

Clarence Grier
County Manager

Sally Shutt
Assistant County
Manager



Rawls Howard
Director

David Moon
Deputy Director

CUMBERLAND COUNTY JOINT PLANNING BOARD

AGENDA April 16, 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. **Case ZNG-001-24: Rezoning of 1.81+/- acres from C1(P) and O&I(P) to R5 Residential or to a more restrictive zoning district, located at corner of Legion Rd and Cameron Rd REID 0414832134000 and the corner of Cameron Rd and Professional Dr REID 0414823816000, submitted by Tim Evans with Longleaf Properties (agent) on behalf of Tina Odom with Biltmore Construction Company, Inc (owner).**
- B. **Case ZON-24-0009: Rezoning from A1 Agricultural District to R40A Residential District or to a more restrictive zoning district for 1.8 +/- acres; located at 3640 S. River School Road, submitted by Christopher Muscarella (Owner).**
- C. **Case ZON-24-0011: Rezoning from A1 Agricultural District to R15 Residential District or to a more restrictive zoning district for 2.97 +/- acres; located at 1384 Cypress Lakes Road, submitted by Corey and Ruth Hamm (Owners).**
- D. **Case ZON-24-0012: Rezoning from A1 Agricultural District to R15 Residential District or to a more restrictive zoning district for 3.89 +/- acres; located at the southernmost point of Leander Lane and abutting the eastern end of Dulles Road, submitted by Jeff Riddle (Agent) on behalf of Towanda Raye (Owner).**

VIII. PUBLIC MEETING CONTESTED ITEMS

REZONING CASES

- E. Case ZON-24-0013: Rezoning from C1(P)/CU Planned Local Business District Conditional Use and RR Rural Residential District to C1(P) Planned Local Business District or to a more restrictive zoning district for .69 +/- acres; located at 6189 US Hwy 301, submitted by Ronnie Davis (Owner).**
- F. Case ZON-24-0010: Rezoning from R6A Residential District to O&I(P) Planned Office and Institutional District or to a more restrictive zoning district for .46 +/- acres; located at 1429 McArthur Road, submitted by Annie Hasan (Agent) on behalf of Khalil Hasan (Owner).**

IX. PUBLIC HEARING: SUBDIVISION WAIVERS

- G. Case DEV-0029-24: Consideration of Subdivision Waiver from Section 2304.C.4.c, Minimum Design Specifications for a Class “C” Street, Cumberland County Subdivision Ord., to allow an alternative street design for the Cape Fear Investment Properties Subdivision on 4.75 +/- acres, located on east side of Ramsey Street and approximately 2,100 feet north of Linden Road; submitted by Jeff Riddle (Applicant) on behalf of Cape Fear Investment Properties (Owner).**

X. DISCUSSION

XI. ADJOURNMENT

Historic Cumberland County Courthouse | 130 Gillespie Street | P.O. Box 1829 |
Fayetteville, North Carolina 28301 | Phone: 910-678-7600 | Fax: 910-678-7631
www.cumberlandcountync.gov



PLANNING AND INSPECTIONS DEPARTMENT

MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF APRIL 16, 2024

TO: JOINT PLANNING BOARD

**FROM: CUMBERLAND COUNTY PLANNING AND INSPECTIONS
DEPARTMENT**

DATE: 4/16/2024

**SUBJECT: CASE ZNG-001-24: REZONING OF 1.81+/- ACRES FROM C1(P) AND
O&I(P) TO R5 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING
DISTRICT, LOCATED AT CORNER OF LEGION RD AND CAMERON
RD REID 0414832134000 AND THE CORNER OF CAMERON RD AND
PROFESSIONAL DR REID 0414823816000, SUBMITTED BY TIM EVANS
WITH LONGLEAF PROPERTIES (AGENT) ON BEHALF OF TINA
ODOM WITH BILTMORE CONSTRUCTION COMPANY, INC (OWNER).**

ATTACHMENTS:

Description	Type
Case ZNG-001-24	Backup Material



STAFF REPORT

REZONING CASE# ZNG-001-2024

Planning Board Meeting: 4-16-2024

Hope Mills Board Meeting: 5-20-2024

Address: 4974 & 4958 CAMERON RD

ZONING REQUEST: Rezoning to R5 Residential

The Town of Hope Mills staff received an application, requesting rezoning for 1.81 +/- acres of land tied to parcel identification numbers 0414-83-2134 and 0414-82-3816. The subject property is adjacent to the existing Creekside Apartments and an empty lot, already zoned R5, across the street from Hope Mills Middle School. 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:

Longleaf Properties (agent) on behalf of Biltmore Construction Company, Inc (owners)

ADDRESS/LOCATION: 4974 & 4958 Cameron Road; REIDs 0414832134000 & 0414823816000. For additional information on the site location, refer to Exhibit "A"

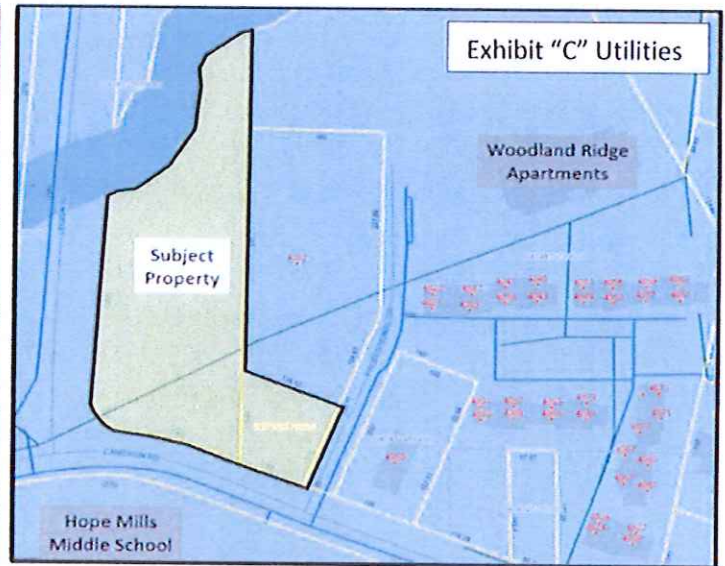
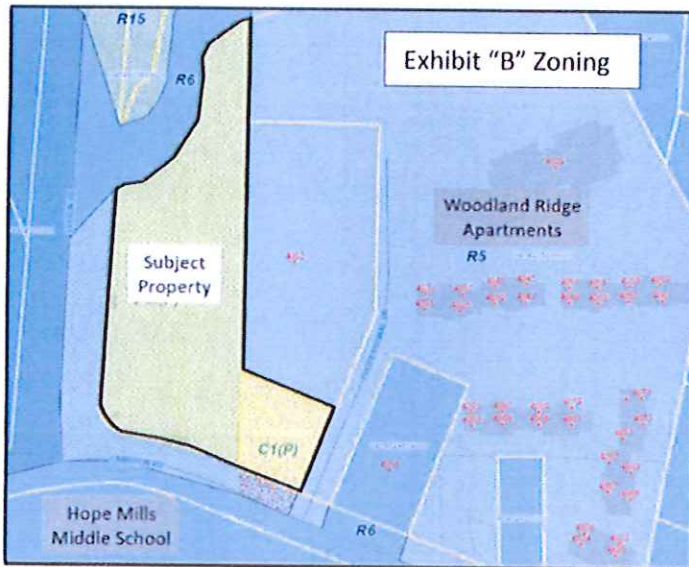
SIZE: As stated above, the subject property 1.81 acres in size with varying lengths of depth is being looked at today.

EXISTING ZONING: The subject property is currently zoned under both C1(P) Planned Local Business and O&I(P) Office and Institutional Districts with the area to the immediate east being the Creekside Apartments, currently zoned at R5 Residential. The area to the immediate west all single-family homes, zoned R7.5 Residential. Other areas nearby include the Hope Mills Middle School, which is zoned within the R6 Residential District as well as more single-family residential homes and Hope Mills Methodist Church to the north, all zoned R15 Residential.

EXISTING LAND USE: The subject property is currently vacant.

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

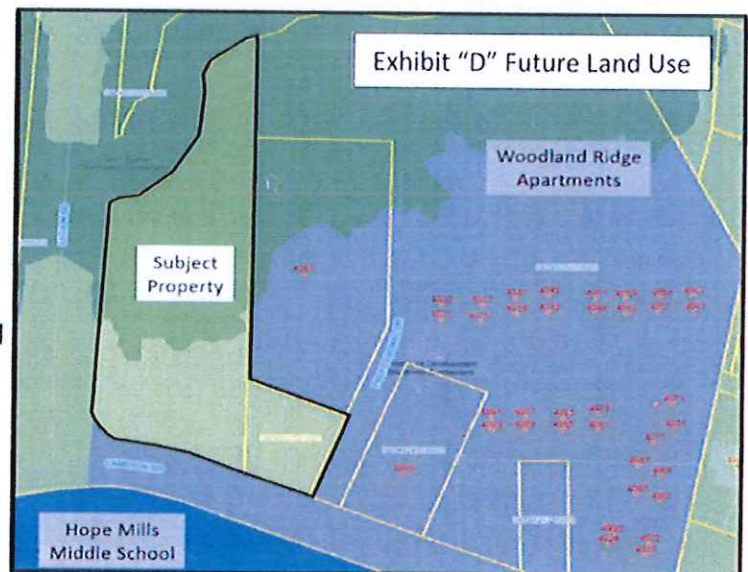




DEVELOPMENT REVIEW: The development of this property will require a site plan and development review.

COMPREHENSIVE DEVELOPMENT PLANS:

This site is located within the Southwest Cumberland Land Use Plan area (2013) and is designated as both "Mixed Use Development" and "Open Space." While R5 is a permitted zoning district within Mixed Use areas, this request is not consistent with the land use plan and is supported by staff as it is surrounded by several other residentially zoned properties consisting of single-family homes as well as the Hope Mills Middle School and the Hope Mills Methodist Church. 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 but portion of property is within floodplains.

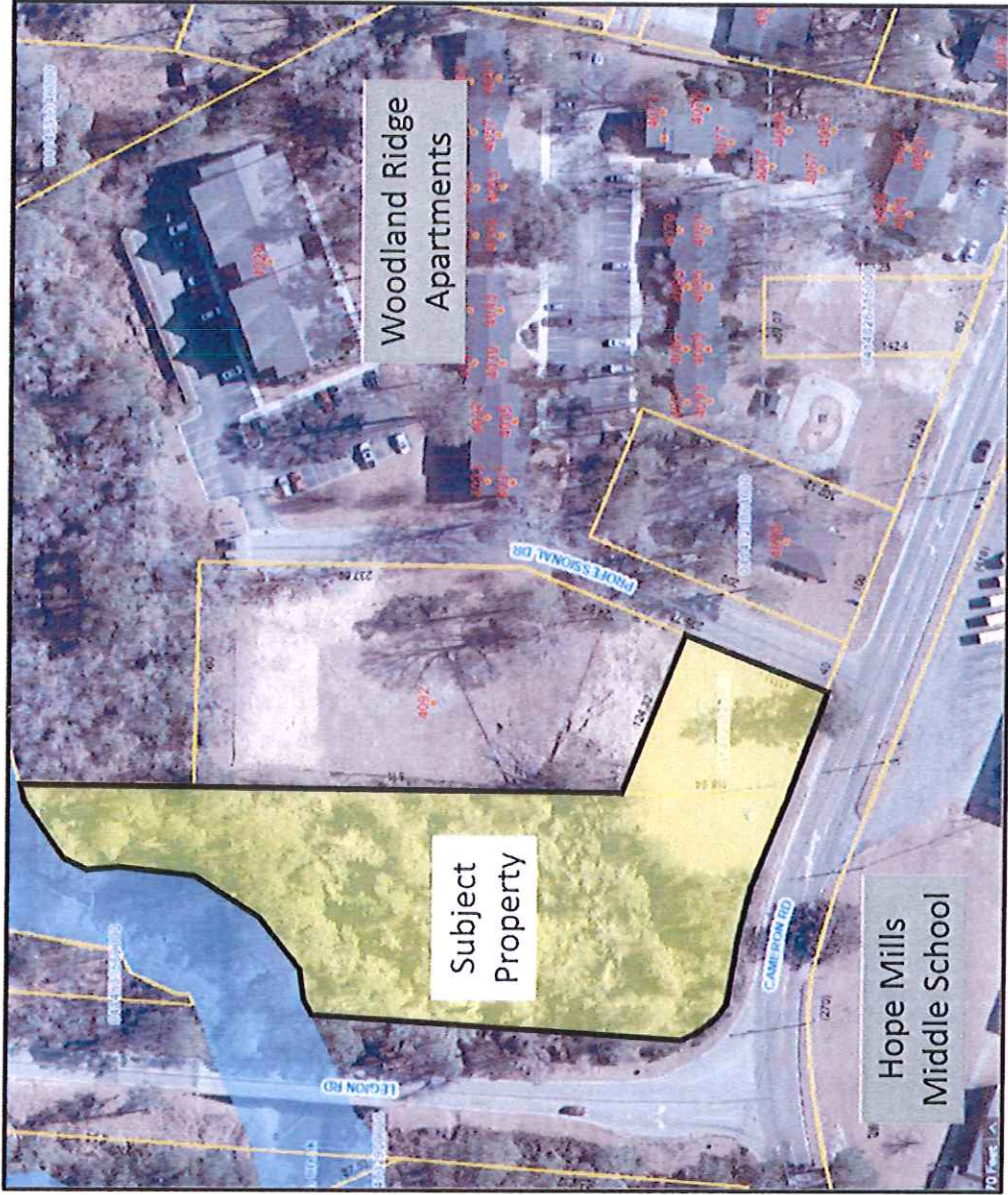
PLAN REVIEW COMMENTS: The Town of Hope Mills Plan Review team has no objections to this request.

SPECIAL OVERLAY DISTRICTS: The subject property is not located within the boundaries of the Airport Overlay District.

CODE DEVIATIONS: None.

STAFF RECOMMENDATION

In ZNG-001-24, the Town of Hope Mills Planning staff **recommends approval** of the rezoning request to the R5 Residential district and finds that while R5 Residential is a permitted zoning district within Mixed Use zonings, this request is not consistent with the Southwest Cumberland Land Use Plan (2013) designation but it does complement the future vision of the Town of Hope Mills in regards 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 regards 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.





Town of Hope Mills

Planning Department

CASE NO.: ZNG-001-24

ZONING BOARD
MEETING DATE: 4/16/24

DATE APPLICATION
SUBMITTED: 3/18/24

RECEIPT NO.: R00024765

RECEIVED BY: CEHW

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 \$ 600.00.
(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 C-1-P to R-S
Office P
If the area is a portion of an existing parcel, a written metes and bounds description of only that portion to be considered for rezoning, including the exact acreage must accompany this application along with a copy of the recorded deed and/or plat. If more than one zoning classification is requested, a correct metes and bounds legal description, including acreage, for each bounded area must be submitted.
2. Address/location of property to be Rezoned: Professional Dr.
Cumilton Rd.
3. Parcel Identification Number (PIN #) of property: 0414-83-2134
(also known as Tax ID Number or Property Tax ID) 0414-82-3816
4. Acreage: 1.81 Frontage: 240 Depth: 325
5. Water Provider: Well: _____ PWC: ☒
6. Septage Provider: Septic Tank _____ PWC ☒ Other (name) _____
7. Deed Book 6917, Page(s) 0113 Cumberland County Register of Deeds. (Attach copy of deed of subject property as it appears in Registry).
8. Existing use(s) of property: n/a
9. Proposed use(s) of the property: Apartment
10. Do you own any property adjacent to, including across the street from, the property being submitted for rezoning? Yes ☒ No _____
If yes, where? 2 = 10-025
11. Has a violation been issued on this property? Yes _____ No ☒

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.

Tim Odom / B. H. Moore Construction Inc.
Property owner(s)' name (print or type)

4379 Cameron Rd. Hope Mills 28348
Complete mailing address of property owner(s)

910 424-2256
Telephone number

Alternative telephone number

b.h.mooreconstruction@hotmail
E-mail address

Fax number

Tim Evans / Longest Properties
Agent, attorney, or applicant (other than property owner) (print or type)

4239 Cameron Rd, Fay, N.C. 28306
Complete mailing address of agent, attorney, or applicant

910-273-5016
Telephone number

Alternative telephone number

tim@longestproperties.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
5770 Rockfish Road
Hope Mills, NC 28348

Receipt Number: R00024765

Cashier Name: Vonda Johnson

Terminal Number: 5

Receipt Date: 3/18/2024 7:28:59 AM

Tran. Code: 103650 - Zoning Permits/Applications

Name: REZONING PROFESSIONAL DR

\$600.00

Zoning Permits/Applications \$600.00

Payment Method: Check Payor: REZONING PROFESSIONAL Reference: 1008

Total Amount Applied: \$600.00

Amount: \$600.00

Total Payment Received: \$600.00

Change: \$0.00

GL Distribution:	Account Number	Account Name	Amount
	10-3650	ZONING PERMITS	600.00
		Total Distribution Amount:	600.00

7097
0113

060147

BK7097PG113

(N.P. SEAL)

17-2

CUMBERLAND COUNTY NC 12/16/2005
\$34.00



Real Estate
Excise Tax

RECEIVED

12-16-2005 PM 3:47:34

J. LEE WARREN JR.
REGISTER OF DEEDS
CUMBERLAND CO., N.C.

NORTH CAROLINA GENERAL WARRANTY DEED

Prepared by: Rebecca F. Person, P.O. Drawer 1358, Fayetteville, NC 28302

Revenue = \$34.00

Return to: BLONP

Brief Description for the Index: 1.42 acres, more or less, Rockfish Twp

This Deed made this the 9th day of December, 2005 by and between:

GRANTOR	GRANTEE
CUMBERLAND COUNTY BOARD OF EDUCATION, a body corporate and politic	BILTMORE CONSTRUCTION COMPANY, INC., a corporation
	Mailing Address: 4376 Cameron Road Hope Mills, NC 28348

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 City/Town of Hope Mills, Rockfish Township, Cumberland County, North Carolina and more particularly described as follows:

BEING THAT certain 1.42 acre, more or less, tract of land as described in deed recorded in Book 332, Page 598, of the Cumberland County, North Carolina, Registry.

The above-described for land was declared as surplus property on January 13, 1998. In February

of 1998 it was offered to the Cumberland County Board of Commissioners. Thereafter, on July 13, 2005 an offer was received from the Grantee. Pursuant to NCGS §160A-269, the property was advertised for upset bids with no upset bids being received.

This conveyance is made subject to utility easements, restrictive covenants and other easements and rights of way appearing of record and subject to the rights of others in and to Rockfish Creek.

The property hereinabove described was acquired by instrument recorded in Book 332, Page 598, Cumberland County, North Carolina, Registry.

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

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

IN WITNESS WHEREOF, the Grantor has hereto caused this instrument to be signed in its corporate name by its duly authorized officers by authority of its Board of Directors, effective the day and year first above written.

CUMBERLAND COUNTY BOARD OF EDUCATION

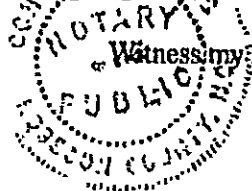
By: [Signature] (SEAL)
Name: Greg West
Title: Chairman

ATTEST:

[Signature]
Name: William C. Harrison
Title: Secretary

STATE OF NORTH CAROLINA
COUNTY OF CUMBERLAND

I, Connie F. Powers, a Notary Public of said County and State, certify that Greg West (name of official), personally came before me this day and acknowledged that (s)he is the Chairman (title) of the CUMBERLAND COUNTY BOARD OF EDUCATION and being authorized to do so, and as the act of the corporation, executed the foregoing on behalf of the corporation.



Witness my hand and notarial seal, this 9th day of December, 2005.

[Signature]
Notary Public

My Commission Expires: 02-27-2010

011458

CUMBERLAND COUNTY NC 03/15/2005

\$50.00

STATE OF
NORTH
CAROLINA
A



Real Estate
Excise Tax

RECEIVED

3-15-2005 PM 3:05:43

J. LEE WARREN JR.
REGISTER OF DEEDS
CUMBERLAND CO., N.C.

NORTH CAROLINA GENERAL WARRANTY DEED

Backs Tax: \$0.00

Parcel Identification No.: 0414-82-3316 Verified by Cumberland County

By:

Mailed to: The Real Estate Law Firm, PO Drawer 53115, Fayetteville, NC 28305

This instrument was prepared by: The Real Estate Law Firm

File # 0755-046

Brief description for the Index: Cameron Road, Hope Mills, NC 28348

THIS DEED made this 11th day of March, 2005 by and between

GRANTOR

GRANTEE

The Real Estate Charitable Foundation

Biltmore Construction Company, Inc.

1055 Broadway Ste 110
Kansas City, MO 64103

4379 Cameron Road
Hope Mills, NC 28348

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 the City of Hope Mills, Rockfish Township, Cumberland County, North Carolina and more particularly described as follows:

BEING located in Cumberland County, North Carolina, and as shown on Exhibit "A" attached hereto.

Property Address: Cameron Road, Hope Mills, NC 28348
Parcel Identification No.: 0414-82-3316

The property hereinabove described was acquired by Grantor by instrument recorded in Book 5958 Page 731 and re-recorded in Book 5987, Page 871.

A map showing the above described property was acquired by Grantor by instrument recorded in Plat Book Page 1

20-
5-

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 Grantee covenants with the Grantee, that the Grantee is seized of the premises in fee simple, has the right to convey the same in fee simple, that this is marketable and free and clear of all encumbrances, and that Grantee will warrant and defend the title against the lawful claim of all persons whomsoever, other than the following exceptions:

Restrictions, easements and Rights-of-way of Record. Ad-valorem taxes not yet due and payable.

