

AMY H. CANNON
County Manager



RAWLS HOWARD
Director

TRACY JACKSON
Assistant County Manager



DAVID MOON
Deputy Director

◆
Planning & Inspections Department

TENTATIVE AGENDA

August 18, 2020
6:00 P.M.

- I. INVOCATION AND PLEDGE OF ALLEGIANCE
- II. SWEARING IN OF NEW BOARD MEMBERS
- III. ADJUSTMENTS TO / APPROVAL OF AGENDA
- IV. PUBLIC HEARING DEFERRALS / WITHDRAWALS

P20-17. REVISION AND AMENDMENT TO THE HOPE MILLS ZONING ORDINANCE BY AMENDING ARTICLE IV PERMITTED, CONDITIONAL AND SPECIAL USES, SECTION 102A-403. USE MATRIX ALLOWING RECREATION/AMUSEMENT INDOOR (CONDUCTED INSIDE BUILDING FOR PROFIT, NOT OTHERWISE LISTED & NOT REGULATED) AS A PERMITTED USE WITHIN THE M(P) PLANNED INDUSTRIAL DISTRICT BY INSERTING A "P" IN THE M(P) COLUMN AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE. (HOPE MILLS) **APPLICANT REQUESTED DEFERRAL UNTIL 9/15/20**

- V. ABSTENTIONS BY BOARD MEMBERS
- VI. APPROVAL OF THE MINUTES OF JULY 21, 2020
- VII. CHAIRMAN'S WELCOME AND RULES OF PROCEDURE
- VIII. PUBLIC HEARING CONSENT ITEMS

REZONING CASES

- A. **P20-39.** REZONING OF 2.00+/- ACRES FROM A1 AGRICULTURAL TO R40 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 6230 KING HIRAM ROAD, SUBMITTED BY JAMES & RHONDA FOKES (OWNER) & DAVID WAYNE KIRKLAND (AGENT).
- B. **P20-40.** REZONING OF 1.52+/- ACRES FROM A1 AGRICULTURAL TO R40 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 2426 WADE STEDMAN ROAD, SUBMITTED BY DANIEL & CATHY BAIN (OWNERS).

- IX. PUBLIC HEARING CONTESTED ITEMS

TEXT AMENDMENT

- C. **P20-38.** REVISION AND AMENDMENT TO THE CUMBERLAND COUNTY ZONING ORDINANCE BY AMENDING ARTICLE II INTERPRETATIONS, CALCULATIONS, AND DEFINITIONS, SECTION 203. DEFINITIONS OF SPECIFIC TERMS AND WORDS AND AMENDING ARTICLE IX INDIVIDUAL USES, SECTION 921. RECREATION VEHICLE PARK AND/OR CAMPGROUND AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE.

CONDITIONAL ZONING CASE

- D. **P20-41.** REZONING OF 10.65+/- ACRES FROM HS(P) PLANNED HIGHWAY SERVICES DISTRICT/CU CONDITIONAL USE OVERLAY FOR AN EMERGENCY PERSONNEL TRAINING CENTER & HS(P) PLANNED HIGHWAY SERVICES DISTRICT TO O&I(P) PLANNED OFFICE & INSTITUTIONAL DISTRICT/CZ CONDITIONAL ZONING FOR GENERAL OFFICE AND C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 3266 SANDEROSA ROAD, SUBMITTED BY HUBERT MCDONALD JR. & WADE MCDONALD ON BEHALF OF THREE-O-ONE TRUCK STOP INC (OWNERS) & ANN LOCKLEAR (AGENT).

X. DISCUSSION

- INTRODUCTION OF NEW DEPUTY DIRECTOR
- UNC SCHOOL OF GOVERNMENT TRAINING MODULE

XI. ADJOURNMENT

PLANNING STAFF REPORT
REZONING CASE # P20-39
Planning Board Meeting: August 18, 2020

EXPLANATION OF THE REQUEST

This is a request to rezone a parcel located at 6230 King Hiram Road from A1 Agricultural to R40 Residential. This request would increase the density from 1 unit/2 acre to 1 unit/40,000 square feet. This is a conventional rezoning and no conditions are proposed at this time.

OWNER/APPLICANT

OWNER/APPLICANT: James & Rhonda Fokes (owner) & David Wayne Kirkland (agent)

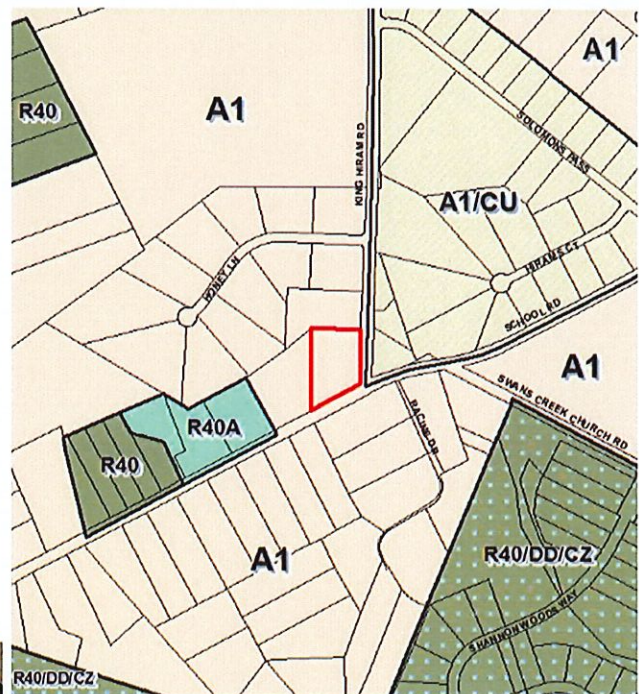
PROPERTY INFORMATION

ADDRESS/LOCATION: 6230 King Hiram Road; more specifically REID 0431455052000

SIZE: This request includes one parcel totaling approximately 2.00+/- acres. The parcel has approximately 280' of street frontage along King Hiram Road and approximately 290' of frontage along School Road. The parcel is 255'+/- in depth.

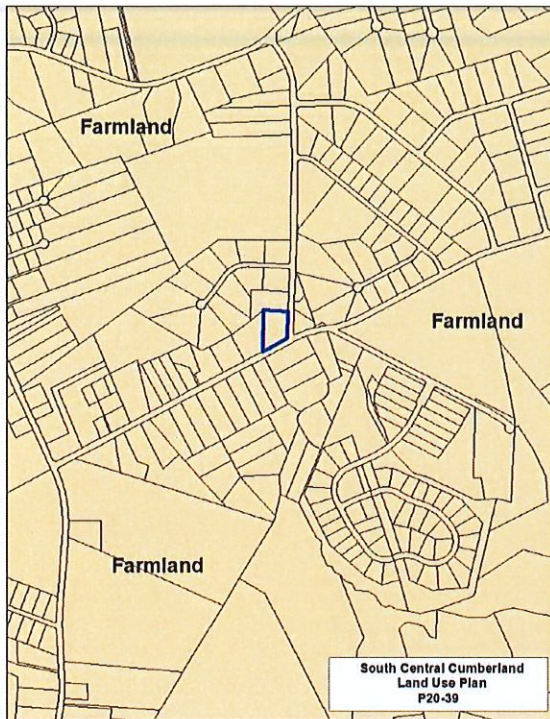
EXISTING LAND USE: The property is currently developed with a residential dwelling.

OTHER SITE CHARACTERISTICS: The property is not located within the watershed or Special Flood Hazard Area. There are no soil limitations to development on the property.



DEVELOPMENT REVIEW: The property was created by deed on 6-11-86, but never platted. A subdivision or group development review will be required prior to permits.

SURROUNDING LAND USE: There are residential uses surrounding the parcel including manufactured homes.



ZONING HISTORY: This property was initially zoned A1 as part of the Area 13 initial zoning on June 25, 1980.

UTILITIES: The property is currently served by private well/septic. There are no public water/sewer lines available. This property is located within the Gray's Creek water/sewer district.

MINIMUM YARD SETBACKS: If approved, this parcel would be subject to R40 setbacks: Front yard: 30 foot, Side yard: 15 foot, Rear yard: 35 foot.

COMPREHENSIVE PLANS: The 2030 Growth Vision Plan designates this parcel as "Rural Areas". The South Central Land Use Plan (2015) designates this parcel as "Farmland". The "Farmland" designation allows for a density of one unit per acre on tracts less than 10 acres especially with favorable soils and desires only stick-built homes. **Request is plan compliant.**

IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

TRAFFIC: King Hiram Road is identified as a local road in the 2045 Metropolitan Transportation Plan. There are no constructions/improvements planned and the subject property will have no impact on the Transportation Improvement Plan. The Average Daily Traffic count (2016) on School Road is 1,800.

SCHOOLS CAP/ENROLL: Gray's Creek Elementary: 500/437; Gray's Creek Middle: 1200/1139; Gray's Creek High: 1470/1467

EMERGENCY SERVICES: The Cumberland County Fire Marshal's Office has reviewed the request and had no comment at this time.

ECONOMIC DEVELOPMENT: Fayetteville Cumberland County Economic Development Corporation has reviewed the request and had no comment at this time.

FAYETTEVILLE REGIONAL AIRPORT: This property is not located within the Airport Overlay District.

STAFF RECOMMENDATION

In Case P20-39, the Planning & Inspections staff **recommends approval** of the rezoning from A1 Agricultural to R40 Residential and finds the request consistent with the South Central Land Use Plan (2015) which designates this parcel for "Farmland". The "Farmland" designation allows for a density of one unit per acre on tracts less than 10 acres with favorable soils and desires only stick-built homes. Approval of the rezoning is also reasonable and in the public interest as the requested district is in harmony with surrounding existing land uses and zoning.

