

AMY H. CANNON
County Manager



RAWLS HOWARD
Director

TRACY JACKSON
Assistant County Manager



Vacant
Deputy Director

◆
Planning & Inspections Department

TENTATIVE AGENDA
January 21, 2020
6:00 P.M.

- I. INVOCATION AND PLEDGE OF ALLEGIANCE – THOMAS LLOYD
- II. APPROVAL OF/ADJUSTMENTS TO AGENDA
- III. PUBLIC HEARING DEFERRALS / WITHDRAWALS
- IV. ABSTENTIONS BY BOARD MEMBERS
- V. APPROVAL OF THE MINUTES OF DECEMBER 17, 2019
- VI. CHAIRMAN'S WELCOME AND RULES OF PROCEDURE
- VII. PUBLIC HEARING CONSENT ITEMS

CONDITIONAL ZONING CASE

- A. **P20-01.** REZONING OF 2.07+/- ACRES FROM C1(P) PLANNED LOCAL BUSINESS TO C(P) PLANNED COMMERCIAL/CZ CONDITIONAL ZONING FOR ALL ALLOWED USES WITHIN C(P) DISTRICT OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 2960 CUMBERLAND ROAD, SUBMITTED BY ROY L. & SHEILA J. BULLOCK (OWNER).

VIII. PUBLIC HEARING CONTESTED ITEMS

REZONING CASE

- B. **P20-02.** REZONING OF 3.70+/- ACRES FROM A1 AGRICULTURAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 5877 & 5911 CLINTON ROAD, SUBMITTED BY KATHRINA VICTORIA (OWNER) & SHAWN VALLINI (AGENT).

CONDITIONAL ZONING CASE

- C. **P19-50.** REZONING OF 100.00+/- ACRES FROM RR RURAL RESIDENTIAL TO M(P) PLANNED INDUSTRIAL/CZ CONDITIONAL ZONING FOR A BORROW SOURCE OPERATION OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED NORTH OF ROCKFISH CREEK, EAST OF SR 2341 (CLAUDE LEE ROAD); SUBMITTED BY JOSEPH R. RIVENBARK, JOELLA RIVENBARK POWELL, ROBERT L. RIVENBARK AND SUZANNE RIVENBARK SHEARON ON BEHALF OF R. LINWOOD RIVENBARK HEIRS (OWNER) & SETH THOMPSON (AGENT).

IX. PUBLIC HEARING WAIVER CASE

- D. **CASE NO. 19-129.** CONSIDERATION OF THE DONNIE G. BEARD & MICHAEL G. BEARD PROPERTY; SUBDIVISION REVIEW; REQUEST FOR A WAIVER FROM THE MAXIMUM NUMBER OF LOTS TO BE SERVED USING A CLASS "C" PRIVATE STREET; COUNTY SUBDIVISION ORDINANCE, SECTIONS 2304.C.4.C(4), PRIVATE STREETS; ZONED: A1; TOTAL ACREAGE: 10.76 +/-; LOCATED AT 3432 & 3460 SUNNY DALE DRIVE; SUBMITTED BY DONNIE G. BEARD AND MICHAEL G. BEARD (OWNERS).

X. DISCUSSION

DIRECTOR'S UPDATE

XI. ADJOURNMENT

PLANNING STAFF REPORT
REZONING CASE # P20-01
Planning Board Hearing: January 21, 2020

EXPLANATION OF THE REQUEST

This is a request to rezone one parcel located on the north side of Cumberland Road, from C1(P) Planned Local Business District to C(P) Planned Commercial/CZ Conditional Zoning for all allowed uses within the C(P) district. As this is a conditional zoning, all ordinance related conditions will apply.

OWNER/APPLICANT

OWNER/APPLICANT: Roy L. & Sheila J. Bullock (owner)

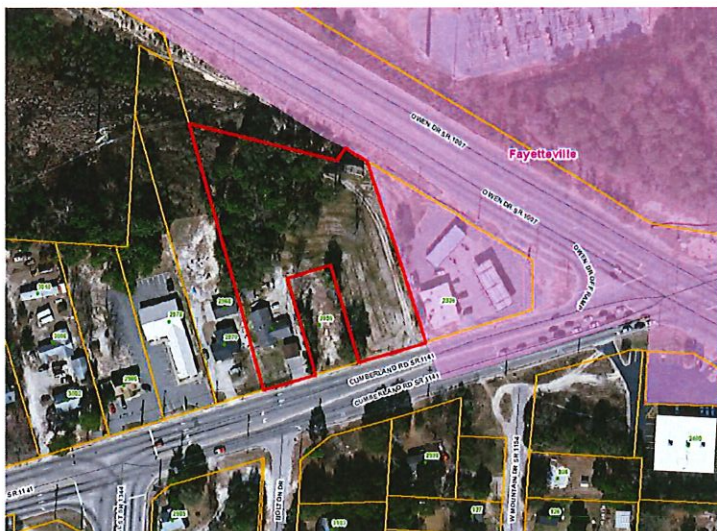
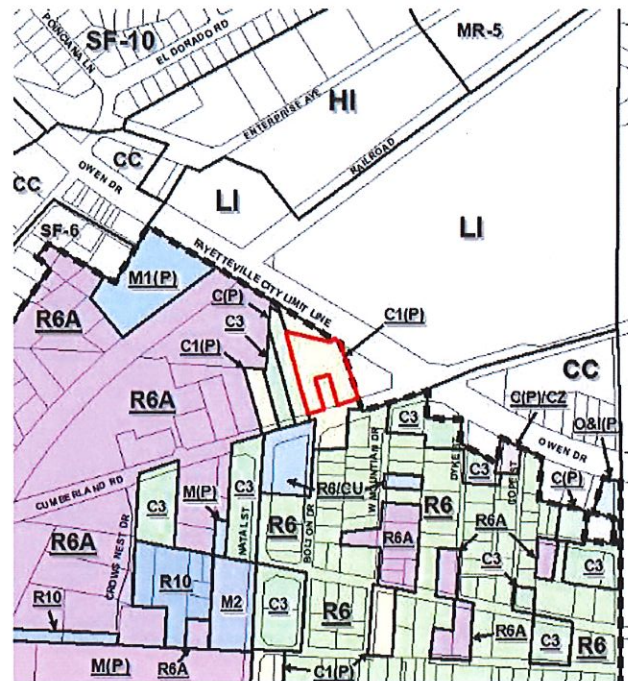
PROPERTY INFORMATION

ADDRESS/LOCATION: 2960 Cumberland Road; more specifically PIN 0426-41-7906

SIZE: This request includes one parcel totaling approximately 2.07 acres. The property has approximately 204' of street frontage along Cumberland Road and is 454'+/- in depth.

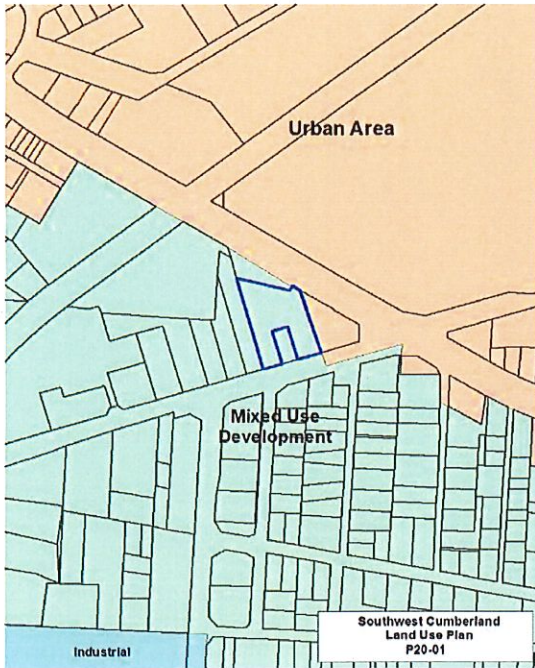
EXISTING LAND USE: The subject property is currently developed with a single-family dwelling unit and accessory structure. Both are nonconforming due to setbacks. There is also a nonconforming billboard in the northeast corner of the property the applicant plans to remove.

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



MUNICIPAL INFLUENCE AREA: This property is in Fayetteville's MIA. Staff received no comment from city planning.

SURROUNDING LAND USE: While there are residential uses including manufactured homes in the surrounding area, the parcel is surrounded by non-residential uses including a religious worship facility, convenience store, bingo facility, day care, public utility substation and motor vehicle parts sales.



ZONING HISTORY: This property was initially zoned R6A as part of the Area 3 initial zoning on August 1, 1975. The tract was rezoned to C1(P) on December 15, 2008 (Case P08-58).

UTILITIES: This property is served by PWC water & sewer.

MINIMUM YARD SETBACKS: If approved, this parcel would be subject to C(P) setbacks: Front yard: 50 foot, Side yard: 30 foot, Rear yard: 30 foot.

COMPREHENSIVE PLANS: The 2030 Growth Vision Plan designates this parcel for "Urban". The Cumberland Road Business Street Plan recommends conditional zoning requests and heavier commercial uses along this portion of Cumberland Road.

The Southwest Cumberland Land Use Plan (2013) designates this parcel for "**Mixed Use Development**". The "Mixed Use Development" designation allows a mixture of uses to include residential, office and institutional uses and generally light commercial uses. Mixed use must have public water and sewer, direct access to a collector street, and adequate space for buffering, etc. **Request is compliant with the plan.**

IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

TRAFFIC: The subject property sits on Cumberland Road which is identified as an existing thoroughfare in the 2045 Metropolitan Transportation Plan. There are no constructions/improvements planned and the subject property will have no impact on the Transportation Plan. The Average Daily Traffic Count (2016) on Cumberland Road is 24,000.

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

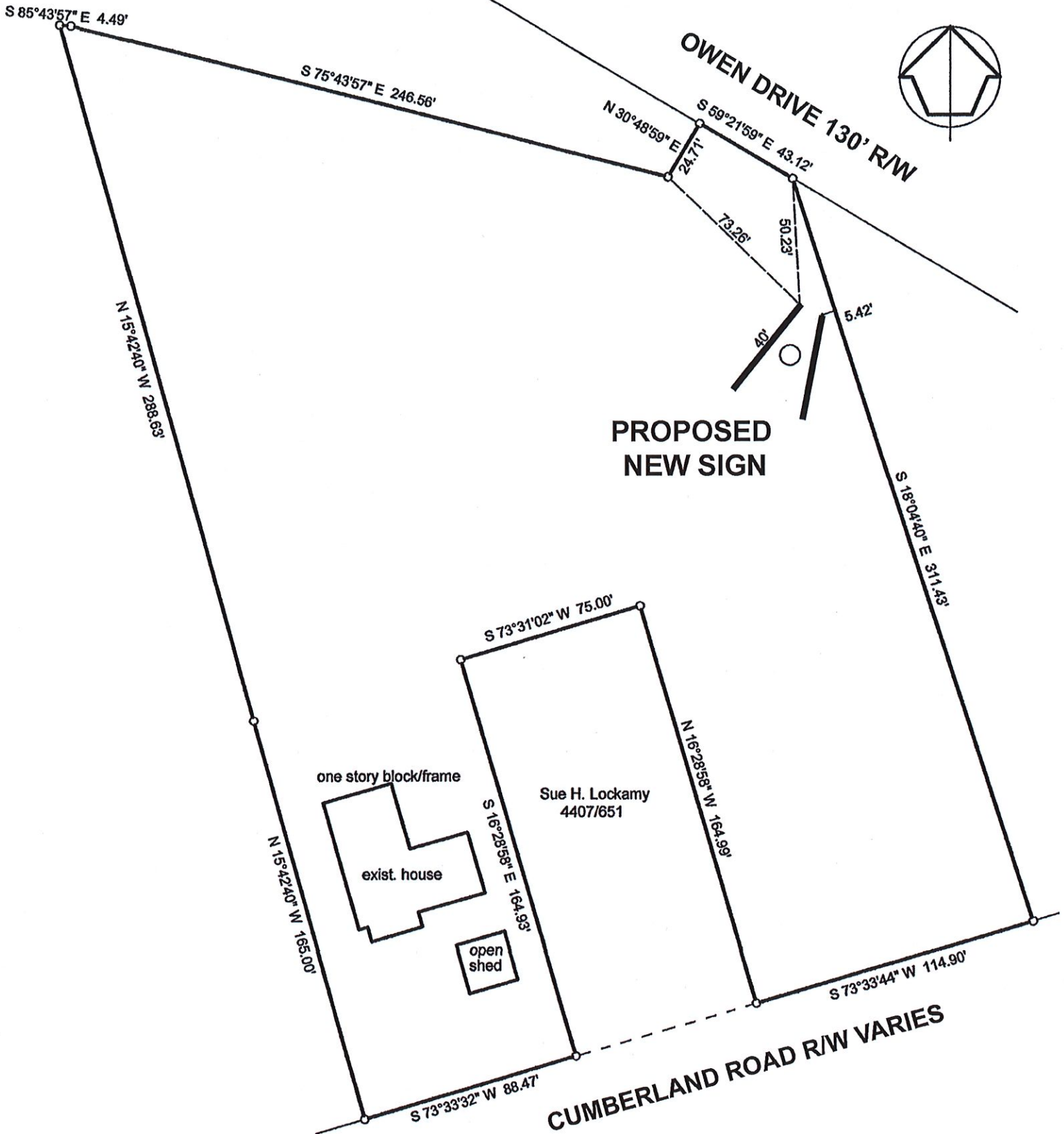
ECONOMIC DEVELOPMENT: Fayetteville Cumberland County Economic Development Corporation has reviewed the request and has no comment at this time.

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

STAFF RECOMMENDATION

In Case P20-01, the Planning and Inspections staff **recommends approval** of the rezoning from C1(P) Planned Local Business District to C(P) Planned Commercial/CZ Conditional Zoning for all allowed uses within the C(P) district and find the request is consistent with the adopted Southwest Cumberland Land Use Plan (2013) which designates this parcel as "Mixed Use Development". Although commercial uses are typically of a lighter nature in a mixed use development, heavier commercial uses are permitted. This request is also consistent with the Cumberland Road Business Street Plan's recommendation of encouraging conditional zoning requests along Cumberland Road to better manage development. Staff further finds the request is reasonable and in the public interest as the district requested is in harmony with existing land uses in the area as well as existing zoning. The parcel is near a heavily trafficked intersection in an area that is already transitioning from residential to commercial development and the size of the parcel and setback requirements will mitigate any commercial development that would be too large to fit in with the character of the area.

- Attachments:
 Site Plan
 Draft Ordinance Related Conditions
 Zoning Application
 Notification Mailing List



C(P) PLANNED COMMERCIAL/CZ CONDITIONAL ZONING
REQUEST: FOR ALL ALLOWED USES
CASE: P20-01 ACREAGE: 2.07 AC +/-
ZONED: C1(P) SCALE: NTS

*SCALED DETAILED SITE PLAN IN FILE AVAILABLE FOR REVIEW UPON REQUEST

C(P) PLANNED COMMERCIAL/CZ CONDITIONAL ZONING DISTRICT

DRAFT

Ordinance Related Conditions

All allowed uses in C(P) district

Pre- Permit Related:

1. Prior to the commencement of any additional non-residential use or change-in-use aside from the proposed billboard, three hard copies of a revised site plan with a \$25 revision fee must be submitted to Current Planning for review.

Note: At the time of any new additions, change-in-use or any other requirements for a site plan/subdivision review, additional development standards will be applied to this development such as landscaping, parking/loading spaces, buffers and signage.

2. 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]

Permit-Related:

3. 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.)
4. 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]
5. **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 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]

6. Because the subject property is located within the Airport Overlay District and in the event any structure is greater than 200 feet in height, the developer will be required to provide a FCC Form 7460-1 to Code Enforcement at the time of permit application. This form must be acknowledged by the FCC that the structure is not a hazard or obstruction to air traffic. (Section 8.101.D, County Zoning Ord.)
7. 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)
8. Prior to application for the Certificate of Occupancy for any additional development requiring utilities, connection to public water and sewer is required, the Public Works Commission (PWC) must approve water and sewer plans. A copy of the PWC approval must be provided to Code Enforcement. Contact Sam Powers with PWC for more information. (Section 2306 A, County Subdivision Ord. & Sec. 1403.I, County Zoning Ord.)

Note: Due to an existing agreement between the PWC and the City of Fayetteville, an annexation petition most likely will be required prior to the PWC's review of any utility plans. **Upon submission of the annexation petition the town most likely will require an engineer's sealed certification as to the guarantee of improvements. In addition, the town may require a bond or other financial guarantee as assurance that all required improvements will be properly installed.**

9. 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:

10. All uses, dimensions, setbacks and other related provisions of the County Subdivision and Development Ordinance, and County Zoning Ordinance for the C(P) Planned Commercial/CZ Conditional Zoning district for all allowed uses in the C(P) district must be complied with, as applicable.
11. 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.)
12. 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.)
13. "Cumberland Road" must be labeled as "SR 1141 (Cumberland Road)" and "Owen Drive" must be labeled as "SR 1007 (Owen Drive)" on all future plans. (Sec. 2203, County Subdivision Ord.)
14. 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.)
15. For new development, all utilities, except for 25kv or greater electrical lines, must be located underground. (Section 2306.C, County Subdivision Ord.)
16. 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.)

17. 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.

18. 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.
19. All dumpster, garbage, and utility areas shall be located on concrete pads and screened on a minimum of three sides.
20. In the event the billboard is not used for a period of six months, the billboard shall be considered abandoned and must be removed. The owner of the billboard is required to remove any abandoned, unused or structurally unsound billboard within 90 days of receiving notice requiring removal. The Code Enforcement Coordinator may establish a shorter period of time for removal in the event the billboard is determined to be structurally unsound.

Advisories:

21. The applicant is advised to consult an expert on wetlands before proceeding with any development.
22. Any revision or addition to this plan necessitates re-submission for review and approval prior to the commencement of the change.
23. 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.
24. 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.
25. 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.
26. Because the subject property is located within the Airport Overlay District, the developer is strongly encouraged to discuss their development plans with Current Planning Section and/or the Fayetteville Regional Airport Director early in the planning stage to ensure that the proposed height of any proposed structure can be found to be no obstruction or hazard to air navigation.
27. The subject property sits on Cumberland Road which is identified as an existing thoroughfare in the 2045 Metropolitan Transportation Plan. There are no constructions/improvements planned and the subject property will have no impact on the Transportation Plan. For questions related to this comment, please contact Transportation Planning.

Thank you for doing business in Cumberland County!

