

Clarence Grier
County Manager

Sally Shutt
Assistant County
Manager



Rawls Howard
Director

David Moon
Deputy Director

CUMBERLAND COUNTY JOINT PLANNING BOARD

AGENDA
April 18, 2023
6:00 PM
Hearing Room #3

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

REZONING CASES

- A. **ZNG-003-23: Initial zoning of 8.11+/- acres to C2(P) Planned Service and Retail District or to a more restrictive zoning district, located at corner Waldos Beach Rd and Camden Rd REIDs 9494755565000 and 9494851612000, submitted by the Town of Hope Mills (agent) on behalf of CBMM Properties, LLC and CJR Holdings, LLC. (owner). (Hope Mills)**
- B. **ZNG-004-23: Initial zoning of 8.33+/- acres to R5 Residential District or to a more restrictive zoning district, located at corner Hunting Ridge Rd and Rockfish Rd REIDs 0404869636000, 0404867362000, 0404868073000, 0404869435000, and 0404867016000, submitted by the Town of Hope Mills (agent) on behalf of Bridgeport Homes, LLC. (owner). (Hope Mills)**
- C. **ZON-23-0008: Rezoning from A1 Agricultural District to M(P) Planned Industrial District or to a more restrictive zoning district for 13.24 +/- acres; located at 1500 Middle River Loop Road and two abutting parcels; submitted by Brian Fulcher (applicant) on behalf of Fulcher Real Estate, LLC (owner).**
- D. **ZON-23-0009: Rezoning from A1 Agricultural District to R40A Residential District or to a more restrictive zoning district for 2.00 +/- acres; located at 6104 Sisk Culbreth Road; submitted by Christopher Lockamy Sr. (applicant) on behalf of Kathern Heffelbower (owner).**

IX. PUBLIC MEETING CONTESTED ITEMS

X. DISCUSSION

XI. ADJOURNMENT

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



PLANNING AND INSPECTIONS DEPARTMENT

MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF APRIL 18, 2023

TO: JOINT PLANNING BOARD

FROM: PLANNING AND INSPECTIONS DEPARTMENT

DATE: 4/18/2023

SUBJECT: ZNG-003-23: INITIAL ZONING OF 8.11+/- ACRES TO C2(P) PLANNED SERVICE AND RETAIL DISTRICT OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT CORNER WALDOS BEACH RD AND CAMDEN RD REIDS 9494755565000 AND 9494851612000, SUBMITTED BY THE TOWN OF HOPE MILLS (AGENT) ON BEHALF OF CBMM PROPERTIES, LLC AND CJR HOLDINGS, LLC. (OWNER). (HOPE MILLS)

ATTACHMENTS:

Description

ZNG-003-23

Type

Backup Material



STAFF REPORT

INITIAL ZONING CASE# - ZNG-003-2023

Planning Board Meeting: 5-16-2023

Hope Mills Board Meeting: 6-5-2023

Address: Northeast intersection of Waldos Beach Road and Camden Road.

ZONING REQUEST: Initial zoning to C2(P) Planned Service and Retail

The Town of Hope Mills staff received a contiguous annexation petition for 8.11+/- acres of land tied to parcel identification numbers 9494-75-5565 and 9494-85-1612. The Hope Mills Board of Commissioners accepted the annexation petition adopting a resolution R2023-09 and setting the public hearing for March 20, 2023 under annexation number A2023-02. The subject property is located at the northeastern intersection of Waldos Beach Road and Camden Road. At the March 20, 2023 Board meeting the Hope Mills Board of Commissioners moved to approved the annexation and authorized town staff to proceed with the initial zoning process to designate the site under the C2(P) Planned Service and Retail District. The location of the subject property is illustrated in Exhibit "A".

SUBJECT PROPERTY INFORMATION

OWNER/APPLICANT:

Town of Hope Mills (agent) on behalf of CBMM Properties, LLC and CJR Property Holdings (owner).

ADDRESS/LOCATION: Northeast intersection of Waldos Beach Rd and Camden Rd
PIN 9494-75-5565 and 9494-85-1612.
For additional Information on the site location, refer to Exhibit "A"

SIZE:

As stated above, the subject property is 8.11+/- acres in size with varying lengths of depth.

EXISTING ZONING: The subject property is currently zoned under the RR and R10 district with the overall immediate surrounding area also designated under the RR, R5 and R7.5 districts. There is a property to the west zoned under the R5 district with a large area across the street zoned under the R10 and R7.5 districts. To the far north is a large commercial shopping center, Jack Britt High School, and the existing Traemoor Village shopping center.

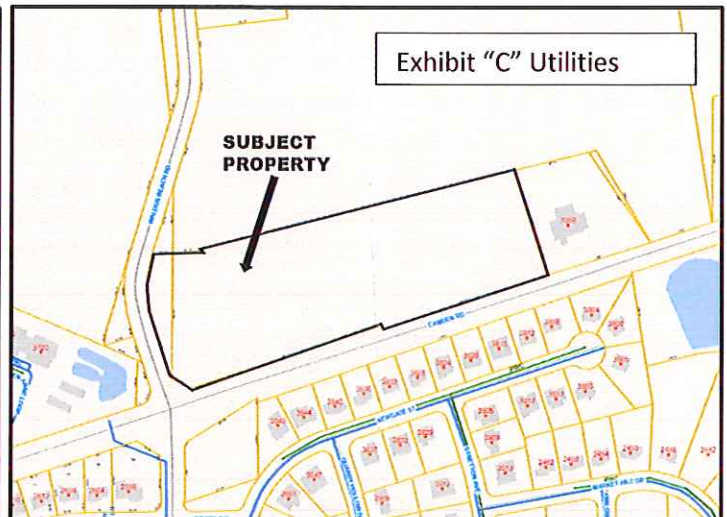
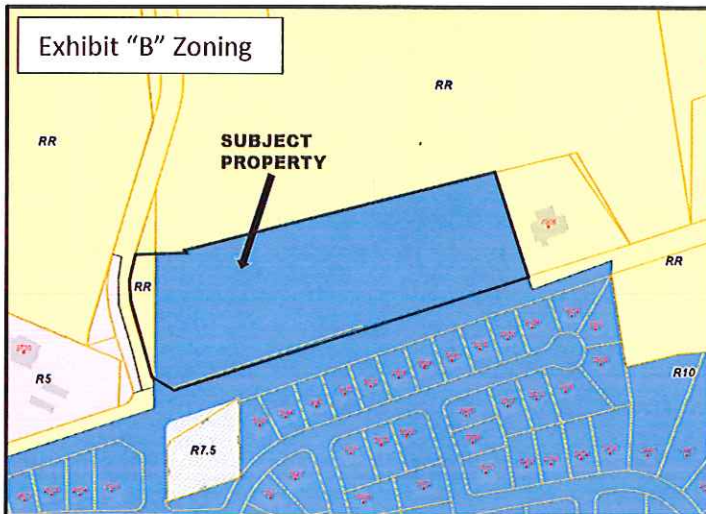
EXISTING LAND USE: The subject property is currently undeveloped.

