

Clarence Grier
County Manager

Sally Shutt
Assistant County
Manager



Rawls Howard
Director

David Moon
Deputy Director

CUMBERLAND COUNTY JOINT PLANNING BOARD

AGENDA February 20, 2024 6:00 PM Hearing Room #3

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

REZONING CASES

- A. **ZON-24-0001: Rezoning from R40A Residential District to R30 Residential District or to a more restrictive zoning district for 1.53 +/- acres; located on the west side of the intersection of Chicken Foot Road and McCall Road, submitted by Harrell Builders of NC, LLC (owner).**
- B. **ZON-24-0002: Rezoning from M(P) Planned Industrial District, M(P)/CU Planned Industrial District Conditional Use, and C(P)/CU Planned Commercial District Conditional Use to C(P) Planned Commercial District or to a more restrictive zoning district for 36.74 +/- acres; located at 548 Wilkes Road, submitted by Dixon Soffe (agent) on behalf of Myrover-Reese Fellowship Homes, Inc (owner).**

VIII. PUBLIC MEETING CONTESTED ITEMS

REZONING CASES

- C. **ZON-23-0035: Rezoning from A1 Agricultural District to RR Rural Residential District or to a more restrictive zoning district for 1.44 +/- acres; located at 6516 Lina Drive, submitted by Patricia Dix (owner).**
- D. **ZON-23-0037: Rezoning from R10 Residential District to R6A Residential District or to a more restrictive zoning district for 0.51 +/- acres; located at 4206 Longview Avenue, submitted by Clinton Jackson Jr. (owner).**

IX. DISCUSSION

X. 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



PLANNING AND INSPECTIONS DEPARTMENT

MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF FEBRUARY 20, 2024

TO: JOINT PLANNING BOARD

FROM: PLANNING & INSPECTIONS DEPARTMENT

DATE: 2/20/2024

SUBJECT: ZON-24-0001: REZONING FROM R40A RESIDENTIAL DISTRICT TO R30 RESIDENTIAL DISTRICT OR TO A MORE RESTRICTIVE ZONING DISTRICT FOR 1.53 +/- ACRES; LOCATED ON THE WEST SIDE OF THE INTERSECTION OF CHICKEN FOOT ROAD AND MCCALL ROAD, SUBMITTED BY HARRELL BUILDERS OF NC, LLC (OWNER).

ATTACHMENTS:

Description

Case ZON-24-0001

Type

Backup Material



NORTH CAROLINA

PLANNING & INSPECTIONS

PLANNING STAFF REPORT
REZONING CASE # ZON-24-0001
Planning Board Meeting: Feb. 20, 2024

Location: W. side of intersection of Chicken
Foot Rd. & McCall Rd.
Jurisdiction: County-Unincorporated

REQUEST

Rezoning R40A to R30

Applicant requests a rezoning from R40A Residential District to R30 Residential District for approximately 1.53 acres located on the west side of the intersection of Chicken Foot Road and McCall Road, as shown in Exhibit "A". This parcel is currently vacant. The intent of the property owner is to subdivide the property and construct two stick-built, single-family structures.

PROPERTY INFORMATION

OWNER/APPLICANT: Harrell Builders of NC, LLC
(Owner)

ADDRESS/LOCATION: Located on the west side of the intersection of Chicken Foot Road and McCall Road. Refer to Exhibit "A", Location and Zoning Map. REID number: 0497458216000.

SIZE: The parcel contains approximately 1.53 acres. Road frontage along Chicken Foot Road is 227+/- feet and road frontage along McCall Road is 158.55 +/- feet. The property is approximately 353.07 +/- feet in length at its deepest point.

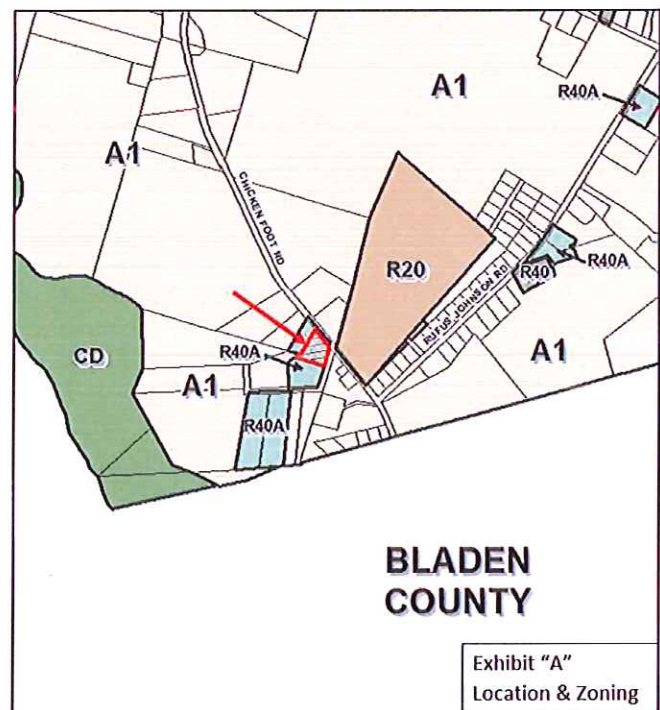
EXISTING ZONING: The subject property is currently zoned R40A. This district is designed primarily for single-family dwelling units.

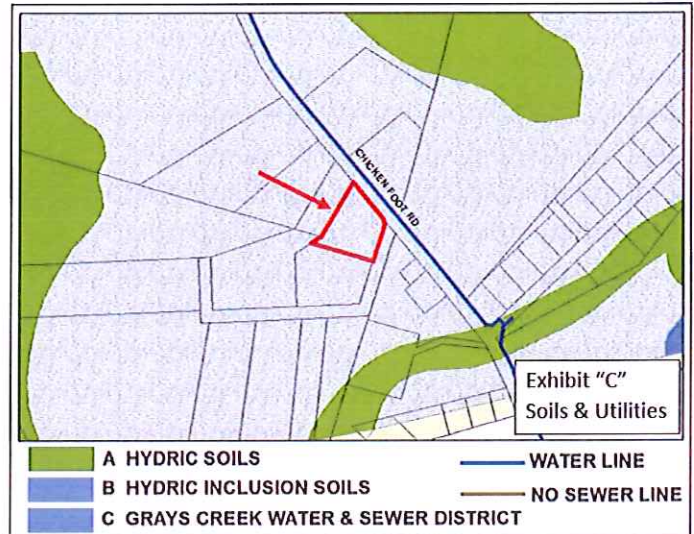
EXISTING LAND USE: The subject parcel is currently vacant. Exhibit "B" shows the existing use of the subject property.

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

- **North:** Single-family homes, and manufactured homes
- **East:** Single-family homes, and manufactured homes
- **West:** Single-family homes
- **South:** Farmland, wooded lands, and 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 no presence of hydric or hydric inclusion soils at the property.





TEN YEAR ZONE CASE HISTORY:

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

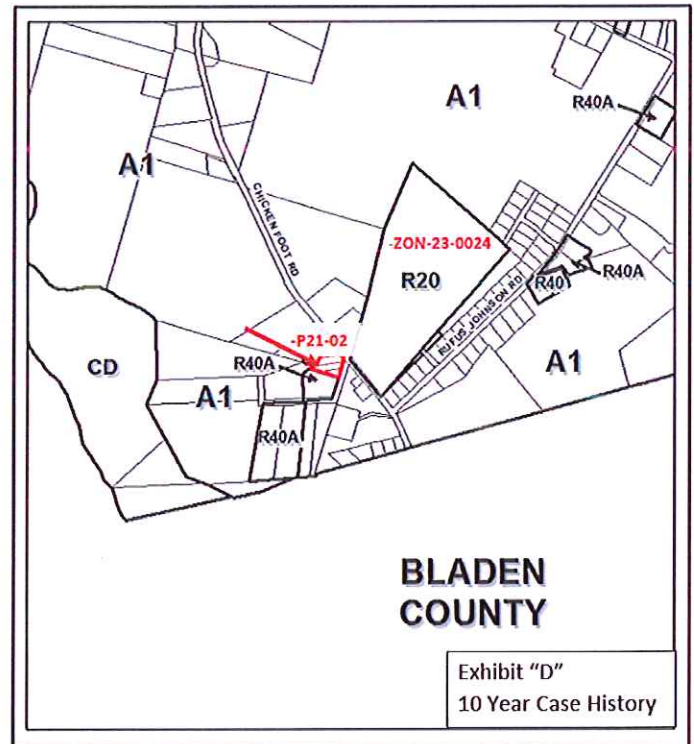
-P21-02: R40A to R30; Withdrawn by applicant

-ZON-23-0024: R40 to R20: Approved

DEVELOPMENT REVIEW:

Prior to issuance of building permits, the property must be re-platted as the rear lot line does not coincide with the rear tax parcel line.

DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:



Minimum Standard	R40A (Existing Zoning)	R30 (Proposed)
Front Yard Setback	30 feet	30 feet
Side Yard Setback	15 feet	15 feet
Rear Yard Setback	35 feet	35 feet
Lot Area	40,000 Sq. feet	30,000 Sq. feet
Lot Width	100'	100'

Development Potential:

Existing Zoning (R40A)	Proposed Zoning (R30)
1 dwelling unit	2 dwelling units

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

COMPREHENSIVE PLANS:

This property is located within the South-Central Land Use Plan (2015). The future land use classification of the property is "Farmland". Associated Zoning districts for this classification are A1, A1A, R40, R40A.

