



Cumberland County Joint Planning Board

NOVEMBER 13, 2025

MEMORANDUM

TO: Cumberland County Joint Planning Board

FROM: Rawls Howard, Director of Planning & Inspections 

SUBJECT: November 18, 2025 Meeting

The next scheduled meeting of the Cumberland County Joint Planning Board will be held on **Tuesday, November 18, 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 November 18, 2025, meeting.
2. Minutes of the October 21, 2025, meeting.
3. Information on cases ZON-25-0044, ZON-25-0045, ZON-25-0046, ZON-25-0048, and DEV-0132-25.

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



Cumberland County Joint Planning Board

TENTATIVE AGENDA

November 18, 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 OCTOBER 21, 2025
- VI. CHAIRMAN'S WELCOME AND 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).
- 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).

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).
- B. **ZON-25-0045:** Rezoning request from A1 Agricultural District to R30 Residential District or to a more restrictive zoning district for a parcel comprising 1.59 +/- acres; located Southeast of the intersection of Wade Stedman Road and Bonita Farms Road; submitted by Brett Campbell (Agent) on behalf of Sandhills Real Estate Development LLC (Owners/Applicant).

IX. PUBLIC HEARING

- A. **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).

X. ITEMS OF BUSINESS

- A. APPROVAL OF 2026 JOINT PLANNING BOARD APPLICATION SCHEDULE

XI. DISCUSSION

- A. UNC SOG TRAINING MODULES

XII. ADJOURNMENT



Cumberland County Joint Planning Board

MINUTES

October 21, 2025

Members Present	Members Absent	Others Present
Mr. Tom Lloyd	Mr. Mark Williams	Mr. David Moon, Deputy Director
Mr. James Baker, Chair		Mr. Rick Moorefield, County Attorney
Ms. Betty Lynd, Vice Chair		Mrs. Amanda Ozanich, Snr. Admin Prof.
Mr. Stan Crumpler		Mr. Tim Doersam Planner II
Mr. Todd Mobley		Mr. Richard Fagan Planner II
Ms. Jamie McLaughlin		Ms. Vishva Rathod, Planner III
Mr. Charles Jones		
Mr. William Walters		
Mr. Ray Jenkins		

I. INVOCATION AND PLEDGE OF ALLEGIANCE

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

II. ADJUSTMENTS TO / APPROVAL OF AGENDA

Mr. Lloyd asked if there were any adjustments to the agenda. Mr. Moon noted that Case ZON-25-0037 and Case ZON-25-0022 would need to be moved to the contested portion of the agenda. He also noted that the oath of office for Mr. Ray Jenkins needed to be added to the agenda.

Mr. Baker motioned, seconded by Mr. Mobley to approve the agenda with the noted adjustments. Unanimous approval.

After the approval of the agenda, Amanda Ozanich swore in Mr. Ray Jenkins.

III. PUBLIC MEETING WITHDRAWAL/DEFERRALS

There are none.

IV. ABSTENTIONS BY BOARD MEMBERS

There are none.

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

Ms. Lynd made a motion, seconded by Mr. Baker to approve the minutes of August 19, 2025 and September 16, 2025 as submitted by staff. Unanimous approval.

VI. CHAIRMAN'S WELCOME AND RULES OF PROCEDURE

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

VII. PUBLIC MEETING CONSENT ITEMS

REZONING CASES

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

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

In Case ZNG-012-25, Ms. Lynd made a motion, seconded by Mr. Baker, to recommend approval of the initial zoning request to the C2(P) Planned Service and Retail District as it is consistent with the 2013 Southwest Cumberland Land Use Plan. The proposed zoning is a strategic fit with the Town's ongoing and future goals for economic growth and development. It is also appropriate given the existing and anticipated land uses nearby, making the request both reasonable and beneficial to the public. Unanimous approval.

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

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

In Case ZON-25-0034, Ms. Lynd made a motion, seconded by Mr. Baker, to recommend approval of the rezoning request from R40 Residential District to A1 Agricultural District. The request is consistent with the Southeast Cumberland Land Use Plan which calls for "One Acre without Water, ½ Acre with Public Water" at this location. The request is

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

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

In Case ZON-25-0035, Planning and Inspections staff recommends approval of the rezoning request from RR Rural Residential District to A1 Agricultural District. Staff finds that the request is consistent with the North Central Area Land Use Plan which calls for "Rural/Agricultural" and "Open Space" at this location. Staff also finds that the request is reasonable and in the public interest as it is compatible to and in harmony with the surrounding land use activities and zoning.

In Case ZON-25-0035, Ms. Lynd made a motion, seconded by Mr. Baker, to recommend approval of the rezoning request from RR Rural Residential District to A1 Agricultural District. The request is consistent with the North Central Area Land Use Plan which calls for "Rural/Agricultural" and "Open Space" at this location. 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.

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

In Case ZON-25-0036, Planning and Inspections staff recommends approval of the rezoning request from RR Rural Residential District and PND Planned Neighborhood Development District to A1 Agricultural District. Staff finds that the request is consistent with the North Central Area Land Use Plan which calls for "Rural/Agricultural", "Open Space", and "Flex Area" at this location. Staff also finds that the request is reasonable and in the public interest as it is compatible to and in harmony with the surrounding land use activities and zoning.

In Case ZON-25-0036, Ms. Lynd made a motion, seconded by Mr. Baker, to recommend approval of the rezoning request from RR Rural Residential District and PND Planned Neighborhood Development District to A1 Agricultural District. The request is consistent with the North Central Area Land Use Plan which calls for "Rural/Agricultural", "Open Space", and "Flex Area" at this location. 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.

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

In Case ZON-25-0038, Planning and Inspections staff recommends approval of the rezoning request from R6 Residential District to C2(P) Planned Service and Retail District. Staff finds that

the request is consistent with the Southwest Cumberland Land Use Plan which calls for “Mixed Use” at this location. Staff also finds that the request is reasonable and in the public interest as it is compatible to and in harmony with the surrounding land use activities and zoning.

In Case ZON-25-0038, Ms. Lynd made a motion, seconded by Mr. Baker, to recommend approval of the rezoning request from R6 Residential District to C2(P) Planned Service and Retail District. The request is consistent with the Southwest Cumberland Land Use Plan which calls for “Mixed Use” at this location. 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.

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

In Case ZON-25-0039, Planning and Inspections staff recommends approval of the rezoning request from A1 Agricultural District to R40A Residential District. Staff finds that the request is consistent with the Stedman Area Land Use Plan which calls for “Rural Density Residential” at this location. Staff also finds that the request is reasonable and in the public interest as it is compatible to and in harmony with the surrounding land use activities and zoning.

In Case ZON-25-0039, Ms. Lynd made a motion, seconded by Mr. Baker, to recommend approval of the rezoning request from A1 Agricultural District to R40A Residential District. The request is consistent with the Stedman Area Land Use Plan which calls for “Rural Density Residential” at this location. 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.

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

In Case ZON-25-0040, Planning and Inspections staff recommends approval of the rezoning request from C3 Heavy Commercial District to R6 Residential District and find that: 1. Approval is an amendment to the adopted, current Spring Lake Area Land Use Plan and that the Board of Commissioners should not require any additional request or application for amendment to said map for this request. 2. The requested district would be the most appropriate to maintain current use and site conditions and to allow reconstruction of residential structures. 3. Abutting land to the north, east, and south are assigned a residential zoning district and land use plan designation. Staff finds that the request is reasonable and in the public interest as it is compatible to and in harmony with the surrounding land use activities and zoning.

In Case ZON-25-0040, Ms. Lynd made a motion, seconded by Mr. Baker, to recommend approval of the rezoning request from C3 Heavy Commercial District to R6 Residential District and find that: 1. Approval is an amendment to the adopted, current Spring Lake Area Land Use Plan and that the Board of Commissioners should not require any additional request or application for amendment to said map for this request. 2. The requested district would be the most appropriate to maintain current use and site conditions and to allow reconstruction of residential structures. 3. Abutting land to the

north, east, and south are assigned a residential zoning district and land use plan designation. 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.

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

In Case ZON-25-0041, Planning and Inspections staff recommends approval of the rezoning request from A1 Agricultural District to R40A Residential District. Staff finds that the request is consistent with the South-Central Area Land Use Plan which calls for "Farmland" at this location. Staff also finds that the request is reasonable and in the public interest as it is compatible to and in harmony with the surrounding land use activities and zoning.

In Case ZON-25-0041, Ms. Lynd made a motion, seconded by Mr. Baker, to recommend approval of the rezoning request from A1 Agricultural District to R40A Residential District. The request is consistent with the South-Central Area Land Use Plan which calls for "Farmland" at this location. 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.

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

In Case ZON-25-0042, Planning and Inspections staff recommends approval of the rezoning request from R40 Residential District to R40A Residential District. Staff finds that the request is consistent with the Eastover Area Land Use Plan which calls for "Suburban Density Residential" at this location. Staff finds that the request is reasonable and in the public interest as it is compatible to and in harmony with the surrounding land use activities and zoning.

In Case ZON-25-0042, Ms. Lynd made a motion, seconded by Mr. Baker, to recommend approval of the rezoning request from R40 Residential District to R40A Residential District. The request is consistent with the Eastover Area Land Use Plan which calls for "Suburban Density Residential" at this location. 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.

- J. **ZON-25-0043:** Rezoning request from A1A Agricultural District and CD Conservancy District to M1(P)/CZ Planned Light Industrial District Conditional Zoning or to a more restrictive zoning district for 4.62 +/- acres of a 193 +/- acre parcel; located at 8421 Burnett Rd.; submitted by Stephen Cain (Agent) on behalf of David Kemnitz (Owner).

In Case ZON-25-0043, Planning and Inspections staff recommends approval of the rezoning request from A1A Agricultural District and CD Conservancy District to M1(P)/CZ Planned Light Industrial District Conditional Zoning and find that: 1. Approval is an amendment to the adopted, current Northeast Cumberland Land Use Plan and that the Board of Commissioners should not require any additional request or application for amendment to said map for this request. 2. The requested use and zoning district are compatible with the land use plan policies that support

industrial development and employment. 3. Impacts to surrounding areas are minimal as the rezoning site is fully screened by woodlands and will be more than 1,500 feet from the nearest residential use located outside the parent parcel. Staff also finds that the request is reasonable and in the public interest as it is compatible to and in harmony with the surrounding land use activities and zoning.

In Case ZON-25-0043, Ms. Lynd made a motion, seconded by Mr. Baker, to recommend approval of the rezoning request from A1A Agricultural District and CD Conservancy District to M1(P)/CZ Planned Light Industrial District Conditional Zoning and find that: 1. Approval is an amendment to the adopted, current Northeast Cumberland Land Use Plan and that the Board of Commissioners should not require any additional request or application for amendment to said map for this request. 2. The requested use and zoning district are compatible with the land use plan policies that support industrial development and employment. 3. Impacts to surrounding areas are minimal as the rezoning site is fully screened by woodlands and will be more than 1,500 feet from the nearest residential use located outside the parent parcel. The request is reasonable and in the public interest as it is compatible to and in harmony with the surrounding land use activities and zoning. Unanimous approval.

VIII. PUBLIC MEETING CONTESTED ITEMS

REZONING CASES

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

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

Mr. Moon introduced Mr. Fagan, who presented the staff's findings regarding the Conditional rezoning request.

Mr. Fagan explained that the request involves conditional zoning for a proposed multi-family housing development in Spring Lake. The intent is to rezone the subject property to allow for multi-family residential use within the designated Flex Area.

He referenced the Spring Lake Area Land Use Plan, adopted in 2022, which outlines development goals for "Flex Area & Downtown." Specifically, the plan states: "Flex Area 2 includes larger parcels which would benefit from intentional development that brings the highest density and best use to that land and to the Town." Mr. Fagan stated that staff found the rezoning request consistent with the Spring Lake Area Land Use Plan.

“On larger parcels, these sites are suitable for apartment complex development. This is usually due to proximity to existing apartments or to commercial areas. In this way, vertical development can act as a buffer between commercial areas and less dense residential areas.”

“Also suitable in Flex Area 2 is the Central Business Zoning District, light commercial uses, and multi-family housing. If strategically developed, this area can create a transition between the locally important Main Street corridor and the regionally important Bragg Boulevard corridor, drawing in local and regional travelers.”

Mr. Fagan outlined the following key conditions associated with the rezoning request:

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

Ms. McLaughlin acknowledged the quality of the presentation, but noted that it closely resembles a previous proposal presented in 2023 (or possibly 2022), which was denied by both the Planning Board and the Spring Lake Board of Commissioners. She emphasized that the prior denial was based on the proposal's inconsistency with the adopted Land Use Plan and the Main Street Overlay District. Ms. McLaughlin further stated that, in her view, nothing has changed in the current proposal to address those concerns.

Mr. Lloyd and Ms. McLaughlin both expressed a general concern that staff recommendations have recently tended to support rezoning requests, even when there appear to be conflicts with the adopted Land Use Plans.

Mr. Moon clarified that, under North Carolina General Statutes Chapter 160D and the County Zoning Ordinance, an owner or applicant is permitted to reapply for rezoning after a one-year period. Mr. Moon stated that he met with the Town Manager and Town Planner to discuss the rezoning case. He noted that several of the proposed conditions were developed in collaboration with Town staff.

Mr. Moon explained that the site lies within the Main Street Development District, where policies under the Main Street Program encourage office uses on the ground floor, residential uses on upper stories, and the inclusion of on-street parking. To address inconsistencies with these

requirements the applicant, following discussions with the Town Manager, opted to pursue conditional zoning.

One of the key requirements discussed was on-street parking. Mr. Moon reported that coordination occurred with the North Carolina Department of Transportation (NCDOT) and its local district office, as North Main Street is a state-maintained road. NCDOT has proposed a three-lane configuration for future improvements along North Main Street, which would eliminate the possibility of accommodating on-street parking within the right-of-way. As a result, NCDOT did not support an on-street parking proposal at this location.

Mr. Moon concluded by stating that, aside from the issues addressed through the proposed conditions of approval, staff found the site and proposed development to be consistent with the adopted Land Use Plan.

Additional concerns were raised by the Board regarding the proposal's compliance with the Spring Lake Landscaping Ordinance. Specifically, members expressed reservations about the potential for the applicant to make payments in lieu of required plantings, rather than fully meeting the landscaping requirements.

In response, Mr. Moon clarified that the applicant has submitted a Landscape Plan. He explained that the fee-in-lieu option would only be exercised if, during the final site plan review and construction process and , it becomes infeasible to plant all vegetation required under the ordinance. In such cases, the Town Manager may approve a fee-in-lieu at the established rate, with collected funds designated for landscaping and beautification of public spaces within Spring Lake.

Mr. Moon stated there is one speaker in favor of the rezoning case. Mr. Alex Edwards, the applicant developer. He has a power point presentation that will discuss more details to the site development.

Mr. Lloyd requested to go back to the surrounding area and ask what the predominant zoning is. Mr. Moon stated majority of nearby sites have commercial zoning with the southwest corner being currently having single-family Residential homes.

Mr. Lloyd opened public comments.

Mr. Edwards introduced himself and stated that the current proposal is significantly different from the rezoning request submitted in 2023. He clarified that the previous application was for a 74-unit apartment complex and was submitted by a different developer. That earlier proposal did not pursue the highest density option as encouraged by the Land Use Plan.

Mr. Edwards emphasized that the current request aligns more closely with the intent of the Spring Lake Area Land Use Plan, which specifically identifies Flex Area 2 (referenced on page 37) as suitable for the highest-density apartment development. He noted that this proposal was designed with that guidance in mind.

Mr. Edwards noted that the McLean family has owned the subject property since the 1890s, and its historical use has consistently been residential, despite its current commercial zoning designation.

He clarified that while mixed-use development is an option under the Land Use Plan, it requires a minimum of 10 acres to qualify. The subject property totals approximately 9 acres and therefore does not meet the threshold for mixed-use designation.

Mr. Edwards also described the surrounding context, stating that the properties to the north and south are residential, while those to the east and west are commercial.

Regarding site access, Mr. Edwards explained that the North Carolina Department of Transportation (NCDOT) required the emergency entrance to include a control box and be designed as a concentric circle. This configuration is intended to discourage civilian use and ensure the entrance is reserved for emergency access only.

Mr. Lloyd asked if there were any opposition speakers and Mr. Moon state there are none.

Mr. Lloyd closed the public comment.

Ms. Lynd acknowledged that Mr. Edwards is pursuing a development consistent with the current Land Use Plan. However, she expressed concern that the plan itself may contain a flaw, specifically questioning whether this location is appropriate for designation as a Flex Area. She suggested that the area may not be well-suited for the type of high-density development envisioned in the plan.

Ms. McLaughlin provided historical context dating back to the 1980s, noting that mobile homes were removed from the area as part of a broader effort to establish Main Street as a commercial and thriving corridor. She emphasized that these objectives were reaffirmed in the 2022 Spring Lake Area Land Use Plan.

She pointed out that placing commercial uses on the ground floor with residential units above is a common and encouraged pattern in Main Street and downtown development strategies. Ms. McLaughlin reiterated that, in her view, the current proposal remains unchanged from the previously denied application.

While acknowledging the applicant's right to reapply and recognizing that the plan has evolved, she maintained that the underlying premise of the proposal has not. She concluded by stating that she does not believe this is the best use for the site.

In Case ZON-25-0022, Ms. McLaughlin made a motion, seconded by Mr. Baker, to recommend denial of the rezoning request from C(P) Planned Commercial District and C-3 Heavy Commercial District to R-5/CZ Residential District Conditional Zoning. The request is not consistent with the Spring Lake Area Land Use Plan which calls for "Flex Area 2" at this location. The request is not reasonable or in the public interest as the request is not consistent with the downtown Main St. Overlay District. Unanimous approval.

