

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

March 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 FEBRUARY 16, 2021
- VI. CHAIRMAN'S WELCOME AND RULES OF PROCEDURE
- VII. PUBLIC MEETING CONSENT ITEMS

#### REZONING CASES

- A. **P21-17.** REZONING OF 0.85+/- ACRES FROM C(P) PLANNED COMMERCIAL AND C2(P) PLANNED SERVICE AND RETAIL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 3830 BOONE TRAIL, SUBMITTED BY BRIAN V. BARBER ON BEHALF OF BE ALL YOU CAN BE REAL ESTATE, LLC (OWNER). (COUNTY)
- B. **P21-18.** REZONING OF 10.01+/- ACRES FROM R5A RESIDENTIAL TO R6A RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 1600 HINKLE STREET, SUBMITTED BY LAUNA A. HINKLE (OWNER) AND KOREY D. WHITE (AGENT). (SPRING LAKE)
- C. **P21-19:** REZONING OF 1.79+/- ACRES FROM R10 RESIDENTIAL TO C(P) PLANNED COMMERCIAL/CZ CONDITIONAL ZONING FOR RESTAURANTS AND RETAIL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT THE NORTHEAST SIDE OF N MAIN STREET, SOUTH OF CAMDEN ROAD, SUBMITTED BY JOSEPH P. RIDDLE III AND TRINA T. RIDDLE (OWNERS) AND LORI S. EPLER ON BEHALF OF LARRY KING & ASSOCIATES (AGENT). (HOPE MILLS)

#### VIII. PUBLIC MEETING CONTESTED ITEMS

##### CONDITIONAL ZONING CASE

- D. **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). (COUNTY)

#### IX. PUBLIC HEARING WAIVER CASE

- E. **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:

**Amy H. Cannon**  
County Manager



**Rawls Howard**  
Director

**Tracy Jackson**  
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# **CUMBERLAND** **COUNTY**

NORTH CAROLINA

**David Moon**  
Deputy Director

## **Cumberland County Joint Planning Board**

10.00+/-; LOCATED AT 4075 MISSION HILL ROAD; SUBMITTED BY TERRONE STREET ON BEHALF OF WALTER & MAUDE ESTATE, LLC. (OWNER). (COUNTY)

### X. DISCUSSION

- BETHANY LAND USE PLAN

### XI. ADJOURNMENT



**EXPLANATION OF THE REQUEST**

This is a request for rezoning of one parcel located at 3830 Boone Trail from C(P) Planned Commercial and C2(P) Planned Service and Retail to C(P) Planned Commercial. This would eliminate the split zoning on the property. This is a conventional rezoning, and no conditions are proposed at this time.

**OWNER/APPLICANT**

**OWNER/APPLICANT:** Brain V. Barber on behalf of Be All You Can Be Real Estate (owner)

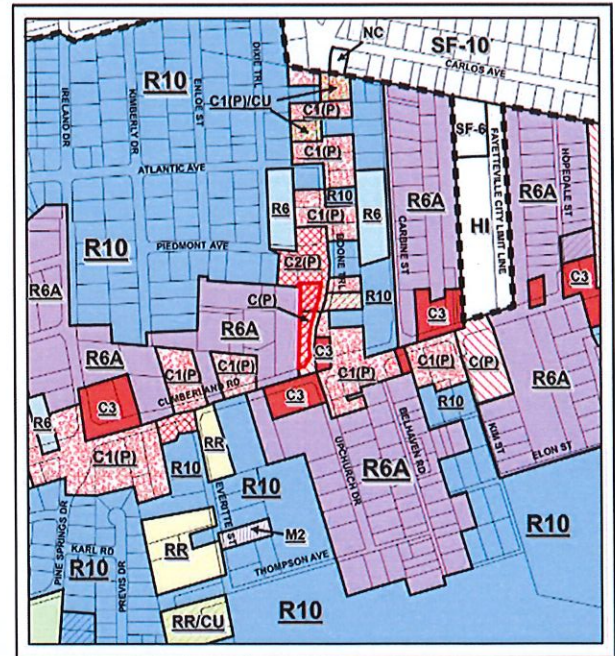
**PROPERTY INFORMATION**

**ADDRESS/LOCATION:** 3830 Boone Trail; more specifically REID 0416903438000.

**SIZE:** This request includes one parcel totaling approximately 0.85 acres. The property has 438' +/- of street frontage along Boone Trail and 34' +/- of street frontage along Cumberland Road.

**EXISTING LAND USE:** The parcel is developed with two vacant commercial structures.

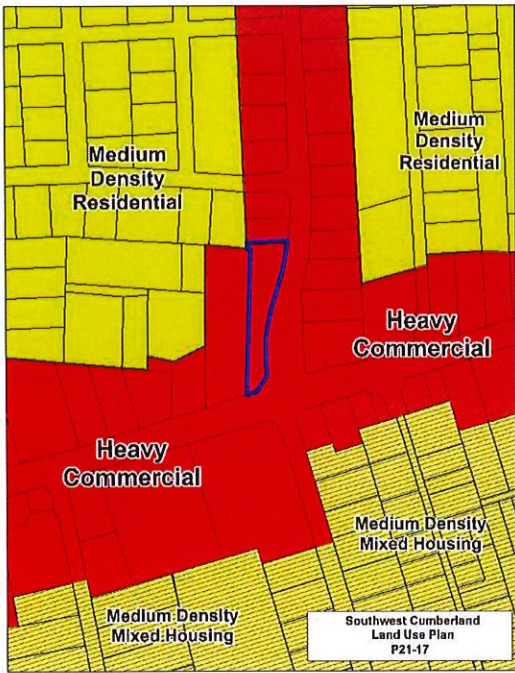
**OTHER SITE CHARACTERISTICS:** The property is not located within the watershed or the Special Flood Hazard Area. There are no soil limitations to development on the property. The property is located within Fayetteville's MIA.



**DEVELOPMENT REVIEW:** A site plan review was just completed on this parcel (Case 21-014). If the rezoning is approved, a revised site plan for the previously zoned C2(P) portion will be required prior to use.

**SURROUNDING LAND USE:** There are residential uses in the surrounding area, including multifamily dwellings and a manufactured home park. There is also motor vehicle repair, repair shop, a substation, religious worship activity, convenience retail with gasoline sales, fitness center and office uses in the surrounding areas.





**ZONING HISTORY:** The property was initially zoned C1 as part of the Area 3 initial zoning on August 1, 1975. A portion of the property was rezoned R10 on April 25, 1979 (Case P79-20). A portion of the property was rezoned to C-1 on February 28, 1984 (Case P84-4). The property was rezoned to a Conditional Use Overlay District to allow a nursery operation in C1 and C3 Districts on March 15, 2004 (Case P04-17). A portion of the property was rezoned to C(P) on February 21, 2006 (Case P06-02). A portion of the property was rezoned to C2(P) on October 19, 2009 (Case P09-39).

**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 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 this parcel as "Heavy Commercial". The "Heavy Commercial" designation is designed to provide for shopping needs of the immediate neighborhood and traveling public and is usually located at major intersections. **Request is plan compliant.**

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

**TRAFFIC:** The subject property sits on Boone Trail and is identified as a thoroughfare needing improvement 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 Boone Trail is 9,800.

\*Please note that Cumberland Road has been identified in previous prioritization, but no funding has been awarded.

**SCHOOLS CAP/ENROLL:** Mary McArthur Elementary: 465/381; Douglas Byrd Middle: 600/595; Douglas Byrd High: 1280/899

**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; 3. Ensure emergency responder radio coverage is achieved.

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



## STAFF RECOMMENDATION

In Case P21-17, the Planning & Inspections staff **recommends approval** of the rezoning request from C(P) Planned Commercial and C2(P) Planned Service and Retail to C(P) Planned Commercial and finds the request consistent with the Southwest Cumberland Land Use Plan (2013) designation of "Heavy Commercial". The "Heavy Commercial" designation is designed to provide for shopping needs of the immediate neighborhood and traveling public and is usually located at 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 CUMBERLAND COUNTY JOINT PLANNING BOARD AND THE BOARD OF COUNTY COMMISSIONERS OF CUMBERLAND COUNTY, NC:**

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

1. Requested Rezoning from C (2P) and C(P) to C (P)
2. Address of Property to be Rezoned: 3830 BOUND TRAIL, Fayetteville, NC 28306
3. Location of Property: CORNER of Cumberland Road and BOUND TRAIL, North of Cumberland Road and WEST of BOUND TRAIL
4. Parcel Identification Number (PIN #) of subject property: 0416-90-3438  
(also known as Tax ID Number or Property Tax ID)  
Acreage: .85 Frontage: 436.10' <sup>97.25' Cumberland</sup> ~~BOUND~~ <sub>TRAIL</sub> Depth: 130.44' N; 34.22 S
- Water Provider: Well: \_\_\_\_\_ PWC: X Other (name): \_\_\_\_\_
7. Septage Provider: Septic Tank yes; Phillips Septic PWC NA
8. Deed Book \_\_\_\_\_, Page(s) \_\_\_\_\_, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: Auto Repair
10. Proposed use(s) of the property: Auto Repair and sales; AND Flea market
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

MB

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.

Be ALL you can Be Real Estate, LLC (Brian Barber)  
NAME OF OWNER(S) (PRINT OR TYPE)

3613 Bestwinds Bluffs Lane, Fuquay-Varina, NC 27526  
ADDRESS OF OWNER(S)

919-676-8010  
HOME TELEPHONE #

Same  
WORK TELEPHONE #

Brian V. BARBER  
NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)

3613 Bestwinds Bluffs Lane, Fuquay-Varina NC 27526  
ADDRESS OF AGENT, ATTORNEY, APPLICANT

Brian.BARBER @ DMV HUB . com  
E-MAIL

919-676-8010 cell  
HOME TELEPHONE #

Same  
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

RANDOLPH, HOWARD GLENN;SHARON, RANDOLPH TAYLOR RS  
STEEDLY, CAROLYN FAY LIFE ESTATE;STEEDLY, ROBERT C. LIFE ESTATE  
DOUGLAS, TOMMIE L JR  
BLANTON, GLADYS A  
DOUGLAS, TOMMIE L JR  
CUMBERLAND RD FIRE DEPT  
MCCAULEY & MCDONALD INVESTMENT  
CLARK, CARLTON JR  
WALSH, STEPHEN C  
TRANSFORMATIVE, REI 401K

ADDRESS

602 GLENVILLE AVE  
906 MIDDLE RD  
510 OAKFIELD TER  
3329 BOONE TRL  
510 OAKFIELD TER  
3543 CUMBERLAND RD  
PO BOX 361  
PO BOX 1114  
207 SUTTON ST  
003947 DUNN RD 5

CITYSTATEZIP

FAYETTEVILLE, NC 28303  
FAYETTEVILLE, NC 28312  
CLAYTON, NC 27520  
FAYETTEVILLE, NC 28306  
CLAYTON, NC 27520  
FAYETTEVILLE, NC 28306  
FAYETTEVILLE, NC 28302  
FAYETTEVILLE, NC 28302  
FAYETTEVILLE, NC 28305  
EASTOVER, NC 28312

