

**Clarence Grier**  
County Manager

**Sally Shutt**  
Assistant County  
Manager



**Rawls Howard**  
Director

**David Moon**  
Deputy Director

## **CUMBERLAND COUNTY JOINT PLANNING BOARD**

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

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

#### **REZONING CASES**

- A. **Case # ZNG-006-24: Rezoning of 4.65 +/- acres from R7.5 to RR Rural Residential or to a more restrictive zoning district, located at 5462 River Rd REID 0414737238000 & 5401 Pinecrest Dr REID 041472896000, submitted by Aaron Hargrove (owner). (Hope Mills)**
- B. **Case # ZNG-007-24: Initially Zone 14.89 +/- acres to R5A Residential or to a more restrictive zoning district, located at the dead end of Afton Ave REID 0424246561000, submitted by Smith Site Consultants, PLLC (agent) on behalf of Duggins Southview Holdings, LLC (owners). (Hope Mills)**
- C. **Case # ZNG-008-24: Rezone 8.61 +/- acres from PND to R5A Residential or to a more restrictive zoning district, located at the dead end of Dunrobin Dr REID 0424246561000, submitted by Smith Site Consultants, PLLC (agent) on behalf of Duggins Southview Holdings, LLC (owners). (Hope Mills)**
- D. **Case # ZNG-009-24: Initially Zone 4.96 +/- acres to C(P)/CZ Planned Commercial District with Conditional Zoning or to a more restrictive zoning district, located at 5956 Camden Rd & empty lot on the northeast corner of Camden Rd & Ellis Jackson Rd REIDs 0404689083000 & 0407822177000, submitted by Greg Stewart (agent) on behalf of Rhetson Companies, Inc (owners). (Hope Mills)**
- E. **Case # ZON-24-0025: Rezoning from C(P) Planned Commercial District to C(P)/CZ Planned Commercial District Conditional Zoning or to a more**

**restrictive zoning district for two parcels comprising 6.21 +/- acres; located at 3123 Murphy Road and a portion of an abutting parcel along Murphy Road, submitted by Andy Priolo (Agent) on behalf of Lamar Investments LLC and AOM Investments LLC (Owners). (Eastover)**

- F. Case # ZON-24-0027: Rezoning from A1 Agricultural District to R40A Residential District or to a more restrictive zoning district for one parcel comprising 1.95 +/- acres; located at 4266 Sids Mill Rd, submitted by Larry Edwards (Agent/Owner).**

#### **VIII. PUBLIC MEETING CONTESTED ITEMS**

##### **REZONING CASES**

- G. Case # ZON-24-0023: Rezoning from R6A Residential District to RR Rural Residential District or to a more restrictive zoning district for two parcels comprising 3.74 +/- acres; located at 393 Brooklyn Circle and 209 Hulon Street, submitted by Michael Adams (Agent) on behalf of Guillermo Romo (Owner).**

#### **IX. PUBLIC MEETING ITEM**

#### **X. DISCUSSION**

#### **H. SUBDIVISION ORDINANCE UPDATE**

#### **XI. ADJOURNMENT**

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



**PLANNING AND INSPECTIONS DEPARTMENT**

**MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF AUGUST 20, 2024**

**TO: JOINT PLANNING BOARD**

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

**DATE: 8/20/2024**

**SUBJECT: CASE # ZNG-006-24: REZONING OF 4.65 +/- ACRES FROM R7.5 TO RR  
RURAL RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING  
DISTRICT, LOCATED AT 5462 RIVER RD REID 0414737238000 & 5401  
PINECREST DR REID 041472896000, SUBMITTED BY AARON  
HARGROVE (OWNER). (HOPE MILLS)**

**ATTACHMENTS:**

Description

ZNG-006-24

Type

Backup Material



## STAFF REPORT

REZONING CASE# ZNG-006-2024

Planning Board Meeting: 8-20-2024

Hope Mills Board Meeting: 9-16-2024

Address: 5462 River Rd & 5401 Pinecrest Dr

### ZONING REQUEST: Rezoning to RR Rural Residential

The Town of Hope Mills staff received an application, requesting rezoning for 4.65 +/- acres of land tied to parcel identification numbers 0414-73-7238 & 0414-72-8960. The subject property is adjacent to the Little Rockfish Creek, across the street from Hope Mills Methodist Church and across the street from single family homes that are zoned R7.5 Residential as well as located 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:

Aaron Hargrove (owner/applicant)

**ADDRESS/LOCATION:** 5462 River Rd & 5401 Pinecrest Dr; REIDs 0414737238000 & 0414728960000. For additional Information on the site location, refer to Exhibit "A"

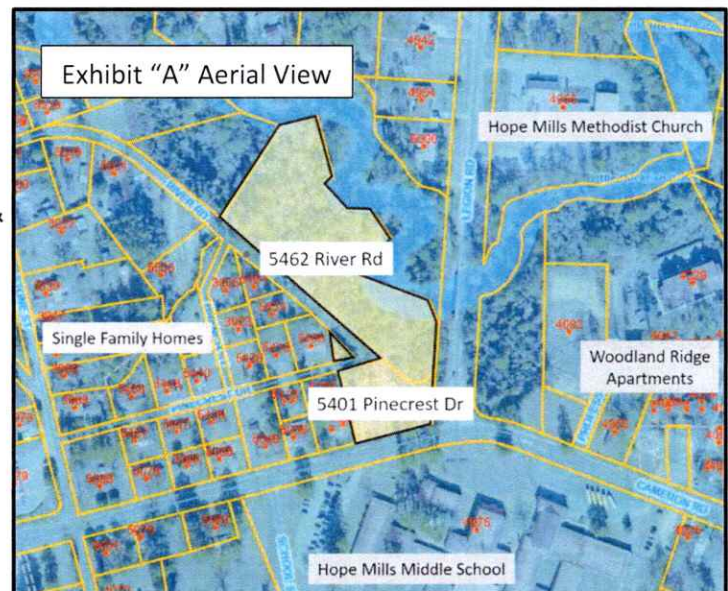
**SIZE:** As stated above, the subject property 4.65 acres in size with varying lengths of depth is being looked at today.