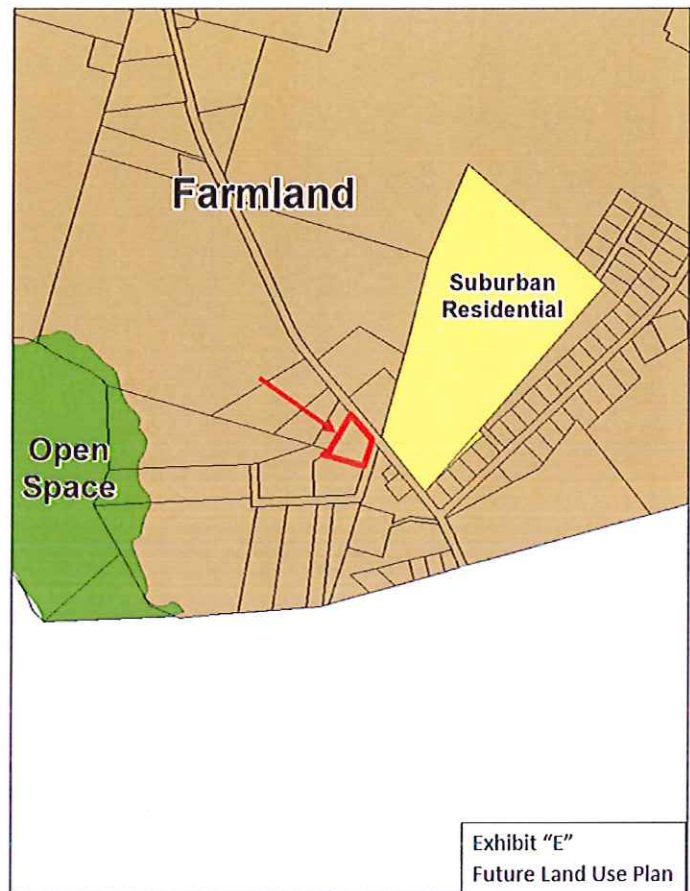
The proposed rezoning request is not consistent with the adopted Land Use Plan.

FUTURE LAND USE CLASSIFICATION Development Goal:

- Preserve and protect farmland to ensure the continued viability of the farming and agribusiness industry in the Study Area (South Central Land Use Plan 2015, p. 95).

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

- Create a significant designated farmland area ("farm zone") to provide a sustainable environment for agricultural operations (South Central Land Use Plan 2015, p. 95).
- Promote a natural or reforested buffer area between development and farming operations (South Central Land Use Plan 2015, p. 95).
- Promote the awareness of the benefits of farmland to the environment and in maintaining the rural character of the area (South Central Land Use Plan 2015, p. 95).
- Support efforts that protect the family farm (South Central Land Use Plan 2015, p. 95).
- Policy 7.10: Local governments shall consult with the Cumberland County FARM ADVISORY BOARD on all planning related matters affecting farmland (2030 Growth Vision Plan, p. 27).
- Policy 8.13: All forms of housing development should be discouraged from "LEAPFROGGING" into the countryside, thereby destroying the rural character of the County, breaking up large farmland areas, and making the provision of urban services more costly to taxpayers (2030 Growth Vision Plan, p. 29-30).



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: Sewer lines are not available near the subject property. A County controlled water main is available along Chicken Foot Road and two water tap connections are already in place. The owner is currently paying fees to reserve connections to the water system, as demonstrated in a response from the County Public Utilities Department. As stated in the Cumberland County Public Utilities Ordinance, Section 14. Connection of Newly Constructed Buildings, any new construction requiring a building or zoning permit will be required to connect to any County controlled water main or gravity sewer located within 300 feet of the structure. Utilities for water and sewer are shown on Exhibit "C". Septic will likely be required, and the lot size must meet the minimum area necessary to accommodate the required system.

TRAFFIC: According to the Fayetteville Area Metropolitan Planning Organization (FAMPO), the subject property sits along 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 section of Chicken Foot Road, and the subject property will have no significant impact on the Transportation Improvement Program. In addition, this section of Chicken Foot Road has a 2021 average annual daily trip (AADT) count of 2000 trips and a road capacity to accommodate 12,700 AADT. Due to lack of data

and the small scale of potential development, the zoning request does not demand a trip generation analysis. 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	453
Gray's Creek Middle	1083	1107
Gray's Creek High	1517	1491

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

EMERGENCY SERVICES: Cumberland County Fire Marshal's office has reviewed the request and has no comments regarding the proposal.

SPECIAL DISTRICTS/ OVERLAY DISTRICTS:

Special Districts			
Fayetteville Regional Airport Overlay:	n/a	Averasboro Battlefield Corridor:	n/a
Five Mile Distance of Fort Liberty:	n/a	Eastover Commercial Core Overlay District:	n/a
Voluntary Agricultural District (VAD):	n/a	Spring Lake Main Street Overlay District:	n/a
VAD Half Mile Buffer:	n/a	Coliseum Tourism Overlay District:	n/a

n/a – not applicable

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

STAFF RECOMMENDATION

In Case ZON-24-0001, Planning and Inspections staff **recommends approval** of the rezoning request from R40A Residential District to R30 Residential District and finds that:

1. Approval is an amendment to the adopted, current South-Central Land Use Plan and that the Board of Commissioners should not require any additional request or application for amendment to said map for this request.
2. The zoning request is consistent with recent area trends for zoning amendments and creates a density transition from more dense zoning to the east of Chicken Foot Road and less dense zoning to the west of the property.
3. There is an existing water line available to the site to support more intense development of the property than what is presently allowed under the current zoning district.

The request is reasonable and in the public interest as the requested district would be compatible to and in harmony with the surrounding land use activities and zoning.

Attachments:

Notification Mailing List

Correspondence from Utility Provider

Application

ATTACHMENT – MAILING LIST

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

JFJ III INVESTMENTS 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

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

BRINSON, MARIE G
244 PERCH DR
FAYETTEVILLE, NC 28306

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

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

SHEFFIELD, ALEXANDER
7817 RUFUS JOHNSON ROAD
FAYETTEVILLE, NC 28306

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

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

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

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

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

SCHERPING, ASHLEY
7820 RUFUS JOHNSON ROAD
FAYETTEVILLE, NC 28306

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

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

BRISSON, BRENDA CAROL
PO BOX 531
DUBLIN, NC 28332

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

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

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

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

MCALLISTER, LYNETTE
2746 MCCALL RD
SAINT PAULS, NC 28384

ATTACHMENT – MAILING LIST

FOY, MARTHA HEIRS
649 EDGE GROVE CIR
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

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

ATTACHMENT



From: Amy Hall <ahall@cumberlandcountync.gov>
Sent: Monday, January 22, 2024 11:54 AM
To: Alyssa Garcia <agarcia@cumberlandcountync.gov>

1

Cc: David Moon <dmoon@cumberlandcountync.gov>
Subject: RE: ZON-24-0001 5348 Chicken Foot Road

Good morning,

Yes, it does. The property owner is currently paying for two availability fees for this lot and there are two taps already installed on the property.

Thank you,

Amy Hall
Public Utilities Project Manager
Public Utilities Department

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 \$ 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 R40A to R30
2. Address of Property to be Rezoned: Chickenfoot Rd.
3. Location of Property: Chickenfoot Rd. Hope Mills, NC 28348
4. Parcel Identification Number (PIN #) of subject property: 0339-06-9237
(also known as Tax ID Number or Property Tax ID)
5. Acreage: 1.53 Frontage: 227 Depth: 297
6. Water Provider: Well: _____ PWC: X Other (name): _____
7. Septage Provider: Septic Tank _____ PWC X
8. Deed Book 11432, Page(s) 407, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: Vacant lot
10. Proposed use(s) of the property: Building two stick built homes
11. Do you own any property adjacent to or across the street from this property?
Yes _____ No X If yes, where? _____
12. Has a violation been issued on this property? Yes _____ No X

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

The 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.

Harrell Builders of NC, LLC.

NAME OF OWNER(S) (PRINT OR TYPE)

PO Box 451 Raeford, NC 28376

ADDRESS OF OWNER(S)

HOME TELEPHONE #

910-263-2945

WORK TELEPHONE #

Nicholas Shaun Harrell

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

PO Box 451 Raeford, NC 28376

ADDRESS OF AGENT, ATTORNEY, APPLICANT

harrellbldrs@aol.com

E-MAIL

HOME TELEPHONE #

910-263-2945

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 FEBRUARY 20, 2024

TO: JOINT PLANNING BOARD

FROM: PLANNING & INSPECTIONS DEPARTMENT

DATE: 2/20/2024

SUBJECT: ZON-24-0002: REZONING FROM M(P) PLANNED INDUSTRIAL DISTRICT, M(P)/CU PLANNED INDUSTRIAL DISTRICT CONDITIONAL USE, AND C(P)/CU PLANNED COMMERCIAL DISTRICT CONDITIONAL USE TO C(P) PLANNED COMMERCIAL DISTRICT OR TO A MORE RESTRICTIVE ZONING DISTRICT FOR 36.74 +/- ACRES; LOCATED AT 548 WILKES ROAD, SUBMITTED BY DIXON SOFFE (AGENT) ON BEHALF OF MYROVER-REESE FELLOWSHIP HOMES, INC (OWNER).

ATTACHMENTS:

Description	Type
Case ZON-24-0002	Backup Material

REQUEST

Rezoning M(P), C(P)/CU, & M(P)/CU to C(P)

Applicant requests a rezoning from M(P) Planned Industrial District, C(P)/CU Planned Commercial Conditional Use District, & M(P)/CU Planned Industrial Conditional Use District to C(P) Planned Commercial District for 548 Wilkes Rd. The site contains approximately 36.74 acres. The parcel currently has a residential habilitation support facility located on the portion of the parcel zoned M(P)/CU, which was approved in zoning case # P98-88. The intent of the property owner is to expand the residential habilitation facility in the near future and to have the parcel under the same zoning and development standards. The southwestern portion of the parcel is located within the Coliseum Tourism Overlay District. Any proposed development within that overlay district must comply with overlay use and development restrictions.