SURROUNDING ZONING AND LAND USE: The properties adjacent to the immediate east are mostly one church, undeveloped land, and developed with single family residential uses, with



the area to the immediate west being used as an apartment complex. Refer to Exhibit "B" for zoning and surrounding land uses.

OTHER SITE CHARACTERISTICS: Exhibit "C" provides the location of water and sewer availability.



DEVELOPMENT REVIEW: The development of this property will require a development/group development review approval.

COMPREHENSIVE DEVELOPMENT PLANS:

This site is located within the Southwest Cumberland Land Use Plan area (2013) and is designated as "Office Institutional & Parks". Although staff is in support, this request is not consistent with the land use plan. Please refer to Exhibit "D" for additional information.

IMPACTS ON AREA FACILITIES

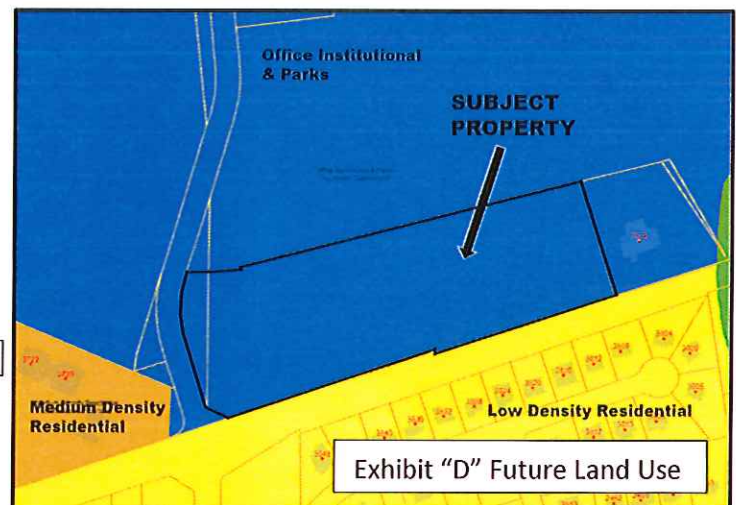
TRAFFIC: FAMPO did not provide any objections to this request.

UTILITIES: The property will be served by PWC water and sewer.

ECONOMIC DEVELOPMENT: Fayetteville Cumberland Economic Development Corporation has reviewed the request and reported no objections.

PLAN REVIEW COMMENTS: The Town of Hope Mills Plan Review team has no objections to this request.

SPECIAL OVERLAY DISTRICTS: The subject property is not located within the boundaries of any established overlay district.



CODE DEVIATIONS: None.

CONDITIONS: None.

STAFF RECOMMENDATION

In ZNG-003-23, the Town of Hope Mills Planning staff **recommends approval** of the initial zoning request to the C2(P) Planned Service and Retail district and finds that although the request is not consistent with the Southwest Cumberland Land Use Plan (2013) designation, the economic and regional impact of the proposed development fits within the vision and long term outlook of the area and that no other requests for this application will be made. Approval of the request is reasonable and in the public interest because the district requested is in harmony with surrounding existing uses and zoning and is in line with the future vision of this area of Hope Mills.



PLANNING AND INSPECTIONS DEPARTMENT

MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF APRIL 18, 2023

TO: JOINT PLANNING BOARD

FROM: PLANNING AND INSPECTIONS DEPARTMENT

DATE: 4/18/2023

SUBJECT: ZNG-004-23: INITIAL ZONING OF 8.33+/- ACRES TO R5 RESIDENTIAL DISTRICT OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT CORNER HUNTING RIDGE RD AND ROCKFISH RD REIDS 0404869636000, 0404867362000, 0404868073000, 0404869435000, AND 0404867016000, SUBMITTED BY THE TOWN OF HOPE MILLS (AGENT) ON BEHALF OF BRIDGEPORT HOMES, LLC. (OWNER). (HOPE MILLS)

ATTACHMENTS:

Description
ZNG-004-23

Type
Backup Material



STAFF REPORT

INITIAL ZONING CASE# - ZNG-004-2023

Planning Board Meeting: 5-16-2023

Hope Mills Board Meeting: 6-5-2023

Address: 5910-5938 Rockfish Road.

ZONING REQUEST: Initial zoning to R5 Single Family Residential

The Town of Hope Mills Board of Commissioners voted to accept a contiguous annexation petition on February 20, 2023 under resolution R2023-07. The Board also moved to set the public hearing for the consideration of the annexation for April 3, 2023. The petition for annexation was for 8.33+/- acres of land tied to parcel identification numbers 0404-86-9636, 0404-86-7362, 0404-86-8703, 0404-86-9435, and 0404-86-7016. The subject properties are located at the northeastern intersection of Rockfish Road and Huntington Ridge Road addressed under 5910, 5920, 5930, and 5938 Rockfish Road. The remaining parcels are addressed as 5926, 5922, 5918, and 5908 Huntington Ridge Road. The Hope Mills Plan Review Committee also provided recommendations supporting the request which provided analysis from pertinent engineering and permit based departments. At the March 20th Board Meeting, the Town of Hope Mills approved the annexation and authorized staff to proceed with the initial zoning of the subject property to the R5 district. The location of the subject property is illustrated in Exhibit "A".

SUBJECT PROPERTY INFORMATION

OWNER/APPLICANT:

Town of Hope Mills (agent) on
behalf of Bridgeport Homes, LLC (owner).

ADDRESS/LOCATION: REID #s:

0404869636000, 0404867362000, 0404868703000,
0404869435000, and 0404867016000. Refer to
Exhibit "A" for locational information.

SIZE:

As stated above, the subject property is 8.33+/-
acres in size with varying lengths of depth.