P21-17 1<sup>st</sup> Class



OWNER_NAME	ADDRESS	CITYSTATEZIP
FAYMONT BAPTIST CHURCH TRUSTEE	3663 CUMBERLAND RD	FAYETTEVILLE, NC 28306
FAYMONT BAPTIST CHURCH INC	3663 CUMBERLAND RD	FAYETTEVILLE, NC 28306
FAYMONT BAPTIST CHURCH INC	3663 CUMBERLAND RD	FAYETTEVILLE, NC 28306
RANDOLPH, HOWARD GLENN;SHARON, RANDOLPH TAYLOR RS	602 GLENVILLE AVE	FAYETTEVILLE, NC 28303
INMAN, ERNESTINE	2670 UPCHURCH DR	FAYETTEVILLE, NC 28306
CUMBERLAND ROAD VOLUNTEER FIRE DEPARTMENT	3543 CUMBERLAND RD	FAYETTEVILLE, NC 28306
CUMBERLAND RD FIRE DEPT	3543 CUMBERLAND RD	FAYETTEVILLE, NC 28306
COPPEDGE, OTHA D;COPPEDGE, PAMELA	2651 UPCHURCH DR	FAYETTEVILLE, NC 28306
ASTROP, ROSLYN E	16276 EAGLE FLIGHT CIR	WOODBIDGE, VA 22191
SHULER, ESTHER JOHNSON	1223 MARTINDALE DR	FAYETTEVILLE, NC 28304
CHASTAIN, LOIS LIFE ESTATE	2632 BELHAVEN RD	FAYETTEVILLE, NC 28306
RITTER, H E HEIRS	304 MONLANDIL DR	WILMINGTON, NC 28403
WILSON, JOSEPH	4133 KNOLLWOOD DR	FAYETTEVILLE, NC 28304
MAITLAND, DONALD J;MAITLAND, PATRICIA B	2409 KIMBERLY DR	FAYETTEVILLE, NC 28306
MAITLAND, DONALD J	2409 KIMBERLY DR	FAYETTEVILLE, NC 28306
HERRING, EDWARD;HERRING, JUDITH	2407 KIMBERLY DR	FAYETTEVILLE, NC 28306
HERRING, EDWARD;HERRING, JUDITH	2407 KIMBERLY DR	FAYETTEVILLE, NC 28306
CARTER, PATRICIA LOUISE JACKSON	3927 STONE ST	HOPE MILLS, NC 28348
SCOTT, CLAUDE W III;WHEELER, LAURIE SCOTT;BILL, LISA SCOTT	4055 DEADWYLER DR	FAYETTEVILLE, NC 28311
JSC ENTERPRISES & ASSOC LLC	3668 CUMBERLAND RD	FAYETTEVILLE, NC 28306
THORNTON, LAWRENCE W	3630 CUMBERLAND RD	FAYETTEVILLE, NC 28306
BROWN, MELBA F HEIRS	4649 CHELTENHAM RD	FAYETTEVILLE, NC 28304
THORNTON, LAWRENCE	3630 CUMBERLAND RD	FAYETTEVILLE, NC 28306
THORNTON, LAWRENCE W	3630 CUMBERLAND RD	FAYETTEVILLE, NC 28306
SHORT, ROY G II	4309 PIEDMONT AVE	FAYETTEVILLE, NC 28306
HERNANDEZ, DORCA VALENCIA	2313 ENLOE ST	FAYETTEVILLE, NC 28306
HARDIN, MABEL R	3316 CUMBERLAND RD	FAYETTEVILLE, NC 28306
THORNTON, LAWRENCE	3630 CUMBERLAND RD	FAYETTEVILLE, NC 28306
JONES, ESTHER ELIZABETH SHORT	4301 PIEDMONT AVE	FAYETTEVILLE, NC 28306
CASTELLANOS-LUQUE, JOSE LUIS	2312 DIXIE TRL	FAYETTEVILLE, NC 28306
KDM SOLO 401K TRUST F/K	2309 ENLOE ST	FAYETTEVILLE, NC 28306
DOUGLAS, TOMMIE L JR;REBECCA, M HATFIELD	510 OAKFIELD TER	CLAYTON, NC 27520
HATFIELD, REBECCA M;TOMMIE, L DOUGLAS HEIRS	4211 PIEDMONT AVE	FAYETTEVILLE, NC 28306
DOUGLAS, TOMMIE L HEIRS;HATFIELD, REBECCA M	4211 PIEDMONT AVE	FAYETTEVILLE, NC 28306
THORNTON, LAWRENCE	3630 CUMBERLAND RD	FAYETTEVILLE, NC 28306
THORNTON, LAWRENCE	3630 CUMBERLAND RD	FAYETTEVILLE, NC 28306
THORNTON, LAWRENCE WESTLY	3630 CUMBERLAND RD	FAYETTEVILLE, NC 28306
HATFIELD, REBECCA M LIFE ESTATE	4211 PIEDMONT DR	FAYETTEVILLE, NC 28306
STEEDLY, CAROLYN FAY LIFE ESTATE;STEEDLY, ROBERT C. LIFE ESTATE	906 MIDDLE RD	FAYETTEVILLE, NC 28312
DOUGLAS, TOMMIE L JR	510 OAKFIELD TER	CLAYTON, NC 27520
BLANTON, GLADYS A	3329 BOONE TRL	FAYETTEVILLE, NC 28306
DOUGLAS, TOMMIE L JR	510 OAKFIELD TER	CLAYTON, NC 27520
DOUGLAS, TOMMIE L JR	510 OAKFIELD TER	CLAYTON, NC 27520
COLLINS, QUENTIN A;COLLINS, KRISTY D	2010 WHISPER LN	FAYETTEVILLE, NC 28303
CUMBERLAND RD FIRE DEPT	3543 CUMBERLAND RD	FAYETTEVILLE, NC 28306
MCGEE, WILLIAM M.	1843 STOCKTON DR	FAYETTEVILLE, NC 28304
MCCAULEY & MCDONALD INVESTMENT	PO BOX 361	FAYETTEVILLE, NC 28302
CLARK, CARLTON JR	PO BOX 1114	FAYETTEVILLE, NC 28302

600' Rad

P21-17 3<sup>rd</sup> class

WALSH, STEPHEN C  
TRANSFORMATIVE, REI 401K  
LUGO, NOE A.  
CAMPBELL, WILLIAM  
BUTTS, HARRIETT GERTRUDE AXLER TRUSTEE  
MORRISON, TONTO HEIRS  
GOINS, CLARENCE W JR;GOINS, AMBER H  
KHAN, MAMOON  
CITY OF FAYETTEVILLE  
BETANCOURT, CARMEN GRAFF  
DEAN, JANICE V  
BOYS & GIRLS CLUBS OF CUMBERLAND CO INC  
HAMILTON MARKETING GROUP, LLC  
BOYS CLUB OF CUMBERLAND CTY IN  
HAMILTON MARKETING GROUP, LLC  
MARTINEZ-VELA, MARTIN;MARTINEZ-VELA, MERCEDES GONZALEZ  
VELA, MARTIN MARTINEZ;VELA, MERCEDES GONZALEZ  
HAMILTON MARKETING GROUP, LLC  
HAMILTON MARKETING GROUP, LLC  
BUCKHEAD INVESTMENTS LLC  
ICENOGLA, CHARLOTTE M  
GEHRING, REX  
HUDSON, WILLIAM H;HUDSON, PEGGY A  
BUTTS, HARRIETT GERTRUDE AXLER TRUSTEE  
FLEISCHMANN, MARK A  
BUCKHEAD INVESTMENTS LLC  
HAMILTON MARKETING GROUP, LLC

207 SUTTON ST  
003947 DUNN RD 5  
13135 PECTONVILLE RD  
PO BOX 65564  
310 FARM ESTATES DR  
679 HOLLOW BRIDGE RD  
1711 JONCEE DR  
1972 GRACE POINT RD  
433 HAY ST  
818 MORISTON RD  
2621 BELHAVEN RD  
PO BOX 48155  
3096 S HOMER BLVD #270  
0 P O BOX 53632 N/A  
3096 S HOMER BLVD #270  
5205 SEQUOIA RD  
5205 SEQUOIA RD  
3096 S HOMER BLVD #270  
3096 S HOMER BLVD #270  
PO BOX 53309  
3221 BOONE TR  
8206 SHOREWAY DR  
2507 PENNY DR  
310 FARM ESTATES DR  
3709 BOONE TRL  
PO BOX 53309  
3096 S HOMER BLVD #270

FAYETTEVILLE, NC 28305  
EASTOVER, NC 28312  
BIG POOL, MD 21711  
FAYETTEVILLE, NC 28306  
ROCKWELL, NC 28138  
AUTRYVILLE, NC 28318  
EASTOVER, NC 28312  
MORRISVILLE, NC 27560  
FAYETTEVILLE, NC 28301  
FAYETTEVILLE, NC 28314  
FAYETTEVILLE, NC 28306  
CUMBERLAND, NC 28331  
SANFORD, NC 27330  
FAYETTEVILLE, NC 28305  
SANFORD, NC 27330  
FAYETTEVILLE, NC 28304  
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FAYETTEVILLE, NC 28304  
FAYETTEVILLE, NC 28306  
ROCKWELL, NC 28138  
FAYETTEVILLE, NC 28306  
FAYETTEVILLE, NC 28305  
SANFORD, NC 27330

600' Rad

P21-17 3<sup>rd</sup> class



**EXPLANATION OF THE REQUEST**

This is a request for rezoning of a portion of one parcel located at 1600 Hinkle Street from R5A Residential to R6A Residential. This request would make the existing manufactured home park zone compliant. This is a conventional rezoning, and no conditions are proposed at this time.

**OWNER/APPLICANT**

**OWNER/APPLICANT:** Launa A. Hinkle (owner) and Korey D. White (agent)

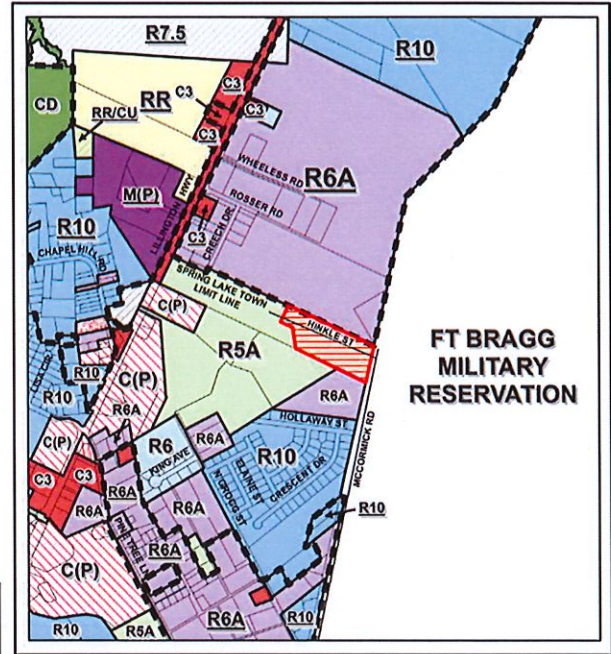
**PROPERTY INFORMATION**

**ADDRESS/LOCATION:** 1600 Hinkle Street; more specifically a portion of REID 0512210392000.

**SIZE:** This request includes a portion of one parcel totaling approximately 10.01 acres. The property has 2,020' +/- of street frontage along Hinkle Street and 433' +/- of street frontage along McCormick Road. The property is 1,122' +/- in depth.

**EXISTING LAND USE:** The parcel is developed as a manufactured home park.

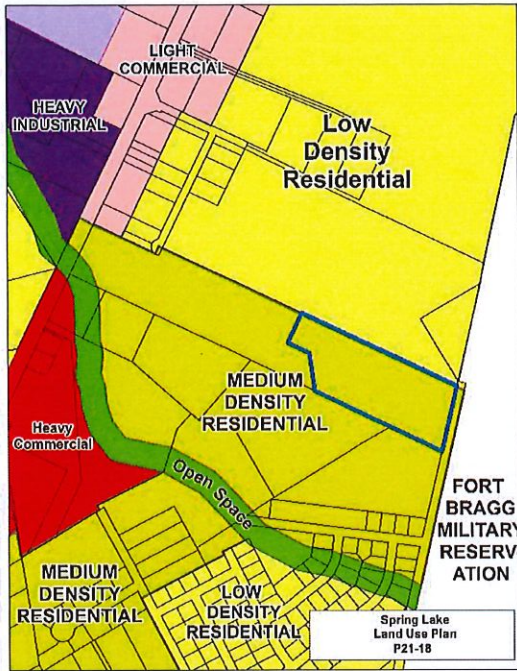
**OTHER SITE CHARACTERISTICS:** The property is not located within the watershed or the Special Flood Hazard Area. There are no soil limitations to development on the property.