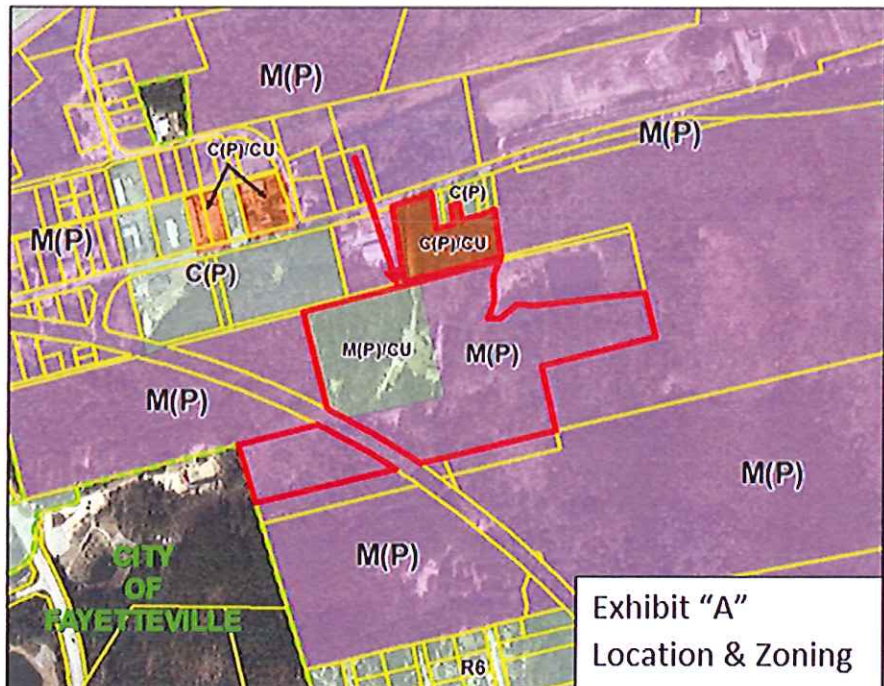
PROPERTY INFORMATION

OWNER/APPLICANT: Myrover-Reese Fellowship Homes, Inc (owner); Dixon Soffe (agent)

ADDRESS/LOCATION: Refer to Exhibit "A", Location and Zoning Map. REID number: 0436523017000

SIZE: The parcel contains approximately 36.74 acres. Road frontage along Wilkes Road is approximately 230.06 feet. The property is approximately 1363.7 feet in length at its deepest point.

EXISTING ZONING: The subject property is currently mixed zoned with M(P) Planned Industrial District, C(P)/CU Planned Commercial Conditional Use District, & M(P)/CU Planned Industrial Conditional Use District.



M(P) Planned Industrial District is designed primarily for basic manufacturing and processing industries, all of which normally create a high degree of nuisance and are not generally compatible with surrounding or abutting residential or commercial areas. The general intent of this district is to permit uses confined to service, wholesaling, manufacturing, fabrication and processing activities that can be carried on in an unobtrusive manner characterized by low concentration and limited external effects with suitable open spaces, landscaping, parking and service areas.

Commercial activities are not permitted except those having only limited contact with the general public and those not involving the sale of merchandise at retail except for items produced on the premises or

for the purpose of serving employees, guests and other persons who are within the district with an industrial activity.

C(P)/CU is designed to assure the grouping of buildings on a parcel of land to constitute a harmonious, efficient, and convenient design to assure the grouping of buildings on a parcel of land to constitute a harmonious, efficient and convenient retail shopping area.

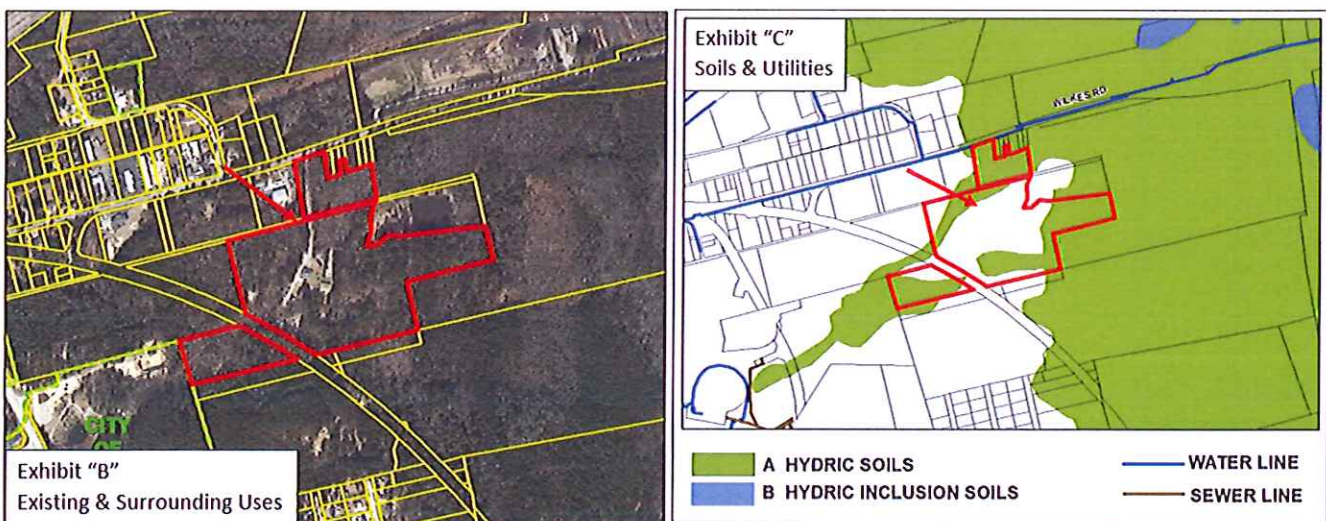
M(P)/CU is designed primarily for basic manufacturing and processing industries, all of which normally create a high degree of nuisance and are not generally compatible with surrounding or abutting residential or commercial areas. The general intent of this district is to permit uses confined to service, wholesaling, manufacturing, fabrication and processing activities that can be carried on in an unobtrusive manner characterized by low concentration and limited external effects with suitable open spaces, landscaping, parking and service areas.

EXISTING LAND USE: The subject parcel is currently used for an existing residential habilitation support facility serving individuals recovering from drug and alcohol addictions. Exhibit "B" shows the existing use of the subject property all found only on the M(P)/CU zoned portion of the parcel associated with zoning case # P98-88. The remainder of the property is wooded and undeveloped.

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

- **North:** Wooded lands
- **East:** Wooded lands and a single family home
- **West:** Wooded lands
- **South:** Wooded lands and 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 no presence of hydric inclusion soils at the site of the current development, but hydric soils are located on the property.



TEN YEAR ZONE CASE HISTORY: There are no cases identified within a 10-year history in the immediate area.

DEVELOPMENT REVIEW: Should the rezoning request be approved, prior to an expansion of the current residential habilitation support facilities, a site plan review must be submitted in accordance with the Cumberland County Zoning and Subdivision Ordinance; particularly the provisions of Sections 901, 922, 1402, and 1403 in the Zoning Ordinance, reviewed, and approved by Cumberland County Current Planning Division for compliance prior to development activity. Any new development proposed in the

portion of the parcel located within the Coliseum Tourism Overlay District shall require rezoning to Conditional Zoning approval per Section 8.102.C.1 in the Zoning Ordinance.

DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

Minimum Standard	M(P) (Existing Zoning)	M(P)/CU (Existing Zoning)	C(P)/CU (Existing Zoning)	C(P) (Proposed)
Front Yard Setback	100 feet	100 feet	50 feet	50 feet
Side Yard Setback	50 feet	50 feet	30 feet	30 feet
Rear Yard Setback	50 feet	50 feet	30 feet	30 feet
Lot Area	N/A	N/A	N/A	N/A
Lot Width	N/A	N/A	N/A	N/A

Development Potential:

Existing Zoning M(P), M(P)/CU, C(P)/CU	Proposed Zoning (C(P))
0 dwelling units	0 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.
- Any single family or multi-family dwellings proposed would require a Special Use Permit for Mixed Use Building under Section 914.1.

COMPREHENSIVE PLANS:

This property is located within the South-Central Land Use Plan (2015).

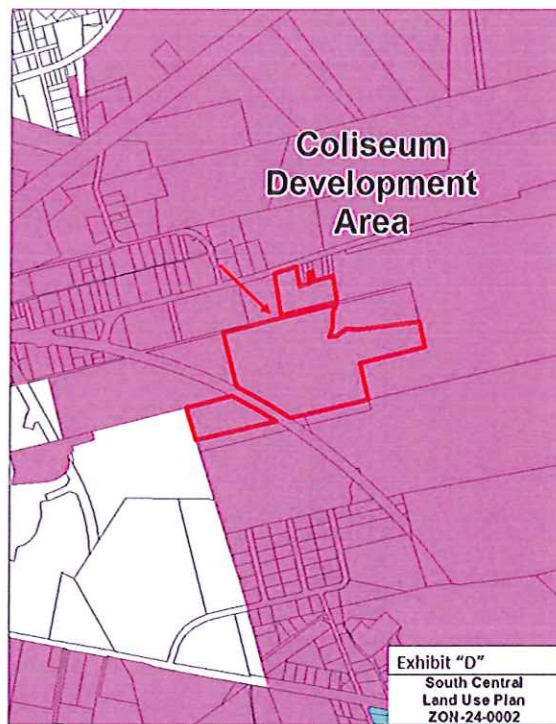
The future land use classification of the property is Coliseum Development Area. There are no associated zoning districts for this classification. **The proposed rezoning request is consistent with the adopted Land Use Plan.**

FUTURE LAND USE CLASSIFICATION Development Goal:

- Uses allowed in this area include any use that is compatible, compliments, and enhances the Crown Coliseum Complex (South Central Land Use Plan 2015, p. 121).

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

- No additional comments.



