

Amy H. Cannon  
County Manager

Tracy Jackson  
Assistant County Manager



# CUMBERLAND COUNTY

NORTH CAROLINA

Rawls Howard  
Director

David Moon  
Deputy Director

## Cumberland County Joint Planning Board

### TENTATIVE AGENDA

February 16, 2021

6:00 P.M.

- I. INVOCATION AND PLEDGE OF ALLEGIANCE
- II. ADJUSTMENTS TO / APPROVAL OF AGENDA
- III. PUBLIC HEARING DEFERRALS / WITHDRAWALS
- IV. ABSTENTIONS BY BOARD MEMBERS
- V. APPROVAL OF THE MINUTES OF JANUARY 21, 2021
- VI. CHAIRMAN'S WELCOME AND RULES OF PROCEDURE
- VII. PUBLIC HEARING CONSENT ITEMS

#### TEXT AMENDMENT

- A. **P21-12.** REVISION AND AMENDMENT TO THE CUMBERLAND COUNTY ZONING ORDINANCE BY AMENDING ARTICLE IV PERMITTED, CONDITIONAL, AND SPECIAL USES, SECTION 403. USE MATRIX ALLOWING RECREATION OR AMUSEMENT PUBLIC/PRIVATE (SEC. 920) NOT OPERATED AS A BUSINESS FOR PROFIT INCLUDING PLAYGROUNDS, NEIGHBORHOOD CENTER BUILDINGS, PARKS, MUSEUMS, SWIMMING POOLS, ETC., & NOT REGULATED BY SEC. 924 AS A PERMITTED USE WITHIN THE CD CONSERVANCY, A1 AGRICULTURAL, A1A AGRICULTURAL, R40 RESIDENTIAL, R40A RESIDENTIAL, R30 RESIDENTIAL, R30A RESIDENTIAL, RR RURAL RESIDENTIAL, O&I(P) PLANNED OFFICE & INSTITUTIONAL, C1(P) PLANNED LOCAL BUSINESS, C2(P) PLANNED SERVICE AND RETAIL AND C(P) PLANNED COMMERCIAL DISTRICTS BY INSERTING A "P" IN THE RESPECTIVE DISTRICT'S COLUMN AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE.

#### REZONING CASES

- B. **P21-08.** REZONING OF 2.75+/- ACRES FROM M(P) PLANNED INDUSTRIAL TO C2(P) PLANNED SERVICE AND RETAIL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 1030 & 1034 TYSON MARINE DRIVE, SUBMITTED BY JOHN MCCONNELL ON BEHALF OF MC5 REALTY GROUP (OWNER).
- C. **P21-10.** REZONING OF 0.74+/- ACRES FROM C(P) PLANNED COMMERCIAL TO A1 AGRICULTURAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 8909 CLINTON ROAD, SUBMITTED BY DANNY AND LORIE JOHNSON (OWNERS) AND TERRY C. FAIRCLOTH, PLS (AGENT).

Amy H. Cannon  
County Manager

Tracy Jackson  
Assistant County Manager



Rawls Howard  
Director

David Moon  
Deputy Director

## Cumberland County Joint Planning Board

- D. **P21-11.** REZONING OF 2.54+/- ACRES FROM C(P) PLANNED COMMERCIAL, M(P) PLANNED INDUSTRIAL AND R10 RESIDENTIAL TO C1(P) PLANNED LOCAL BUSINESS OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT THE SOUTHEAST QUADRANT OF THE INTERSECTION OF SR 1132 (LEGION ROAD) AND NC 162 (ELK ROAD), SUBMITTED BY DAVID MURRAY, LEGION ROAD INVESTMENTS, LLC; QUEENSWAY, LLC; CE PROPERTIES, LLC AND DOROTHY M. & EDWARD R. RIDDLE (OWNERS) AND PETER DOSTER (AGENT). (HOPE MILLS)
- E. **P21-13:** REZONING OF 0.87+/- ACRES FROM M(P) PLANNED INDUSTRIAL TO O&I(P) PLANNED OFFICE & INSTITUTIONAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 3190 NATAL STREET, SUBMITTED BY PUROLATOR FILTERS NA LLC (OWNER) AND LORI S. EPLER ON BEHALF OF LARRY KING & ASSOCIATES (AGENT).
- F. **P21-14:** REZONING OF 1+/- ACRES FROM R10 RESIDENTIAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF SR 1246 (ELWOOD DRIVE) AND NC 59 (HOPE MILLS ROAD), SUBMITTED BY JOSEPH AND TRINA RIDDLE & PAUL JOSEPH AND MARY HAZEL DIETZEN (OWNERS). (HOPE MILLS)

### VIII. PUBLIC HEARING CONTESTED ITEMS

#### REZONING CASE

- G. **P21-02.** REZONING OF 1.53+/- ACRES FROM R40A RESIDENTIAL TO R30 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED ON THE WESTERN SIDE OF THE INTERSECTION OF SR 2252 (CHICKEN FOOT ROAD) & MCCALL ROAD, SUBMITTED BY H & S INVESTMENTS OF NC, LLC (OWNERS) AND TIM EVANS (AGENT).
- H. **P21-05.** REZONING OF 69.53+/- ACRES FROM R6A RESIDENTIAL, RR RURAL RESIDENTIAL AND R10 RESIDENTIAL TO R6A RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED ON THE NORTH SIDE OF ODELL ROAD AND WEST OF NC 87 (N BRAGG BLVD), SUBMITTED BY VICTORIA MCLEOD (POWER OF ATTORNEY) ON BEHALF OF ELMA S. SMITH (OWNER) AND MICHAEL BLAKLEY ON BEHALF OF DRAFTING AND DESIGN SERVICES, INC. (AGENT). (SPRING LAKE)
- I. **P21-09:** REZONING OF 4.97+/- ACRES FROM A1 AGRICULTURAL TO RR RURAL RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 3285 GABE SMITH ROAD, SUBMITTED BY JOHN H. SANOSKE (OWNER).

#### CONDITIONAL ZONING CASE

- J. **P21-15:** REZONING OF 0.18+/- ACRES FROM R6 RESIDENTIAL TO R15 RESIDENTIAL/CZ CONDITIONAL ZONING FOR RECREATION/AMUSEMENT PUBLIC/PRIVATE (NOT OPERATED AS A BUSINESS FOR PROFIT) OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 5439 FOUNTAIN LANE, SUBMITTED BY CHANCER MCLAUGHLIN ON BEHALF OF THE TOWN OF HOPE MILLS (OWNER). (HOPE MILLS)

**Amy H. Cannon**  
County Manager

**Tracy Jackson**  
Assistant County Manager



**CUMBERLAND**  
**COUNTY**

NORTH CAROLINA

**Rawls Howard**  
Director

**David Moon**  
Deputy Director

## **Cumberland County Joint Planning Board**

### IX. PUBLIC HEARING WAIVER CASES

- K. **CASE NO. 20-151.** CONSIDERATION OF THE TERRONE STREET PROPERTY; SUBDIVISION REVIEW; REQUEST FOR A WAIVER FROM THE REQUIREMENT FOR DIRECT ACCESS TO A PRIVATE OR PUBLIC STREET FOR GROUP DEVELOPMENT; COUNTY SUBDIVISION ORDINANCE, SECTION 2401.D, GROUP DEVELOPMENTS; ZONED: RR; TOTAL ACREAGE: 10.00+/-; LOCATED AT 4075 MISSION HILL ROAD; SUBMITTED BY TERRONE STREET ON BEHALF OF WALTER & MAUDE ESTATE, LLC. (OWNER).

### X. NOMINATIONS COMMITTEE VOTE

### XI. DISCUSSION

- DIRECTOR'S UPDATE
- CUMBERLAND COUNTY SCHOOLS STAFF INVITATION UPDATE
- PRESENTATION OF PLAQUE TO OUTGOING BOARD MEMBER DIANE WHEATLEY

### XII. ADJOURNMENT

#### EXPLANATION OF THE REQUEST

Planning & Inspections staff has reviewed a number of site plans involving additions of structures or splash pads to existing non-profit parks & recreation spaces. Often these are sites maintained by the City of Fayetteville Parks & Recreation department. Currently, a non-profit recreation/amusement space such as a neighborhood rec building, park, museum or playground requires a special use permit in all districts. In order to streamline the process for approval of these revisions or newly developed park spaces, staff is proposing that the use be made a permitted use in the districts indicated on the attached use matrix, thus only requiring the need for an administrative site plan approval. Staff felt it best to leave more highly dense residential and industrial districts as special use permits, as this use includes privately operated non-profit park spaces and these districts would require higher scrutiny from a board.

#### STAFF RECOMMENDATION

In Case P21-12, the Planning & Inspections staff **recommends approval** of the text amendment and finds the request consistent with the 2030 Growth Vision Plan's goal of emphasizing park and recreation development and that the respective development be located and designed according to population density and needs of the people residing in the park service area. Approval of this text amendment is reasonable and in the public interest as it will provide for a more streamlined process for revisions to existing or newly developed park spaces in areas with larger lot sizes to encourage their development while keeping the needed higher scrutiny in more urban areas.

Attachments:  
P21-12 Text Amendment

**P21-12**  
**Cumberland County Zoning Ordinance**

**P21-12.** REVISION AND AMENDMENT TO THE CUMBERLAND COUNTY ZONING ORDINANCE BY AMENDING ARTICLE IV PERMITTED, CONDITIONAL, AND SPECIAL USES, SECTION 403. USE MATRIX ALLOWING RECREATION OR AMUSEMENT PUBLIC/PRIVATE (SEC. 920) NOT OPERATED AS A BUSINESS FOR PROFIT INCLUDING PLAYGROUNDS, NEIGHBORHOOD CENTER BUILDINGS, PARKS, MUSEUMS, SWIMMING POOLS, ETC., & NOT REGULATED BY SEC. 924 AS A PERMITTED USE WITHIN THE CD CONSERVANCY, A1 AGRICULTURAL, A1A AGRICULTURAL, R40 RESIDENTIAL, R40A RESIDENTIAL, R30 RESIDENTIAL, R30A RESIDENTIAL, RR RURAL RESIDENTIAL, O&I(P) PLANNED OFFICE & INSTITUTIONAL, C1(P) PLANNED LOCAL BUSINESS, C2(P) PLANNED SERVICE AND RETAIL AND C(P) PLANNED COMMERCIAL DISTRICTS BY INSERTING A "P" IN THE RESPECTIVE DISTRICT'S COLUMN AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE.

**AMENDING ARTICLE IV. - PERMITTED, CONDITIONAL, AND SPECIAL USES, SECTION 403 USE MATRIX. ALLOWING RECREATION OR AMUSEMENT PUBLIC/PRIVATE (SEC. 920) NOT OPERATED AS A BUSINESS FOR PROFIT INCLUDING PLAYGROUNDS, NEIGHBORHOOD CENTER BUILDINGS, PARKS, MUSEUMS, SWIMMING POOLS, ETC., IN THE CD, A1, A1A, R40, R40A, R30, R30A, RR, O&I(P), C1(P), C2(P) AND C(P) DISTRICT AS A PERMITTED USE BY INSERTING A "P" INDICATING PERMITTED USE IN THE RESPECTIVE DISTRICT'S COLUMN AS INDICATED BELOW:**

**ARTICLE IV**  
**PERMITTED, CONDITIONAL AND SPECIAL USES**

**SECTION 403. USE MATRIX**

The matrix on the following pages indicates Permitted and Special uses as well as some uses allowed only in a Conditional Zoning district.

**Section 403 Use Matrix.**

**Cumberland County Zoning Ordinance**

**P = Permitted use**

**S = Special Use (Sec. 1606 Board of Adjustment)**

**Z = Conditional Zoning (Article V- County BOC)**

Land Uses	Zoning Classification																					
	CD	A1	A1A	R40	R40A	R30	R30A	RR	R20	R20A	R15	R7.5	R6	R6A	R5	R5A	O&I (P)	C1(P)	C2(P)	C(P)	M1 (P)	M(P)
RECREATION OR AMUSEMENT PUBLIC/PRIVATE (Sec. 920) not operated as a business for profit including playgrounds, neighborhood center buildings, parks, museums, swimming pools, etc., & not regulated by Sec. 924	S P	S P	S P	S P	S P	S P	S P	S P	S	S	S	S	S	S	S	S	S P	S P	S P	S P	S	S

**EXPLANATION OF THE REQUEST**

This is a request for rezoning of one parcel located at 1030 and 1034 Tyson Marine Drive from M(P) Planned Industrial to C2(P) Planned Service and Retail. This would allow the property owner to develop the property with a commercial use. This is a conventional rezoning, and no conditions are proposed at this time.

**OWNER/APPLICANT**

**OWNER/APPLICANT:** John McConnell on behalf of MC5 Realty Group (owner)

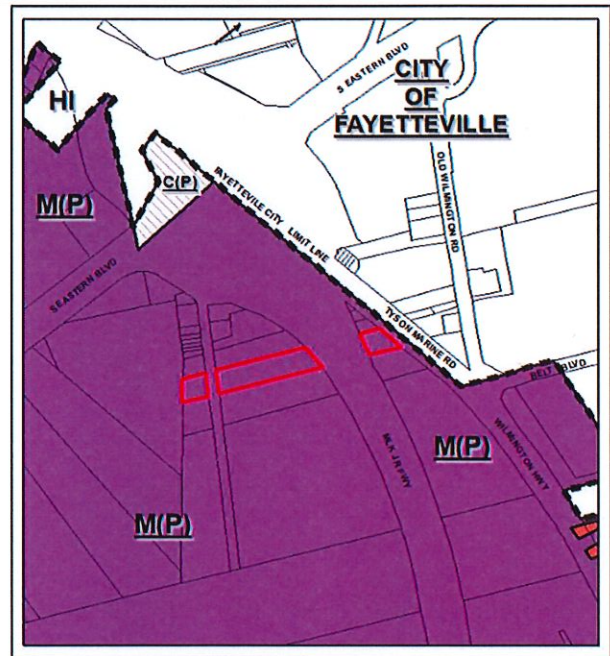
**PROPERTY INFORMATION**

**ADDRESS/LOCATION:** 1030 and 1034 Tyson Marine Drive; more specifically REID 0436757969000.

**SIZE:** This request includes one parcel totaling approximately 2.75 acres. The property has 167'+/- of street frontage along Tyson Marine Drive and 284'+/- of street frontage along Martin Luther King Jr. Parkway.

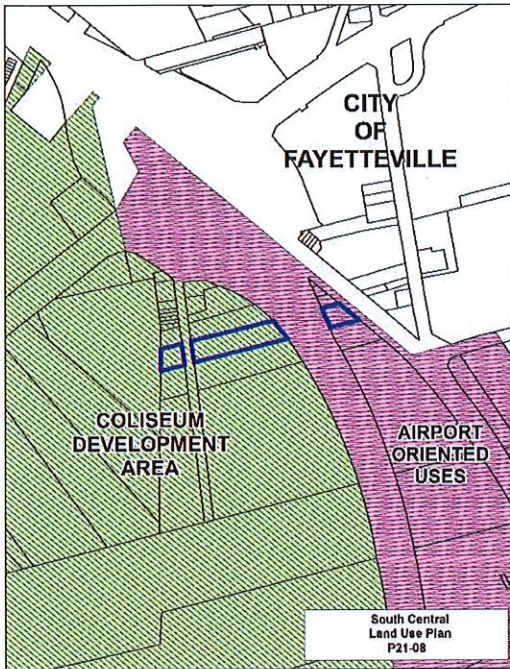
**EXISTING LAND USE:** The parcel is developed with a vacant structure.

**OTHER SITE CHARACTERISTICS:** The property is not located within the watershed or the Special Flood Hazard Area. There are hydric & hydric inclusion soils on the property. The property is located within Fayetteville's MIA.



**DEVELOPMENT REVIEW:** The property was legally created in 1950 by deed (Bk. 546, 309). NCDOT took part of the property for right of way in 1993 (Bk. 3906, Pg. 70). The structure addressed as 1030 Tyson Marine Drive does not meet current M(P) side yard setbacks and will remain non-conforming if rezoning to C2(P) is successful. Site plan review required before any business operations can begin.

**SURROUNDING LAND USE:** There is a substation, trade contracting, a religious worship activity and open storage in the surrounding areas.



**ZONING HISTORY:** The property was initially zoned M(P) as part of the Area 6 initial zoning on March 15, 1979.

**UTILITIES:** The property is served by PWC water and private septic. There are no public sewer lines available. The property is not located within a water/sewer district.

**MINIMUM YARD SETBACKS:** If approved, the parcel would be subject to C2(P) setbacks: Front yard: 50 foot, Side yard: 30 foot, Rear yard: 30 foot.

**COMPREHENSIVE PLANS:** The 2030 Growth Vision Plan designates this area as "Urban". The South Central Land Use Plan (2015) designates this parcel as "Airport Oriented Uses" and "Coliseum Development". "Airport Oriented Uses" is intended to protect the Airport from unwanted encroachment, protect human life, and allow for future expansion. Uses allowed in the area must be compatible with other uses in area and do not impact the area negatively. "Coliseum Development" is intended for area that is immediately around the Crown Coliseum Complex. Uses allowed in this area include any use that is compatible, compliant, and enhances the Crown Coliseum Complex. **Request is plan compliant.**

#### IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

**TRAFFIC:** The subject property sits on Tyson Marine Drive which is identified as a local road in the Metropolitan Transportation Plan. There are no construction projects planned, and the subject property will have no impact on the Transportation Improvement Plan.

**SCHOOLS CAP/ENROLL:** Walker-Spivey Elementary: 340/255; Douglas Byrd Middle: 600/573; Douglas Byrd High: 1280/1029

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

**EMERGENCY SERVICES:** Cumberland County Fire Marshal's office has reviewed the request and stated the following: 1. Ensure all fire department access requirements are met.; 2. Submit building plans to include to scale site plan for review of new buildings; 3. Ensure emergency responder radio coverage is achieved.

**FAYETTEVILLE REGIONAL AIRPORT:** The property is within the Airport Overlay District. Comments were requested via e-mail, none received.



## STAFF RECOMMENDATION

In Case P21-08, the Planning & Inspections staff **recommends approval** of the rezoning request from M(P) Planned Industrial to C2(P) Planned Service and Retail and finds the request consistent with the South Central Land Use Plan (2015) designation of "Airport Oriented Uses" and "Coliseum Development". The "Airport Oriented Uses" designation is intended to protect the Airport from unwanted encroachment, protect human life, and allow for future expansion. Uses allowed in the area must be compatible with other uses in area and do not impact the area negatively. The "Coliseum Development" designation is intended for area that is immediately around the Crown Coliseum Complex. Uses allowed in this area include any use that is compatible, compliant, and enhances the Crown Coliseum Complex. Approval of the request is reasonable and in the public interest as the district requested is in harmony with surrounding existing land uses and the parcel has access to public water.

### Attachments:

Zoning Application

Notification Mailing List

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

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

1. Requested Rezoning from MP to C2(P)
2. Address of Property to be Rezoned: 1030 Tyson Marine Dr., Fay
3. Location of Property: Tyson Marine Dr
4. Parcel Identification Number (PIN #) of subject property: 0436-75-7969  
(also known as Tax ID Number or Property Tax ID)
5. Acreage: 2.75 Frontage: 166 Depth: \_\_\_\_\_
6. Water Provider: Well: \_\_\_\_\_ PWC: X Other (name): \_\_\_\_\_
7. Septage Provider: Septic Tank X PWC \_\_\_\_\_
8. Deed Book 9699, Page(s) 104, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: Vacant Industrial
10. Proposed use(s) of the property: Motor Vehicle Sales
11. Do you own any property adjacent to or across the street from this property?  
Yes X No \_\_\_\_\_ If yes, where? Adjacent
12. Has a violation been issued on this property? Yes \_\_\_\_\_ No X

MS

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.

John McConnell - MCS Realty Group.  
NAME OF OWNER(S) (PRINT OR TYPE)

1521 Thoroughbred Tr. Parkton, NC 28371  
ADDRESS OF OWNER(S)

931-538-0080

HOME TELEPHONE #

WORK TELEPHONE #

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

Same  
ADDRESS OF AGENT, ATTORNEY, APPLICANT

johnmcconnelljr@hotmail.com  
E-MAIL

931-538-0080

HOME TELEPHONE #

WORK TELEPHONE #

  
SIGNATURE OF OWNER(S)

SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

SIGNATURE OF OWNER(S)

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

OWNER\_NAME  
BRUNSON, DAVID B  
CUMBERLAND COUNTY  
MC5 REALTY GROUP  
CARROLL, VIRGINIA CORBETT  
MC5 REALTY GROUP  
SPIVEY, PHYLLIS COUNCIL;GOODMAN, RENEE COUNCIL;COUNCIL, ARTICE LEE JR  
HUGGINS, SAMUEL O JR;HUGGINS, DENISE L  
CITY OF FAYETTEVILLE

ADDRESS	CITYSTATEZIP
2604 STONEHAVEN DR	FAYETTEVILLE, NC 28306
PO BOX 449	FAYETTEVILLE, NC 28302
218 HAY ST	FAYETTEVILLE, NC 28301
2404 MORGANTON RD	FAYETTEVILLE, NC 28303
218 HAY ST	FAYETTEVILLE, NC 28301
6144 WYNNWOOD DR	FAYETTEVILLE, NC 28314
5539 HEATHER ST	HOPE MILLS, NC 28348
433 HAY ST	FAYETTEVILLE, NC 28301

1<sup>st</sup> Class

P21-08

OWNER_NAME	ADDRESS	CITYSTATEZIP
TERRANOVA, STEVEN N.;TERRANOVA, JULIA ELIZABETH;COSTIN, JC	1331 QUEENSFERRY RD	CARY, NC 28511
PROMISE LAND PARTNERS LLC	1440 READ ST	OMAHA, NE 68112
BRUNSON, DAVID B	2604 STONEHAVEN DR	FAYETTEVILLE, NC 28306
SHERMAN, WILLIAM D;SUTTON, ARCHIE CULBRETH;WOOD, MARY	312 DEVANE ST	FAYETTEVILLE, NC 28305
CAPE FEAR SITE WORKS INC	1440 READ ST	OMAHA, NE 68112
BRUNSON, DAVID B	2604 STONEHAVEN DR	FAYETTEVILLE, NC 28306
BRUNSON, DAVID B	2604 STONEHAVEN DR	FAYETTEVILLE, NC 28306
CUMBERLAND COUNTY	PO BOX 449	FAYETTEVILLE, NC 28302
CARLYSLE, TONYA K	607 MCALPHIN DR	FAYETTEVILLE, NC 28301
FORTE, WANDA FAY JONES	3018 J HERBERT RD	EASTOVER, NC 28312
R K REALTY LLC	125 SIXTH AVE 100	MT LAUREL, NJ 08054
PECK MANUFACTURING COMPANY OF NORTH CAROLINA INC	1 S EXECUTIVE PK 500	CHARLOTTE, NC 28287
NEW, DOUGLAS L	PO BOX 53591	FAYETTEVILLE, NC 28305
FORTE, WANDA KAY	3018 J HERBERT RD	EASTOVER, NC 28312
EVERETT, SHARON ANN	PO BOX 453	HOPE MILLS, NC 28348
JACKSON, LUETTA W	1010 POPLAR DR	FAYETTEVILLE, NC 28304
RICE, TERRY L	4685 TRAIL RIDGE RD	BLAIR, NE 68008
NEW, DOUGLAS	P O BOX 53591	FAYETTEVILLE, NC 28305
RAY, MITCHELL	368 EAST 27TH ST	PATTERSON, NJ 07514
N C DEPT OF TRANSPORTATION	1546 MAIL SERVICE CTR	RALEIGH, NC 27699
CUMBERLAND COUNTY	PO BOX 449	FAYETTEVILLE, NC 28302
MC5 REALTY GROUP	218 HAY ST	FAYETTEVILLE, NC 28301
CARROLL, VIRGINIA CORBETT	2404 MORGANTON RD	FAYETTEVILLE, NC 28303
N C DEPT OF TRANSPORTATION	1546 MAIL SERVICE CTR	RALEIGH, NC 27699
WASHINGTON, DANIEL;WASHINGTON, ABRAHAM;EPHRAIM, SARA	828 WILBON DR	FAYETTEVILLE, NC 28305
WASHINGTON, DANIEL;WASHINGTON, ABRAHAM;EPHRAIM, SARA	828 WILBON DR	FAYETTEVILLE, NC 28305
WASHINGTON, DANIEL;WASHINGTON, ABRAHAM;EPHRAIM, SARA	828 WILBON DR	FAYETTEVILLE, NC 28305
KEITH, TOM J	121 COOL SPRING ST	FAYETTEVILLE, NC 28301
MC5 REALTY GROUP	218 HAY ST	FAYETTEVILLE, NC 28301
MC5 REALTY GROUP	218 HAY ST	FAYETTEVILLE, NC 28301
MC5 REALTY GROUP, LLC	218 HAY ST	FAYETTEVILLE, NC 28301
DEPRATER, WILLIAM A III;MARY, BLUE	522 VISTA DR	FAYETTEVILLE, NC 28305
MCMILLAN, WALTER DOUGLAS	1392 GREAT MARSH CHURCH RD	SAINT PAULS, NC 28384
CITY OF FAYETTEVILLE	433 HAY ST	FAYETTEVILLE, NC 28301
CITY OF FAYETTEVILLE	433 HAY ST	FAYETTEVILLE, NC 28301
KINLAW, DAN V;KINLAW, KAYE E	PO BOX 9099	FAYETTEVILLE, NC 28311
MARSHALL, JACQUELYN BERNADINE	4243 HONDO DR	FAYETTEVILLE, NC 28306
TURNER, ALBERT THOMAS;LEONARD, LEON	12702 HALYARD PL	FORT WASHINGTON, MD 20744
SPIVEY, PHYLLIS COUNCIL;GOODMAN, RENEE COUNCIL;COUNCIL, J	6144 WYNNWOOD DR	FAYETTEVILLE, NC 28314
PARKER ENERGY INC ATTN: DARREN PARKER	1504 SUNSET AVE	CLINTON, NC 28328
HUGGINS, SAMUEL O JR;HUGGINS, DENISE L	5539 HEATHER ST	HOPE MILLS, NC 28348
CITY OF FAYETTEVILLE	433 HAY ST	FAYETTEVILLE, NC 28301
HUGGINS, SAMUEL O JR;HUGGINS, DENISE L	5539 HEATHER ST	HOPE MILLS, NC 28348
KINLAW, DAN V;KINLAW, KAYE E	PO BOX 9099	FAYETTEVILLE, NC 28311
KINLAW INVESTMENTS LLC	3715 RAMSEY ST	FAYETTEVILLE, NC 28311
KINLAW INVESTMENTS LLC	3715 RAMSEY ST	FAYETTEVILLE, NC 28311

1,100' Rad

P21-08 3rd class

HUGGINS, SAM O. JR  
SPIVEY, PHYLLIS COUNCIL;GOODMAN, RENEE COUNCIL;COUNCIL,  
MT CARMEL BAPTIST CHURCH  
MT CARMEL BAPTIST CHURCH  
CITY OF FAYETTEVILLE  
COLONIAL MATERIALS INC  
CITY OF FAYETTEVILLE  
CITY OF FAYETTEVILLE  
ABERDEEN & ROCKFISH RAILROAD COMPANY

5539 HEATHER ST  
6144 WYNNWOOD DR  
1027 WILMINGTON RD  
1027 WILMINGTON RD  
433 HAY ST  
PO BOX 370  
433 HAY ST  
433 HAY ST  
PO BOX 917

HOPE MILLS, NC 28348  
FAYETTEVILLE, NC 28314  
FAYETTEVILLE, NC 28301  
FAYETTEVILLE, NC 28301  
FAYETTEVILLE, NC 28301  
CARY, NC 27512  
FAYETTEVILLE, NC 28301  
FAYETTEVILLE, NC 28301  
ABERDEEN, NC 28315

1,100' Rad

P21-08 3<sup>rd</sup> class

**EXPLANATION OF THE REQUEST**

This is a request for rezoning of one parcel and a portion of two parcels located at 8909 Clinton Road from C(P) Planned Commercial to A1 Agricultural. The owner has submitted a subdivision review to reconfigure the property and this rezoning would ensure that the property is not split zoned. This is a conventional rezoning, and no conditions are proposed at this time.

