential District and RR Rural Residential District to R6A Residential District. Staff finds that the request is consistent with the Southwest Cumberland Land Use Plan which calls for "Medium Density Mixed Housing" 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.

In Case ZON-25-0046, Ms. McLaughlin made a motion, seconded by Mr. Crumpler, to recommend approval of the rezoning request from R10 Residential District and RR Rural Residential District to R6A Residential District. The Board finds that the request is consistent with the Southwest Cumberland Land Use Plan which calls for "Medium Density Mixed Housing" and "Open Space" 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.

Mr. Howard noted that at the request of the applicant, Case ZON-25-0046 would be heard at the January 20, 2026 Board of County Commissioners meeting.

- B. **ZON-25-0048:** Text Amendment to the County Zoning Ordinance to Allow for Resubmission of Rezoning Applications; submitted by County Planning and Inspections (Applicant).

In Case ZON-25-0048, Planning & Inspections staff recommends approval of the text amendment and finds the request consistent with the 2030 Growth Vision Plan. While specific land use plan policies do not specifically address regulations for application submissions, a current ordinance that promotes efficient review processes achieves goals laid out not only in the 2030 Growth Vision Plan, but all detailed land use plans within the County. Approval of this text amendment is also reasonable and in the public interest as it is an update to clarify standards and review processes for the public.

In Case ZON-25-0048, Ms. McLaughlin made a motion, seconded by Mr. Crumpler, to recommend approval of the text amendment. The Board finds that the request consistent with the 2030 Growth Vision Plan. While specific land use plan policies do not specifically address regulations for application submissions, a current ordinance that promotes efficient review processes achieves goals laid out not only in the 2030 Growth Vision Plan, but all detailed land use plans within the County. Approval of this text amendment is also

reasonable and in the public interest as it is an update to clarify standards and review processes for the public. Unanimous approval.

VIII. PUBLIC MEETING CONTESTED ITEMS

REZONING CASES

- A. **ZON-25-0044:** Rezoning request from R6A Residential District to O&I(P) Planned Office and Institutional District or to a more restrictive zoning district for a parcel comprising 5.00 +/- acres; located 2,500 feet west of the intersection of W Manchester Road and Twins Falls Road; submitted by Daniel Morgan (Agent/Applicant) and C3A Unlimited, LLC (Owner).

In Case ZON-25-0044, Planning and Inspections staff recommends denial of the rezoning request from R6A Residential District to O&I(P) Planned Office and Institutional District. Staff finds that the request is not consistent with the Spring Lake Area Land Use Plan which calls for "Medium Density Residential" 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.

Mr. Howard introduced Matt Mottinger, Planner I, who presented the staff's findings regarding the rezoning request.

Mr. Mottinger provided a detailed presentation. He noted the subject property is located within the Spring Lake Area Land Use Plan and that 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. He mentioned that the proposed rezoning request is not consistent with the adopted land use plan.

Mr. Moon explained that Fort Bragg had initially expressed concerns about the rezoning case due to the nature of the proposed business and the use of drones and other aerial technology. However, since the report publication, those concerns had been addressed, and an updated letter has been provided by RLUAC supporting the request which was presented to the Board.

Mr. Howard further explained that the original staff recommendation was based largely on concerns raised by RLUAC. Since RLUAC has withdrawn its initial concerns, staff no longer had concerns regarding approval of the rezoning request if deemed appropriate and noted that staff would be comfortable with the Board's decision either way. He clarified that staff's recommendation is a "soft denial," as the request is still not fully compatible with the land use plan. However, if the Board chose to approve the request; staff could support that direction.

Mr. Howard also noted that the plan currently calls for residential use, but staff has previously brought forward cases where a recommendation was made to amend the plan. In such cases, an appropriate motion is required when the matter goes before the Commissioners. Mr. Howard suggested this may be an appropriate time to consider such a change if the board sees it fit to do so. He added that staff's initial position was to support RLUAC if they had concerns about activities around the base, but those concerns have been addressed.

Ms. McLaughlin pointed out that the current Chair of RLUAC is the Mayor of Spring Lake and noted that she didn't have a problem with the request given the new, updated letter.

Mr. Baker asked if anyone had signed up to speak on the case.

Mr. Howard stated there is one speaker in favor of the request, Mr. Daniel Morgan.

Mr. Baker opened public comment.

Mr. Morgan introduced himself and stated that he purchased the property to get closer to the post so that soldiers could receive training and support quickly. He maintains that his business will not conduct any Unmanned Aircraft System (UAS) flight operations, test flights, or demonstrations of Small Unmanned Aircraft Systems (sUAS) at this facility. Additionally, no external antennas will be installed outside of the building, and no over-the-air communication testing will occur. Also, all radio and communication systems used on-site will be fully contained within the facility, and any testing will be performed using cabled and attenuated configurations to prevent any transmission or interference with external systems or controlled airspace.

He believes their presence would also discourage littering that exist there. He continued with a description of the building he would put on site.

Mr. Howard pointed out that there is documented illegal dumping in this area and that historic flooding has destroyed the majority of homes in the area.

With no other speakers, Mr. Baker closed public comments.

In Case ZON-25-0044, Ms. Lynd made a motion, second by Mr. Mobley, to recommend approval of the rezoning request from R6A Residential District to O&I(P) Planned Office and Institutional District. The Board finds that the request is as an amendment to the Spring Lake Area Land Use Plan. The Board finds that residential uses would not be in harmony with this area due to historic flooding and that the site would be better served as an office resource for the surrounding area. Unanimous approval.

- B. **DEV-0132-25:** Consideration of Subdivision Waiver(s) from Section 2304.C.4.c.(1) and c.(5), Private Street Specifications, Cumberland County Subdivision Ord, for the reduction in minimum passable travel way of 10 ft instead of 20 ft wide within a 30ft easement, and to allow a maximum of three residential units per lot instead of the required maximum of two units for group development, on a parcel comprising 10.55 +/- acres located at 6539 Alamance Rd; submitted by Melinda K. Reinoehl (Agent) on behalf of Kathleen A. Holesko (Owner).

Tim Doersam, Planner II, provided a detailed presentation about the surroundings and character of the area; bringing attention to key findings of Fact: Section 2304.C.4.c.(1), 'Class "C" Private Street Specifications': "A minimum passable travel way 20 feet wide shall be provided within a 30-foot easement. The subject property is accessed via Thunder Road, classified as a Class "C" Private Street. The applicant has requested a reduction in the required 20-foot passable travel way to 10 feet within the road easement. The road has been upgraded at owner's expense to improve access and safety. The proposed reduction is intended to support the placement of a third home for the applicant.

Alamance Road currently has an improved width of ten feet and crosses numerous lots owned by different entities. To widen the road to twenty feet would require approval from all property owners along Alamance Road. Further, trees and foliage exist on both sides of Alamance Rd. Widening the road will require the removal of these trees. The connection point to Roslin Farm Rd does have sufficient width for vehicles to enter and exit Thunder Rd. The width quickly narrows to approximately ten feet with dense vegetation and trees on each side of the travel way. The tree

line becomes lighter towards the southern end of Alamance Rd. This would make it difficult to widen the road without incurring a steep financial cost or without the permission of the nearby property owners to allow for the widening to occur.

The applicant is requesting a waiver to allow three dwelling units on a single lot within a group development accessed by a Class "C" Private Street. The owner requests the third home to provide housing for a family member with a disability. While the subdivision waiver criteria does not address consideration for persons with disabilities for waiver or variance situations, the North Carolina General Statutes and Section 1605, Variances, of the County Zoning Ordinance, allows such circumstances to be considered on decision involving a person with disability.

Section 2304.C.4.c.(5), Class "C" Private Street Specifications 'Group Developments': "Group developments as approved under the terms of this ordinance shall be limited to a maximum of two units per lot."

"The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance. A variance may be granted when necessary and appropriate to make a reasonable accommodation under the Federal Fair Housing Act for a person with a disability."

To obtain three dwelling units on a single property in the A1 Agricultural Zoning District as a group development, five acres is the minimum amount of acreage required. The subject property contains 10.55 acres which allows for sufficient land area to accommodate three dwelling units in a group development situation. Two acres of land area is needed for each dwelling unit. For group development on a single lot, the density can be rounded up to qualify for the minimum necessary acreage.

Mr. Doersam stated that 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.

Ms. Lynd asked if the Fire Marshal had any concerns about this request.

Mr. Doersam stated that with the improved stabilization the applicant provided, the Fire Marshal's office at this time would not have issue with this request.

Mr. Baker opened the public hearing.

Mr. Howard introduced the first speaker in favor, Ms. Kathleen Holesko, residing at 6539 Alamance Road, who expressed her desire to live at 6526 Alamance Road.

Ms. Holesko explained that she and her family had already paid for septic and water permits but were later informed that board approval was required. She noted that they had invested approximately \$18,000 in gravel for the property to upgrade the road as a result from the previous waiver case she requested.

She acknowledged that she may have misunderstood the situation, as her realtor had told her there were four houses on the property with functioning wells and septic systems. In reality, this was not the case. She was also advised that placing three homes on the property would not be a problem, though two of the original houses had been removed years earlier.

Ms. Holesko shared that she relocated from Georgia after her husband's passing to be closer to her daughter as she has health concerns. She is currently living with her granddaughter, her granddaughter's husband, and her great-grandson. While she described this arrangement as wonderful, she emphasized the importance of having her own home nearby.

She explained that her plan from the beginning was to establish three homes together on the property. She also noted that her daughter's middle child has a medical condition requiring ongoing assistance, and the proposed home would serve as the perfect residence for her daughter in the future.

Mr. Howard introduced the second speaker, Ms. Melinda Reinoehl.

Ms. Reinoehl stated that she is the daughter of Ms. Holesko, who resides at 6539 Alamance Road.

Ms. Reinoehl confirmed that her mother moved from Georgia to be closer to family and to assist while she herself cares for a daughter with a chronic illness. She presented a letter from the only neighbors, who expressed support for having a human presence on that part of the property to help deter wildlife issues common in rural areas.

She explained that one of the existing homes on the property is a brick home, another is a modular, and the proposed third home would also be a modular. She emphasized that the modular option would be a quicker process and is the type of home her mother has been seeking.

Ms. Reinoehl currently lives in the brick home with her two school-age children. Her adult child and family live at 6559 Alamance Road on the same side, while the proposed modular would be across the road, making it the only home on that side. She noted that this is a private road shared only by their family and one other neighbor. She also mentioned another abandoned home on a separate lot, which is condemned, possibly due to asbestos, and may still be in probate.

Mr. Howard introduced the third speaker, Mr. Brett Milligan, sales representative for Oakwood Homes.

Mr. Milligan stated that he was present to support Ms. Holesko, describing her as a good person who has added value to the area by personally funding gravel road upgrades. He emphasized that placing a home on the vacant lot is logical and appropriate.

Mr. Howard then introduced the final speaker in favor of the waiver, Mr. Chris Milligan.

Mr. Milligan stated he is the manager of Oakwood Homes and agreed that the property is a suitable location for the home. He noted that Oakwood Homes had consulted with the Fire Marshal, who confirmed that with the recent upgrades, there were no issues with placing a home on the site.

With no further speakers, Mr. Baker closed the public hearing.

Mr. Lyndel asked if there would be issues in the future when the abandon lot wants to rebuild.

Mr. Howard stated that could be a consideration. It depends on the circumstances that would be presented, but they would have to go through the same process.

Ms. Reinoehl confirmed that they are the only ones that paid for the road upgrade, but the neighbors that are supporting them have assisted in keeping the road clear and potholes filled.

Ms. Lynd made a motion to approve the waiver, seconded by Mr. Williams, to reduce the required travel way width from twenty feet (20') to ten feet (10') within the road easement encompassing staff's findings in the report and due to the Fire Marshal not having issue with the access for emergency vehicles. Unanimous approval.

Mr. Crumpler made motion, second by Mr. Jones, to approve the increase to the group development limit from two units per lot to three units to comply with ADA requirements and providing accommodation for a disabled person and that it would not add a larger burden to the applicant that would not be on someone else on the street. Unanimous approval.

IX. ITEMS OF BUSINESS

A. APPROVAL OF 2026 JOINT PLANNING BOARD APPLICATION SCHEDULE

Mr. Howard presented the 2026 Joint Planning Board Application Schedule and mentioned that it follows the same standard format as previous schedules approved by the Board in the past.

Mr. Crumpler made a motion, second by Mr. Jones, to approve the schedule as submitted by staff. Unanimous approval.

XI. DISCUSSION

A. UNC SCHOOL OF GOVERNMENT TRAINING MODULES

Mr. Howard inquired if the Board members had time to review the online training modules. The Board members mentioned that the training platform was very helpful. However, some members asked for the link to the training be provided again.

Mr. Howard stated that he would send the link back out to members.

XII. ADJOURNMENT

There being no further business, the meeting adjourned at 7:10pm



STAFF REPORT

REZONING CASE# ZNG-013-25

Planning Board Meeting: 12/16/2025

Hope Mills Board Meeting: 01/20/2026

Address: 0 Legion Rd. Empty lot at the Southwest Corner of Brower Trail and Legion Rd.

ZONING REQUEST: Rezone from R15 to R7.5

The Town of Hope Mills staff received an application to rezone 0.68 +/- acres of land from the R15 Residential District to the R7.5 Residential District, parcel identification number 0414-74-9173. The subject property is adjacent to developed residential properties. Towards the front, left, and rear of the property, there is the Clifton Forge subdivision. Across the street from the subject property, there is the Brookridge subdivision. 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:

Maps Surveying (applicant),
on behalf of Sewak, LLC
(owners)

ADDRESS/LOCATION:

0 Legion Rd. The empty lot at the Southwest Corner of Brower Trail and Legion Rd. REID 0414749173000. For additional Information on the site location, refer to Exhibit "A"

SIZE: As stated above, the subject property is 0.68 +/- acres in size.

EXISTING ZONING: The subject property is currently zoned R15 Residential District.

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

OTHER SITE CHARACTERISTICS: Exhibit "B" provides the current zoning of the subject property and surrounding properties. Exhibit "C" provides the location of water and sewer availability. Exhibit "D" provides the future land use.



Exhibit "A" Aerial View

Exhibit "B" Zoning

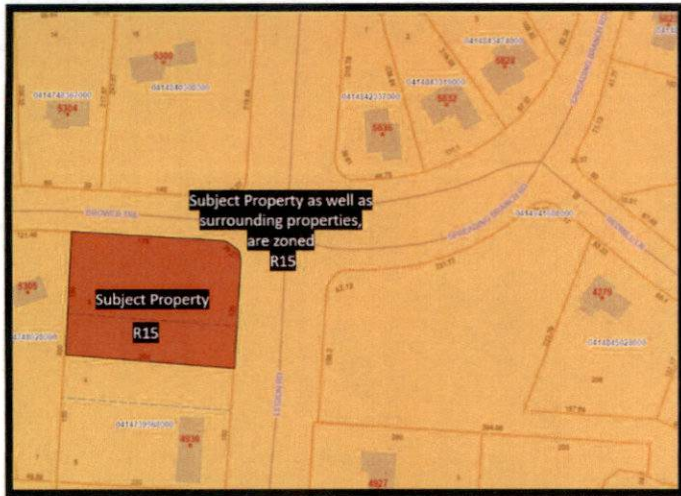


Exhibit "C" Utilities

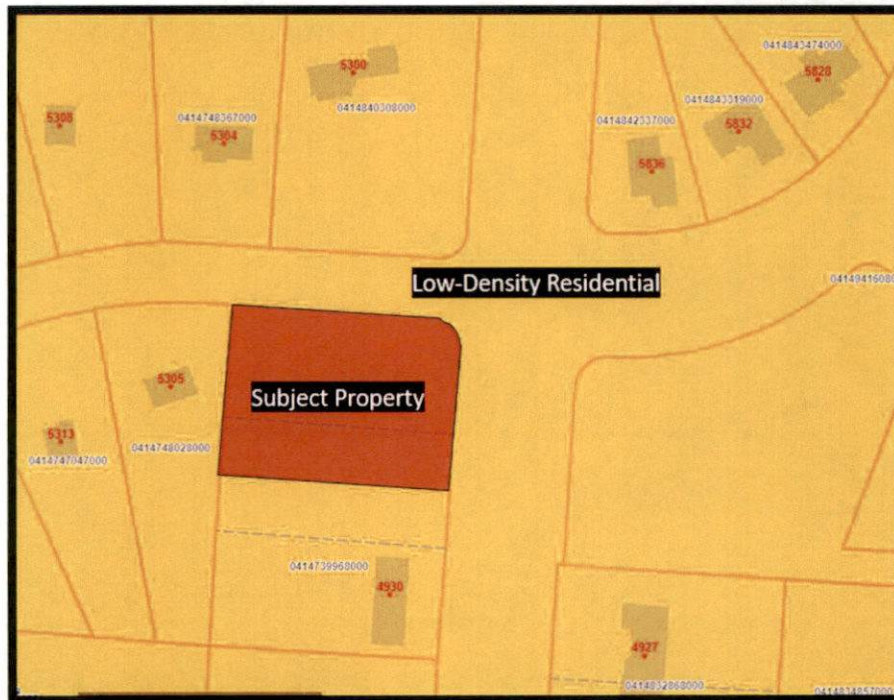
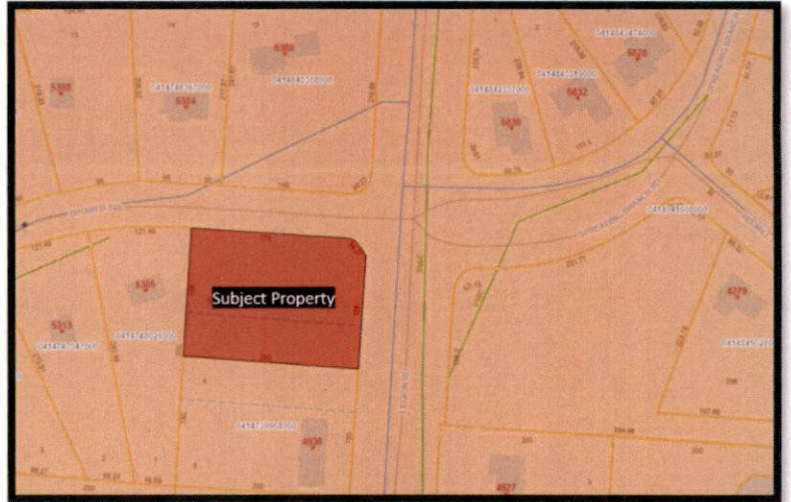


Exhibit "D" Future Land Use

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 "Low-Density Residential". Please refer to Exhibit "D" for additional information.

DIMENSIONAL PROVISIONS TIED TO THE REQUEST:

MINIMUM STANDARD	EXISTING ZONING	PROPOSED ZONING
Front Yard Setback	30 feet	30 feet
Side Yard Setback	10/15 feet	10/15 feet
Rear Yard Setback	35 feet	35 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: No comment on rezoning.

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

SPECIAL OVERLAY DISTRICTS: Not in overlay district.

FIRE MARSHAL: Need to make sure there is a fire hydrant within 500' of the residences.

PUBLIC WORKS: No comment.

INSPECTIONS: Must meet all applicable NC building codes.

PARKS & REC: No comment.

Health Department: This site will not be required to have well and septic permits if connected to PWC water and sewer.

Cumberland County: No comment.

FCEDC: Has no issue with this action.

RLUAC: No comment.

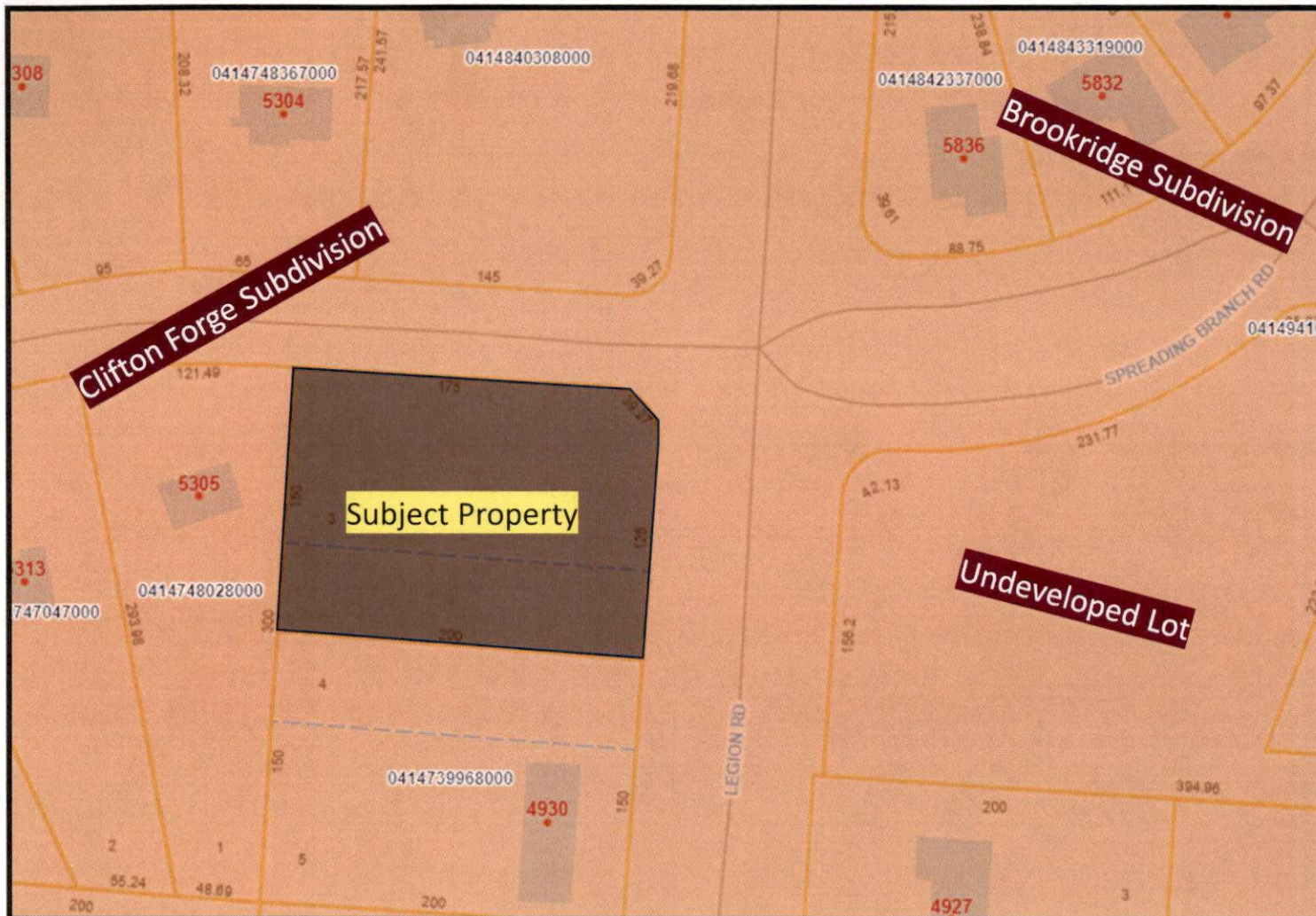
FAMPO: The subject property sits on Legion Road and is identified as a minor arterial in the Metropolitan Transportation Plan. There are no roadway construction improvement projects planned and the subject property will have no significant impact on the Transportation Improvement Program. In addition, Legion Road has a 2021 AADT of 4,500 and a road capacity of 11,500. 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 Legion Road.

Cumberland County Schools:

School Name	Enrollment	Capacity
Ed V Baldwin Elementary	546	638
South View Middle	608	847
South View High	1,418	1,871

STAFF RECOMMENDATION

The Town of Hope Mills' Planning staff recommends approval of the rezoning request from R15 Residential District to R7.5 Residential District, as it is consistent with the 2013 Southwest Cumberland Land Use Plan, which calls for Low-Density Residential. 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 nearby land uses, making the request both reasonable and beneficial to the public.





Town of Hope Mills

Planning Department

CASE NO.: ZN6-013-25

ZONING BOARD
MEETING DATE: 12/16/25

DATE APPLICATION
SUBMITTED: 12/2/25

RECEIPT NO.: 00028862

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 \$ 500.
(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.

NOTE: Any revisions, inaccuracies or errors to/on the application may cause the case to be delayed and re-scheduled for the next available Board meeting according to the Board's meeting schedule. Also, the application fee is *nonrefundable* once processing of the application has begun.

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 R15 to R7.5

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: Legion Rd / Brewer Trail (no address)
3. Parcel Identification Number (PIN #) of property: 0414749173000
(also known as Tax ID Number or Property Tax ID)
4. Acreage: 0.68 Frontage: 200 Depth: 150
5. Water Provider: Well: _____ PWC: X
6. Septage Provider: Septic Tank _____ PWC X Other (name) _____
7. Deed Book 12337, Page(s) 298 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: Single Family Housing
10. Do you own any property adjacent to, including across the street from, the property being submitted for rezoning? Yes _____ No X
If yes, where? _____
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.

Sewak LLC

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

2101 Della Ct Apex NC 27502

Complete mailing address of property owner(s)

917-371-7175

Telephone number

Alternative telephone number

Sanjay.khazanchi@gmail.com

E-mail address

N/A

Fax number

MAPS Surveying Inc

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

216 Mason St Fayetteville NC 28301

Complete mailing address of agent, attorney, or applicant

910-484-6432

Telephone number

Alternative telephone number

maps@mapssurveying.com

E-mail address

N/A

Fax number

S. Khazanchi

Owner's signature

[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: R00028862

Cashier Name: Vonda Johnson

Terminal Number: 5

Receipt Date: 12/2/2025 10:42:13 AM

Tran. Code: 103650 - Zoning Permits/Applications

Name: MICHAEL ADAMS-REZONING-PARCEL #04147491730

\$500.00

Zoning Permits/Applications \$500.00

Payment Method: Credit Card Payor: MICHAEL ADAMS-REZONIN Reference:

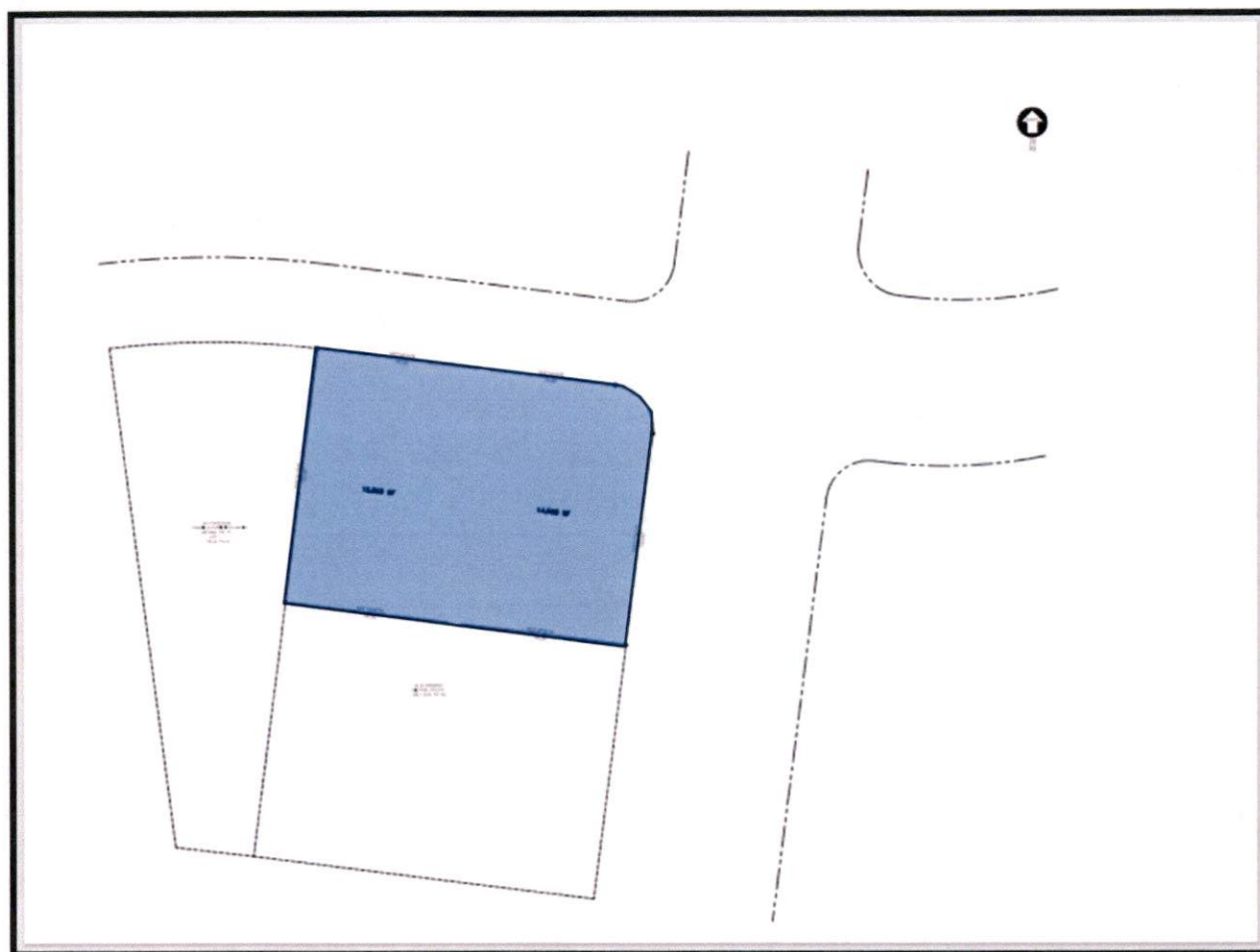
Total Amount Applied: \$500.00

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



FILED ELECTRONICALLY
CUMBERLAND COUNTY NC
ANDRA S. BREWINGTON

FILED Sep 23, 2025
AT 04:39:36 PM
BOOK 12337
START PAGE 0298
END PAGE 0300
INSTRUMENT # 29887
RECORDING \$26.00
EXCISE TAX \$40.00

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$40.00

Parcel Identifier No. 0414749173 Verified by _____ County on the _____ day of _____, 20____
By: _____

Mail/Box to: Justin Taylor Attorney at Law, PLLC, 4820 Six Forks Road, Suite 200, Raleigh, NC 27609

This instrument was prepared by: Justin Taylor Attorney at Law, PLLC Return to: Single Source

Brief description for the Index: 0 LEGION RD File At-123212-252

THIS DEED made this 17 day of September, 2025, by and between

GRANTOR

GRANTEE

RICHARD E. CARPENTER, unmarried
1231 MARTINDALE DR
FAYETTEVILLE, NC 28304

SEWAK LLC
2101 DELLA COURT
APEX, NC 27502

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 HOPE MILLS Township, CUMBERLAND County, North Carolina and more particularly described as follows:

SEE EXHIBIT A

submitted electronically by "Single Source Real Estate Services"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Cumberland County Register of Deeds.

EXHIBIT "A"

BEING ALL OF LOT 3, AND THE NORTHERN HALF OF LOT 4 IN BLOCK F IN SUBDIVISION OF PROPERTY BELONGING TO ROCKFISH MEBANE VARN MILLS, INC. AS PREPARED BY JOHN F. DAVIS, JR., REGISTERED SURVEYOR IN 1962, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A STAKE IN THE WESTERN MARGIN OF LEGION DRIVE, SAID BEGINNING POINT BEING A POINT OF CURVATURE IN THE WESTERN MARGIN OF LEGION DRIVE AS IT LEADS INTO THE SOUTHERN MARGIN OF A SIXTY FOOT UNMANED STREET, SAID STREET BEING LOCATED BETWEEN THE CEMETARY AND ROCKFISH CREEK, AND RUNNING THENCE WITH THE WESTERN MARGIN OF LEGION DRIVE, SOUTH 7 DEGREES 11 MINUTES 30 SECONDS WEST 125 FEET TO A NEW IRON PIPE IN THE MIDDLE OF THE EASTERN LINE OF LOT 4; THENCE A NEW LINE, NORTH 82 DEGREES 48 MINUTES 30 SECONDS WEST 200 FEET TO A NEW IRON PIPE IN THE MIDDLE OF THE WESTERN LINE OF LOT 4; THENCE WITH THE WESTERN LINE OF THE TRACT OF WHICH THIS IS A PART, NORTH 7 DEGREES 11 MINUTES 30 SECONDS EAST 150 FEET TO AN IRON PIPE IN THE SOUTHERN MARGIN OF SAID UNNAMED STREET; THENCE AS SAID MARGIN, SOUTH 82 DEGREES 48 MINUTES 30 SECONDS EAST 175 FEET TO THE POINT OF CURVATURE OF SAID MARGIN; THENCE AN ARC DISTANCE 39.27 FEET WITH A RADIUS OF 25 FEET TO THE POINT AND PLACE OF BEGINNING, CONTAINING 0.69 ACRES, MORE OR LESS AND BEING THE NORTHERN HALF OF THE LANDS CONVEYED TO JAMES A. GRAY IN BOOK 2226, PAGE 537 OF THE CUMBERLAND COUNTY REGISTRY, NORTH CAROLINA.

PIN: 0414-74-9173

Property Address: Legion Road, Hope Mills, NC 28348

Jessie Bellflowers
Mayor

Chancer F. McLaughlin
Town Manager



Hope Page
Mayor Pro-Tem

Emily Weidner
Director

December 3, 2025

Sewak LLC
2101 Della Ct.
Apex, NC 27502

Dear Sewak, LLC,

The Joint Planning Board of Cumberland County will hold a public meeting on December 16, 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-013-25: Rezoning of 0.68 +/- acres from R15 Residential District to R7.5 Residential District, located at 0 Legion Rd. Empty lot at the Southwest corner of Brower Trail and Legion Rd. REID 0414749173000, submitted by Maps Surveying Inc. (applicant) on behalf of Sewak 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

Town Hall Town of Hope Mills | 5770 Rockfish Road | Hope Mills, NC 28348
Phone: 910.426.4103 | Fax: 910.429.3386
www.townofhopemills.com

Owner	Street	City	State	Zip
Sewak LLC	2101 Della Ct.	Apex	NC	27502
Karrie/Christian Greive	5305 Brower Trl.	Hope Mills	NC	28348
Raphael/Myraida Mercado	5304 Brower Trl.	Hope Mills	NC	28348
Neil/Adelaida Freckleton	5300 Brower Trl.	Hope Mills	NC	28348
Michael Kelley	4930 Legion Rd.	Hope Mills	NC	28348
Robert Stafford	246 Valleyfield Ln.	Southern Pines	NC	28387
Andre/Camella Barnes	5836 Spreading Branch Rd.	Hope Mills	NC	28348
Hope Mills Methodist Church	4955 Legion Rd.	Hope Mills	NC	28348

REQUEST

Rezoning R10 to R10M

Applicant requests a rezoning from R10 Residential District to R10M Residential District for a parcel containing approximately 0.52 acres located at 210 Hillsboro St. Once the existing vacant home is removed by the property owner, and if the rezoning request is approved, the intent is to place a manufactured home on the parcel. As the R10 Residential District does not allow manufactured homes, R10M Residential District is requested by the applicant to achieve this intent.