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: Sewer lines are not available near the subject property. Water lines are available along Wilkes Rd. If the applicant seeks to expand the current operations on the parcel, it is the applicant's responsibility to determine if this utility provider will serve their development expansion. Utilities for water and sewer are shown on Exhibit "C". 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 Wilkes 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, Wilkes Road has no 2021 AADT or 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 Wilkes Road.

SCHOOLS CAPACITY/ENROLLMENT:

School	Capacity	Enrollment
Cumberland Road Elementary	461	334
Douglas Byrd Middle	1094	1033
Douglas Byrd High	1466	1242

ECONOMIC DEVELOPMENT: Fayetteville Cumberland County Economic Development Corporation has reviewed the request and has expressed objections with the rezoning. FCEDC has stated that they do not find the rezoning consistent with the airport overlay district nor the intent, and they do not support rezoning industrial land to planned commercial districts.

EMERGENCY SERVICES: Cumberland County Fire Marshal's office has reviewed the request and has no objections to the rezoning request. Any construction on the property will need to meet the 2018 NC Fire Code and submit to-scale building plans to the Fire Department.

SPECIAL DISTRICTS/ OVERLAY DISTRICTS:

Special Districts			
Fayetteville Regional Airport Overlay:	<input checked="" type="checkbox"/>	Averasboro Battlefield Corridor:	<input type="checkbox"/>
Five Mile Distance of Fort Liberty:	<input type="checkbox"/>	Eastover Commercial Core Overlay District:	<input type="checkbox"/>
Voluntary Agricultural District (VAD):	<input type="checkbox"/>	Spring Lake Main Street Overlay District:	<input type="checkbox"/>
VAD Half Mile Buffer:	<input type="checkbox"/>	Coliseum Tourism Overlay District*:	<input checked="" type="checkbox"/>

* Any new uses or change in existing uses for the CTOD requires Conditional Zoning application approval before any such uses or change in existing uses is approved.

CONDITIONS OF APPROVAL: This is a conventional zoning and there are no conditions at this time. The applicant was offered the option of a conditional zoning by planning staff. However, the applicant chose not to pursue that option and pursue conventional zoning.

STAFF RECOMMENDATION

In Case ZON-24-0002, Planning and Inspections staff **recommends approval** of the rezoning request from M(P) Planned Industrial District, C(P)/CU Planned Commercial Conditional Use District, & M(P)/CU Planned Industrial Conditional Use District to C(P) Planned Commercial District. Staff finds that the request is consistent with the South-Central Land Use Plan which calls for "Coliseum Development Area" at this location. Staff 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

ESTERS, GLORIA	4006 NASHVILLE DR	FAYETTEVILLE, NC 28306
BAREFOOT, BILLY H;BAREFOOT, ALICE	6862 SOUTH STAFF RD	FAYETTEVILLE, NC 28306
HILL, CLIFTON D	1419 RAEFORD RD	FAYETTEVILLE, NC 28305
ELMORE, JAMES GREGORY;ELMORE, ROBERT F	6419 WALDOS BEACH RD	FAYETTEVILLE, NC 28306
CUMBERLAND COUNTY	PO BOX 1829	FAYETTEVILLE, NC 28302
ELMORE, BRUCE WAYNE	507 WILKES RD	FAYETTEVILLE, NC 28306
ELMORE, MARY	437 E JENKINS ST	FAYETTEVILLE, NC 28306
TREE FARMER LLC	121 S COOL SPRING ST	FAYETTEVILLE, NC 28301
CUMBERLAND COUNTY	PO BOX 449	FAYETTEVILLE, NC 28302
HILL, STEPHANIE Y	4330 WABASH PL 5	DALE CITY, VA 22193
ELMORE, WILLIAM C;ELMORE, EDNA LOUISE	1705 POWELL ST	FAYETTEVILLE, NC 28306
MYROVER-REESE FELLOWSHIP HOMES INC	PO BOX 64933	FAYETTEVILLE, NC 28306
MARTIN, SHERYL E PERRY;PERRY, TALMA D;ALLEN, MARY		
PERRY;MACK, JULIA PERRY COOPER;PLEASANTS, CHERYL		
COOPER;BANKS, DONNA JO ALLEN	5630 WARWOOD DR	ROANOKE, VA 24018
ELMORE, ROBERT F;MARGARET, B	6419 WALDOS BEACH RD	FAYETTEVILLE, NC 28306
JOHNSON, RICHARD W	918 FOXHUNT LN	FAYETTEVILLE, NC 28314
AMERICAN DREAM PROPERTY MANAGEMENT LLC	481 IVAN DR	FAYETTEVILLE, NC 28306
ROBBINS, SHARON	PO BOX 48623	CUMBERLAND, NC 28331
CUMBERLAND COUNTY	PO BOX 449	FAYETTEVILLE, NC 28302
BAREFOOT, BILLY H;BAREFOOT, ALICE	6862 SOUTH STAFF RD	FAYETTEVILLE, NC 28306
FRYE, WILLIAM F SR LIFE ESTATE	PO BOX 64848	FAYETTEVILLE, NC 28306
JONES, ROBERT	3525 THOMAS AVE	FAYETTEVILLE, NC 28304
STATE OF NORTH CAROLINA	4105 REEDY CREEK RD	RALEIGH, NC 27607
BARBOUR, THOMAS R II;BARBOUR, CAROLYN FRANCES DEW	PO BOX 64634	FAYETTEVILLE, NC 28306
TREE FARMER, LLC	121 S COOL SPRING ST	FAYETTEVILLE, NC 28301
MURPHY, ALBERTA W;DOUGLAS, . TRUSTEES	1612 SANDY RUN RD	FAYETTEVILLE, NC 28306
BURGESS, ROSETTA	526 HELEN ST	FAYETTEVILLE, NC 28303
MYROVER-REESE FELLOWSHIP HOME INC	PO BOX 64933	FAYETTEVILLE, NC 28306
FAYETTEVILLE JAYCEES LIQUIDATING TRUST	PO BOX 1765	MANTEO, NC 27954
TREE FARM RD PROPERTIES LLC	PO BOX 65059	FAYETTEVILLE, NC 28306
JONES, ROBERT	PO BOX 905	FAYETTEVILLE, NC 28302

ATTACHMENT: APPLICATION

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 AG M(P)(CP/CU, HP(CU) to C(P)
2. Address of Property to be Rezoned: 548 Wilkes Rd Fayetteville NC 28306
3. Location of Property: _____
4. Parcel Identification Number (PIN #) of subject property: 0436-52-3017
(also known as Tax ID Number or Property Tax ID)
5. Acreage: 36.74 Frontage: _____ Depth: _____
6. Water Provider: Well: _____ PWC: X Other (name): _____
7. Septage Provider: Septic Tank X PWC _____
8. Deed Book 08462, Page(s) 0652-0653, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: supportive housing rehabilitation for recovering alcoholics/addicts
10. Proposed use(s) of the property: supporting housing rehabilitation for recovering alcoholics/addicts
11. Do you own any property adjacent to or across the street from this property?
Yes _____ No X If yes, where? _____
12. Has a violation been issued on this property? Yes _____ No X

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

The 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.

Myover - Reese Fellowship Homes, Inc
NAME OF OWNER(S) (PRINT OR TYPE)

560 Wilkes Rd Fayetteville NC 28306
ADDRESS OF OWNER(S)

HOME TELEPHONE # _____
WORK TELEPHONE # 910 - 779 - 1306

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

1118 Longleaf Drive Fayetteville NC 28305
ADDRESS OF AGENT, ATTORNEY, APPLICANT

softe82@gmail.com
E-MAIL

HOME TELEPHONE # 919-612-6549
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 FEBRUARY 20, 2024

TO: JOINT PLANNING BOARD

FROM: PLANNING & INSPECTIONS DEPARTMENT

DATE: 2/20/2024

**SUBJECT: ZON-23-0035: REZONING FROM A1 AGRICULTURAL DISTRICT TO RR
RURAL RESIDENTIAL DISTRICT OR TO A MORE RESTRICTIVE
ZONING DISTRICT FOR 1.44 +/- ACRES; LOCATED AT 6516 LINA
DRIVE, SUBMITTED BY PATRICIA DIX (OWNER).**

ATTACHMENTS:

Description

Case ZON-23-0035

Type

Backup Material



PLANNING STAFF REPORT
REZONING CASE # ZON-23-0035
Planning Board Meeting: Feb. 20, 2024

Location: 6516 Lina Drive
Jurisdiction: County-Unincorporated

REQUEST

Rezoning A1 to RR

Applicant requests a rezoning from A1 Agricultural District to RR Rural Residential District for approximately 1.44 acres located at 6516 Lina Drive, as shown in Exhibit "A". This parcel currently has one residential, stick built home with access from a Class "C" private street. The intent of the property owner is to place a Class "B" manufactured home on the same lot with the stick built home. A manufactured home was located on this lot with the same stick-built home in 2017, but it was removed several years ago.

PROPERTY INFORMATION

OWNER/APPLICANT: Patricia Dix (Owner)

ADDRESS/LOCATION: 6516 Lina Drive. Refer to Exhibit "A", Location and Zoning Map. REID number: 0497458216000.

SIZE: The parcel contains approximately 1.44 acres. Road frontage along Lina Drive is 29+/- feet. The property is approximately 356.63 feet in length at its deepest point.