**OWNER/APPLICANT**

**OWNER/APPLICANT:** Danny and Lorie Johnson (owners) and Terry C. Faircloth, PLS (agent)

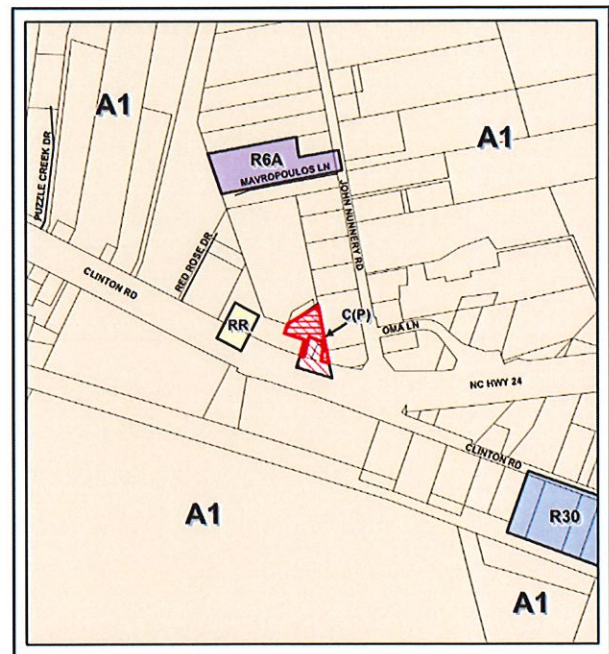
**PROPERTY INFORMATION**

**ADDRESS/LOCATION:** 8909 Clinton Road more specifically REID 1405360135000 and a portion of 1405267753000 and 1405269321000.

**SIZE:** This request includes one parcel and a portion of two parcels totaling approximately 0.74 acres. The property has 73' +/- of street frontage along Clinton Road and is 304' +/- in depth.

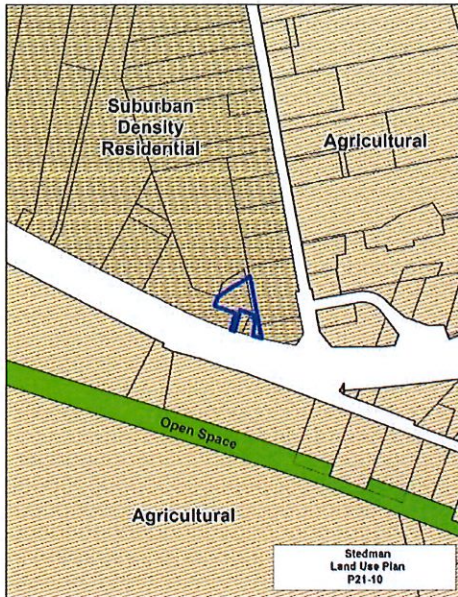
**EXISTING LAND USE:** The site is currently vacant.

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



**DEVELOPMENT REVIEW:** The properties recently went through a zero lot line subdivision review (Case 21-003) and have an existing Group Development approval (Case 94-078). The portion to remain C(P) will need to go through a site plan review prior to development.

**SURROUNDING LAND USE:** There are residential uses in the surrounding area including manufactures homes. There is also a substation, a nursery, and motor vehicle sales and repair in the surrounding area.



**ZONING HISTORY:** The properties were initially zoned A1 as part of the Area 20 initial zoning on September 3, 1996. The properties were rezoned to C(P) on June 16, 2014 (Case P14-25).

**UTILITIES:** The properties are served by Stedman water and private septic. There are no public sewer lines available. The properties are not located within a water/sewer district.

**MINIMUM YARD SETBACKS:** If approved, the parcels would be subject to A1 setbacks: Front yard: 50 foot, Side yard: 20 foot, Rear yard: 50 foot.

**COMPREHENSIVE PLANS:** The 2030 Growth Vision Plan designates this area as "Rural Areas". The Stedman Land Use Plan (2020) designates these parcels as "Suburban Density Residential". The "Suburban Density Residential" allows for denser, neighborhood type residential developments with no more than one unit per 20,000 square feet. **Request is plan compliant.**

**IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES**

**TRAFFIC:** The Average Daily Traffic Count (2018) on Clinton Road is 9,100.

**SCHOOLS CAP/ENROLL:** Stedman Primary: 200/144; Stedman Elementary: 300/311; Mac Williams Middle: 1270/1189; Cape Fear High: 1425/1427

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

**EMERGENCY SERVICES:** Cumberland County Fire Marshal's Office has reviewed the request and stated that the developer should ensure all fire department access road requirements are met where required.

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

**STAFF RECOMMENDATION**

In Case P21-10, the Planning & Inspections staff **recommends approval** of the rezoning request from C(P) Planned Commercial to A1 Agricultural and finds the request consistent with the Stedman Land Use Plan (2020) designation of "Suburban Density Residential" as it requires that any lot within this designation to be at least 20,000 square feet. Approval of the request is reasonable and in the public interest as the district requested is in harmony with surrounding existing land uses, zoning, and lot sizes.

- 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 CP to A1
2. Address of Property to be Rezoned: 8909 CLINTON ROAD, STEDMAN, NC 28391
3. Location of Property: +/- 200' West of the intersection of NC Hwy 24 and John Nunnery Rd

4. Parcel Identification Number (PIN #) of subject property: 1405-26-9149 <sup>REID</sup> 140526 9321000  
(also known as Tax ID Number or Property Tax ID) BL

NDB

Acreage: 0.742 Acres Frontage: +/- 48' Depth: +/-336'

Water Provider: Well: \_\_\_\_\_ PWC: X Other (name): \_\_\_\_\_

7. Septage Provider: Septic Tank X PWC \_\_\_\_\_

8. Deed Book 10839, Page(s) 330, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).

9. Existing use of property: Not being used currently (Abandoned car lot)

10. Proposed use(s) of the property: Residential

11. Do you own any property adjacent to or across the street from this property?  
Yes X No \_\_\_\_\_ If yes, where? North of the Commercial Property

12. Has a violation been issued on this property? Yes \_\_\_\_\_ No X

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

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

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

Danny and Lorie Johnson  
NAME OF OWNER(S) (PRINT OR TYPE)

531 Cedar Lake Lane , Clinton NC 28328  
ADDRESS OF OWNER(S)

(910)-709-1347 HOME TELEPHONE #      x 910-824-4472 WORK TELEPHONE #

Terry C. Faircloth, PLS  
NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)

6042 Lexington Drive, Hope Mills, NC 28348  
ADDRESS OF AGENT, ATTORNEY, APPLICANT

fairclothsurveying@yahoo.com  
E-MAIL

910-494-7444 HOME TELEPHONE #      910-494-7444 WORK TELEPHONE #

x *Danny M Johnson* SIGNATURE OF OWNER(S)      x *Terry C Faircloth* SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

x *Lorie Johnson* SIGNATURE OF OWNER(S)

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

OWNER_NAME	ADDRESS	CITYSTATEZIP
TAYLOR, JERRY G HEIRS	512 JOHN NUNNERY RD	STEDMAN, NC 28391
TAYLOR, JERRY G HEIRS	512 JOHN NUNNERY RD	STEDMAN, NC 28391
JOHNSON, DANNY;JOHNSON, LORIE	531 CEDAR LAKE LN	CLINTON, NC 28328
JOHNSON, DANNY;JOHNSON, LORIE	531 CEDAR LAKE LN	CLINTON, NC 28328
CITY OF FAYETTEVILLE	433 HAY ST	FAYETTEVILLE, NC 28301
JOHNSON, LEVIE E;JOHNSON, HELEN S	8853 CLINTON RD	STEDMAN, NC 28391
WATSON, JOHN KEITH;WATSON, LORA L.	153 JOHN NUNNERY RD	STEDMAN, NC 28391
WATSON, JOHN KEITH;WATSON, LORA L.	153 JOHN NUNNERY RD	STEDMAN, NC 28391
AUTRY, DALE E;AUTRY, WIFE	207 JOHN NUNNERY RD	STEDMAN, NC 28391

P21-10 1<sup>st</sup> class

TAYLOR, JERRY G HEIRS  
TAYLOR, JERRY G HEIRS  
JOHNSON, DANNY;JOHNSON, LORIE  
JOHNSON, DANNY;JOHNSON, LORIE  
CSX TRANSPORTATION INC TAX DEPT  
CITY OF FAYETTEVILLE  
JOHNSON, LEVIE E;JOHNSON, HELEN  
MAVROPOULOS, VIRGINIA JOHNSON  
JIMENEZ, SUSAN MAVROPOULOS  
JOHNSON, GEORGIA  
JOHNSON, LEVIE E;JOHNSON, HELEN S  
BARRETT, MICHAEL W;BARRETT, CARLA B  
N C DEPT OF TRANSPORTATION  
STAMPS, RANDY W  
STAMPS, RANDY  
WATSON, JOHN KEITH;WATSON, LORA L.  
WATSON, JOHN KEITH;WATSON, LORA L.  
AUTRY, DALE E;AUTRY, WIFE  
TAYLOR, JERRY;TAYLOR, TAMMY B  
NUNNERY, GREGORY PRESTON  
HALL, ROY HINTON;BULLARD, LISA HALL  
BRIZA, KAREN A  
NUNNERY, JOHN P;NUNNERY, HELEN S  
HALL, CLETHIE A  
MAVROPOULOS, VIRGINIA  
UNDERWOOD, WALTER F;UNDERWOOD, PAM  
NUNNERY, JOHN STEVEN;CYNTHIA DENISE NUNNERY TYNDALL

512 JOHN NUNNERY RD STEDMAN, NC 28391  
512 JOHN NUNNERY RD STEDMAN, NC 28391  
531 CEDAR LAKE LN CLINTON, NC 28328  
531 CEDAR LAKE LN CLINTON, NC 28328  
500 WATER ST C910 JACKSONVILLE, FL 32202  
433 HAY ST FAYETTEVILLE, NC 28301  
8853 CLINTON RD STEDMAN, NC 28391  
253 JOHN NUNNERY RD STEDMAN, NC 28391  
224 NEW ELLENTON RD FAYETTEVILLE, NC 28312  
8705 CLINTON RD STEDMAN, NC 28391  
8853 CLINTON RD STEDMAN, NC 28391  
9010 CLINTON RD STEDMAN, NC 28391  
1546 MAIL SERVICE CTR RALEIGH, NC 27699  
221 JOHN NUNNERY RD STEDMAN, NC 28391  
221 JOHN NUNNERY RD STEDMAN, NC 28391  
153 JOHN NUNNERY RD STEDMAN, NC 28391  
153 JOHN NUNNERY RD STEDMAN, NC 28391  
207 JOHN NUNNERY RD STEDMAN, NC 28391  
512 JOHN NUNNERY RD STEDMAN, NC 28391  
144 JOHN NUNNERY RD STEDMAN, NC 28391  
160 JOHN NUNNERY STEDMAN, NC 28391  
200 JOHN NUNNERY RD STEDMAN, NC 28391  
9020 OMA LN STEDMAN, NC 28391  
220 JOHN NUNNERY RD STEDMAN, NC 28391  
253 JOHN NUNNERY RD STEDMAN, NC 28391  
246 JOHN NUNNERY RD STEDMAN, NC 28391  
PO BOX 225 STEDMAN, NC 28391

600' Rad

P21-10 3<sup>rd</sup> class

**EXPLANATION OF THE REQUEST**

This is a request for rezoning of two parcels and a portion of a third, located at the southeast quadrant of the intersection of Legion Road and Elk Road from C(P) Planned Commercial, R10 Residential, and M(P) Planned Industrial to C1(P) Planned Local Business. This would allow the property owner to develop the properties with a commercial use. This is a conventional rezoning, and no conditions are proposed at this time.

**OWNER/APPLICANT**

**OWNER/APPLICANT:** David Murray, Legion Road Investments, LLC; Queensway, LLC; CE Properties, LLC and Dorothy M. & Edward R. Riddle (owners) and Peter Doster (agent)

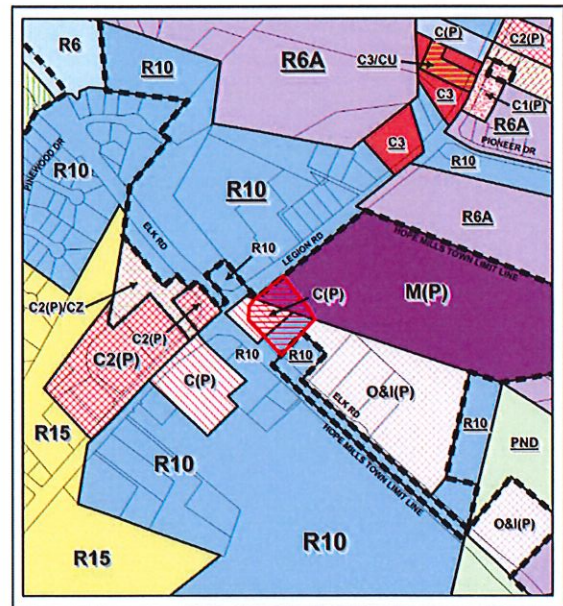
**PROPERTY INFORMATION**

**ADDRESS/LOCATION:** Southeast quadrant of the intersection of SR 1132 (Legion Road) and NC 162 (Elk Road) more specifically REIDs 0424089901000, 0424180851000, and a portion of 0424199042000.

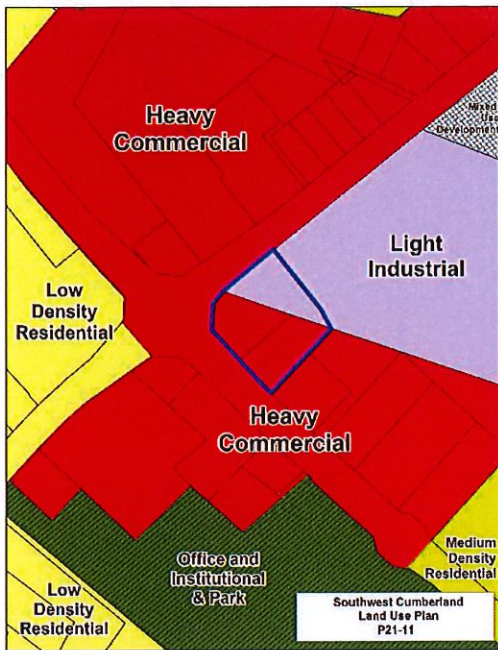
**SIZE:** This request includes three parcels totaling approximately 2.54 acres. The property has 300' +/- of street frontage along Elk Road and 285' +/- of street frontage along Legion Road.

**EXISTING LAND USE:** The parcels are currently developed with a vacant commercial building and single-family dwelling.

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



**DEVELOPMENT REVIEW:** The tract currently zoned C(P) was legally created by deed in 1984 (Deed bk. 990, Pg. 515). The tract currently zoned R10 was legally created by deed in 1976 (Deed bk. 2542, Pg. 193). The larger tract, of which only a small portion is involved in the rezoning, is over 10 acres and not subject to the subdivision ordinance. A recombination plat and site plan review will be required before any change in use or additional development.



**SURROUNDING LAND USE:** There are residential uses in the surrounding area. There is also trade contracting, religious worship activity, shopping centers, motor vehicle sales, and a school.

**ZONING HISTORY:** The properties were initially zoned M(P) and R10 as part of the Area 4 initial zoning on November 17, 1975. The property currently zoned C(P) was approved on December 16, 2002 (Case HMP02-05).

**UTILITIES:** The properties are served by PWC water & sewer. The properties are not located within a water/sewer district.

**MINIMUM YARD SETBACKS:** If approved, the parcel would be subject to C1(P) setbacks: Front yard: 45 foot, Side yard: 15 foot, Rear yard: 20 foot.

**COMPREHENSIVE PLANS:** The 2030 Growth Vision Plan designates this area as "Urban". The Southwest Cumberland Land Use Plan (2013) designates these parcels as "Heavy Commercial" and "Light Industrial". The "Heavy Commercial" designation is designed to provide for shopping needs of the immediate neighborhood and traveling public and is usually located the major intersections. The "Light Industrial" is designed for a wide variety of light industrial operations involving manufacturing, processing, and fabrication of materials, operations involving wholesaling and bulk storage, other non-retail uses and certain public assembly and recreational uses. **Request is plan compliant.**

**IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES**

**TRAFFIC:** The subject properties sit at the intersection of Legion Road and Elk Road, and the roads are identified as existing boulevards in the Metropolitan Transportation Plan. There are no construction projects planned and the subject properties will have no impact on the Transportation Improvement Plan. The Average Daily Traffic Count (2018) on Elk Road is 19,500. The Average Daily Traffic Count (2018) on Legion Road is 17,000.

**SCHOOLS CAP/ENROLL:** Ed Baldwin Elementary: 790/662; South View Middle: 900/674; South View High: 1800/1527

**ECONOMIC DEVELOPMENT:** Comments requested via e-mail. None received.

**EMERGENCY SERVICES:** Comments requested via e-mail. None received.

**FAYETTEVILLE REGIONAL AIRPORT:** The property is within the Airport Overlay District. Comments were requested via e-mail, none received.

## STAFF RECOMMENDATION

In Case P21-11, the Planning & Inspections staff **recommends approval** of the rezoning request from C(P) Planned Commercial, R10 Residential, and M(P) Planned Industrial to C1(P) Planned Local Business and finds the request consistent with the Southwest Cumberland Land Use Plan (2013) designation of "Heavy Commercial" and "Light Industrial". The "Heavy Commercial" designation is designed to provide for shopping needs of the immediate neighborhood and traveling public and is usually located the major intersections. Approval of the request is reasonable and in the public interest as the district requested is in harmony with surrounding existing land uses, zoning, and the site is located at a heavily trafficked intersection.

Attachments:

Zoning Application

Notification Mailing List

**TO THE ZONING BOARD AND THE TOWN OF HOPE MILLS BOARD OF COMMISSIONERS, HOPE MILLS, NORTH CAROLINA:**

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

1. Requested Rezoning from C(P)/ R10/ M(P) to C1(P)

*If the area is a portion of an existing parcel, a written metes and bounds description of only that portion to be considered for rezoning, including the exact acreage must accompany this application along with a copy of the recorded deed and/or plat. If more than one zoning classification is requested, a correct metes and bounds legal description, including acreage, for each bounded area must be submitted.*

2. Address/location of property to be Rezoned: 4173 Legion Road, Hope Mills, NC 28348

3. Parcel Identification Number (PIN #) of property: 0424-08-9901 / 0424-19-9042 /  
(also known as Tax ID Number or Property Tax ID) 0424-18-1657  
*OSI BP*

MS  
2.54  
AC

Acreage: 2.543 Frontage: 666.24 FT Depth: 393.55 FT

Water Provider: Well: \_\_\_\_\_ PWC: X

6. Septage Provider: Septic Tank \_\_\_\_\_ PWC X Other (name) \_\_\_\_\_

7. Deed Book <sup>9703</sup> 10656 <sub>3215</sub>, Page(s) <sup>667</sup> 520 <sub>14</sub> Cumberland County Register of Deeds. (Attach copy of deed of subject property as it appears in Registry).

8. Existing use(s) of property: Commercial Building, Industrial Building, Residential

9. Proposed use(s) of the property: Circle K Convenience Store

10. Do you own any property adjacent to, including across the street from, the property being submitted for rezoning? Yes \_\_\_\_\_ No X  
If yes, where? \_\_\_\_\_

11. Has a violation been issued on this property? Yes \_\_\_\_\_ No X

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



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

Legion Road Investments, LLC; Queensway, LLC; and David Murray  
Property owner(s)' name (print or type)

121 S. Cool Spring St., Fayetteville, NC 28301  
Complete mailing address of property owner(s)

(910) 323-3222 Telephone number      (910) 850-1382 Alternative telephone number

atk@keithvaluation.com E-mail address      (910) 323-1180 Fax number

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

4350 Main Street, Suite 219, Harrisburg, NC 28075  
Complete mailing address of agent, attorney, or applicant

(704) 412-7474 Telephone number      (716) 446-7002 Alternative telephone number

pdoster@bowmanconsulting.com E-mail address      \_\_\_\_\_ Fax number

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

  
Owner's signature

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

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.

CE PROPERTIES, LLC

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

PO BOX 64076, FAYETTEVILLE, NC 28306

Complete mailing address of property owner(s)

910-818-4093

Telephone number

910-779-7391

Alternative telephone number

CHARLIE@GLFNC.COM

E-mail address

910-339-0408

Fax number

Peter Doster

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

4350 Main Street, Suite 219, Harrisburg, NC 28075

Complete mailing address of agent, attorney, or applicant

(704) 412-7474

Telephone number

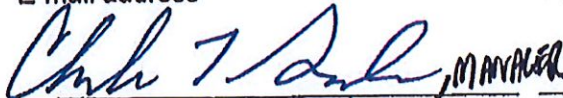
(716) 446-7002

Alternative telephone number

pdoster@bowmanconsulting.com

E-mail address

Fax number



Owner's signature

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

Owner's signature

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

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.