**EXISTING ZONING:** The subject property is currently zoned under R7.5 Residential

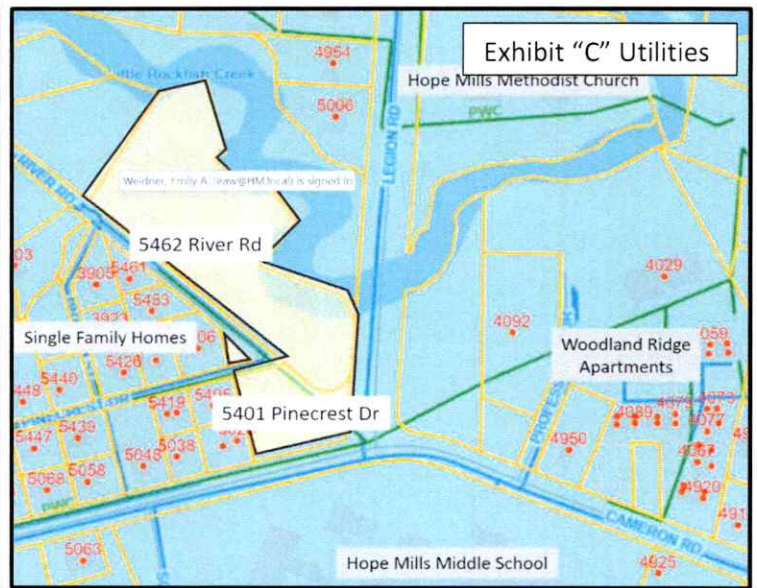
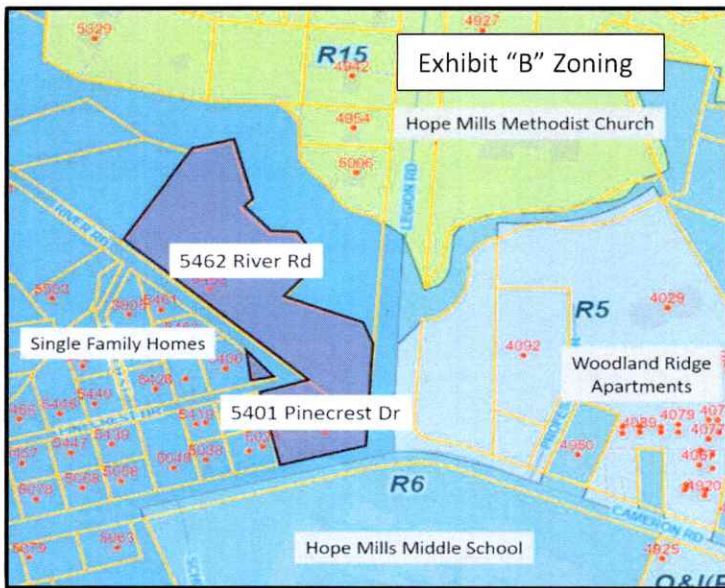
District with the area to the immediate east being adjacent to the Creekside Apartments, currently zoned at R5 Residential. The area to the immediate west all single-family homes, zoned R7.5 Residential. Other areas nearby include the Hope Mills Middle School, which is zoned within the R6 Residential 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.



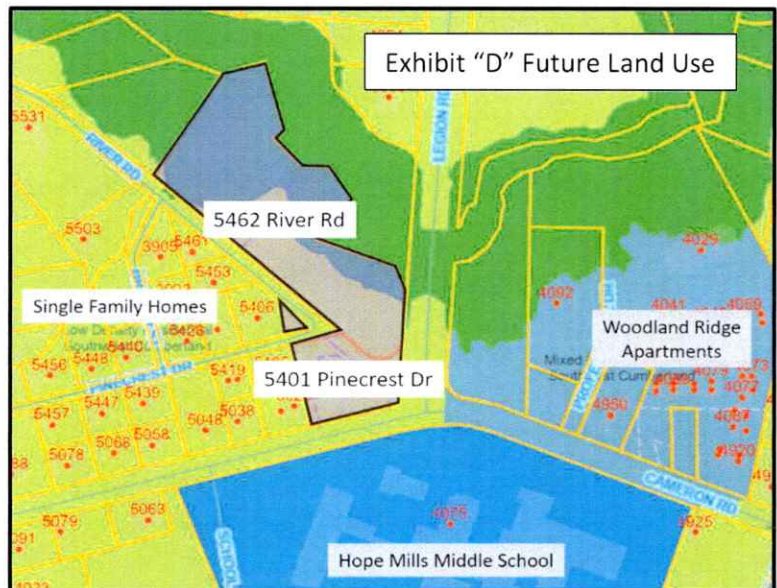




**DEVELOPMENT REVIEW:** The development of this property will require a site plan and development review.

#### COMPREHENSIVE DEVELOPMENT PLANS:

This site is located within the Southwest Cumberland Land Use Plan area (2013) and is designated as both "Low Density Residential" and "Open Space." It is to be noted that the zoning classification, RR Rural Residential intended principal use of the land is for low-density residential and agricultural purposes. 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 and Floodplain Permit Application. This is not located in the Airport Overlay District.