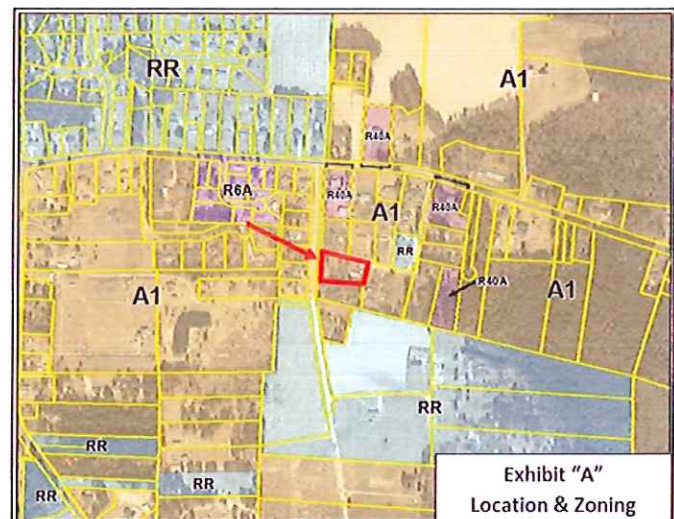
EXISTING ZONING: The subject property is currently A1 Agricultural District. This district is designed to promote and protect agricultural lands, including woodland, within the County. The general intent of the district is to permit all agricultural uses to exist free from most private urban development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

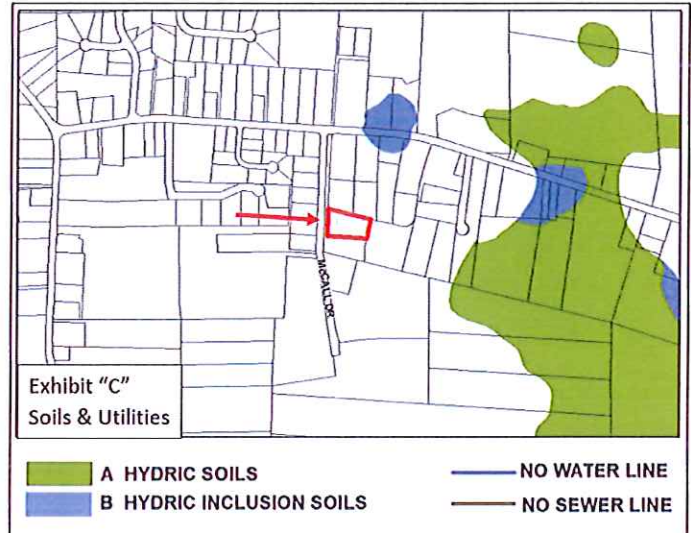
EXISTING LAND USE: The subject parcel currently contains a single family, stick built residence. Exhibit "B" shows the existing use of the subject property.

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

- **North:** Single-family homes, and manufactured homes
- **East:** Single-family homes, and manufactured homes
- **West:** Single-family homes
- **South:** Farmland, wooded lands, and 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 no presence of hydric or hydric inclusion soils at the property.



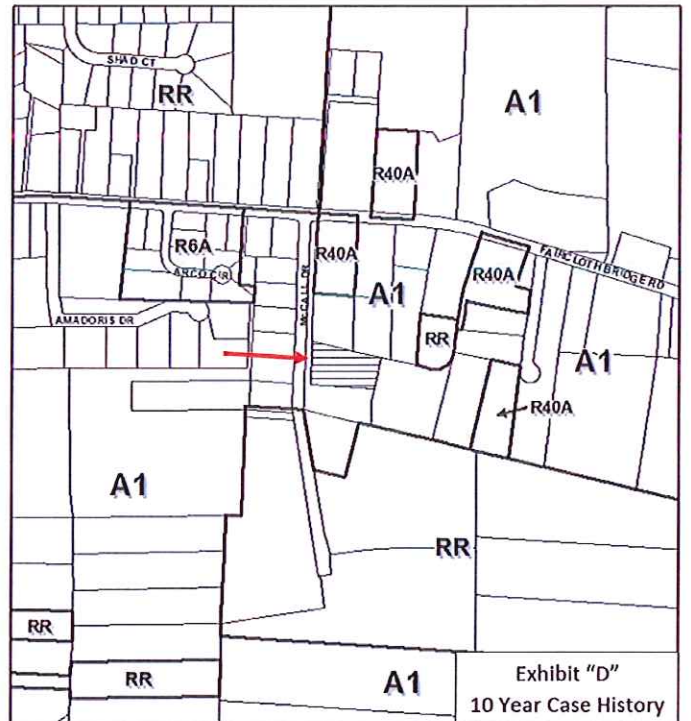


TEN YEAR ZONE CASE HISTORY:

Exhibit "D" indicates that over the past ten years, no other zoning cases were processed by the County for the surrounding area.

DEVELOPMENT REVIEW: Prior to placement of a second residential structure, a group development application and plan must be submitted, reviewed, and approved by Cumberland County Current Planning for compliance with the Subdivision and Zoning Ordinances.

Further subdivision of the lot is limited due to the current classification and condition of the existing street.



DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

Minimum Standard	A1 (Existing Zoning)	RR (Proposed)
Front Yard Setback	50 feet	30 feet
Side Yard Setback	20 feet	15 feet
Rear Yard Setback	50 feet	35 feet
Lot Area	2 acres	20,000 Sq. feet
Lot Width	100'	100'

Development Potential:

Existing Zoning (A1)	Proposed Zoning (RR)
1 dwelling units	3 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 Bethany Area Land Use Plan (2021). The future land use classification of the property is "Rural Density Residential".

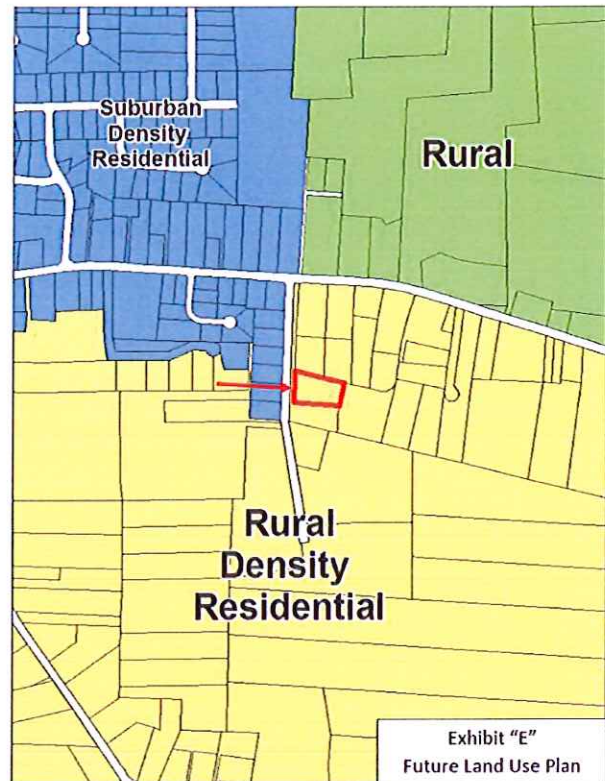
Associated Zoning districts for this classification are CD, A1, A1A, R40, R40A. However, R30 and R30A and may be appropriate, but only when compatible with the surrounding area. Conditional zoning should be required (Bethany Area Land Use Plan 2021, p. 37).

The proposed rezoning request is not consistent with the adopted Land Use Plan.

FUTURE LAND USE CLASSIFICATION Development

Goal:

- The Rural Residential land use classification represents land used for a mix of agricultural and residential uses while preserving the rural character of the area. The primary zoning districts associated with this classification are A1, A1A, R40, and R40A. However, R30 and R30A may be appropriate, but only when compatible with the surrounding area. Conditional zoning should be required. The CD Conservancy District is also acceptable for this classification. This classification is designed for residential uses that are supported by individual septic and well systems and maintains the rural character of the area by allowing densities of one unit per 40,000 square feet (0.92 acres). Conservation developments and other planning techniques such as vegetative buffers, berms and significant setbacks from main roads as well as other planning techniques that preserve rural character should be encouraged but not required (Bethany Area Land Use Plan 2021, p. 42).
- Rural Density Residential can be defined as one or less unit per acre. The zoning district classifications for this type of residential development include: R40, R40A, A1A, & A1 Districts (Cumberland County Land Use Policies Plan, p. 5).



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

- Residential Density (generally 1 unit per 0.92 acre) (Bethany Area Land Use Plan 2021, p. 42).
- Properties adjacent to existing farm operations may require conditional zoning in order to mitigate conflicts between residential and agricultural land uses. For example, a buffer and/ or additional setbacks should be recommended (Bethany Area Land Use Plan 2021, p. 42). According to the 2023 Imagery on the GIS Data Viewer, there appears to be farm operations roughly within 200ft.
- Individual well and septic system (Cumberland County Land Use Policies Plan, p. 5).
- Desirable to be limited to 1 unit per acre in areas with hydric and severe septic tank limitations soils (Cumberland County Land Use Policies Plan, p. 5).

IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: Water and sewer lines are not available near the subject property. It is the applicant's responsibility to determine if the utility provider will serve their development. Utilities for water and sewer are shown on Exhibit "C". 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 is located outside of FAMPO boundaries.

SCHOOLS CAPACITY/ENROLLMENT:

School	Capacity	Enrollment
Stedman Primary	162	146
Stedman Elementary	358	268
Mac Williams Middle	1164	1174
Cape Fear High	1476	1598

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

EMERGENCY SERVICES: Cumberland County Fire Marshal's office has reviewed the request and advises that Lina Drive will be required to be upgraded to ensure all applicable fire department access requirements are met in accordance with Section 503 of the 2018 NC Fire Code.