PROPERTY INFORMATION

OWNER/APPLICANT: Anna Lee and William Lee (Owners); Clayton Homes of Fayetteville (Agent and Applicant)

ADDRESS/LOCATION: Located at 210 Hillsboro St. Refer to Exhibit "A", Location and Zoning Map. REID number: 0495088568000

SIZE: The parcel contains approximately 0.52 acres. Road frontage along Hillsboro St is 150 feet. The property is approximately 150 feet in length at its deepest point.

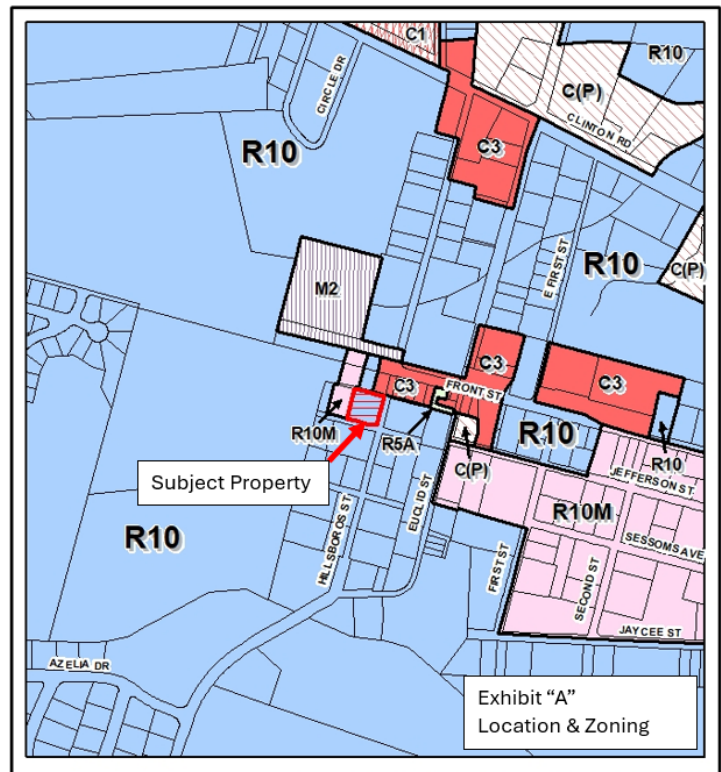
EXISTING ZONING: The subject property is currently zoned R10 Residential District. This district is designed primarily for single family dwellings on medium sized lots with a lot area of 10,000 square feet or above. The principal use of the land is for suburban density residential, agricultural purposes, and multi-family uses.

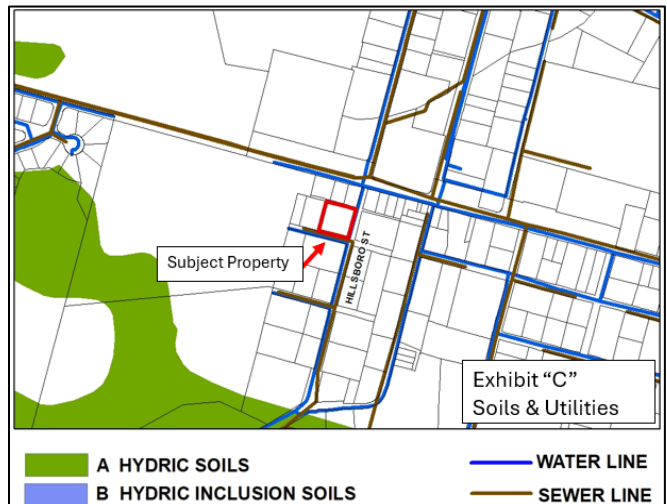
EXISTING LAND USE: The subject parcel currently has a single-family home on the property.

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

- **North:** Single-family residential and commercial
- **East:** Single-family residential and manufactured homes
- **West:** Wooded lands and single-family homes
- **South:** Single-family residential homes

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 no presence of hydric or hydric inclusion soils at the property.

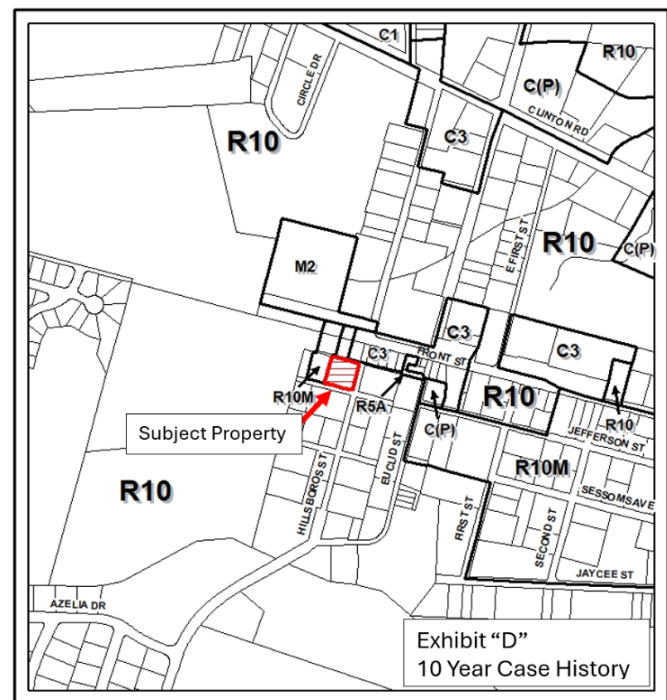




TEN YEAR ZONE CASE HISTORY:

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

DEVELOPMENT REVIEW: Prior to commencement of any new subdivision or group development, a preliminary plan or site plan must be submitted, reviewed, and approved by the Town of Stedman for compliance with their Subdivision and Zoning Ordinances prior to development activity.



DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

Minimum Standard	R10 (Existing Zoning)	R10M (Proposed)
Front Yard Setback	30 feet	30 feet
Side Yard Setback	10 feet	10 feet
Rear Yard Setback	35 feet	35 feet
Lot Area	10,000 sq. ft.	10,000 sq. ft.
Lot Width	75'	75'

DEVELOPMENT POTENTIAL:

Existing Zoning (R10)	Proposed Zoning (R10M)
4 dwelling units	4 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.

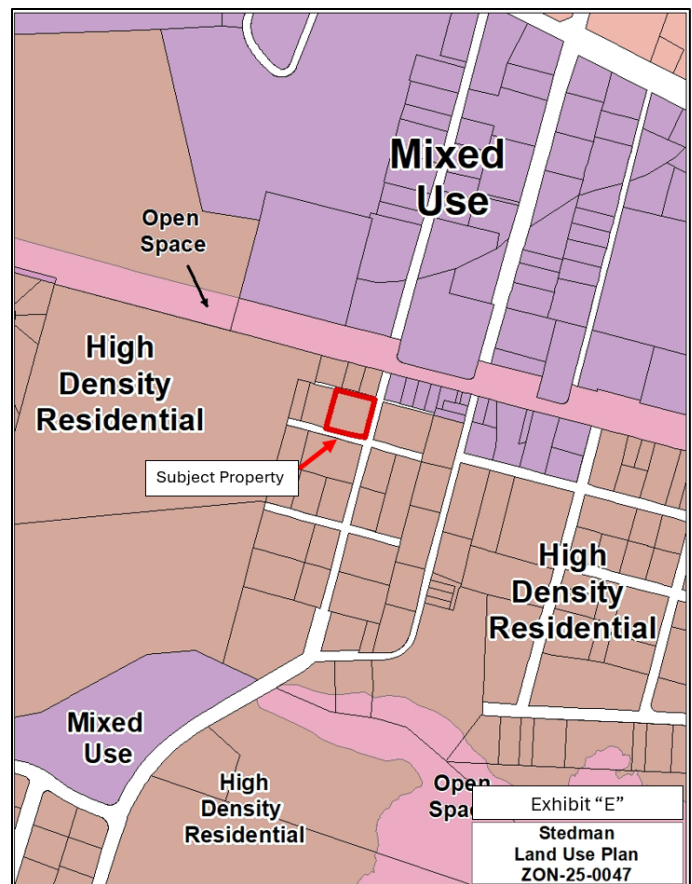
COMPREHENSIVE PLANS:

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 "High Density Residential". The associated zoning districts for High Density Residential are R6 and R5A, R10 and R10M.

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

Future Land Use Classification Development Goals, Notes, and Objectives:

- "The intent of the Medium Density Residential classification [which also applies to the High-Density Residential classification] is to allow for residential uses cognizant of the density that already exists within the Town of Stedman" (Stedman Area Land Use Plan 2020, p. 44).
- "[The proposed request meets the appropriate location characteristics including] public water and sewer required, access to a public or approved private street, and a [desirable location] within 3 miles of a recreation area or facility" (Stedman Area Land Use Plan 2020, p. 47).
- "Encourage new development and redevelopment in areas well served by water and sewer infrastructure and/or town services" (Stedman Area Land Use Plan 2020, p. 61).



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: Water and sewer lines are available near the subject property and provided by the Town of Stedman. It is the applicant's responsibility to determine if this utility provider will serve their development. Water and sewer lines are shown on Exhibit "C".

TRAFFIC: According to the Fayetteville Area Metropolitan Planning Organization (FAMPO), Hillsboro Street is located outside of FAMPO boundaries and the proposed rezoning.

SCHOOLS CAPACITY/ENROLLMENT:

School	Capacity	Enrollment
Stedman Primary	162	128
Stedman Elementary	358	292
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 rezoning request.

SPECIAL DISTRICTS/OVERLAY DISTRICTS: The subject property 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 zoning. There are no conditions proposed at this time.

STAFF RECOMMENDATION

In Case ZON-25-0047, Planning and Inspections staff **recommends approval** of the rezoning request from R10 Residential District to R10M Residential District. Staff finds that the request is consistent with the Stedman Area Land Use Plan which calls for "High 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
Site Plan

ATTACHMENT – MAILING LIST

AUTRY, ROBERT S III; AUTRY, DEBRA MICHAEL PO BOX 135 STEDMAN, NC 28391	BROWN, ALESIA C 539 FRED HALL RD STEDMAN, NC 28391	BUNCE CARROLL INVESTMENTS LLC PO BOX 528 STEDMAN, NC 28391
CAIN, HARVEY L JR PO BOX 524 STEDMAN, NC 28391	CAIN, JAMES MICHAEL; CAIN, LINDA HORNE 1050 JOHN B CARTER RD FAYETTEVILLE, NC	CAIN, JANICE B PO BOX 524 STEDMAN, NC 28391
CAROLINA SUN INVESTMENTS LLC PO BOX 205 FAYETTEVILLE, NC 28302	CARR, DAWSON VERDERY PO BOX 221 WEST END, NC 27376	CSX TRANSPORTATION INC TAX DEPT 500 WATER ST C910 JACKSONVILLE, FL 32202
DOUGLAS, ARTHUR JOE SR;DOUGLAS, ELVIRA GARZA;MORTON, NINA D. 227 HILLSBORO ST STEDMAN, NC 28391	ELLISON, NINA HALL; ELLISON, WILLIAM W 2 MADEIRA CT PALM COAST, FL	EMMANUEL EMPOWERMENT MINISTRY PO BOX 708 STEDMAN, NC 28391
EUCLID STREET TOWNHOME ASSOC INC 6134 JAKE RD STEDMAN, NC 28391	FLOWERS, JUDITH W 5045 AVERITT ST STEDMAN, NC 28391	FLOWERS, JUDITH WILSON 5045 AVERITT ST STEDMAN, NC 28391
GUEDALIA, LINDA ANN 5118 JEFFERSON ST STEDMAN, NC 28391	HALL, BELVIN CARVER JR PO BOX 132 STEDMAN, NC 28391	HALL, JESSE W PO BOX 695 STEDMAN, NC 28391
HALL, JESSE W JR PO BOX 695 STEDMAN, NC 28391	HANLAN, RICKEY E; HANLAN, EDNA M 138 HILLSBORO ST STEDMAN, NC 28391	HILL, LYNDIA H 5042 FRONT ST STEDMAN, NC 28391
HILLSBORO STREET LLC 214 DEER TRACK TRL CLINTON, NC 28328	HORNE, CHARLES ERNEST 1662 MIDDLE RIVER LP FAYETTEVILLE, NC 28312	HORNE, JANE STACY 3 CRAWFORD CT DURHAM, NC 27703
HORNE, JOHN LAMBERT; HORNE, ANN COLLIER PO BOX 297 STEDMAN, NC 28391	HORNE, MARY HALL LIFE ESTATE 316 HILLSBORO ST STEDMAN, NC 28391	LOCKAMY BRIAN, CYNTHIA LINDSEY;KAREN, MUSSELWHITE 5040 AVERITT ST STEDMAN, NC 28391

MCDANIEL, CLARISSA MAXWELL PO BOX 216 GARLAND, NC 28441	MEYERS, LINDA J 5121 JEFFERSON STREET STEDMAN, NC 28391	MOBLEY, WILLIAM TATE JR;MOBLEY, DONNETT C 6134 JAKE RD STEDMAN, NC 28391
--	--	---

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 R1D to R1DM
2. Address of Property to be Rezoned: 210 HILLSBORO ST. STEDMAN
3. Location of Property, details: CORNER OF HILLSBORO ST. and
BLANCHE DR.
4. Parcel Identification Number (PIN #) of subject property: 0495-08-8568
(also known as Tax ID Number or Property Tax ID)
5. Acreage: .52 Frontage: 150/150 Depth: 150
6. Water Provider: Well: _____ PWC: _____ Other (name): STEDMAN
7. Septage Provider: Septic Tank _____ PWC STEDMAN
8. Deed Book 3702, Page(s) 0829, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: SF RESIDENTIAL
10. Proposed use(s) of the property: SAME
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 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.

Anna Christine Lee William Earl Lee
NAME OF OWNER(S) (PRINT OR TYPE)

210 Hillsboro Street Stedman NC 28391
ADDRESS OF OWNER(S)

910-364-1960

910-364-1961

HOME TELEPHONE #

WORK TELEPHONE #

CLAYTON HOMES OF FAYETTEVILLE
NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)

3340 GILLESPIE ST. FAYETTEVILLE, NC 28306
ADDRESS OF AGENT, ATTORNEY, APPLICANT

HC196@claytonhomes.com
E-MAIL

HOME TELEPHONE # (910) 424-8600
WORK TELEPHONE #

Anna Christine Lee
SIGNATURE OF OWNER(S)

[Signature]
SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

William Earl Lee
SIGNATURE OF OWNER(S)

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



AFFIDAVIT OF OWNERSHIP/AGENT AUTHORIZATION FORM

PROPERTY OWNER (Company or Individual): ANNA C. LEE

MAILING ADDRESS: 210 HILLSBORO ST. STEDMAN, NC 28311

Officer's name and title: CLAYTON HOMES | ELIZABETH ROCKWELL, PROJECT MGR.

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): REZONING
3. That the undersigned has (have) appointed and does (do) appoint CLAYTON HOMES 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 representing 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.

Anna C. Lee
Owner's Signature

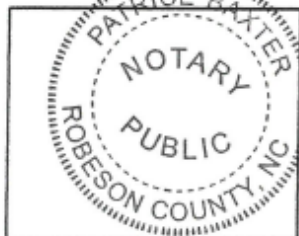
Owner's Signature

Owner's Signature

State of North Carolina

Cumberland County

The foregoing instrument was acknowledged before me by means of ✓ physical presence or _____ online notarization, this 21st day of November (month), 2025 (year), by Anna Chee (name of person acknowledging) who is personally known to me or who has produced driver's license (type of identification) as identification.



Patrice Baxter
Signature of Notary Public – State of North Carolina
(Print, Type or Stamp Commissioned Name of Notary Public to the Left of Signature) Patrice Baxter
Exp: 11-8-2025

SITE PLAN:

RECOMBINATION SURVEY FOR
Anna & William Lee
Town of Steadman
Cumberland County North Carolina
October 1, 2025 Scale 1" = 20'
Title Reference: Plat Book 7, Page 2
Deed Book 3702, Page 829
RED: 0495088-68000



Powers Surveying
Firm License: F-1359
John D. Powers, Jr., PLS L-3719
750 South Roberts Avenue
Lumberton, North Carolina 28358
(910) 738-6980

NORTH CAROLINA
CUMBERLAND COUNTY
R/L 6, L3719, CERTIFY THAT
THIS MAP WAS DRAWN UNDER MY SUPERVISION
FROM AN ACTUAL SURVEY MADE UNDER MY
SUPERVISION, DEED AND DESCRIPTION RECORDED
IN PLAT BOOK 7, PAGE 2, THAT THE RATIO OF
PRECISION AS CALCULATED BY LATITUDE AND
DEPARTURES IS 1/10,000; THAT THE BOUNDARIES
NOT SURVEYED ARE SHOWN AS BROKEN LINES
CLOSED AROUND THE SURVEYED AREAS FOR
REFERENCE. THIS MAP WAS PREPARED IN
CONFORMANCE WITH G.S. 47-30 AS AMENDED
OCTOBER 1ST, 2023



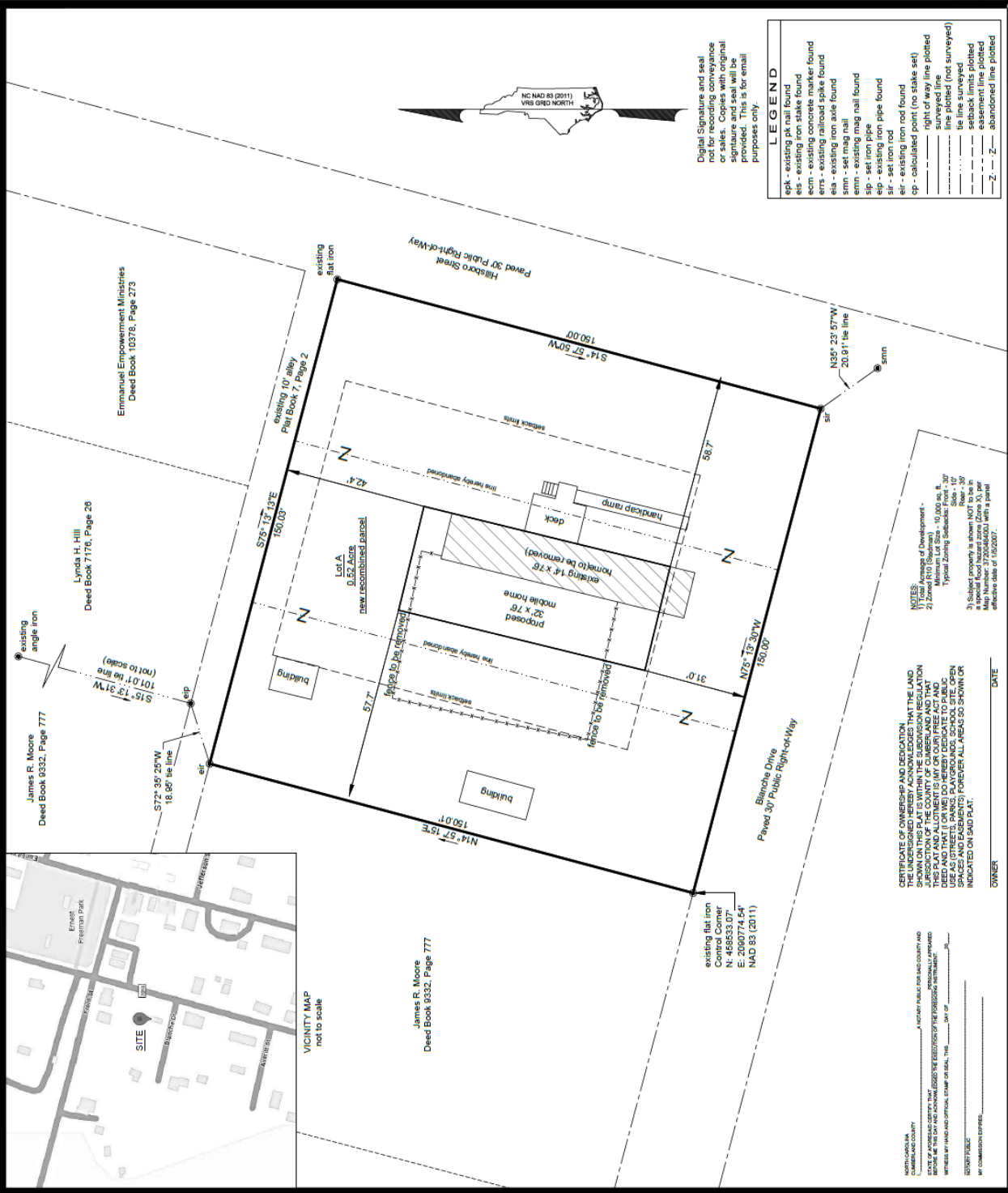
STATE OF NORTH CAROLINA
COUNTY OF CUMBERLAND

REVIEW OFFICER _____

DATE _____



DRAWING #: 25-293.DWG



REQUEST

Rezoning A1 to R7.5

Applicant requests a rezoning from A1 Agricultural District to R7.5 Residential District for two parcels with approximately 34.72 acres combined and located at 1539 & 1543 Tom Starling Rd. The parcels contain an existing single family residential structure and several accessory structures. Big Rockfish Creek runs along the north side of the larger parcel. The intent of the property owners is to sell the parcels to a developer for future residential development.

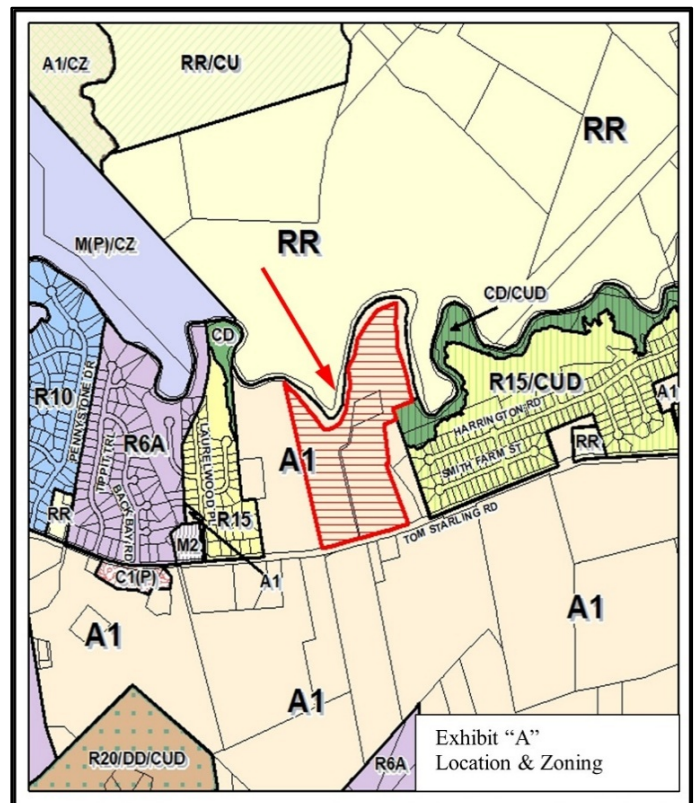
PROPERTY INFORMATION

OWNERS/APPLICANTS: Max and Janet Carter
(Owners/ Applicants)

ADDRESS/LOCATION: Located at 1539 & 1543 Tom Starling Rd. Refer to Exhibit "A", Location and Zoning Map. REID number: 0443062946000 & 0443060694000.

SIZE: The parcels contain approximately 34.72 acres. Road frontage along Tom Starling Road is approximately 913 feet. The property is approximately 2,199 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 parcels contain an existing single family residential dwelling and several accessory structures. Exhibit "B" shows the existing use of the subject property.

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

- **North:** Wooded lands, and Big Rockfish Creek.
- **East:** Single-family residential dwellings, wooded lands.
- **West:** Single-family residential dwellings, wooded lands.
- **South:** Wooded lands, single-family residential dwellings.

Exhibit "B"
Existing & Surrounding Land Use

Exhibit "C"
Soils & Utilities

A HYDRIC SOILS

B HYDRIC INCLUSION SOILS

WATER LINE

SEWER LINE

Exhibit "D" denotes the following rezoning cases within the last ten years near the site.

- DEVELOPMENT REVIEW:** Should the rezoning request be approved, 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.

[illegible]

Development Potential:

Existing Zoning (A1)	Proposed Zoning (R7.5)
17 dwelling units	202 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.

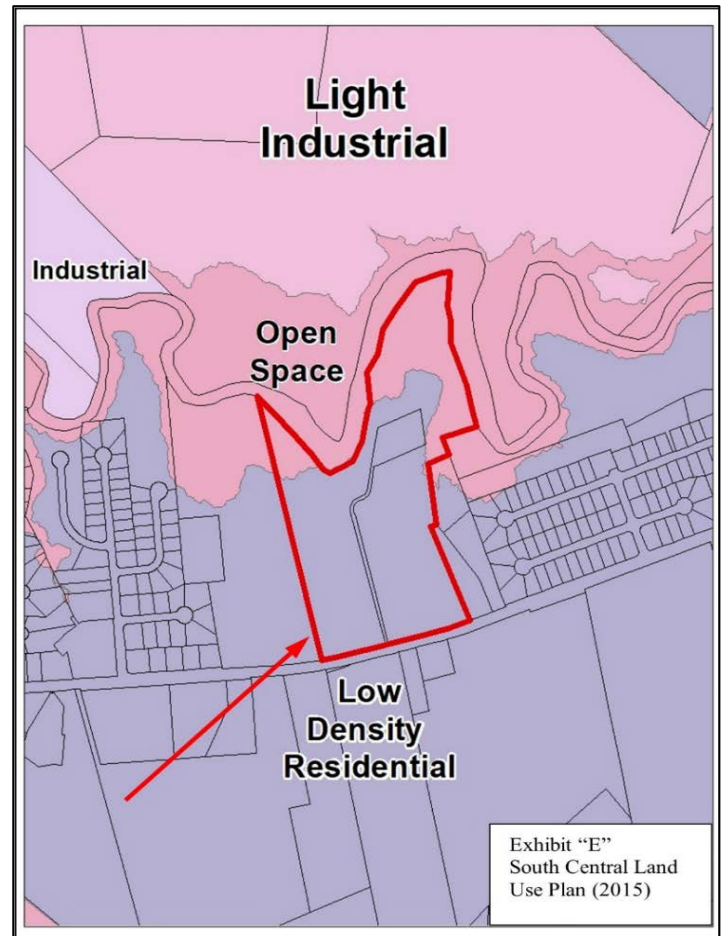
COMPREHENSIVE PLANS:

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 "Low Density Residential" and "Open Space". Associated zoning districts for this classification are R7.5, R15, 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).
- Provide a diversified parks and open space system that protects, preserves, and enhances the environmentally sensitive areas, wildlife habitats, agricultural lands, and air and water quality; while providing new facilities such as greenways, parks, and similar amenities that serves the betterment of all citizens, rural and urban, in the Study Area (South Central Land Use Plan, 2015, pg. 94).
- 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).



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: Water lines are available. However, sewer is located within 1,500 feet from the subject property as shown in Exhibit "C". If sewer lines cannot be extended, septic will likely be required, and the lot size must meet the minimum area necessary to accommodate. Applicant must coordinate with Environmental Health for their septic systems/permits.

TRANSPORTATION: Tom Starling Road is classified as Major Collector based on the NCDOT Functional Class Map. The subject property sits on Tom Starling Road and 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, Tom Starling Road has a 2021 AADT of 5,100 and a road capacity of 15,100. 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 Tom Starling 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 is supportive of the proposed rezoning.

EMERGENCY SERVICES: Emergency Services has reviewed the request and has no objections to the proposed rezoning.

SPECIAL DISTRICTS/ OVERLAY DISTRICTS: The northern portion of the site is located within the Fayetteville Regional Airport Overlay District. Fayetteville Airport reviewed the request and had no comments.

Special Districts			
Fayetteville Regional Airport Overlay:	X	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-25-0049, Planning and Inspections staff **recommends approval** of the rezoning request from A1 Agricultural District to R7.5 Residential District. Staff finds that the request is consistent with the South-Central Land Use Plan which calls for "Low Density Residential" 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

BAKER, JAMES FRANKLIN;
THOMAS, HARVEY BAKER
PO BOX 149
RAEFORD, NC 28376

BELCH, PARKER WILLIAM;
PAROW, TAYLOR NOEL
1645 TOM STARLING RD
FAYETTEVILLE, NC 28306

BELCH, STEPHEN W JR;
TRACY, LONG
1651 TOM STARLING RD
FAYETTEVILLE, NC 28306

BROADWELL BROTHERS
LLC
PO BOX 53587
FAYETTEVILLE, NC 28305

CARTER, MAX; CARTER,
JANET
1539 TOM STARLING RD
FAYETTEVILLE, NC 28306

FITCH, JASON A; FITCH,
MARY JANE
1420 LOWBRANCH CT
FAYETTEVILLE, NC 28306

FODOR, LINDSAY B.
1639 TOM STARLING ROAD
FAYETTEVILLE, NC 28306

GILDER, GREGORY R; GILDER,
KELLI RENEE
1514 TOM STARLING RD
FAYETTEVILLE, NC 28306

HURST, HUNTER; HURST,
ISABELLA
1586 TOM STARLING ROAD
FAYETTEVILLE, NC 28306

KIMBRELL, EARL ANTHONY;
KIMBRELL, STEPHANIE M
1505 TOM STARLING RD
FAYETTEVILLE, NC 28306

M&C ALLIANCE PROPERTIES
LLC
314 WEYCROFT GRANT DR
CARY, NC 27519

MATTHEWS, DONALD W;
MATTHEWS, KATHERINE W
1466 TOM STARLING RD
FAYETTEVILLE, NC 28306

NYCE, ANDREW; STEPHENS,
KYLA ALEXIS EHLER
4700 MATCHWOOD CT
FAYETTEVILLE, NC 28306

PRIMEAUX, FRANCES L;
HURLEY, DANIELLE LEAH
1516 DULLES RD
HOPE MILLS, NC 28348

SECU*RE INC
PO BOX 25907
RALEIGH, NC 27611

SHORT, MEREDITH LEIGH;
SHORT, JOSEPH LEE
1550 TOM STARLING RD
FAYETTEVILLE, NC 28306

SIDS MILL PROPERTIES LLC
8000 CORPORATE CENTER DR
SUITE 100
CHARLOTTE, NC 28226

STRICKLAND, BETTY H
PO BOX 2273
FAYETTEVILLE, NC 28302

STRICKLAND, JOSEPH C;
STRICKLAND, ALIX W
1416 LOWBRANCH CT
FAYETTEVILLE, NC 28306

WILLIAMS, CHRIS; BROWN,
ERIN HENDRICKS
1500 TOM STARLING ROAD
FAYETTEVILLE, NC 28306

ATTACHMENT: APPLICATION



CASE #: ZON-25-0049

PLANNING BOARD
MEETING DATE: 12/16/25

DATE APPLICATION
SUBMITTED: 11/03/25

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 \$ 830.⁰⁰.
(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 ~~R7~~ A1^x to R7.5
2. Address of Property to be Rezoned: 1543+1539 Tom Starling Rd. Fayetteville NC
3. Location of Property, details: 1.1 mile from Highway 87 and 3.2 miles²⁸³⁰⁶ from Highway 301
4. Parcel Identification Number (PIN #) of subject property: Homeland 2.01 acres Pin: 0443-06-2946
(also known as Tax ID Number or Property Tax ID) 32.71 Acres Pin: 0443-06-0694
5. Acreage: 34.72 Frontage: 911.71 ft. Depth: 1605.72 ft.
6. Water Provider: Well: _____ PWC: X Other (name): _____
7. Septage Provider: Septic Tank X PWC _____
8. Deed Book 3697, Page(s) 244, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: Homesite + acreage To enjoy
10. Proposed use(s) of the property: To sell To a developer for Residential New home Construction
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.

Max and Janet Carter

NAME OF OWNER(S) (PRINT OR TYPE)

1539 Tom Starling Rd & 1543 Tom Starling Rd -
(Deeds are connected) Fayetteville, NC 28306

ADDRESS OF OWNER(S)

910-978-4973

HOME TELEPHONE #

WORK TELEPHONE #

Max and Janet CARTER

NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)

1539 Tom Starling Rd Fayetteville, NC 28306

ADDRESS OF AGENT, ATTORNEY, APPLICANT

Janetcopelandcarter@gmail.com

E-MAIL

910-978-4973

HOME TELEPHONE #

WORK TELEPHONE #

Max Starling

SIGNATURE OF OWNER(S)

SIGNATURE OF AGENT, ATTORNEY OR
APPLICANT

Janet Carter

SIGNATURE OF OWNER(S)

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



AFFIDAVIT OF OWNERSHIP/AGENT AUTHORIZATION FORM

PROPERTY OWNER (Company or Individual): Max & Janet Carter

MAILING ADDRESS: 1539 Tom Starling Rd Fayetteville, NC 28306

Officer's name and title: _____

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): Re-zoning from R-1 to R-7.5
3. That the undersigned has (have) appointed and does (do) appoint _____ 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.

Max Carter
Owner's Signature/Print Title

Janet Carter
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 31st day of October (month), 2025 (year), by Chandler S. Cannon (name of person acknowledging) who is personally known to me or who has produced NCDL (type of identification) as identification.