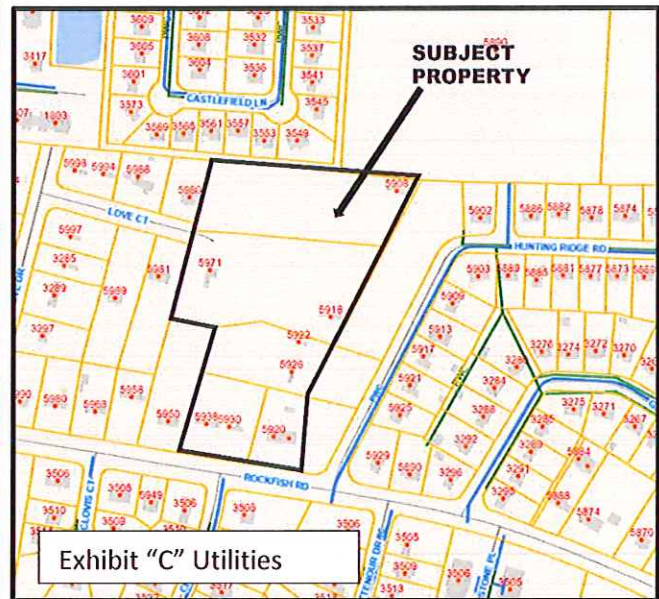
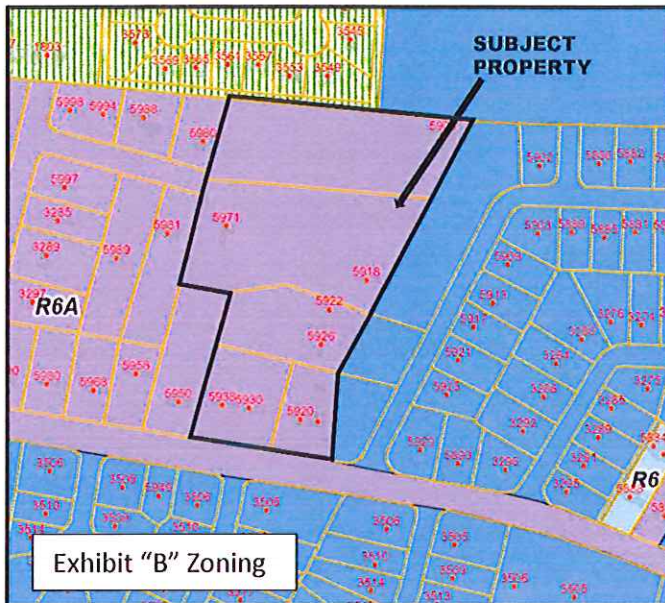
EXISTING ZONING: The subject property is currently zoned under the R6A district with the overall immediate surrounding area also designated under the R6A, R10 and MXD CUD districts. There is a property to the west zoned under the R6A district with a large area across the street zoned under the R7.5 district. To the far north is a large mixed use commercial shopping center and single family homes and apartments, also known as Millstone, Castlefield, and Birchfield.

EXISTING LAND USE: The subject property is currently not in use (was previously a mobile home park).



SURROUNDING ZONING AND LAND USE: The properties adjacent to the immediate east are mostly single family residential homes, with the area to the immediate west being used as single family homes, with areas to the immediate south being used as single family homes and an apartment complex. Refer to Exhibit "B" for zoning and surrounding land uses.

OTHER SITE CHARACTERISTICS: Exhibit "C" provides the location of water and sewer availability.



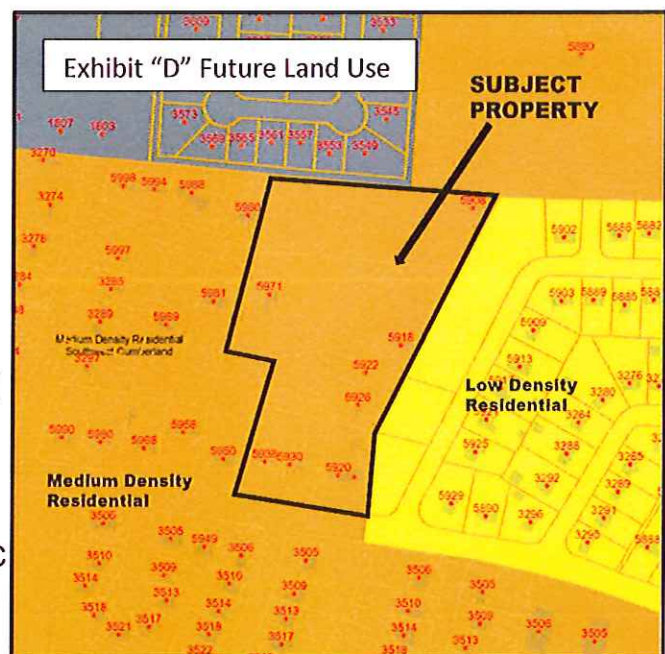
DEVELOPMENT REVIEW: The development of this property will require a development/group development review approval.

COMPREHENSIVE DEVELOPMENT PLANS: This site is located within the Southwest Cumberland Land Use Plan area (2013) and is designated as "Medium Density Residential". Staff is in support of this request and this request is consistent with the land use plan. Please refer to Exhibit "D" for additional information.

IMPACTS ON AREA FACILITIES

TRAFFIC: FAMPO did not provide any objections to this request.

UTILITIES: The property will be served by PWC water and sewer.



ECONOMIC DEVELOPMENT: Fayetteville Cumberland Economic Development Corporation has reviewed the request and reported no objections.

PLAN REVIEW COMMENTS: The Town of Hope Mills Plan Review team has no objections to this request.

SPECIAL OVERLAY DISTRICTS: The subject property is not located within the boundaries of any established overlay district.

CODE DEVIATIONS: None.

CONDITIONS: None.

STAFF RECOMMENDATION

In ZNG-004-23, the Town of Hope Mills Planning staff **recommends approval** of the initial zoning request to the R5 Residential District and finds that the request is consistent with the Southwest Cumberland Land Use Plan (2013) designation, the economic and regional impact of the proposed development fits within the vision and long term outlook of the area. Approval of the request is reasonable and in the public interest because the district requested is in harmony with surrounding existing uses and zoning.



PLANNING AND INSPECTIONS DEPARTMENT

MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF APRIL 18, 2023

TO: JOINT PLANNING BOARD

FROM: PLANNING AND INSPECTIONS DEPARTMENT

DATE: 4/18/2023

SUBJECT: ZON-23-0008: REZONING FROM A1 AGRICULTURAL DISTRICT TO M(P) PLANNED INDUSTRIAL DISTRICT OR TO A MORE RESTRICTIVE ZONING DISTRICT FOR 13.24 +/- ACRES; LOCATED AT 1500 MIDDLE RIVER LOOP ROAD AND TWO ABUTTING PARCELS; SUBMITTED BY BRIAN FULCHER (APPLICANT) ON BEHALF OF FULCHER REAL ESTATE, LLC (OWNER).

ATTACHMENTS:

Description

ZON-23-0008

Type

Backup Material



PLANNING STAFF REPORT
REZONING CASE # ZON-23-0008
Planning Board Meeting: April 18, 2023

**Location: 1500 Middle River Loop and
abutting properties**
Jurisdiction: County-Unincorporated

REQUEST

Rezoning A1 to M(P)

Applicant requests a rezoning from A1 Agricultural District to M(P) Planned Industrial District for three parcels of approximately 13.24 combined acres located at 1500 Middle River Loop Road and two abutting parcels, all owned by Fulcher Real Estate, LLC. The intent of the property owner is to recombine and use these three parcels for a lay down yard for storage of materials. Fulcher Real Estate also owns three other parcels contiguous to the eastern and southeastern property line of the rezoning site and located at the northwest corner of River Road and Middle River Loop Road. Two of Fulcher Real Estate's abutting parcels are zoned M(P) and the third zoned C1(P).