Attachments:
Zoning Application
Notification Mailing List

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

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

1. Requested Rezoning from ~~R40~~ A1 to R40
2. Address of Property to be Rezoned: 6230 King Hiram Rd. Hope Mills Nc.
3. Location of Property: King Hiram Rd.

4. Parcel Identification Number (PIN #) of subject property: 0431 ~~15~~-45-5052
(also known as Tax ID Number or Property Tax ID)
5. Acreage: 1.85 Frontage: 270 Depth: 380
6. Water Provider: Well: PWC: _____ Other (name): _____
7. Septage Provider: Septic Tank PWC _____
8. Deed Book 08708, Page(s) 711, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: Residential
10. Proposed use(s) of the property: Residential

11. Do you own any property adjacent to or across the street from this property?
Yes _____ No If yes, where? _____
12. Has a violation been issued on this property? Yes _____ No

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

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

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

JAMES AND RHONDA FOKES
NAME OF OWNER(S) (PRINT OR TYPE)

6230 KING HIRAM RD. HOPE MILLS NC 28348
ADDRESS OF OWNER(S)

910 476 0490
HOME TELEPHONE #

NONE
WORK TELEPHONE #

David Wayne Kirkland
NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)

6230 King Hiram Rd.
ADDRESS OF AGENT, ATTORNEY, APPLICANT

HighlanderGuns@gmail.com
E-MAIL

910-709-0181
HOME TELEPHONE #

WORK TELEPHONE #


SIGNATURE OF OWNER(S)


SIGNATURE OF AGENT, ATTORNEY OR APPLICANT


SIGNATURE OF OWNER(S)

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

OWNER_NAME	ADDRESS	CITYSTATEZIP
MORRILL, HOWARD CHRISTOPHER	2300 SCHOOL RD	HOPE MILLS, NC 28348
NOVY, ELLEN M	6208 KING HIRAM RD	HOPE MILLS, NC 28348
FERGUSON, EDWARD D;FERGUSON, CONSTANCE V	1449 SAN AMORO DR	JACKSONVILLE, FL 32207
ULLOM, DANIEL;VERNELL, B	2271 SCHOOL RD	HOPE MILLS, NC 28348
FISHER, ERIC	39 CLIFFSIDE CT	SANFORD, NC 27332
JACKSON, DAVID C;JACKSON, PATRICIA A	2270 SCHOOL RD	HOPE MILLS, NC 28348
FOKES, RHONDA LYNN;FOKES, JAMES CHASTAIN	6230 KING HIRAM RD	HOPE MILLS, NC 28348

OWNER_NAME	ADDRESS	CITYSTATEZIP
JACKSON, EMMANUEL R;EDEN, THERESA VIRGINIA COLE	3038 ROLLING RD	WINDSOR MILL, MD 21244
TURNER, JESSIE JAMES JR;TURNER, MARY EVELYN D	2240 SCHOOL RD	HOPE MILLS, NC 28348
MCDOWELL, CLARENCE B, DANIEL M;CHARLES, E	PO BOX 582	HOPE MILLS, NC 28348
MORRILL, HOWARD CHRISTOPHER	2300 SCHOOL RD	HOPE MILLS, NC 28348
SAYLON, CAROLYN J;SAYLON, SALEH A	6213 D BRISTOL DR	FAYETTEVILLE, NC 28314
NOVY, ELLEN M	6208 KING HIRAM RD	HOPE MILLS, NC 28348
FERGUSON, EDWARD D;FERGUSON, CONSTANCE V	1449 SAN AMORO DR	JACKSONVILLE, FL 32207
DEWITT, MAURICE T;DEWITT, KACHECKIA	4611 DUNCASTLE RD 3E	FAYETTEVILLE, NC 28314
CAIN, CATHY E;CAIN, KENNETH E	1214 BRISSON RD	ST PAULS, NC 28384
AMMONS, CARL F;AMMONS, CATHERINE W	6154 RACINE DR	HOPE MILLS, NC 28348
ULLOM, DANIEL;VERNELL, B	2271 SCHOOL RD	HOPE MILLS, NC 28348
MCMILLAN, RUBY	6132 RACINE DR	HOPE MILLS, NC 28348
AIKEN, VARDRY S;AIKEN, EBONI K	2240 HONEY LN	HOPE MILLS, NC 28348
RIVERS, NICOLE A;RIVERS, GLENN LEWIS	2266 HONEY LN	HOPE MILLS, NC 28348
KRIETER, WAYNE	6160 KING HIRAM RD	HOPE MILLS, NC 28348
JORDAN, WILLIAM R;JORDAN, CONNIE G	2255 HONEY LN	HOPE MILLS, NC 28348
IVEY, ROBIN T;IVEY, REMBRT L	2254 SCHOOL RD	HOPE MILLS, NC 28348
PIERCE, MATTHEW	6190 KING HIRAM RD	HOPE MILLS, NC 28348
MCDOWELL, CLARENCE B, DANIEL M;CHARLES, E	PO BOX 582	HOPE MILLS, NC 28348
JOHNSON, HENRY R JR;JOHNSON, BRENDA	5948 HIRAMS CT	HOPE MILLS, NC 28348
HALLIS, JAMES G JR;HALLIS, ERICKA E	2239 HONEY LN	HOPE MILLS, NC 28348
STARLING, NANCY CAROLYN LIFE ESTATE	2247 SCHOOL RD	HOPE MILLS, NC 28348
JOHNSON, RUFUS S HEIRS	PO BOX 248	FAYETTEVILLE, NC 28302
MARTIN, MARY T;MARTIN, THOMAS F III	6160 KING HIRAM RD	HOPE MILLS, NC 28348
FISHER, ERIC	39 CLIFFSIDE CT	SANFORD, NC 27332
NASSAR, AHMAD;NASSAR, HANAN	5949 HIRAMS CT	HOPE MILLS, NC 28348
BAIN, JULIAN;DARLENE, .	2772 SCHOOL RD	HOPE MILLS, NC 28348
HOUSE, TERRY C;HOUSE, WYNOMIA H	2204 HONEY LN	HOPE MILLS, NC 28348
BASILICI, RICHARD A;BASILICI, ANJA	2226 SCHOOL RD	HOPE MILLS, NC 28348
JACKSON, DAVID C;JACKSON, PATRICIA A	2270 SCHOOL RD	HOPE MILLS, NC 28348
FOKES, RHONDA LYNN;FOKES, JAMES CHASTAIN	6230 KING HIRAM RD	HOPE MILLS, NC 28348
MCNAIR, VERNELL L JR	3433 RUDLAND CT	FAYETTEVILLE, NC 28304
MORRILL, HOWARD C;MORRILL, PATRICIA	2300 SCHOOL RD	HOPE MILLS, NC 28348

PLANNING STAFF REPORT
REZONING CASE # P20-40
Planning Board Meeting: August 18, 2020

EXPLANATION OF THE REQUEST

This is a request to rezone a parcel located at 2426 Wade Stedman Road from A1 Agricultural to R40 Residential. This request would increase the density from 1 unit/2 acre to 1 unit/40,000 square feet. The property owner would have the density available to add an additional dwelling unit, but not to create another lot. This is a conventional rezoning and no conditions are proposed at this time.

OWNER/APPLICANT

OWNER/APPLICANT: Daniel & Cathy Bain (owners)

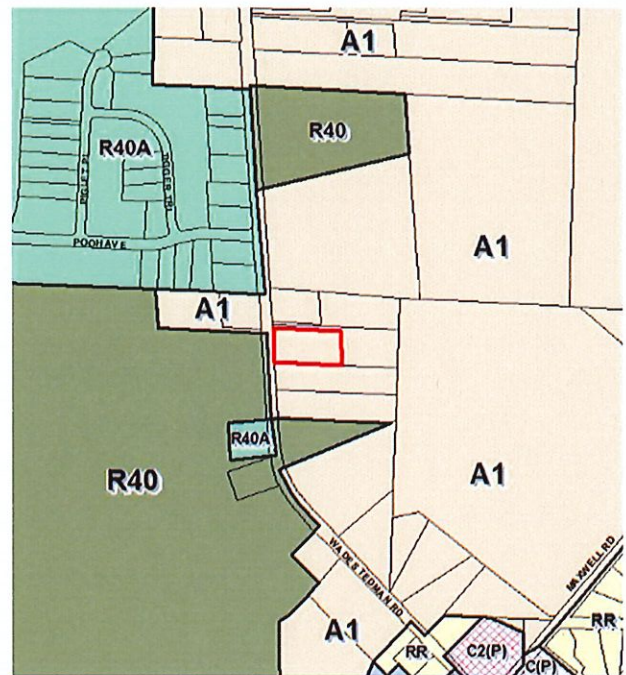
PROPERTY INFORMATION

ADDRESS/LOCATION: 2426 Wade Stedman Road; more specifically REID 0488908084000

SIZE: This request includes one parcel totaling approximately 1.52+/- acres. The parcel has approximately 184' of street frontage along Wade Stedman Road. The parcel is 365' +/- in depth.