**DEVELOPMENT REVIEW:** The portion being rezoned was subdivided by plat (Bk. 146, Pg. 62) on 2-16-21. If rezoning is approved, a manufactured home park review will be required prior to expanding the existing park.

**SURROUNDING LAND USE:** There are residential uses in the surrounding area including multi-family dwellings, manufactured homes, and a manufactured home park. There is also a religious worship activity in the surrounding areas.





**ZONING HISTORY:** The property was initially zoned R6A as part of the Area 11 initial zoning on January 7, 1977. A portion of the property was rezoned to R6A/CU on September 22, 1992 (Case P92-91). A portion of the property was rezoned to HS(P) on August 31, 2001 (Case P00-76). The property was rezoned to R5A on August 24, 2009 (Case P09-27).

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

**MINIMUM YARD SETBACKS:** If approved, the parcel would be subject to R6A setbacks: Front yard: 25 foot, Side yard: 10 foot, Rear yard: 15 foot.

**COMPREHENSIVE PLANS:** The 2030 Growth Vision Plan designates this area as "Urban". The Spring Lake Area Land Use Plan (2002) designates this area as "Medium Density Residential". "Medium Density Residential" allows for 6.1 to 15 units per acre and requires public water and sewer. **Request is plan compliant.**

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

**TRAFFIC:** The subject property is located on Hinkle Street, which is identified as a local road in the Metropolitan Transportation Plan. The project is also adjacent to Spring Lake Bypass, which is identified as a recommended boulevard in the Metropolitan Transportation Plan. Spring Lake Bypass is identified in the Transportation Improvement Plan as U-5802, construction of a multilane facility from Lillington Highway to Bragg Boulevard. Right of way is scheduled for FY 2026, and construction is scheduled for 2029.

**SCHOOLS CAP/ENROLL:** Manchester Elementary: 340/319; Spring Lake Middle: 700/439; Pine Forest High: 1750/1483

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

**EMERGENCY SERVICES:** Spring Lake Fire Marshal's office has reviewed the request and stated the following: 1. A water supply is required in a form of a fire hydrant in the entrance of the park.

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

**FT. BRAGG MILITARY BASE (RLUAC):** The property is located within five miles of the military base. RULAC was notified of this zoning application and provided no objections. The subject property is not located within or adjacent to any airfield approach projection zones.



## STAFF RECOMMENDATION

In Case P21-18, the Planning & Inspections staff **recommends approval** of the rezoning request from R5A Residential to R6A Residential and finds the request consistent with the Spring Lake Land Use Plan (2002) designation of "Medium Density Residential". The "Medium Density Residential" designation allows for 6.1 to 15 units per acre and requires 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, zoning, and has access to public water and 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 RSA to R6A
2. Address of Property to be Rezoned: 1600 HENRIE ST, SPRING LAKE
3. Location of Property: \_\_\_\_\_
4. Parcel Identification Number (PIN #) of subject property: 0512-21-0392  
(also known as Tax ID Number or Property Tax ID)  
Acreage: 10% Frontage: \_\_\_\_\_ Depth: \_\_\_\_\_  
Water Provider: Well: \_\_\_\_\_ PWC: \_\_\_\_\_ Other (name): CITY
7. Septage Provider: Septic Tank \_\_\_\_\_ PWC \_\_\_\_\_
8. Deed Book \_\_\_\_\_, Page(s) \_\_\_\_\_, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: MOBILE HOME PARK
10. Proposed use(s) of the property: MOBILE HOME PARK
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

MB  
1/11/13  
10/10/13

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.

LAUNA A HINKLE  
NAME OF OWNER(S) (PRINT OR TYPE)

1212 LILLINGTON HWY, SPRING LAKE, NC 28390  
ADDRESS OF OWNER(S)

E-MAIL

910.497.2561  
HOME TELEPHONE #                      WORK TELEPHONE #

KOREY D. WHITE  
NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)

650 RAVENHURST CTR, APT 304, SPRING LAKE, NC 28390  
ADDRESS OF AGENT, ATTORNEY, APPLICANT

koreywhiteconetakeinvestments.com  
E-MAIL

205.354.5188                      205.354.5188  
HOME TELEPHONE #                      WORK TELEPHONE #

Launa A. Hinkle  
SIGNATURE OF OWNER(S)

Korey D. White  
SIGNATURE OF AGENT, ATTORNEY  
OR APPLICANT

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

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

OWNER_NAME	ADDRESS	CITYSTATEZIP
STORESMART, SPRING LAKE LP	1146 CANTON ST	ROSWELL, GA 30075
HARVEY, NATHANIEL;SHUMPERT, W	10 W 135TH ST 2N	NEW YORK, NY 10037
CEDARWOOD ASSOCIATES	PO BOX 31827	RALEIGH, NC 27622
WELLONS, FLORENCE C HEIRS	PO BOX 766	SPRING LAKE, NC 28390
VICTORY CHAPEL OF SPRING LAKE INC	1106 LILLINGTON HWY	SPRING LAKE, NC 28390
HINKLE, JAMES WOODROW	1212 LILLINGTON HWY	SPRING LAKE, NC 28390
HINKLE, JAMES WOODROW	1212 LILLINGTON HWY	SPRING LAKE, NC 28390
SPEAS, ANNIE C HEIRS	5264 PALA VERDE DR	FAYETTEVILLE, NC 28304
HINKLE, JAMES WOODROW	1212 LILLINGTON HWY	SPRING LAKE, NC 28390
PLANTATION REALTY CO LLC	PO BOX 31827	RALEIGH, NC 27622
FERRELL, GEORGE G	PO BOX 95	SPRING LAKE, NC 28390
HINKLE, WOODROW W;HINKLE, LAUNA A	1212 LILLINGTON HWY	SPRING LAKE, NC 28390
TEDDYWBC LLC;PARIS, STEVE	1126 OFFSHORE DR	FAYETTEVILLE, NC 28305
MCCORMICK FARMS LIMITED PARTNERSHIP	8195 MCCORMICK BRIDGE RD	SPRING LAKE, NC 28390

P21-18 1<sup>st</sup> class



OWNER_NAME	ADDRESS	CITYSTATEZIP
COOPER, CAROLYN	3308 ANTLER DR	SPRING LAKE, NC 28390
COOPER, CAROLYN	3308 ANTLER DR	SPRING LAKE, NC 28390
NUNN, MICHAEL ALAN;NUNN, TRACY	2201 BRINKLEY DR	SPRING LAKE, NC 28390
FARROW, ZEANDREW	403 VIRGINIA DR	SPRING LAKE, NC 28390
FARROW, ZEANDREW	403 VIRGINIA DR	SPRING LAKE, NC 28390
GRAHAM, KATIE B	644 CHAPEL HILL RD	SPRING LAKE, NC 28390
CHERRY, MAYME D;WILLARD, R	215 KRISTIN AVE	SPRING LAKE, NC 28390
AXIOM CONSTRUCTION LLC	PO BOX 53326	FAYETTEVILLE, NC 28305
DAVIS CHAPEL HOLY CHURCH TRUST	0 N/A N/A	SPRING LAKE, NC 28390
DAVIS CHAPEL HOLY CHURCH TRUST	754 CHAPEL HILL RD	SPRING LAKE, NC 28390
MOORE, DARRYL C;MOORE, ANITA	311 GARNET LN	SMYRNO, DE 19977
MOORE, DARRYL C;MOORE, ANITA	311 GARNET LN	SMYRNO, DE 19977
MONROE, WILLIAM H;MONROE, LINDA	732 CHAPEL HILL RD	SPRING LAKE, NC 28390
FARROW, ZEANDREW F;FARROW, WIFE	403 VIRGINIA DR	SPRING LAKE, NC 28390
MACK, CAROLYN B.	718 CHAPEL HILL RD	SPRING LAKE, NC 28392
MACK, CAROLYN	106 RIVER OAK ST	SPRING LAKE, NC 28390
MACK, CAROLYN	718 CHAPEL HILL RD	SPRING LAKE, NC 28390
GREEN, ROSEMARY	649 CHAPEL HILL RD	SPRING LAKE, NC 28390
GOODWIN, PATRONELLA R;STAGGERS, KATIE R;LEWIS, SARAH R;RAY, HAROLD E	1345 KINGSTOWN CT	SPRING LAKE, NC 28390
BOOTH, TREENA D	659 CHAPEL HILL RD	SPRING LAKE, NC 28390
GOODWIN, PATRONELLA R;STAGGERS, KATIE R;LEWIS, SARAH R	824 IVY CV	NORCROSS, GA 30071
WEATHERS, ALFREDA	0053 SANDALWOOD DR	SPRING LAKE, NC 28390
BASS, PHYLLIS L;BASS, STONIE	463 RANDOLPH AVE	FAYETTEVILLE, NC 28311
W S WELLONS CORPORATION	PO BOX 766	SPRING LAKE, NC 28390
W S WELLONS CORPORATION	PO BOX 766	SPRING LAKE, NC 28390
DAHNIKE, WAYNE T;DAHNIKE, LYNN	35 WHITE HERON	SANFORD, NC 27330
POMROY, SANDRA J	1609 BLISS AVE	SPRING LAKE, NC 28390
ALLMAN, RALPH JAMES	1610 BLISS AVE	SPRING LAKE, NC 28390
HALL, CLIFTON W	2506 BRINKLEY DR	SPRING LAKE, NC 28390
W S WELLONS CORPORATION	PO BOX 766	SPRING LAKE, NC 28390
ALLEN, THEODORE L	1611 CRESCENT DR	SPRING LAKE, NC 28390
HASAPIS, ANGELO K;KELLEY, B	1970 LEMUEL BLACK RD	BUNNLEVEL, NC 28323
PEREZ, JOSEPH DONALD;HUMPHREY, URSULA ANNA RAY	1614 BLISS AVE	SPRING LAKE, NC 28390
W S WELLONS CORPORATION	PO BOX 766	SPRING LAKE, NC 28390
WILLIAMS, CARL J;WILLIAMS, WIFE	1613 CRESCENT DR	SPRING LAKE, NC 28390
PEREZ, JOSE C;OPAL, HARRIET	1614 BLISS AVE	SPRING LAKE, NC 28390
W S WELLONS CORPORATION	PO BOX 766	SPRING LAKE, NC 28390
GARFIELD, DAVID E	PO BOX 521	EVANS, GA 30809
SAHARA ROCK PROPERTIES LLC	757 C CLAYTON RD	ANGIER, NC 27501
SCOTT, DEBORAH C	1615 CRESCENT DR	SPRING LAKE, NC 28390
SCOTT, DEBORAH C	1615 CRESCENT DR	SPRING LAKE, NC 28390
LAYMAN, JOHN A;LAYMAN, JANET C	1621 CRESCENT DR	SPRING LAKE, NC 28390
PAUL, KYLE GRANT;PAUL, JENNIFER LYNN	310 ALASKA FRONTAGE RD	BELGRADE, MT 59714
GEIER, PETER J JR;GEIER, ALICE	1618 CRESCENT DR	SPRING LAKE, NC 28390
GEIER, PETER J;GEIER, ALICE L	1618 CRESCENT DR	SPRING LAKE, NC 28390
SCHMIDT, ELISABETH S	415 SOUTHWICK DR	FAYETTEVILLE, NC 28303
GOODWIN, BRUCE LEONARD;GOODWIN, PENNY L	1624 CRESCENT DR	SPRING LAKE, NC 28390
PETTIFORD, EDWARD;PETTIFORD, DOROTHY J	PO BOX 888	SPRING LAKE, NC 28390
CUMBERLAND COUNTY;BOYKIN, GLADYS B HEIRS	PO BOX 449	FAYETTEVILLE, NC 28302
EDWARDS, MARY M	1325 VASS RD	SPRING LAKE, NC 28390
COOPER, CAROLYN	3308 ANTLER DR	SPRING LAKE, NC 28390
COOPER, CAROLYN	3308 ANTLER DR	SPRING LAKE, NC 28390

