

**Clarence Grier**  
County Manager

**Sally Shutt**  
Assistant County  
Manager



**Rawls Howard**  
Director

**David Moon**  
Deputy Director

## **CUMBERLAND COUNTY JOINT PLANNING BOARD**

### **AGENDA October 17, 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
  - A. MINUTES OF AUGUST 15, 2023**
- VI. CHAIRMAN'S WELCOME AND RULES OF PROCEDURE
- VII. DEADLINE/MEETING SCHEDULE
  - B. JOINT PLANNING BOARD 2024 DEADLINE / MEETING SCHEDULE**
- VIII. PUBLIC MEETING CONSENT ITEMS

#### **INITIAL ZONING CASE(S)**

- C. Case ZNG-009-23: Initial zoning of 1.25+/- acres to the C2(P) Planned Service and Retail District; located 7163 Rockfish Rd REID 9494872510000; submitted by the Town of Hope Mills (agent) on behalf of Petromarts, LLC (owner).**
- D. Case ZNG-010-23: Initial zoning of 32.44+/- acres to the R7.5 Residential District; located 0 Muscat Rd REIDs 0403647315000, 0403373181000, and 0403744513000; submitted by the Town of Hope Mills (agent) on behalf of JSJ Development Company, LLC (owner).**

#### **REZONING CASES**

- E. Case ZON-23-0022: Rezoning from C1(P) Planned Local Business District to C2(P) Planned Service and Retail District or to a more restrictive zoning district for 1.1 +/- acres; located at the intersection of Lillington Hwy and E. Manchester Road, submitted by M.A.P.S Surveying (Agent) on behalf of Stuart Lewis (Owner).**
- F. Case ZON-23-0023: Rezoning from A1 Agricultural District & M1(P)/CUD**

**Planned Light Industrial Conditional Use District to A1 Agricultural District or to a more restrictive zoning district for 2.0 +/- acres; located at 11466 Dunn Rd, submitted by Connor and Brenna Knudsen (Owners).**

- G. Case ZON-23-0025: Rezoning from A1 Agricultural District to R20 Residential District or to a more restrictive zoning district for 1.0 +/- acres; located off Fennell Road, south of Port Richey Lane, submitted by Tim Evans (Applicant) on behalf of Rockfish Run Land and Development LLC (Owner).**

**IX. PUBLIC MEETING CONTESTED ITEMS**

**REZONING CASES**

- H. ZON-23-0024: Rezoning from A1 Agricultural District & R40 Residential District to R20 Residential district or to a more restrictive zoning district for 13.16 +/- acres; located East of Chicken Foot Road, North of Rufus Johnson Road, submitted by M.A.P.S Surveying (Applicant) on behalf of JF Johnson Family Farms, LLC (Owner).**

**X. DISCUSSION**

**I. SUBDIVISION ORDINANCE UPDATE**

**J. MIA REVIEW REQUEST**

**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  
[www.cumberlandcountync.gov](http://www.cumberlandcountync.gov)



**PLANNING AND INSPECTIONS DEPARTMENT**

**MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF OCTOBER 17, 2023**

**TO: JOINT PLANNING BOARD**

**FROM:**

**DATE: 10/10/2023**

**SUBJECT: MINUTES OF AUGUST 15, 2023**

**ATTACHMENTS:**

Description

Minutes

Type

Backup Material



## Cumberland County Joint Planning Board

### MINUTES

August 15, 2023

Members Present	Members Absent	Others Present
Mrs. Jami McLaughlin, Chair	Ms. Kasandra Herbert	Mr. Rawls Howard
Mr. Tom Lloyd, Vice-Chair	Mr. Gary Burton	Mr. David Moon
Mr. Todd Mobley	Mr. Mark Williams	Mr. Christopher Portman
Mrs. Susan Moody		Mrs. Laverne Howard
Mr. Mark Williams		
Mr. James Baker		
Mr. William Walters		

#### I. INVOCATION AND PLEDGE OF ALLEGIANCE

Mr. Baker delivered the invocation and led those present in the Pledge of Allegiance.

#### II. ADJUSTMENTS TO / APPROVAL OF AGENDA

There were none.

**Mr. Baker made a motion, seconded by Mr. Lloyd to approve the agenda, as submitted. Unanimous approval.**

#### III. PUBLIC MEETING WITHDRAWAL/DEFERRALS

Mr. Howard notified the Board that he received notice from Hope Mills that Case ZNG-006-23 was to be withdrawn and asked Mr. McLaughlin to come up and speak.

Mr. Chancer McLaughlin, Planning Director/Interim Town Manager for Hope Mills, came to the podium and advised the board that the applicant for Case ZNG-006-23 wishes to withdraw his request.

Mrs. Moody asked for an explanation as to the options available to the applicant in terms of when he can reapply.





## Cumberland County Joint Planning Board

Mr. McLaughlin stated that Hope Mills would not be hearing any aspect of the case and went on to explain that the applicant can reapply in one year from the advertising of the case. But because the case never made it to the Town Board, the enforcement of that one-year rule, if the applicant reapplies with the exact same request, the Hope Mills Board of Commissioners would make the determination if the one-year rule applies.

**Mrs. Moody made a motion, seconded by Mr. Baker to accept the withdrawal request of Case ZNG-006-23. Unanimous approval.**

### IV. ABSTENTIONS BY BOARD MEMBERS

There were none.

### V. APPROVAL OF THE MINUTES OF JULY 18, 2023

**Mr. Lloyd made a motion, seconded by Mrs. Moody to approve the minutes, as submitted. Unanimous approval.**

### VI. CHAIRMAN'S WELCOME AND RULES OF PROCEDURE

Chair McLaughlin read the welcome and rules of procedure.

### VII. PUBLIC MEETING CONSENT ITEMS

#### REZONING CASES

- A. **ZNG-008-23:** Rezoning of 2.27+/- acres to C(P) Planned Commercial District or to a more restrictive zoning district, located at corner of Legion Rd and Elk Rd REIDs 0424086776000 and 0424088534000, submitted by the TIL Holdings of Texas, LLC (agent) on behalf of Myron Kent Dove; Judy Dove; John D. Dove, Jr; Gail Dove; Kimberly McGill Dove Trustee (owners). **(Hope Mills)**

In ZNG-008-23, the Town of Hope Mills Planning staff recommends approval of the rezoning request to the C(P) Planned Commercial district and finds that the request is consistent with the Southwest Cumberland Land Use Plan (2013) designation and that it does complement the future vision of the Town of Hope Mills in regard to the future plans of the adjacent parcels. The economic and regional impact of the proposed development fits within the vision and long-term outlook of the area in regard to economic development viability. Approval of the request is reasonable and in the public interest because the



## Cumberland County Joint Planning Board

district requested is compliments the proposed development of adjacent parcels in the surrounding area.

**In ZNG-008-23, Mrs. Moody made a motion, seconded by Mr. Baker to recommend approval of the rezoning request to the C(P) Planned Commercial district and finds that the request is consistent with the Southwest Cumberland Land Use Plan (2013) designation and that it does complement the future vision of the Town of Hope Mills in regard to the future plans of the adjacent parcels. The economic and regional impact of the proposed development fits within the vision and long-term outlook of the area in regard to economic development viability. Approval of the request is reasonable and in the public interest because the district requested is compliments the proposed development of adjacent parcels in the surrounding area. Unanimous approval.**

- B. **ZON-23-0020:** Rezoning from A1 Agricultural District to R40A Residential District or to a more restrictive zoning district for 2.4 +/- acres; located at 6602 Murphy Road, submitted by Cynthia Coe (applicant/owner).

In Case ZON-23-0020, 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 Eastover Area Land Use Plan which calls for "Rural Density Residential" 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.

**In Case ZON-23-0020, Mrs. Moody made a motion, seconded by Mr. Baker to recommend approval of the rezoning request from A1 Agricultural District to R40A Residential District. The Board finds the request is consistent with the Eastover Area Land Use Plan which calls for "Rural Density Residential" at this location. The Board 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. Unanimous approval.**

## VIII. DISCUSSION

Mr. Howard pointed out that the NCAPA State Planning Conference was approaching, and that money had been allocated as it is every year, for two Board members to attend, and let the Board know when and where this year's conference was going to take place and stated if anyone was interested to let him know so Staff could coordinate their attendance.



## **Cumberland County Joint Planning Board**

### **IX. ADJOURNMENT**

There being no further business, the meeting adjourned at 6:06 pm



**PLANNING AND INSPECTIONS DEPARTMENT**

**MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF OCTOBER 17, 2023**

**TO: JOINT PLANNING BOARD**

**FROM: PLANNING & INSPECTIONS DEPARTMENT**

**DATE: 10/10/2023**

**SUBJECT: JOINT PLANNING BOARD 2024 DEADLINE / MEETING SCHEDULE**

**ATTACHMENTS:**

Description	Type
2024 MEETI	Backup Material



## Cumberland County Joint Planning Board

**2024**

### **JOINT PLANNING BOARD DEADLINE/MEETING SCHEDULE**

<b><u>Application Deadline</u></b>	<b><u>Meeting Date (Tuesdays)</u></b>
Tuesday, December 12, 2023	January 16, 2024
Tuesday, January 16, 2024	February 20, 2024
Tuesday, February 13, 2024	March 19, 2024
Tuesday, March 12, 2024	April 16, 2024
Tuesday, April 16, 2024	May 21, 2024
Tuesday, May 14, 2024	June 18, 2024
Tuesday, June 11, 2024	July 16, 2024
Tuesday, July 16, 2024	August 20, 2024
Tuesday, August 13, 2024	September 17, 2024
Tuesday, September 10, 2024	October 15, 2024
Tuesday, October 15, 2024	November 19, 2024
Tuesday, November 12, 2024	December 17, 2024
Tuesday, December 17, 2024	January 21, 2025

NOTE: Generally, the deadlines are set to 24 working days ahead of the meeting.



**PLANNING AND INSPECTIONS DEPARTMENT**

**MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF OCTOBER 17, 2023**

**TO: JOINT PLANNING BOARD**

**FROM: TOWN OF HOPE MILLS PLANNING DEPARTMENT**

**DATE: 10/10/2023**

**SUBJECT: CASE ZNG-009-23: INITIAL ZONING OF 1.25+/- ACRES TO THE C2(P)  
PLANNED SERVICE AND RETAIL DISTRICT; LOCATED 7163  
ROCKFISH RD REID 9494872510000; SUBMITTED BY THE TOWN OF  
HOPE MILLS (AGENT) ON BEHALF OF PETROMARTS, LLC (OWNER).**

**ATTACHMENTS:**

Description

Case ZNG-009-23

Type

Backup Material





## STAFF REPORT

INITIAL ZONING CASE# ZNG-009-2023

Planning Board Meeting: 10-17-2023

Hope Mills Board Meeting: 11-6-2023

Address: 7163 ROCKFISH RD

### ZONING REQUEST: Initial Zoning to C2(P) Planned Service and Retail District

The Town of Hope Mills staff received an annexation petition for 1.25 +/- acres of land tied to parcel identification number 9494-87-2510. The Hope Mills Board of Commissioners accepted the annexation petition adopting a resolution R2023-19 and set the public hearing for August 7, 2023 under annexation number Z2023-06. The subject parcel is completely surrounded by Town of Hope Mills limits. Plan review staff has worked diligently with the proposed developers to facilitate the submission of this annexation. Please refer to the attached memorandum from the Hope Mills Plan Review Committee for recommendations from all pertinent engineering and permit based departments. The location of the subject property is illustrated in Exhibit "A".

### SUBJECT PROPERTY INFORMATION

#### OWNER/APPLICANT:

Town of Hope Mills (agent) on behalf of Petromarts, LLC (owner)

**ADDRESS/LOCATION:** 7163 Rockfish Rd;  
REID: 9494872510000

For additional Information on the site location, refer to Exhibit "A"

#### SIZE:

As stated above, the subject property is 1.25+/- acres in size with varying lengths of depth.

**EXISTING ZONING:** The subject property is currently zoned under the C2(P) Planned Service and Retail District with the overall immediate surrounding area also designated under C2(P) Planned Service and Retail District.

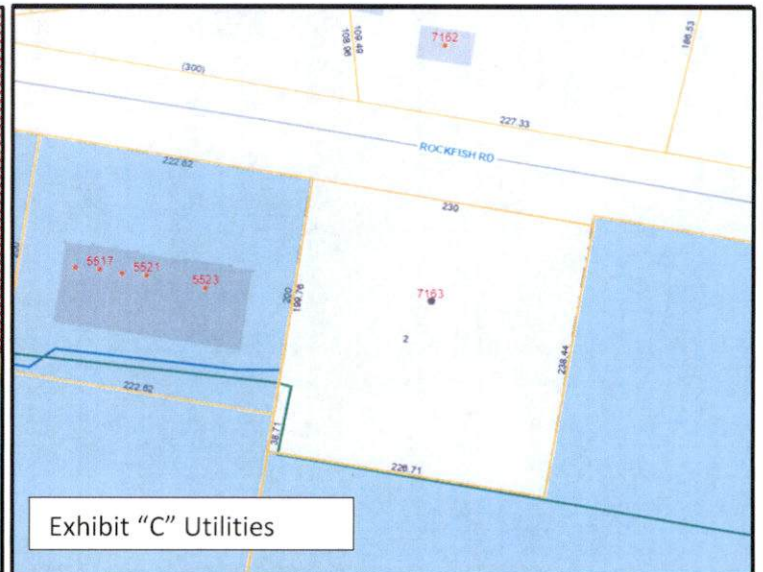
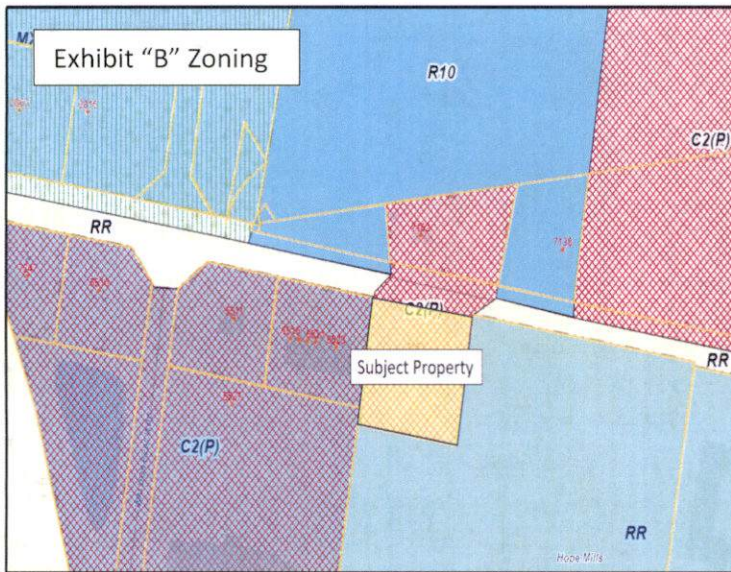
**EXISTING LAND USE:** The subject property is currently vacant.

**SURROUNDING ZONING AND LAND USE:** This property is completely surrounded by commercially zoned properties as well as undeveloped RR Rural property. Refer to Exhibit "B" for zoning and surrounding land uses.

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



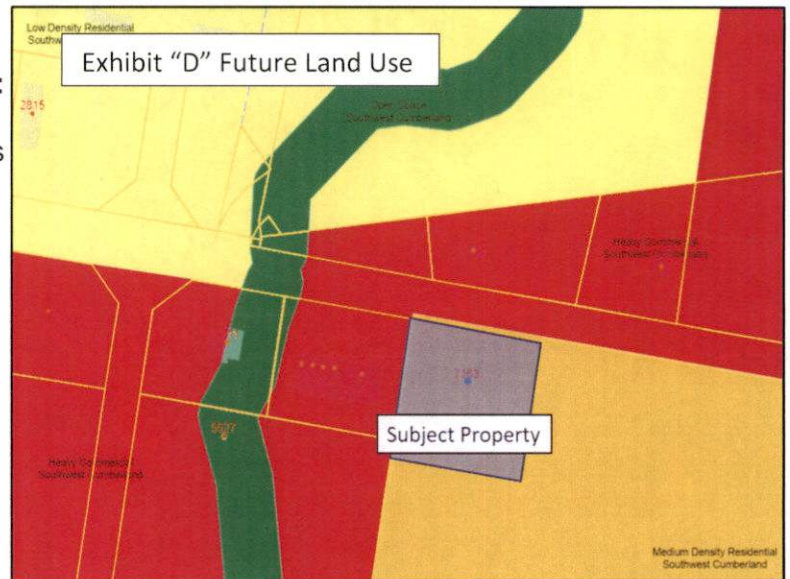




**DEVELOPMENT REVIEW:** The development of this property will require a site plan and development review.

**COMPREHENSIVE DEVELOPMENT PLANS:**

This site is located within the Southwest Cumberland Land Use Plan area (2013) and is designated as "Medium Density Residential". This request is inconsistent with the land use plan but is supported by staff as it is directly adjacent to Heavy Commercial areas. Please refer to Exhibit "D" for additional information.



**IMPACTS ON AREA FACILITIES**

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

**STORMWATER:** Will require Stormwater Management Permit application, is not located in the Airport Overlay District and will require submittal of a Stormwater Management Permit Application.

**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 Airport Overlay District.

**CODE DEVIATIONS:** None.

<b>STAFF RECOMMENDATION</b>
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In ZNG-009-23, 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 even though the request is not consistent with the Southwest Cumberland Land Use Plan (2013) this request complements the existing zoned properties adjacent to the subject property that are already developed. The economic and regional impact of the proposed development fits within the vision and long-term outlook of the area developed to the immediate south. Approval of the request is reasonable and in the public interest because the district requested is in harmony with surrounding existing uses and zoning.



HT Fuel  
Station

Taco Bell

Mavis Tire

Farm Bureau  
Insurance

Subject Property

Food Lion Shopping Center

Jack Britt  
High School

Harmony at  
Hope Mills

Hope Mills

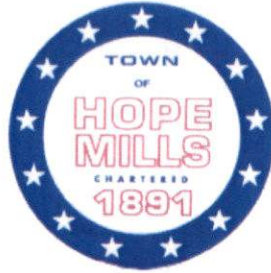
TOWN CENTER DR

ROCKFISH RD

WALDOS BEACH RD

BELSHAW WAY





## Town of Hope Mills

### Planning Department

CASE NO.: ZNG-009-23

PLANNING BOARD

DATE: 10/17/2023

TOHM BOARD

MEETING DATE: 11/6/2023

DATE APPLICATION

SUBMITTED: 8/9/2023

RECEIPT NO.: N/A

RECEIVED BY: C. F. McLaughlin

### APPLICATION FOR REZONING HOPE MILLS ZONING ORDINANCE

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

1. A copy of the *recorded* deed and/or plat;
2. If portion(s) of an existing tract is/are being submitted for rezoning, an accurate written legal description of only the area to be considered for the rezoning; and
3. A check made payable to "Town of Hope Mills" in the amount of \$ 0.  
(See attached Fee Schedule).

#### Rezoning Procedure:

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

The Town Planning Staff may advise on zoning options, inform applicants of development requirements and answer questions regarding the application and rezoning process. For questions, call (910)424-4555. Hours of operation are 8:00 a.m. to 5:00 p.m., Monday through Friday.

**NOTE: Any revisions, inaccuracies or errors to/on the application may cause the case to be delayed and re-scheduled for the next available Board meeting according to the Board's meeting schedule. Also, the application fee is *nonrefundable* once processing of the application has begun.**

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

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

1. Requested Rezoning from C2(P) (county) to C2(P) (Hope Mills) for Initial Zoning

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

2. Address/location of property to be Rezoned: 7163 Rockfish Rd Fayetteville, NC
3. Parcel Identification Number (PIN #) of property: 9494-87-2510  
(also known as Tax ID Number or Property Tax ID)
4. Acreage: 1.25 +/- acres Frontage: 228.3 +/- feet Depth: 230.9 +/- feet
5. Water Provider: Well: \_\_\_\_\_ PWC: X
6. Septage Provider: Septic Tank \_\_\_\_\_ PWC X Other (name) \_\_\_\_\_
7. Deed Book 10161, Page(s) 0409 Cumberland County Register of Deeds. (Attach copy of deed of subject property as it appears in Registry).
8. Existing use(s) of property: Vacant
9. Proposed use(s) of the property: Retail
10. Do you own any property adjacent to, including across the street from, the property being submitted for rezoning? Yes \_\_\_\_\_ No X  
If yes, where? \_\_\_\_\_
11. Has a violation been issued on this property? Yes \_\_\_\_\_ No X

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

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

Petromarts, LLC  
Property owner(s)' name (print or type)

7140 Holmfield Rd Fayetteville, NC 28306  
Complete mailing address of property owner(s)

\_\_\_\_\_  
Telephone number                      Alternative telephone number


\_\_\_\_\_  
E-mail address                      Fax number

Town of Hope Mills (Agent)  
Agent, attorney, or applicant (other than property owner) (print or type)

5770 Rockfish Road Hope Mills, NC 28348  
Complete mailing address of agent, attorney, or applicant

910-426-4103                      \_\_\_\_\_  
Telephone number                      Alternative telephone number

cmclaughlin@townofhopemills.com  
E-mail address                      Fax number

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

\_\_\_\_\_  
Owner's signature

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



## Town of Hope Mills Voluntary Annexation Packet

### VOLUNTARY ANNEXATION SUBMITTAL REQUIREMENTS:

Only complete submittals will be processed. The following items are required to be submitted to the Town of Hope Mills for your application to be deemed complete:

- ☒ Original Petition Form Signed by ALL Owners of the property.
- ☒ Legal description of the area to be annexed in both hard and digital (Word) format.
- ☒ A complete copy of the last deed of record for each parcel of property to be annexed.
- ☒ 1 paper copy and 1 digital copy of the **\*filed** annexation plat prepared by a registered land surveyor including the following information:
  - Title block:

Annexation Map for Town of Hope Mills  
Annexation File # \_\_\_\_\_
  - Vicinity map showing location of property in relation to the primary corporate town limits, (indicate where corporate limits are adjacent to the property or the location of the closest point of the primary Town Limits)
  - Surveyors' certificate.
  - Plat book and page numbers.

### **CHECK PAYABLE TO TOWN OF HOPE MILLS IN THE AMOUNT OF \$500.00 FOR VOLUNTARY ANNEXATION FEE MUST BE SUBMITTED.**

(The petition fee is waived for Voluntary Annexation Petitions that are initiated by the Town through the Water and/or Sewer Annexation Agreements.)

\* (Per the Secretary of State's office said plat must be signed by a surveyor but is not required to be sent through any approval process. Per GS 47-30 paragraph G. and j. "The provisions of this section shall not apply to boundary plats of State lines, county lines, areas annexed by municipalities, nor to plats of municipal boundaries, whether or not required by law to be recorded. ")



For Town Clerk Use:

Annexation # \_\_\_\_\_



## Town of Hope Mills

# Voluntary Annexation Petition

**To the Board of Commissioners of the Town of Hope Mills:**

We, the undersigned, being of all the owners of the real property described herein, respectfully request that the area described herein be annexed to the Town of Hope Mills pursuant to the provisions of G.S. 160A-31.

The area to be annexed is ☒ **contiguous** ☐ **non-contiguous** to the existing Town Limits of Hope Mills and the boundaries of such territory are as indicated below and on the attached map and description.

### Property Information:

If only part of a parcel is included, then write "Part" after the Cumberland County Parcel Identification Number and Real Estate Identification Number (s).

Cumberland County Parcel Identification Number (s):

9494-87-2510

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Cumberland County Real Estate Identification Number (s):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Acreage of Annexation Area: 1.198

Existing Population: \_\_\_\_\_

Number of existing residential dwelling units: 0 Do you declare vested rights\*? ☐ yes ☐ no

\*We acknowledge that any zoning vested rights acquired pursuant to G.S. 160A-385.1 or G.S. 153A-344.1 must be declared and identified on this petition. We further acknowledge that failure to declare such rights on this petition shall result in a termination of vested rights previously acquired for the property. (If zoning vested rights are claimed, indicate "yes" and attach proof.)