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

The Real Estate Charitable Foundation (Seal)
 By: [Signature] (Seal)
 Title: George S. Bittner, Executive Director
 By: _____ (Seal)
 Title: _____
 By: _____ (Seal)
 Title: _____

USE BLACK INK ONLY

State of County of

I, the undersigned Notary Public of County, State of certify that, personally appeared before this day and acknowledged the due execution of the foregoing instrument for the purposes therein contained. Witness my hand and Notarial stamp or seal, this day of .
 My Commission Expires: _____
 Notary Public

State of County of

JENNIFER A. JONES
 Notary Public - Notary Seal
 STATE OF MISSOURI
 Jackson County
 Commission Expires: July 1, 2005

JENNIFER A. JONES, the undersigned Notary Public of Jackson County, State of MISSOURI, certify that George S. Bittner personally appeared before me this day and acknowledged that he is the Executive Director of The Real Estate Charitable Foundation a ~~MISSOURI~~ **NOT FOR PROFIT CORP.** North Carolina corporation/limited liability company/general partnership (or the appropriate entity), and that by authority duly given and as the act of such entity, he signed the foregoing instrument in his name on his behalf as he is and good. Witness my hand and Notarial stamp or seal this 10th day of MARCH 2005.
 My Commission Expires: 7/1/05
 Notary Public

USE BLACK INK ONLY

State of County of

I, the undersigned Notary Public of _____ County, State of North Carolina, certify that _____
 Witness my hand and Notarial stamp or seal this _____ day of _____
 My Commission Expires: _____

The foregoing Certificate(s) of Jennifer A Jones
 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 J. Lee Warren, Jr. REGISTER OF DEEDS FOR CUMBERLAND COUNTY.
Robin Jones Deputy/Assistant - Register of Deeds

Exhibit A

All of that certain parcel of land situated in Hope Mills, Rockfish Township, Cumberland County, North Carolina, and lying on the north side of and adjacent to Cameron Road (SR 1131) and on the west side of and adjacent to Professional Drive, and bound on the west by land of the Town of Hope Mills and on the north by land of the Hope Mills Family Medicine Center, on the east by Professional Drive, and on the South by Cameron Road, and described more particularly as follows:

BEGINNING at an iron stake in the northern right of way line of Cameron Road (SR 1131), said iron stake being 30 feet from the center of Cameron Road and being the second corner of the original 7.56 acre tract of which this is a part; thence with the Town of Hope Mills Line North 0 degrees 22 minutes East 118.84 feet to an iron pipe, the southwest corner of the Hope Mills Family Medicine Center lot; thence with the Hope Mills Family Medicine Center line South 69 degrees 08 minutes East 124.23 feet to an iron pipe in the western right of way line of Professional Drive, said iron pipe being 20 feet from the center of Professional Drive; thence with said right of way line South 20 degrees 53 minutes West 111.18 feet to an iron rod in the northern right of way line of Cameron Road; thence with the Cameron Road right of way line North 69 degrees 12 minutes West 82.55 feet to the point of BEGINNING, containing 0.25 acre, more or less, and being a part of that 7.56 acre tract conveyed to John T. Hanley and recorded in Deed Book 1161, Page 451, of the Cumberland County Registry.

Jessie Bellflowers
Mayor

Chancer F. McLaughlin
Town Manager



Kenjuana McCray
Mayor Pro-Tem

Vacant
Director

March 25, 2024

Tina Odom
4379 Cameron Rd
Hope Mills, NC 28348

Dear Tina Odom,

The Joint Planning Board of Cumberland County will hold a public meeting on April 16, 2024, beginning at 6:00 p.m. or shortly thereafter, in Court Room 3 on the 2nd floor of the Old Historic Court House Building, located at 130 Gillespie Street, Fayetteville, NC and will consider the following:

Case ZNG-001-24: Rezoning of 1.81+/- acres from C1(P) and O&I(P) to R5 Residential or to a more restrictive zoning district, located at corner of Legion Rd and Cameron Rd REID 0414832134000 and the corner of Cameron Rd and Professional Dr REID 0414823816000, submitted by Tim Evans with Longleaf Properties (agent) on behalf of Tina Odom with Biltmore Construction Company, Inc (owner).

Persons who wish to speak at this public meeting before the Joint Planning Board must sign up prior to commencement of the meeting. A sign-up sheet will be available 15 minutes before the start of the JPB meeting. Covid-19 protocols must be followed upon entering the building.

A copy of the zoning application can be viewed by the public at the Hope Mills Town Hall, 5770 Rockfish Road, Hope Mills, NC from 8:00 am to 4:30 pm weekdays but excluding holidays. Further information can also be found at: <https://www.townofhopemills.com/527/Pending-Public-Hearing-Items>. If you have questions regarding the proposed rezoning application or the upcoming Joint Planning Board meeting, please call the Town Planning staff at (910) 424-4555.

Sincerely,

Emily Weidner
Town Planner

Cc: Adjacent Property Owners

Owner	Street	City	State	Zip
Tina Odom	4379 Cameron Rd	Hope Mills	NC	28348
Tim Evans	4239 Cameron Rd	Fayetteville	NC	28306
Hope Mills Methodist Church	4955 Legion Rd	Hope Mills	NC	28348
Aaron Hargrove	725 Middle Bridge Dr	Fayetteville	NC	28303
Cumberland County Board of Education	PO Box 2357	Fayetteville	NC	28302
RB2 Holding, LLC	4950 Cameron Rd	Hope Mills	NC	28348
Jordan & Ashley Brock	222 Winding Branch Dr	Summerville	SC	29486
Woodland Ridge Apartments, LLC	11510 Dartington Ridge Ln	Charlotte	NC	28262



PLANNING AND INSPECTIONS DEPARTMENT

MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF APRIL 16, 2024

TO: JOINT PLANNING BOARD

**FROM: CUMBERLAND COUNTY PLANNING AND INSPECTIONS
DEPARTMENT**

DATE: 4/16/2024

**SUBJECT: CASE ZON-24-0009: REZONING FROM A1 AGRICULTURAL DISTRICT
TO R40A RESIDENTIAL DISTRICT OR TO A MORE RESTRICTIVE
ZONING DISTRICT FOR 1.8 +/- ACRES; LOCATED AT 3640 S. RIVER
SCHOOL ROAD, SUBMITTED BY CHRISTPOHER MUSCARELLA
(OWNER).**

ATTACHMENTS:

Description

Case ZON-24-0009

Type

Backup Material



NORTH CAROLINA

PLANNING & INSPECTIONS

PLANNING STAFF REPORT
REZONING CASE # ZON-24-0009
Planning Board Meeting: April 16, 2024

Location: 3640 S. River School Road
Jurisdiction: County-Unincorporated

REQUEST

Rezoning A1 to R40A

Applicant requests a rezoning from A1 Agricultural District to R40A Residential District for approximately 1.80 acres located at 3640 S. River School Road as shown in Exhibit "A". This parcel currently contains one single-family residential structure and an accessory structure. The intent of the property owner is to add a mobile home to the property with the existing home. To achieve this, a residential zoning category is requested that can accommodate two residential structures within the 1.8 acre site through a group development application while also allowing a manufactured home.

PROPERTY INFORMATION

OWNER/APPLICANT: Christopher Muscarella (Owner & Applicant).

ADDRESS/LOCATION: Located at 3640 S. River School Road. Refer to Exhibit "A", Location and Zoning Map. REID number: 0499749582000.

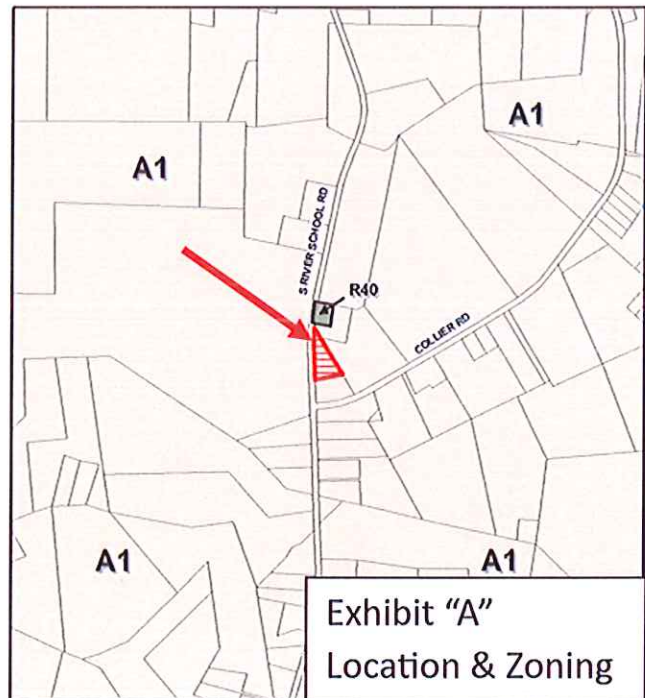
SIZE: The parcel contains approximately 1.80 +/- acres. Road frontage along S. River School Road is 533 +/- feet. The property is approximately 286 +/- feet in length at its deepest point.

EXISTING ZONING: The subject property is currently zoned A1 Agricultural District. A1 Agricultural 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 convenient commercial uses are permitted to ensure essential services for the residents.

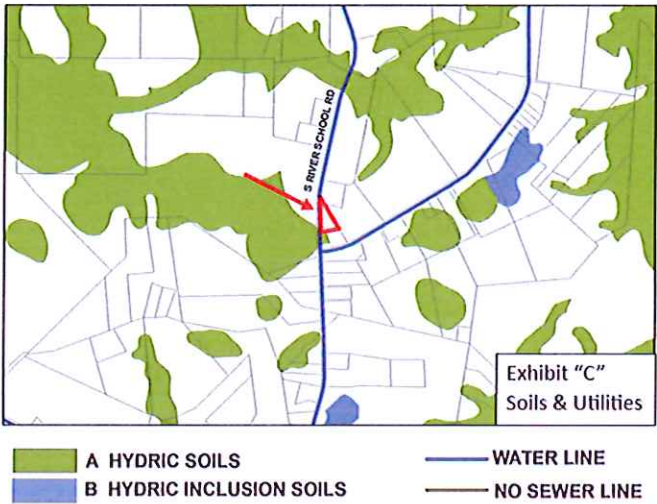
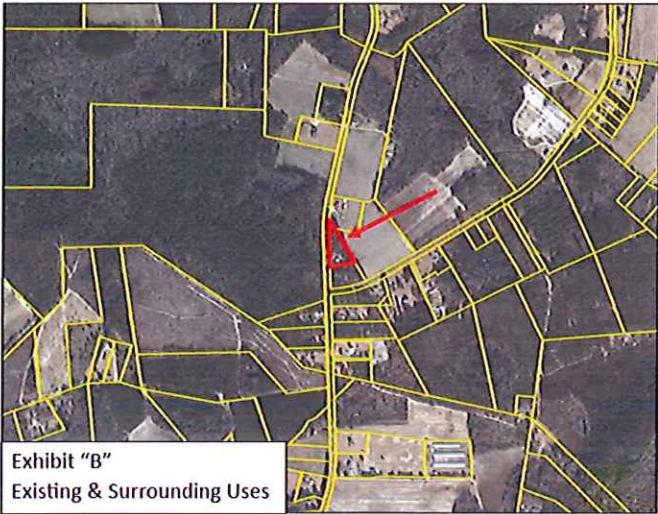
EXISTING LAND USE: The subject parcel currently holds a single-family residential structure. Exhibit "B" shows the existing use of the subject property.

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

- **North:** Farmland
- **East:** Farmland
- **West:** Wooded lands
- **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 the presence of both hydric and hydric inclusion soils at the southwestern edge of the property. Eastover water is the water utility provider, and the site will be served by private septic and appropriate environmental health permits will be required.



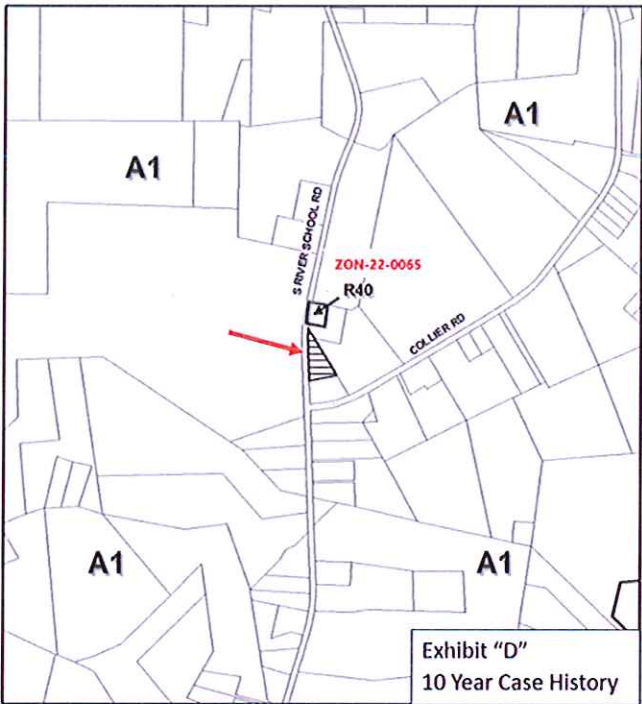
TEN YEAR ZONE CASE HISTORY:

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

- ZON-22-0065: A1 to R40, Approved.

DEVELOPMENT REVIEW:

Prior to issuance of building permits, a plat may be required to establish a unified lot-of-record. In addition, a group development site plan will be required. Due to the site's acreage, the parcel cannot be further subdivided under the R40A district because of insufficient land area, but a second home may be feasible if a group development site plan demonstrates compliance with zoning code dimensional and density standards. Staff believes the group development approach would be considered a "higher standard of development" as the property could be utilized at a higher level for the owner in its current configuration, but prohibited from further subdivision without additional review and approval by the Planning Board and Board of Commissioners.



DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

Minimum Standard	A1 (Existing Zoning)	R40A (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	40,000 Sq. feet
Lot Width	100'	100'

Development Potential:

Existing Zoning (A1)	Proposed Zoning (R40A)
1 dwelling unit	2 dwelling units (through a group development)

- 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.

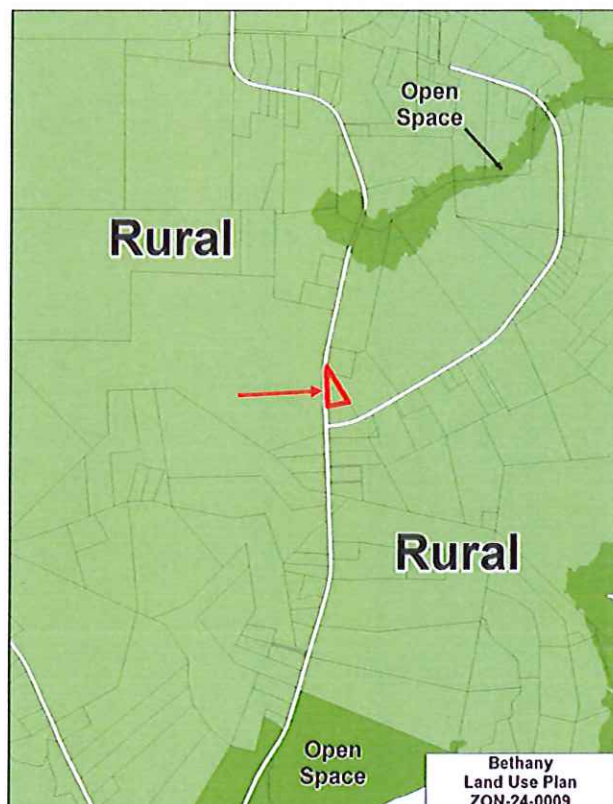
COMPREHENSIVE PLANS:

This property is located within the Bethany Area Land Use Plan (2021). The future land use classification of the property is "Rural". Associated zoning districts for this classification are A1, A1A, R40 & R40A.

The proposed rezoning request is consistent with the adopted future land use plan.

Future Land Use Classification Development Goals:

- Residential Density (generally 1 unit per 2 acres) (Bethany Area Land Use Plan 2021, pg. 39).
- Residential zoning districts R40/R40A may be appropriate in this area, however, only when compatible with the surrounding area and when a Conservation Development (currently called Density Development – Conditional Zoning District) or some other form of higher development standard is utilized (Bethany Area Land Use Plan 2021, pg. 40).
- New driveway connections on existing state roads should be limited and designed in a way to utilize shared access roads on existing public roads. New and existing subdivisions should be designed in a way to provide for internal connections (Bethany Area Land Use Plan 2021, pg. 40).



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: Sewer lines are not available near the subject property. Water lines for Eastover Utility District are shown on Exhibit "C". The single-family residence is currently served by an existing on-site septic system. Any future development must receive appropriate Environmental Health permits, 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, South River School Road, is located outside of FAMPO boundaries. As such, no available data was present to ascertain traffic impacts.

SCHOOLS CAPACITY/ENROLLMENT:

School	Capacity	Enrollment
District 7 Elementary	307	195
Mac Williams Mid	1164	1174
Cape Fear High	1476	1598

ECONOMIC DEVELOPMENT: Fayetteville Cumberland County Economic Development Corporation has reviewed the request and has 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:	Yes	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-24-0009, Planning and Inspections staff **recommends approval** of the rezoning request from A1 Agricultural District to R40A Residential District. Staff finds the request is consistent with the Bethany Area Land Use Plan which calls for "Rural" 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

CRUMPLER, JAMES A;CRUMPLER, JO ANN
4111 JEFFERY LANE PT
HIGH POINT, NC 27265

CRUMPLER, JAMES A
4111 JEFFERY LANE PT
HIGH POINT, NC 27265

CRUMPLER, JAMES A;CRUMPLER, JO ANN
4111 JEFFERY LANE PT
HIGH POINT, NC 27265

RIVERSIDE CHRISTIAN ACADEMY INC
2010 MIDDLE RIVER LOOP
FAYETTEVILLE, NC 28302

COTTON, WINNIE W TRUSTEE;BRENDA, W
JOHNSON
871 MIDDLE RD
FAYETTEVILLE, NC 28312

DUDLEY, DAVID WAYNE
3319 SYMPHONY CT
FAYETTEVILLE, NC 28312

STEEDLY, BARRY C LIFE ESTATE
906 MIDDLE ROAD
FAYETTEVILLE, NC 28312

GIBSON, MARTYN
912 MIDDLE RD
FAYETTEVILLE, NC 28312

SIMMONS, LISA LYNN
970 ANGUS ST
FAYETTEVILLE, NC 28312

BEARD, THOMAS WAYNE
892 MIDDLE RD
FAYETTEVILLE, NC 28312

WESOLOWSKI, PETER
908 MIDDLE RD
FAYETTEVILLE, NC 28312

RICE, ROGER MICHAEL;RICE, TAMMIE
WARD
916 MIDDLE RD
FAYETTEVILLE, NC 28312

DUDLEY, DAVID WAYNE;DUDLEY, K
3319 SYMPHONY CT
FAYETTEVILLE, NC 28312

BEARD, DESTINEE DANIELLE;BEARD, T
888 MIDDLE ROAD
FAYETTEVILLE, NC 28312

COTTON, WINNIE W TRUSTEE;BRENDA, W
871 MIDDLE RD
FAYETTEVILLE, NC 28312

MCDOWELL ENTERPRISE LLC
8903 ARABIA RD
PARKTON, NC 28371

WILLIAMS, ROBERT HARRIS;WILLIAMS,
MEGAN;NOBLES, DAVID ERIC;NOBLES, R
155 CEDAR LN
POINT, NC 28584

WILLIAMS, ROBERT HARRIS;WILLIAMS,
MEGAN;NOBLES, DAVID ERIC;NOBLES, R
155 CEDAR LN
POINT, NC 28584

ATTACHMENT: APPLICATION



CASE #: _____

PLANNING BOARD
MEETING DATE: 4/16/24

DATE APPLICATION
SUBMITTED: 2/14/23

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.
(See County 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)678-7627 or (910)678-7609. Hours of operation are 8:00 a.m. to 5:00 p.m., Monday through Friday.

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

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

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

1. Requested Rezoning from A1 to R40A
2. Address of Property to be Rezoned: 3640 S River School Rd
3. Location of Property: 3640 S River School Rd
4. Parcel Identification Number (PIN #) of subject property: 0499749582000
(also known as Tax ID Number or Property Tax ID)
5. Acreage: 1.8 Frontage: 534 Depth: 41 290
6. Water Provider: Well: X PWC: _____ Other (name): _____
7. Septage Provider: Septic Tank X PWC _____
8. Deed Book 11006, Page(s) 0457, 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 (R40A or more restrictive)
that includes manufactured 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.

Christopher Muscarella
NAME OF OWNER(S) (PRINT OR TYPE)

3640 S River School Rd
ADDRESS OF OWNER(S)

607-434-0629 910-483-1196
HOME TELEPHONE # WORK TELEPHONE #

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

3640 S River School Rd
ADDRESS OF AGENT, ATTORNEY, APPLICANT

Muscarella_C@yahoo.com
E-MAIL

607-434-0629 910-483-1196
HOME TELEPHONE # WORK TELEPHONE #

C Muscarella
SIGNATURE OF OWNER(S) SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

SIGNATURE OF OWNER(S)

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



PLANNING AND INSPECTIONS DEPARTMENT

MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF APRIL 16, 2024

TO: JOINT PLANNING BOARD

**FROM: CUMBERLAND COUNTY PLANNING AND INSPECTIONS
DEPARTMENT**

DATE: 4/16/2024

**SUBJECT: CASE ZON-24-0011: REZONING FROM A1 AGRICULTURAL DISTRICT
TO R15 RESIDENTIAL DISTRICT OR TO A MORE RESTRICTIVE
ZONING DISTRICT FOR 2.97 +/- ACRES; LOCATED AT 1384 CYPRESS
LAKES ROAD, SUBMITTED BY COREY AND RUTH HAMM (OWNERS).**

ATTACHMENTS:

Description

Case ZON-24-0011:

Type

Backup Material



PLANNING STAFF REPORT
REZONING CASE # ZON-24-0011
Planning Board Meeting: April 16, 2024

Location: 1384 Cypress Lakes Rd
Jurisdiction: County-Unincorporated

REQUEST

Rezoning A1 to R15

Applicant requests a rezoning from A1 Agricultural to R15 Residential District for two parcels comprising 2.96 +/- acres located at 1384 Cypress Lakes Road, as shown in Exhibit "A". There is currently a residential dwelling on the western parcel (2.2 +/- acres); the eastern parcel, containing .76 +/- acres is vacant land. The intent of the request is to recombine the parcels and increase the permitted residential density.