If you need clarification of any conditions, please contact Betty Lynd at 910-678-7605 or Ed Byrne at 910-678-7609 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

PWC:	Joe Glass	223-4740	joe.glass@faypwc.com
	Sam Powers	223-4370	sam.powers@faypwc.com
Fayetteville Airport Director	Brad Whited	433-1160	bwhited@ci.fay.nc.us
Fayetteville Planning:	Chester Green	433-1497	cgreen@ci.fay.nc.us
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
Street Naming/Signs:	Diane Shelton	678-7665	nameit2@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 Log L. & Shaila J Bollock
2. Address: 2860 Cumberland Road Zip Code 28306
3. Telephone: (Home) 910-850-8632 (Work) 910-483-8927
4. Location of Property: 2860 Cumberland Road
5. Parcel Identification Number (PIN #) of subject property: 0426-41-7906
(also known as Tax ID Number or Property Tax ID)
6. Acreage: 2.07 Frontage: 203.36'/289' Depth: 453'
7. Water Provider: PWC Septage Provider: Septic
8. Deed Book 9816, Page(s) 397-398, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: Vacant Res / Bill Board
10. Proposed use(s) of the property: All Allowed CP Usage

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: CIP

TO: (Select one)

- Conditional Zoning District, with an underlying zoning district of CP
(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)

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.** *none Required*

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.

Approved - B.L.L Board

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.

Roy L Bullock + Sheila J. Bullock
NAME OF OWNER(S) (PRINT OR TYPE)

1426 Berkshire Road Fayetteville Nc. 28304
ADDRESS OF OWNER(S)

roy
roy @ ipc fay. com
E-MAIL

910-850-8632 HOME TELEPHONE 910-483-9927 WORK TELEPHONE

 SIGNATURE OF OWNER(S)  SIGNATURE OF OWNER(S)

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

ADDRESS OF AGENT, ATTORNEY, APPLICANT

HOME TELEPHONE WORK TELEPHONE

E-MAIL ADDRESS FAX NUMBER

SIGNATURE OF AGENT, ATTORNEY, OR APPLICANT

nad83_pin	owner_name	addresses	citystatezip
0426-41-4845-NAD	SKIBO PROPERTIES LLC	179 ELLERSLIE DR	FAYETTEVILLE, NC 28303
0426-41-5414-	BEASLEY, KATHLEEN HEIRS	3334 VASSAR CIR	FAYETTEVILLE, NC 28306
0426-41-5907-	BRIGHT, BRUCE D & WIFE RHONDA H	PO BOX 43224	FAYETTEVILLE, NC 28309
0426-41-6415-	BEASLEY, JOHN T	3334 VASSAR CIR	FAYETTEVILLE, NC 28306
0426-41-7568-	CARTER, DREW C	361 SADDLEBRED LN	RAEFORD, NC 28376
0426-41-7812-	HASTY, SUANNE	1445 CHESTERFIELD RD	LEWISVILLE, NC 27023
0426-41-7906-	BULLOCK, ROY LEE & WIFE SHEILA JOHNSON	1426 BERKSHIRE RD	FAYETTEVILLE, NC 28304
0426-41-8680-	KOONCE, MARTHA FAYE B C/O DARLENE OWENSBY	8545 INDEPENDENCE DR	HOPE MILLS, NC 28348
0426-41-9578-	KOONCE, MARTHA F C/O DARLENE OWENSBY	8545 INDEPENDENCE DR	HOPE MILLS, NC 28348
0426-41-9941-	MCCAULEY & MCDONALD INVESTMENTS INC	PO BOX 361	FAYETTEVILLE, NC 28302
0426-52-5774-	DUKE ENERGY PROGRESS INC	PO BOX 1551	RALEIGH, NC 27602

nad83_pin	owner_name	addresses	citystatezip
0426-31-5642-	BARRETT, JOSIE GUY	3020 CUMBERLAND RD	FAYETTEVILLE, NC 28306
0426-32-7471-	CITY OF FAYETTEVILLE	433 HAY ST	FAYETTEVILLE, NC 28301
0426-41-0238-	TICE, JOSIE MAE	3867 BUTLER NURSERY RD	FAYETTEVILLE, NC 28306
0426-41-0721-	STANLEY, JERELENE	3030 CUMBERLAND RD	FAYETTEVILLE, NC 28306
0426-41-1378-	TICE, JOSIE MAE	3867 BUTLER NURSERY RD	FAYETTEVILLE, NC 28306
0426-41-1744-	BARRETT, HAROLD DOUGLAS JR & WIFE JOSIE M	3020 CUMBERLAND RD	FAYETTEVILLE, NC 28306
0426-41-2262-	BEASLEY, JOHN THOMAS & WIFE JUDY J	3334 VASSAR CIR	FAYETTEVILLE, NC 28306
0426-41-2841-	CHRISTMAS, JOSEPH L & WIFE ELL	3002 CUMBERLAND RD	FAYETTEVILLE, NC 28306
0426-41-3870-	SKIBO PROPERTIES LLC	179 ELLERSLIE DR	FAYETTEVILLE, NC 28303
0426-41-4085-	JACOBS, NORMAN B & WIFE GARNETT R LIFE ESTATE	3120 BOLTON DR	FAYETTEVILLE, NC 28306
0426-41-4290-	GOINS, MABEL R	322 S DAVIE ST, Unit/Apt 112	GREENSBORO, NC 27401
0426-41-4845-NAD	SKIBO PROPERTIES LLC	179 ELLERSLIE DR	FAYETTEVILLE, NC 28303
0426-41-5192-	BOLTON, ELIZABETH B	1003 BOLTON ACRES	HOPE MILLS, NC 28348
0426-41-5414-	BEASLEY, KATHLEEN HEIRS	3334 VASSAR CIR	FAYETTEVILLE, NC 28306
0426-41-5907-	BRIGHT, BRUCE D & WIFE RHONDA H	PO BOX 43224	FAYETTEVILLE, NC 28309
0426-41-6415-	BEASLEY, JOHN T	3334 VASSAR CIR	FAYETTEVILLE, NC 28306
0426-41-7027-	WARING, GAIL PERSON	3123 BOLTON DR	FAYETTEVILLE, NC 28306
0426-41-7136-	GOINS, MABEL R	322 S DAVIE ST, Unit/Apt 112	GREENSBORO, NC 27401
0426-41-7235-	DO IT ALL MOVING LLC	178-02 LESLIE RD	JAMAICA, NY 11434
0426-41-7344-	MCRAE, DONNIE C JR & WIFE EMMA LIFE ESTATE	219 HELEN ST	FAYETTEVILLE, NC 28303
0426-41-7442-	VALVERDE, JOSE LUIS & WIFE MIRNA RAQUEL	3107 BOLTON ST	FAYETTEVILLE, NC 28306
0426-41-7459-	MCNEIL, JAMES	PO BOX 1624	FAYETTEVILLE, NC 28303
0426-41-7568-	CARTER, DREW C	361 SADDLEBRED LN	RAEFORD, NC 28376
0426-41-7812-	HASTY, SUANNE	1445 CHESTERFIELD RD	LEWISVILLE, NC 27023
0426-41-7906-	BULLOCK, ROY LEE & WIFE SHEILA JOHNSON	1426 BERKSHIRE RD	FAYETTEVILLE, NC 28304
0426-41-8193-	MCNEIL, JAMES	PO BOX 1624	FAYETTEVILLE, NC 28302
0426-41-8291-	TORRES, CARLOS JAVIER VARGAS	915 W MOUNTAIN DR	FAYETTEVILLE, NC 28306
0426-41-8680-	KOONCE, MARTHA FAYE B C/O DARLENE OWENSBY	8545 INDEPENDENCE DR	HOPE MILLS, NC 28348
0426-41-9219-	TORRES, CARLOS JAVIER VARGAS	915 W MOUNTAIN DR	FAYETTEVILLE, NC 28306
0426-41-9318-	VARGAS, CARLOS JAVIER	923 W MOUNTAIN DR	FAYETTEVILLE, NC 28306
0426-41-9414-	VALVERDE, JOSE LUIS & WIFE MIRNA RAQUEL	3107 BOLTON ST	FAYETTEVILLE, NC 28306
0426-41-9510-	DURDEN, VIRGINIA G HEIRS	397 COVINGTON RD	ST PAULS, NC 28384
0426-41-9578-	KOONCE, MARTHA F C/O DARLENE OWENSBY	8545 INDEPENDENCE DR	HOPE MILLS, NC 28348
0426-41-9941-	MCCAULEY & MCDONALD INVESTMENTS INC	PO BOX 361	FAYETTEVILLE, NC 28302
0426-42-1164-	N C DEPT OF TRANSPORTATION	1546 MAIL SERVICE CTR	RALEIGH, NC 27699
0426-42-2804-	RRCAP-SS FAY I LLC	517 ALCOVE RD, Unit/Apt 301	MOORESVILLE, NC 28117
0426-42-4511-	N C DEPT OF TRANSPORTATION	PO BOX 1150	FAYETTEVILLE, NC 28302
0426-51-1128-	MORTON, JANICE M	199 S WALNUT ST	WILMINGTON, OH 45177
0426-51-1237-	THOMPSON, BUFORD G & WIFE MABEL E	918 W MOUNTAIN DR	FAYETTEVILLE, NC 28306
0426-51-1334-	MENDEZ, BIENVENIDO M & WIFE NANCY TORRES PEREZ	900 WINTERBERRY DR	FAYETTEVILLE, NC 28314
0426-51-1339-	MENDEZ, BIENVENIDO & WIFE NANCY TORRES	900 WINTERBERRY DR	FAYETTEVILLE, NC 28314
0426-51-1442-	MENDEZ, BIENVENIDO & WIFE NANCY TORRES	900 WINTERBERRY DR	FAYETTEVILLE, NC 28314
0426-51-1449-	MENDEZ, BIENVENIDO & WIFE NANCY TORRES-PEREZ	900 WINTERBERRY DR	FAYETTEVILLE, NC 28314
0426-51-1556-	GOINS, HENRY N & WIFE SARAH J LIFE ESTATE	2419 DOWNING RD	FAYETTEVILLE, NC 28312
0426-51-1657-	METES & BOUNDS LLC	1927 SW OAK HARBOUR DR	OCEAN ISLE BEACH, NC 28469
0426-51-3222-	DICK, SHARON L, DAVID K, DONNA M ALBAUGH & HELEN K D BROYLES	3001 FOLKSTONE CIR	FAYETTEVILLE, NC 28306
0426-51-3337-	MOURLOT, WILLIAM JAMES JR	3016 DYKE ST	FAYETTEVILLE, NC 28306
0426-51-3439-	GUNNING, JENNIFER MARLENE	3012 DYKE ST	FAYETTEVILLE, NC 28306
0426-51-3631-	GLOBAL DEVELOPMENT CORP	PO BOX 88037	FAYETTEVILLE, NC 28304
0426-51-3722-	GLOBAL DEVELOPMENT CORP	PO BOX 88037	FAYETTEVILLE, NC 28304
0426-51-5556-	C & E HOMEVESTORS LLC	PO BOX 64902	FAYETTEVILLE, NC 28306
0426-51-5895-	FIRST CHURCH FAYETTEVILLE INC	PO BOX 64277	FAYETTEVILLE, NC 28306
0426-52-5774-	DUKE ENERGY PROGRESS INC	PO BOX 1551	RALEIGH, NC 27602

500' Rad

P20-01 3rd class

PLANNING STAFF REPORT
REZONING CASE # P20-02
Planning Board Hearing: January 21, 2020

EXPLANATION OF THE REQUEST

This is a request to rezone two parcels located on the north side of Clinton Road, from A1 Agricultural to C(P) Planned Commercial. This is a conventional rezoning and no conditions are proposed at this time.

OWNER/APPLICANT

OWNER/APPLICANT: Kathrina Victoria (owner) & Shawn Vallini (agent)

PROPERTY INFORMATION

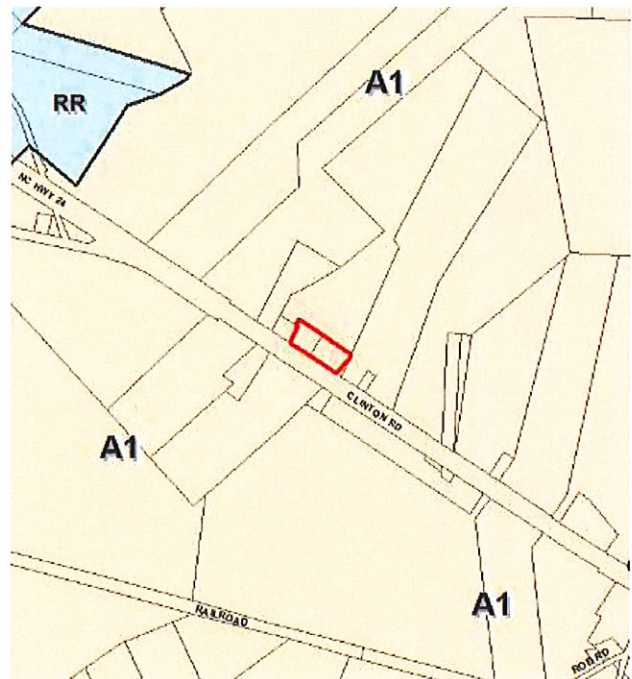
ADDRESS/LOCATION: 5877 & 5911 Clinton Road; more specifically PINs 0486-04-1867; 0486-04-4629

SIZE: This request includes two parcels totaling approximately 3.70 acres. The property has approximately 583' of street frontage along Clinton Road and is 258' +/- in depth.

EXISTING LAND USE: One subject property is currently developed with a single-family dwelling unit.

OTHER SITE CHARACTERISTICS: The properties are not within the watershed or Special Flood Hazard Area. There are hydric inclusion soils (St: Stallings loamy sand) located on the properties.

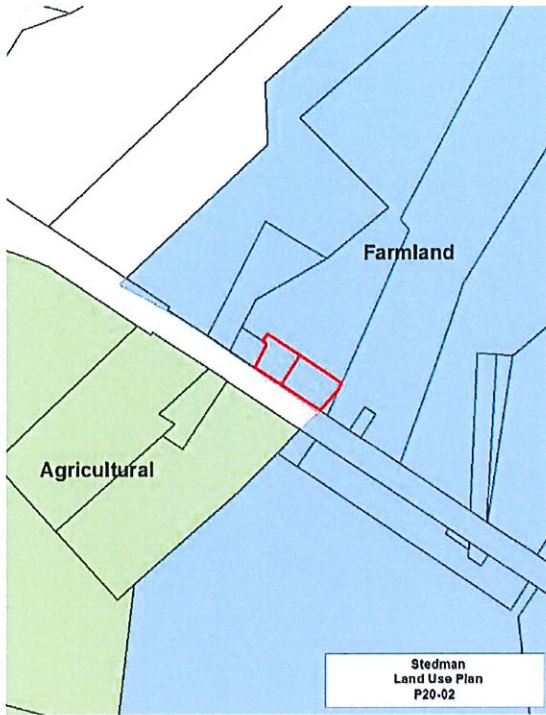
MUNICIPAL INFLUENCE AREA: The properties are in Stedman's MIA. No comment was received from Stedman.



SURROUNDING LAND USE: There are residential uses and woodland/farmland surrounding the properties, with mini-warehousing developed on a parcel to the west.

DEVELOPMENT REVIEW: A site plan will be required for future non-residential development.

ZONING HISTORY: The properties were initially zoned A1 as part of the Area 20 initial zoning on September 3, 1996.



UTILITIES: The properties are served by Stedman water. There is a force main for PWC sewer along the property, however PWC states connection is not available to this line.

MINIMUM YARD SETBACKS: If approved, these parcels would be subject to C(P) setbacks: Front yard: 50 foot, Side yard: 30 foot, Rear yard: 30 foot.

COMPREHENSIVE PLANS: The 2030 Growth Vision Plan designates these parcels for "Community Growth Areas". "Community Growth Areas" may be developed at a variety of development densities and land use types to meet the housing, everyday shopping and employment needs of area residents. The Stedman Land Use Plan (1999) designates these parcels for "Farmland". The new draft Stedman Land Use Plan designates these parcels as "Agricultural". The "Agricultural" designation represents land use for farming and forestry as well as residential uses that maintain rural character of area. **Request is not compliant with the plan.**

IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

TRAFFIC: The subject properties are located on Clinton Road and this portion is identified as an existing expressway in the 2045 Metropolitan Transportation Plan. There are no construction/improvements planned and the property will have no impact on the Transportation Plan. The Average Daily Traffic Count (2016) on Clinton Road is 12,000.

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

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

EMERGENCY SERVICES: This request has been reviewed by the Cumberland County Fire Marshal's Office. The County Fire Marshall stated that future development should ensure all fire department access requirements are met.

STAFF RECOMMENDATION

In Case P20-02, the Planning and Inspections staff **recommends denial** of the rezoning from A1 Agricultural to C(P) Planned Commercial and find the request is not consistent with the adopted Stedman Land Use Plan (1999) which calls for "Farmland" at this location. Heavy commercial uses do not fit the "Farmland" designation's goal of maintaining the rural character of an area through farming and residential uses. Staff further finds that denial of the request is reasonable and in the public interest because the C(P) district is not in harmony with surrounding zoning and existing land uses, the parcels lack public sewer and the number of accesses/driveway permits are limited along NC Hwy 24.

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 AI to CP
2. Address of Property to be Rezoned: 5877 Clinton Rd Steadman 28391
3. Location of Property: Φ 5911 Clinton Rd Steadman 28391
4. Parcel Identification Number (PIN #) of subject property: 0486-04-1867^P 0486-04-4629
(also known as Tax ID Number or Property Tax ID)
5. Acreage: 3.66 Frontage: 586.90 Depth: 271.70
6. Water Provider: Well: PWC: _____ Other (name): _____
7. Septage Provider: Septic Tank PWC _____
8. Deed Book 10399, Page(s) 586, 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: Car dealership
11. Do you own any property adjacent to or across the street from this property?
Yes _____ No If yes, where? _____
12. Has a violation been issued on this property? Yes _____ No

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

Kathrina Victoria
NAME OF OWNER(S) (PRINT OR TYPE)

3007 Wetherby Ct Fayetteville N.C. 28306
ADDRESS OF OWNER(S)

704-619-3472 HOME TELEPHONE # WORK TELEPHONE #

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

3007 Wetherby Ct Fayetteville N.C. 28306
ADDRESS OF AGENT, ATTORNEY, APPLICANT

ShawnV1@aol.com
E-MAIL

704-619-3472 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."