Property Owner(s):

Address:

Signature:

Date:

All property owners must sign this petition including husband and wife if jointly owned.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

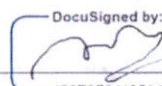
\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

DocuSigned by:



426E9E64135A4DC...

5/31/2023

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\*Vested Right – Means the right to undertake and complete the development and use of property under the terms and conditions of an approved site-specific development plan or an approved phased development plan. A vested right shall be deemed established with respect to any property upon valid approval, or conditional approval, of a site-specific development plan or phased development plan, following notice and public hearing by the county with jurisdiction over the property.

Town of Hope Mills

5770 Rockfish Road • Hope Mills, NC 28348 • (910) 424-4555 • (910) 424-4902 fax

10161 180409

FILED  
CUMBERLAND COUNTY NC  
J. LEE WARREN, JR.  
REGISTER OF DEEDS  
FILED Sep 01, 2017  
AT 12:38:27 pm  
BOOK 10161  
START PAGE 0409  
END PAGE 0411  
INSTRUMENT # 27927  
RECORDING \$26.00  
EXCISE TAX (None)  
AH

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$ N/A  
Parcel Identifier No. Portion of 9494-96-1873 Verified by \_\_\_\_\_ County on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
By: Return to: L. Holden Reaves  
Mail Box to: William M. Clark, Esq., 2850 Village Drive, Suite 204, Fayetteville, NC 28304

This instrument was prepared by: L. Holden Reaves, Esq. [WITHOUT TITLE EXAMINATION]

Brief description for the Index: 1.20 Acres and 0.05 Acres, Rockfish Road

THIS DEED made this 25 day of August, 20 17, by and between

GRANTOR	GRANTEE
<b>Barbara M. Johnson (unmarried)</b>	<b>Petromarts, LLC, a North Carolina limited liability company</b>
6834 Camden Road Fayetteville, NC 28306	7140 Holmfield Road Fayetteville, NC 28306

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

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

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

See Exhibit A attached hereto and incorporated herein by reference.

The property hereinabove described was acquired by Grantor by instrument recorded: See deed from Grantee to Grantor recorded immediately prior hereto [it is noted that this new deed shall serve as a correction deed]; also, see Book 2856, Page 539.



The property herein conveyed does not include the primary residence of Grantor.

A map showing the above described property is recorded in [See legal description for plat reference].

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 has done nothing to impair such title as Grantor received, and Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions: easements, rights of way, and covenants of record, and taxes for the year 2017 and thereafter.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

(SEAL)

Barbara M. Johnson (SEAL)  
Barbara M. Johnson

By: \_\_\_\_\_  
Title: \_\_\_\_\_

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

By: \_\_\_\_\_  
Title: \_\_\_\_\_

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

By: \_\_\_\_\_  
Title: \_\_\_\_\_

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

State of North Carolina - County of Cumberland

I, the undersigned Notary Public of the County and State aforesaid, certify that Barbara M. Johnson personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this 25 day of April, 2017.  
My Commission Expires: August 25, 2019

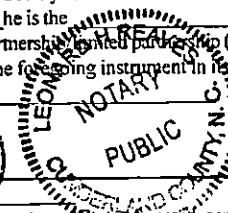
My Commission Expires August 25, 2019

Notary Public

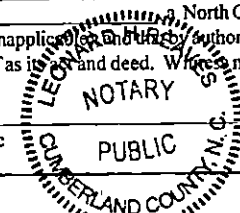
State of \_\_\_\_\_ - County of \_\_\_\_\_

I, the undersigned Notary Public of the County and State aforesaid, certify that \_\_\_\_\_ personally came before me this day and acknowledged that he is the \_\_\_\_\_ of \_\_\_\_\_ a North Carolina corporation/limited liability company/general partnership (strike through the inapplicable one) and that by authority duly given and as the act of such entity, he signed the foregoing instrument in its name on its behalf as its \_\_\_\_\_ and deed. Witness my hand and Notarial stamp or seal, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
My Commission Expires: \_\_\_\_\_

(N.P. SEAL)



Notary Public



State of North Carolina - County of \_\_\_\_\_

I, the undersigned Notary Public of the County and State aforesaid, certify that \_\_\_\_\_

\_\_\_\_\_. Witness my hand and Notarial stamp or seal, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
My Commission Expires: \_\_\_\_\_

Notary Public

The foregoing Certificate(s) of \_\_\_\_\_ is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

By: \_\_\_\_\_ Register of Deeds for \_\_\_\_\_ County  
Deputy/Assistant - Register of Deeds

EXHIBIT A

10161 110611

Tract One:

BEING all of that 1.20 acre lot as shown on plat entitled "Physical Boundary Survey and Revision" prepared by Denver McCullough & "C", said plat having been duly recorded in Plat Book 140, Page 06.  
Cumberland County, NC Registry (the "New Plat").

Tract Two:

BEGINNING at a 1/4" rebar located at the northeastern corner of that certain 1.20 acre lot as shown on the New Plat (said 1.20 acre lot being the same as "Tract One" described above); running thence along the northern boundary of said 1.20 acre lot North 80 degrees, 17 minutes, 00 seconds West 230.00 feet to a 1/2" rebar located at the northwestern corner of said 1.20 acre lot; running thence a new line North 08 degrees, 55 minutes, 05 seconds East 10.00 feet to a calculated point; running thence a new line South 80 degrees 17 minutes 00 seconds East 230.14 feet to a calculated point; running thence a new line South 09 degrees, 42 minutes, 35 seconds West 10.00 feet to the POINT AND PLACE OF BEGINNING, said parcel being identified on the New Plat as "10" to be Dedicated to "NCDOT" - 2,300.69 sq. ft., 0.05 acres".

Annexation No. A2023-06  
Petromarts, LLC  
7163 Rockfish Road  
Pin #9494-87-2510  
Plat Bk. 137 Page 190

**RESOLUTION DIRECTING THE CLERK TO INVESTIGATE  
A PETITION RECEIVED UNDER G.S. 160A-31  
RESOLUTION NO. R2023-19**

**WHEREAS** a petition requesting annexation of an area described in said petition was received on May 31, 2023 by the Hope Mills Board of Commissioners consisting of 1.198 Acres, more or less, at 7163 Rockfish Rd.; and

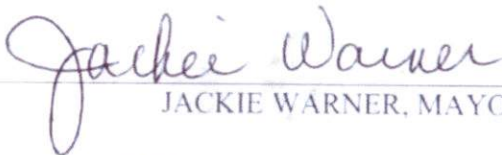
**WHEREAS** G.S. 160A-31 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

**WHEREAS** the Board of Commissioners of the Town of Hope Mills deems it advisable to proceed in response to this request for annexation;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Town of Hope Mills, North Carolina, that:

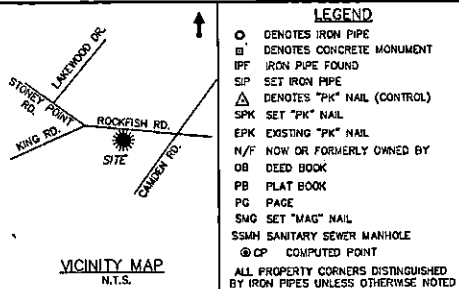
The Town Clerk is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the Board of Commissioners the result of her investigation.

**ADOPTED** this 20<sup>th</sup> day of June, 2023.

  
JACKIE WARNER, MAYOR

**ATTEST:**   
Jane G. Starling, CMC Town Clerk





- NOTES:**
1. NO HORIZONTAL CONTROL FOUND WITHIN 2,000 FEET OF SUBJECT PROPERTY.
  2. THERE ARE NO NON-CONFORMING STRUCTURES ON THIS SITE.
  3. AREA COMPUTED BY COORDINATES.
  4. REFERENCES: DB: 9896, PG. 716  
PB: 137, PG. 190  
PB: 139, PG. 155-156  
PIN-9494-87-2510  
DB: 2856, PG. 539  
PIN-9494-96-1873  
DB: 8858, PG. 609  
PB: 127, PG. 45  
PIN-9494-77-5555
  5. ALL ACREAGE IS MORE OR LESS.
  6. THIS PROPERTY IS SUBJECT TO ALL EASEMENTS OF RECORD OR OTHERWISE AND RESTRICTIVE COVENANTS OF RECORD.

**NOTE:**  
THE PURPOSE OF THIS PLAT IS TO REVISE THE BOUNDARIES OF LOT 2 AS SHOWN ON PRIOR PLAT RECORDED IN PLAT BOOK 137, PAGE 190, AND THIS PLAT SHALL SUPERSEDE AND FULLY REPLACE SAID PRIOR PLAT IN PLAT BOOK 137, PAGE 190.

**DEPARTMENT OF TRANSPORTATION**  
DIVISION OF HIGHWAYS  
NO APPROVAL NECESSARY  
*Lee E. Hies TPA*  
DISTRICT ENGINEER  
**AUGUST 30, 2017**  
DATE

ACCEPTED FOR THE NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION  
DIVISION OF HIGHWAYS  
*Lee E. Hies TPA*  
DISTRICT ENGINEER  
**AUGUST 30, 2017**  
DATE

N/F  
**VP HOPE MILLS DE, LLC**  
Deed Bk. 8858, Pg. 609  
PB. 127, PG. 45  
PIN-9494-77-5555

**CERTIFICATE OF SURVEY AND ACCURACY**

I, DENVER LEE McCULLOUGH, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BK. 9896, PG. 716); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAIN FROM INFORMATION FOUND IN PB. BK. 137, PG. 190; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21A NC 56-1600) WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL, THIS 12th DAY OF AUGUST, A.D., 2017.

*Denver Lee McCullough*  
PLS REGISTRATION NUMBER L-4162

I, DENVER LEE McCULLOUGH, HEREBY CERTIFY THAT THE CHECKED ITEM(S) BELOW APPLY TO THIS MAP:

C. ANY OF THE FOLLOWING:

1. THAT THE SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.
2. THAT THE SURVEY IS OF AN EXISTING BUILDING OR OTHER STRUCTURE, OR NATURAL FEATURE, SUCH AS A WATERCOURSE; OR
3. THAT THE SURVEY IS A CONTROL SURVEY.

STATE OF NORTH CAROLINA  
COUNTY OF CUMBERLAND

I, *Annice Melvin*, Review Officer of Cumberland County, certify that the map or plat to which this certificate is affixed meets all statutory requirements for recording.

*Annice Melvin*  
Review Officer  
Date: **8-30-17**

THE UNDERSIGNED HERE ACKNOWLEDGES THAT THE LAND SHOWN ON THIS PLAT IS WITHIN THE SUBDIVISION JURISDICTION OF CUMBERLAND CO. AND THAT THIS PLAT AND ALLOTMENT IS MY/OUR FREE ACT AND DEED.

*Owner(s)*  
OWNER(S)

NORTH CAROLINA  
CUMBERLAND COUNTY

I, *Mandalyne Stedley*, A NOTARY PUBLIC FOR SAID COUNTY AND STATE, DO HEREBY CERTIFY THAT *Ben Varghese* PERSONALLY APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED EXECUTION OF THE FOREGOING INSTRUMENT. WITNESS MY HAND AND OFFICIAL SEAL, THIS 30 DAY OF August 2017.

NOTARY PUBLIC: *Mandalyne Stedley*  
MY COMMISSION EXPIRES: **9-9-2017**

*Denver Lee McCullough*  
Surveyor  
Cumberland County Joint Planning Board

THE UNDERSIGNED HERE ACKNOWLEDGES THAT THE LAND SHOWN ON THIS PLAT IS WITHIN THE SUBDIVISION JURISDICTION OF CUMBERLAND CO. AND THAT THIS PLAT AND ALLOTMENT IS MY/OUR FREE ACT AND DEED.

*Barbara M. Johnson*  
OWNER(S)

NORTH CAROLINA  
CUMBERLAND COUNTY

I, *Leonard H. Reeves*, A NOTARY PUBLIC FOR SAID COUNTY AND STATE, DO HEREBY CERTIFY THAT *Barbara M. Johnson* PERSONALLY APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED EXECUTION OF THE FOREGOING INSTRUMENT. WITNESS MY HAND AND OFFICIAL SEAL, THIS 12th DAY OF August 2017.

NOTARY PUBLIC: *Leonard H. Reeves*  
MY COMMISSION EXPIRES: **August 25, 2022**

N/F  
**BARBARA M. JOHNSON**  
Deed Bk. 2856, Pg. 539  
PIN-9494-96-1873  
PB: 137, PG. 190  
PB: 139, PG. 155-156  
(LOT 1)

N/F  
**BARBARA M. JOHNSON**  
Deed Bk. 2856, Pg. 539  
PIN-9494-96-1873  
PB: 137, PG. 190  
PB: 139, PG. 155-155  
(LOT 1)

Barbara M. Johnson, Nontithee  
Est.  
**PETROMARTS, LLC**  
PIN-9494-87-2510  
Deed Bk. 9896, Pg. 716  
PB: 137, PG. 190  
(LOT 2)

32,171.38 sq. ft.  
1.20 acres  
Total Acreage  
(includes 5' Reserved Easement)

25  
32,171.38 sq. ft.  
1.197 acres

5.0' Reserved for "NCDOT"  
1,149.82 sq. ft.  
0.02 acres

14  
2,300.69 sq. ft.  
0.052 acres

10' to be Dedicated to "NCDOT"  
By other sources, 2,300.69 sq. ft.  
0.05 acres

**Rockfish Road (S.R. 112)**  
(70' Right-of-Way - Public)

FILED Aug 30, 2017 03:29:30 pm  
BOOK 00140  
PAGE 0008 thru 0006  
INSTRUMENT # 27598  
RECORDING \$21.00  
EXCISE TAX (None)

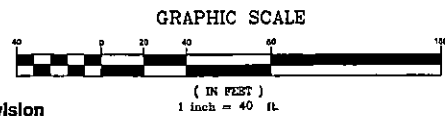
FILED  
CUMBERLAND  
COUNTY NC  
J. LEE WARREN JR.  
REGISTER  
OF DEEDS

Physical Boundary Survey and Revision

of  
Plat Bk. 137, Pg. 190  
for  
**PETROMARTS, LLC**  
TOWNSHIP: ROCKFISH COUNTY: CUMBERLAND  
STATE: NORTH CAROLINA  
PROPERTY OF: PETRO MARTS, LLC - Dd. 9896, Pg. 716

**Denver McCullough & "C"**  
P.L.S. 4182  
404 HOPE MILLS RD, SUITE 4A  
FAYETTEVILLE, NC 28304  
PHONE: (910)867-6024

DATE: 22 AUGUST 2017 SURVEYED BY: DENVER McCULLOUGH & "C"  
SCALE: 1"=40' DRAWN BY: DENVER McCULLOUGH & "C"  
CHECKED & CLOSURE BY: DENVER McCULLOUGH and "C"  
DRAWING FILE NAME: "ABYPETRO"  
TDSK\_PROD





## MEMORANDUM

**DATE:** July 28, 2023

**TO:** Chancer F. McLaughlin – Interim Town Manager

**FROM:** Stephen F. Dollinger – Police Chief  
Elisabeth Brown – Stormwater Administrator  
Don Sisko – Public Works Director  
Steve Lopez – Fire Chief  
Robert Carter – Fire Marshall  
Kenny Tatum – Chief Building inspector  
Emily Weidner – Town Planner

**SUBJECT:** 7163 Rockfish Road Annexation

**REQUEST:** Annexation

**PARCEL#:** 9494872510000

**SIZE:** 1.25+/- acres

**LOCATION:** 7163 Rockfish Road

**POLICE DEPARTMENT:**

Recommendation: **APPROVAL**  
Comments: No objections

**PUBLIC WORKS DEPARTMENT:**

Recommendation: **APPROVAL**  
Comments: No objections.

**STORMWATER DEPARTMENT:**

Recommendation: **APPROVAL**  
Comments: Stormwater permit required. Is not located in the Airport Overlay District nor is it located in the floodplain.

**PLANNING AND ZONING DEPARTMENT:**

Recommendation: **APPROVAL**  
Comments: Planning staff is requesting approval to begin the initial zoning process to designate the site under the C2(P) Planned Service and Retail District.

**FIRE DEPARTMENT:**

Recommendation: **APPROVAL**  
Comments: No objections, if approved, will be in full responder contracted area for Stoney Point Fire Department.

**INSPECTIONS DEPARTMENT:**

Recommendation: **APPROVAL**  
Comments: No objections.





## STAFF REPORT

CASE# N/A

Planning Board Meeting: N/A

Hope Mills Board Meeting: 8/7/2023

Address: 7163 ROCKFISH ROAD

### REQUEST

The following memo outlines a request from staff to begin the initial zoning process for a development under consideration for annexation.

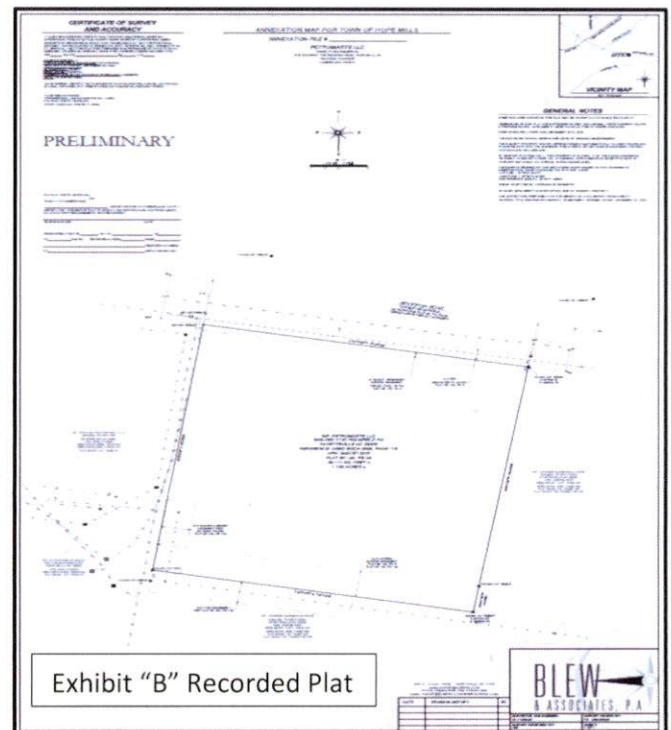
### BACKGROUND

At the July 17, 2023 board meeting, the Hope Mills Board of Commissioners moved to set the public hearing for Resolution R2023-20 for August 7, 2023. The resolution is tied to annexation petition A2023-06 for the consideration of the contiguous annexation of 1.25 acres of land at 7163 Rockfish Road. The parcel in question is tied to PIN# 9494-87-2510. Plan review staff has worked diligently with the proposed developers to facilitate the submission of this annexation. The location of the subject property is illustrated in Exhibit "A".



### STAFF RECOMMENDATION/REQUEST

Please refer to the attached memorandum from the Town of Hope Mills Plan Review staff outlining recommendations from Planning, Fire, Police, Public Works, Stormwater, and Inspections. Planning staff is requesting authorization to begin the initial zoning process to designate the development under the C2(P) Planned Service and Retail District. The recorded plat is illustrated in Exhibit "B".



Owner	Street	City	State	Zip
Petromarts, LLC	7140 Holmfield Rd	Fayetteville	NC	28306
Venture Properties VI LLC	PO Box 843	Wilkesboro	NC	28697
Jimmy Mabe	173 Sugarloaf Rd	Elizabethtown	NC	28337
Wendi Kmet	125 Sir Richard W	Kill Devil Hills	NC	27948
Barbara M. Johnson Heirs	PO Box 53349	Fayetteville	NC	28305
VP Hope Mills DE, LLC	PO Box 843	Wilkesboro	NC	28697



**PLANNING AND INSPECTIONS DEPARTMENT**

**MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF OCTOBER 17, 2023**

**TO: JOINT PLANNING BOARD**

**FROM: TOWN OF HOPE MILLS PLANNING DEPARTMENT**

**DATE: 10/10/2023**

**SUBJECT: CASE ZNG-010-23: INITIAL ZONING OF 32.44+/- ACRES TO THE R7.5 RESIDENTIAL DISTRICT; LOCATED 0 MUSCAT RD REIDS 0403647315000, 0403373181000, AND 0403744513000; SUBMITTED BY THE TOWN OF HOPE MILLS (AGENT) ON BEHALF OF JSJ DEVELOPMENT COMPANY, LLC (OWNER).**

**ATTACHMENTS:**

Description

Case ZNG-010-23

Type

Backup Material





## STAFF REPORT

INITIAL ZONING CASE# ZNG-010-2023

Planning Board Meeting: 10-17-2023

Hope Mills Board Meeting: 11-6-2023

Address: 0 Muscat Road

### ZONING REQUEST: Initial Zoning to R7.5 Residential District

The Town of Hope Mills staff received an annexation petition for 32.44 +/- acres of land tied to parcel identification numbers 0403-64-7315, 0403-37-3181, and 0403-74-4513. The Hope Mills Board of Commissioners accepted the annexation petition adopting a resolution R2023-21 and set the public hearing for August 21, 2023 under annexation number A2023-07. The subject parcel is slated to be the next phase of the Sheffield Farms subdivision that is within the Town of Hope Mills limits. Plan review staff has worked diligently with the proposed developers to facilitate the submission of this annexation. Please refer to the attached memorandum from the Hope Mills Plan Review Committee for recommendations from all pertinent engineering and permit based departments. The location of the subject property is illustrated in Exhibit "A".

### SUBJECT PROPERTY INFORMATION

#### OWNER/APPLICANT:

Town of Hope Mills (agent) on behalf of  
JSJ Development Company, LLC (owner)

**ADDRESS/LOCATION:** 0 Muscat Road;  
REIDs: 0403647315000, 0403373181000,  
and 0403744513000

For additional Information on  
the site location, refer to Exhibit  
"A"

#### SIZE:

As stated above, the subject property is 32.44  
acres in size with varying lengths of depth.

**EXISTING ZONING:** The subject property is  
currently zoned under the R10 Residential  
District (for the County) with the overall  
immediate surrounding area zoned similarly under Residential Districts.

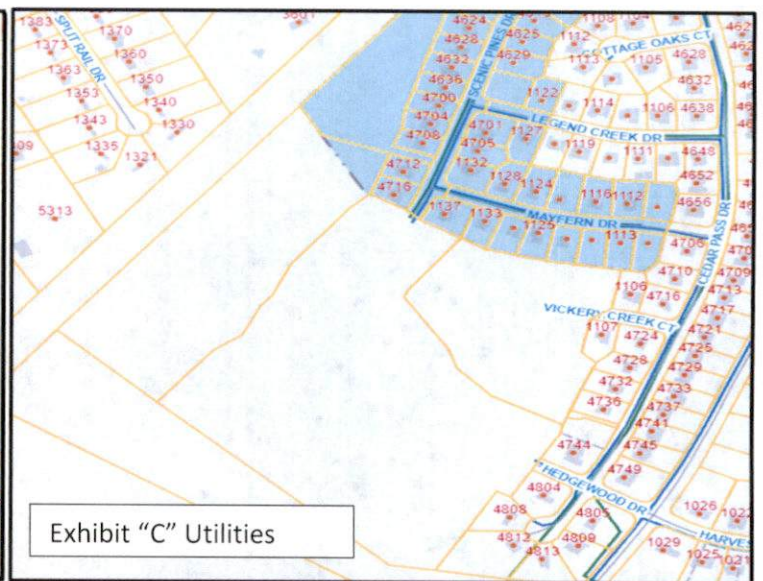
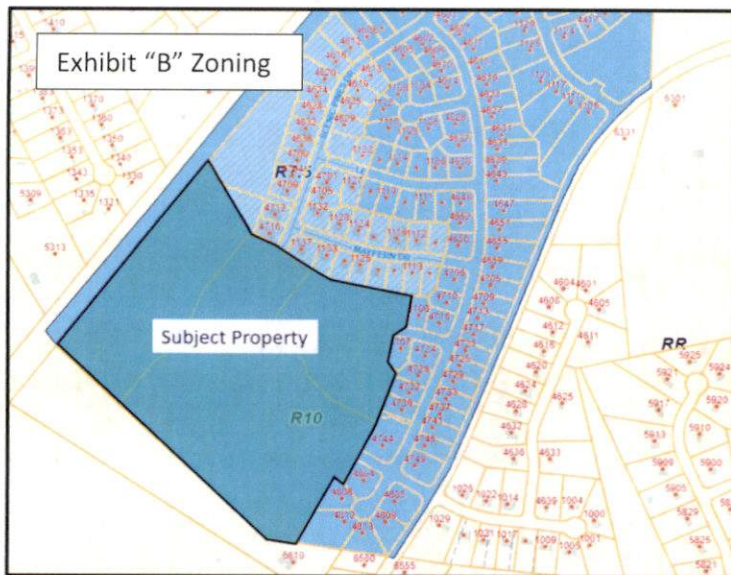
**EXISTING LAND USE:** The subject property is currently vacant.