Mr. Crumpler commented that lately staff seems to decide to recommend approval on issues and says that it goes with the land use plan, when in a lot of cases, it doesn't. Adding that we need to address how the County is doing these land use plan meetings or explain better what the things they are saying. He felt the Board is setting new precedent and we are amending the plans by approving these things; even if it would be a good idea, but it seems to go against the land use plan.

Mr. Walters excused himself and left for the rest of the meeting.

- B. **ZON-25-0037:** Rezoning request from A1 Agricultural, RR Rural Residential, PND Planned Neighborhood Development District, and CD Conservancy District to A1 Agricultural District or to a more restrictive zoning district for six parcels comprising 725.88 +/- acres; located north of the Cape Fear River, along the north and south sides of McBride St and Slocomb Rd, and approximately three-quarters of a mile west of Lane Road; submitted by J. Scott Flowers (Agent) on behalf of McCormick Farms Limited Partnership (Owner).

In Case ZON-25-0037, Planning and Inspections staff recommends approval of the rezoning request from RR Rural Residential District, PND Planned Neighborhood Development District, CD Conservancy District, and A1 Agricultural District to A1 Agricultural District. Staff finds that the request is consistent with the North Central Area Land Use Plan which calls for "Rural/Agricultural" and "Open Space" at this location. Staff also finds that the request is reasonable and in the public interest as it is compatible to and in harmony with the surrounding land use activities and zoning.

Mr. Moon introduced Timothy Doersam, Planner II, who presented the case.

Mr. Doersam introduced himself and presented staff findings. He explained that the request involves rezoning six parcels, totaling approximately 725.88 acres, from a variety of existing zoning classifications to A1 zoning.

Mr. Doersam explained that the request does not include any specific development plans or proposed land uses at this time.

Mr. Doersam continued with photos and uses surrounding the parcels with the current uses of the property which include an ATV park already active.

Mr. Doersam concluded by stating that staff recommends approval of the rezoning request. Staff has determined that the request is reasonable and compatible with the existing land use classification, the land use plan, and the surrounding area.

Mr. Lloyd questioned why part of the request includes rezoning from A1 to A1.

Mr. Moon responded that this approach is used to simplify the process for the property owner. By including all parcels, regardless of whether their zoning classification is changing, the owner avoids the need to provide a separate legal description or hire a surveyor to distinguish between parcels. This method allows the entire property to be addressed uniformly in the rezoning request.

Mr. Mobley asked whether an ATV park would be an appropriate use within the A1 zoning district, expressing concern about creating a non-conforming use.

Mr. Doersam confirmed that an ATV park would be considered an acceptable use within the A1 zoning district as outdoor recreation when Mr. Mobley raise a concern about creating a non-conforming use.

Mr. Lloyd opened to public comment.

Mr. Moon introduced Mr. Scott Flowers, who was present to represent the property owner.

Mr. Flowers introduced himself as an attorney with Hutchins Law Firm, representing McCormick Farms, the owners of the property since the 1700s. He stated that the property is currently used for agricultural and agritourism purposes and emphasized that the owners do not sell to developers. Their intent is to preserve and cultivate the land for future generations.

Mr. Flowers expressed agreement with Mr. Doersam's assessment, stating that the rezoning request is consistent with the future land use plan. He noted that the proposed A1 zoning is arguably more aligned with the plan than the current RR zoning, which he believes is not included in the future land use designation. A1, he added, is the first category listed in the plan.

He concluded by stating that the request is reasonable and in harmony with surrounding uses, which are predominantly agricultural, with a few single-family homes, woodlands, and farms in the vicinity.

Mr. Moon introduced Mr. Jamie Alpers, a citizen speaking in opposition to the rezoning request.

Mr. Alpers introduced himself as a nearby resident from 7602 Lane Road. He expressed concern that one of the six parcels included in the rezoning request is the Deep Creek ATV Park, which was granted approval in 2018. He stated that converting this parcel to A1 zoning could potentially allow the ATV park to expand into an additional 500 acres.

Mr. Alpers claimed that the ATV park has a history of excessive noise, operating outside permitted hours, and hosting events with amplified music. He noted that the park includes over 400 campsites, which he believes exceeds what is reasonably acceptable for neighboring residences and disrupts the peaceful enjoyment of surrounding properties.

He also raised concerns about ATV convoys causing wear and tear on local roads and questioned the intent to remove the conservancy status near the Cape Fear River. Mr. Alpers argued that while the applicant claims to preserve the environment and rural character of the land, the rezoning could exacerbate existing issues and diminish the rural nature of the area.

Mr. Lloyd and Ms. Lynd discussed the past case and concluded that they withdrew the request for A1 zoning and went the path of agrotourism with a Bonafide farm exemption. This brought the review to administrative review and the noise condition wouldn't have been added. But condition sheets would have stated that they would have to follow the noise ordinance.

Mr. Moorefield interjected stated zoning wouldn't affect if something is agrotourism or not.

Mr. Lloyd closed public comments as there are no more speakers.

The board questioned if the ATV park was owned by the owner or leased out.

Mr. Moorefield stated that it is his recollection is that the ATV park was owned by different company leasing the land. But the ATV park is a separate issue than what's being requested with

the zoning. It already encompasses areas of RR zoning. Zoning doesn't control where the ATV park is located.

Mr. Mobley stated the rezoning request won't have an effect on the ATV park and the concerns expressed.

In Case ZON-25-0037, Mr. Mobley made a motion, seconded by Ms. McLaughlin, to approve the rezoning request from A1 Agricultural, RR Rural Residential, PND Planned Neighborhood Development, and CD Conservancy District to A1 Agricultural District. The request is consistent with the North Central Area Land Use Plan which calls for "Rural/Agricultural" and "Open Space" at this location. The request is reasonable and in the public interest as it is compatible to and in harmony with the surrounding land use activities and zoning. Unanimous approval.

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

In Case ZON-25-0033, Planning and Inspections staff recommends denial of the rezoning request from A1 Agricultural District to R30A Residential District. Staff finds that the request is not consistent with the North Central Area Land Use Plan which calls for "Commercial" at this location. Staff also finds that the request is not reasonable or in the public interest as it is not compatible to or in harmony with the surrounding land use activities and zoning.

Mr. Moon introduced the case and turned it over to Ms. Vishva Rathod, Planner III, to present staff findings.

Ms. Rathod explained the intent of the request is to develop single-family dwellings on the 3.97-acre parcel. The site is surrounded by commercial, residential, and some industrial uses to the east. She noted that only water lines are available, and the property contains Hydric and Hydric inclusion soils.

Mr. Moon addressed Mr. Crumpler's inquiry, reiterating that staff's recommendation for denial was based on inconsistency with the future land use plan, which designates surrounding areas to the east and west as commercial.

Mr. Crumpler reviewed aerial photos and observed that only one adjacent property is currently commercial.

Ms. Lynd stated the original intent of the land use plan was to establish a commercial corridor along Ramsey Street. She questioned whether the property could be subdivided to increase residential density.

Mr. Moon clarified that under the proposed R30A zoning, the applicant could potentially divide into 5 lots or develop up to 6 units with a group development.

Mr. Mobley asked what is permitted under the current A1 zoning.

Mr. Moon responded that the current zoning allows for 2 units through group development, with a minimum lot size of 2 acres.

Mr. Lloyd opened the floor for public comment.

Mr. Moon introduced Mr. James Brown II, the property owner, as the first speaker in favor of the rezoning.

Mr. Brown presented photos and emphasized that the request is not for multi-family housing. His intent is to build three additional dwellings for family members and possibly one future dwelling, preserving the rural residential character of the area. He cited challenges to commercial development, including topography, wetlands, and a drainage ditch. He also noted the impact of the US 401 widening project, which expands the right-of-way from 100 to 300 feet, further limiting commercial viability.

Mr. Mobley asked how he came to rest on R30A for his request.

Mr. Brown explained that the rear portion of the property is unusable, and R30A would provide sufficient setback flexibility for closely spaced dwellings.

Ms. Lynd suggested R40A as a less dense alternative, which Mr. Moon confirmed would still meet setback requirements for group development.

Mr. Brown stated that R30A was recommended by planning staff during a visit by his son.

Mr. Mobley commented that this case illustrates how existing residential properties can be affected by land use plans.

The board discussed whether Mr. Brown's goals could be met under R40A zoning. Both staff and Mr. Brown agreed that R40A could be a viable and favorable alternative if density is the concern.

Mr. James Brown III spoke in favor of the rezoning, sharing that the change would allow him and his children to relocate closer to family, enabling him to assist with caregiving. He also expressed concerns about economic challenges and the importance of providing for future family generations.

In Case ZON-25-0033, Mr. Mobley made a motion, seconded by Mr. Crumpler, to deny the rezoning request from A1 Agricultural District to R30A Residential District and approve an alternative rezoning to R40A Residential District with a recommendation to amend the Future Land Use Map to the appropriate corresponding land use designation. Unanimous approval.

IX. PUBLIC HEARING ITEMS

WAIVERS

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

Mr. Moon introduced the case, noting that the manufactured home park has been in existence since 1972. He explained that modern manufactured homes are larger than those from that era, and the applicant is requesting three waivers to accommodate additional units.

Mr. Moon clarified that this is a quasi-judicial process, and the Joint Planning Board has the authority to approve, deny, or recommend the request with conditions and noted that the decision must be based on the three waiver criteria outlined in Section 2601 of the ordinance. With that in mind, the board should make recommendations for each waiver separately.

Mr. Fagan introduced himself and presented the three waiver requests submitted by the applicant and outlined the first request from Sec. 2404 §E(a) – Applicant requests a reduction of the spacing requirement between manufactured homes from a minimum of twenty-five feet (25') to allow a minimum of fifteen feet (15').

The second request is from Sec. 2404 §E(c) – Applicant requests a reduction of the minimum setback requirement from twenty-five feet (25') from a public ROW to allow manufactured homes facing Jossie St to be setback a minimum of eight feet (8') from the public ROW and to allow manufactured home spaces facing Jacob Street to have a minimum setback of ten feet (10').

The third request from Sec. 2404 §F – Applicant requests a waiver from the requirement to have direct internal driveway for Space No. 14.

Mr. Fagan stated that according to section 2601 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

Mr. Fagan went on to state that the future land use plan calls for medium density residential and there are no policies that address pre-existing manufactured home parks. Stating the request follows no inconsistencies with the land use plan.

Mr. Fagan shared the proposed site plan and current photographs of the manufactured home park and that it is a permitted use. Key findings from staff include:

When the Manufactured Home Park was established in 1972, the spaces were likely designed for the average manufactured and mobile home size at that time, whereas today the average manufactured homes are typically larger, pursuant to the applicant.

With the average home size larger than they were in 1972, per the applicant the availability of the smaller 12 x 60 homes is scarcer. The applicant indicates that existing manufactured homes on adjacent or neighboring spaces were already encroaching on the 25 ft distance separation requirement from public ROW at the time of purchase of the manufactured home park.

Space #14, as approved in 1972, was approved as a landlocked space with no direct access to the internal drive of the manufactured home park and has remained as such since then. Per

available historical imagery, Space #14 was occupied with a home until 1999 where between that time and 2003 it was removed with no replacement home occupying the space.

Mr. Crumpler asked if we have houses within 15' of the roadway?

Mr. Fegan stated that is correct as this was built before the zoning practices were put in place.

Ms. Lynd posed a question as to if there are concerns that the board should recognize with lot #14.

Mr. Moon stated that there is not enough space for a driveway cut and NC DOT is probably not likely to give him a driveway cut. This may cause that lot to have to park on an internal road which is a private street and walk to the manufactured home.

The board noted that the street doesn't seem to be able to handle parking and emergency vehicles to turn that corner.

Mr. Fagan stated that the private street appears to be 40' wide.

Mr. Mobley also noted that the plot plan is old and is difficult to see what the intent is.

Mr. Moon stated that there was one speaker for the case, Mr. Fernando Orosco.

Mr. Orosco introduced himself as the representative for the property owner and noted that he works for a company specializing in the acquisition, operation, and revitalization of manufactured home communities. He shared that the company manages a portfolio of over 50 communities across 15 states.

Mr. Orosco presented a digital slideshow and offered comments. The company is committed to improving infrastructure within the community, including lighting, roads, and landscaping. They are actively bringing in new homes while maintaining affordability.

He emphasized that the manufactured home park is a long-established community that has served the area for decades. The existing infrastructure is sufficient, and no changes to the overall layout are proposed.

Regarding parking, Mr. Orosco stated that residents have historically parked along the street, which is wide enough to accommodate off-street parking. This practice has been in place for over 40 years.

He addressed Space No. 14, noting that it includes a walkway and sidewalk access, and has adequate space for external parking. Although it lacks direct internal driveway access, it remains functional.

The company's broader commitment includes modernizing infrastructure, improving roads, and providing proactive management. An on-site oversight manager is in place, and local vendors are employed to support operations.

Mr. Orosco clarified that the company does not rent lots but sells them at low cost to promote affordable housing.

Of the 9 vacant lots in the park, two—Spaces No. 14 and No. 60—are currently unusable under the new ordinance. He acknowledged that the limitations on Lot 60 were known at the time of purchase. For the remaining lots, the company is working to comply with setback requirements and that locating 12' x 60' manufactured homes in today's market is increasingly difficult and largely unrealistic.

Mr. Orosco further stated that fencing could be removed to better align the homes on Lot 50 with neighboring properties, provided the setbacks are consistent with adjacent lots. He acknowledged that while some lots may not conform to current standards, similar setback conditions exist elsewhere within the community. Concluding that there are several hardships. Market hardship is homes with 20-foot widths are increasingly scarce and difficult to source in today's market. Economic hardships of smaller homes have lower market value and appeal, which affects the viability of the park and its ability to attract residents with large families and a community hardship is created by limiting the use of available lots reduces opportunities for families and disrupts the established uniformity of the community.

Mr. Orosco noted that the park currently includes 17 larger homes. When the community was originally developed in the 1970s, on-street parking was standard and off-street parking was not part of the design.

He requested that the board consider the existing conditions as “grandfathered” and approve the requested waivers. He concluded by stating that the flexibility provided by the waivers would support continued responsible stewardship of the property and allow for thoughtful modernization while preserving the character of the community.

Ms. Lynd pointed out that they were aware of issues when purchased and the manufactured home park standards were developed to weed issues out like this.

Mr. Moorefield addressed the board and reviewed the three criteria required for approval of a subdivision waiver under Section 2601 of the Cumberland County Subdivision Ordinance. He offered the following legal perspective:

Mr. Moorefield noted that the subject property is not a tract of land proposed for subdivision or new development, it is already developed. He stated that there is no evidence of topographical challenges or unusual physical conditions that would justify a waiver. While the original design accommodated 12' x 60' homes, the applicant now seeks to place homes that are 14' to 18' wide, which presents a dimensional issue. In his opinion, the applicant has not met the first standard.

Mr. Moorefield asserted that the public purposes of the Subdivision Ordinance and the County Zoning Ordinance would not be served to an equal or greater degree by granting the waivers.

Mr. Moorefield cautioned that approving the waivers could be construed as granting a special privilege to the applicant, one that may be denied to others in similar circumstances. He remarked that there are likely numerous mobile home parks in the county that would welcome such flexibility, and setting this precedent could have broader implications.

Mr. Crumpler pointed out that there may be more issues with this park than presented here as he sees no playground park and off-street parking as the ordinance requires at present.

In Case DEV-0120-25, Ms. Lynd made a motion, seconded by Mr. Mobley, to deny the Subdivision Waiver No. 1: Section 2404 §E(3)[A] Waiver Request – Location of Manufactured Home Spaces, Subdivision Waiver No. 2: Section 2404 §E(3)[C] Waiver Request – Location of Manufactured Home Spaces, and Subdivision Waiver No. 3: Section 2404 §F Waiver Request – Street Access as they do not meet any of the three waiver criteria as set forth in the Subdivision Ordinance. Unanimous approval for the denial of the request.

X. ITEMS OF BUSINESS

There are none.

XI. DISCUSSION

There are none.

XII. ADJOURNMENT

There being no further business, the meeting adjourned at 8:36 pm.

REQUEST

Rezoning R10 & RR to R6A

Applicant requests a rezoning from R10 Residential District and RR Rural Residential District to R6A Residential District for 5.11 +/- acres of a parcel comprising 5.43 +/- acres, located at the south end of Morrozoff Dr. This parcel was previously developed and used for an RV park and campground. Abutting the subject parcel to its northwest is an existing manufactured home park also owned by the applicant. Applicant's intent is to expand the existing manufactured home park on to the portion of the subject property currently zoned R10 and RR while leaving the remainder of the property under the current CD Conservancy District.