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

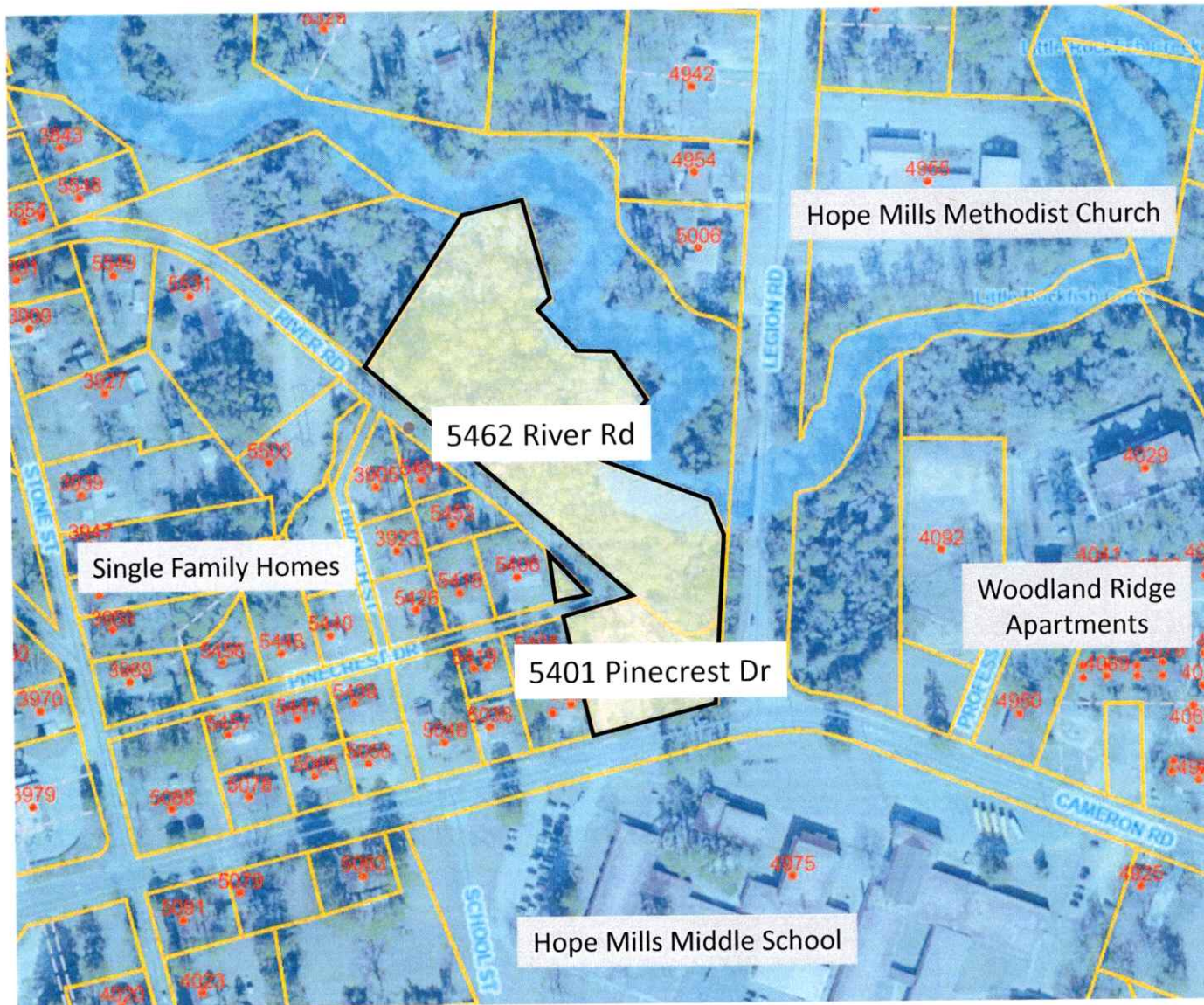
**SPECIAL OVERLAY DISTRICTS:** The subject property is not located within the boundaries of the Airport Overlay District.

**CODE DEVIATIONS:** None.

<b>STAFF RECOMMENDATION</b>
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In ZNG-006-24, the Town of Hope Mills Planning staff **recommends approval** of the rezoning request to the RR Rural Residential district and finds that this request is consistent with the Southwest Cumberland Land Use Plan (2013) designation as RR Rural Residentials intended principal use of the land is for low-density residential and agricultural purposes, it does complement the future vision of the Town of Hope Mills in regards to indicated 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-006-24

ZONING BOARD  
MEETING DATE: 8/20/24

DATE APPLICATION  
SUBMITTED: 7/1/24

RECEIPT NO.: R00025447

RECEIVED BY: GNW

### **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 R10 to RR

*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: **5462 River Road and 5401 Pinecrest Drive**

3. Parcel Identification Number (PIN #) of property: **0414728960** and  
(also known as Tax ID Number or Property Tax ID) **0414737238**

4. Acreage: 4.65 Frontage: 1302 ft Depth: \_\_\_\_\_

5. Water Provider: Well: \_\_\_\_\_ PWC: ☒

6. Septage Provider: Septic Tank \_\_\_\_\_ PWC ☒ Other (name) \_\_\_\_\_

7. Deed Book \_\_\_\_\_, Page(s) \_\_\_\_\_ Cumberland County Register of Deeds. (Attach copy of deed of subject property as it appears in Registry).

8. Existing use(s) of property: **Rural Undeveloped Wooded Land**

9. Proposed use(s) of the property: **Primary Residence and Agriculture using Greenhouses**

10. Do you own any property adjacent to, including across the street from, the property being submitted for rezoning? Yes \_\_\_\_\_ No ☒  
If yes, where? \_\_\_\_\_

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.

**Aaron Hargrove**

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

**725 Middle Bridge Drive Apt# 26 Fayetteville, NC 28303**

Complete mailing address of property owner(s)

**347-971-8233**

Telephone number

Alternative telephone number

**aaroneliot1@gmail.com**

E-mail address

Fax number

Agent, attorney, or applicant (other than property owner) (print or type)

Complete mailing address of agent, attorney, or applicant

Telephone number

Alternative telephone number

E-mail address

Fax number

Owner's signature

Owner's signature


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

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

1 INCH = 60 FEET

STATE OF NORTH CAROLINA  
COUNTY OF SUMMIT  
PLAT REVIEW OFFICE OF  
CUMBERLAND COUNTY, CERTIFY THAT THE PLAT TO WHICH THIS  
CERTIFICATE IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS  
FOR RECORDATION.  
(SEAL) *TH 15 11*  
PLAT REVIEW OFFICER *3/13/20* DATE

GRAPHIC SCALE



1 INCH = 60 FEET



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FILED	Sep 13, 2022
AT	12:05:22 PM
BOOK	11570
START PAGE	0237
END PAGE	0242
INSTRUMENT #	36901
RECORDING	\$26.00
EXCISE TAX	\$0.00

REVENUE: \$0.00  
Tax ID No.: 0414-73-7330

This instrument was prepared by: Susan R. Benoit, Esq.  
WHEN RECORDED RETURN TO: Hutchens Law Firm LLP

File # RAM1335506

STATE OF NORTH CAROLINA

QUIT CLAIM DEED

COUNTY OF CUMBERLAND

THIS DEED, made and entered into this 23rd day of August, 2022, by and between

GRANTOR	GRANTEE
George H. Johnson, whose mailing address is 100 E. Ocean View Avenue, Unit 308, Norfolk, VA 23503	Aaron Hargrove, whose mailing address is 725 Middle Bridge Drive Apt. 26 Fayetteville NC 28303

WITNESSETH:

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.