**SURROUNDING ZONING AND LAND USE:** This property is completely surrounded by  
residentially zoned properties. Refer to Exhibit "B" for zoning and surrounding land uses.

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



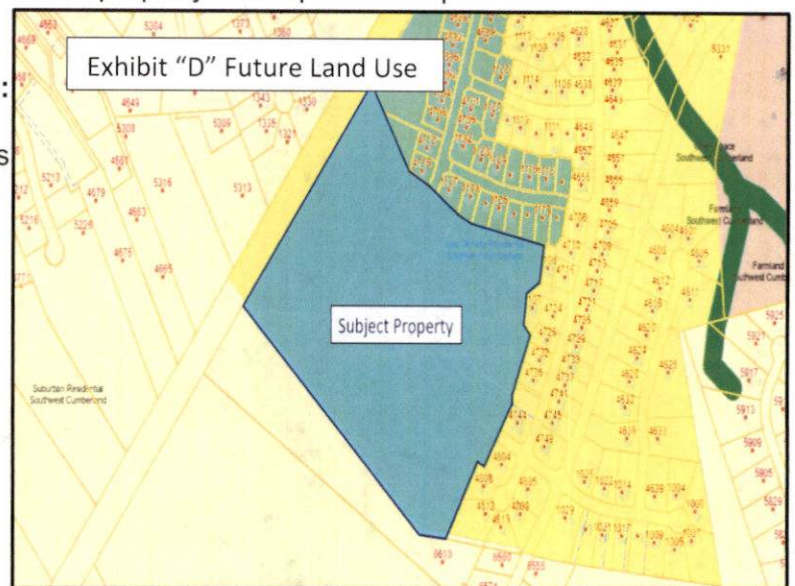




**DEVELOPMENT REVIEW:** The development of this property will require a site plan and development review.

**COMPREHENSIVE DEVELOPMENT PLANS:**

This site is located within the Southwest Cumberland Land Use Plan area (2013) and is designated as "Low Density Residential". This request is consistent with the land use plan and is supported by staff as it is requested to be considered for Commercial use. Please refer to Exhibit "D" for additional information.



**IMPACTS ON AREA FACILITIES**

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

**STORMWATER:** Will require Stormwater Management Permit application, is not located in the Airport Overlay District and will require submittal of a Stormwater Management Permit Application.

**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 Airport Overlay District.

**CODE DEVIATIONS:** None.

<b>STAFF RECOMMENDATION</b>
-----------------------------

In ZNG-010-23, the Town of Hope Mills Planning staff **recommends approval** of the initial zoning request to the R7.5 Residential District and finds that the request is consistent with the Southwest Cumberland Land Use Plan (2013) designation and complements the existing zoned properties adjacent to the subject property that have similar developments. The economic and regional impact of the proposed development fits within the vision and long-term outlook of the area developed to the immediate north. Approval of the request is reasonable and in the public interest because the district requested is in harmony with surrounding existing uses and zoning.









## Town of Hope Mills

### Planning Department

CASE NO.: ZNG-010-23

PLANNING BOARD

DATE: 10/17/2023

TOHM BOARD

MEETING DATE: 11/6/2023

DATE APPLICATION

SUBMITTED: 8/22/2023

RECEIPT NO.: N/A

RECEIVED BY: E. Weidner

### APPLICATION FOR REZONING HOPE MILLS ZONING ORDINANCE

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

1. A copy of the *recorded* deed and/or plat;
2. If portion(s) of an existing tract is/are being submitted for rezoning, an accurate written legal description of only the area to be considered for the rezoning; and
3. A check made payable to "Town of Hope Mills" in the amount of \$ 0.  
(See attached Fee Schedule).

#### Rezoning Procedure:

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

The Town Planning Staff may advise on zoning options, inform applicants of development requirements and answer questions regarding the application and rezoning process. For questions, call (910)424-4555. Hours of operation are 8:00 a.m. to 5:00 p.m., Monday through Friday.

**NOTE: Any revisions, inaccuracies or errors to/on the application may cause the case to be delayed and re-scheduled for the next available Board meeting according to the Board's meeting schedule. Also, the application fee is *nonrefundable* once processing of the application has begun.**

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

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

1. Requested Initial Zoning to R7.5 Residential for Initial Zoning

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

2. Address/location of property to be Rezoned: 0 Muscat Rd Parkton, NC 28371
3. Parcel Identification Number (PIN #) of property: 0403-64-7315, 0403-37-3181, and 0403-74-4513  
(also known as Tax ID Number or Property Tax ID)
4. Acreage: 32.44 +/- acres Frontage: 0 +/- feet Depth: 1,358 +/-
5. Water Provider: Well: \_\_\_\_\_ PWC: X
6. Septage Provider: Septic Tank \_\_\_\_\_ PWC X Other (name) \_\_\_\_\_
7. Deed Book 4985, Page(s) 557 Cumberland County Register of Deeds. (Attach copy of deed of subject property as it appears in Registry).
8. Existing use(s) of property: Vacant
9. Proposed use(s) of the property: Subdivision
10. Do you own any property adjacent to, including across the street from, the property being submitted for rezoning? Yes X No \_\_\_\_\_  
If yes, where? 0 Scenic Pines Dr PIN 0403-75-1051
11. Has a violation been issued on this property? Yes \_\_\_\_\_ No X

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





## Town of Hope Mills Voluntary Annexation Packet

### VOLUNTARY ANNEXATION SUBMITTAL REQUIREMENTS:

Only complete submittals will be processed. The following items are required to be submitted to the Town of Hope Mills for your application to be deemed complete:

- ☒ Original Petition Form Signed by ALL Owners of the property.
- ☒ Legal description of the area to be annexed in both hard and digital (Word) format.
- ☒ A complete copy of the last deed of record for each parcel of property to be annexed.
- ☒ 1 paper copy and 1 digital copy of the **\*filed** annexation plat prepared by a registered land surveyor including the following information:

- Title block:

Annexation Map for Town of Hope Mills  
Annexation File # A2023-07

- Vicinity map showing location of property in relation to the primary corporate town limits, (indicate where corporate limits are adjacent to the property or the location of the closest point of the primary Town Limits)
- Surveyors' certificate.
- Plat book and page numbers.

**CHECK PAYABLE TO TOWN OF HOPE MILLS IN THE AMOUNT OF \$500.00 FOR VOLUNTARY ANNEXATION FEE MUST BE SUBMITTED.**

(The petition fee is waived for Voluntary Annexation Petitions that are initiated by the Town through the Water and/or Sewer Annexation Agreements.)

\* (Per the Secretary of State's office said plat must be signed by a surveyor but **is not required to be sent through any approval process**. Per GS 47-30 paragraph G. and j. "The provisions of this section shall not apply to boundary plats of State lines, county lines, **areas annexed by municipalities**, nor to plats of municipal boundaries, whether or not required by law to be recorded. ")

**Town of Hope Mills**

5770 Rockfish Road • Hope Mills, NC 28348 • (910) 424-4555 • (910) 424-4902 fax





For Town Clerk Use:  
Annexation # A2023-07

## Town of Hope Mills Voluntary Annexation Petition

To the Board of Commissioners of the Town of Hope Mills:

We, the undersigned, being of all the owners of the real property described herein, respectfully request that the area described herein be annexed to the Town of Hope Mills pursuant to the provisions of G.S. 160A-31.

The area to be annexed is ☒ contiguous ☐ non-contiguous to the existing Town Limits of Hope Mills and the boundaries of such territory are as indicated below and on the attached map and description.

### Property Information:

If only part of a parcel is included, then write "Part" after the Cumberland County Parcel Identification Number and Real Estate Identification Number (s).

Cumberland County Parcel Identification Number (s):

0403-64-7315

0403-73-1812

0403-74-5130

Cumberland County Real Estate Identification Number (s):

0403647315000

0403731812000

0403745130000

Acreage of Annexation Area: 32.44

Existing Population: 0

Number of existing residential dwelling units: 0

Do you declare vested rights\*? ☒ yes ☐ no

\*We acknowledge that any zoning vested rights acquired pursuant to G.S. 160A-385.1 or G.S. 153A-344.1 must be declared and identified on this petition. We further acknowledge that failure to declare such rights on this petition shall result in a termination of vested rights previously acquired for the property. (If zoning vested rights are claimed, indicate "yes" and attach proof.)

Property Owner(s):

Address:

Signature:

Date:

All property owners must sign this petition including husband and wife if jointly owned.

JSJ DEVELOPMENT COMPANY, LLC

1135 ROBESON ST. FAYETTEVILLE NC 28305

6-26-2023

\*Vested Right – Means the right to undertake and complete the development and use of property under the terms and conditions of an approved site-specific development plan or an approved phased development plan. A vested right shall be deemed established with respect to any property upon valid approval, or conditional approval, of a site-specific development plan or phased development plan, following notice and public hearing by the county with jurisdiction over the property.

Town of Hope Mills

5770 Rockfish Road • Hope Mills, NC 28348 • (910) 424-4555 • (910) 424-4902 fax



ENGINEERING - SURVEYING - DESIGNING - DRAFTING

## Larry King & Associates, R.L.S., P.A.

P.O. Box 53787

1333 Morganton Road, Suite 201

Fayetteville, North Carolina 28305

P. (910) 483-4300 F. (910) 483-4052

[www.LKandA.com](http://www.LKandA.com)

NC Firm License C-0887



June 20, 2023

### LEGAL DESCRIPTION

#### ANNEXATION

Muscat Road

32.44 acres

**LYING** in Rockfish Township, near Fayetteville, Cumberland County, North Carolina this subject parcel being bounded on the north by: Pond Lot "A", Lot 51 and Lots 232-238 as described and recorded in "Sheffield Farms North Section Five" Plat Book 147, Page 157, Cumberland County Registry; bounded on the east by: Lots 248-250 as described and recorded in "Sheffield Farms North Section Four" Plat Book 135, Page 92, by Lot 1R, as described and recorded in "Jeffrey Cortez Graham" Plat Book 140, Page 26, and by Lots 163-165, 167 and 184 as described and recorded in "Sheffield Farms North Section Three" Plat Book 122, Page 93, Cumberland County Registry; bounded on the south and southwest by the tract as conveyed to Shirley B. Sansbury and Cheryl Lynne Garris Life Estate, as described and recorded in Deed Book 4985, Page 557, Cumberland County Registry; bounded on the west and northwest by the southeastern right of way margin of CSX Railroad (130 foot private right of way).

**COMMENCING** from an existing iron rebar located in the southern right of way margin of Hedgewood Drive (50' public r/w) the northernmost corner of Lot 250, as described and recorded in "Sheffield Farms North Section Four" Plat Book 135, Pages 92, Cumberland County Registry, said iron rebar also being the **TRUE POINT AND PLACE OF BEGINNING**:

**THENCE** as and with the northwest boundary line of Lot 250 (Plat Book 135, Pages 92),

South 29 degrees 53 minutes 25 seconds West for a distance of 120.59 feet to an existing iron rebar;

**THENCE** North 60 degrees 06 minutes 35 seconds West for a distance of 43.58 feet to an existing iron rebar;

**THENCE** as and with the west boundary line of Lots 248 and 249 (Plat Book 135, Pages 92),

South 29 degrees 53 minutes 25 seconds West for a distance of 344.93 feet to an existing iron rebar;

**THENCE** as and with the north boundary line of the Shirley Sansbury and Cheryl Garris tract,

North 81 degrees 48 minutes 50 seconds West for a distance of 131.10 feet to an existing iron rebar;

**THENCE** North 46 degrees 48 minutes 20 seconds West for a distance of 1273.87 feet to an existing iron rebar located in the southeast margin of the CSX Railroad (130 foot private right of way);

**THENCE** as and with said right of way margin of the CSX Railroad, North 38 degrees 05 minutes 01 seconds East for a distance of 1088.35 feet to an existing iron rebar;  
**THENCE** South 29 degrees 48 minutes 52 seconds East for a distance of 374.94 feet to an existing iron rebar;  
**THENCE** South 60 degrees 52 minutes 20 seconds East for a distance of 133.14 feet to an existing iron rebar;  
**THENCE** South 43 degrees 46 minutes 38 seconds East for a distance of 52.08 feet to an existing iron rebar;  
**THENCE** as and with the south boundary line of Lots 232- 238 (Plat Book 147, Page 157) the following calls:  
South 59 degrees 12 minutes 05 seconds East for a distance of 214.91 feet to an existing iron rebar;  
South 75 degrees 46 minutes 52 seconds East for a distance of 173.44 feet to an existing iron rebar;  
South 81 degrees 24 minutes 16 seconds East for a distance of 215.07 feet to an existing iron rebar, the northwest corner of Lot 184 (Plat Book 122, Page 93);  
**THENCE** as and with the west boundary line of Lot 184, South 11 degrees 02 minutes 08 seconds West for a distance of 149.17 feet to an existing iron rebar, the southwest corner of Lot 184;  
**THENCE** South 55 degrees 41 minutes 22 seconds West for a distance of 70.28 feet to an existing iron rebar;  
**THENCE** South 11 degrees 02 minutes 17 seconds West for a distance of 128.05 feet to an existing iron rebar;  
**THENCE** South 47 degrees 32 minutes 20 seconds East for a distance of 56.80 feet to an existing iron rebar;  
**THENCE** South 21 degrees 41 minutes 39 seconds West for a distance of 250.49 feet to an existing iron rebar;  
**THENCE** South 10 degrees 39 minutes 04 seconds West for a distance of 32.56 feet to an existing iron rebar;  
**THENCE** South 29 degrees 53 minutes 25 seconds West for a distance of 159.26 feet to an existing iron rebar, said iron rebar also being the **TRUE POINT AND PLACE OF BEGINNING**.

Together with and subject to covenants, easements, and restrictions of record.  
Said property contains 32.44 acres (1,413,247 square feet).

This description prepared by Larry King & Associates, R.L.S., P.A. on this 20th day of June, 2023, under the supervision of W. Larry King, a Professional Land Surveyor.

W. Larry King PLS 1339  
W. Larry King, P.L.S., L-1339

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

FILED Feb 08, 2023  
AT 02:33:30 PM  
BOOK 11667  
START PAGE 0737  
END PAGE 0742  
INSTRUMENT # 03802  
RECORDING \$26.00  
EXCISE TAX \$419.00

### NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax:	\$419.00
Parcel ID:	0403-74-5130 and 0403-64-7303
Mail/Box to:	Jennifer Kirby Fincher, PLLC, 324 N. McPherson Church Rd, Fayetteville, NC 28303
Prepared by:	Jennifer Kirby Fincher, PLLC, 324 N. McPherson Church Rd, Fayetteville, NC 28303
Brief description for the index:	2 Tracts, Muscat Road

THIS GENERAL WARRANTY DEED ("Deed") is made on the 7th day of February, 2023, by and between:

GRANTOR	GRANTEE
GRRF, LLP 5135 Morganton Road Fayetteville, NC 28314	JSJ Development Company, LLC 1135 Robeson Street Fayetteville, NC 28305

Enter in the appropriate block for each Grantor and Grantee their name, mailing address, and, if appropriate, state of organization and character of entity, e.g. North Carolina or other corporation, LLC, or partnership. Grantor and Grantee includes the above parties and their respective heirs, successors, and assigns, whether singular, plural, masculine, feminine or neuter, as required by context.

FOR VALUABLE CONSIDERATION paid by Grantee, the receipt and legal sufficiency of which is acknowledged, Grantor by this Deed does hereby grant, bargain, sell and convey to Grantee, in fee simple, all that certain lot, parcel of land or condominium unit in the City of Hope Mills, Cumberland County, North Carolina and more particularly described as follows (the "Property"):

see attached exhibit "A"

All or a portion of the Property was acquired by Grantor by instrument recorded in Book 6373 Page 685.

All or a portion of the Property ☐ includes or ☒ does not include the primary residence of a Grantor.

A map showing the Property is recorded in Book \_\_\_\_\_ Page \_\_\_\_\_.

submitted electronically by "Jennifer Kirby Fincher, PLLC"  
in compliance with North Carolina statutes governing recordable documents  
and the terms of the submitter agreement with the Cumberland County Register of Deeds.



TO HAVE AND TO HOLD the Property and all privileges and appurtenances thereto belonging to Grantee in fee simple. Grantor covenants with Grantee that Grantor is seized of the Property in fee simple, Grantor has the right to convey the Property in fee simple, title to the Property is marketable and free and clear of all encumbrances, and Grantor shall warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

restrictions, easements and rights-of-way of record; ad valorem property taxes for the current year.

IN WITNESS WHEREOF, the Grantor has duly executed this North Carolina General Warranty Deed, if an entity by its duly authorized representative.

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

GRRF, LLP

Entity Name

By: Charles A. Gore

Name: Charles A. Gore

Title: Genral Partner

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

STATE OF NORTH CAROLINA, COUNTY OF CUMBERLAND

I, Jennifer Dunn, a Notary of the above state and county, certify that the following person(s) personally appeared before me on the 7 day of February, 20 23 each acknowledging to me that he/she/they signed the foregoing document, in the capacity represented and identified therein (if any):

Charles A. Gore as Genral Partner of GRRF, LLP

Affix Notary Seal/Stamp

JENNIFER DUNN  
Notary Public  
North Carolina  
Cumberland County

Jennifer Dunn  
Notary Public (Official Signature)

My commission expires: 9/12/27

Exhibit "A"



ENGINEERING - SURVEYING - DESIGNING - DRAFTING

**Larry King & Associates, R.L.S., P.A.**

P.O. Box 53787

1333 Morganton Road, Suite 201

Fayetteville, North Carolina 28305

P. (910) 483-4300 F. (910) 483-4052

[www.LKandA.com](http://www.LKandA.com)

NC Firm License C-0887



February 02, 2023

LEGAL DESCRIPTION

**GRRF, LLC to JSJ Development Company LLC**  
**Muscat Road**  
**9.23 acres**

LYING in Rockfish Township, near Fayetteville, Cumberland County, North Carolina this subject parcel being bounded on the northeast by: Pond Lot "A" Common Area and Open Space, as described and recorded in "Sheffield Farms North Section Five" Plat Book 147, Page 157, Cumberland County Registry; bounded on the east by: Lots 51 and 52 as described and recorded in "Sheffield Farms North Section Five" Plat Book 147, Page 157, and by the tract as conveyed to JSJ Development Company, LLC, as described and recorded in Deed Book 11464, Page 492, Cumberland County Registry; bounded on the southwest by the tract as conveyed to Shirley B. Sansbury and Cheryl Lynne Garris Life Estate, as described and recorded in Deed Book 4985, Page 557, Cumberland County Registry; bounded on the northwest the eastern right of way margin of CSX railroad (130 foot private right of way) and being more particularly described as follows:

COMMENCING from an existing iron rebar the southwest corner of Lot 51, as described and recorded in "Sheffield Farms North Section Five" Plat Book 147, Page 157, Cumberland County Registry, said iron rebar also being the TRUE POINT AND PLACE OF BEGINNING:

THENCE South 46 degrees 19 minutes 14 seconds West for a distance of 76.98 feet to a point;  
THENCE South 36 degrees 33 minutes 00 seconds West for a distance of 85.00 feet to a point;  
THENCE South 37 degrees 31 minutes 22 seconds West for a distance of 184.47 feet to a point;  
THENCE South 23 degrees 43 minutes 13 seconds West for a distance of 128.04 feet to a point;  
THENCE South 39 degrees 50 minutes 26 seconds West for a distance of 52.01 feet to a point;  
THENCE South 24 degrees 22 minutes 01 seconds West for a distance of 120.00 feet to a point;  
THENCE South 55 degrees 46 minutes 52 seconds West for a distance of 100.45 feet to a point;  
THENCE South 38 degrees 05 minutes 01 seconds West for a distance of 249.54 feet to a point;  
THENCE North 46 degrees 48 minutes 20 seconds West for a distance of 383.06 feet to a point;  
THENCE North 38 degrees 05 minutes 01 seconds East for a distance of 1088.35 feet to a point;  
THENCE South 29 degrees 48 minutes 50 seconds East for a distance of 125.38 feet to a point;  
THENCE South 70 degrees 32 minutes 15 seconds East for a distance of 202.13 feet to a point;

THENCE South 19 degrees 27 minutes 45 seconds West for a distance of 165.03 feet to an existing iron rebar, said iron rebar also being the **TRUE POINT AND PLACE OF BEGINNING**.

Together with and subject to covenants, easements, and restrictions of record.  
Said property contains 9.23 acres (402,004 square feet).

This description prepared by Larry King & Associates, R.L.S., P.A. on this 02<sup>nd</sup> day of February, 2023, under the supervision of W. Larry King, a Professional Land Surveyor.

*W. Larry King PLS*  
W. Larry King, P.L.S., L-1339







ENGINEERING • SURVEYING • DESIGNING • DRAFTING

**Larry King & Associates, R.L.S., P.A.**

P.O. Box 53787

1333 Morganton Road, Suite 201

Fayetteville, North Carolina 28305

P. (910) 483-4300 F. (910) 483-4052

[www.LKandA.com](http://www.LKandA.com)

NC Firm License C-0887



February 02, 2023

LEGAL DESCRIPTION

**GRRF, LLC to JSJ Development Company LLC**  
**Muscat Road**  
**5.71 acres**

LYING in Rockfish Township, near Fayetteville, Cumberland County, North Carolina this subject parcel being bounded on the north by Lots 232 through 237, "Sheffield Farms North Section Five" as described and recorded in Plat Book 147, Page 157, Cumberland County Registry; bounded on the east by: Lots 162 through 165, 167 and 184, as described and recorded in "Sheffield Farms North Section Three" Plat Book 122, Page 93, Cumberland County Registry; bounded on the south and west by the tract as conveyed to JSJ Development Company, LLC, as described and recorded in Deed Book 11464, Page 492, Cumberland County Registry and being more particularly described as follows:

COMMENCING from an existing iron rebar the southeast corner of Lot 238, as described and recorded in "Sheffield Farms North Section Five" Plat Book 147, Page 157, Cumberland County Registry, said iron rebar also being the **TRUE POINT AND PLACE OF BEGINNING**:

**THENCE** South 59 degrees 12 minutes 05 seconds East for a distance of 81.59 feet to a point;  
**THENCE** South 75 degrees 46 minutes 52 seconds East for a distance of 173.44 feet to a point;  
**THENCE** South 81 degrees 24 minutes 16 seconds East for a distance of 215.07 feet to a point;  
**THENCE** South 11 degrees 02 minutes 17 seconds West for a distance of 149.17 feet to a point;  
**THENCE** South 55 degrees 41 minutes 12 seconds West for a distance of 70.28 feet to a point;  
**THENCE** South 11 degrees 02 minutes 17 seconds West for a distance of 128.05 feet to a point;  
**THENCE** South 47 degrees 32 minutes 20 seconds East for a distance of 56.80 feet to a point;  
**THENCE** South 21 degrees 41 minutes 39 seconds West for a distance of 250.49 feet to a point;  
**THENCE** North 62 degrees 00 minutes 53 seconds West for a distance of 224.91 feet to a point;  
**THENCE** North 42 degrees 53 minutes 04 seconds West for a distance of 143.70 feet to a point;  
**THENCE** North 19 degrees 40 minutes 38 seconds West for a distance of 72.92 feet to a point;  
**THENCE** North 32 degrees 31 minutes 29 seconds West for a distance of 233.49 feet to a point;  
**THENCE** North 24 degrees 25 minutes 27 seconds East for a distance of 30.00 feet to a point;  
**THENCE** North 36 degrees 33 minutes 00 seconds East for a distance of 243.55 feet to an existing iron rebar, said iron rebar also being the **TRUE POINT AND PLACE OF BEGINNING**.