PROPERTY INFORMATION

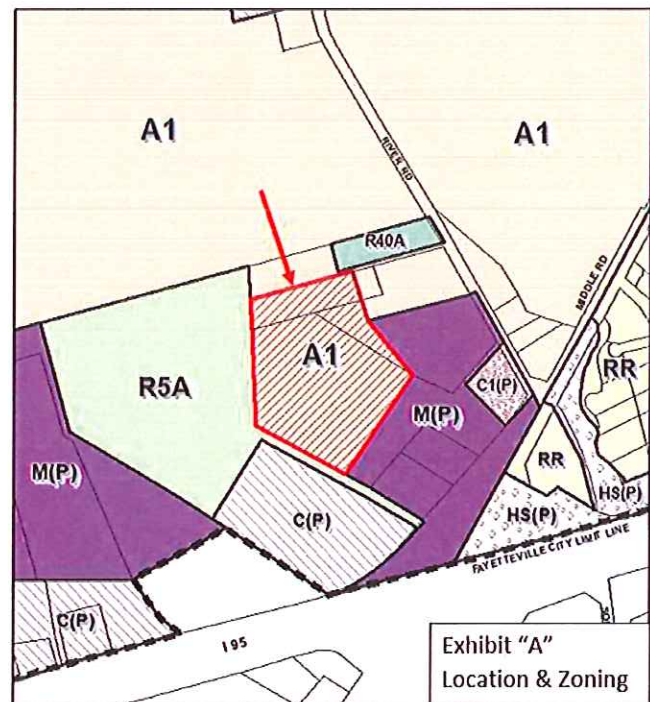
OWNER/APPLICANT: Brain Fulcher (applicant) on behalf of Fulcher Real Estate LLC (owner)

ADDRESS/LOCATION: Refer to Exhibit "A", Location and Zoning Map. REID number: 0447586071000, 0447586557000, 0447589442000

SIZE: 13.24 +/- acres within three parcels. 1500 Middle River Loop contains approximately 10.01 +/- acres and the two abutting parcels approximately 2.14 +/- combined acres. Although property does not have frontage to a public or private road, the abutting parcels also owned by Fulcher Real Estate. The property has a varying depth due to its shape but is approximately 1,040 +/- feet in length at its deepest point.

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

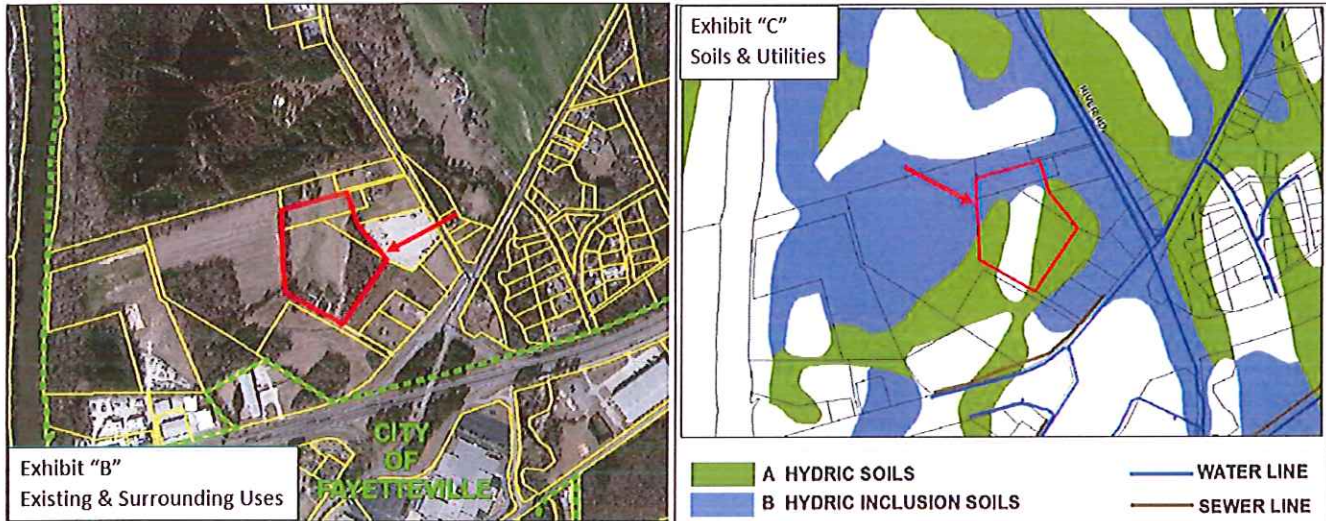
EXISTING LAND USE: The parcels are currently vacant land. Exhibit "B" shows the existing use of the subject property.



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

- **North:** Wooded & vacant land, single family home.
- **East:** Property owned by Fulcher Real Estate LLC, used for trades contractor activities and outdoor storage.
- **South:** Kubota of Fayetteville (Construction and farm tractors and equipment)
- **West:** Vacant land, and commercial, industrial and trades contractor activities.

OTHER SITE CHARACTERISTICS: The site is not located in a Watershed or within a Flood Zone Hazard Area. The subject property, as delineated in Exhibit "C", illustrates the presence of hydric and hydric inclusion soils throughout the property. The property is within the Fayetteville MIA.

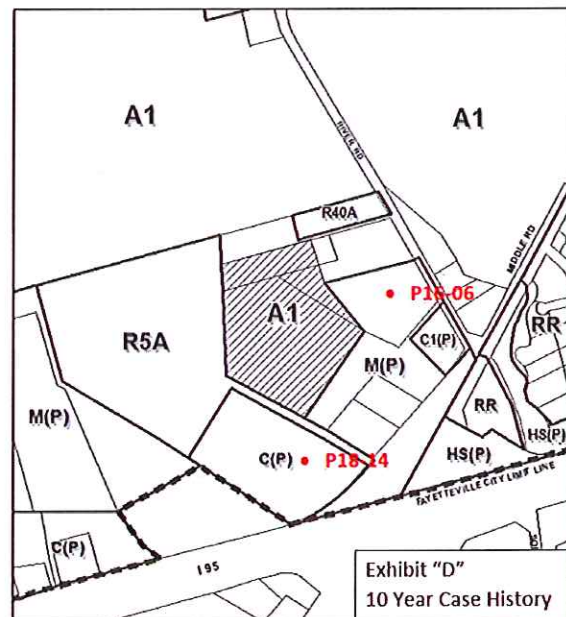


TEN YEAR ZONE CASE HISTORY:

Exhibit "D" denotes the location of the zoning case history described below.

- P16-06: A1 to M(P); APPROVED
- P18-14: R5A to C(P); APPROVED

DEVELOPMENT REVIEW: Subdivision review (Recombination Plat) by County Planning & Inspections will be required before any development.



DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

Minimum Standard	A1 (Existing Zoning)	M(P) (Proposed)
Front Yard Setback	50 feet	100 feet
Side Yard Setback	20 feet (one story) 25 feet (two story)	50 feet
Rear Yard Setback	50 feet	50 feet
Lot Area	2 acres	N/A
Lot Width	100'	N/A

Development Potential:

Existing Zoning (A1)	Proposed Zoning (M(P))
7 dwelling units	N/A

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

COMPREHENSIVE PLANS: This property is located within the Eastover Area Land Use Plan (2018). The future land use classification of the property is both "Industrial" and "Commercial". Associated Zoning districts for these classifications are M1(P) and M(P) (Industrial) and C(P), C1(P), and C2(P) (Commercial). **The proposed rezoning request is consistent with the adopted Land Use Plan.**

APPLICABLE PLAN GOALS/POLICIES:

Industrial Development Goal:

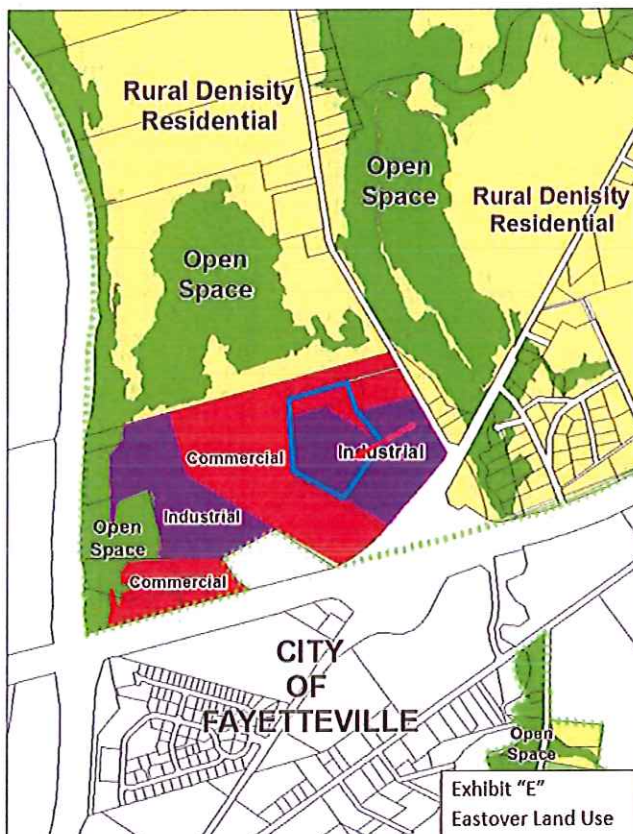
"Provide areas for clean industries where infrastructure is adequate and is in harmony with surrounding development" (Eastover Area Land Use Plan, p.52)

"Require an extensive natural or landscape buffer along roadways to screen industrial operations." (Eastover Area Land Use Plan, p.52)

"Promote efforts that encourage new industrial development.

Provide sufficient zoned industrial areas to accommodate the needs of present and future County residents.

Locate industrial development so that it has the least impact on residential and other non-compatible uses." (Land Use Policies Plan, p. 24)



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: Water and sewer lines do not abut the subject property but do run along the front of or within a few hundred feet of abutting parcels also owned by the Fulcher Real Estate, LLC. These water and sewer lines are located along Middle River Loop or River Roads, as shown in Exhibit "C". It is the applicant's responsibility to determine if this utility provider will extend to serve their development. At the time of a site plan or subdivision plan application, a determination will be made whether connection to public utilities will be required or if on-site septic systems and water wells will be used.

TRAFFIC: According to the Fayetteville Area Metropolitan Planning Organization (FAMPO), the subject parcels are located on Middle River Loop Road which is identified as a local road in the Metropolitan Transportation Plan. There are no roadway construction improvement projects planned and the subject property will have no significant impact on the Transportation Improvement Program. In addition, there is no 2021 AADT for Middle River Loop Road as well, there is no available road capacity data. Due to lack of data and the small scale, the new zoning request does not demand a trip generation. The new zoning should not generate enough traffic to significantly impact Middle River Loop Road.

SCHOOLS CAPACITY/ENROLLMENT:

School	Capacity	Enrollment
Armstrong Elementary	441	457
Mac Williams Middle	1164	1166
Cape Fear High	1476	1590

ECONOMIC DEVELOPMENT: Fayetteville Cumberland County Economic Development Corporation has reviewed the request and supports the proposed request.

EMERGENCY SERVICES: Cumberland County Fire Marshal's office has reviewed the request and stated that the developer is responsible for the following:

1. Ensure all fire department access requirements are met in accordance with section 503 of the 2018 NC fire code.
2. Ensure fire protection water supply requirements are met in accordance with Section 507 of the 2018 NC Fire Code.
3. Submit building plans to scale for new construction and building renovation.
4. Ensure emergency responder radio coverage is achieved.

SPECIAL DISTRICTS: The property is located within the Fayetteville Regional Airport Overlay District. This property is not within five miles of Fort Bragg Military Base. RLUAC had no comment. This property is located within the City of Fayetteville's MIA, and the City stated that all development should meet the City's UDO Standards.

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

STAFF RECOMMENDATION

In Case ZON-23-0008, Planning and Inspections staff **recommends approval** of the rezoning request from A1 Agricultural District to M(P) Planned Industrial District. Staff finds the request is not consistent with the Eastover Area Land Use Plan which calls for "Commercial" at this location. However, staff finds that:

1. Approval is an amendment to the adopted, current Eastover Area Land Use Plan and that the Board of Commissioners should not require any additional request or application for amendment to said map for this request.
2. The request would make the Commercial designation on the applicant's two parcels consistent with the Industrial land use assigned to the same property owner's adjacent parcels.
3. The request is reasonable and in the public interest as the requested district would be compatible to and in harmony with the surrounding land use activities and zoning.