That the Grantor, for valuable consideration paid by Grantee, the receipt of which is hereby acknowledged, has remised and released and by these presents does remise, release, convey, and forever quitclaim unto the party of the second part and his successors and assigns all right, title, claim and interest of the said party of the first part in and to a certain lot or parcel of land lying and being in the county of Cumberland, North Carolina, and more particularly described as follows:

Being all that property described on Plat recorded in Book 148 page 162 Cumberland County Registry entitled "Boundary Survey Aaron Hargrove". See also attached Exhibit A for metes and bounds description of the same.

Submitted electronically by "Hutchens Law Firm LLP"  
in compliance with North Carolina statutes governing recordable documents  
and the terms of the submitter agreement with the Cumberland County Register of Deeds.



SUBJECT, HOWEVER, to all taxes, special assessments and prior liens or encumbrances of record against said property and any recorded easements.

THE PREPARER OF THIS DOCUMENT DID NOT PERFORM ANY TITLE EXAMINATION OR CONDUCT A CLOSING ASSOCIATED WITH THIS INSTRUMENT. PREPARER DRAFTED THIS DOCUMENT BASED ON INFORMATION PROVIDED TO PREPARER BY THE PARTIES TO THE TRANSACTION. THEREFORE PREPARER MAKES NO CERTIFICATION NOR GIVES A LEGAL OPINION REGARDING TITLE TO THE PROPERTY. FURTHER, PREPARER PROVIDES NO LEGAL OPINION REGARDING TAX CONSEQUENCES TO GRANTOR OR GRANTEE.

To have and to hold the aforesaid lot or parcel of land and all privileges thereunto belonging to the Grantee, their successors, heirs or assigns, free and discharged from all right, title, claim or interest of the Grantor or anyone claiming by through or under Grantor.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be signed and sealed the day and year first above written.

The property herein was not the principal residence of Grantor.

  
George H. Johnson

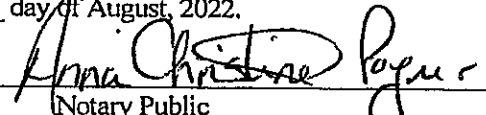
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STATE OF Virginia

COUNTY OF Norfolk

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

WITNESS my hand and official stamp or seal, this 23<sup>rd</sup> day of August, 2022.

  
Notary Public

My Commission Expires: 03/31/2023





## EXHIBIT A

Parcel ID No.:0414-73-7330

Street Address: 5462 River Road, Hope Mills, NC 28348

## A 4.27+/- (Lot Area -1) Acres Tract

**Rockfish Township, Cumberland County, North Carolina**

Bounded on the North by Little Rockfish Creek, and now or formerly, Indoor Warehouse Storage, LLC as recorded in Cumberland County Registry in deed book 10976, at page 799.

Bound on the East by Legion Road, a 100' public right of way. Bounded on the South by Cameron Road, a 50' public right of way, and River Road, a 30' public right of way. Bound on the West by, now or formerly, Biju George as recorded in said Registry in deed book 10212, at page 500, now or formerly, Laura Gose as recorded in said Registry in deed book 8552, at page 490, now or formerly, Joseph and Adelina Saunders as recorded in said Registry in deed book 8016, at page 698, and being more particular described as follows:

Commencing at an existing iron rod on the northern right of way line of Cameron Road, a 30' public right of way, said existing iron rod being the southeastern property corner of, now or formerly, Wilton and Karen Jackson as recorded in Cumberland County Registry in deed book 2524, at page 672. Thence leaving said existing iron rod and running with the northern right of way line of Cameron Road, a 30' public right of way, N 78°00' 00" E 579.44. to an existing 1/2" iron pipe, **The Point of Beginning**. Thence leaving said northern right of way line and running with the common property line with, now or formerly, Biju George as recorded in said Registry in deed book 10212, at page 500, and Laura Gose as recorded in said Registry in deed book 8552, at page 490, N 12° 01' 10" W 190.30' to a 3/4" iron pipe set on the southern right of way line of Pinecrest Drive, a 30' public right of way, passing over an 1/2" existing iron pipe at 98.38', said 1/2" existing iron pipe being the southeast corner of said Gose Lot. Thence leaving said common property line and running with the southern right of way line of Pinecrest Drive, a 30' public right of way, N 78° 29' 22" E 116.27' to a 3/4" iron pipe set at the intersection of southern right of way line of Pinecrest Drive; a 30' public right of way, and the northern right of way line of River Road, a 30' public right of way. Thence leaving said southern right of way line and running with the northern right of way line of River Road, a 30' public right of way, N 46° 46' 10" W 290.28' to a 3/4" iron pipe set at the southeast corner of CT&T Easement as recorded in said Registry in deed book 5319, at page 568. Thence continuing with said northern right of way line N 46° 46' 10" W 60.00' to an existing 1/2" iron rod found, said iron rod being the southwest corner of said CT&T Easement. Thence continuing with said northern right of way line, N 46° 46' 10" W 193.98' to a 3/4" iron pipe set. Thence leaving said northern right of way line and running with the common property line with, now or formerly, Joseph and Adelina Saunders as recorded in said Registry in deed book 8016, at page 698, N 35°00' 00" E 277.67' to a 3/4" iron pipe set at the existing top bank of Little Rockfish Creek. Thence with the western top of bank of Little Rockfish Creek as it meanders with a tie line of N 76° 02' 52" E 97.09' to a 3/4" iron pipe set on the existing top of bank. Thence continuing with the western top of bank of Little Rockfish Creek as it meanders with a tie line of S 13° 00' 38" E 162.95' to a 3/4" iron pipe set on the existing top of bank. to a 3/4" iron pipe set on the existing top of bank. S 60° 28' 37" W 27.83' to a 3/4" iron pipe set on the existing top of bank. Thence continuing with the western top of bank of Little Rockfish Creek as it meanders with a tie line of S 41° 00' 28" E 89.57' to a 3/4"