Dorothy M Riddle and Edward R Riddle  
Property owner(s)' name (print or type)

4031 ELK Rd Hope Mills NC 28348  
Complete mailing address of property owner(s)

910-425-9298 Telephone number (HOME)      910-624-2493 Alternative telephone number (CELL)

dmriddle@aol.com E-mail address      \_\_\_\_\_ Fax number

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

4350 Main Street, Suite 219, Harrisburg, NC 28075  
Complete mailing address of agent, attorney, or applicant

(704) 412-7474 Telephone number      (716) 446-7002 Alternative telephone number

pdoster@bowmanconsulting.com E-mail address      \_\_\_\_\_ Fax number

Dorothy M. Riddle Owner's signature      11/27/2020 Agent, attorney, or applicant's signature (other than property owner)

Edward R. Riddle Owner's signature      11/27/2020

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

owner_name	address	citystatezip
DOVE, MYRON KENT;DOVE, JUDY;DOVE, JOHN D JR;DOVE, GAIL;DOVE, KIMBERL'	8001 SHILLINGSTONE PL	RALEIGH, NC 27615
DOVE, MYRON KENT;DOVE, JUDY;DOVE, JOHN D JR;DOVE, GAIL;DOVE, KIMBERL'	8001 SHILLINGSTONE PL	RALEIGH, NC 27615
CE PROPERTIES LLC	PO BOX 64076	FAYETTEVILLE, NC 28306
AGREE HOPE MILLS NC LLC	70 E LONG LAKE RD	BLOOMFIELD HILLS, MI 48304
BEDSOLE, ROGER M JR;BEDSOLE, PAMELA S	4176 LEGION RD	HOPE MILLS, NC 28348
HART, JOHN E, DOLORES HART LEE;SHERRY HART HILL	4164 LEGION RD	HOPE MILLS, NC 28348
RIDDLE, DOROTHY M;RIDDLE, EDWARD R	4031 ELK RD	HOPE MILLS, NC 28348
RIDDLE, EDWARD R;RIDDLE, DOROTHY M	4031 ELK RD	HOPE MILLS, NC 28348
SOUTHVIEW BAPTIST CHURCH OF HOPE MILLS INC	4089 ELK RD	HOPE MILLS, NC 28348
LEGION ROAD INVESTMENTS LLC;MURRAY, DAVID C;MURRAY, KIMBERLY M;QUE	121 S COOL SPRING ST	FAYETTEVILLE, NC 28301
BRYANT, JAMES	4047 LEGION RD	HOPE MILLS, NC 28348

P21-11 1st class

owner_name	address	citystatezip
COFFMAN, DAVID LEE	4251 LEGION RD 103	HOPE MILLS, NC 28348
DOVE, MYRON KENT;DOVE, JUDY;DOVE, JOHN D JR;DOVE, GAIL;DOVE, KIMBEI	8001 SHILLINGSTONE PL	RALEIGH, NC 27615
DOVE, MYRON KENT;DOVE, JUDY;DOVE, JOHN D JR;DOVE, GAIL;DOVE, KIMBEI	8001 SHILLINGSTONE PL	RALEIGH, NC 27615
TOWNSEND, FRANK D	4066 ELK RD	HOPE MILLS, NC 28348
CE PROPERTIES LLC	PO BOX 64076	FAYETTEVILLE, NC 28306
AGREE HOPE MILLS NC LLC	70 E LONG LAKE RD	BLOOMFIELD HILLS, MI 48304
N C DEPT OF TRANSPORTATION	1546 MAIL SERVICE CTR	RALEIGH, NC 27699
BEDSOLE, ROGER M JR;BEDSOLE, PAMELA S	4176 LEGION RD	HOPE MILLS, NC 28348
HART, JOHN E, DOLORES HART LEE;SHERRY HART HILL	4164 LEGION RD	HOPE MILLS, NC 28348
LEE, DOLORES H	1220 ROCK SPRINGS DR	MELBOURNE, FL 32940
CUMBERLAND COUNTY BD OF ED	PO BOX 2357	FAYETTEVILLE, NC 28302
TOWNSEND, FRANK D	4066 ELK RD	HOPE MILLS, NC 28348
RIDDLE, DOROTHY M;RIDDLE, EDWARD R	4031 ELK RD	HOPE MILLS, NC 28348
RIDDLE, EDWARD R;RIDDLE, DOROTHY M	4031 ELK RD	HOPE MILLS, NC 28348
SOUTHVIEW BAPTIST CHURCH OF HOPE MILLS INC	4089 ELK RD	HOPE MILLS, NC 28348
SOUTHVIEW BAPTIST CHURCH OF HOPE MILLS INC	4089 ELK RD	HOPE MILLS, NC 28348
SOUTHVIEW BAPTIST CHURCH OF HOPE MILLS INC	4089 ELK RD	HOPE MILLS, NC 28348
SOUTHVIEW BAPTIST CHURCH OF HOPE MILLS INC	4089 ELK RD	HOPE MILLS, NC 28348
LEE, GERALD W HEIRS	4140 LEGION RD	HOPE MILLS, NC 28348
MULROONEY, GARY S	500 EAGLES LANDING	EAST TAWAKONI, TX 75472
JONES, PAUL RUSSELL III	4112 LEGION RD	HOPE MILLS, NC 28348
HODGE, DELWYN LAWRENCE;HODGE, JACQUELYN CRISTI	4104 LEGION RD	HOPE MILLS, NC 28348
LEGION ROAD INVESTMENTS LLC;MURRAY, DAVID C;MURRAY, KIMBERLY M;Q	121 S COOL SPRING ST	FAYETTEVILLE, NC 28301

600' Rad

P21-11 3<sup>rd</sup> class

**EXPLANATION OF THE REQUEST**

This is a request for rezoning of one parcel located at 3190 Natal Street from M(P) Planned Industrial to O&I(P) Planned Office and Institutional. This request would make the existing structure conforming and would allow it to be developed with an office-type use. This is a conventional rezoning, and no conditions are proposed at this time.

**OWNER/APPLICANT**

**OWNER/APPLICANT:** Purolator Filters NA LLC (owner) and Lori S. Epler on behalf of Larry King & Associates (agent)

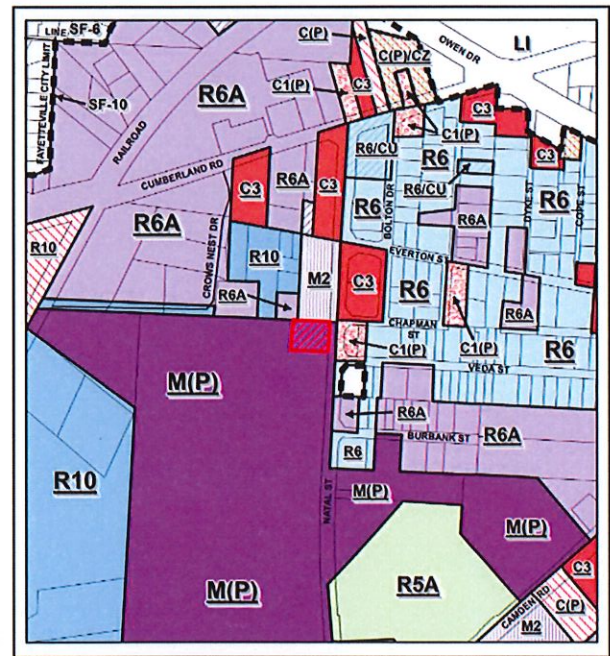
**PROPERTY INFORMATION**

**ADDRESS/LOCATION:** 3190 Natal Street; more specifically REID 0426401367000.

**SIZE:** This request includes one parcel totaling approximately 0.87 acres. The property has 168' +/- of street frontage along Natal Street and is 216' +/- in depth.

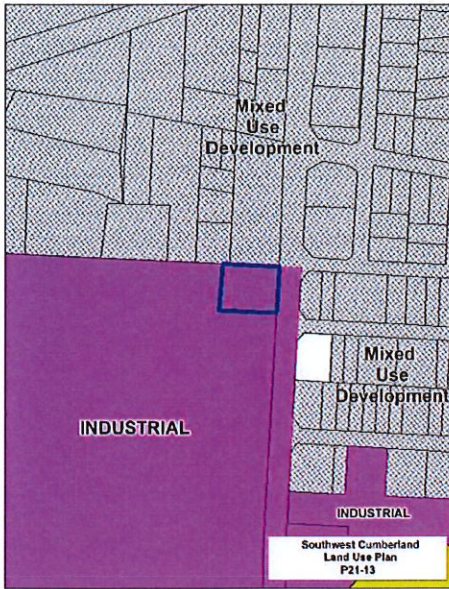
**EXISTING LAND USE:** The parcel is currently a bank.

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



**DEVELOPMENT REVIEW:** This property was platted on 11/5/2020 (Plat Bk. 145, Pg. 133) and has an approved site plan (Case 20-083). Any changes in use or changes to the site will require a site plan review.

**SURROUNDING LAND USE:** There are residential uses in the surrounding area including manufactures homes. There is also a bakery, religious worship activity, trade contracting, manufacturing, and retailing/servicing.



**ZONING HISTORY:** The property was initially zoned M(P) as part of the Area 4 initial zoning on November 17, 1975.

**UTILITIES:** The property is served by PWC water and sewer. The property is not located within a water/sewer district.

**MINIMUM YARD SETBACKS:** If approved, the parcel would be subject to O&I(P) setbacks: Front yard: 35 foot, Side yard: 15 foot, Rear yard: 20 foot.

**COMPREHENSIVE PLANS:** The 2030 Growth Vision Plan designates this area as "Urban". The Southwest Cumberland Land Use Plan (2013) designates these parcels as "Industrial". The "Industrial" designation allows for basic manufacturing and processing industries, which normally create a high degree of nuisance and is not compatible with surrounding or abutting residential or commercial areas. **Request is not plan compliant.**

**IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES**

**TRAFFIC:** The subject property sits on Natal Street and is identified as an existing thoroughfare in the Metropolitan Transportation Plan. There are no construction projects planned, and the subject property will have no impact on the Transportation Improvement Plan. The Average Daily Traffic Count (2018) on Natal Street is 21,500.

**SCHOOLS CAP/ENROLL:** Cumberland Road Elementary: 355/330; Douglas Byrd Middle: 600/573; Douglas Byrd High: 1280/1029

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

**EMERGENCY SERVICES:** Cumberland County Fire Marshal's office has reviewed the request and stated the following: 1. Ensure all fire department access requirements are met.; 2. Submit building plans to include to scale site plan for review of new buildings; 3. Ensure emergency responder radio coverage is achieved.

**FAYETTEVILLE REGIONAL AIRPORT:** The property is located within the Airport Overlay District. The Fayetteville Regional Airport has reviewed the request and had no comment at this time.

**STAFF RECOMMENDATION**

In Case P21-13, the Planning and Inspections staff **recommends approval** of the rezoning from M(P) Planned Industrial to O&I(P) Planned Office and Institutional and find:

- a. The approval is an amendment to the adopted current Southwest Cumberland Land Use Plan (2013) map; and that the Board of Commissioners should not require any additional request or application for amendment to said map for this request;
- b. The following change in conditions was considered in amending the zoning ordinance (zoning map) to meet the development needs of the community: the parcel meets the location criteria for "Office and Institutional Development" as defined in the Land Use Policies Plan (2009) and rezoning the parcel to O&I(P) will make the existing land use conforming;
- c. And this rezoning approval is reasonable and in the public interest because the district requested is in harmony with surrounding zoning on the Natal Street corridor and existing land uses.

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 M(P) to O&I(P)
2. Address of Property to be Rezoned: 3190 NATAL ST, FAYETTEVILLE, NC 28306
3. Location of Property: WEST OF NATAL STREET AT INTERSECTION WITH CHAPMAN STREET
4. Parcel Identification Number (PIN #) of subject property: 0<sup>4</sup>/26401367000  
(also known as Tax ID Number or Property Tax ID)  
Acreage: 0.87 Frontage: 220+/- Depth: 175.77  
Water Provider: Well: \_\_\_\_\_ PWC: X Other (name): \_\_\_\_\_
7. Septage Provider: Septic Tank \_\_\_\_\_ PWC X
8. Deed Book 7204, Page(s) 837, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: BANK/LENDING INSTITUTION
10. Proposed use(s) of the property: BANK/LENDING INSTITUTION
11. Do you own any property adjacent to or across the street from this property?  
Yes X No \_\_\_\_\_ If yes, where? ADJOINING ON TWO SIDES
12. Has a violation been issued on this property? Yes \_\_\_\_\_ No X

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

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



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

PUROLATOR FILTERS NA LLC

NAME OF OWNER(S) (PRINT OR TYPE)

3200 NATAL ROAD FAYETTEVILLE NC 28306

ADDRESS OF OWNER(S)

N/A

HOME TELEPHONE #

704-906-4210

WORK TELEPHONE #

LARRY KING & ASSOCIATES (LORI S EPLER)

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

PO BOX 53787 FAYETTEVILLE NC 28305

ADDRESS OF AGENT, ATTORNEY, APPLICANT

LEPLER@LKANDA.COM

E-MAIL

N/A

HOME TELEPHONE #

910-483-4300

WORK TELEPHONE #

\_\_\_\_\_  
SIGNATURE OF OWNER(S)



\_\_\_\_\_  
SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

\_\_\_\_\_  
SIGNATURE OF OWNER(S)

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

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.

PUROLATOR FILTERS NA LLC

NAME OF OWNER(S) (PRINT OR TYPE)

3200 NATAL ROAD FAYETTEVILLE NC 28306

ADDRESS OF OWNER(S)

N/A

HOME TELEPHONE #

704-906-4210

WORK TELEPHONE #

LARRY KING & ASSOCIATES (LORI S EPLER)

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

PO BOX 53787 FAYETTEVILLE NC 28305

ADDRESS OF AGENT, ATTORNEY, APPLICANT

LEPLER@LKANDA.COM

E-MAIL

N/A

HOME TELEPHONE #

910-483-4300

WORK TELEPHONE #

  
SIGNATURE OF OWNER(S)

SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

SIGNATURE OF OWNER(S)

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

FAIRCLOTH, CAREY	193 KIRKLAND PL	RAEFORD, NC 28376	0426401000000
PARRISH, DARWIN C;PARRISH, SO	PO BOX 232	PFAFFTOWN, NC 27040	0426403000000
BARBOUR, RUTH S	520 HARVARD DR	FAYETTEVILLE, NC 28306	0426403000000
CROWE, WILLIAM;CROWE, ROSAL	3342 DAVIDSON DR	FAYETTEVILLE, NC 28306	0426404000000
PARIS, ELIZABETH B	3169 NATAL ST	FAYETTEVILLE, NC 28306	0426405000000
PUROLATOR FILTERS NA LLC	3200 NATAL ST	FAYETTEVILLE, NC 28306	0425396000000
PUROLATOR FILTERS NA LLC	3200 NATAL ST	FAYETTEVILLE, NC 28306	0426401000000

600'

1st class Rev

P20-13

STEWART, WARREN WILLIAM	771 POOLE DR	FAYETTEVILLE, NC 28303	0426305000000
SAVING GRACE PROPERTY REHAB &	34 EDENBROOK DR	HAMPTON, VA 23666	0426305000000
JACKSON, GARY;JACKSON, DESTRIA S	3141 CROWS NEST DR	FAYETTEVILLE, NC 28306	0426307000000
ELMORE, BETTY A HEIRS	3171 CROWS NEST DR	FAYETTEVILLE, NC 28306	0426308000000
JACKSON, GARY;JACKSON, DESTRIA S	3141 CROWS NEST DR	FAYETTEVILLE, NC 28306	0426308000000
TROUT, STEVEN H	1511 EVERTON ST	FAYETTEVILLE, NC 28306	0426309000000
FAIRCLOTH, CAREY	193 KIRKLAND PL	RAEFORD, NC 28376	0426401000000
FAIRCLOTH, CAREY	193 KIRKLAND PL	RAEFORD, NC 28376	0426401000000
SMITH, GARY LEE	3162 NATAL ST	FAYETTEVILLE, NC 28306	0426401000000
GORDY, LINDA LEE	PO BOX 64396	FAYETTEVILLE, NC 28306	0426401000000
TROUT, STEVEN H	3164 NATAL RD	FAYETTEVILLE, NC 28306	0426401000000
PARRISH, DARWIN C;PARRISH, SONJA G	PO BOX 232	PFAPFTOWN, NC 27040	0426403000000
BARBOUR, RUTH S	520 HARVARD DR	FAYETTEVILLE, NC 28306	0426403000000
CROWE, WILLIAM;CROWE, ROSALIE	3342 DAVIDSON DR	FAYETTEVILLE, NC 28306	0426404000000
BARBOUR, RUTH S	520 HARVARD DR	FAYETTEVILLE, NC 28306	0426404000000
PARIS, ELIZABETH B	3169 NATAL ST	FAYETTEVILLE, NC 28306	0426405000000
BROCK, LYNWOOD D;BROCK, NANCY M	404 SWAN ISLAND CT	FAYETTEVILLE, NC 28311	0426405000000
PEARSON, JUSTIN D;PEARSON, LESLIE K	308 PARKVIEW AVE	FAYETTEVILLE, NC 28305	0426405000000
LOVICK, DAVID T JR;LOVICK, JOAN	907 VEDA ST	FAYETTEVILLE, NC 28306	0426405000000
DAVIS, WILLIAM D;DAVIS, BILLIE J	901 VEDA ST	FAYETTEVILLE, NC 28306	0426406000000
IGLESIA JESUS FUENTE DE VIDA INC	902 VEDA ST	FAYETTEVILLE, NC 28306	0426406000000
HAIRE, RONNIE E	3209 BOLTON DR	FAYETTEVILLE, NC 28306	0426407000000
BOLTON, WILLIAM GARRY;LONGSBURY, J	1919 N PEARL ST	FAYETTEVILLE, NC 28303	0426407000000
IGLESIA JESUS FUENTE DE VIDA INC	902 VEDA ST	FAYETTEVILLE, NC 28306	0426407000000
MALLOY, WILMA C;MALLOY, ARCHIE H	1094 DELANCY DR	HOPE MILLS, NC 28348	0426408000000
TURNER, TARA LOVICK	823 VEDA ST	FAYETTEVILLE, NC 28306	0426408000000
TROUTMAN, MARY FRANCES DURDEN	16 POLO DR	LUMBERTON, NC 28360	0426408000000
BERES, JONATHAN G;BERES, GWENDOLYI	1512 EVERTON ST	FAYETTEVILLE, NC 28306	0426410000000
HARDIN, LOUIS	446 DAVIS BRIDGE RD	PARKTON, NC 28371	0426411000000
PUROLATOR FILTERS NA LLC	3200 NATAL ST	FAYETTEVILLE, NC 28306	0425396000000
PUROLATOR FILTERS NA LLC	3200 NATAL ST	FAYETTEVILLE, NC 28306	0426401000000
BEASLEY, JOHN THOMAS;BEASLEY, JUDY	3334 VASSAR CIR	FAYETTEVILLE, NC 28306	0426412000000
DAVIS, WILLIAM D;DAVIS, BILLIE JEAN	3221 NATAL ST	FAYETTEVILLE, NC 28306	0425494000000
MOSLEY, DIANA E	1434 GAIRLOCH DR	FAYETTEVILLE, NC 28304	0425495000000
BREWINGTON, TRACIE J	1546 LONDONDERRY PL	FAYETTEVILLE, NC 28301	0425496000000
BREWINGTON, TRACIE J	1546 LONDONDERRY PL	FAYETTEVILLE, NC 28301	0425496000000
BREWINGTON, TRACIE J	1546 LONDONDERRY PL	FAYETTEVILLE, NC 28301	0425497000000

600'

**EXPLANATION OF THE REQUEST**

This is a request for rezoning of two parcels located at the southwest corner of the intersection of Elwood Drive and Hope Mills Road from R10 Residential to C(P) Planned Commercial. This would allow the property owners to develop the properties with a nonresidential use. This is a conventional rezoning, and no conditions are proposed at this time.

**OWNER/APPLICANT**

**OWNER/APPLICANT:** Joseph and Trina Riddle & Paul Joseph and Mary Hazel Dietzen (owners)

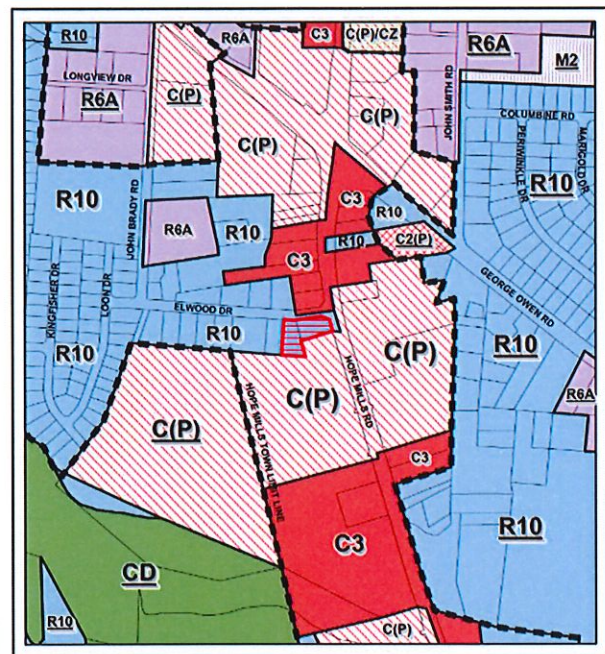
**PROPERTY INFORMATION**

**ADDRESS/LOCATION:** Southwest corner of the intersection of SR 1246 (Elwood Drive) and NC 59 (Hope Mills Road); more specifically REIDs 0405925265000 and 0405924128000.

**SIZE:** This request includes two parcels totaling approximately 1 acre. The site has 219'+/- of street frontage along Elwood Drive and 69'+/- of street frontage along Hope Mills Road.

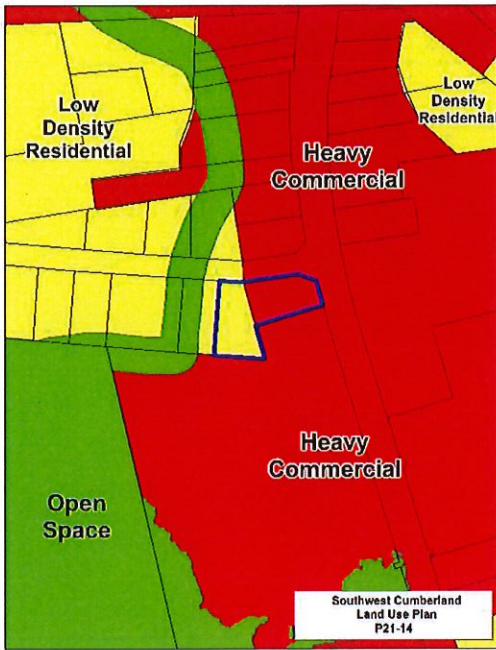
**EXISTING LAND USE:** The parcels are a vacant lot and a residential home.

**OTHER SITE CHARACTERISTICS:** The properties are not located within the watershed or the Special Flood Hazard Area. There are hydric soils on the properties.



**DEVELOPMENT REVIEW:** These properties are involved in an approved site plan (20-088). If rezoning is successful, the properties will need to be recombined with the larger tract to the south to meet conditions set out in 20-088.

**SURROUNDING LAND USE:** There are residential uses in the surrounding area including manufactures homes and a manufactured home park. There is also motor vehicle sales and repair, a veterinarian, exterminating services, and alcohol beverage control sales.



**ZONING HISTORY:** The properties were initially zoned R10 as part of the Area 5 initial zoning on February 6, 1976.

**UTILITIES:** The properties are served by PWC water and sewer. The properties are not located within a water/sewer district.

**MINIMUM YARD SETBACKS:** If approved, the 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 area as "Urban". The Southwest Cumberland Land Use Plan (2013) designates these parcels as "Heavy Commercial" and "Low Density Residential". The "Heavy Commercial" designation provides for the shopping needs of the immediate neighborhood and the traveling public. The "Low Density Residential" designation has a density of 2.2 to six units per acre and only allows stick-built homes. Both designations desire public water and sewer. **Request is plan compliant.**

**IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES**

**TRAFFIC:** The subject properties are located at the intersection of Hope Mills Road and Elwood Drive. Hope Mills Road is identified as a boulevard needing improvement, and Elwood Drive is identified as a local road in the Metropolitan Transportation Plan. There are no construction projects planned, and the subject properties will have no impact on the Transportation Improvement Plan. The Average Daily Traffic Count (2018) on Hope Mills Road is 28,000.