Attachments:
Notification Mailing List
Application

ATTACHMENT – MAILING LIST

GODWIN, LARRY R;GODWIN, REBA T

PO BOX 4

FAYETTEVILLE, NC 28302

NORRIS, FREDERICK

907 RIVER RD

FAYETTEVILLE, NC 28312

FULCHER REAL ESTATE LLC

P O BOX 53650

FAYETTEVILLE, NC 28305

FULCHER REAL ESTATE LLC

1416 MIDDLE LOOP

FAYETTEVILLE, NC 28312

ROYSTER, JOSEPH L

848 RIVER RD

FAYETTEVILLE, NC 28312

CAROLINA SUN INVESTMENTS LLC

PO BOX 205

FAYETTEVILLE, NC 28302

ELLIS, ROGER ALLEN HEIRS

901 RIVER RD

FAYETTEVILLE, NC 28312

ROYSTER, JOSEPH L

848 RIVER RD

FAYETTEVILLE, NC 28312

FULCHER REAL ESTATE, LLC

PO BOX 53650

FAYETTEVILLE, NC 28305

FULCHER REAL ESTATE LLC;HORNBARRIER, ARCHIE
L;WORKMAN, ROXIE HORNBARRIER;HORNBARRIER,
ROBERT L JR;HORNBARRIER, B G

PO BOX 53650

FAYETTEVILLE, NC 28305

GODWIN, LARRY R;GODWIN, REBA

PO BOX 4

FAYETTEVILLE, NC 28302

COTTON, WINNIE W TRUSTEE;BRENDA, W
JOHNSON

871 MIDDLE RD

FAYETTEVILLE, NC 28312

FULCHER REAL ESTATE

PO BOX 53650

FAYETTEVILLE, NC 28305

COTTON, WINNIE W TRUSTEE;BRENDA, W
JOHNSON

871 MIDDLE RD

FAYETTEVILLE, NC 28312

FULCHER REAL ESTATE LLC

PO BOX 53650

FAYETTEVILLE, NC 28305

GODWIN PROPERTIES LLC

PO BOX 4

FAYETTEVILLE, NC 28302

NUNNERY, NANCY MARLENE ELLIS

895 RIVER RD

FAYETTEVILLE, NC 28312

NUNNERY, ALBERT ALAN;NUNNERY, NANCY
ELLIS

895 RIVER RD

FAYETTEVILLE, NC 28312

GODWIN, LARRY R;GODWIN, REBA T

PO BOX 4

FAYETTEVILLE, NC 28302

CAROLINA SUN INVESTMENTS LLC

PO BOX 205

FAYETTEVILLE, NC 28302

VORDER BRUEGGE, WILLIAM F;VORDER
BRUEGGE, JULIA E LITTLE

1313 RIVER RD

EASTOVER, NC 28312

ROYSTER, JOSEPH L

848 RIVER RD

FAYETTEVILLE, NC 28312

ATTACHMENT: APPLICATION



County of Cumberland

Planning & Inspections Department

CASE #: _____

PLANNING BOARD
MEETING DATE: _____

DATE APPLICATION
SUBMITTED: _____

RECEIPT #: _____

RECEIVED BY: _____

APPLICATION FOR REZONING REQUEST CUMBERLAND COUNTY ZONING ORDINANCE

The following items are to be submitted with the completed application:

1. A copy of the *recorded* deed and/or plat.
2. If a portion(s) of the property is being considered for rezoning, an accurate written legal description of only the area to be considered;
3. A check made payable to "Cumberland County" in the amount of \$_____.
(See attached Fee Schedule).

Rezoning Procedure:

1. Completed application submitted by the applicant.
2. Notification to surrounding property owners.
3. Planning Board hearing.
4. Re-notification of interested parties / public hearing advertisement in the newspaper.
5. County Commissioners' public hearing (approximately four weeks after Planning Board public hearing)
6. If approved by the County Commissioners, rezoning becomes effective immediately.

The Planning & Inspections Staff will advise on zoning options, inform applicants of development requirement and answer questions regarding the application and rezoning process. For further questions, call (910)678-7603 or (910)678-7609. Hours of operation are 8:00 a.m. to 5:00 p.m., Monday through Friday.

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

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

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

1. Requested Rezoning from F101 - Rural A1 to MP 100 - Industrial
2. Address of Property to be Rezoned: 1500 Middle River Loop Rd
3. Location of Property: Corner of Middle River Loop Rd and River Rd
4. Parcel Identification Number (PIN #) of subject property: 0447-58-6071
(also known as Tax ID Number or Property Tax ID) 0447-58-6557000
0447-58-9442000
5. Acreage: 10.1 | 2.01 | 1.13 Frontage: _____ Depth: _____
6. Water Provider: Well: _____ PWC: ☒ Other (name): _____
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: Farm land
10. Proposed use(s) of the property: lay down yard / MP 100 - Industrial
11. Do you own any property adjacent to or across the street from this property?
Yes ☒ No _____ If yes, where? 1416 Middle River Loop Rd
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.

Fulcher Real Estate LLC
NAME OF OWNER(S) (PRINT OR TYPE)

PO Box 53650 Fayetteville N.C. 28305
ADDRESS OF OWNER(S)

910-309-9679
HOME TELEPHONE #

910-323-5589
WORK TELEPHONE #


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

4775 Game Rd Wade N.C. 28395
ADDRESS OF AGENT, ATTORNEY, APPLICANT

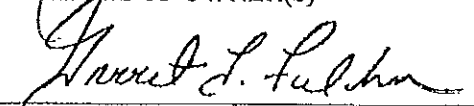
Brian.Fulcher1@gmail.com
E-MAIL

910-309-9679
HOME TELEPHONE #

910-323-5589
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."



PLANNING AND INSPECTIONS DEPARTMENT

MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF APRIL 18, 2023

TO: JOINT PLANNING BOARD

FROM: PLANNING AND INSPECTIONS DEPARTMENT

DATE: 4/18/2023

SUBJECT: ZON-23-0009: REZONING FROM A1 AGRICULTURAL DISTRICT TO R40A RESIDENTIAL DISTRICT OR TO A MORE RESTRICTIVE ZONING DISTRICT FOR 2.00 +/- ACRES; LOCATED AT 6104 SISK CULBRETH ROAD; SUBMITTED BY CHRISTOPHER LOCKAMY SR. (APPLICANT) ON BEHALF OF KATHERN HEFFELBOWER (OWNER).

ATTACHMENTS:

Description

ZON-23-0009

Type

Backup Material

REQUEST

Rezoning A1 to R40A

Applicant requests a rezoning from A1 Agricultural District to R40A Residential District for one parcel of approximately 2.00 acres located at 6104 Sisk Culbreth Road. The parcel is currently occupied by a single-family home. The intent of the property owner is to rezone the parcel to R40A to allow a second home to be added to the lot through a Group Development application.

PROPERTY INFORMATION

OWNER/APPLICANT: Christopher Loakamy Sr. (applicant) on behalf of Kathern Heffelbower (owner).

ADDRESS/LOCATION: Refer to Exhibit "A", Location and Zoning Map. REID number: 0582524186000

SIZE: 2.00 +/- acres within one parcel. Road frontage along Sisk Culbreth Road is a 167 +/- feet. The property has a varying depth due to its shape but is approximately 450 +/- feet in length at its deepest point.