PROPERTY INFORMATION

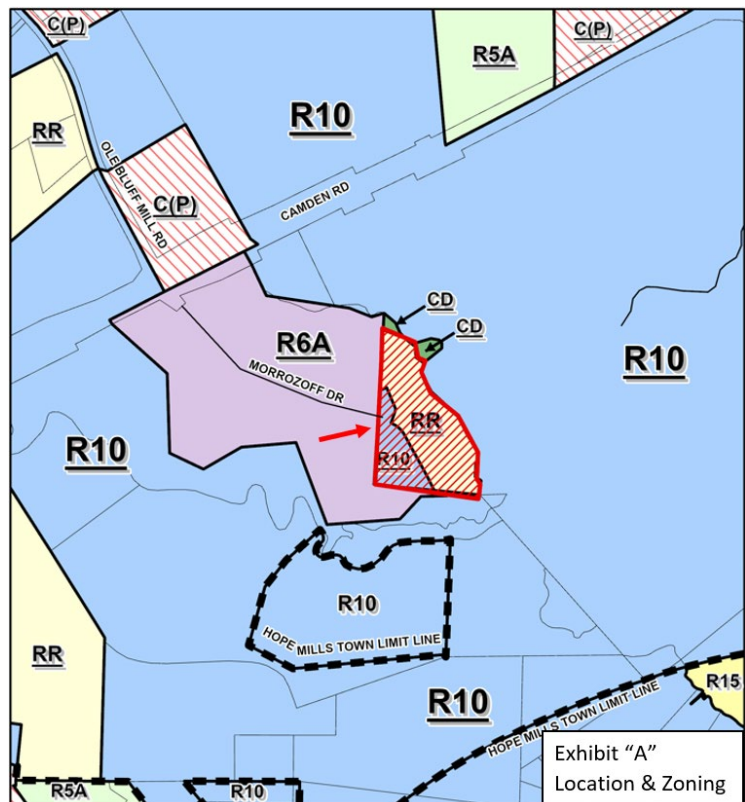
OWNER/APPLICANT: 5100 Morrozoff Drive Property LLC (Owner/Applicant); Jane Yang (Agent).

ADDRESS/LOCATION: Refer to Exhibit "A", Location and Zoning Map. REID number: 0414398791000.

SIZE: 5.11 acres of a parcel containing approximately 5.43 acres. A legal description of the 5.11 acres is provided in the attachments. Road frontage along Morrozoff Dr is 70 +/- feet. The property is approximately 478 +/- feet in length at its deepest point.

EXISTING ZONING: The subject property is currently zoned R10 Residential District and RR Rural Residential District. A description of each zoning district is provided in Exhibit "B".

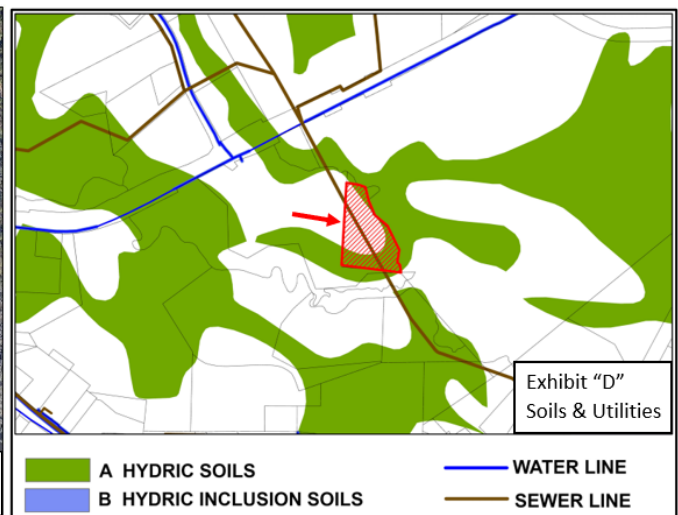
EXISTING LAND USE: The subject parcel is currently vacant, developed lands. Exhibit "C" shows the existing use of the subject property.



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

- **North:** Camden Rd, Lakeside MHP, Buckhead Creek, & Chua Khanh Hy-Lotus Buddhist Temple.
- **East:** Lakeside MHP, Little Rockfish Creek, Hope Mills Lake, wetlands, and wooded lands.
- **West:** Buckhead Creek, Hope Mills Lake, wetlands, and wooded lands.
- **South:** Little Rockfish Creek, Hope Mills Lake, wetlands, and wooded lands.

OTHER SITE CHARACTERISTICS: The site is not located in a Watershed but is entirely located within a Special Flood Hazard Area and the 100-Yr flood zone. The subject property, as delineated in Exhibit "D", illustrates no presence of hydric inclusion soils, but does show hydric soils on the property.

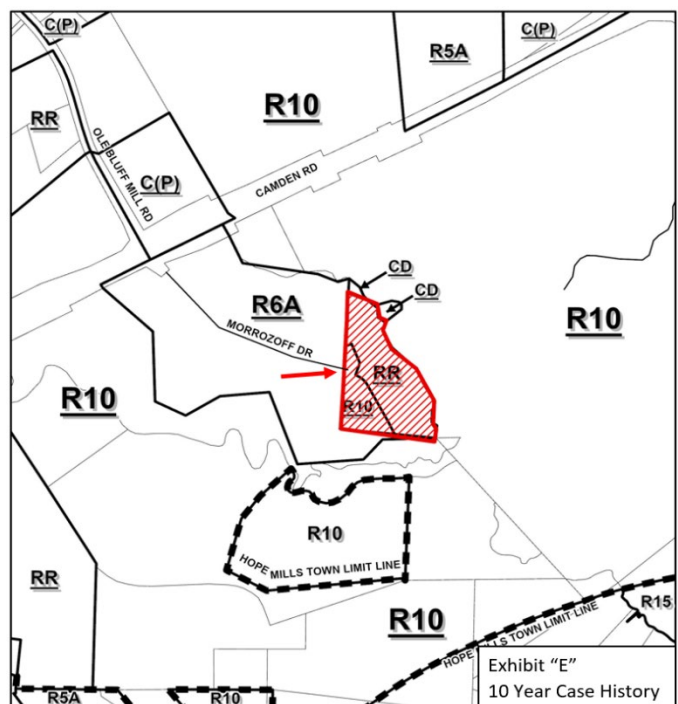


TEN YEAR ZONE CASE HISTORY:

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

DEVELOPMENT REVIEW:

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



DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

Minimum Standard	R10, Converts to R7.5 (Existing Zoning)	RR (Existing Zoning)	R6A (Proposed)
Front Yard Setback	30 feet	30 feet	25 feet
Side Yard Setback	10 feet	15 feet	10 feet
Rear Yard Setback	35 feet	35 feet	15 feet
Lot Area	7,500 sq. ft.	20,000 sq. ft.	6,000 sq. ft (1 st DU)/5,000 sq. ft. (2 nd , 3 rd , & 4 th DUs)/4000 sq. ft. (5 or more DUs)
Lot Width	75 feet	100 feet	60 feet

DEVELOPMENT POTENTIAL*

Existing Zoning (R10, converts to R7.5)	Existing Zoning (RR)	Proposed Zoning (R6A)
8 dwelling units	8 dwelling units	54 dwelling units

(*) Based on 5.11 acres proposed to be rezoned. Lot count may be rounded up when a fraction occurs. When any requirement of this ordinance results in a fraction of a unit, a fraction of one-half or more shall be considered a whole unit, and a fraction of less than one-half shall be disregarded.

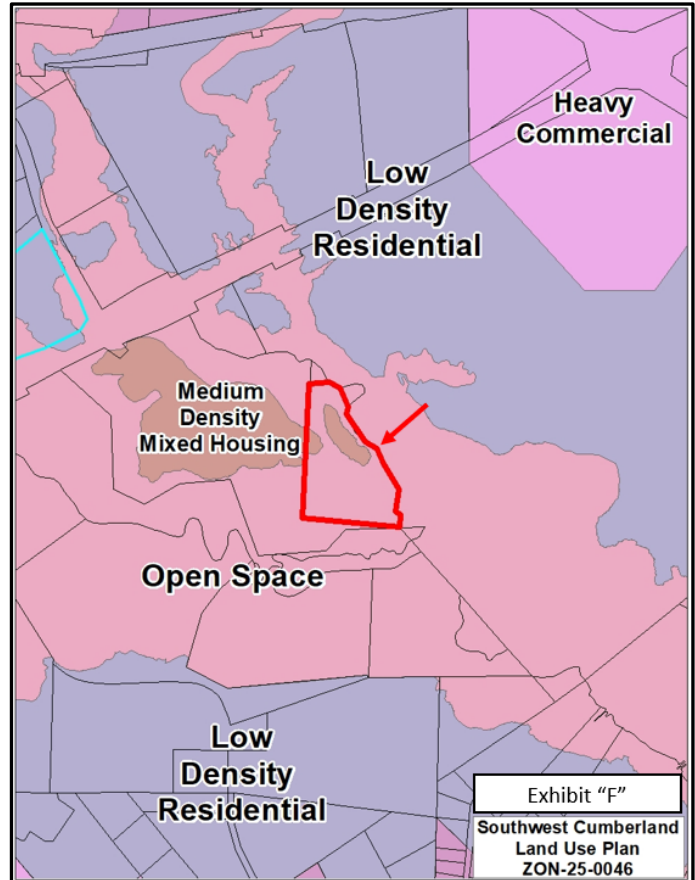
COMPREHENSIVE PLANS:

This property is located in the Southwest Cumberland Land Use Plan (2013), as shown in Exhibit "F". The future land use classification of the property is split between "Open Space" and "Medium Density Mixed Housing". The associated zoning district for Open Space is CD. The associated zoning district for Medium Density Mixed Housing is R6A.

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

Plan Classification Development Goals:

- "Provide a full range of housing types and sites with adequate infrastructure in new and redeveloped neighborhoods throughout the area that is in harmony with the surrounding areas; respects environmentally sensitive areas; and that accommodates the present and future needs of the residents while maintaining the character of the area" (Southwest Cumberland Land Use Plan 2013, p. 135).
- "Encourage the development of a full range of housing opportunities (structure, types, and sites) to accommodate the existing and future needs, desires and capabilities of a diverse citizenry" (Southwest Cumberland Land Use Plan 2013, p. 135).
- "Encourage housing construction measures that are cost effective, innovative, and environmentally sound" (Southwest Cumberland Land Use Plan, p. 136).
- "Protect and Preserve Environmentally Sensitive Areas, Scenic Site and other Natural Resources" (Southwest Cumberland Land Use Plan 2013, p. 157).
- "Encourage techniques of development which preserves the natural contours and natural amenities of a site" (Southwest Cumberland Land Use Plan 2013, p. 139).



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: Water and 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 and sewer are shown on Exhibit "D".

TRANSPORTATION: According to the Fayetteville Area Metropolitan Planning Organization (FAMPO), the subject property is located on Morrozoff Drive and is identified as a local road in the Metropolitan Transportation Plan. There are no roadway construction improvement projects planned, and the subject property will have no significant impact on the Transportation Improvement Program. 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 Morrozoff Dr.

SCHOOLS CAPACITY/ENROLLMENT:

School	Enrollment	Capacity
C Wayne Collier Elementary	496	580
Hope Mills Middle	452	680
South View High	1418	1871

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: N/A

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

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

STAFF RECOMMENDATION

In Case ZON-25-0046, 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.

Attachments:

Notification Mailing List

Application

Deed

Legal Description of the rezoning area

ATTACHMENT – MAILING LIST

5100 MORROZOFF DRIVE PROPERTY
LLC
36 W 44TH ST STE 1411
NEW YORK, NY 10036

GILLIS, MALCOLM R.;MCKETHAN, JUDY GILLIS;GILLIS, JOHN
MCNATT JR;GILLIS, JOSEPH H.;GILLIS, BETTY;SOUTHERN GIN
INVESTMENTS LLC;JIM GILLIS LLC
8700 GALATIA CHURCH RD
FAYETTEVILLE, NC 28304

NC BOTANICAL GARDEN FOUNDATION
INC
102 HENDERSON ST
CHAPEL HILL, NC 27516

NGUYEN, NGON VAN
5113 CAMDEN RD
FAYETTEVILLE, NC 28306

SMITH FAMILY CONSERVANCY
LLC
5301 CAMDEN RD
FAYETTEVILLE, NC 28306

TOWN OF HOPE MILLS
5770 ROCKFISH RD
HOPE MILLS, NC 28348

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 R10/RR to R6A (leaving the CD area as-is. Please see legal description attached)
2. Address of Property to be Rezoned: N/A - refer to PIN number
3. Location of Property, details: located to the East of the parcel located at 3109 Switzerland Dr., bounded to the north by Buckhead Creek and to the east by Hope Mills Lake.
4. Parcel Identification Number (PIN #) of subject property: 0414-39-8791
(also known as Tax ID Number or Property Tax ID)
5. Acreage: 5.43 Frontage: 450 feet (Morrozzoff Dr.) Depth: 570 feet (from Morrozzoff Drive/western parcel line to the SE corner of the parcel)
6. Water Provider: Well: _____ PWC: X Other (name): _____
7. Septage Provider: Septic Tank _____ PWC X
8. Deed Book 12250, Page(s) 0238, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: Manufactured housing
10. Proposed use(s) of the property: Manufactured Housing
11. Do you own any property adjacent to or across the street from this property?
Yes X No _____ If yes, where? The parcel to the west, by which the subject parcel is land locked.
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.

5100 Morozoff Drive Property LLC
NAME OF OWNER(S) (PRINT OR TYPE)

1235 East Blvd, Suite E-5142, Charlotte, NC 28203
ADDRESS OF OWNER(S)

HOME TELEPHONE # _____
WORK TELEPHONE # 212-812-8886

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

1235 East Blvd, Suite E-5142 Charlotte, NC 28203
ADDRESS OF AGENT, ATTORNEY, APPLICANT

jane.yang@coopersquaremhc.com
E-MAIL

HOME TELEPHONE # _____
WORK TELEPHONE # 212-812-8886


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): 5100 Marrozzoff Drive Property LLC

MAILING ADDRESS: 1235 East Blvd, Suite E-5142 Charlotte, NC 28203

Officer's name and title: Jane Yang, Manager

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 Jane Yang 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.

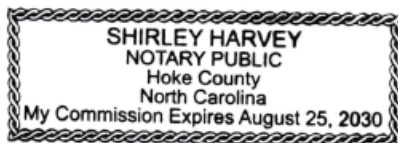
Jane Yang, Manager
Owner's Signature/Print Title

Owner's Signature/Print Title

Owner's Signature/Print Title

State of North Carolina
Cumberland County

The foregoing instrument was acknowledged before me by means of ✓ physical presence or _____ online notarization, this 8th day of October (month), 2025 (year), by Jane Yang (name of person acknowledging) who is personally known to me or who has produced NCDL (type of identification) as identification.



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

ATTACHMENT: DEED

BK 12250 PG 0236

FILED ELECTRONICALLY
CUMBERLAND COUNTY NC
ANDRA S. BREWINGTON

FILED	Jun 02, 2025
AT	03:22:48 PM
BOOK	12250
START PAGE	0236
END PAGE	0239
INSTRUMENT #	16512
RECORDING	\$26.00
EXCISE TAX	\$2,000.00

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax:	\$2,000
Parcel ID:	0414-39-2895 and 0414-39-8791
Mail/Box to:	
Prepared by:	Garris Neil Yarborough, Attorney at Law without title examination
Brief description for the Index:	19.28 ACS W R Johnson Ld and 5.43 AC Blount Ld

THIS GENERAL WARRANTY DEED ("Deed") is made on the 28th day of May, 2025, by and between:

GRANTOR	GRANTEE
OLD BLUFF, LLC, a North Carolina Limited Liability Company	5100 MORROZOFF DRIVE PROPERTY LLC, a North Carolina Limited Liability Company
Mailing Address: 116 Olive Road Fayetteville, NC 28305	Mailing Address: 36 West 44 th Street, Suite 1411 New York, NY 10036

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 or parcel of land in Cross Creek Township, Cumberland County, North Carolina and more particularly described as follows (the "Property"):

See Exhibit "A" attached hereto and incorporated herein by reference.

All or a portion of the Property was acquired by Grantor by instrument recorded in Book 8561, page 621.

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

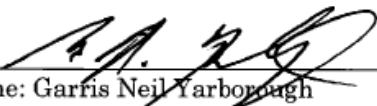
A map showing the Property is recorded in Plat Book _____ page ____.

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:

Easements, Rights of Way and Covenants that appear of record. Taxes for the year 2025 not yet due and payable. Such state of facts as would be disclosed by a survey.

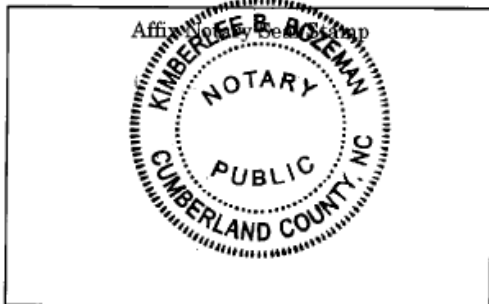
IN WITNESS WHEREOF, Grantor has duly executed this North Carolina General Warranty Deed, if an entity by its duly authorized representative.

OLD BLUFF, LLC

By: 
Name: Garris Neil Yarborough
Title: Member/Manager

STATE OF NORTH CAROLINA, COUNTY OF CUMBERLAND

I Kimberlee B. Boeman, a Notary of the above state and county, certify that the following persons personally appeared before me on the 28th day of May, 2025 acknowledging to me that he signed the foregoing document, in the capacity represented and identified therein (if any): Garris Neil Yarborough, Member/Manager, Old Bluff, LLC.