iron pipe set on the existing top of bank. Thence continuing with the western top of bank of Little Rockfish Creek as it meanders with a tie line of S 85° 23' 47" E 58.29' to a ¾" iron pipe set on the existing top of bank. Thence continuing with the western top of bank of Little Rockfish Creek as it meanders with a tie line of S 32° 59' 23" E 85.41' to a ¾" iron pipe set on the existing top of bank. Thence continuing with the western top of bank of Little Rockfish Creek as it meanders with a tie line of S 41° 25' 01" W 122.67' to a ¾" iron pipe set on the existing top of bank. Thence continuing with the western top of bank of Little Rockfish Creek as it meanders with a tie line of S 68° 01' 30" E 185.11' to a ¾" iron pipe set on the existing top of bank. Thence continuing with the western top of bank of Little Rockfish Creek as it meanders with a tie line of S 20° 15' 07" E 67.53' to a ¾" iron pipe set on the existing top of bank and the western right of way line with Legion Road, a 100' public right of way. Thence leaving said top bank as it meanders and running with the western right of way line of Legion Road, a 100' public right of way, S 06° 46' 49" W 253.12' to a ¾" iron pipe set at the intersection of said western right of way line and the northern right of way line of Cameron Road, a 50' public right of way. Thence leaving said western right of way line and running with the northern right a way line of Cameron Road, a 50' public right of way, S 78° 00' 00" W 195.37' to The Point of Beginning containing 4.13 Acres more or less.

#### Lot Area 2

#### A 0.05 +/- Acre Tract

Bounded on the North and East by River Road, a 30' public right of way. Bound on the South by Pinecrest Drive, a 30' public right of way. Bound on the west by, now or formerly, Stephen Marble as recorded in Cumberland County Registry in deed book 9903, at page 368 and more particularly described as follows:

Commencing at an existing iron rod on the northern right of way line of Cameron Road, a 30' public right of way, said existing iron rod being the southeastern property corner of, now or formerly, Wilton and Karen Jackson as recorded in Cumberland County Registry in deed book 2524, at page 672. Thence leaving said existing iron rod and running with the northern right of way line of Cameron Road, a 30' public right of way, N 78° 00' 00" E 579.44' to an existing ½" iron pipe. Thence leaving said northern right of way line and running with the common property line with, now or formerly, Biju George as recorded in said Registry in deed book 10212, at page 500, and Laura Gose as recorded in said Registry in deed book 8552, at page 490, N 12° 01' 10" W 190.30' to a ¾" iron pipe set on the southern right of way line of Pinecrest Drive, a 30' public right of way, passing over an ½" existing iron pipe at 98.38', said ½" existing iron pipe being the southeast corner of said Gose Lot. Thence leaving said southern right a way line and running across said Pinecrest Drive, a 30' public right of way, N 12° 01' 10" W 33.80' to a ¾" iron pipe

set on the northern right of way line of said Pinecrest Drive, **The Point of Beginning**. Thence leaving said northern right of way line and running with the common property line with, now or formerly, Stephen Marble as recorded in the Cumberland County Registry in deed book 9903, at page 368, N 12° 01' 10" W 83.88' to an ½" iron pipe found on the southern right of way line of River Road, a 30' public right of way. Thence leaving said common property line and running with the southern right of way line of said River Road, S 42° 15' 57" E 95.99' to an ½" iron pipe found at the intersection of the southern right of way line of River Road, a 30' public right of way and the northern right of way line of Pinecrest Drive, a 30' public right of way. Thence leaving said southern right of way line and running with the northern right of way line of said Pinecrest Drive S 76° 50' 12" W 48.36' to **The Point of Beginning** containing 0.05 Acre more or less.

### **Cemetery Tract**

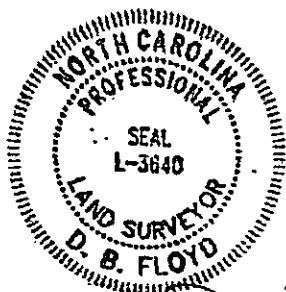
#### **A 0.15+/- Acre Tract**

#### **A Portion of Tract Area 1, described hereon**

Bounded on the North, East, South and West by, now or formerly, Andrew and Louise Johnson as recorded in Cumberland County Registry in deed book 517, at page 219, and more particular described as follows:

Commencing at an existing iron rod on the northern right of way line of Cameron Road, a 30' public right of way, said existing iron rod being the southeastern property corner of, now or formerly, Wilton and Karen Jackson as recorded in Cumberland County Registry in deed book 2524, at page 672. Thence leaving said existing iron rod and running with the northern right of way line of Cameron Road, a 30' public right of way, N 78° 00' 00" E 579.44' to an existing ½" iron pipe. Thence leaving said northern right of way line and running with the property with, now of formerly, Biju George, as recorded in Cumberland County Registry in deed book 10212, at page 500, N 12° 01' 10" W 98.38' to an ½" iron pipe found. Thence leaving said property line and running with the tie line S 84° 02' 55" E 26.69' to a point on the perimeter boundary of Cemetery Tract, **The Point of Beginning**. Thence with the perimeter boundary of Cemetery Tract N 04° 05' 48" W 36.74' to a point. Thence continuing with Cemetery perimeter boundary N 40° 54' 12" E 36.74' to a point. Thence continuing with Cemetery perimeter boundary N 85° 54' 12" E 36.74' to a point. Thence continuing with Cemetery perimeter boundary S 49° 05' 48" E 36.74' to a point. Thence continuing with Cemetery perimeter boundary S 04° 05' 48" E 36.74' to a point. Thence continuing with Cemetery perimeter boundary S 40° 54' 12" W 36.74' to a point. Thence continuing with Cemetery perimeter boundary S 85° 54' 12" W 36.74' to a point. Thence continuing with Cemetery perimeter boundary N 49° 05' 48" W 36.74' to **The Point of Beginning** containing 0.14 Acre more or less, together with 20' access easement for exclusive use with Cemetery, described below:

Commencing at The Point of Beginning of the above-described Cemetery Tract, thence S 49° 05' 48" E 11.67' to a point on perimeter boundary of Cemetery Tract, **The Point of Beginning** of 20' access easement for exclusive use with above-described Cemetery Tract. Thence leaving said perimeter boundary and running S 77° 58' 50" W 32.43' to a point in property line with, now or formerly, Biju George as recorded in Cumberland County Registry in deed book 10212, at page 500. Thence with property line S 12° 01' 10" E 60.83' to an 1/2" iron pipe found on the northern right of way of Cameron Road, a 50' public right of way. Thence with said northern right of way line, N 78° 00' 00" E 20.00' to a point. Thence leaving said northern right of way line and running N 12° 01' 10" W 60.83' to a point. Thence N 77° 58' 50" E 27.54' to a point on the perimeter boundary of Cemetery Tract. Thence running with the perimeter boundary of Cemetery Tract N 49° 05' 48" W 25.07' to The Point of Beginning 0.05 Acre more or less.



*D. B. Floyd*  
7-20-22



Town of Hope Mills  
5770 Rockfish Road  
Hope Mills, NC 28348

Receipt Number: R00025447

Cashier Name: Whitney Martinez

Terminal Number: 1

Receipt Date: 7/1/2024 12:21:57 PM

Tran. Code: 103651 - Zoning Petitions

Name: AARON HARGROVE

\$600.00

Zoning Petitions \$600.00

Payment Method: Check

Payor: AARON HARGROVE

Reference: 5303393277

Total Amount Applied: \$600.00

Amount: \$600.00

Total Payment Received: \$600.00

Change: \$0.00

GL Distribution:	Account Number	Account Name	Amount
	10-3651	ZONING PETITIONS	600.00
		Total Distribution Amount:	600.00



**Jessie Bellflowers**  
Mayor

**Chancer F. McLaughlin**  
Town Manager



**Kenjuana McCray**  
Mayor Pro-Tem

**Emily AV Weidner**  
Director

August 2, 2024

Aaron Hargrove  
725 Middle Bridge Dr  
Fayetteville, NC 28303

Dear Aaron Hargrove,

The Joint Planning Board of Cumberland County will hold a public meeting on August 20, 2024, beginning at 6:00 p.m. or shortly thereafter, in Court Room 3 on the 2<sup>nd</sup> floor of the Old Historic Court House Building, located at 130 Gillespie Street, Fayetteville, NC and will consider the following:

**Case ZNG-006-24:** Rezoning of 4.65 +/- acres from R7.5 to RR Rural Residential or to a more restrictive zoning district, located at 5462 River Rd REID 0414737238000 & 5401 Pinecrest Dr REID 041472896000, submitted by Aaron Hargrove (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  
Planning & Economic Development Director

Cc: Adjacent Property Owners

Owner	Street	City	State	Zip
Joseph Saunders Trustee & Adelina Saunders Trustee	6531 Bagdad Rd	Fayetteville	NC	28304
Indoor Warehouse Storage, LLC & Bearskin Holdings, LLC	PO Box 715	Hope Mills	NC	28348
Biltmore Construction Co, Inc	4379 Cameron Rd	Hope Mills	NC	28348
Cumberland County Board of Education	PO Box 2357	Fayetteville	NC	28302
ABM Assets LLC	5604 Shady Pine Ct	Hope Mills	NC	28348
Laura Lee Gose	5405 Pinecrest Dr	Hope Mills	NC	28348
Stephen Richard Marble	5406 Pinecrest Dr	Hope Mills	NC	28348
Darraid Ray & Mildred Diane Wells	5453 River Rd	Hope Mills	NC	28348
Douglas & Shellie Bennett	10940 Hamilton Club Dr Apt 103	Raleigh	NC	27617
Thomas Manor, LLC	2221 Taylor Made Dr	Hope Mills	NC	28348
David Fahrendholz	5503 River Rd	Hope Mills	NC	28348

## Emily Weidner

---

**From:** Ashley Wyatt  
**Sent:** Friday, July 12, 2024 12:47 PM  
**To:** Emily Weidner  
**Subject:** RE: Request for Comments for ZNG-006-24

No comments.

In Service,



Ashley S. Wyatt  
MMC, NCCMC  
Town Clerk

5770 Rockfish Road  
Hope Mills, NC 28348  
☎ (910) 424-4555

📧 [TownofHopeMills.com](http://TownofHopeMills.com)