PROPERTY INFORMATION

OWNER/APPLICANT: Corey Hamm & Ruth Hamm
(Owners/Applicants).

ADDRESS/LOCATION: Located at 1384 Cypress Lakes Road. Refer to Exhibit "A", Location and Zoning Map. REID number: 0432390350000 & 0432391357000.

SIZE: The parcels contain approximately 2.96 +/- acres combined. Road frontage along Cypress Lakes Road is 322 +/- feet. The property is approximately 630 +/- feet in length at the deepest point.

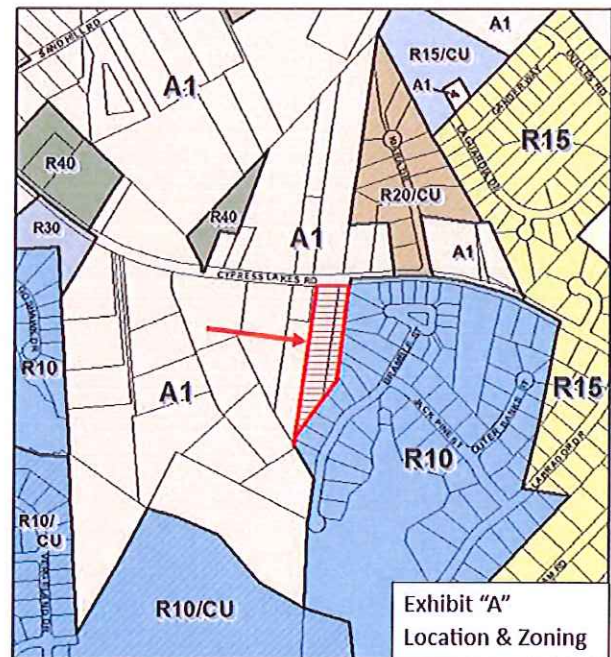
EXISTING ZONING: The subject property is currently zoned A1 Agricultural District. Minimum lot size for this district is two acres. This district is intended to promote and protect agricultural lands, including woodland, within the County. The general intent of the district is to permit all agricultural 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.

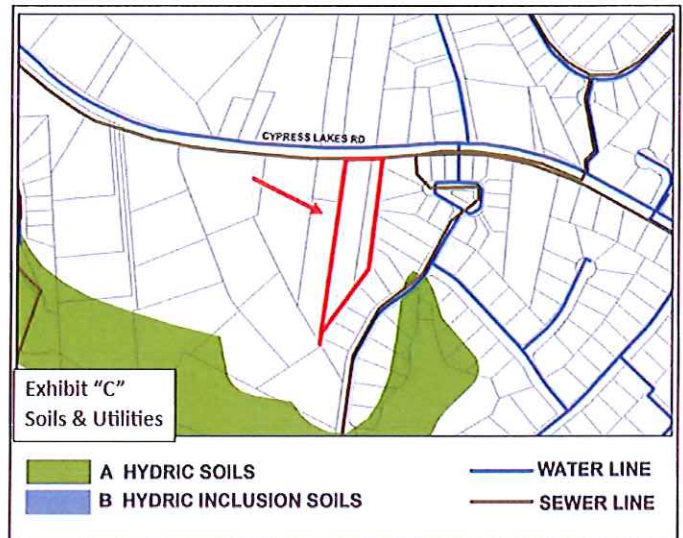
EXISTING LAND USE: The western parcel contains a single-family home; the eastern subject parcel is currently vacant. Exhibit "B" shows the existing use of the subject property.

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

- **North:** Single-family homes
- **East:** Cypress Cove & Labrador Lake single-family neighborhood
- **West:** Ole Cypress Spring neighborhood
- **South:** Labrador Lake & Ole Cypress Spring 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 the presence of neither hydric nor hydric inclusion soils at the property.





TEN YEAR ZONE CASE HISTORY:

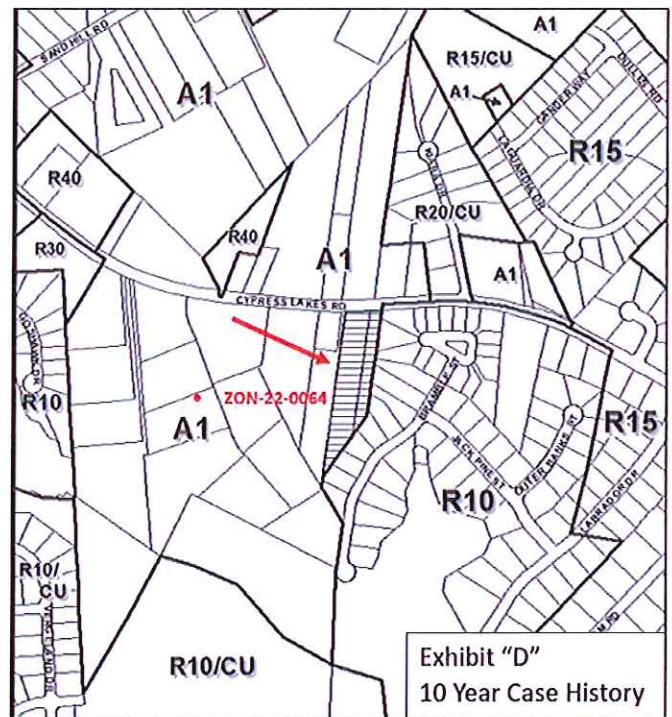
Exhibit "D" denotes the location of the zoning case history described below. More than a year has passed since the previous zoning request was denied on December 19, 2022 for this property.

- ZON-22-0064: A1 to R15/CZ; Denied.

DEVELOPMENT REVIEW:

Should the request to rezone be approved, a recombination plat will need to be reviewed and recorded prior to development including the eastern parcel.

A residential site plan application and plan will be required prior to development of the site. Any future subdivision or group development applications will be reviewed and approved by the Current Planning Division for conformance with all applicable Zoning and Subdivision regulations prior to issuance of any permits.



DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

Minimum Standard	A1 (Existing)	R15 (Proposed)
Front Yard Setback	50 feet	30 feet
Side Yard Setback	20 feet	10 feet
Rear Yard Setback	50 feet	35 feet
Lot Area	2 acres	15,000 sq. ft
Lot Width	100 feet	75 feet

Development Potential:

Existing Zoning A1	Proposed Zoning (R15)
1 dwelling units	9 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.

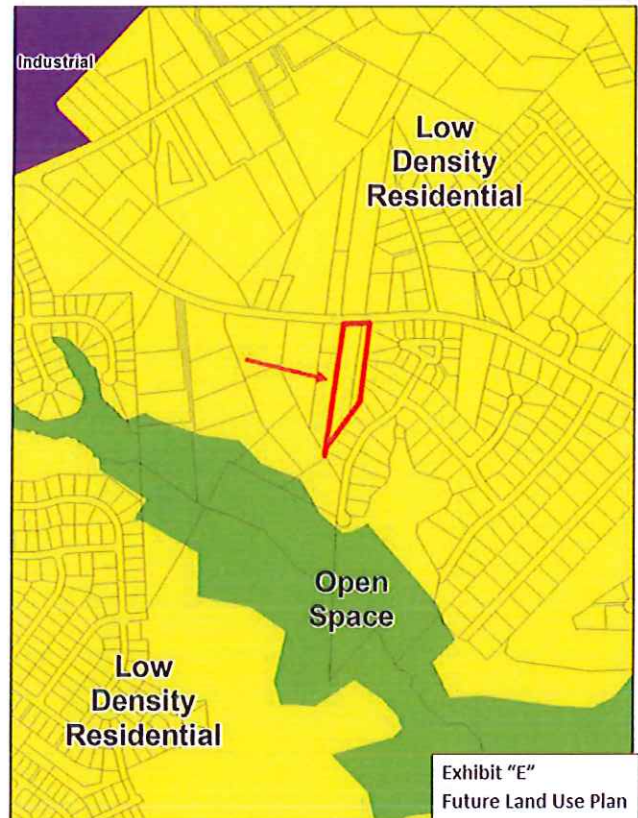
COMPREHENSIVE PLANS:

This property is located within the South Central Cumberland 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.

The proposed rezoning request is consistent with the adopted future land use plan.

FUTURE LAND USE CLASSIFICATION Development Goal:

- Promote the building of quality housing (South Central Land Use Plan 2015, pg. 93).
- Locate residential areas with respect to natural and environmental sensitive areas (South Central Land Use Plan 2015, pg. 93).
- Promote sidewalks and pedestrian facilities, where appropriate, to provide access to facilities such as schools, commercial areas, and recreation facilities (South Central Land Use Plan 2015, pg. 93).



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: PWC water and sewer lines are available, and a sewer main extension is located along the frontage of Cypress Lakes Road. It is the responsibility of the applicant to determine if these utilities will adequately serve their development. Utilities for water and sewer are shown on Exhibit "C".

TRAFFIC: According to the Fayetteville Area Metropolitan Planning Organization (FAMPO), the subject property sits on Cypress Lake 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, Cypress Lake Road has a 2021 AADT of 1500 and no road capacity data available. Due to a 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 Cypress Lake Road.

SCHOOLS CAPACITY/ENROLLMENT:

School	Capacity	Enrollment
Alderman Road Elementary	707	664
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-24-0011, Planning and Inspections staff **recommends approval** of the rezoning request from A1 Agricultural District to R15 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