1,100' Rad

P 21-18 3<sup>rd</sup> CLASS

CEDARWOOD ASSOCIATES	PO BOX 31827	RALEIGH, NC 27622
CEDARWOOD ASSOCIATES	PO BOX 31827	RALEIGH, NC 27622
JONES, PAUL	12387 E HARVARD DR	AURORA, CO 80014
DAVIS CHAPEL HOLY CHURCH TRUST	0 N/A N/A	SPRING LAKE, NC 28390
MOORE, TASHA	1430 ELMA ST	SPRING LAKE, NC 28390
MCLEAN, STEPHANIE DENISE HEIRS	810 MCLAMB CT 4	SPRING LAKE, NC 28390
JACKSON, CHRISTINE HEIRS	117 WEATHERSTONE DR 202	FAYETTEVILLE, NC 28311
DAVIS, BETTY A	715 CHAPEL HILL RD	SPRING LAKE, NC 28390
HENDERSON, FLORENCE	P O BOX 179	SPRING LAKE, NC 28390
HENDERSON, FLORENCE	PO BOX 179	SPRING LAKE, NC 28390
KING, DANNIE JR;KING, WIFE	737 CHAPEL HILL RD	SPRING LAKE, NC 28390
DAVIS, MICHAEL R	721 CHAPEL HILL RD	SPRING LAKE, NC 28390
NC DEPT OF TRANSPORTATION	1546 MAIL SERVICE CTR	RALEIGH, NC 27699
KING, ANTHONY TERRANCE;KING, KARREN LOVETT	81 RIDGECREST RD	CAMERON, NC 28326
STORESMART, SPRING LAKE LP	1146 CANTON ST	ROSWELL, GA 30075
HARVEY, NATHANIEL;SHUMPERT, W	10 W 135TH ST 2N	NEW YORK, NY 10037
LEHR, DANA L;LEHR, FRED A M	504 LYNWOOD AVE	CHURCHILL, TN 37642
CEDARWOOD ASSOCIATES	PO BOX 31827	RALEIGH, NC 27622
CEDARWOOD ASSOCIATES	PO BOX 31827	RALEIGH, NC 27622
LEWIS, SARAH R	1340 KINGTOWN CT	SPRING LAKE, NC 28390
JACKSON, WILLIE (HEIRS)	1906 ALATHEA LN	BOWIE, MD 20716
OATES, ADRIANNE	1320 KINGSTOWN CT	SPRING LAKE, NC 28390
WELLONS, FLORENCE C HEIRS	PO BOX 766	SPRING LAKE, NC 28390
BBC ENTERPRISES	P O BOX 766	SPRING LAKE, NC 28390
WELLONS, FLORENCE C HEIRS	PO BOX 766	SPRING LAKE, NC 28390
BBC ENTERPRISES	PO BOX 766	SPRING LAKE, NC 28390
WELLONS, FLORENCE C HEIRS	PO BOX 766	SPRING LAKE, NC 28390
WELLONS, FLORENCE C HEIRS	PO BOX 766	SPRING LAKE, NC 28390
BRAZELL, RUBY UNDERWOOD	1337 LILLINGTON HWY	SPRING LAKE, NC 28390
LAKEHURST SL APARTMENTS LLC	2040 EWALL ST	MOUNT PLEASANT, SC 29464
GOINES, CHRISTOPHER J.	164 HIGH HILL ROAD	JACKSONVILLE, NC 28540
PLANTATION REALTY CO LLC	PO BOX 31827	RALEIGH, NC 27622
VICTORY CHAPEL OF SPRING LAKE INC	1106 LILLINGTON HWY	SPRING LAKE, NC 28390
HINKLE, JAMES WOODROW	1212 LILLINGTON HWY	SPRING LAKE, NC 28390
HINKLE, JAMES WOODROW	1212 LILLINGTON HWY	SPRING LAKE, NC 28390
SPEAS, ANNIE C HEIRS	5264 PALA VERDE DR	FAYETTEVILLE, NC 28304
HINKLE, JAMES WOODROW	1212 LILLINGTON HWY	SPRING LAKE, NC 28390
HINKLE, JAMES WOODROW	1212 LILLINGTON HWY	SPRING LAKE, NC 28390
W C D C INC	PO BOX 766	SPRING LAKE, NC 28390
HINKLE, JAMES WOODROW	1212 LILLINGTON HWY	SPRING LAKE, NC 28390
B B C PARTNERSHIP	P O BOX 766	SPRING LAKE, NC 28390
TURLINGTON, DOLORES;TURLINGTON, TODD	3669 BUTLER NURSERY RD	FAYETTEVILLE, NC 28306
HINKLE, JAMES WOODROW	1212 LILLINGTON HWY	SPRING LAKE, NC 28390
TURLINGTON, DOLORES;TURLINGTON, TODD	3669 BUTLER NURSERY RD	FAYETTEVILLE, NC 28306
GAINNEY, MARK	10234 RAMSEY ST	LINDEN, NC 28356
GAINNEY, MARK	10234 RAMSEY ST	LINDEN, NC 28356
WALLACE, LULA M	920 ROSSER RD	SPRING LAKE, NC 28390
GAINNEY PROPERTIES LLC	10234 RAMSEY ST	LINDEN, NC 28356
WALLACE, LULA M	920 ROSSER RD	SPRING LAKE, NC 28390
BROWN, DONNA LANGLEY;LANGLEY, WILLIAM;LANGLEY, DONNA JANE;LANGLEY, JOHN;	1011 ROSSER RD	SPRING LAKE, NC 28390
GAINNEY PROPERTIES LLC	10234 RAMSEY ST	LINDEN, NC 28356
GAINNEY PROPERTIES LLC	10234 RAMSEY ST	LINDEN, NC 28356
GAINNEY PROPERTIES LLC	10234 RAMSEY ST	LINDEN, NC 28356

1,100' Rad

P21-18 3<sup>rd</sup> class



PARIS, STEVE	1126 OFFSHORE DR	FAYETTEVILLE, NC 28305
BROWN, DONNA LANGLEY;LANGLEY, WILLIAM;LANGLEY, DONNA JANE;LANGLEY, JOHN;	1011 ROSSER RD	SPRING LAKE, NC 28390
PLANTATION REALTY CO LLC	PO BOX 31827	RALEIGH, NC 27622
W S WELLONS CORPORATION	PO BOX 766	SPRING LAKE, NC 28390
MCCOY, GABRIELLE ANDERSON	1609 HOLLOWAY STREET	SPRING LAKE, NC 28390
FERRELL, GEORGE G	PO BOX 95	SPRING LAKE, NC 28390
DANIELS, GLORIA;DANIELS, RICHARD	1611 HOLLOWAY ST	SPRING LAKE, NC 28390
RICHTER, RODNEY F;RICHTER, MAUREEN E	1701 HOLLOWAY ST	SPRING LAKE, NC 28390
HINKLE, WOODROW W;HINKLE, LAUNA A	1212 LILLINGTON HWY	SPRING LAKE, NC 28390
TEDDYWBC LLC;PARIS, STEVE	1126 OFFSHORE DR	FAYETTEVILLE, NC 28305
BROWN, TINA RENEE	1007 ROSSER RD	SPRING LAKE, NC 28390
BROWN, DONNA LANGLEY;BROWN, BOBBY G	1011 ROSSER RD	SPRING LAKE, NC 28390
ROBERTS, DAVID;ROBERTS, SONYA BROWN	844 WHEELLESS RD	SPRING LAKE, NC 28390
BROWN, DONNA LANGLEY;LANGLEY, WILLIAM;LANGLEY, DONNA JANE;LANGLEY, JOHN;	1011 ROSSER RD	SPRING LAKE, NC 28390
FOX, ROBERT	1703 HOLLOWAY DR	SPRING LAKE, NC 28390
MCCORMICK FARMS LIMITED PARTNERSHIP	8195 MCCORMICK BRIDGE RD	SPRING LAKE, NC 28390

1,100' Rad

P21-19 3rd class

### EXPLANATION OF THE REQUEST

This is a request for rezoning of one parcel located on the northeast side of N Main Street from R10 Residential to C(P) Planned Commercial/CZ Conditional Zoning for restaurants and retail. As this is a conditional rezoning, all ordinance related conditions included in packet shall apply.

### OWNER/APPLICANT

**OWNER/APPLICANT:** Joseph P. Riddle III and Trina T. Riddle (owners) and Lori S. Epler on behalf of Larry King & Associates (agent)

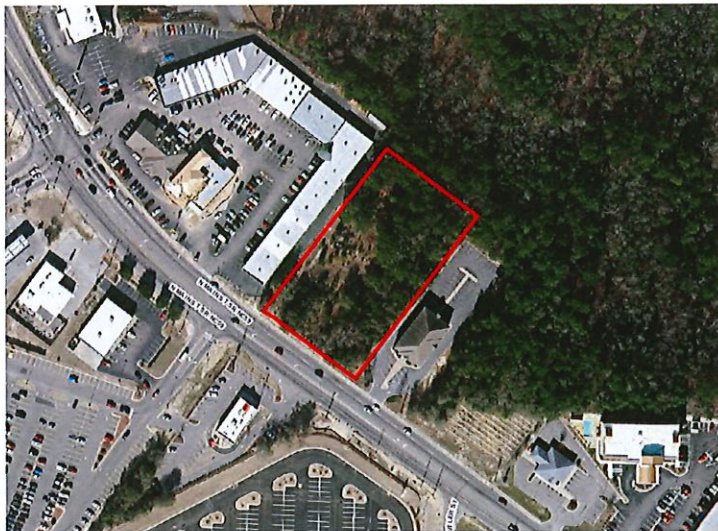
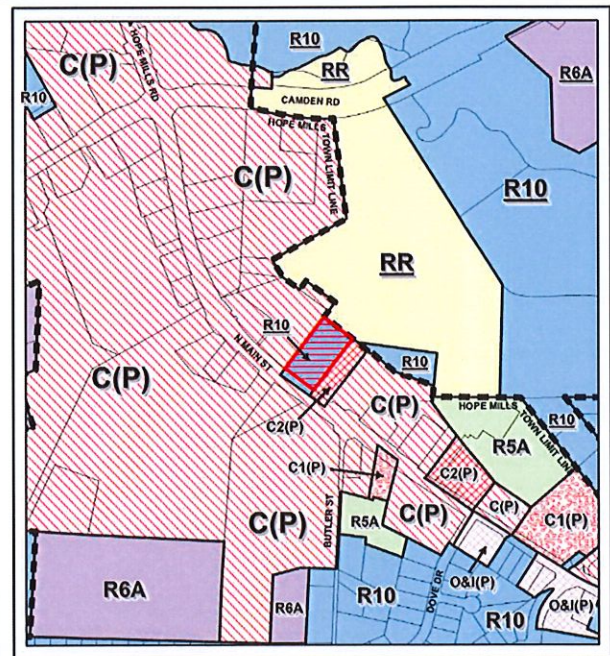
### PROPERTY INFORMATION

**ADDRESS/LOCATION:** Northeast side of SR NC 59 (N Main Street), south of SR 1003 (Camden Road); more specifically of REID 0414184334000.