NAD83_PIN	OWNER_NAME	ADDRESSES	CITYSTATEZIP
0476-93-4944-	ROYAL, DENNIS & WIFE GINEAN	255 EASTWOOD AVE	FAYETTEVILLE, NC 28301
0476-94-9957-	CARTER, GREGORY	612 WEATHERVANE WAY	ROCKY MOUNT, NC 27803
0486-04-1867-	VICTORIA, KATHRINA	3007 WETHERBY CT	FAYETTEVILLE, NC 28306
0486-04-3235-	N C DEPT OF TRANSPORTATION	1546 MAIL SERVICE CTR	RALEIGH, NC 27699
0486-04-4629-	VICTORIA, KATHRINA	3007 WETHERBY CT	FAYETTEVILLE, NC 28306
0486-04-5553-	FISHER, DARRYL T SR & WIFE LUCIA GAIL ET AL	12209 JASMINE COVE WAY	RALEIGH, NC 27614
0486-16-2913-	CARTER, GREGORY	612 WEATHERVANE WAY	ROCKY MOUNT, NC 27803
0486-16-5070-	FISHER, DARRYL T SR & WIFE LUCIA GAIL ET AL	12209 JASMINE COVE WAY	RALEIGH, NC 27614

NAD83_PIN	OWNER_NAME	ADDRESSES	CITYSTATEZIP
0476-75-9116-	SMITH, ARNOLD	11075 BROADWATER BRIDGE RD	ROSEBORO, NC 28382
0476-84-8481-	WOODHAM, LOUINE A	5816 CLINTON RD	STEDMAN, NC 28391
0476-93-4944-	ROYAL, DENNIS & WIFE GINEAN	255 EASTWOOD AVE	FAYETTEVILLE, NC 28301
0476-94-6419-	HAY, JAMES & WIFE DALE A	5846 CLINTON RD	STEDMAN, NC 28391
0476-94-9957-	CARTER, GREGORY	612 WEATHERVANE WAY	ROCKY MOUNT, NC 27803
0486-02-6752-	ALLEN, RICHARD R JR	6044 CLINTON RD	STEDMAN, NC 28391
0486-04-1867-	VICTORIA, KATHRINA	3007 WETHERBY CT	FAYETTEVILLE, NC 28306
0486-04-3235-	N C DEPT OF TRANSPORTATION	1546 MAIL SERVICE CTR	RALEIGH, NC 27699
0486-04-4629-	VICTORIA, KATHRINA	3007 WETHERBY CT	FAYETTEVILLE, NC 28306
0486-04-5553-	FISHER, DARRYL T SR & WIFE LUCIA GAIL ET AL	12209 JASMINE COVE WAY	RALEIGH, NC 27614
0486-04-8400-	FISHER, DARRYL T SR & WIFE LUCIA GAIL ET AL	12209 JASMINE COVE WAY	RALEIGH, NC 27614
0486-05-0447-	CAPE FEAR MINI STORAGE	912 CEDAR CREEK RD	FAYETTEVILLE, NC 28312
0486-06-3102-	CARTER, CANDACE JO	PO BOX 53555	FAYETTEVILLE, NC 28305
0486-07-2284-	CARTER, J O JR	1100 CLARENDON ST, Unit/Apt 207	FAYETTEVILLE, NC 28305
0486-13-1723-	ALLEN, RICHARD R JR	6044 CLINTON RD	STEDMAN, NC 28391
0486-14-7312-	EATMAN-JACKSON, REBECCA H & HUSBAND JAMES ANDREW JACKSON	6061 CLINTON RD	STEDMAN, NC 28391
0486-16-2913-	CARTER, GREGORY	612 WEATHERVANE WAY	ROCKY MOUNT, NC 27803
0486-16-5070-	FISHER, DARRYL T SR & WIFE LUCIA GAIL ET AL	12209 JASMINE COVE WAY	RALEIGH, NC 27614
0486-25-1525-	CARTER, GREGORY	612 WEATHERVANE WAY	ROCKY MOUNT, NC 27803

PLANNING STAFF REPORT
REZONING CASE # P19-50
Planning Board Hearing: January 21, 2020

EXPLANATION OF THE REQUEST

This is a request to rezone one parcel located north of Rockfish Creek and east of the ending of Claude Lee Road, from RR Rural Residential to M(P) Planned Industrial/CZ Conditional Zoning for a borrow source operation. As this is a conditional zoning, all ordinance related conditions will apply.

OWNER/APPLICANT

OWNER/APPLICANT: Joseph R. Rivenbark, Joella Rivenbark Powell, Robert L. Rivenbark and Suzanne Rivenbark Shearon on behalf of R. Linwood Rivenbark heirs (owner) & Seth Thompson (agent)

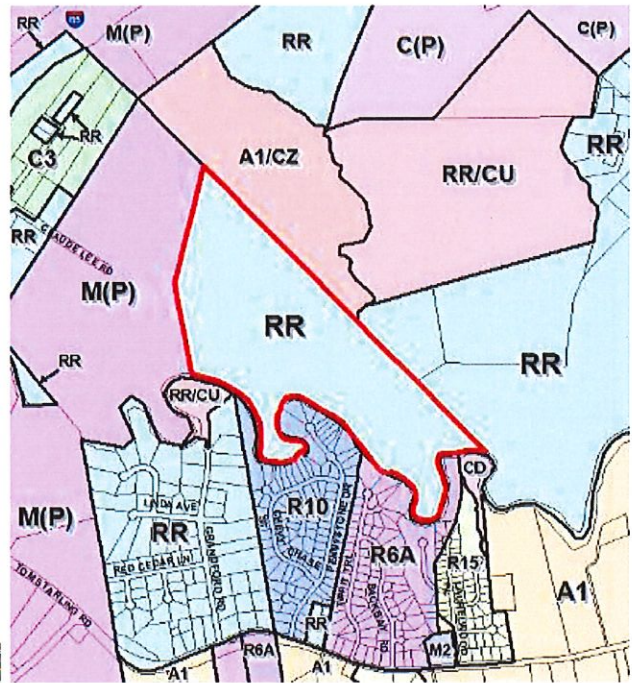
PROPERTY INFORMATION

ADDRESS/LOCATION: North of Rockfish Creek, east of SR 2341 (Claude Lee Road); more specifically PIN 0433-68-9958

SIZE: This request includes one parcel totaling approximately 100.00 acres. The property has no existing street frontage and is 3,550' +/- in depth.

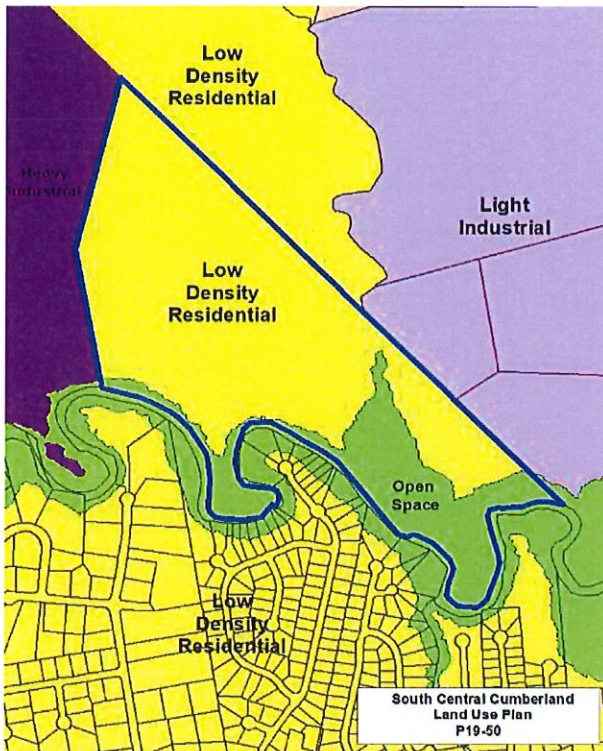
EXISTING LAND USE: The subject property is currently vacant and is mostly woodlands.

OTHER SITE CHARACTERISTICS: This property is in the Airport Overlay District. The property is not within the watershed but is within Special Flood Hazard Area. There are hydric soils (Pg: Pantego loam & TR: Torhunta and Lynn Haven soils) on the property.



SURROUNDING LAND USE: Across Rockfish Creek from the subject property consists of mostly residential uses including manufactured homes. There is also a manufactured home. Adjacent to the property is a borrow pit operation.

ZONING HISTORY: This property was initially zoned RR as part of the Area 6 initial zoning on March 15, 1979.



UTILITIES: Future development will be served by PWC sewer. There is no public water line available to this property. PWC commented that the sewer main crossing this property has a 50 foot easement and PWC will need to stake the easement prior to the commencement of digging. PWC also required a 50 foot unexcavated buffer from the edge of this easement (this is reflected in the conditions of development).

MINIMUM YARD SETBACKS: If approved, this parcel would be subject to M(P) setbacks: Front yard: 100 foot, Side yard: 50 foot, Rear yard: 50 foot.

COMPREHENSIVE PLANS: The 2030 Growth Vision Plan designates this parcel for "Urban". The South Central Land Use Plan (2015) designates this parcel for "Low Density Residential & Open Space". "Low Density Residential" calls for a density of 2.2 to 6 units/acre and requires public water and sewer. "Open Space" is denoted to protect environmentally sensitive areas. **Request of M(P)/CZ is not compliant with plan.**

IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

TRAFFIC: The subject property sits east of Claude Lee Road, which is identified as an existing thoroughfare in the 2045 Metropolitan Transportation Plan. There are no constructions/improvements planned and the property will have no impact on the Transportation Plan. The Average Daily Traffic Count (2018) on Claude Lee Road is 3,700.

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

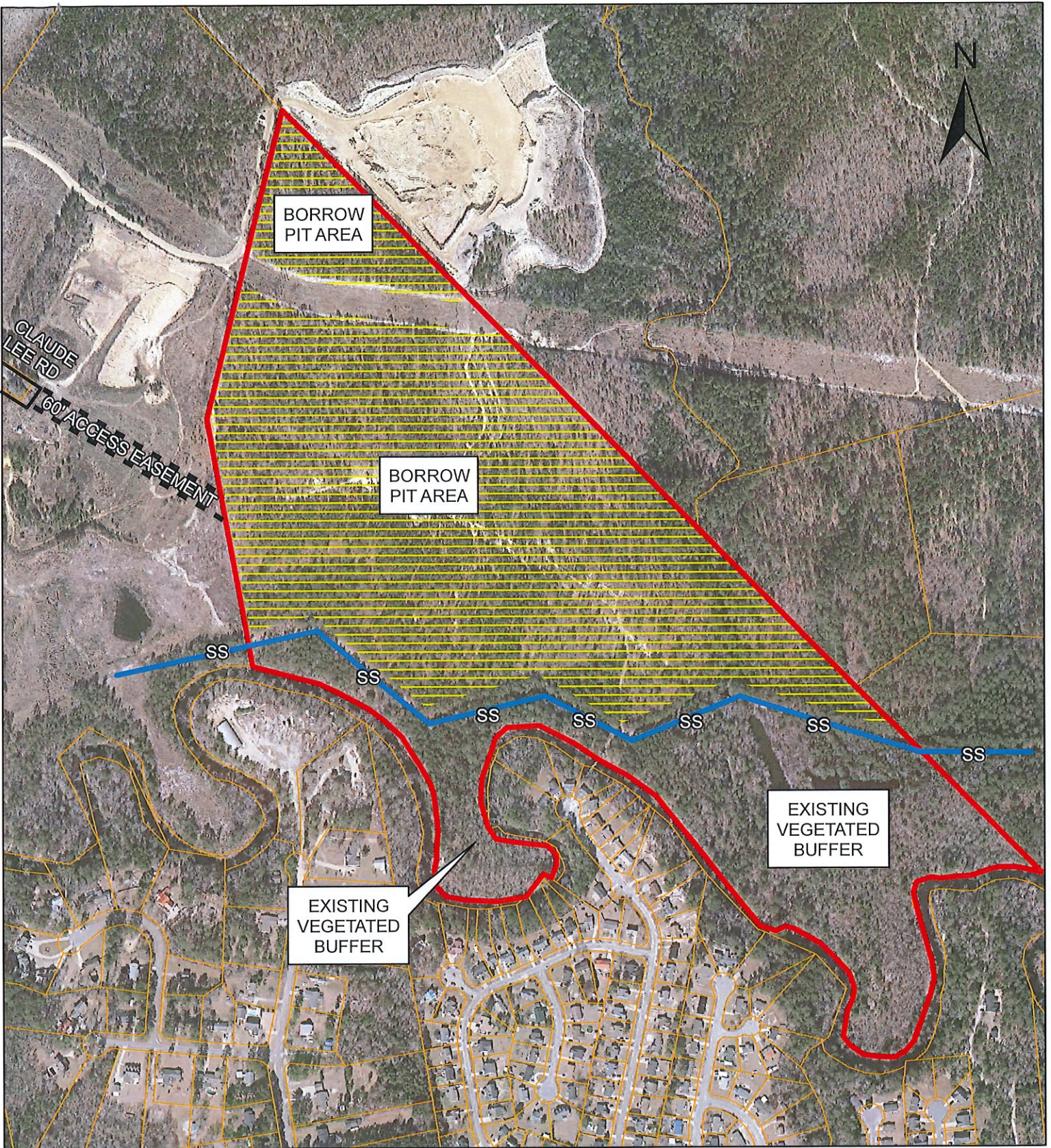
ECONOMIC DEVELOPMENT: Comments requested via e-mail, none received.

EMERGENCY SERVICES: This request has been reviewed by the Cumberland County Fire Marshal's Office. The County Fire Marshall stated that future development should ensure all fire department access requirements are met.

STAFF RECOMMENDATION

In Case P19-50, the Planning and Inspections staff **recommends denial** of the rezoning from RR Rural Residential to M(P) Planned Industrial/CZ Conditional Zoning and instead **recommend approval** of the rezoning from RR Rural Residential to A1 Agricultural/CZ Conditional Zoning for a borrow source operation and find the recommendation of A1/CZ is consistent with the adopted South Central Land Use Plan (2015) which calls for "Low Density Residential & Open Space" as the A1 district allows for residential uses at a low density level as well as protection for the existing residential areas. Staff further finds the recommendation of A1/CZ is reasonable and in the public interest because the A1 district is more in harmony with surrounding zoning and existing land uses. The required riparian buffer and required buffer from PWC's sewer line will further protect the creek and existing residential neighborhoods.

- Attachments:
 Site Plan
 Draft Ordinance Related Conditions
 Zoning Application
 Notification Mailing List



**M(P) PLANNED INDUSTRIAL DISTRICT/CZ
CONDITIONAL ZONING**

**REQUEST: TO ALLOW A BORROW SOURCE OPERATIONS
OR TO A MORE RESTRICTIVE ZONING DISTRICT**

CASE: P19-50 ACREAGE: 100.00 +/-

ZONED: RR SCALE: NTS

***SCALED DETAILED SITE PLAN IN FILE AVAILABLE FOR REVIEW UPON REQUEST**

12/19/19

M(P) PLANNED INDUSTRIAL/CZ CONDITIONAL ZONING DISTRICT

DRAFT

Ordinance Related Conditions for Borrow Source Operation

Revision Required:

1. Three copies of a revised site plan and a \$25.00 revision fee is required to be submitted to Current Planning prior to the further processing of this plat/plan. The following must be addressed on the revised plat/plan:
 - a. The borrow pit area must be revised to meet the setbacks for the M(P) Planned Industrial district. They are as follows: Front- 100 foot, Side & Rear- 50 foot.
 - b. A buffer must be indicated along the eastern property line where the subject property abuts residential zoning.
 - c. "Claude Lee Road" must be labeled as "SR 2341 (Claude Lee Road)" on all future plans. (Sec. 2203, County Subdivision Ord.)
 - d. PWC indicated that the existing sewer main on the property has a 50 foot easement (25 foot on either side). A 50 foot unexcavated buffer must be maintained from the edge of the 50 foot easement and needs to be indicated on the site plan. PWC also stated they will need to stake the easement prior to the borrow source beginning operation as there are 90 degree bends in the sewer line and the manholes do not always indicate these turns.
 - e. For purposes of protecting the aquatic and wildlife habitat and to ensure bank stabilization for this area of the Rockfish Creek, a riparian buffer must be provided along the southern boundary of this development. The first 30 feet from the southern property lines must remain undisturbed while an additional 20 feet may be cleared so long as no structures are constructed in that portion. Note: This ordinance provision does allow for clearing of a minimal access to the river. (1102.H, County Zoning Ord.)
2. Prior to the application for any permits, the following shall be provided to Current Planning:
 - a. Documentation from the North Carolina Department of Transportation that the public thoroughfare to which the borrow source operation has access has sufficient load carrying capacity to support the proposed traffic generated by the borrow source operation or that load limits are acceptable.
 - b. The applicant shall provide proof of legal access, at a minimum of a twenty foot wide ingress/egress access easement, from the borrow source operation to a public thoroughfare because the subject property does not have direct access to a public thoroughfare. The access easement must be reflected on the revised site showing the location from the site to SR 2241 (Claude Lee Road) with deed information label on the easement.

Pre- Permit Related:

3. Prior to application, the developer must provide to the Code Enforcement Section a copy of the recorded deeded easement, prior to any permits being issued.
4. 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]

5. The *Special Flood Hazard Area* (SFHA) exists on this tract; any development within SFHA must have first flood elevations, including all mechanical and electrical equipment above base flood elevation (BFE) plus two feet of freeboard. Proper Floodplain Development Permits are required, issued by the County Engineer, prior to any building/permit application. A copy of the approved Floodplain Development Permit must be provided to Code Enforcement at the time of building/zoning permit applications. [Sec. 6.5-21, County Code]

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 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. Because the subject property is located within the Airport Overlay District and in the event any future structure is greater than 200 feet in height, the developer will be required to provide a FCC Form 7460-1 to Code Enforcement at the time of permit application. This form must be acknowledged by the FCC that the structure is not a hazard or obstruction to air traffic. (Section 8.101.D, County Zoning Ord.)
10. 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 revision fee) must be submitted and approved by Planning & Inspections.) (Sec. 2306.D, County Subdivision Ord. & 2006-246, NC Session Law)
11. The County Health Department must approve water plans. Lots not served by public water system is required to be large enough and of such physical character to comply with the Health Department's minimum standards. 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.) (Sec. 2306 A, County Subdivision Ord. & Sec. 1101.E, County Zoning Ord.)
12. Prior to application for the Certificate of Occupancy for any future structures, connection to public sewer is required, the Public Works Commission (PWC) must approve sewer plans. A copy of the PWC approval must be provided to Code Enforcement.

Contact Sam Powers with PWC for more information. (Section 2306 A, County Subdivision Ord. & Sec. 1403.I, County Zoning Ord.)