MATTHEWS, TERESA;MORRIS,
MONROE;MORRIS, RENEE
1451 REDWOOD DR
PISCATAWAY, NJ 08854

LATKOVICH, JEFFREY A
74 SPOTSWOOD DR
SPOTSWOOD, NJ 08884

MCMILLAN, MILLIE HEIRS
807 SOUTH AVE
NEWPORT NEWS, VA 23605

THE THELMA REVOCABLE LIVING TRUST
3217 COACHMANS WAY
DURHAM, NC 27705

THE THELMA REVOCABLE LIVING TRUST
3217 COACHMANS WAY
DURHAM, NC 27705

RAEFORD, JAMES M;RAEFORD, LINDA F
16705 STOCKLAND CT
HUNTERSVILLE, NC 28078

WILLIAM R HOMES LLC
8000 CORPORATE DRIVE STE 100
CHARLOTTE, NC 28226

ZAHARAN, GAIL P
1101 BELMONT CIR
FAYETTEVILLE, NC 28305

LONG, JACK E;LONG, DIANE R KENNEY
5318 OLE CYPRESS SPRINGS RD
HOPE MILLS, NC 28348

PREWITT LAND CO LLC
2126 CYPRESS LAKES RD
HOPE MILLS, NC 28348

ELLINGTON, AARON B;ELLINGTON,
KIMBERLY NOEL
5300 OLE CYPRESS SPRINGS ROAD
HOPE MILLS, NC 28348

JACKSON, ERIC J
4725 BRAMBLE STREET
HOPE MILLS, NC 28348

HAMMONDS, TIMOTHY JR
1450 LAGUARDIA DR
HOPE MILLS, NC 28348

THOMPSON, KELVIN G;BENTLEY-
THOMPSON, SABRINA
1309 CYPRESS LAKE RD
HOPE MILLS, NC 28348

STANFIELD, STEVEN W;STANFIELD, M
4931 BRAMBLE ST
HOPE MILLS, NC 28348

HICKS, JOYCE A TRUSTEE
1345 CYPRESS LAKE RD
HOPE MILLS, NC 28348

KOONCE, PEGGY DAVIS
4728 BRAMBLE ST
HOPE MILLS, NC 28348

PEGRAM, CLARENCE EUGENE
4717 BRAMBLE ST
HOPE MILLS, NC 28348

ADORJAN, JOHN M;ADORJAN, KIMBERLY
4809 KIARA DR
HOPE MILLS, NC 28348

HOFMAN, CHRISTINA
1230 CYPRESS LAKES RD
HOPE MILLS, NC 28348

LOLLIS, WILLIAM P JR;LOLLIS, KATHRYN R
822 JACK PINE ST
HOPE MILLS, NC 28348

WILLIAMS, JONATHAN ERIC;WILLIAMS,
DANYA MICHELE
1348 CYPRESS LAKES RD
HOPE MILLS, NC 28348

THRELKELD, BARRY L;THRELKELD, MINDY
4736 BRAMBLE ST
HOPE MILLS, NC 28348

BOYLE, BRIAN ROBERT;BOYLE, ALISON M
5414 OUTERBANKS ST
HOPE MILLS, NC 28348

JOLLEY, SUSAN M
5428 LABRADOR DR
HOPE MILLS, NC 28348

HAFE LLC
1449 CYPRESS LAKES RD
HOPE MILLS, NC 28348

BROWN, JOSEPH W
4828 KIARA DR
HOPE MILLS, NC 28348

HANNAH, YUMI S
828 JACK PINE STREET
HOPE MILLS, NC 28348

GIBBS, JOHN L;GIBBS, CAROLINE A
4804 KIARA DR
HOPE MILLS, NC 28348

VANSOELEN, WILLIAM
ROELOF;VANSOELEN, JENNIFER ANN
5319 OLE CYPRESS SPRINGS RD
HOPE MILLS, NC 28348

COGDELL, CHARLES ADAM
1521 LAGUARDIA DR
HOPE MILLS, NC 28348

JOHNSON, LINDA H
4923 BRAMBLE ST
HOPE MILLS, NC 28348

LOCKLEAR, LAUREN S;LOCKLEAR, JOSHUA
4708 BRAMBLE ST
HOPE MILLS, NC 28348

CAYLOR, DOUGLAS L;CAYLOR, KATHERINE
4907 BRAMBLE ST
HOPE MILLS, NC 28348

STEWART, THOMAS H III;STEWART, LISA
GAIL
4705 BRAMBLE ST
HOPE MILLS, NC 28348

HAMMOND, HENRY FRANK
JR;HAMMOND, LETIA
1513 LAGUARDIA DR
HOPE MILLS, NC 28348

TROGDON, BRENDA
4812 BRAMBLE ST
HOPE MILLS, NC 28348

HICKS, JOYCE A TRUSTEE
1345 CYPRESS LAKE RD
HOPE MILLS, NC 28348

HAMM, COREY ELCID;HAMM, RUTH
1384 CYPRESS LAKES RD
HOPE MILLS, NC 28348

HICKS, JOYCE A TRUSTEE
1345 CYPRESS LAKE RD
HOPE MILLS, NC 28348

LIQUORI, NICKOLUS MICHAEL;LIQUORI, A
1512 LAGUARDIA DR
HOPE MILLS, NC 28348

HENSLEY, DANIEL P.;HENSLEY, HEATHER S.
4716 BRAMBLE STREET
HOPE MILLS, NC 28348

MOSIER, STEVE R;ANN, T
5510 LABRADOR DR
HOPE MILLS, NC 28348

CHRISTIAN, TRAVIS R;CHRISTIAN, KIM D
1520 LAGUARDIA DR
HOPE MILLS, NC 28348

SPENCER, BERLIN M
1473 CYPRESS LAKES RD
HOPE MILLS, NC 28348

NANCE, JEFFREY T;NANCE, JODIE
4820 KIARA DR
HOPE MILLS, NC 28348

WEAVER, SANDY BRYANT;WEAVER,
JOHNNY RAY
4704 BRAMBLE STREET
HOPE MILLS, NC 28348

CHAIONN, PAUL
3394 HAWTHORNE ST
HOPE MILLS, NC 28348

SMITH, ANNETTE RICCI;SMITH, NATHAN T
4920 BRAMBLE STREET
HOPE MILLS, NC 28348

JONES, DENNIS DEWAYNE;JONES,
MELINDA ANN
PO BOX 1154
HOPE MILLS, NC 28348

CHILDRESS, GRACIELA E
1226 CYPRESS LAKES RD
HOPE MILLS, NC 28348

PREWITT, THOMAS R;PREWITT, WILLIAM
E;PREWITT, JAMES R
2126 CYPRESS LAKES RD
HOPE MILLS, NC 28348

FOX, PATRICIA C;FOX, CHRISTOPHER B
5402 OUTER BANKS ST
HOPE MILLS, NC 28348

STRICKLAND, JAMES H JR;STRICKLAND,
GWENDOLYN F
835 JACK PINE ST
HOPE MILLS, NC 28348

HARRISON, LORI D
4904 BRAMBLE ST
HOPE MILLS, NC 28348

CYPRESS COVE OF CUMBERLAND
HOMEOWNERS ASSOC INC
1561 CYPRESS LAKES RD
HOPE MILLS, NC 28348

MELOLING, JEREMY;MELOLING,
KATHERINE
5326 OLE CYPRESS SPRINGS ROAD
HOPE MILLS, NC 28348

HINSON, WILLIAM AUBREY;HINSON,
LAURA WILLEY
4812 KIARA DR
HOPE MILLS, NC 28348

COWLEY, NICHOLAS;COWLEY, VICTORIA
ELIZABETH
4721 BRAMBLE ST
HOPE MILLS, NC 28348

BRYANT, RICHARD E;BRYANT, KATHERINE
5410 OUTERBANKS ST
HOPE MILLS, NC 28348

CABBAGESTALK, ALICIA D
724 FAIRBLUFF DR
HOPE MILLS, NC 28348

CARTER, URSULA
5308 OLE CYPRESS SPRINGS RD
HOPE MILLS, NC 28348

LATKOVICH, JEFFREY A
4800 KIARA DR
HOPE MILLS, NC 28348

MANG, JASON A
4927 BRAMBLE ST
HOPE MILLS, NC 28348

KEIM, BRIDGITTE E;HICKS,
DOUGLAS;HICKS, JEROD A;RAEFORD,
RAMONA A
1384 CYPRESS LAKE RD
HOPE MILLS, NC 28348

SMITH, JAMES E;SMITH, RUTH C
841 JACK PINE ST
HOPE MILLS, NC 28348

DUCHINE, KRISTINA
4821 KIARA DR
HOPE MILLS, NC 28348

HODGES, LYNETTE JOHNSON;HODGES,
CHARLES LEONARD
4917 BRAMBLE STREET
HOPE MILLS, NC 28348

DIAMOND BUILDERS OF HOPE MILLS INC
P O BOX 68
HOPE MILLS, NC 28348

HOLLOWAY, DANIEL S;HOLLOWAY, C
5415 OUTERBANKS ST
HOPE MILLS, NC 28348

CYPRESS CROSSING HOMEOWNERS
ASSOCIATION INC
4808 HOBOKEN CT
HOPE MILLS, NC 28348

TURNER, HUBERT MORRISON JR;TURNER,
CHARLOTTE TOPPING
5300 CALYPSO CT
HOPE MILLS, NC 28348

HAMM, COREY ELCID;HAMM, RUTH
1384 CYPRESS LAKES RD
HOPE MILLS, NC 28348

JEFFREYS, GEORGE WESLEY JR;JEFFREYS,
KIMBERLY R
4712 BRAMBLE ST
HOPE MILLS, NC 28348

GROSSO, THOMAS;GROSSO, THERESA
4808 KIARA DR
HOPE MILLS, NC 28348

BUSSI, RAYMOND M;BUSSI, DEBORAH
5514 LABRADOR DR
HOPE MILLS, NC 28348

CAPPS, JAMES A JR;CAPPS, LISA D
5406 OUTER BANKS ST
HOPE MILLS, NC 28348

JONES, LOLITA S.
4740 BRAMBLE ST
HOPE MILLS, NC 28348

MOORE, JAMES E;MOORE, BETTY J
1472 CYPRESS LAKES RD
HOPE MILLS, NC 28348

GARDNER, LLOYD ANDREW;GARDNER, P
1204 SAND HILL RD
HOPE MILLS, NC 28348

LAVERICK, ROBERT T JR;LAVERICK, JILL A
4825 KIARA DR
HOPE MILLS, NC 28348

OAKMAN, JAMES R;OAKMAN, NOREEN Z
4916 BRAMBLE ST
HOPE MILLS, NC 28348

SCOTT, W ROSS;SCOTT, KATHLEEN M V
5325 OLD CYPRESS SPRINGS RD
HOPE MILLS, NC 28348

HICKS, JOYCE A TRUSTEE
1345 CYPRESS LAKE RD
HOPE MILLS, NC 28348

WILLIAMS, KEVIN L;WILLIAMS,
CORIANDER C
3642 GOLFVIEW DR
HOPE MILLS, NC 28348

ROPPOLI, JEAN
5301 OLE CYPRESS SPRINGS RD
HOPE MILLS, NC 28348

JONES, JOHN BENNETT;JONES, KATHY D
4700 BRAMBLE ST
HOPE MILLS, NC 28348

ULIASZ, CORINTHIA K
4732 BRAMBLE ST
HOPE MILLS, NC 28348

DIAMOND BUILDERS OF HOPE MILLS INC
P O BOX 68
HOPE MILLS, NC 28348

TAYLOR, ALLISON K
1524 LAGUARDIA DR
HOPE MILLS, NC 28348

O'BERRY, JEREMIAH P III;O'BERRY, LAURA
4912 BRAMBLE STREET
HOPE MILLS, NC 28348

DIAZ, CARLOS WARLIS;DIAZ, JOSEFINA
4733 GANDER WAY
HOPE MILLS, NC 28348

BRANIGAN, SEAN R
834 JACK PINE ST
HOPE MILLS, NC 28348

FREEMAN, CONNIE M LIFE ESTATE
1413 CYPRESS LAKES RD
HOPE MILLS, NC 28348

LIPSCOMB, SHARON N
1473 CYPRESS LAKE RD
HOPE MILLS, NC 28348

KELLY, JOHN PATRICK
1504 LAGUARDIA DR
HOPE MILLS, NC 28348

WHISNANT, MARY
1233 CYPRESS LAKES RD
HOPE MILLS, NC 28348

JOHNSON, CARLY AMANDA;JOHNSON,
BARRY NEIL JR
1236 CYPRESS LAKES RD
HOPE MILLS, NC 28348

SMITH, CALVIN M;SMITH, AGNES B
4816 KIARA DRIVE
HOPE MILLS, NC 28348

CULBRETH, KAYLEIGH ELAINE;BULLARD,
TRAVIS JAMES
815 JACK PINE STREET
HOPE MILLS, NC 28348

BAILEY, SUSAN R
4935 BRAMBLE ST
HOPE MILLS, NC 28348

LOVELACE, SHAWN ELLIS;ALLEN, MARINA
4713 BRAMBLE ST
HOPE MILLS, NC 28348

LOLLIS, KATHRYN P;LOLLIS, WILLIAM P
822 JACK PINE ST
HOPE MILLS, NC 28348

GLACKEN, MICHAEL W;GLACKEN, BILLIE D
1224 CYPRESS LAKES RD
HOPE MILLS, NC 28348

DAVIS, MELANIE E
5434 LABRADOR DR
HOPE MILLS, NC 28348

EKDAHL, TIMOTHY J;EKDAHL, PATTI J
1498 CYPRESS LAKES RD
HOPE MILLS, NC 28348

PHELPS, JIMMY D;PHELPS, JODI WEBER
5418 OUTER BANKS ST
HOPE MILLS, NC 28348

RENFROW, JAMES LARRY
4809 HOBOKEN CT
HOPE MILLS, NC 28348

ARNETT, DENNY M;ARNETT, WANDA B
809 JACK PINE ST
HOPE MILLS, NC 28348

ELMER, ROGER R
827 JACK PINE STREET
HOPE MILLS, NC 28348

YOUNG, ADAM JAMES;YOUNG, SARAH E
4808 HOBOKEN COURT
HOPE MILLS, NC 28348

PREWITT, MERLE R
2126 CYPRESS LAKES RD
HOPE MILLS, NC 28348

LYNCH, COLLINE KAREN
5314 OLE CYPRESS SPRINGS ROAD
HOPE MILLS, NC 28348

YANG, MIN HUI;MENG, W WANG
1508 LAGUARDIA DR
HOPE MILLS, NC 28348

BLEDSE, KIMBERLY F;ROSS, SABRINA
F;RUSSELL, SHANNON FOWLER;FOWLER,
6400 EMU DR
HOPE MILLS, NC 28348

BIRCHWOOD FARMS INC
2126 CYPRESS LAKES RD
HOPE MILLS, NC 28348

CYPRESS COVE OF CUMBERLAND
HOMEOWNERS ASSOC INC
4701 BRAMBLE ST
HOPE MILLS, NC 28348

WILSON, SONYA DRUSILLA
4817 KIARA DR
HOPE MILLS, NC 28348

PIERCE, MICHAEL W;PIERCE, WENDI L G
4816 BRAMBLE ST
HOPE MILLS, NC 28348

PREWITT, MERLE R;THOMAS, R
2126 CYPRESS LAKES RD
HOPE MILLS, NC 28348

MCLEOD, DONALD C;MCLEOD, JENNIFER
4709 BRAMBLE ST
HOPE MILLS, NC 28348

WILLIAMS, RICHARD G;WILLIAMS, LINDA
5518 LABRADOR DR
HOPE MILLS, NC 28348

MUELLER, MICHAEL R;MUELLER, LORI
5411 OUTER BANKS ST
HOPE MILLS, NC 28348

JACOBS, CECIL W;JACOBS, JULIE C LEE
1488 CYPRESS LAKE RD
HOPE MILLS, NC 28348

BRANIGAN, SEAN R
834 JACK PINE ST
HOPE MILLS, NC 28348

GIVENS, JAYSHAUN;GIVENS, ASHLEY
1516 LAGUARDIA DR
HOPE MILLS, NC 28348

GOODMAN, JOSEPH;GOODMAN, ANGELA
4720 BRAMBLE ST
HOPE MILLS, NC 28348

HAPE LLC
1449 CYPRESS LAKES RD
HOPE MILLS, NC 28348

YOUNG, COREY TERRILL;YOUNG, PATRICIA
1509 LAGUARDIA DR
HOPE MILLS, NC 28348

SHELTON, TYSON L;SHELTON, SANDRA E
4924 BRAMBLE ST
HOPE MILLS, NC 28348

EANES, MICHAEL W LIFE ESTATE;EANES,
JUDY B LIFE ESTATE
821 JACK PINE ST
HOPE MILLS, NC 28348

RAINES, STEPHEN M;RAINES, MINDY M
1454 LAGUARDIA DRIVE
HOPE MILLS, NC 28348

JORDAN, CURTIS J;JORDAN, MISTY G
4928 BRAMBLE ST
HOPE MILLS, NC 28348

WEBB, THOMAS JR;WEBB, LOUANNE
1517 LAGUARDIA DR
HOPE MILLS, NC 28348

MCDONALD, WILLIAM H;MCDONALD, A
4900 BRAMBLE ST
HOPE MILLS, NC 28348

STEPHENS, JOHN T;STEPHENS, ANN
H;PREWITT, WILLIAM;PREWITT, JAMES
810 JACK PINE ST
HOPE MILLS, NC 28348

BECKWITH, PRISCILLA GIBBS;BECKWITH,
H
PO BOX 183
HOPE MILLS, NC 28348

WRIGHT, ROBIN S
4724 BRAMBLE ST
HOPE MILLS, NC 28348

DELL'ACQUA, VIVIAN G
5506 LABRADOR DR
HOPE MILLS, NC 28348

PUMMILL, WILLIAM ELLIS
1950 CAMINO DE LA REINA UNIT 318
SAN DEIGO, CA 92108

ATTACHMENT: APPLICATION



County of Cumberland

Planning & Inspections Department

CASE #: _____

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 \$ 250.
(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:

- R-15
1. Requested Rezoning from AGRICULTURAL A-1 to RESIDENTIAL R-40 CEH
 2. Address of Property to be Rezoned: 1384 CYPRESS LAKE'S RD HOPEWELL NC
28348
 3. Location of Property: _____
 4. Parcel Identification Number (PIN #) of subject property: 0432-39-0350
(also known as Tax ID Number or Property Tax ID) 0432-39-1357
 5. Acreage: 2.96, 1.00 Frontage: 132.04 Depth: 630
58.23 536
 6. Water Provider: Well: _____ PWC: ☒ Other (name): _____
 7. Septage Provider: Septic Tank YES 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: 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 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.

COREY ELCID HAMM RUTH HAMM
NAME OF OWNER(S) (PRINT OR TYPE)

1384 CYPRESS LAKE'S RD HOPE MILLS NC 28348
ADDRESS OF OWNER(S)

(910) 224-3671
(910) 822-1184
HOME TELEPHONE #

WORK TELEPHONE #

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

ADDRESS OF AGENT, ATTORNEY, APPLICANT

Korey - hamm@yahoo.com
E-MAIL

HOME TELEPHONE #

WORK TELEPHONE #

Cory Elicid Hamm
SIGNATURE OF OWNER(S)

SIGNATURE OF AGENT, ATTORNEY OR
APPLICANT

Ruth Hamm
SIGNATURE OF OWNER(S)

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



PLANNING AND INSPECTIONS DEPARTMENT

MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF APRIL 16, 2024

TO: JOINT PLANNING BOARD

**FROM: CUMBERLAND COUNTY PLANNING AND INSPECTIONS
DEPARTMENT**

DATE: 4/16/2024

**SUBJECT: CASE ZON-24-0012: REZONING FROM A1 AGRICULTURAL DISTRICT
TO R15 RESIDENTIAL DISTRICT OR TO A MORE RESTRICTIVE
ZONING DISTRICT FOR 3.89 +/- ACRES; LOCATED AT THE
SOUTHERNMOST POINT OF LEANDER LANE AND ABUTTING THE
EASTERN END OF DULLES ROAD, SUBMITTED BY JEFF RIDDLE
(AGENT) ON BEHALF OF TOWANDA RAYE (OWNER).**

ATTACHMENTS:

Description	Type
Case ZON-24-0012:	Backup Material



PLANNING STAFF REPORT
REZONING CASE # ZON-24-0012
Planning Board Meeting: April 16, 2024

Location: Leander Lane
Jurisdiction: County-Unincorporated

REQUEST

Rezoning A1 to R15

Applicant requests a rezoning from A1 Agricultural District to R15 Residential District for 3.89 +/- acres located at the southernmost end of Leander Lane, a Class "C" private street, as shown in Exhibit "A". This parcel is currently vacant. The intent of the request is to have single family residential structure(s) with access provided via Dulles Road, a public street.

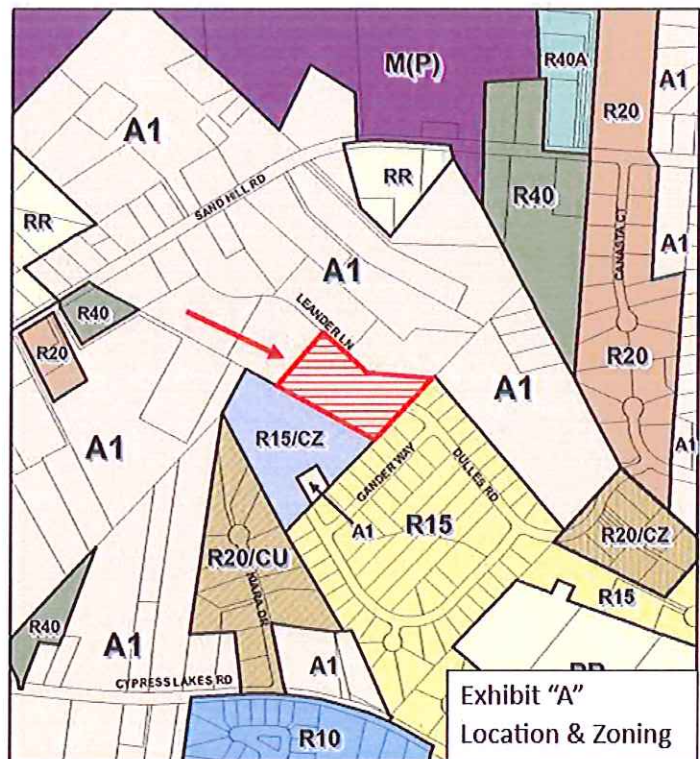
PROPERTY INFORMATION

OWNER/APPLICANT: Towanda Raye (Owner);
Jeff Riddle (Applicant)

ADDRESS/LOCATION: Located at the southernmost end of Leander Lane. Refer to Exhibit "A", Location and Zoning Map. REID number: 0433319193000.

SIZE: The parcel contains approximately 3.89 +/- acres. Road frontage along Leander Lane is 290 +/- feet. The property is approximately 337 +/- feet in length at its deepest point.

EXISTING ZONING: The parcel is currently zoned 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 listed of convenient commercial uses are permitted to ensure essential services for the residents.

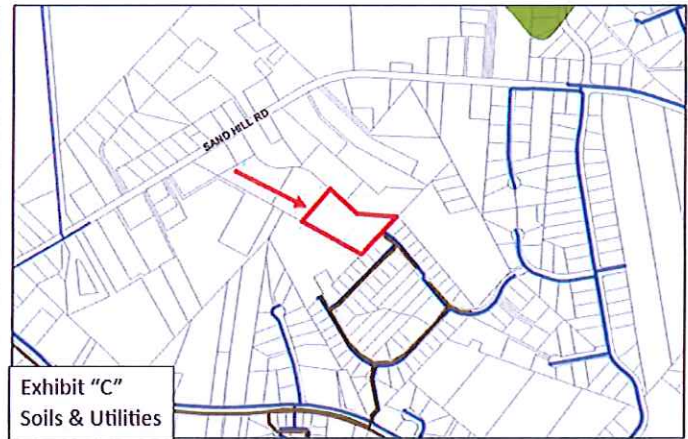
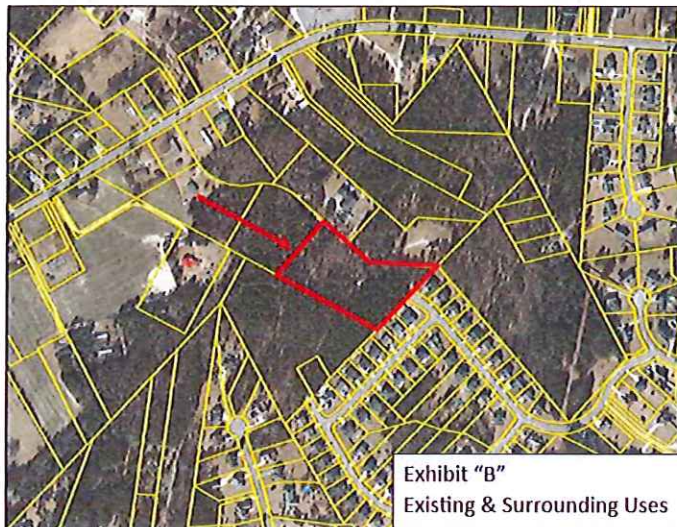


EXISTING LAND USE: The subject parcel is currently vacant. Exhibit "B" shows the existing use of the subject property.

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

- **North:** Wooded lands and single-family homes
- **East:** Wooded lands and Cypress Crossing Residential Subdivision
- **West:** Wooded lands and single-family homes
- **South:** Wooded lands and Cypress Crossing Subdivision

OTHER SITE CHARACTERISTICS: The site is not located in a Watershed or within a Flood Zone Hazard Area. The subject property, as delineated in Exhibit "C", illustrates the presence of neither hydric nor hydric inclusion soils at the property.



TEN YEAR ZONE CASE HISTORY:

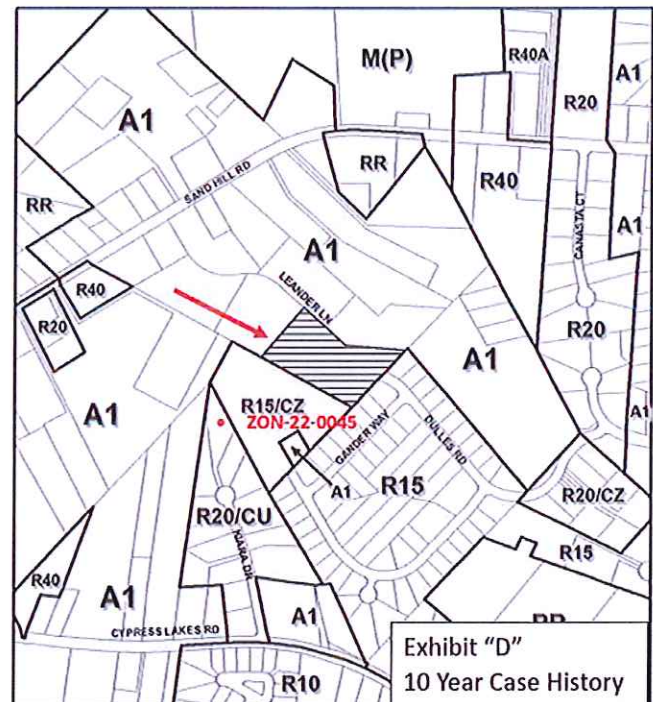
Exhibit "D" denotes the location of the zoning case history described below.

- ZON-22-0045: A1 to R15/CZ; Approved.

DEVELOPMENT REVIEW:

Should the request to rezone be approved, any subdivision of the subject parcel will require submittal for review and approval by the Current Planning Division for conformance with all applicable Zoning and Subdivision regulations prior to issuance of any permits.

DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:



Minimum Standard	A1 (Existing)	R15 (Proposed)
Front Yard Setback	50 feet	30 feet
Side Yard Setback	20 feet	10 feet
Rear Yard Setback	50 feet	35 feet
Lot Area	2 acres	15,000 sq. ft
Lot Width	100 feet	75 feet

Development Potential:

Existing Zoning A1	Proposed Zoning (R15)
2 dwelling units via Group Development	11 dwelling units via subdivision

- 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.

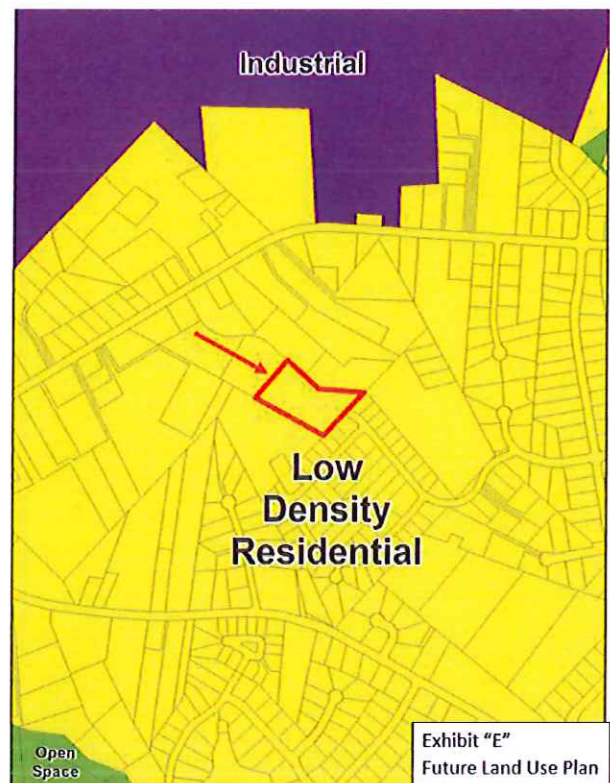
COMPREHENSIVE PLANS:

This property is located in 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 and R15.

The proposed rezoning request is consistent with the adopted future land use plan.

FUTURE LAND USE CLASSIFICATION Development Goal:

- Promote the building of quality housing (South Central Land Use Plan 2015, pg. 93).
- Locate residential areas with respect to natural and environmental sensitive areas (South Central Land Use Plan 2015, pg. 93).
- Promote sidewalks and pedestrian facilities, where appropriate, to provide access to facilities such as schools, commercial areas, and recreation facilities (South Central Land Use Plan 2015, pg. 93).



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: Water and sewer utilities are available to the south on Dulles Road as illustrated on Exhibit "C". It is the responsibility of the applicant to determine if these utilities will adequately serve their development.

TRAFFIC: The subject property sits on Leander Lane 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, Leander Lane 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 Leander Lane.

SCHOOLS CAPACITY/ENROLLMENT:

School	Capacity	Enrollment
Alderman Road Elementary	707	664
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 provides the following comments:

Leander Lane will only be sufficient for access to one dwelling (the original lot). Any additional dwelling units constructed on newly subdivided lots will be required to either use and be addressed as Dulles Road or Leander Lane will need to be upgraded to meet fire department access requirements as required by 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. There are no conditions proposed at this time.

STAFF RECOMMENDATION

In Case ZON-24-0012, Planning and Inspections staff **recommends approval** of the rezoning request from A1 Agricultural District to R15 Residential District. Staff finds that 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