**SIZE:** This request includes one parcel totaling approximately 1.79 acres. The property has 207'+/- of street frontage along N. Main St. The property is 373'+/- in depth.

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

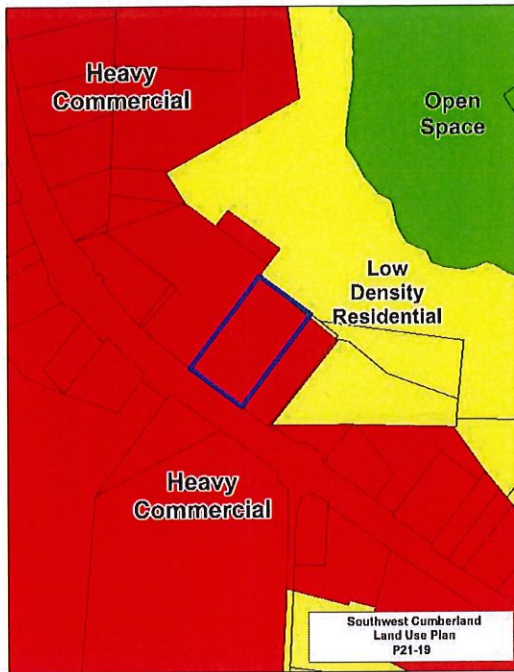
**OTHER SITE CHARACTERISTICS:** The property is not located within the watershed or the Special Flood Hazard Area. There are no soil limitations to development on the property.



**DEVELOPMENT REVIEW:** This lot was originally a 2 acre tract created by deed in 1950 (Bk. 562, 243), subdivided in 1971 (Bk. 2288, Pg. 258) & 1978 (Bk. 2644, Pg. 245) and then recombined in 2019 (Bk. 10644, Pg. 665). A recombination plat will need to be recorded prior to permits being issued for this parcel.

**SURROUNDING LAND USE:** Predominant uses surrounding the subject site include Strip malls, offices, restaurants, a bank, shopping centers, motor vehicle parts and accessories sales, real estate company, a hotel, a bar and night club and pawn shop in the surrounding areas.





**ZONING HISTORY:** The property was initially zoned R10 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 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 this parcel as "Heavy Commercial". The "Heavy Commercial" designation is designed to provide for shopping needs of the immediate neighborhood and traveling public and is usually located at major intersections. **Request is plan compliant.**

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

**TRAFFIC:** The subject property sits on North Main Street and is identified as a thoroughfare needing improvement 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 N. Main Street is 30,500.

\*Please note that this roadway has been identified in previous prioritization, but no funding has been awarded.

**SCHOOLS CAP/ENROLL:** C. Wayne Collier Elementary: 600/442; Hope Mills Middle: 740/508; South View High: 1800/1400

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

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

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

**SITE PLAN:** Exhibit "A" provides the required Conditional Zoning site plan, which accommodates a 9,450 sq. ft. retail commercial building. Approximately 2,500 sq. ft. of the retail building is allocated to a quick serve restaurant with a drive-through service window.

Minimum Setbacks: Front – 50 ft.; Side – 30 ft.; rear – 30 ft.

Parking: Required- 41 spaces; Provided – 71 spaces

Drive-through service Lane Stacking Volume: 17 cars

Bufferyard widths: (approx.): front yard – 2 to 5 ft.; west – 7 ft.; east – 5 ft.; rear 15 ft.

Landscaping: Bufferyards and landscaping appear to meet the intent of the code at the rear and side yards. Regarding the Streetscape Landscaping at the front yard along N. Main Street, Section 102.N.2.a. calls for a minimum of four canopy trees (or three ornamental trees per canopy tree) but only one is provided in the front yard setback area. Further, Section 102.N.2.b. (last sentence) supports a bufferyard with sufficient area to accommodate trees and plantings. The streetscape buffer area is five feet or less and is limited to a width of two feet at some points. Thus, the streetscape plan does not meet the general intent of the Hope Mills landscape code. County planning staff suggested, but the applicant did not concur, that the missing streetscape trees, or rather ornamental trees, be

relocated to the west side yard bufferyard. Such plantings will also help serve to screen the rear area of the adjacent shopping plaza from view from the public street and from the drive-thru lane.

#### STAFF RECOMMENDATION

In Case P21-19, the Planning & Inspections staff **recommends approval** of the rezoning request from R10 Residential to C(P) Planned Commercial/CZ Conditional Zoning for restaurants and retail and finds the request consistent with the Southwest Cumberland Land Use Plan (2013) designation of "Heavy Commercial" as it allows for shopping needs of the immediate neighborhood and traveling public C(P) is designated as "Heavy Commercial" within the Land Use Policies Plan (2009). Approval of the request is reasonable and in the public interest as it will restrict the property to the restaurant and retail uses and pursuant to the Ordinance-Related Conditions. The request is in harmony with non-residential zoning in the surrounding area.

Attachments:

Site Plan (Also see Exhibit "A" of the Conditions of Approval)

Conditions of Approval

Zoning Application

Notification Mailing List



## **C(P) PLANNED COMMERCIAL/CZ CONDITIONAL ZONING DISTRICT**

**DRAFT**

### **Ordinance Related Conditions For restaurants and retail**

#### **Revision Required:**

1. If changes occur to the site plan (Exhibit "A") at the adoption hearing, three copies of a revised site plan and a \$50.00 revision fee is required to be submitted to the Current Planning Section prior to the further processing of this plat/plan. If no changes are required at the adoption hearing, this revised site plan must be provided prior to building permit/plat approval. The following must be addressed on the final site plan or plat:
  - a. A concrete, or other approved surface material, sidewalk is required to be constructed along N. Main Street (NC Hwy 59) (Section 86A-405(a)(3), Sidewalks, Hope Mills Subdivision Ordinance).  
**Note:** An ADA crosswalk may be required to connect the sidewalk along SR NC 59 to the front of the building.
  - b. A minimum of 1 off-street loading spaces(s) measuring 12' x 25' with 14' overhead clearance must be provided for the retail/restaurant area. (Note: Three copies of a revised site plan depicting the required loading space(s) must be submitted and approved prior to application for any building/zoning permits.) (Section 102A-1303 Off-street loading, Hope Mills Zoning Ordinance.)

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

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. Connection to public water and sewer is required, the Public Works Commission (PWC) must approve water and sewer plans prior to application for any permits. A copy of the PWC approval must be provided to the Hope Mills Inspections Department/Planning Department at the time of application for building/zoning permits. (Section 86A-406 (1), Public Water and Sewer Systems Hope Mills Subdivision Ordinance)
6. 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.
7. 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.



8. 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.
9. Landscaping must be provided in accordance with Section 102A-1202(n), Landscaping, Hope Mills Zoning Ordinance and as appear in the site plan appearing in Exhibit "A". If any inconsistency occurs in the landscaping and bufferyards appearing in Exhibit "A" (site plan) and the Hope Mills Zoning Ordinance, Exhibit "A" shall supersede. In the event that overhead powerlines can be impacted by the canopy trees at maturity, the final site plan shall use small ornamental trees instead of canopy trees. Required plant materials shall be maintained by the property owner, including replacing dead or unhealthy trees and shrubs. All yard and planting areas shall be maintained in a neat, orderly, and presentable manner and kept free of weeds and debris.
10. A Certificate of Occupancy will not be issued until the Hope Mills Stormwater Department inspects the site and certifies that it has been developed in accordance with the approved drainage plans.
11. A *Certificate of Occupancy* will not be issued until the Town Planner inspects the site and certifies that the site is developed in accordance with the approved plans and conditions set forth herein.
12. 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:**

13. All uses, dimensions, setbacks and other related provisions of the Hope Mills Subdivision Ordinance and Zoning Ordinance for the C(P) zoning district must be complied with, as applicable. If any inconsistency occurs between the Hope Mills Subdivision Ordinance and Zoning Ordinance and the Exhibit "A" site plan, Exhibit "A" shall supersede.
14. This conditional approval is not approval of any freestanding signs. Attached signage for this development must be in accordance with the applicable sign regulations as set forth in Article XIV of the Hope Mills Zoning Ordinance and that the proper permit(s) must be obtained prior to the installation of any permanent signs on the property. (Note: This conditional approval is not approval of the size, shape, or location of any signs.)
15. "N. Main St. HWY 59 – HOPE MILLS ROAD" must be labeled as "SR NC 59 (N. Main St.)" on all future plans.
16. 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)
17. A concrete, or other approved surface material, sidewalks are required to be constructed along both sides of all streets, to include along SR NC 59. (Section 86A-405(a)(3), Sidewalks, Hope Mills Subdivision Ordinance)  
**Note: An ADA crosswalk may be required to connect the sidewalk along SR NC 59 to the front of the buildings.**
18. 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.

19. 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)
20. The owner/developer shall secure and maintain the detention/retention basin, keeping it clear of debris and taking measures for the prevention of insect and rodent infestation.
21. 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.**

22. 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.
23. A solid buffer must be provided and maintained along the rear and side property lines where this tract/site abuts Rural Residential 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.) The parcel north of the subject site is assigned an RR zoning category at the time of the C(P)/CZ zoning application was submitted. The site plan appearing in Exhibit “A” shows a six foot high opaque fence abutting the existing RR zoning district.
24. All dumpster, garbage, and utility areas shall be located on concrete pads and screened on a minimum of three sides.
25. 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. A minimum of 41 off-street parking spaces is required for this development. (Section 102A-1302, Off-street parking, Hope Mills Zoning Ordinance.)
26. A minimum of one (1) off-street loading spaces(s) measuring 12’ x 25’ with 14’ overhead clearance must be provided for the retail/restaurants area. (Note: Three copies of a revised site plan depicting the required loading space(s) must be submitted and approved prior to application for any building/zoning permits.) (Section 102A-1303 Off-street loading, Hope Mills Zoning Ordinance.)
27. The owner/developer is responsible and liable for maintenance and upkeep of this site, all structures, and appurtenances, to include ensuring that the site is kept free of litter and debris, all grass areas mowed, all buffers and shrubbery kept trim and maintained, so that the site remains in a constant state of being aesthetically and environmentally pleasing.
28. 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.
29. Use and development of the subject site shall occur consistent with the site plan appearing in Exhibit “A” and according to the development conditions set forth herein.

**Plat-Related:**

30. “N. Main St. HWY 59 – HOPE MILLS ROAD” be labeled as “SR NC 59 (N. Main St.)” on the final plat.
31. Any/All easements must be reflected on the final plat and labeled as to type of easement, reference number for document creating the easement, and the name of the agency, individual, etc. who holds the easement.
32. For public safety purposes, adequate sight distance must be provided at driveway intersection with SR NC 59 (N. Main St.), predetermined by the applicant’s licensed engineer and per NCDOT standards.
33. The NC Department of Transportation (NCDOT) stamp must be affixed to the final 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.**

34. The notarized signature(s) of all current tax record owner(s) and notary certifications appear on the final plat when submitted for final approval. (Section 86A-603(d), Certificate of Ownership and Dedication, Hope Mills Subdivision Ordinance)
35. The developer is reminded that the improvements must be in place or that final plat approval will only be granted in accordance with Section 86A-602 (b), (c) or (d), Final Plat – Guarantees of Improvements, Hope Mills Subdivision Ordinance. (Note: Once the improvements are in place, the developer is responsible for contacting Hope Mills Street, Planning and Inspections Departments to schedule an inspection of the improvements.)
36. The final plat must be submitted to the Current Planning Section for review and approval for recording with the County Register of Deeds, and the plat must be recorded prior to any permit application for any structure and/or prior to the sale of any lot or unit within this development.
37. 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:**

38. All structures shall be shown on the final plat or the final plat shall reflect the following statement:

“Nonconforming structures have not been created by this subdivision.”