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---

**From:** Emily Weidner <eaweidner@townofhopemills.com>  
**Sent:** Tuesday, July 2, 2024 6:10 PM  
**To:** Adrian Jones <adrianjones@cumberlandcountync.gov>; Amy Hall <ahall@cumberlandcountync.gov>; Ashley Wyatt <awyatt@townofhopemills.com>; Barry Roberts <barroberts@cumberlandcountync.gov>; Bruce Clark <bclark@townofhopemills.com>; Chancer McLaughlin <cmclaughlin@townofhopemills.com>; Corey Lawson <cslawson@cumberlandcountync.gov>; Dan Hartzog <dhartzogjr@hartzoglawgroup.com>; Deontae Watson <deontaewatson@fayettevillenc.gov>; Don Sisko <dsisko@townofhopemills.com>; Duke Pickler <duke-pickler@duke-energy.com>; Ehsan Momeni <emomeni@cumberlandcountync.gov>; Elisabeth Brown <eabrown@townofhopemills.com>; Fayetteville Airport <airport@ci.fay.nc.us>; Gene Booth <wbooth@cumberlandcountync.gov>; Hank Graham <hgraham@cumberlandcountync.gov>; Jennifer Way <Jennifer.L.Way@usps.gov>; Kelvin Raiford <kraiford@cumberlandcountync.gov>; Kenneth Tatum <ktatum@townofhopemills.com>; Leland Cottrell <leland.cottrell@ncdenr.gov>; Lori Britt <lori.britt@ncdenr.gov>; Matthew Cain <mbcain@townofhopemills.com>; Michael Gibson <mgibson@ci.fay.nc.us>; Mike Rutan <mrutan@mccog.org>; Mike Zylka <mzylka@cumberlandcountync.gov>; Misty Manning <misty.manning@faypwc.com>; Otieria Green <ogreen@cumberlandcountync.gov>; RLUAC Executive Director <director@rluac.com>; Rob Patton <Patton@fayedc.com>; Rob Schob <rschob@cumberlandcountync.gov>; Robert Carter <rcarter@townofhopemills.com>; Robert Van Geons <robert@fayedc.com>; Sam Powers <sam.powers@faypwc.com>; Shawn Taurone <shawntaurone@ccs.k12.nc.us>; Stephen Dollinger <sdollinger@townofhopemills.com>; Thomas Charles <thomas.p.charles@usace.army.mil>; Tiffany Faulk <tiffany.faulk@faypwc.com>; Timothy Doersam <tdoersam@cumberlandcountync.gov>; Tony Means <tmeans@ci.fay.nc.us>; Trey Smith <rsmith@cumberlandcountync.gov>; Troy Baker <tlbaker@ncdot.gov>; Wesley Jacobs <wesley.jacobs@faypwc.com>; Will Johnson <will.johnson@duke-energy.com>; Will Phipps <wphipps@cumberlandcountync.gov>  
**Subject:** Request for Comments for ZNG-006-24

Good afternoon,

Attached, you will find the request for comments memorandum and associated materials for ZNG-006-24 for Hope Mills. If you have no related comments, please reply with "no comment." This case is for Rezoning. The applicant is requesting to rezone from R10 Residential to RR Rural Residential.

Please let me know if you have any questions or concerns.

Thanks, and I hope you have a wonderful week!

Take care,

Emily AV Weidner, CZO

Town Planner

910.429.3514 office

910.303.4762 mobile

910.429.3386 fax

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



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## Emily Weidner

---

**From:** Kelvin Raiford <kraiford@cumberlandcountync.gov>  
**Sent:** Monday, July 8, 2024 9:33 AM  
**To:** Emily Weidner  
**Cc:** Hank Graham  
**Subject:** RE: Request for Comments for ZNG-006-24

**CAUTION:** This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Greetings Emily,

Here is my comment for River Road and Pinecrest Street, Hope Mills, NC

The subject property sits on River Road and Pinecrest Street, and they are both 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, River Road and Pinecrest Street have 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 River Road and Pinecrest Street. Let me know if you have any questions.

Thanks,

*Kelvin Raiford, MS*

Transportation Planner II  
Fayetteville Area Metropolitan Planning Organization (FAMPO)  
O: 910-678-7632



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---

**From:** Emily Weidner <eaweidner@townofhopemills.com>  
**Sent:** Tuesday, July 2, 2024 6:10 PM  
**To:** Adrian Jones <adrianjones@cumberlandcountync.gov>; Amy Hall <ahall@cumberlandcountync.gov>; Ashley Wyatt <aw Wyatt@townofhopemills.com>; Barry Roberts <baroberts@cumberlandcountync.gov>; Bruce Clark <bclark@townofhopemills.com>; Chancer McLaughlin <cmclaughlin@townofhopemills.com>; Corey S. Lawson <cslawson@cumberlandcountync.gov>; Dan Hartzog <dhartzogjr@hartzoglawgroup.com>; Deontae Watson <deontaewatson@fayettevillenc.gov>; Don Sisko <dsisko@townofhopemills.com>; Duke Pickler <duke-pickler@duke-energy.com>; Ehsan Momeni <emomeni@cumberlandcountync.gov>; Elisabeth Brown <eabrown@townofhopemills.com>; Fayetteville Airport <airport@ci.fay.nc.us>; Gene Booth



<wbooth@cumberlandcountync.gov>; Hank Graham <hgraham@cumberlandcountync.gov>; Jennifer Way <Jennifer.L.Way@usps.gov>; Kelvin Raiford <kraiford@cumberlandcountync.gov>; Kenneth Tatum <ktatum@townofhopemills.com>; Leland Cottrell <leland.cottrell@ncdenr.gov>; Lori Britt <lori.britt@ncdenr.gov>; Matthew Cain <mbcain@townofhopemills.com>; Michael Gibson <mgibson@ci.fay.nc.us>; Mike Rutan <mrutan@mccog.org>; Mike Zylka <mzylka@cumberlandcountync.gov>; Misty Manning <misty.manning@faypwc.com>; Otieria Green <ogreen@cumberlandcountync.gov>; RLUAC Executive Director <director@rluac.com>; Rob Patton <Patton@fayedc.com>; Rob Schob <rschob@cumberlandcountync.gov>; Robert Carter <rcarter@townofhopemills.com>; Robert Van Geons <robert@fayedc.com>; Sam Powers <sam.powers@faypwc.com>; Shawn Taurone <shawntaurone@ccs.k12.nc.us>; Stephen Dollinger <sdollinger@townofhopemills.com>; Thomas Charles <thomas.p.charles@usace.army.mil>; Tiffany Faulk <tiffany.faulk@faypwc.com>; Timothy Doersam <tdoorsam@cumberlandcountync.gov>; Tony Means <tmeans@ci.fay.nc.us>; Rufus Smith III <rsmith@cumberlandcountync.gov>; Troy Baker <tlbaker@ncdot.gov>; Wesley Jacobs <wesley.jacobs@faypwc.com>; Will Johnson <will.johnson@duke-energy.com>; William Phipps <wphipps@cumberlandcountync.gov>

**Subject:** Request for Comments for ZNG-006-24

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Please let me know if you have any questions or concerns.

Thanks, and I hope you have a wonderful week!