13. 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:

14. All uses, dimensions, setbacks and other related provisions of the County Subdivision and Development Ordinance, and County Zoning Ordinance for the M(P) Planned Industrial/CZ Conditional Zoning district for a borrow source operation must be complied with, as applicable.
15. Hours of operation for any borrow source operation shall be sunrise to sunset, Monday through Saturday, unless otherwise stated in the permit.
16. While in transit, trucks are to use appropriate load covers, and water trucks or other means that may be necessary shall be utilized to prevent dust from leaving the borrow source operation.
17. Any future structures must ensure that all fire department access requirements are met. For questions related to this comment, please contact the County Fire Marshall's office.
18. This conditional approval is not approval of 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.)
19. 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.)
20. For new development, all utilities, except for 25kv or greater electrical lines, must be located underground. (Section 2306.C, County Subdivision Ord.)
21. 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.)
22. 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.
23. A solid buffer must be provided and maintained along the southern and eastern property lines where this tract/site abuts residential zoning in accordance with the provisions of Section 1102 G, County Zoning Ordinance (Note: Chain link fencing cannot be used to satisfy the buffer requirement.)

Note: Existing vegetation, or stabilized, vegetated earthen berms to serve as buffers and to prevent soil erosion, shall be maintained between the borrow source operation and adjacent residences and public thoroughfares to screen the operation from the public.
24. All dumpster, garbage, and utility areas shall be located on concrete pads and screened on a minimum of three sides.
25. The Noise Regulations of the County Code Chpt. 9.5, Art. II are to be complied with.

Advisories:

26. The applicant is advised to consult an expert on wetlands before proceeding with any development. There may be wetlands located in the project area that are subject to the permit requirements of Section 404 of the Clean Water Act. To avoid a violation of federal and/or state law, it is recommended the developer contact the Office of the Army Corp of Engineers or hire an environmental consultant to identify and delineate any wetlands in the project area prior to construction. A Section 404 permit will be required if the applicant needs to fill wetlands and the permit must be obtained prior to any construction on this site.
27. A review of the data available to the Army Corp of Engineers indicates that jurisdictional waters are likely to be present on this property and therefore are likely to be impacted by the proposed project. However, without an official Jurisdictional Determination at the property, these findings cannot be confirmed.

A permit will be required for this project if construction will involve the temporary and/or permanent placement of fill in waters of the United States including wetlands. If a permit is required, the applicant will be required to avoid and minimize impacts to wetland/waters of the United States and may need to provide compensatory mitigation for unavoidable impacts.
28. Any revision or addition to this plan necessitates re-submission for review and approval prior to the commencement of the change.
29. 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.
30. 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.
31. 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.
32. Because the subject property is located within the Airport Overlay District, the developer is strongly encouraged to discuss their development plans with Land Use Codes Section and/or the Fayetteville Regional Airport Director early in the planning stage to ensure that the proposed height of any proposed structure can be found to be no obstruction or hazard to air navigation.
33. The subject property sits east of Claude Lee Road, which is identified as an existing thoroughfare in the 2045 Metropolitan Transportation Plan. There are no constructions/improvements planned and the subject property will have no impact on the Transportation Plan. For questions related to this comment, please contact Transportation Planning.
34. If any structures will be present ensure all fire department access requirements are met. The developer should contact the County Fire Marshall's Office for any question about the this condition.

Thank you for doing business in Cumberland County!

If you need clarification of any conditions, please contact Betty Lynd at 910-678-7605 or Ed Byrne at 910-678-7609 with the Land Use Codes 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	mnyalo@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 Engineer's Office:	Wayne Dudley	678-7636	wdudley@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

Fayetteville Airport Director	Brad Whited	433-1160	bwhited@ci.fay.nc.us
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
Street Naming/Signs:	Diane Shelton	678-7665	nameit2@co.cumberland.us.nc
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 Wellons Construction Inc.
2. Address: 510 N. Powell Ave Zip Code 28334
3. Telephone: (Home) _____ (Work) (910)
4. Location of Property: _____
5. Parcel Identification Number (PIN #) of subject property: 0433-68-9958
(also known as Tax ID Number or Property Tax ID)
6. Acreage: 100 Ac Frontage: 0 Depth: 3468
7. Water Provider: _____ Septage Provider: _____
8. Deed Book 02304, Page(s) 0395, 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: Borrow Pit

NOTE: Be specific and list all intended uses.

11. Do you own any property adjacent to, including across the street from, the property being submitted for rezoning? Yes X No _____
12. Has a violation been issued on this property? Yes _____ No X
13. It is requested that the foregoing property be rezoned FROM: RR
TO: (Select one) M (P)

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

APPLICATION FOR
CONDITIONAL ZONING

1. PROPOSED USE(S):

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

Borrow Pit / Timber Management

- 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.

N/A 100 Acres Borrow Pit

2. DIMENSIONAL REQUIREMENTS:

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

N/A See Site Plan

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

N/A See Site Plan

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Article XIII.

4. LANDSCAPE AND BUFFER REQUIREMENTS:

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

N/A

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

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.

Days of operation Monday - Saturday

Hours of operation 7am - 6pm

Employees 1 - 10

Noise - Heavy Equipment

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.

NAME OF OWNER(S) (PRINT OR TYPE)

ADDRESS OF OWNER(S)

E-MAIL

HOME TELEPHONE

WORK TELEPHONE

SIGNATURE OF OWNER(S)

SIGNATURE OF OWNER(S)

Seth Thompson

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

510 N. Powell Ave. DUNN, NC

ADDRESS OF AGENT, ATTORNEY, APPLICANT

HOME TELEPHONE

910 892 6630

WORK TELEPHONE

setht@wellonsconstruction.com

E-MAIL ADDRESS

FAX NUMBER



SIGNATURE OF AGENT, ATTORNEY, OR APPLICANT

7. STATEMENT OF ACKNOWLEDGMENT:

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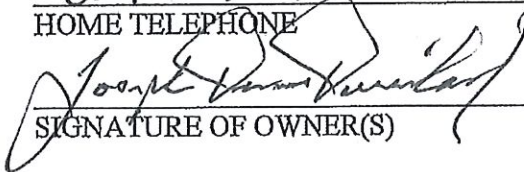
Joseph Russell Rivenbark (heir of R. Linwood Rivenbark)
NAME OF OWNER(S) (PRINT OR TYPE)

740 Highwater Place, Fuquay-Varina, NC 27526
ADDRESS OF OWNER(S)

LIFEISGRB@NC.RR.COM
E-MAIL

804-564-2562
HOME TELEPHONE

WORK TELEPHONE


SIGNATURE OF OWNER(S)

SIGNATURE OF OWNER(S)

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

ADDRESS OF AGENT, ATTORNEY, APPLICANT

HOME TELEPHONE

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E-MAIL ADDRESS

FAX NUMBER

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Joella Rivenbark Powell (heir of R. Linwood Rivenbark)
NAME OF OWNER(S) (PRINT OR TYPE)

600 East E St., Erwin, NC 28339
ADDRESS OF OWNER(S)

joella@nc.rr.com
E-MAIL

910.892.0201 HOME TELEPHONE 910.897.8353 WORK TELEPHONE

Joella Rivenbark Powell SIGNATURE OF OWNER(S) SIGNATURE OF OWNER(S)

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

ADDRESS OF AGENT, ATTORNEY, APPLICANT

HOME TELEPHONE WORK TELEPHONE

E-MAIL ADDRESS FAX NUMBER

SIGNATURE OF AGENT, ATTORNEY, OR APPLICANT

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Robert L. Rivenbark (heir of R. Linwood Rivenbark)
NAME OF OWNER(S) (PRINT OR TYPE)

1055 Westlake Drive, Kannapolis, NC 28081
ADDRESS OF OWNER(S)

Rivenbark, RL@gmail.com
E-MAIL

704-778-0336 HOME TELEPHONE 704-988-1784 WORK TELEPHONE

Robert L. Rivenbark SIGNATURE OF OWNER(S) _____ SIGNATURE OF OWNER(S)

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

ADDRESS OF AGENT, ATTORNEY, APPLICANT

HOME TELEPHONE _____ WORK TELEPHONE

E-MAIL ADDRESS _____ FAX NUMBER

SIGNATURE OF AGENT, ATTORNEY, OR APPLICANT

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Suzanne Rivenbark Shearon (heir of R. Linwood Rivenbark)
NAME OF OWNER(S) (PRINT OR TYPE)

4012 Guilford Ct. NW Concord, NC 28027
ADDRESS OF OWNER(S)

shearonkann@aol.com
E-MAIL

980-248-4722
HOME TELEPHONE

same
WORK TELEPHONE

Suzanne Rivenbark Shearon
SIGNATURE OF OWNER(S)

SIGNATURE OF OWNER(S)

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

ADDRESS OF AGENT, ATTORNEY, APPLICANT

HOME TELEPHONE

WORK TELEPHONE

E-MAIL ADDRESS

FAX NUMBER

SIGNATURE OF AGENT, ATTORNEY, OR APPLICANT

NAD83_PIN	OWNER_NAME	ADDRESSES	CITYSTATEZIP
0433-49-9663-	WELLONS CONSTR INC	PO BOX 730	DUNN, NC 28335
0433-58-8441-	NELSON, MICHAEL N & WIFE SHERYL R	4100 GRANDFORD RD	FAYETTEVILLE, NC 28306
0433-67-4918-	BOWEN, DAVID K	4500 CHIPPENDALE CT	FAYETTEVILLE, NC 28306
0433-67-5698-	INGRALDI, JOHN	4505 CHIPPENDALE CT	FAYETTEVILLE, NC 28306
0433-67-6578-	BRADSHAW, JUSTIN	786 CHEVY CHASE ST	FAYETTEVILLE, NC 28306
0433-67-7623-	MALLEY, DERRICK MARCELL & WIFE CAMILLA FORD	782 CHEVY CHASE ST	FAYETTEVILLE, NC 28306
0433-67-7683-	RATLEY, DIANA P	778 CHEVY CHASE ST	FAYETTEVILLE, NC 28306
0433-67-8646-	JOHN M JONES LLC	118 CYPRESS LAKES CIR	HOPE MILLS, NC 28348
0433-67-9618-	PETTIFORD, ANDREW T & WIFE LATOSHA	770 CHEVY CHASE ST	FAYETTEVILLE, NC 28306
0433-67-9763-	KRUZIC, BROCK E & ANGELA C	766 CHEVY CHASE ST	FAYETTEVILLE, NC 28306
0433-68-1244-	GRAY, MARY D	4101 GRANDFORD RD	FAYETTEVILLE, NC 28306
0433-68-8157-	CARTER, WESLEY	280 CREEK FARM RD	PARKTON, NC 28371
0433-68-8394-	SMITH, DORIS	3211 WINESAP DR	HOPE MILLS, NC 28348
0433-68-9958-	RIVENBARK, R LINWOOD C/O RUSS RIVENBARK	740 HIGH WATERS PL	FUQUAY VARINA, NC 27526
0433-77-0725-	DREAMS & VISION REAL ESTATE LLC	6908 INLET COVE DR	FORT BELVOIR, VA 22060
0433-77-0785-	MELVIN, MARY D	758 CHEVY CHASE ST	FAYETTEVILLE, NC 28306
0433-77-0991-	ADAMS, JOHN	4556 PENNYSTONE DR	FAYETTEVILLE, NC 28306
0433-77-4837-	CUMBERLAND COUNTY	PO BOX 449	FAYETTEVILLE, NC 28302
0433-77-4891-	KLEMENT, EDWARD A	4563 PENNYSTONE DR	FAYETTEVILLE, NC 28306
0433-77-4919-	CUMBERLAND COUNTY	PO BOX 449	FAYETTEVILLE, NC 28302
0433-77-6668-	RIVERA MELENDEZ, ANTONIO & LUZ RIVERA	4700 TIPPIT TRL	HOPE MILLS, NC 28348
0433-77-8455-	T & W INVESTMENTS LLC	573 PORTER RD	HOPE MILLS, NC 28348
0433-77-8536-	JONES, NEIL	2009 MANGO CIR	FAYETTEVILLE, NC 28304
0433-77-9223-	GARRETT, BRIAN K	3109 FORT BRAGG RD	FAYETTEVILLE, NC 28303
0433-77-9399-	CARTHON, STACY L & WIFE ERNESTINE	10 SILVERTHORNE DR	SANFORD, NC 27332
0433-78-0332-	SANTIAGO SANDOVAL, ROBERTO FREDY	6804 VERNIE DR	RALEIGH, NC 27603
0433-78-1169-	CUMBERLAND COUNTY	PO BOX 449	FAYETTEVILLE, NC 28302
0433-78-1236-	BETHEA, VIRGINIA D	4531 PENNYSTONE DR	FAYETTEVILLE, NC 28306
0433-78-2065-	SPEED, CRYSTAL	4547 PENNYSTONE DR	FAYETTEVILLE, NC 28306
0433-78-2105-	ELWOOD, DAVIS & WIFE JOYCE W	4539 PENNYSTONE DR	FAYETTEVILLE, NC 28306
0433-78-2141-	HACKETT, LASHET S	4543 PENNYSTONE DR	FAYETTEVILLE, NC 28306
0433-78-3001-	WYNN, LORRIE A	4551 PENNYSTONE DR	FAYETTEVILLE, NC 28306
0433-86-2716-	STRICKLAND, JOSEPH T	PO BOX 2273	FAYETTEVILLE, NC 28302
0433-87-4000-	MCKOY, GLENN A & WIFE ELONDA L SLEDGE	PO BOX 1358	ELIZABETHTOWN, NC 28337
0433-87-4140-	JONES, RODNIKA S	4806 LAURELWOOD PL	FAYETTEVILLE, NC 28306
0433-87-5140-	COLVIN, AARON	4805 LAURELWOOD PL	FAYETTEVILLE, NC 28306
0433-87-7326-	BROOKS, JEFFREY DAVID & WIFE LISA MARIE	4700 MATCHWOOD CT	FAYETTEVILLE, NC 28306
0433-89-0196-	BROADWELL BROTHERS LLC	PO BOX 53587	FAYETTEVILLE, NC 28305
0434-60-6931-	MCDONALD MATERIALS INC	2611 MURCHISON RD	FAYETTEVILLE, NC 28301
0443-08-5533-	BROADWELL BROTHERS LLC	PO BOX 53587	FAYETTEVILLE, NC 28305
CREEK			

NAD83_PIN	OWNER_NAME	ADDRESSES	CITYSTATEZIP
0433-49-9663-	WELLONS CONSTR INC	PO BOX 730	DUNN, NC 28335
0433-57-1827-	POLLITT, THOMAS R & WIFE ANGELA T	4103 TEW ST	FAYETTEVILLE, NC 28306
0433-57-5540-	TOLBERT, ROBERTA D	4113 TEW ST	FAYETTEVILLE, NC 28306
0433-57-5826-	ZOELLER, TDUDLEY & WIFE MARIA	4109 TEW ST	FAYETTEVILLE, NC 28306
0433-57-6354-	JERNIGAN, LINVELL L	913 LINDA AVE	FAYETTEVILLE, NC 28306
0433-57-7068-	GULICKSON, REBECCA M	4120 GRANDFORD RD	FAYETTEVILLE, NC 28306
0433-57-7391-	PORTER, FRANCIS RODMAN	917 LINDA AVE	FAYETTEVILLE, NC 28306
0433-57-7486-	JONES, VANESSA L	4114 GRANDFORD RD	FAYETTEVILLE, NC 28306
0433-57-8605-	ISBELL, GEORGE LEON & WIFE BRENDA AVERITT	4106 GRANDFORD RD	FAYETTEVILLE, NC 28306
0433-57-8829-	SUNDERLAND, GEORGE R & WIFE	4102 GRANDFORD RD	FAYETTEVILLE, NC 28306
0433-58-1470-	FORBES, CHRISTOPHER JASON	2478 PINEVIEW DR	FAYETTEVILLE, NC 28306
0433-58-2087-	POLLITT, TOM & WIFE ANGELA	4103 TEW ST	FAYETTEVILLE, NC 28306
0433-58-8441-	NELSON, MICHAEL N & WIFE SHERYL R	4100 GRANDFORD RD	FAYETTEVILLE, NC 28306
0433-66-2763-	LILLY, ANDREW J & WIFE VICKIE M	4131 GRANDFORD RD	FAYETTEVILLE, NC 28306
0433-66-2940-	PETERKIN, ANTHONY & WIFE SHONNETTE	4127 GRANFORD RD	FAYETTEVILLE, NC 28306
0433-66-5983-	COOK, JEREMI S	820 CHEVY CHASE ST	FAYETTEVILLE, NC 28306
0433-66-6730-	DELUCA, CARA M	2012 WESTFORK DR	FAYETTEVILLE, NC 28304
0433-66-6802-	CLARK, EMANUEL & WIFE CHERYL	824 CHEVY CHASE ST	FAYETTEVILLE, NC 28306
0433-66-7879-	LOWERY, ROBIN	4182 W US 74 HWY	LUMBERTON, NC 28360
0433-66-7966-	WELLS, PATRICK RYAN	803 CHEVY CHASE ST	FAYETTEVILLE, NC 28306
0433-66-8823-	HATHAWAY, THOMAS F	811 CHEVY CHASE ST	FAYETTEVILLE, NC 28306
0433-66-8891-	HAWK, SARAH	815 CHEVY CHASE ST	FAYETTEVILLE, NC 28306
0433-66-9769-	HOLDITCH, MARK L	819 CHEVY CHASE ST	HOPE MILLS, NC 28348
0433-66-9913-	MOORE, BRENNIN	4594 CRIPPLECREEK CT	FAYETTEVILLE, NC 28306
0433-67-0229-	RAYNOR, CHARLES E & WIFE MARIE	4119 GRANDFORD RD	FAYETTEVILLE, NC 28306
0433-67-0453-	RUSSEL, FLOYD D & WIFE MARTHA S	4115 GRANDFORD RD	FAYETTEVILLE, NC 28306
0433-67-1881-	WILKINSON, KIMBERLY LUNDY & HUSBAND STEVEN R	4103 GRANDFORD RD	FAYETTEVILLE, NC 28306
0433-67-1988-	WILKINSON, KIMBERLY LUNDY & HUSBAND STEVEN R	4103 GRANDFORD RD	FAYETTEVILLE, NC 28306
0433-67-2006-	LEWIS, RAY E & WIFE KATHRYN	4121 GRANDFORD RD	FAYETTEVILLE, NC 28306
0433-67-2367-	TEW, SHARON NADINE	902 LINDA ST	FAYETTEVILLE, NC 28306
0433-67-2606-	HERRING, TERESA E	4109 GRANDFORD DR	FAYETTEVILLE, NC 28304
0433-67-4482-	LOCKLEAR, ANTHONY L & MICHELLE A	4506 CHIPPENDALE CT	FAYETTEVILLE, NC 28306
0433-67-4918-	BOWEN, DAVID K	4500 CHIPPENDALE CT	FAYETTEVILLE, NC 28306
0433-67-5072-	CAROLINA BLUENOTES LLC	PO BOX 48581	CUMBERLAND, NC 28331
0433-67-5149-	CAMERON, JEANNETTE C	806 CHEVY CHASE ST	FAYETTEVILLE, NC 28306
0433-67-5151-	MCNEILL, CHRISTOPHER H	810 CHEVY CHASE ST	FAYETTEVILLE, NC 28306
0433-67-5227-	WOODS, PHILLIP M & WIFE MILLIECENT F	802 CHEVY CHASE ST	FAYETTEVILLE, NC 28306
0433-67-5378-	WADDELL, JAYSON KEITH & WIFE ELLIZABETH L	800 CHEVY CHASE ST	FAYETTEVILLE, NC 28306
0433-67-5698-	INGRALDI, JOHN	4505 CHIPPENDALE CT	FAYETTEVILLE, NC 28306
0433-67-6578-	BRADSHAW, JUSTIN	786 CHEVY CHASE ST	FAYETTEVILLE, NC 28306
0433-67-7055-	TRAYWICK, HENRY C JR & WIFE JACQUELINE B	799 CHEVY CHASE ST	FAYETTEVILLE, NC 28306
0433-67-7144-	LOCKHART, CHARLOTTE L	791 CHEVY CHASE ST	FAYETTEVILLE, NC 28306
0433-67-7233-	KAMPE, DIANA S	787 CHEVY CHASE ST	FAYETTEVILLE, NC 28306
0433-67-7321-	MCLAURIN, THERESA J	783 CHEVY CHASE ST	FAYETTEVILLE, NC 28306
0433-67-7378-	TAYLOR, TIEWONE V & WIFE DIANA M	771 CHEVY CHASE ST	FAYETTEVILLE, NC 28306
0433-67-7623-	MALLEY, DERRICK MARCELL & WIFE CAMILLA FORD	782 CHEVY CHASE ST	FAYETTEVILLE, NC 28306
0433-67-7683-	RATLEY, DIANA P	778 CHEVY CHASE ST	FAYETTEVILLE, NC 28306
0433-67-8063-	UNDERWOOD, SANDRA W	4590 CRIPPLECREEK CT	FAYETTEVILLE, NC 28306
0433-67-8172-	PETTIFORD, SHARON	4586 CRIPPLECREEK CT	FAYETTEVILLE, NC 28306
0433-67-8189-	PALMS, DWAYNE E & WIFE DEBORAH D	4582 CRIPPLECREEK CT	FAYETTEVILLE, NC 28306
0433-67-8473-	CLINE, NICHOLAS B & SPOUSE BAILEY	767 CHEVY CHASE ST	FAYETTEVILLE, NC 28306
0433-67-8646-	JOHN M JONES LLC	118 CYPRESS LAKES CIR	HOPE MILLS, NC 28348
0433-67-9206-	CASHION, DENNIS F & WIFE SHERRY L	4578 CRIPPLECREEK CT	FAYETTEVILLE, NC 28306
0433-67-9315-	WESTOVER, MAHLON E JR	4574 CRIPPLECREEK CT	FAYETTEVILLE, NC 28306
0433-67-9618-	PETTIFORD, ANDREW T & WIFE LATOSHA	770 CHEVY CHASE ST	FAYETTEVILLE, NC 28306
0433-67-9763-	KRUZIC, BROCK E & ANGELA C	766 CHEVY CHASE ST	FAYETTEVILLE, NC 28306