**SCHOOLS CAP/ENROLL:** Cumberland Mills Elementary: 630/633; Douglas Byrd Middle: 600/573; Douglas Byrd High: 1280/1029

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

**EMERGENCY SERVICES:** Comments requested via e-mail. None received.

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

**STAFF RECOMMENDATION**

In Case P21-14, the Planning & Inspections staff **recommends approval** of the rezoning request from R10 Residential to C(P) Planned Commercial and finds the request consistent with the Southwest Cumberland Land Use Plan (2013) designation of "Heavy Commercial" and "Low Density Residential". The "Heavy Commercial" designation provides for the shopping needs of the immediate neighborhood and the traveling public. Both designations desire public water and sewer. Approval of the request is reasonable and in the public interest as the district requested is in harmony with surrounding existing land uses and zoning.

Attachments:  
 Zoning Application  
 Notification Mailing List

**TO THE ZONING BOARD AND THE TOWN OF HOPE MILLS BOARD OF COMMISSIONERS, HOPE MILLS, NORTH CAROLINA:**

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

1. Requested Rezoning from R10 to C(P)

*If the area is a portion of an existing parcel, a written metes and bounds description of only that portion to be considered for rezoning, including the exact acreage must accompany this application along with a copy of the recorded deed and/or plat. If more than one zoning classification is requested, a correct metes and bounds legal description, including acreage, for each bounded area must be submitted.*

2. Address/location of property to be Rezoned: intersection of Elwood Dr & Hope Mills Rd

3. Parcel Identification Number (PIN #) of property: 0405-92-5265 & 0405-92-4128  
(also known as Tax ID Number or Property Tax ID)

Acreage: 1.1 Frontage: 337' Depth: 205'

Water Provider: Well: \_\_\_\_\_ PWC: X

6. Septage Provider: Septic Tank \_\_\_\_\_ PWC X Other (name) \_\_\_\_\_  
3618

7. Deed Book 10621, Page(s) 415 & 496 Cumberland County Register of Deeds. (Attach copy of deed of subject property as it appears in Registry).

8. Existing use(s) of property: Home on 5621 Elwood Drive & other parcel is vacant

9. Proposed use(s) of the property: Commercial - retail/restaurant

10. Do you own any property adjacent to, including across the street from, the property being submitted for rezoning? Yes X No \_\_\_\_\_

If yes, where? Joe Riddle owns property to the west, south & across street

11. Has a violation been issued on this property? Yes \_\_\_\_\_ No X

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

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

Joseph Riddle III & Trina Riddle

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

PO Box 53729, Fayetteville, NC 28305

Complete mailing address of property owner(s)

910-850-3207  
Telephone number

910-864-3135  
Alternative telephone number

riddlecommercial@aol.com  
E-mail address

910.864.8078  
Fax number

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

Complete mailing address of agent, attorney, or applicant

Telephone number

Alternative telephone number

E-mail address

Fax number

  
Owner's signature

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

  
Owner's signature

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



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.

Paul Joseph Dietzen & Mary Hazel Dietzen

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

5621 Elwood Drive, Fayetteville, NC 28306

Complete mailing address of property owner(s)

910 423-0062

Telephone number

Alternative telephone number

E-mail address

Fax number

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

Complete mailing address of agent, attorney, or applicant

Telephone number

Alternative telephone number

E-mail address

Fax number

*Paul J. Dietzen*

Owner's signature

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

*Mary H. Dietzen*

Owner's signature

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

OWNER_NAME	ADDRESS	CITYSTATEZIP
RIDDLE COMPANIES INC	PO BOX 53729	FAYETTEVILLE, NC 28305
RIDDLE, JOSEPH P III;RIDDLE, TRINA T	PO BOX 53729	FAYETTEVILLE, NC 28305
RIDDLE, JOSEPH P III;RIDDLE, TRINA T	PO BOX 53729	FAYETTEVILLE, NC 28305
DIETZEN, PAUL JOSEPH;DIETZEN, MARY HAZEL	5621 ELWOOD DR	FAYETTEVILLE, NC 28306
RIDDLE, JOSEPH P III;RIDDLE, TRINA T	4200 MORGANTON RD 150	FAYETTEVILLE, NC 28314
RIDDLE COMPANIES INC	PO BOX 53729	FAYETTEVILLE, NC 28305
FOLDESI, THOMAS	5719 SHANANDOAH DR	FAYETTEVILLE, NC 28304
K&JS PROPERTIES LLC;TPGM PROPERTIES LLC	PO BOX 53729	FAYETTEVILLE, NC 28305

P21-14 1<sup>st</sup> Class

OWNER_NAME	ADDRESS	CITYSTATEZIP
PITTMAN, VERNON C JR;PITTMAN, VE	5506 WINNERS CIR	HOPE MILLS, NC 28348
BROWN, CHAD JOSEPH;BROWN, ERIN HENDRICKS	PO BOX 64787	FAYETTEVILLE, NC 28306
RIDDLE, JOSEPH P III;RIDDLE, TRINA T	125 GREAT OAKS	FAYETTEVILLE, NC 28303
MELOLING, JEREMY	5667 ELWOOD DR	FAYETTEVILLE, NC 28306
DANIELS, CLARENCE	2094 TOM STARLING RD	FAYETTEVILLE, NC 28306
RIDDLE COMPANIES INC	PO BOX 53729	FAYETTEVILLE, NC 28305
CULBRETH, JIMMY L	P O BOX 48133	CUMBERLAND, NC 28331
HALL, DENNIS DEAN	4896 CANDLELIGHT DR	WINSTON SALEM, NC 27107
TART REALTY & INSURANCE INC	908 LILLINGTON HWY	SPRING LAKE, NC 28390
EDGE, RODNEY K	5647 ELWOOD DR	FAYETTEVILLE, NC 28306
PRATT, ANN MOULE;MCBRIDE, DALE A MOULE;GENESIS 2	1216 BROMLEY DR	FAYETTEVILLE, NC 28303
WILLIAMSON, JIMMY DAVID	5611 DOGGITTY DR	FAYETTEVILLE, NC 28306
WARFIELD, JUDY A	5642 ELWOOD DR	FAYETTEVILLE, NC 28306
RIDDLE, JOSEPH P III;RIDDLE, TRINA T	PO BOX 53729	FAYETTEVILLE, NC 28305
RIDDLE, JOSEPH P III;RIDDLE, TRINA T	PO BOX 53729	FAYETTEVILLE, NC 28305
RIDDLE COMPANIES INC	PO BOX 53729	FAYETTEVILLE, NC 28305
DIETZEN, PAUL JOSEPH;DIETZEN, MARY HAZEL	5621 ELWOOD DR	FAYETTEVILLE, NC 28306
CUMBERLAND COUNTY ABC BOARD	PO BOX 64957	FAYETTEVILLE, NC 28306
CUMBERLAND COUNTY ABC BOARD	2720 HOPE MILLS RD	HOPE MILLS, NC 28348
CARTER, PATRICIA LOUISE JACKSON LIFE ESTATE	3927 STONE ST	HOPE MILLS, NC 28348
CARTER, PATRICIA LOUISE JACKSON LIFE ESTATE	3927 STONE ST	HOPE MILLS, NC 28348
RIDDLE, JOSEPH P III;RIDDLE, TRINA T	4200 MORGANTON RD 150	FAYETTEVILLE, NC 28314
RIDDLE COMPANIES INC	PO BOX 53729	FAYETTEVILLE, NC 28305
RIDDLE COMPANIES INC	PO BOX 53729	FAYETTEVILLE, NC 28305
EVERITTE, DONNA L	2333 LAKE UPCHURCH DR	PARKTON, NC 28371
EVERITTE, OTTIS G	PO BOX 48112	CUMBERLAND, NC 28331
WWG&OAG LLC	3402 WIPPERWILL DR	FAYETTEVILLE, NC 28306
FOLDESI, THOMAS	5719 SHANANDOAH DR	FAYETTEVILLE, NC 28304
TJF COMMERCIAL PROPERTIES LLC	5719 SHENANDOAH DR	FAYETTEVILLE, NC 28304
LEE, GARY EDWARD;LEE, KATHY DUNN	6369 CORNSTALK DR	FAYETTEVILLE, NC 28306
RIDDLE COMPANIES INC	PO BOX 53729	FAYETTEVILLE, NC 28305
K&JS PROPERTIES LLC;TPGM PROPERTIES LLC	PO BOX 53729	FAYETTEVILLE, NC 28305
TOWNSEND, SHELBY T	7132 SIM CANNADY RD	HOPE MILLS, NC 28348
HALES, DONALD FLETCHER;HALES, JEAN ELLEN	2688 GEORGE OWEN RD	FAYETTEVILLE, NC 28306
RIDDLE COMPANIES INC	PO BOX 53729	FAYETTEVILLE, NC 28305

600' Road

P21-14 3<sup>rd</sup> class

### EXPLANATION OF THE REQUEST

This is a request for rezoning of one parcel located at the intersection of Chicken Foot Road and McCall Road from R40A Residential to R30 Residential. This request would increase the allowed density from 1 unit/40,000 square feet to 1 unit/30,000 square feet. This is a conventional rezoning, and no conditions are proposed at this time.

### OWNER/APPLICANT

**OWNER/APPLICANT:** H & S Investments of NC, LLC (owner) & Tim Evans (agent)

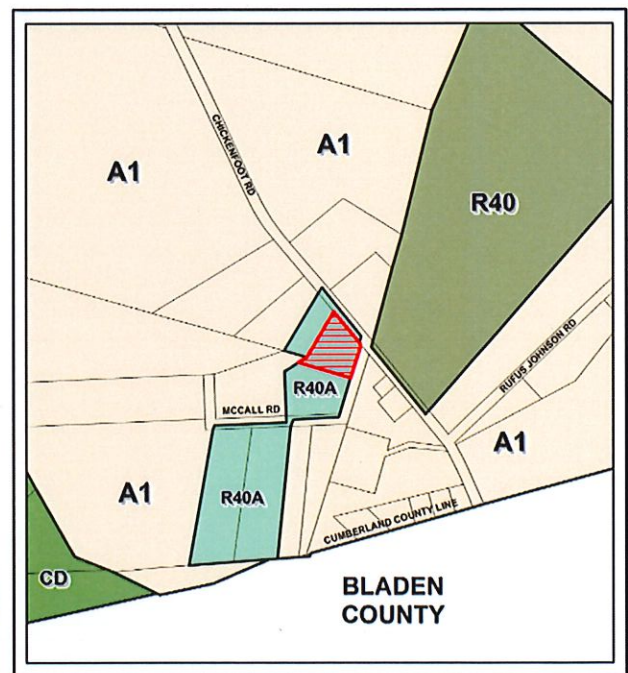
### PROPERTY INFORMATION

**ADDRESS/LOCATION:** Intersection of SR 2252 (Chicken Foot Road) and McCall Road; more specifically REID 0339069237000.

**SIZE:** This request includes one parcel totaling approximately 1.53 acres. The property has 236' +/- of street frontage along Chicken Foot Road and 182' +/- of street frontage along McCall Road. The property is 254' +/- in depth.

**EXISTING LAND USE:** The property is currently vacant.

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



**DEVELOPMENT REVIEW:** This parcel was legally created in 1989 by Plat Bk. 69, Pg. 77. It was also part of a recombination with the lot to the south of it in 1992 by Plat Bk. 78, Pg. 99. Should the rezoning be approved, subdivision and/or group development review will be required.

**SURROUNDING LAND USE:** There are residential uses in the surrounding area including manufactures homes.



**ZONING HISTORY:** This property was initially zoned A1 as part of the Area 13 initial zoning on June 25, 1980. The property was rezoned to R40A on December 17, 2001 (Case P01-92).

**UTILITIES:** The property is served by Southpoint water and private septic. There are no public sewer lines available. The property is located within the Gray's Creek Water and Sewer District.

**MINIMUM YARD SETBACKS:** If approved, this parcel would be subject to R30 setbacks: Front yard: 30 foot, Side yard: 15 foot, Rear yard: 35 foot.

**COMPREHENSIVE PLANS:** The 2030 Growth Vision Plan designates this area as "Rural Area". The South Central Land Use Plan (2015) designates this parcel as "Farmland". The "Farmland" area is generally an agricultural or farming area which allows residential development at a density of generally one unit/2 acres. The Planning Board's current policy is to allow rezoning to one acre lots on tracts 10 acres or less in the "Farmland" area with suitable soils.  
**Request is not plan compliant.**

**IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES**

**TRAFFIC:** The subject properties sit at the intersection of Chicken Foot Road and McCall Road. Chicken Foot Road is identified as an existing thoroughfare in the Metropolitan Transportation Plan. McCall Road is identified as a local road in the Metropolitan Transportation Plan. There are no construction projects planned, and the subject properties will have no impact on the Transportation Improvement Plan. The Average Daily Traffic Count (2019) on Chicken Foot Road is 2,000.

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

**ECONOMIC DEVELOPMENT:** Comment requested via e-mail. None received.

**EMERGENCY SERVICES:** Cumberland County Fire Marshal's Office has reviewed the request and stated that all applicable fire department access requirements must be met.

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

**STAFF RECOMMENDATION**

In Case P21-02, the Planning and Inspections staff **recommends denial** of the rezoning request from R40A Residential to R30 Residential and find the request is not consistent with the South Central Land Use Plan (2015) which calls for "Farmland" at this location. The "Farmland" area is an agricultural or farming area which allows residential development at a density of generally one unit/2 acres. R30 Residential allows for a density of one unit/30,000 sq ft. Staff further finds that denial of the request is reasonable and in the public interest because the R30 district is not in harmony with the surrounding zoning and existing land uses.

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 R-40A to R-30
2. Address of Property to be Rezoned: 2787 McCall Rd. St. Pauls
3. Location of Property: CORNER Chickenfoot Rd and McCall Rd. St. Pauls N.C.
4. Parcel Identification Number (PIN #) of subject property: 0339-06-9237  
(also known as Tax ID Number or Property Tax ID)
5. Acreage: 1.53 Frontage: 228' Depth: 300'
6. Water Provider: Well: \_\_\_\_\_ PWC: \_\_\_\_\_ Other (name): Cumberland
7. Septage Provider: Septic Tank  PWC \_\_\_\_\_
8. Deed Book 10716, Page(s) 0599, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: empty
10. Proposed use(s) of the property: Single family
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.

✓ H+S Investments of NC, LLC  
NAME OF OWNER(S) (PRINT OR TYPE)

1270 Canada Pond Rd.  
ADDRESS OF OWNER(S)

Cell # 910-263-2945  
HOME TELEPHONE # WORK TELEPHONE #

✓ Tim Evans / Budget Prop.  
NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)

4239 Cameron Rd. Tay. N.C.  
ADDRESS OF AGENT, ATTORNEY, APPLICANT

tim@budgetproperties.com  
E-MAIL

910-273-5016  
HOME TELEPHONE # WORK TELEPHONE #

[Signature]  
SIGNATURE OF OWNER(S)

[Signature]  
SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

\_\_\_\_\_  
SIGNATURE OF OWNER(S)

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

owner_name	address	citystatezip
MCQUEEN, RETHA	500 PECAN GROVE LP	HOPE MILLS, NC 28348
FOY, MARTHA HEIRS	5448 CHICKEN FOOT RD	SAINT PAULS, NC 28384
J F JOHNSON FAMILY FARMS LLC	231 FAIRWAY DR	FAYETTEVILLE, NC 28305
HEALEY, DONALD;HEALEY, JO	5338 CHICKENFOOT RD	ST PAULS, NC 28384
COUNCIL, ODESSA	2755 MCCALL RD	SAINT PAULS, NC 28384
H & S INVESTMENTS OF NC, LLC	1270 CANADY POND RD	HOPE MILLS, NC 28348
KING, HINTON MC;KING, ELIZABETH	831 KING RD	ST PAULS, NC 28384
SANDERS, STEVE	5345 CHICKEN FOOT RD	ST PAULS, NC 28384

P21-02

1st CLASS



OWNER_NAME	ADDRESS	CITYSTATEZIP
HODGE, PAULINE BUTLER HEIRS	5304 CHICKENFOOT RD	SAINT PAULS, NC 28384
MAXWELL, ELIZA B;ORA, LEE TELFAIR	5426 CHICKEN FOOT RD	ST PAULS, NC 28384
MCQUEEN, RUFUS V;MCQUEEN, YVONNE J	4292 MACEDONIA CHURCH RD	FAYETTEVILLE, NC 28312
SCARBOROUGH, MICHELE M	7016 TREMONT DR	INDIAN TRAIL, NC 28079
MCALLISTER, LYNETTE	2746 MCCALL RD	SAINT PAULS, NC 28384
MCQUEEN, RETHA	500 PECAN GROVE LP	HOPE MILLS, NC 28348
MAXWELL, JAMES EDWARD;SYLVIA, .	5436 CHICKEN FOOT RD	SAINT PAULS, NC 28384
R AUTRY FAMILY LLC	3370 COUNTY LINE RD	FAYETTEVILLE, NC 28306
BRISSON, BRENDA CAROL	PO BOX 531	DUBLIN, NC 28332
RIDDLE, GLENN;RIDDLE, GAIL	3175 ODOM RD	HOPE MILLS, NC 28348
MCQUEEN, LARRY;MCQUEEN, RETHA	500 PECAN GROVE LP	HOPE MILLS, NC 28348
MAXWELL, GLORIA E;MAXWELL, REGINALD LEE	2766 MCCALL RD	ST PAULS, NC 28384
DRY, GARY	34 BAZEMORE CT	ST PAULS, NC 28384
MCQUEEN, LARRY DOBY;MCQUEEN, RETHA P	500 PECAN GROVE LP	HOPE MILLS, NC 28348
FOY, MARTHA HEIRS	5448 CHICKEN FOOT RD	SAINT PAULS, NC 28384
WILLIAMS, DEMONTAE LARRELL	7817 RUFUS JOHNSON RD	FAYETTEVILLE, NC 28306
J F JOHNSON FAMILY FARMS LLC	231 FAIRWAY DR	FAYETTEVILLE, NC 28305
MCQUEEN, LARRY;MCQUEEN, RETHA	500 PECAN GROVE LP	HOPE MILLS, NC 28348
HALL, JOSEPH E;HALL, PATRICIA M	5301 CHICKEN FOOT RD	ST PAULS, NC 28384
HALL, JONATHAN T;HALL, MEGAN	5324 CHICKENFOOT RD	ST PAULS, NC 28384
SANCHEZ PEREZ, RODULFO;SANCHEZ PEREZ, MARIBEL BARRERA PINEDA	80 BAZEMORE CT	ST PAULS, NC 28384
FOY, MARTHA HEIRS	5508 CHICKEN FOOT RD	SAINT PAULS, NC 28384
BRINSON, MARIE G	244 PERCH DR	FAYETTEVILLE, NC 28306
HALL, JOSEPH E SR;HALL, PATRICIA L	5301 CHICKEN FOOT RD	SAINT PAULS, NC 28384
JFJ III INVESTMENTS LLC	231 FAIRWAY DR	FAYETTEVILLE, NC 28305
HEALEY, DONALD;HEALEY, JO	5338 CHICKENFOOT RD	ST PAULS, NC 28384
COUNCIL, ODESSA	2755 MCCALL RD	SAINT PAULS, NC 28384
H & S INVESTMENTS OF NC, LLC	1270 CANADY POND RD	HOPE MILLS, NC 28348
KING, HINTON MC;KING, ELIZABETH	831 KING RD	ST PAULS, NC 28384
JONES, VALERIA	PO BOX 174	HOPE MILLS, NC 28348
HALL, JOSEPH E JR	2778 CHICKEN FOOT RD	HOPE MILLS, NC 28348
BLACK, JAMES V	394 RILEY RD	CORDOVA, SC 29039
SANDERS, STEVE	5345 CHICKEN FOOT RD	ST PAULS, NC 28384

1,100' Road

P21-02 3<sup>rd</sup> Class

PLANNING STAFF REPORT  
REZONING CASE # P21-05

Planning Board Meeting: February 16, 2021 (def from 1-21-21 PB Mtg) Jurisdiction: Spring Lake

### EXPLANATION OF THE REQUEST

This is a request for rezoning of one parcel and a portion of two others located on the north side of Odell Road from R6A Residential, RR Rural Residential, and R10 Residential to R6A Residential. This request would allow the property owner to develop the properties with an increased residential density. This is a conventional rezoning, and no conditions are proposed at this time.

### OWNER/APPLICANT

**OWNER/APPLICANT:** Victoria McLeod (POA) on behalf of Elma S. Smith (owner) & Michael Blakley on behalf of Drafting & Design Services, Inc. (agent)

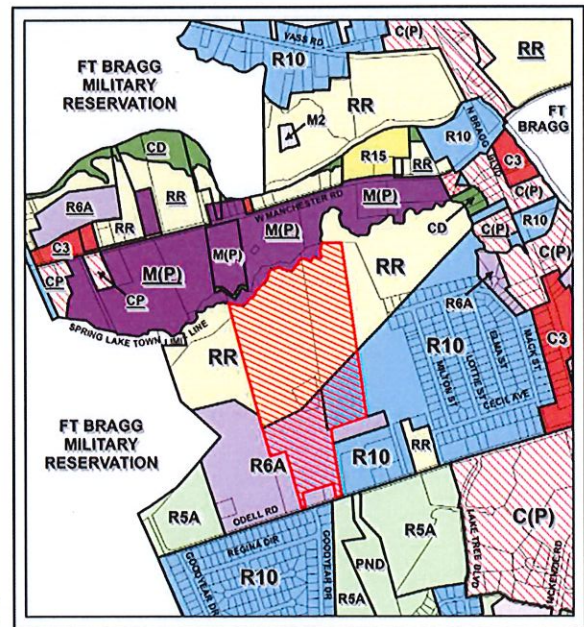
### PROPERTY INFORMATION

**ADDRESS/LOCATION** North side of Odell Road and west of NC 87 (N Bragg Blvd); more specifically REIDs 0502126280000, 0502129021000, and 0502222745000.

**SIZE:** This request includes one parcel and a portion of two others totaling approximately 69.53 acres. The properties have 124' +/- of street frontage along Odell Road. The properties have a depth of 2,920' +/-.

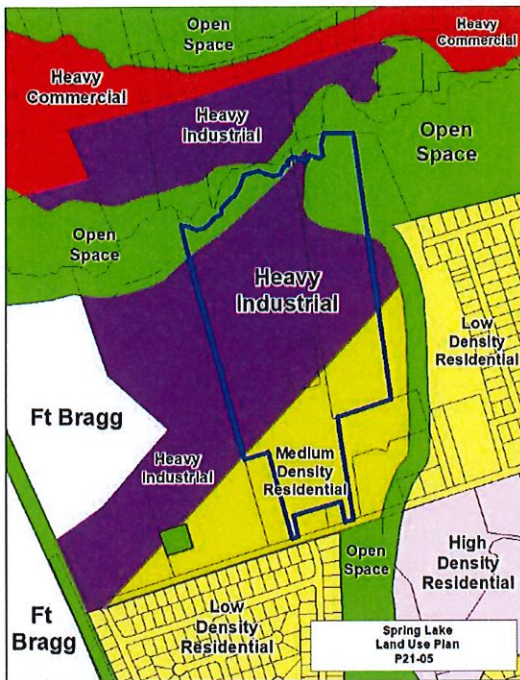
**EXISTING LAND USE:** The parcels are developed with residential dwellings, including a manufactured home park.

**OTHER SITE CHARACTERISTICS:** The properties are not located within the watershed but are located in the Special Flood Hazard Area. There are some hydric and hydric inclusion soils on the property.



**SURROUNDING LAND USE:** There are residential uses in the surrounding area, including multi-family dwellings and a manufactured home park. There are also several nonresidential uses including trade contracting and a public utility substation.

**ZONING HISTORY:** A portion of the properties was initially zoned M(P) as part of the Area 11 initial zoning on January 7, 1977. The remaining portion of the properties was initially zoned R6A, RR, and R10 as a part of Spring Lake's Initial Zoning.



**DEVELOPMENT REVIEW:** REID 0502126280000 was created by deed in 1972 (Deed Bk. 2331, Pg. 407). REID 0502222745000 was created by plat in 1987 (Plat Bk. 63, Pg. 64). REID 0502129021000 was created by deed in 1986 (Deed Bk. 3205, Pg. 550). A subdivision or manufactured home park review will be required.

**UTILITIES:** The properties are served by Spring Lake water and sewer. The properties are not located within a water/sewer district.

**MINIMUM YARD SETBACKS:** If approved, this parcel would be subject to R6A setbacks: Front yard: 25 foot, Side yard: 15 foot, Rear yard: 15 foot.

**COMPREHENSIVE PLANS:** The 2030 Growth Vision Plan designates this area as "Urban and Conservation Area". The Spring Lake Area Land Use Plan (2002) designates this area as "Open Space, Heavy Industrial, and Medium Density Residential". The "Heavy Industrial" designation is meant to protect the integrity of the military base's operations. "Medium Density Residential" allows for 6.1 to 15 units per acre and requires public water and sewer. **Request is not plan compliant.**

**IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES**

**TRAFFIC:** The subject properties sit on Odell Road which is identified as a thoroughfare needing improvement in the Metropolitan Transportation Plan. There are no construction projects planned, and the subject properties will have no impact on the Transportation Improvement Plan. The Average Daily Traffic Count (2016) on Odell Road is 2,600.