**Advisories:**

39. The subject property lies on N Main Street which is identified as a thoroughfare needing improvement in the 2045 Metropolitan Transportation Plan. Applicant has noted on the site plan in Exhibit “A” that NCDOT has requested a right-of-way dedication along N Main Street.
40. The applicant is advised to consult an expert on wetlands before proceeding with any development.
41. 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.
42. 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.
43. 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.
44. The US Postal Service most likely will require this development to have centralized cluster boxes for postal service to each lot or unit. The developer is advised contact the US Postal Growth Coordinator for the Mid-Carolinas District to determine the appropriate location for the cluster boxes. If the cluster box location requires changes to the subdivision or site plan, a revised preliminary/plan must be submitted to the Planning & Inspections Department for review and approval.

**Other Relevant Conditions:**

45. This conditional approval is contingent upon continued compliance with the Town’s Subdivision and Zoning Ordinances and the conditions set forth in the Ordinance-Related Conditions.

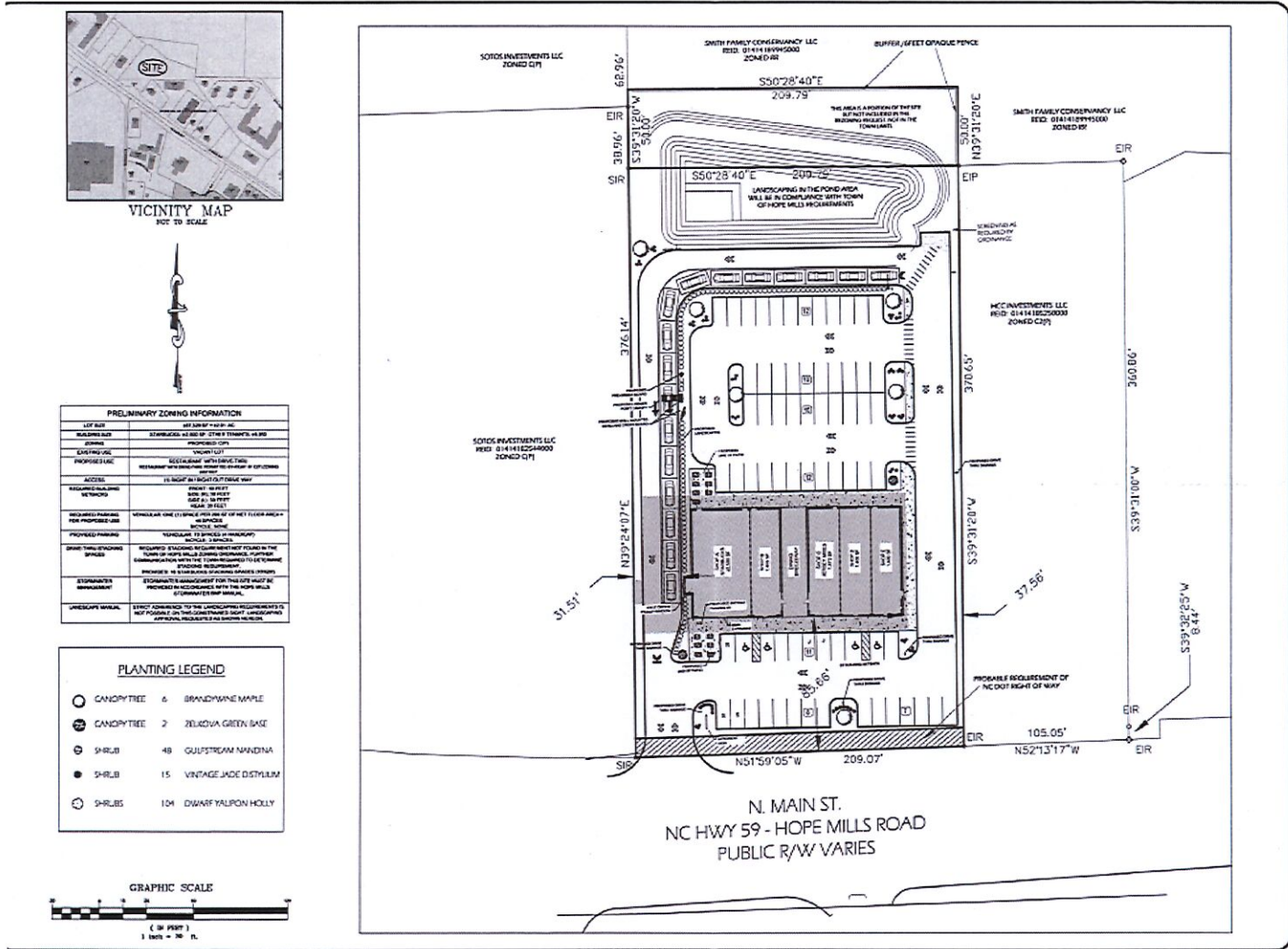


**If you need clarification of any conditions, please contact Jaimie Walters at 910-678-7609 or David Moon at 910-678-7605; otherwise, contact the appropriate agency at the contact numbers below.**

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>
County Health Department:	Fred Thomas	433-3692	<a href="mailto:ftomas@co.cumberland.nc.us">ftomas@co.cumberland.nc.us</a>
Food & Lodging Env. Health:	Fred Thomas	433-3692	<a href="mailto:ftomas@co.cumberland.nc.us">ftomas@co.cumberland.nc.us</a>
Ground Water Issues:	Fred Thomas	433-3692	<a href="mailto:ftomas@co.cumberland.nc.us">ftomas@co.cumberland.nc.us</a>
PWC:	Joe Glass	223-4740	<a href="mailto:joe.glass@faypwc.com">joe.glass@faypwc.com</a>
	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>
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>
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	678-6102	<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:	Katrina Evans	678 7614	<a href="mailto:kevans@co.cumberland.nc.us">kevans@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.



**Larry King & Associates, R.L.S., P.A.**  
ENGINEERING - SURVEYING - DESIGNING - DRAFTING  
P.O. Box 53787  
1333 Morganton Road, Suite 201  
Fayetteville, North Carolina 28305  
P. (910) 483-4300 F. (910) 483-4052  
NC Firm License C-0887  
www.lkanda.com

**Owner:**  
RIDDLE COMMERCIAL PROPERTIES  
CONTACT: (910) 664-1131

**Project:**  
SHOPS ON MAIN  
HOPE MILLS ROAD  
HOPE MILLS  
NC

tax id #: 204118431400  
township: Hope Mills  
county: Cumberland  
state: NC  
job no.: P19-055  
date: 02/04/2021  
drawn by: LSE  
survey by: r/a  
checked by: r/a

**PRELIMINARY DO NOT USE FOR CONSTRUCTION**  
THIS DRAWING HAS NOT BEEN REVIEWED BY ANY GOVERNMENTAL AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT OR OTHER REGULATIONS.

EXHIBIT 'A'  
P21-19 Commercial/CZ Zoning Site Plan



**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 JOSEPH P. RIDDLE, III AND TRINA T. RIDDLE
2. Address: 4200 MORGANTON RD, SUITE 150, FAYETTEVILLE Zip Code 28314
3. Telephone: (Home) 910.850.3207 (Work) 910.864.3135
4. Location of Property: 3069 N. MAIN STREET, HOPE MILLS, NC
5. Parcel Identification Number (PIN #) of subject property: 0414184334000  
(also known as Tax ID Number or Property Tax ID)  
TOTAL SITE IS 2.01 AC
6. Acreage: REZONE AREA 1.77 AC Frontage: 209 Depth: 370+/-
7. Water Provider: PWC Septage Provider: PWC
8. Deed Book 10644, Page(s) 665, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: VACANT
10. Proposed use(s) of the property: RETAIL/RESTAURANT/SHOPS

**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 X
12. Has a violation been issued on this property? Yes \_\_\_\_\_ No X
13. It is requested that the foregoing property be rezoned FROM: R10

TO: (Select one)

- X \_\_\_\_\_ Conditional Zoning District, with an underlying zoning district of C(P)  
(Article V)
- \_\_\_\_\_ Mixed Use District/Conditional Zoning District (Article VI)
- \_\_\_\_\_ Planned Neighborhood District/Conditional Zoning District (Article VII)
- \_\_\_\_\_ Density Development/Conditional Zoning District, at the \_\_\_\_\_ Density

(Article VIII)

APPLICATION FOR  
CONDITIONAL ZONING

1. PROPOSED USE(S):

- A. List the use(s) proposed for the Conditional Zoning. (Use of the underlying district will be restricted only to the use(s) specified in this application if approved.) THOSE USES ALLOWED IN C(P) EXCEPT THE FOLLOWING:

AUCTION SALES	MINI-WAREHOUSING (INCLUDING OUTSIDE)
BARS AND NIGHTCLUBS	MOTOR VEHICLE REPAIR
DRY CLEANING/ LAUNDRY (COMMERCIAL)	MOTOR VEHICLE SALES

- 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.

1.5 AC COMMERCIAL  
0.27 AC POND/OPEN SPACE

2. DIMENSIONAL REQUIREMENTS:

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

SETBACKS:  
FRONT - 50 FEET  
SIDE - 30 FEET  
REAR - 30 FEET

- 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.

PROPOSED PARKING - 70 PAVED SPACES

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Article XIV.

THERE WILL BE ATTACHED ANSIGNS AND A FREESTANDING SIGN FOR THIS DEVELOPMENT.  
ALL WILL BE IN COMPLIANCE WITH THE CURRENT ORDINANCE.



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 THE PLAN ATTACHED..

- 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.**

A SIX FEET HIGH OPAQUE FENCE SHALL BE INSTALLED ALONG RESIDENTIALLY PROPERTY LINES.

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.

NUMBER OF EMPLOYEES AND HOURS OF OPERATION WILL VARY DEPENDING ON TENNANTS.

LIGHTING WILL BE STANDARD AND DIRECTED AWAY FROM RESIDENTIAL PROPERTIES.

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.