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

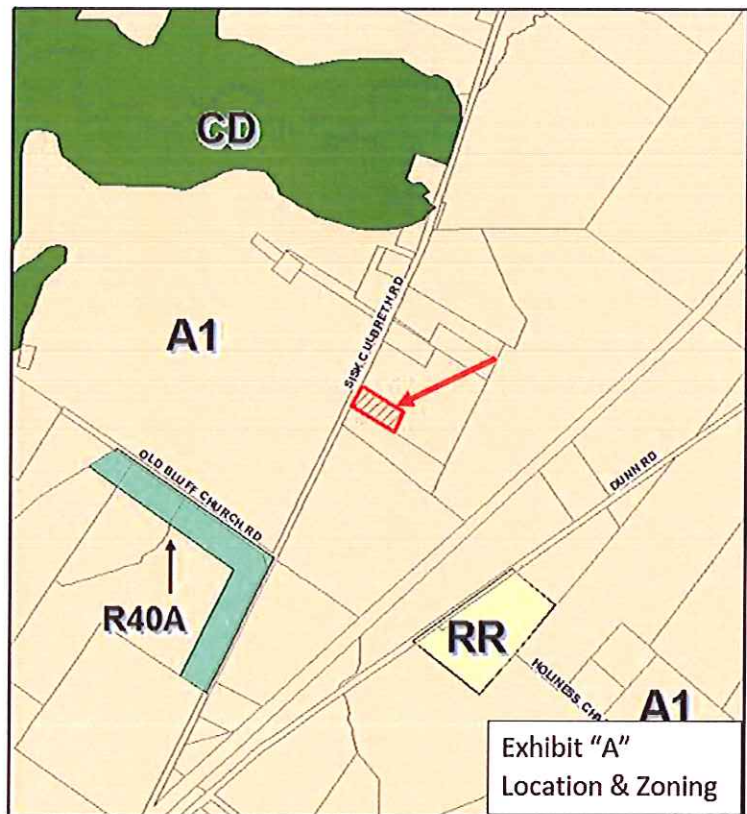


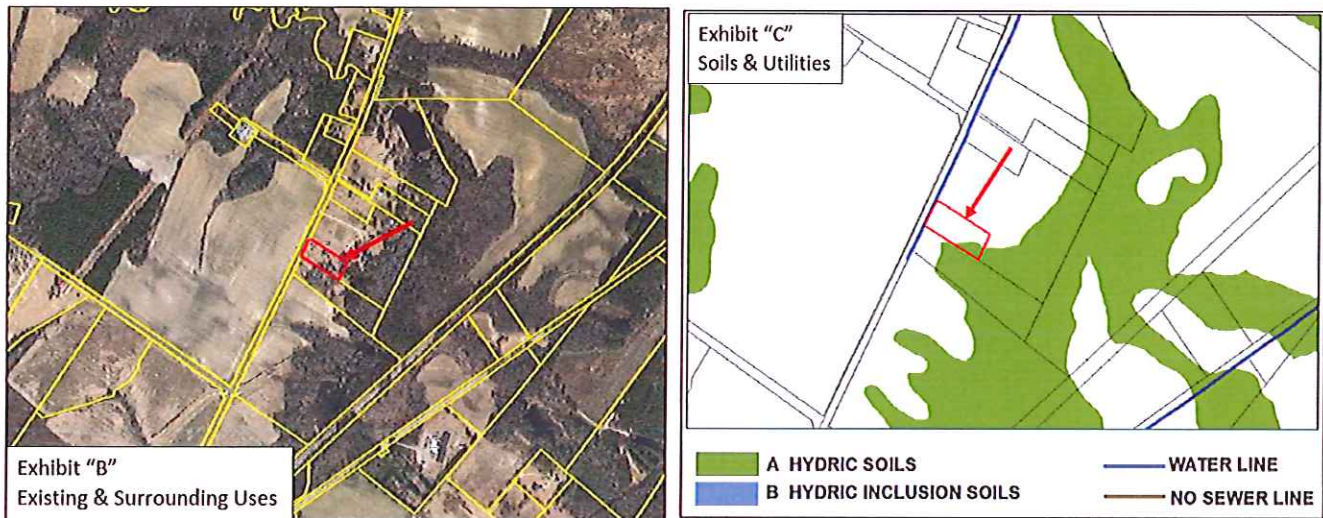
Exhibit "A"
Location & Zoning

EXISTING LAND USE: The parcel contains a single-family home. Exhibit "B" shows the existing use of the subject property.

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

- **North:** Wooded and farmland
- **East:** Wooded land
- **West:** Wooded and farmland, single family homes
- **South:** Wooded and farmland, single family homes

OTHER SITE CHARACTERISTICS: The site is not located in a Watershed or within a Flood Zone Hazard Area. The subject property, as delineated in Exhibit "C", illustrates presence of hydric soils at a small portion of the south corner of the property.



DEVELOPMENT REVIEW: Administrative review (Group Development) by County Planning & Inspections will be required before any development.

DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

Minimum Standard	A1 (Existing Zoning)	R40A (Proposed)
Front Yard Setback	50 feet	30 feet
Side Yard Setback	20 feet (one story) 25 feet (two story)	15 feet
Rear Yard Setback	50 feet	35 feet
Lot Area	2 acres	40,000 sq. ft.
Lot Width	100'	100'

Development Potential:

Existing Zoning (A1)	Proposed Zoning (R40A)
1 dwelling units	2 dwelling units

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

COMPREHENSIVE PLANS: This property is located within the Wade Study Area Land Use Plan (2003) (Exhibit "D"). The future land use classification of the property is "Farmland". Associated Zoning districts for this classification are A1, A1A, R40, R40A. **The proposed rezoning request is consistent with the adopted Land Use Plan.**

APPLICABLE PLAN GOALS/POLICIES:

-Residential and Rural Development Goals:

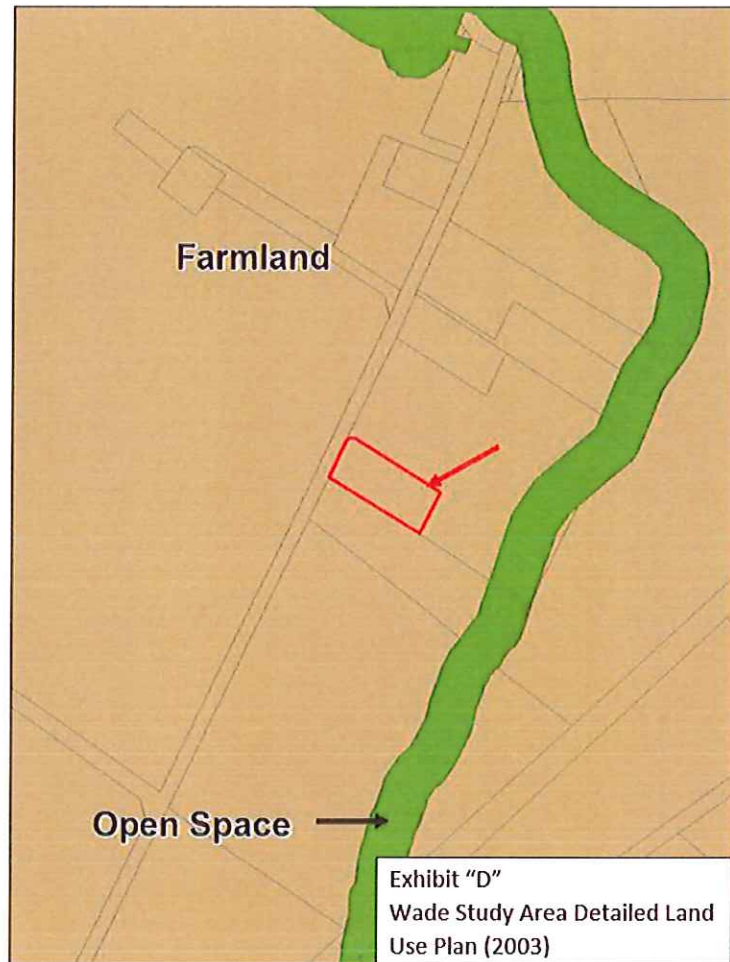
"Provide an opportunity for residential development that would be compatible with the rural areas of the Study Area." (Wade Study Area Detailed Land Use Plan, p.45)

"Inherent in the smart growth policies... is that they should also provide protection and preservation of farmland and farming operations in the area, as well as protect the rural character." (Wade Study Area Detailed Land Use Plan, p.62)

"Promote residential development that is more environmentally and people friendly.