**SCHOOLS CAP/ENROLL:** Manchester Elementary: 340/370; Spring Lake Middle: 700/479; Pine Forest High: 1750/1577

**ECONOMIC DEVELOPMENT:** Comment requested via e-mail. None received.

**EMERGENCY SERVICES:** Comment requested via e-mail. None received.

**RLUAC:** Following an examination of the site plan materials by the RLUAC staff and Board of Directors for the parcels listed above, and recognizing that our findings are non-binding on Cumberland County, the RLUAC Board of Directors finds that:

Portions or all of the three parcels listed for this case are identified as either Critical and/or Important to Conserve on the Joint Land Use Study maps due to their location within the following areas mapped during the 2018 Fort Bragg Joint Land Use Study:

- Pope Airfield Accident Potential Zone 1
- Pope Airfield 65+ dB Aviation Noise Contour and,
- High Endangered/Threatened Species – Biodiversity and Wildlife Habitat Rating +7.
- All three properties are located within the military Airfield Imaginary area.

This proposed rezoning case is located within an area identified as Critical and Important to Conserve due the reasons listed above. Therefore, RLUAC encourages the County to consider the potential adverse impact to Fort Bragg and its training mission during its proceedings. Further, RLUAC encourages the developer to refrain from making any future requests for telecom towers, since they might prove to be a navigation hazard for military pilots in the future.

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

**STAFF RECOMMENDATION**

In Case P21-05, the Planning and Inspections staff **recommends denial** of the rezoning request from R6A Residential, RR Rural Residential, and R10 Residential to R6A Residential and find the request is not consistent with the Spring Lake Area Land Use Plan (2002) which calls for "Open Space, Heavy Industrial, and Medium Density Residential" at this location. The "Heavy Industrial" area is generally meant to protect the integrity of the military base's operations. The "Medium Density Residential" allows for 6.1 to 15 units per acre and requires public sewer and water. While R6A Residential does comply with the "Medium Density Residential" designation, it does not comply with the portion of the property that calls for "Heavy Industrial". The RLUAC Joint Land Use Study also identifies this property as critical to conserve. Staff further finds that denial of the request is reasonable and in the public interest because the R6A district would allow dwelling types and a density that would not be compatible with the proximity to the military base.

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 R-6A, RR, & R-10 Mixed to R-6A
2. Address of Property to be Rezoned: T1-504 Thalia Drive; T2-500 Thalia Drive; T3-0 N/A Drive
3. Location of Property: 524 Odell Drive - North of Odell Drive at the intersection of Goodyear Drive.
4. Parcel Identification Number (PIN #) of subject property: T1-0502126280000; T2-0502129021000;  
(also known as Tax ID Number or Property Tax ID) T3-0502222745000  
Acreage: 75.10 +/- Frontage: 503 ft Depth: 2925 ft max  
Water Provider: Well: \_\_\_\_\_ PWC: \_\_\_\_\_ Other (name): Town of Spring Lake
7. Septage Provider: Septic Tank \_\_\_\_\_ PWC Town of Spring Lake
8. Deed Book T1-2328; T2-3205; T3-3334, Page(s) T1-0141; T2-0550; T3-0195, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: Mobile Home Park, Single Family Residence, Pasture, Timber
10. Proposed use(s) of the property: Single family Subdivision
11. Do you own any property adjacent to or across the street from this property?  
Yes \_\_\_\_\_ No X If yes, where? \_\_\_\_\_
12. Has a violation been issued on this property? Yes \_\_\_\_\_ No X

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

*The County Planning Staff is available for advice on completing this application; however, they are not authorized to complete 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.

✓ Elma S Smith POA Victoria M McLeod  
NAME OF OWNER(S) (PRINT OR TYPE)

500 Thalia Rd Spring Lake NC 28390  
ADDRESS OF OWNER(S)

E-MAIL

910 494 8210 HOME TELEPHONE #      WORK TELEPHONE #

✓ Drafting and Design Services, Inc. - Michael Blakley  
NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)

6728 Carbonton Road - Sanford, NC 27330

ADDRESS OF AGENT, ATTORNEY, APPLICANT

draftinganddesign@gmail.com  
E-MAIL

HOME TELEPHONE #      (919) 499-8759  
WORK TELEPHONE #

Elma S Smith  
SIGNATURE OF OWNER(S)  
POA Victoria M McLeod

Michael F. Blakley  
SIGNATURE OF AGENT, ATTORNEY  
OR APPLICANT

SIGNATURE OF OWNER(S)

**Upon submission, the content of this application becomes "public record".**

OWENR\_NAME  
 LUCAS-MOORE, MARVA;LUCAS-MOORE, DONALD T MOORE  
 SMITH, ELMA S  
 ODELL A SMITH FAMILY LIMITED PARTNERSHIP  
 ODELL A SMITH FAMILY LIMITED PARTNERSHIP  
 MANCHESTER ROAD PROPERTIES LLC  
 SMITH, KENNETH WAYNE SR  
 REES, ELISABETH C;REES, MARK OWEN;COOK, JOAN A;COOK, ALEXANDER E;CHAFFEE, FREDRIC H JR;GERSTENBERG, FACHON C;MYERS, KARMA P;LAWRENCE, PAMELA R  
 HARRINGTON, KELLY  
 TOWN OF SPRING LAKE  
 SMITH, ELMA S  
 CHADWICK, MILDRED A HEIRS  
 POTTER, DORIS L  
 SMITH, ELMA  
 ANTOINE, IVAN E;ANTOINE, PEGGY L  
 THOMAS, JAMES P;THOMAS, COLLIE  
 SMITH, JERRY M;SMITH, JEAN M  
 ROBISCH, JOSEPHINE M  
 ODELL A SMITH PROPERTIES LLC  
 REES, ELISABETH C;REES, MARK OWEN;COOK, JOAN A;COOK, ALEXANDER E;CHAFFEE, FREDRIC H JR;GERSTENBERG, FACHON C;MYERS, KARMA P;LAWRENCE, PAMELA R  
 JC345PA LLC  
 SMITH, ELMA S

ADDRESS	CITYSTATEZIP
3014 HAMPTON RIDGE RD	FAYETTEVILLE, NC 28311
500 THALIA RD	SPRING LAKE, NC 28390
400 ODELL RD	SPRING LAKE, NC 28390
400 ODELL RD	SPRING LAKE, NC 28390
PO DRAWER 1867	FAYETTEVILLE, NC 28302
1084 ELLIOTT FARM RD	FAYETTEVILLE, NC 28311
617 TEABERRY HILL RD	BOONE, NC 28607
2403 BRINKLEY DR	SPRING LAKE, NC 28390
PO BOX 617	SPRING LAKE, NC 28390
500 THALIA RD	SPRING LAKE, NC 28390
605 ODELL RD	SPRING LAKE, NC 28390
601 ODELL RD	SPRING LAKE, NC 28390
500 THALIA DR	SPRING LAKE, NC 28390
304 LOCHLAND CT	FAYETTEVILLE, NC 28311
603 ODELL RD	SPRING LAKE, NC 28390
PO BOX 722	ANGIER, NC 27501
609 ODELL RD	SPRING LAKE, NC 28390
400 ODELL RD	SPRING LAKE, NC 28390
617 TEABERRY HILL RD	BOONE, NC 28607
345 DEER RUN RD	HOLLIDAYSBURG, PA 16648
500 THALIA RD	SPRING LAKE, NC 28390

P21-05 1<sup>st</sup> CLASS

owner_name	address	citystatezip
GREEN, EVELYN F	604 REGGIE CT	SPRING LAKE, NC 28390
PEREZ, ANNIE R	602 REGGIE CT	SPRING LAKE, NC 28390
DEMARIS HOLDINGS LLC	2007 CORRINNA ST	FAYETTEVILLE, NC 28301
LUCAS-MOORE, MARVA;LUCAS-MOORE, DONALD T MOORE	3014 HAMPTON RIDGE RD	FAYETTEVILLE, NC 28311
WYNN, MICHAEL B;WYNN, ERIKA H	604 REGINA DR	SPRING LAKE, NC 28390
MCQUEEN, STANLEY B;MCQUEEN, PATR	610 GOODYEAR DR	SPRING LAKE, NC 28390
SMITH, ELMA S	500 THALIA RD	SPRING LAKE, NC 28390
BUCHANAN ROOFING & GUTTERING INC	806 LILLINGTON HWY	SPRING LAKE, NC 28390
WIGGINS, JAMES;WIGGINS, WIFE	616 REGINA DR	SPRING LAKE, NC 28390
WALLACE, BETTY	619 ODELL RD	SPRING LAKE, NC 28390
HARRIS, ROBERT	498 BROOKS MANGUM RD	CAMERON, NC 28326
JONES, JEFFREY B	3004 CINDER BLUFF DR	RALEIGH, NC 27603
SFR3-GARG-1 LLC	500 WESTOVER DR 14104	SANFORD, NC 27330
COOPER, RICHARD	536 TURNER RD	NESMITH, SC 29580
GREGINCY REALTY CORP	1680 CYPRESS ROW DR	WEST PALM BEACH, FL 33411
SMITH, JERRY M;SMITH, JEAN M	803 CHALYBEATE SPRING RD	ANGIER, NC 27501
ODELL A SMITH FAMILY LIMITED PARTNERSHIP	400 ODELL RD	SPRING LAKE, NC 28390
ODELL A SMITH FAMILY LIMITED PARTNERSHIP	400 ODELL RD	SPRING LAKE, NC 28390
MANCHESTER ROAD PROPERTIES LLC	PO DRAWER 1867	FAYETTEVILLE, NC 28302
SMITH, KENNETH WAYNE SR	1084 ELLIOTT FARM RD	FAYETTEVILLE, NC 28311
REES, ELISABETH C;REES, MARK OWEN;COOK, JOAN A;COOK, ALEXANDER E;CHAFFEE, FREDRIC H JR;GERSTENBERG, FACHON C;MYERS, KARMA P;LAWRENCE, PAMELA R	617 TEABERRY HILL RD	BOONE, NC 28607
MCGLONE, WALTER A	609 GOODYEAR DR	SPRING LAKE, NC 28390
HARRINGTON, KELLY	2403 BRINKLEY DR	SPRING LAKE, NC 28390
TOWN OF SPRING LAKE	PO BOX 617	SPRING LAKE, NC 28390
GUARD, LIEN HIA	1624 MACK ST	SPRING LAKE, NC 28390
RAPTOR TATICAL LLC	80 BLUE BAY LN	CAMERON, NC 28326
ATKINS, DOROTHY M	5986 ALLERTON DR	ROCKFORD, IL 61114
WILLIAMS, RUSSELL JR;WILLIAMS, AL	610 REGINA DR	SPRING LAKE, NC 28390
SMITH, ELMA S	500 THALIA RD	SPRING LAKE, NC 28390
PUGLISI, WILLIAM PATRICK	607 REGINA DR	SPRING LAKE, NC 28390
CHADWICK, MILDRED A HEIRS	605 ODELL RD	SPRING LAKE, NC 28390
POTTER, DORIS L	601 ODELL RD	SPRING LAKE, NC 28390
SMITH, ELMA	500 THALIA DR	SPRING LAKE, NC 28390
UNITED STATES OF AMERICA	IMSE BRG-PWB	FORT BRAGG, NC 28310
MILLER, HENRY M;MILLER, WILLIE	1616 MACK ST	SPRING LAKE, NC 28390
WILLIAMS, JACK;WILLIAMS, MARY H	611 GOODYEAR DR	SPRING LAKE, NC 28390
ESTEVEZ, ALMA D;ESTEVEZ, AURELIO	310 ODELL RD	SPRING LAKE, NC 28390
S & W READY MIX CONCRETE CO LLC	5700 LAKE WRIGHT DR 300	NORFOLK, VA 23502
SLADE, GARLAND R;SLADE, WIFE	617 ODELL RD	SPRING LAKE, NC 28390
LOGAN, ROBERT E;LOGAN, CAROLYN S	612 REGINA DR	SPRING LAKE, NC 28390
WATKINS, RANDOLPH;WATKINS, LILLI	608 REGINA ST	SPRING LAKE, NC 28390
ANTOINE, IVAN E;ANTOINE, PEGGY L	304 LOCHLAND CT	FAYETTEVILLE, NC 28311
THOMAS, JAMES P;THOMAS, COLLIE	603 ODELL RD	SPRING LAKE, NC 28390
WOODARD, MICHAEL L HEIRS	607 GOODYEAR DR	SPRING LAKE, NC 28390
HOLDEN, ELMER J;HOLDEN, LINDA	605 GOODYEAR DR	SPRING LAKE, NC 28390
SMITH, JERRY M;SMITH, JEAN M	PO BOX 722	ANGIER, NC 27501
SMITH, JERRY M;SMITH, JEAN M	803 CHALYBEATE SPRING RD	ANGIER, NC 27501
PONDER, HENRY	1452 MACK ST	SPRING LAKE, NC 28390
ALLEYNE, SYDIL L HEIRS	2405 ROBESON ST	FAYETTEVILLE, NC 28305
ROBISCH, JOSEPHINE M	609 ODELL RD	SPRING LAKE, NC 28390
HACKNEY, CHARLES EDWARD	612 GOODYEAR DR	SPRING LAKE, NC 28390
MARTIN, DESIREE GWENDOLYN	66 GROVE ST	ELMWOOD PARK, NJ 07047
ODELL A SMITH PROPERTIES LLC	400 ODELL RD	SPRING LAKE, NC 28390
MCFALL, FRANCIS R;MCFALL, JUDIT	1625 MACK ST	SPRING LAKE, NC 28390
REES, ELISABETH C;REES, MARK OWEN;COOK, JOAN A;COOK, ALEXANDER E;CHAFFEE, FREDRIC H JR;GERSTENBERG, FACHON C;MYERS, KARMA P;LAWRENCE, PAMELA R	617 TEABERRY HILL RD	BOONE, NC 28607
BERRY, ERNEST R JR;BERRY, GEAMERE S	5413 SUNNYBRIGHT LN	HOPE MILLS, NC 28348
JOHNSON, ROBERT EVERETT;JOHNSON, POK SON	615 ODELL RD	SPRING LAKE, NC 28390
UNDERWOOD, JAMES R	1621 AUTRY HWY	ROSEBORO, NC 28382
JC345PA LLC	345 DEER RUN RD	HOLLIDAYSBURG, PA 16648
BERRY, ERNEST;GEAMERE, .	5413 SUNNYBRIGHT LN	HOPE MILLS, NC 28348
DOMINGUEZ, JOSE L	611 ODELL RD	SPRING LAKE, NC 28390
SMITH, ELMA S	500 THALIA RD	SPRING LAKE, NC 28390

600' Rad

P21-05 3rd class



### EXPLANATION OF THE REQUEST

This is a request for rezoning of a portion of one parcel located at 3285 Gabe Smith Road from A1 Agricultural to RR Rural Residential. This would increase the allowed density from 1 unit/2 acre to 1 unit/20,000 square feet. This is a conventional rezoning, and no conditions are proposed at this time.

### OWNER/APPLICANT

**OWNER/APPLICANT:** John H. Sanoske (owner)

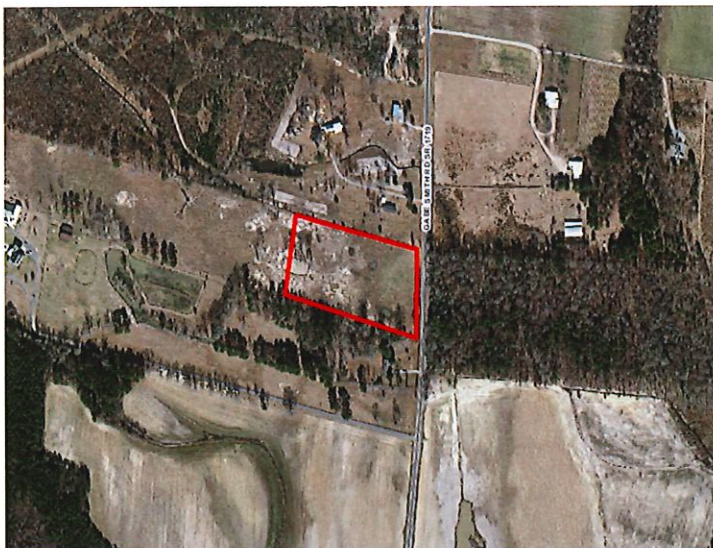
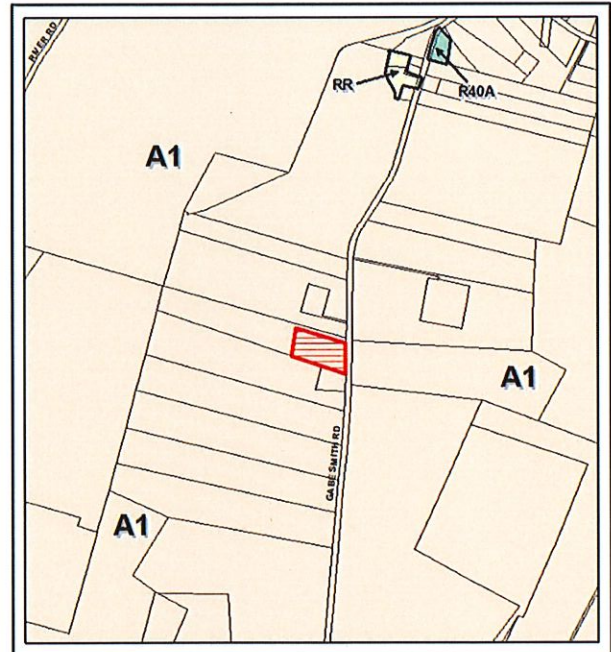
### PROPERTY INFORMATION

**ADDRESS/LOCATION:** 3285 Gabe Smith Road more specifically portion of REID 0550228553000.

**SIZE:** This request includes a portion of one parcel totaling approximately 4.97 acres. The property has 416'+/- of street frontage along Gabe Smith Road.

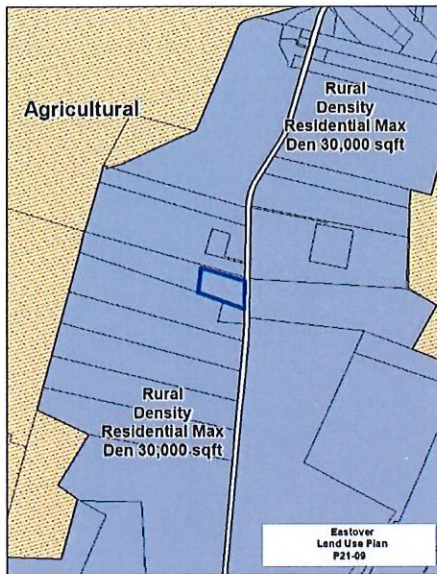
**EXISTING LAND USE:** The parcel is currently vacant.

**OTHER SITE CHARACTERISTICS:** The property is located within the watershed but is not located in the Special Flood Hazard Area. There are some hydric soils on the property.



**DEVELOPMENT REVIEW:** Subdivision or site plan review required for any future development.

**SURROUNDING LAND USE:** There are residential uses in the surrounding area including manufactured homes. There is also a tower.



**ZONING HISTORY:** The property was initially zoned A1 as part of the Area 18 initial zoning on October 24, 1990.

**UTILITIES:** The property is served by ESD water and private septic. There are no public sewer lines available. The property is not located within a water/sewer district.

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

**COMPREHENSIVE PLANS:** The 2030 Growth Vision Plan designates this area as "Rural Areas". The Eastover Area Land Use Plan (2018) designates this parcel as "Rural Density Residential Max density 30,000 sq. feet". The "Rural Density Residential Max density 30,000 sq. feet" has a minimum lot size of 30,000 square feet. **Request is not plan compliant.**

#### IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

**TRAFFIC:** The subject property sits on Gabe Smith Road which is identified as a local road in the Metropolitan Transportation Plan. There are no construction projects planned, and the subject property will have no impact on the Transportation Improvement Plan. The Average Daily Traffic Count (2016) on Gabe Smith Road is 200.

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

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

**EMERGENCY SERVICES:** Cumberland County Fire Marshal's Office has reviewed the request and stated that the developer should ensure all fire department access road requirements are met where required.

**RLUAC:** The parcel is neither identified as Critically Important nor Important to Conserve on the 2018 Joint Land Use Study maps. There are no military related impacts.

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

#### STAFF RECOMMENDATION

In Case P21-09, the Planning and Inspections staff **recommends denial** of the rezoning from A1 Agricultural to RR Rural Residential and find the request is not consistent with the Eastover Area Land Use Plan (2018) which calls for "Rural Density Residential Max density 30,000 sq. feet" at this location. The "Rural Density Residential Max density 30,000 sq. feet" has a minimum lot size of 30,000 square feet. Staff further finds that denial of the request is reasonable and in the public interest because the RR district is not in harmony with the surrounding zoning density and the parcel lacks access to public sewer.

Attachments:  
Zoning Application  
Notification Mailing List

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

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

1. Requested Rezoning from A1 to RR

2. Address of Property to be Rezoned: 3285 Gabe Smith Road

3. Location of Property: S R 1719 - Gabe Smith Road

4. Parcel Identification Number (PIN #) of subject property: 0550-22-8553-  
(also known as Tax ID Number or Property Tax ID)

MB

Acreage: 4.97 Frontage: 366' Depth: 650'

Water Provider: Well:  PWC: \_\_\_\_\_ Other (name): Eastover Water

7. Septage Provider: Septic Tank  PWC \_\_\_\_\_

8. Deed Book 8919, Page(s) 402-404, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).

9. Existing use of property: Farm

10. Proposed use(s) of the property: Residential

11. Do you own any property adjacent to or across the street from this property?  
Yes  No \_\_\_\_\_ If yes, where? 3227 Gabe Smith Road  
0550-22-6117

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.

John H. Sanoske  
NAME OF OWNER(S) (PRINT OR TYPE)

3227 Gabe Smith Road, Wade NC 28395  
ADDRESS OF OWNER(S)

HOME TELEPHONE # \_\_\_\_\_ WORK TELEPHONE # (910) 624-0132

Show npro@netzero.com  
NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)

ADDRESS OF AGENT, ATTORNEY, APPLICANT

E-MAIL

HOME TELEPHONE # \_\_\_\_\_ WORK TELEPHONE # \_\_\_\_\_

SIGNATURE OF OWNER(S) \_\_\_\_\_ SIGNATURE OF AGENT, ATTORNEY OR APPLICANT \_\_\_\_\_

  
SIGNATURE OF OWNER(S)

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

OWNER_NAME	ADDRESS	CITYSTATEZIP
RAYBURN, SCOTT A;RAYBURN, JUDY J	3398 GABE SMITH ROAD	WADE, NC 28395
SANOSKE, JOHN H JR	3227 GABE SMITH RD	WADE, NC 28395
SANOSKE, JOHN H JR	3227 GABE SMITH RD	WADE, NC 28395
FAIRCLOTH, JAMES M.;FAIRCLOTH, SYLVIA WEST	220 DOBBIN AVENUE	FAYETTEVILLE, NC 28305
BOWYER, SAMUEL W;BOWYER, FRANCE	PO BOX 53186	FAYETTEVILLE, NC 28305
BREZIN, MARTIN J;BREZIN, KARIN M	3251 GABE SMITH RD	WADE, NC 28395
CULBRETH, MILDRED L HEIRS	413 KILBERRY CT	WEST COLUMBIA, SC 29170
BOWYER, SAMUEL W JR;BOWYER, ROBERT L	PO BOX 53186	FAYETTEVILLE, NC 28305

P21-09 First Class

OWNER_NAME	ADDRESS	CITYSTATEZIP
RAYBURN, SCOTT A.;RAYBURN, JUDY J	3398 GABE SMITH ROAD	WADE, NC 28395
RAYBURN, SCOTT A.;RAYBURN, JUDY J.	3348 GABE SMITH RD	WADE, NC 28395
VAUSE, ROBERT CARL JR TRUSTEE;SMITH, M GILBERT;SMITH, JANIE S	1013 GILLESPIE ST	FAYETTEVILLE, NC 28306
VAUSE, ROBERT CARL JR TRUSTEE;SMITH, M GILBERT;SMITH, JANIE S	1013 GILLESPIE ST	FAYETTEVILLE, NC 28306
SANOSKE, JOHN H JR	3227 GABE SMITH RD	WADE, NC 28395
SANOSKE, JOHN H JR	3227 GABE SMITH RD	WADE, NC 28395
FAIRCLOTH, JAMES M.;FAIRCLOTH, SYLVIA WEST	220 DOBBIN AVENUE	FAYETTEVILLE, NC 28305
FAIRCLOTH, JAMES M	4632 YADKIN RD	FAYETTEVILLE, NC 28303
NEW SANFORD MILLING INC	PO BOX 53186	FAYETTEVILLE, NC 28305
BOWYER, SAMUEL W;BOWYER, FRANCE	PO BOX 53186	FAYETTEVILLE, NC 28305
BREZIN, MARTIN J;BREZIN, KARIN M	3251 GABE SMITH RD	WADE, NC 28395
FAIRCLOTH, JAMES M.;FAIRCLOTH, SYLVIA WEST	220 DOBBIN AVENUE	FAYETTEVILLE, NC 28305
FAIRCLOTH, JAMES M;FAIRCLOTH, SYLVIA W	4632 YADKIN RD	FAYETTEVILLE, NC 28303
JOHNSON, TODD I;BURKHARD, AMY JOHNSON;STOTESBURY, KAREN BUNCE;BL	6565 CLIFFDALE RD	FAYETTEVILLE, NC 28314
CULBRETH, MILDRED L HEIRS	413 KILBERRY CT	WEST COLUMBIA, SC 29170
GILBERT SMITH FAMILY LLC	2072 RIVER RD	FAYETTEVILLE, NC 28312
BOWYER, SAMUEL W JR;BOWYER, ROBERT L	PO BOX 53186	FAYETTEVILLE, NC 28305

1,100' Rad

P 2109 3<sup>rd</sup> class

**EXPLANATION OF THE REQUEST**

This is a request for rezoning of one parcel located at 5439 Fountain Lane from R6 Residential to R15 Residential/CZ Conditional Zoning for recreation/amusement public/private (not operated as a business for profit). This lot will be recombined with the Hope Mills Lake property and the parking will be utilized by the lake park traffic. As this is a conditional zoning request, all ordinance related conditions included in packet apply.