Together with and subject to covenants, easements, and restrictions of record.  
Said property contains 5.71 acres (248,634 square feet).

This description prepared by Larry King & Associates, R.L.S., P.A. on this 02<sup>nd</sup> day  
of February, 2023, under the supervision of W. Larry King, a Professional Land Surveyor.

*W. Larry King* PLS 1339  
W. Larry King, P.L.S., L-1339



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

FILED May 04, 2022  
AT 01:21:25 EM  
BOOK 11464  
START PAGE 0492  
END PAGE 0496  
INSTRUMENT # 18503  
RECORDING \$26.00  
EXCISE TAX \$449.00

## NORTH CAROLINA GENERAL WARRANTY DEED

R-14060-22

Excise Tax:	Excise Tax: \$449.00
Parcel ID:	0403-74-0082
Mail/Box to:	Jennifer Kirby Fincher, PLLC, 324 N. McPherson Church Rd, Fayetteville, NC 28303
Prepared by:	Jennifer Kirby Fincher, PLLC, 324 N. McPherson Church Rd, Fayetteville, NC 28303
Brief description for the index:	17.91 Acre M&B

THIS GENERAL WARRANTY DEED ("Deed") is made on the 3rd day of May, 20 2022, by and between:

GRANTOR	GRANTEE
GRRF, LLP	JSJ Development Company, LLC 1135 Robeson Street Fayetteville, NC 28305

Enter in the appropriate block for each Grantor and Grantee their name, mailing address, and, if appropriate, state of organization and character of entity, e.g. North Carolina or other corporation, LLC, or partnership. Grantor and Grantee includes the above parties and their respective heirs, successors, and assigns, whether singular, plural, masculine, feminine or neuter, as required by context.

FOR VALUABLE CONSIDERATION paid by Grantee, the receipt and legal sufficiency of which is acknowledged, Grantor by this Deed does hereby grant, bargain, sell and convey to Grantee, in fee simple, all that certain lot, parcel of land or condominium unit in the City of Fayetteville, Cumberland County, North Carolina and more particularly described as follows (the "Property"):

See attached "Exhibit A"

All or a portion of the Property was acquired by Grantor by instrument recorded in Book 6373 Page 685.

All or a portion of the Property ☐ includes or ☒ does not include the primary residence of a Grantor.

TO HAVE AND TO HOLD the Property and all privileges and appurtenances thereto belonging to Grantee in fee simple. Grantor covenants with Grantee that Grantor is seized of the Property in fee simple, Grantor has the right to convey the Property in fee simple, title to the Property is marketable and free and clear of all encumbrances, and Grantor shall warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

restrictions, easements and rights-of-way of record; ad valorem property taxes for the current year.

IN WITNESS WHEREOF, the Grantor has duly executed this North Carolina General Warranty Deed, if an entity by its duly authorized representative.

Name: \_\_\_\_\_

GRRF, LLP

Entity Name

By: Charles A. Gore

Name: Charles A. Gore

Title: General Partner

Name: \_\_\_\_\_

Name: \_\_\_\_\_

By: \_\_\_\_\_

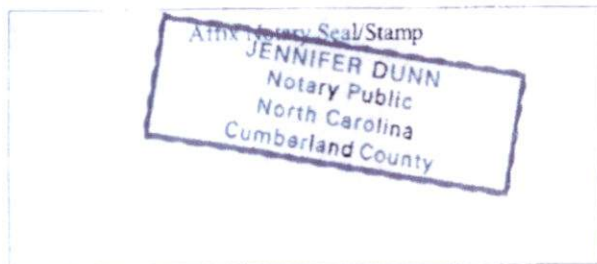
Name: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

STATE OF NC, COUNTY OF Cumberland

I, Jennifer Dunn, a Notary of the above state and county, certify that the following person(s) personally appeared before me on the 3 day of May, 20 22 each acknowledging to me that he/she/they signed the foregoing document, in the capacity represented and identified therein (if any):  
Charles A. Gore as General Partner of GRRF, LLP



Jennifer Dunn

Notary Public (Official Signature)

My commission expires: 9/13/22

**EXHIBIT "A"**



**ENGINEERING - SURVEYING - DESIGNING - DRAFTING**

**Larry King & Associates, R.L.S., P.A.**

P.O. Box 53787

1333 Morganton Road, Suite 201

Fayetteville, North Carolina 28305

P. (910) 483-4300 F. (910) 483-4052

[www.LKandA.com](http://www.LKandA.com)

NC Firm License C-0887



April 13, 2022

**LEGAL DESCRIPTION**

**GRRF, LLC to JSJ Builders, Inc,  
Muscat Road  
17.91 acres**

**LYING** in Rockfish Township, near Fayetteville, Cumberland County, North Carolina this subject parcel being bounded on the northeast by: Lots 51 and 238 as described and recorded in "Sheffield Farms North Section Five" Plat Book 147, Page 157 and by the tract of which this subject tract is a part, as conveyed to GRRF, LLP as described and recorded in Deed Book 6373, Page 685, Cumberland County Registry; bounded on the southeast by: Lots 1, and 162 as described and recorded in "Sheffield Farms North Section Three" Plat Book 122, Page 93 and by Lots 248-250 as described and recorded in "Sheffield Farms North Section Four" Plat Book 135, Page 92, Cumberland County Registry; bounded on the south and southwest by the tract as conveyed to Shirley B. Sansbury and Cheryl Lynne Garris Life Estate, as described and recorded in Deed Book 4985, Page 557, Cumberland County Registry; bounded on the northwest by the tract of which this subject tract is a part, as conveyed to GRRF, LLP as described and recorded in Deed Book 6373, Page 685, Cumberland County Registry.

**COMMENCING** from an existing iron rebar the southwest corner of Lot 51, as described and recorded in "Sheffield Farms North Section Five" Plat Book 147, Page 157, Cumberland County Registry, said iron rebar also being the **TRUE POINT AND PLACE OF BEGINNING**:

**THENCE** South 60 degrees 52 minutes 20 seconds East for a distance of 119.96 feet to an existing iron rebar;

**THENCE** South 43 degrees 46 minutes 38 seconds East for a distance of 52.08 feet to an existing iron rebar;

**THENCE** South 59 degrees 12 minutes 05 seconds East for a distance of 133.31 feet to an existing iron rebar;

**THENCE** South 36 degrees 33 minutes 00 seconds West for a distance of 243.55 feet to a point;

**THENCE** South 24 degrees 25 minutes 27 seconds West for a distance of 30.00 feet to a point;

**THENCE** South 32 degrees 31 minutes 29 seconds East for a distance of 233.49 feet to a point;

**THENCE** South 19 degrees 40 minutes 38 seconds East for a distance of 72.92 feet to a point;

**THENCE** South 42 degrees 53 minutes 04 seconds East for a distance of 143.70 feet to a point;



THENCE South 62 degrees 00 minutes 53 seconds East for a distance of 224.91 feet to an existing iron rebar;  
THENCE South 10 degrees 39 minutes 04 seconds West for a distance of 32.56 feet to an existing iron rebar;  
THENCE South 29 degrees 53 minutes 25 seconds West for a distance of 279.85 feet to an existing iron rebar;  
THENCE North 60 degrees 06 minutes 35 seconds West for a distance of 43.58 feet to an existing iron rebar;  
THENCE South 29 degrees 53 minutes 25 seconds West for a distance of 344.93 feet to an existing iron rebar;  
THENCE as and with the north boundary line of the Shirley Sansbury and Cheryl Garris tract, North 81 degrees 48 minutes 50 seconds West for a distance of 131.10 feet to an existing iron rebar;  
THENCE North 46 degrees 48 minutes 20 seconds West for a distance of 890.81 feet to a point;  
THENCE North 38 degrees 05 minutes 01 seconds East for a distance of 249.54 feet to a point;  
THENCE North 55 degrees 46 minutes 52 seconds East for a distance of 100.45 feet to a point;  
THENCE North 24 degrees 22 minutes 01 seconds East for a distance of 120.00 feet to a point;  
THENCE North 39 degrees 50 minutes 26 seconds East for a distance of 52.01 feet to a point;  
THENCE North 23 degrees 43 minutes 13 seconds East for a distance of 128.04 feet to a point;  
THENCE North 37 degrees 31 minutes 22 seconds East for a distance of 184.47 feet to a point;  
THENCE North 36 degrees 33 minutes 00 seconds East for a distance of 85.00 feet to a point;  
THENCE North 46 degrees 19 minutes 14 seconds East for a distance of 76.98 feet to an existing iron rebar, said iron rebar also being the **TRUE POINT AND PLACE OF BEGINNING**.

Together with and subject to covenants, easements, and restrictions of record.  
Said property contains 17.91 acres (780,136 square feet).

This description prepared by Larry King & Associates, R.L.S., P.A. on this 13th day of April, 2022, under the supervision of W. Larry King, a Professional Land Surveyor.

---

W. Larry King, P.L.S., L-1339

"Not a Certified Document – This document originally issued and sealed by W. Larry King, L-1339 on April 13, 2022. This document shall not be considered a certified document";

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

FILED Feb 08, 2023  
AT 02:33:30 PM  
BOOK 11667  
START PAGE 0737  
END PAGE 0742  
INSTRUMENT # 03802  
RECORDING \$26.00  
EXCISE TAX \$419.00

### NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax:	\$419.00
Parcel ID:	0403-74-5130 and 0403-64-7303
Mail/Box to:	Jennifer Kirby Fincher, PLLC, 324 N. McPherson Church Rd, Fayetteville, NC 28303
Prepared by:	Jennifer Kirby Fincher, PLLC, 324 N. McPherson Church Rd, Fayetteville, NC 28303
Brief description for the index:	2 Tracts, Muscat Road

THIS GENERAL WARRANTY DEED ("Deed") is made on the 7th day of February, 2023, by and between:

GRANTOR	GRANTEE
GRRF, LLP 5135 Morganton Road Fayetteville, NC 28314	JSJ Development Company, LLC 1135 Robeson Street Fayetteville, NC 28305

Enter in the appropriate block for each Grantor and Grantee their name, mailing address, and, if appropriate, state of organization and character of entity, e.g. North Carolina or other corporation, LLC, or partnership. Grantor and Grantee includes the above parties and their respective heirs, successors, and assigns, whether singular, plural, masculine, feminine or neuter, as required by context.

FOR VALUABLE CONSIDERATION paid by Grantee, the receipt and legal sufficiency of which is acknowledged, Grantor by this Deed does hereby grant, bargain, sell and convey to Grantee, in fee simple, all that certain lot, parcel of land or condominium unit in the City of Hope Mills, Cumberland County, North Carolina and more particularly described as follows (the "Property"):

see attached exhibit "A"

All or a portion of the Property was acquired by Grantor by instrument recorded in Book 6373 Page 685.

All or a portion of the Property ☐ includes or ☒ does not include the primary residence of a Grantor.

A map showing the Property is recorded in Book \_\_\_\_\_ Page \_\_\_\_\_.

TO HAVE AND TO HOLD the Property and all privileges and appurtenances thereto belonging to Grantee in fee simple. Grantor covenants with Grantee that Grantor is seized of the Property in fee simple, Grantor has the right to convey the Property in fee simple, title to the Property is marketable and free and clear of all encumbrances, and Grantor shall warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

restrictions, easements and rights-of-way of record; ad valorem property taxes for the current year.

IN WITNESS WHEREOF, the Grantor has duly executed this North Carolina General Warranty Deed, if an entity by its duly authorized representative:

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

GRRF, LLP

Entity Name

By: Charles A. Gore

Name: Charles A. Gore

Title: General Partner

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

STATE OF NORTH CAROLINA, COUNTY OF CUMBERLAND

I, Jennifer Dunn, a Notary of the above state and county, certify that the following person(s) personally appeared before me on the 7 day of February, 20 23 each acknowledging to me that he/she/they signed the foregoing document, in the capacity represented and identified therein (if any):

Charles A. Gore as General Partner of GRRF, LLP

Affix Notary Seal/Stamp

JENNIFER DUNN  
Notary Public  
North Carolina  
Cumberland County

Jennifer Dunn  
Notary Public (Official Signature)

My commission expires: 9/12/27



Exhibit "A"



ENGINEERING - SURVEYING - DESIGNING - DRAFTING

**Larry King & Associates, R.L.S., P.A.**

P.O. Box 53787

1333 Morganton Road, Suite 201

Fayetteville, North Carolina 28305

P. (910) 483-4300 F. (910) 483-4052

[www.LKandA.com](http://www.LKandA.com)

NC Firm License C-0887



February 02, 2023

LEGAL DESCRIPTION

**GRRF, LLC to JSJ Development Company LLC**  
**Muscat Road**  
**9.23 acres**

LYING in Rockfish Township, near Fayetteville, Cumberland County, North Carolina this subject parcel being bounded on the northeast by: Pond Lot "A" Common Area and Open Space, as described and recorded in "Sheffield Farms North Section Five" Plat Book 147, Page 157, Cumberland County Registry; bounded on the east by: Lots 51 and 52 as described and recorded in "Sheffield Farms North Section Five" Plat Book 147, Page 157, and by the tract as conveyed to JSJ Development Company, LLC, as described and recorded in Deed Book 11464, Page 492, Cumberland County Registry; bounded on the southwest by the tract as conveyed to Shirley B. Sansbury and Cheryl Lynne Garriss Life Estate, as described and recorded in Deed Book 4985, Page 557, Cumberland County Registry; bounded on the northwest the eastern right of way margin of CSX railroad (130 foot private right of way) and being more particularly described as follows:

COMMENCING from an existing iron rebar the southwest corner of Lot 51, as described and recorded in "Sheffield Farms North Section Five" Plat Book 147, Page 157, Cumberland County Registry, said iron rebar also being the TRUE POINT AND PLACE OF BEGINNING:

THENCE South 46 degrees 19 minutes 14 seconds West for a distance of 76.98 feet to a point;  
THENCE South 36 degrees 33 minutes 00 seconds West for a distance of 85.00 feet to a point;  
THENCE South 37 degrees 31 minutes 22 seconds West for a distance of 184.47 feet to a point;  
THENCE South 23 degrees 43 minutes 13 seconds West for a distance of 128.04 feet to a point;  
THENCE South 39 degrees 50 minutes 26 seconds West for a distance of 52.01 feet to a point;  
THENCE South 24 degrees 22 minutes 01 seconds West for a distance of 120.00 feet to a point;  
THENCE South 55 degrees 46 minutes 52 seconds West for a distance of 100.45 feet to a point;  
THENCE South 38 degrees 05 minutes 01 seconds West for a distance of 249.54 feet to a point;  
THENCE North 46 degrees 48 minutes 20 seconds West for a distance of 383.06 feet to a point;  
THENCE North 38 degrees 05 minutes 01 seconds East for a distance of 1088.35 feet to a point;  
THENCE South 29 degrees 48 minutes 50 seconds East for a distance of 125.38 feet to a point;  
THENCE South 70 degrees 32 minutes 15 seconds East for a distance of 202.13 feet to a point;

THENCE South 19 degrees 27 minutes 45 seconds West for a distance of 165.03 feet to an existing iron rebar, said iron rebar also being the **TRUE POINT AND PLACE OF BEGINNING**.

Together with and subject to covenants, easements, and restrictions of record.  
Said property contains 9.23 acres (402,004 square feet).

This description prepared by Larry King & Associates, R.L.S., P.A. on this 02<sup>nd</sup> day of February, 2023, under the supervision of W. Larry King, a Professional Land Surveyor.

*W. Larry King PLS*  
W. Larry King, P.L.S., L-1339





ENGINEERING • SURVEYING • DESIGNING • DRAFTING

**Larry King & Associates, R.L.S., P.A.**

P.O. Box 53787

1333 Morganton Road, Suite 201

Fayetteville, North Carolina 28305

P. (910) 483-4300 F. (910) 483-4052

[www.LKandA.com](http://www.LKandA.com)

NC Firm License C-0887



February 02, 2023

LEGAL DESCRIPTION

**GRRF, LLC to JSJ Development Company LLC**  
**Muscat Road**  
**5.71 acres**

LYING in Rockfish Township, near Fayetteville, Cumberland County, North Carolina this subject parcel being bounded on the north by Lots 232 through 237, "Sheffield Farms North Section Five" as described and recorded in Plat Book 147, Page 157, Cumberland County Registry; bounded on the east by: Lots 162 through 165, 167 and 184, as described and recorded in "Sheffield Farms North Section Three" Plat Book 122, Page 93, Cumberland County Registry; bounded on the south and west by the tract as conveyed to JSJ Development Company, LLC, as described and recorded in Deed Book 11464, Page 492, Cumberland County Registry and being more particularly described as follows:

COMMENCING from an existing iron rebar the southeast corner of Lot 238, as described and recorded in "Sheffield Farms North Section Five" Plat Book 147, Page 157, Cumberland County Registry, said iron rebar also being the TRUE POINT AND PLACE OF BEGINNING:

THENCE South 59 degrees 12 minutes 05 seconds East for a distance of 81.59 feet to a point;  
THENCE South 75 degrees 46 minutes 52 seconds East for a distance of 173.44 feet to a point;  
THENCE South 81 degrees 24 minutes 16 seconds East for a distance of 215.07 feet to a point;  
THENCE South 11 degrees 02 minutes 17 seconds West for a distance of 149.17 feet to a point;  
THENCE South 55 degrees 41 minutes 12 seconds West for a distance of 70.28 feet to a point;  
THENCE South 11 degrees 02 minutes 17 seconds West for a distance of 128.05 feet to a point;  
THENCE South 47 degrees 32 minutes 20 seconds East for a distance of 56.80 feet to a point;  
THENCE South 21 degrees 41 minutes 39 seconds West for a distance of 250.49 feet to a point;  
THENCE North 62 degrees 00 minutes 53 seconds West for a distance of 224.91 feet to a point;  
THENCE North 42 degrees 53 minutes 04 seconds West for a distance of 143.70 feet to a point;  
THENCE North 19 degrees 40 minutes 38 seconds West for a distance of 72.92 feet to a point;  
THENCE North 32 degrees 31 minutes 29 seconds West for a distance of 233.49 feet to a point;  
THENCE North 24 degrees 25 minutes 27 seconds East for a distance of 30.00 feet to a point;  
THENCE North 36 degrees 33 minutes 00 seconds East for a distance of 243.55 feet to an  
existing iron rebar, said iron rebar also being the TRUE POINT AND PLACE OF BEGINNING.

BK 11667 PG 0742

Together with and subject to covenants, easements, and restrictions of record.  
Said property contains 5.71 acres (248,634 square feet).

This description prepared by Larry King & Associates, R.L.S., P.A. on this 02<sup>nd</sup> day  
of February, 2023, under the supervision of W. Larry King, a Professional Land Surveyor.

W. Larry King PLS 1339  
W. Larry King, P.L.S., L-1339








LIVE TABLE

[illegible]

UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION  
1. Black Book Positive Copy  
of "The Chicago News" and Chicago  
copy of the "Chicago News" and  
of Chicago News and Chicago News  
Black Book  
Chicago News  
Chicago News

FILED Jan 28, 1973 9:48 AM  
ROOM 60130  
PAGE 0003 of 0003  
DECLASSIFIED on 12/13  
RECORDED 171 00  
EX-104 (A)  
01/28/73

PL-104  
Classified  
Exempted  
by 123456789  
DATE 01/28/73

ADVISORY	<b>ANNEXATION MAP FOR TOWN OF HOPE MILLS ANNEXATION #12</b>		<b>LARRY KING &amp; ASSOCIATES,</b> S.E. P.A. P.O. BOX 8797 1330 WOODBRAND ROAD, SUITE C51 FAYETTEVILLE, N.C. 28403 TELEPHONE: (910) 463-4400 FAX: (910) 463-4552	
			NC FORM 1-100 1-8-87	DATE 09/10/2013 DRAWN BY T.M.L. SCALE 1"=100' PROJECT OF M.C. DEVELOPMENT COMPANY, LLC
TOWNSHIP SOCIETY	COUNTY CUMBERLAND			
STATE:	SOUTH CAROLINA			

Meeting Date: July 17, 2023



**AGENDA FORM**

**TO:** Chancer McLaughlin, Interim Town Manager

**FROM:** Jane G. Starling, Town Clerk

**SUBJECT:** Consideration of Acceptance of an Annexation Request from JSJ for a Contiguous Area of 32.44 Acres along Muscat Road which will be Phase 6 of Sheffield Farms and Resolution R2023-21 instructing the Clerk to Investigate the Sufficiency of the Petition.

**BACKGROUND INFORMATION:**

The Town of Hope Mills staff received a voluntary annexation petition for Pin #'s 0403-64-7315, 0403-73-1812, and 0403-74-5130.

If the board accepts the annexation request, a resolution directing the Town Clerk to investigate sufficiency of the petitions is required.

**STAFF RECOMMENDATION, IF APPLICABLE:**

N/A

**RECOMMENDED ACTION/MOTION:**

If the Board of Commissioners so chooses:

Move to accept the Annexation petition and adopt Resolution R2023-21 directing the Clerk to investigate the sufficiency of the petition.

**FISCAL IMPACT:**

Increase tax base.

**ATTACHMENTS:**

- Annexation Petition – including map.
- Resolution No. R2023-21 instructing the Clerk to investigate.

This agenda form has been reviewed by:	Initial & Date
Town Manager	CFM 7/12/2023
Finance Director	
Town Attorney	
Department Head (s)	
Town Clerk	JGS 7/11/2023

Annexation No. A2023-07  
Sheffield Farms  
Muscat Rd.  
Pin's 0403-64-7315, 0403-73-1812, and 0403-74-5130.  
Plat Bk. 150 PG 03

**RESOLUTION DIRECTING THE CLERK TO INVESTIGATE  
A PETITION RECEIVED UNDER G.S. 160A-31  
RESOLUTION NO. R2023-21**

**WHEREAS** a petition requesting annexation of an area described in said petition was received on June 26, 2023 by the Hope Mills Board of Commissioners consisting of 32.44 Acres, more or less, on Muscat Rd.; and

**WHEREAS** G.S. 160A-31 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

**WHEREAS** the Board of Commissioners of the Town of Hope Mills deems it advisable to proceed in response to this request for annexation;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Town of Hope Mills, North Carolina, that:

The Town Clerk is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the Board of Commissioners the result of her investigation.