SPECIAL DISTRICTS/ OVERLAY DISTRICTS:

Special Districts			
Fayetteville Regional Airport Overlay:	n/a	Averasboro Battlefield Corridor:	n/a
Five Mile Distance of Fort Liberty:	n/a	Eastover Commercial Core Overlay District:	n/a
Voluntary Agricultural District (VAD):	n/a	Spring Lake Main Street Overlay District:	n/a
VAD Half Mile Buffer:	n/a	Coliseum Tourism Overlay District:	n/a

n/a – not applicable

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

STAFF RECOMMENDATION

In Case ZON-23-0035, Planning and Inspections staff **recommends denial** of the rezoning request from A1 Agricultural District to RR Rural Residential District. Staff finds the request is not consistent with the Bethany Area Land Use Plan which calls for "Rural Density Residential" 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

Zon-23-0035-(76)

PHILLIPS, JAMES ELDON
2700 S RIVER RD
AUTRYVILLE, NC 28318

RAMIREZ ANGUIANO, LUIS A
175 PINE OAK LN
DUNN, NC 28334

DOMINGUEZ, ROBERTO;DOMINGUEZ,
MARIA JUDITH
228 W MAPLE GROVE RD
FARWELL, MI 48622

STRICKLAND, PHYLLIS J;STRICKLAND,
PO BOX 2273
FAYETTEVILLE, NC 28302

STRICKLAND, BETTY H
PO BOX 2273
FAYETTEVILLE, NC 28302

STRICKLAND, CONNIE J.;STRICKLAND,
6017 IVERLEIGH CIR
FAYETTEVILLE, NC 28311

OSGOOD, DENNE J II;OSGOOD, KENDRA L
6565 CEDAR CREEK RD
FAYETTEVILLE, NC 28312

WARD, HERBERT CECIL JR;CECILIA,
ALLISON WARD MABRY
472 VERMILLION DR
LITTLE RIVER, SC 29566

KEHS LLC
1607 WEATHERFORD CIRCLE
RALEIGH, NC 27604

RAWLS, JANET
3315 ELIZABETHTOWN HWY
ROSEBORO, NC 28382

CULBRETH, BILLIE JEAN
RR 4 BOX 12
SNOW HILL, NC 28580

WORLEDGE, KYLE THOMAS
1767 MCCALL DR
STEDMAN, NC 28391

SESSOMS, KRISTINA L;WILLIAM, R
632 ARCH JORDAN RD
STEDMAN, NC 28391

COX, KENNETH DUDLEY;COX, MARY SUE
1734 MCCALL DR
STEDMAN, NC 28391

BARANOWSKI, EUGENE JOHN
JR.;BARANOWSKI, SUZANN A
1856 ARCO CIR
STEDMAN, NC 28391

PAGE, PRENNIS H;LOVE, T TRUSTEES
PO BOX 82
STEDMAN, NC 28391

FISHER, GREGORY SCOTT
1667 MINNIE VADA LN
STEDMAN, NC 28391

SARGENT, STORMY M;SARGENT, HARA
6630 AMADORIS DR
STEDMAN, NC 28391

SCOTT, CALVIN III;SCOTT, WANDA MAE
6674 FAIRCLOTH BRIDGE RD
STEDMAN, NC 28391

AGUILERA, KEVIN ISMAEL
SANCHEZ;MONZON, DULCE
1832 ARCO CIR
STEDMAN, NC 28391

WELLER, RALPH W JR;WELLER, REBECCA
6525 FAIRCLOTH BRIDGE RD
STEDMAN, NC 28391

FISHER, LARRY M.
661 ARCH JORDAN RD
STEDMAN, NC 28391

PAGE, KENNETH MARVIN;PAGE, TONYA M
6651 FAIRCLOTH BRIDGE RD
STEDMAN, NC 28391

VANYO, PAMELA
1864 ARCO CIR
STEDMAN, NC 28391

BARNES, STEVIE;BARNES, FRANCES
6551 LINA DR
STEDMAN, NC 28391

WORLEY, BETTIE CHRISTEEN
6511 FAIRCLOTH BRIDGE RD
STEDMAN, NC 28391

RAING, ADRIENNE D
6616 LINA DRIVE
STEDMAN, NC 28391

FISHER, HENRY THOMAS;MARY, D
1662 MINNIE VADA LN
STEDMAN, NC 28391

KENNEDY, SHARON
1741 MCCALL DR
STEDMAN, NC 28391

ATTACHMENT – MAILING LIST

HONEYCUTT, LEONARD;HONEYCUTT,
PATRICIA DENISE
6559 FAIRCLOTH BRIDGE ROAD

HALL, JASPER FRANK JR
6772 FAIRCLOTH BRIDGE RD
STEDMAN, NC 28391

IGNACIO, MANUEL DAVID
6725 FAIRCLOTH BRIDGE RD
STEDMAN, NC 28391

STEDMAN, LEROY F
6612 AMADORIS DR
STEDMAN, NC 28391

BYNUM, CLEOPHUS E;JOHNS, DENNIS CH
6624 AMADORIS DRIVE
STEDMAN, NC 28391

LEE, DAVID SR
628 ARCH JORDAN RD
STEDMAN, NC 28391

WALTERS, ANN MARIE
1811 MCCALL ST
STEDMAN, NC 28391

JPC ENTERPRISE OF NC LLC
6540 FAIRCLOTH BRIDGE RD
STEDMAN, NC 28391

JPC ENTERPRISE OF NC LLC
6540 FAIRCLOTH BRIDGE RD
STEDMAN, NC 28391

DIX, PATRICIA ANN
6532 LINA DR
STEDMAN, NC 28391

WORLEY, BILLY BROOKS
6511 FAIRCLOTH BRIDGE RD
STEDMAN, NC 28391

YAPLE, LOUIS
1817 ARCO CIR
STEDMAN, NC 28391

ATKINS, DONNA CHEEK
6480 FAIRCLOTH BRIDGE RD
STEDMAN, NC 28391

DAVIS, ROBERT A;DAVIS, LAURA C
6537 FAIRCLOTH BRIDGE RD
STEDMAN, NC 28391

BLACKMON, BENNIE LEE
640 ARCH JORDAN RD
STEDMAN, NC 28391

MCLAURIN, RUBIN W;MCLAURIN, BETTY
6641 FAIRCLOTH BRIDGE RD
STEDMAN, NC 28391

EATON, CASHANNA L;JESSICA, TALEAN
6530 FAIRCLOTH BRIDGE RD
STEDMAN, NC 28391

MASTERSON, BRUCE
6546 FAIRCLOTH BRIDGE ROAD
STEDMAN, NC 28391

CULBRETH, SAMMY CLYDE;CULBRETH,
JEAN THOMPSON
6475 FAIRCLOTH BRIDGE RD
STEDMAN, NC 28391

PARKER, BRIDGETTE L
6510 FAIRCLOTH BRIDGE RD
STEDMAN, NC 28391

AGUILAR, JESSE JR;DOROTHY, L
1720 MCCALL DR
STEDMAN, NC 28391

HALL, JASPER FRANK JR
6772 FAIRCLOTH BRIDGE RD
STEDMAN, NC 28391

HARDY, KELLY JAMES;HARDY, YOLANDA
LYNN
6614 FAIRCLOTH BRIDGE RD
STEDMAN, NC 28391

PALMER, WILLIAM JOHN JR
6600 AMADORIS DR
STEDMAN, NC 28391

RHODES, JERRY G;RHODES, TINA K
6539 LINA DRIVE
STEDMAN, NC 28391

CALLAHAN, JOHN H JR;CALLAHAN, JOAN
E
6450 FAIRCLOTH BRIDGE RD
STEDMAN, NC 28391

BULLOCK, WILLIAM D
6608 LINA DR
STEDMAN, NC 28391

SARGENT, STORMY;SARGENT, HARA
6630 AMADORIS DR
STEDMAN, NC 28391

HALL, JASPER FRANK JR
6772 FAIRCLOTH BRIDGE RD
STEDMAN, NC 28391

HARDY, YOLANDA L;HARDY, KELLY J
6614 FAIRCLOTH BRIDGE RD
STEDMAN, NC 28391

ATTACHMENT – MAILING LIST

CALLAHAN, JOHN H JR;CALLAHAN, JOAN
6450 FAIRCLOTH BRIDGE RD
STEDMAN, NC 28391

ADCOX, RHONDA;MASSEY, CHRISTOPHER
ADAM
6540 LINA DRIVE
STEDMAN, NC 28391

MCDONALD, DEBORAH F
PO BOX 836
STEDMAN, NC 28391

PARKS, AMY LYNN;PARKS, LARRY E SR
1701 HALLINA DR
STEDMAN, NC 28391

WINKLEMAN, EMILY
6551 FAIRCLOTH BRIDGE ROAD
STEDMAN, NC 28391

PAGE, RUPERT G
6611 FAIRCLOTH BRIDGE RD
STEDMAN, NC 28391

FISHER, MARY D
1662 MINNIE VADA LN
STEDMAN, NC 28391

HARDING, DANNY R;HARDING, EMILY F
6470 FAIRCLOTH BRIDGE RD
STEDMAN, NC 28391

HINSON, ROLAND EDWARD
6556 FAIRCLOTH BRIDGE RD
STEDMAN, NC 28391

ROHME, ROBERT TAYLOR;ROHME, HELEN
1686 WADE-STEDMAN RD
STEDMAN, NC 28391

SHARPE, MATTHEW A;SHARPE, ANNA
6520 FAIRCLOTH BRIDGE ROAD
STEDMAN, NC 28391

OSGOOD, DENNE J II;OSGOOD, KENDRA L
1808 WADE STEDMAN RD
STEDMAN, NC 28391

HALL, JASPER F
6772 FAIRCLOTH BRIDGE RD
STEDMAN, NC 28391

EASOM, LISA SESSOMS
1835 MCCALL DRIVE
STEDMAN, ND 28391

MATTHEWS, BRANSON;MATTHEWS, ESTH
6066 SMITHFIELD RD
WADE, NC 28395

MATTHEWS, BRANSON;MATTHEWS, ESTH
6066 SMITHFIELD RD
WADE, NC 28395

HALL, DONNIE RAY
8829 PLANTATION LANDING DR
WILMINGTON, NC 28411

ATTACHMENT: APPLICATION



County of Cumberland

Planning & Inspections Department

CASE #: ZON-23-6035

PLANNING BOARD
MEETING DATE: _____

DATE APPLICATION
SUBMITTED: _____

RECEIPT #: _____

RECEIVED BY: _____

APPLICATION FOR REZONING REQUEST CUMBERLAND COUNTY ZONING ORDINANCE

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

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

Rezoning Procedure:

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

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

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

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

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

1. Requested Rezoning from A1 to RR
2. Address of Property to be Rezoned: 6516 Lina Dr Stearns NC
3. Location of Property: _____
4. Parcel Identification Number (PIN #) of subject property: _____
(also known as Tax ID Number or Property Tax ID)
5. Acreage: 1.44 Frontage: _____ Depth: _____
6. Water Provider: Well: ☒ PWC: _____ Other (name): South River
7. Septage Provider: Septic Tank ☒ PWC _____
8. Deed Book _____, Page(s) _____, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: _____
10. Proposed use(s) of the property: mobile home
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.