Chandler S. Cannon Chandler S. Cannon

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



expires 02/27/2030

6250
0454

BK6250PG454

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RECEIVED

8-29-2003 PM 3:48:12

J. LEE WARREN JR.
REGISTER OF DEEDS
CUMBERLAND CO., N.C.

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$ 0.00

Parcel Identifier No. _____ Verified by _____ County on the _____ day of _____, 20____
By: _____

Mail/Box to: K. Douglas Barfield, 2018 Ft. Bragg Road, Suite 110, Fayetteville, NC 28303

This instrument was prepared by: K. Douglas Barfield, 2018 Ft. Bragg Road, Suite 110, Fayetteville, NC 28303

Brief description for the Index: _____

THIS DEED made this 8th day of August, 20 03, by and between

GRANTOR

Max Carter and wife,
Janet Carter
Tom Starling Road
Fayetteville, NC 28306

GRANTEE

Max Carter and wife,
Janet Carter
Tom Starling Road
Fayetteville, NC 28306

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 the City of Fayetteville, Gray's Creek Township, Cumberland County, North Carolina and more particularly described as follows:
SEE ATTACHED EXHIBIT "A"

THE PROPERTY DESCRIBED HEREIN IS A PORTION OF THE PROPERTY CONVEYED TO GRANTOR BY DEED RECORDED IN BOOK 3697, PAGE 244, CUMBERLAND COUNTY REGISTRY, NORTH CAROLINA.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 3697 page 244.

A map showing the above described property is recorded in Plat Book _____ page _____.

NC Bar Association Form No. L-3 © 1976, Revised © 1977, 2002

Printed by Agreement with the NC Bar Association - 1981 SoftPro Corporation, 333 E. Six Forks Rd., Raleigh, NC 27609

6250
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BK6250PG455

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: Ad valorem taxes. Restrictions and easements of record.

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

(Entity Name)

Max Carter (SEAL)
Max Carter

By: _____
Title: _____

Janet Carter (SEAL)
Janet Carter

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 Max Carter and wife, Janet Carter 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 8th day of August, 20 03

My Commission Expires: March 30, 2007

Judith L. Wood
Notary Public Judith L. Wood

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 is the _____ of _____, a North Carolina or _____ 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 _____, 20 ____.

My Commission Expires: _____

Notary Public

The foregoing Certificate(s) of

Judith L. Wood

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.

By: J. Lee Warren, Jr. REGISTER OF DEEDS FOR CUMBERLAND COUNTY, Deputy/Assistant - Register of Deeds

LARRY KING & ASSOCIATES, R.L.S., P.A.
1333 MORGANTON ROAD, SUITE 201
FAYETTEVILLE, NC 28305
PHONE: (910) 483-4300 FAX: (910) 483-4052

BK 6250 PG 456

July 31, 2003

Max and Janet Carter
Deed of Trust - 2.01 Ac. Tract
Part of Deed Book 3697, Page 244
Near Fayetteville, NC
Cumberland County

Starting at the southwest corner of that tract of land described as Tract One and recorded in Deed Book 3697, Page 244 of the Cumberland County Registry, North Carolina, said point also being in the northern margin of SR 2220, Tom Starling Road (60-foot right-of-way); thence, with the said northern margin of SR 2220, North 82 degrees 04 minutes 42 seconds East, 388.10 feet to the point and place of BEGINNING and running thence North 07 degrees 52 minutes 28 seconds West 802.61 feet to a point;

Thence North 04 degrees 10 minutes 07 seconds East 27.38 feet to a point;
Thence North 25 degrees 22 minutes 01 seconds East 26.40 feet to a point;
Thence North 47 degrees 57 minutes 43 seconds East 26.45 feet to a point;
Thence North 67 degrees 26 minutes 23 seconds East 26.36 feet to a point;
Thence North 76 degrees 42 minutes 47 seconds East 23.72 feet to a point;
Thence North 62 degrees 57 minutes 10 seconds East 21.98 feet to a point;
Thence North 33 degrees 23 minutes 51 seconds East 22.02 feet to a point;
Thence North 16 degrees 20 minutes 58 seconds East 24.00 feet to a point;
Thence North 16 degrees 29 minutes 48 seconds East 30.39 feet to a point;
Thence North 15 degrees 48 minutes 28 seconds East 129.92 feet to a point;
Thence North 18 degrees 09 minutes 49 seconds East 195.52 feet to a point;
Thence North 74 degrees 07 minutes 57 seconds East 277.01 feet to a point;
Thence South 00 degrees 59 minutes 03 seconds East 211.93 feet to a point;
Thence South 74 degrees 07 minutes 57 seconds West 334.89 feet to a point;
Thence South 15 degrees 48 minutes 28 seconds West 92.10 feet to a point;
Thence South 16 degrees 29 minutes 48 seconds West 30.48 feet to a point;
Thence South 16 degrees 20 minutes 58 seconds West 26.97 feet to a point;
Thence South 33 degrees 23 minutes 51 seconds West 30.30 feet to a point;
Thence South 62 degrees 57 minutes 10 seconds West 29.66 feet to a point;
Thence South 76 degrees 42 minutes 47 seconds West 24.51 feet to a point;
Thence South 67 degrees 26 minutes 23 seconds West 21.31 feet to a point;
Thence South 47 degrees 57 minutes 43 seconds West 19.03 feet to a point;
Thence South 25 degrees 22 minutes 01 seconds West 18.66 feet to a point;
Thence South 04 degrees 10 minutes 07 seconds West 21.52 feet to a point;
Thence South 07 degrees 52 minutes 28 seconds East 800.51 feet to a point, said point being in the said northern margin of SR 2220;
Thence with the said northern margin of SR 2220 South 82 degrees 07 minutes 21 seconds West 20.00 feet to the point and place of Beginning containing 87,553 square feet or 2.01 acres more or less and being a portion of Tracts One, Two and Three of that deed recorded in said Deed Book 3697, Page 244 of the Cumberland County Registry, North Carolina.

The above deed description was prepared by Mark R. Seffels, P.L.S. No. L3533 of Larry King and Associates, R.L.S., P.A. of Fayetteville, NC

Prepared By/Mail To:
A. Jay Blake, Attorney
P. O. Box 628
Hope Mills, NC
Revenue \$218.00

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047361

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STATE OF NORTH CAROLINA
COUNTY OF CUMBERLAND

GEORGE E. HAYES
WARRANTY DEED OF REELS
CUMBERLAND CO., N.C.

THIS DEED made this 12th day of August, 1991, by and between LOUISE C. SEGARS and husband, CARL SEGARS; WALTER JACKSON, Widower; KENNETH JACKSON and wife, MARILYN N. JACKSON; JESSIE C. DAVIS and husband, HERVEY DAVIS, hereinafter known as Grantor, and MAX CARTER and wife, JANET CARTER, hereinafter known as Grantee, whose permanent address is

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 Grantors, 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 the County of Cumberland, State of North Carolina and more particularly described as follows:

TRACT ONE: BEGINNING at Carver's Corner on South side of Big Rockfish Creek and runs North 14 degrees West 15 chains and 75 links to another corner of Smith's now Tolar's corner; thence North 75 degrees East 5 chains and 75 links to a corner; thence 13 degrees East 16 chains and 50 links to a corner in Carver's line; thence with said line to the beginning. Containing nine acres, more or less. For further description see deed of Dolly Fisher to Isaac Fisher, recorded in Book "N" 7, Page 108, Register of Deeds Office, Cumberland County, North Carolina.

Being the same property as conveyed from Isaac Fisher, (unmarried), R. B. Williams and wife, Susan Williams and Rebecker Fisher (unmarried) to J. F. Carver, by deed dated the 7th day of October, 1919, and recorded in Book 275, Page 92, Register of Deeds of Cumberland County.

TRACT TWO: BEGINNING at a stake on the South side of the public road that leads up Rockfish Creek, in the old Carver line, the Southeast corner of the said John F. Carver's 9 acre tract upon which he lives, and running thence with his line North 9 degrees 30 minutes West 14 chains 48 links to his Northeast corner in the Northern line of 37 acres conveyed by William R. Cammon to William Carver in 1822; thence with the said line North 80 degrees 30 minutes East 10 chains 25 links to a stake in the North edge of the Carver Spring Branch; thence South 10 degrees 45 minutes East 13 chains 10 links to the line of the Carver land, at the canal, in the Northern margin of the public road; thence South 72 degrees 30 minutes West 10 chains 51 links to the BEGINNING, containing 15.18 acres, more or less, being the same lands described in a deed from Locket Ann McLemore to Jesse D. Carver, registered Book "H" No. 5, Page 258, and the lands described in a deed from D. A. McMillan and wife to Jesse D. Carver, registered in Book "G" No. 5, Page 186, in the Office of the Register of Deeds of Cumberland County

Being the same property as conveyed from John F. Carver, Jesse L. Carver and wife, Veima Mae Carver, Herbert C. Carver and wife Geneva Carver, E. W. Carver and wife, Emma Ruth Carver, A. W. Carver (unmarried), Nellie C. Baker (widow), Lana M. Baker (widow), and Eugene D. Carver (unmarried) to Mildred Carver, by deed dated the 30th day of March, 1934 and recorded in Book 378, Page 277 of the Cumberland County Registry.

TRACT THREE: BEGINNING at a stake on the South bank of Rockfish Creek, the Northeast corner of the land formerly owned by A. C. Tolar, and running thence with the line of said tract South 9 degrees 30 minutes East 6 chains 65 links to the corner of J. F. Carver's 9 acre tract on which he lives; thence with the line of said 9 acres and the line of the 15.18 acres belonging to Mildred Carver North 80 degrees 30 minutes East 16 chains to a stake in the North edge of the Carver Spring branch; thence North 10 degrees 45 minutes West 59 links to the South bank of Rockfish creek; thence up the various courses of said creek to the beginning, containing 12.8 acres, more or less.

Being the same property as conveyed from Louise C. Segers and Husband Carl Segers to Mildred Carver, by deed dated the 31st day of January, 1969 and recorded in Book 2141, Page 447 of the Register of Deeds of Cumberland County, North Carolina.

Excepted from this conveyance are those tracts of land described in Deed Book 2509, Page 446 and Deed Book 2509, Page 460, Cumberland County Registry. (PIN #0443-06-5280; #0443-06-6326; #0443-06-4688).

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.

Revenue \$218.00

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10.00

DK3697PG0245

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 except for the exceptions hereinafter stated.

Walter Jackson and Kenneth Jackson are the sole heirs at law of Mary C. Jackson.

IN WITNESS WHEREOF, the Grantors have hereunto set their hands and seals, the day and year first above written.

Louise C. Segars (SEAL)
LOUISE C. SEGARS

Carl Segars (SEAL)
CARL SEGARS

Walter Jackson (SEAL)
WALTER JACKSON

Kenneth Jackson (SEAL)
KENNETH JACKSON

Marilyn N. Jackson (SEAL)
MARILYN N. JACKSON

Jessie C. Davis (SEAL)
JESSIE C. DAVIS

Hervey Davis (SEAL)
HERVEY DAVIS

STATE OF NORTH CAROLINA

COUNTY OF ~~NEW HANOVER~~ NEW HANOVER

I, a Notary Public of the County and State aforesaid, certify that LOUISE C. SEGARS and husband, CARL SEGARS Grantors, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 13 day of August, 1991.



Peggy J. Hall
NOTARY PUBLIC

STATE OF NORTH CAROLINA

COUNTY OF CUMBERLAND

I, a Notary Public of the County and State aforesaid, certify that WALTER JACKSON Grantors, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 15th day of August, 1991.



Darah B. Volkman
NOTARY PUBLIC

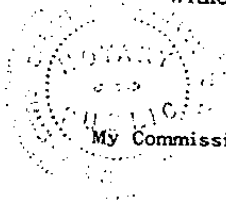
STATE OF NORTH CAROLINA

BK369760246

COUNTY OF CUMBERLAND

I, a Notary Public of the County and State aforesaid, certify that KENNETH JACKSON and wife, MARILYN N. JACKSON, Grantors, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 15th day of August, 1991.



My Commission Expires: 5-17-94

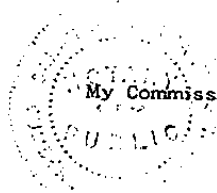
Sarah B. Volkman
NOTARY PUBLIC

STATE OF NORTH CAROLINA

COUNTY OF CUMBERLAND

I, a Notary Public of the County and State aforesaid, certify that JESSIE C. DAVIS and husband, HERVEY DAVIS, Grantors personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 15th day of August, 1991.



My Commission Expires: 5-17-94

Sarah B. Volkman
NOTARY PUBLIC

The foregoing Certificate(s) of

Sarah B. Volkman and Peggy J. Hall

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.

GEORGE E. TATUM

REGISTER OF DEEDS FOR

CUMBERLAND

COUNTY,

By

Donna S. Hanigan

Deputy/Assistant - Register of Deeds

8370
G475

BK08370 PG0475

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

FILED Apr 08, 2010
AT 03:43:00 pm
BOOK 08370
START PAGE 0475
END PAGE 0481
INSTRUMENT # 10267
RECORDING \$32.00
EXCISE TAX (None)

RT

NORTH CAROLINA

BOUNDARY LINE AGREEMENT

CUMBERLAND COUNTY

NO REVENUE

Prepared by/return to: Richrd M. Lewis, Jr., Esq.; Lewis, Deese & Nance, LLP, P.O. Drawer 1358, Fayetteville, NC 28302

THIS BOUNDARY LINE AGREEMENT AND QUITCLAIM DEED (this "Agreement") is made this the 8TH day of FEB., 2010 by and between MAX CARTER and wife, JANET CARTER, (hereinafter "Carter"); MAE S. PARSONS and husband, BOYD D. PARSONS; LINDA S. JOHNSON, widow; BARBARA J. SMITH, Divorced; TOMMY WOODELL, JR., and wife, DEBRA WOODELL; and PAMELA HODGES, divorced (hereinafter collectively "Smith Heirs");

WITNESSETH:

WHEREAS, Carter owns property at the intersection of Carver Spring Branch and Rockfish Creek in Grays Creek Township, Cumberland County, North Carolina, which property is described in Book 3697, Page 244 of the Cumberland County Registry (hereinafter the "Carter Property"); and

WHEREAS, Mae S. Parsons, Linda S. Johnson, Barbara J. Smith, Tommy Woodell, Jr., and Pamela Woodell Hodges are the children and grandchildren of Rubell H. Smith and are, therefore, for convenience, referred to herein as the "Smith Heirs". They are the owners of the

tract of land at the intersection of Carver Spring Branch and Rockfish Creek in Grays Creek Township, Cumberland County, North Carolina, which property is described in Book 6510, Page 10. See also the deed recorded in Book 6383, Page 149, aforesaid Registry; and

WHEREAS, due to the age of the descriptions, confusion has arisen as to the exact location of the property lines between the two properties which the parties hereto desire to correct by establishing the true dividing lines between their respective properties;

NOW, THEREFORE, for and in consideration of the mutual promises and releases and conveyances set forth herein and ten dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledge, the parties hereto do hereby agree as follows:

The parties hereto do each agree that the true dividing line between the Carter Property and the Smith Heirs Property shall be that line running from point "A" to point "B", and from point "B" to point "C" as shown on a map entitled "BOUNDARY SURVEY FOR MAX AND JANET CARTER" prepared by Larry King & Associates, R.L.S., dated October 13, 2006, with "Update Deed Reference, Adjoiners" added on November 18, 2009, and recorded in Plat Book 126, Page 92, of the aforesaid Registry (said recorded map hereinafter referred to as the "Plat")

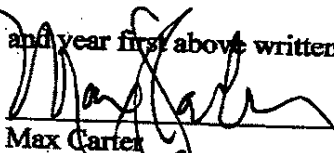
AND the Smith Heirs do hereby release and quitclaim unto Carter all rights, title, claim, and interest in and to all the lands in which they have any interest whatsoever lying to the north of the agreed line running from point "A" to point "B", and to the west of the agreed line running from point "B" to point "C"; and Carter does hereby release and quitclaim unto the Smith Heirs all rights, title, claim, and interest in and to all the lands in which they have any interest


whatsoever lying to the south of the aforesaid agreed line running from point "A" to point "B" and to the east of the aforesaid agreed line running from point "B" to point "C".

TO HAVE AND TO HOLD said land and premises as herein described and all privileges thereunto belonging to the parties as described herein, their heirs, successors and assigns, forever, free and discharged from all right, title, claim or interest of each of the other parties or anyone claiming by, through or under them.


The designations of the parties hereto shall include the said parties, their heirs, successors, and assigns and shall include singular, plural, masculine, feminine or neuter as required by context.

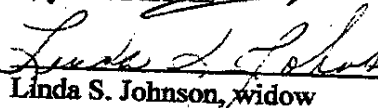
IN TESTIMONY WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

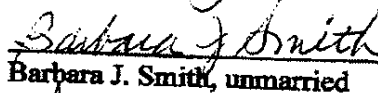
 (SEAL)
Max Carter

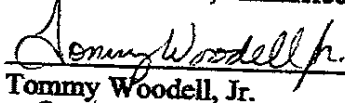
 (SEAL)
Janet Carter

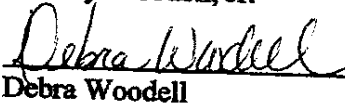
 (SEAL)
Mae S. Parsons

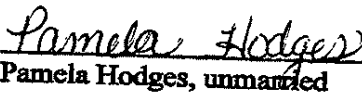
 (SEAL)
Boyd D. Parsons

 (SEAL)
Linda S. Johnson, widow

 (SEAL)
Barbara J. Smith, unmarried

 (SEAL)
Tommy Woodell, Jr.

 (SEAL)
Debra Woodell

 (SEAL)
Pamela Hodges, unmarried

COUNTY OF CUMBERLAND
STATE OF NORTH CAROLINA

I, certify that the following person(s) personally appeared before me this day and acknowledged to me that he or she or they voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated.

Name of Principals: Max Carter and Janet Carter, husband and wife

Witness my hand and notarial seal, this the 8 day of FEB

My commission expires: Dec 8-10

Mortson B. Hudson
Notary Public
MORTISON B. HUDSON
Printed or Typed Name of Notary Public

(N.P. SEAL)

COUNTY OF CUMBERLAND
STATE OF NORTH CAROLINA

I, certify that the following person(s) personally appeared before me this day and acknowledged to me that he or she or they voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated.

Name of Principals: Mae S. Parsons and husband, Boyd D. Parsons

Witness my hand and notarial seal, this the 9 day of FEB 2010

My commission expires: Dec 8-10

Mortson B. Hudson
Notary Public
MORTISON B. HUDSON
Printed or Typed Name of Notary Public

(N.P. SEAL)

8370
0479

BK08370 PG0479

COUNTY OF CUMBERLAND
STATE OF NORTH CAROLINA

I, certify that the following person(s) personally appeared before me this day and acknowledged to me that he or she or they voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated.

Name of Principals: Linda S. Johnson, widow

Witness my hand and notarial seal, this the 9 day of FEB 2010

My commission expires: Dec 8-10

Mortison B. Hudson
Notary Public
MORTISON B. HUDSON
Printed or Typed Name of Notary Public

(N.P. SEAL)

COUNTY OF CUMBERLAND
STATE OF NORTH CAROLINA

I, certify that the following person(s) personally appeared before me this day and acknowledged to me that he or she or they voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated.

Name of Principals: Barbara J. Smith, unmarried

Witness my hand and notarial seal, this the 9 day of FEB 2010

My commission expires: Dec 8-10

Mortison B. Hudson
Notary Public
MORTISON B. HUDSON
Printed or Typed Name of Notary Public

(N.P. SEAL)

COUNTY OF CUMBERLAND
STATE OF NORTH CAROLINA

I, certify that the following person(s) personally appeared before me this day and acknowledged to me that he or she or they voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated.

Name of Principals: Tommy Woodell, Jr., and wife, Debra Woodell

Witness my hand and notarial seal, this the 9 day of FEB, ²⁰¹⁰~~2009~~.

Mortison B Hudson

Notary Public

MORTISON B HUDSON

Printed or Typed Name of Notary Public

My commission expires: Dec 8-10



COUNTY OF CUMBERLAND
STATE OF NORTH CAROLINA

(N.P. SEAL)

I, certify that the following person(s) personally appeared before me this day and acknowledged to me that he or she or they voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated.

Name of Principals: Pamela Hodges, unmarried

Witness my hand and notarial seal, this the 9 day of FEB, ²⁰¹⁰~~2009~~.

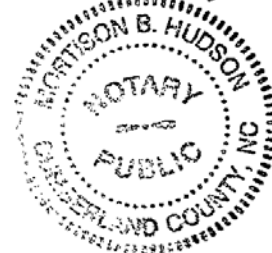
Mortison B Hudson

Notary Public

MORTISON B HUDSON

Printed or Typed Name of Notary Public

My commission expires: Dec 8-10



F:\DATA\RICHARD\REALEST\Boundary Line Agmt - Carter

(N.P. SEAL)

8370
0481

BK08370 PG0481

STATE OF NORTH CAROLINA

COUNTY OF CUMBERLAND

I certify that the following person(s) personally appeared before me this day, eachacknowledging to me that he or she signed the foregoing document: MAX CARTER and JANET CARTER
insert name(s) of principal(s)]

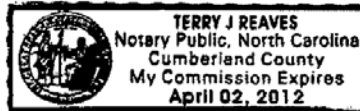
Date: 03/22/2010



Notary Public

(Official/Notarial Seal or Stamp)

My commission expires:



(N.P. SEAL)

Location: East of Intersection of Kingfisher Dr.
and Loon Dr. & South of Elwood Dr.
Jurisdiction: County-Unincorporated

REQUEST

Rezoning C(P) to A1

Applicant requests rezoning of a portion of a parcel from C(P) Planned Commercial District to A1 Agricultural District. The area subject to the rezoning request contains approximately 25.78 acre and is located to the east of the intersection of Kingfisher Dr. and Loon Dr. and south of Elwood Dr., as shown in Exhibit "A". This rezoning request does not include a narrow strip of the parcel at its northwest corner that is in the Town of Hope Mills and zoned R10 Residential. This request also does not include the southern portions of the parcel located in unincorporated Cumberland County and zoned CD Conservancy and R10 Residential. The town limits for Hope Mills runs along the eastern, northern and western boundary of the subject property.

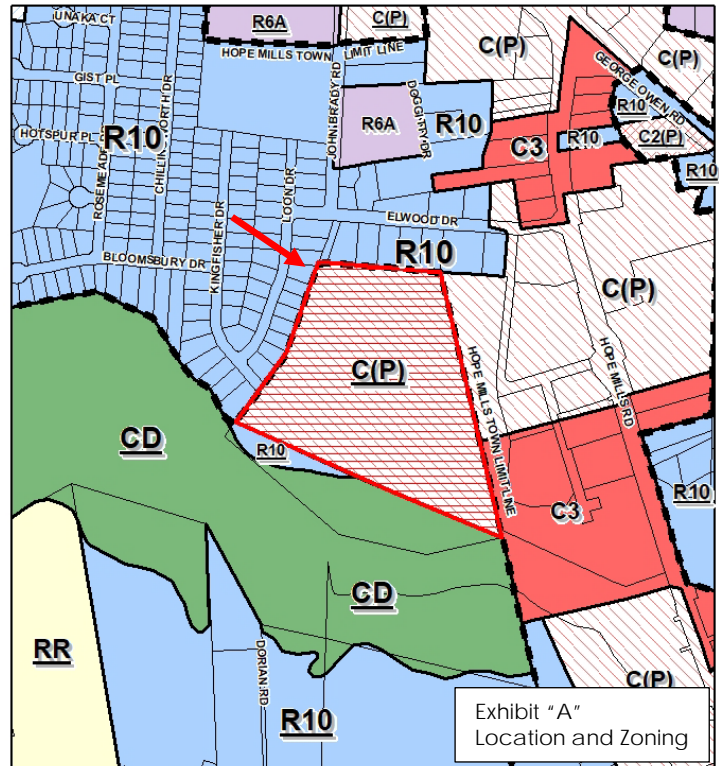
PROPERTY INFORMATION

OWNER/APPLICANT: Riddle Companies Inc. (Owner); Lori Epler (Agent/Applicant).

ADDRESS/LOCATION: Located to the east of intersection of Kingfisher Dr. and Loon Dr. and south of Elwood Dr. Refer to Exhibit "A", Location and Zoning Map. REID number: 0405817474000.

SIZE: The portion of the parcel zoned C(P) containing approximately 25.78 +/- acres. The property is approximately 1,272 +/- feet in length at its deepest point.

EXISTING ZONING: The subject property is currently zoned C(P) Planned Commercial District. This district is designed to assure the grouping of buildings on a parcel of land so as to constitute a harmonious, efficient and convenient retail shopping area. Site plans assure traffic safety and the harmonious and beneficial relations between the commercial area and contiguous land. To promote the essential design features with the C(P) district, plan approval is a requirement.

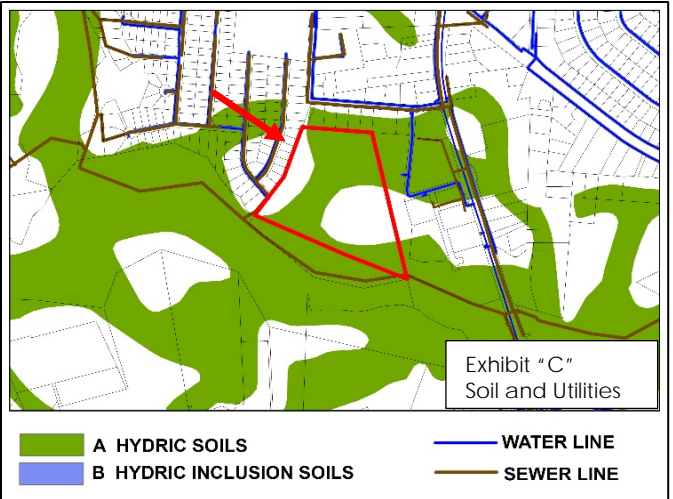


EXISTING LAND USE: The subject property is currently undeveloped wooded land.

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

- **North:** Single-family homes.
- **East:** Mills Village commercial.
- **West:** Single-family homes.
- **South:** Undeveloped wooded land and Little Rockfish Creek

OTHER SITE CHARACTERISTICS: The site is not located in a Watershed Protection Area. Special flood zone areas and floodway are identified on the southern portion of the property along Little Rockfish Creek, and a floodplain permit will be required prior to any development within the floodplain. The subject property, as delineated in Exhibit "C", has hydric soils but no hydric inclusion soils. Water and utility lines belonging to PWC are shown to exist near and are available to the subject property.



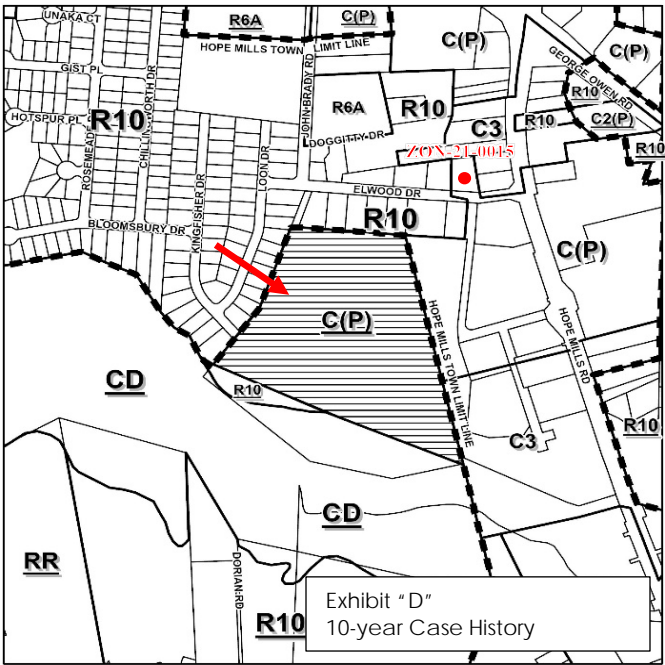
TEN YEAR ZONE CASE HISTORY:

Exhibit "D" denotes the following rezoning case history within the most recent 10-year period.

- ZON-21-0015: R10 to C(P); Approved by Hope Mills

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	C(P) (Existing)	A1 (Proposed)
Front Yard Setback	50 feet	50 feet
Side Yard Setback	30 feet	20 feet
Rear Yard Setback	30 feet	50 feet
Lot Area	N/A	2 Acres
Lot Width	N/A	100'

DEVELOPMENT POTENTIAL:

Existing Zoning (C(P))	Proposed Zoning (A1)
0 dwelling unit	13 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.

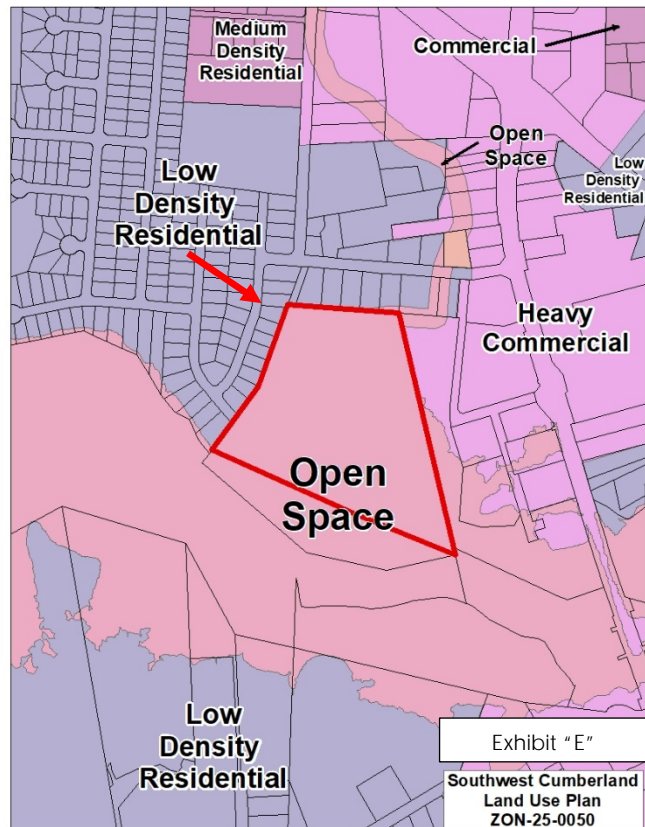
COMPREHENSIVE PLANS:

This property is located in the Southwest Cumberland Land Use Plan (2013). The future land use classification of the rezoning site is "Open Space". The associated zoning district for Open Space is CD Conservancy. The plan's goals and objectives support agricultural uses as part of the Open Space designation.

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

FUTURE LAND USE CLASSIFICATION Development Goals, Notes, and Objectives:

- "[The] open space areas consist of the Special Flood Hazard Area based on the Flood Insurance Rate Maps by the Federal Emergency Management Agency (FEMA), parks, public and nonprofit preservation property, swamps, marshes, etc. Land in the open space designated areas should be left natural, used for agriculture, and some recreational uses" (Southwest Cumberland Land Use Plan 2013, p. 166).
- "The objective is to protect and preserve environmentally sensitive areas, natural resources, wetlands, watercourses from pollution, provide open space and recreation areas near the population, and protect and preserve wildlife habitats" (Southwest Cumberland Land Use Plan 2013, p. 166).
- "Encourage techniques of development which preserves the natural contours and natural amenities of a site" (Southwest Cumberland Land Use Plan 2013, p. 139).
- "Preserve and protect areas of unique beauty, character, or historic importance" (Southwest Cumberland Land Use Plan 2013, p. 135).



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: PWC water and sewer lines are available at the subject property. Well and septic permits would be required for any development on the subject properties if not connected to public water and sewer. The available utilities are shown on Exhibit "C".

TRANSPORTATION: The subject property has access directly to Elmwood Drive as well as from the southern end of Kingfisher Drive, both of which are paved local public roads. According to FAMPO and the Metropolitan Transportation Plan, no roadway construction improvement projects are currently planned on nearby roads and the subject property will have no significant impact on the Transportation Improvement Program.

SCHOOLS CAPACITY/ENROLLMENT:

School Name	Enrollment	Capacity
Cumberland Mills Elementary	590	627
Douglas Byrd Middle	805	1,094
Douglas Byrd High	971	1,466

ECONOMIC DEVELOPMENT: Fayetteville Cumberland County Economic Development Corporation has reviewed the request and has no objections to the proposed development.

EMERGENCY SERVICES: Cumberland County Fire Marshal's office has reviewed the request. All development and access to the property must comply with the North Carolina Fire Codes, which must be addressed at the time of preliminary plan submission.