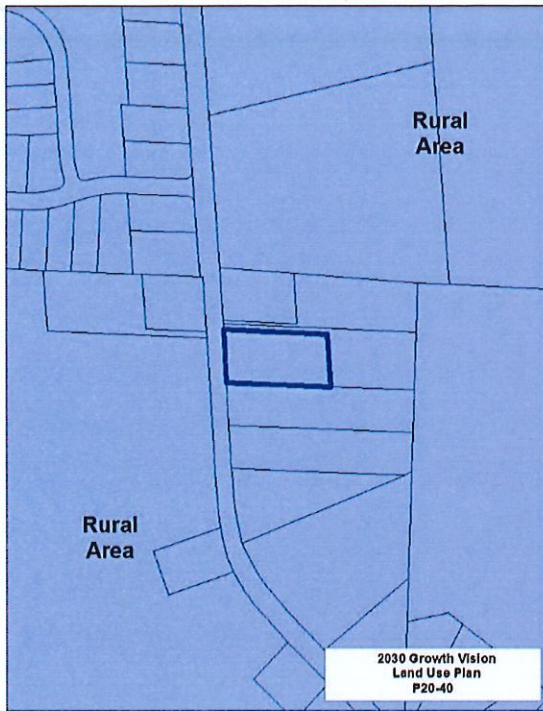
EXISTING LAND USE: The property is currently developed with a residential dwelling.

OTHER SITE CHARACTERISTICS: The property is not located within the watershed or Special Flood Hazard Area. There are no soil limitations to development on the property.



DEVELOPMENT REVIEW: The property was platted on 9-16-87 in Plat Book 63, Page 15. A group development review is required for second dwelling unit.

SURROUNDING LAND USE: There are residential uses surrounding the parcel including manufactured homes.



ZONING HISTORY: This property was initially zoned A1 as part of the Area 19 initial zoning on August 23, 1994.

UTILITIES: The property is currently served by Eastover Sanitary District water and private septic. There are no public sewer lines available. This property is not located within a water/sewer district.

MINIMUM YARD SETBACKS: If approved, this parcel would be subject to R40 setbacks: Front yard: 30 foot, Side yard: 15 foot, Rear yard: 35 foot.

COMPREHENSIVE PLANS: The 2030 Growth Vision Plan designates this parcel as "Rural Areas". Density as high as 2 units/acre may be permitted provided the soils and topography do not hinder development and a centralized water system exists, however lower densities and larger lots are preferred within this designation. **Request is plan compliant.**

IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

TRAFFIC: Wade Stedman Road is identified as a thoroughfare needing improvement in the 2045 Metropolitan Transportation Plan with no constructions/improvements planned. The subject property will have no impact on the Transportation Plan. The Average Daily Traffic count (2018) on Wade Stedman Road is 1,100.

SCHOOLS CAP/ENROLL: Eastover Central Elementary: 540/388; Mac Williams Middle: 1270/1189; Cape Fear High: 1425/1427

EMERGENCY SERVICES: The Cumberland County Fire Marshal's Office has reviewed the request and had no comment at this time.

ECONOMIC DEVELOPMENT: Fayetteville Cumberland County Economic Development Corporation has reviewed the request and had no comment at this time.

FAYETTEVILLE REGIONAL AIRPORT: This property is not located within the Airport Overlay District.

STAFF RECOMMENDATION

In Case P20-40, the Planning & Inspections staff **recommends approval** of the rezoning request from A1 Agricultural to R40 Residential and finds the request consistent with the 2030 Growth Vision Plan (2009) which designates this parcel for "Rural Areas". The "Rural Areas" designation allows a density as high as 2 units/acre provided the soils and topography do not hinder development and a centralized water system exists. Approval of the rezoning is also reasonable and in the public interest as the requested district is in harmony with surrounding existing land uses and zoning and the parcel is connected to public water.

- Attachments:
- Zoning Application
- Notification Mailing List

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 Residential to R40 Residential
2. Address of Property to be Rezoned: 2426 Wade Stedman Rd
3. Location of Property: Stedman, NC

4. Parcel Identification Number (PIN #) of subject property: 0488-90-8084
(also known as Tax ID Number or Property Tax ID)
5. Acreage: 1.52 Frontage: 180 Depth: 370
6. Water Provider: Well: PWC: _____ Other (name): Eastover
7. Septage Provider: Septic Tank PWC _____
8. Deed Book 0063, Page(s) 0015, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: single family dwelling
10. Proposed use(s) of the property: in-law suite

11. Do you own any property adjacent to or across the street from this property?
Yes _____ No If yes, where? _____
12. Has a violation been issued on this property? Yes _____ No

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

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

owner_name	address	citystatezip
CULBRETH, HOWARD M	2450 WADE STEDMAN RD	STEDMAN, NC 28391
MEREDITH, CHRISTOPHER J;MEREDITH, MONICA H	2416 WADE STEDMAN RD	STEDMAN, NC 28391
GODWIN, BRANDON L	PO BOX 53084	FAYETTEVILLE, NC 28305
BAIN, DANIEL C;CATHY, L GROOMS	2426 WADE STEDMAN RD	STEDMAN, NC 28391
MORTON, BILLIE D	2454 WADE STEDMAN RD	STEDMAN, NC 28391
BUNCE, ERNEST A JR	7029 MAXWELL RD	STEDMAN, NC 28391
CULBRETH, WALTER DEAN;CULBRETH, KAREN	2455 WADE STEDMAN RD	STEDMAN, NC 28391
SPAKE, WANDA C	2931 WADE STEDMAN RD	STEDMAN, NC 28391

P20-40 First Class

OWNER_NAME	ADDRESS	citystatezip
AUTRY, ERNEST WAYNE	6500 OAKLEY DR	FAYETTEVILLE, NC 28311
CULBRETH, HOWARD M	2450 WADE STEDMAN RD	STEDMAN, NC 28391
BENNER, EARL WAYNE;BENNER, AWILDA	2464 WADE STEDMAN RD	STEDMAN, NC 28391
CULBRETH, THOMAS S;CULBRETH, DONA T	2522 WADE STEDMAN RD	STEDMAN, NC 28391
UNITED METHODIST CHURCH	4472 CLINTON RD	FAYETTEVILLE, NC 28312
DANIELS, GERALD PATRICK;DANIELS, LOU E LIFE ESTATE	2276 WADE STEDMAN RD	STEDMAN, NC 28391
MEREDITH, CHRISTOPHER J;MEREDITH, MONICA H	2416 WADE STEDMAN RD	STEDMAN, NC 28391
JORDAN, CLAUDE W	002310 WADE STEDMAN RD	STEDMAN, NC 28391
RIDDLE COMPANIES INC	4200 MORGANTON RD 150	FAYETTEVILLE, NC 28314
JACKSON, JILL B	2365 WADE STEDMAN RD	STEDMAN, NC 28391
ALLEN, JOSEPH;ALLEN, GRETCHEN	5744 POOH AVE	STEDMAN, NC 28391
RIDDLE BUILDERS INC	4200 MORGANTON RD 150	FAYETTEVILLE, NC 28314
CARR, LEWIS	3798 W KARISSA ANN PL	JACKSONVILLE, FL 32223
GODWIN, BRANDON L	PO BOX 53084	FAYETTEVILLE, NC 28305
BAIN, DANIEL C;CATHY, L GROOMS	2426 WADE STEDMAN RD	STEDMAN, NC 28391
MORTON, BILLIE D	2454 WADE STEDMAN RD	STEDMAN, NC 28391
RIDDLE BUILDERS INC	4200 MORGANTON RD 150	FAYETTEVILLE, NC 28314
HAPPEL, DEREK GREGORY;HAPPEL, DANIELLE NICOLE	2115 TIGGER TRL	STEDMAN, NC 28391
BUNCE, ERNEST A JR	7029 MAXWELL RD	STEDMAN, NC 28391
BROWNE, MICHAEL LAWRENCE JR;BROWNE, MICHELLE LYNNE	2380 WADE STEDMAN RD	STEDMAN, NC 28391
FAIRCLOTH, MARTHA BUNCE;FAIRCLOTH, HUSB	2327 WADE STEDMAN RD	STEDMAN, NC 28391
BENNER, EARL WAYNE;BENNER, AWILDA	2464 WADE STEDMAN RD	STEDMAN, NC 28391
RIDDLE BUILDERS INC.	4200 MORGANTON RD STE 150	FAYETTEVILLE, NC 28314
AMARO NIEVES, WILLIAM ESTEBAN;AMARO, ARLANA D.	2107 TIGGER TRL	STEDMAN, NC 28391
RIDDLE BUILDERS INC	4200 MORGANTON RD 150	FAYETTEVILLE, NC 28314
CAMPBELL, JOHN W;CAMPBELL, BARBARA K	2511 WADE STEDMAN RD	STEDMAN, NC 28391
CULBRETH, WALTER DEAN;CULBRETH, KAREN	2455 WADE STEDMAN RD	STEDMAN, NC 28391
CARTER, ROBERT J;CARTER, LATOYA	2465 WADE STEDMAN RD	STEDMAN, NC 28391
HUDSON, COLLIN R;HUDSON, ASHLEY	2521 WADE STEDMAN RD	WADE, NC 28395
RIDDLE BUILDERS INC	4200 MORGANTON RD 150	FAYETTEVILLE, NC 28314
RIDDLE BUILDERS INC.	4200 MORGANTON RD STE 150	FAYETTEVILLE, NC 28314
FAIRCLOTH, WILLIAM PERRY SR LIFE ESTATE	3553 HAYFIELD RD	WADE, NC 28395
BEAM, MICHAEL K	2398 WADE STEDMAN RD	STEDMAN, NC 28391
JORDAN, CLAUDE W	002310 WADE STEDMAN RD	STEDMAN, NC 28391
SPAKE, WANDA C	2931 WADE STEDMAN RD	STEDMAN, NC 28391
RIDDLE BUILDERS INC	4200 MORGANTON RD 150	FAYETTEVILLE, NC 28314
RIDDLE COMPANIES INC	4200 MORGANTON RD 150	FAYETTEVILLE, NC 28314
RIDDLE, JOSEPH P III	PO BOX 53729	FAYETTEVILLE, NC 28305

1,100' Rad.