1,100' Rad

P19-50 3rd class

0433-68-1244-	GRAY, MARY D	4101 GRANDFORD RD	FAYETTEVILLE, NC 28306
0433-68-8157-	CARTER, WESLEY	280 CREEK FARM RD	PARKTON, NC 28371
0433-68-8394-	SMITH, DORIS	3211 WINESAP DR	HOPE MILLS, NC 28348
0433-68-9958-	RIVENBARK, R LINWOOD C/O RUSS RIVENBARK	740 HIGH WATERS PL	FUQUAY VARINA, NC 27526
0433-76-0734-	CRAIG, JEREMY A & WIFE AMBER N	823 CHEVY CHASE ST	FAYETTEVILLE, NC 28306
0433-76-0922-	BLUE, CONNIE D	4599 CRIPPLECREEK CT	FAYETTEVILLE, NC 28306
0433-76-1843-	ROLDAN, EDUARDO & WIFE SONIA	4610 PENNYSTONE DR	FAYETTEVILLE, NC 28306
0433-76-1950-	ANDERSON, CHERYL	4608 PENNYSTONE DR	FAYETTEVILLE, NC 28306
0433-76-1978-	JACKSON, MICHAEL W & WIFE BRENDA C	4602 PENNYSTONE DR	FAYETTEVILLE, NC 28306
0433-76-2698-	MARSHALL, BEVERLY LOUISE	4619 PENNYSTONE DR	FAYETTEVILLE, NC 28306
0433-76-3591-	FORTUNE, PAULINE C/O CHERIE OWENS	4818 TIPPIT TRL	FAYETTEVILLE, NC 28306
0433-76-3706-	FLOWERS, RAE LAVONNE	4615 PENNYSTONE DR	FAYETTEVILLE, NC 28306
0433-76-3823-	POWERS, KATHY A	4611 PENNYSTONE DR	FAYETTEVILLE, NC 28306
0433-76-3941-	HUNT, CRYSTAL A	4607 PENNYSTONE DR	FAYETTEVILLE, NC 28306
0433-76-3959-	PEREZ, SAMUEL & WIFE YAIDEE VANESSA	4603 PENNYSTONE DR	FAYETTEVILLE, NC 28306
0433-76-4518-	STRICKLAND, CONNIE J	6017 IVERLEIGH CIR	FAYETTEVILLE, NC 28311
0433-76-4636-	JOHNSON, MICHAEL KEITH	4812 TIPPIT TRL	FAYETTEVILLE, NC 28306
0433-76-4744-	HOWARD, ROY D & KIMBERLY L KENNEDY	4808 TIPPIT TR	FAYETTEVILLE, NC 28306
0433-76-4852-	RAYNOR PROPERTY MANAGEMENT LLC	3137 BOLIVIA ST	FAYETTEVILLE, NC 28306
0433-76-4960-	CHAVIS, JACQUELINE C	4738 TIPPIT TRL	FAYETTEVILLE, NC 28306
0433-76-4988-	TAYLOR, AMANDA R & HUSBAND NATHANIEL JR	4734 TIPPIT TRL	FAYETTEVILLE, NC 28306
0433-76-5471-	HAYWOOD, DAISY	4821 TIPPIT TRL	FAYETTEVILLE, NC 28306
0433-76-5489-	BAUGHMAN, LORITA M	2875 NORTH HILLFIELD RD, Unit/Apt 48	LAYTON, UT 84041
0433-76-6507-	RAYNOR PROPERTY MANAGEMENT LLC	3137 BOLIVIA ST	FAYETTEVILLE, NC 28306
0433-76-6616-	HARRIS, ALEX D SR & WIFE MARGARET	2018 POINCIANA LN	FAYETTEVILLE, NC 28306
0433-76-6724-	RAYNOR PROPERTY MANAGEMENT LLC	3137 BOLIVIA ST	FAYETTEVILLE, NC 28306
0433-76-6823-	VERDOSA PROPERTIES LLC	315 PACE ST	SMITHFIELD, NC 27577
0433-76-6932-	PARAJOS, CAROL	4739 TIPPIT TRL	FAYETTEVILLE, NC 28306
0433-76-7238-	SONGER, DENNIS E & WIFE SUSAN A	4836 BACKBAY RD	FAYETTEVILLE, NC 28306
0433-76-7306-	RAYNOR PROPERTY MANAGEMENT LLC	3137 BOLIVIA ST	FAYETTEVILLE, NC 28306
0433-76-7405-	RAYNOR PROPERTY MANAGEMENT LLC	3137 BOLIVIA ST	FAYETTEVILLE, NC 28306
0433-76-7533-	PURDIE, SHEROYA NICHELLE & JAMES ANTHONY JONES	1436 ROUGH RIDER LN	PARKTON, NC 28371
0433-76-7641-	EDWARDS, JANNETTE L	4820 BACKBAY RD	FAYETTEVILLE, NC 28306
0433-76-7648-	BILBY, MICHAEL L & WIFE AMELIA J	4816 BACKBAY RD	FAYETTEVILLE, NC 28306
0433-76-7746-	STUBBS, JOHN M	3955 FINAL APPROACH DR	EASTOVER, NC 28312
0433-76-7825-	HALL, ROGER F & WIFE BEVERLY R	4809 BACKBAY RD	FAYETTEVILLE, NC 28306
0433-76-8391-	SANCHEZ, NOE	1218 FIVE BRIDGE RD	CLINTON, NC 28328
0433-76-8467-	RAYNOR PROPERTY MANAGEMENT LLC	3137 BOLIVIA ST	FAYETTEVILLE, NC 28306
0433-76-9242-	CARTER, CAMERON K & WIFE MONICA H	6104 GARDEN CT	FAYETTEVILLE, NC 28311
0433-76-9565-	RAYNOR PROPERTY MANAGEMENT LLC	3137 BOLIVIA ST	FAYETTEVILLE, NC 28306
0433-76-9644-	SHUEY, GAVIN C & WIFE NANCY	4829 BACKBAY RD	FAYETTEVILLE, NC 28306
0433-76-9752-	FRAZER, JUDITH	4825 BACKBAY RD	FAYETTEVILLE, NC 28306
0433-76-9862-	LOWERY, RHONDA S	4821 BACKBAY RD	FAYETTEVILLE, NC 28306
0433-76-9943-	FLEMING, RUTH H	3655 NASH RD	FAYETTEVILLE, NC 28306
0433-77-0064-	DUPRE, KATHARINE S & GORDON C JOHNSON	4595 CRIPPLECREEK CT	FAYETTEVILLE, NC 28306
0433-77-0162-	MONROE, TERESA H	4591 CRIPPLECREEK CT	FAYETTEVILLE, NC 28306
0433-77-0280-	BEEBE, JOSHUA CLINTON & WIFE AMANDA JEANINE	4587 CRIPPLE CREEK CT	FAYETTEVILLE, NC 28306
0433-77-0297-	COGBURN, SAMUEL C & WIFE TERESA M	4583 CRIPPLECREEK CT	FAYETTEVILLE, NC 28306
0433-77-0437-	VARGAS, CRISTIAN	4571 CRIPPLECREEK CT	FAYETTEVILLE, NC 28306
0433-77-0725-	DREAMS & VISION REAL ESTATE LLC	6908 INLET COVE DR	FORT BELVOIR, VA 22060
0433-77-0785-	MELVIN, MARY D	758 CHEVY CHASE ST	FAYETTEVILLE, NC 28306
0433-77-0991-	ADAMS, JOHN	4556 PENNYSTONE DR	FAYETTEVILLE, NC 28306
0433-77-1086-	ANTHONY, DEQUAN L & WIFE LATESTIA C	4598 PENNYSTONE DR	FAYETTEVILLE, NC 28306
0433-77-1306-	CLARK, RHONDA M	4579 CRIPPLE CREEK CT	FAYETTEVILLE, NC 28306
0433-77-1510-	WILSON, MORAYNEKI L	759 CHEVY CHASE ST	FAYETTEVILLE, NC 28306
0433-77-1571-	SINGH, YAZMAINE M CHAND	755 CHEVY CHASE ST	FAYETTEVILLE, NC 28306
0433-77-2103-	HERRING, JODY P & WIFE ASHLEIGH REEVES	4594 PENNYSTONE DR	FAYETTEVILLE, NC 28306

0433-77-2211-	WORKMAN, CINDY L	4590 PENNYSTONE DR	FAYETTEVILLE, NC 28306
0433-77-2238-	JONES, LYNDON L	7223 MONTORO CT	FAYETTEVILLE, NC 28314
0433-77-2346-	HENDERSON, GEORGIA D	4586 PENNYSTONE DR	FAYETTEVILLE, NC 28306
0433-77-2464-	KENNEDY, KIMBERLY LYNN	4578 PENNYSTONE DR	FAYETTEVILLE, NC 28306
0433-77-2583-	HICKMAN, LAPRECIOUS & RONNIE	4574 PENNYSTONE DR	FAYETTEVILLE, NC 28306
0433-77-2712-	MCDANIEL, LAVETTA KITT	754 CHEVY CHASE ST	FAYETTEVILLE, NC 28306
0433-77-3076-	WANAMAKER, APRIL LYNN	4599 PENNYSTONE DR	FAYETTEVILLE, NC 28306
0433-77-3184-	FRYDL, JOSEPH A & WIFE DAWN R	4595 PENNYSTONE DR	FAYETTEVILLE, NC 28306
0433-77-3609-	OSBORNE, LAUREN BILL & HUSBAND ZEB HOLDEN	750 CHEVY CHASE ST	FAYETTEVILLE, NC 28306
0433-77-4095-	DRAKE, DOROTHY AQUEELAH	4730 TIPPIT TRL	FAYETTEVILLE, NC 28306
0433-77-4203-	INGRAM, ANGELA J	4591 PENNYSTONE DR	FAYETTEVILLE, NC 28306
0433-77-4322-	PARNELL, APRIL	4583 PENNYSTONE DR	FAYETTEVILLE, NC 28306
0433-77-4442-	JELINEK, STEPHEN D II & WIFE CHRISTINE M	4579 PENNYSTONE DR	FAYETTEVILLE, NC 28306
0433-77-4561-	TIRADO, CARLOS M & WIFE JULISSA L SANCHEZ-CONCEPCION	4575 PENNYSTONE DR	FAYETTEVILLE, NC 28306
0433-77-4680-	NORRIS, CYNTHIA M & HUSBAND KEVIN T MURPHY	6525 WINDY CREEK WAY	FAYETTEVILLE, NC 28306
0433-77-4790-	SEALEY, TYLER M	4567 PENNYSTONE DR	FAYETTEVILLE, NC 28306
0433-77-4837-	CUMBERLAND COUNTY	PO BOX 449	FAYETTEVILLE, NC 28302
0433-77-4891-	KLEMENT, EDWARD A	4563 PENNYSTONE DR	FAYETTEVILLE, NC 28306
0433-77-4919-	CUMBERLAND COUNTY	PO BOX 449	FAYETTEVILLE, NC 28302
0433-77-5113-	HELDRETH, DONNA F & WENDY G CALDERON	4726 TIPPIT TRL	FAYETTEVILLE, NC 28306
0433-77-5221-	CARTER, CAMERON K & WIFE MONICA H	6104 GARDEN CT	FAYETTEVILLE, NC 28311
0433-77-5340-	RAYNOR PROPERTY MANAGEMENT LLC	3137 BOLIVIA ST	FAYETTEVILLE, NC 28306
0433-77-5368-	RAYNOR PROPERTY MANAGEMENT LLC	3137 BOLIVIA ST	FAYETTEVILLE, NC 28306
0433-77-5571-	PITTMAN, KEVIN GARFIELD & WIFE ANNIE M	4710 TIPPETT TRL	FAYETTEVILLE, NC 28306
0433-77-6058-	JOHNSON, BRADLEY W & WIFE SHARON D	4729 TIPPIT TRL	FAYETTEVILLE, NC 28306
0433-77-6179-	BAZEMORE, DARYL	4723 TIPPIT TRL	FAYETTEVILLE, NC 28306
0433-77-6668-	RIVERA MELENDEZ, ANTONIO & LUZ RIVERA	4700 TIPPIT TRL	HOPE MILLS, NC 28348
0433-77-7055-	LEECH, DONALD RICHARD	4809 BACKBAY RD	FAYETTEVILLE, NC 28306
0433-77-7168-	T & W INVESTMENTS LLC	573 PORTER RD	HOPE MILLS, NC 28348
0433-77-7317-	RAYNOR PROPERTY MANAGEMENT LLC	3137 BOLIVIA ST	FAYETTEVILLE, NC 28306
0433-77-8071-	T & W INVESTMENTS LLC	573 PORTER RD	HOPE MILLS, NC 28348
0433-77-8176-	MARLEY, JAMES CARLTON JR	4812 BATTERY CT	FAYETTEVILLE, NC 28306
0433-77-8455-	T & W INVESTMENTS LLC	573 PORTER RD	HOPE MILLS, NC 28348
0433-77-8536-	JONES, NEIL	2009 MANGO CIR	FAYETTEVILLE, NC 28304
0433-77-9223-	GARRETT, BRIAN K	3109 FORT BRAGG RD	FAYETTEVILLE, NC 28303
0433-77-9399-	CARTHON, STACY L & WIFE ERNESTINE	10 SILVERTHORNE DR	SANFORD, NC 27332
0433-78-0332-	SANTIAGO SANDOVAL, ROBERTO FREDY	6804 VERNIE DR	RALEIGH, NC 27603
0433-78-1169-	CUMBERLAND COUNTY	PO BOX 449	FAYETTEVILLE, NC 28302
0433-78-1236-	BETHEA, VIRGINIA D	4531 PENNYSTONE DR	FAYETTEVILLE, NC 28306
0433-78-2065-	SPEED, CRYSTAL	4547 PENNYSTONE DR	FAYETTEVILLE, NC 28306
0433-78-2105-	ELWOOD, DAVIS & WIFE JOYCE W	4539 PENNYSTONE DR	FAYETTEVILLE, NC 28306
0433-78-2141-	HACKETT, LASHET S	4543 PENNYSTONE DR	FAYETTEVILLE, NC 28306
0433-78-3001-	WYNN, LORRIE A	4551 PENNYSTONE DR	FAYETTEVILLE, NC 28306
0433-86-0269-	STRICKLAND, JOSEPH T	PO BOX 2273	FAYETTEVILLE, NC 28302
0433-86-0327-	SARLUCA, MAUREEN F & LARRY R	4260 BOWNE ST, Unit/Apt 4D	FLUSHING, NY 11355
0433-86-0406-	HANKERSON, ROXANNE HENDRICKS	4909 SCALES CT	FAYETTEVILLE, NC 28306
0433-86-1171-	ANGELES REALTY PROPERTIES LLC	4910 CHARGER CT	FAYETTEVILLE, NC 28306
0433-86-1244-	ROWAN, JOSEPH	4610 SHEFFIELD ST	PHILADELPHIA, PA 19136
0433-86-2716-	STRICKLAND, JOSEPH T	PO BOX 2273	FAYETTEVILLE, NC 28302
0433-86-3286-	JACOBS, NICKOLAS C	80 HAYFIELD LN	STEDMAN, NC 28391
0433-86-4109-	PARKER, BRITTANY & HUSBAND SAQUAN BETHEA	4914 LAURELWOOD PL	FAYETTEVILLE, NC 28306
0433-86-4335-	LEE, STEVEN L & WIFE DAGMAR K	4906 LAURELWOOD PL	FAYETTEVILLE, NC 28306
0433-86-4558-	OCWEN LOAN SERVICING LLC	1661 WORTHINGTON RD, Unit/Apt 100	WEST PALM BEACH, FL 33409
0433-86-4560-	JACKSON, RICHARD L & WIFE STARLINA M	4838 LARUELWOOD PL	FAYETTEVILLE, NC 28306
0433-86-4655-	AUTRY, EUGENE & WIFE BLENDA	4830 LAURELWOOD PL	FAYETTEVILLE, NC 28306
0433-86-4741-	SMITH, NAOMI LOWANDA	4826 LAURELWOOD PL	FAYETTEVILLE, NC 28306
0433-86-4748-	MARTIN, JOSHUA E & WIFE KAREN A	4822 LAURELWOOD DR	FAYETTEVILLE, NC 28306