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

STAFF RECOMMENDATION

In Case ZON-25-0050, Planning and Inspections staff **recommends approval** of the rezoning request from C(P) Planned Commercial District to A1 Agricultural District. Staff finds that the request is consistent with the Southwest Cumberland Land Use Plan which calls for "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
Affidavit of Ownership
Legal Description

ATTACHMENT: MAILING LIST

ACEVEDO, JOSE
5809 BLOOMSBURY DRIVE
FAYETTEVILLE, NC 28306

AMENDOLA, JAMES D
2217 DOCKVALE DR
FAYETTEVILLE, NC 28306

ARCE, INGRID L
2940 LOON DR
FAYETTEVILLE, NC 28306

BAKER, CHRIS TINA
2946 LOON DR
FAYETTEVILLE, NC 28306

BERRIO, WILMER
123 ANTWERP ST UNIT 214
BRIGHTON, MA 02135

BIGGS, G GREGORY;
BIGGS, STACI
2929 LOON DR
FAYETTEVILLE, NC 28306

BLIZZARD, ABIGAIL SUE;
BLIZZARD, JACOB ALEXANDER
2924 LOON DRIVE
FAYETTEVILLE, NC 28306

BOGAN, MATTHEW J
7024 POPE CASHWELL CT
HOPE MILLS, NC 28348

BONILLA, VICTOR M
HERNANDEZ;BONILLA,
MARIA D LANDRAU MERCED
3034 KINGFISHER DR
FAYETTEVILLE, NC 28306

BRIDGES, WILLIE B III
2923 KINGFISHER DRIVE
HOPE MILLS, NC 28348

BYRD, KATINA;BYRD, OMAR
2920 LOON DR
FAYETTEVILLE, NC 28306

CARABALLO, JONATHAN
RODRIGUEZ;RODRIGUEZ,
ASTRID DESIREE MAY
3001 KINGFISHER DRIVE
FAYETTEVILLE, NC 28306

CAROLINA CATS LLC
530 MCCALL RD STE 110
MANHATTAN, KS 66502

COPLEY, JONATHAN R;
COPLEY, CHRISTINA M
2909 LOON DR
FAYETTEVILLE, NC 28306

COUNTS, PAULA S
3022 KINGFISHER DR
FAYETTEVILLE, NC 28306

COUNTS, PAULA S
3022 KINGFISHER DR
FAYETTEVILLE, NC 28306

CRESTFIELD PROPERTIES
10151 DEERWOOD PARK BLVD
JACKSONVILLE, FL 32256

CULBRETH, JIMMY L
P O BOX 48133
CUMBERLAND, NC 28331

CURTIS, NICOLE S;CURTIS,
BROCKIE L;CURTIS, BARBARA
2939 KINGFISHER DR
FAYETTEVILLE, NC 28306

D L ROGERS CORP
PO BOX 5037
GRANBURY, TX 76049

DANIELS, CLARENCE
2094 TOM STARLING RD
FAYETTEVILLE, NC 28306

DE LEON, GLORIA MICHELE
2957 LOON DR
FAYETTEVILLE, NC 28306

DEKASCOR PROPERTIES LLC
2964 WEDGEVIEW DR
FAYETTEVILLE, NC 28306

DITTMER, DEREK J
;DITTMER, MARIAH A
2912 LOON DR
FAYETTEVILLE, NC 28306

EDGE, RODNEY K
5647 ELWOOD DR
FAYETTEVILLE, NC 28306

FORGACH, RICHARD PAUL
III;FORGACH, MARY REBECCA
2953 LOON DR
FAYETTEVILLE, NC 28306

GONZALES, CARLOS ARREDONDO
2933 LOON DRIVE
FAYETTEVILLE, NC 28306

HALL, JAMES E
2003 GATEWOOD PL
SILVER SPRING, MD 20903

HALL, ROBIN CULBRETH
5690 ELWOOD DR
FAYETTEVILLE, NC 28306

HALLE PROPERTIES LLC
20225 N SCOTTSDALE RD
SCOTTSDALE, AZ 85255

HARDEN, JEANNETTE
3006 KINGFISHER DR
FAYETTEVILLE, NC 28306

HOLLEY, NDEYE
3026 KINGFISHER DR
FAYETTEVILLE, NC 28306

JACKSON, WINDELL JR
5700 EXCAPADE DR
FAYETTEVILLE, NC 28306

JANKORD, BRANDON ALLEN
HURLEY;JANKORD, SAMANTHA
3030 KINGFISHER DRIVE
FAYETTEVILLE, NC 28306

JONES, TAMARA N;JONES,
WILLIAM W III HEIRS
426 N BELVEDERE DR
HAMPSTEAD, NC 28443

K&JS PROPERTIES LLC;
TPGM PROPERTIES LLC
PO BOX 53729
FAYETTEVILLE, NC 28305

LABARGE, JOELLE LISA
3148 DORIAN ROAD
FAYETTEVILLE, NC 28306

LABARGE, JOELLE LISA
3183 DORIAN ROAD
FAYETTEVILLE, NC 28306

MAK TIMBER MANAGEMENT
LLC
2709 THORNGROVE CT
FAYETTEVILLE, NC 28303

MALLOY, WILMA C;
MALLOY, ARCHIE H
1094 DELANCY DR
HOPE MILLS, NC 28348

MATTHEWS, JEFFREY L
414 BEDFORD DR
RAEFORD, NC 28376

MCCOY, RICKY EUGENE
2934 LOON DR
FAYETTEVILLE, NC 28306

MEYER, GREGORY
65 HARVEST RIDGE TRL
WEST HENRIETTA, NY 14586

MILL VILLAGE LLC
P O BOX 53729
FAYETTEVILLE, NC 28305

MILL VILLAGE LLC
4200 MORGANTON RD
SUITE 150
FAYETTEVILLE, NC 28314

NUNEZ, JERLANNE
3010 KINGFISHER DR
FAYETTEVILLE, NC 28306

PEREYRA, RAMON M;
PEREYRA, ESMERELDA
2961 LOON DR
FAYETTEVILLE, NC 28306

PITTMAN, VERNON C JR;
PITTMAN, VEGA JEAN
5506 WINNERS CIR
HOPE MILLS, NC 28348

PRATT, ANN MOULE;
MOULE, DALE A;
GENESIA 2
1216 BROMLEY DR
FAYETTEVILLE, NC 28303

PRICE, JIMMY L
748 CHAMPION ST
CLAYTON, NC 27520

RENFRO, TRACY
3015 KINGFISHER DR
FAYETTEVILLE, NC 28306

RIDDLE COMPANIES INC
PO BOX 53729
FAYETTEVILLE, NC 28305

RIDDLE, JOSEPH P III;
RIDDLE, TRINA T
PO BOX 53729
FAYETTEVILLE, NC 28305

ROYAL, APRIL
5637 DOGGITTY DRIVE
FAYETTEVILLE, NC 28306

SCALES, DESI A;S
CALES, ALICE M
2938 LOON DR
FAYETTEVILLE, NC 28306

SCHIEBE, LARRY W;
SCHIEBE, DELORES A
5693 ELWOOD DR
FAYETTEVILLE, NC 28306

SCOTT, AKILAH
3014 KINGFISHER DR
FAYETTEVILLE, NC 28306

SLACK, JOSHUA;BOE,
ALEXANDRA FAYE
5667 ELWOOD DR
FAYETTEVILLE, NC 28306

STELMA, SETH
2941 LOON DRIVE
FAYETTEVILLE, NC 28306

STUTZ, AMMON;
STUTZ, KATELYN
2916 LOON DRIVE
HOPE MILLS, NC 28306

TODD, LORETTA
2931 KINGFISHER DRIVE
FAYETTEVILLE, NC 28306

TRAYLOR, JOHNNY L;
TRAYLOR, HEEJIN KIM
2937 LOON DR
FAYETTEVILLE, NC 28306

VASQUEZ, JOSE M;R
OMAN, CHASTITY
2935 KINGFISHER DRIVE
FAYETTEVILLE, NC 28306

VAZQUEZ, PATRICK SANTIAGO
2928 LOON DR
FAYETTEVILLE, NC 28306

WARFIELD, JUDY A
5642 ELWOOD DR
FAYETTEVILLE, NC 28306

WENDSCHLAG, MICHAEL
5805 BLOOMSBURY DRIVE
FAYETTEVILLE, NC 28306

JANKORD, SAMANTHAN
3030 KINGFISHER DRIVE
FAYETTEVILLE, NC 28306

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 C(P) to A1
2. Address of Property to be Rezoned: ELWOOD DRIVE
3. Location of Property, details: WEST MOF MILL VILLAGE, WEST OF HOPE MILLS ROAD
AND SOUTH OF ELWOOD DRIVE
4. Parcel Identification Number (PIN #) of subject property: 0405817474000
(also known as Tax ID Number or Property Tax ID)
5. Acreage: 25.98 Frontage: N/A Depth: N/A
6. Water Provider: Well: _____ PWC: X Other (name): _____
7. Septage Provider: Septic Tank _____ PWC X
8. Deed Book 7472, Page(s) 0210, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: VACANT
10. Proposed use(s) of the property: NONE
11. Do you own any property adjacent to or across the street from this property?
Yes X No _____ If yes, where? TO THE SOUTH AND EAST
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 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.

RIDDLE COMPANIES INC
NAME OF OWNER(S) (PRINT OR TYPE)

PO BOX 53729, FAYETTEVILLE, NC 28305
ADDRESS OF OWNER(S)

910.864.3155
HOME TELEPHONE #

910.864.3155
WORK TELEPHONE #

LORI S EPLER C/O LARRY KING & ASSOCIATES, RLS, PA
NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)

PO BOX 53787, FAYETTEVILLE NC 28305
ADDRESS OF AGENT, ATTORNEY, APPLICANT

LEPLER@LKANDA.COM
E-MAIL

910.483.4300
HOME TELEPHONE #

910.483.4300
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."

ATTACHMENT: AFFIDAVIT OF OWNERSHIP



AFFIDAVIT OF OWNERSHIP/AGENT AUTHORIZATION FORM

PROPERTY OWNER (Company or Individual): WINGATE PROPERTIES LLC

MAILING ADDRESS: 235 GREEN STREET, FAYETTEVILLE, NC 28301

Officer's name and title: ROB MCCAULEY

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: REZONING)
3. That the undersigned has (have) appointed and does (do) appoint LORI SEPLER 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.

Rob McCauley Manager of Wingate Properties, LLC
Owner's Signature

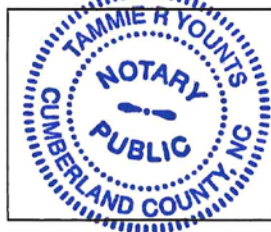
Owner's Signature

Owner's Signature

State of North Carolina

Cumberland County

The foregoing instrument was acknowledged before me by means of ✓ physical presence or _____ online notarization, this 12th day of November (month), 2025 (year), by ROB MCCAULEY (name of person acknowledging) who is personally known to me or who has produced _____ (type of identification) as identification.



Tammy R. Younts

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

My Commission Expires: July 5, 2030

ATTACHMENT: LEGAL DESCRIPTION

LARRY KING & ASSOCIATES, R.L.S., P.A.
1333 MORGANTON ROAD, SUITE 201
FAYETTEVILLE, NC 28305
PHONE: (910) 483-4300 FAX: (910) 483-4052
N.C. Firm Lic. C-0887

November 3, 2025

LEGAL DESCRIPTION

25.78 ACRES

BLUFF MILL TRACT

LYING in Rockfish Township, Cumberland County, Hope Mills, North Carolina, bounded on the west by the eastern boundary lines of Lots 3-12 Meadowbrook Section Two as described in Plat Book 93, Page 6, Cumberland County Registry; bounded on the north the Hope Mills city limit line between county zoning C(P) and Hope Mills zoning R10 and by the southern boundary lines of Lots 40-44 Brower-Bullard Subdivision as described and recorded in Plat Book 27, Page 29, Cumberland County Registry; bounded on the east by Lot 7 Mill Village LLC as described and recorded in Plat Book 148, Page 179, Cumberland County Registry; bounded on the south by a portion of the tract of which this is a part and the city limit line of the Town of Hope Mills and also being the zoning line between county zoning CP and Hope Mills zoning R10 and being more particularly described as follows;

COMMENCING from a concrete monument in the southern margin of the aforementioned Elwood Drive at its intersection with the southern margin of Escapade Drive as shown on the aforementioned Meadowbrook plat South 82 degrees 20 minutes 31 seconds East for a distance of 45.09 feet to a concrete monument in the said margin of Elwood Drive, said monument also being the northeastern boundary corner of said Lot 1 Meadowbrook subdivision, thence and with said margin of Elwood Drive South 82 degrees 20 minutes 31 seconds East for a distance of 38.63 feet to a point, the northwestern boundary corner of the aforementioned Lot 44; thence and with the western boundary of said Lot 44, South 21 degrees 40 minutes 22 seconds West for a distance of 206.66 feet to a point, the southwestern boundary corner of said Lot 44, said point being the **TRUE POINT AND PLACE OF BEGINNING**.

THENCE and with the southern boundary lines of the aforementioned Lots 40-44 Brower-Bullard South 82 degrees 53 minutes 03 seconds East for a distance of 533.80 feet to a point, said point being the northwestern boundary corner of the aforementioned Lot 7 Mill Village LLC;

THENCE and with the western boundary of said Lot 7 South 10 degrees 14 minutes 28 seconds East for a distance of 1244.36 feet to a point, said point being the southwestern boundary corner of said Lot 7, lying in the city limit line of the Town of Hope Mills and also being the zoning line between county zoning C(P) and CD;

THENCE and with the C(P) and CD, North 65 degrees 05 minutes 51 seconds West for a distance of 1346.47 feet to a point in the eastern boundary of the aforementioned Lot 12 Meadowbrook;

THENCE and with the eastern boundary of the aforementioned Lots 3-12 Meadowbrook North 40 degrees 14 minutes 37 seconds East for a distance of 405.10 feet and North 22 degrees 37 minutes 17 seconds East for a distance of 470.32 feet to a point in the Hope Mills town limits line at its intersection with the western boundary line of said Lot 3;

THENCE South 89 degrees 15 minutes 16 seconds East for a distance of 43.90 feet to a point, said point being the **TRUE POINT AND PLACE OF BEGINNING**.

Together with and subject to all covenants, restrictions and easements of record.
Said property contains 25.78 acres (1,123,207 square feet), more or less.

This description was prepared by Larry King and Associates, R.L.S., P.A., under the direct supervision of W. Larry King, P.L.S., L-1339, on this the 26th day of November, 2025.

W. Larry King PLS 1339
W. Larry King, P.L.S., L-1339





PLANNING & INSPECTIONS

PLANNING STAFF REPORT
REZONING CASE # ZON-25-0051
Planning Board Meeting: Dec.16, 2025

Location: 4959 S NC 87 HWY
Jurisdiction: County-Unincorporated

REQUEST

Rezoning A1 to C(P)

Applicant requests a rezoning from A1 Agricultural District to C(P) Planned Commercial District for a parcel containing approximately .91 acres located east of the intersection of NC Hwy 87 S and Upton Tyson Rd, as shown in Exhibit "A". The intent of the property owner is to develop the site for uses allowed in the C(P) zoning district.

PROPERTY INFORMATION

OWNER/APPLICANT: Sherwood Presbyterian Church (Owner); Alhubishi Abdurrahman (Agent/Applicant).

ADDRESS/LOCATION: Located at 4959 S. NC HWY 87 Fayetteville, NC 28306. Refer to Exhibit "A", Location and Zoning Map. REID number: 0442491544000.

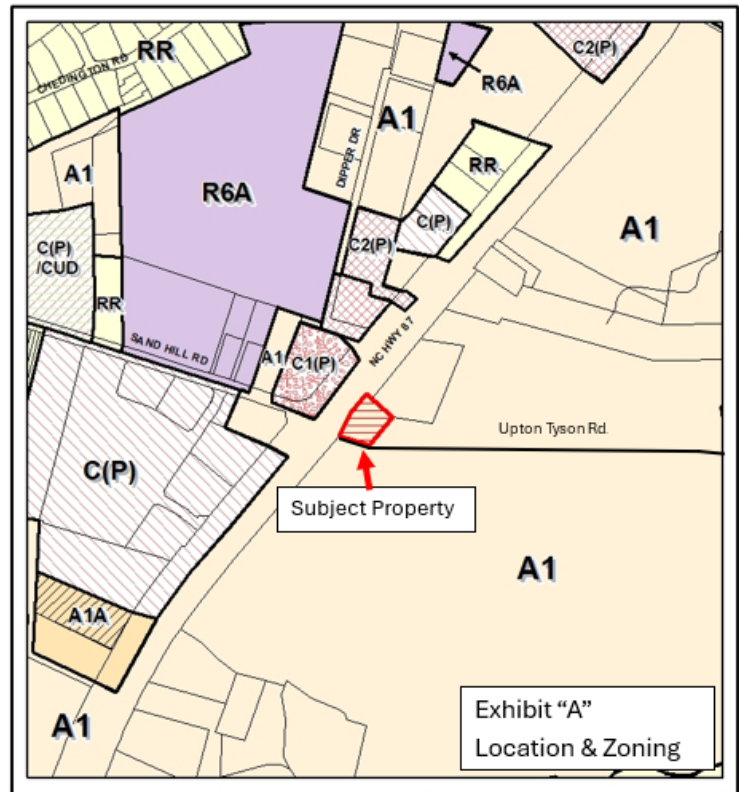
SIZE: The parcels contain approximately .91 +/- acres. Road frontage along NC HWY 87 S is 238 +/- feet. The road frontage along U Tyson Rd is 153 +/- feet. The property is approximately 170 +/- feet in length at its deepest point.

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.

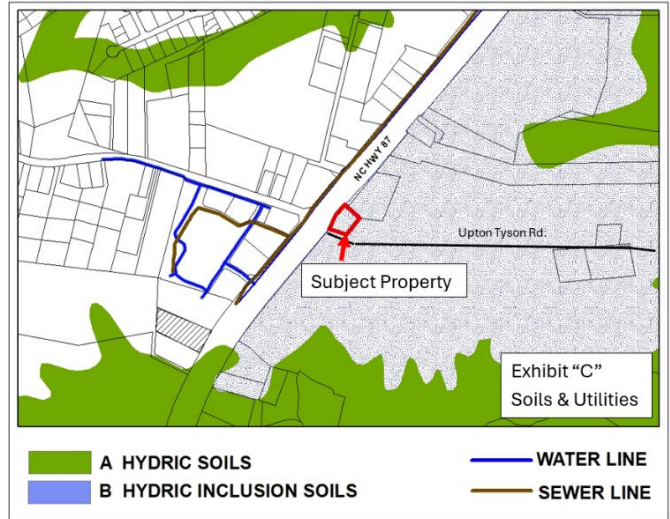
EXISTING LAND USE: The subject property currently has a home on the property

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

- **North:** Single-family homes, undeveloped lands, and NC Highway 87 S
- **East:** Single-family homes, and farmland.
- **West:** NC Highway 87 S, Gray's Creek Mobile Home Park, and Gas stations and Convenience Stores
- **South:** Agricultural Uses and Single-Family Homes



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. Water and sewer lines belonging to PWC are shown to exist along the west side of NC HWY 87 S.



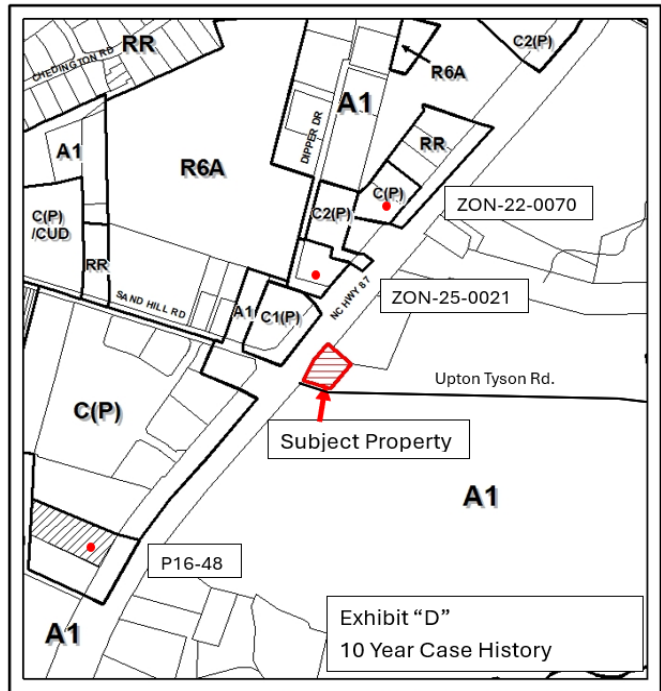
TEN YEAR ZONE CASE HISTORY:

Exhibit "D" denotes the following rezoning case history within the most recent 10-year period.

- P16-48: C(P) to A1A; Approved by County
- ZON-22-0070: RR to C(P); Approved by County
- ZON-25-0021 A1 to C2(P); 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 with County Zoning and Subdivision ordinances.



DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

Minimum Standard	A1 (Existing)	C(P) (Proposed)
Front Yard Setback	50 feet	50 feet
Side Yard Setback	20 feet	30 feet
Rear Yard Setback	50 feet	30 feet
Lot Area	2 Acres	N/A
Lot Width	100'	N/A

DEVELOPMENT POTENTIAL:

Existing Zoning (A1)	Proposed Zoning (C(P))
1 dwelling unit	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:

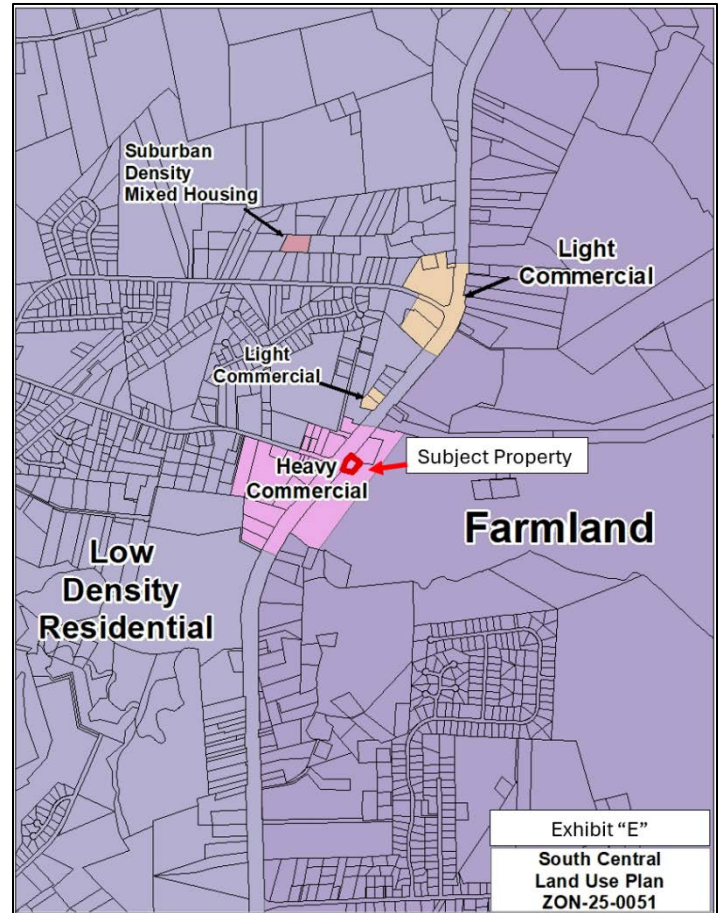
This property is located in the South-Central Land Use Plan (2015), as shown in Exhibit “E”. The future land use classification of the property is “Heavy Commercial”. The associated zoning district for Heavy Commercial is C(P).

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

FUTURE LAND USE CLASSIFICATION

Development Goals, Notes, and Objectives:

- “Provide quality, attractive commercial development that meets market demand, is harmonious with its surrounding area, has supporting infrastructure, preserves the natural environment, and is concentrated in nodes near major intersections and existing commercial development” (South Central Land Use Plan 2015, p. 93).
- “Promote the concentration of intense commercial development in nodes at the intersections of major thoroughfares, interchanges, and other designated areas along US Highway 301 South with public water and sewer” (South Central Land Use Plan 2015, p. 94).
- “Heavy Commercial allows a variety of heavy retail uses, service, and wholesale establishments. It does not allow any billboards and must have public water and sewer” (South Central Land Use Plan 2015, p. 118).



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: PWC Water and sewer lines are available near the subject properties along NC HWY 87, However they are on the west side of NC HWY 87. Well and septic permits would be required for any development on the subject properties if not connected to public water and sewer. The available utilities are shown on Exhibit “C”.

TRANSPORTATION. The subject property sits on NC 87 S and is identified as an “other 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, NC 87 S has a 2021 AADT of 17,000 and a road capacity of 33,500. 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 NC 87 S.

SCHOOLS CAPACITY/ENROLLMENT:

School Name	Capacity	Enrollment
Alderman Road Elementary	707	613
Gray's Creek Middle	1,083	1,034
Gray's Creek High	1,517	1,480

ECONOMIC DEVELOPMENT: Fayetteville Cumberland County Economic Development Corporation has reviewed the request and has no objections to the proposed development.

EMERGENCY SERVICES: Cumberland County Fire Marshal's office has reviewed the request. All development and access to the property must comply with the North Carolina Fire Codes, which must be addressed at the time of site plan submission.

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

STAFF RECOMMENDATION

In Case ZON-25-0051, Planning and Inspections staff **recommends approval** of the rezoning request from A1 Agricultural District to C(P) Planned Service and Retail District. Staff finds that the request is consistent with the South-Central Land Use Plan which calls for "Heavy Commercial" 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

Horace Bullock to handle real property matters for Sherwood Presbyterian

Agent of Authorization

Deed of Ownership

ATTACHMENT: MAILING LIST

GC LOT 5 LLC
PO BOX 53729
FAYETTEVILLE, NC 28305

GRAYS CREEK LLC
PO BOX 53729
FAYETTEVILLE, NC 28305

GRAYS CREEK VOLUNTEER
FIRE DEPARTMENT INC
6975 FIRE DEPT RD
HOPE MILLS, NC 28348

NWOSU, LUKE TRUSTEE
909 S MCPHERSON CHURCH RD
FAYETTEVILLE, NC 28303

PMG CAROLINAS LLC
2900 TELESTAR COURT
FALLS CHURCH, VA 22042

RICHARDSON, HOLLIS D JR;
HENDRIX, VICKI T
2641 SAND HILL RD
FAYETTEVILLE, NC 28306

RICHARDSON, HOLLIS DAMON
JR;RICHARDSON, VICKI T
2641 SANDHILL RD
FAYETTEVILLE, NC 28306

RIDDLE PROPERTIES LLC
1215 SPIVEY RD
WHITEVILLE, NC 28472

SHERWOOD PRESBYTERIAN
CHURCH
4857 S NC 87 HWY
FAYETTEVILLE, NC 28306

SOC FAYETTEVILLE LLC
12670 CRABAPPLE RD STE 200
ALPHARETTA, GA 30004

TYSON, VANCE U JR
4925 S NC 87 HWY
FAYETTEVILLE, NC 28306

V/D NEAL PROPERTIES LLC
1709 CLINTON RD
FAYETTEVILLE, NC 28312

WILLIAMS, ROBERT J V;RIDDLE,
JOSEPH P III TRUSTEES;RIDDLE,
JOSEPH P III
PO BOX 53729
FAYETTEVILLE, NC 28305

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 \$ 400.
(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 C(P)
2. Address of Property to be Rezoned: 4959 NC HWY 87S FAYETTEVILLE
3. Location of Property, details: NE INTERSECTION OF NC 20306
87 AND UPTON TYSON ROAD
4. Parcel Identification Number (PIN #) of subject property: 0442-49-1544
(also known as Tax ID Number or Property Tax ID)
5. Acreage: 0.91 Frontage: 225' Depth: 176'
6. Water Provider: Well: ☒ PWC: _____ Other (name): _____
7. Septage Provider: Septic Tank ☒ PWC _____
8. Deed Book 3390, Page(s) 508, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: RESIDENTIAL
10. Proposed use(s) of the property: COMMERCIAL
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 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.

SHERWOOD PRESBYTERIAN CHURCH
NAME OF OWNER(S) (PRINT OR TYPE)

4857 NC 87 HWY S FAYETTEVILLE, NC 28306
ADDRESS OF OWNER(S)

910-323-1751 910-323-1751
HOME TELEPHONE # WORK TELEPHONE #

FADHL ALHUBISHI, ABDURRAHMAN ALHUBISHI
NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)

5407 SIMMONS DRIVE, LUMBERTON, NC 28360
ADDRESS OF AGENT, ATTORNEY, APPLICANT

alhubishibusinessac@gmail.com
E-MAIL

910-805-2912
HOME TELEPHONE # WORK TELEPHONE #

[Signature] [Signature]
SIGNATURE OF OWNER(S) SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

[Signature]
SIGNATURE OF OWNER(S)

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

Sherwood Presbyterian Church authorizes the buyer of 4959 S NC 87 Hwy, Fayetteville, NC 28306 to apply for rezoning of the property in Cumberland County, NC.


Signature _____ Printed Name _____

29 Oct 25
Date

Sherwood Presbyterian Church
4857 S NC 87 Hwy
Fayetteville, NC 28306

ATTACHMENT: HORACE BULLOCK TO HANDLE REAL PROPERTY MATTERS FOR SHERWOOD

Sherwood Presbyterian Church
4857 NC Highway 87 South, Fayetteville, NC 28306
Rev. Dr. Cassandra Thomas – Moderator Horace Bullock – Clerk of Session

Called Congregation and Corporation Meeting Minutes
Sunday, December 31, 2023, Sanctuary

- 1) Called Congregation Meeting opened with prayer at 12:10 by Rev. Dr. Cassandra Thomas.
- 2) Quorum to vote was affirmed by Clerk of session: Y
- 3) Elect Class of New Elders: Motion made by Grace Hobson and seconded by Grisson Bain to approve the Session member Class 2026 (Charles Maroney and Joy Cannady).
 - a. Installation of class with Book of Order Constitutional questions
 - b. Motion to Dissolve the nominating committee with thanks by Rebecca Cannady and Grace Hobson.
- 4) Suspend congregation meeting 12:13 pm
- 5) Open corporation meeting in prayer 12:13 pm
- 6) Elect Corporation Officers: President Grisson Bain, Vis President Ann Barbour, Treasurer Grace Hobson, and Secretary Horace Bullock
- 7) Rental Property proposal to sale due to the Moving out of current tenants moving out 1 February 2024
- 8) Motion made by Jan Borchlewicz and Joy Cannady unanimously passed for the Corporation officers and Board to handle the sale of the real property so that the net proceeds return to the church budget general fund for the mission and ministry and maintenance of the church.
- 9) Close of Corporation Meeting in prayer by Rev. Dr. Cassandra Thomas 12:32 pm.
- 10) Resume Congregation Meeting: Information and Announcements
 - a. Central community gathering 27 Jan 2024 Faithful Saint. Reilly Road PC, Fayetteville, NC
- 11) There being no other business, unanimous consent to adjourn came with the closing prayer by Rev. Dr. Cassandra Thomas at 12:34 PM

Respectfully Submitted,
Horace J. Bullock Jr.
Horace J. Bullock Jr.
Clerk of Session

Cassandra Thomas
Rev. Dr. Cassandra Thomas
Moderator

ATTACHMENT: AGENT OF AUTHORIZATION



AFFIDAVIT OF OWNERSHIP/AGENT AUTHORIZATION FORM

PROPERTY OWNER (Company or Individual): Sherwood Presbyterian Church.

MAILING ADDRESS: 4857 S NC HWY 87, Fayetteville, NC 28306

Officer's name and title: HORACE J Bullock Secretary

1. That I am (we are) owner's and record title holder(s) of the following described property legal description, to with: 495A S NC HWY 87; PARSONAGE LOCATED E/S HWY 87 (0.91AC)
2. That this property constitutes the property for which a request for (type of Application Approval Requested: RE-ZONING)
3. That the undersigned has (have) appointed and does (do) appoint Ali Alhabish 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.

[Signature]
Owner's Signature

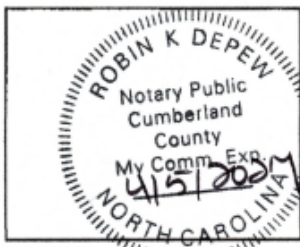
Owner's Signature

Owner's Signature

State of North Carolina

Cumberland County

The foregoing instrument was acknowledged before me by means of X physical presence or _____ online notarization, this 7 day of November (month), 2025 (year), by HORACE J. Bullock (name of person acknowledging) who is personally known to me or who has produced ✓ Military ID (type of identification) as identification.



Robin K. DePew
Signature of Notary Public – State of North Carolina
(Print, Type or Stamp Commissioned Name of Notary Public to the Left of Signature)

ATTACHMENT: DEED OF OWNERSHIP

3398
8588

DRAWN BY: H. E. PERSON

DEED 032136

CUMBERLAND COUNTY
NORTH CAROLINA

032136

DEED

RECEIVED

22 JUN -9 PM 11:11

GEORGE E. TATUM
REGISTER OF DEEDS
CUMBERLAND CO. N.C.

17355

THIS DEED, made and entered into this the 3rd day of February, 1988, by and between UPTON TYSON, GEORGE DAVIS, and GRISSON BAIN, Trustees of Sherwood Presbyterian Church, parties of the first part, and SHERWOOD PRESBYTERIAN CHURCH, FAYETTEVILLE, NORTH CAROLINA, a North Carolina Non-Profit Corporation, party of the second part:

WITNESSETH:

That the said parties of the first part, for and in consideration of the sum of Ten (\$10.00) Dollars and other good and valuable consideration, to them in hand paid by the party of the second part, the receipt of which is hereby acknowledged, have bargained and sold and by these presents do bargain, sell and convey to the party of the second part and its successors, certain tracts or parcels of land in Grays Creek Township, Cumberland County, State of North Carolina, bounded and described as follows:

TRACT ONE:

BEGINNING at the intersection of the middle of the Wilmington Road on North Carolina Highway #21, with the 5th line of the tract of land of which this is a part, in the Duncan Davis line, and running with the 5th line (reversed), of

WITNESSED BY ME
ATTESTED BY ME
NOTARY PUBLIC
N.C. 11-11
CUMBERLAND CO. N.C.
FAYETTEVILLE N.C. 28401

N/C
2000
53

3398.0510

containing two-thirds of an acre, more or less, and being a part of that tract of land conveyed to Flora Davis by the heirs of Duncan Davis by deed recorded in Book 396, Page 330 and by the heirs of Flora Davis to Neil Davis by deed recorded in Book 403, Page 396, and a part of that tract a remainder interest in which was conveyed to Frank M. Davis and wife, Belle M. Davis by Neil Davis by deed recorded in Book 485, Page 202, Cumberland County Registry.

TRACT THREE:

BEGINNING at an iron pin at the intersection of the Eastern margin of the public road leading from Fayetteville to Elizabethtown with a northern line of Upton Tyson's 390.43 acre tract of which this is a part, said pin being in said line at a point South 47 degrees 45 minutes East 30 feet from the middle of said road, and running thence with said line South 69 degrees East 290.5 feet to an iron pipe; thence South 42 degrees 15 minutes West 50 feet to an iron pipe; thence North 69 degrees West 290.5 feet to a stake in the Eastern margin of the Fayetteville-Elizabethtown Road; thence with the eastern margin of said road North 42 degrees 15 minutes East 50 feet to the beginning, containing thirty one hundredths (31/100) of an acre more or less.