Provide an assortment of housing types and neighborhoods to meet the needs of all residents in the County." (Land Use Policies Plan, p.3)

"Preserve the rural character of the County." (Land Use Policies Plan p.27)



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: Sewer lines are not available near the subject property. Water lines are present. It is the applicant's responsibility to determine if this utility provider will serve their development. Utility lines for water and sewer are shown on Exhibit "C". On-site septic will likely be required, and the lot size must meet the minimum area necessary to accommodate the septic system for a single-family home or a group development. Environmental Health application for septic permit will be required and shall be obtained by the property owner before the second dwelling is approved. An application for a septic system permit does not guarantee a permit can be written.

TRAFFIC: According to the Fayetteville Area Metropolitan Planning Organization (FAMPO), the subject property, 6104 Sisk Culbreth Road, is located outside of FAMPO boundaries

SCHOOLS CAPACITY/ENROLLMENT:

School	Capacity	Enrollment
District 7 Elementary	307	183
Mac Williams Middle	1164	1166
Cape Fear High	1476	1590

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

EMERGENCY SERVICES: Cumberland County Fire Marshal's office has reviewed the request and stated to ensure all applicable fire department access requirements are met in accordance with Section 503 of the 2018 NC Fire Code

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

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

STAFF RECOMMENDATION

In Case ZON-23-0009, Planning and Inspections staff **recommends approval** of the rezoning request from A1 Agricultural District to R40A Residential District. Staff finds the request is consistent with the Wade Study Area Land Use Plan which calls for "Farmland" at this location. Staff also finds that the request is reasonable and in the public interest as it is compatible to and in harmony with the surrounding land use activities and zoning.

Attachments:
Notification Mailing List
Application

ATTACHMENT – MAILING LIST

MILLIGAN, WILLIAM P;MILLIGAN, TERESA E
6256 SISK CULBRETH RD
GODWIN, NC 28344

ROBINO, FORTUNATA MICHELLE
6243 SISK CULBRETH RD
GODWIN, NC 28344

MILLIGAN, WILLIAM P;MILLIGAN, TERESA
6256 SISK CULBRETH RD
GODWIN, NC 28344

SOUTH RIVER ELECTRIC MEMBERSHIP
CORPORATION
PO BOX 931
DUNN, NC 28335

MURPHY, EUNICE
4817 INVERNESS DR
FAYETTEVILLE, NC 28304

THORNTON FARM, LLC;RAINEY, RUTH ELAINE
T
8163 ROB ROY DR
SUMMERFIELD, NC 27358

PRICE, DANNY H;PRICE, CORENA C
6044 SISK CULBRETH RD
GODWIN, NC 28344

HEFFELBOWER, KATHERN
6104 SISK CULBRETH RD
GODWIN, NC 28344

HOPKINS, ANITA G
6097 FAYETTEVILLE RD
RAEFORD, NC 28376

TART & TART INC
PO BOX 8
DUNN, NC 28335

JACKSON, MICHAEL ANTHONY
1365 PILOT MOUNTAIN RD
BULLS GAP, TN 37711

HILL, MICHAEL L;HILL, JILL M
6200 SISK CULBRETH RD
GODWIN, NC 28344

ATTACHMENT: APPLICATION



County of Cumberland

Planning & Inspections Department

CASE #: ZON-23-0009

PLANNING BOARD
MEETING DATE: _____

DATE APPLICATION
SUBMITTED: 3-15-23

RECEIPT #: _____

RECEIVED BY: _____

APPLICATION FOR REZONING REQUEST CUMBERLAND COUNTY ZONING ORDINANCE

The following items are to be submitted with the completed application:

1. A copy of the *recorded* deed and/or plat.
2. If a portion(s) of the property is being considered for rezoning, an accurate written legal description of only the area to be considered;
3. A check made payable to "Cumberland County" in the amount of \$ 250.00.
(See attached Fee Schedule).

Rezoning Procedure:

1. Completed application submitted by the applicant.
2. Notification to surrounding property owners.
3. Planning Board hearing.
4. Re-notification of interested parties / public hearing advertisement in the newspaper.
5. County Commissioners' public hearing (approximately four weeks after Planning Board public hearing)
6. If approved by the County Commissioners, rezoning becomes effective immediately.

The Planning & Inspections Staff will advise on zoning options, inform applicants of development requirement and answer questions regarding the application and rezoning process. For further questions, call (910)678-7603 or (910)678-7609. Hours of operation are 8:00 a.m. to 5:00 p.m., Monday through Friday.

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

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

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

1. Requested Rezoning from A1 to R40A
2. Address of Property to be Rezoned: 6104 SISK CULBRETH RD. GODWIN, NC
3. Location of Property: 6104 SISK CULBRETH RD
GODWIN, NC 28344
4. Parcel Identification Number (PIN #) of subject property: 0582-52-4186
(also known as Tax ID Number or Property Tax ID)
5. Acreage: 2 Frontage: 166.71' Depth: Left - 414.32'
Right - 450.18'
6. Water Provider: Well: _____ PWC: _____ Other (name): TOWN OF GODWIN
7. Septage Provider: Septic Tank ✓ PWC _____
8. Deed Book 5960 CL, Page(s) 0421 CL, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: RESIDENTIAL
10. Proposed use(s) of the property: ADDING A MOBILE HOME
TO THE PROPERTY
11. Do you own any property adjacent to or across the street from this property?
Yes _____ No ✓ If yes, where? _____
12. Has a violation been issued on this property? Yes _____ No ✓

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

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

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

KATHERN HURBAN
NAME OF OWNER(S) (PRINT OR TYPE)

6104 SISK CULBRETH RD. GODWIN, NC 28344
ADDRESS OF OWNER(S)

910-824-1883
HOME TELEPHONE #

~~SAME~~ Same
WORK TELEPHONE #

CHRISTOPHER W LOCKAMY SR.
NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)

6104 SISK CULBRETH RD GODWIN, NC 28344
ADDRESS OF AGENT, ATTORNEY, APPLICANT

CHRIS LOCKAMY SR @ GMAIL.COM
E-MAIL

910-797-3125
HOME TELEPHONE #

1
WORK TELEPHONE #

Kathern Hurban
SIGNATURE OF OWNER(S)


SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

SIGNATURE OF OWNER(S)

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