Patricia Dix
NAME OF OWNER(S) (PRINT OR TYPE)

6532 Lina Dr. Stearns NC 28391
ADDRESS OF OWNER(S)

910-990-5901
HOME TELEPHONE #

WORK TELEPHONE #

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

ADDRESS OF AGENT, ATTORNEY, APPLICANT

Dixie 81954@live.com
E-MAIL

910-990-5901
HOME TELEPHONE #

WORK TELEPHONE #

Patricia Dix
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 FEBRUARY 20, 2024

TO: JOINT PLANNING BOARD

FROM: PLANNING & INSPECTIONS DEPARTMENT

DATE: 2/20/2024

SUBJECT: ZON-23-0037: REZONING FROM R10 RESIDENTIAL DISTRICT TO R6A RESIDENTIAL DISTRICT OR TO A MORE RESTRICTIVE ZONING DISTRICT FOR 0.51 +/- ACRES; LOCATED AT 4206 LONGVIEW AVENUE, SUBMITTED BY CLINTON JACKSON JR. (OWNER).

ATTACHMENTS:

Description

Case ZON-23-0037

Type

Backup Material

REQUEST

Rezoning R10 to R6A

Applicant requests a rezoning from R10 Residential District to R6A Residential District for 4206 Longview Ave., containing approximately .51 acres. The parcel is currently vacant. The intent of the property owner is to place a manufactured home on the site to replace a previous home that was removed.

PROPERTY INFORMATION

OWNER/APPLICANT: Clinton Jackson
(Owner)

ADDRESS/LOCATION: Refer to Exhibit "A",
Location and Zoning Map. REID number:
0424223073000

SIZE: The parcel contains approximately 0.51 acres. Road frontage along Longview Ave is 150 feet. The property is approximately 150 feet in length at its deepest point.

EXISTING ZONING: The subject property is currently zoned R10 Residential District. This is a dormant zoning district and defaults to R7.5. A district designed primarily for single-family dwellings on lots with a lot area of 7,500 square feet or above.

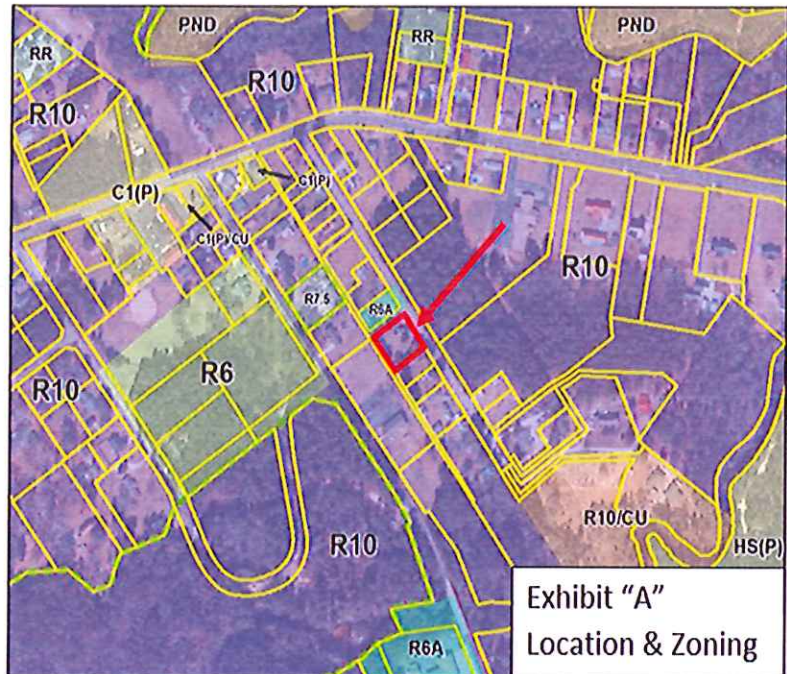
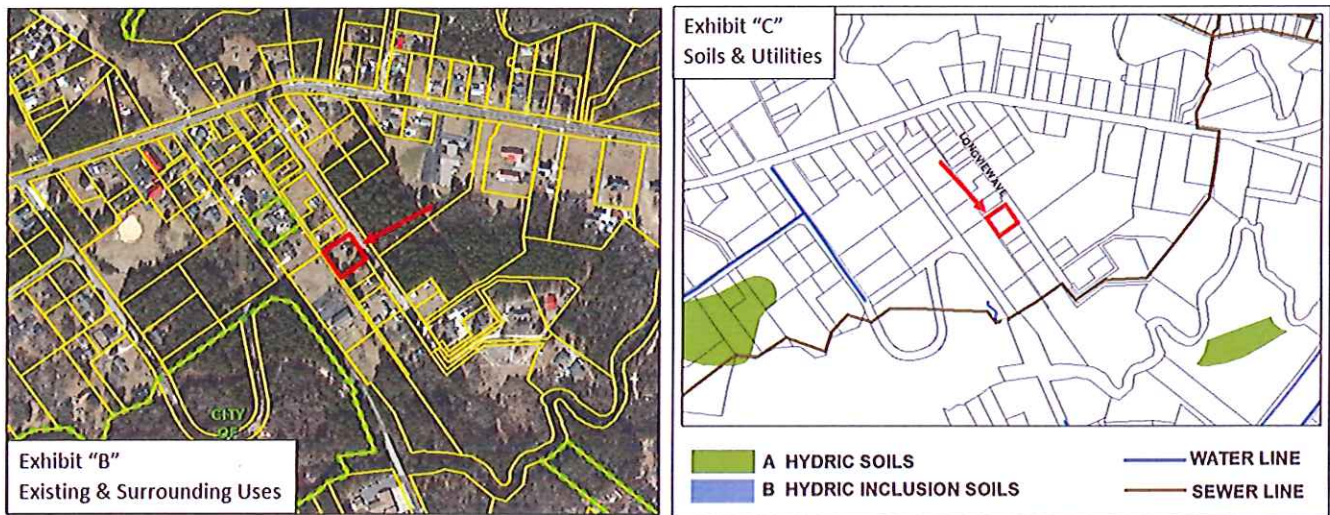


Exhibit "A"
Location & Zoning

EXISTING LAND USE: The subject 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, single family homes, and Hope Mills Shrine Club
- **East:** Wooded lands and single-family homes
- **West:** Single family homes
- **South:** Wooded lands and single-family homes



TEN-YEAR CASE HISTORY: No rezoning cases were identified for the past ten-year period near the vicinity of the subject site.

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 at the property.

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

DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

Minimum Standard	R10 (defaults to R7.5) (Existing Zoning)	R6A (Proposed)
Front Yard Setback	30 feet	25 feet
Side Yard Setback	10 feet (one story) 15 feet (two story)	10 feet (one story) 12 feet (two story)
Rear Yard Setback	35 feet	15 feet
Lot Area	7,500 Square Feet	6,000 Square Feet
Lot Width	75'	60'

DEVELOPMENT POTENTIAL:

Existing Zoning (R10)	Proposed Zoning (R6A)
3 dwelling units	4 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 Southwest Cumberland Land Use Plan (2013). The future land use classification of the property is "Low Density Residential". Associated zoning districts for this classification are R15, R15A, R10, R10M, R7.5 & DD/CUD.

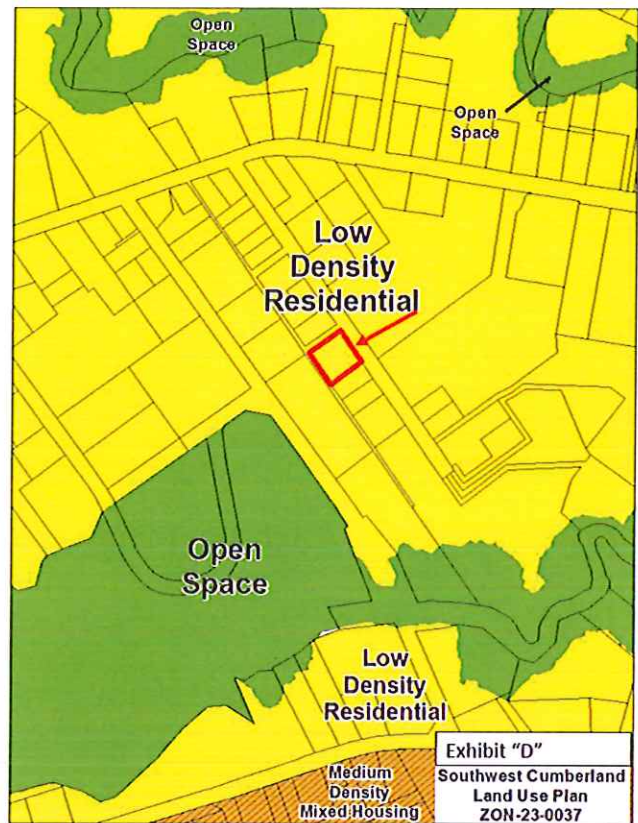
The proposed rezoning request is not consistent with the adopted Land Use Plan.