33390pg0512

TRACT SIX:

BEGINNING at an iron pipe (this being the first corner in the original tract of land, see Book 416, Page 129, recorded in the Office of the Register of Deeds of Cumberland County, formerly being the Southwest corner of Lot No. 3 of the Davis land, see Book of Plats 9, Page 3), now being the Southwest corner of the Church lot, see Book 558, Page 40, also being a point in the line of the Upton Tyson 390.43 acre tract of land; thence with the said Church line North 16 degrees 15 minutes East 187.70 feet to an iron pipe, a point in the right of way of North Carolina State Highway No. 87; thence with said right of way of the road South 42 degrees 53 minutes West 202.39 feet to an iron pipe, a point in the said Tyson line, also a point of said Graham Davis line, of which this is a part; thence South 69 degrees 35 minutes East to the place and point of beginning.

TRACT SEVEN:

BEGINNING at an iron pipe, with pine pointer, the southwest corner of the tract of which this is a part and the northwest corner of the Sherwood Presbyterian Church lot, and being located 40 feet eastward at right angle from the center line of N. C. Highway No. 87, and runs thence from said point of beginning and as the 1st line of the tract of which this is a part, South 51 degrees 12 minutes East 292.6 feet to an iron pipe with pointers, the second corner of the tract of which

3398 8514

And the said parties of the first part do covenant to and with said party of second part, its successors and assigns, that they are seized of the said premises in in fee and have the right to convey and the same in fee simple; that the same are free and clear from all encumbrances, and that they will warrant and defend the title to the same against the lawful claims of all persons whomsoever.

IN TESTIMONY WHEREOF, the said UPTON TYSON, GEORGE DAVIS, and GRISSON BAIN, Trustees of Sherwood Presbyterian Church have hereunto set their hands and seals the day and year first above written.

SHERWOOD PRESBYTERIAN CHURCH BY:

Upton Tyson (SEAL)
UPTON TYSON, Trustee

George Davis (SEAL)
GEORGE DAVIS, Trustee

Grison Bain (SEAL)
GRISSON BAIN, Trustee

REQUEST

Rezoning A1 to R40

Applicant requests a rezoning from A1 Agricultural District to R40 Residential District for a parcel comprising 14.74 +/- acres, located south of the intersection of Sanderosa Rd and Shadowmoss Dr., as shown in Exhibit "A". The parcel is undeveloped wooded land. The intent of the property owner is to develop the subject property into a single-family residential subdivision.

PROPERTY INFORMATION

OWNER/APPLICANT: Mary W. Parker and Anna W. Taylor (Owners); Tim Evans (Applicant/Agent)

ADDRESS/LOCATION: Refer to Exhibit "A", Location and Zoning Map. REID number: 0467783561000.

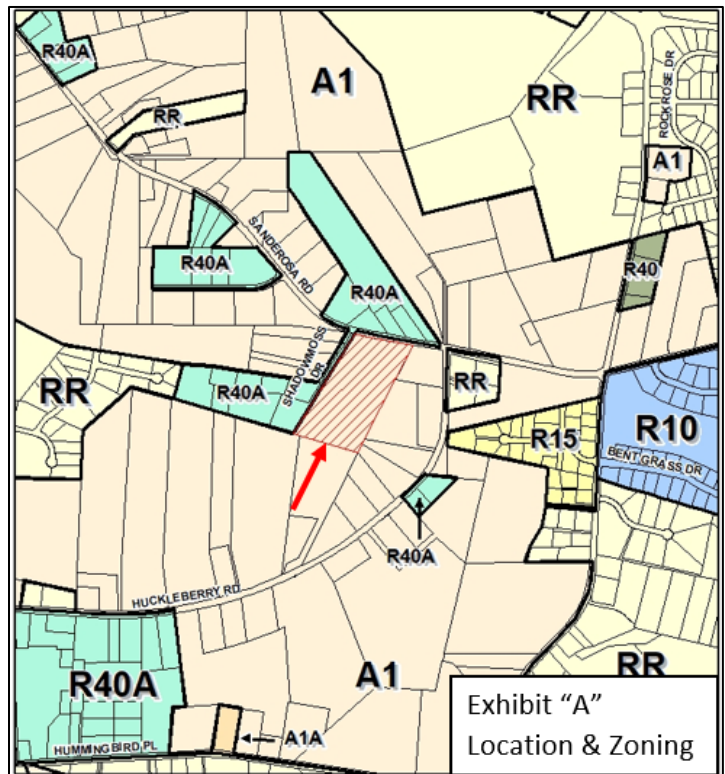
SIZE: The parcel contains approximately 14.74 +/- ac. Road frontage along Sanderosa Rd is 630 +/- feet and 1,111 +/- feet along Shadowmoss Dr. The depth of the property from Sanderosa Rd is approximately 1,131 +/- feet in length and 643 +/- feet from Shadowmoss Dr at their deepest points.

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.

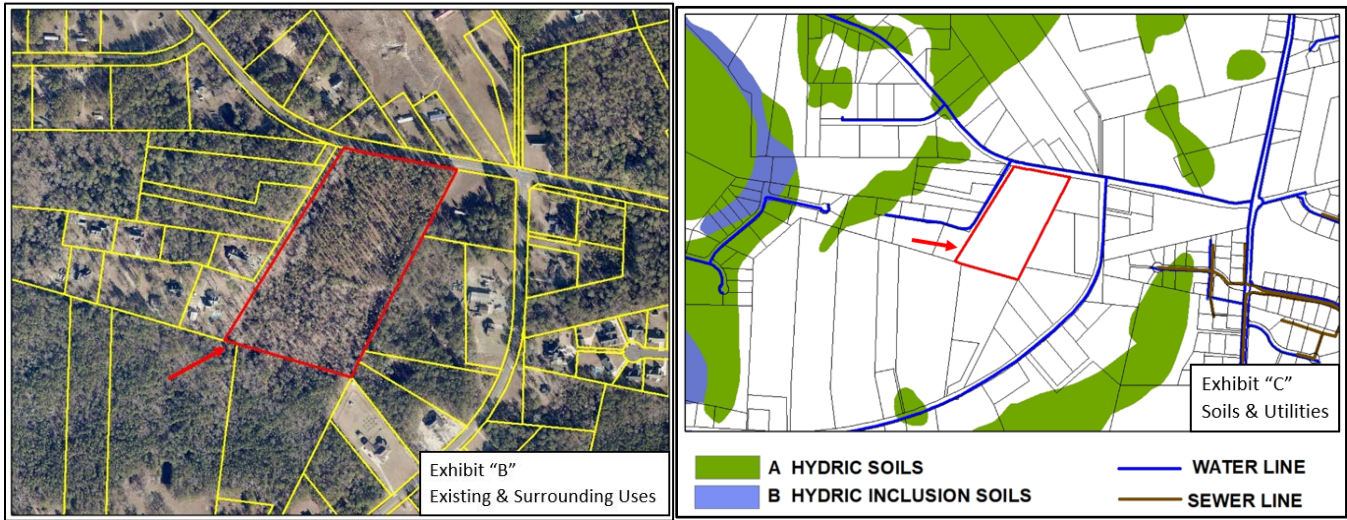
EXISTING LAND USE: The subject parcel is currently undeveloped wooded land. Exhibit "B" shows the existing use of the subject property.

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

- **North:** Sanderosa Rd., Wooded Lands, Single-family Homes.
- **East:** Wooded Lands, Single-family Homes.
- **West:** Shadowmoss Dr., Wooded Lands, Single-family Homes.
- **South:** Wooded Lands, Single-family Homes.



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", has no presence of hydric or hydric inclusion soils on the property.



TEN YEAR ZONE CASE HISTORY:

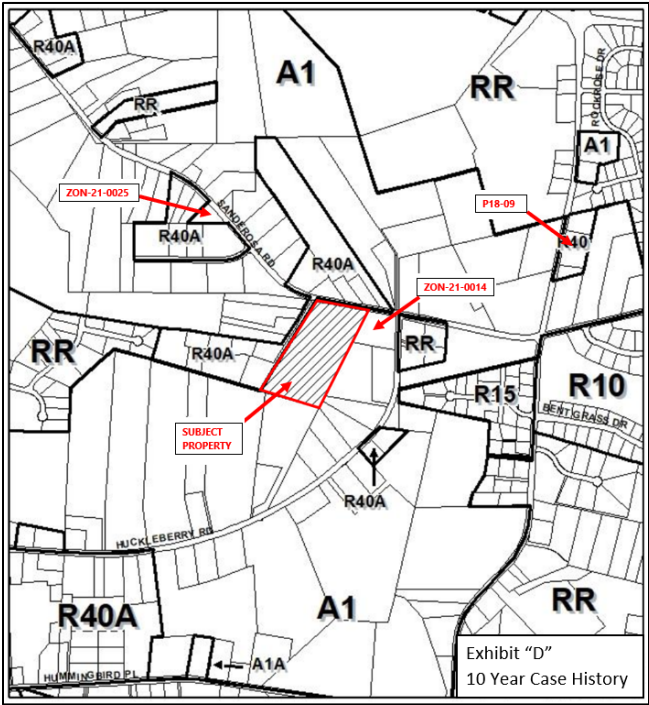
Exhibit "D" denotes the following zoning case within the past ten years occurring near the subject property:

- ZON-21-0025: A1 to C2(P); Denied by County
- ZON-21-0014: A1 to R20; Denied by County
- P18-09: A1 to R40; Approved by County

DEVELOPMENT REVIEW:

Prior to development activity, a preliminary plan and plat must be submitted, reviewed, and approved by the Cumberland County Current Planning Division for compliance with the County Subdivision and Zoning Ordinances.

DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:



Minimum Standard	A1 (Existing Zoning)	R40 (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 (R40)
7 dwelling unit	16 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.

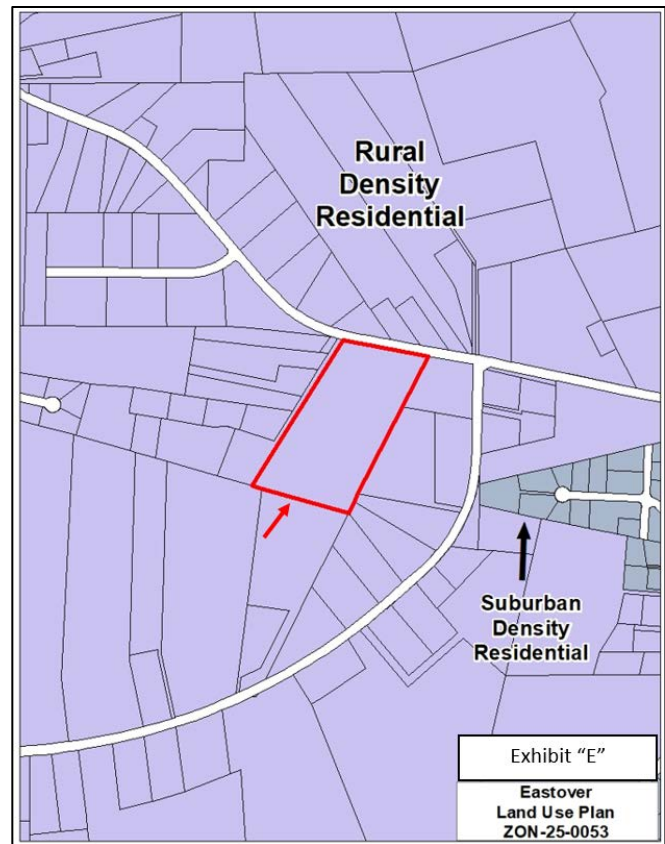
COMPREHENSIVE PLANS:

This property is located in the Eastover Area Land Use Plan (2018). The future land use classification of the property is "Rural Density Residential". The associated zoning districts for Rural Density Residential are R20, R20A, RR, R30, R30A, R40, and R40A.

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

Plan Classification Development Goals:

- "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).



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: Water lines are available along the frontage of the subject property along both Sanderosa Rd and Shadowmoss Dr. 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 are shown on Exhibit "C". Septic will likely be required, and the lot size must meet the minimum area necessary to accommodate the septic system.

TRANSPORTATION: According to the Fayetteville Area Metropolitan Planning Organization (FAMPO), the subject property is on the southeast corner of Sanderosa Rd and Shadowmoss Dr, both being identified as a local road in the Metropolitan Transportation Plan. For both Sanderosa Rd and Shadowmoss Dr., there are no roadway construction improvement projects planned, and the subject property will have no significant impact on the Transportation Improvement Program. In addition, Sanderosa Road has a 2021 Average Annual Daily Traffic of 900 and no road capacity data available. Shadowmoss Drive has no 2021 Annual Average Daily Trips or road capacity data available. Due to lack of data and the small scale, the new zoning request does not demand a trip generation, and the new development should not generate enough traffic to significantly impact Sanderosa Road or Shadowmoss Drive. Coordination with the NCDOT is required for all access and driveway permits.

SCHOOLS CAPACITY/ENROLLMENT:

School	Enrollment	Capacity
Armstrong Elementary	425	441
Mac Williams Middle	1127	1164
Cape Fear High	1500	1476

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 request.

SPECIAL DISTRICTS/OVERLAY DISTRICTS: The property is not located within any special districts or overlay districts.

Special Districts			
Fayetteville Regional Airport Overlay:	<input type="checkbox"/>	Averasboro Battlefield Corridor:	<input type="checkbox"/>
Five Mile Distance of Fort Liberty:	<input type="checkbox"/>	Eastover Commercial Core Overlay District:	<input type="checkbox"/>
Voluntary Agricultural District (VAD):	<input type="checkbox"/>	Spring Lake Main Street Overlay District:	<input type="checkbox"/>
VAD Half Mile Buffer:	<input type="checkbox"/>	Coliseum Tourism Overlay District:	<input type="checkbox"/>

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

STAFF RECOMMENDATION

In Case ZON-25-0053, Planning and Inspections staff **recommends approval** of the rezoning request from A1 Agricultural District to R40 Residential District. Staff finds that the request is consistent with the Eastover 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

BIXBY, ROBERT E; ROSE,
MARIE I TRUSTEES
3981 SANDEROSA RD
FAYETTEVILLE, NC 28312

BLAKELY, CAROLYN E
144 DEER PATH RD
DEBARY, FL 32713

BLUE, STEVIE M; BLUE,
ANGELA R
4444 HUCKLEBERRY RD
FAYETTEVILLE, NC 28312

BRITTIAN, GWENDOLYN
1616 ROGERS CROSSING DR
LITHONIA, GA 30058

CAIN, BILLY V HEIRS
2801 RAMSEY ST
FAYETTEVILLE, NC 28301

CARTER, ALFRED W
300 W 39TH ST
WILMINGTON, DE 19802

CARTER, DAVID A
PO BOX 882
FAYETTEVILLE, NC 28302

CARTER, JAMES TRAVIS
4491 HUCKLEBERRY RD
FAYETTEVILLE, NC 28312

CARTER, ROBERT EVANDER
1417 DEAL ST
FAYETTEVILLE, NC 28306

CARTER, STANLEY
1365 BAYWOOD RD
FAYETTEVILLE, NC 28301

CARTER, STEVEN LAWRENCE; MCLAURIN-
CARTER, STEVEN ISIAH
4515 HUCKLEBERRY ROAD
FAYETTEVILLE, NC 28312

CHAVIS, BILLY DEAN;
CHAVIS, KELLY H
841 SHADOWMOSS DR
FAYETTEVILLE, NC 28312

CUMBERLAND SERVICES INC
PO BOX 3126
FAYETTEVILLE, NC 28302

DARLING, RANDELL;
DARLING, ANKE H R
3824 SANDEROSA RD
FAYETTEVILLE, NC 28312

DAVIS, JACQUELINE BIXBY
3949 SANDEROSA RD
FAYETTEVILLE, NC 28312

DAVIS, RYAN R.; DAVIS,
JACQUELINE B.
3933 SANDEROSA ROAD
FAYETTEVILLE, NC 28312

EAKER, KENNETH C; EAKER,
TINA M
2531 SUNNYSIDE SCHOOL RD
FAYETTEVILLE, NC 28312

FISHER, FRANKLIN P
850 SHADOWMOSS DR
FAYETTEVILLE, NC 28312

FORD, ROZIER L; FORD, MIGEVA
TUCKER; TUCKER, LEWIS MILTON;
TUCKER, ERNESTINE
2281 DOWNING ROAD
FAYETTEVILLE, NC 28312

FULLER, JOSEPH B.
4389 HUCKLEBERRY ROAD
FAYETTEVILLE, NC 28312

GRAHAM, DELDRID M; GRAHAM,
DARLENE
1860 BRIDGER ST
FAYETTEVILLE, NC 28301

GRANT, ANTHONY; GRANT,
WILLIAM JR
365 MCKINLEY AVE
BRIDGEPORT, CT 06604

HATCHER, MARGARET L CARTER
4281 HUCKLEBERRY RD
FAYETTEVILLE, NC 28312

IMBER, CHRISTOPHER D TRUSTEES
; IMBER, MICHELLE L TRUSTEES
3906 W BENT GRASS DRIVE
FAYETTEVILLE, NC 28311

JOHNSON, DANIEL A; JOHNSON,
BRITTANY
4301 LAKE GORDON
EASTOVER, NC 28312

LEONARD, JOHN T; LEONARD,
JANET BIXBY
3999 SANDEROSA RD
FAYETTEVILLE, NC 28312

MEDEIROS, LINDA H
3420 REEDY BRANCH RD
EASTOVER, NC 28312

SIMMONS, RODNEY T;
SIMMONS, NAOMI R
4419 HUCKLEBERRY RD
FAYETTEVILLE, NC 28312

STRICKLAND, WILLIAM CALVIN JR
1207 THATFORD CT
FAYETTEVILLE, NC 28304

TEW, TERRY
3861 SANDEROSA RD
FAYETTEVILLE, NC 28312

TEW, TERRY MICHAEL
3861 SANDEROSA RD
FAYETTEVILLE, NC 28312

VINES, RANDY G; VINES,
LORETTA J
3321 MELBA DR
FAYETTEVILLE, NC 28301

WALDEN, ANTHONY JR
6760 PARKTON RD
PARKTON, NC 28371

WALDEN, BONNIE M
4572 HUCKLEBERRY RD
FAYETTEVILLE, NC 28312

WALDEN, BONNIE M; WALDEN,
ANTHONY LEE
4572 HUCKLEBERRY RD
FAYETTEVILLE, NC 28312

WILLIAMS, JAMES MCNEILL
1309 QUINCY COTTAGE RD
HILLSBOROUGH, NC 27278

WRIGHT, JOSEPH II
2065 EVANS DAIRY RD
FAYETTEVILLE, NC 28312

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 \$ 430.00.
(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 A-1 to R-40
2. Address of Property to be Rezoned: No - address
3. Location of Property, details: Corner of Hockberry & Sanderson
4. Parcel Identification Number (PIN #) of subject property: 0467-76-3561
(also known as Tax ID Number or Property Tax ID)
5. Acreage: 14.74 Frontage: 550 Depth: 1125
6. Water Provider: Well: _____ PWC: _____ Other (name): Eastover Sanitary
7. Septage Provider: Septic Tank ✓ PWC: _____
8. Deed Book 0058-0145, Page(s) _____, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: All-wooded
10. Proposed use(s) of the property: Single family dwelling
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 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.

Mary W. Porter Anna W. Taylor
NAME OF OWNER(S) (PRINT OR TYPE)

1309 Daisy Cottage Rd. Hillsborough N.C. 27378
ADDRESS OF OWNER(S)

Cell - 919-741-0378
HOME TELEPHONE # WORK TELEPHONE #

Tim Evans / Bowe Owl LLC
NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)

2640 Armatha Estate Hwy. N.C. 28306
ADDRESS OF AGENT, ATTORNEY, APPLICANT

tim@longleafproperties.com
E-MAIL

Cell 910 - 273 - 5016
HOME TELEPHONE # WORK TELEPHONE #

Wing Lin Park Timothy B. Evans
SIGNATURE OF OWNER(S) SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

SIGNATURE OF OWNER(S)

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

REQUEST

Rezoning A1 to A1A

Applicant requests a rezoning from A1 Agricultural District to A1A Agricultural District for a lot with approximately 2.01 acres located at 4740 Mastercraft Rd. The lot contains an existing single – family residential dwelling and represents Lot No. 2 of the Susan Trat LLC recorded residential plat, which is attached. Access to the subject lot occurs from Mastercraft Rd, a Class “B” private street, that runs parallel to and intersects with Wade Stedman Road. The intent of the property owner is to add a dwelling unit for a relative through a group development application.

PROPERTY INFORMATION

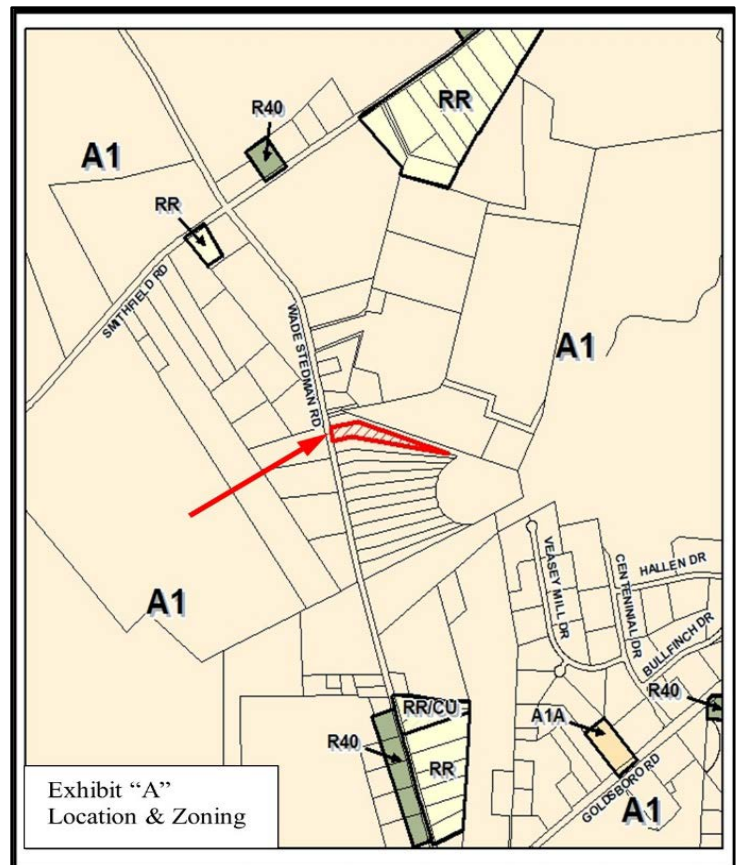
OWNERS/APPLICANTS: Bryan Lopez & Margarita Lopez Archbold (Owners/ Applicants)

ADDRESS/LOCATION: Located at 4740 Mastercraft Ct. Refer to Exhibit “A”, Location and Zoning Map. REID number: 0590070697000

SIZE: The parcel contains approximately 2.01 acres. Road frontage along Mastercraft Court is approximately 115 feet. The property is approximately 1,105 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 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 residents.

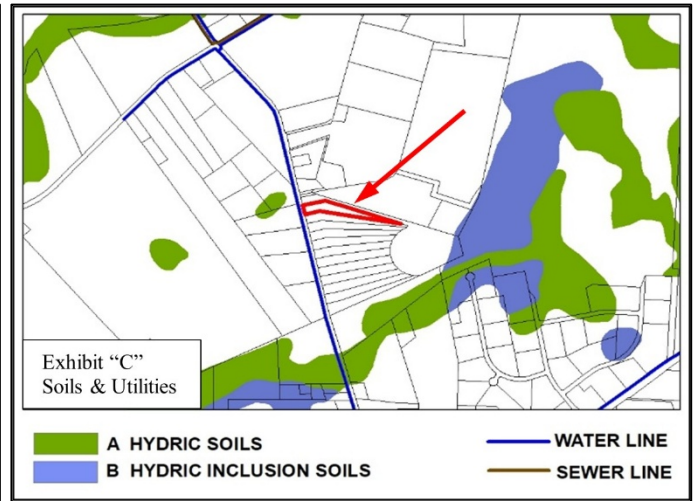
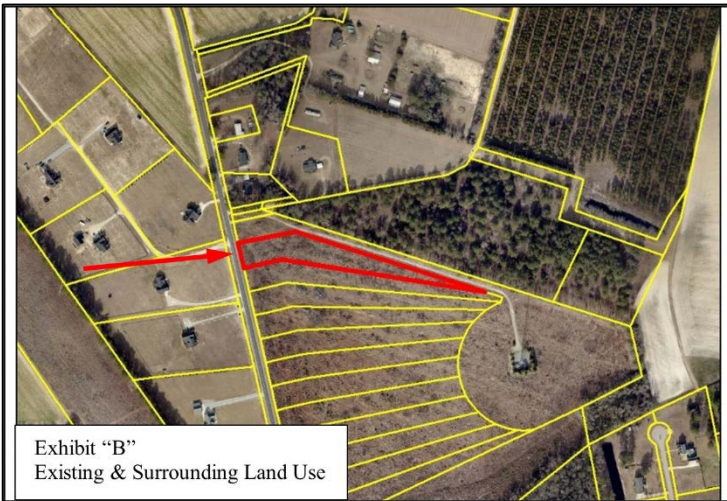
EXISTING LAND USE: The subject parcel contains an existing single family residential dwelling. Exhibit “B” shows the existing use of the subject property.



SURROUNDING LAND USE: Exhibit “B” illustrates the following:

- **North:** Wooded lands, and a single family residential dwelling home.
- **East:** Wooded lands, and a cell phone tower.
- **West:** Single-family residential dwellings, SR 1815 “Wade Stedman Rd”.
- **South:** Single-family residential dwellings.

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 no presence of hydric or hydric inclusion soils on the property.

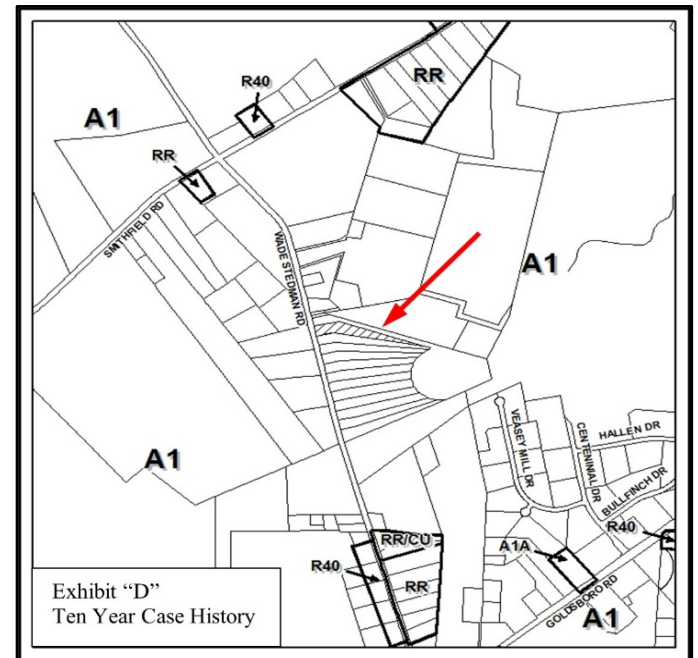


TEN YEAR ZONE CASE HISTORY:

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)	A1A (Proposed)
Front Yard Setback	50 feet	50 feet
Side Yard Setback	20 feet	20 feet
Rear Yard Setback	50 feet	50 feet
Lot Area	2 acres	1 acre
Lot Width	100 feet	100 feet

Development Potential:

Existing Zoning (A1)	Proposed Zoning (A1A)
1 dwelling unit	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.

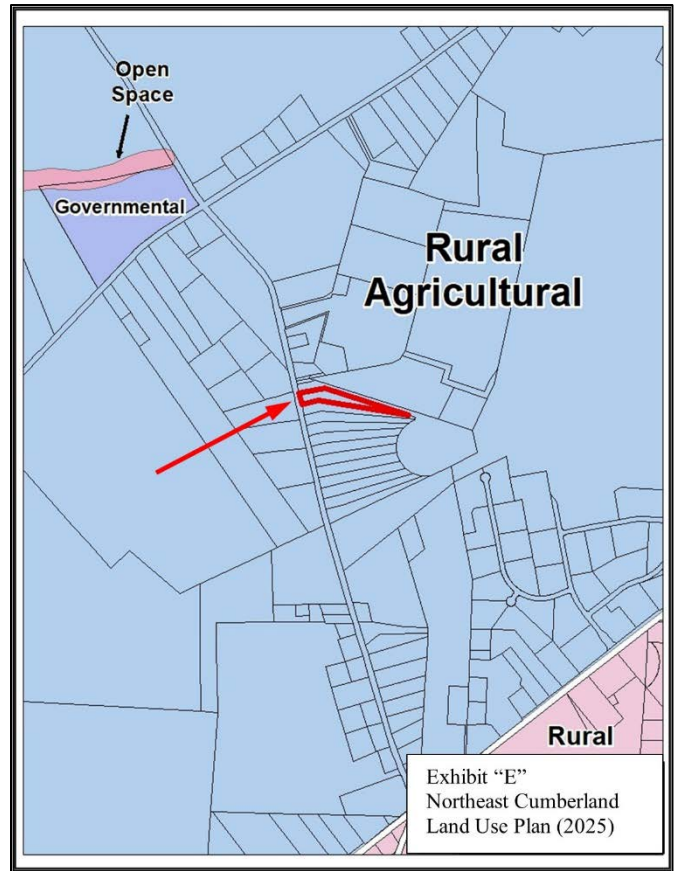
COMPREHENSIVE PLANS:

This property is located within the Northeast Cumberland Land Use Plan (2025), as shown in Exhibit "E". The future land use classification of the property is "Rural/Agricultural". Associated zoning districts for this classification are A1, A1A, R40, R40A, and DD(CZ).

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

Development Goals, Notes, and Objectives:

- "Rural/Agricultural focuses on traditional agricultural activities, large-lot residential subdivisions, and preserving the working landscape and surrounding natural features" (Northeast Cumberland Land Use Plan 2025, p. 16).
- "Preserve Rural Character - Maintain the rural and agricultural lifestyle of the community by protecting scenic views, preserving agricultural landscapes, and applying rural character preservation techniques" (Northeast Cumberland Land Use Plan 2025, p. 50).
- "Preserve Neighborhood Character - Maintain the stability, density, and identity of established neighborhoods through thoughtful planning and compatible new development" (Northeast Cumberland Land Use Plan 2025, p. 51).
- "Provide a full range of housing types and sites with adequate infrastructure in both new and revitalized neighborhoods while maintaining the rural features" (Northeast Cumberland Land Use Plan 2025, p. 51).



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: As the subject property is part of a platted and developed residential subdivision and a home already occurs on the lot, an on-site septic system is already installed. Water is received from water lines along Wade Stedman Road. Any further subdivision of the subject lot or any group development will require the owner to coordinate with the water service provider and with the County Environmental Health for septic system permits.

TRANSPORTATION: Mastercraft Ct. is a Class "B" private street serving twelve platted residential lots. On the NCDOT Functional Class Map, Mastercraft Court appears as a designated "Local Road". Mastercraft Court connects to Wade Stedman Road, which has a current Functional Classification of Major Collector. This classification is designed for moderate traffic movement between local and arterial roads, in this instance, that is Mastercraft Court and Goldsboro Road. There are no roadway maintenance projects planned. The subject property will have no significant impact on the Transportation Improvement Program. In addition, this segment of Wade Stedman Road, north of Goldsboro Rd, has an Average Annual Daily Traffic Count of 1500 as of 2022. The proposed new development should not generate enough traffic to significantly impact Wade Stedman Road, and permission may be required to access the private street. Advanced coordination with NCDOT is required for all access and driveway permits.

SCHOOLS CAPACITY/ENROLLMENT:

School	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 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-25-0054, Planning and Inspections staff **recommends approval** of the rezoning request from A1 Agricultural District to A1A Agricultural District. Staff finds that the request is consistent with the Northeast Cumberland Land Use Plan which calls for “Rural/Agricultural” 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
Recorded Plat
Application

ATTACHMENT – MAILING LIST

BISHOP, DAVID A JR;ATWOOD,
LAUREN J
4690 POSSUM CT
WADE, NC 28395

COWIE, BEN CORWIN;COWIE,
HEATHER LYN
5641 WADE STEDMAN RD
WADE, NC 28395

CRUMPLER, DAISY;CRUMPLER, LIZZY;
MATTHEWS, H D;BARNES, LUTHER CURTIS JR
:BARNES, DAVID W;LIPPERT, JEAN B;LIPPERT
DENISE
4851 STEWART RD
WADE, NC 28395

CSARNOGUSKY, ZACKARY
J;CSARNOGUSKY, SAMANTHA S
5138 EL PASO PL
WADE, NC 28395

CURLEE, CHRISTOPHER P;
CURLEE, JENNIFER L
5615 WADE STEDMAN RD
WADE, NC 28395

DUCKWORTH, DEVIN R;
DUCKWORTH, BREANNA
4720 MASTERCRAFT COURT
WADE, NC 28395

EDMONDS, SONYA M
5651 WADE STEDMAN RD
WADE, NC 28395

FEDERAL LAND
BANK OF COLUMBIA
PO BOX 2405
FAYETTEVILLE, NC 28302

GALLOWAY, ANNA
4682 POSSUM CT
WADE, NC 28395

GODWIN, JOEL KEITH;
GODWIN, RUTH WHITE
5630 SAMBO JACKSON RD
WADE, NC 28395

HENRY, LEONARD D
;HENRY, OK NAN
4736 MASTERCRAFT CT
WADE, NC 28395

KING, BECKY F
4674 POSSUM CT
WADE, NC 28395

LA RESIDENTIAL LLC
PO BOX 814
FAYETTEVILLE, NC 28302

LOGAN, JIMMIE L;LOGAN,
TAMMY C
5577 WADE STEDMAN RD
WADE, NC 28395

LOPEZ, BRYAN;LOPEZ,
MARGARITA L ARCHBOLD
4740 MASTERCRAFT CT
WADE, NC 28395

MCMILLAN, JAMES B
5680 WADE STEDMAN RD
WADE, NC 28395

MISIR, VISHAL DAVE
;KHAN-MISIR, FAIZA
4724 MASTERCRAFT CT
WADE, NC 28395

NESSMITH, DEBORAH
4755 TWO RANCH LN
WADE, NC 28395

NEVILLE, TREY JACOB
4728 MASTERCRAFT CT
WADE, NC 28395

PAULEY, TESSA;PEREZ,
MARK
4686 POSSUM COURT
WADE, NC 28395

ROBERTSON, REBECCA
MASON;ROBERTSON,
GARY BLOUNT
2506 SULKY CIR
FAYETTEVILLE, NC 28312

SHAW, JESHARA
4678 POSSUM CT
WADE, NC 28395

SMITH, SARAH;SMITH,
JAMES ALBERT
5121 EL PASO PL
WADE, NC 28395

STARLING, DORIS N
PO BOX 282
WADE, NC 28395

STEPHEN, ZEMARCO ELISHA
4732 MASTERCRAFT CT
WADE, NC 28395

SUSAN TART DEVELOPMENT
LLC
222 MAIDEN LN
FAYETTEVILLE, NC 28301

TAYLOR, ROY D
5722 WADE STEDMAN RD
WADE, NC 28395

THE LUTMAN FAMILY
REVOCABLE LIVING TRUST
14 CARL BRANDT DR
SHALIMAR, FL 32579

[illegible]

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 \$ 250.00.
(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 A1A
2. Address of Property to be Rezoned: 4740 mastercraft Ct Wade NC 28395
3. Location of Property, details: _____
4. Parcel Identification Number (PIN #) of subject property: 0590670697000
(also known as Tax ID Number or Property Tax ID)
5. Acreage: 2.01 Frontage: 115 Depth: 1127
6. Water Provider: Well: _____ PWC: _____ Other (name): ESD
7. Septage Provider: Septic Tank X PWC ✓
8. Deed Book 12197, Page(s) 600, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: Primary Home
10. Proposed use(s) of the property: Mother-in-law Suite
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 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.