1,100' Rad

P19-50 8th Class

0433-86-4834-	BUHL, DAVID & WIFE NADINE DAVISON-BUHL	4818 LAURELWOOD PL	FAYETTEVILLE, NC 28306
0433-86-4921-	GANT, ANTONIO L & WIFE MANUELA	4814 LAURELWOOD PL	FAYETTEVILLE, NC 28306
0433-86-5896-	HOWARD, ALMIRA & HUSBAND JASON RONTEZ	4817 LAURELWOOD PL	FAYETTEVILLE, NC 28306
0433-86-5993-	ORTIZ, JULIO C	4813 LAURELWOOD PL	FAYETTEVILLE, NC 28306
0433-86-6250-	OCAMPO, ARISTEO & WIFE CATALINA ARROYO DIAZ	4843 MATCHWOOD CT	FAYETTEVILLE, NC 28306
0433-86-6345-	BOYCE, MARY A	4836 MATCHWOOD CT	FAYETTEVILLE, NC 28306
0433-86-6429-	PHILLIPS, DAVID L	4841 LAUREL WOOD PL	FAYETTEVILLE, NC 28306
0433-86-6433-	MACKEY, MONIQUE A	4901 LAURELWOOD PL	FAYETTEVILLE, NC 28306
0433-86-6525-	LATOURETTE, ANTHONY R & WIFE DAYONNA G	4837 LAURELWOOD PL	FAYETTEVILLE, NC 28306
0433-86-6611-	RIVARD, TIMOTHY PARK & WIFE LESLEE ANNE	4833 LAURELWOOD DR	FAYETTEVILLE, NC 28306
0433-86-6617-	SIX, RONALD & WIFE SARA KERNS	4829 LAURELWOOD PL	FAYETTEVILLE, NC 28306
0433-86-6703-	TAYLOR, DERRICK M	4825 LAURELWOOD PL	FAYETTEVILLE, NC 28306
0433-86-6800-	BROWN, CANDICE L	4821 LAURELWOOD PL	FAYETTEVILLE, NC 28306
0433-86-7240-	GREEN, MICHAEL ANDREW JR	4839 MATCHWOOD CT	FAYETTEVILLE, NC 28306
0433-86-7357-	BROWN, LATASHA M & HUSBAND CHRISTOPHER G	4830 MATCHWOOD CT	FAYETTEVILLE, NC 28306
0433-86-7455-	ROBINSON, OSCAR & WIFE VANESSA	4824 MATCHWOOD CT	FAYETTEVILLE, NC 28306
0433-86-7542-	WASHINGTON, ANDRE & THELMA EDWARDS	4820 MATCHWOOD CT	FAYETTEVILLE, NC 28306
0433-86-7549-	GARCIA, ANDREW IV & WIFE JOCELYN L	4816 MATCHWOOD CT	FAYETTEVILLE, NC 28306
0433-86-7636-	LEWIS, ASHLYN C	4812 MATCHWOOD CT	FAYETTEVILLE, NC 28306
0433-86-7723-	FROST, EDWARD H & WIFE PAMELA J	952 SANTIATO DR	FAYETTEVILLE, NC 28314
0433-86-8231-	PRATSCHER, JAMES JOSEPH	4835 MATCHWOOD CT	FAYETTEVILLE, NC 28306
0433-86-8690-	WILLIAMSON, BRANDON A & WIFE JENNIFER D	4815 MATCHWOOD CT	FAYETTEVILLE, NC 28306
0433-86-8699-	TRISTAR BUILDING & DEVELOPMENT INC	3727 LEGION RD	HOPE MILLS, NC 28348
0433-86-9216-	RUTHERFORD, ANGELIA	4831 MATCHWOOD CT	FAYETTEVILLE, NC 28306
0433-86-9326-	ALOY, CARLOS D JR	4827 MATCHWOOD CT	FAYETTEVILLE, NC 28306
0433-86-9414-	HARLEY, DOLLICIA	4823 MATCHWOOD CT	FAYETTEVILLE, NC 28306
0433-86-9502-	WHITTED-JONES, CANESHA A	4819 MATCHWOOD CT	FAYETTEVILLE, NC 28306
0433-87-4000-	MCKOY, GLENN A & WIFE ELONDA L SLEDGE	PO BOX 1358	ELIZABETHTOWN, NC 28337
0433-87-4140-	JONES, RODNIKA S	4806 LAURELWOOD PL	FAYETTEVILLE, NC 28306
0433-87-5140-	COLVIN, AARON	4805 LAURELWOOD PL	FAYETTEVILLE, NC 28306
0433-87-6002-	MUNN, TERRANCE L & WIFE RACHELL MARIE	4809 LAURELWOOD PL	FAYETTEVILLE, NC 28306
0433-87-7326-	BROOKS, JEFFREY DAVID & WIFE LISA MARIE	4700 MATCHWOOD CT	FAYETTEVILLE, NC 28306
0433-89-0196-	BROADWELL BROTHERS LLC	PO BOX 53587	FAYETTEVILLE, NC 28305
0433-96-0481-	PRIMEAUX, FRANCES L	1473 TOM STARLING RD	FAYETTEVILLE, NC 28306
0433-96-3531-	TOLAR, HAROLD A	PO BOX 87104	FAYETTEVILLE, NC 28304
0433-99-2317-	BROADWELL BROTHERS LLC	PO BOX 53587	FAYETTEVILLE, NC 28305
0434-41-8109-	YOUNG, ISAAC C	PO BOX 65443	FAYETTEVILLE, NC 28306
0434-60-6931-	MCDONALD MATERIALS INC	2611 MURCHISON RD	FAYETTEVILLE, NC 28301
0434-72-2579-	SIMMONS, DAN HEIRS C/O HASJONN P SIMMONS	PO BOX 10115	NEW BRUNSWICK, NJ 08906
0434-80-6547-	BROADWELL LAND CO	PO BOX 53587	FAYETTEVILLE, NC 28305
0443-06-0694-	CARTER, MAX & WIFE JANET	1539 TOM STARLING RD	FAYETTEVILLE, NC 28306
0443-08-5533-	BROADWELL BROTHERS LLC	PO BOX 53587	FAYETTEVILLE, NC 28305
CREEK			

PLANNING SITE PROFILE
SUBDIVISION CASE # 19-129

WAIVER: MAXIMUM NUMBER OF LOTS ALLOWED ON CLASS "C" PRIVATE STREET
Planning Board Hearing: January 21, 2020

SUMMARY OF THE REQUEST

This is a request to allow two illegally deeded lots on a class "C" private street that exceeds the maximum number of allowed lots.

The original subject property was legally platted on January 28, 1982 (Plat Bk. 51, Pg. 25 – **Lot 4**) as a ten acre lot and was one of six lots approved on the class "C" private street. In 1982 the maximum number of allowed lots on a class "C" private street was seven, where today only 4 lots are allowed.

In 1997 **Lot 4 (The subject property)** was subdivided into two lots by deed by the property owner's making them illegal under the County Subdivision Ordinance (Bk. 4730, Pg. 607 & Bk. 4730, Pg. 609).

Four additional lots have been approved and platted out of the original Lot 5 (Plat 58, Pg. 27 – 8-23-85), increasing the number of lots approved to nine. Two additional lots have also been subdivided out of Lot 3 making them illegal under the County Subdivision Ordinance (Deed Bk. 3695, Pg. 416- 8-15-91 & Bk. 4845, Pg. 652 – 4-20-98). The two illegal **subject property lots** and the two additional illegal lots increase the number of lots on the class "C" private street to eleven lots.

The two **subject property lots** are the only illegal lots under consideration for this request.

OWNER/APPLICANT

OWNER/APPLICANT: Donnie G. & Michael G. Beard

PROPERTY INFORMATION

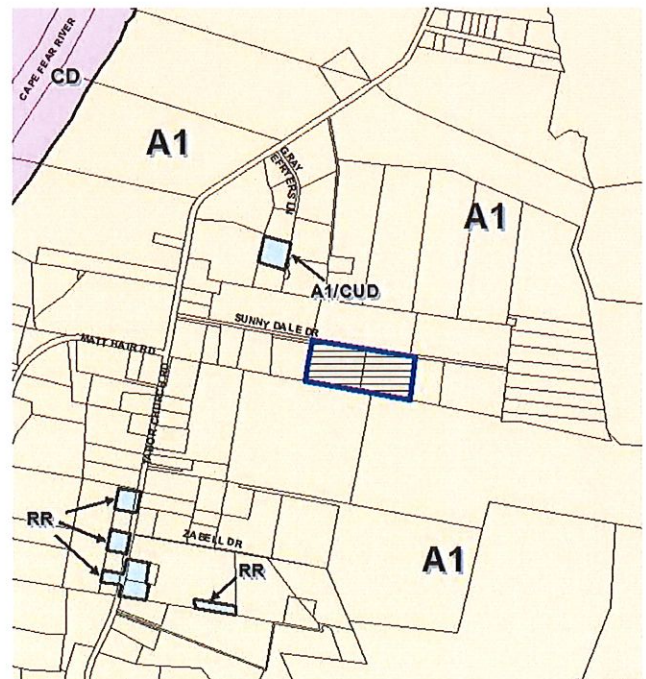
ADDRESS/LOCATION:
3432 & 3460 Sunny Dale Drive; more specifically PIN 0462-45-2094 & 0462-44-8945-

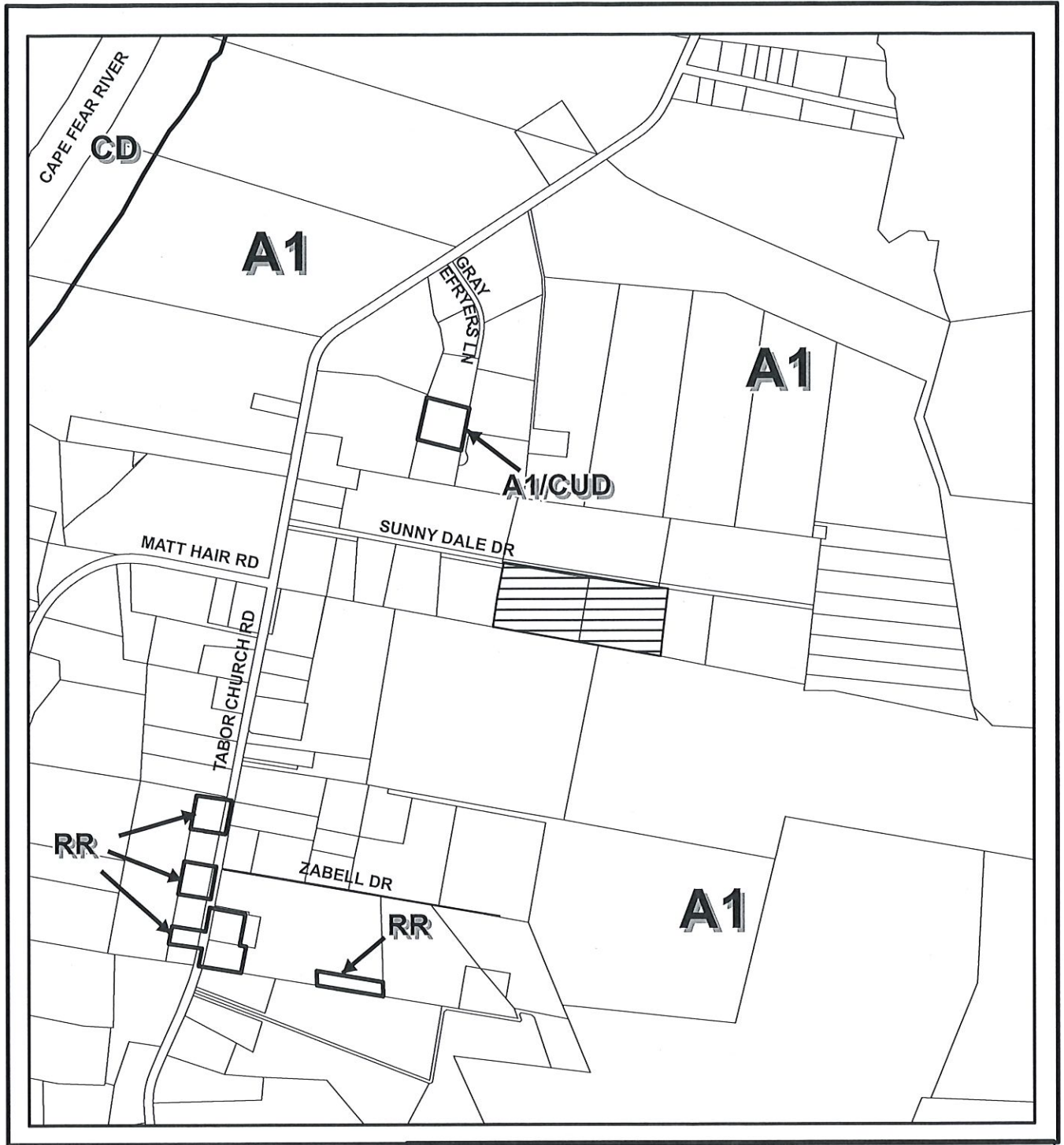
SIZE: This request includes two parcels totaling approximately 10.76 acres. The property has approximately 1,082.39' of street frontage along Sunny Dale Drive and is 419'+/- in depth.

EXISTING LAND USE: The subject properties are currently developed with a manufacture home on each lot.

DEVELOPMENT REVIEW: A final plat would be required if the subdivision review is approved.

ZONING HISTORY: This property was initially zoned A1 as part of the Area 22 initial zoning on September 3, 1996.