P20-40 3rd Class

PLANNING STAFF REPORT
REZONING CASE # P20-38
Planning Board Meeting: August 18, 2020

EXPLANATION OF THE REQUEST

This is a request to amend the Cumberland County Zoning Ordinance to revise Article II Interpretations, Calculations, and Definitions as well as Article IX Section 921. Recreation Vehicle Park and/or Campground. The amendment would define "Park Model Recreation Vehicles" as well as exempt them from the time limit restrictions on stays within the park. Approval of the amendment would also allow park model recreation vehicles to have an open or covered porch or deck that could potentially be screened.

STAFF RECOMMENDATION

In Case P20-38, the Planning and Inspections staff **recommends denial** of the text amendment to the Cumberland County Zoning Ordinance and find this text amendment not consistent with the adopted 2030 Growth Vision Plan (2009) Policy Area 2 of Well-Managed Growth and Development where the vision is to create development standards for application across rural and urban areas to ensure efficient and quality development is achieved. Denial of this text amendment is also reasonable and in the public interest because the request would circumvent the recently adopted standards concerning lengths of stay inside a RV Park and/or Campground, would circumvent acceptable subdivision standards commonly utilized for detached living quarters, and would take away from the intent of transient usage of the property.

Attachments:
P20-38 Text Amendment

AMEND the Cumberland County Zoning Ordinance, Article II Interpretations, Calculations, and Definitions by adding a definition concerning Park Model Recreational Vehicles in Section 203. Definitions of Specific Terms and Words as indicated below:

**ARTICLE II
INTERPRETATIONS, CALCULATIONS, AND DEFINITIONS SECTION**

203. DEFINITIONS OF SPECIFIC TERMS AND WORDS.

In further amplification and for clarity of interpretation of the context, the following definitions of word usage shall apply:

Recreational Vehicle, Park Model: A towable recreational vehicle which is built on a single chassis and designed primarily for use as temporary living quarters for recreational, camping, travel, or seasonal use; has a gross trailer area not exceeding 400 square feet in the set-up mode; and is certified by the manufacturer to comply with the American National Standards Institute (ANSI) A119.5 Park Model Recreational Vehicle Standard.

AMEND the Cumberland County Zoning Ordinance, Article IX Individual Uses by amending Section 921. Recreation Vehicle Park and/or Campground as indicated below:

**ARTICLE IX
INDIVIDUAL USES**

SECTION 921. RECREATION VEHICLE PARK AND/OR CAMPGROUND.

- A. Recreation vehicle parks/campgrounds shall be used only by travel trailers, pickup, coaches, motor homes, camping trailers, [park model recreational vehicles](#), other vehicular accommodations, cabins and tents suitable for temporary habitation and used for travel, vacation and recreation purposes.
- B. The area of the park/campground shall be at least three acres. Each recreation vehicle/cabin/open air cabins, camp site, excluding sites used solely for tents, shall be a minimum of 1,200 square feet in area with a maximum of 20 sites per acre. Each site shall contain a stabilized vehicular parking pad of packed gravel, paving or other suitable material. Cabin sites shall not exceed more than twenty-percent of the total proposed sites within the recreation vehicle/campground site. The maximum size of the proposed cabins shall not exceed 400 square feet and shall be identified as being either a cabin or open air cabin. Cabins shall not have bathrooms within the cabin and must be served by a bathhouse located within 500 feet from the entrance of the cabin to the entrance of the bathhouse. [Park model recreational vehicles may contain an open or covered porch or deck no greater than 100 square feet in area. Porches or decks may be screened but shall not be completely enclosed.](#)
- C. All yard setback requirements shall be in accordance with the dimensional requirements of the zoning district in which the park or campground is located and no structure, recreational vehicle site or camping site shall be located within the required yard area.
- D. Individual recreation vehicle spaces within a recreation vehicle park/campground shall not directly access a public road. Access to all recreation vehicle spaces/cabin and accessory structures within the park/campground shall be from internal streets with the entrance to the park directly accessing a public right-of-way. A driveway permit must be obtained from the North Carolina Department of Transportation for connection to the public street.
- E. The recreation vehicle park/campground shall not allow for permanent occupancy on the same site by the same occupant for any continuous period of time exceeding 90 days with a maximum allowance of 180 days per calendar year within the same park. There must be a minimum 30 day waiting period between stays within the same park for each recreational vehicle/occupant. [These time limits shall not apply to park model recreational vehicles which are owned by the recreation vehicle park/campground owner and which are rented for overnight or seasonal accommodations.](#) Each recreation vehicle park/campground shall be required to maintain a registry or logbook identifying, at a minimum, the recreation vehicle license plate number and Vehicle Identification Number for recreation vehicle sites and/or names of occupants in campground sites which will be subject to inspection by the County during regular inspections. Upon the adoption date of this amendment, existing recreation vehicle parks will also be required to comply with the logbook requirement.

- F. Each park shall have at least one telephone available for public use. Management headquarters, manager's residence, recreational facilities, bathhouses, toilets, dumping stations, showers, coin-operated laundry facilities, stores and the uses and structures customarily incidental to operations of a recreation vehicle park/campground are permitted as accessory uses to the park, subject to the following restrictions:
1. Such establishments (excluding recreational facilities) and the parking areas primarily related to their operations shall not occupy more than 10% of the gross area of the park/campground.
 2. The structures housing such facilities shall not be located closer than 100 feet to any public street and shall not be directly accessible from any public street but shall be accessible only from an internal drive within the park/campground.
 3. Such structures containing toilets, bathhouses and other plumbing fixtures shall comply with the requirements of the North Carolina Building Code.
 4. Each park shall be limited to a maximum of one manager's/ caretaker's residence.
- G. Adequate off-street parking and maneuvering space shall be provided on site. No public street, sidewalk or right-of-way or any other private grounds not a part of the recreational vehicle parking area shall be used to park or maneuver vehicles.
- H. Internal drives shall be constructed to a minimum of 18 feet in width if providing two way streets and 12 feet in width for one way streets and contain a minimum depth of six inches of stone gravel base with proper ditching, drainage, and seeding of slopes. Permanent dead-end streets shall have a cul-de-sac constructed 40 feet in diameter.
- I. Recreational vehicle parks and campgrounds shall be enclosed by a fence, wall, landscape screening, earthen mounds or by other measures from all contiguous residential areas in a manner that complements the landscape and assures compatibility with the adjacent environment and complies with the buffering requirements for non-residential uses adjacent to residential districts.
- J. In addition to the requirements required to be shown on the site plan as required by the Article XIV, the site plan shall include the name and address of the applicant, the location and dimensions of each recreation vehicle/camping site, the location and use of all service and recreational facilities, all interior access ways, drives, and parking. All site plans subject to this Section shall also require approval from the County Health Department.
- K. When permitted, recreation vehicle parks/campgrounds within the CD Conservancy District shall be subject to the following requirements:
1. No individual recreation vehicle/camping site shall have individual on-site septic systems.
 2. Each recreational vehicle must be equipped with a holding tank and each park/campground must have an approved dumping station or pump-out facilities on the premises.

L. All Federal, State and other local regulations shall be complied with. (Amd. 11-20-06; Amd. 01-19-10)

PLANNING STAFF REPORT
REZONING CASE # P20-41
Planning Board Meeting: August 18, 2020

EXPLANATION OF THE REQUEST

This is a request to rezone two parcels located at 3266 Sanderosa Road. The parcels are currently zoned HS(P)/CU for an emergency personnel training center and HS(P) Planned Highway Services. The HS(P) district is now dormant and corresponds with the C(P) district. The applicant is requesting that 4.40 acres be conditionally zoned O&I(P) for a general office while the remaining 6.25 acres be conventionally zoned to the C(P) district. This is a partial conditional rezoning and all ordinance-related conditions apply.

OWNER/APPLICANT

OWNER/APPLICANT: Hubert McDonald Jr. & Wade McDonald on behalf of Three-O-One Truck Stop Inc. (owners) & Ann Locklear (agent)

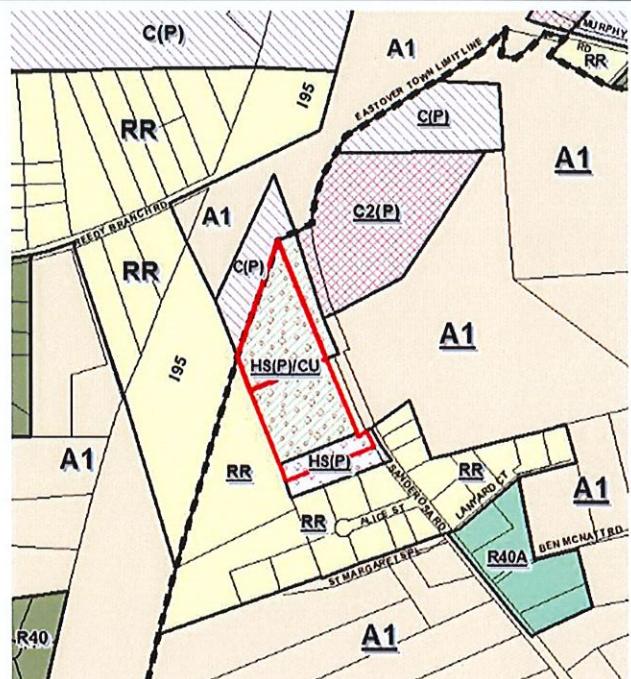
PROPERTY INFORMATION

ADDRESS/LOCATION: 3266 Sanderosa Road; more specifically REIDs 0468323840000 & 0468325325

SIZE: This request includes two parcels totaling approximately 10.65+/- acres. The parcels have approximately 1,201' of street frontage along Sanderosa Road and 653' along I-95. The parcels are 437'+/- in depth.