Bryan o Lopez, Margarita Lopez Archbold
NAME OF OWNER(S) (PRINT OR TYPE)

4740 mastercraft ct Wade NC 28395
ADDRESS OF OWNER(S)

407-724-2900
HOME TELEPHONE #

WORK TELEPHONE #

Bryan o Lopez
NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)

4740 mastercraft ct. Wade NC 28395
ADDRESS OF AGENT, ATTORNEY, APPLICANT

Lopezfam12@gmail.com
E-MAIL

407-724-2900
HOME TELEPHONE #

WORK TELEPHONE #

[Signature]
SIGNATURE OF OWNER(S)

[Signature]
SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

[Signature]
SIGNATURE OF OWNER(S)

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

FILED	Mar 27, 2025
AT	04:27:42 PM
BOOK	12197
START PAGE	0600
END PAGE	0602
INSTRUMENT #	08788
RECORDING	\$26.00
EXCISE TAX	\$636.00

NORTH CAROLINA GENERAL WARRANTY DEED**TITLE NOT CERTIFIED BY PREPARER**

Excise Tax \$ 636.00

P&L File # 1098-327

Parcel Identifier No.: 0590-07-0697

This instrument prepared by: Person & Lee PLLC, a licensed North Carolina attorney. Delinquent taxes, if any, to be paid by the closing attorney to the county tax collector upon disbursement of closing proceeds.

Return to: Hutchens Law Firm

Brief Description for the Index: Lot 2 Sandhills at Wade

THIS DEED made this March 5th, 2025 by and between:

GRANTOR	GRANTEE
FURR CONSTRUCTION AND DEVELOPMENT, INC. , a North Carolina corporation	BRYAN LOPEZ and spouse, MARGARITA L. ARCHBOLD LOPEZ
Mailing Address: PO Box 2824 Fayetteville, NC 28302	Mailing/Property Address: 4740 Mastercraft Ct. Wade, NC 28395

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 City of Wade, Eastover Township, Cumberland County, North Carolina and more particularly described as follows:

BEING ALL OF LOT 2, AS SHOWN ON A SURVEY ENTITLED "SUBDIVISION MAP FOR SUSAN TART DEVELOPMENT, LLC" AND KNOWN AS SANDHILLS AT WADE, ACCORDING TO A PLAT OF THE SAME BEING DULY RECORDED IN PLAT BOOK 151, PAGE 134, CUMBERLAND COUNTY REGISTRY, NORTH CAROLINA.

The property hereinabove described was acquired by instrument recorded in Book 12107, Page 441, Cumberland County, North Carolina, Registry.

Submitted electronically by "Hutchens Law Firm LLP"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Cumberland County Register of Deeds.

A map showing the above described property is recorded in Plat Book 151, Page 134, Cumberland County, North Carolina, Registry.

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 except for the exceptions hereinafter stated. Title to the property hereinabove described is subject to the following exceptions: ad valorem taxes for the current year, restrictive covenants, utility easements, permits, and rights of way as the same may appear of record

[REMAINDER INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal effective the day and year first above written.

If initialed, the property includes the primary residence of at least one of the Grantors. (NC GS § 105-317.2) _____

Furr Construction and Development, Inc.

BY: [Signature]
Daniel Horton Furr, Secretary/Treasurer

STATE OF NORTH CAROLINA

COUNTY OF CUMBERLAND

I certify that the following person(s) personally appeared before me this day and I have personal knowledge of the identity of the principal(s) or have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of a driver's license or a credible witness has sworn to the identity of the principal(s); each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: Name of Principal: Daniel Horton Furr, Secretary/Treasurer

Date: MAR 05 2025

[Signature]
Mary C. Manship
Printed Name of Notary Public

My Commission Expires: 03/29/27



Location: SW corner of Wade Stedman Rd and Maxwell Rd
Jurisdiction: County-Unincorporated

REQUEST

Rezoning R30 to C2(P)

Applicant requests a rezoning from R30 Residential District to C2(P) Planned Service and Retail District for a parcel comprising 0.88 +/- acres, located at the southwest corner of the intersection of Wade Stedman Rd and Maxwell Rd. The parcel is undeveloped vacant land. The intent of the property owner is to develop a commercial retail building.

PROPERTY INFORMATION

OWNER/APPLICANT: Vu Hung Le (Owner); George Regan, Jr., Esq. (Applicant/Agent).

ADDRESS/LOCATION: Refer to Exhibit "A", Location and Zoning Map. REID number: 0497086166000.

SIZE: The parcel contains approximately 0.88 +/- ac. Road frontage along Maxwell Rd is 69 +/- feet and 147 +/- feet along Wade Stedman Rd and another 136 +/- feet in length facing the intersection. The depth of the property from Maxwell Rd is approximately 248 +/- feet in length and 181 +/- feet from Wade Stedman Rd at their deepest points.

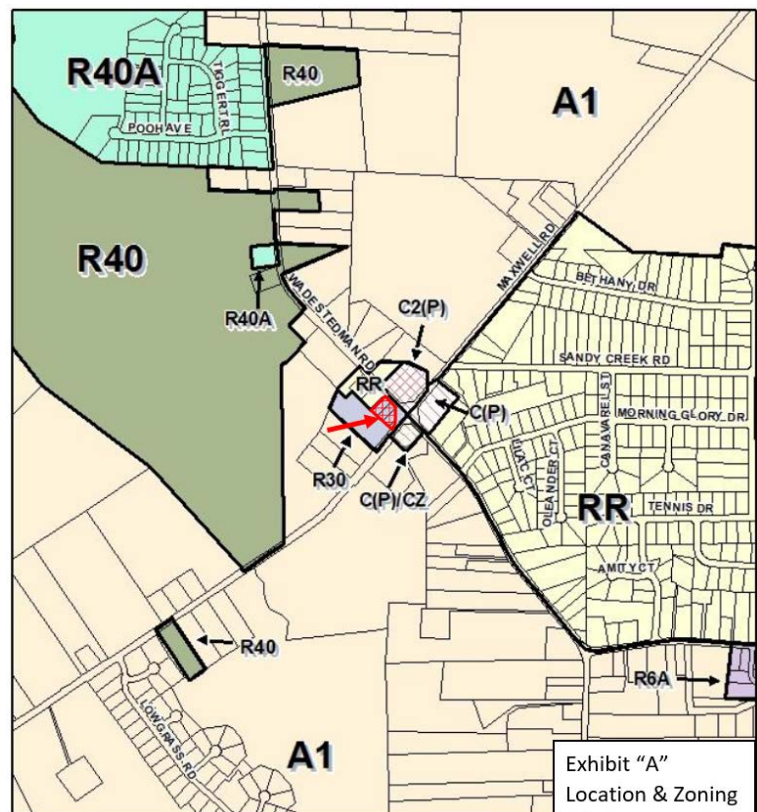
EXISTING ZONING: The subject property is currently zoned R30 Residential District. This district is designed primarily for single-family dwelling units with a lot of area of 30,000 square feet or above.

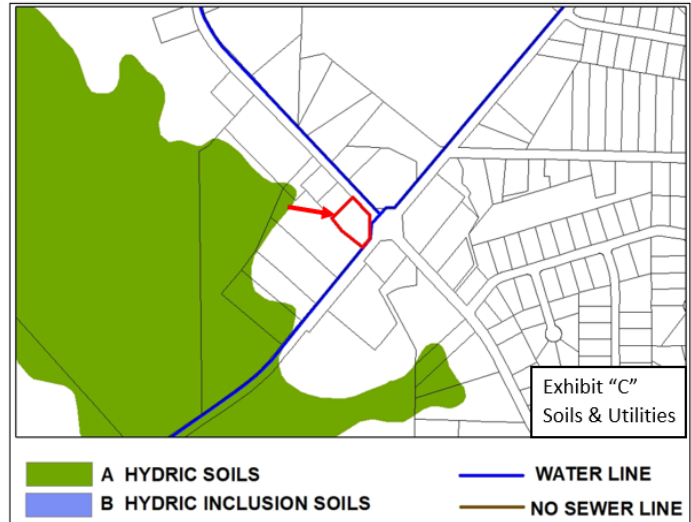
EXISTING LAND USE: The subject parcel is currently undeveloped vacant land. Exhibit "B" shows the existing use of the subject property.

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

- **North:** Wade Stedman Rd., Dollar General, single-family homes.
- **East:** Int. of Wade Stedman Rd & Maxwell Rd., Bethany Volunteer Fire Dept. Station #12.
- **West:** Wooded Lands, single family homes.
- **South:** Maxwell Rd., Commercial, single-family homes.

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", has no presence of hydric or hydric inclusion soils.





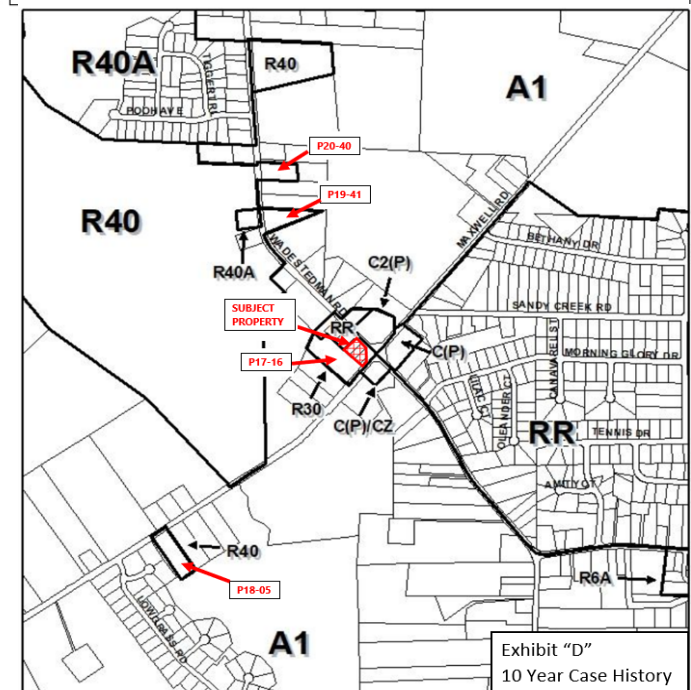
TEN YEAR ZONE CASE HISTORY:

Exhibit "D" denotes the following zoning case within the past ten years occurring near the subject property:

- P20-40: A1 to R40; approved; County
- P19-41: A1 to R40; approved; County
- P18-05: A1 to R40; approved; County
- P17-16: A1 to R30; approved; County

DEVELOPMENT REVIEW:

Prior to development activity, a site plan must be submitted, reviewed, and approved by the Cumberland County Current Planning Division for compliance with the County Subdivision and Zoning Ordinances.



DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

Minimum Standard	R30 (Existing Zoning)	C2(P) (Proposed)
Front Yard Setback	30 feet	50 feet
Side Yard Setback	15 feet	30 feet
Rear Yard Setback	35 feet	30 feet
Lot Area	30,000 square feet	N/A
Lot Width	100 feet	N/A

DEVELOPMENT POTENTIAL*

Existing Zoning (R30)	Proposed Zoning (C2(P))
1 dwelling unit	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:

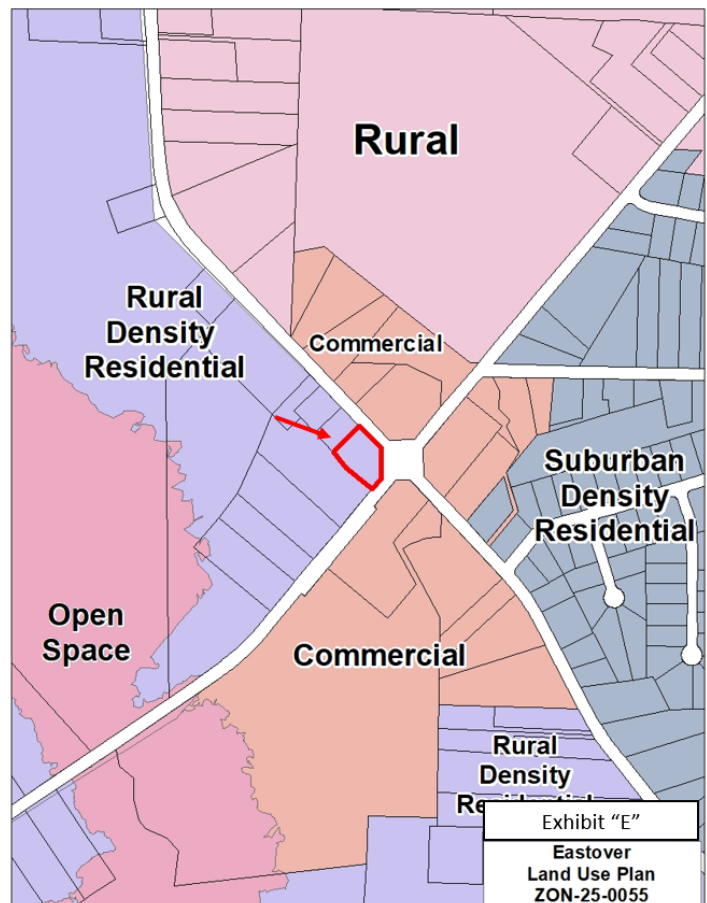
This property is located in the Eastover Area Land Use Plan (2018). The future land use classification of the property is "Rural Density Residential".

The associated zoning districts for Rural Density Residential are R20, R20A, RR, R30, R30A, R40, and R40A.

The proposed rezoning request is not consistent with the adopted land use plan.

Plan Classification Development Goals:

- "Provide quality, attractive development that has supporting infrastructure, is harmonious with its surrounding area and supports the needs of the community" (Eastover Area Land Use Plan 2018, p. 51).
- "Encourage the location of businesses that reflect the needs of the community" (Eastover Area Land Use Plan 2018, p. 51).
- "Protect established residential areas from the encroachment of non-residential developments" (Eastover Area Land Use Plan 2018, p. 51).



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: Water lines (Eastover Utilities) are available along both Maxwell Rd and Wade Stedman Rd. No sewer lines are 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 are shown on Exhibit "C". Septic will likely be required, and the lot size must meet the minimum area necessary to accommodate the septic system.

TRANSPORTATION: According to the Fayetteville Area Metropolitan Planning Organization (FAMPO), the subject property is located on Maxwell 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, Maxwell Road has a 2021 Average Annual Daily Traffic of 4,200 and a road capacity of 16,400. 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 Maxwell Rd. Additionally, NCDOT will require a driveway permit and any proposed driveway should be placed as far from the intersection as practical with a preferred location along SR 1826 (Wade Stedman Rd). Coordination with NCDOT is required for all access and driveway permits.

SCHOOLS CAPACITY/ENROLLMENT:

School	Enrollment	Capacity
Stedman Primary	128	162
Stedman Elementary	292	358
Mac Williams Middle	1127	1164
Cape Fear High	1500	1476

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 request.

SPECIAL DISTRICTS/ OVERLAY DISTRICTS: This site is not located within any special district or overlay district.

Special Districts			
Fayetteville Regional Airport Overlay:	<input type="checkbox"/>	Averasboro Battlefield Corridor:	<input type="checkbox"/>
Five Mile Distance of Fort Liberty:	<input type="checkbox"/>	Eastover Commercial Core Overlay District:	<input type="checkbox"/>
Voluntary Agricultural District (VAD):	<input type="checkbox"/>	Spring Lake Main Street Overlay District:	<input type="checkbox"/>
VAD Half Mile Buffer:	<input type="checkbox"/>	Coliseum Tourism Overlay District:	<input type="checkbox"/>

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

STAFF RECOMMENDATION

In Case ZON-25-0055, Planning and Inspections staff **recommends approval** of the rezoning request from R30 Residential District to C2(P) Planned Service and Retail District and find that:

1. Approval is an amendment to the adopted, current Eastover 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 zoning district is located at a four-way street junction with established commercial and institutional uses occurring at all surrounding street corners and immediate area.
3. Other parcels at this street junction are situated within other adopted land use plans, each finding commercial uses consistent with their respective adopted land use plans and policies.

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

ANDREWS, JOHN RUPERT;
ANDREWS, JEAN CONSTANCE
2124 WADE STEDMAN RD
STEDMAN, NC 28391

AUTRY, ANNETTE M.;HALES,
DOLORES MCDUFFIE
6421 MORNING GLORY DR
STEDMAN, NC 28391

AUTRY, SANDRA
MATTHEWS HEIRS
3129 COLEMAN RD
FAYETTEVILLE, NC 28312

BELCHER, TYE;
DODSON, CAMILLE
7157 MAXWELL RD
STEDMAN, NC 28391

BETHANY CROSSROADS
CHURCH INC
4472 CLINTON RD
FAYETTEVILLE, NC 28312

BETHANY HISTORICAL
SOCIETY
6772 FAIRCLOTH BRIDGE RD
STEDMAN, NC 28391

BETHANY RURAL
FIRE DEPARTMENT INC
2140 WADE STEDMAN RD
STEDMAN, NC 28391

BRANT, ERIC
6412 MORNING GLORY
STEDMAN, NC 28391

BUNCE, JOYCE GAIL
2110 WADE STEDMAN RD
STEDMAN, NC 28391

CAIN BUILDERS INC
PO BOX 457
WADE, NC 28395

CBM FAMILY PROPERTIES
LLC
PO BOX 922
SALEMBURG, NC 28385

DANIELS, GERALD PATRICK LIFE
ESTATE;DANIELS, LOU E LIFE ESTATE
2276 WADE STEDMAN RD
STEDMAN, NC 28391

DOWD, VIOLET G
2244 WADE STEDMAN ROAD
STEDMAN, NC 28391

FAIRCLOTH, MARTHA B
2327 WADE STEDMAN RD
STEDMAN, NC 28391

FAIRCLOTH, MARTHA B;
JACKSON, JILL B
2327 WADE STEDMAN RD
STEDMAN, NC 28391

FAIRCLOTH, MARTHA
BUNCE;FAIRCLOTH, TERRY
2327 WADE STEDMAN RD
STEDMAN, NC 28391

FAIRCLOTH, WILLIAM PERRY SR
LIFE ESTATE
3655 HAYFIELD RD
WADE, NC 28395

FISCHETTO, TERRY ANN
6417 MORNING GLORY DRIVE
STEDMAN, NC 28391

GADDY, MARTIN RAY;GADDY,
PHYLLIS D
819 ANCIENT CT
FAYETTEVILLE, NC 28312

GIBSON, STEVE
1615 RENNERT RD
LUMBERTON, NC 28360

GRANT, MEGAN
6114 SANDY CREEK RD
STEDMAN, NC 28391

GREENE, BRENDA G
LIFE ESTATE
6408 MORNING GLORY DRIVE
STEDMAN, NC 28391

GUZMAN, ALICIA VENTURA;
MORALES, EDEMIAS ANGEL
DELEON
6425 MORNING GLORY DR
STEDMAN, NC 28391

HALLMAN, BENNIE
EDWARD;HALLMAN, ROBIN C
2254 WADE STEDMAN RD
STEDMAN, NC 28391

HARPS, MARGARET
6126 SANDY CREEK RD
STEDMAN, NC 28391

HCE2 INVESTMENTS LLC
301 HAVILLAND MILL RD
BROOKEVILLE, MD 20833

HERNANDEZ, JOSE A;
HERNANDEZ, SANDRA M
HERNANDEZ-RUBIO
806 N JORDAN ST
ALEXANDRIA, VA 22304

HESS, EVELYN;
SOPHIA, N JENSEN RS
4816 REGALWOOD DR
WINSTON SALEM, NC 27107

HUTCHENS, DEBORAH DARLENE
2067 WADE STEDMAN RD
STEDMAN, NC 28391

JORDAN, CLAUDE W
002310 WADE STEDMAN RD
STEDMAN, NC 28391

LE, VU HUNG
7310 AVALON DR
FAYETTEVILLE, NC 28303

MORRIS, MARGARET HALL
1744 WADE STEDMAN RD
STEDMAN, NC 28391

NUNNERY, PETER JOHN
2247 WADE STEDMAN RD
STEDMAN, NC 28391

PHILLIPS, VONNIE KENT;
PHILLIPS, DONNA
7007 MAXWELL RD
STEDMAN, NC 28391

PRIDGEN, MARVIN J;
PRIDGEN, JOBELINDA
6404 MORNING GLORY DR
STEDMAN, NC 28391

REED, ANDRE; REED,
CASSANDRA LYN
6230 SANDY CREEK RD
STEDMAN, NC 28391

REFUEL OPERATING
COMPANY LLC
547 LONG POINT RD
MT PLEASANT, SC 29646

STEDMAN, BELINDA
6400 MORNING GLORY
STEDMAN, NC 28391

THOMAS, DENNIS R;
THOMAS, TRACI LEI
7029 MAXWELL ROAD
STEDMAN, NC 28391

THOMPSON, CAROL
6413 MORNING GLORY DR
STEDMAN, NC 28391

WILLIAMS, COURTNEY; W
ILLIAMS, YUKIKO
6991 MAXWELL RD
STEDMAN, NC 28391

WILLIAMS, WILLIAM D III;
WILLIAMS, AMY LOUISE
7045 MAXWELL 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 \$ 400.00.
(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 R30 to C(P) C2P
2. Address of Property to be Rezoned: 7061 Maxwell Road, Stedman, NC 28391
3. Location of Property: Being all of Lot 2B as shown on a plat entitled "Joseph Geddie and Violet Geddie Dowd" recorded in Plat Book 139, Page 133, Cumberland County Register of Deeds.
4. Parcel Identification Number (PIN #) of subject property: 0497-08-6166
(also known as Tax ID Number or Property Tax ID)
5. Acreage: .88 Frontage: 352.69 Depth: 251.79
6. Water Provider: Well: _____ PWC: X Other (name): _____
7. Septage Provider: Septic Tank _____ PWC X
8. Deed Book 11743, Page(s) 612, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: Residential
10. Proposed use(s) of the property: Strip Center
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.

Vu Hung Le

NAME OF OWNER(S) (PRINT OR TYPE)

7310 Avalon Drive, Fayetteville, NC 28303

ADDRESS OF OWNER(S)

910-229-9168

HOME TELEPHONE #

WORK TELEPHONE #

George D. Regan, Jr., Esq.

NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)

PO Box 670, Fayetteville, NC 28302

ADDRESS OF AGENT, ATTORNEY, APPLICANT

george@thorpclarke.com

E-MAIL

HOME TELEPHONE #

910-323-4111

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.”

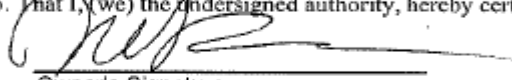
AFFIDAVIT OF OWNERSHIP/AGENT AUTHORIZATION FORM

PROPERTY OWNER (Company or Individual): Vu Hung Le

MAILING ADDRESS: 7310 Avalon Dr, Fayetteville, NC 28303

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: Reasoning Request)
3. That the undersigned has (have) appointed and does (do) appoint George D. Regan, Jr. 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 representing 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.


Owner's Signature

Owner's Signature

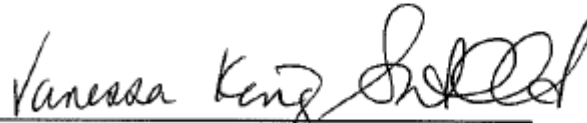
Owner's Signature

State of North Carolina

Cumberland County

The foregoing instrument was acknowledged before me by means of ✓ physical presence or _____ online notarization, this 1st day of December (month), 2025 (year), by Vu Hung Le (name of person acknowledging) who is personally known to me or who has produced NCOL (type of identification) as identification.





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

my commission expires: 11/04/2030

REQUEST

Rezoning RR to C2(P)

Applicant requests a rezoning from RR Rural Residential District to C2(P) Planned Service and Retail District for a parcel with approximately 1.37 acres located at 3883 Clinton Rd. The parcel contains an existing structure and shed. The intent of the property owner is to remove the existing structure along with the shed and install a new building for a commercial operation.

PROPERTY INFORMATION

OWNER/APPLICANT: Bevil Groves (Owner/ Applicant)

ADDRESS/LOCATION: Located at 3883 Clinton Rd. Refer to Exhibit "A", Location and Zoning Map. REID number: 0466377784000

SIZE: The parcel contains approximately 1.37 acres. Road frontage along Clinton Road is approximately 125.6 feet. The property is approximately 497.6 feet in length at its deepest point.

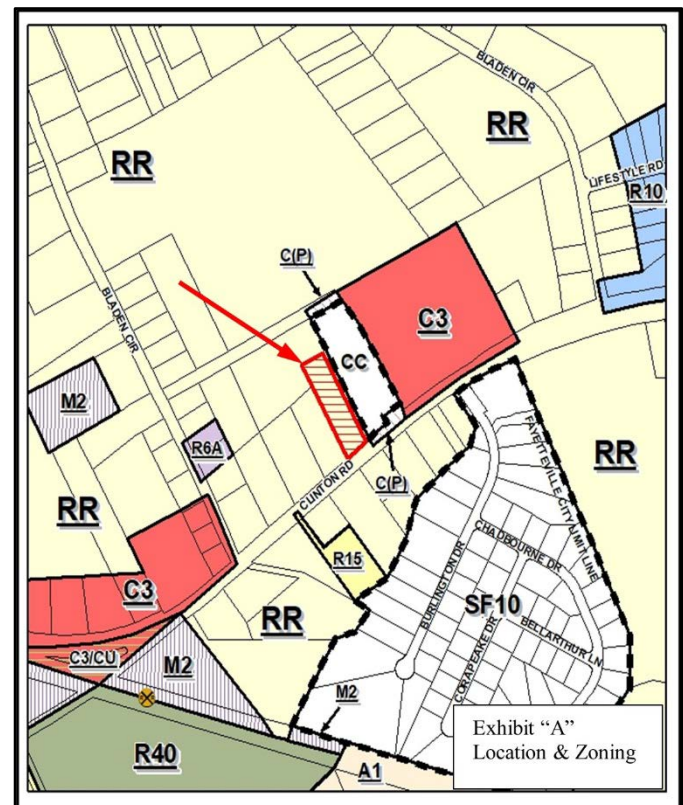
EXISTING ZONING: The subject property is currently zoned RR Rural Residential District. The RR Rural Residential District is a district for traditional rural use with lots of 20,000 square feet or above. The principal use of land is for suburban density residential, including manufactured housing units, 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 healthful environment.

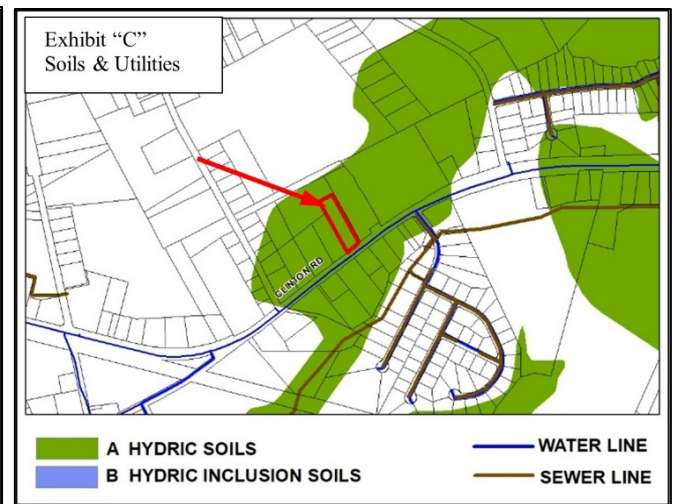
EXISTING LAND USE: The subject parcel contains an existing structure and shed. Exhibit "B" shows the existing use of the subject property.

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

- **North:** Single-family residential dwelling.
- **East:** Vacant land.
- **West:** Wooded lands.
- **South:** Wooded lands and SR 1006 "Clinton Rd".

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 soils on the property. There are no hydric inclusion soils on the property.



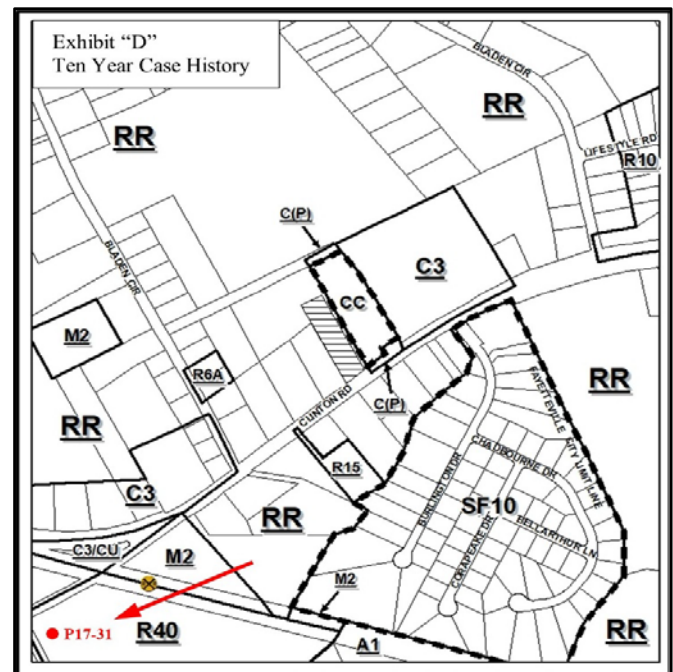


TEN YEAR ZONE CASE HISTORY:

Exhibit "D" denotes the following rezoning cases within the last ten years near the site.

- P17-31: M2 to R40 Approved; County

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	RR (Existing Zoning)	C2(P) (Proposed)
Front Yard Setback	30 feet	50 feet
Side Yard Setback	15 feet	30 feet
Rear Yard Setback	35 feet	30 feet
Lot Area	20,000 sq. ft.	N/A
Lot Width	100 feet	N/A

DEVELOPMENT POTENTIAL:

Existing Zoning (RR)	Proposed Zoning (C2(P))
3 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.

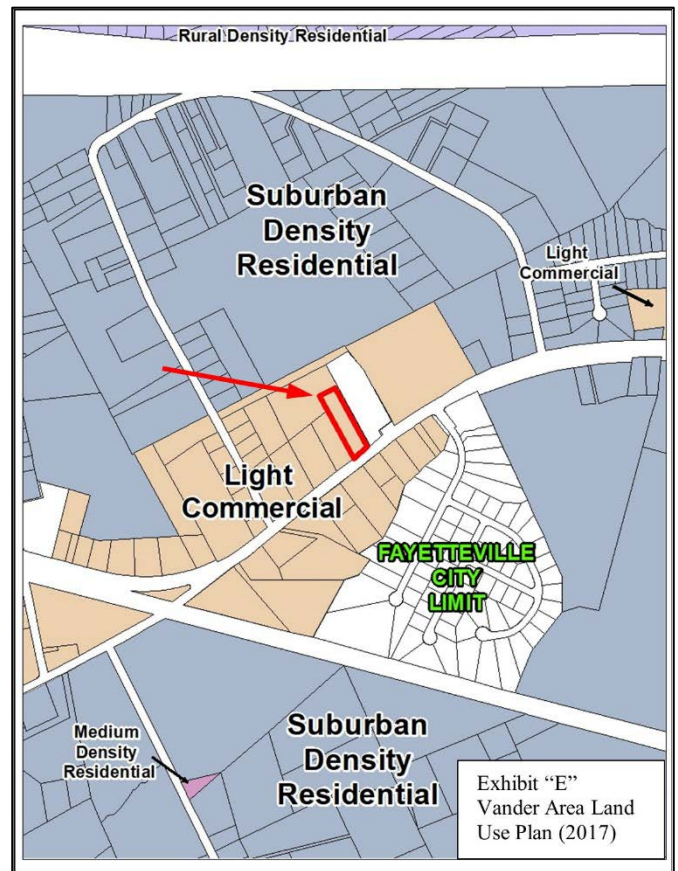
COMPREHENSIVE PLANS:

This property is located within the Vander Area Land Use Plan (2017), as shown in Exhibit "E". The future land use classification of the property is "Light Commercial". Associated zoning districts for this classification are C1(P) and C2(P).

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

Development Goals, Notes, and Objectives:

- Encourage the reuse of vacant commercial structures (Vander Area Land Use Plan, pg. 39).
- Provide quality, attractive development that meets market demand, is harmonious with its surrounding area, has supporting infrastructure, preserves the natural environment, and is concentrated near major intersections and existing commercial development (Vander Area Land Use Plan 2017, pg. 39).
- Light Commercial caters to the ordinary needs of the immediate neighborhood with emphasis on convenient goods and services (Vander Area Land Use Plan 2017, pg. 43).