**ADOPTED** this 17<sup>th</sup> day of July, 2023.

---

JACKIE WARNER, MAYOR

**ATTEST:**

---

Jane G. Starling, CMC Town Clerk



## MEMORANDUM

**DATE:** August 10, 2023

**TO:** Chancer F. McLaughlin – Interim Town Manager

**FROM:** Stephen F. Dollinger – Police Chief  
Elisabeth Brown – Stormwater Administrator  
Don Sisko – Public Works Director  
Chuck Hodges – Fire Chief  
Robert Carter – Fire Marshall  
Kenny Tatum – Chief Building inspector  
Emily Weidner – Town Planner

**SUBJECT:** Annexation for 0 Muscat Road

**REQUEST:** Contiguous Annexation

**PARCEL#:** 0403-64-7315, 0403-73-1812, and 0403-74-5130

**SIZE:** 32.44 acres

**LOCATION:** South side of Sheffield Farms Subdivision

**Police:**

Recommendation: APPROVAL  
Comments: No objections received.

**Public Works:**

Recommendation: APPROVAL  
Comments: All interior roadways to be designed IAW the Town of Hope Mills Standards and Specifications. Driveway permits will be required.

**Stormwater:**

Recommendation: APPROVAL  
Comments: Stormwater Management Permit Application is required.

**Planning & Zoning:**

Recommendation: APPROVAL  
Comments: Planning staff has met extensively with the developers of this proposed project. We are in support of this request and are facilitating the submission of the initial zoning request. In coordination with the developer, staff will be requesting the R7.5 Residential district for this development through the initial zoning process.



**Fire:**

Recommendation: APPROVAL

Comments: Must comply with state fire code.

**Inspections:**

Recommendation: APPROVAL

Comments: No objections received.



## STAFF REPORT

DATE: 8/9/2023

CASE# N/A

Planning Board Meeting: N/A

Hope Mills Board Meeting: 8/21/2023

Address: 0 MUSCAT ROAD

### REQUEST

The following memo outlines a request from staff to begin the initial zoning process for a development under consideration for annexation.

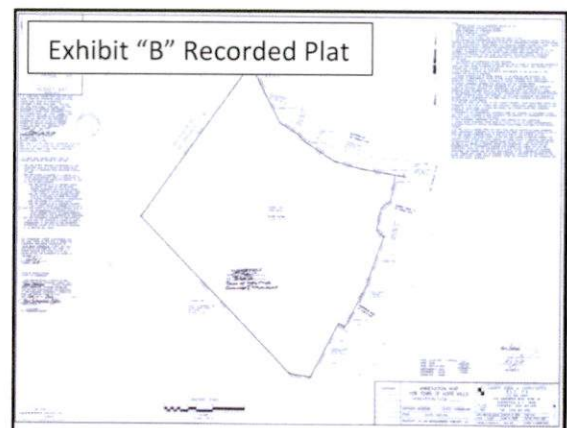
### BACKGROUND

At the August 7, 2023 board meeting, the Hope Mills Board of Commissioners moved to set the public hearing for Resolution R2023-22 for August 21, 2022. The resolution is tied to annexation petition A2023-07 for the consideration of the contiguous annexation of 32.44+/- acres of land at the south side of Sheffield Farms Subdivision, directly off of Scenic Pines Drive. The parcels in question are tied to PINs# 0403-64-7315, 0403-73-1812, and 0403-74-5130 and is slated to be the newest Section of the Sheffield Farms Subdivision. Plan review staff has worked diligently with the proposed developers to facilitate the submission of this annexation. The location of the subject property is illustrated in Exhibit "A".



### STAFF RECOMMENDATION/REQUEST

Please refer to the attached memorandum from the Town of Hope Mills Plan Review staff outlining recommendations from Planning, Fire, Police, Public Works, Stormwater, and Inspections. Planning staff is requesting authorization to begin the initial zoning process to designate the development under the R7.5 Residential district. The recorded plat is illustrated in Exhibit "B"



Owner	Street	City	State	Zip
JSJ Development Company, LLC	1135 Robeson St	Fayetteville	NC	28305
Angela Tedder Phipps	3601 Quarter Horse Run	Parkton	NC	28371
Javier & Yorlene Pulido	1330 Split Rail Dr	Parkton	NC	28371
Edward & Cynthia Lozano	1321 Split Rail Dr	Parkton	NC	28371
Daniel Lloyd Brown	5309 Songbird Ln	Parkton	NC	28371
William & Patricia Davis	3870 Wilkersham Way	Fayetteville	NC	28306
Shirley B Sansbury Life Estate & Lynne Garris Cheryl	6564 Muscat Rd	Hope Mills	NC	28348
Michael Warthon & Alinda Escudero	4712 Scenic Pines Dr	Hope Mills	NC	28348
Benjamin Philpott & Sonhui Kim	4716 Scenic Pines Dr	Hope Mills	NC	28348
Scott & Danielle Link	1137 Mayfern Dr	Hope Mills	NC	28348
Jeffrey & Harper Kornegay	1133 Mayfern Dr	Hope Mills	NC	28348
Gwendolyn Taylor	1129 Mayfern Dr	Hope Mills	NC	28348
Andric Martin	1125 Mayfern Dr	Hope Mills	NC	28348
Rose Colon	1121 Mayfern Dr	Hope Mills	NC	28348
Ollie Estell	1113 Mayfern Dr	Hope Mills	NC	28348
Remona Gregory	1106 Vickery Creek Dr	Hope Mills	NC	28348
Heather Shirk	1107 Vickery Creek Dr	Hope Mills	NC	28348
Nicholas & Kandice Jackson	4728 Cedar Pass Dr	Hope Mills	NC	28348
Johnathan & Tessa Home	4732 Cedar Pass Dr	Hope Mills	NC	28348
James & Kristi Yowell	4736 Cedar Pass Dr	Hope Mills	NC	28348
GRRF, LLP	PO Box 41935	Fayetteville	NC	28309
Jeffery Graham	4744 Cedar Pass Dr	Hope Mills	NC	28348
Jamie & Rebecca Mickens	5937 Spinner Rd	Hope Mills	NC	28348
Dillon Hoke & Kierstin Craig-Sovic	4808 Cedar Pass Dr	Hope Mills	NC	28348
Bernadette Bell	4812 Cedar Pass Dr	Hope Mills	NC	28348



**PLANNING AND INSPECTIONS DEPARTMENT**

**MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF OCTOBER 17, 2023**

**TO: JOINT PLANNING BOARD**

**FROM: PLANNING & INSPECTIONS DEPARTMENT**

**DATE: 10/10/2023**

**SUBJECT: CASE ZON-23-0022: REZONING FROM C1(P) PLANNED LOCAL BUSINESS DISTRICT TO C2(P) PLANNED SERVICE AND RETAIL DISTRICT OR TO A MORE RESTRICTIVE ZONING DISTRICT FOR 1.1 +/- ACRES; LOCATED AT THE INTERSECTION OF LILLINGTON HWY AND E. MANCHESTER ROAD, SUBMITTED BY M.A.P.S SURVEYING (AGENT) ON BEHALF OF STUART LEWIS (OWNER).**

**ATTACHMENTS:**

Description

Case ZON-23-0022

Type

Backup Material



**REQUEST**

Rezoning C1(P) to C2(P)

Applicant requests a rezoning from C1(P) Planned Local Business District to C2(P) Planned Service and Retail District located on approximately 1.1 acres of a 6.7-acre parcel at 2449 Lillington Hwy, as shown in Exhibit "A". The intent of the request is to continue operations of a small engine repair business with the purpose of bringing the existing facility into compliance with the County Zoning Ordinance. The property owner was offered by planning staff an option to pursue a conditional zoning but declined, preferring to apply for a conventional zoning category. The small engine repair business owner leases the existing building from the property owner.

**PROPERTY INFORMATION**

**OWNER/APPLICANT:** Stuart & Roberta Lewis (Owners)

**ADDRESS/LOCATION:** Refer to Exhibit "A", Location and Zoning Map, as well as Exhibit "F", attached legal description of property. REID number: 0513408800000

**SIZE:** 1.1 +/- acres within one parent parcel. The parent parcel contains approximately 6.73 acres. The property has approximately 108 +/- feet of street frontage along the south side of E. Manchester Road and approximately 258 feet of frontage along the northwest side of Lillington Hwy. The property has a depth of about 178 feet.

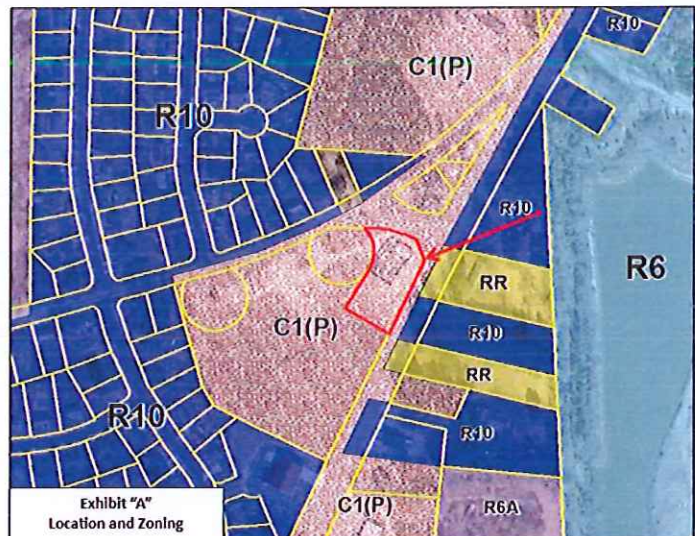
**EXISTING ZONING:** The subject property is currently zoned C1(P) Planned Local Business District. This district is designed to cater to the ordinary shopping needs of the immediate neighborhood with emphasis on convenience goods. This district is customarily located adjacent to an arterial street and generally surrounded by residential areas. To promote the essential design features with the C1(P) district, plan approval is a requirement.

**EXISTING LAND USE:** The parcel currently contains a small engine repair facility operating in a building of previously occupied by a local vendor fruit stand. Exhibit "B" shows the existing use of the subject property.

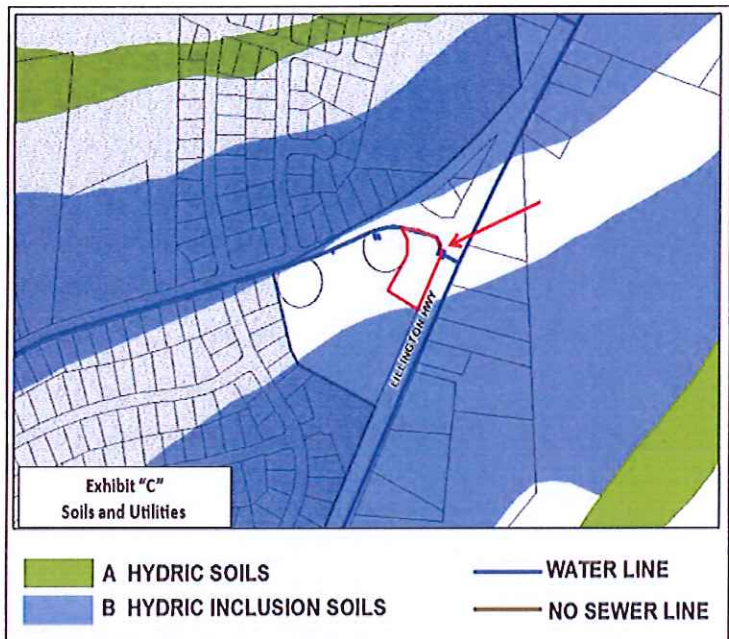
**SURROUNDING LAND USE:** Exhibit "B" illustrates the following:

- **North:** A Single-family subdivision -- Overhills Park -- is north of E Manchester Rd on properties.
- **East:** East of Lillington Hwy are Restaurants, single-family residences, and vacant properties.
- **West:** The single-family subdivision, Manchester Park, abuts the parent parcel to the west.
- **South:** Manchester Park Subdivision, Carolina Sands Mobile Home Park, and Buzz's Mobile Home Park are also south of the subject site.

**OTHER SITE CHARACTERISTICS:** The site is not located within a Flood Zone Hazard Area. The site is also not located in a Watershed. The subject property, as delineated in Exhibit "C", illustrates no presence of hydric or hydric inclusion soils at the 1.1-acre site.





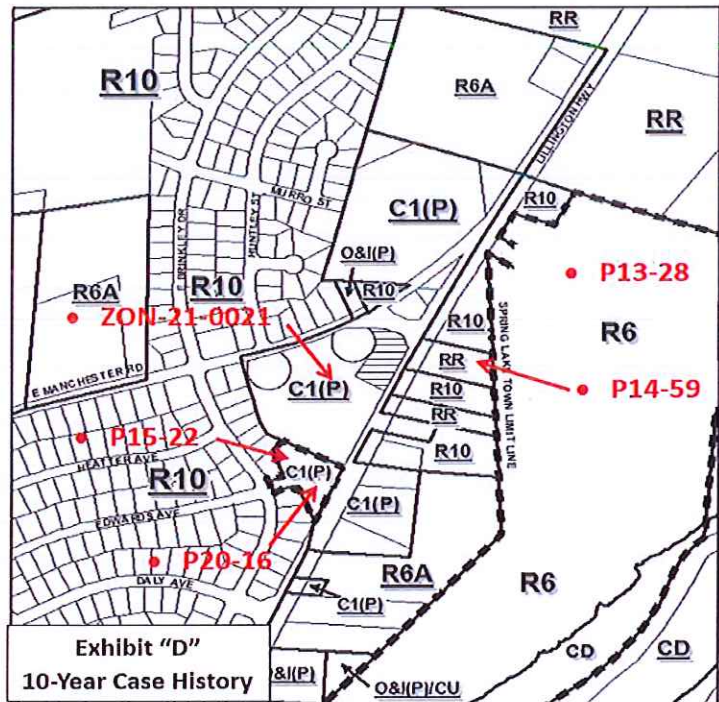


#### TEN YEAR ZONE CASE HISTORY:

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

- **P13-28:** Initial to R6 & CD; **Approved;** 74.87 acres
- **P14-59:** R10 to RR; **Approved;** 1.3 acres
- **P15-22:** R10 to C1(P); **Approved;** 1.58 acres
- **P20-16:** Initial to R10; **Approved;** 1.58 acres
- **ZON-21-0021:** C1(P) to C2(P); **Denied;** 6.73 acres

**DEVELOPMENT REVIEW:** Should the request to rezone the subject parcel be approved, a change of use site plan submittal will be required for review and approval through the Current Planning Division in accordance with the Cumberland County Zoning Ordinance. It is highly recommended to schedule a pre-submittal sketch meeting prior to submittal of the site plan. A building permit may also be necessary to bring the structure into compliance with the N.C. Building Code.



#### DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

Minimum Standard	C1(P) (Existing Zoning)	C2(P) (Proposed)
Front Yard Setback	45 feet from ROW, 25 feet from CL	50 feet from ROW, 80 feet from CL
Side Yard Setback	15 feet (one story) 25 feet (two story)	30 feet
Rear Yard Setback	20 feet	30 feet
Lot Area	n/a	n/a
Lot Width	n/a	n/a



## Development Potential:

Existing Zoning (C1(P))	Proposed Zoning (C2(P))
n/a	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 Spring Lake Area Land Use Plan (2022). The future land use classification of the property is "Commercial".

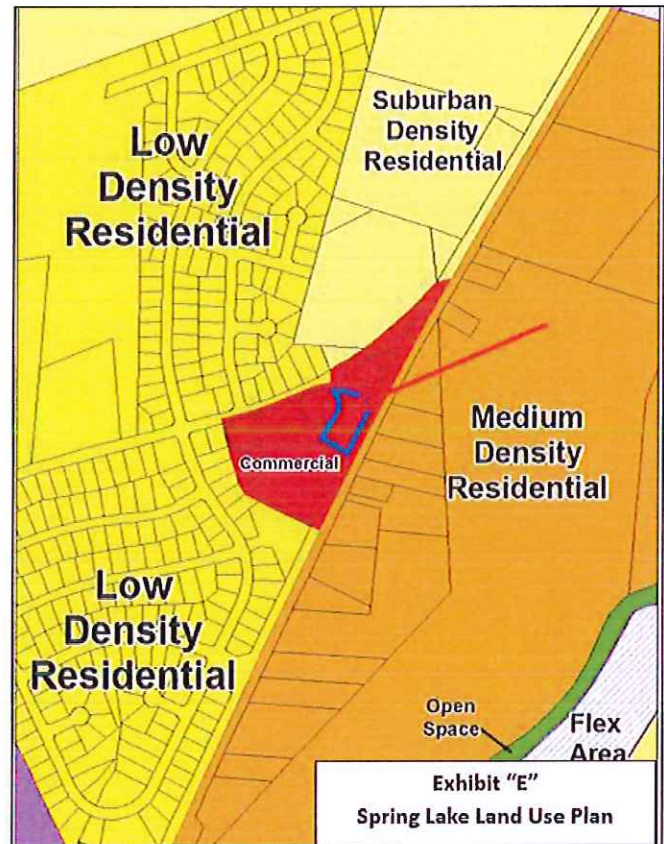
Associated Zoning districts for this classification are C1(P), C2(P) & C(P).

The proposed request is consistent with the adopted Land Use Plan.

### Commercial Development Goal:

This plan combines the Light and Heavy Commercial Classifications on the Future Land Use Map. This is in part because:

1. Where heavy commercial districts are compatible with surrounding uses, light commercial zoning would also be compatible
2. The uses permitted in the various commercial zoning districts have significant overlap, and uses unique to heavy commercial are not necessarily incompatible with nearby housing
3. Foster local entrepreneurship and small businesses.



Associated plan goals and policies that may be considered include the following:

- Improve the appearance of major corridors into the Study Area through development controls, landscaping, signage regulation, and working with the Appearance Commission and other civic groups (Slide 85 Spring Lake Area Land Use Plan)
- Promote the re-development of deteriorating commercial areas.
- Promote efforts that encourage new commercial development.
- Promote the highest concentration of commercial development at major interchanges and intersections (Page 6 Land Use Policies Plan)
- Public water and sewer required.
- Should have other light commercial uses in the area.
- May be located along a street that is in transition from residential to nonresidential through - redevelopment and physical improvements.
- Should provide convenient goods and services to the immediate surrounding neighborhood. (Page 7 Land Use Policies Plan)

## IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

**UTILITIES:** Spring Lake water lines are present at the subject site. However, public sewer is not available. The site location would be served by septic located on the larger parent parcel.



**TRAFFIC:** According to the Fayetteville Area Metropolitan Planning Organization (FAMPO), the subject property sits on Lillington Hwy and is identified as a "other principal arterial" 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, Lillington Hwy has a 2021 AADT of 19,000 and a road capacity of 30,400. The proposed development at 48,010 sq ft will generate 189 trips on an average weekday.

The trip generation of 48,010 SQ FT is calculated below using vehicle trip ends by 1,000 SQ FT GTA;

\*\*\* $(48,010/1000=48.01)$ \*\*\*

- Weekday: 189 trips, 50% entering, 50% exiting  $(48.01 (1000 \text{ SQ FT}) \times \text{average rate of } 3.93 = 189 \text{ trips})$
- Weekday, AM Peak: 39 trips, 72% entering, 28% exiting  $(48.01 (1000 \text{ SQ FT}) \times \text{average rate of } 0.81 = 39 \text{ trips})$
- Weekday, PM Peak: 38 trips, 43% entering, 57% exiting  $(48.01 (1000 \text{ SQ FT}) \times \text{average rate of } 0.79 = 38 \text{ trips})$

**SCHOOLS CAPACITY/ENROLLMENT:**

School	Capacity	Enrollment
WT Brown Elementary	667	550
Spring Lake Middle School	664	600
Pine Forest High	1712	1713

**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 offers the following comment: A change of occupancy will be required to be completed through Cumberland County Building Inspections Department for review by all trades including Fire. Fire Marshal violations for the existing building may need to be resolved for the small engine repair business to continue operations at the subject site.

**SPECIAL DISTRICTS:** The property is not located within the Fayetteville Regional Airport Overlay District but is within five miles of Fort Liberty Military Base. The property is also located within a one-mile radius (buffer) of two separate Voluntary Agriculture District parcels.

**RLUAC:** RLUAC has reviewed the request and has no comments on the rezoning request at this time.

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

**STAFF RECOMMENDATION**

In Case ZON-23-0022, Planning and Inspections staff **recommends approval** of the rezoning request from C1(P) Planned Local Business District to C2(P) Planned Local Retail and Service District. Staff finds the request is consistent with the Spring Lake Land Use Plan which calls for "Commercial" 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