COUNTY SUBDIVISION ORDINANCE WAIVER

ACREAGE: 10.76 AC. +/-

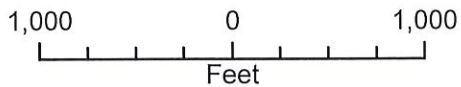
HEARING NO: 19-129

ORDINANCE: COUNTY

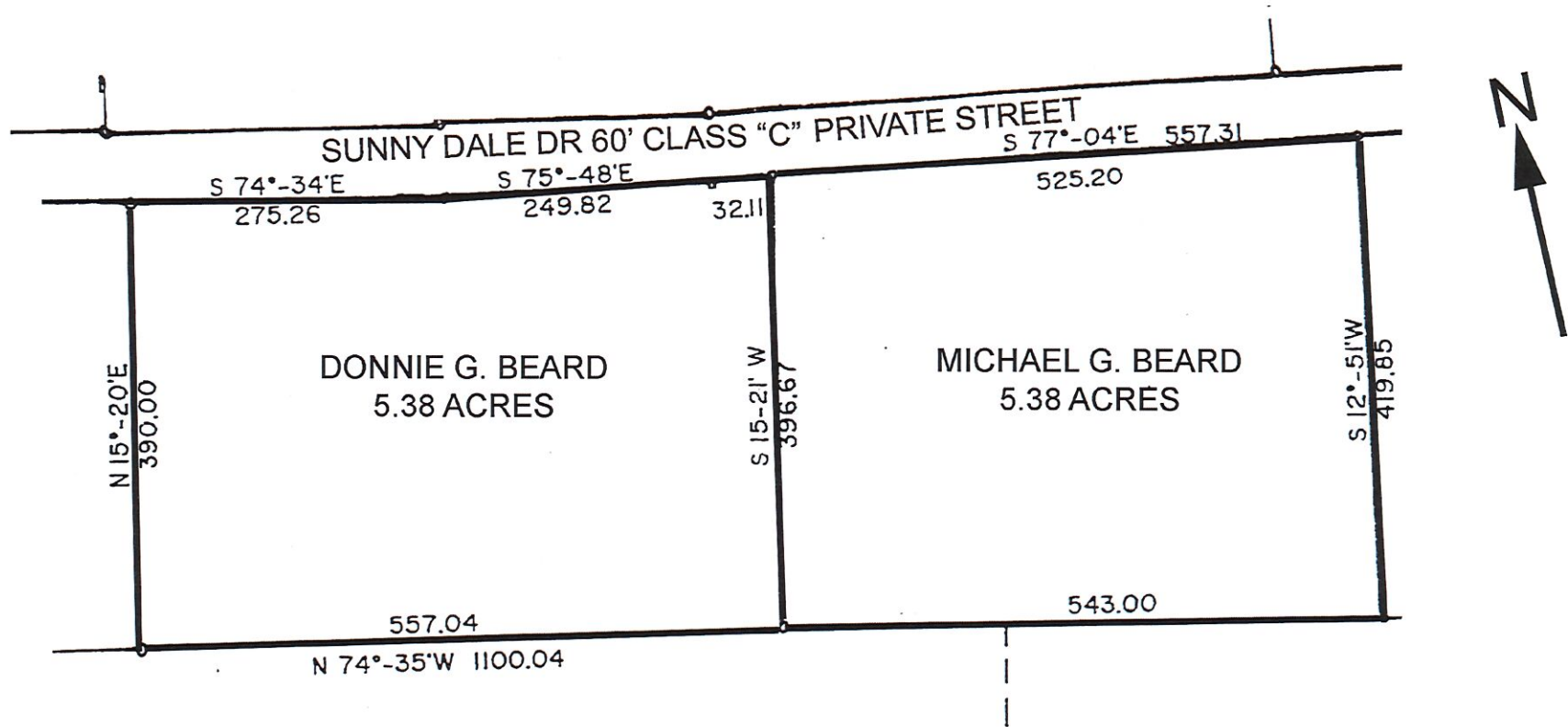
HEARING DATE

ACTION

GOVERNING BOARD



PIN: 0462-45-2094
PIN: 0462-44-8945



DONNIE BEARD

SUBDIVISION REVIEW

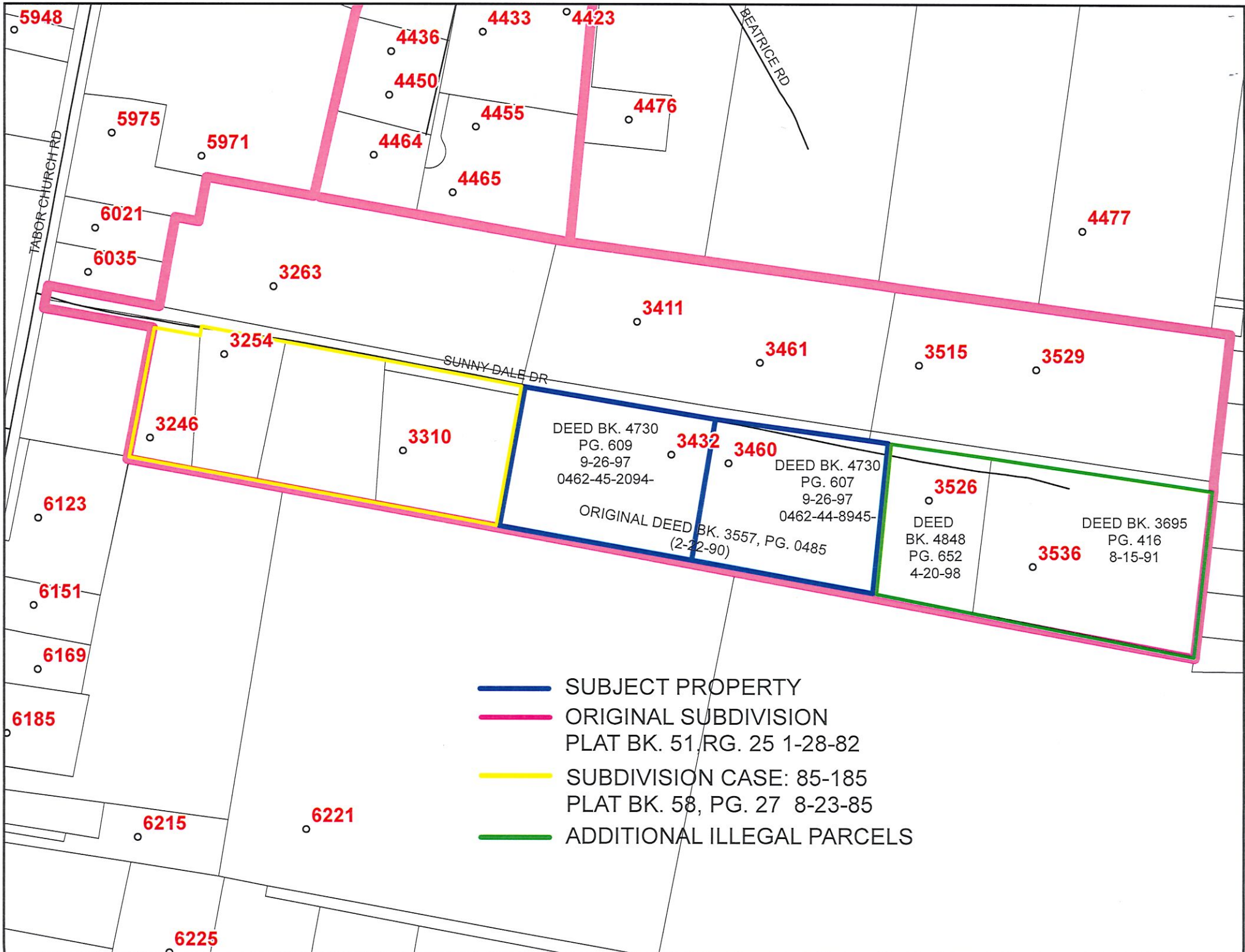
REQUEST: A WAIVER FROM SECTION 2304.C.4.c (4)

NUMBER OF LOTS ALLOWED ON A CLASS C PRIVATE STREET

CASE: 19-129 ACREAGE: 10.76 AC+/-

ZONED: A1 SCALE: NTS

*SCALED DETAILED SITE PLAN IN FILE AVAILABLE FOR REVIEW UPON REQUEST



- SUBJECT PROPERTY
- ORIGINAL SUBDIVISION
PLAT BK. 51/RG. 25 1-28-82
- SUBDIVISION CASE: 85-185
PLAT BK. 58, PG. 27 8-23-85
- ADDITIONAL ILLEGAL PARCELS

DEED BK. 4730
PG. 609
9-26-97
0462-45-2094-

ORIGINAL DEED BK. 3557, PG. 0485
(2-22-90)

DEED BK. 4730
PG. 607
9-26-97
0462-44-8945-

DEED
BK. 4848
PG. 652
4-20-98

DEED BK. 3695
PG. 416
8-15-91

**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: 3432 Sunny Dale Drive

OWNER: Donnie Beard

ADDRESS: 3432 Sunny Dale DR, Fay. NC ZIP CODE: 28312

TELEPHONE: HOME 910-850-4636 WORK 910-223-0900

AGENT: _____

ADDRESS: _____

TELEPHONE: HOME _____ WORK _____

APPLICATION FOR A WAIVER [VARIANCE]

As required by the Subdivision Ordinance

A. Parcel Identification Number (PIN #) of subject property: 0462-45-2094 0462-44-8945
(also known as Tax ID Number or Property Tax ID)

B. Acreage: 10.76 Frontage: 1082' Depth: 390'

C. Water Provider: well

D. Septage Provider: Septic

E. Deed Book 4730, Page(s) 607, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).

F. Existing and/or proposed use of property: Single family resident
Replace existing 29 year old mobile home

G. Section and provision of the Cumberland County Subdivision Ordinance from which a waiver [variance] is requested:

Sect ~~2303~~ 2304.C.4.c(4)
~~Street frontage~~ PRIVATE STREET SPECIFICATION
MAXIMUM NUMBER OF LOTS ALLOWED

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

29 year old mobile home due to recent
storms has mold in several areas of
home. we are in fear of our health and
wish to replace home with new modular
or build new construction.

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.

Donnie Beard Deborah E. Beard
Property owner(s) signature(s)

DONNIE BEARD - Deborah E. Beard
Property owner(s) name (print or type)

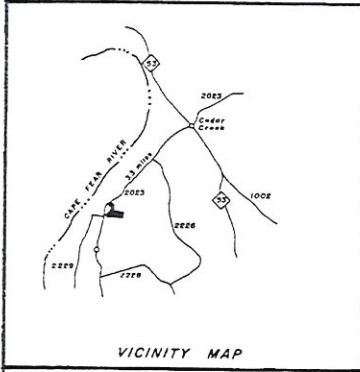
3432 Sunny Dale Drive, Fayetteville, NC 28312
Complete mailing address of property owner(s)

910. 850-4636 910. 223-0900
Telephone number Alternative telephone number

Donnie@dbeard21.com 910. 223-1514
Email address FAX number

3557- 4770 4730
0485- 328 609

25



CERTIFICATE OF OWNERSHIP AND DEDICATION
The undersigned hereby acknowledges that the land shown on this plan is within the subdivision regulation jurisdiction of Cumberland County and that this plan and allotment is our free act and deed and that we do hereby dedicate forever all areas so shown or indicated on said plan.

R. L. Abbott
Edgar Barnhill
Donor

CERTIFICATE OF PRIVATE STREET STATUS
No public agency is presently responsible for maintenance of the private streets shown on this plan. Private streets are for the use of all owners of property within this subdivision, their heirs and all representatives of governmental agencies for ingress, egress and regress; and for the construction, inspection and maintenance of streets, utilities and drainage.

DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS
NO APPROVAL NECESSARY
S. D. Dyer
District Engineer
1-13-82
Late

NORTH CAROLINA CUMBERLAND COUNTY
I, Michael Tate certify that this map was drawn under my supervision from an actual survey made under my supervision, and the description recorded in Book 2852, Page 150 that the ratio of precision as calculated by latitude and distances is 1/3,000. That the boundaries not surveyed are shown as broken lines derived from information found in books referenced, that this map was prepared in accordance with G.S. 17-20 as amended, witness my hand and seal this 6th day of January, A.D. 1982.

Michael Tate
Land Surveyor
Registration No. 62480

SURVEYOR SEAL

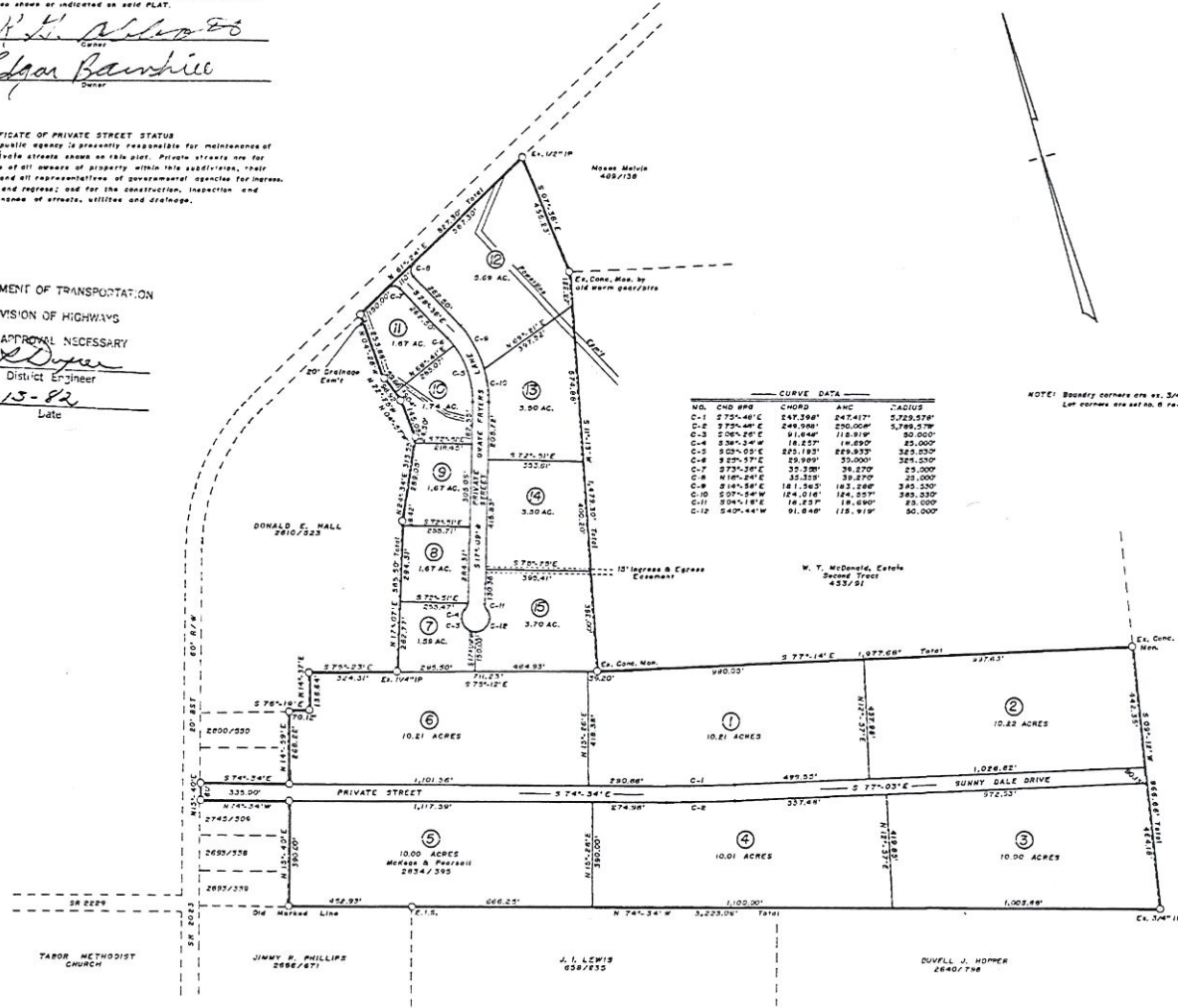
NORTH CAROLINA CUMBERLAND COUNTY
I, Michael A. Tate a Notary Public for said County and State do hereby certify that Michael Tate personally appeared before me this day and witness my hand and official seal this 6th day of January, 1982.

Michael A. Tate
Notary Public
My commission expires August 9, 1985

NOTARY SEAL

NORTH CAROLINA CUMBERLAND COUNTY
The foregoing certification of Michael A. Tate Notary Public, is confirmed to be correct. This instrument was prepared for registration and recorded in Pub. Book 2852 Page 150 This 6th day of January, 1982 at 2:45 P.M.

William C. Fisher
Register of Deeds



NOTE: Boundary corners are at 3/4" = 1". Lot corners are set on 6" = 1".

Recorded in Book of Maps _____ Vol. _____ Pg. _____

Approved by the Cumberland County Joint Planning Board
to the _____ of _____ 1982

REVISIONS		PROPERTY OF		COMPANY			
		ABBOTT & BARNHILL		MICHAEL TATE			
				REGISTERED LAND SURVEYOR			
TOWNSHIP: CEDAR CREEK		COUNTY: CUMBERLAND		DATE: NOV. 1981	SURVEYED BY: MT	FIELD BOOK	
STATE: NORTH CAROLINA		ZONE: 153		SCALE: 1" = 300'	DRAWN BY: MT	DRAWING NO.	
TAX MAP: 112		PARCEL: 76		CHECKED & CLOSURE BY: MT	262		

31-25



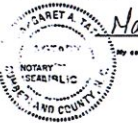
VICINITY MAP

Tabor Church Rd

NORTH CAROLINA CUMBERLAND COUNTY
 I, MICHAEL TATE, certify that this map was drawn under my supervision from an actual survey made under my supervision, and the description recorded on this page, that the ratio of accuracy of this map is 1/100,000, that the boundaries and bearings are shown by brass iron pins from information found in books referenced, that this map was prepared in accordance with G.S. 47-30 as amended, witness my hand and seal this 23rd day of August, 1985, A.D., 1985.
 Michael Tate
 Registered Land Surveyor



NORTH CAROLINA CUMBERLAND COUNTY
 I, MARGARET A. TATE, Notary Public for said county and state do hereby certify that MICHAEL TATE, a Registered Land Surveyor, properly appeared before me this day and acknowledged the execution of the foregoing instrument, witness my hand and official stamp on this day of August, 1985, A.D., 1985.
 Margaret A. Tate
 Notary Public
 My commission expires August 6, 1988



NORTH CAROLINA CUMBERLAND COUNTY
 The foregoing certificate of MARGARET A. TATE, Notary Public, is certified to be correct. This instrument was prepared for signature and recorded in Plat Book 58 Page 27 This 23rd day of August, 1985 at Fayetteville, N.C.
 GEORGE E. TATUM
 Register of Deeds
 My office is located at Fayetteville, N.C.

Approved by the Cumberland County Joint Planning Board as the 23rd day of August, 1985.
 George E. Tatum
 Chairman

Recorded in Book of Maps Vol. 58 Pg. 27

CERTIFICATE OF OWNERSHIP AND DEDICATION
 The undersigned hereby acknowledges that the land shown on this plat is within the jurisdiction of the jurisdiction of Cumberland County and that the plat and instrument in our free and clear and that we do hereby dedicate forever of use to the public as indicated on said PLAT.

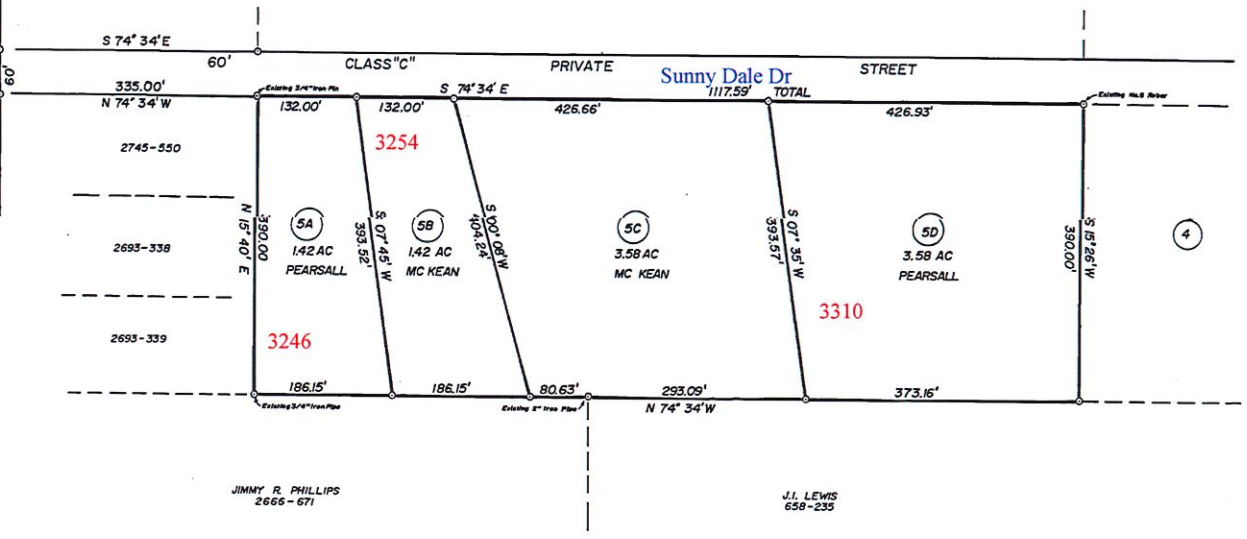
R.H. Phillips
 Edger R. Phillips
 C.W. McKean
 James S. McKean
 Forest Russell
 Grants C. Pease

CERTIFICATE OF PRIVATE STREET STATUS
 No public agency is presently responsible for maintenance of the private streets shown on this plat. Private streets are for the use of all owners of property within the subdivision, their heirs and all representatives of governmental agencies for ingress, egress and regress and for the construction, inspection and maintenance of streets, utilities and drainage.

Henry S. White, Notary Public
 For South Carolina
 My Commission Expires
 May 1, 1973

27

PLATBOOK 51, PAGE 25



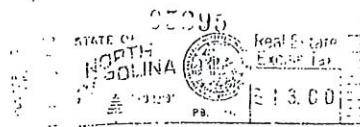
NOTE 1/2" IRON PINS SET ON ALL CORNERS UNLESS NOTED OTHERWISE

DEPARTMENT OF TRANSPORTATION
 DIVISION OF HIGHWAYS
 NO APPROVAL NECESSARY
 B. B. Leon
 Aug. 12, 1985

REVISIONS	PROPERTY OF CHARLES W. McKEAN JAMES F. PEARSALL	MICHAEL TATE, REGISTERED LAND SURVEYOR 1450 BAYWOOD ROAD FAYETTEVILLE, NORTH CAROLINA 28301
TOWNSHIP: CEDAR CREEK	COUNTY: CUMBERLAND	DATE: AUGUST 1985 SURVEYED BY: WS FIELD BOOK
STATE: NORTH CAROLINA	SCALE: 1"=100'	DRAWN BY: MG
ZONE: TAX MAP: PARCEL:	CHECKED & CLOSURE BY: MT	DRAWING NO.