Notary Public (Official Signature)
My commission expires: 2-28-2029

EXHIBIT "A"

TRACT 1 – PIN#: 0414-39-2895

BEGINNING at an iron pipe on the Southern margin of Camden Road (S.R. 1003) also being the Northwest corner of the tract of land recorded in Deed Book 2785, Page 310, Cumberland County Registry, said iron pipe being the Northeast corner of the tract of which this is apart also being located 50 feet East of the centerline of the Bridge crossing Buckhead Creek and running thence with the Southern margin of said Camden Road South 62 degrees 38 minutes 54 seconds West 684.46 feet to an iron pipe in the Eastern line of the property belonging to Dixie Yarns recorded in Deed Book 272, Page 509, Cumberland County Registry; running thence the following courses and distances with the Eastern line of the Dixie Yarns property: South 48 degrees 30 minutes 51 seconds East 334.13 feet to a concrete monument; thence South 02 degrees 09 minutes 57 seconds East 359.65 feet to a concrete monument; thence South 65 degrees 02 minutes 24 seconds East 168.80 feet to a concrete monument; thence North 59 degrees 31 minutes 03 seconds East 198.06 feet to a concrete monument; thence North 84 degrees 45 minutes 01 seconds East 247.20 feet to a concrete monument; thence South 21 degrees 03 minutes 35 seconds East 396.00 feet to a point; thence North 85 degrees 23 minutes 14 seconds East 330.00 feet to a concrete monument; thence North 42 degrees 27 minutes 22 seconds East 140.21 feet to a concrete monument; thence North 87 degrees 58 minutes 30 seconds East 266.44 feet to an iron pipe, a corner in the line of the Gillis and Newton property recorded in Deed Book 722, Page 180, Cumberland County Registry; thence with the Gillis line North 84 degrees 52 minutes 15 seconds West 480.84 feet to an iron pipe; continuing thence with the diving line of Gillis and the tract of which this is a part, North 03 degrees 00 minutes East 775.00 feet to a point in the center of Buckhead Creek; thence along Buckhead Creek the following courses and distances: South 72 degrees 41 minutes 40' seconds West 58.41 feet; thence North 68 degrees 41 minutes 15 seconds West 107.76 feet to a point; thence North 81 degrees 51 minutes 48 seconds West 379.94 feet to a point; thence leaving Buckhead Creek and in accordance with Boundary Line Agreement recorded in Book 2795, Page 132, Cumberland County Registry North 25 degrees 46 minutes 07 seconds West 201.00 feet to the point of BEGINNING, containing 19.77 acres as surveyed by George L. Lott, Registered Surveyor on April 1985.

AND BEING the remaining portion of tract described in Deed Book 705, Page 2, Cumberland County Registry. And being the same property as shown in Deed Book 3124, Page 611 and Deed Book 8561, Page 621, Cumberland County Registry.

LESS AND EXCEPTING any property interest which may have been acquired by and through a DOT Condemnation as shown on a Consent Judgment recorded March 16, 2011 in Book 8607, Page 264, Cumberland County Registry.

TRACT 2 – PIN #: 0414-39-8791

BEGINNING at an iron pipe in the center line of Buckhead Creek, said iron pipe being a common corner of land formerly owned by Dale Wiles (See Deed Book 3062, Page 584) now

Roy Dean and the land owned by J. McNeill Gillis and M.D. Gillis (see Deed Book 722, Page 680), and running thence with the center of Buckhead Creek as follows: South 50 degrees 24 minutes 06 seconds East 68.18 feet, South 24 degrees 47 minutes 01 seconds East 50.32 feet, South 43 degrees 05 minutes 04 seconds East 35.51 feet, South 67 degrees 03 minutes 14 seconds East 48.67 feet, North 73 degrees 23 minutes 06 seconds East 73.38 feet, South 80 degrees 40 minutes 07 seconds East 37.61 feet, South 40 degrees 41 minutes 11 seconds East 18.86 feet, South 00 degrees 22 minutes 50 seconds West 23.20 feet, South 50 degrees 42 minutes 51 seconds West 105.66 feet, South 11 degrees 41 minutes 57 seconds West 43.86 feet, South 27 degrees 25 minutes 55 seconds East 98.59 feet and South 48 degrees 29 minutes 27 seconds East 153.95 feet to an iron pipe in the edge of Buckhead Creek Swamp; thence with the western edge of the swamp as follows: South 27 degrees 41 minutes 21 seconds East 113.27 feet, South 33 degrees 02 minutes 53 seconds East 85.51 feet, South 13 degrees 17 minutes 13 seconds West 53.95 feet, South 01 degrees 46 minutes 03 seconds West 56.76 feet, South 59 degrees 25 minutes 35 seconds East 29.92 feet, South 03 degrees 42 minutes 03 seconds West 64.77 feet to an iron pipe, a common corner with Roy Dean; thence with Dean's lines as follows: North 84 degrees 51 minutes 59 seconds West 480-92 feet, and North 02 degrees 57 minutes 26 seconds East 775.14 feet to the BEGINNING. Containing 5.43 acres more or less and being a portion of the land conveyed to J. McNeill Gillis and M.D. Gillis as recorded in Deed Book 722, Page 680, Cumberland County Registry;

AND BEING the same property described in the Deed dated May 8, 1986 and recorded in Book 3158, Page 777 and Deed Book 8561, Page 621, Cumberland County Registry.

SUBJECT, HOWEVER, to restrictions and easements of record, including but not limited to those set forth in the Deed dated May 8, 1986 and recorded in Book 3158, Page 777.

LESS AND EXCEPTING any property interest which may have been acquired by and through a DOT Condemnation as shown on a Consent Judgment recorded March 16, 2011 in Book 8607, Page 264, Cumberland County Registry.

ATTACHMENT: LEGAL DESCRIPTION

LEGAL DESCRIPTION

The proposed area to be rezoned is the land described as "TRACT 2" in the Deed recorded in Book 12250 Page 0236, as noted below, excluding the "CD Zoned Area" described below.

TRACT 2 — PIN #: 0414-39-8791

BEGINNING at an iron pipe in the center line of Buckhead Creek, said iron pipe being a common corner of land formerly owned by Dale Wiles (See Deed Book 3062, Page 584) now Roy Dean and the land owned by J. McNeill Gillis and M.D. Gillis (see Deed Book 722, Page 680), and running thence with the center of Buckhead Creek as follows: South 50 degrees 24 minutes 06 seconds East 68.18 feet, South 24 degrees 47 minutes 01 seconds East 50.32 feet, South 43 degrees 05 minutes 04 seconds East 35.51 feet, South 67 degrees 03 minutes 14 seconds East 48.67 feet, North 73 degrees 23 minutes 06 seconds East 73.38 feet, South 80 degrees 40 minutes 07 seconds East 37.61 feet, South 40 degrees 41 minutes 11 seconds East 18.86 feet, South 00 degrees 22 minutes 50 seconds West 23.20 feet, South 50 degrees 42 minutes 51 seconds West 105.66 feet, South 11 degrees 41 minutes 57 seconds West 43.86 feet, South 27 degrees 25 minutes 55 seconds East 98.59 feet and South 48 degrees 29 minutes 27 seconds East 153.95 feet to an iron pipe in the edge of Buckhead Creek Swamp; thence with the western edge of the swamp as follows: South 27 degrees 41 minutes 21 seconds East 113.27 feet, South 33 degrees 02 minutes 53 seconds East 85.51 feet, South 13 degrees 17 minutes 13 seconds West 53.95 feet, South 01 degrees 46 minutes 03 seconds West 56.76 feet, South 59 degrees 25 minutes 35 seconds East 29.92 feet, South 03 degrees 42 minutes 03 seconds West 64.77 feet to an iron pipe, a common corner with Roy Dean; thence with Dean's lines as follows: North 84 degrees 51 minutes 59 seconds West 480.92 feet, and North 02 degrees 57 minutes 26 seconds East 775.14 feet to the BEGINNING. Containing 5.43 acres more or less and being a portion of the land conveyed to J. McNeill Gillis and M.D. Gillis as recorded in Deed Book 722, Page 680, Cumberland County Registry;

AND BEING the same property described in the Deed dated May 8, 1986 and recorded in Book 3158, Page 777 and Deed Book 8561, Page 621, Cumberland County Registry.

SUBJECT, HOWEVER, to restrictions and easements of record, including but not limited to those set forth in the Deed dated May 8, 1986 and recorded in Book 3158, Page 777.

LESS AND EXCEPTING any property interest which may have been acquired by and through a DOT Condemnation as shown on a Consent Judgment recorded March 16, 2011 in Book 8607, Page 264, Cumberland County Registry.

CD ZONED AREA:

The following described portion of land, being zoned as "CD", lies on the southern side of Camden Road (SR 1003) in the Rockfish Township of Cumberland County and being the deed duly recorded in Deed Book 12250, Page 236, known as Tract 2, of the Cumberland County, North Carolina Registry, and is more fully described as follows:

COMMENCING at a 1 1/2" existing iron pipe, said iron pipe being the southwestern most corner of the 5100 Morrozoff Drive Property LLC parcel, known as Tract 2, as recorded in Deed Book 12250, Page 236 of the Cumberland County Registry; thence with the western line of said parcel N03°07'51"E 699.90 feet to the POINT OF BEGINNING; thence continuing with said line N03°07'51"E 75.24 feet to a point; said point being a southern corner of the John McNatt Gillis, Jr. parcel, known as parcel sixteen, as recorded in Deed Book 10814, Page 559 of the Cumberland County Registry; thence with Buckhead Creek as the southern line of said parcel the following nine calls: S50°13'00"E 68.19 feet to point; S24°36'36"E 50.32 feet to point; thence S42°54'39"E 35.51 feet to point; thence S66°52'49"E 48.67 feet to point; thence N73°33'31"E 73.38 feet to point; thence S80°29'42"E 37.61 feet to point; thence S40°30'46"E 18.86 feet to point; thence S00°33'15"W 23.20 feet to point; thence S50°53'16"W 105.66 feet to point; thence leaving said line an running with an existing zoning line the following five calls: N54°57'41"W 42.15 feet to a point; thence N05°20'24"W 50.07 feet to point; thence N51°10'20"W 55.33 feet to a point; thence N68°41'32"W 49.46 feet to a point; thence N68°08'12"W 59.87 feet to the POINT OF BEGINNING containing 13,841 square feet (0.32 acres) more or less.

EXHIBIT "B"

ZONING DISTRICT DESCRIPTIONS

The R10 Residential District is a dormant zoning district and converts to the current R7.5 Residential District. This district is designed primarily for single-family dwellings on lots with a lot area of 7,500 square feet or above.

The RR Rural Residential 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.



PLANNING & INSPECTIONS

PLANNING STAFF REPORT

ZONING CASE # ZON-25-0048

Planning Board Meeting: November 18, 2025

Jurisdiction: Cumberland County

EXPLANATION OF THE REQUEST

Text Amendment

This request is a staff-driven text amendment to the Cumberland County Zoning Ordinance to amend the standards to address how successive rezoning applications may be filed after final decision has been made by the Board of County Commissioners. These standards are found in Section 1505 of the County Zoning Ordinance.

Currently, the County Zoning Ordinance requires a one-year waiting period after public notice has been given for the resubmission of another rezoning application for the same, or any portion of a given parcel.

In October of 2025, the NC General Assembly passed H926 - REGULATORY REFORM ACT OF 2025 which amends NCGS 160D-601 and adds a new subsection as follows:

PROHIBIT WAITING PERIODS FOR REILING OF DEVELOPMENT APPLICATIONS

SECTION 11. G.S. 160D-601 is amended by adding a new subsection to read:

"(e) Withdrawn or Denied Applications. – A development regulation or unified development ordinance may not include waiting periods prohibiting a landowner, developer, or applicant from refileing a denied or withdrawn application for a zoning map amendment, text amendment, development application, or request for development approval."

The proposed text amendment to Section 1505 of the County Zoning Ordinance would allow subsequent reapplications of rezoning petitions to be filed and would waive the former one-year waiting requirement. The proposed amendment would bring the County Zoning regulations into conformance with current State law.

STAFF RECOMMENDATION

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.

Attachment:
Proposed Text Amendment

ZON-25-0048: Text Amendment to the County Zoning Ordinance to Allow for Resubmission of Rezoning Applications

Proposed Amendment:

SECTION 1505. PETITIONS FOR AMENDMENT ~~S LIMITED:~~ REAPPLICATIONS ~~LIMITED.~~

After the initial zoning process in a zoning area, an initial application or petition to amend this ordinance ~~so as~~ to reclassify any property in that area as a zoning map amendment may be submitted at any time. Any such application or petition which is denied by the Board of Commissioners or withdrawn by the applicant may also be refiled any time after the application or petition is denied or withdrawn. ~~After the first such petition has been submitted, regardless of the outcome thereof, no subsequent petition by the same or other persons, to reclassify the same property or any portion thereof, whether in conjunction with other property or not, shall be considered earlier than one full calendar year after the date of the last public hearing before the Board of Commissioners on the most recent prior application to reclassify such property or portion thereof. A petition to amend this ordinance so as to reclassify property may be withdrawn without establishing a new one year time limit only by a written instrument submitted to the Director of Planning and Inspections prior to the first official notification to the public concerning the petition. If the instrument withdrawing a petition to reclassify property is received after such first notification of the public, the withdrawal shall be effective, but a subsequent petition to reclassify the same property or part thereof, as set forth above, shall not be considered earlier than one full calendar year after the date of the receipt of the withdrawal instrument. The foregoing time limits on petitions to reclassify property shall not apply to amendments of any nature initiated by the Planning Board or Board of County Commissioners.~~

REQUEST

Rezoning R6A to O&I(P)

Applicant requests a rezoning from R6A Residential District to O&I(P) Planned Office and Institutional District for approximately 5.00 acres on one parcel located approximately 2,500 feet west of Twin Falls Rd. The parcel is currently undeveloped. The intent of the property owner is to develop an administrative and professional office space headquarters with integrated systems-integration labs, training classrooms, and secure testing areas. Additional information regarding the proposed business, as submitted by the applicant, appears in the attachments. This parcel is bordered on the north, east and south by land within the Ft. Bragg Military Reservation as well as by the boundary line for the Town of Spring Lake.

PROPERTY INFORMATION

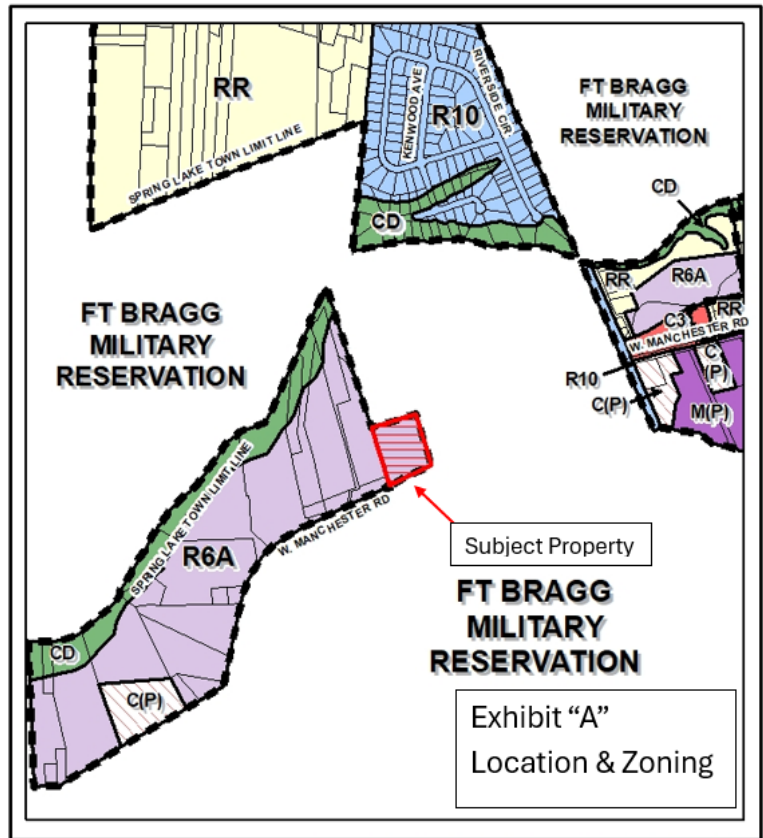
OWNER/APPLICANT: C3A Unlimited, LLC
(Owner); Daniel Morgan (Agent)

ADDRESS/LOCATION: Refer to Exhibit "A",
Location and Zoning Map. REID number:
9592625717000

SIZE: The parcel contains approximately 5.00
acres. Road frontage along W Manchester is
approximately 425 feet. The property is
approximately 550 feet in length at its
deepest point.

EXISTING ZONING: The subject property is
currently zoned R6A Residential District. R6A
Residential District is a district designed for a
mix of single- and multi-family dwellings
including the use of manufactured homes on
individual lots and in manufactured home
parks.

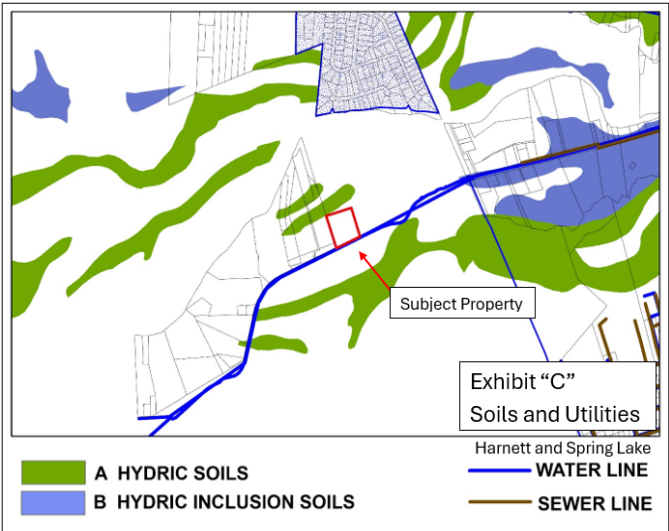
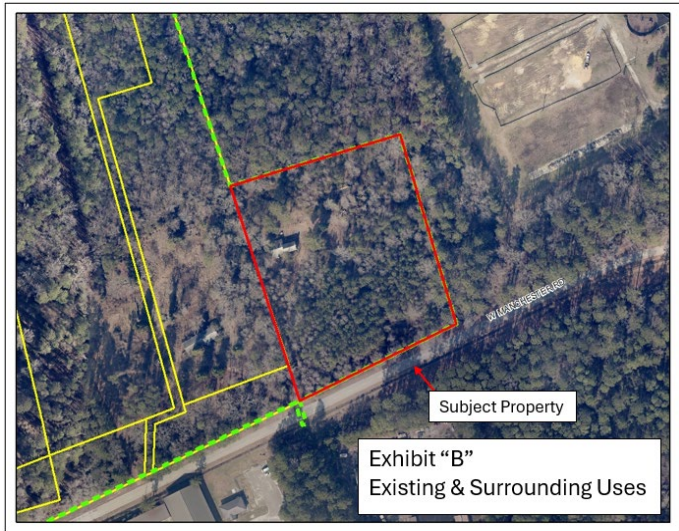
EXISTING LAND USE: The subject parcel is
currently vacant with an unapproved home
located on site. Exhibit "B" shows the existing
use of the subject property.