MATTHEWS, TERESA;MORRIS,
MONROE;MORRIS, RENEE
1451 REDWOOD DR
PISCATAWAY, NJ 08854

LATKOVICH, JEFFREY A
74 SPOTSWOOD DR
SPOTSWOOD, NJ 08884

THE THELMA REVOCABLE LIVING TRUST
3217 COACHMANS WAY
DURHAM, NC 27705

WILLIAM R HOMES LLC
8000 CORPORATE DRIVE STE 100
CHARLOTTE, NC 28226

BERNARD, MATTHEW J
1210 MARTINDALE DR
FAYETTEVILLE, NC 28304

J.M.B.B., LLC
3508 TREE RING CT
FAYETTEVILLE, NC 28306

MELVIN-SALAS, VIVIAN R;KENNETH, E
MELVIN TRUSTEES
3002 A SCARLETT PL
FAYETTEVILLE, NC 28306

MCALLISTER, SHIRLEY;MCALLISTER,
ROGER D SR
1432 SAND HILL RD
HOPE MILLS, NC 28348

MCMILLAN, VALERIA
4724 GANDER WAY
HOPE MILLS, NC 28348

MCALLISTER, SHIRLEY S;MCALLISTER,
ROGER D SR
1432 SAND HILL RD
HOPE MILLS, NC 28348

KAIGLER-JACKSON, BRANDI L;KAIGLER-
JACKSON, GIOVAUGHN JACKSON
4704 GANDER WAY
HOPE MILLS, NC 28348

RITCHEY, CALEB;RITCHEY, MADDISON
4720 GANDER WAY
HOPE MILLS, NC 28348

KELLY, JOHN PATRICK
1504 LAGUARDIA DR
HOPE MILLS, NC 28348

LATKOVICH, JEFFREY A
4800 KIARA DR
HOPE MILLS, NC 28348

KEIM, BRIDGITTE E;HICKS,
DOUGLAS;HICKS, JEROD A;RAEFORD, R
1384 CYPRESS LAKE RD
HOPE MILLS, NC 28348

SINCLAIR, FREDERICK M;SINCLAIR, S
1501 DULLES RD
HOPE MILLS, NC 28348

OUATTARA, JEROME SIE;OUATTARA,
OKAYO MARIE ESTHER FRANCE
1449 DULLES RD
HOPE MILLS, NC 28348

WILLIAMS, FREEMAN A JR;WILLIAMS, TIK
1508 DULLES RD
HOPE MILLS, NC 28348

MIESES RODRIGUEZ, ADILSON L;MIESES
RODRIGUEZ, LUZ D MERCEDES WALKER
4725 GANDER WAY
HOPE MILLS, NC 28348

SHELLEY, EDWARD CHARLES III;SHELLEY, S
1505 DULLES RD
HOPE MILLS, NC 28348

RAYE, DONALD P;RAYE, TOWANDA
1422 SANDHILL RD
HOPE MILLS, NC 28348

DIAZ, CARLOS WARLIS;DIAZ, JOSEFINA
4733 GANDER WAY
HOPE MILLS, NC 28348

HASKINS, THOMAS J JR;HASKINS, LESLIE
4709 GANDER WAY
HOPE MILLS, NC 28348

YOUNG, COREY TERRILL;YOUNG, PATRICIA
1509 LAGUARDIA DR
HOPE MILLS, NC 28348

MORALES, DAVID;MORALES, CARLENE L
4713 GANDER WAY
HOPE MILLS, NC 28348

MCALLISTER, SHIRLEY;MCALLISTER, R
1432 SANDHILL RD
HOPE MILLS, NC 28348

CHRISTIE, EDGAR K.
1521 DULLES ROAD
HOPE MILLS, NC 28348

MCALLISTER, ROGER;MCALLISTER, S
1432 SAND HILL RD
HOPE MILLS, NC 28348

MCDONALD, BERNICE
1520 SANDHILL RD
HOPE MILLS, NC 28348

DEMILIA, MARIA
1512 DULLES ROAD
HOPE MILLS, NC 28348

YOUNG, BRIAN K.;YOUNG, JENNIFER S.
1451 LAGUARDIA DRIVE
HOPE MILLS, NC 28348

BLEDSE, KIMBERLY F;ROSS, SABRINA
F;RUSSELL, SHANNON FOWLER;FOWLER,
6400 EMU DR
HOPE MILLS, NC 28348

BURNS, ALMA J;MCDONALD, JOSEPH
B;MCDONALD, BERNICE;MCDONALD, B
1516 SAND HILL ROAD
HOPE MILLS, NC 28348

STANLEY, TATE A;STANLEY, JESSICA N T
1453 DULLES RD
HOPE MILLS, NC 28348

GIBBS, JOHN L;GIBBS, CAROLINE A
4804 KIARA DR
HOPE MILLS, NC 28348

COGDELL, CHARLES ADAM
1521 LAGUARDIA DR
HOPE MILLS, NC 28348

RAINES, STEPHEN M;RAINES, MINDY M
1454 LAGUARDIA DRIVE
HOPE MILLS, NC 28348

WEBB, THOMAS JR;WEBB, LOUANNE
1517 LAGUARDIA DR
HOPE MILLS, NC 28348

HALL, RICHARD H;HALL, THERESA R
4721 GANDER WAY
HOPE MILLS, NC 28348

WOOD, TIMOTHY;WOOD, KRISTY
4728 GANDER WAY
HOPE MILLS, NC 28348

FRENCH, VIRGINIA M
1504 DULLES RD
HOPE MILLS, NC 28348

BUXTON, GLORIA G
5921 STATE RD
HOPE MILLS, NC 28348

LOPEZ, ZELMA ADDIN;LOPEZ-WILLIAMS, C
4716 GANDER WAY
HOPE MILLS, NC 28348

BULLOCK, JASON MICHAEL;BULLOCK, B
4708 GANDER WAY
HOPE MILLS, NC 28348

MCALLISTER, ERIC LAMAR TRUSTEE
PO BOX 294
ST PAULS, NC 28348

MCMILLAN, JOHN;MCMILLAN, VALERIE
1517 DULLES RD
HOPE MILLS, NC 28348

BUXTON, GLORIA G
5921 STATE RD
HOPE MILLS, NC 28348

HUME, CHAD;HUME, BRANDIE A
1520 DULLES RD
HOPE MILLS, NC 28348

MCALLISTER, ROGER DENNIS JR
1401 LEANDER LN
HOPE MILLS, NC 28348

HURLEY, ERIC C;HURLEY, DANIELLE L
1516 DULLES RD
HOPE MILLS, NC 28348

BUXTON, GLORIA G
5921 STATE RD
HOPE MILLS, NC 28348

CABBAGESTALK, ALICIA D
724 FAIRBLUFF DR
HOPE MILLS, NC 28348

HAMMOND, HENRY FRANK
JR;HAMMOND, LETIA
1513 LAGUARDIA DR
HOPE MILLS, NC 28348

ADORJAN, JOHN M;ADORJAN, KIMBERLY
4809 KIARA DR
HOPE MILLS, NC 28348

RAYE, TOWANDA J
1422 SAND HILL RD
HOPE MILLS, NC 28348

BUXTON, GLORIA G
5921 STATE RD
HOPE MILLS, NC 28348

RAYE, TOWANDA J
1422 SAND HILL RD
HOPE MILLS, NC 28348

HERNLY, CLAY E;HERNLY, JILL
1509 DULLES RD
HOPE MILLS, NC 28348

WILLIAMS, LEYNI MELODY
1513 DULLES RD
HOPE MILLS, NC 28348

MCALLISTER, ROGER;MCALLISTER, S
1432 SAND HILL RD
HOPE MILLS, NC 28348

HICKS, JOYCE A TRUSTEE
1345 CYPRESS LAKE RD
HOPE MILLS, NC 28348

SHOTWELL, HENRY F;SHOTWELL, DEBRA
4729 GANDER WAY
HOPE MILLS, NC 28348

HAMMONDS, TIMOTHY JR
1450 LAGUARDIA DR
HOPE MILLS, NC 28348

YUSTIN, LOGAN MICHAEL;YUSTIN, DANA
4717 GANDER WAY
HOPE MILLS, NC 28348

YANKAWAY, SAMMY LEE IV;YANKAWAY, M
4712 GANDER WAY
HOPE MILLS, NC 28348

BROWN, CURTIS JEROME JR
816 CABALETTA DR
HOPE MILLS, NC 28348

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 A1 to R40R-159R
2. Address of Property to be Rezoned: 0433319193 Parcel
3. Location of Property: Leander Court
4. Parcel Identification Number (PIN #) of subject property: 0433319193
(also known as Tax ID Number or Property Tax ID)
5. Acreage: 3.89 Frontage: 290' Depth: 337
6. Water Provider: Well: ☒ PWC: _____ Other (name): _____
7. Septage Provider: Septic Tank ☒ PWC _____
8. Deed Book 5062, Page(s) 233, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: Vacant / 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.

Towanda J. Raje
NAME OF OWNER(S) (PRINT OR TYPE)

1422 Sand Hill Road, Hope mills 28348
ADDRESS OF OWNER(S)

(919) 818-0103
HOME TELEPHONE #

WORK TELEPHONE #

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

ADDRESS OF AGENT, ATTORNEY, APPLICANT

riddle3653@gmail.com
E-MAIL

(910) 308-9330
HOME TELEPHONE #

WORK TELEPHONE #

Towanda J. Raje
SIGNATURE OF OWNER(S)

Jeff Riddle
SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

SIGNATURE OF OWNER(S)

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



PLANNING AND INSPECTIONS DEPARTMENT

MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF APRIL 16, 2024

TO: JOINT PLANNING BOARD

**FROM: CUMBERLAND COUNTY PLANNING AND INSPECTIONS
DEPARTMENT**

DATE: 4/16/2024

**SUBJECT: CASE ZON-24-0013: REZONING FROM C1(P)/CU PLANNED LOCAL
BUSINESS DISTRICT CONDITIONAL USE AND RR RURAL
RESIDENTIAL DISTRICT TO C1(P) PLANNED LOCAL BUSINESS
DISTRICT OR TO A MORE RESTRICTIVE ZONING DISTRICT FOR .69
+/- ACRES; LOCATED AT 6189 US HWY 301, SUBMITTED BY RONNIE
DAVIS (OWNER).**

ATTACHMENTS:

Description

Case ZON-24-0013:

Type

Backup Material



PLANNING STAFF REPORT
REZONING CASE # ZON-24-0013
Planning Board Meeting: April 16, 2024

Location: 6189 US HWY 301 South
Jurisdiction: County-Unincorporated

REQUEST

Rezoning C1(P) CU and RR to C1(P)

Applicant requests a rezoning from C1(P) Planned Local Business District and RR Rural Residential District for .69 +/- acres located at 6189 US HWY 301 South, with access available via Mabry Road, as shown in Exhibit "A". This parcel is currently vacant. The intent of the request is for the owner to operate a barbershop on the property and to eliminate the existing Conditional Use restricting use of the site to a manufactured home and convenience general store, as set forth in Conditional Use zoning case P89-138.

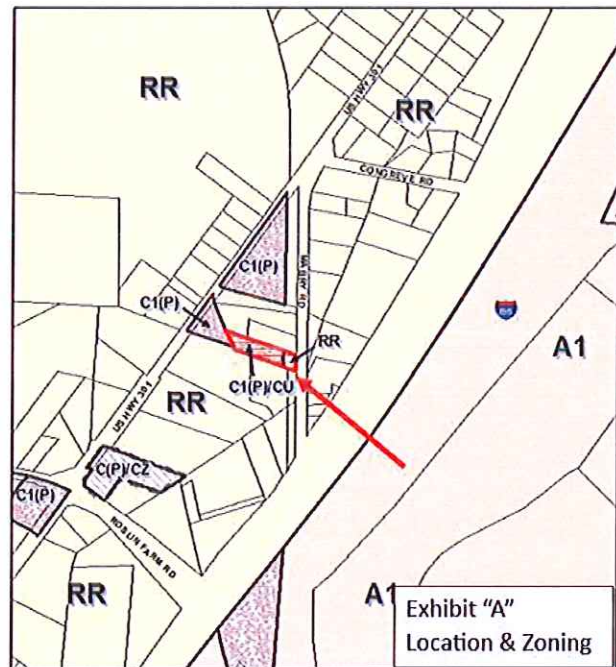
PROPERTY INFORMATION

OWNER/APPLICANT: Ronnie Davis (Owner/Applicant)

ADDRESS/LOCATION: Located at 6189 US HWY 301 South. Refer to Exhibit "A", Location and Zoning Map. REID number: 0412672832000.

SIZE: The parcel contains approximately .69 +/- acres. Road frontage along Mabry Road is 88 +/- feet. The property is approximately 356 +/- feet in length at its deepest point.

EXISTING ZONING: A portion of the parcel is zoned C1(P)/CU Planned Local Business District. The approved Conditional Use zoning limits use of the site to a mobile home and a convenience store. The C1(P) 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; the conditional use associated with this parcel allowed the placement of a manufactured home to be on the parcel with a convenience store for the owner/operator to live on site.



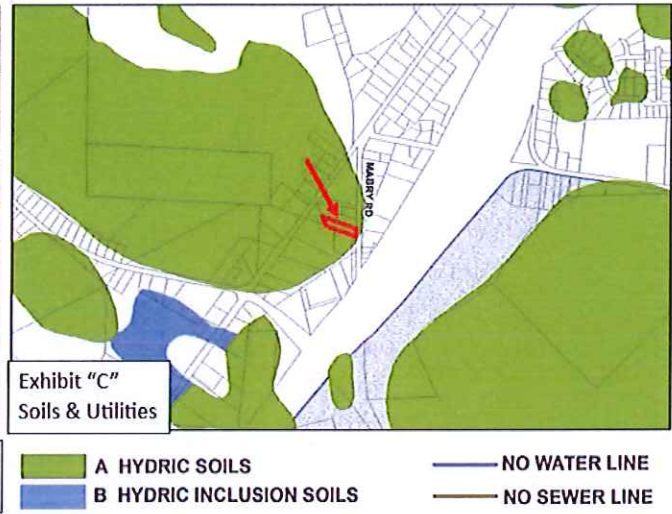
A portion of the parcel is also zoned RR Rural Residential. This district for traditional rural use with lots of 20,000 square feet or above. The principal use of the land is for suburban density residential, including manufactured housing units, and agricultural purposes. These districts are intended to ensure that residential development not having access to public water supplies and dependent upon septic tanks for sewage disposal will occur at a sufficiently low density to provide for a healthful environment.

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,
- **East:** Single-family homes and wooded lands
- **West:** Light industrial operations
- **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 the presence of hydric soils. There are no hydric inclusion soils at the property.

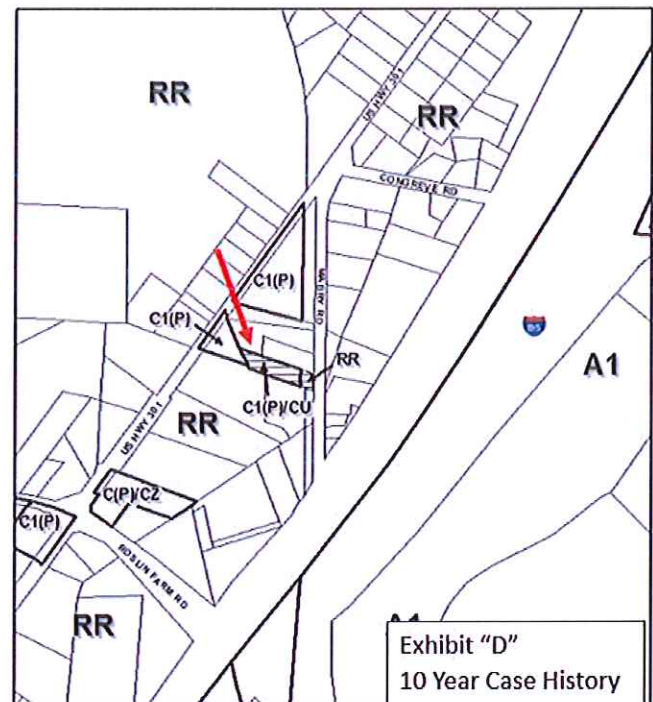


TEN YEAR ZONE CASE HISTORY:

No zoning cases appear in the area over the last ten-year period, as demonstrated in "Exhibit D".

DEVELOPMENT REVIEW:

Should the request to rezone be approved, a non-residential site plan application will be required prior to development of the site. The site plan will be reviewed by the Current Planning Division for conformance with all applicable Zoning and Subdivision regulations prior to issuance of any permits.



DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

Minimum Standard	C1(P)/CU (Existing)	RR (Existing)	C1(P) (Proposed)
Front Yard Setback	45 feet	30 feet	45 feet
Side Yard Setback	15 feet	15 feet	15 feet
Rear Yard Setback	20 feet	35 feet	20 feet
Lot Area	n/a	20,000 sq. feet	n/a
Lot Width	n/a	100 feet	n/a

Development Potential:

Existing Zoning (C1(P)/CU)	Existing Zoning (RR)	Proposed Zoning (C1(P))
1 manufactured dwelling unit	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.

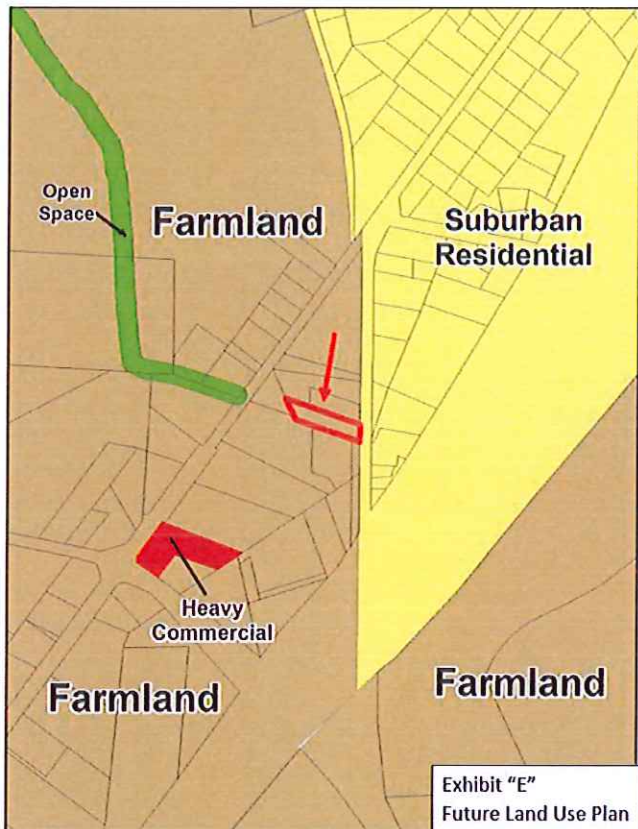
COMPREHENSIVE PLANS:

This property is located in the Southwest Cumberland Land Use Plan (2013). The future land use classification of the property is Farmland. Associated zoning districts for this classification are A1, A1A, R40 and R40A.

The proposed rezoning request is not consistent with the adopted future land use plan.

FUTURE LAND USE CLASSIFICATION Development Goal:

- All commercial development in an established residential area should be in harmony with the area in scale, size, appearance, and accessibility (Southwest Cumberland Land Use Plan, pg. 136).
- Promote measures that protect farmland from urban development and encroachment (Southwest Cumberland Land Use Plan, pg. 142).
- Promote public education initiatives on the need to maintain and preserve farmland (Southwest Cumberland Land Use Plan, pg. 142).
- Preserve rural character and lifestyle where appropriate (Southwest Cumberland Land Use Plan, pg. 142).



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: Water and sewer are not available to the subject property, as illustrated on Exhibit "C". Any future development must receive appropriate Environmental Health permits, and the lot size must meet the minimum area necessary to accommodate the required system.

TRAFFIC: The subject property sits on US 301 South and is identified as a minor 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, US 301 S. has a 2021 AADT of 7,700 and a road capacity of 14,700. Due to lack of data and the small scale, the new zoning request does not demand a trip generation. The new development should generate enough traffic to significantly impact US Hwy 301 South.

SCHOOLS CAPACITY/ENROLLMENT:

School	Capacity	Enrollment
Gallberry Farm Elementary	884	886
Gray's Creek Middle	1083	1154
Gray's Creek High	1517	1452

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 provides the following comments:

1. Ensure all fire department access requirements are met in accordance with section 503 of the 2018 NC fire code.
2. Submit to-scale building plans for new construction and/or building renovation.

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-24-0013, Planning and Inspections staff **recommends denial** of the rezoning request from C1(P)/CU Planned Local Business District Conditional Use and RR Rural Residential District to C1(P) Planned Local Business District. Staff finds that the request is not consistent with the Southwest Cumberland 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

N C DEPT OF TRANSPORATION
1546 MAIL SERVICE CTR
RALEIGH, NC 27611

SAM & VIRGINIA HODGES CHILDRENS
LLC;HODGES, SAMUEL J JR HEIRS
5000 FLAGSTONE CT
HARRISBURG, NC 28075

ELIAS, JORGE V
5909 WATERCREST CT
FAYETTEVILLE, NC 28304

HALE, JOSEPH E;HALE, ROBBIE M
7335 HYANNIS DR
FAYETTEVILLE, NC 28304

HALE, JOSEPH E;HALE, ROBBIE M
7335 HYANNIS DR
FAYETTEVILLE, NC 28304

FERRUZZI, DAVID F
6809 TOWBRIDGE RD
FAYETTEVILLE, NC 28306

FERRUZZI, DAVID F
6809 TOWBRIDGE RD
FAYETTEVILLE, NC 28306

MCFADYEN, EVELYN
MCEACHIN;MCEACHIN, LARRY HEIRS
1051 SUN VALLEY DR
FAYETTEVILLE, NC 28314

DAVIS, RONNIE RENEE
1051 SUN VALLEY DR
FAYETTEVILLE, NC 28314

WBM LLC
PO BOX 26210
FAYETTEVILLE, NC 28314

WILLIAMS, EVA EVETTE
132 CONGREVE RD
HOPE MILLS, NC 28348

MORRISON, ESTHER LEE
6142 S US 301 HWY
HOPE MILLS, NC 28348

MORRISON, ESTHER
6142 US 301 HWY
HOPE MILLS, NC 28348

MORRISON, ESTHER LEE
6142 S US 301 HWY
HOPE MILLS, NC 28348

BRAMBLE, GRAHAM WESLEY JR
6254 S US 301 HWY
HOPE MILLS, NC 28348

MORRISON, KEVIN DEVON
6151 MABRY ROAD
HOPE MILLS, NC 28348

BRAMBLE, KELVIN S
5080 MADISON AVE
HOPE MILLS, NC 28348

MORGAN, ANGEL N
6176 US HWY 301 SOUTH
HOPE MILLS, NC 28348

MARTINEZ, RACHEL D HEIRS
6195 S US 301 HWY
HOPE MILLS, NC 28348

TAYLOR, ZACHARY M
6250 MABRY RD
HOPE MILLS, NC 28348

MCLEAN, MICHAEL GARLAND LIFE ESTATE
6246 MABRY RD
HOPE MILLS, NC 28348

PATLAN, JOSE EUGENIO GONZALEZ
6202 S US 301 HIGHWAY
HOPE MILLS, NC 28348

MORRISON, ESTHER LEE
6142 S US 301 HWY
HOPE MILLS, NC 28348

PIT STOP 301 EXPRESS LLC
6279 US HWY 301 S
HOPE MILLS, NC 28348

MORRISON, ESTHER
6142 S US 301 HIGHWAY
HOPE MILLS, NC 28348

MORRISON, ESTHER LEE
6142 S US 301 HWY
HOPE MILLS, NC 28348

YAHYA, ALI KAID
5802 ROCKFISH RD
HOPE MILLS, NC 28348

ALSAIDI, IBRAHIM;ALDALALI, GAMIL
N.;RAGEH, NAJWA ABDALWAHAB M
5320 SOUTH FORTY DR
HOPE MILLS, NC 28348

DAVIS, LOUISE HEIRS
5998 US HWY 301 S
HOPE MILLS, NC 28348

MORRISON, DWAYNE LEROY;MORRISON,
211 BIG GAME LOOP
COLUMBIA, SC 29229

TAYLOR, PAULINE HEIRS
300 CHRISTOPHER DR
HIRAM, GA 30141

CSX TRANSPORTATION INC TAX DEPT
500 WATER ST C910
JACKSONVILLE, FL 32202

DILLETTE PROPERTIES, LLC
28172 HUMMINGBIRD CIR
NOVI, MI 48377

ATTACHMENT: APPLICATION



County of Cumberland
Planning & Inspections Department

CASE #: 2013 24 0013

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.
(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 CIP CU/RR^{KAR} to CIP
2. Address of Property to be Rezoned: 6189 US HIGHWAY 301
3. Location of Property: SHORE HILLS N.C 28348
4. Parcel Identification Number (PIN #) of subject property: 0412672832000
(also known as Tax ID Number or Property Tax ID)
5. Acreage: .69 Frontage: 88 Depth: 355+-
6. Water Provider: Well: ☒ PWC: _____ Other (name): _____
7. Septage Provider: Septic Tank ☒ PWC DUKE
8. Deed Book 9250 0564, Page(s) 0564, 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: BARBER SHOP
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.