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: Sewer lines are not available near the subject property, but a water line is, as shown in Exhibit "C". Septic will likely be required, and the lot size must meet the minimum area necessary to accommodate the septic system. Applicant must coordinate with Environmental Health for their septic systems/permits. A water line is located at the front of the parcel.

TRANSPORTATION: Clinton Rd. is classified as Major Collector based on the NCDOT Functional Class Map. The subject property sits on Clinton 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, Clinton Road has a 2021 AADT of 6,400 and a road capacity of 16,400. 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 Clinton Road.

SCHOOLS CAPACITY/ENROLLMENT:

School	Enrollment	Capacity
Sunnyside Elementary	316	303
Mac Williams Middle	1,127	1,164
Cape Fear High	1,500	1,476

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-25-0057, Planning and Inspections staff **recommends approval** of the rezoning request from RR Rural Residential District to C2(P) Planned Service and Retail District. Staff finds that the request is consistent with the Vander Area Land Use Plan which calls for "Light Commercial" 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

3 HAPPY CAMPERS LLC
986 STEDMAN CEDAR CREEK
RD
STEDMAN, NC 28391

ABJ INVESTMENTS LLC;
MCCASKILL, VIRGINIA S
PO BOX 361
FAYETTEVILLE, NC 28302

ABJ INVESTMENTS, LLC
PO BOX 361
FAYETTEVILLE, NC 28302

BROCK, DAVID E;BROCK,
DORCAS F
3414 SUNNYVIEW LN
FAYETTEVILLE, NC 28312

BYRD, DENNIS J;BYRD,
JULIE A
3318 CLINTON RD
FAYETTEVILLE, NC 28312

COLE, MELISSA A
3813 CLINTON RD
FAYETTEVILLE, NC 28312

FAIRCLOTH, LEMUEL FRANK III
526 OBERSHEA LN
STEDMAN, NC 28391

FLANARY, RONALD H;
FLANARY, SANDRA L
3825 CLINTON RD
FAYETTEVILLE, NC 28312

GROVES, BEVIL
1409 FOUR WOODS DR
FAYETTEVILLE, NC 28312

HARRINGTON, LUCAS THOMAS
116 BLADEN CIR
FAYETTEVILLE, NC 28312

HOGUE, RICHARD L;HOGUE,
MURIEL
3851 CLINTON RD
FAYETTEVILLE, NC 28312

JDA LLC
4457 SANDEROSA RD
FAYETTEVILLE, NC 28312

KAIN, GREGORY LYNN;
TEDESCHI-KAIN, ANGELA SUE
3898 CLINTON ROAD
FAYETTEVILLE, NC 28312

PREVATT, JAMES N;
PREVATT, PEGGY A
2755 ROYAL FORREST DR
RALEIGH, NC 27614

RODRIGUEZ, CYNTHIA S
3830 CLINTON RD
FAYETTEVILLE, NC 28312

SCHLEUSENER, JENNY
LINN;SCHLEUSENER,
ALTON ROGER SMITH
3422 SUNNYVIEW LN
FAYETTEVILLE, NC 28312

TAYLORED PROPERTIES LLC
PO BOX 361
STEDMAN, NC 28391

TENNANT, BRANDY MAE
3850 CLINTON RD
FAYETTEVILLE, NC 28312

TREVINONEAL LLC
6691 TRIBBLE ST
LITHONIA, GA 30058

URIARTE, FERNANDO;
AGUIRRE, MONIQUE M
126 BLADEN CIR
FAYETTEVILLE, NC 28312

ATTACHMENT - APPLICATION



CASE #: ZON-25-0057

PLANNING BOARD
MEETING DATE: 12/16/25

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 \$ 450.
(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:

- RR ~~RR~~ CP ~~CP~~ CDP ~~CDP~~
1. Requested Rezoning from Residential to Commercial
 2. Address of Property to be Rezoned: 3883 Clinton Road
 3. Location of Property, details: located next to commercial property
 4. Parcel Identification Number (PIN #) of subject property: 0466-37-7781
(also known as Tax ID Number or Property Tax ID)
 5. Acreage: 1.37 Frontage: 125' Depth: 483'
 6. Water Provider: Well: _____ PWC: yes Other (name): _____
 7. Septage Provider: Septic Tank ✓ yes PWC _____
 8. Deed Book 12048, Page(s) 476-478, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
 9. Existing use of property: Residential / burnt house
 10. Proposed use(s) of the property: Commercial / Salon
 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 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.

Bevil Groves
NAME OF OWNER(S) (PRINT OR TYPE)

1409 Four Wood Drive Fayetteville, NC 28312
ADDRESS OF OWNER(S)

HOME TELEPHONE # _____ 910-273-5747 WORK TELEPHONE # _____

Bevil Groves
NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)

1409 Four Wood Drive Fayetteville, NC 28312
ADDRESS OF AGENT, ATTORNEY, APPLICANT

bellgrovesjr@gmail.com
E-MAIL

HOME TELEPHONE # _____ 910-273-5747 WORK TELEPHONE # _____

Bevil Groves Bevil Groves
SIGNATURE OF OWNER(S) SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

SIGNATURE OF OWNER(S)

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

THIS CERTIFICATION STATEMENT MUST REMAIN WITH THE ATTACHED
COPY IN ORDER FOR IT TO BE CONSIDERED A LEGAL DOCUMENT



COUNTY of CUMBERLAND

Office of the Register of Deeds

Andra S. Brewington

Register of Deeds

State of North Carolina
County of Cumberland

I do hereby certify this to be a true copy of the attached document filed and recorded in the aforesaid county
as evidenced in Instrument

Book No. 12048 Page No. 476 and ends with Page No. 478

Witness my hand and seal this 5th day of NOVEMBER, 2025.

ANDRA S. BREWINGTON

DEPUTY/ASSISTANT/REGISTER OF DEEDS

P.O. Box 2039, Room 114, First Floor, Courthouse, Fayetteville, N.C. 28302-2039

Phone: 910-678-7775 Fax 910-323-1456 Email: abrewington@cumberlandcountync.gov Website: www.ccrod.org

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

FILED Aug 28, 2024
AT 03:58:44 PM
BOOK 12048
START PAGE 0476
END PAGE 0478
INSTRUMENT # 25838
RECORDING \$26.00
EXCISE TAX \$100.00

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax:	\$100.00
Parcel ID:	0466-37-7784
Mail/Box to:	Jennifer Kirby Fincher, PLLC, 324 N. McPherson Church Rd, Fayetteville, NC 28303
Prepared by:	Jennifer Kirby Fincher, PLLC, 324 N. McPherson Church Rd, Fayetteville, NC 28303
Brief description for the index:	Meets & Bounds Clinton Rd.

THIS GENERAL WARRANTY DEED ("Deed") is made on the 28 day of August, 2024, by and between:

GRANTOR	GRANTEE
Martha Edge Deglandon and spouse, Darrell DeGlandon 205 Boulder View Cibolo, TX 78108	Bevil Groves 1409 Four Woods Dr Fayetteville, NC 28312

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 the City of Fayetteville, Cumberland County, North Carolina and more particularly described as follows (the "Property"):

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

All or a portion of the Property was acquired by Grantor by instrument recorded in Book 10326 Page 357.

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 Book 110 Page 188.

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

restrictions, easements and rights-of-way of record; ad valorem property taxes for the current year.

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

Martha Edge DeGlandon
Name: Martha Edge DeGlandon

Darrell DeGlandon
Name: Darrell DeGlandon

Name: _____

Name: _____

Entity Name _____

By: _____

Name: _____

Title: _____

By: _____

Name: _____

Title: _____

STATE OF NORTH CAROLINA, COUNTY OF CUMBERLAND

I, Jennifer K. Fincher, a Notary of the above state and county, certify that the following person(s) personally appeared before me on the 28 day of August, 2024 each acknowledging to me that he/she/they signed the foregoing document, in the capacity represented and identified therein (if any):

Martha Edge DeGlandon and Darrell DeGlandon

Affix Notary Seal/Stamp

JENNIFER K. FINCHER
NOTARY PUBLIC
Cumberland County
North Carolina

Jennifer K. Fincher
Notary Public (Official Signature) 4/17/26
My commission expires: _____

EXHIBIT A

BEGINNING at a point in the center line of the Fayetteville-Clinton Highway, the southwest corner of a tract heretofore conveyed to Ervin McLaurin by deed recorded in Book 492, Page 162 Cumberland County Registry and runs thence as McLaurin's western line North 25 degrees 30 minutes West 674.8 feet to and past McLaurin's northwest corner to a stake in the southern margin of a 60 foot wide street or road; thence as said margin South 65 degrees 30 minutes West 143.2 feet to a stake in said margin; thence South 25 degrees 30 minutes East 703.2 feet to a point in the center line of the aforesaid Fayetteville-Clinton Highway; thence as said center line North 54 degrees 03 minutes East 145.6 feet to the point of beginning containing 2-1/4 acres, more or less.

REQUEST

Rezoning A1 to A1A

Applicant requests a rezoning from A1 Agricultural District to A1A Agricultural District for a parcel comprising 2.23 +/- acres located at 7552 Turnbull Rd, as shown to Exhibit "A". An existing single family house stands on the lot. The intent of the property owner is to split the existing lot into two lots, allowing a second home to be constructed. To accomplish the subdivision, rezoning to A1A Agricultural District is necessary to obtain a minimum lot size of one acre, whereas the minimum lot size for the A1 Agricultural District requires a minimum of two acres.

PROPERTY INFORMATION

OWNER/APPLICANT: Key Legacy Group, LLC (Owner); Laverne Robinson (Agent)

ADDRESS/LOCATION: Refer to Exhibit "A", Location & Zoning Map. Address: 7552 Turnbull Rd., REID number: 0491294305000.

SIZE: The requested rezoning parcel contains approximately 2.23 acres. Road frontage for this parcel along Turnbull Rd is 400 feet. The property is approximately 239 feet in length at its deepest point.

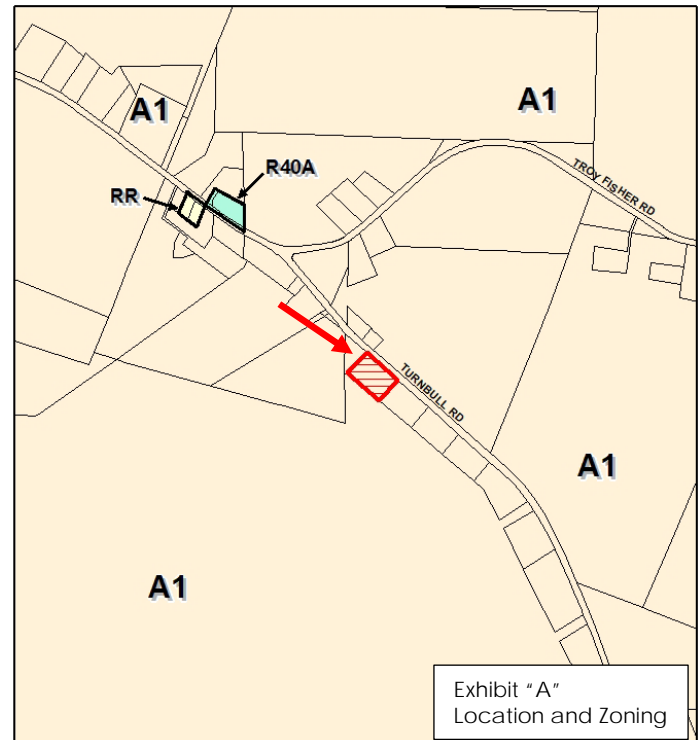
EXISTING ZONING: The subject property is currently zoned A1 Agricultural District. The A1 Agricultural District is designed to promote and protect agricultural lands, including woodlands, within the County. The general intent of the district is to permit all agricultural uses to exist free from most 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 parcel under consideration currently has one residential structure on it. Exhibit "B" shows the existing use of the subject property.

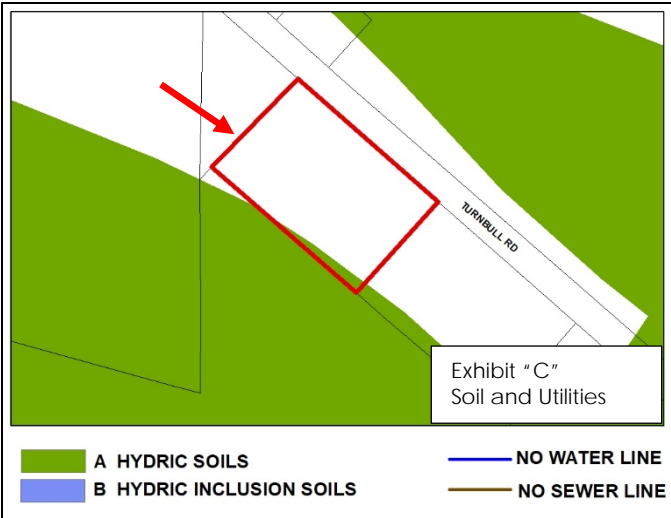
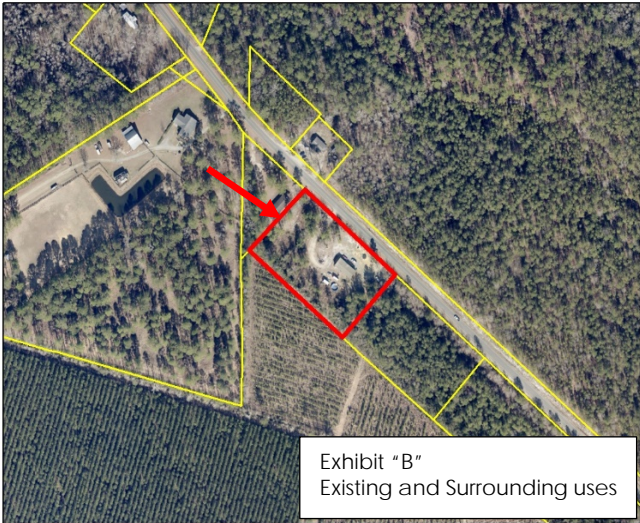
SURROUNDING LAND USE: Exhibit "A" illustrates the following:

- **North:** Wooded lands and single-family home.
- **East:** Wooded lands
- **West:** Wooded lands.
- **South:** Farmlands.

OTHER SITE CHARACTERISTICS: The site is not located in Watershed nor within a Flood Zone Hazard Area. The subject property, as delineated in Exhibit "C", illustrates the presence of hydric soil. The majority of the



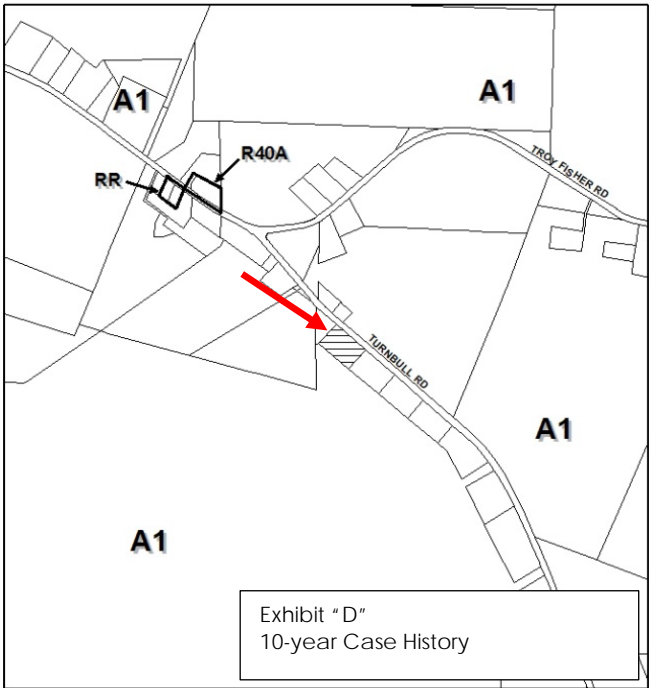
property does not contain hydric soils except for a small portion located in the southern portion of the property.



TEN YEAR ZONE CASE HISTORY:

Exhibit “D” denotes no rezoning cases within the past ten years near the subject property.

DEVELOPMENT REVIEW: Prior to a subdivision of the current parcel, a preliminary plat must be submitted, reviewed, and approved by the Cumberland County Current Planning Division for compliance with the County Subdivision and Zoning Ordinances prior to development activity.



DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

Minimum Standard	A1 (Existing Zoning)	A1A (Proposed)
Front Yard Setback	50 feet	50 feet
Side Yard Setback	20 feet	20 feet
Rear Yard Setback	50 feet	50 feet
Lot Area	2 Acres	1 Acre
Lot Width	100 feet	100 feet

Development Potential:

Existing Zoning (A1)	Proposed Zoning (A1A)
1 dwelling unit	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.

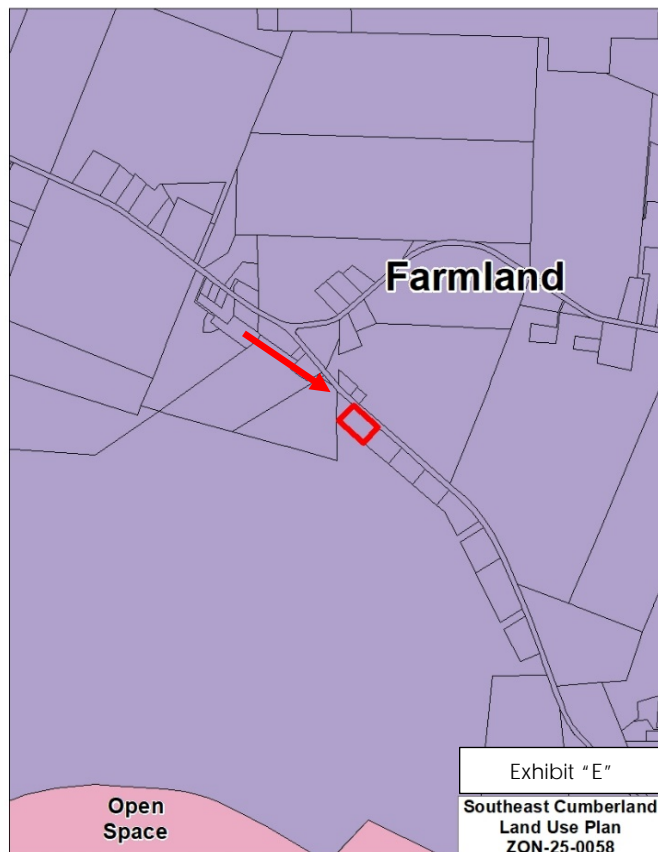
COMPREHENSIVE PLANS:

This property is located within the Southeast Cumberland Land Use Plan (2016). 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 consistent with the adopted land use plan.

FUTURE LAND USE CLASSIFICATION Development Goals, Notes, and Objectives:

- "Provide for residential development that protects and maintains the rural residential character; does not conflict with farming and forestry operations; is not detrimental to open space, environmentally sensitive areas and recreation; and improves the quality of life for residents in the Area" (Southeast Cumberland Land Use Plan 2016, p. 93).
- "Protect and preserve farmland, while maintaining a healthy and thriving farming community" (Southeast Cumberland Land Use Plan 2016, p. 92).
- "Manufactured homes will be allowed on the same basis [as] conventional site-built housing as long as the manufactured homes are built to the same standards as conventional homes" (Southeast Cumberland Land Use Plan 2016, p. 94).
- "Supports the use of Density Developments-Conditional Zoning or similar development techniques to preserve significant blocks of open space, timberland, cropland, wildlife habitats, and the rural character of the Area" (Southeast Cumberland Land Use Plan 2016, p. 94).



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: Any available utilities for water and sewer are shown on Exhibit "C". Water and sewer lines are not available near the subject property. Well and septic will likely be required, and the lot size must meet the minimum area necessary to accommodate both on the subject parcel.

TRANSPORTATION: The subject parcel is located on Turnbull Road, which has a current Functional Classification of "Minor Collector". Rural minor collectors are spaced at intervals, consistent with population density, to collect traffic from local roads and to ensure that all urbanized areas are within a reasonable distance of a collector road. The subject property will have no significant impact on the Transportation Improvement Program. In addition, this segment of Turnbull Road has an Average Annual Daily Traffic Count of 800 as of 2022. The proposed rezoning should not generate enough traffic to significantly impact Turnbull Rd. Advanced coordination with NCDOT is required for all access and driveway permits.

SCHOOLS CAPACITY/ENROLLMENT:

School	Enrollment	Capacity
Beaver Dam Elementary	86	95
Mac Williams Middle	1,127	1,164
Cape Fear High	1,500	1,476

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: 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 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 zoning. There are no conditions proposed at this time.

STAFF RECOMMENDATION

In Case ZON-25-0058, Planning and Inspections staff **recommends approval** of the rezoning request from A1 Agricultural District to A1A Agricultural District. Staff finds that the request is consistent with the Southeast Cumberland 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

BLACKMAN, KATHERINE P
7294 TROY FISHER RD
FAYETTEVILLE, NC 28301

BRUNSWICK TIMBER LLC
PO BOX 1288
MOBILE, AL 36633

HAIR, MARY E
7452 TURNBULL RD
FAYETTEVILLE, NC 28312

REISINGER, MICHAEL T;
REISINGER, SHERRY G
PO BOX 64636
FAYETTEVILLE, NC 28306

STOCKS, J C HEIRS;
MCDOWELL, ELLIS L
833 FRED HALL RD
STEDMAN, NC 28391

BLACKMAN, KATHERINE PUGH;
MARY P DICKENS TRUSTEE
3133 SEDGEFIELD GATE RD
GREENSBORO, NC 27407

FISHER, MARY A
7692 TROY FISHER RD
FAYETTEVILLE, NC 28301

KEY LEGACY GROUP LLC
6520 PACIFIC AVE
FAYETTEVILLE, NC 28314

ROBINSON, ZILLIE
MAE HEIRS
7521 TURNBULL RD
FAYETTEVILLE, NC 28312

STOCKS, JUNE HEIRS
7452 TURNBULL RD
FAYETTEVILLE, NC 28312

BLACKMAN, ROBERT NORMAN
7282 TROY FISHER RD
FAYETTEVILLE, NC 28312

FISHER, MARY ANCIL
7692 TROY FISHER RD
FAYETTEVILLE, NC 28301

MELVIN, MONICA DRASHEEN
2800 NE GREEN OAKS BLVD
APT 3206
GRAND PRAIRIE, TX 75050

SAINT MARK MISSIONARY
BAPTIST CHURCH
7452 TURNBULL RD
FAYETTEVILLE, NC 28312

STOCKS, VIOLA D;
MELVIN, ANITA
4411 DUDLEY RD
FAYETTEVILLE, NC 28312

ATTACHMENT - APPLICATION



CASE #: ZON-25-0058

PLANNING BOARD
MEETING DATE: 12/16/25

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 \$ 250.00.
(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 A1A
2. Address of Property to be Rezoned: 7552 Turnbull Rd. Fayetteville 28312
3. Location of Property, details: Directly off of Turnbull Rd.
4. Parcel Identification Number (PIN #) of subject property: 04912943 05000
(also known as Tax ID Number or Property Tax ID) 0491-29-4305
5. Acreage: 2.23 Frontage: 400 Depth: 239
6. Water Provider: Well PWC: _____ Other (name): _____
7. Septage Provider: Septic Tank PWC _____
8. Deed Book 12348, Page(s) 0611, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: Residential (1) dwelling
10. Proposed use(s) of the property: Residential (2) dwellings- subdivision
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 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.

Key Legacy Group LLC
NAME OF OWNER(S) (PRINT OR TYPE)

25 Triple B Lane Aotryville NC 28318
ADDRESS OF OWNER(S)

910-303-2411

HOME TELEPHONE #

11
WORK TELEPHONE #

LaVerne Robinson
NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)

418 Samerstown Ave Fayetteville NC 28303
ADDRESS OF AGENT, ATTORNEY, APPLICANT

laverne.robinson.realty@gmail.com
E-MAIL

910-316-8040
HOME TELEPHONE #

910-316-8040
WORK TELEPHONE #

Vicki Zuma
SIGNATURE OF OWNER(S)

LaVerne Robinson
SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

SIGNATURE OF OWNER(S)

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

CUMBERLAND

AFFIDAVIT OF OWNERSHIP/AGENT AUTHORIZATION FORM

PROPERTY OWNER (Company or Individual): Key Legacy Group
MAILING ADDRESS: 25 Triple B Lane Autryville NC 28318
Officer's name and title: Vickie L Ferguson

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: Rezoning)
3. That the undersigned has (have) appointed and does (do) appoint LaVerne Robinson 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 representing 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.

Vickie L Ferguson
Owner's Signature

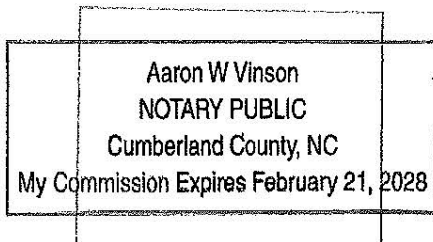
Owner's Signature

Owner's Signature

State of North Carolina

Cumberland County

The foregoing instrument was acknowledged before me by means of ✓ physical presence or _____ online notarization, this 5 day of November (month), 2025 (year), by Vickie L. Ferguson (name of person acknowledging) who is personally known to me or who has produced N.C.D.L. (type of identification) as identification.



Aaron W. Vinson
Signature of Notary Public -- State of North Carolina
Print, Type or Stamp Commissioned Name of Notary Public to the Left of Signature)

FILED	Oct 07, 2025
AT	11:37:45 AM
BOOK	12348
START PAGE	0611
END PAGE	0613
INSTRUMENT #	31523
RECORDING	\$26.00
EXCISE TAX	\$77.00

NORTH CAROLINA GENERAL WARRANTY DEED
R-19526-25

Excise Tax:	\$77.00
Parcel ID:	0491-29-4305
Mail/Box to:	Jennifer Kirby Fincher, PLLC, 324 N. McPherson Church Rd, Fayetteville, NC 28303
Prepared by:	Jennifer Kirby Fincher, PLLC, 324 N. McPherson Church Rd, Fayetteville, NC 28303
Brief description for the index:	Lot 1 (2.23 Ac) Prop of Vernell Melvin and Jurutha Melvin

THIS GENERAL WARRANTY DEED ("Deed") is made on the 30th day of September, 20 25, by and between:

GRANTOR	GRANTEE
Gregory A. Davis, Jr. A/K/A Gregory Davis and wife, Robbin E. Peterson 2631 Hayes Chapel Road Rose Hill, NC 28458	Key Legacy Group LLC Mailing Address: 6520 Pacific Ave Fayetteville, NC 28314 Property address: 7552 Turnbull Road Fayetteville, NC 28312

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 the City of Fayetteville, Cumberland County, North Carolina and more particularly described as follows (the "Property"):

BEING all of Lot 1 (2.23 Acs) of a plat entitled, "Property of Vernell Melvin and wife, Jurutha Melvin", and the same being duly recorded in Plat Book 94, Page 180, Cumberland County Registry, North Carolina.

All or a portion of the Property was acquired by Grantor by instrument recorded in Book 10263 Page 509.

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 Book 94 Page 180.

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

restrictions, easements and rights-of-way of record; ad valorem property taxes for the current year.

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

Gregory A. Davis by Chaunte Peterson
Name: Gregory A. Davis, Jr. by Chaunte Peterson as
Attorney-in-Fact *as Attorney-in-Fact*
Robbin E. Peterson
Name: Robbin E. Peterson

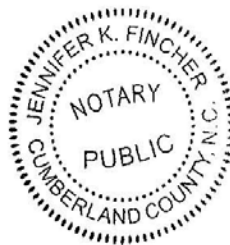
State of North Carolina - County of Cumberland

I, the undersigned Notary Public of the County and State aforesaid, certify that Chaunte Peterson personally appeared before me this day, and being by my duly sworn, says that she executed the foregoing and annexed instrument for and in behalf of the said Gregory A. Davis, Jr. and that her authority to execute and acknowledge said instrument is contained in an instrument recorded concurrently herewith in the office of the Register of Deeds in the County of Cumberland, State of North Carolina, and that this instrument was executed under and by virtue of the authority given by said instrument granting (Him/Her) power of attorney.

I do further certify that the said Chaunte Peterson acknowledged the due execution of the foregoing and annexed instrument for the purposes therein expressed for and in behalf of the Gregory A. Davis, Jr. Witness my hand and Notarial stamp or seal this 30 day of September, 2025.

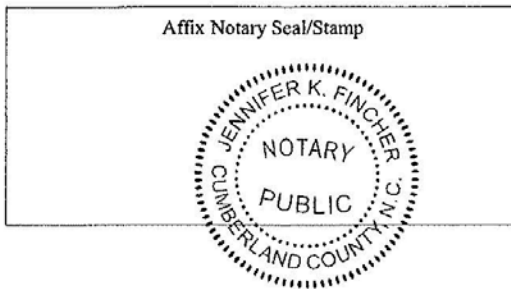
My Commission Expires: 4/17/26
4/17/26

Jennifer K. Fincher
Notary Public



STATE OF NORTH CAROLINA, COUNTY OF CUMBERLAND

I, Jennifer K. Fincher, a Notary of the above state and county, certify that the following person(s) personally appeared before me on the 30 day of September, 2025 each acknowledging to me that he/she/they signed the foregoing document, in the capacity represented and identified therein (if any):
Robbin E. Peterson



Jennifer K. Fincher
Notary Public (Official Signature)
My commission expires: 4/17/26

REQUEST

Subdivision Waiver from Sections 2304.C.3, Upgrading Street Classification and 2304.C.4.c.(4), Class "C" Private Street Specifications

The property owner is requesting two waivers from the following requirements of the County Subdivision Ordinance:

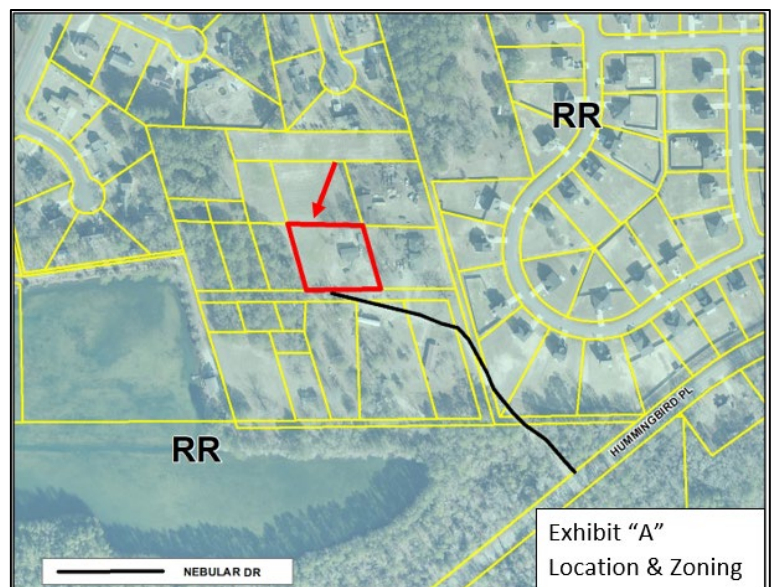
1. Section 2304.C.3, Upgrading Street Classification. This section requires a property owner to upgrade an existing street construction type to a higher construction standard if a proposed subdivision of a lot or lots requires the higher standard. Lot owner desires to split a lot into two lots on a Class "C" type street -- Nebular Drive-- that currently serves eight existing lots. Any additional lots accessing Nebular Drive will trigger reconstruction of the street from a Class "C" private street to a Class "A" street or public street construction standard. Owner requests the Joint Planning Board to approve the lot split without improving Nebular Drive to the higher street standard.
2. Section 2304.C.4.c.(4), Class "C" Private Street Specifications. This section limits the number of lots that may be served by a Class "C" private street to a maximum of four. Owner requests the Joint Planning Board to waive this standard and allow an additional lot on a Class "C" private street that is currently limited to a maximum of four lots by the Subdivision Ordinance.

Exhibits

A. Location & Zoning
B. DEV-0140-25 Proposed Preliminary Subdivision Plan
C. Existing Use
D. Additional Property Information
E. Section 2601 Waivers
F. Section 2304.C Private Streets, Sub. Ord.
Attachment: Deputy Fire Marshal Acceptance Email, Historical Plats Depicting Nebular Dr, Historical Aerial Imagery of Nebular Drive, Subdivision Waiver Application, Notification Mailing List

The requests come from the property owner's desire to subdivide an existing lot, currently occupied by two detached dwelling units, into two lots – one for each home. Comprising approximately 0.98 acres, the current lot is located on a substandard Class "C" private street, Nebular Drive. As eight lots already access Nebular Drive, an additional lot triggers a requirement to upgrade Nebular Dr from a Class "C" type private street with a gravel surface, to a Class "A" paved private street. Location of the subject lot on Nebular Drive is illustrated on Exhibit "A".

Section 2304.C.4.c(4), County Subdivision Ord., mandates a maximum of four lots connecting to a Class "C" private street. Nebular Dr currently has eight lots that rely on that travel way for access. Subdivision of the applicant's lot from one to two lots will increase the number of lots accessing Nebular Dr. from eight to nine. This action would trigger a requirement to upgrade Nebular Dr from a Class "C" road to a Class "A" paved road. Currently, Nebular Dr is a dirt/gravel road with a travel way width ranging from fifteen (15) feet to twenty (20) feet for about 1,050 lineal feet extending from Hummingbird Pl.



As proposed in Exhibit "B" (attached), the lot split likely can be achieved with each new lot meeting minimum required lot size (i.e., 20,000 sq. ft.) and lot width (i.e., 100 ft.) standards for the RR Rural Residential District.

As currently proposed, the proposed subdivision plan shows the new proposed home on Lot 1 encroaching into the western side yard setback line by a few feet. If the property owner cannot correct the side yard infringement at the time of a building permit or tie-down permit, a request for a variance must be approved by the County Board of Adjustment.

Also, no additional traffic impacts to Nebular Dr. will occur from the lot spit as the two homes exist on the lot today.