JOSEPH P. RIDDLE III AND TRINA T. RIDDLE

NAME OF OWNER(S) (PRINT OR TYPE)

4200 MORGANTON ROAD, SUITE 150, FAYETTEVILLE, NC 28314

ADDRESS OF OWNER(S)

RIDDLECOMMERCIAL@AOL.COM

E-MAIL

910.850.3207 (CELL)

HOME TELEPHONE

910.864.3135

WORK TELEPHONE

  
SIGNATURE OF OWNER(S)

  
SIGNATURE OF OWNER(S)

LORI EPLER OF LARRY KING & ASSOCIATES, RLS, PA

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

PO BOX 53787 FAYETTEVILLE, NC 28305

ADDRESS OF AGENT, ATTORNEY, APPLICANT

910.483.4300

HOME TELEPHONE

910.483.4300

WORK TELEPHONE

LEPLER@LKANDA.COM

910.483.4052



E-MAIL ADDRESS

FAX NUMBER

*Louis P. Esler*

SIGNATURE OF AGENT, ATTORNEY, OR APPLICANT

- \* **ALL record property owners must sign this petition.**
- \* **The contents of this application, upon submission, becomes "public record."**

OWNER_NAME	ADDRESS	CITYSTATEZIP
RIDDLE, JOSEPH P. III;RIDDLE, TRINA T.	4200 MORGANTON RD	FAYETTEVILLE, NC 28314
LOWES HOME CENTERS INC ATTN: TAX DEPT	1000 LOWES BLV	MOORESVILLE, NC 28117
WG HOPE MILLS LLC	PO BOX 397	SEELEY LAKE, MT 59868
SOTOS INVESTMENTS LLC	3057 N MAIN ST	HOPE MILLS, NC 28348
WAL-MART REAL ESTATE BUSINESS TRUST (#2929)	PO BOX 8050	BENTONVILLE, AR 72712
SMITH FAMILY CONSERVANCY LLC	5301 CAMDEN RD	FAYETTEVILLE, NC 28306
HCC INVESTMENTS LLC	3077 N MAIN ST 201	HOPE MILLS, NC 28348
SMITH FAMILY CONSERVANCY LLC	5301 CAMDEN RD	FAYETTEVILLE, NC 28306

P21-19 1<sup>st</sup> class



OWNER_NAME	ADDRESS	CITYSTATEZIP
RIDDLE, JOSEPH P. III;RIDDLE, TRINA T.	4200 MORGANTON RD	FAYETTEVILLE, NC 28314
LOWES HOME CENTERS INC ATTN: TAX DEPT	1000 LOWES BLV	MOORESVILLE, NC 28117
ROBERTS, CHRISTOPHER G;ROBERTS, TAMMY	3102 N MAIN ST	HOPE MILLS, NC 28348
FRANGAKIS, THOMAS J;FRANGAKIS, MARINA P	502 LENNOX DR	FAYETTEVILLE, NC 28303
UNITED BANK	11185 FAIRFAX BLVD	FAIRFAX, VA 22030
INTERNATIONAL LODGING LLC	PO BOX 277	ROCKINGHAM, NC 28380
LEF LLC	201 WOODSAGE CIR	FAYETTEVILLE, NC 28303
SOTOS INV LLC	430 DWIREWOOD DR	FAYETTEVILLE, NC 28303
FRANGOS, LOUIS TRUSTEE	430 DWIREWOOD DR	FAYETTEVILLE, NC 28303
WG HOPE MILLS LLC	PO BOX 397	SEELEY LAKE, MT 59868
SOTOS INVESTMENTS LLC	430 DWIREWOOD DR	FAYETTEVILLE, NC 28303
SOTOS INVESTMENTS LLC	3057 N MAIN ST	HOPE MILLS, NC 28348
WAL-MART REAL ESTATE BUSINESS TRUST (#2929)	PO BOX 8050	BENTONVILLE, AR 72712
VILLAGE COMPANY LLC	PO BOX 31827	RALEIGH, NC 27622
MURPHY OIL USA INC	200 E. PEACH ST	EL DORADO, AR 71730
TTM PROPERTIES LLC	619 FRANKLIN ST	CHAPEL HILL, NC 27514
ELIAS INVESTMENTS LLC	201 WOODSAGE CIR	FAYETTEVILLE, NC 28303
WH CAPITAL LLC	5986 FINANCIAL DR	NORCROSS, GA 30071
AUTOZONE INC	PO BOX 2198	MEMPHIS, TN 38101
FRANGOS, SOTERIA	430 DWIREWOOD DR	FAYETTEVILLE, NC 28303
SMITH FAMILY CONSERVANCY LLC	5301 CAMDEN RD	FAYETTEVILLE, NC 28306
HCC INVESTMENTS LLC	3077 N MAIN ST 201	HOPE MILLS, NC 28348
CARROLL & RIDDLE LLC	4200 MORGANTON RD STE 150	FAYETTEVILLE, NC 28303
CARROLL FAMILY HOPE MILLS LLC	238 N MCPHERSON CHURCH RD	FAYETTEVILLE, NC 28303
SMITH FAMILY CONSERVANCY LLC	5301 CAMDEN RD	FAYETTEVILLE, NC 28306
SMITH FAMILY CONSERVANCY LLC	5301 CAMDEN RD	FAYETTEVILLE, NC 28306
SEVEN SEAS HOSPITALITY DEVELOPMENT LLC;HALL, ROGER F JR;I	PO BOX 277	ROCKINGHAM, NC 28380
PINE CHASE LLC	1004 BULLARD CT	RALEIGH, NC 27615

600' RAD

P21-19 3<sup>rd</sup> 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)

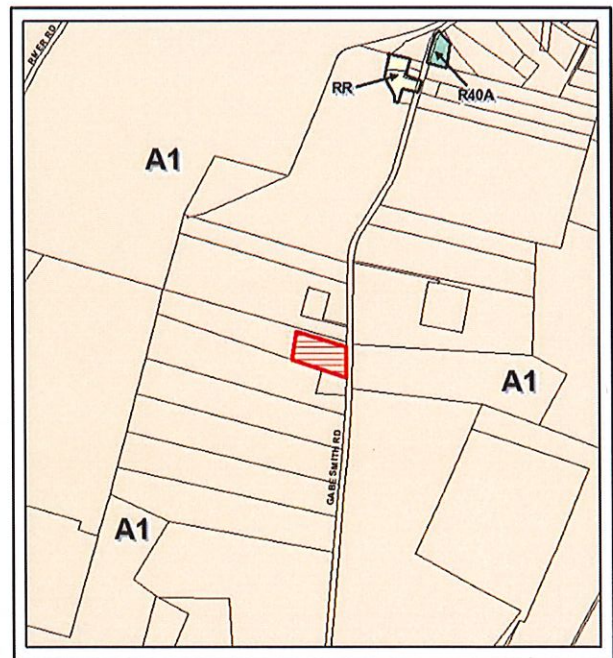
PROPERTY INFORMATION

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.

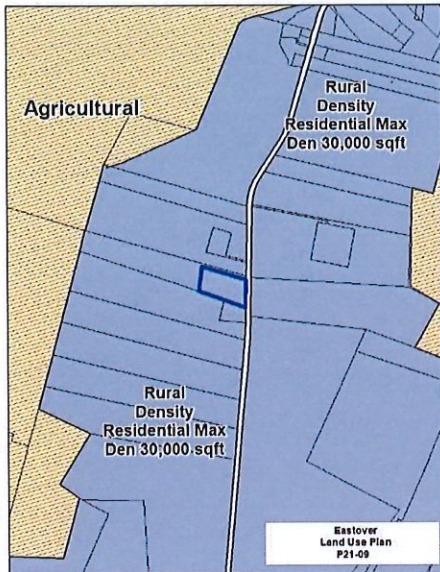
OTHER SITE CHARACTERISTICS: The property is located within the watershed but is not located in the Special Flood Hazard Area. There are some hydric soils on the property.



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)

Acreage: 4.97 Frontage: 366' Depth: 650'

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

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 #

(910) 624-0132  
WORK TELEPHONE #

Show npro @ net zero . 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

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

Planning Board Meeting: March 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. The property owner has a deeded easement (Deed Book 10966, Pages 384-387) to access the lot.

### OWNER/APPLICANT

OWNER/APPLICANT: Terrone Street (owner)

### PROPERTY INFORMATION

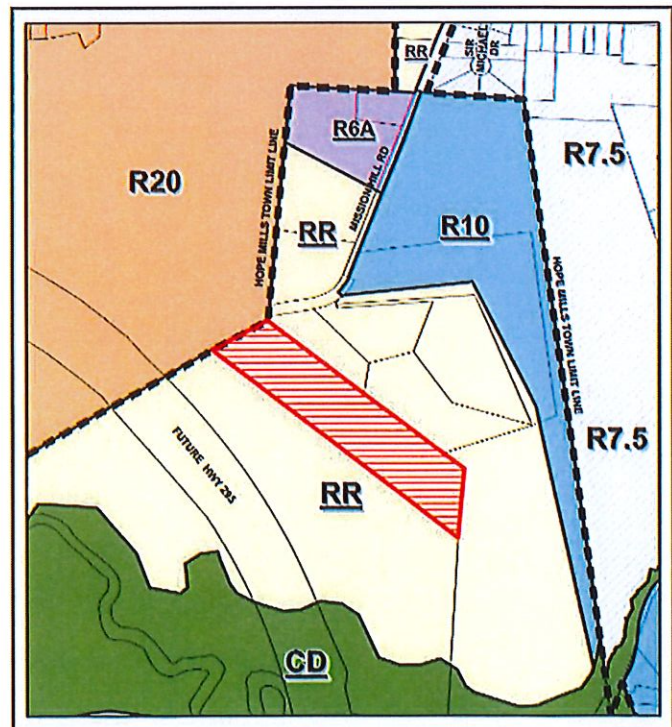
ADDRESS/LOCATION: 4061 Mission Hill Rd;  
more specifically REID 0404117160000