58-27

14582



BK 355760485

098774

RECEIVED
90 FEB 22 AM 10:31
GEORGE T. TAYLOR
REGISTRAR
CUMBERLAND COUNTY

Excise Tax \$13.00

Recording Time, Book and Page

Tax Lot No. _____ Parcel Identifier No. _____
Verified by _____ County on the _____ day of _____, 19____
by _____

Mail after recording to J. FLOYD AMMONS, Attorney at Law, P.O. Box 1177, Fayetteville, NC 28302

This instrument was prepared by J. FLOYD AMMONS

Brief description for the Index **LOT 4 PROPERTY OF ABBOTT & BARNHILL**

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 21st day of February, 1990, by and between

GRANTOR

GRANTEE

R. B. G.
R. B. ABBOTT and wife, LAURA M.
ABBOTT and EDGAR BARNHILL and wife,
CLARA B. BARNHILL
Route 5, Box 79
Conway, South Carolina 29526

DONNIE G. BEARD, single and
MICHAEL G. BEARD, single
P.O. Box 2624
Fayetteville, NC 28302

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

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

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

(SEE ATTACHED EXHIBIT "A")

33
low

The property hereinabove described was acquired by Grantor by instrument recorded in
Book 2689, Page 662, Cumberland County Registry, North Carolina.

A map showing the above described property is recorded in Plat Book 51 page 25
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:

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

.....
(Corporate Name)
By:
..... President
ATTEST:
.....
..... Secretary (Corporate Seal)

USE BLACK INK ONLY

R. G. Abbott (SEAL)
R. G. ABBOTT
Laura M. Abbott (SEAL)
LAURA M. ABBOTT BY R. B. ABBOTT, HER ATTORNEY
Edgar Barnhill IN FACT
EDGAR BARNHILL (SEAL)
Clara B. Barnhill (SEAL)
CLARA B. BARNHILL BY EDGAR BARNHILL, HER
ATTORNEY IN FACT



NORTH CAROLINA, Cumberland County, CLARA B. BARNHILL BY EDGAR BARNHILL, HER ATTORNEY IN FACT
I, a Notary Public of the County and State aforesaid, certify that
R. G. ABBOTT and EDGAR BARNHILL Grantor,
personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my
hand and official stamp or seal, this 21st day of February, 1990.
My commission expires: 11-30-94
Susan G. Dart Notary Public
SUSAN G. DART

NORTH CAROLINA - CUMBERLAND COUNTY

I, SUSAN G. DART, a Notary Public for the County and State aforesaid, do hereby
certify that R. G. ABBOTT, Attorney in Fact for LAURA M. ABBOTT, personally appeared before
me this day and being duly sworn, says that he executed the foregoing and annexed
instrument for and in behalf of LAURA M. ABBOTT, and that his authority to execute and
acknowledge said instrument is contained in an instrument duly executed, acknowledged and
recorded in the Office of the Register of Deeds for Cumberland County, North Carolina; and
that this instrument was executed under and by virtue of the authority given by said
instrument granting him Power of Attorney; that the said R. G. ABBOTT, acknowledged the
due execution of the foregoing and annexed instrument for the purposes therein expressed
for and in behalf of the said LAURA M. ABBOTT.

WITNESS my hand and notarial seal this the 21st day of February, 1990.
The My Commission Expires: 11-30-94
Susan G. Dart
NORTH CAROLINA - CUMBERLAND COUNTY NOTARY PUBLIC

I, SUSAN G. DART, a Notary Public for the County and State aforesaid, do hereby
certify that EDGAR BARNHILL, Attorney in Fact for CLARA B. BARNHILL, personally appeared
before me this day and being duly sworn, says that he executed the foregoing and annexed
instrument for and in behalf of CLARA B. BARNHILL, and that his authority to execute and
acknowledge said instrument is contained in an instrument duly executed, acknowledged and
recorded in the Office of the Register of Deeds for Cumberland County, North Carolina; and
that this instrument was executed under and by virtue of the authority given by said
instrument granting him Power of Attorney; that the said EDGAR BARNHILL, acknowledged the
due execution of the foregoing and annexed instrument for the purposes therein expressed
for and in behalf of the said CLARA B. BARNHILL.

WITNESS my hand and notarial seal this the 21st day of February, 1990.
The My Commission Expires: 11-30-94
Susan G. Dart
NORTH CAROLINA - CUMBERLAND COUNTY NOTARY PUBLIC

The foregoing Certificate(s) of *James H. Hart* BK 3557 PG 6487

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

By *George E. Tatum* REGISTER OF DEEDS FOR CUMBERLAND COUNTY,
Allen J. Fisher Deputy/Assistant - Register of Deeds

EXHIBIT "A"

TRACT ONE: BEING all of Lot 4, according to a plat entitled "PROPERTY OF ABBOTT & BARNHILL" plat of same duly recorded in Book of Plats 51, Page 25, Cumberland County Registry, North Carolina.

TRACT TWO:

Beginning at the northwest corner of Lot 4 of the Abbott and Barnhill Property as shown in Plat Book 51, Page 25 of the Cumberland County Registry and Running thence North 15 degrees 26 minutes East 30.00 feet to a point in the center of a 60 foot private street called Sunny Dale Drive; thence with the center of said street South 74 degrees 34 minutes East 274.98 feet to the point of curve; thence along a curve to the left having a radius of 5,729.578 feet, an arc distance of 248.713 feet and a chord bearing and distance of South 75 degrees 48 minutes East 248.693 feet to the point of tangent; thence South 77 degrees 03 minutes East 557.48 feet to a point in said centerline; thence South 12 degrees 57 minutes West 30.00 feet to the northeast corner of Lot 4; thence with the northern line of Lot 4 North 77 degrees 03 minutes West 557.48 feet to a point of curve; thence along a curve to the right having a radius of 5,729.578 feet, an arc distance of 250.008 feet and a chord bearing and distance of North 75 degrees 48 minutes West 249.988 feet to the point of tangent; thence North 74 degrees 34 minutes West 274.98 feet to the point of beginning. Containing 0.75 acre and being the southern portion of Sunny Dale Drive fronting Lot 4 of Plat Book 51, Page 25.

Grantors hereby dedicate and confirm the dedication of the private street, known as Sunnydale Drive, as shown on a plat of record in Book 51, Page 25, Cumberland County Registry.

The above-described property is being conveyed subject to Restrictive Covenants, Easements and Rights-of-Way or record, if any.

4730
0607

BK 4730 PGO 607

43232

RECEIVED
9-26-1997 PM 3:02
GEORGE E. TATUM
REGISTER OF DEEDS
CUMBERLAND CO., N.C.

134

Excise Tax *Wor*

Recording Time, Book and Page

Tax Lot No. Parcel Identifier No.
Verified by County on the day of, 19.....
by

Mail after recording to Michael C. Boose
214 Dick Street Fayetteville NC 28302

This instrument was prepared by Michael C. Boose

Brief description for the Index

NORTH CAROLINA NON-WARRANTY DEED

THIS DEED made this 22nd day of September, 1997, by and between

GRANTOR

MICHAEL G. BEARD and wife, DEBBIE H. BEARD and DONNIE G. BEARD

GRANTEE

MICHAEL G. BEARD and wife, DEBBIE H. BEARD

Rt 2, Box 330-K
Fayetteville NC 28301

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

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

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

BEGINNING at a point in the centerline of Sunny Dale Drive, a sixty-foot private street, being the northeast corner of Tract Two conveyed to Michael G. Beard and Donnie G. Beard by deed recorded in Deed Book 3557, Page 485, and running thence with the eastern line of Tracts One and Two south 12 degrees 57 minutes 00 seconds west 449.58 feet to the southeast corner of Tract One; thence along the southern line of said tract north 74 degrees 34 minutes 00 seconds west 544.31 feet to a point; thence a new line north 15 degrees 56 minutes 48 seconds east 426.43 feet to a point in the aforementioned centerline of Sunny Dale Drive; thence with said centerline south 77 degrees 03 minutes 00 seconds east 525.03 feet to the point of beginning, containing 5.38 acres and being the eastern half of those two tracts described in Deed Book 3557, Page 485, Cumberland County Registry.

10

The property hereinabove described was acquired by Grantor by instrument recorded in
Book 3557, Page 485

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

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

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

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

.....
(Corporate Name)

By:
..... President

ATTEST:
..... Secretary (Corporate Seal)

USE BLACK INK ONLY

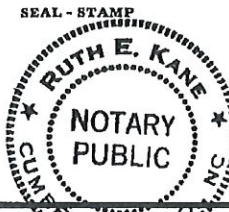
Michael G. Beard (SEAL)
Michael G. Beard

Debbie H. Beard (SEAL)
Debbie H. Beard

Donnie G. Beard (SEAL)
Donnie G. Beard

..... (SEAL)

SEAL - STAMP



NORTH CAROLINA, Cumberland County.

I, a Notary Public of the County and State aforesaid, certify that Michael G. Beard,
Debbie H. Beard and Donnie G. Beard Grantor,
personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 25 day of September, 1997.

My commission expires: 1-26-2000 Ruth E. Kane Notary Public

Use Black Ink

NORTH CAROLINA, _____ County.

I, a Notary Public of the County and State aforesaid, certify that _____
personally came before me this day and acknowledged that _____ he is _____ Secretary of
_____ a North Carolina corporation, and that by authority duly
given and as the act of the corporation, the foregoing instrument was signed in its name by its _____
President, sealed with its corporate seal and attested by _____ as its _____ Secretary.
Witness my hand and official stamp or seal, this _____ day of _____, 19____.

My commission expires: _____

10.00

The foregoing Certificate(s) of Ruth E Kane

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

By George E. Tatum REGISTER OF DEEDS FOR CUMBERLAND COUNTY,
Sheila M. Tatum Deputy/Assistant - Register of Deeds **NO REVENUE**

4730
0609

BK 4730PG0609

RECEIVED
9-26-1997 PM 3:02
GEORGE E. TATUM
REGISTER OF DEEDS
CUMBERLAND CO., N.C.

43233

135

Excise Tax *no fee*

Recording Time, Book and Page

Tax Lot No. Parcel Identifier No.
Verified by County on the day of, 19.....
by

Mail after recording to Michael C. Boose
214 Dick Street Fayetteville NC 28301

This instrument was prepared by Michael C. Boose

Brief description for the Index

NORTH CAROLINA NON-WARRANTY DEED

THIS DEED made this 22nd day of September, 1997, by and between

GRANTOR

GRANTEE

DONNIE G. BEARD, MICHAEL G. BEARD
and wife, DEBBIE H. BEARD

DONNIE G. BEARD

Rt 2, Box 330-L
Fayetteville NC 28301

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

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

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

BEGINNING at a point in the centerline of Sunny Dale Drive, a sixty-foot private street, being the northwest corner of Tract Two conveyed to Michael G. Beard and Donnie G. Beard by deed recorded in Deed Book 3557, Page 485, and running thence along said centerline south 74 degrees 34 minutes 00 seconds east 306.43 feet to a point at the beginning of a curve that is concave to the north having a radius of 5759.58 feet; thence along said curve for an arc length of 249.63 feet to a point at the end of the curve, said arc subtended by a chord which bears south 75 degrees 48 minutes 30 seconds east 249.61 feet; thence a new line south 15 degrees 56 minutes 48 seconds west 426.43 feet to a point in the southern line of Tract One of the aforementioned deed; thence with said line north 74 degrees 34 minutes 00 seconds west 555.69 feet to the southwest corner of Tract One; thence with the western line north 15 degrees 26 minutes 00 seconds east 421.00 feet to the point of beginning, containing 5.38 acres and being the western half of those two tracts recorded in Deed Book 3557, Page 485, Cumberland County Registry.

10

The property hereinabove described was acquired by Grantor by instrument recorded in
Book 3557, Page 485

A map showing the above described property is recorded in Plat Book page
TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the
Grantee in fee simple.

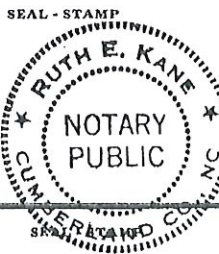
The Grantor makes no warranty, express or implied, as to title to the property hereinabove described.

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

By:
..... President
ATTEST:
..... Secretary (Corporate Seal)

USE BLACK INK ONLY

Donnie G. Beard (SEAL)
Donnie G. Beard
Michael G. Beard (SEAL)
Michael G. Beard
Debbie H. Beard (SEAL)
Debbie H. Beard



NORTH CAROLINA, Cumberland County.
I, a Notary Public of the County and State aforesaid, certify that Donnie G. Beard,
Michael G. Beard and Debbie H. Beard Grantor,
personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my
hand and official stamp or seal, this 25 day of September, 1997.
My commission expires: 1-26-2000 Ruth E Kane Notary Public

NORTH CAROLINA, County.
I, a Notary Public of the County and State aforesaid, certify that
personally came before me this day and acknowledged that he is Secretary of
..... a North Carolina corporation, and that by authority duly
given and as the act of the corporation, the foregoing instrument was signed in its name by its
President, sealed with its corporate seal and attested by as its Secretary.
Witness my hand and official stamp or seal, this day of, 19.....
My commission expires: Notary Public

1000

The foregoing Certificate(s) of Ruth E Kane

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the
first page hereof.

By George E. Tatum REGISTER OF DEEDS FOR CUMBERLAND COUNTY,
Sheila W. Dail Deputy/Assistant - Register of Deeds **NO REVENUE**

AMY H. CANNON
County Manager



RAWLS HOWARD
Director

TRACY JACKSON
Assistant County Manager



Vacant
Deputy Director

◆
Planning & Inspections Department

STAFF REVIEW: 1-6-20 PLANNING BOARD DECISION: 1-21-20

CASE NO: 19-129 NAME OF DEVELOPMENT: DONNIE G. & MICHAEL G. BEARD PROPERTY

MIA: N/A SUBDIVISION REVIEW

LOCATION: 3432 & 3460 SUNNYDALE DRIVE ZONING: A1

PIN: 0462-45-2094- & 0462-44-8945-

OWNERS / DEVELOPER: DONNIE BEARD ENGINEER OR DESIGNER: N/A

PLANNING & INSPECTIONS DEPARTMENT ACTION:

PLANNING BOARD DECISION:

- PRELIMINARY
- EXTENSION REVISION
- APPROVED CONDITIONALLY
- DENIED

- PRELIMINARY
- EXTENSION REVISION
- APPROVED CONDITIONALLY
- DENIED

The development plat/plan you submitted to this office is conditionally approved. Your approval is subject to the following conditions:

Pre- Permit Related:

1. A recorded plat is required prior to permit application, see Plat-Related conditions below. [Sec. 4-8(b)(7), County Code]
2. 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]
3. 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.)

Permit-Related:

4. 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.)
5. 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]
6. If driveways are changed or added, the developer must obtain a driveway permit from the NC Department of Transportation (NCDOT). **If required, a copy of the approved driveway permit must be provided to Code Enforcement. 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 at the number listed on the bottom of this conditional approval.

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]

7. 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)
8. The County Health Department must approve water & sewer plans. Lots not served by public water system is required to be large enough and of such physical character to comply with the Health Department's minimum standards. 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.) (Sec. 2306 A, County Subdivision Ord. & Sec. 1101.E, County Zoning Ord.)

Site-Related:

9. All uses, dimensions, setbacks and other related provisions of the County Subdivision and Development Ordinance, and County Zoning Ordinance for the A1 zoning district must be complied with, as applicable.
10. 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.)
11. For new development, all utilities, except for 25kv or greater electrical lines, must be located underground. (Section 2306.C, County Subdivision Ord.)
12. 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.)

Plat-Related:

13. Both parcels PIN: 0462-45-2094- & 0462-44-8945 must be drawn with solid property line with the bearing and distances, street name, acreage and lot identifiers reflected on the final plat.

Note: If both lots won't be platted on the same final plat, then the lot which is not platted must be labeled as "Undevelopable Until Platted" for the proposed lot.

14. 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.
15. 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)
16. 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.

Plat-Required Statements:

17. Since this development does not have public water/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 and/or water services available, and no lots have been approved by the Health Department for on-site sewer services or been deemed acceptable for private wells at the date of this recording."

18. The final plat must reflect the following statements required for the private street(s) (Section 2504 A, Disclosure of Private Street Status, County Subdivision and Development Ordinance):

- a. "Cumberland County and other public agencies have no enforcement responsibility regarding maintenance or encroachments into the private street right-of-way as shown on this plat. Private streets are for the use of all owners of property within this subdivision/development and their guests; and any governmental agency or personnel or equipment thereof who shall be granted perpetual access over all such private streets to accomplish or fulfill any service or function for which the agency is responsible and that any agency or organization designated by a governmental agency to perform a designated function shall also retain access the same as any government agency. Any governmental agency exercising its access rights shall have the same rights and only such liabilities as it would have on any public lands, rights-of-way, or easements."
- b. "All current and future owners of these tract be ware that maintenance for the Class "C" private street shown on this plat are the responsibility of the owners of the tracts served by and having access to the Class "C" private street."
- c. "All current and future owners of these tracts be aware that future division of these properties shall not be permitted under current standards without the upgrading of the Class "C" private street(s)."

19. Since this development is located within the *Farmland Protection Area* as defined on the current Land Use Plan map, the following disclosure statement is required to be provided on the final plat (Section 2504 B, Farmland Protection Area Disclosure, County Subdivision and Development Ordinance):

"This property or neighboring property may be subject to inconvenience, discomfort, and the possibility of injury to property and health arising from normal and accepted farming and agricultural practices and operations, including but not limited to noise, odors, dust, the operation of any kind of machinery the storage and disposal of manure, and the application of fertilizers, soil amendments, herbicides, and pesticides."

20. 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 subdivision plat.”

Advisories:

- 21. The subject property sits on Sunny Dale Drive, 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 Plan.
- 22. The applicant is advised to consult an expert on wetlands before proceeding with any development.
- 23. 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.
- 24. 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.

Other Relevant Conditions:

25. 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 water and/or 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 developing 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	mnyalo@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	ftthomas@co.cumberland.nc.us
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