FUTURE LAND USE CLASSIFICATION Development Goal:

- Provide a full range of housing types and sites with adequate infrastructure in new and redeveloped neighborhoods throughout the area that is in harmony with the surrounding areas; respects environmentally sensitive areas; and that accommodates the present and future needs of the residents while maintaining the character of the area (Southwest Cumberland Land Use Plan 2013, p. 135).

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

- Low Density Residential is a residential land use category that has a density of 2.2 to six units per acre and only allows stick built homes. Its application is only viable where community or public water and sewer are available. If there are not any public or community services, these areas can only be developed to the suburban density standard of two units per acre. The application of this district is in areas that are currently or will primarily be developed as single family stick built homes (Southwest Cumberland Land Use Plan 2013, p. 160).
- Residential developments, when possible, should be designed to allow for the continuation of collector streets (Southwest Cumberland Land Use Plan 2013, p. 135).
- Encourage the development of a full range of housing opportunities (structure, types, and sites) to accommodate the existing and future needs, desires and capabilities of a diverse citizenry (Southwest Cumberland Land Use Plan 2013, p. 135).
- Maintain the stability, character and density of existing sound neighborhoods (Southwest Cumberland Land Use Plan 2013, p. 135).
- Low Density Residential is defined as having a density of 2.2 to 6 units/acre. The zoning district classifications for this type of residential development include: R7.5 and R15 Residential Districts (Cumberland County Land Use Policies Plan, p. 5).
- Public or community water and public sewer required (Cumberland County Land Use Policies Plan, p. 5).
- Must have direct access to a public street (Cumberland County Land Use Policies Plan, p. 5).



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: Water and sewer lines are not available near the subject property, as shown in Exhibit "C". It is the applicant's responsibility to determine if this utility provider will serve their development. Well and septic will likely be required, and the lot size must meet the minimum area necessary to accommodate both.

TRAFFIC: The subject property sits on Longview Ave 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, Longview Ave has no 2021 AADT or 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 Longview Ave.

SCHOOLS CAPACITY/ENROLLMENT:

School	Capacity	Enrollment
Ed Baldwin Elementary	638	625
Hope Mills Middle	380	523
South View High	1871	1599

EMERGENCY SERVICES: Cumberland County Fire Marshal's office has reviewed the request and has no objections to the rezoning request.

SPECIAL DISTRICTS/ OVERLAY DISTRICTS:

Special Districts			
Fayetteville Regional Airport Overlay:	<input checked="" type="checkbox"/>	Averasboro Battlefield Corridor:	<input type="checkbox"/>
Five Mile Distance of Fort Liberty:	<input type="checkbox"/>	Eastover Commercial Core Overlay District:	<input type="checkbox"/>
Voluntary Agricultural District (VAD):	<input type="checkbox"/>	Spring Lake Main Street Overlay District:	<input type="checkbox"/>
VAD Half Mile Buffer:	<input type="checkbox"/>	Coliseum Tourism Overlay District:	<input type="checkbox"/>

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

STAFF RECOMMENDATION

In Case ZON-23-0037, Planning and Inspections staff **recommends denial** of the rezoning request from R10 Residential District to R6A Residential District. Staff finds that the request to be inconsistent with the Southwest Cumberland Land Use Plan which calls for "Low Density Residential" at this location. Staff also finds that the request is not compatible to or in harmony with the surrounding land use activities and zoning.

Attachments:
Notification Mailing List
Application

ATTACHMENT – MAILING LIST

HALL, JANIS H	4117 LONGVIEW AVENUE	HOPE MILLS, NC 28348
GARDNER HOLDINGS LLC	PO BOX 715	HOPE MILLS, NC 28348
NATIONAL LAND GROUP LLC	25125 SANTA CLARA ST	HAYWARD, CA 94544
PALMISANO, PATRICIA GAUTIER;PALMISANO, THOMAS LEE	4563 CAMERON RD	HOPE MILLS, NC 28348
NATIONAL LAND GROUP LLC	25125 SANTA CLARA ST	HAYWARD, CA 94544
GARDNER HOLDINGS LLC	PO BOX 715	HOPE MILLS, NC 28348
GROVES, MARY	4265 LONGVIEW AVE	HOPE MILLS, NC 28348
HALL, JANIS E	4117 LONGVIEW AVENUE	HOPE MILLS, NC 28348
JACKSON, CLINTON RODNEY JR	4238 LONGVIEW AVE	HOPE MILLS, NC 28348
BLACKWELL, BLONDELL LIFE ESTATE	821 BLAWELL ST	STEDMAN, NC 28391
HALL, JANIS HOKE	4117 LONGVIEW AVENUE	HOPE MILLS, NC 28348
GOLDEN BRIDGE INVESTMENT LLC	215 LAFAYETTE WOOD MHP LOT 2	RAEFORD, NC 28376
JACKSON, PHILLIP RODNEY;JACKSON, JULIE ANN COX	4240 LONGVIEW AVE	HOPE MILLS, NC 28348
HERITAGE BIBLE FELLOWSHIP	4519 CALICO ST	HOPE MILLS, NC 28348
INDOOR WAREHOUSE STORAGE LLC;BEARSKIN HOLDINGS, LLC	PO BOX 715	HOPE MILLS, NC 28348
SANDY CREEK LAND COMPANY LLC	PO BOX 616	STEDMAN, NC 28391
DOVE, KEVIN C;DOVE, STEPHANIE M	4446 CALICO ST	HOPE MILLS, NC 28348
BETTER B LLC	4226 LONGVIEW AVENUE	HOPE MILLS, NC 28348
NATIONAL LAND GROUP LLC	25125 SANTA CLARA ST	HAYWARD, CA 94544
HALL, JANIS E	4117 LONGVIEW AVENUE	HOPE MILLS, NC 28348
FIRST BAPTIST CHURCH	4621 CAMERON RD	HOPE MILLS, NC 28348
JACKSON, CLINTON RODNEY JR	4238 LONGVIEW AVE	HOPE MILLS, NC 28348
COOK, MARY G;COOK, RICHARD	4313 LONGVIEW AVE	HOPE MILLS, NC 28348
HOPE MILLS SHRINE CLUB HOLDING CORP	0 P O BOX 853 N/A	HOPE MILLS, NC 28348
HARRIS, OWEN H II;HARRIS, LISA C	4451 CALICO ST	HOPE MILLS, NC 28348
DAVIS, THOMAS W;DAVIS, BETTY	338 MCNEILL ST	HOPE MILLS, NC 28348
BETTER B LLC	4218 LONGVIEW AVENUE	HOPE MILLS, NC 28348
SANDY CREEK LAND COMPANY LLC	PO BOX 616	STEDMAN, NC 28391
TOWN OF HOPE MILLS	5770 ROCKFISH RD	HOPE MILLS, NC 28348
MCDONALD, SKYLER MICHAEL;MCDONALD, ASHLEY P	4355 LONGVIEW AVENUE	HOPE MILLS, NC 28348
PALMISANO, PATRICIA ANN;PALMISANO, THOMAS LEE	4563 CAMERON RD	HOPE MILLS, NC 28348
NATIONAL LAND GROUP LLC	25125 SANTA CLARA ST	HAYWARD, CA 94544
HERITAGE BIBLE FELLOWSHIP	4519 CALICO ST	HOPE MILLS, NC 28348
SINGLETARY, DONNA	4481 CALICO ST	HOPE MILLS, NC 28348
JOHNSON, CARL A;JOHNSON, CAROL G	4495 CAMERON RD	HOPE MILLS, NC 28348
PALMISANO, THOMAS LEE	4563 CAMERON RD	HOPE MILLS, NC 28348
WARTERS, FLORA FRANCES	1334 TILGHMAN MILL RD	KINSTON, NC 28501
JACKSON, PHILLIP RODNEY;JACKSON, JULIE ANN COX	4240 LONGVIEW AVE	HOPE MILLS, NC 28348
EDGE, MARVIN RICHARD	4429 CALICO ST	HOPE MILLS, NC 28348
BROWN, JAMES H;BROWN, DONNA	4348 LONGVIEW AVE	HOPE MILLS, NC 28348
MESZAROS, SCOTT WILLIAM;MESZAROS, STACEY	4465 CALICO STREET	HOPE MILLS, NC 28348
JOHNSON, CAROL LOUISE GUY	4479 CAMERON ROAD	HOPE MILLS, NC 28348
BRAY, LARRY A	4118 LONGVIEW AVE	HOPE MILLS, NC 28348

ATTACHMENT: APPLICATION

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COUNTY COMMISSIONERS OF CUMBERLAND COUNTY, NC:**

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2. Address of Property to be Rezoned: _____
3. Location of Property: 4206 Longview Ave
4. Parcel Identification Number (PIN #) of subject property: 0424223073000
(also known as Tax ID Number or Property Tax ID)
5. Acreage: .51 Frontage: 150 Depth: 150
6. Water Provider: Well: X PWC: _____ Other (name): _____
7. Septage Provider: Septic Tank X PWC _____
8. Deed Book 0010, Page(s) 0074, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: R10 Residential
10. Proposed use(s) of the property: put mobile home to
replace home that was removed
11. Do you own any property adjacent to or across the street from this property?
Yes X No _____ If yes, where? 4238 long view
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.

Clintan Rodney Jackson Jr
NAME OF OWNER(S) (PRINT OR TYPE)

4238 Consue Ann. Hwy. N.W. 4238
ADDRESS OF OWNER(S)

910 850-9719 cell
HOME TELEPHONE #

910 864-4404
WORK TELEPHONE #

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

ADDRESS OF AGENT, ATTORNEY, APPLICANT

N/A
E-MAIL

HOME TELEPHONE #

WORK TELEPHONE #

ChA M. Jones
SIGNATURE OF OWNER(S)

SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

SIGNATURE OF OWNER(S)

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