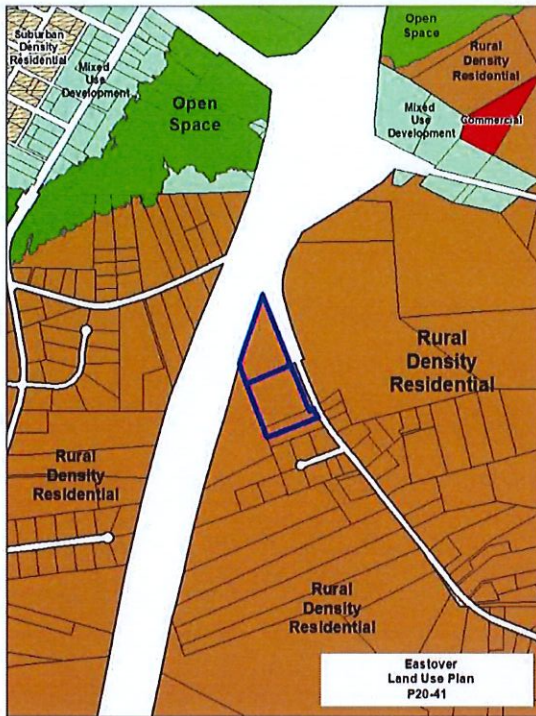
EXISTING LAND USE: The property is currently vacant except for a non-conforming billboard.

OTHER SITE CHARACTERISTICS: The properties are not located within the watershed or Special Flood Hazard Area. There are hydric soils (Pa-Pactolus Loamy Sand) located on the properties.



DEVELOPMENT REVIEW: The properties were created by deed on 1-14-86. The parcels will require a recorded plat prior to development. A site plan will be required on the C(P) portion prior to development.

SURROUNDING LAND USE: There are residential uses surrounding the parcels including manufactured homes. A religious worship facility and a medical office are developed across Sanderosa Road.



ZONING HISTORY: This property was initially zoned HS(P)/CU & HS(P) as part of the Area 8 initial zoning on April 26, 1979.

UTILITIES: The property is currently served by Eastover Sanitary District water and private septic. There are no public sewer lines available. This property is not located within a water/sewer district.

MINIMUM YARD SETBACKS: If approved, the portion of the parcel approved for O&I(P)/CZ would be subject to: Front yard: 35 foot, Side yard: 15 foot, Rear yard: 20 foot. The portion of the parcel approved for C(P) would be subject to: Front yard: 50 foot, Side yard: 30 foot, Rear yard: 30 foot.

COMPREHENSIVE PLANS: The 2030 Growth Vision Plan designates this parcel as "Urban Fringe". The Eastover Land Use Plan (2018) designates these parcels as "Rural Density Residential". "Rural Density Residential" calls for a minimum lot size of 20,000 square feet with the associated districts of R20, R20A, RR, R30, R30A, R40 and R40A. **Request is not plan compliant.**

IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

TRAFFIC: Sanderosa Road is identified as a local road in the 2045 Metropolitan Transportation Plan with no constructions/improvements planned. The subject property will have no impact on the Transportation Improvement Plan. ***Please note that I-95 is planned in the State Transportation Improvement Plan as I-5986, a proposed project to widen about 25 miles of I-95 to eight lanes between I-95 Bus/US 301 (Exit 56) in Cumberland County and I-40 (Exit 81) in Johnston County, including all of Harnett County. Proposed work would also include rebuilding at least six interchanges with new overpasses, loops and ramps. Right-of-way acquisition began in FY2019. The Average Daily Traffic count (2014) on Sanderosa Road is 740.

SCHOOLS CAP/ENROLL: Comments requested via e-mail. None received.

EMERGENCY SERVICES: The Cumberland County Fire Marshal's Office has reviewed the request and stated the following: 1) All portions of each building must be located within 150 feet of approved fire department access road 2) Ensure all fire department access road requirements are met 3) Emergency responder radio coverage must be achieved in accordance with fire code.

ECONOMIC DEVELOPMENT: Fayetteville Cumberland County Economic Development Corporation has reviewed the request and had no comment at this time.

FAYETTEVILLE REGIONAL AIRPORT: This property is not located within the Airport Overlay District.

STAFF RECOMMENDATION

In Case P20-41, the Planning & Inspections staff **recommends denial** of the rezoning from HS(P) Planned Highway Services District/CU Conditional Use Overlay for an emergency personnel training center & HS(P) Planned Highway Services District to O&I(P) Planned Office & Institutional District/CZ Conditional Zoning for general office and C(P) Planned Commercial and instead **recommends approval** of O&I(P)/CZ for general office and C1(P) Planned Local Business District where the applicant requested C(P). Staff finds:

- a. The recommendation is an amendment to the adopted current Eastover Land Use Plan (2018) map; and that the Board of Commissioners should not require any additional request or application for amendment to said map for this request.
- b. The following change in conditions was considered in amending the zoning ordinance (zoning map) to meet the development needs of the community: the Eastover Land Use Plan (2018) does include a recommendation that commercial development should be allowed to occur where convenient goods/needs could be provided on properties outside the Eastover town limits;
- c. And this rezoning recommendation is reasonable and in the public interest because the districts recommended would be more in line with the adopted plan than the existing zoning on the parcels and the C1(P) district is designed to allow uses that would provide convenient needs/services while prohibiting noxious uses near residential areas.

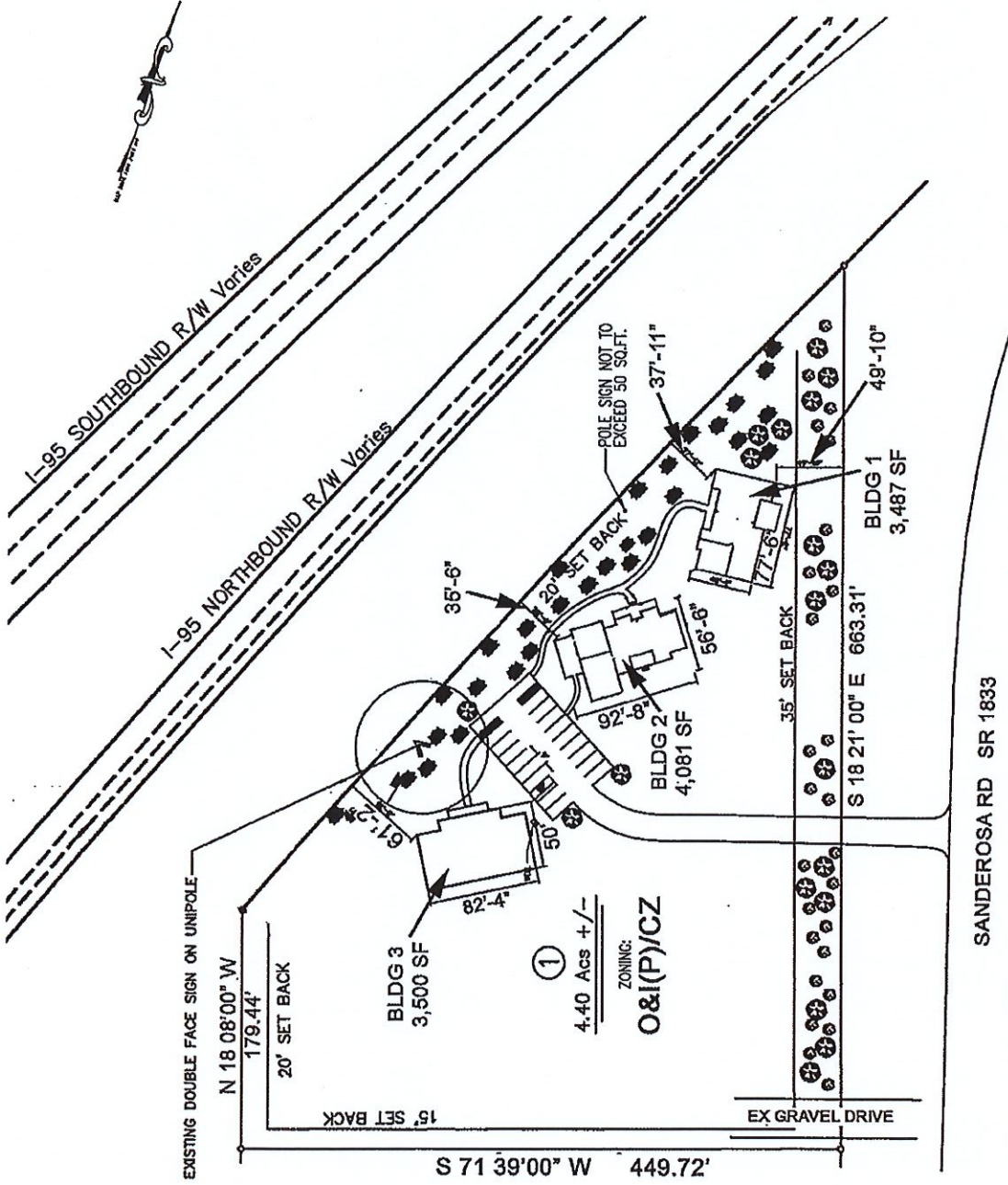
Attachments:

Detailed Site Plan

Ordinance Related Conditions

Zoning Application

Notification Mailing List



O&I(P) PLANNED OFFICE & INSTITUTIONAL DISTRICT/CZ CONDITIONAL ZONING

REQUEST: A GENERAL OFFICE
 CASE: P20-41 ACREAGE: 4.40 AC +/-
 SCALE: NTS PARKING: 20 SPACES
 * SCALED DETAILED SITE PLAN IN FILE AVAILABLE FOR REVIEW UPON REQUEST

O&I(P) PLANNED OFFICE & INSTITUTIONAL/CZ CONDITIONAL ZONING
DISTRICT

DRAFT

Ordinance Related Conditions
For General Office (w/ model homes)

Revision Required:

1. Three copies of a revised site plan and a \$25.00 revision fee is required to be submitted to the Current Planning Section prior to the further processing of this plat/plan. The following must be addressed on the revised plat/plan:
 - a. Landscaping must be provided in accordance with Section 1102 N, Landscaping, County Zoning Ordinance and/as shown on the site plan. The following are the minimum standards for the required landscaping of this site:
 - i. 26 large shade trees or 53 small ornamental trees within the front yard setback area along SR 1833 (Sanderosa Road) and I-95; and
 - ii. 8 ornamental trees and 87 shrubs are required in the building yard area.
 - iii. 1 large shade trees or 2 small ornamental trees are required within the parking area.

In addition:

- a. Required plant materials shall be maintained by the property owner, including replacing dead or unhealthy trees and shrubs; and
 - b. All yard and planting areas shall be maintained in a neat, orderly, and presentable manner and kept free of weeds and debris.
- b. This conditional approval is not approval of the permit for any freestanding signs. If a freestanding sign is desired, re-submittal of the site plan is required prior to application for any freestanding sign permits. Attached signage for this development must be in accordance with the applicable sign regulations as set forth in Article XIII of the County Zoning Ordinance and that the proper permit(s) must be obtained prior to the installation of any permanent signs on the property. (Note: This conditional approval is **not** approval of the size, shape, or location of any signs.) (Art. XIII, County Zoning Ord.) **Note: A freestanding pole sign can not exceed 30 feet in height. The site plan must be revised to indicate a maximum height of 30 feet.**

Pre- Permit Related:

2. A recorded plat is required prior to permit application, see Plat-Related conditions below. [Sec. 4-8(b)(7), County Code]
3. Prior to permit application, the developer must provide to the Code Enforcement Section documentation of NC Department of Environmental Quality Division of Energy, Mineral and Land Resources' (NCDEQ DEMLR) approval of the Sedimentation and Erosion control plan for this project. NCDEQ DEMLR requires a Sedimentation and Erosion control plan be submitted and approved 30 days prior to land disturbing activities if said land disturbing activity will exceed one acre.

If a plan is not required, per 15ANCAC 04B.0105 "Person conducting land disturbing activity shall take all reasonable measures to protect public and private property from damage cause by such activities." Sedimentation and erosion control measures will need to be installed to protect adjacent properties.

[Sec. 4-8(b)(6), County Code; originally under County jurisdiction relinquished to NCDEQ around 2000]

4. Authorization for wastewater system construction required before other permits to be issued. The County Health Department must approve sewer plans. Lots not served by public sewer systems are required to be large enough and of such physical character to comply with the Health Department's minimum standards. Site and soil evaluations must be conducted on the property by the County Environmental Health Department. A copy of the Health Department approval must be provided to Code Enforcement.

(Note: All Health Department requirements must be met prior to issuance of final permits.) (NCGS § 130A-338 & Sec. 2306 A, County Subdivision Ord. & Sec. 1101.E, County Zoning Ord.)

5. The Cumberland County Fire Marshal's Office has review the request and provided the following comments:
 - a. All portions of each building must be located within 150 feet of approved fire department access road.
 - b. Ensure all fire department access road requirements are met (Section 503 of the NC Fire Code 2018)
 - c. Emergency responder radio coverage must be achieved in accordance with (Section 510 of the NC Fire Code 2018)

For questions related to these comments, please contact the County Fire Marshal.

Permit-Related:

6. The owner/developer(s) of these lots must obtain detailed instructions from the County Code Enforcement Section, Room 101 in the Historic Courthouse at 130 Gillespie Street on provisions of the County Zoning Ordinance and any permits that may be required to place any structure within this development or to commence any use of the subject property. For additional information, the developer should contact a Code Enforcement Officer. (Chpt. 4, County Code & Sec. 107, County Zoning Ord.)
7. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application. [Sec. 4-8(b)(2), County Code]
8. **Driveway Permit Required.** Construction of any new connection or alteration of any existing connection may require an approved Driveway Permit. For additional information contact the NC Department of Transportation's (NCDOT) Division 6/District 2 office.

Change of use of subject properties shall require an approved Driveway Permit. Permits MUST be secured prior to the change or alteration of existing or proposed property use. Failure to secure required permits prior to construction or change in property usage may result in the removal of the driveway or street connections at the property owner's expense. For additional information contact the Division 6/District 2 office.

In the event that a structure (house) is built by a contractor for commercial gain and/or if property changes ownership from existing owner to builder, an approved Driveway Permit must be secured.

Note: In the event the NCDOT driveway permit process alters the site plan in any manner, three copies of a revised site plan (and \$25.00/\$50.00 revision fee) must be submitted for staff review and approved prior to permit application.

Note: The property owner most likely will be required to provide a copy of a recorded plat and deed conveying to the NCDOT that portion of the subject property located within or to be located within the right-of-way at the time of driveway permit application.
[§ 136-18(29), NCGS]

9. New development where the developer will disturb or intends to disturb more than one acre of land is subject to the Post-Construction Stormwater Management Permitting Program (Phase II Stormwater Management Requirements) administered by the Department of Energy, Minerals and Land Resources, NC Department of Environmental Quality (DEMLR NCDEQ). If one acre or more of land is to be disturbed, a copy of the State's *Post-Construction Permit* must be provided to County Code Enforcement prior to the issuance of the Certificate of Occupancy. (Note: If any retention/detention basins are required for state approval of this plan, three copies of a revised plan (and \$25/\$50 revision fee) must be submitted and approved by Planning & Inspections.) (Sec. 2306.D, County Subdivision Ord. & 2006-246, NC Session Law)
10. Prior to application for the Certificate of Occupancy, connection to public water and sewer is required, the Eastover Sanitary District (ESD) must approve water and sewer plans. A copy of the ESD approval must be provided to Code Enforcement. Contact Tal Baggett with ESD for more information. (Section 2306 A, County Subdivision Ord. & Sec. 1403.I, County Zoning Ord.)
11. The building final inspection cannot be accomplished until a Code Enforcement Officer inspects the site and certifies that the site is developed in accordance with the approved plans. (Sec. 107.B, County Zoning Ord.; & Secs. 2005 & 2007 County Subdivision Ord.)

Site-Related:

12. All uses, dimensions, setbacks and other related provisions of the County Subdivision and Development Ordinance, and County Zoning Ordinance for the O&I(P) Planned Office & Institutional/CZ Conditional Zoning for a general office zoning district must be complied with, as applicable.

Note: At such time that Building 1 and 3 no longer serve as model homes, they must be removed from the property (residential structures are not allowed), utilized as a general office structure (after upgrading to meet non-residential building code), or the property must be rezoned to allow a change-in-use other than general office. (Sec. 403, County Zoning Ord.)

13. All corner lots and lots fronting more than one street must provide front yard setbacks from each street. (Secs. 1101.G & 1102.B, County Zoning Ord.)
14. The existing billboard shown on the site plan will become nonconforming upon approval the conditional zoning. Damage, construction or removal that exceeds the 50% nonconformity threshold will prevent the billboard use from continuing on site.
15. For any new development, an adequate drainage system must be installed by the developer in accordance with the NC Department of Environmental Quality (NCDEQ) *Manual on Best Management Practices* and all drainage ways must be kept clean and free of debris. (Section 2307.A, County Subdivision Ord.)
16. For new development, all utilities, except for 25kv or greater electrical lines, must be located underground. (Section 2306.C, County Subdivision Ord.)
17. In the event a stormwater utility structure is required by the NC Department of Environmental Quality (NCDEQ), the owner/developer must secure the structure with a four foot high fence with a lockable gate, and is required to maintain the detention/retention basin, keeping it clear of debris and taking measures for the prevention of insect and rodent infestation. (Sec. 1102.O, County Zoning Ord.)
18. This review does not constitute a "subdivision" approval by NC Department of Transportation (NCDOT). A separate submittal to NCDOT will be required prior to consideration for addition to the system of any street within this development. (Sec. 2304B, County Subdivision Ord.)
19. Turn lanes may be required by the NC Department of Transportation (NCDOT). [Art. XIV, County Zoning Ord. & NCGS §136-18(5) & §136-93]

Note: The property owner most likely will be required to provide a copy of a recorded plat and deed conveying to the NCDOT that portion of the subject property located within or to be located within the right-of-way at the time of driveway permit application.