Exhibit "F"-Legal Description of Property



## ATTACHMENT – MAILING LIST

ELLIOT, TANISHA;EVANS, FRANK  
9503 KALARAMA CT  
FT WASHINGTON, MD 20744

ALEXANDER, DAVID MATTHEWS  
208 PINEWINDS DR  
SANFORD, NC 27332

WILLIAMS, CHRIS;DEANNA, .  
8001 WHITE STAR DR  
FUQUAY-VARINA, NC 27526

HUBBARD, VIVIAN S  
5460 BRUSHY MEADOWS DR  
FUQUAY-VARINA, NC 27526

CARDWELL, JOHN P  
56 FARRAR DAIRY RD  
LILLINGTON, NC 27546

24NORTH INVESTMENTS LLC  
1124 RAVEN PERCH DR  
WENDELL, NC 27591

AUGUSTIN, ISIAH  
3032 TAYBRAN LN  
RALEIGH, NC 27610

7 STARS E LLC  
9105 TRIANA MARKET WALK  
RALEIGH, NC 27617

ISBANIOLY, NABIL JERES  
24571 MAGGIE FRICK RD  
RICHFIELD, NC 28137

CHERRY BLOSSOM RENTALS LLC  
6213 LAKEHAVEN DR  
FAYETTEVILLE, NC 28304

TURNER, NORVEL C JR;TURNER, PATRICIA  
7775 PINTAIL DR  
FAYETTEVILLE, NC 28311

MYGIG INC  
332 W SUMMERCHASE DR  
FAYETTEVILLE, NC 28311

BRZEZINSKI, PAUL A;BRZEZINSKI, CHONG  
816 ELLIOTT BRIDGE RD  
FAYETTEVILLE, NC 28311

RAMIREZ, DANIEL AARON  
240 POST OAK DR APT 1018  
FAYETTEVILLE, NC 28311

DARDEN, DAVID K JR;DARDEN, PAMELA E  
3983 FINAL APPROACH DR  
EASTOVER, NC 28312

LEWIS, HAROLD E  
6400 TABOR CHURCH RD  
FAYETTEVILLE, NC 28312

SAINT GEORGE PROPERTIES LLC  
611 BRITTANY PL APT H  
FAYETTEVILLE, NC 28314

STIDWELL, SAMUEL III;STIDWELL, FAITH  
645 LEVENHALL DR  
FAYETTEVILLE, NC 28314

BOTTOM-LINE PROPERTY BUYERS, LLC  
6437 MORGANTON RD  
FAYETTEVILLE, NC 28314

MOHAMMED, SAEED;ALLEN, VERONICA  
1120 DONNY BROOK CT  
FAYETTEVILLE, NC 28314

BOTTOM-LINE PROPERTY BUYERS, LLC  
6437 MORGANTON RD  
FAYETTEVILLE, NC 28314

BRYANT, BENNIE  
5318 S NC 210 HWY  
BUNNLEVEL, NC 28323

COOPER, INSUN POWELL  
286 STONEBRIAR AVE  
RAEFORD, NC 28376

ANDERSON, DEBORAH;ANDERSON,  
TIFFANY A;VURNO, SHELLY  
2721 EDWARDS AVENUE  
FAYETTEVILLE, NC 28390

LEWIS, STUART WATSON;LEWIS, ROBERTA  
BUTLER  
2919 LILLINGTON HWY  
SPRING LAKE, NC 28390

TYNDALL, LINDA K  
2727 HEATTER AVE  
SPRING LAKE, NC 28390

WELLONS, FLORENCE C ESTATE  
511 HWY 210 N.  
SPRING LAKE, NC 28390

DENNIS, KENNETH M  
3012 HUNTLEY ST  
SPRING LAKE, NC 28390

HARVEY, NATHANIEL M  
3002 E BRINKLEY DRIVE  
SPRING LAKE, NC 28390

RIVERA, ANGEL M;RIVERA, BLANCA  
2718 EDWARDS AVE  
SPRING LAKE, NC 28390

WOODARD, PEGGY G  
2516 LILLINGTON HWY  
SPRING LAKE, NC 28390

SM HOLDINGS GROUP, LLC  
1417 E MANCHESTER RD  
SPRING LAKE, NC 28390

OVERHILLS WATER COMPANY INC  
PO BOX 766  
SPRING LAKE, NC 28390

FIGUEROA, JASON L  
3005 E BRINKLEY DRIVE  
SPRING LAKE, NC 28390

BASS, LEROYCE;BASS, RUBY  
3004 HUNTLEY ST  
SPRING LAKE, NC 28390

CHOPPER, RUBIELA  
2810 BRINKLEY DR  
SPRING LAKE, NC 28390

LB UNION LLC  
2726 HEATTER AVE  
SPRING LAKE, NC 28390

ALLEN, VERNON L;ALLEN, YVETTE M  
2904 E BRINKLEY DR  
SPRING LAKE, NC 28390

FAITH CHURCH INC  
PO BOX 906  
SPRING LAKE, NC 28390

SPEARS, GREGORY C  
2428 LILLINGTON HWY  
SPRING LAKE, NC 28390

LEWIS, JOYCE ANNETTE  
2721 HEATTER AVE  
SPRING LAKE, NC 28390

TOWN OF SPRING LAKE  
300 RUTH ST  
SPRING LAKE, NC 28390

MONTGOMERY, MABEL MARIE  
2723 HEATTER AVE  
SPRING LAKE, NC 28390

TOPHAT RENTALS & PROPERTIES LLC  
1503 N BRAGG BLV  
SPRING LAKE, NC 28390

TOVAR, MAYRA ALEJANDRA  
2802 E BRINKLEY DRIVE  
SPRING LAKE, NC 28390

MCKINNEY, MATTHEW  
2705 E BRINKLEY DRIVE  
SPRING LAKE, NC 28390

MULLINS, BETTY S  
2904 MURROW ST  
SPRING LAKE, NC 28390

GREEN, EMANUEL C  
2724 HEATTER AVE  
SPRING LAKE, NC 28390

TYNDALL, LINDA K  
2727 HEATTER AVE  
SPRING LAKE, NC 28390

CARTER, PAMELA R  
2706 E BRINKLEY DR  
SPRING LAKE, NC 28390

MCCARTHY, JACQUELINE M  
2805 BRINKLEY DRIVE  
SPRING LAKE, NC 28390

BRAZELL, BILLY ROY  
1359 LILLINGTON HWY  
SPRING LAKE, NC 28390

CANTRELL, RANDOLPH L;CANTRELL, GI  
2717 EDWARDS AVE  
SPRING LAKE, NC 28390

MC ILWAIN, INEZ D H  
300 N MAIN ST  
SPRING LAKE, NC 28390

MCLEAN, WILLIAM;MCLEAN, LINDA D  
2722 EDWARDS AVE  
SPRING LAKE, NC 28390

STEWART, TAMIKA S  
2903 ROBBIE CIR  
SPRING LAKE, NC 28390

BYRD, JAROD B;JOHNSON, SHIRLEY A  
3001 HUNTLEY STREET  
SPRING LAKE, NC 28390

GRACIAK, LARRY E  
2724 EDWARDS AVENUE  
SPRING LAKE, NC 28390

DOBBINS, LARRY  
PO BOX 88  
SPRING LAKE, NC 28390

HUSSEY, JASPER J  
1281 E MANCHESTER RD  
SPRING LAKE, NC 28390

PEREZ, ISMAL;ESCOBAR, MARIA SANTOS  
HERRERA  
2712 BRINKLEY DR  
SPRING LAKE, NC 28390

MCLENNAN, NICHOL CHEYENNE  
2720 HEATTER AVENUE  
SPRING LAKE, NC 28390

WILLIAMS, ROY K;WILLIAMS, ANNIE H  
403 SAMUEL CT  
SPRING LAKE, NC 28390

LEWIS, STUART W;LEWIS, ROBERTA  
2919 LILLINGTON HWY  
SPRING LAKE, NC 28390

HARRINGTON, NICTOROUS D  
2804 E BRINKLEY DRIVE  
SPRING LAKE, NC 28390

MILLER, BRIAN K.  
2902 E BRANTLEY DR  
SPRING LAKE, NC 28390

WELLONS, FLORENCE C ESTATE  
511 HW 210 N.  
SPRING LAKE, NC 28390

TOP HAT RENTALS & PROPERTIES LLC  
1513 N BRAGG BLV  
SPRING LAKE, NC 28390

MORALES, BERTA J.  
3009 HUNTLEY ST  
SPRING LAKE, NC 28390

NORMAN, EDWARD W;NORMAN,  
GLENDA J  
3005 HUNTLEY ST  
SPRING LAKE, NC 28390

PRICE, JAMES R;PRICE, ROBIN E  
2404 LILLINGTON HWY  
SPRING LAKE, NC 28390

WELLONS, FLORENCE C ESTATE  
511 HWY 210 N.  
SPRING LAKE, NC 28390

SIMMONS, LAQUAANIDA  
1300 E MANCHESTER RD  
SPRING LAKE, NC 28390

JOHNSON, GARY A;JOHNSON, JOSEPHINE  
2908 MURRO DR  
SPRING LAKE, NC 28390

PEREZ, ISMAEL;SANTOS, MARIA HERRERA  
ESCOBAR  
2712 BRINKLEY DR  
SPRING LAKE, NC 28390

OVERHILLS WATER COMPANY INC  
PO BOX 766  
SPRING LAKE, NC 28390

JOSEPH, SANFORD  
2725 HEATTER AVE  
SPRING LAKE, NC 28390

W S WELLONS REALTY, INC  
PO BOX 766  
SPRING LAKE, NC 28390

WELLONS, FLORENCE C ESTATE  
511 HWY 210 N.  
SPRING LAKE, NC 28390

PEREZ, ISMAEL;ESCOBAR, MARIA S  
HERRERA  
2712 BRINKLEY DR  
SPRING LAKE, NC 28390

HERRERA ESCOBAR, MARIA SANTOS  
2712 BRINKLEY DR  
SPRING LAKE, NC 28390

MUHAMMAD, SULTAN A;MUHAMMAD,  
DANA E  
113 TRADEWINDS DR  
SPRING LAKE, NC 28390

LOPEZ, ELENA Y;LOPEZ, JOSE B  
2709 E BRINKLEY DRIVE  
SPRING LAKE, NC 28390

WEAVER, JAMES A;WEAVER, PRANOM  
3006 BRINKLEY DR  
SPRING LAKE, NC 28390

CONCEPCION, ROBERTO  
2723 EDWARDS AVE  
SPRING LAKE, NC 28390

W S WELLONS CORP  
PO BOX 766  
SPRING LAKE, NC 28390

HUSSEY, JASPER J  
1281 E MANCHESTER RD  
SPRING LAKE, NC 28390

O'CONNOR, JOHN J;O'CONNOR,  
LESUONG P  
2904 ROBBIE CIR  
SPRING LAKE, NC 28390

LEWIS, STUART W;LEWIS, ROBERTA B  
2919 LILLINGTON HWY  
SPRING LAKE, NC 28390

HUSSEY, JASPER;SHIRLEY, .  
1281 E MANCHESTER RD  
SPRING LAKE, NC 28390

BENNETT, ROSHON  
2905 ROBBIE CIR  
SPRING LAKE, NC 28390

HODGES, WILLIE J;HODGES, KATHALEEN  
ARTYBOOKER  
3008 HUNTLEY ST  
SPRING LAKE, NC 28390

BEST, WILBERT HEIRS JR  
2719 EDWARDS AVE  
SPRING LAKE, NC 28390

WELLONS, FLORENCE C ESTATE  
511 HWY 210 N.  
SPRING LAKE, NC 28390

CLEMENTS, TAMMY T  
3011 HUNTLEY DR  
SPRING LAKE, NC 28390

ATKINSON, RONALD;ATKINSON, CATHY  
2551 US HWY 1 N  
VASS, NC 28394

MCLENNAN, TINA M HEIRS  
704 LAMONT ST  
JOHNSON CITY, TN 37604

CREATIVE SOLUTIONS LLC  
311 E HOOVER  
WESTFIELD, IN 46074

CAROLINA TELEPHONE & TELEGRAPH CO  
PO BOX 7909  
OVERLAND PARK, KS 66207

GRACIAK, YUNYE C  
329 BROOK SHADOW  
CIBOLO, TX 78108

MCQUILLAN, CURTIS M  
6506 STEARIN WAY  
CONVERSE, TX 78109

RICHIE, AUDREY HUGHES HEIRS  
25 HONEY SWEET CT  
ANGIER, NC 27501



## 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 \$ 450.  
(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*.

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.

Stuart + Roberta Lewis  
NAME OF OWNER(S) (PRINT OR TYPE)

2919 Lillington Hwy Spring Lake NC 28390  
ADDRESS OF OWNER(S)

HOME TELEPHONE #

WORK TELEPHONE #

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

216 Mason St Fay NC 28301  
ADDRESS OF AGENT, ATTORNEY, APPLICANT

maps@mapssurveying.com  
E-MAIL

HOME TELEPHONE # 910-484-6432  
WORK TELEPHONE #

Stuart Lewis  
SIGNATURE OF OWNER(S)

[Signature]  
SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

SIGNATURE OF OWNER(S)

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

**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 C1(P) to C2(P)
2. Address of Property to be Rezoned: 2449 Lillington Hwy - Spring Lake
3. Location of Property: Intersection of Lillington Hwy and  
E Manchester Rd
4. Parcel Identification Number (PIN #) of subject property: 0513408800000  
(also known as Tax ID Number or Property Tax ID)
5. Acreage: 1.10 Frontage: 258.00 Depth: 178.00
6. Water Provider: Well: \_\_\_\_\_ PWC: \_\_\_\_\_ Other (name): Spring Lake
7. Septage Provider: Septic Tank X PWC \_\_\_\_\_
8. Deed Book 3315, Page(s) 422, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: Small Engine Repair
10. Proposed use(s) of the property: Small Engine Repair
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 X 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.*



### Exhibit "F" Legal Description of Property

LYING in Manchester Township, Cumberland County, near the town of Spring Lake, North Carolina, this subject property being bounded on the north by the southern right of way margin of E Manchester Road (having a varied width public right of way); on the east by the western right of way margin of Lillington Highway (having a 100 foot public right of way); on the south by lands deeded and conveyed to Stuart and Roberta Lewis in Deed Book 3315, Page 422 (of which the subject property is a part); and on the west by lands deeded and conveyed to Overhills Water Company Inc in Deed Book 3101, Page 143. All referenced materials located in the Cumberland County Registry.

BEGINNING from a point, said point being at the intersection of the southern right of way margin of E Manchester Road and the western right of way margin of Lillington Highway, and runs thence with the Western right of way margin of Lillington Highway, along a curve to the left having a radius of 11509.16 feet and an arc length of 258.01 feet, being subtended by a chord bearing of South 26 degrees 15 minutes 05 seconds West and a chord distance of 258.00 feet to a point;

THENCE a new line, North 54 degrees 57 minutes 22 seconds West for a distance of 178.00 feet to a point;

THENCE a new line, North 31 degrees 55 minutes 14 seconds East for a distance of 138.43 feet to a point, said point being on the common property line between the subject property and the Overhills Water property;

THENCE with the common property line between the subject property and the Overhills Water property, along a curve to the left having a radius of 100.00 feet and an arc length of 120.77 feet, being subtended by a chord bearing of North 02 degrees 40 minutes 36 seconds West and a chord distance of 113.56 feet to a point, said point being on the southern right of way margin of E Manchester Road;

THENCE with the southern right of way margin of E Manchester Road, the following courses and distances:

- North 89 degrees 11 minutes 56 seconds East for a distance of 25.58 feet to a point;
- along a curve to the right having a radius of 268.31 feet and an arc length of 108.54 feet, being subtended by a chord bearing of South 75 degrees 58 minutes 04 seconds East and a chord distance of 107.80 feet to a point;
- South 64 degrees 22 minutes 46 seconds East for a distance of 36.24 feet to a point;
- South 25 degrees 46 minutes 43 seconds East for a distance of 66.96 feet to a point, said point being the true point and place of beginning and being a portion of the property deeded and conveyed to Stuart and Roberta Lewis in Deed Book 3315, Page 422, Cumberland County Registry.

Subject property contains **48,010 square feet / 1.10 acres**

Together with and subject to any easements, restrictions, and covenants of record.

This description was prepared this 9th day of August, 2023 under the direct supervision of Michael J. Adams, PLS L-4491/CFS NC-075 and is based on deeds/plats of record. No physical survey performed at this time.





**PLANNING AND INSPECTIONS DEPARTMENT**

**MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF OCTOBER 17, 2023**

**TO: JOINT PLANNING BOARD**

**FROM: PLANNING & INSPECTIONS DEPARTMENT**

**DATE: 10/10/2023**

**SUBJECT: CASE ZON-23-0023: REZONING FROM A1 AGRICULTURAL DISTRICT & M1(P)/CUD PLANNED LIGHT INDUSTRIAL CONDITIONAL USE DISTRICT TO A1 AGRICULTURAL DISTRICT OR TO A MORE RESTRICTIVE ZONING DISTRICT FOR 2.0 +/- ACRES; LOCATED AT 11466 DUNN RD, SUBMITTED BY CONNOR AND BRENNAN KNUDSEN (OWNERS).**

**ATTACHMENTS:**

Description

Case ZON-23-0023

Type

Backup Material



PLANNING STAFF REPORT  
**REZONING CASE # ZON-23-0023**  
Planning Board Meeting: Oct. 17, 2023

**Location:** 11466 Dunn Rd.  
**Jurisdiction:** County-Unincorporated

#### REQUEST

Rezoning A1 & M1(P)/CUD to A1

Applicant requests a rezoning from A1 Agricultural District and M1(P) Planned Light Industrial Conditional Use District to A1 Agricultural District for the parcel located at 11466 Dunn Rd. The applicant desires to have the entire parcel assigned one zoning category — A1 Agricultural District. The property is vacant. The intent of the property owner is to place a residential home on the property.

#### PROPERTY INFORMATION

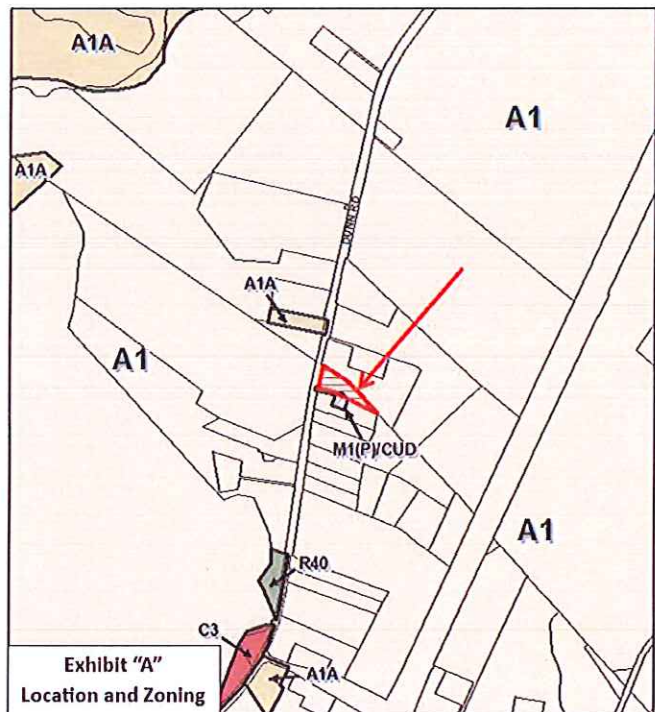
**OWNER/APPLICANT:** Connor and Brenna Knudsen

**ADDRESS/LOCATION:** Refer to Exhibit "A", Location and Zoning Map. REID number: 1504613027000

**SIZE:** 2.0 +/- acre parcel. Road frontage along Dunn Road is approximately 234+/- feet. The property has an approximate depth of 667+/- feet in length at its deepest point.

**EXISTING ZONING:** The subject property is currently zoned M1(P) Planned Light Industrial Conditional Use District for a cabinet making facility and A1 Agricultural District.

The M1(P) Planned Light Industrial district is designed for a wide variety of light industrial operations involving wholesaling and bulk storage, other non-retail uses and certain public assembly and recreational uses. The general intent of the district is to prohibit residential, retail and heavy industrial uses of land. By their nature, the uses permitted in this district are generally not compatible with residential or shopping center uses.



Minimum lot size for the A1 Agricultural 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.

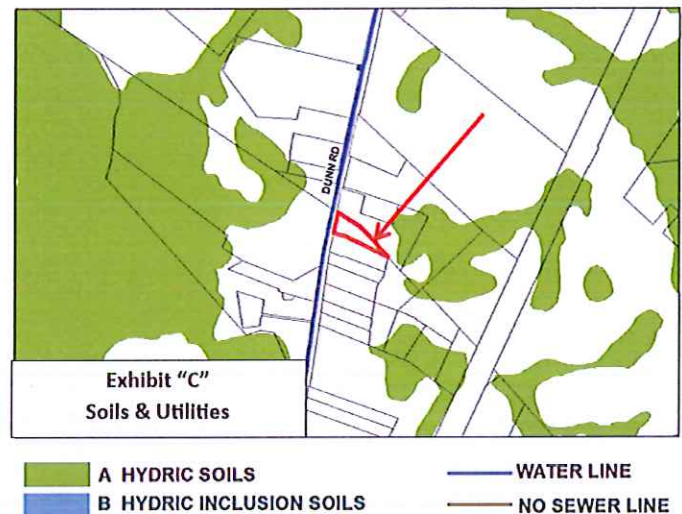
**EXISTING LAND USE:** The parcel is currently vacant. Exhibit "B" shows the existing use of the subject property.



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

- **North:** Wooded lands and single-family homes
- **East:** Wooded lands and single-family homes
- **West:** Farmland and wooded lands
- **South:** 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 that hydric or hydric inclusion soils are not present at the property.

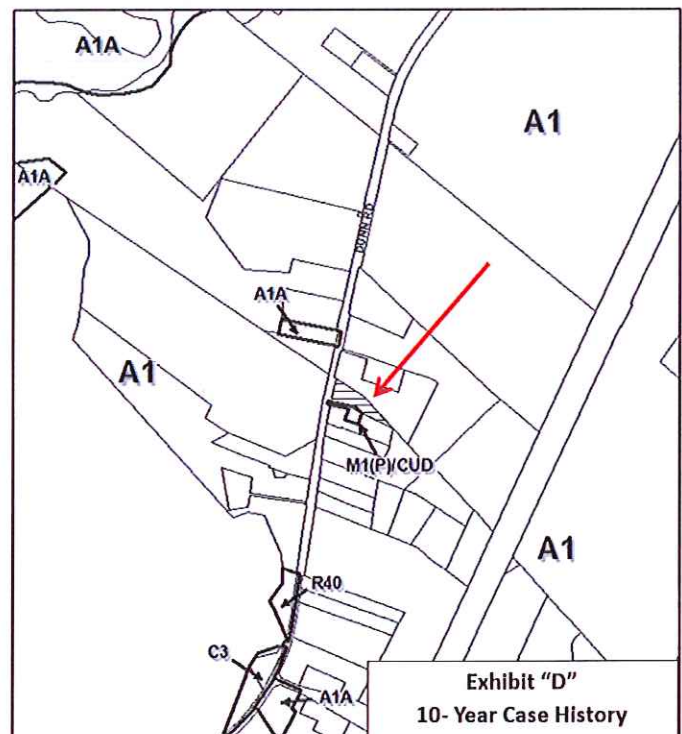


**TEN YEAR ZONE CASE HISTORY:**

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

-No zoning cases in the last 10-year period.

**DEVELOPMENT REVIEW:** Should the requested rezoning be granted, the applicant can then apply for a building permit with Cumberland County Code Enforcement for a residential dwelling unit.



**DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:**

Minimum Standard	M1(P) CUD	A1 (Existing)	A1 (Proposed)
Front Yard Setback	50 feet	50 feet	50 feet
Side Yard Setback	30 feet	20 feet (one story) 25 feet (two story)	20 feet (one story) 25 feet (two story)
Rear Yard Setback	30 feet	50 feet	50 feet
Lot Area	N/A	2 acres	2 acres
Lot Width	N/A	100'	100'

**Development Potential:**

Existing Zoning (M1(P) CUD)	Existing Zoning (A1)	Proposed Zoning (A1)
0 dwelling units	1 dwelling units	1 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 Vision Northeast Land Use Plan (2011). The future land use classification of the property is "Farmland". Associated zoning districts for this classification are A1 and A1A. The proposed rezoning request is consistent with the adopted Land Use Plan.

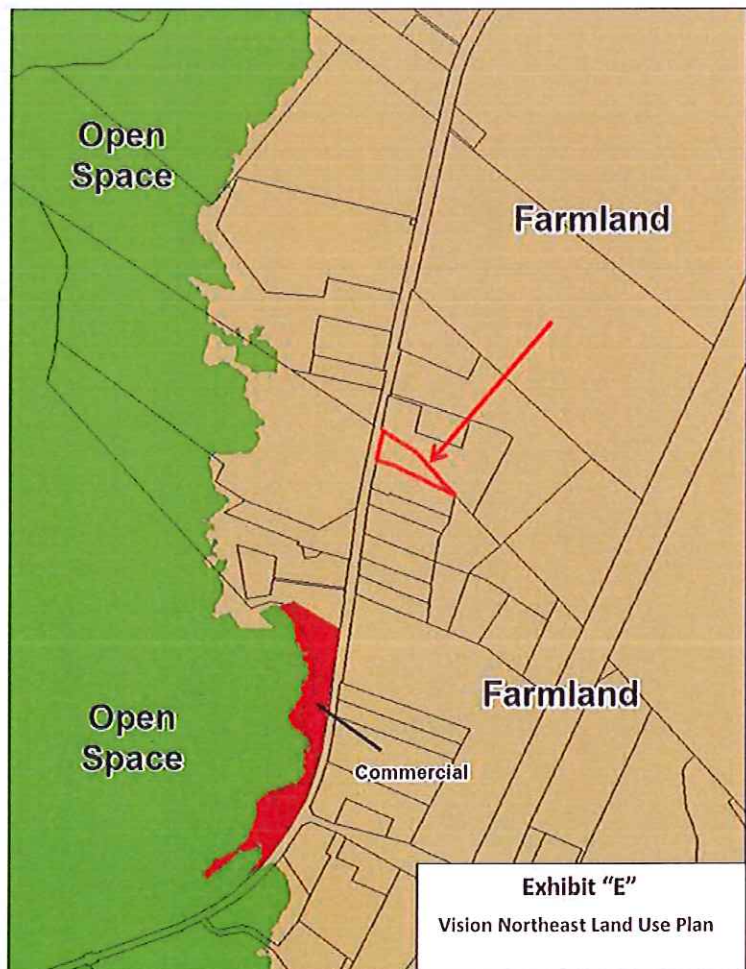
**Farmland Development Goal:**

Enhance and protect farming and the agricultural industry (Page 20 Vision Northeast).

Protect farmland and farming operations from urban encroachment (Page 20 Vision Northeast).

*Associated plan goals and policies that may be considered include the following:*

- Promote the preservation of farmland areas.
- Preserve the rural character of the County Protect farming and farming operations from urban encroachment (Page 27 Land Use Policies Plan).





## IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

**UTILITIES:** Sewer lines are not available near the subject property, but water lines are. It is the applicant's responsibility to determine if this utility provider will serve their development. Water service is provided by the Town of Falcon. Utilities for water and sewer are shown on Exhibit "C". A septic system will likely be required, and the lot size must meet the minimum area necessary for an on-site septic system.

**TRAFFIC:** The subject property is located outside of FAMPO boundaries.

### SCHOOLS CAPACITY/ENROLLMENT:

School	Capacity	Enrollment
District 7 Elementary	307	183
Mac Williams Middle	1164	1141
Cape Fear High	1476	1519

**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 has no objections to the rezoning.

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

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

## STAFF RECOMMENDATION

In Case ZON-23-0023, Planning and Inspections staff **recommends approval** of the rezoning request from A1 Agricultural District and M1(P)/CUD Light Industrial Planned Conditional Use District to A1 Agricultural District. Staff finds the request is consistent with the Vision Northeast 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

STRICKLAND, COURTNEY CHAD 431 COULTON BROWN RD LILLINGTON, NC 27546	EDWARDS, KENNETH W P O BOX 126 SPRING HOPE, NC 27882	LEE, TONJA 4230 FALMONT PL UNIT 104 FAYETTEVILLE, NC 28314
DUDLEY, BARRY E;DUDLEY, MICHELE 11339 DUNN RD DUNN, NC 28334	JERNIGAN, DEWEY WAYNE;JERNIGAN, CYNTHIA A 7609 CANNERY DR DUNN, NC 28334	QUALITY GIN CO INC PO BOX 205 DUNN, NC 28334
KNOLL, KRISTY S;KNOLL, JOSEPH A 11510 DUNN RD DUNN, NC 28334	STRICKLAND, LYNDA DONISE LEWIS 11559 DUNN RD DUNN, NC 28334	KNOLL, KRISTY S;KNOLL, JOSEPH A 11510 DUNN RD DUNN, NC 28334
MURRAY, TYLER B;MURRAY, BRANDI E 11332 DUNN RD DUNN, NC 28334	KNUDSEN, CONNOR;KNUDSEN, BRENN 11548 DUNN RD DUNN, NC 28334	LEWIS, KENNETH L;LEWIS, BONNIE 400 GAINEY RD DUNN, NC 28334
STRICKLAND, JUDY H LIFE ESTATE 11544 DUNN ROAD DUNN, NC 28334	MASON, CARL BRUCE;MASON, BOBBIE LEE 11428 DUNN RD DUNN, NC 28334	PUDDER, MARY ELIZABETH;PUDDER, TYLER JAMES ORVOSH 11519 DUNN RD DUNN, NC 28334
HERRING, NATHAN WILLIAM;HERRING, RAMONA SULLIVAN 7726 CANNERY DR DUNN, NC 28334	KNOLL, KRISTY S;KNOLL, JOSEPH A 11510 DUNN RD DUNN, NC 28334	DUDLEY, BARRY E;DUDLEY, MICHELE T 11339 DUNN RD DUNN, NC 28334
STRICKLAND, ERIC TODD;STRICKLAND, DONNA RANAE 11548 DUNN RD DUNN, NC 28334	WILLIAMS, GERALD WAYNE;WILLIAMS, MITSY L 7725 CANNERY DR DUNN, NC 28334	HARPER, WILLIAM DAVID;HARPER, GLORIA KAY 7610 CANNERY DR DUNN, NC 28334
HERRING, NATHAN WILLIAM;HERRING, RAMONA SULLIVAN 7726 CANNERY DR DUNN, NC 28334	GLOVER, WILLARD A;GLOVER, JOAN C 7636 CANNERY DR DUNN, NC 28334	STRICKLAND, ERIC TODD;STRICKLAND, DONNA RANAE 11548 DUNN RD DUNN, NC 28334
BLACK RIVER INVESTMENTS INC PO BOX 41 DUNN, NC 28335	FULCHER, LOUIS A IV;FULCHER, DEANNA PO BOX 85 GODWIN, NC 28344	FULCHER, LOUIS A IV;FULCHER, DEANNA PO BOX 85 GODWIN, NC 28344
CURRIN, HELEN B 2324 41ST ST 225 WILMINGTON, NC 28403	LEE FARMS TRUST LLC 2765 W TENNESSEE ST TALLAHASSEE, FL 32304	LEE FARMS TRUST, LLC 2765 W TENNESSEE ST TALLAHASSEE, FL 32304

KNOX, WALLACE TODD;KNOX, SHANNON  
11322 DUNN RD  
DUNN, NC 28334

## ATTACHMENT: APPLICATION



**County of Cumberland**  
**Planning & Inspections Department**

CASE #: Zon 23 0023

PLANNING BOARD  
MEETING DATE: 10/17/23

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 M1P-<sup>KUD</sup>A1 to A1
2. Address of Property to be Rezoned: 11466 ~~Hwy~~ Dunn Rd (Reid 1504613027000)
3. Location of Property: Cumberland County
4. Parcel Identification Number (PIN #) of subject property: 1504613027000  
(also known as Tax ID Number or Property Tax ID)
5. Acreage: 2.0 Frontage: 234' Depth: 667'
6. Water Provider: Well: \_\_\_\_\_ PWC: ☒ Other (name): \_\_\_\_\_
7. Septage Provider: Septic Tank ☒ PWC: \_\_\_\_\_
8. Deed Book 11733, Page(s) 590, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: Residential
10. Proposed use(s) of the property: Residential
11. Do you own any property adjacent to or across the street from this property?  
Yes \_\_\_\_\_ No ☒ If yes, where? \_\_\_\_\_
12. Has a violation been issued on this property? Yes \_\_\_\_\_ No \_\_\_\_\_

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

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



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

Connor David Knudsen ; Brenna Strickland Knudsen  
NAME OF OWNER(S) (PRINT OR TYPE)

1397 Bud Hawkins Rd, Dunn NC 28334  
ADDRESS OF OWNER(S)


910-322-9158 910-322-9158  
HOME TELEPHONE # WORK TELEPHONE #


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

1397 Bud Hawkins Rd, Dunn NC 28334  
ADDRESS OF AGENT, ATTORNEY, APPLICANT

connorknudsen98@gmail.com  
E-MAIL

910-322-9158 910-322-9158  
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."



**PLANNING AND INSPECTIONS DEPARTMENT**

**MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF OCTOBER 17, 2023**

**TO: JOINT PLANNING BOARD**

**FROM: PLANNING & INSPECTIONS DEPARTMENT**

**DATE: 10/10/2023**

**SUBJECT: CASE ZON-23-0025: REZONING FROM A1 AGRICULTURAL DISTRICT TO R20 RESIDENTIAL DISTRICT OR TO A MORE RESTRICTIVE ZONING DISTRICT FOR 1.0 +/- ACRES; LOCATED OFF FENNELL ROAD, SOUTH OF PORT RICHEY LANE, SUBMITTED BY TIM EVANS (APPLICANT) ON BEHALF OF ROCKFISH RUN LAND AND DEVELOPMENT LLC (OWNER).**

**ATTACHMENTS:**

Description

Case ZON-23-0025

Type

Backup Material

## REQUEST

Rezoning A1 to R20

Applicant requests a rezoning from A1 Agricultural District to R20 Residential District for one parcel of approximately 1.00+/- acre located off Fennell Road and south of Port Richey Lane. The parcel is currently vacant land. The intent of the property owner is to subdivide the lot into two lots with a minimum of 20,000 sq. ft. per lot.

## PROPERTY INFORMATION

**OWNER/APPLICANT:** Tim Evans (Applicant); Rockfish Run Land and Development LLC (Owner)

**ADDRESS/LOCATION:** Refer to Exhibit "A", Location and Zoning Map. REID number: 0432887916000

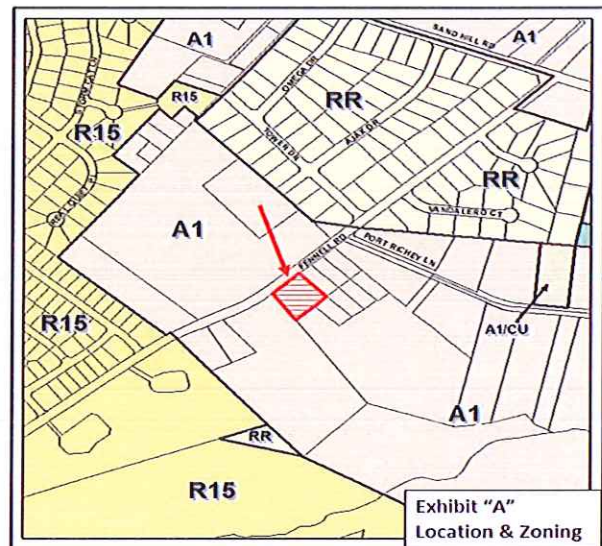
**SIZE:** 1.00 +/- acres within one parcel. Road frontage along Fennell Road is 200 +/- feet. The property has a varying depth due to its shape but is approximately 229 +/- feet in length at its deepest point.

**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.

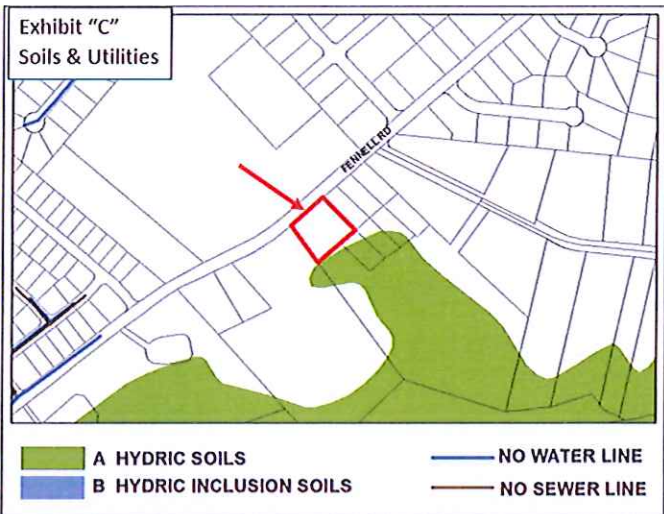
**EXISTING LAND USE:** The parcel is currently vacant. Exhibit "B" shows the existing use of the subject property.

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

- **North:** Wooded lands and single family homes
- **East:** Wooded lands and single family homes
- **West:** Wooded lands and Cypress Pointe subdivision.
- **South:** Wooded lands







**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 no presence of hydric or hydric inclusion soils on the property.

**DEVELOPMENT REVIEW:** Subdivision review by County Planning & Inspections will be required before any development.

**DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:**

Minimum Standard	A1 (Existing Zoning)	R20 (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	20,000 sq. ft.
Lot Width	100'	100'

**Development Potential\*:**

Existing Zoning (A1)	Proposed Zoning (R20)
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 of less than one-half shall be disregarded.



**COMPREHENSIVE PLANS:** This property is located within the South-Central Land Use Plan (2015). The future land use classification of the property is "Low Density Residential". Associated Zoning districts for this classification are R7.5 & R15. As the lot sizes proposed would be larger than these districts require, **the proposed rezoning is consistent with the adopted Land Use Plan.**

**APPLICABLE PLAN GOALS/POLICIES:**

**Low Density Residential Development Goals:**

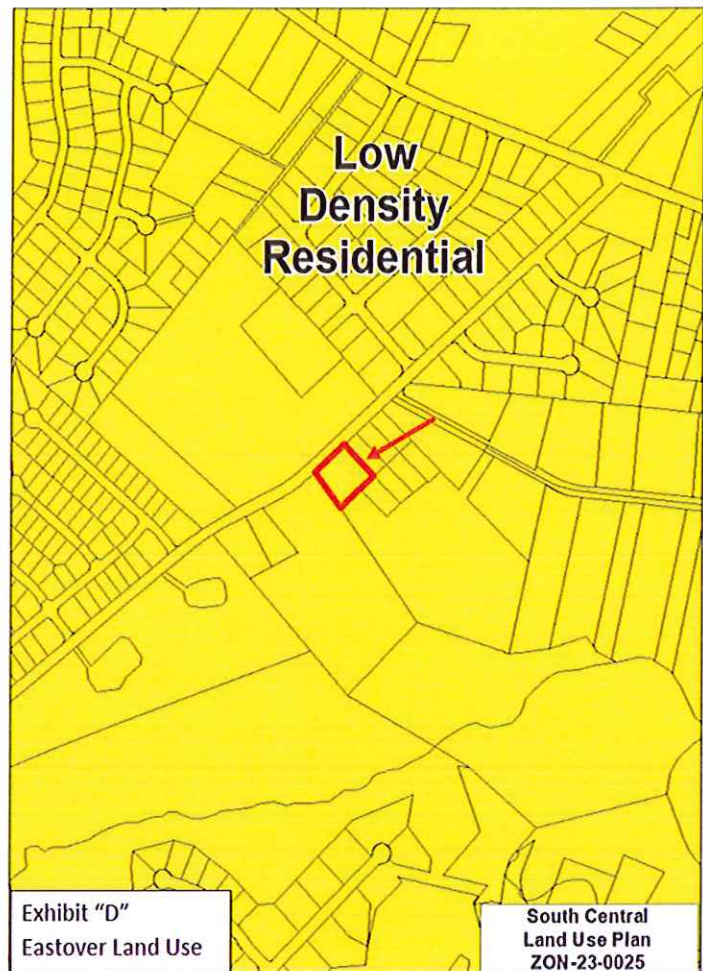
Goal 1: Provide a complete range of residential housing types that accommodates the needs of all residents with adequate infrastructure while preserving the character of the area and protecting environmentally sensitive areas. Page 93 South Central Land Use Plan.

1.1: Low Density Residential allows a residential development with a density of 2.2 to 6 units/acre.

1.2: Only stick-built homes are permitted in this land use classification.

1.3: Public or community water and sewer is required (staff comment: if within density specifications above). Page 118 South Central Land Use Plan.

1.4: Any residential development greater than two units per acre must have public or private water and sewer. Page 93 South Central Land Use Plan.



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

**UTILITIES:** Water and sewer lines are not available near the subject property, as shown in Exhibit "C". The nearest water line is 1,000 feet to the west along Fennell Road, and the nearest sewer line is approximately 1,600 feet away also to the west. It is the applicant's responsibility to determine if this utility provider will serve their development. On-site well and septic will likely be required and the lot size must meet the minimum area necessary to accommodate both.

**TRAFFIC:** According to the Fayetteville Area Metropolitan Planning Organization (FAMPO), the subject property sits on Fennell Road and 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, Fennell Road has a 2021 AADT of 1,400 and no road capacity data available. Due to lack of data and the small scale, the new zoning request does not demand a trip generation. The new development should not generate enough traffic to significantly impact Fennell Road.

**SCHOOLS CAPACITY/ENROLLMENT:**

School	Capacity	Enrollment
Alderman Elementary	707	661
Gray's Creek Middle	1083	1152
Gray's Creek High	1517	1452

**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 has no objections to the rezoning request.

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

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

**STAFF RECOMMENDATION**

In Case ZON-23-0025, Planning and Inspections staff **recommends approval** of the rezoning request from A1 Agricultural District to R20 Residential District. Staff finds the request is consistent with the South-Central Land Use Plan which calls for "Low Density Residential" 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

MCINNIS, JOHNNY R JR;MCLEAN,  
SHARON H  
15 GLEN ST 1  
DORCHESTER, MA 02125

SANTIAGO, RUBY K  
206 10TH AVE  
BROOKLYN PARK, MD 21225

WRIGHT, WILLIAM B  
2709 BOBWHITE DR  
ROANOKE, VA 24018

WRIGHT, WILLIAM B  
2709 BOBWHITE DR  
ROANOKE, VA 24018

AUSTIN, JAMES W;AUSTIN, DELLA G  
1636 B CLASSIC DR  
MONROE, NC 28112

BRABOY, ANNIE M  
1881 CASCADE ST  
FAYETTEVILLE, NC 28301

TYSON, VANCE U JR  
4925 S NC 87 HWY  
FAYETTEVILLE, NC 28306

TYSON, VANCE U JR  
4925 S NC 87 HWY  
FAYETTEVILLE, NC 28306

ROCKFISH RUN LAND AND  
DEVELOPMENT LLC  
4239 CAMERON RD  
FAYETTEVILLE, NC 28306

PATTERSON, PALEITHA M  
4014 AIRLINE DR  
FAYETTEVILLE, NC 28306

TYSON, UPTON HEIRS  
4925 S NC 87 HWY  
FAYETTEVILLE, NC 28306

DAVIS, MARGIE CHRISTENA F  
1104 BUNCE RD  
FAYETTEVILLE, NC 28314

COUNCIL, BERTHA LEE  
1904 FENNELL RD  
HOPE MILLS, NC 28348

LOCKLEAR, KATHY LEROY  
1480 PORT RICHIE LN  
HOPE MILLS, NC 28348

IRBY, HAZEL F HEIRS  
1885 FENNELL RD  
HOPE MILLS, NC 28348

BREWINGTON, BILLY;BREWINGTON,  
SARAH LOCKLEAR  
RR 1 BOX 156 D-1  
HOPE MILLS, NC 28348

CHERRY, JOWAN D;CHERRY, SUPRINA  
1430 PORT RICHEY LN  
HOPE MILLS, NC 28348

HOSSACK, ASHLEY;STOWELL, GREGORY  
4536 CANASTA CT  
HOPE MILLS, NC 28348

FREEMAN, JAMES RICHARD;FREEMAN,  
DONNA R  
1471 PORT RICHEY LN  
HOPE MILLS, NC 28348

SEIGLER, JOHN H  
2012 FENNELL RD  
HOPE MILLS, NC 28348

WISE, EDWARD RANDALL  
1904 FENNELL RD  
HOPE MILLS, NC 28348

FREEMAN, WILLIE E JR;FREEMAN, TAMMY  
BROWN  
2003 FENNELL RD  
HOPE MILLS, NC 28348

BRANNON, JAZMINE;WOMACK, DANIEL  
2030 FENNELL RD  
HOPE MILLS, NC 28348

CROMARTIE, PAULINE  
603 STEELE ST  
MOUNT OLIVE, NC 28365

CROMARTIE, PAULINE  
603 STEELE ST  
MOUNT OLIVE, NC 28365

FENNELL, MINNIE  
9388 MEADOW GATE LN  
JONESBORO, GA 30236

GARNER, MARINER HEIRS;GARNER,  
ROBERT T HEIRS  
PO BOX 9044  
FAYETTEVILLE, NC 28311

**ATTACHMENT: APPLICATION**





**County of Cumberland**  
**Planning & Inspections Department**

CASE #: ZON-23-0025

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

DATE APPLICATION  
SUBMITTED: 09/13/23

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 A-1 to R-40 <sup>20 TBE</sup>
2. Address of Property to be Rezoned: Fennell Rd
3. Location of Property: Fennell Rd / Sandhill / Cypress Lakes Rd
4. Parcel Identification Number (PIN #) of subject property: 0432-88-7716  
(also known as Tax ID Number or Property Tax ID)
5. Acreage: 1.00 Frontage: 209' Depth: 229'
6. Water Provider: Well: ☒ PWC: \_\_\_\_\_ Other (name): \_\_\_\_\_
7. Septage Provider: Septic Tank ☒ PWC \_\_\_\_\_
8. Deed Book 11811, Page(s) 5494, 5499, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: Empty lot
10. Proposed use(s) of the property: Single Family
11. Do you own any property adjacent to or across the street from this property?  
Yes \_\_\_\_\_ No ☒ If yes, where? \_\_\_\_\_
12. Has a violation been issued on this property? Yes \_\_\_\_\_ No ☒

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

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

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

Rockfish Run Land & Develop. LLC / Tim  
NAME OF OWNER(S) (PRINT OR TYPE)

4234 Cameron Rd. Hwy. 101, N.C. 28306  
ADDRESS OF OWNER(S)

910-273-5016  
HOME TELEPHONE # WORK TELEPHONE #

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

ADDRESS OF AGENT, ATTORNEY, APPLICANT

tim@longestproperties.com  
E-MAIL

910-273-5016  
HOME TELEPHONE # WORK TELEPHONE #

SIGNATURE OF OWNER(S)

[Signature]  
SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

[Signature]  
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 OCTOBER 17, 2023**

**TO: JOINT PLANNING BOARD**

**FROM: PLANNING & INSPECTIONS DEPARTMENT**

**DATE: 10/10/2023**

**SUBJECT: ZON-23-0024: REZONING FROM A1 AGRICULTURAL DISTRICT & R40 RESIDENTIAL DISTRICT TO R20 RESIDENTIAL DISTRICT OR TO A MORE RESTRICTIVE ZONING DISTRICT FOR 13.16 +/- ACRES; LOCATED EAST OF CHICKEN FOOT ROAD, NORTH OF RUFUS JOHNSON ROAD, SUBMITTED BY M.A.P.S SURVEYING (APPLICANT) ON BEHALF OF JF JOHNSON FAMILY FARMS, LLC (OWNER).**

**ATTACHMENTS:**

Description

Case ZON-23-0024

Type

Backup Material





NORTH CAROLINA  
PLANNING & INSPECTIONS

PLANNING STAFF REPORT  
REZONING CASE # ZON-23-0024  
Planning Board Meeting: October 17, 2023

Location: East of Chicken Foot Road, North  
of Rufus Johnson Road  
Jurisdiction: County-Unincorporated

#### REQUEST

Rezoning A1 & R40 to R20

Applicant requests a rezoning from A1 Agricultural District and R40 Residential District to R20 Residential District for approximately 13.16 acres located east of Chicken Foot Road and north of Rufus Johnson Road. The 13.16 acre rezoning site is assembled by combining a portion of a 42-acre parcel (containing 12.57 +/- acres and zoned R40) with two small tracts (0.59 +/- acres combined and zoned A1) that originate from the Rufus Johnson Road zero-lot-line subdivision plat. These two smaller tracts are designated for "Future Development" on that plat. All three parcels are currently vacant or used for agricultural purposes. The intent of the property owner is to accommodate a residential subdivision with a minimum lot size of 20,000 sq. ft.

#### PROPERTY INFORMATION

**OWNER/APPLICANT:** JF Johnson Family Farm (Owner); M.A.P.S. Surveying (Applicant)

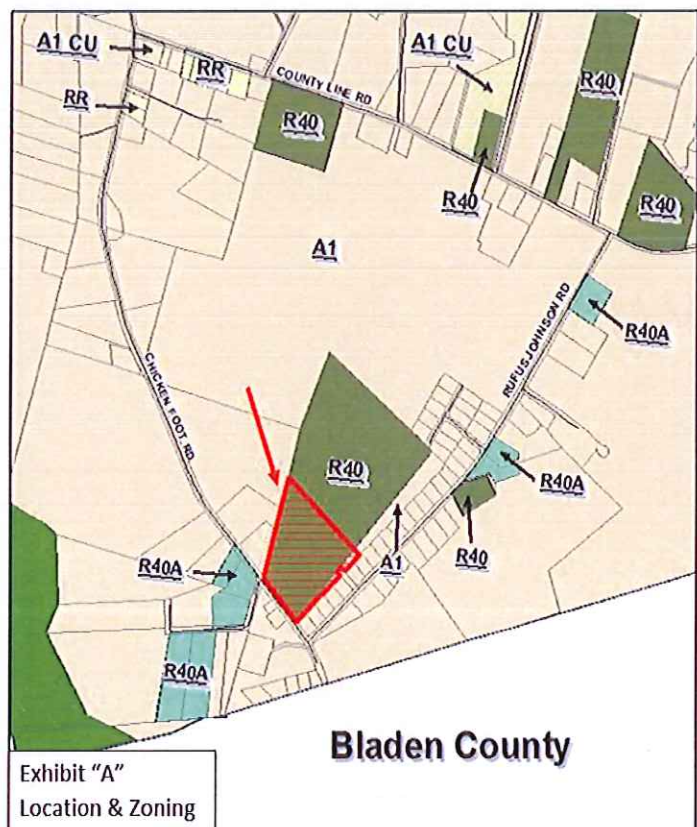
**ADDRESS/LOCATION:** Refer to Exhibit "A", Location and Zoning Map. REID number: 0339178174000; 0339264946000; 0339167264000

**SIZE:** 13.16 +/--combined acres within three parcels. The northern parcel contains approximately 12.57 +/- acres and the southern parcels approximately 0.59 +/- acres combined. Road frontage along Chicken Foot Road is 502 +/- feet. The property has a varying depth due to its shape but is approximately 849 feet in length at its deepest point.