**OWNER/APPLICANT**

**OWNER/APPLICANT:** Chancer McLaughlin on behalf of the Town of Hope Mills (owner)

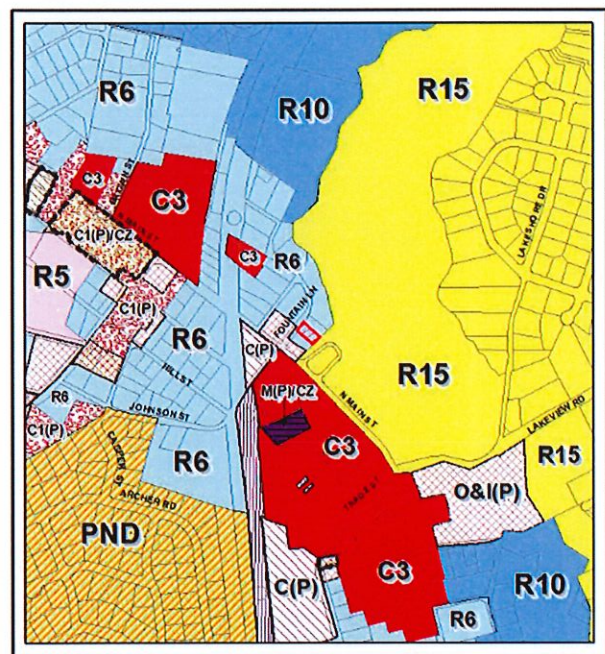
**PROPERTY INFORMATION**

**ADDRESS/LOCATION:** 5439 Fountain Lane; more specifically REID 0414556652000.

**SIZE:** This request includes one parcel totaling approximately 0.18 acres. The property has 65'+/- of street frontage along Fountain Lane and is 127'+/- in depth.

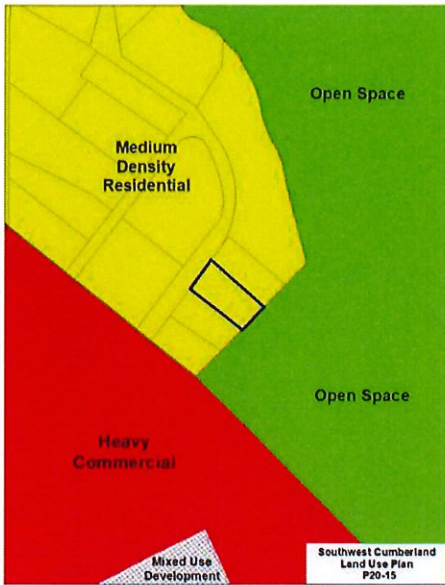
**EXISTING LAND USE:** The parcel is currently vacant.

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



**DEVELOPMENT REVIEW:** This lot was platted in July 1954 (Plat Bk. 16, Pg. 22).

**SURROUNDING LAND USE:** There are residential uses in the surrounding area including multi-family dwellings. There are also several nonresidential uses including a bank, restaurants, religious worship activity, medical office and lawn mower repair/sales.



**ZONING HISTORY:** The property was initially zoned R6 in the Town of Hope Mills.

**UTILITIES:** The property is served by PWC water and sewer. The property is not located within a water/sewer district.

**MINIMUM YARD SETBACKS:** If approved, the parcel would be subject to R15 setbacks: Front yard: 30 foot, Side yard: 10 foot, Rear yard: 35 foot.

**COMPREHENSIVE PLANS:** The 2030 Growth Vision Plan designates this area as "Urban". The Southwest Cumberland Land Use Plan (2013) designates this parcel as "Medium Density Residential". The "Medium Density Residential" designation allows a density of greater than six but less than 15 units per acre. **Request is not plan compliant.**

**IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES**

**TRAFFIC:** The subject property sits on Fountain Lane which is identified as a local road in the Metropolitan Transportation Plan. There are no construction projects planned, and the subject property will have no impact on the Transportation Improvement Plan.

**SCHOOLS CAP/ENROLL:** Rockfish Elementary: 725/703; Hope Mills Middle: 740/546; South View High: 1800/1527

**ECONOMIC DEVELOPMENT:** Comment requested via e-mail. None received.

**EMERGENCY SERVICES:** Comment requested via e-mail. None received.

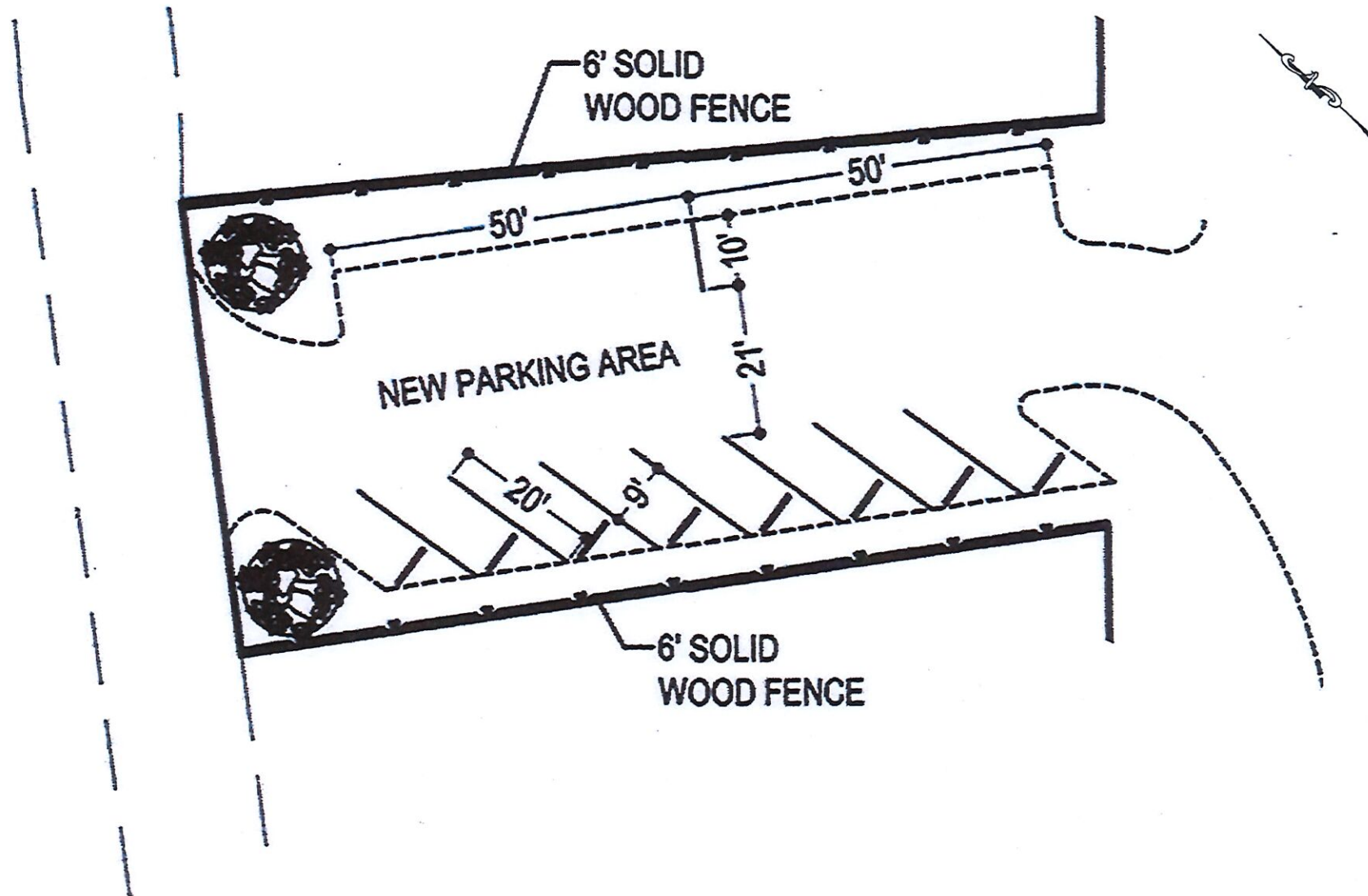
**FAYETTEVILLE REGIONAL AIRPORT:** The property is not located within the Airport Overlay District.

**STAFF RECOMMENDATION**

In Case P21-15, the Planning and Inspections staff **recommends denial** of the rezoning from R6 Residential to R15 Residential/CZ Conditional Zoning for recreation/amusement public/private (not operated as a business for profit) and find the request is not consistent with the Southwest Cumberland Land Use Plan (2013) which calls for "Medium Density Residential" at this location. The "Medium Density Residential" area designation allows for a density of greater than six but less than 15 units per acre. Staff further finds that denial of the request is reasonable and in the public interest because the proposed use of a parking lot is not in harmony with the existing land uses of a residential neighborhood.

- Attachments:  
 Site Plan  
 Conditions of Approval  
 Zoning Application  
 Notification Mailing List





**R15 RESIDENTIAL/CZ CONDITIONAL ZONING**

**CASE: P21-15 ACREAGE: 0.18 AC+/-**

**ZONING: R6 SCALE: NTS**

**PARKING: 8 SPACES**

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

## **R15 RESIDENTIAL/CZ CONDITIONAL ZONING DISTRICT**

### **DRAFT**

#### **Ordinance Related Conditions**

*For Recreation/Amusement Public/Private not for profit (extra parking for lake)*

#### **Pre-Permit Related:**

1. A recombination plat recombining this parcel with REID 0414586620000 (Hope Mills Lake parcel) is required prior to the issuance of any permits, as this lot will serve as additional parking for the Hope Mills Lake development. See plat-related conditions below.
2. The Town of Hope Mills has tree preservation provisions in their ordinance; the developer must contact Chancer McLaughlin, Hope Mills Town Planner concerning the removal of trees from this site prior to obtaining a tree removal permit.

#### **Permit-Related:**

3. The owner/developer(s) of these lots must obtain detailed instructions on provisions of the Hope Mills Zoning Ordinance and building/zoning permits required to place any structure within this development from the Hope Mills Inspection Department/Planning Department, in Town Hall at 5770 Rockfish Road. For additional information, the developer should contact a Town Planner.
4. The Town's Plan Review Committee requirements must be complied with and in the event any significant changes to the site plan are necessary to satisfy the Plan Review Committee's requirements, re-submittal of the site plan may be required.
5. New development that will disturb one acre or more of land or is part of a larger common plan of development that will disturb one acre or more of land is subject to the Post-Construction Stormwater Management Permitting Program administered by the Hope Mills Stormwater Department. If one acre or more of land is to be disturbed, prior to the issuance of any building/zoning permits for this site a copy of the Town's Stormwater Management Permit must be provided to the Hope Mills Inspections Department/Planning Department.
6. For any new development, the developer must/may have to provide the Hope Mills Inspections Department/Planning Department with an approved NC Department of Environmental Quality (NCDEQ) sedimentation and erosion control plan (S&E) prior to any application for permits. (Note: If any retention/detention basins are required for state approval of this plan, then three copies of a revised plan must be submitted and approved by Planning & Inspections prior to application for any building/zoning permits.) A copy of the NCDEQ approval must be provided to the Hope Mills Town Inspections Department/Planning Department at the time of application for any building/zoning permits.
7. The developer must provide a site-specific address and tax parcel number to the Hope Mills Inspections Department/Planning Department at the time of building/zoning permit application.
8. The developer must obtain a driveway permit from the Hope Mills Street Department and NC Department of Transportation (NCDOT). A copy of the approved driveway permit must be provided to Hope Mills Inspection Department /Planning Department at the time of application for building/zoning permits. 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 Hope Mills Street Department and NCCDOT Division 6 / District 2 office at the numbers listed on the bottom of this conditional approval.

**Note:** In the event the NCDOT driveway permit process alters the site plan in any manner, the copies of a revised site plan 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.

**Site-Related:**

9. All uses, dimensions, setbacks and other related provisions of the Hope Mills Subdivision Ordinance and Zoning Ordinance for the R15/CZ zoning district must be complied with, as applicable.
10. 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. (Note: This conditional approval is not approval of the size, shape, or location of any signs.)
11. Curbs and gutters must meet the NC Department of Transportation's (NCDOT) standards and specifications. Rolled concrete curb, if required, must not be less than 24 inches in width. (Section 86A-404(16) (b) (3), Curbs and Gutters, Hope Mills Subdivision Ordinance)
12. A drainage permit from the Town of Hope Mills Stormwater Department is required for any development or redevelopment that will construct, alter, repair, relocate, or demolish any storm sewer natural watercourse, or other drainage facility. The standards used for the design and construction of all stormwater drainage structures and/or stormwater BMP facilities shall be in accordance with the "Town of Hope Mills Stormwater Design Standards", the Design Manual, and shall be subject to the requirements of Chapter 67 Article III.
13. For new development, all utilities, except for 25kv or greater electrical lines, must be located underground. (Section 86A-406(c), Underground utilities required, Hope Mills Subdivision Ordinance)
14. Turn lanes may be required by the Hope Mills Street Department and NC Department of Transportation (NCDOT).

**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.**

15. All lighting is required to be directed internally within this development and comply with the provisions of Section 102A-1202(m), Outdoor Lighting, Hope Mills Zoning Ordinance.
16. A solid buffer must be provided and maintained along the northern and southern property lines where this tract/site abuts residential zoning in accordance with the provisions of Section 102A-1202(g), Buffer Requirements, Hope Mills Zoning Ordinance. (Note: Chain link fencing cannot be used to satisfy the buffer requirement.)
17. All required off-street parking spaces shall be a minimum of 9' x 20' and shall be surfaced, with a permanent material such as asphalt or concrete, and striped prior to application for the building final inspection. (Section 102A-1302, Off-street parking, Hope Mills Zoning Ordinance.)

**Note: This request is for additional parking for the Hope Mills Lake property (not-for-profit recreation/amusement) and the parcel will be recombined with the Hope Mills Lake tract. The parking requirements for recreation/amusement are one parking space for each four persons in design capacity. This tract will contribute to the overall parking requirements for Hope Mills Lake.**

18. Noise levels shall not exceed 60 dB(A) between the hours of 10:00 pm and 7:00 am. In any event, the noise level, regardless of the time of day, shall not become a nuisance to neighboring properties and strict compliance with the County's Noise Ordinance is required.

**Plat-Related:**

19. "North Main Street" must be labeled as "NC 59 (N Main St)" and "Fountain Ln" must be labeled on the recombination plat.
20. The new recombined lot must be shown with solid property lines, metes and bounds, a new lot identifier and new total acreage. The old property lines must be shown as dashed lines on the recombination plat.
21. Any/All easements must be reflected on the recombination 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.

22. A 10' x 70' sight distance easement is required at the intersection of the "Boatmans Dr" right-of-way with NC 59 (N Main St) and must be reflected on the final plat.
23. A 25' right-of-way radius is required at all intersections and must be reflected on the recombination plat. (Section 86A-404(a)(11), Street Design, Hope Mills Subdivision Ordinance)

**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.**

24. The NC Department of Transportation (NCDOT) stamp must be affixed to the recombination plat prior to submission for final plat approval by Land Use Codes.

**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.**

25. The notarized signature(s) of all current tax record owner(s) and notary certifications appear on the recombination plat when submitted for final approval. (Section 86A-603(d), Certificate of Ownership and Dedication, Hope Mills Subdivision Ordinance)
26. The recombination 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.
27. The developer should be aware that any addition and/or revision to this plat may require an additional review and approval by the Planning & Inspections Department prior to submission for final plat approval of any portion of this development.

**Plat-Required Statements:**

28. All structures shall be shown on the recombination plat or the plat shall reflect the following statement:

"Nonconforming structures have not been created by this recombination."

**Advisories:**

29. The subject property lies on N Main Street which is identified as a thoroughfare needing improvement in the 2045 Metropolitan Transportation Plan. There are no constructions/ improvements planned and the subject property will have no impact on the Transportation Improvement Plan.
30. The applicant is advised to consult an expert on wetlands before proceeding with any development.
31. 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.
32. This conditional approval is not to be construed as all-encompassing of the applicable rules, regulations, etc. which must be complied with for any development. Other regulations, such as building, environmental, health and so forth, may govern the specific development. The developer is the responsible party to ensure full compliance with all applicable Federal, State, and local regulations.

**Other Relevant Conditions:**

33. This conditional approval is contingent upon continued compliance with the Town's Subdivision and Zoning Ordinances.

**If you need clarification of any conditions, please contact Jaimie Walters at 910-678-7609 or Billy Prutzman at 910-678-7603; otherwise, contact the appropriate agency at the contact numbers below.**

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

Current Planning Manager:		678-7605	
Subdivision/Site Plan/Plat	Jaimie Walters	678-7609	<a href="mailto:jwalters@co.cumberland.nc.us">jwalters@co.cumberland.nc.us</a>
PWC:	Sam Powers	223-4370	<a href="mailto:sam.powers@faypwc.com">sam.powers@faypwc.com</a>
Town of Hope Mills:		424-4555*	
Town Clerk:	Jane Starling		<a href="mailto:jstarling@townofhopemills.com">jstarling@townofhopemills.com</a>
Planner – Zoning Permits	Chancer McLaughlin		<a href="mailto:cmclaughlin@townofhopemills.com">cmclaughlin@townofhopemills.com</a>
Chief Building Inspector:	David Reeves		<a href="mailto:dreeves@townofhopemills.com">dreeves@townofhopemills.com</a>
Stormwater/Flood Administrator:	Beth Brown		<a href="mailto:eabrown@townofhopemills.com">eabrown@townofhopemills.com</a>
Zoning Inspector:	Chancer McLaughlin		<a href="mailto:cmclaughlin@townofhopemills.com">cmclaughlin@townofhopemills.com</a>
Fire Marshal	Robert Carter		<a href="mailto:rcarter@townofhopemills.com">rcarter@townofhopemills.com</a>
Public Works – Streets/sidewalks	Don Sisko		<a href="mailto:dsisko@townofhopemills.com">dsisko@townofhopemills.com</a>
Corp of Engineers (wetlands):	Emily Greer	(910) 251-4049	<a href="mailto:emily.c.greer@usace.army.mil">emily.c.greer@usace.army.mil</a>
NCDEQ (E&S):	Leland Cottrell	(910) 433-3393	<a href="mailto:leland.cottrell@ncdenr.gov">leland.cottrell@ncdenr.gov</a>
Location Services:			
Site-Specific Address:	Will Phipps	678-7616	<a href="mailto:wphipps@co.cumberland.nc.us">wphipps@co.cumberland.nc.us</a>
Street Naming/Signs:	Annie Melvin	323-6102	<a href="mailto:amelvin@co.cumberland.nc.us">amelvin@co.cumberland.nc.us</a>
Tax Parcel Numbers:		678-7549	
NCDOT (driveways/curb-cuts):	Troy Baker	364-0601	<a href="mailto:tlbaker@ncdot.gov">tlbaker@ncdot.gov</a>
Transportation Planning:	Irvin Wyche	678-7615	<a href="mailto:iwyche@co.cumberland.nc.us">iwyche@co.cumberland.nc.us</a>
N.C. Division of Water Quality:	Annette Lucas	(919) 807-6381	<a href="mailto:annette.lucas@ncdenr.gov">annette.lucas@ncdenr.gov</a>

\*This is the main telephone number for the Town of Hope Mills; once connected, the caller will be directed to the various departments.

**TO THE ZONING BOARD AND TOWN BOARD OF COMMISSIONERS OF HOPE MILLS, NC:**

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

1. Applicant/Agent TOWN of Hope Mills
2. Address: 5770 Rockfish Rd Zip Code 28348
3. Telephone: (Home) 9104264103 (Work) 9104264100
4. Location of Property: 5439 Fountain Ln
5. Parcel Identification Number (PIN #) of subject property: 0414556652000  
(also known as Tax ID Number or Property Tax ID)
6. Acreage: 0.18 Frontage: 65' Depth: 123'
7. Water Provider: PWC Septage Provider: PWC
8. Deed Book 10 210, Page(s) 480, 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: Recreation not for profit  
(parking for lake)

**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: RL

TO: (Select one)

- Conditional Zoning District, with an underlying zoning district of R15  
(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

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.)

Recreation / Amusement (not for profit)

- 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.

0.18 - nonresidential

2. DIMENSIONAL REQUIREMENTS:

- A. Reference either the dimensional requirements of the district, Sec. 102A-1204 or list the proposed setbacks.

see site plan (R15 setbacks)

- B. Off-street parking and loading, Sec. 102A-1301 & 102A-1303: List the number of spaces, type of surfacing material and any other pertinent information.

10 spaces, permanent surface

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Article XIV.

N/A

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. 102A-1202(n)]. **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. 102A-1202(g)] **NOTE: All required buffers must be included on the site plan.**

6ft privacy fence

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.

N/A

6. SITE PLAN REQUIREMENTS:

The application must include a site plan drawn to the specifications of Sec. 102A-1502. If the proposed uses involve development subject to the Hope Mills 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 County Planning Staff, Hope Mills Review Committee, the Zoning Board and Board of 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 County Planning 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 County Planning Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.