PROPERTY INFORMATION

Owner/Applicant: Harold McLaurin (Owner); Michael Adams (Agent/Applicant)

Address/Location: 3441 and 3437 Nebular Dr. Refer to Exhibit "A", Location and Zoning Map. REID number: 0467159042000.

Size: 0.98 +/- acres. Road frontage along Nebular Dr is approximately 210 feet linear feet. The property is 210 feet in length at its deepest point.

Property Access: Nebular Dr (Class "C" Private Street) is currently the only means of access to the subject site.

Existing Zoning: The subject property is currently zoned RR Rural Residential District. The minimum lot size for this district is 20,000 square feet. This district is designed 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 healthful environment.

Existing Use: Two residential homes located on the property, as illustrated in Exhibit "C".

Additional Property Information: Refer to Exhibit "D" for other site-related information.



CASE HISTORY

1. On February 21, 2017, the Joint Planning Board approved a Subdivision Waiver (Case # 16-102) for the subject lot to allow a second home as a Group Development. No lot split was proposed by the owner at that time. Minutes for the February 2017 JPB meeting for Case #16-102 are attached.

Prior to that JPB hearing in 2017, the owner of the lot in 2016 applied for a Group Development to allow a second home to be constructed on the same lot. Purpose of the second home was to provide housing for a relative. Due to the substandard travel way, the Group Development application could not proceed until a Subdivision Waiver was granted by the Joint Planning Board.

to waive the requirements for "proper street frontage and street access" on a substandard travel way. After the Subdivision Waiver Case #16-102 was heard and approved by the Joint Planning Board on February 21 2017, a Group Development permit was issued the same day.

2. Due to delays, the owner of the lot was not able to construct the second home prior to expiration of the Group Development permit. A new Group Development application was submitted on June 5, 2023. During the review of this application, the Fire Marshal's office provided comments that Nebular Dr. was of substandard condition and within a state of disrepair. The Fire Marshal's office required that the travel way be improved from its current conditions to satisfy the 2018 NC Fire Code access requirements prior to issuance of a building permit. The applicant and his family were able to improve the conditions of the travel way with gravel and crush-and-run to meet the access requirements established by the Fire Marshal. Because the delays were determined to occur from elements outside of the applicant's control (such as the COVID-19 shutdowns), the previous Group Development permit approval was extended with the applicant proceeding to obtain a Manufactured Home permit to install the second home – a single-wide manufactured home.
3. The owner of the subject property submitted an application to the Current Planning Division for a preliminary subdivision plan in September 18, 2025 (Exhibit "B"), desiring to create a two-lot subdivision for the purposes of creating an additional separate lot for the house occupied by a relative. Because of the Class "C" travel way serving eight lots, a ninth lot would require an upgrade to at least a Class "A" private street state unless a Subdivision Waiver is granted to waive both the street upgrade and limitation of not more than four lots maximum on a Class "C" private street. As County Planning staff does not have the authority to waive the street upgrade requirements or specifications, the property owner filed a subdivision waiver application, attached, pursuant to Section 2601 (Exhibit "E", attached) of the Subdivision Ordinance, to request that the Joint Planning Board grant said subdivision waiver requests.

FINDINGS OF FACT

1. Fact: Sec. 2304.C.4.c., Class "C" private street specifications. Refer to Exhibit "F", attached, for the code language. The proposed subdivision will not follow the design and construction requirements of the current Subdivision Ordinance, including the specification that the drainage system must be certified by an engineer.

Finding: Nebular Dr was never fully platted with an official public or private street designation. Thus, the current driveway would be classified as a substandard Class "C" private street. There are plats for nearby properties recorded in 2013 and 2018, attached, that depict Nebular Dr, but no survey or subdivision plat has been recorded formally establishing Nebular Dr as a road.

2. Fact: Sec. 2304.C.3. Upgrading street classification, refer to Exhibit "F" for the code language, requires that: "If a division of the same or adjacent lands previously approved under this section occurs which could change the status of the street to A, B or public street classifications, the entire street must be upgraded to the applicable higher standard. The individual desiring to create the additional divisions of land shall be responsible for the upgrading of the streets to the higher classification after giving notice to and receiving agreement from the affected property owners."

Applicant proposes to create a two-lot subdivision on Nebular Dr as demonstrated in Exhibit "B" to create two approximately 0.49 acre lots which would necessitate a road upgrade to a Class "A" street due to the total number of lots served by Nebular Dr becoming greater than the four lot maximum allowed for a Class "C" private street and the eight lot maximum for a Class "B" private street with the subdivision.

Finding: Staff found that the current number of properties served by Nebular Dr were created through deed over time. No recorded surveys or subdivision plats have been found for the subject

property or nearby properties that are reliant on Nebular Dr. Residential uses off Nebular Dr have been in place since at least 1968 per historical aerial imagery.

3. Fact: Sec.2304.C.4.a., Class "A" private street specifications. Refer to Exhibit "F" for the code language.

Finding: With the applicants' proposed subdivision, Class "A" private street standards would apply. Nebular Dr would be required to be upgraded from the connection point of Hummingbird Pl to the westernmost property line of Lot 1 on the applicants' preliminary plan. This would also require an owner's association with a recorded street maintenance agreement for the Class "A" private street.

4. Fact: Nebular Dr's dirt travel way has been in use for a significant amount of time by residents of the properties.

Finding: According to historical aerial imagery, attached, the dirt travel way that would become Nebular Dr has existed since at least 1968 with residential structures also appearing on the historical imagery being served by Nebular Dr. The subject property has had a home on it and reliant on Nebular Dr for access to Hummingbird Place since at least 1995.

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.

Burden of proof is placed on the applicant to demonstrate compliance with each of these criteria.

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 and 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 2304.C.3, Upgrading Street Classification
- Subdivision Waiver No. 2: Section 2304.C.4.c.(4), Class "C" Private Street Specifications

Attachments:

Exhibits B, D-F

Deputy Fire Marshal Acceptance Email of Travel Way Improvement

Historical Plats Depicting Nebular Dr

Historical Aerial Imagery of Nebular Drive

Subdivision Waiver Application

Notification Mailing List

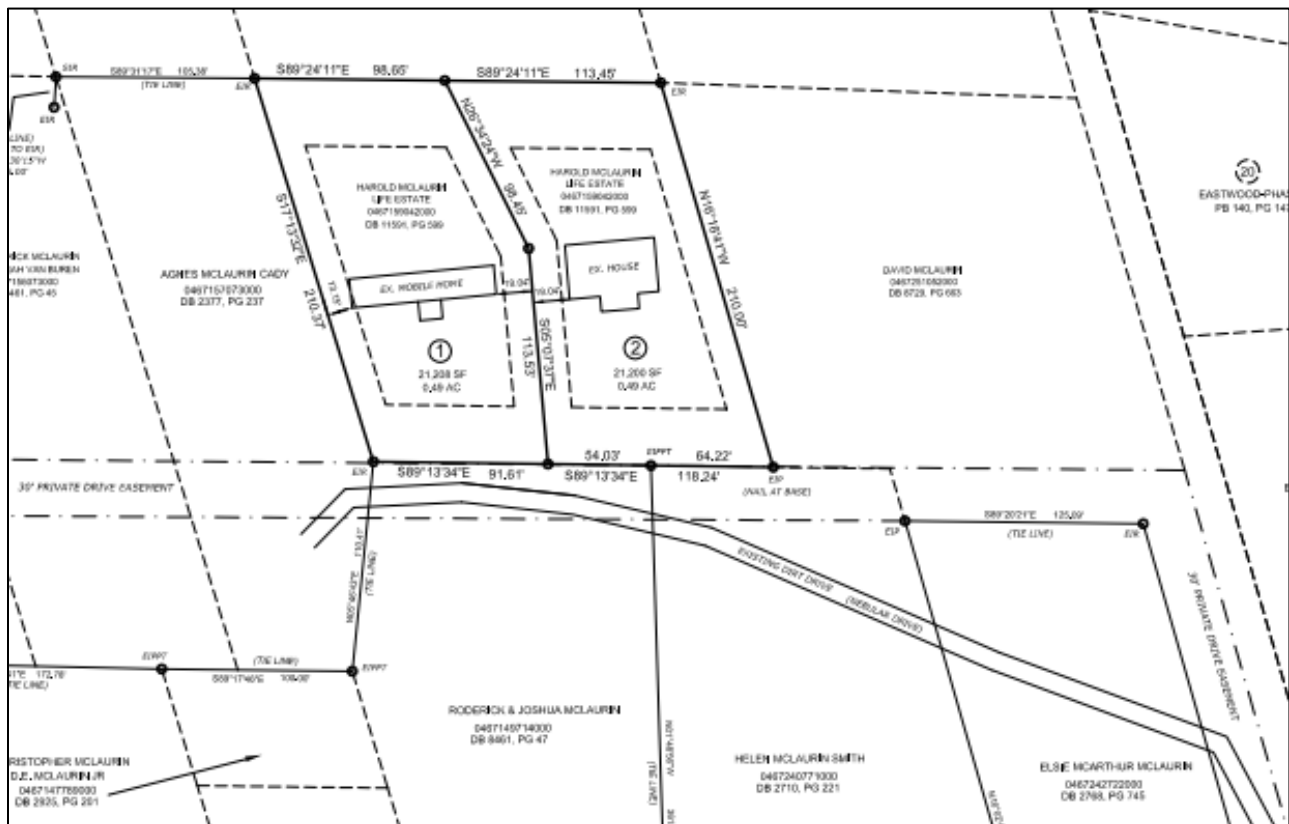
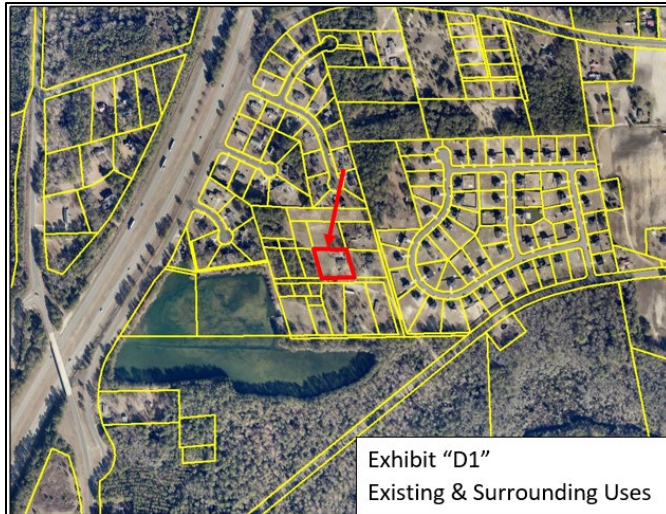
[illegible]

EXHIBIT "D"
Additional Property Information

Existing Land Use: The subject property has two existing manufactured homes.

Surrounding Land Use: Exhibit "D1" illustrates the following:

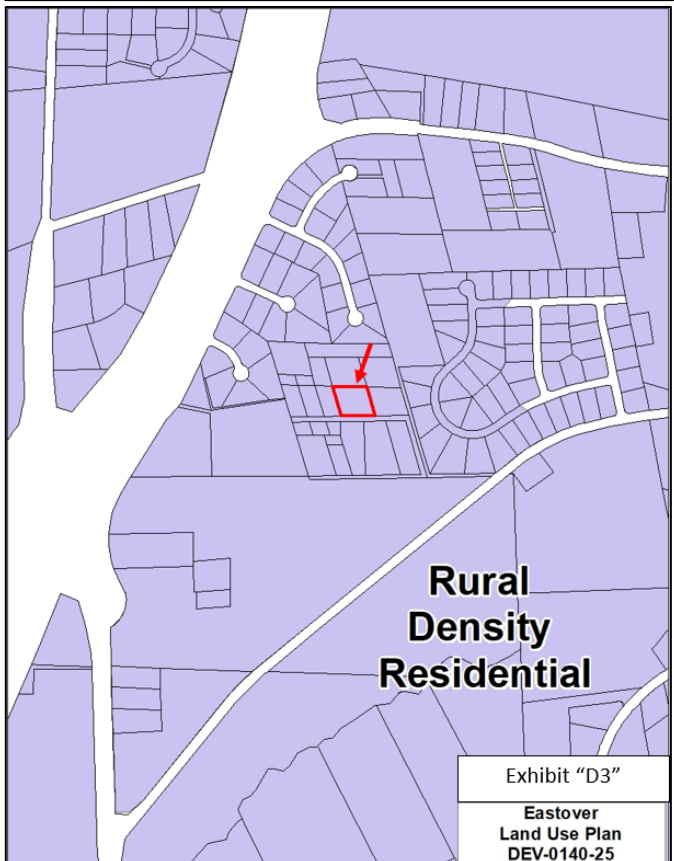
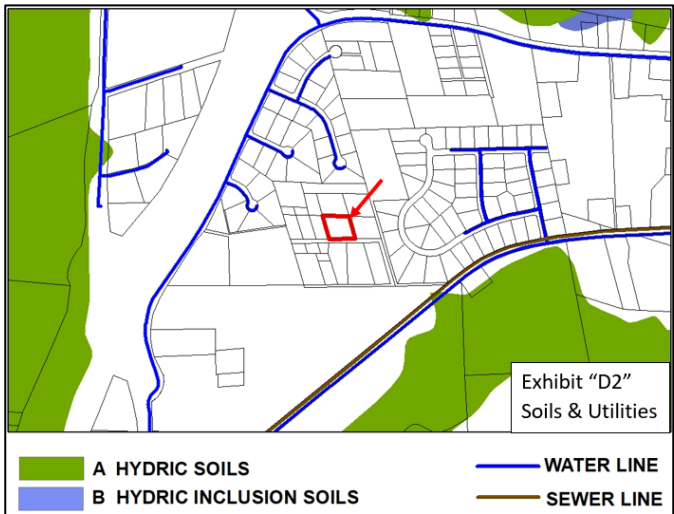


- North:** Single-family homes and undeveloped lots.
East: Single-family homes and Eastwood subdivision.
West: Single-family homes, wooded lands, and a pond.
South: Single-family homes and wooded lands.

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 "D2", also illustrates that no hydric or hydric inclusion soils are present.

Development Review: Subdivision review and approval by the Planning & Inspections Department will be required prior to any division of land.

Comprehensive Plans: Exhibit "D3" illustrates that this property is located in the Eastover Area Land Use Plan (2018). The future land use classification of the property is Rural Density Residential. The associated zoning districts for Rural Density Residential are R20, R20A, RR, R30, R30A, R40, and R40A. The request does not create any inconsistency with the Land Use Plan.



Utilities: Public water and sewer lines are not available to the subject property. The subject property is served by well and septic currently with each manufactured home served by its own well and septic system.

EXHIBIT "E"
SECTION 2601

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*)

EXHIBIT "F"

Section Excerpts from 2304.C Private Streets, County Subdivision Ordinance

Section 2304.C.3, Upgrading Street Classification, Subdivision Ordinance

3. *Upgrading street classification.* If a division of the same or adjacent lands previously approved under this section occurs which could change the status of the street to A, B or public street classifications, the entire street must be upgraded to the applicable higher standard. The individual desiring to create the additional divisions of land shall be responsible for the upgrading of the streets to the higher classification after giving notice to and receiving agreement from the affected property owners.

Section 2304.C.4.c.(4), Class "C" Private Street Specifications, Subdivision Ordinance

c. *Class "C" private street specifications:*

- (1) A minimum passable travel way 20 feet wide shall be provided within a 30-foot easement;
- (2) An adequate drainage system shall be constructed in accordance with the storm drainage plan designed by the registered engineer/surveyor;
- (3) All such private streets must directly connect to a paved state-maintained road or a Class "A" private street;
- (4) May serve a maximum of four lots;
- (5) Group developments as approved under the terms of this ordinance shall be limited to a maximum of two units per lot;
- (6) Property lines shall be included in the street easement;
- (7) Clearing and grubbing will be completed five feet of each edge of the

Section 2304.C.4.a.

a. *Class "A" private street specifications:*

- (1) All street construction, surfacing and drainage standards shall meet or exceed the NCDOT's design specifications for residential streets;
- (2) No area of any lot shall be included in the right-of-way easement;
- (3) Street(s) shall be maintained by an established owners' association, as approved by the County Attorney and supported by recorded legal documentation addressing a street maintenance agreement;
- (4) There is no limit to the number of lots to be served by this street classification;
- (5) Clearing and grubbing shall be completed five feet of each edge of the surfaced travel way; and
- (6) When curb and gutter sections are omitted, 45-foot right-of-way must be provided.

ATTACHMENT: DEPUTY FIRE MARSHAL ACCEPTANCE EMAIL OF TRAVEL WAY IMPROVEMENT

Timothy Doersam

From: Jason Wells
Sent: Friday, August 11, 2023 11:07 AM
To: Timothy Doersam
Subject: DEV-0078-23

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning,

A site visit was completed this morning to inspect improvements to Nebular Dr and road condition and dimensions now meet requirements for fire department access as required in section 503 of the 2018 NC Fire Code. If you have any questions, feel free to contact me.

Thank you,

Jason Wells

Deputy Fire Marshal
Fire Marshal's Office

Cumberland County

O: (910) 321-6737

C: (910) 824-1912

jwells@cumberlandcountync.gov



2018 Eastwood Subdivision Phase Two Plat



04.14.18

**EASTWOOD
SUBDIVISION
PHASE TWO
(ZERO LOT LINE
DEVELOPMENT)**

TAX ID: 046-26-089
HUNTER PLACE
EASTOVER TOWNSHIP
TOWN OF STEADMAN
CUMBERLAND COUNTY
NORTH CAROLINA

ABJ INVESTMENTS

201 Middle Road
Columbia 29112
Phone: (803) 466-2700
Fax: (803) 466-6666

PROJECT INFORMATION

DESIGNED BY:	ABJ
DRAWN BY:	ABJ
PROJECT NUMBER:	101

DRAWING SCALE

HORIZONTAL: 1"=40'

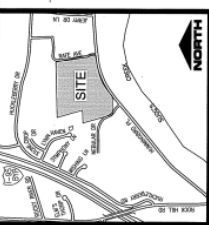
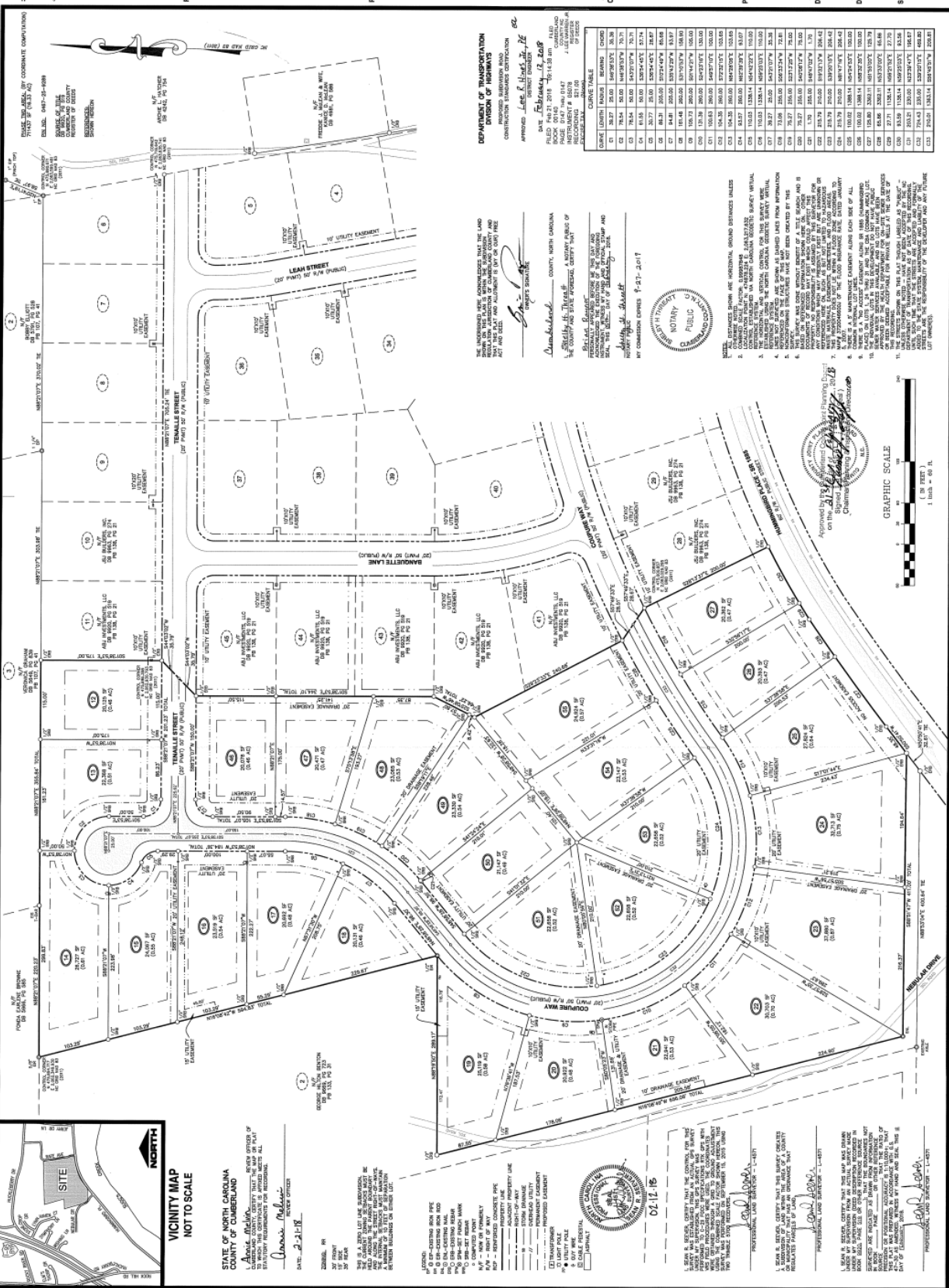
DATE SUBMITTED:

FEBRUARY 1, 2018

SHEET NUMBER

1

OF 1



VICINITY MAP
NOT TO SCALE

STATE OF NORTH CAROLINA
COUNTY OF CUMBERLAND

ABJ INVESTMENTS
201 Middle Road
Columbia, SC 29112
Phone: (803) 466-2700
Fax: (803) 466-6666

DATE: 2-1-18

DESIGNED BY: ABJ

DRAWN BY: ABJ

CHECKED BY: ABJ

APPROVED BY: ABJ

THIS IS A ZERO LOT LINE SUBDIVISION. THE LOTS ARE BOUND BY EASEMENTS TO THE ADJACENT LOTS. THE EASEMENTS ARE SHOWN ON THE PLAT. THE LOTS ARE BOUND BY EASEMENTS TO THE ADJACENT LOTS. THE EASEMENTS ARE SHOWN ON THE PLAT. THE LOTS ARE BOUND BY EASEMENTS TO THE ADJACENT LOTS. THE EASEMENTS ARE SHOWN ON THE PLAT.

LEGEND

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6. 0.00' - 0.00' EASEMENT

7. 0.00' - 0.00' EASEMENT

8. 0.00' - 0.00' EASEMENT

9. 0.00' - 0.00' EASEMENT

10. 0.00' - 0.00' EASEMENT

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DEPARTMENT OF TRANSPORTATION

DIVISION OF HIGHWAYS

CONSTRUCTION SUPERVISOR

APPROVED: [Signature]

DATE: February 1, 2018

PROJECT: 2018 Eastwood Subdivision Phase Two Plat

LOCATION: 201 Middle Road, Columbia, SC 29112

INSTRUMENT: 101

DATE: February 1, 2018

PROJECT: 2018 Eastwood Subdivision Phase Two Plat

LOCATION: 201 Middle Road, Columbia, SC 29112

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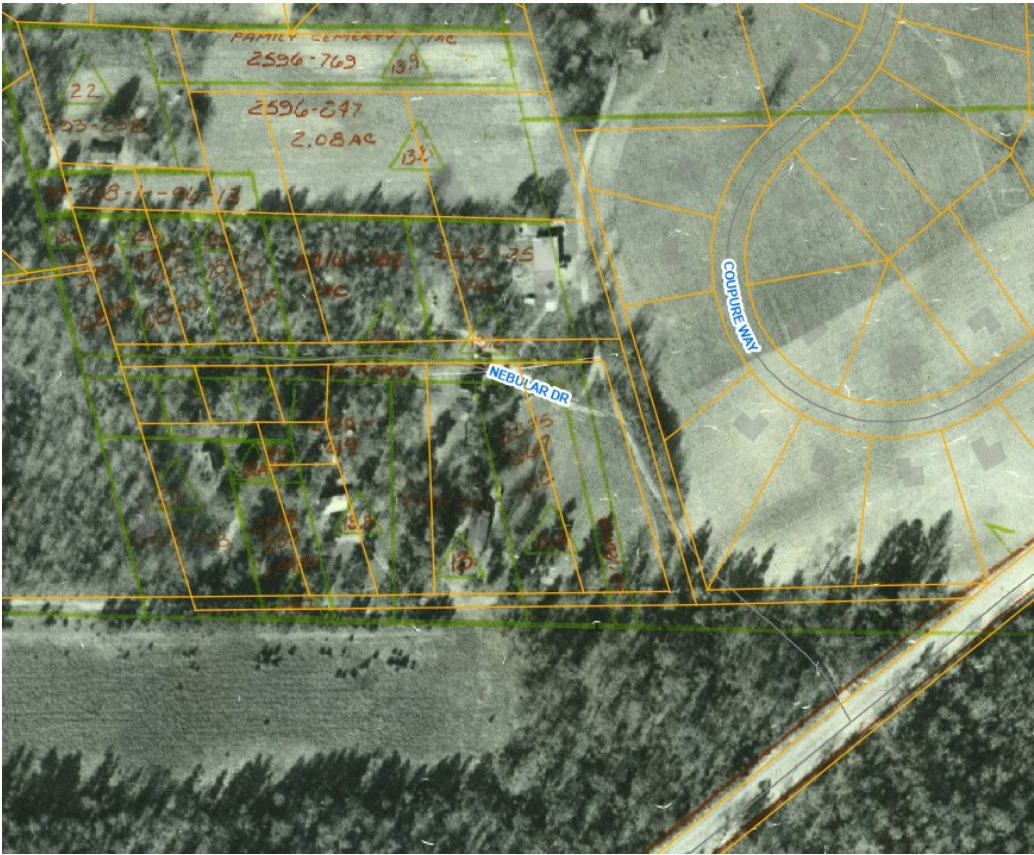
PROJECT: 2018 Eastwood Subdivision Phase Two Plat

LOCATION: 201 Middle Road, Columbia, SC 29112

INSTRUMENT: 101

DATE: February 1, 2018

ATTACHMENT: HISTORICAL AERIAL IMAGERY OF NEBULAR DRIVE
1968



1982



1995



2008



Subdivision Waiver 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: 3441 Nebular Dr
OWNER: Harold F. McLaurin Life Estate
ADDRESS: 3441 Nebular Dr Fay NC ZIP CODE: 28312
TELEPHONE: HOME 910-339-4124 WORK _____
AGENT: MAPS Surveying Inc
ADDRESS: 216 Mason St Fay NC 28301
TELEPHONE: HOME _____ WORK 910-484-6432

APPLICATION FOR A WAIVER [VARIANCE]

As required by the Subdivision Ordinance

- A. Parcel Identification Number (PIN #) of subject property: 0467159042000
(also known as Tax ID Number or Property Tax ID)
- B. Acreage: 1.0 Frontage: 209.86 Depth: 210.00
- C. Water Provider: Well
- D. Septage Provider: Septic
- E. Deed Book 12311, Page(s) 875, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
- F. Existing and/or proposed use of property: Existing - 1 Single Family House
Proposed - Subdivide into 2 lots. New lot to have single family house
- G. Section and provision of the Cumberland County Subdivision Ordinance from which a waiver [variance] is requested:
2304.C.3 - Upgrading street classification
2304.C.4.c.4 - Class C Street Specifications
- H. Nature and extent of hardship involved in strict application of the County Subdivision Ordinance – attach additional sheet if necessary:
Lot is for a family division. Under current standards Nebular Dr would have to be upgraded to a Class A street to allow for further division of lots. Nebular Dr has been in place before the adoption of the current ordinance

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.

Harold McLaurin Magaline m. Lock
Property owner(s)' signature(s)

Harold McLaurin Magaline m. Lock
Property owner(s)' name (print or type)

3441 Nebular Dr Fayetteville NC 28312
Complete mailing address of property owner(s)

(404) 548-7975 910-484-7737
Telephone number Alternative telephone number

Email address FAX number

Cynthia McMillian Cynthia McMillian
mclaurin.77@hotmail.com

Sandra A Williams

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

Michael J. Adams (MAPS Surveying Inc)
Agent, attorney, or applicant (other than property owner) (print or type)

216 Mason St Fayetteville NC 28301
Complete mailing address of agent, attorney, or applicant

910-484-6432 910-257-5766
Telephone number Alternative telephone number

maps@mapssurveying.com N/A
Email address FAX number

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

ATTACHMENT – MAILING LIST

CADY, AGNES MCLAURIN
PO BOX 1157
GRAYSON, GA 30017

MARTIN, AGNES MCL
PO BOX 1157
GRAYSON, GA 30017

MCLAURIN, DAVID E SR
PO BOX 2726
FAYETTEVILLE, NC 28302

MCLAURIN, DAVID EARL
PO BOX 2726
FAYETTEVILLE, NC 28302

MCLAURIN,
ELSIE MCARTHUR
3510 NEBULAR DR
FAYETTEVILLE, NC 28312

MCLAURIN, HAROLD F
LIFE ESTATE
3441 NEBULAR DR
FAYETTEVILLE, NC 28312

MCLAURIN, RODERICK
EUGENE;MCLAURIN,
JOSHUA-EMANUEL EUGENE
31 TORIA DR
LUMBERTON, NC 28358

SMITH, HELEN MCLAURIN
8957 RAYS LANDING RD
AUTRYVILLE, NC 28318

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ATTACHMENT: 2016 JPB MEETING MINUTES

2. No additional access to the site would be allowed from Applegate Drive but would come from the existing commercial site.

There are no other districts considered suitable for this request at this location. The applicant has agreed to all Ordinance Related Conditions.

Mr. McLaurin made both of the motions referenced above, seconded by Ms. Hall, to follow the staff recommendations and approve the rezoning request. The motions passed unanimously.

VIII. PUBLIC HEARING WAIVER CASE

- D. **CASE NO. 16-102.** CONSIDERATION OF THE KENNETH MCLAURIN PROPERTY; GROUP DEVELOPMENT REVIEW; REQUEST FOR A WAIVER FROM THE REQUIREMENT TO HAVE A MINIMUM OF TWENTY FEET OF STREET FRONTAGE AND STREET ACCESS OFF OF EITHER A PUBLIC STREET OR AN APPROVED PRIVATE STREET; COUNTY SUBDIVISION ORDINANCE, SECTIONS 2303.C, STREET FRONTAGE & 2401.D, STREET ACCESS; ZONED: RR; TOTAL ACREAGE: 0.96+/-; LOCATED AT 3437 & 3441 NEBULAR DRIVE; SUBMITTED BY HAROLD F LIFE ESTATE & DEHAROLD D MCLAURIN (OWNER) AND KENNETH MCLAURIN (DEVELOPER).

Acting Chair Wheatley swore in Ms. Speicher and Mr. Thomas Lloyd.

Ms. Speicher presented the case information and photos of the subject property.

Summary of Request

The developer has submitted a request for waivers from the requirements to have a minimum of twenty feet of street frontage and to have direct access to either a public street or an approved private street. The developer wants to be allowed to place a second dwelling unit on the property using a thirty foot wide access easement. The property is a legal but nonconforming parcel created by Deed Bk. 2870, Pg. 53 on May 14, 1982.

Acting Chair Wheatley swore in both speakers.

Magaline Locke spoke in favor. Ms. Locke stated that she passed the subject property down to her son. Her son takes care of her, that's why she needs him close to her so she doesn't have to go into a nursing home.

Earnest McLaurin spoke in favor and stated that he owns the property adjoining the subject property and he plans to put a mobile home on his property too.

Public hearing closed.

Mrs. Epler made a motion, seconded by Dr. Andrews, that the Joint Planning Board for the County of Cumberland, having held a public hearing to consider Case No. 16-102 in which the property owner is requesting a waiver of the ordinance to allow a second dwelling unit on a pre-existing lot that does not have direct road frontage but is served by a minimum 30 foot wide recorded ingress/egress access easement and therefore, to develop the subject property in a manner not permissible under the literal terms of the County Subdivision Ordinance, and having heard all of the evidence and arguments presented, I move as follows:

The Board finds the following facts:

1. This lot was created prior to the Subdivision Ordinance
2. The subject property does not have the required minimum 20 feet of direct road frontage but access is secured by a 30 foot wide access easement recorded in the County Register of

Deeds in the Books and pages as listed in the packet and extending from the subject property to Hummingbird Place, a State maintained, public road ;

3. The subject property is of sufficient size for two dwelling units on property zoned RR Rural Residential, which requires 20,000 square feet of land area per dwelling unit, subject to the draft conditions of approval contained within the Board's packet. and
4. There are at least eight adjoining and nearby properties that are served by the same or similar access easements and depending on the individual lot size may qualify for application for the same type of approval.

Based on the foregoing facts, the Board concludes:

- A. Because of the size and shape of the subject property and the condition or nature of adjoining areas, strict compliance with the provisions of the ordinance would cause a special hardship to the property owner and be inequitable, and
- B. The public purposes of the County's subdivision and zoning ordinances would be served to an equal or greater degree, and
- C. The property owner would not be afforded a special privilege denied to others.

Based on the foregoing conclusions, the Board grants the request for waiver subject to the following conditions which are intended, in so far as practicable, to secure the objectives of the requirements that are waived:

1. This waiver approval is not intended to apply toward any future or additional development; and
2. Conditions of approval, numbered 1 through 15, as included in the board packet material apply.

IX. DISCUSSION

DIRECTOR'S UPDATE

Mr. Lloyd reminded the Board about the next work session in March.

XI. ADJOURNMENT

There being no further business, the meeting adjourned at 7:19 pm.