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**

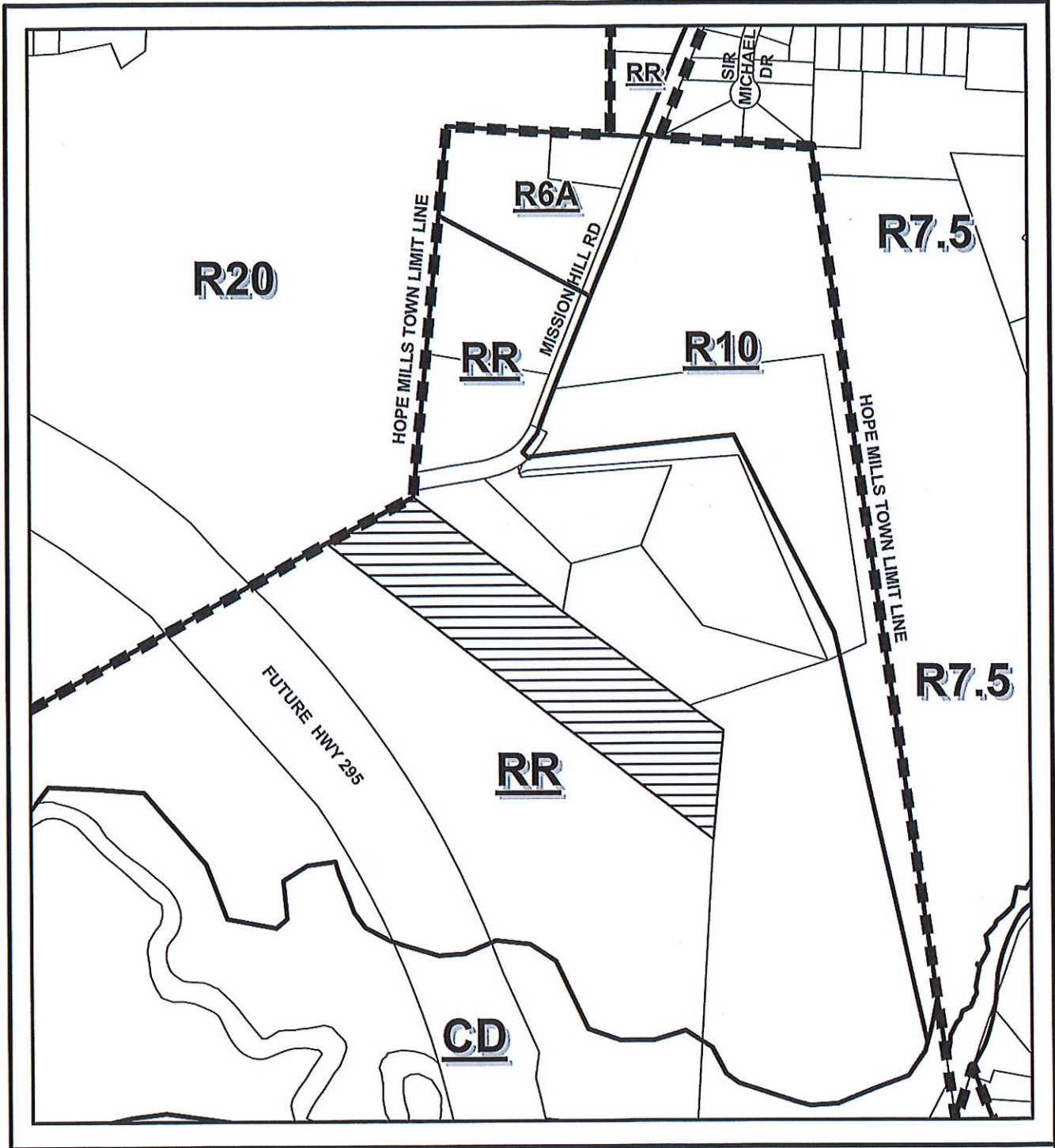
**SECTION 2601. WAIVERS (VARIANCES)**

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



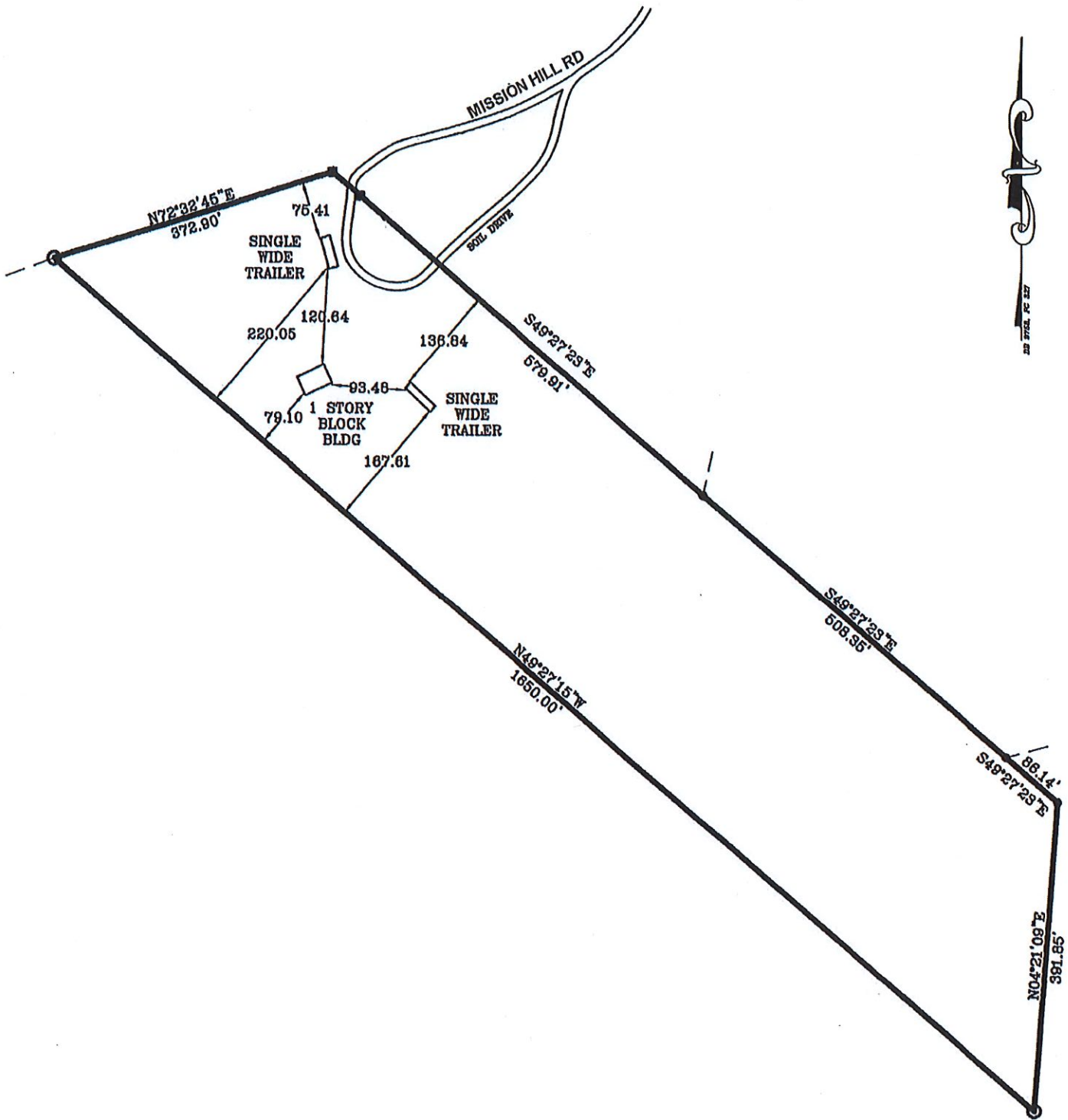
## COUNTY SUBDIVISION ORDINANCE WAIVER

<b>ACREAGE: 10.00 AC. +/-</b>		<b>HEARING NO: 20-151</b>
<b>ORDINANCE: COUNTY</b>	<b>HEARING DATE</b>	<b>ACTION</b>
<b>STAFF RECOMMENDATION</b>		
<b>PLANNING BOARD</b>		
<b>GOVERNING BOARD</b>		

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. Munde Estates LLC  
ADDRESS: 4061 Mission Hill Rd ZIP CODE: 28348  
TELEPHONE: HOME 703-926-4400 WORK \_\_\_\_\_  
AGENT: Terrone 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  
Property owner(s) signature(s)

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

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

703-926-4400  
Telephone number

Alternative telephone number

Tshreeky4@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

Nildita 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

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.

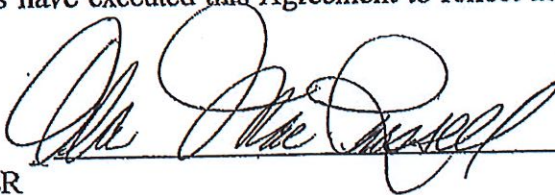
And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons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

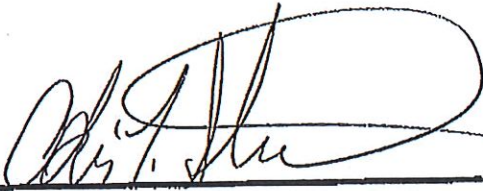
\_\_\_\_\_  
ESTER STREET, MEMBER



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)

Odin 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)  
Odin 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

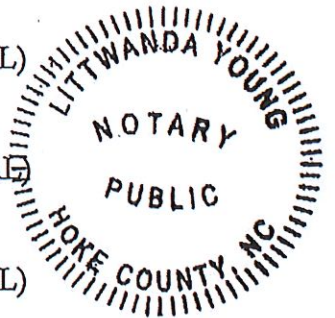
*Wayne Street* \_\_\_\_\_(SEAL)

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

*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)  
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)

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 Toscanini* \_\_\_\_\_(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

Terrance L. Street

Georgia F. Street (SEAL)

Georgia F. Street

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

Jealous Street

Jeremiah Street (SEAL)

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

Pricilla Street

Antonia Street (SEAL)

Nikita Street

Olivia Street (SEAL)

Cheryl Street

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

Nina Street



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

Georgia Street

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

Aloni Street

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

Jeremiah Street

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

Priscilla Street

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

Nikita Street

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

Cheryl Street

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

Nina Street

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

STATE OF New Jersey  
Gloucester COUNTY

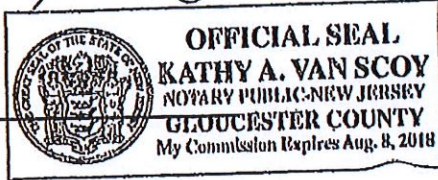
I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

*Ola Mae Russell*  
Ola Mae Russell

This the 30th 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:

Elyah D. Street Christ. Street  
Oth Street and Donnell Street

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

[Signature]  
Notary

Yira E. Negrón  
or Print Name

Type

My Commission Expires:

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



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\*\*\*\*\*

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

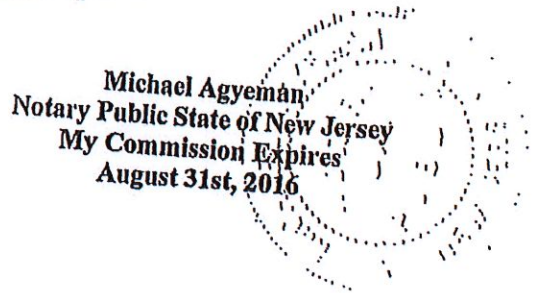
This the 26<sup>th</sup> day of September, 2015.

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

MICHAEL AGYEMAN  
or Print Name

Type

My Commission Expires:



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

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

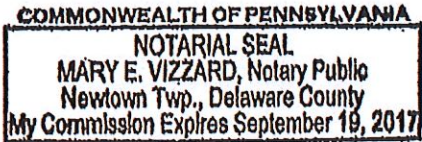
This the 6 day of November, 2015.

Mary E. Vizzard  
Notary

Mary E. Vizzard  
or Print Name

Type

My Commission Expires: Sept. 19, 2017



\*\*\*\*\*  
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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 and Mae Street  
David Street and Mae Street

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

Rita M. Harding  
Notary

COMMONWEALTH OF PENNSYLVANIA  
NOTARIAL SEAL  
RITA M. HARDING, Notary Public  
Pennel Boro., Bucks County  
My Commission Expires July 18, 2019

RITA M. HARDING  
or Print Name

Type

My Commission Expires: July 18, 2019



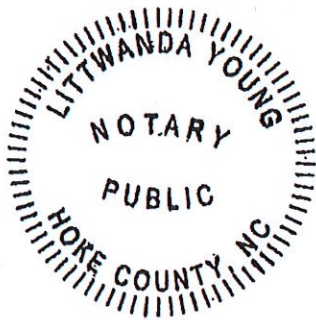
\*\*\*\*\*

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

\*\*\*\*\*  
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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:

Edna J. Street Mary D. Street  
Edna Street and Mary D. Street

This the 20<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



01 10 15

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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



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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:

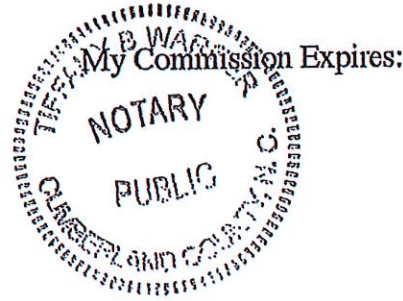
Jenour Street  
Jealous Street

This the 19 day of September, 2015. <sup>October TBLW</sup>

Tiffany B Warner  
Notary

Tiffany B Warner  
or Print Name

Type



August 5, 2017

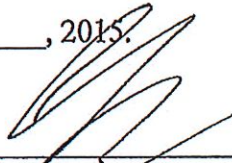
\*\*\*\*\*

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.

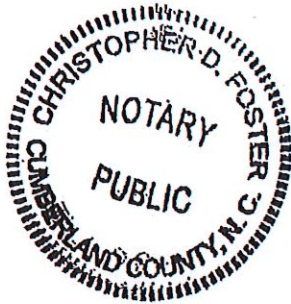


Notary

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, 2012



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

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

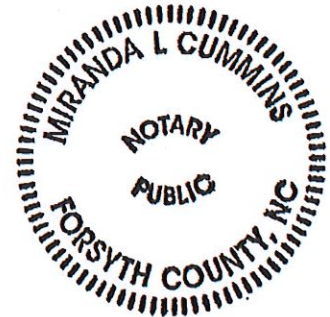
This the 16 day of October <sup>MS.</sup> ~~September~~, 2015.

Miranda L. Cummins  
Notary

Miranda L. Cummins  
or Print Name

Type

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



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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

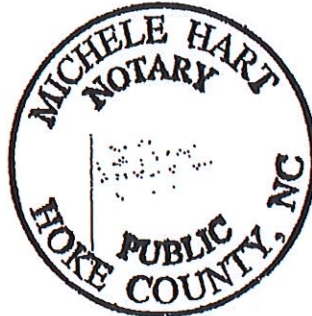
This the 16 day of September, 2015.

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">iwych@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