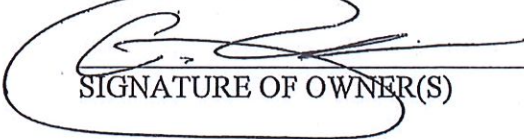
TOWN OF HOPE MILLS  
NAME OF OWNER(S) (PRINT OR TYPE)

5770 ROCEFISH ROAD  
ADDRESS OF OWNER(S)

HOPE MILLS, NC  
~~28348~~ 28348

cmclaughlin@townofhopemills.com  
E-MAIL

910.426.4103 HOME TELEPHONE  
910.426.4100 WORK TELEPHONE

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

CHARLES F. MCLAUGHLIN  
NAME OF AGENT, ATTORNEY, APPLICANT (by assign) (PRINT OR TYPE)

ADDRESS OF AGENT, ATTORNEY, APPLICANT

HOME TELEPHONE WORK TELEPHONE

WORD OF TRUTH MINISTRY	3533 N MAIN ST	HOPE MILLS, NC 28348
SUMNER, TERRY JAMES	PO BOX 245	HOPE MILLS, NC 28348
GARDNER, CHARLES T;GARDNER, JANET	PO BOX 64076	FAYETTEVILLE, NC 28306
TOWN OF HOPE MILLS	5770 ROCKFISH RD	HOPE MILLS, NC 28348
BROWN, MCKINLEY F	3921 BRIDGEVIEW DR	FAYETTEVILLE, NC 28306
BROWN, MCKINLEY F	3921 BRIDGEVIEW DR	FAYETTEVILLE, NC 28306
TOWN OF HOPE MILLS	5770 ROCKFISH RD	HOPE MILLS, NC 28348

BRANCH BANKING & TRUST CO PRI	PO BOX 167	WINSTON-SALEM, NC	27102
HAWES, LAWRENCE E;YVONNE, HAWES	3520 BULLARD ST	HOPE MILLS, NC	28348
MCLAURIN, JOSEPHINE	3527 HILL ST	HOPE MILLS, NC	28348
PROSS, BRUCE R;PROSS, LINDA P	5773 DOVE DR	HOPE MILLS, NC	28348
CSX TRANSPORTATION INC TAX DEPT	500 WATER ST C910	JACKSONVILLE, FL	32202
CSX TRANSPORTATION INC TAX DEPT	500 WATER ST C910	JACKSONVILLE, FL	32202
HAYDEN, SAMANTHA ANN	3531 HILL ST	HOPE MILLS, NC	28348
AMUNDSEN, EDINA	206 BULLARD ST	HOPE MILLS, NC	28348
CSX TRANSPORTATION INC TAX DEPT	500 WATER ST C910	JACKSONVILLE, FL	32202
BEASLEY, JAMES DOYLE	PO BOX 495	HOPE MILLS, NC	28348
CE PROPERTIES, LLC;BEARSKIN HOLDING	PO BOX 64076	FAYETTEVILLE, NC	28306
ALLISON, D KEITH	PO BOX 35910	FAYETTEVILLE, NC	28303
HILLIARD, DEBRA R	5414 PHILLIPS ST	HOPE MILLS, NC	28348
PERSON, CHARLES VERIAN	5408 PHILLIPS ST	HOPE MILLS, NC	28348
HOPE MILLS TIRE & SERVICE CO INC	3606 N MAIN ST	HOPE MILLS, NC	28348
HOPE MILLS TIRE & SERVICE CO I	3606 N MAIN ST	HOPE MILLS, NC	28348
BEASLEY, JAMES DOYLE	PO BOX 495	HOPE MILLS, NC	28348
HOPE MILLS TIRE & SERVICE COMP	195 N MAIN ST	HOPE MILLS, NC	28348
BEASLEY, JAMES DOYLE;BEASLEY, WIFE	PO BOX 495	HOPE MILLS, NC	28348
WORD OF TRUTH MINISTRY	3533 N MAIN ST	HOPE MILLS, NC	28348
LAURELES, MEGAN LYN	5404 PHILLIPS ST	HOPE MILLS, NC	28348
LAURELES, MEGAN LYN	5404 PHILLIPS ST	HOPE MILLS, NC	28348
AUTRY & MCLEAN LLC	3606 N MAIN ST	HOPE MILLS, NC	28348
ABDOLVAND, ARDESHIR A	5443 FOUNTAIN LN	HOPE MILLS, NC	28348
SUMNER, TERRY JAMES	PO BOX 245	HOPE MILLS, NC	28348
BRANCH BANKING & TRUST CO PRI	PO BOX 167	WINSTON-SALEM, NC	27102
DEES, WILBUR;DEES, KATHRYN LEE	1841 NORTH COVE CT	NORTH MYRTLE BEACH, SC	29582
DEES, WILBUR;DEES, KATHRYN LEE	1841 N COVE CT	NORTH MYRTLE BEACH, SC	29582
BRANCH BANKING & TRUST CO PRI	PO BOX 167	WINSTON-SALEM, NC	27102
BRANCH BANKING & TRUST CO PRI	PO BOX 167	WINSTON-SALEM, NC	27102
BRANCH BANKING & TRUST CO PRI	PO BOX 167	WINSTON-SALEM, NC	27102
GARDNER, CHARLES T;GARDNER, JANET	PO BOX 64076	FAYETTEVILLE, NC	28306
TOWN OF HOPE MILLS	5770 ROCKFISH RD	HOPE MILLS, NC	28348
BROWN, MCKINLEY F	3921 BRIDGEVIEW DR	FAYETTEVILLE, NC	28306
BRANCH BANKING & TRUST CO PRI	PO BOX 167	WINSTON-SALEM, NC	27102
BROWN, MCKINLEY F	3921 BRIDGEVIEW DR	FAYETTEVILLE, NC	28306
MILL LAKE LLC	5016 WYNNEFORD WAY	RALEIGH, NC	27614
LAKESIDE MARINE INC	135 BAYSHORE DR	PARKTON, NC	28371
MELLO, BRANDY E;MELLO, ANTHONY	5412 FOUNTAIN LN	HOPE MILLS, NC	28348
ARRANT, FRANK WESLEY JR;BRUCIE, CAI	5408 FOUNTAIN LN	HOPE MILLS, NC	28348
JACKSON, DENNIS L	PO BOX 297	PARKTON, NC	28371
TOWN OF HOPE MILLS	5770 ROCKFISH RD	HOPE MILLS, NC	28348
CSX TRANSPORTATION INC TAX DEPT	500 WATER ST C910	JACKSONVILLE, FL	32202
600'	MAILING LIST	P21-15	

PLANNING STAFF REPORT  
**SUBDIVISION CASE # 20-151**  
**WAIVER: Group development without direct  
access to public or private street**

Planning Board Meeting: February 16, 2021

Jurisdiction: Cumberland County

### SUMMARY OF THE REQUEST

This is a request to allow a group development of three residential structures without direct access to a public or private street per the County Subdivision Ordinance.

The subject property was created by deed on December 18, 1915 (Deed Book 188, Pages 100-100A). Due to the size of the lot, it is not subject to the County's Subdivision ordinance, however, group development reviews are still mandatory. Mission Hill Road is a public right-of-way, but the public portion of the right-of-way ends approximately 496' before the subject property.

### OWNER/APPLICANT

**OWNER/APPLICANT:** Terrone Street (owner)

### PROPERTY INFORMATION

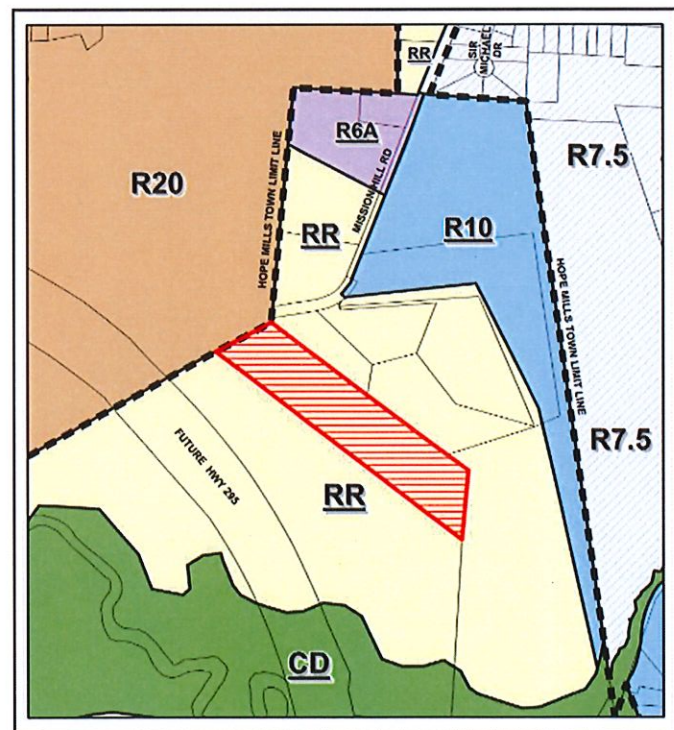
**ADDRESS/LOCATION:** 4061 Mission Hill Rd;  
more specifically REID 0404117160000

**SIZE:** This request includes one parcel totaling approximately 10.00 acres. The property is landlocked and does not have street frontage on Mission Hill Road. The property is 180' +/- in depth.

**EXISTING LAND USE:** The property currently has two manufactured homes (one illegally) and a one-story block home for residential use.

**OTHER SITE CHARACTERISTICS:** The property is not located within the watershed or the Special Flood Hazard Area. There are hydric soils located on the property.

**ZONING HISTORY:** This property was initially zoned RR as part of the Area 7 initial zoning on February 3, 1977.



**UTILITIES:** This site is currently served by private well and septic. PWC water and sewer are available along portion of Mission Hill Road. The property is not located within a water/sewer district.

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

**APPLICABLE COUNTY SUBDIVISION ORDINANCE PROVISIONS**

**SECTION 2041. GROUP DEVELOPMENTS**

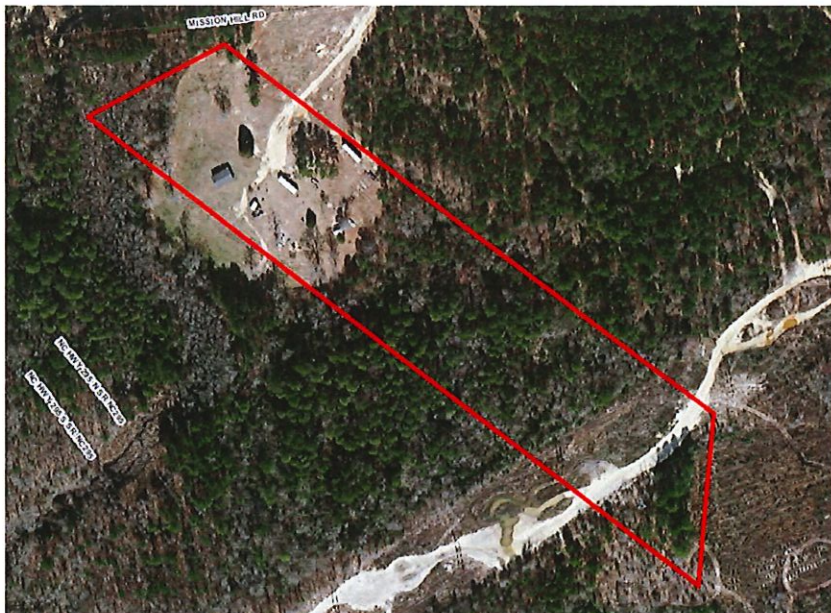
D. *Street access.* The property to be developed must have a boundary line or lines contiguous with and giving direct vehicular access to and from one or more public streets, or private streets with public access approved in accordance with Section 2304.

**SECTION 2601. WAIVERS**

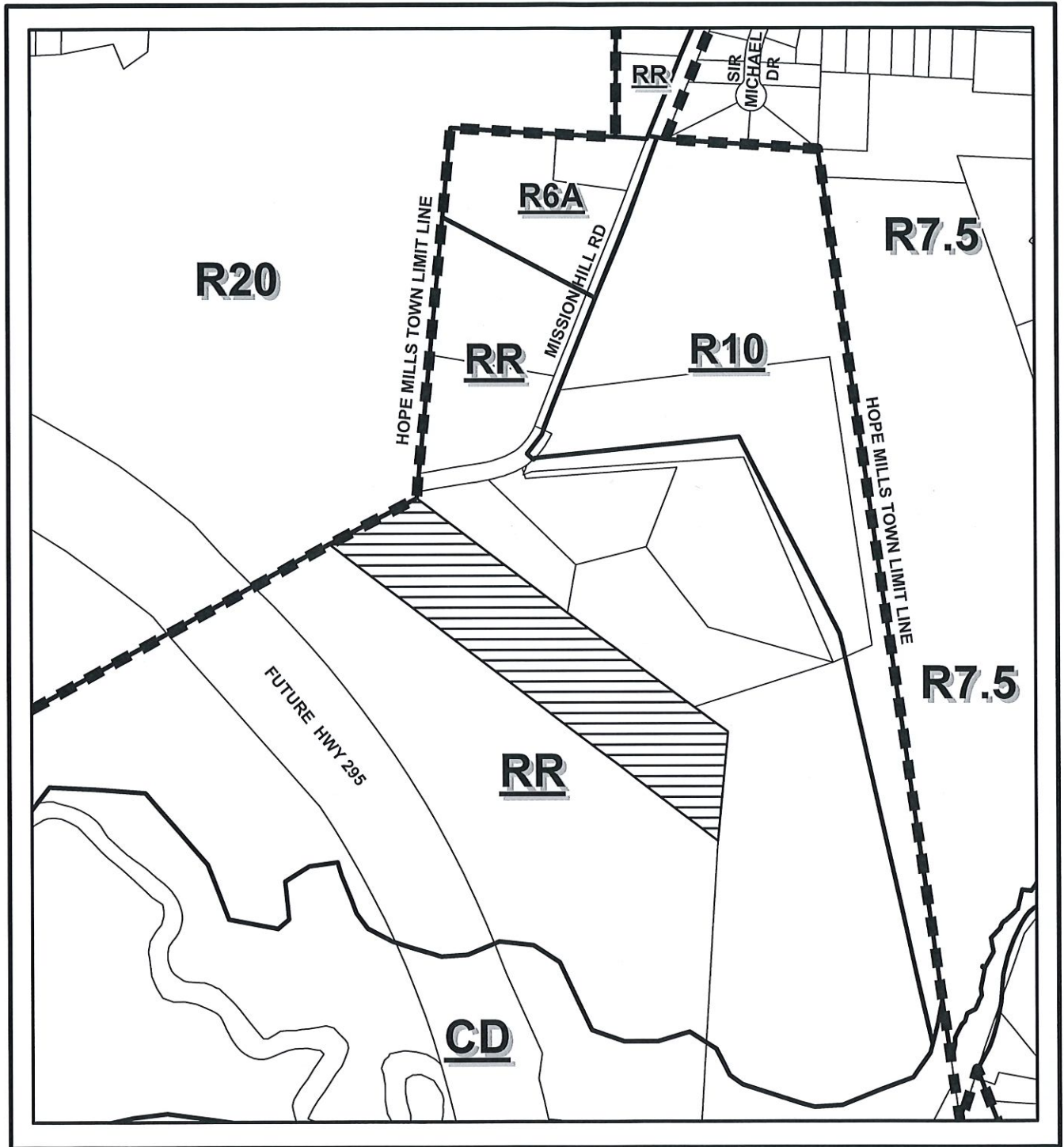
**SECTION 2601. WAIVERS (VARIANCES)**

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

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



- Attachments:
- Sketch Map
  - Site Plan
  - Waiver Application
  - Related Deeds
  - Ordinance Related Conditions
  - Notification Mailing List



## COUNTY SUBDIVISION ORDINANCE WAIVER

**ACREAGE: 10.00 AC. +/-**

**HEARING NO: 20-151**

ORDINANCE: COUNTY

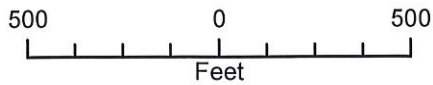
HEARING DATE

ACTION

STAFF RECOMMENDATION

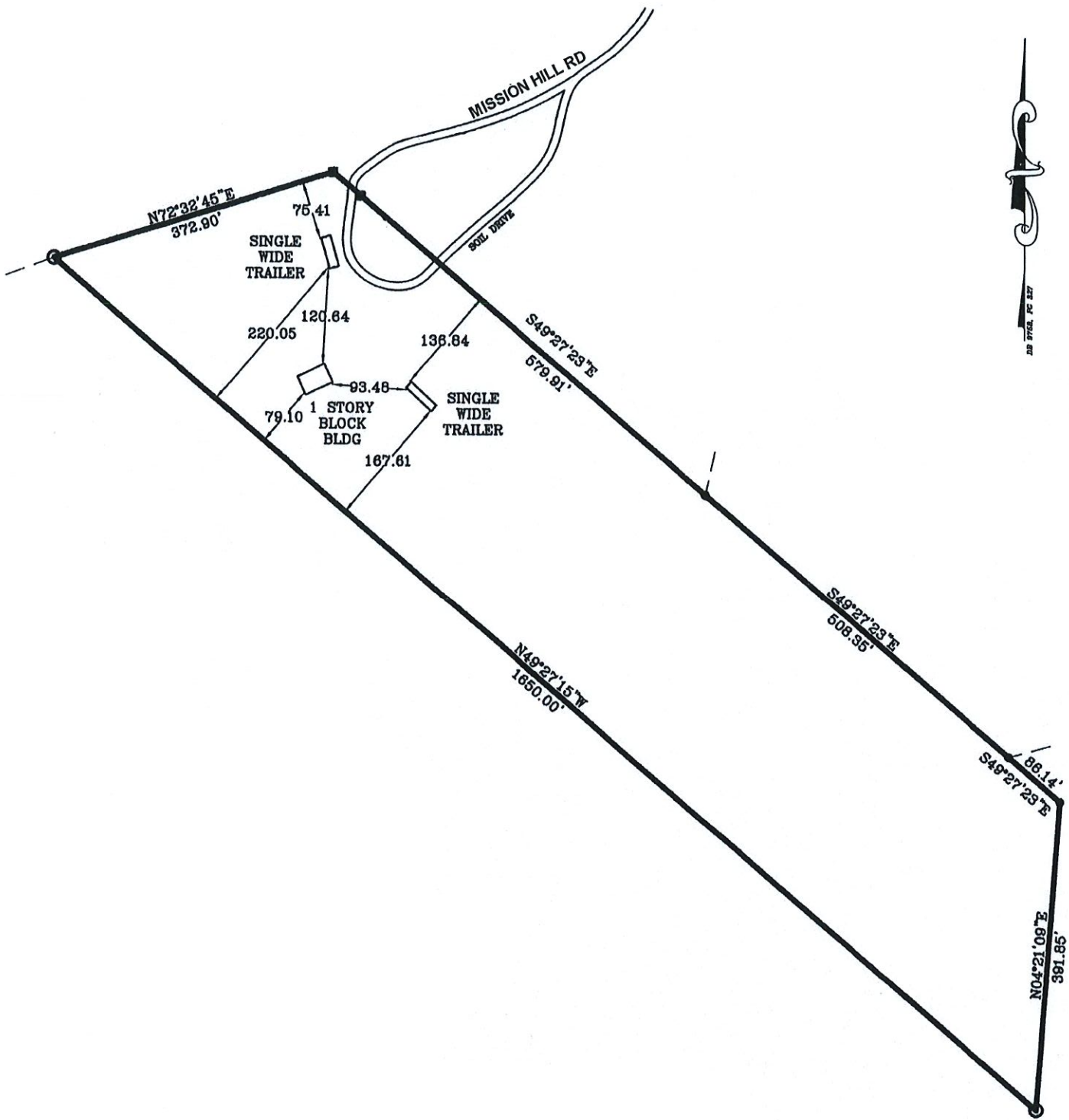
PLANNING BOARD

GOVERNING BOARD



REID: 0404117160000

MB



TERRONE STREET  
 GROUP DEVELOPMENT (WAIVER)  
 CASE: 20-151 ACREAGE: 10.0 AC +/-  
 ZONING: RR SCALE: NTS

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



## COUNTY of CUMBERLAND

*Planning & Inspections Department*

CASE #: 20-151

PLANNING BOARD  
MEETING DATE: \_\_\_\_\_

DATE APPLICATION  
SUBMITTED: 11-23-20

RECEIPT #: 75809

RECEIVED BY: \_\_\_\_\_

### APPLICATION FOR WAIVER (VARIANCE) FROM CUMBERLAND COUNTY SUBDIVISION ORDINANCE PROVISION(S)

The Cumberland County Joint Planning Board meetings are held in the second floor hearing room of the Historic Courthouse at 130 Gillespie Street, Fayetteville, unless otherwise specified. The Joint Planning Board will advertise the public hearing and a notice will be mailed or delivered to surrounding residents or property owners that may be affected by the proposed waiver [variance] request, giving notice of date and time of the meeting.

The Joint Planning Board will conduct a quasi-judicial hearing on this request and all persons wishing to appear before the board should be prepared to give sworn testimony on relevant facts. Applicants for waivers [variances] are encouraged to read Section 2601, currently entitled *Waivers* of the County's Subdivision Ordinance to establish whether or not their case merits further consideration by the Board (see next page).

**The following items are to be submitted with the complete application:**

1. A copy of the recorded deed and/or plat,
2. If a portion of an existing tract, an accurate written legal description of only the area to be considered;
3. A copy of a detailed site plan drawn to an engineering scale – see attached for site plan specifications; and
4. Cash or check payable to "Cumberland County" in the amount of \$200.

**NOTE:** Any revisions, inaccuracies or errors to the application or site plan may cause the case to be delayed and will be scheduled for the next available Joint Planning Board meeting according to the board's meeting/deadline schedule. Also, the application fee is *nonrefundable*.



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: Hope Mills, N.C.  
OWNER: Walter P. Mande Estates LLC  
ADDRESS: 4061 Mission Hill Rd ZIP CODE: 28348  
TELEPHONE: HOME 703-926-4400 WORK \_\_\_\_\_  
AGENT: Tarone L. Street  
ADDRESS: 7227 Baywood Rd Rocky Mount, N.C.  
TELEPHONE: HOME 703-926-4400 WORK \_\_\_\_\_

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

- A. Parcel Identification Number (PIN #) of subject property: \_\_\_\_\_  
(also known as Tax ID Number or Property Tax ID)
- B. Acreage: 10 Frontage: \_\_\_\_\_ Depth: \_\_\_\_\_
- C. Water Provider: Well
- D. Septage Provider: Septic
- E. Deed Book 009758, Page(s) 00327, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
- F. Existing and/or proposed use of property: Set a mobile home
- G. Section and provision of the Cumberland County Subdivision Ordinance from which a waiver [variance] is requested: N/A Private property

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

I have a brother who is 72, of age and a deaf (mute) he still drives and normal as anyone else. The family decided its best he live next to family one other brother who lives on this property!

**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.

Walter and Maude Est LLC T. Street  
Property owner(s) signature(s)

Walter and Maude Est LLC Terrace Street  
Property owner(s) name (print or type)

7227 Baywood Rd Rocky Mount, N.C. 27803  
Complete mailing address of property owner(s)

703-926-4400  
Telephone number

Alternative telephone number

Tstreet54@verizon.net  
Email address

FAX number

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

FILED	Nov 16, 2015
AT	04:36:00 PM
BOOK	09758
START PAGE	0327
END PAGE	0356
INSTRUMENT #	34449
RECORDING	\$106.00
EXCISE TAX	\$0.00

## NORTH CAROLINA NON-WARRANTY DEED

REVENUE: \$ 0.00  
PARCEL ID: 0404-25-1523

### TITLE NOT EXAMINED NOR CERTIFIED BY PREPARER

PREPARED BY AND RETURN TO:  
Christopher D. Foster, Esq.  
Hutchens Law Firm  
4317 Ramsey Street, Fayetteville, NC 28311  
File No. 1162479

### NORTH CAROLINA

### COUNTY OF CUMBERLAND

THIS DEED made this 16<sup>TH</sup> day of November, 2015, by and between

Ola Mae Russell,  
1529 Owensboro, Paulsboro, NJ 08066

Terrone L. Street & Georgia F. Street,  
13806 Delaney Road, Woodbridge, VA 22193

Otis Street & Donnell Street,  
2040 S. 67th Street, Philadelphia, PA 19142

Jealous Street,  
2103 South 6<sup>th</sup> Street, Philadelphia, PA 19148

James W. Street & Annie Street,  
27 Normandy Place, Irvington, NJ 07111

Jeremiah Street & Priscilla Street,  
6613 Suga Circle, Fayetteville, NC 28314

Vinie Street-Stevens & Robert Stevens,  
2111 South 6<sup>th</sup> Street, Philadelphia, PA 19148

Nilita K. Street & Cheryl Street,  
137 Belle Circle, Harleyville, SC 29448

David Street & Mae Street,  
1343 Wells Street, Philadelphia, PA 19111

Nina Street,  
5001 Queenway Rd., Winston-Salem, NC 27127

Wayne Street & Louella Street,  
138 Caswell Pines Lane, Raeford, NC 28376

Mary Street,  
1723 Stratford Road, Fayetteville, NC 28304

Esther Street & Mary D. Street,  
3027 Martindale Road, Columbia, SC 29223

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

Hereinafter collectively called Grantor;

and

**Walter & Maude Estate, LLC,**

hereinafter collectively called Grantee;

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 and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in or near the Township of Rockfish, Cumberland County, North Carolina and more particularly described as follows:

**TRACT 1:**

**BEGINNING** at an iron pipe which is the Southeast corner of the tract of which this is a part, as recorded in Book 81 at Page 581, Cumberland County Registry in the Deed from Charles Johnson to James Wilson;

And running thence with the Northern line of the subdivision known as Village Green, Section II, North 83 degrees 38 minutes West 813.49 feet to an iron pipe; thence North 80 degrees 56 minutes West 758.82 feet to an iron pipe; thence North 15 degrees 00 minutes East 268.92 feet to an "L" iron; thence South 82 degrees 53 minutes East 1149.52 feet to an iron pipe, the Southwest corner of the tract conveyed by James Wilson to E.H. Woodall as recorded in Book 173 at Page 31, Cumberland County Registry, which is also part of the tract of which this is a part; thence with the Woodall Southern line South 84 degrees 26 minutes East 396.60 feet to a concrete monument; thence South 09 degrees 17 minutes West 292.40 feet to the point of beginning, containing 10.19 acres more or less.