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

- **North:** Wooded lands and Fort Bragg Military Reservation
- **East:** Wooded lands and Fort Bragg Military Reservation
- **West:** Wooded lands and Manufactured Home Park
- **South:** Wooded lands and Fort Bragg Military Reservation

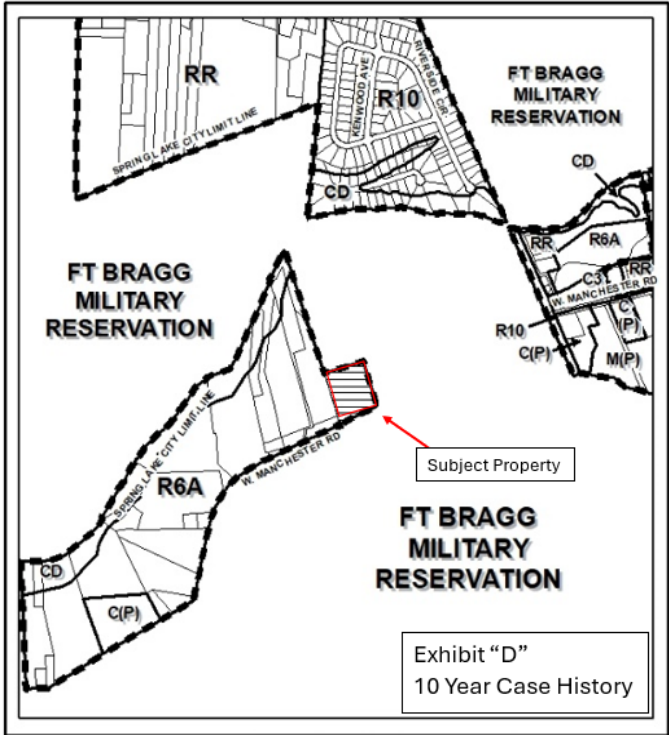
OTHER SITE CHARACTERISTICS: The site is not located in a Watershed or within a Flood Zone Hazard Area. The subject property, as delineated in Exhibit “C”, illustrates no presence of hydric or hydric inclusion soils at the property. The property has the presence of both Harnett County and Spring Lake Water Lines fronting the property.



TEN YEAR ZONE CASE HISTORY:

Exhibit “D” denotes the location of the zoning case showing no previous cases in the area.

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



DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

Minimum Standard	R6A (Existing Zoning)	O&I (P) (Proposed)
Front Yard Setback	25 feet	35 feet
Side Yard Setback	10 feet	15 feet
Rear Yard Setback	15 feet	20 feet
Lot Area	6,000 sq. ft.	N/A
Lot Width	60'	N/A

Development Potential:

Existing Zoning (R6A)	Proposed Zoning O&I (P)
53 dwelling units	0 dwelling units

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

COMPREHENSIVE PLANS:

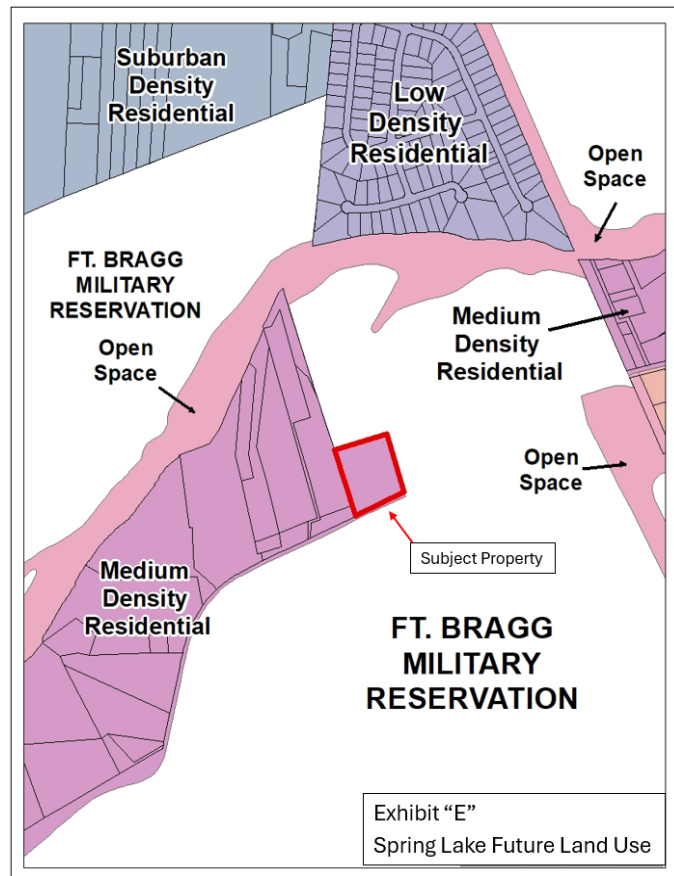
This property is located in the Spring Lake Area Land Use Plan (2022). The future land use classification of the property is "Medium Density Residential". The associated zoning districts for Medium Density Residential are R6, R6A, and R5A.

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

NOTE: The future land use classification of the property is Medium Density Residential. However, Office & Institutional uses may be compatible with the existing nearby residential development and Fort Bragg property and activities with the provision of sufficient buffering and other nuisance mitigation efforts. If the request is approved, a map amendment to Office & Institutional will be required.

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

- "[Other suitable locations for Office and Institutional include] fringe areas between residential and commercial areas, because of low nuisance level and typically reversed parking schedule of residential areas. The specific O&I use may be required to determine compatibility with surround area uses" (Spring Lake Area Land Use Plan 2022, p. 56).
- "Foster local entrepreneurship and small businesses" (Spring Lake Area Land Use Plan 2022, p. 15).
- "Take advantage of local technical training programs to promote workforce development" (Spring Lake Area Land Use Plan 2022, p. 15).



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: Water Lines are available along Artillery Trail at the front of the subject property. Sewer lines are not located near the subject property. It is the applicant's responsibility to determine if this utility provider will serve their development. Utilities for water and sewer are shown on Exhibit "C". Septic will likely be required.

TRAFFIC: According to the NCDOT Functional Street Classification System, W Manchester Rd is classified as a "Local Bi-directional Street". According to the Fayetteville Area Metropolitan Planning Organization (FAMPO), the subject property sits on W. Manchester Street 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, W. Manchester Street has a 2021 AADT of 10,500 and a road capacity of 11,400. 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 W. Manchester Street. Let me know if you have any questions.

SCHOOLS CAPACITY/ENROLLMENT:

School	Capacity	Enrollment
Manchester Elementary	386	273
Spring Lake Middle	664	497
Pine Forest High	1,712	1,546

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

EMERGENCY SERVICES: Cumberland County Fire Marshal's office has reviewed the request and has provided the comments below. Ensure all fire department access requirements are met in accordance with section 503 of the 2018 NC fire code. Ensure fire protection water supply requirements are met in accordance with Section 507 of the 2018 NC Fire Code. A commercial building permit will be required for new construction and/or building renovation. If it is intended for the existing structure(s) to be used, a commercial building permit for change of occupancy will be required.

RLUAC: RLUAC has concerns regarding the business use proposed by the applicant, which involves conducting test flights and demonstrations of small, unmanned aircraft systems (SUAS) and to test communications and antenna equipment on the site, which is located in close proximity to the perimeter of Pope Airfield. RLUAC notes that SUAS (Small Unmanned Aircraft Systems) operations, antenna installation, and associated electromagnetic emissions have the potential to interfere with military flight operations and communications. RLUAC has requested that the JPB members recommend denial of the rezoning request based on these findings. A map provided in the attachments illustrates the proximity of the subject property to the main runway at Pope Airfield, which is approximately 2,800 linear feet.

SPECIAL DISTRICTS/ OVERLAY DISTRICTS:

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

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

STAFF RECOMMENDATION

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.

Attachments:
 Email Correspondence from Applicant
 RLUAC Letter of Recommendation
 Proximity Map
 Notification Mailing List
 Application & Deed

ATTACHMENT: EMAIL CORRESPONDANCE FROM APPLICANT

From: Nick Trusty <ntrusty@c3asolutions.com>
Sent: Wednesday, September 17, 2025 1:31 PM
To: Timothy Doersam <tdoersam@cumberlandcountync.gov>; Daniel Morgan <dmorgan@c3asolutions.com>
Subject: Re: Information for September 26, 2025 Meeting

CAUTION: This email originated from outside of the County. Do not open attachments, click on links, or reply unless you trust the sender or are expecting it.

Mr. Doersam,

I hope this message finds you well.

On behalf of **C3A Solutions LLC**, I am providing a summary of our proposed project as part of the pre-application process to request rezoning of a parcel in Spring Lake, Cumberland County, NC (PIN 9592-62-5717) from **R6A to Office & Institutional (O&I) (if this is the best fit for our intended purpose)**. We are seeking to build our new company headquarters on this approximately 5-acre parcel.

About C3A Solutions LLC

C3A Solutions is a Veteran Owned Small Business headquartered in the Fort Bragg / Spring Lake area. We provide specialized services to government and commercial clients in:

- Fire Support Command & Control (FSC2)
- Mounted Mission Command—Software (MMC-S)
- Tactical radio support and integration (ITN and legacy radios)
- Digital Sustainment Training (DST)
- Digital integration of command-and-control systems (AFATDS, radars, mortars, artillery, HIMARS integration)
- Independent Verification & Validation (IV&V)

Our work focuses on systems integration, training, sustainment, and limited field testing rather than heavy manufacturing.

Proposed Uses and Activities

We intend to develop a headquarters building with:

- Administrative and professional office space
- Systems-integration labs and test bays for communications and C2 equipment
- Training classrooms for government and industry partner courses
- Secure staging areas and limited outdoor test zones for antenna and communications link testing
- Controlled testing and demonstration flights of small unmanned aircraft systems (sUAS)

We do **not** plan any heavy industrial activity, bulk hazardous material storage, or high-noise operations.

Operations, Traffic, and Mitigation Measures

- Standard hours: Monday–Friday, 7:00 AM–6:00 PM (occasional after-hours training by appointment)
 - Typical staffing: professional and technical personnel, with gradual growth
 - Traffic: standard office-style employee and vendor traffic; no heavy truck operations
 - UAS testing: strictly limited, FAA-compliant, visual line-of-sight, and within business hours
 - Communications testing: low-power, FCC-compliant.
 - Proposed mitigation: vegetative buffers, noise controls, shielded lighting, and stormwater management per County/State requirements
-

ATTACHMENT: RLUAC LETTER OF RECOMMENDATION



Fort Bragg Regional Land Use Advisory Commission

CUMBERLAND COUNTY COURTESY REVIEW

Project: ZON-25-044

Location: West Manchester Road

PIN#: 9592-62-5717

October 28, 2025

The RLUAC Land Use Committee has reviewed the application for the above-referenced case in consultation with Fort Bragg Garrison staff. Based on the information submitted by the applicant and transmitted to RLUAC by Cumberland County regarding the nature of the operations proposed for the site, RLUAC is opposed to the rezoning petition, as submitted. We respectfully request that the Joint Planning Board recommend denial of the petition.

Our opposition to the petition and request for a recommendation of denial by the Joint Planning Board is based on the information submitted by the applicant regarding plans for their use of the site for activities including test flights / demonstrations of sUAS (Small Unmanned Aircraft Systems) and the testing of various communications equipment / antennae in close proximity (immediately adjacent) to Pope Field. This area is subject to a National Security Flight Restriction for UAS pursuant to 14 CFR Section 99.7, it is within the Pope Field Class C controlled airspace, and it is within the 14 CFR Part 77 imaginary surfaces for Pope Field. Therefore, UAS flight operations, the erection of antennae, and testing of related communications equipment with associated electromagnetic emissions, all have the potential, and likelihood, to interfere with military aircraft operations and communications occurring on and around the installation.

While RLUAC's findings and recommendations are non-binding on Cumberland County, their consideration and incorporation into your review of this case will help to improve compatibility outcomes for our region as a whole by protecting Fort Bragg's military training and operational missions.

Thank you for providing the opportunity for RLUAC to review this case.

Hon. Kia Anthony, Chairwoman
Fort Bragg Regional Land Use Advisory Commission

Vagn K. Hansen II, AICP, Executive Director
Fort Bragg Regional Land Use Advisory Commission

ATTACHMENT: PROXIMITY TO FORT BRAGG/POPE AIRFIELD



ATTACHMENT – MAILING LIST

1

SPRING LAKE PROPERTY ACQUISITIONS INC
P O BOX 617
SPRING LAKE, NC 28390

C3A UNLIMITED LLC
3580 UNDERWOOD RD
CARTHAGE, NC 28327

Ft. Bragg was informed of the Joint Planning Board meeting via County Planning staff written coordination with Fort Bragg Regional Land Use Advisory Commission (RLUAC).

ATTACHMENT: APPLICATION & DEED



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 \$ 400.00.
(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 R6A to O&I
2. Address of Property to be Rezoned: 1635 Artillery Trail
3. Location of Property, details: Spring Lake, Cumberland County, North Carolina
4. Parcel Identification Number (PIN #) of subject property: 9592-62-5717
(also known as Tax ID Number or Property Tax ID)
5. Acreage: 5 Frontage: 425 Depth: 550
6. Water Provider: Well: _____ PWC: X Other (name): _____
7. Septage Provider: Septic Tank X PWC _____
8. Deed Book 10547, Page(s) 490, 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: Administrative and Professional Office Space
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.

C3A Unlimited, LLC
NAME OF OWNER(S) (PRINT OR TYPE)

3580 Underwood Road, Carthage, NC 28327
ADDRESS OF OWNER(S)

HOME TELEPHONE #

910-235-1977
WORK TELEPHONE #

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

3580 Underwood Road, Carthage, NC 28327
ADDRESS OF AGENT, ATTORNEY, APPLICANT

dmorgan@C3aSolutions.com
E-MAIL

HOME TELEPHONE #

910-235-1977
WORK TELEPHONE #

Daniel Morgan
SIGNATURE OF OWNER(S)

SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

SIGNATURE OF OWNER(S)

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

BK 12331 PG 0164

FILED ELECTRONICALLY
CUMBERLAND COUNTY NC
ANDRA S. BREWINGTON

FILED Sep 16, 2025
AT 08:37:31 AM
BOOK 12331
START PAGE 0164
END PAGE 0165
INSTRUMENT # 28952
RECORDING \$26.00
EXCISE TAX \$0.00

GENERAL WARRANTY DEED

REVENUE: \$ZERO - exempt
PARCEL ID: 9592-62-5717

File No.: RAM13605225

This instrument prepared by: Susan R. Benoit, licensed North Carolina attorney.
Return to: 4317 Ramsey Street, Fayetteville, NC 28311
Title Insurance to be issued by: Investors Title Insurance Company

Delinquent taxes, if any, to be paid by the closing attorney to the county tax collector upon disbursement of closing proceeds.

Brief Legal Description: 5 acres W Manchester Road

**NORTH CAROLINA
COUNTY OF CUMBERLAND**

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

Grantor	Grantee
Town of Spring Lake, North Carolina Mailing Address: 300 Ruth Street, Spring Lake, NC 28390	C3A Unlimited, LLC, Mailing Address: 3580 Underwood Road, Carthage, NC 28327

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

WITNESSETH

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

BEGINNING at a concrete Post marked "U.S.", a corner of the Fort Bragg, NC, Reservation, and the S.W. corner of the 55-acre tract of which this is a part, and also Capt. W. McB. Garrison's corner, and running thence with the line to and with Daniel Monroe's line, North 17 degrees and 15 minutes West 610 feet to a stake; and thence North 72 degrees 45 minutes East 418 feet to a stake; thence South 17 degrees 15 minutes East 486 feet to a stake the Northern margin of a road leading from Manchester Depot to the residence of Capt. W. McB. Garrison's or

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.

the homeplace of the late Rev. Fairley; thence with the Northern line of said road, South 64 degrees West 415 feet to a stake; thence South 17 degrees 15 minutes East 60 feet crossing said road to a stake in the line of the Fort Bragg Reservation, thence with said line South 77 degrees 15 minutes West 10 feet to the BEGINNING, containing, 5 ACRES, more or less.

Parcel No. 9592-62-5717

The property hereinabove described was acquired by Grantor by instrument recorded in **Book 10547, and Page 490**, Cumberland County Registry, North Carolina.

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.

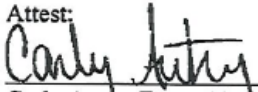
And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.

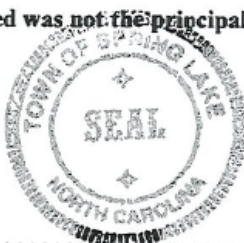
Title to the property hereinabove described is subject to the following exceptions: Restrictive covenants, easements and rights of way as may appear of record in the aforesaid registry as well as current year ad valorem taxes.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in the corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors

The property herein described was not the principal residence of the Grantors.