20. All lighting is required to be directed internally within this development and comply with the provisions of Section 1102 M, Outdoor Lighting, County Zoning Ordinance.
21. A solid buffer must be provided and maintained along the rear property lines where this tract/site abuts RR Rural Residential in accordance with the provisions of Section 1102 G, County Zoning Ordinance (Note: Chain link fencing cannot be used to satisfy the buffer requirement.)
22. All dumpster, garbage, and utility areas shall be located on concrete pads and screened on a minimum of three sides.
23. All required off-street parking spaces are required to be a minimum of 9' x 20' and surfaced, with a permanent material such as asphalt or concrete, and striped prior to application for the building final inspection. A minimum of 14 off-street parking spaces is required for this development. (Art. XII, County Zoning Ord.)
24. The owner/developer is responsible and liable for maintenance and upkeep of this site, all structures, and appurtenances, to include ensuring that the site is kept free of litter and debris, all grass areas mowed, all buffers and shrubbery kept trim and maintained, so that the site remains in a constant state of being aesthetically and environmentally pleasing. (Sec. 1403, County Zoning Ord.)

25. The Noise Regulations of the County Code Chpt. 9.5, Art. II are to be complied with.

Plat-Related:

26. All property lines must be shown with metes/bounds. Lot 2 will need to be shown as recombining the two (potentially three) lots to create the 6.25 acre lot. This will require the old lot line to be shown as a dash line with all other property lines shown as solid lines. Correct acreages will need to be show on the plat if the lot from Temple Baptist Church is not included on the plat.
27. Any/All easements must be reflected on the final plat and labeled as to type of easement, reference number for document creating the easement, and the name of the agency, individual, etc. who holds the easement.
28. The NC Department of Transportation (NCDOT) stamp must be affixed to the final plat prior to submission for final plat approval by the Current Planning Section.

Note: The property owner most likely will be required to provide a copy of a recorded plat and deed conveying to the NCDOT that portion of the subject property located within or to be located within the right-of-way at the time of driveway permit application.

29. The notarized signature(s) of all current tax record owner(s) and notary certifications appear on the final plat when submitted for final approval. (Section 2503 D, Certificate of Ownership and Dedication, County Subdivision and Development Ordinance)
30. The final plat must be submitted to the Current Planning Section for review and approval for recording with the County Register of Deeds, and the plat must be recorded prior to any permit application for any structure and/or prior to the sale of any lot or unit within this development.
31. The developer should be aware that any addition and/or revision to this plat may require an additional review and approval by the Planning & Inspections Department prior to submission for final plat approval of any portion of this development.

Plat-Required Statements:

32. Since this development does not have public sewer, the following disclosure statement is required to be provided on the final plat. (Section 2504 C, On-Site Water and/or Sewer Disclosure, County Subdivision and Development Ordinance):

“The individual lots in this development do not have public sewer services available, and no lots have been approved by the Health Department for on-site sewer services at the date of this recording.”

33. All structures shall be shown on the final plat or the final plat shall reflect the following statement (Section 2504 D, County Subdivision and Development Ordinance):

“Nonconforming structures have not been created by this recombination plat.”

Advisories:

34. The applicant is advised to consult an expert on wetlands before proceeding with any development.
35. Any revision or addition to this plan necessitates re-submission for review and approval prior to the commencement of the change.
36. The subject property sits on Sanderosa Road, which is identified as a local road in the 2045 Metropolitan Transportation Plan with no constructions/improvements planned. The subject property will have no impact on the Transportation Improvement Plan. **Please note that Interstate 95 is planned in the State Transportation Improvement Plan as I-5986, a proposed project to widen about 25 miles of I-95 to eight lanes between I-95 Business/U.S. 301 (Exit 56) in Cumberland County and I-40 (Exit 81) in Johnston County, including all of Harnett County. Proposed work would also include rebuilding at least six interchanges with new overpasses, loops and ramp. Right-of-way acquisition began in FY2019. For questions related to this comment, please contact Transportation Planning.
37. The owner/developer is responsible for ensuring easements which may exist on the subject property are accounted for, not encumbered and that no part of this development is violating the rights of the easement holder.

38. The US Postal Service most likely will require this development to have centralized cluster boxes for postal service to each lot or unit. The developer is advised contact the US Postal Growth Coordinator for the Mid-Carolinas District to determine the appropriate location for the cluster boxes. If the cluster box location requires changes to the subdivision or site plan, a revised preliminary/plan must be submitted to the Planning & Inspections Department for review and approval.
39. This conditional approval is not to be construed as all encompassing of the applicable rules, regulations, etc. which must be complied with for any development. Other regulations, such as building, environmental, health and so forth, may govern the specific development. The developer is the responsible party to ensure full compliance with all applicable Federal, State, and local regulations.

Other Relevant Conditions:

40. The owner/developer be aware that every deed created for a lot being served by an on-site water and/or sewer system must contain the following disclosure when filed with the County Register of Deeds:

“Public sewer services are not available as of the date of the recording of this deed. On-site sewer disposal systems must be approved by the County Health Department.”

Thank you for doing business in Cumberland County!

If you need clarification of any conditions, please contact Ed Byrne at 910-678-7609 or Betty Lynd at 910-678-7605 with the Current Planning Section; otherwise, contact the appropriate agency at the contact numbers below.

Contact Information (Area Code is 910 unless otherwise stated):

Current Planning Manager:	Betty Lynd	678-7605	blynd@co.cumberland.nc.us
Subdivision/Site Plan/Plat	Ed Byrne	678-7609	ebyrne@co.cumberland.nc.us
Code Enforcement (Permits):	Scott Walters	321-6654	swalters@co.cumberland.nc.us
County Building Inspections:	Michael Naylor	321-6657	mnaylo@co.cumberland.nc.us
Fire Marshal – Emergency Services	Kevin Lowther	321-6625	klowther@co.cumberland.nc.us
	Gene Booth	678-7641	wbooth@co.cumberland.nc.us
County Health Department:	Fred Thomas	433-3692	fthomas@co.cumberland.nc.us
PWC:	Joe Glass	223-4740	joe.glass@faypwc.com
	Sam Powers	223-4370	sam.powers@faypwc.com
Eastover Sanitary District:	Tal Baggett	229-3716	managersd@ncrrbiz.com
US Postal Service	Jonathan R. Wallace	(704) 393-4412	jonathan.r.wallace@usps.gov
Corp of Engineers (wetlands):	Liz Hair	(910) 251-4049	hair@usacr.army.mil
NCDEQ (E&S):	Leland Cottrell	(910) 433-3393	leland.cottrell@ncdenr.gov
US Fish & Wildlife Services	Susan Ladd Miller	(910) 695-3323	susan_miller@fws.gov
Location Services:			
Site-Specific Address:	Will Phipps	678-7666	wphipps@co.cumberland.nc.us
Tax Parcel Numbers:		678-7549	
NCDOT (driveways/curb-cuts):	Troy Baker	364-0601	tlbaker@ncdot.gov
Transportation Planning:	Katrina Evans	678 7614	kevans@co.cumberland.nc.us
N.C. Division of Water Quality:	Annette Lucas	(919) 807-6381	annette.lucas@ncdenr.gov

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

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

1. Applicant/Agent Ann Locklear
2. Address: 117 Natchez Dr Roxford NC Zip Code 28376
3. Telephone: (Home) 910 624 1554 (Work) 910 624 1554
4. Location of Property: Sanderosa Rd.
5. Parcel Identification Number (PIN #) of subject property: 0468-32-3840
(also known as Tax ID Number or Property Tax ID)
6. Acreage: 4.4 acres Frontage: 663.31' Depth: 449.72'
7. Water Provider: Well Septage Provider: Septic system
8. Deed Book 4399 + 2915, Page(s) 106 + 411, 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: Sales and production office and Model Center

NOTE: Be specific and list all intended uses.

11. Do you own any property adjacent to, including across the street from, the property being submitted for rezoning? Yes No
12. Has a violation been issued on this property? Yes No
13. It is requested that the foregoing property be rezoned FROM: HSP/CU

TO: (Select one)

- Conditional Zoning District, with an underlying zoning district of O-I
(Article V)
- Mixed Use District/Conditional Zoning District (Article VI)
- Planned Neighborhood District/Conditional Zoning District (Article VII)
- Density Development/Conditional Zoning District, at the _____ Density
(Article VIII)

APPLICATION FOR
CONDITIONAL ZONING

1. PROPOSED USE(S):

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

Home Sales

Production Office for home construction

Model Center

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

12,000 sq. ft. Commercial

2. DIMENSIONAL REQUIREMENTS:

- A. Reference either the dimensional requirements of the district, Sec. 1104 or list the proposed setbacks.

Front: 45'

Side: 25'

Rear: 20'

- B. Off-street parking and loading, Sec. 1202 & 1203: List the number of spaces, type of surfacing material and any other pertinent information.

20 spaces

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Article XIII.

See attached

4. LANDSCAPE AND BUFFER REQUIREMENTS:

A. For all new non-residential and mixed use development abutting a public street, indicate the number and type of large or small ornamental trees used in the streetscape, yard space, and/or parking areas, plus the number and type of shrubs. (Sec. 1102N). NOTE: All required landscaping must be included on the site plan. *See site plan*

B. Indicate the type of buffering and approximate location, width and setback from the property lines. (Sec. 1102G). NOTE: All required buffers must be included on the site plan. *See site plan*

5. MISCELLANEOUS:

List any information not set forth above, such as the days and hours of the operation, number of employees, exterior lighting, noise, odor and smoke, emission controls, etc.

Hours of operations 6 days a week Mon.- Sat.