And being the remaining portion of the 20 acre tract conveyed to James Wilson by Deed dated September 22, 1884, recorded in Book 81 at Page 581, Cumberland County Registry, that was not previously conveyed by James Wilson during his life time.

Prior deed reference is Book 2697, Page 189, Cumberland County Registry, North Carolina.

**TRACT 2:**

**BEGINNING** at an iron pipe on the East side and near the ford of the Reedy Branch, a corner of the Daniel Dixon tract of land, runs thence with the line of that tract South 55 East 18.50 chains to a stake his corner, thence another line of that tract South 5.65 chains

to a stake, thence North 55 West 25 chains to a stake in the line of the Calvin Ross Tract of land; thence with the line of that tract North 67 East 5.65 chains to the beginning, containing 10 acres.

For history of title see Book 188, Page 100 of the Cumberland County Registry.

Prior deed reference is Book 2697 Page 189, Cumberland County Registry, North Carolina.

Grantors obtained a vested property interest through the Estate of Maude Leslie Street, Estate File 83 E 726, Cumberland County, North Carolina.

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

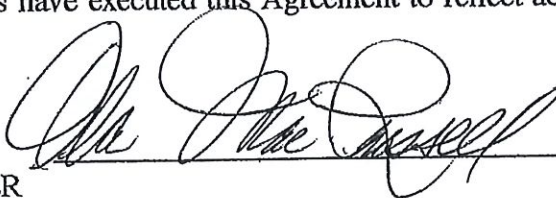
And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons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

Title to the property hereinabove described is subject to the following exceptions:

Restrictive covenants, easements and rights of way as may appear of record in the aforesaid registry.

10.6 *Creditors Not Benefited.* Nothing in this Agreement is intended to benefit any creditor of the Company. No creditor of the Company will be entitled to require the Member to solicit or accept any loan or additional capital contribution for the Company or to enforce any right which the Company may have against the Member, whether arising under this Agreement or otherwise.

IN WITNESS WHEREOF, the undersigned, founding Members of the Company, have caused this Agreement to be duly adopted by the Company as of the date set forth on the cover letter of this Agreement and the Managers have executed this Agreement to reflect acceptance of their appointment.



OLA MAE RUSSELL, MEMBER

\_\_\_\_\_  
ODIS STREET, MEMBER

\_\_\_\_\_  
JAMES W. STREET, MEMBER

\_\_\_\_\_  
VINIE STREET-STEVENSON, MEMBER

\_\_\_\_\_  
DAVID STREET, MEMBER

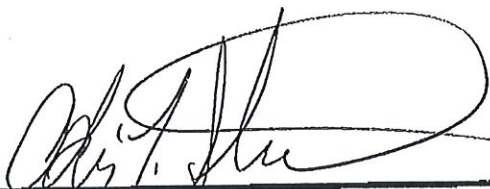
\_\_\_\_\_  
WAYNE STREET, MEMBER

\_\_\_\_\_  
ESTER STREET, MEMBER

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

The property being conveyed herein is not the principle residence of the Grantor.

\_\_\_\_\_(SEAL)  
O l a M a c R u s s e l l

  
\_\_\_\_\_(SEAL)

Odie Street  
  
\_\_\_\_\_(SEAL)

Donnell Street  
\_\_\_\_\_(SEAL)

James Street  
\_\_\_\_\_(SEAL)

Annie Street  
\_\_\_\_\_(SEAL)

Vinie Street-Stevens  
\_\_\_\_\_(SEAL)

Robert Street

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

The property being conveyed herein is not the principle residence of the Grantor.

\_\_\_\_\_ (SEAL)

O l a n c e R u s s e l l

\_\_\_\_\_ (SEAL)

Odis Street

\_\_\_\_\_ (SEAL)

Dona Street

*James Street* \_\_\_\_\_ (SEAL)

James Street

*Annie Street* \_\_\_\_\_ (SEAL)

Annie Street

\_\_\_\_\_ (SEAL)  
Vinie Street-Stevens

\_\_\_\_\_ (SEAL)

Robert Street



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

The property being conveyed herein is not the principle residence of the Grantor.

\_\_\_\_\_(SEAL)  
Ola Mae Russell

\_\_\_\_\_(SEAL)  
Otis Street

\_\_\_\_\_(SEAL)  
Donnell Street

\_\_\_\_\_(SEAL)  
James Street

\_\_\_\_\_(SEAL)  
Annie Street

x *Vinie Street Stevens* \_\_\_\_\_(SEAL)  
Vinie Street-Stevens

x *Robert Stevens* \_\_\_\_\_(SEAL)  
Robert Stevens

\_\_\_\_\_(SEAL)  
David Street

\_\_\_\_\_(SEAL)  
Mae Street

\_\_\_\_\_(SEAL)  
Wayne Street

\_\_\_\_\_(SEAL)  
Louella Street

\_\_\_\_\_(SEAL)  
Esther Street

\_\_\_\_\_(SEAL)  
Mary D. Street

David Street (SEAL)

David Street

Mae Street (SEAL)

Mae Street

\_\_\_\_\_ (SEAL)

W a y n e S t r e e t

\_\_\_\_\_ (SEAL)

Louella Street

\_\_\_\_\_ (SEAL)

Esther Street

\_\_\_\_\_ (SEAL)

Mary D. Street

\_\_\_\_\_ (SEAL)

Mary Street

\_\_\_\_\_ (SEAL)

Terrone L. Street

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

The property being conveyed herein is not the principle residence of the Grantor.

\_\_\_\_\_(SEAL)  
Ola Mae Russell

\_\_\_\_\_(SEAL)  
Otis Street

\_\_\_\_\_(SEAL)  
Donnell Street

\_\_\_\_\_(SEAL)  
James Street

\_\_\_\_\_(SEAL)  
Annie Street

\_\_\_\_\_(SEAL)  
Vinie Street-Stevens

\_\_\_\_\_(SEAL)  
Robert Street

\_\_\_\_\_(SEAL)  
David Street

\_\_\_\_\_(SEAL)  
Mae Street

*Wayne Street*

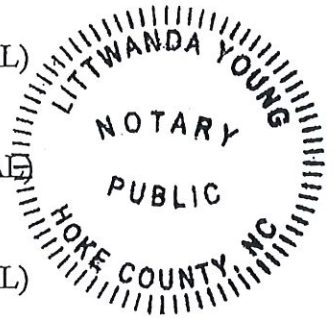
\_\_\_\_\_(SEAL)  
Wayne Street

*Louella Street*

\_\_\_\_\_(SEAL)  
Louella Street

\_\_\_\_\_(SEAL)  
Esther Street

\_\_\_\_\_(SEAL)  
Mary D. Street



\_\_\_\_\_ (SEAL)

David Street

\_\_\_\_\_ (SEAL)

Mae Street

\_\_\_\_\_ (SEAL)

W a y n e S t r e e t

\_\_\_\_\_ (SEAL)

Louella Street

*Ester Street* \_\_\_\_\_ (SEAL)

Ester Street

*Mary D. Street* \_\_\_\_\_ (SEAL)

Mary D. Street

\_\_\_\_\_ (SEAL)

Mary Street

\_\_\_\_\_ (SEAL)  
Terone L. Street

(SEAL)

David Street

(SEAL)

Mae Street

(SEAL)

W a y n e S t r e e t

(SEAL)

Louella Street

(SEAL)

Ester Street

(SEAL)

Mary D. Street

*Mary Street*

(SEAL)

Mary Street

(SEAL)

Terrone L. Street

\_\_\_\_\_(SEAL)

David Street

\_\_\_\_\_(SEAL)

Mae Street

\_\_\_\_\_(SEAL)

W a y n e S t r e e t

\_\_\_\_\_(SEAL)

Louella Street

\_\_\_\_\_(SEAL)

Esther Street

\_\_\_\_\_(SEAL)

Mary D. Street

\_\_\_\_\_(SEAL)

Mary Street

\_\_\_\_\_(SEAL)

Terrone L. Street

*Georgia F Street* \_\_\_\_\_ (SEAL)

Georgia F. Street

\_\_\_\_\_ (SEAL)

Jealous Street

\_\_\_\_\_ (SEAL)

Jeremiah Street

\_\_\_\_\_ (SEAL)

Priscilla Street

\_\_\_\_\_ (SEAL)

Nikita Street

\_\_\_\_\_ (SEAL)

Cheryl Street

\_\_\_\_\_ (SEAL)

Nina Street

\_\_\_\_\_(SEAL)  
Mary Street

\_\_\_\_\_(SEAL)  
Terrone L. Street

\_\_\_\_\_(SEAL)  
Georgia F. Street

*Jealous Torscanini Stu*  
\_\_\_\_\_(SEAL)  
Jealous Street

\_\_\_\_\_(SEAL)  
Jeremiah Street

\_\_\_\_\_(SEAL)  
Priscilla Street

\_\_\_\_\_(SEAL)  
Nikita Street

\_\_\_\_\_(SEAL)  
Cheryl Street

\_\_\_\_\_(SEAL)  
Nina Street



\_\_\_\_\_(SEAL)  
Mary Street

\_\_\_\_\_(SEAL)  
Terrone L. Street

\_\_\_\_\_(SEAL)  
Georgia F. Street

\_\_\_\_\_(SEAL)  
Jealous Street

*Jeremiah Street*  
\_\_\_\_\_(SEAL)  
Jeremiah Street

*Priscilla Street*  
\_\_\_\_\_(SEAL)  
Priscilla Street

\_\_\_\_\_(SEAL)  
Nikita Street

\_\_\_\_\_(SEAL)  
Cheryl Street

\_\_\_\_\_(SEAL)  
Nina Street

~~Terrone L. Street~~

Georgia F. Street (SEAL)

Georgia F. Street

\_\_\_\_\_ (SEAL)

Jealous Street

\_\_\_\_\_ (SEAL)

Jeremiah Street

\_\_\_\_\_ (SEAL)

Priscilla Street

Priscilla Street (SEAL)

Nikita Street

Nikita Street (SEAL)

Cheryl Street

\_\_\_\_\_ (SEAL)

Nina Street

\_\_\_\_\_ (SEAL)

Georgia E Street

\_\_\_\_\_ (SEAL)

Alonni Street

\_\_\_\_\_ (SEAL)

Jeremiah Street

\_\_\_\_\_ (SEAL)

Priscilla Street

\_\_\_\_\_ (SEAL)

Nikita Street

\_\_\_\_\_ (SEAL)

Cheryl Street

*Nina Street* \_\_\_\_\_ (SEAL)

Nina Street

\*\*\*\*\*  
\*\*\*\*\*

STATE OF New Jersey  
Gloucester COUNTY

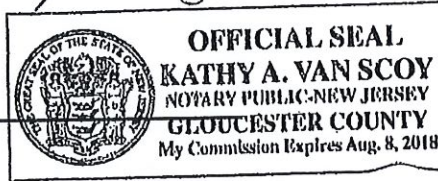
I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

*Ola Mae Russell*  
Ola Mae Russell

This the 30<sup>th</sup> day of September, 2015.

*Kathy A. Van Scoy*  
Notary

\_\_\_\_\_  
or Print Name



Type

My Commission Expires:

\*\*\*\*\*  
\*\*\*\*\*

STATE OF Pennsylvania  
Philadelphia COUNTY

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

Elizabeth D. Street Christina Street  
Otis Street and Donnell Street

This the 23<sup>rd</sup> day of October, 2015.

[Signature]  
Notary

Yira E. Negron  
or Print Name

Type

My Commission Expires:

COMMONWEALTH OF PENNSYLVANIA  
NOTARIAL SEAL  
Yira E. Negron, Notary Public  
City of Philadelphia, Philadelphia County  
My Commission Expires Nov. 30, 2018  
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

\*\*\*\*\*  
\*\*\*\*\*

STATE OF New Jersey  
Essex COUNTY

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

James W Street Annie Street  
James W. Street and Annie Street

This the 26<sup>th</sup> day of September, 2015.

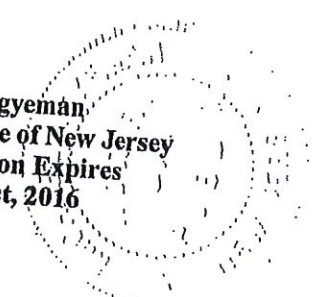
Michael Agyeman  
Notary Public State of New Jersey  
My Commission Expires  
Notary August 31st, 2016

MICHAEL AGYEMAN  
or Print Name

Type

My Commission Expires:

Michael Agyeman  
Notary Public State of New Jersey  
My Commission Expires  
August 31st, 2016



\*\*\*\*\*  
\*\*\*\*\*

STATE OF Pennsylvania  
Philadelphia COUNTY

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

Vinie Street Stevens & Robert Stevens  
Vinie Street-Stevens and Robert Stevens

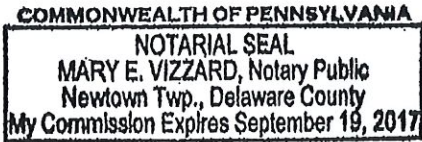
This the 6 day of November September, 2015.

Mary E. Vizzard  
Notary

Mary E. Vizzard  
or Print Name

Type

My Commission Expires: Sept. 19, 2017



\*\*\*\*\*  
\*\*\*\*\*

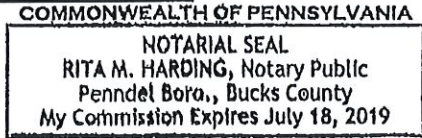
STATE OF PA.  
Bucks COUNTY

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

David Street Mae Street  
David Street and Mae Street

This the 29<sup>th</sup> day of September, 2015.

Rita M. Harding  
Notary



RITA M. HARDING  
or Print Name

Type

My Commission Expires: July 18, 2019



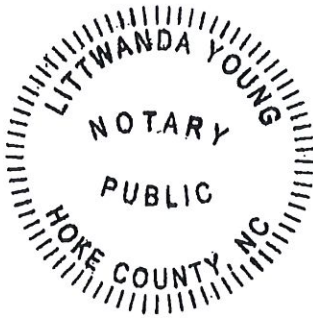
\*\*\*\*\*

STATE OF North Carolina  
Cumberland COUNTY

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

Wayne Street      Louella Street  
Wayne Street and Louella Street

This the 16<sup>th</sup> day of September, 2015.



[Signature]  
Notary

Littwanda Young  
Type or Print Name

My Commission Expires: June 16, 2016

\*\*\*\*\*  
\*\*\*\*\*

STATE OF South Carolina  
Richland COUNTY

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

Ethel J. Street      Mary D. Street  
Ethel Street and Mary D. Street

This the 30<sup>th</sup> day of September, 2015.

Pamela D. Cox  
Notary

Pamela D. Cox  
or Print Name

My Commission Expires:

PAMELA D. COX  
Notary Public, State of South Carolina  
My Commission Expires 3/1/2022



\*\*\*\*\*  
\*\*\*\*\*

STATE OF Virginia

Prince William COUNTY

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

Terrone L. Street                      Georgia F. Street  
Terrone L. Street and Georgia F. Street

This the 14<sup>th</sup> day of September, 2015.

Luis M. Castillo  
Notary



Luis M. Castillo  
or Print Name

Type

My Commission Expires: 03-31-2017

\*\*\*\*\*  
\*\*\*\*\*

STATE OF North Carolina  
Cumberland COUNTY

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

JEALOUS STREET

Jealous Street

This the 19 day of <sup>October 10<sup>th</sup></sup> ~~September~~, 2015.

Tiffany B Warner  
Notary

Tiffany B Warner  
or Print Name

Type



My Commission Expires:

August 5, 2017

\*\*\*\*\*

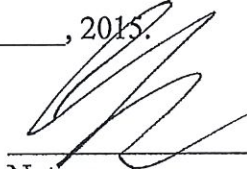
STATE OF North Carolina

Cumberland COUNTY

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

JERIMIAH STREET & PRISCILLA STREET  
Jeremiah Street and Priscilla Street

This the 14 day of October, 2015.

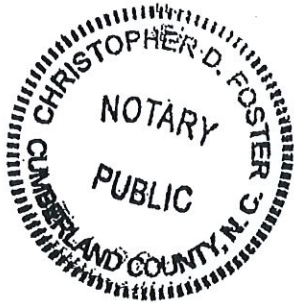


Notary

Christopher D Foster

Type or Print Name

My Commission Expires: 4-14-20



\*\*\*\*\*  
\*\*\*\*\*

STATE OF South Carolina

Dorchester COUNTY

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

Nikita K. Street and Cheryl Street  
Nikita K. Street and Cheryl Street

This the 13<sup>th</sup> <sup>October</sup> day of September, 2015.

Charlie Maxwell  
Notary

Charlie Maxwell  
or Print Name

Type

My Commission Expires:

Jan 14, 2022



\*\*\*\*\*  
\*\*\*\*\*

STATE OF North Carolina  
Forsyth COUNTY

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

Nina Street  
Nina Street

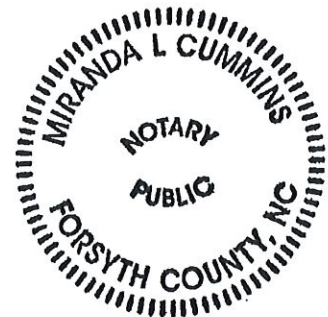
This the 16 day of October <sup>MS.</sup> ~~September~~, 2015.

Miranda L. Cummins  
Notary

Miranda L. Cummins  
or Print Name

Type

My Commission Expires: October 30<sup>th</sup> 2018



\*\*\*\*\*  
\*\*\*\*\*

STATE OF North Carolina

Hoke COUNTY

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

Mary Street  
Mary Street

This the 16 day of September, 2015.

Michele Hart  
Notary

Michele Hart  
or Print Name

Type

My Commission Expires: 6-20-2020





AMY H. CANNON  
County Manager



RAWLS HOWARD  
Director

TRACY JACKSON  
Assistant County Manager



DAVID MOON  
Deputy Director

◆  
*Planning & Inspections Department*

STAFF REVIEW: 11-30-20 PLANNING BOARD DECISION: N/A

CASE NO: 20-151 NAME OF DEVELOPMENT: TERRONE STREET PROPERTY

MIA: HOPE MILLS GROUP DEVELOPMENT REVIEW

LOCATION: 4061 MISSION HILL ROAD ZONING: RR

PIN: 0404117160000

OWNERS / DEVELOPER: TERRONE STREET ENGINEER OR DESIGNER: N/A

PLANNING & INSPECTIONS DEPARTMENT ACTION:

- PRELIMINARY
- EXTENSION       REVISION
- APPROVED CONDITIONALLY
- DENIED

PLANNING BOARD DECISION:

- PRELIMINARY
- EXTENSION       REVISION
- APPROVED CONDITIONALLY
- DENIED

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

**Pre- Permit Related:**

1. 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]

2. 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:**

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 \$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]

6. 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)
7. 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.)
8. 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:**

9. All uses, dimensions, setbacks and other related provisions of the County Subdivision and Development Ordinance, and County Zoning Ordinance for the RR zoning district must be complied with, as applicable.
10. All applicable provisions of Section 2401, "Group Developments", County Subdivision and Development Ordinance, must be complied with. (Sec. 2402, County Subdivision Ord.)

11. The small stream standards set forth in Section 6.5-44, County Flood Damage Prevention Ordinance, shall be complied with during construction and upon completion of development within this subdivision as enforced by the County Engineer's Office. (Sec. 2307.D, County Subdivision Ord.)
12. 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.)
13. For new development, all utilities, except for 25kv or greater electrical lines, must be located underground. (Section 2306.C, County Subdivision Ord.)

**Advisories:**

14. 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.
15. Any revision or addition to this plan necessitates re-submission for review and approval prior to the commencement of the change.
16. An internal street system most likely will be required by the NC Department of Transportation (NCDOT) to serve any future divisions of the parent tract.
17. The subject property is located within the Town of Hope Mills Municipal Influence Area (MIA) and the town has tree preservation standards in their ordinances. The developer is encouraged to retain as many of the existing trees as possible on this site.
18. 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.
19. 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.
20. The developer's subsequent application for permits upon receipt of these conditions of approval constitutes the developer's understanding and acceptance of the conditions of approval for this development.
21. 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.
22. The subject property sits on Mission Hill Road and is identified as a local road in the Metropolitan Transportation Plan. There are no construction projects planned and the subject property will have no impact on the Transportation Improvement Plan. For questions about this comment, please contact Transportation Planning.
23. For the structure shown on the plan as "1 story block bldg" to be considered a storage building, the property owner must apply for a Change of Use permit with Cumberland County Code Enforcement.

**Other Relevant Conditions:**

24. This conditional approval is contingent upon continued compliance with the County's Subdivision and Development Ordinance and Zoning Ordinance.

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.”

26. The developer submitted a request for a waiver from Section 2401.D “Group Developments (Street Access)” for the requirement to have direct access to a public or private street. The Cumberland County Joint Planning Board will hear this case on February 16<sup>th</sup>, 2021.

Note: If the waiver request is approved, it is specific to the current application only and will not apply to any future development.

*Thank you for making Cumberland County your home!*

**If you need clarification of any conditions, please contact Jaimie Walters 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	<a href="mailto:blynd@co.cumberland.nc.us">blynd@co.cumberland.nc.us</a>
Subdivision/Site Plan/Plat	Jaimie Walters	678-7609	<a href="mailto:jwalters@co.cumberland.nc.us">jwalters@co.cumberland.nc.us</a>
Code Enforcement (Permits):	Scott Walters	321-6654	<a href="mailto:swalters@co.cumberland.nc.us">swalters@co.cumberland.nc.us</a>
County Building Inspections:	Michael Naylor	321-6657	<a href="mailto:mnaylor@co.cumberland.nc.us">mnaylor@co.cumberland.nc.us</a>
Fire Marshal – Emergency Services	Kevin Lowther	321-6625	<a href="mailto:klowther@co.cumberland.nc.us">klowther@co.cumberland.nc.us</a>
	Gene Booth	678-7641	<a href="mailto:wbooth@co.cumberland.nc.us">wbooth@co.cumberland.nc.us</a>
County Engineer’s Office:	Wayne Dudley	678-7636	<a href="mailto:wdudley@co.cumberland.nc.us">wdudley@co.cumberland.nc.us</a>
County Health Department:	Fred Thomas	433-3692	<a href="mailto:fthomas@co.cumberland.nc.us">fthomas@co.cumberland.nc.us</a>
Ground Water Issues:	Fred Thomas	433-3692	<a href="mailto:fthomas@co.cumberland.nc.us">fthomas@co.cumberland.nc.us</a>
US Postal Service	Jonathan R. Wallace	(704) 393-4412	<a href="mailto:jonathan.r.wallace@usps.gov">jonathan.r.wallace@usps.gov</a>
Corp of Engineers (wetlands):	Emily Greer	(910) 251-4049	<a href="mailto:emily.c.greer@usace.army.mil">emily.c.greer@usace.army.mil</a>
NCDEQ (E&S):	Leland Cottrell	(910) 433-3393	<a href="mailto:leland.cottrell@ncdenr.gov">leland.cottrell@ncdenr.gov</a>
US Fish & Wildlife Services	Susan Ladd Miller	(910) 695-3323	<a href="mailto:susan_miller@fws.gov">susan_miller@fws.gov</a>
Location Services:			
Site-Specific Address:	Will Phipps	678-7666	<a href="mailto:wphipps@co.cumberland.nc.us">wphipps@co.cumberland.nc.us</a>
Tax Parcel Numbers:		678-7549	
NCDOT (driveways/curb-cuts):	Troy Baker	364-0601	<a href="mailto:tlbaker@ncdot.gov">tlbaker@ncdot.gov</a>
Transportation Planning:	Irvin Wyche	678-7615	<a href="mailto:iwyche@co.cumberland.nc.us">iwyche@co.cumberland.nc.us</a>
N.C. Division of Water Quality:	Annette Lucas	(919) 807-6381	<a href="mailto:annette.lucas@ncdenr.gov">annette.lucas@ncdenr.gov</a>

OWNER_NAME	ADDRESS	CITYSTATEZIP
ST JAMES SQUARE INC	1135 ROBESON ST	FAYETTEVILLE, NC 28305
WALTER & MAUDE ESTATE LLC	2608 QUAIL FOREST DR	FAYETTEVILLE, NC 28306
STEVENS, ROBERT;STEVENS, VINIE D	2111 S 6TH ST	PHILADELPHIA, PA 19148
RIDDLE, JOSEPH P III	PO BOX 53729	FAYETTEVILLE, NC 28305
AGALLOTIS, ROBERT L	181 HENRYS HILL DR	GOLDSBORO, NC 27530
WALTER & MAUDE STREET ESTATE LLC	2608 QUAIL FOREST DR	FAYETTEVILLE, NC 28306

1<sup>st</sup>  
-CLASS

20-151