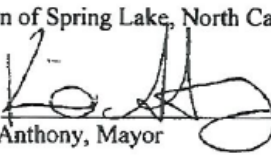
Attest:


Carly Autry, Town Clerk



Town of Spring Lake, North Carolina

BY:


Kia Anthony, Mayor

STATE OF North Carolina

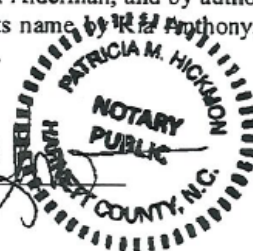
Cumberland COUNTY

This the 9th day of September, 2025 personally came before me, a Notary Public in and for the County and State aforesaid, do hereby certify that Carly Autry, Town Clerk, who being by me duly sworn, says that she is the Town Clerk for the Town of Spring Lake, a municipal corporation duly organized and validly existing under the Constitution and laws of the State of North Carolina and acting through its Board of Alderman, and by authority duly given as the act of said Town, the foregoing instrument was signed in its name by Kia Anthony, as Mayor for said Town, sealed with its Seal, and attested by herself as the Town Clerk.

This the 9th day of September, 2025.


Notary Public

My Commission Expires: November 2026





Location: Southeast of Wade Stedman Rd. and Bonita Farms Rd. intersection
Jurisdiction: County-Unincorporated

REQUEST	Rezoning A1 to R30
----------------	---------------------------

Applicant requests a rezoning from A1 Agricultural District to R30 Residential District for a 1.59 acre parcel located southeast of the Wade Stedman Rd. and Bonita Farms Rd. intersection. The parcel is currently wooded land. The intent of the applicant is to rezone the property to a residential district that will allow up to two dwelling units.

PROPERTY INFORMATION

OWNER/APPLICANT: Brett Campbell (Applicant); Sandhills Real Estate Development LLC (Owner)

ADDRESS/LOCATION: Refer to Exhibit "A", Location and Zoning Map. Address: Southeastern intersection of Wade Stedman Rd. and Bonita farms Rd., REID number: 0489809484000.

SIZE: The parcel contains approximately 1.59 acres. Road frontage along Wade Stedman Rd. is 288 feet. The property is approximately 288 feet in length at its deepest point.

EXISTING ZONING: The subject property is zoned A1 Agricultural District. The A1 Agricultural district is designed to promote and protect agricultural lands, including woodland, within the County. The general intent of the district is to permit all agricultural uses to exist free from most private urban development except for large lot, single-family development. Some public and/or semi-public uses as well as a limited list of convenient commercial uses are permitted to ensure essential services for the residents.



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

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

- **North:** Single family residential
- **East:** Single family residential
- **West:** Farmlands
- **South:** Farmlands

OTHER SITE CHARACTERISTICS: The site is not located in a Watershed Protection Area nor within a Flood Zone Hazard Area. No Hydric or Hydric Inclusion soils were identified on the subject property, as delineated in Exhibit "C".

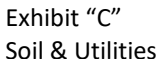
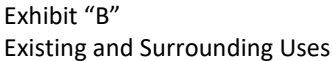
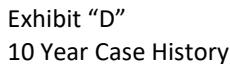


Exhibit "D" denotes rezoning cases within the past ten years near the subject property.

DEVELOPMENT REVIEW: Should the request be approved, a preliminary plan for any subdivision or group development site plan to add a dwelling unit will be required to be submitted to the Current Planning Division to ensure conformance with the County Subdivision and Zoning Ordinances.



Minimum Standard	A1 (Existing Zoning)	R30 (Proposed)
Front Yard Setback	50 feet	30 feet
Side Yard Setback	20 feet	15 feet
Rear Yard Setback	50 feet	35 feet
Lot Area	2 Acres	30,000 sq. ft.
Lot Width	100 feet	100 feet

Existing Zoning (A1)	Proposed Zoning (R30)
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.

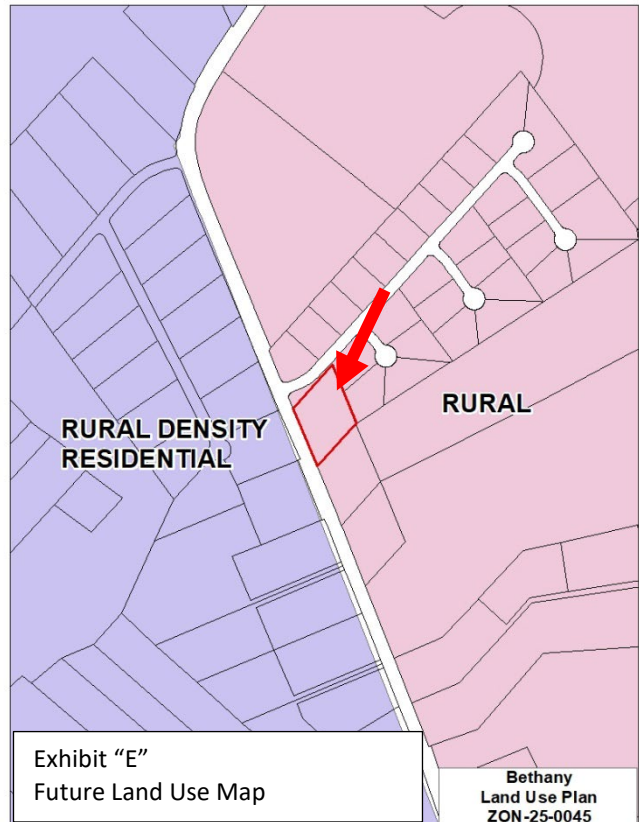
COMPREHENSIVE PLANS:

This property is located in the Bethany Area Land Use Plan (2021). The future land use classification of the property is "Rural". The associated zoning districts for Rural are A1, A1A, and CD. R40 and R40A may be appropriate, but only when compatible with the surrounding area; conditional zoning should be required.

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

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

- "This classification is characterized by traditional agricultural operations, pasture land, forestry, rural lot residential subdivisions, and scattered non-farm residences on large tracts of land" (Bethany Area Land Use Plan 2021, p. 39).
- "This area consists of farmland, farming and other agriculture-related endeavors, as well as scenic and other natural heritage assets that contribute to the unique characteristics of the land" (Bethany Area Land Use Plan 2021, p. 39).
- "The availability of public water service should not be considered justification for increasing density beyond 1 unit per acre in subdivisions" (Bethany Area Land Use Plan 2021, p. 40).
- "Support the preservation and protection of the Special Flood Hazard Area, farmland, Significant Natural Heritage Areas, Managed Areas, Dedicated Nature Preserves, historic features, and scenic sites" (Bethany Area Land Use Plan 2021, p. 46).



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: An Eastover Sanitary District water line is available near the subject property. Sewer lines are not currently located near the property. It is the applicant's responsibility to determine if a utility provider will serve their development. Any available utilities for water and sewer are shown on Exhibit "C". On-site septic will be required, and the lot size must meet the minimum area necessary to accommodate both.

TRANSPORTATION: The subject parcel is located near the corner of Bonita Farms Road and Wade Stedman Road. Bonita Farms Road has a Functional Classification of "Local". Wade Stedman Road has a current Functional Classification of "Major Collector". There are roadway maintenance projects planned. The subject property will have no significant impact on the Transportation Improvement Program.

SCHOOLS CAPACITY/ENROLLMENT:

School	Enrollment	Capacity
Eastover-Central Elementary	380	480
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 proposed rezoning.

SPECIAL DISTRICTS/ OVERLAY DISTRICTS:

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

n/a – not applicable

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

STAFF RECOMMENDATION

In Case ZON-25-0045, Planning and Inspections staff **recommends denial** of the rezoning request from A1 Agricultural District to R30 Residential District. Staff finds that the request is not consistent with the Bethany Area Land Use Plan which calls for "Rural" at this location. Staff also finds that the request is not reasonable or in the public interest as it is not compatible to or in harmony with the surrounding land use activities and zoning.

- Attachments:
- Notification Mailing List
 - Application

ATTACHMENT – MAILING LIST

Owner Name	Address City State	Zip
ALVARADO, LUIS;ALVARADO, MAYS I N	3131 BONITA FARMS RD	WADE, NC 28395
ASHBY, JEFFREY E;ASHBY, JENNIFER R	3477 WADE STEDMAN ROAD	WADE, NC 28395
AWAD, FARID;KRUEGER, LINDSAY E	5606 COUNTRY VIEW LN	WADE, NC 28395
BAUCOM, MARIAN W	5608 ROYAL PINES CIR	WADE, NC 28395
BOLIO, CORY RAYMOND;BOLIO, SYLVIA LYNN	3456 WADE STEDMAN RD	WADE, NC 28395
BRADFORD, SHANNON;BRADFORD, MINDY	5725 BOLIO FARM RD	WADE, NC 28395
BROGAN, MATTHEW V	5609 QUIET ACRES LN	WADE, NC 28395
CARTER, JOSHUA T	5614 COUNTRY VIEW LN	WADE, NC 28395
DAVIS, JAMES M;DAVIS, SONDR A	3111 BONITA FARMS RD	WADE, NC 28395
DILIGENT NOMAD LLC	141 WESTPOINT DR	CARLISLE, PA 17013
EDKINS, SUSAN CHRISTIAN	5610 COUNTRY VIEW LANE	WADE, NC 28395
EDSALL, MICHAEL HEATH;EDSALL, TINA	3525 WADE STEDMAN RD	WADE, NC 28395
GLOVER, SHANIKA;GLOVER, DEWAYNE EDWARD GODWIN	5612 ROYAL PINES CIR	WADE, NC 28395
GONZALEZ, AAJZA TOV I IEN JONTIF	5602 COUNTRY VIEW LANE	WADE, NC 28395
GREEN, ROBERT W;GREEN, BARBARA J	3121 BONITA FARMS RD	WADE, NC 28395
HALL, NATHAN H JR;HALL, HAZEL N	3453 WADE STEDMAN RD	WADE, NC 28395
HARMON, COREY R;DAVIS, ANDREA	5675 BOLIO FARM RD	WADE, NC 28395
HILL, CHRISTOPHER B;HILL, MISTY E	5611 COUNTRY VIEW LN	WADE, NC 28395
HOLLAND, CHAZ M III;HOLLAND, SAUNDRA L	3151 BONITA FARMS RD	WADE, NC 28395
HOUSE, JASON D;HOUSE, JENNIFER L	3555 WADE STEDMAN RD	WADE, NC 28395
HUGHEY, JUSTIN A;HUGHEY, JUDY L	3501 WADE STEDMAN ROAD	WADE, NC 28395
JACKSON, GREGORY DON;JACKSON, CRYSTAL	3161 BONITA FARMS ROAD	WADE, NC 28395
JACKSON, LUBY RAY;BROCK-JACKSON, SANDRA	3461 WADE STEDMAN RD	WADE, NC 28395
JORDAN, BOBBY;JORDAN, SHINIQUA	5600 ROYAL PINES CIR	WADE, NC 28395
LAFONTAINE, MICHAEL F;LAFONTAINE, MARSHA E	5605 QUIET ACRES LN	WADE, NC 28395
LEE, RACHEL A;LEE, MICHAEL	3515 WADE STEDMAN ROAD	WADE, NC 28395
LONG, JAMIE FRANK;LONG, ERIKA	3558 WADE STEDMAN RD	WADE, NC 28395
MALLOY, KIMBERLY	3465 WADE STEDMAN ROAD	WADE, NC 28395
MANKOWSKI, VINCENT M;MANKOWSKI, KAYLA J	3225 BONITA FARMS RD	WADE, NC 28395
MASSON, JOHN PHILLIPPE;MASSON, LINDA GREY	3007 ROYAL WILLIAMS RD	WADE, NC 28395
MCLAMB, DONNA WILLIAM NANCY;MARSHA, STARLING	3518 WADE STEDMAN RD	WADE, NC 28395
MCLAURIN, DAWN HORSLEY;MCLAURIN, EARL TYRONE	5608 QUIET ACRES LN	WADE, NC 28395
MILLER, STEVEN T;MILLER, MELISSA A	3511 WADE STEDMAN RD	WADE, NC 28395
MITRISIN, WILLIAM P;MITRISIN, VICKY K	3210 BONITA FARMS RD	WADE, NC 28395
ODOM, MATTHEW R	3034 DINWIDDLE DRIVE	WADE, NC 28395
OVERBEE, CLEVELAND E	3051 ROYAL WILLIAMS RD	WADE, NC 28395
ROYAL, WILLIAM D;ROYAL, DAWN S	PO BOX 635	APPOMATTOX, VA 24522
RUSSELL, KRISTA J	5612 QUIET ACRES LN	WADE, NC 28395
RUTHERFORD, CHRISTOPHER RAY;RUTHERFORD, DOROTHY ELIZABETH	5604 QUIET ACRES LANE	WADE, NC 28395
SANDHILLS REAL ESTATE DEVELOPMENT LLC	271 VILLAGE GRANDE DR	PONTE VEDRA BEACH, FL 32081

SHEETS, JACOB T;SHEETS, SARA B
SIMPSON, WILLIAM R JR;SIMPSON, HOLLI G
STARLING, HAROLD M;STARLING, MARSHA M
STOCKS, JOHNNY R;STOCKS, THERESA A
TART, AUDREY ROYAL;TART, JAMES THOMAS JR

WAYNE T YOUNTS REALTY & CONSTRUCTION INC
YANEZ, PETER;YANEZ, DIANA G

5607 COUNTRY VIEW LN WADE, NC 28395
3205 BONITA FARMS RD WADE, NC 28395
3069 ROYAL WILLIAMS RD WADE, NC 28395
3141 BONITA FARMS RD WADE, NC 28395
3922 WADE STEDMAN RD WADE, NC 28395
2911 BREEZEWOOD AVE
STE 200 FAYETTEVILLE, NC 28303
3215 BONITA FARMS RD WADE, NC 28395

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 A1 to R30
2. Address of Property to be Rezoned: TBD Wade Stedman Rd
3. Location of Property, details: LD 0489809484
4. Parcel Identification Number (PIN #) of subject property: 0489-80-9484
(also known as Tax ID Number or Property Tax ID)
5. Acreage: 1.59 Frontage: 284' Depth: 261'
6. Water Provider: Well: _____ PWC: _____ Other (name): _____
7. Septage Provider: Septic Tank Eastover
Sanitary District PWC _____
8. Deed Book _____, Page(s) _____, Cumberland County
Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: Residential Agricultural
10. Proposed use(s) of the property: Single family home
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.

7. STATEMENT OF ACKNOWLEDGMENT:

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

It is the responsibility of the petitioner (personally or by agent) to submit to the Planning and Inspections Department a valid request within a complete application.

I further understand I must voluntarily agree to all ordinance related conditions prior to the first hearing on the case or any disagreement may be cause for an unfavorable recommendation. The undersigned hereby acknowledge that the Planning and Inspections Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.

Sandhills Real Estate Development
NAME OF OWNER(S) (PRINT OR TYPE)

3030 Turnpike Rd. Rutherford, NC 28376
ADDRESS OF OWNER(S)

Info@SandhillsREH.com
E-MAIL

HOME TELEPHONE _____ 910-861-0804
WORK TELEPHONE

Brett Campbell
SIGNATURE OF OWNER(S) SIGNATURE OF OWNER(S)

Brett Campbell
NAME OF AGENT, ATTORNEY, APPLICANT (by assign) (PRINT OR TYPE)

3030 Turnpike Rd. Rutherford, NC 28376
ADDRESS OF AGENT, ATTORNEY, APPLICANT

HOME TELEPHONE _____ 910-861-0804
WORK TELEPHONE

Brett@SandhillsREH.com
E-MAIL ADDRESS FAX NUMBER

Brett Campbell
SIGNATURE OF AGENT, ATTORNEY, OR APPLICANT

Summary of Request

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

1. Section 2304.C.4.c.(1): The applicant is requesting a waiver from the Private Street Specifications outlined in Section 2304.C.4.c.(1) of the Cumberland County Subdivision Ordinance. This section requires a minimum twenty-foot (20') wide passable travel way to be provided within a thirty-foot (30') easement. The applicant seeks approval to reduce the required travel way width from twenty feet (20') to ten feet (10') within the road easement.
2. Section 2304.C.4.c.(5): The applicant is requesting a waiver from the Private Street Specifications outlined in Section 2304.C.4.c.(5) of the Cumberland County Subdivision Ordinance. Under current regulations, Class "C" Private Streets permit a maximum of two dwelling units per lot. The applicant seeks approval to increase this limit, proposing to allow a maximum of three units per lot for a group development.

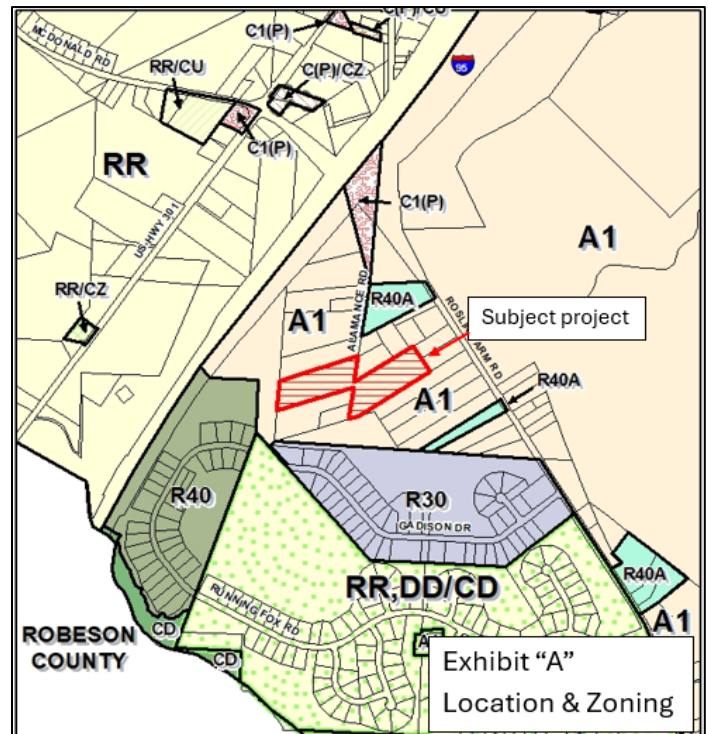
Owner's Intent: The owner has two homes on a lot – one stick build and one mobile home- and desires to add a third single family home under a group development. Street access to the existing two homes and the proposed third home occurs from Alamance Road, a substandard Class "C" street.