RONNIE R. DAVIS
NAME OF OWNER(S) (PRINT OR TYPE)

1051 SUN VALLEY DR FAYETTEVILLE N.C 28314
ADDRESS OF OWNER(S)

910 241-0842
HOME TELEPHONE #

WORK TELEPHONE #

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

ADDRESS OF AGENT, ATTORNEY, APPLICANT

RONNIE DAVIS III @CUMMEL.COM
E-MAIL

L28twety73@gmail.com

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 APRIL 16, 2024

TO: JOINT PLANNING BOARD

**FROM: CUMBERLAND COUNTY PLANNING AND INSPECTIONS
DEPARTMENT**

DATE: 4/16/2024

**SUBJECT: CASE ZON-24-0010: REZONING FROM R6A RESIDENTIAL DISTRICT
TO O&I(P) PLANNED OFFICE AND INSTITUTIONAL DISTRICT OR
TO A MORE RESTRICTIVE ZONING DISTRICT FOR .46 +/- ACRES;
LOCATED AT 1429 MCARTHUR ROAD, SUBMITTED BY ANNIE HASAN
(AGENT) ON BEHALF OF KHALIL HASAN (OWNER).**

ATTACHMENTS:

Description

Case ZON-24-0010:

Type

Backup Material



PLANNING STAFF REPORT
REZONING CASE # ZON-24-0010
 Planning Board Meeting: April 16, 2024

Location: 1429 McArthur Road
Jurisdiction: County-Unincorporated

REQUEST

Rezoning R6A to O&I (P)

Applicant requests a rezoning from R6A Residential District to O&I(P) Planned Office and Institutional District for .45 +/- acres located at 1429 McArthur Road, as shown in Exhibit "A". This parcel currently has a residential dwelling at the site. The intent of the request is for the owner to operate an educational & training facility for professionals.

PROPERTY INFORMATION

OWNER/APPLICANT: Khalil Hamid Hasan Sr.,
 (Owner); Annie R. Hasan (Applicant)

ADDRESS/LOCATION: Located at 1429 McArthur Road. Refer to Exhibit "A", Location and Zoning Map. REID number: 0520675984000.

SIZE: The parcel contains approximately 0.45 +/- acres. Road frontage along McArthur Road is 100 +/- feet. The property is approximately 200 +/- feet in length at its deepest point.

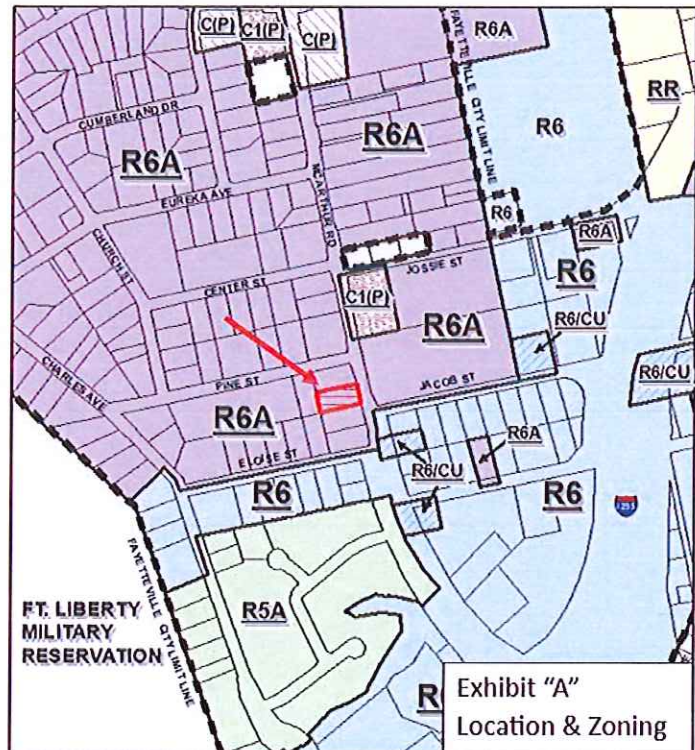
EXISTING ZONING: The property is currently zoned R6A Residential District. This district is designed for a mix of single- and multi-family dwellings including the use of manufactured homes on individual lots and in manufactured home parks.

EXISTING LAND USE: The subject parcel currently has a single-family dwelling on the property. Exhibit "B" shows the existing use of the subject property.

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

- **North:** Single-family homes
- **East:** Single-family homes
- **West:** Single-family homes and manufactured homes
- **South:** Single-family homes

OTHER SITE CHARACTERISTICS: The site is located in the Cape Fear River Watershed: WS-IV. A Watershed Protection Permit will be required for any future projects. The site is not within a Flood Zone Hazard Area. The subject property, as delineated in Exhibit "C", illustrates the presence of neither hydric nor hydric inclusion soils at the property.





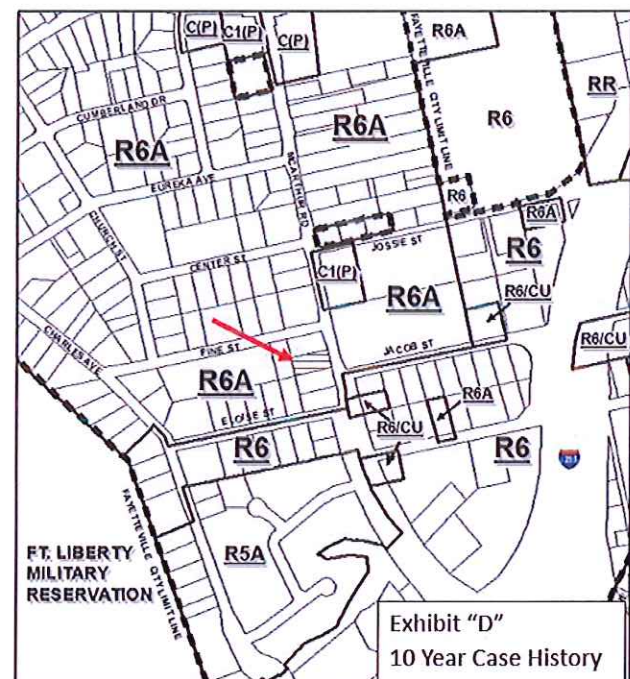
TEN YEAR ZONE CASE HISTORY:

No zoning cases appear in the area over the last ten-year period, as demonstrated in "Exhibit D".

DEVELOPMENT REVIEW:

Should the request to rezone be approved, a non-residential change of use site plan application and plan will be required prior to development of the site.

The site plan will be reviewed and approved by the Current Planning Division for conformance with all applicable Zoning and Subdivision regulations prior to issuance of any permits.



DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

Minimum Standard	R6A (Existing)	O&I(P) (Proposed)
Front Yard Setback	25 feet	35 feet
Side Yard Setback	10 feet	15 feet
Rear Yard Setback	15 feet	20 feet
Lot Area	6,000 sq. feet	n/a
Lot Width	60 feet	n/a

Development Potential:

Existing Zoning (R6A)	Existing Zoning (O&I(P))
1 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.

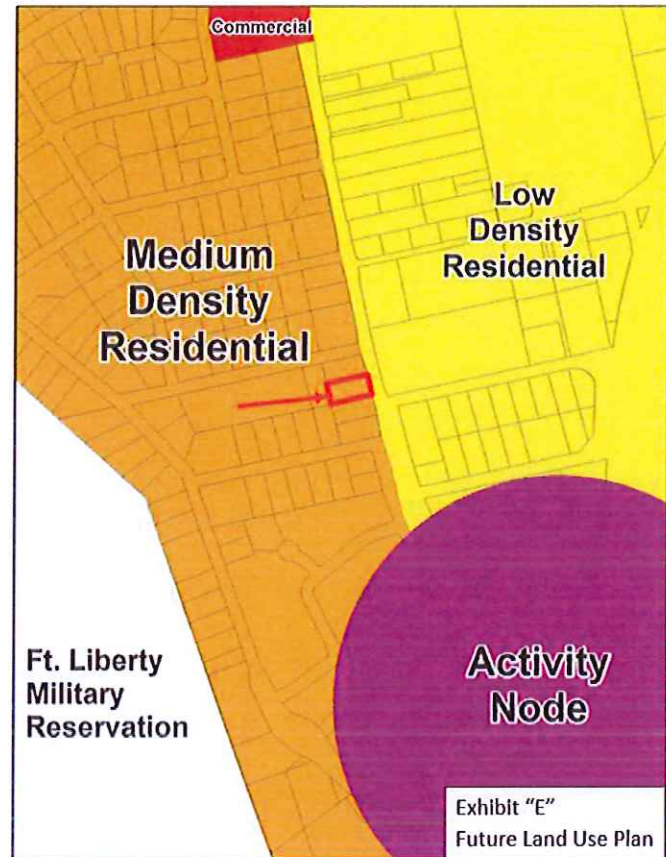
COMPREHENSIVE PLANS:

This property is located within the North Fayetteville Area Plan (2002). The future land use classification of the property is "Medium Density Residential". Associated zoning districts for this classification are R6, R6A, and R5A.

The proposed rezoning request is not consistent with the adopted future land use plan.

FUTURE LAND USE CLASSIFICATION Development Goal:

- Promote the maintenance and preservation of existing housing through code enforcement and compliance programs (North Fayetteville Area Plan 2002, pg. 64).
- Promote a high standard for mobile/manufactured home parks equal to that of traditional single-family developments (North Fayetteville Area Plan, pg. 64).
- Enforce minimum lot size requirements for all new developments (North Fayetteville Area Plan 2002, pg. 64).
- Discourage new commercial developments in close proximity to existing residential developments (North Fayetteville Area Plan 2002, pg.64).



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: Water lines serviced by PWC are available adjacent to the subject property, but sewer lines are not, as illustrated on Exhibit "C". Any future development must receive appropriate Environmental Health permits, and the lot size must meet the minimum area necessary to accommodate the required system.

As this property is located within the Fayetteville Municipal Influence Area, connection to public sewer in the future may require a petition for annexation with the City, per Fayetteville's Development Services Department.

TRAFFIC: The subject property sits on McArthur Road and is identified as a minor 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. The current state of the road is over capacity and any new development could generate enough traffic to significantly impact McArthur Road.

SCHOOLS CAPACITY/ENROLLMENT:

School	Capacity	Enrollment
WT Brown Elementary	667	519
Pine Forest Middle	804	685
Pine Forest High	1712	1762

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 provided the following comments:

1. Ensure all fire department access requirements are met in accordance with section 503 of the 2018 NC fire code.
2. Ensure fire protection water supply requirements are met in accordance with section 507 of the 2018 NC Fire Code.
3. Submit to-scale building plans for new construction and/or building renovation.

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-24-0010, Planning and Inspections staff **recommends denial** of the rezoning request from R6A Residential District to O&I(P) Planned Office and Institutional District. Staff finds that the request is not consistent with the North Fayetteville Area Plan which calls for "Medium 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

BEST INVESTMENT REALTY LLC
166 BONICA CREEK DR
GARNER, NC 27529

STREK, FRIEDA S;STAHLLING, EVELYN
SUSAN;STREK, HARRY JOHN
504 MERWIN RD
RALEIGH, NC 27606

HMPK PROPERTIES LLC
206 FAIRCLOTH ST
RALEIGH, CT 27607

HMPK PROPERTIES LLC
206 FAIRCLOTH ST
RALEIGH, CT 27607

SOUTHERN WAKE PROPERTY GROUP LLC
1417 RIVERVIEW DR
RALEIGH, NC 27610

SOUTHERN WAKE PROPERTY GROUP LLC
1417 RIVERVIEW DR
RALEIGH, NC 27610

DAVIS, SAMUEL N
117 NORTHWEST AVE
FAYETTEVILLE, NC 28301

DAVIS, SAMUEL N
117 NORTHWEST AVE
FAYETTEVILLE, NC 28301

DAVIS, SAMUEL N
117 NORTHWEST AVE
FAYETTEVILLE, NC 28301

BOLIARIS, DANIEL FRANK IV;BOLIARIS,
MELISSA JEAN
1565 ELOISE ST
FAYETTEVILLE, NC 28301

CITY OF FAYETTEVILLE
PO BOX 1089
FAYETTEVILLE, NC 28302

HALL, PATRICIA A
320 NORTHVIEW DR
FAYETTEVILLE, NC 28303

HASAN, KHALIL HAMID SR
1421 MCARTHUR ROAD
FAYETTEVILLE, NC 28311

BROCK, ANNIE LOU
1501 MCARTHUR RD
FAYETTEVILLE, NC 28311

MINTZ, DUANE ERIC
6130 PINE ST
FAYETTEVILLE, NC 28311

NEW TOWN APARTMENTS LLC
549 STACY WEAVER DR
FAYETTEVILLE, NC 28311

HASAN, KHALIL HAMID
1425 MCARTHUR RD
FAYETTEVILLE, NC 28311

FUGETT, DANIEL
597 BRAXTON BLVD
FAYETTEVILLE, NC 28311

CAPPS, JO ANN
1497 MCARTHUR RD
FAYETTEVILLE, NC 28311

NEW TOWN APARTMENTS LLC
549 STACY WEAVER DR
FAYETTEVILLE, NC 28311

MERCER RENTALS LLC
217 MCARTHUR RD
FAYETTEVILLE, NC 28311

CASSELL, JENNIFER
KATHLEEN;VANBUSKIRK, RICHARD D
6121 PINE STREET
FAYETTEVILLE, NC 28311

HASAN, ANNIE R
1340 MCARTHUR RD
FAYETTEVILLE, NC 28311

EUREKA CHAPEL MISSIONARY BAPTIST C
1500 MCARTHUR RD
FAYETTEVILLE, NC 28311

HASAN, KALIM
1421 MCARTHUR RD
FAYETTEVILLE, NC 28311

EUREKA CHAPEL MISSIONARY BAPTIST C
1500 MCARTHUR RD
FAYETTEVILLE, NC 28311

KENNEY, CHARLES L JR
1448 JACOB ST
FAYETTEVILLE, NC 28311

MERCER RENTALS LLC
217 MCARTHUR RD
FAYETTEVILLE, NC 28311

LEE, NATHALENE M
1400 MCARTHUR RD
FAYETTEVILLE, NC 28311

NEW TOWN APARTMENTS LLC
549 STACY WEAVER DR
FAYETTEVILLE, NC 28311

NEW TOWN APARTMENTS LLC
549 STACY WEAVER DR
FAYETTEVILLE, NC 28311

SMITH, EDWARD;SMITH, CATHERINE
1446 CAISSON DR
FAYETTEVILLE, NC 28311

NEW TOWN APARTMENTS LLC
549 STACY WEAVER DR
FAYETTEVILLE, NC 28311

WHITEHEAD, MARY E
1535 ELOISE ST
FAYETTEVILLE, NC 28311

JOHNSON, TRAVIS WAYNE;JOHNSON, C
1527 CENTER STREET
FAYETTEVILLE, NC 28311

HARRIS, ROY A;HARRIS, JOYCE L
7100 TRES CT
FAYETTEVILLE, NC 28314

CASTLE, CHARLES WILLIAM
2231 FENNELL RD
HOPE MILLS, NC 28348

DONLEIGH PROPERTIES LLC
386 BROOKGREEN DR
LUMBERTON, NC 28358

DONLEIGH PROPERTIES LLC
386 BROOKGREEN DR
LUMBERTON, NC 28358

DONLEIGH PROPERTIES LLC
386 BROOKGREEN DR
LUMBERTON, NC 28358

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DONLEIGH PROPERTIES LLC
386 BROOKGREEN DR
LUMBERTON, NC 28358

DONLEIGH PROPERTIES LLC
386 BROOKGREEN DR
LUMBERTON, NC 28358

PERDOMO, JUANA
515 E MCLEAN ST
ST PAULS, NC 28384

GINAS PROPERTY HOLDINGS LLC
3833 BARNSDALE DR
WADE, NC 28395

GARVIN, CHARLOTTE T
2601 CHIMNEY ROCK RD APT 109
HENDERSONVILLE, NC 28792

WILLIAMS, GORDON COOPER;STEPHANIE,
541 ERNESTINE FALLS
GROVETOWN, GA 30813

WILLIAMS, GORDON
541 ERNESTINE FALLS
GROVETOWN, GA 30813

WILLIAMS, GORDON;WILLIAMS, MELISSA
541 ERNESTINE FALLS
GROVETOWN, GA 30813

WILLIAMS, GORDON
541 ERNESTINE FALLS
GROVETOWN, GA 30813

WILLIAMS, GORDON COOPER
541 ERNESTINE FALLS
GROVETOWN, GA 30813

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

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 \$ 450.00.
(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 R6A ART to O&T
2. Address of Property to be Rezoned: 1429 McArthur Road, Fayetteville, NC 28311
3. Location of Property: LYNN ACRES SUBDIVISION
1429 McArthur Road, Fayetteville, NC 28311
4. Parcel Identification Number (PIN #) of subject property: (2010) 0520-67-5984
(also known as Tax ID Number or Property Tax ID)
5. Acreage: .46 Acres Frontage: N/A Depth: N/A
6. Water Provider: Well: _____ PWC: X Other (name): New Millennium RE
7. Septage Provider: Septic Tank X PWC _____
8. Deed Book 8246, Page(s) 311, 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: Educational Training, Mental Health
Classes
11. Do you own any property adjacent to or across the street from this property?
Yes X No _____ If yes, where? 1421 McArthur Road, Fayetteville, N
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.

Khalil Hamid Hasan, Sr.

NAME OF OWNER(S) (PRINT OR TYPE)

1421 McArthur Road, Fayetteville, NC 28311

ADDRESS OF OWNER(S)

910-728-7325
HOME TELEPHONE #

(Same)
WORK TELEPHONE #

Annie R. Hasan

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

1340 McArthur Road, Fayetteville, NC 28311

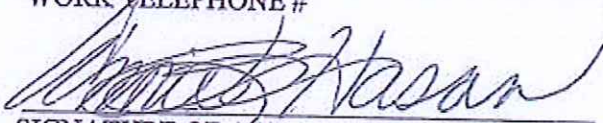
ADDRESS OF AGENT, ATTORNEY, APPLICANT

adhccare@gmail.com
E-MAIL

910-624-6513
HOME TELEPHONE #

910-488-8881
WORK TELEPHONE #


SIGNATURE OF OWNER(S)


SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

SIGNATURE OF OWNER(S)

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



PLANNING AND INSPECTIONS DEPARTMENT

MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF APRIL 16, 2024

TO: JOINT PLANNING BOARD

**FROM: CUMBERLAND COUNTY PLANNING AND INSPECTIONS
DEPARTMENT**

DATE: 4/16/2024

**SUBJECT: CASE DEV-0029-24: CONSIDERATION OF SUBDIVISION WAIVER
FROM SECTION 2304.C.4.C, MINIMUM DESIGN SPECIFICATIONS
FOR A CLASS "C" STREET, CUMBERLAND COUNTY SUBDIVISION
ORD., TO ALLOW AN ALTERNATIVE STREET DESIGN FOR THE
CAPE FEAR INVESTMENT PROPERTIES SUBDIVISION ON 4.75 +/-
ACRES, LOCATED ON EAST SIDE OF RAMSEY STREET AND
APPROXIMATELY 2,100 FEET NORTH OF LINDEN ROAD;
SUBMITTED BY JEFF RIDDLE (APPLICANT) ON BEHALF OF CAPE
FEAR INVESTMENT PROPERTIES (OWNER).**

ATTACHMENTS:

Description

Case DEV-0029-24:

Type

Backup Material

REQUEST

Subdivision Waiver

Applicant requests a Subdivision Waiver from Section 2304, County Zoning Ordinance, to construct a joint-use driveway in lieu of providing a required public or private street, more applicably a Class "C" private street, that would serve a proposed four-lot residential subdivision. The proposed access connects to Ramsey Street, a designated arterial road also known as State Highway 401. Containing approximately 4.75 +/- acres, the property is located at 10932 Ramsey Street, as shown in Exhibit "A". The proposed preliminary subdivision plan (Case DEV-0029-24) is located in Exhibit "B".

PROPERTY INFORMATION

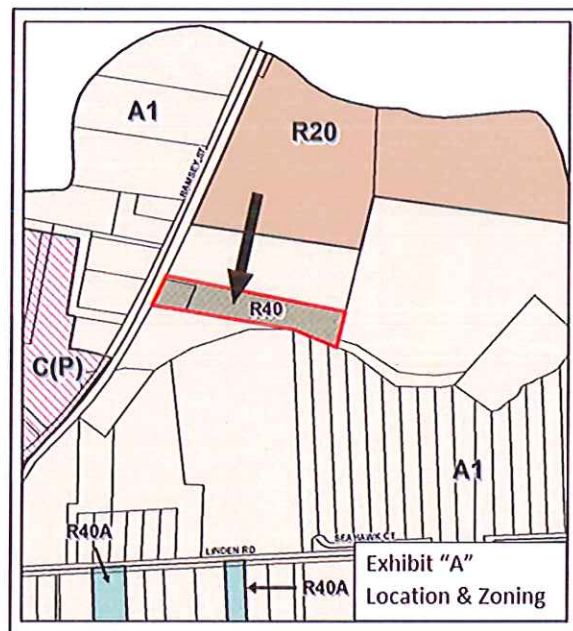
Owner/Applicant: Cape Fear Investment Properties, LLC (Owner)/Jeff Riddle (Applicant)

Address/Location: Refer to Exhibit "A", Location and Zoning Map. REID number: 0564691265000; 0564697117000

Size: 4.75 +/- combined acres within 2 parcels. The western parcel contains 0.75 +/- acres, and the eastern parcel contains 4.00 +/- acres. Road frontage along Ramsey Street is approximately 200 feet. The property is approximately 1,115 feet in length at its deepest point.

Property Access: Ramsey Street (State Highway 401) is currently the only means of access to the subject site.

Existing Zoning: The subject property is currently zoned R40 Residential District. Minimum lot size for this district is 40,000 square feet. This district is designed primarily for single-family dwelling units.



Additional Property Information: Refer to Exhibit "C" for other site-related information.