Typical hours 7am - 6pm.

Estimated 4-10 employees.

6. SITE PLAN REQUIREMENTS:

The application must include a site plan drawn to the specifications of Sec. 1402. If the proposed uses involve development subject to the County Subdivision Ordinance, the site plan required may be general in nature, showing a generalized street pattern, if applicable, and the location of proposed uses. If the proposed uses include development not subject to the Subdivision Ordinance, the site plan must be of sufficient detail to allow the Planning and Inspections Staff, Planning Board and County Commissioners to analyze the proposed uses and arrangement of uses on the site. It also must include the footprints of all buildings (proposed and existing), the proposed number of stories, location and number of off-street parking and loading spaces, proposed points of access to existing streets and internal circulation patterns. In addition, the location of all proposed buffers and fences and landscaping shall be included on the site plan.

7. STATEMENT OF ACKNOWLEDGMENT:

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

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

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

WADE McDONALD
NAME OF OWNER(S) (PRINT OR TYPE)

2524 McNeill Circle
ADDRESS OF OWNER(S)

HAMPTON62-42B@MSN.COM
E-MAIL

910-624-3222 910-483-0105
HOME TELEPHONE WORK TELEPHONE

Wade McDonald Wade McDonald
SIGNATURE OF OWNER(S) SIGNATURE OF OWNER(S)

Ann Locklear
NAME OF AGENT, ATTORNEY, APPLICANT (by assign) (PRINT OR TYPE)

112 Natchez Dr. Raleigh NC 28376
ADDRESS OF AGENT, ATTORNEY, APPLICANT

910 624 1554 910 624 1554
HOME TELEPHONE WORK TELEPHONE

Annlocklear@aol.com NA
E-MAIL ADDRESS FAX NUMBER

Ann Locklear
SIGNATURE OF AGENT, ATTORNEY, OR APPLICANT

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 HSP/CU¹ HSP to CP
2. Address of Property to be Rezoned: _____
3. Location of Property: North of Sandegee Rd
4. Parcel Identification Number (PIN #) of subject property: 0468-32-3840 + 5325
(also known as Tax ID Number or Property Tax ID)
5. Acreage: 6.25 Frontage: 544' Depth: 505'
6. Water Provider: Well: PWC: _____ Other (name): _____
7. Septage Provider: Septic Tank PWC _____
8. Deed Book 4399 + 2915, Page(s) 106 + 411, 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: Commercial
11. Do you own any property adjacent to or across the street from this property?
Yes No _____ If yes, where? Adjacent
12. Has a violation been issued on this property? Yes _____ No

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

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

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.

Hubert McDONALD JR WADE McDONALD
NAME OF OWNER(S) (PRINT OR TYPE)

3330 Chantilly Ln Foy, N.C. 210 N. EASTERN BLVD Foy, N.C. 28301
ADDRESS OF OWNER(S)

SBTMACXXX AT GMAIL.COM HAMPTON 02 - 428 AT MSN.COM
E-MAIL

910 670 3490 910 624-3222
HOME TELEPHONE WORK TELEPHONE

Hubert McDonald Jr *Wade McDonald*
SIGNATURE OF OWNER(S) SIGNATURE OF OWNER(S)

Ann Locklear
NAME OF AGENT, ATTORNEY, APPLICANT (by assign) (PRINT OR TYPE)

112 Watcher Dr Roanoke VA 28378
ADDRESS OF AGENT, ATTORNEY, APPLICANT

910 624 1554 910 624 1554
HOME TELEPHONE WORK TELEPHONE

annlocklear@aol.com NA
E-MAIL ADDRESS FAX NUMBER

Ann Locklear
SIGNATURE OF AGENT, ATTORNEY, OR APPLICANT

OWNER_NAME	ADDRESSES	CITYSTATEZIP
JONES, TED CURTISS;JONES, GLENDA A	3358 SANDEROSA RD	FAYETTEVILLE, NC 28312
MORRISON, EDWARD M	2885 ROSS RD	LILLINGTON, NC 27546
CULIFER, WAYNE A	3545 REEDY BRANCH RD	EASTOVER, NC 28312
TEMPLE BAPTIST CHURCH INC OF FAYETTEVILLE NORTH CAROLINA	3159 SANDEROSA RD	FAYETTEVILLE, NC 28312
MCDONALD, HUBERT ELLIS JR;MCDONALD, FRANCES BLACK	3330 CHANTILLY LN	HOPE MILLS, NC 28348
WHITCOME, TROY E	3535 REEDY BRANCH RD	EASTOVER, NC 28312
WHITE, ANN MARIE	2001 CHARDEN RD	DAVIDSON, NC 28036
JONES, TED CURTISS;JONES, GLENDA ALEXANDER	3358 SANDEROSA RD	FAYETTEVILLE, NC 28312
WHITE, CARL B III;ANN, MARIE	PO BOX 153	OAK ISLAND, NC 28465
MCKOY, LEO	3321 SANDEROSA RD	FAYETTEVILLE, NC 28312
CAMPBELL, DEBORAH S;JAMES, H DAVIS	3364 SANDEROSA RD	FAYETTEVILLE, NC 28312
BINGHAM, ROBERT T;BINGHAM, SHELIA T	3516 REEDY BRANCH RD	EASTOVER, NC 28312
THREE-O-ONE TRUCK STOP INC	PO BOX 737	FAYETTEVILLE, NC 28301
MCKOY, LEO WILTON	3321 SANDEROSA RD	FAYETTEVILLE, NC 28312

WILSON, STANLEY G;WILSON, WIFE	3333 SANDEROSA RD	FAYETTEVILLE, NC 28312
WATSON, ROBERT M;WATSON, BOBBIE L	3321 ST MARGARETS PL	FAYETTEVILLE, NC 28312
JONES, TED CURTISS;JONES, GLENDA A	3358 SANDEROSA RD	FAYETTEVILLE, NC 28312
MCMILLAN, IDA MAE T;MCMILLAN, IRA	1125 DEEP CREEK RD	FAYETTEVILLE, NC 28312
WHITE, CARL B III	PO BOX 153	OAK ISLAND, NC 28465
MORRISON, EDWARD M	2885 ROSS RD	LILLINGTON, NC 27546
CULIFER, WAYNE A	3545 REEDY BRANCH RD	EASTOVER, NC 28312
SMITH, CINDY LEE	3300 ALICE ST	FAYETTEVILLE, NC 28312
GOMEZ, SYMONE	3312 ALICE ST	FAYETTEVILLE, NC 28312
CULLISON, HAROLD;CULLISON, MARILYN B	2109 LAKE SHANNON DR	FAYETTEVILLE, NC 28312
TEMPLE BAPTIST CHURCH INC OF FAYETTEVILLE NORTH CAROLINA	3159 SANDEROSA RD	FAYETTEVILLE, NC 28312
MCMILLAN, IRA	1125 DEEP CREEK RD	FAYETTEVILLE, NC 28312
OWENS, MICHELLE L;OWENS, BRANDON A	3301 ST MARGARETS PL	FAYETTEVILLE, NC 28306
MCDONALD, HUBERT ELLIS JR;MCDONALD, FRANCES BLACK	3330 CHANTILLY LN	HOPE MILLS, NC 28348
WHITCOME, TROY E	3535 REEDY BRANCH RD	EASTOVER, NC 28312
WILBURN, WES T	3380 SANDEROSA RD	FAYETTEVILLE, NC 28312
PATTERSON, LENON	3359 SANDEROSA RD	FAYETTEVILLE, NC 28312
MCMILLIAN, LORENE R HEIRS	3442 SANDEROSA RD	FAYETTEVILLE, NC 28312
ROZIER, JACQUELINE	422 ALFRED ST 217	FAYETTEVILLE, NC 28301
MCNATT, ROY LEE	PO BOX 1784	FAYETTEVILLE, NC 28302
MCMILLAN, IDA MAE T;MCMILLAN, IRA	1125 DEEP CREEK RD	FAYETTEVILLE, NC 28312
WHITE, ANN MARIE	2001 CHARDEN RD	DAVIDSON, NC 28036
JONES, TED CURTISS;JONES, GLENDA ALEXANDER	3358 SANDEROSA RD	FAYETTEVILLE, NC 28312
PATTERSON, JAMES;PATTERSON, DEBORAH M	1126 LANYARD CT	FAYETTEVILLE, NC 28312
WHITE, CARL B III;ANN, MARIE	PO BOX 153	OAK ISLAND, NC 28465
MCKOY, LEO	3321 SANDEROSA RD	FAYETTEVILLE, NC 28312
MARTIN MANAGEMENT INVESTMENTS L P	PO BOX 7968	ATHENS, GA 30604
CAMPBELL, DEBORAH S;JAMES, H DAVIS	3364 SANDEROSA RD	FAYETTEVILLE, NC 28312
WHITE, ANN MARIE	2001 CHARDEN RD	DAVIDSON, NC 28036
WHITE, CARL B III	PO BOX 153	OAK ISLAND, NC 28465
BINGHAM, ROBERT T;BINGHAM, SHELIA T	3516 REEDY BRANCH RD	EASTOVER, NC 28312
AKINS, VIRGINIA D, JENNIFER E DOZIER;GINGER, L BATTON	3525 REEDY BRANCH RD	EASTOVER, NC 28312
THREE-O-ONE TRUCK STOP INC	PO BOX 737	FAYETTEVILLE, NC 28301
MCKOY, LEO WILTON	3321 SANDEROSA RD	FAYETTEVILLE, NC 28312