On December 21, 2021 the current property owner received approval from the Joint Planning Board (JPB) for a subdivision waiver to allow two single family homes on a nonconforming Class "C" street that has a substandard travel way width. One house already existed, and the owner wanted a second new house. The code requires a minimum width of twenty feet for a Class "C" street travel way. Alamance Rd only has a ten-foot travel way. In 2021 the JPB approved this waiver request, allowing a ten-foot wide travel way to serve two homes but established a condition that the ten-foot wide travel way must be improved with a gravel-type surface. This condition has been satisfied, and the road surface improvement is in place today, as demonstrated by pictures provided in Exhibit "B").

Subdivision Waiver

Exhibits

- A. Location & Zoning
 - B. Thunder Rd & Alamance Rd Roadway Photos, attached
 - C. Group Development Location Site Plan
 - D. Applicant Narrative to Waiver Criteria
 - E. Additional Property Information, attached
 - F. Existing Use, attached
 - G. DEV-0044-21 Subdivision Waiver Staff Report And Minutes, attached
 - H. Section 2304 Streets, Class "C" Private Street Specifications
 - I. Section 2601 Waivers
- Attachment: Mailing List; Subdivision Waiver Applications



The 2021 subdivision waiver approval to allow a ten-foot wide travel way was based on two homes, not three. JPB approval is necessary to add a third new home.

The layout of the two existing homes as well as the proposed location of the third dwelling unit is illustrated in the Subdivision Waiver Site Plan provided by the application in Exhibit "C", attached. A narrative of the current hardship has also been prepared by the owner and is provided within Exhibit "D", attached. This situation hardships discovered at the time the owner applied for permits with the Planning & Inspections Dept. to install new mobile homes on the other side of Alamance Road.

PROPERTY INFORMATION

Owner/Applicant: Kathleen A. Holesko (Owner and Applicant) / Melinda K. Reinoehl (Agent)

Address/Location: The parcel located 6526 Alamance rd. Hope Mills, NC 28348. Refer to Exhibit "A", Location and Zoning Map. REID number(s): 0412641314000

Size: 10.55 +/- acres. Road frontage along Alamance Rd is approx. 630 feet, 1500 feet in length at its deepest point.

Property Access: Roslin Farm Road serves as the primary Class "A" public street providing access to the site. Alamance Road is accessed via Thunder Road, which is classified as a Class "C" Private Street. Alamance Road connects directly to Thunder Road, forming the street system for the development. For a visual reference, please see Exhibit "B."

Existing Zoning: The subject property is currently zoned A1 Agricultural District. The minimum lot size for this district is two acres. 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.

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

Existing Use: Two homes located on the east side of the lot straddling Alamance Rd. The current conditions of the property can be seen in Exhibit "F", attached.

CASE HISTORY

1. A subdivision waiver was reviewed and approved for this same subject property in 2021 by the Joint Planning Board to allow a ten-foot wide travel way on a Class "C" street for two dwelling units. Exhibit "G" provides a copy of the 2021 Subdivision Waiver Staff Report and meeting minutes.
2. The 2021 Subdivision Waiver approval included a condition that the ten foot wide travel way must be improved with a gravel-type surface by the owner of the property granted the waiver. The improvement has been completed.
3. Two homes currently occur on the property.
4. The owner has obtained permits for a new septic system and water well for the third home, per the County Environmental Health Department.

FINDINGS OF FACT

1. **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."

Finding: 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 existing 30-foot 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.

2. **Fact:** 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. Further, trees and foliage exist on both sides of Alamance Rd. Widening the road will require the removal of these trees.

Finding: Staff has performed a site visit to Thunder Rd and Alamance Rd to document the current conditions. The connection point to Roslin Farm Rd does have sufficient width for vehicles to enter and exit Thunder Rd. However, as a vehicle travels down Thunder Rd, the width narrows to approximately ten feet with dense vegetation and trees on each side of the travel way. Alamance Rd is of a similar width as a vehicle turns onto it and travels towards the subject property, the tree line becoming lighter only towards the southern end of Alamance Rd. This would make it difficult, if not impossible, 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 through the removal of trees and vegetation.

3. **Fact:** 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.”

Finding: 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 variances situations the North Carolina General Statutes and Section 1605, Variances, of the County Zoning Ordinance, allows such circumstances to be considered:

“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.”

4. **Fact:** 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.

Finding: 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.

APPLICABLE CODES

Section 2304.C.4.c.(1) and c.(5) (Exhibit “H”)
Section 2601. Waivers (Exhibit “I”)

PLANNING BOARD AUTHORITY AND WAIVER CRITERIA

Section 2601. Waivers.

The Planning Board may waive the requirements of this ordinance where it finds by resolution that:

1. Because of the size of the tract to be subdivided or developed, its topography, the condition or nature of adjoining areas, or the existence of other unusual physical conditions, strict compliance with the provisions of this ordinance would cause a special hardship to the property owner and be inequitable, and
2. The public purposes of this ordinance and the County Zoning Ordinance would be served to an equal or greater degree, and
3. The property owner would not be afforded a special privilege denied to others.

Applicant's Response to Waiver Criteria. The applicant did not provide specific responses to the Subdivision Waiver 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.4.c.(1)] Waiver Request – ‘Class “C” Private Street Specifications’: “A minimum passable travel way
- Subdivision Waiver No. 2: Section 2304.C.4.c.(5), Class “C” Private Street Specifications ‘Group Developments

Attachments:

Exhibits

Notification Mailing List

Subdivision Waiver Applications

EXHIBIT "B"
THUNDER RD & ALAMANCE RD ROADWAY PHOTOS





[illegible]

EXHIBIT "D"
APPLICANT'S NARRATIVE RESPONSE - SECTION 2304 §C(4)[C1]&[C5]

Timothy Doersam

From: Kathleen Holesko <kathyholesko@gmail.com>
Sent: Tuesday, October 7, 2025 12:30 PM
To: Timothy Doersam
Subject: Item H for variance request

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside of the County. Do not open attachments, click on links, or reply unless you trust the sender or are expecting it.

I have rheumatoid arthritis and am unable to do some things for myself. One reason for relocating from Georgia to North Carolina after the death of my husband was so my daughter could help me.

When we purchased this property we were told by the owner and by our realtor that there had been four housing units on this divided lot: two on each side of Alamance Road. We replaced the existing single wide trailer with a double wide manufactured home for my granddaughter's family, where I am currently staying. My daughter lives in the brick home with my other two granddaughters who are still in school.

On the other side of Alamance the two previous dwellings were removed prior to my ownership. This is where I would like to build a three bedroom manufactured home of my own with handicap access off the front porch.

To this end I have paid for and been granted permits for new septic and water well. I have spent \$18,000 to upgrade Alamance and Thunder Roads.

My hope at this stage in my life is to be surrounded by family but not to live with any of them as long as I can live on my own.

Please consider my application for a variance to allow full use of the property on which I am paying taxes.

Thank you for your consideration.

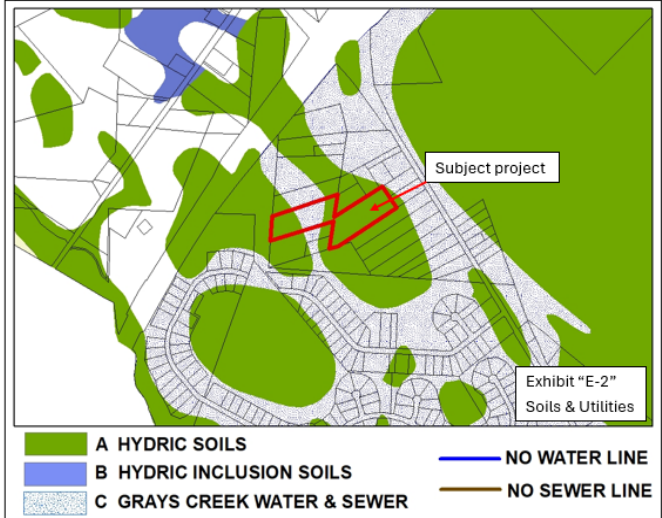
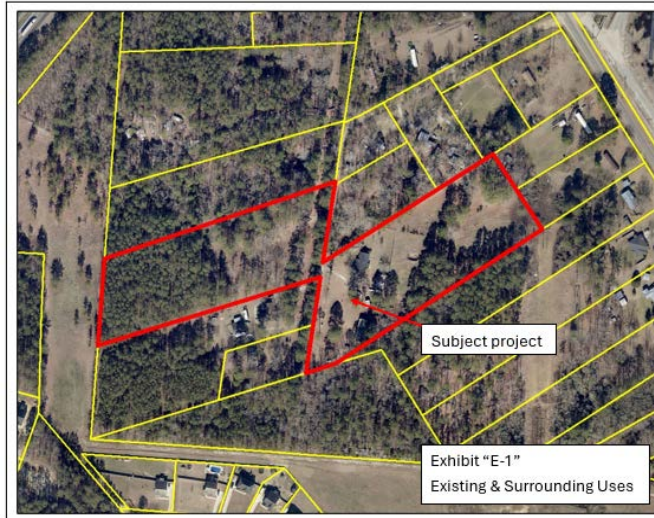
Kathleen A. Holesko

EXHIBIT "E"

ADDITIONAL PROPERTY INFORMATION

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

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



North: Manufactured homes, wooded lands, single family homes, and I-95

East: Single-family residential, and I-95

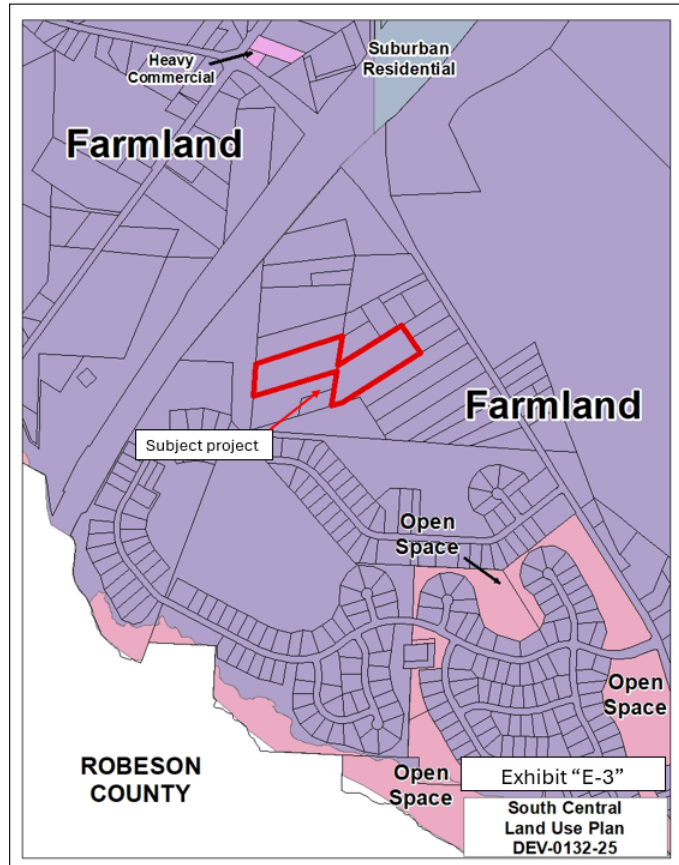
West: Manufactured Homes and Barker Gallberry Solar Farm

South: Roslin Farms Single-family homes and manufactured homes

Other Site Characteristics: The site is not located in a Watershed and is not located within a Flood Zone Hazard Area. The subject property, as delineated in Exhibit "E-2", also illustrates that hydric soils are present.

Development Review: Final Site Plan review and approval by the Planning & Inspections Department will be required prior to any moving and in filling of vacant spaces for the manufactured home .

Comprehensive Plans: Exhibit "E-3" illustrates that This property is located in the South-Central Land Use Plan (2015). The future land use classification of the property is Farmland. The associated zoning districts for Farmland are A1, A1A, CD, R40, and R40A.



Utilities: No public sewer is available but public water is existing and available to the subject property. The MHP is served by several septic tanks on the property.

Fire: Ensure all applicable fire department access requirements are met and maintained in accordance with Section 503 of the 2018 NC Fire Code.

EXHIBIT "F"
EXISTING USE

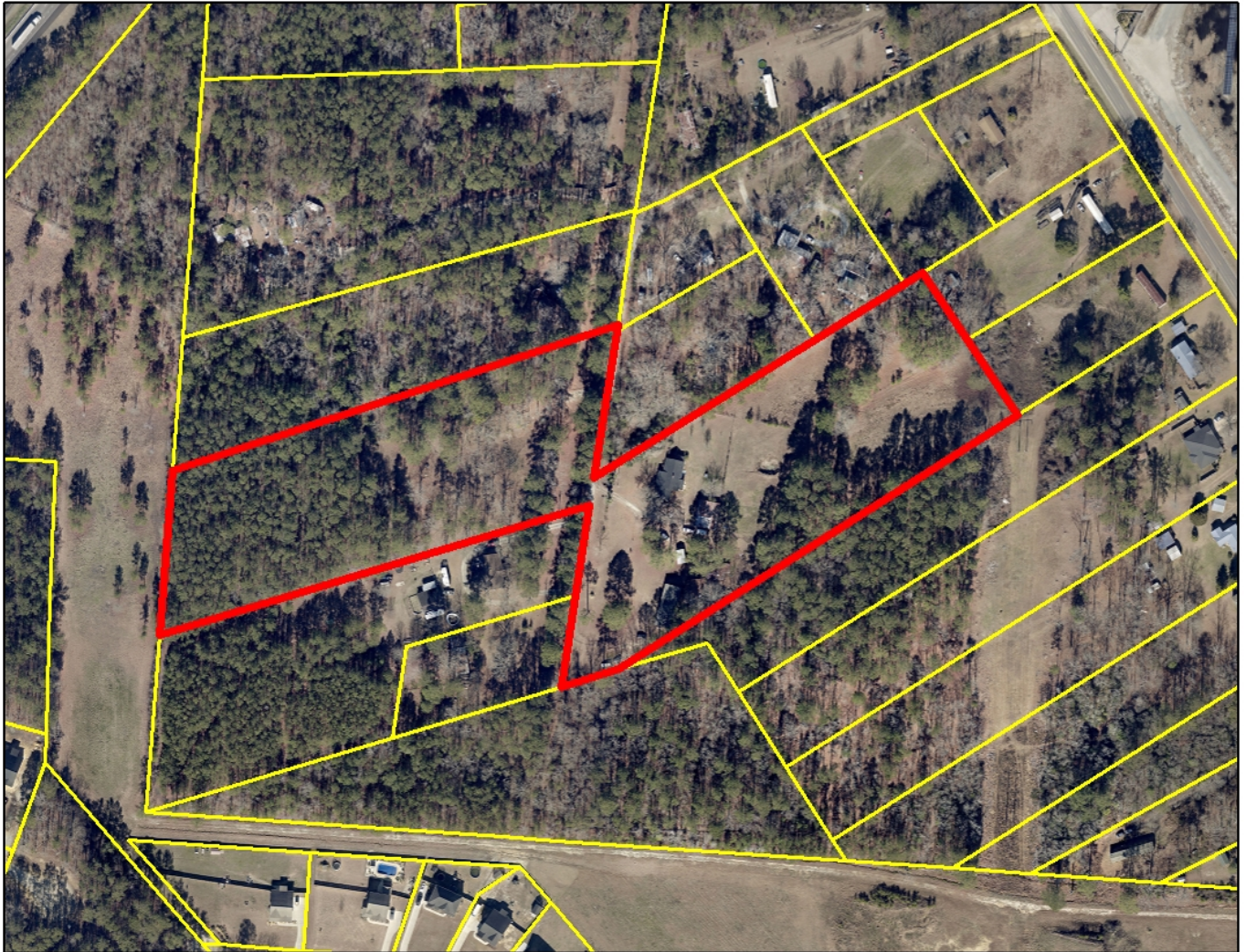


EXHIBIT "G"

DECEMBER, 2021 JPB SUBDIVISION WAIVER FOR DEV-0044-21 STAFF REPORT AND MINUTES



PLANNING STAFF REPORT
SUBDIVISION WAIVER: DEV-0044-21
Planning Board Meeting: Dec. 21, 2021

Location: 6559 Alamance Road
Jurisdiction: County - Unincorporated

REQUEST

Subdivision Waiver from Section 2303.C

Applicant requests a Subdivision Waiver from Section 2303.C Street Frontage requirements for approximately 10.55 acres; located at 6559 Alamance Road.

SECTION 2303. MINIMUM LOT STANDARDS

C. Street frontage. Except as otherwise provided for in Section 2401, every lot shall abut a public street or private street approved under the terms of this ordinance for at least 20 feet; such frontage (abutting) to be continuous from the property line to building setback line.