CASE HISTORY

The owner of approximately 4.75 acres on the east side of Ramsey Street submitted an application to the Current Planning Division for a preliminary subdivision plan (Exhibit "B"), desiring to create a four-lot subdivision with all lots served by a private joint driveway straddling portions of three proposed flag lots. For this type of proposed subdivision, the County Subdivision Ordinance, under Sections 2304 and 2303D, requires, at minimum, a Class "C" private street. Standards for all street types are provided in Exhibit "D". As County Planning staff does not have the authority to waive the street requirements or specifications, the property owner filed a subdivision waiver application (Exhibit "E"), pursuant to Section 2601 (Exhibit "F") of the Subdivision Ordinance, to request that the Planning Board grant said waiver request.

FINDINGS OF FACT

1. Fact: Sec. 2303.D: "Direct access shall not be allowed for any single-family residential lot located along any street as defined or classified by the Highway Plan or locally adopted Collector/Feeder Street Plan as major or minor thoroughfare, arterial, collector or feeder street, where feasible and sufficient land depth exists allowing for the proposed lots to be served internally." Applicant proposes a driveway, not a street to serve four lots, as demonstrated in Exhibit "B".

Finding: Ramsey Street (S.R. 401) is classified as an arterial road (Exhibit "G"). Lot depth and land area are sufficient to accommodate a private or public street designed per the Subdivision Ordinance.

2. Fact: Sec.2304.A., Private streets shall be developed in accordance with the terms of this ordinance (Exhibit "D")

Finding: As a Class "C" private street (or any other public or private street type) is not presented or proposed on the submitted preliminary subdivision plan, the proposed access is not designed "in accordance" with the Subdivision Ordinance.

3. Fact: Sec. 2304.C.4.c., Class "C" private street specifications. Refer to Exhibit "D" for the code language. The proposed subdivision will not follow the design and construction requirements of the Subdivision Ordinance, including the specification that the drainage system must be certified by an engineer.

Finding: The subdivision plan submitted under application number DEV-0029-24 does not propose a Class "C" street, or any other allowed street type, that will be developed according to the Section 2304, particularly Sec. 2304.C.4.c., Class "C" private street specifications.

PLANNING BOARD AUTHORITY AND WAIVER CRITERIA

Section 2601. Waivers.

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

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

Applicant's Response to Waiver Criteria. The applicant's response to the above criteria is found in Exhibit "H".

PLANNING BOARD ACTION

In granting waivers through a quasi-judicial hearing and decision, the Planning Board may require such conditions as will secure, in so far as practicable, the objectives of the requirements waived. Any waiver, thus granted, is required to be entered in writing in the minutes of the Planning Board and the reasoning upon which departure was justified set forth.

Attachments:

Exhibits B-H

Notification Mailing List;

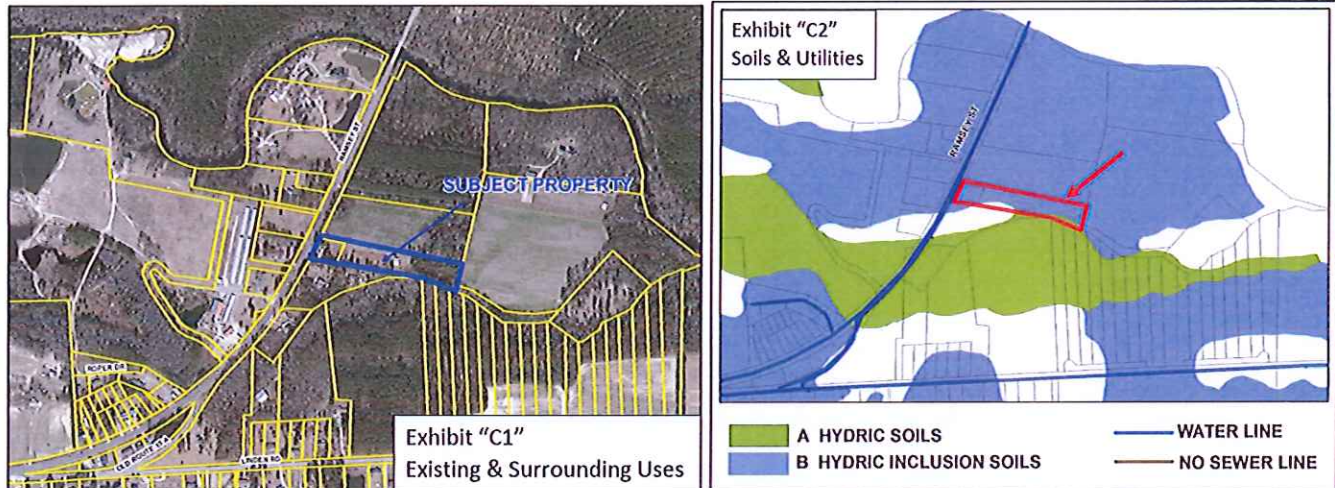
Application

[illegible]

EXHIBIT "C"
ADDITIONAL PROPERTY INFORMATION

Existing Land Use: The front parcel is a vacant lot with the lot behind it having an abandoned structure on it. Exhibit "C1" shows the existing use of the subject property.

Surrounding Land Use: Exhibit "C1" illustrates the following:

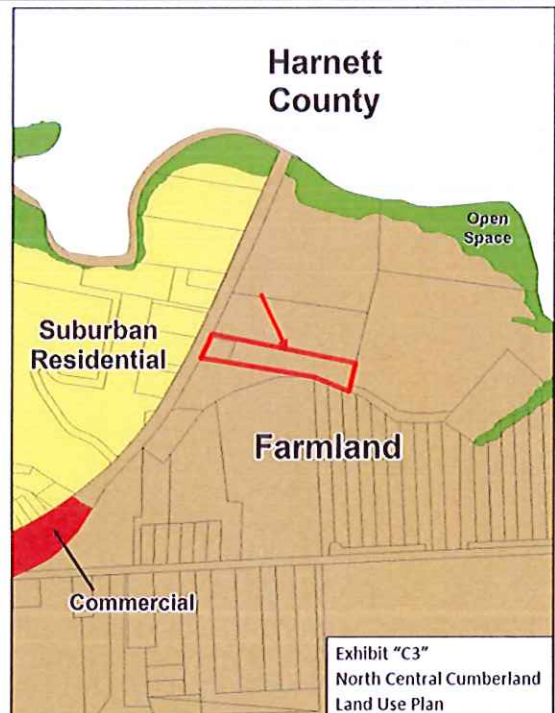


North: Farmland & wooded lands
East: Farmland
West: Farmland and single family homes
South: Wooded lands and single family homes

Other Site Characteristics: The site is not located in a Watershed nor within a Flood Zone Hazard Area. The subject property, as delineated in Exhibit "C2", illustrates the presence of hydric inclusion soils on both properties and hydric soils on the southeast corner of the western property.

Development Review: Subdivision review by the Planning & Inspections Department will be required prior to any division of land.

Comprehensive Plans: This property is located in the North Central Land Use Plan 2011, as shown in Exhibit C3. The future land use classification of the property is Farmland. Associated Zoning districts for this classification is A1, A1A, R40, R40A.



Utilities: Sewer lines are not adjacent to the property but Linden water lines are. The subject site will have to be served by septic. Utilities for water, sewer, and soils are shown on Exhibit "C". septic will likely be required, and the lot size must meet the minimum area necessary to accommodate the septic system.

EXHIBIT "D"
SECTION 2304, STREETS, SUBDIVISION ORDINANCE

SECTION 2304. STREETS.

A. *General criteria.* All subdivision lots or any lot proposed to be developed shall abut a street designated as either public or private and all public or private streets shall be built to the standards of this ordinance, other applicable standards of the County, and the North Carolina Department of Transportation (NCDOT). Public streets shall be designed in accordance with the standards of this ordinance, the NCDOT, or, if the development is located within a municipality's *Municipal Influence Area*, to that municipality's standard (see Exhibit 5, MIA Development Standards). Public streets shall be constructed in such a manner to be eligible for acceptance into the State highway system and shall be put on such system. Private streets shall be developed in accordance with the terms of this ordinance and other applicable Federal, State, and local regulations. The following provisions apply to all streets, whether public or private:

1. *Relation of proposed streets to adjoining street system.* The proposed street system shall extend existing or proposed streets at the same or greater width, but in no case less than the required minimum width, provided that no extension wider than 80 feet shall be required.

2. *Through traffic.* Minor residential streets shall be laid out so as to discourage through traffic.

3. *Access to adjacent property.* The proposed street system shall be designed to provide for the dedication of access to and not to impose undue hardship upon adjacent property adjoining the proposed subdivision or other development. Reserve strips adjoining street right-of-way for the purpose of preventing access to adjacent property shall not be permitted.

4. *Access to parks, schools, etc.* Streets shall be designed, or walkways dedicated to assure convenient access to adjacent parks, playgrounds, schools, and other public places. Dedicated walkways shall not be less than ten feet in width.

5. *Circulation requirements.* The minimum circulation requirements for all development shall be the standards outlined in the *NC Department of Transportation Policy on Street and Driveway Access to North Carolina Highways*.

6. *Marginal access streets.* When a tract of land to be subdivided or developed adjoins a limited access highway, the developer may be required to provide a marginal access street parallel to the highway or reserve frontage on an interior street for the lots being proposed that are adjacent to the highway.

7. *Street names.* Proposed street names shall not duplicate nor closely approximate phonetically the name of any street anywhere within Cumberland County.

Where proposed streets are extensions of existing streets, the existing street names shall be used except where a new name can reasonably be used to avoid further street name duplication.

8. *Street signs.* All streets within a development shall be marked with a street name sign of a design specification and location in accordance with the *Cumberland County Street Sign Specifications Manual* and approved by the Planning & Inspections Department.

9. *Half streets.* Whenever an existing half street is adjacent to a tract of land to be subdivided or otherwise developed, the other half of the street shall be dedicated or shown as an easement for conditional future dedication within the new subdivision or other development. New half streets are prohibited except when essential to the reasonable progression of the subdivision or other development in conformity with the other requirements of these regulations and where it will be practicable to require the dedication of the other half when the adjoining property is subdivided or otherwise developed.

10. *Street design.*

a. *Right-of-way.* Proposed street right-of-way shall be of sufficient width to meet the requirements of the specifications of the NCDOT.

b. *Median strips.* Where a subdivider elects to construct a street divided with a median strip, the right-of-way width shall not be less than 70 feet, and no median strip shall be less than ten feet wide.

c. *Corner radii.* Property lines at street intersections shall be rounded with a radius of 25 feet.

d. *Intersecting streets.* Streets shall be laid out so as to intersect as nearly as possible at right angles.

e. *Street offsets.* Where there is an offset in the alignment of a street across an intersection, the offset of the center lines shall not be less than 125 feet.

f. *Block lengths.* Block lengths generally shall not be longer than 1,800 feet; provided that where a longer block will result in less traffic through residential developments from adjoining businesses or areas, the Planning and Inspections Director may approve block lengths in excess of 1,800 feet.

g. *Public, Class "A" and "B" private street ending.* All streets not stubbed to adjacent properties for future development shall be ended with either a cul-de-sac or a

hammerhead ("t-type") turnaround. Streets ending with a cul-de-sac or hammerhead shall not be longer than 1,400 feet. Cul-de-sac shall be designed at the closed end with a circular turnaround having an outside roadway diameter of at least 70 feet and a right-of-way line diameter of at least 100 feet. Hammerheads shall be designed at the closed end with a "t-type" turnaround having a minimum outside dimension of 50 feet by 100 feet and a roadway dimension of 20 feet by 70 feet and a 15 foot radius is required at the intersecting lines of the "t-type" ending. Alternative types of turnarounds as approved by the NCDOT may be approved if the design provides for adequate maneuvering of emergency and other public use vehicles.

(Amd. 12-19-11)

h. *Alleys.* A reservation or easement for an alley to the rear of proposed lots may be approved provided that the developer can produce satisfactory evidence at the time of the preliminary plan submission to show that the alleys will be functional and be designed in such a manner as to allow for public services to be accomplished. When serving four or less residences, any alley proposed shall provide a minimum width of 12 feet. When serving five or more residences and/or non-residential uses, any alley proposed shall provide a minimum alley width of 20 feet. The Planning and Inspections Staff shall review development plans that include alleys for vehicular safety. Alleys shall be approved and maintained the same as common areas within a development and require the County Attorney's approval of owners' association documents and covenants with respect to maintenance and liability of any alley.

B. Public streets.

1. *Construction.* All public streets shall be constructed according to the standards and specifications of the NCDOT and this ordinance.

2. *NCDOT Approval and Acceptance.* All public streets shall be certified by the NCDOT as being acceptable for future maintenance by the State, provided that other conditions for acceptance and maintenance are met. Until such time that the NCDOT accepts the public street for maintenance, the developer and subsequent purchasers shall be responsible for maintenance and for securing final acceptance by the NCDOT.

It shall be the responsibility of the developer to formally notify the NCDOT's District Engineer and initiate the process of transferring the responsibility of road maintenance. If application to the District Engineer has not been formally submitted and any deficiencies noted by the NCDOT resolved by the time the County has issued building permits for 80% of the lots shown on the preliminary plan as submitted and conditionally approved, the County shall not issue any additional building permits until the District Engineer formally notifies the Planning and Inspections Department of the NCDOT's receipt of such application and their satisfaction of any noted deficiencies impeding the NCDOT's acceptance of the streets.

If all roads within the subdivision or other development have not been applied for the NCDOT's consideration for addition to the State system by the time at which building permits have been issued for 80% of the lots of the conditionally approved preliminary plan, the developer may post a surety performance bond or an equivalent security as authorized in Section 2502. Should this alternative be used, the method of payment chosen shall be equal to 1.25 times the cost of installing all remaining required improvements according to the standards required by the NCDOT. Within 30 days after the Planning and Inspections Department receives formal notice of pending acceptance of the roads by the NCDOT, the County shall release any unused portion of the securities posted through this procedure.

For purposes of this ordinance, "road maintenance" shall mean that the public streets are kept in a good state of repair and that the streets are able to be used for their intended purpose without any impediments. The developer and future purchasers shall not install or allow to be installed any items within the right-of-way which will have to be removed prior to the acceptance of the roads by the NCDOT. Such items include but are not limited to fences, masonry mailbox supports, shrubbery, and driveway markers.
(Amd. 12-19-11)

3. *Gradient, curves and alignment.* Street gradient, reverse curves and horizontal alignment shall be in accordance with the standards and specifications of the NCDOT.

4. *Curbs and gutters.* All curbs and gutters installed shall meet the NCDOT approved standards and specifications.
(Amd. 03-19-12)

C. *Private streets.* Private streets will be permitted to serve as access within subdivisions or other developments; however, dedication of public streets and other rights-of-way or easements may be required if such are indicated on the official plans as adopted by the County Board of Commissioners, a governing body of a municipality in Cumberland County or the Planning Board. Public streets and/or other rights-of-way or easements or public access over private streets will be required where the Planning Board, the NCDOT, or public utility agency determines that such are necessary in order to promote the continuity of existing streets or utility systems or otherwise protect and promote the public health, safety and welfare.

1. *NCDOT specifications.* Unless otherwise approved, the developer shall reserve enough area along all private streets to meet NCDOT specifications for right-of-way width requirements on secondary roads. Except for Class "C" private streets, the land area within the private street right-of-way as is required to be reserved may not be used toward lot area requirements. The area within any private street right-of-way, regardless of class or type of street shall not be included in any required yard space.
(Amd. 10-15-12)

2. *Access to government agency.* In any subdivision or other development where private streets are provided, the developer shall prepare for Planning and Inspections Department approval and record in the County Register of Deeds, a plat of such development indicating all private streets. It shall be indicated on such plat that any governmental agency or personnel or equipment thereof shall be granted perpetual access over all such private streets to accomplish or fulfill any service or function for which the agency is responsible and that any agency or organization designated by a governmental agency to perform a designated function shall also retain access the same as any governmental agency. It shall be indicated on such plat that any agency exercising its access rights shall have the same rights and only such liabilities as it would have on any public lands, rights-of-way or easements.

3. *Upgrading street classification.* If a division of the same or adjacent lands previously approved under this section occurs which could change the status of the street to A, B or public street classifications, the entire street must be upgraded to the applicable higher standard. The individual desiring to create the additional divisions of land shall be responsible for the upgrading of the streets to the higher classification after giving notice to and receiving agreement from the affected property owners.

4. *Minimum design specifications.* The following specifications shall be the minimum accepted for private streets and must be completed or guaranteed to be completed in accordance with Section 2502, prior to submission for final plat approval. In all subdivisions or other developments, minimum asphalt paving and/or base construction is required at least to the minimum standards of the NCDOT for residential streets.

a. *Class "A" private street specifications:*

- (1) All street construction, surfacing and drainage standards shall meet or exceed the NCDOT's design specifications for residential streets;
- (2) No area of any lot shall be included in the right-of-way easement;
- (3) Street(s) shall be maintained by an established owners' association, as approved by the County Attorney and supported by recorded legal documentation addressing a street maintenance agreement;
- (4) There is no limit to the number of lots to be served by this street classification;
- (5) Clearing and grubbing shall be completed five feet of each edge of the surfaced travel way; and
- (6) When curb and gutter sections are omitted, 45-foot right-of-way must

be provided.

b. *Class "B" private street specifications:*

- (1) All street construction and drainage standards shall meet or exceed the design specifications of the NCDOT for residential streets with a rural cross-section and with the appropriate amount of either "crusher run" or gravel as certified by a professional engineer and shall provide a minimum of a 45-foot right-of-way;
- (2) Street(s) shall be maintained by an established owners' association, as approved by the County Attorney and supported by recorded legal documentation addressing a street maintenance agreement;
- (3) All such private streets shall connect to a state-maintained road or an approved Class A private street;
- (4) Clearing and grubbing shall be completed five feet of each edge of the travel way;
- (5) May serve a maximum of eight lots; and
- (6) Group developments as approved under the terms of this ordinance shall be limited to a maximum of two units per lot. (*Amd. 12-19-11*)

c. *Class "C" private street specifications:*

- (1) A minimum passable travel way 20 feet wide shall be provided within a 30-foot easement;
- (2) An adequate drainage system shall be constructed in accordance with the storm drainage plan designed by the registered engineer/surveyor;
- (3) All such private streets must directly connect to a paved state-maintained road or a Class "A" private street;
- (4) May serve a maximum of four lots;
- (5) Group developments as approved under the terms of this ordinance shall be limited to a maximum of two units per lot;
- (6) Property lines shall be included in the street easement;
- (7) Clearing and grubbing will be completed five feet of each edge of the

travel way;

(8) *Repealed*; and

(9) Private streets approved under this classification shall be terminated with either a cul-de-sac or hammerhead (t-type) of sufficient size to afford emergency and other public vehicles adequate maneuvering area for turning around. (*Amd. 12-19-11*)

5. *Repealed*.

6. *Flag lots*. For Class "B" and "C" private streets, flag lots into the street right-of-way to the public street shall count as a lot being served for access purposes by such private street.

7. *Private street certification of construction*. Upon completion of construction of any private street and the related facilities including drainage ways, the developer shall provide for an inspection of all such facilities by a registered surveyor or engineer, who shall provide in writing a statement that all private streets and related facilities are constructed in accordance with the provisions of this ordinance and that all such facilities are adequate to serve the development. Such statement shall be affixed with the engineer's or surveyor's seal and submitted to the Planning and Inspections Department prior to the recording of the final plat or release of any construction guarantees as required under Section 2502. Upon receipt of the certification of construction and after the initial approval for recording of the final plat, the County has no enforcement responsibility as related to maintenance and encroachments within the right-of-way of any private street.

8. *Private street deed disclosure*. Every deed created for a lot served by a private street within the jurisdiction of this ordinance and to be filed with the County Register of Deeds shall include the following disclosure: "It is hereby acknowledged that a *Subdivision Streets Disclosure Statement* has been executed in accordance with N. C. GEN. STAT. § 136-102.6."

EXHIBIT "E"
SUBDIVISION WAIVER APPLICATION

TO THE CUMBERLAND COUNTY JOINT PLANNING BOARD,
FAYETTEVILLE, NORTH CAROLINA:

I (We), the undersigned, hereby submit this application, and petition the Cumberland County Joint Planning Board to waive [vary] certain adopted provisions of the County's Subdivision Ordinance as specified below and provided for under the terms of the Subdivision Ordinance. In support of this petition, the following facts are submitted:

LOCATION OF PROPERTY: Cape Fear Investments, LLC

OWNER: Kevin Riddle

ADDRESS: 7397 Riddle Road ST. Pauls ZIP CODE: 28384

TELEPHONE: HOME (910) 624-1152 WORK _____

AGENT: Jeff Riddle

ADDRESS: 5965 Hall Park Rd. Fay. NC 28306

TELEPHONE: HOME (910) 308-9336 WORK _____

APPLICATION FOR A WAIVER [VARIANCE]

As required by the Subdivision Ordinance

A. Parcel Identification Number (PIN #) of subject property: 0564-69-1265-
(also known as Tax ID Number or Property Tax ID) 0564-69-7117

B. Acreage: 4.75 Frontage: 200 Depth: 1115


C. Water Provider: Linden/Harnett Cty.

D. Septage Provider: Septic Tank

E. Deed Book 11839, Page(s) 840, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).

F. Existing and/or proposed use of property: Residential

G. Section and provision of the Cumberland County Subdivision Ordinance from which a waiver [variance] is requested:

~~Section 2601. B1C~~
2304.C Private Streets 

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

NC DOT has no issues with proposed 20' access. Staff asked.
Owner will upgrade entire 20' access to rear with joint access.
Owner will do 4 lots versus 5. South of project there are
20' accesses. Existing conditions allows 2 accesses. Will
provide access to property in rear with joint access.