**EXISTING ZONING:** The subject property is currently zoned A1 Agricultural District and R40 Residential District.

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.

R40 Residential District. A district designed primarily for single-family dwelling units with a lot area of 40,000 square feet or above.



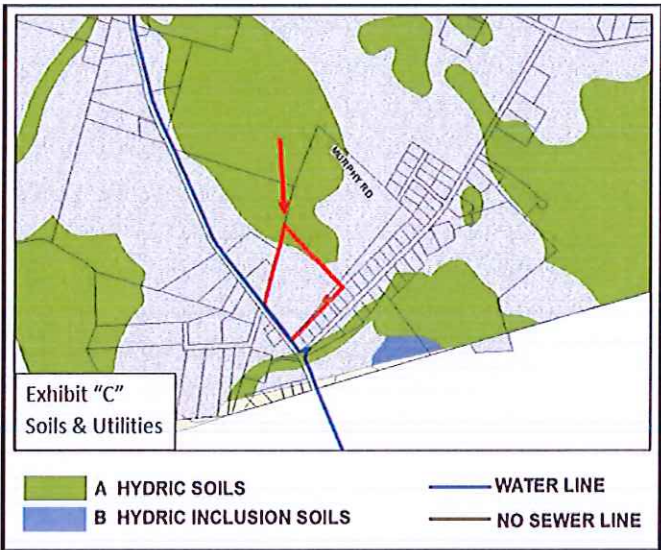


**EXISTING LAND USE:** Each parcel is currently vacant. Exhibit "B" shows the existing use of the subject property.

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

- **North:** Wooded land and farmland
- **East:** Alderman Run single-family neighborhood
- **West:** Woodland and single-family homes
- **South:** Rufus Johnson ZLL single-family neighborhood

**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 northeast corner of the property.

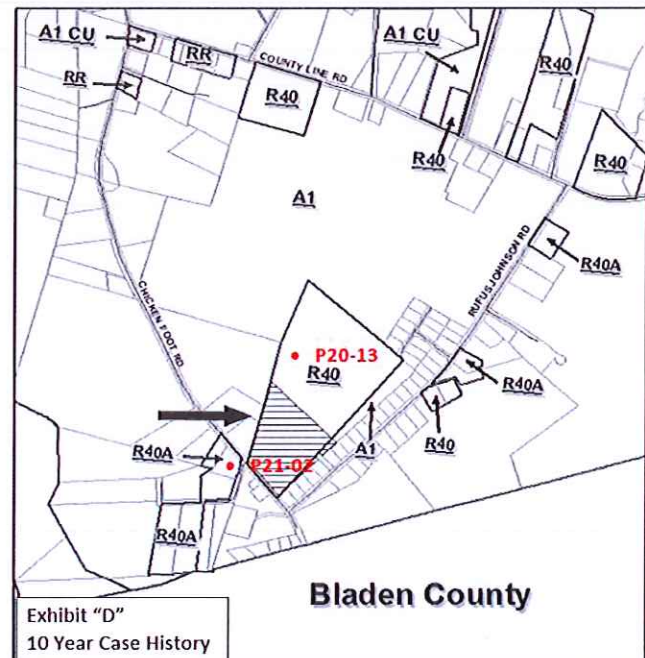


#### TEN YEAR ZONE CASE HISTORY:

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

- P20-13: A1 to R40; APPROVED
- P21-02: R40A to R30; WITHDRAWN

**DEVELOPMENT REVIEW:** Subdivision review by County Planning & Inspections will be required before any development.



#### DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

Minimum Standard	A1 (Existing Zoning)	R40 (Existing Zoning)	R20 (Proposed Zoning)
Front Yard Setback	50 feet	30 feet	30 feet
Side Yard Setback	20 feet (one story) 25 feet (two story)	15 feet	15 feet



Rear Yard Setback	50 feet	35 feet	35 feet
Lot Area	2 acres	40,000 sq. ft.	20,000 sq. ft.
Lot Width	100'	100'	100'

#### Development Potential:

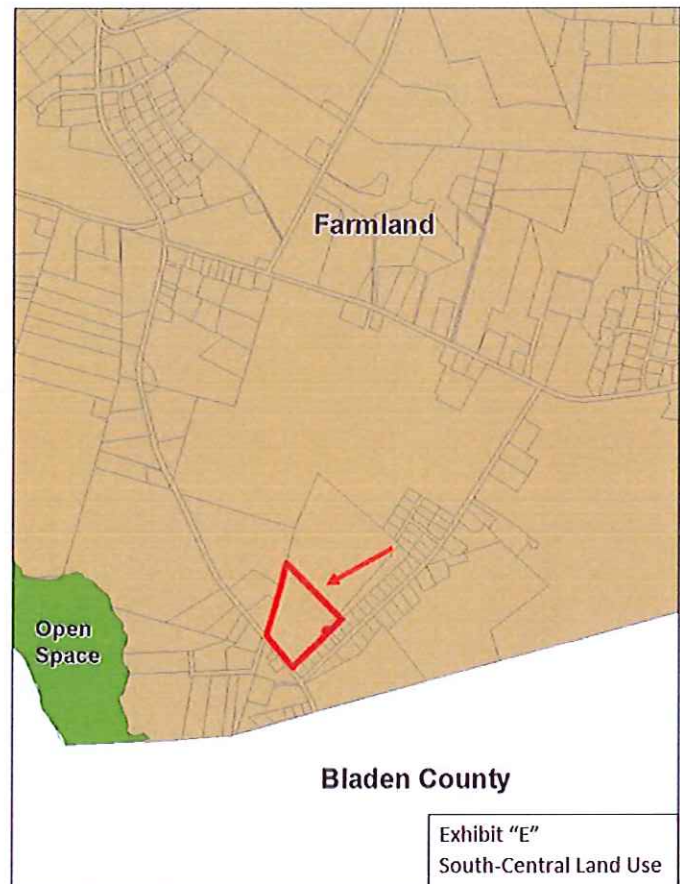
Existing Zoning (A1) (0.59 +/- acres)	Existing Zoning (R40) (12.57 +/- acres)	Proposed Zoning (R20) (13.16 +/- acres)
0 dwelling units	14 dwelling units	29 dwelling units

- 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 South-Central Land Use Plan (2015), as shown in Exhibit "E". The future land use designation of this property is "Farmland". Associated Zoning districts for this classification are A1, A1A, CD, R40, R40A. **The proposed rezoning request is not inconsistent with the adopted Land Use Plan.**

#### APPLICABLE PLAN GOALS/POLICIES:

- Preserve and protect farmland to ensure the continued viability of the farming and agribusiness industry in the Study Area. Page 95 South Central Land Use Plan
- The designated farmland area should be protected and preserved from normal development. Development in this area should be limited and be in character with a farming community. The majority of the designated farmland in the Study Area is zoned A1-Agricultural District. This district requires a minimum of a two-acre lot, or a density of one unit per two acres (Page 100 South Central land Use Plan)



#### Objectives:

- Promote the awareness of the benefits of farmland to the environment and in maintaining the rural character of the area.
- Protect Rural character in the Farmland Designated Area
- Any residential development greater than two units per acre must have public or private water and sewer.
- Promote the preservation of farmland areas / Preserve the rural character of the County / Protect farming and farming operations from urban encroachment.
- Utilize the Conservation District, Special Flood Hazard Areas, public and nonprofit lands and development concepts such as open space subdivisions to maintain rural character in the Area.

## IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

**UTILITIES:** A water line is available where the subject property abuts Chicken Foot Road. Cumberland County owns the water line, but the water provide is Southpoint Water District, located in Bladen County. Sewer lines are not available near the subject property. It is the applicant's responsibility to determine if this utility provider will serve their development. Utilities for water and sewer are shown on Exhibit "C". On-site Septic will be required if sewer lines are not available at the time of development. If septic systems are utilized, lot size must meet the minimum area necessary to accommodate on-site septic systems.

**TRAFFIC:** According to the Fayetteville Area Metropolitan Planning Organization (FAMPO), the subject property sits on Chicken foot Road and is identified as a major collector in the Metropolitan Transportation Plan. There are no roadway construction improvement projects planned for this road and the subject property will have no significant impact on the Transportation Improvement Program. In addition, Chicken foot Road has a 2021 AADT of 2,200 and a road capacity of 12,700. Due to lack of data and a small development scale, the new zoning request does not demand a trip generation evaluation. The new development should not generate enough traffic to significantly impact Chicken Foot Road.

### SCHOOLS CAPACITY/ENROLLMENT:

School	Capacity	Enrollment
Gray's Creek Elementary	432	456
Gray's Creek Middle	1083	1152
Gray's Creek High	1517	1452

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

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

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

## STAFF RECOMMENDATION

In Case ZON-23-0024, Planning and Inspections staff **recommends denial** of the rezoning request from A1 Agricultural District and R40 Residential District to R20 Residential District. Staff finds the request is not consistent with the South-Central Land Use Plan which calls for "Farmland" at this location. Staff also finds that the request is not reasonable or in the public interest as it is not compatible to or in harmony with the surrounding land use activities and zoning.

Attachments:  
Notification Mailing List  
Application



## ATTACHMENT – MAILING LIST

SKY REI LLC  
9105 TRIANA MARKET WALK  
RALEIGH, NC 27617

SCARBOROUGH, MICHELE M  
7016 TREMONT DR  
INDIAN TRAIL, NC 28079

JAMES, DEMARCUS K; JAMES, SANDRA L  
7549 DOCUMENTARY DR  
FAYETTEVILLE, NC 28304

JFJ III INVESTMENTS LLC  
370 VALLEY RD  
FAYETTEVILLE, NC 28305

JFJ III INVESTMENTS LLC  
370 VALLEY RD  
FAYETTEVILLE, NC 28305

J F JOHNSON FAMILY FARMS LLC  
370 VALLEY RD  
FAYETTEVILLE, NC 28305

JFJ III INVESTMENTS LLC  
370 VALLEY RD  
FAYETTEVILLE, NC 28305

JFJ III INVESTMENTS LLC  
370 VALLEY RD  
FAYETTEVILLE, NC 28305

BRINSON, MARIE G  
244 PERCH DR  
FAYETTEVILLE, NC 28306

HAINES, WILLIAM KYLE; PENDER, JAMES A.; PENDER, CAROLYN  
7640 RUFUS JOHNSON RD  
FAYETTEVILLE, NC 28306

HARDIN, JOHN E  
7661 RUFUS JOHNSON RD 2  
FAYETTEVILLE, NC 28306

DUFFY, CHRISTOPHER SCOTT; DUFFY, MOLLIE KATHERINE  
7747 RUFUS JOHNSON ROAD  
FAYETTEVILLE, NC 28306

DAVIS, MICHAEL L; DAVIS, NICOLE M  
7585 RUFUS JOHNSON RD  
FAYETTEVILLE, NC 28306

FANKHAUSER, TYLER  
SCOTT; FANKHAUSER, TRESSA  
7710 RUFUS JOHNSON ROAD  
FAYETTEVILLE, NC 28306

SCOTT, LATOYA; SCOTT, JONAS  
7850 RUFUS JOHNSON RD  
FAYETTEVILLE, NC 28306

VALLADE, JOSEPH; VALLADE, MIRANDA  
7697 RUFUS JOHNSON ROAD  
FAYETTEVILLE, NC 28306

CHUCK, SCHYLAR E  
7600 DOCUMENTARY DR  
FAYETTEVILLE, NC 28306

CAMERON, DUSTIN; CAMERON, MISTI DAWN  
7680 RUFUS JOHNSON RD  
FAYETTEVILLE, NC 28306

RICKETTS, BRIAN G; RICKETTS, KIMBERLY  
7654 RUFUS JOHNSON RD  
FAYETTEVILLE, NC 28306

HARRIS, GONZALEZ LEON II; HARRIS, LARHONDA L  
7650 RUFUS JOHNSON RD  
FAYETTEVILLE, NC 28306

MOORE, BRIAN; MOORE, ANGELA  
7740 RUFUS JOHNSON ROAD  
FAYETTEVILLE, NC 28306

SCHERPING, ASHLEY  
7820 RUFUS JOHNSON ROAD  
FAYETTEVILLE, NC 28306

CHALUPKA, RANDALL J; SHEILA, M  
7615 RUFUS JOHNSON RD  
FAYETTEVILLE, NC 28306

MCDOWELL, DONALD E; MCDOWELL, MAUREEN E  
7619 DOCUMENTARY DR  
FAYETTEVILLE, NC 28306

FUTRAL, DAVID BRANDON; FUTRAL, CASSIE PRICE  
7613 DOCUMENTARY DR  
FAYETTEVILLE, NC 28306

WAGNER, JOSHUA ADAM  
CHARLES; WAGNER, ELIZABETH ANN  
7757 RUFUS JOHNSON ROAD  
FAYETTEVILLE, NC 28306

MUELLER, WILLIAM; MUELLER, MICHELLE  
7690 RUFUS JOHNSON ROAD  
FAYETTEVILLE, NC 28306

MOESSNER, THOMAS P; MOESSNER, JUDITH A.  
7612 RUFUS JOHNSON RD  
FAYETTEVILLE, NC 28306

WHITLEY, MATTHEW; WHITLEY, MARY  
7752 RUFUS JOHNSON ROAD  
FAYETTEVILLE, NC 28306

CRUZ, LEONARDO GARCIA  
7840 RUFUS JOHNSON ROAD  
FAYETTEVILLE, NC 28306

MARISCAL, GERRIE HAIRE;MARISCAL,  
DANIEL  
7612 DOCUMENTARY DRIVE  
FAYETTEVILLE, NC 28306

MALONE, ROBERT A;KINNEY, SIERRA ELISE  
7743 RUFUS JOHNSON ROAD  
FAYETTEVILLE, NC 28306

CYRUS, JERRY LEE;CYRUS, AMBER D  
7544 DOCUMENTARY DR  
FAYETTEVILLE, NC 28306

GREENE, RICK J;GREENE, JANIT F  
7756 RUFUS JOHNSON ROAD  
FAYETTEVILLE, NC 28306

LEE, SHERRY A  
7657 RUFUS JOHNSON RD  
FAYETTEVILLE, NC 28306

JACKSON, WILLIAM ROBERT  
7606 DOCUMENTARY DR  
FAYETTEVILLE, NC 28306

VARGAS, PEDRO;PEREZ, DEILYS  
7744 RUFUS JOHNSON RD  
FAYETTEVILLE, NC 28306

SERPA, GILDO M;SERPA, KRISTINE M  
7541 DOCUMENTARY DR  
FAYETTEVILLE, NC 28306

KOKKEBY, MICHAEL L.  
7548 DOCUMENTARY DR  
FAYETTEVILLE, NC 28306

ELIAS, CONRAD  
7661 RUFUS JOHNSON RD 2  
FAYETTEVILLE, NC 28306

LATHAM, ROBYN ASHLEY;ESPINOSA-  
PACHECO, TOMAS  
7751 RUFUS JOHNSON ROAD  
FAYETTEVILLE, NC 28306

DAVIS, MICHAEL L;DAVIS, NICOLE M  
7585 RUFUS JOHNSON RD  
FAYETTEVILLE, NC 28306

KRISH, JONATHON;KRISH, HALEY  
7720 RUFUS JOHNSON ROAD  
FAYETTEVILLE, NC 28306

RAY, TIMOTHY T;DARDEN, DAVETTA  
2921 APPROVED DRIVE  
FAYETTEVILLE, NC 28306

WILLIAMS, KATRINA  
7668 RUFUS JOHNSON ROAD  
FAYETTEVILLE, NC 28306

HARDIN, JOHN E  
7667 RUFUS JOHNSON RD  
FAYETTEVILLE, NC 28306

MIRELES, JEREMY ADAM;MIRELES,  
NICOLE  
7730 RUFUS JOHNSON ROAD  
FAYETTEVILLE, NC 28306

BRADY, JASON A;BRADY, ERICA J  
7608 RUFUS JOHNSON RD  
FAYETTEVILLE, NC 28306

MONROE, DILLON;FIERRO, MARIA LOPEZ  
7810 RUFUS JOHNSON ROAD  
FAYETTEVILLE, NC 28306

WILLIFORD, LESLIE K  
7607 DOCUMENTARY DR  
FAYETTEVILLE, NC 28306

SHEETS, CHRISTINE MARIE;SMITH, JESSE  
MCGEE  
7545 DOCUMENTARY DR  
FAYETTEVILLE, NC 28306

ZAMBRANO, MICHAEL;ZAMBRANO,  
JUSTINE  
7748 RUFUS JOHNSON ROAD  
FAYETTEVILLE, NC 28306

TURRENTINE, JOSEPH;TURRENTINE,  
STEPHANIE  
7700 RUFUS JOHNSON ROAD  
FAYETTEVILLE, NC 28306

BRISSON, BRENDA CAROL  
PO BOX 531  
DUBLIN, NC 28332

HAYNE HENS FARM INC  
PO BOX 715  
HOPE MILLS, NC 28348

MCQUEEN, LARRY;MCQUEEN, RETHA  
500 PECAN GROVE LP  
HOPE MILLS, NC 28348

HALL, JOSEPH E JR  
2778 CHICKEN FOOT RD  
HOPE MILLS, NC 28348

RIDDLE, GLENN;RIDDLE, GAIL  
3175 ODOM RD  
HOPE MILLS, NC 28348

HAYNE HENS FARM INC  
PO BOX 715  
HOPE MILLS, NC 28348

MCQUEEN, LARRY;MCQUEEN, RETHA  
500 PECAN GROVE LP  
HOPE MILLS, NC 28348

MCQUEEN, LARRY DOBY;MCQUEEN,  
RETHA P  
500 PECAN GROVE LP  
HOPE MILLS, NC 28348

MCQUEEN, LARRY;MCQUEEN, RETHA  
500 PECAN GROVE LOOP  
HOPE MILLS, NC 28348

JONES, VALERIA  
PO BOX 174  
HOPE MILLS, NC 28348

GRAYS CREEK PROPERTIES LLC  
PO BOX 715  
HOPE MILLS, NC 28348

MCQUEEN, RETHA  
500 PECAN GROVE LP  
HOPE MILLS, NC 28348

HARRELL BUILDERS OF NC LLC  
PO BOX 451  
RAEFORD, NC 28376

HARRELL BUILDERS OF NC LLC  
PO BOX 451  
RAEFORD, NC 28376

HARRELL BUILDERS OF NC LLC  
PO BOX 451  
RAEFORD, NC 28376

HARRELL BUILDERS OF NC LLC  
PO BOX 451  
RAEFORD, NC 28376

KING, HINTON MCCALL;KING, ELIZABETH  
831 KING RD  
ST PAULS, NC 28384

FOY, MARTHA HEIRS  
5508 CHICKEN FOOT RD  
SAINT PAULS, NC 28384

MCCALLISTER, LYNETTE  
2746 MCCALL RD  
SAINT PAULS, NC 28384

FOY, MARTHA HEIRS  
5448 CHICKEN FOOT RD  
SAINT PAULS, NC 28384

MAXWELL, ELIZA B;ORA, LEE TELFAIR  
5426 CHICKEN FOOT RD  
ST PAULS, NC 28384

MAXWELL, GLORIA E HEIRS;MAXWELL,  
REGINALD LEE  
2766 MCCALL RD  
ST PAULS, NC 28384

HALL, JOSEPH E SR;HALL, PATRICIA L  
5301 CHICKEN FOOT RD  
SAINT PAULS, NC 28384

RIDDLE FARMS LLC  
7397 RIDDLE RD  
SAINT PAULS, NC 28384

HALL, JOSEPH E;HALL, PATRICIA M  
5301 CHICKEN FOOT RD  
ST PAULS, NC 28384

HODGE, PAULINE BUTLER HEIRS  
5304 CHICKENFOOT RD  
SAINT PAULS, NC 28384

DRY, GARY  
34 BAZEMORE CT  
ST PAULS, NC 28384

SANCHEZ PEREZ, RODULFO;SANCHEZ  
PEREZ, MARIBEL BARRERA PINEDA  
80 BAZEMORE CT  
ST PAULS, NC 28384

HALL, JONATHAN T;HALL, MEGAN  
5324 CHICKENFOOT RD  
ST PAULS, NC 28384

HEALEY, DONALD;HEALEY, JO  
5338 CHICKENFOOT RD  
ST PAULS, NC 28384

HALL, JONATHAN T;HALL, MEGAN  
5324 CHICKENFOOT RD  
ST PAULS, NC 28384

COUNCIL, ODESSA  
2755 MCCALL RD  
SAINT PAULS, NC 28384

SANDERS, STEVE LIFE ESTATE  
5345 CHICKENFOOT RD  
ST PAULS, NC 28384

MAXWELL, JAMES EDWARD;MAXWELL,  
SYLVIA  
5436 CHICKEN FOOT RD  
SAINT PAULS, NC 28384

GONZALEZ, LUIS EMILIO VELASQUEZ  
1457 SUNSET RD  
WEST PALM BEACH, FL 33406

BARNETT, FREDDIE LEE;BARNETT, LENORA  
R;EVANS, TANYA  
7830 RUFUS JOHNSON ROAD  
FAYETTEVILLE, NC 28306

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 \$ 400.  
(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 R40 and A1<sup>DSM</sup> to R20
2. Address of Property to be Rezoned: 5403 Chicken Foot Rd
3. Location of Property: Intersection of Chicken Foot Rd + Rufus Johnson Rd
4. Parcel Identification Number (PIN #) of subject property: 0339178114000 0339264946000  
(also known as Tax ID Number or Property Tax ID) 0339167264000
5. Acreage: 13.16 Frontage: 501.75 Depth: 849
6. Water Provider: Well: \_\_\_\_\_ PWC: \_\_\_\_\_ Other (name): Cumberland Co
7. Septage Provider: Septic Tank X PWC \_\_\_\_\_
8. Deed Book 7899, Page(s) 536, 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: Residential - Single Family
11. Do you own any property adjacent to or across the street from this property?  
Yes X No \_\_\_\_\_ If yes, where? North of Subject Property
12. Has a violation been issued on this property? Yes \_\_\_\_\_ No X

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

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



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

JF Johnson Family Farms LLC  
NAME OF OWNER(S) (PRINT OR TYPE)

370 Valley Rd Fayetteville NC 28305  
ADDRESS OF OWNER(S)

HOME TELEPHONE # \_\_\_\_\_  
WORK TELEPHONE # 910-818-8400

MAPS Surveying Inc  
NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)

216 Mason St Fayetteville NC 28301  
ADDRESS OF AGENT, ATTORNEY, APPLICANT

maps@mapssurveying.com  
E-MAIL

HOME TELEPHONE # \_\_\_\_\_  
WORK TELEPHONE # 910-484-6432

J. Danielson III  
SIGNATURE OF OWNER(S)  
[Signature]  
SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

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

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



**PLANNING AND INSPECTIONS DEPARTMENT**

**MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF OCTOBER 17, 2023**

**TO: JOINT PLANNING BOARD**

**FROM:**

**DATE:**

**SUBJECT: SUBDIVISION ORDINANCE UPDATE**





**PLANNING AND INSPECTIONS DEPARTMENT**

**MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF OCTOBER 17, 2023**

**TO: JOINT PLANNING BOARD**

**FROM:**

**DATE:**

**SUBJECT: MIA REVIEW REQUEST**