The owner has a single-family home on a substandard Class "C" street and desires to locate a second home – a double-wide mobile home on the 10.55 acre site. Owner has applied for a new group home development to accommodate the mobile home. However, the second home requires access to a standard Class "C" street. Currently, access occurs from a ten-foot wide accessway. The proposed group development illustrates the planned residences taking access from Alamance Road, as shown in Exhibit "E". Alamance Road as identified does not meet the county's standards for a private or public Street. Location of the subject property is illustrated in Exhibit "A". While the 10.55 acres has had up to four residences on the 10.55 acre site in the past, only one single family home occurs on the parcel as the other dwellings were demolished or removed. A double-wide mobile home has been placed on the parcel, but occupancy cannot occur until a group development application has been approved and a subdivision waiver granted by the Joint Planning Board for the substandard access to the second home – the double-wide trailer. The site plan for the proposed group development with up to two dwelling units on substandard Class "C" street is presented in Exhibit "E".

PROPERTY INFORMATION

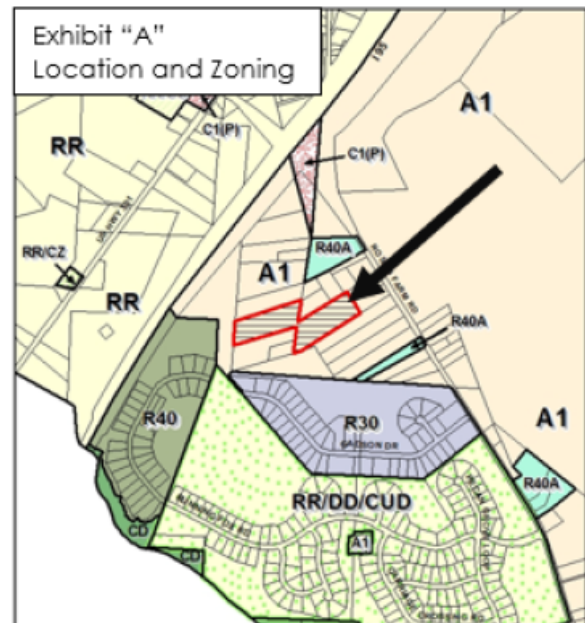
OWNER/APPLICANT:

Rodney Dent (agent) on behalf of Kathleen Holesko (owner)

ADDRESS/LOCATION: Located at 6559 Alamance Road. Refer to Exhibit "A", Site Location. REID number: 0412641314000.

SIZE: 10.55 +/- acres within one parcel. The property has approximately 574 +/- feet of frontage along both sides of Alamance Road. The property has a depth of about 1533 feet, spanning Alamance Rd.

EXISTING ZONING: The property is zoned A1 Agricultural District, which 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.

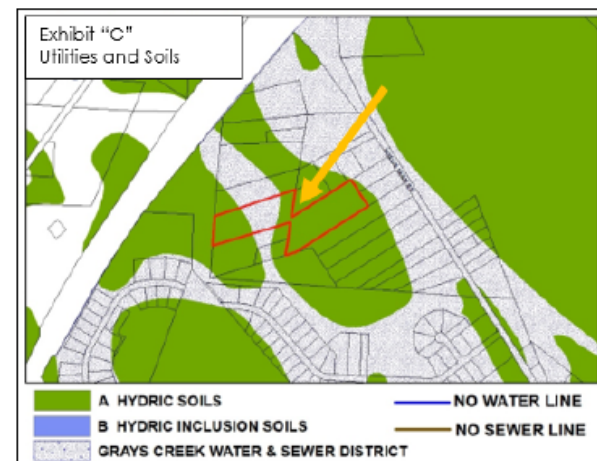


EXISTING LAND USE: The parcel is occupied by a single-family residence and a single-wide manufactured home. Exhibit "B" shows the existing use of the subject property.

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

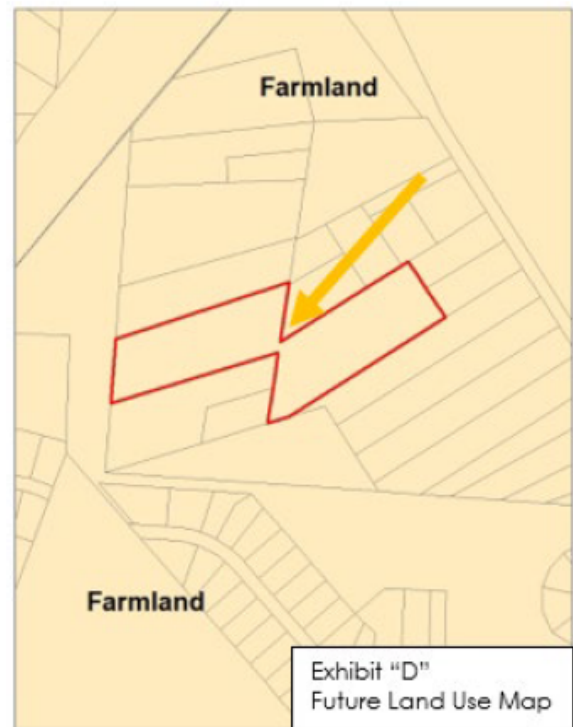
- North:** Single-wide and double-wide manufactured homes line Alamance and Thunder Rd, leading to I-95, on lots zoned A1 and R40A. C1(P) does occur at the overpass of I-95.
- East:** Single-wide and double-wide manufactured homes abut to the east of the subject site, on the west side of Rosline Farm Rd, on lots zoned A1. East of Rosline Farm Rd is the 531-acre Barker Gallberry Solar Farm, zoned A1.
- West:** The properties abutting the west of the subject site are vacant, wooded, and zoned A1 and R40.
- South:** The single-family subdivisions, Rosline Farms West and The Meadow at Rosline Farms West, are south of the subject site on lots zoned R30, R40, RR DD/Cud.

OTHER SITE CHARACTERISTICS: According to the County Engineering Department, the site is not located in a Watershed or a Special Flood Hazard Area. The subject property, as delineated in Exhibit "C", illustrates the presence of hydric but not hydric inclusion soils.



DEVELOPMENT REVIEW: Subdivision review by the Planning & Inspections Department will be required prior to any division of land.

COMPREHENSIVE PLANS: Located in the South Central Land Use Plan (2015), the subject property is designated as Farmland, as shown within Exhibit "D". The Farmland Designation is intended to preserve and protect farmland to ensure the continued viability of farming and agri-business industry in the study area. The associated zoning district for the Farmland classification are A1, A1A, and CD. **Request is consistent with the adopted land use map.**



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: Sewer and water lines are not adjacent to the property. The subject site will have to be served by well and septic. Utilities for water are shown on Exhibit "C".

TRAFFIC: According to the Fayetteville Area Metropolitan Planning Organization (MPO), the subject property sits on Alamance Road and is identified as a local Road in the Metropolitan Transportation Plan. There are no roadway construction improvement projects planned and the subject property will have no significant impact on the Transportation Improvement Program. In addition, Alamance Rd has no AADT or road capacity data. Due to lack of data and the small scale, the request does not demand a trip generation review. The new development should not generate enough traffic to significantly impact trip capacity on Alamance Road.

ECONOMIC DEVELOPMENT: Fayetteville Cumberland County Economic Development Corporation has reviewed the request and has no issue with the proposed action.

EMERGENCY SERVICES: Cumberland County Fire Marshal's office has reviewed the request and stated that the Fire Marshal's office has no comments on removing the existing single-family dwelling (mobile home) and replacing it with another single-family dwelling (mobile home) in the same location.

SPECIAL DISTRICTS: The property is not located within the Fayetteville Regional Airport Overlay District or within five miles of Fort Bragg Military Base.

CONDITIONS OF APPROVAL: No condition of approval at this time.

CODE DEVIATIONS: No deviations have been identified.

FINDING OF FACT

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)

The applicant's response to the above criteria is found in "Exhibit F", as an attachment.

Attachments:

Notification Mailing List
Proposed Group Development
Applicant's Response
Application

- F. **DEV-0044-21**, Subdivision Waiver from Section 2303.C Street Frontage Requirements for a parcel on 10.55 acres; located at 6559 Alamance Road; submitted by Rodney Dent (agent) on behalf of Kathleen Holesko (owner).

Mr. Moon presented the case information and photos.

Historic Cumberland County Courthouse | 130 Gillespie Street | P.O. Box 1829
Fayetteville, North Carolina 28301 | Phone: 910-678-7600 | Fax: 910-678-7631

co.cumberland.nc.us

There were two people present to speak in favor.

Chair Crumpler opened the public meeting.

Mr. Rodney Dent, Ms. Melinda Reinoehl and Ms. Michelle Simpson were sworn in by Chair Crumpler.

Mr. Dent spoke in favor. Mr. Dent stated that the applicant purchased some land and the real estate agent that sold her the land did not disclose that the group development loan had not been established. When she recently went to get the permit to put the new home on the land, she found out she did not have a group development for purposes of her loan. Initially, there were four homes on the land that was subdivided into two 5-acre tracts, and they combined it to a 10-acre tract thus causing them to need a group development loan. The applicant wants to add new double wide mobile home that will add value to the property as well as comply with the ordinance.

Ms. Melinda Reinoehl spoke in favor. Ms. Reinoehl is the daughter of the property owner. Ms. Kathleen Holesko is the property owner but was not able to attend the meeting. Ms. Reinoehl stated that they want to improve the area and not continue to allow it to be an eye sore. She states that the neighbors are grateful for the change that they want to make. She adds that her mom and daughter will be occupying the new home and they do not want to change the character of the area only improve it by having a new home that will give them more living space.

Mr. Crumpler asked who owns the road.

Mr. Dent said that the road is not being maintained by the state as they assumed.

Mr. Howard said that the easement is owned and maintained by the property owners.

Ms. Michelle Simpson spoke in favor. Ms. Simpson stated that there have been multiple emergency vehicles to drive down Alamance Road and there weren't any issues with them getting to the designated emergency.

Public meeting closed.

In Case DEV-0044-21 Mr. Crumpler made a motion, seconded by Mr. Lloyd for favorable consideration by the Planning Board to waive frontage based on the following summary of the basis for this request: 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. Planning staff requested that the Joint Planning Board include the Conditions of Approval in the Staff Report as part of its motion, if it were for approval. The Board accepted the conditions of approval and approved the waiver unanimously.

EXHIBIT "H"

SECTION 2304. STREETS, 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

EXHIBIT "I"
EXCERPT FROM SUBDIVISION ORDINANCE SECTION 2601. Waivers

SECTION 2601. Waivers

SECTION 2601. WAIVERS.

The Planning Board may waive the requirements of this ordinance where it finds by resolution that:

- A. Because of the size of the tract to be subdivided or developed, its topography, the condition or nature of adjoining areas, or the existence of other unusual physical conditions, strict compliance with the provisions of this ordinance would cause a special hardship to the property owner and be inequitable, and
- B. The public purposes of this ordinance and the County Zoning Ordinance would be served to an equal or greater degree, and
- C. The property owner would not be afforded a special privilege denied to others.

In granting waivers through a quasi-judicial hearing and decision, the Planning Board may require such conditions as will secure, in so far as practicable, the objectives of the requirements waived. Any waiver, thus granted, is required to be entered in writing in the minutes of the Planning Board and the reasoning upon which departure was justified set forth. (*Amd. 6-21-21*)

ATTACHMENT – MAILING LIST

BOWEN INVESTMENT GROUP LLC 5401 LABRADOR DR HOPE MILLS, NC 28348	DAVIS, STRAUS 8412 JUDY DR FAYETTEVILLE, NC 28314
DAVIS, WILLIAM D 3221 NATAL ST FAYETTEVILLE, NC 28306	GARDNER, CHARLES T 5535 TRADE ST HOPE MILLS, NC 28348
HOLESKO, KATHLEEN 6539 ALAMANCE RD HOPE MILLS, NC 28348	JACOBS, MARYANN 6504 ALAMANCE RD HOPE MILLS, NC 28348
KUCHEN, THOMAS;KUCHEN, SHARON 6560 ROSLIN FARM RD HOPE MILLS, NC 28348	LOWERY, BOBBY;LOWERY, PASTY 220 THUNDER RD HOPE MILLS, NC 28348
LOWERY, BOBBY;LOWERY, PATSY M 220 THUNDER RD HOPE MILLS, NC 28348	MATHEWS, DIANE G;GOINS, SUSAN 1081 HARBOR HOUSE DR MANNING, SC 29102
SIMPSON, JOHN J 6554 ALAMANCE ROAD HOPE MILLS, NC 28348	

ATTACHMENT:
SUBDIVISION WAIVER APPLICATION(S) – Section 2304 SC(4)[C1]

**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: 6526 ALAMANCE RD, HOPE MILLS
OWNER: KATHLEEN MOLESKO
ADDRESS: 6539 ALAMANCE RD ZIP CODE: 28348
HOPE MILLS, NC
TELEPHONE: HOME 330-1442-5108 WORK 330-1442-5108
AGENT: Melinda Reinoehl
ADDRESS: 6539 Alamance Rd Hope Mills, NC 28348
TELEPHONE: HOME 910-366-0653 WORK 910-366-0653
910-366-0653

APPLICATION FOR A WAIVER [VARIANCE]
As required by the Subdivision Ordinance

- A. Parcel Identification Number (PIN #) of subject property: 0412-64-1314
(also known as Tax ID Number or Property Tax ID)
- B. Acreage: 10.55 Frontage: 630 feet Depth: 1500 feet
- C. Water Provider: well
- D. Septage Provider: septic
- E. Deed Book 11213, Page(s) 0127-0130, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
- F. Existing and/or proposed use of property: HOME - intending 3rd home in place
- G. Section and provision of the Cumberland County Subdivision Ordinance from which a waiver [variance] is requested:
Sec 2304.C.4C.1

H. Nature and extent of hardship involved in strict application of the County Subdivision Ordinance – attach additional sheet if necessary:

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.

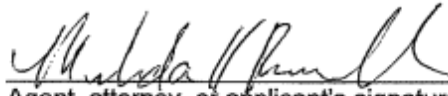
Kathleen A. Holesko
Property owner(s)' signature(s)

KATHLEEN A. HOLESKO
Property owner(s)' name (print or type)

6539 ALAMANCE RD, HOPE MILLS NC 28348
Complete mailing address of property owner(s)

330-442-5108 910-366-0653
Telephone number ^{DAUGHTER} Alternative telephone number

KATHYHOLESKO@gmail.com
Email address FAX number



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

Melinda K Reinohl

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

6539 Alamance Rd Hope Mills NC, 28348

Complete mailing address of agent, attorney, or applicant

910-316-0653

Telephone number

Alternative telephone number

MKREINOH279@gmail.com

Email address

FAX number

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

SUBDIVISION WAIVER APPLICATION(S) – Section 2304 §C(4)[C5]

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:

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OWNER: NATHALEEN MOLESKO
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HOPE MILLS NC
TELEPHONE: HOME WORK 330-1442-5108
AGENT: Melinda Reinohl
ADDRESS: 6539 Alamance Rd Hope Mills, NC 28348
TELEPHONE: HOME ~~910-366-0653~~ WORK 910-366-0653
910-366-0653

APPLICATION FOR A WAIVER [VARIANCE]
As required by the Subdivision Ordinance

- A. Parcel Identification Number (PIN #) of subject property: 0412-64-1314
(also known as Tax ID Number or Property Tax ID)
- B. Acreage: 10.55 Frontage: 630 feet Depth: ~~425~~ 1500 feet
- C. Water Provider: Well
- D. Septage Provider: septic
- E. Deed Book 11213, Page(s) 0127-0130, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
- F. Existing and/or proposed use of property: HOME - intending 3rd
home in place
- G. Section and provision of the Cumberland County Subdivision Ordinance from which a waiver [variance] is requested:
Sec. 2304.C.4C5

H. Nature and extent of hardship involved in strict application of the County Subdivision Ordinance – attach additional sheet if necessary:

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.

Kathleen A. Holesko
Property owner(s) signature(s)

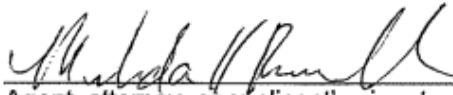
KATHLEEN A. HOLESKO
Property owner(s) name (print or type)

6539 ALAMANCE RD, HOPE MILLS NC 28348
Complete mailing address of property owner(s)

330-442-5108 DAUGHTER
Telephone number Alternative telephone number

KATHYHOLESKO@gmail.com
Email address

FAX number



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

Melinda K Reinohl

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

6539 Alamance Rd Hope Mills NC, 28348

Complete mailing address of agent, attorney, or applicant

910-366-0653

Telephone number

Alternative telephone number

MKREINOH79@gmail.com

Email address

FAX number

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



Cumberland County Joint Planning Board

2026

JOINT PLANNING BOARD

DEADLINE/MEETING SCHEDULE

APPLICATION DEADLINE	MEETING DATES (3 rd Tuesdays)
Wednesday, December 10, 2025	January 20, 2026
Tuesday, January 13, 2026	February 17, 2026
Tuesday, February 10, 2026	March 17, 2026
Tuesday, March 17, 2026	April 21, 2026
Tuesday, April 14, 2026	May 19, 2026
Tuesday, May 12, 2026	June 16, 2026
Tuesday, June 16, 2026	July 21, 2026
Tuesday, July 14, 2026	August 18, 2026
Tuesday, August 11, 2026	September 15, 2026
Tuesday, September 15, 2026	October 20, 2026
Tuesday, October 13, 2026	November 17, 2026
Tuesday, November 10, 2026	December 15, 2026
Wednesday, December 9, 2026	January 19, 2027

Note: Generally, the deadlines are set to 24 working days ahead of the meeting. Scheduling may be adjusted by the County to accommodate holiday closures and to ensure ample case review times by staff.