STATEMENT OF ACKNOWLEDGEMENT

Regarding appearance before the Joint Planning Board, the undersigned owner(s), agents, or their assigns, by virtue of their signature(s) to this application, hereby acknowledge the following:

- That although appearance before the board is not required, it is strongly encouraged;
- The board will hear any and all arguments for and against this matter before them and such relevant facts will be given under sworn testimony;
- At the public hearing the board has the authority to issue a final approval or denial decision on this request, or defer the request for additional information to be provided;
- If the petitioner or the representative of this application does not appear personally before the board, whether there is opposition or not, the board has full authority to consider the case and defer, approve, or deny the case.
- If the board's action is to deny the matter before them, the course of appeal to the decision will be that of Cumberland County Superior Court. (Affected parties of the board's decision have 30 days from date of proper notification in which to serve notice of appeal).

Signed acknowledgement that the County Planning & Inspections Staff has explained the application process and procedures regarding this request and the public hearing procedure stated above and that the application is complete and accurate.



Property owner(s)' signature(s)

Kevin Riddle

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

7397 Riddle Road St. Pauls NC 28384

Complete mailing address of property owner(s)

(910) 624-1152

Telephone number

Alternative telephone number

riddle3653@gmail.com

Email address

FAX number

EXHIBIT "F"
SECTION 2601

SECTION 2601. WAIVERS.

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

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

In granting waivers through a quasi-judicial hearing and decision, the Planning Board may require such conditions as will secure, in so far as practicable, the objectives of the requirements waived. Any waiver, thus granted, is required to be entered in writing in the minutes of the Planning Board and the reasoning upon which departure was justified set forth. *(Amd. 6-21-21)*

EXHIBIT "G"
NCDOT STREET CLASSIFICATION SYSTEM

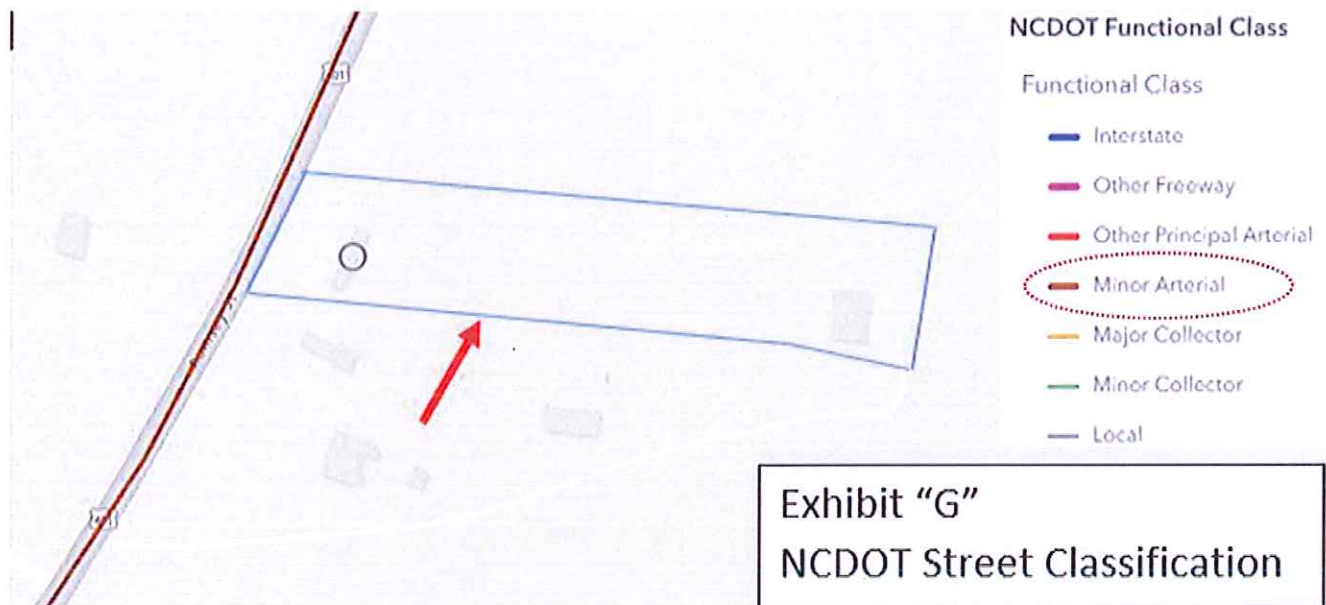
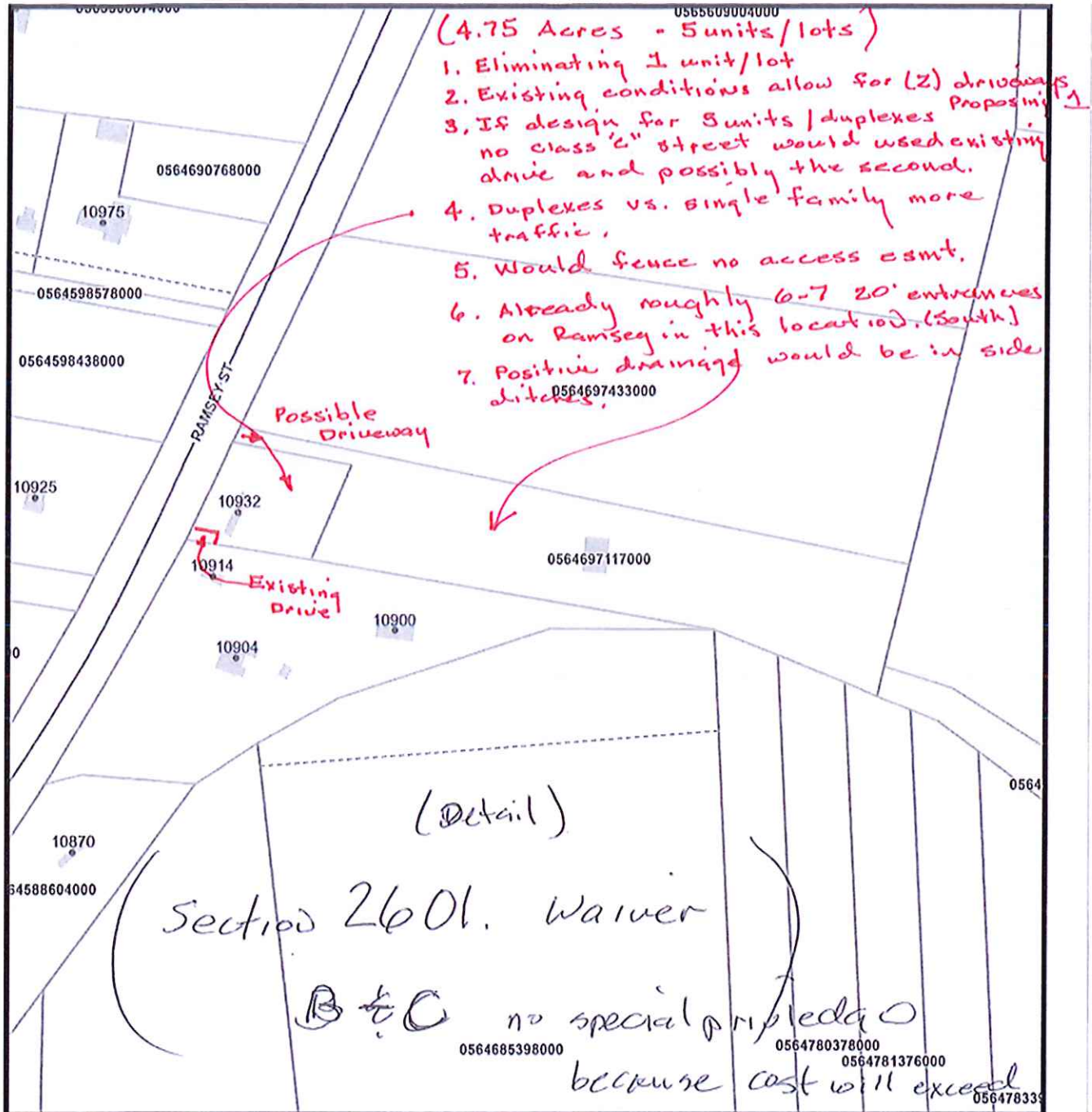


EXHIBIT "H"

APPLICANT'S RESPONSE



ATTACHMENT – MAILING LIST

CLEMENT, CHARLTON CLAY;CLEMENT,
CLAYTON GRAY
2501 DUNHAVEN DR
GARNER, NC 27529

DRUMM, PATRICIA LYNN
24914 STRAND DR
ALBEMARLE, NC 28001

AGS LAND LLC
1786 METROMEDICAL DR
FAYETTEVILLE, NC 28304

AGS LAND LLC
1786 METROMEDICAL DR
FAYETTEVILLE, NC 28304

AGS LAND LLC
1786 METROMEDICAL DR
FAYETTEVILLE, NC 28304

SARDIS CHURCH OF LINDEN INC
PO BOX 99
LINDEN, NC 28356

TOUHEY, JOHN M;TOUHEY, PAMELA C
10986 RAMSEY ST
LINDEN, NC 28356

CLIFTON, TODD CHANNEN;CLIFTON,
STEPHEN CRAIG
10904 RAMSEY ST
LINDEN, NC 28356

RAYNOR, SUE BRINSON
PO BOX 70
LINDEN, NC 28356

BABB, KENNETH RAY;BABB, TRAVIS ANN
10915 RAMSEY ST
LINDEN, NC 28356

CAPE FEAR INVESTMENT PROPERTIES LLC
7397 RIDDLE ROAD
ST PAULS, NC 28384

CAPE FEAR INVESTMENT PROPERTIES LLC
7397 RIDDLE ROAD
ST PAULS, NC 28384

ATTACHMENT – APPLICATION



AFFIDAVIT OF OWNERSHIP/AGENT AUTHORIZATION FORM

PROPERTY OWNER (Company or Individual): Kevin Riddle

MAILING ADDRESS: 7397 Riddle Road St. Pauls NC 28384

Officer's name and title: Kevin Riddle Owner

1. That I am (we are) owner's and record title holder(s) of the following described property legal description, to with:
2. That this property constitutes the property for which a request for (type of Application Approval Requested: Subdivision Varies
3. That the undersigned has (have) appointed and does (do) appoint Jeff Riddle as agent(s) to execute any petitions or other documents necessary to affect such petition, including development review time extension requests; and request that you accept my agent (s) signature as rep[resenting my agreement of all terms and conditions of the approval process;
4. That this affidavit has been executed to induce Cumberland County, North Carolina and act on the foregoing request;
5. That I, (we) the undersigned authority, hereby certify that the foregoing is true and correct.

K R Owner
Owner's Signature/Print Title

Owner's Signature/Print Title

Owner's Signature/Print Title

State of North Carolina
Cumberland County

The foregoing instrument was acknowledged before me by means of X physical presence or w/A online notarization, this 7 day of March (month), 2024 (year), by Kevin Riddle (name of person acknowledging) who is personally known to me or who has produced DL (type of identification) as identification.



Amanda K. Ozanich
Signature of Notary Public – State of North Carolina
(Print, Type or Stamp Commissioned Name Of Notary Public to the Left of Signature)

ATTACHMENT – PRELIMINARY PLAN APPLICATION
SUBDIVISION, GROUP DEVELOPMENT AND SITE PLAN
APPLICATION

CASE NUMBER ASSIGNED:

Check Applicable		Dated Held	
<input type="checkbox"/>	Pre-Submittal Sketch Meeting Held and Comments issued, with written response letter provided with changes for formal resubmittal prepared by Engineer of Record or Surveyor.		
	TYPE REVIEW	DATE SUBMITTED	FEE AMOUNT
<input type="checkbox"/>	SUBDIVISION (PRELIMINARY PLAN) <input checked="" type="checkbox"/> Subdivision with Improvements, one or more identified below (3) <input type="checkbox"/> Subdivision without improvements (4) <input type="checkbox"/> Variable Lot Line <input type="checkbox"/> Rec area provided in lieu of Rec Payment.		5 LOTS OR LESS: \$100 GREATER THAN 5 LOTS: \$250
<input type="checkbox"/>	SUBDIVISION (FINAL PLAT)** <input type="checkbox"/> Subdivision with Improvements, one or more identified below (3) <input type="checkbox"/> Subdivision without improvements (4) <input type="checkbox"/> Variable Lot Line <input type="checkbox"/> Claiming Vested Rights Zero Lot Line Status <input type="checkbox"/> Rec area provided in lieu of Rec Payment.		\$100 (EACH PHASE)
<input type="checkbox"/>	GROUP DEVELOPMENT PERMIT SITE PLAN		5 UNITS OR LESS: \$50 GREATER THAN 5 UNITS: \$200
<input type="checkbox"/>	NON-RESIDENTIAL SITE PLAN		\$150
<input type="checkbox"/>	WATERSHED		
	<input type="radio"/> LOW DENSITY WATERSHED PROTECTION PERMIT (2)		\$50
	<input type="radio"/> HIGH DENSITY DEVELOPMENT PERMIT (2)		\$150
<input type="checkbox"/>	EXTENSION/ADDITION		\$50
<input type="checkbox"/>	REVISION (1)		\$50
<input type="checkbox"/>	PARKS & OPEN SPACE FEE		CALCULATED AT FINAL PLAT

- (1) Written letter with explanation of changes from previous approval cloud all changes on new submission.
- (2) Please contact the watershed review officer for further separate application and submission requirements, if site is located in the watershed.
- (3) Subdivision with either one or more Improvements required per Subdivision Code or proposed: water/sewer utility extensions per Section 2306 1 b, required hydrants per Section 2306 B, and Fire Code, private streets (Class A/B/C) public streets, sidewalks, retention infrastructure/retention pond, clubhouse, recreational facilities, and required recreational areas (see Section 2308 A), clubhouse, off street parking with US Postal Kiosks, sidewalks, etc)
- (4) Subdivision without above improvements; proposing only on site well and septic, in accordance with Section 2303 Sub Section B, requires that lots not served by public water and/or sewer systems shall be large enough and of such physical character to meet County Environmental Health's minimum standards for on-site water and/or sewer systems.

Name of Development: Cape Fear Investments Properties, LLC

Parcel Identification Number(s): 0.564-69-¹²⁶⁵7117

Number of Lots/Units to be Approved: 4

Use of Property (Be Specific): Residential

Utility Provider Water (existing or proposed): Well ☐ PWC ☐ Other (Specify) X Linden water

Utility Provider Sewer (existing or proposed): Septic ☒ PWC ☐ Other (Specify) _____

APPLICANT MUST SUBMIT APPLICATION & ASSOCIATED PLAN IN ACCORDANCE WITH SUBMITTAL CHECKLIST, ZONING ORDINANCE AND SUBDIVISION ORDINANCE WHERE APPLICABLE.

"FOR ANY QUESTIONS, CALL PROJECT MANAGER OR 910-678-7627"

NOTE: THE APPLICANT IS RESPONSIBLE FOR ENSURING EASEMENTS WHICH MAY EXIST ON THE SUBJECT PROPERTY ARE "ACCOUNTED FOR AND SHOWN ON THE PLAN, NOT ENCUMBERED AND THAT NO PART OF THIS DEVELOPMENT IS VIOLATING THE RIGHTS OF THE EASEMENT HOLDER."

NOTE: AS OF 02/20/2023, SINGLE FAMILY SUBDIVISIONS WITH ZERO LOT LINE ARE NO LONGER ACCEPTED, UNLESS VESTING RIGHTS CAN BE DETERMINED AT THE TIME OF APPLICATION SUBMISSION.

*****Notice:**

A FINAL PLAT APPLICATION SHALL NOT BE APPROVED OR RELEASED TO A PLAT REVIEW OFFICER UNTIL THE DEVELOPER HAS SATISFIED THE FOLLOWING SITE INSPECTIONS:

1. CODE ENFORCEMENT SITE INSPECTION FOR COMPLIANCE WITH AN APPROVED PRELIMINARY PLAT OR SITE PLAN. *
2. FIRE MARSHAL SITE INSPECTION FOR INFRASTRUCTURE COMPLIANCE WITH FIRE CODE. *
3. PROJECT ENGINEER FOR DEVELOPER HAS SUBMITTED A CERTIFIED LETTER STATING THAT ALL UTILITIES AND ROADS COMPLY WITH THE COUNTY, NCDOT, AND STATE FIRE CODES.

(*) APPLICANT IS RESPONSIBLE FOR CONTACTING CURRENT PLANNING SENIOR ADMINISTRATIVE SUPPORT AT 910-678-7627, 5 DAYS IN ADVANCE, TO SCHEDULE A SITE INSPECTION BY THE CODE ENFORCEMENT OR THE FIRE MARSHAL.

ENSURE FIRE PROTECTION WATER SUPPLY REQUIREMENTS ARE MET IN ACCORDANCE WITH SECTION 507 OF THE 2018 NC FIRE CODE ADVANCE COORDINATION AND CONTACT IS REQUIRED AT PRELIMINARY PLAN AND SITE PLAN SUBMITTAL AND AFTER APPROVAL IS ISSUED. SUBMIT BUILDING PLANS TO SCALE FOR ANY NEW CONSTRUCTION AND/OR BUILDING RENOVATION. SUBMIT PLANS FOR ANY PERMITS REQUIRED IN SECTION 105 OF THE 2018 NC FIRE CODE. ENSURE ALL FIRE DEPARTMENT ACCESS REQUIREMENTS ARE MET IN ACCORDANCE WITH SECTION 503 OF THE 2018 NC FIRE CODE. FOR QUESTIONS OR ASSISTANCE WITH KNOX BOX PURCHASE FOR EMERGENCY ACCESS ROADS, CONTACT THE FIRE MARSHAL'S OFFICE FOR QUESTIONS CONTACT THE FIRE MARSHAL'S OFFICE AT (910) 321-6737. THE APPLICANT IS ADVISED TO CONTACT AND COORDINATE WITH THE FIRE DEPARTMENT. CONSTRUCTION PLAN MAY BE REQUIRED FOR REVIEW BY THE FIRE MARSHAL.

STREET SIGNS. ALL STREETS WITHIN A DEVELOPMENT SHALL BE MARKED WITH A STREET NAME SIGN OF A DESIGN SPECIFICATION AND LOCATION IN ACCORDANCE WITH THE CUMBERLAND COUNTY STREET SIGN SPECIFICATIONS MANUAL AND APPROVED BY THE PLANNING & INSPECTIONS DEPARTMENT. THAT STREET NAME SIGNS SHALL BE INSTALLED PRIOR TO FINAL PLAT APPROVAL.

NOTE : THE DEVELOPER IS RESPONSIBLE FOR CONTACTING OTIERIA GREEN, FOR STREET NAMING AT 910-678-7665 INFORMING IF APPLICANT IS INSTALLING OR REQUESTING THE COUNTY TO INSTALL STREET NAME SIGNS; AND IF DEVELOPER INSTALLS THE SIGNS, IT MUST BE TO SAME SPECIFICATIONS. ADDITIONALLY, IF THE COUNTY IS INSTALLING THE STREET NAME SIGN, A FEE WILL BE REQUIRED (PLEASE CONTACT OTIERIA GREEN TO FILL OUT WORK ORDER ON BEHALF OF THE APPLICANT AND APPLICANT WILL BE BILLED). ONCE THE STREET NAME SIGNS ARE INSTALLED BY THE APPLICANT, A REQUEST BY THE APPLICANT MUST BE MADE TO OTIERIA GREEN TO SCHEDULE AN INSPECTION OF SAID SIGN(S) AND NOTICE OF A SATISFACTORY INSPECTION MUST BE RECEIVED BY CURRENT PLANNING ASSIGNED PROJECT MANAGER HANDLING CASE PRIOR TO THE APPROVAL OF THE FINAL PLAT.

Do you wish the County to install street signs at a fee if required? YES ☐ NO ☒
*IF YES, PLEASE CONTACT OTIERIA GREEN AT 910-678-7665.

Signature: _____ Date: _____

Cape Fear Investment Properties, LLC
NAME OF DEVELOPER(S)/OWNER(S)

7397 Riddle Road St. Rob NC 28384
ADDRESS OF DEVELOPER(S)/OWNER(S)

(910) 624-1152
CONTACT INFORMATION (PHONE & EMAIL)

Jeff Riddle
NAME OF AGENT, APPLICANT

ADDRESS OF AGENT, APPLICANT

910-624-1152
CONTACT INFORMATION (PHONE & EMAIL)

Jeff Riddle Cape Fear Investment Properties
SIGNATURE(S) OF OWNER(S)

SIGNATURE(S) OF OWNER(S)

Jeff Riddle
SIGNATURE OF AGENT, APPLICANT

AFFIDAVIT OF OWNERSHIP/AGENT AUTHORIZATION FORM

PROPERTY OWNER (Company or Individual): Cape Fear Inv. Properties, LLC

MAILING ADDRESS: 7397 Riddle Road St Pauls NC 28384

Officer's name and title: Kevin Riddle owner

1. That I am (we are) owner's and record title holder(s) of the following described property legal description, to with:
2. That this property constitutes the property for which a request for (type of Application Approval Requested): _____
3. That the undersigned has (have) appointed and does (do) appoint _____ as agent(s) to execute any petitions or other documents necessary to affect such petition, including development review time extension requests; and request that you accept my agent (s) signature as representing my agreement of all terms and conditions of the approval process;
4. That this affidavit has been executed to induce Cumberland County, North Carolina and act on the foregoing request;
5. That I, (we) the undersigned authority, hereby certify that the foregoing is true and correct.

[Signature] Cape Fear Investment Properties
Owner's Signature

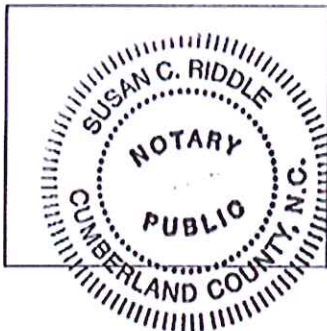
Owner's Signature

Owner's Signature

State of North Carolina

Cumberland County

The foregoing instrument was acknowledged before me by means of X physical presence or _____ online notarization, this 5 day of February (month), 2024 (year), by Susan C. Riddle (name of person acknowledging) who is personally known to me or who has produced License (type of identification) as identification.



[Signature]
Signature of Notary Public – State of North Carolina
(Print, Type or Stamp Commissioned Name of Notary Public to the Left of Signature)