Take care,

Emily AV Weidner, CZO

Town Planner

910.429.3514 office

910.303.4762 mobile

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## Emily Weidner

**From:** Otieria Green <ogreen@cumberlandcountync.gov>  
**Sent:** Friday, July 5, 2024 9:17 AM  
**To:** Emily Weidner  
**Subject:** RE: Request for Comments for ZNG-006-24

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*No comment.*

---

**From:** Emily Weidner <eaweidner@townofhopemills.com>  
**Sent:** Tuesday, July 2, 2024 6:10 PM  
**To:** Adrian Jones <adrianjones@cumberlandcountync.gov>; Amy Hall <ahall@cumberlandcountync.gov>; Ashley Wyatt <awyatt@townofhopemills.com>; Barry Roberts <baroberts@cumberlandcountync.gov>; Bruce Clark <bclark@townofhopemills.com>; Chancer McLaughlin <cmclaughlin@townofhopemills.com>; Corey S. Lawson <cslawson@cumberlandcountync.gov>; Dan Hartzog <dhartzogjr@hartzoglawgroup.com>; Deontae Watson <deontaewatson@fayettevillenc.gov>; Don Sisko <dsisko@townofhopemills.com>; Duke Pickler <duke-pickler@duke-energy.com>; Ehsan Momeni <emomeni@cumberlandcountync.gov>; Elisabeth Brown <eabrown@townofhopemills.com>; Fayetteville Airport <airport@ci.fay.nc.us>; Gene Booth <wbooth@cumberlandcountync.gov>; Hank Graham <hgraham@cumberlandcountync.gov>; Jennifer Way <Jennifer.L.Way@usps.gov>; Kelvin Raiford <kraiford@cumberlandcountync.gov>; Kenneth Tatum <ktatum@townofhopemills.com>; Leland Cottrell <leland.cottrell@ncdenr.gov>; Lori Britt <lori.britt@ncdenr.gov>; Matthew Cain <mbcain@townofhopemills.com>; Michael Gibson <mgibson@ci.fay.nc.us>; Mike Rutan <mrutan@mccog.org>; Mike Zylka <mzylka@cumberlandcountync.gov>; Misty Manning <misty.manning@faypwc.com>; Otieria Green <ogreen@cumberlandcountync.gov>; RLUAC Executive Director <director@rluac.com>; Rob Patton <Patton@fayedc.com>; Rob Schob <rschob@cumberlandcountync.gov>; Robert Carter <rcarter@townofhopemills.com>; Robert Van Geons <robert@fayedc.com>; Sam Powers <sam.powers@faypwc.com>; Shawn Taurone <shawntaurone@ccs.k12.nc.us>; Stephen Dollinger <sdollinger@townofhopemills.com>; Thomas Charles <thomas.p.charles@usace.army.mil>; Tiffany Faulk <tiffany.faulk@faypwc.com>; Timothy Doersam <tdoersam@cumberlandcountync.gov>; Tony Means <tmeans@ci.fay.nc.us>; Rufus Smith III <rsmith@cumberlandcountync.gov>; Troy Baker <tlbaker@ncdot.gov>; Wesley Jacobs <wesley.jacobs@faypwc.com>; Will Johnson <will.johnson@duke-energy.com>; William Phipps <wphipps@cumberlandcountync.gov>  
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Thanks, and I hope you have a wonderful week!

Take care,

Emily AV Weidner, CZO

Town Planner

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## Emily Weidner

---

**From:** Elisabeth Brown  
**Sent:** Wednesday, July 3, 2024 11:32 AM  
**To:** Emily Weidner  
**Subject:** RE: Request for Comments for ZNG-006-24

If development occurs, Stormwater Management Permit Application and Floodplain Permit Application required. No Airport overlay district.

---

**From:** Emily Weidner <eaweidner@townofhopemills.com>  
**Sent:** Tuesday, July 2, 2024 6:10 PM  
**To:** Adrian Jones <adrianjones@cumberlandcountync.gov>; Amy Hall <ahall@cumberlandcountync.gov>; Ashley Wyatt <awyatt@townofhopemills.com>; Barry Roberts <baroberts@cumberlandcountync.gov>; Bruce Clark <bclark@townofhopemills.com>; Chancer McLaughlin <cmclaughlin@townofhopemills.com>; Corey Lawson <cslawson@cumberlandcountync.gov>; Dan Hartzog <dhartzogjr@hartzoglawgroup.com>; Deontae Watson <deontaewatson@fayettevillenc.gov>; Don Sisko <dsisko@townofhopemills.com>; Duke Pickler <duke-pickler@duke-energy.com>; Ehsan Momeni <emomeni@cumberlandcountync.gov>; Elisabeth Brown <eabrown@townofhopemills.com>; Fayetteville Airport <airport@ci.fay.nc.us>; Gene Booth <wbooth@cumberlandcountync.gov>; Hank Graham <hgraham@cumberlandcountync.gov>; Jennifer Way <Jennifer.L.Way@usps.gov>; Kelvin Raiford <kraiford@cumberlandcountync.gov>; Kenneth Tatum <ktatum@townofhopemills.com>; Leland Cottrell <leland.cottrell@ncdenr.gov>; Lori Britt <lori.britt@ncdenr.gov>; Matthew Cain <mbcain@townofhopemills.com>; Michael Gibson <mgibson@ci.fay.nc.us>; Mike Rutan <mrutan@mccog.org>; Mike Zylka <mzylka@cumberlandcountync.gov>; Misty Manning <misty.manning@faypwc.com>; Otieria Green <ogreen@cumberlandcountync.gov>; RLUAC Executive Director <director@rluac.com>; Rob Patton <Patton@fayedc.com>; Rob Schob <rschob@cumberlandcountync.gov>; Robert Carter <rcarter@townofhopemills.com>; Robert Van Geons <robert@fayedc.com>; Sam Powers <sam.powers@faypwc.com>; Shawn Taurone <shawntaurone@ccs.k12.nc.us>; Stephen Dollinger <sdollinger@townofhopemills.com>; Thomas Charles <thomas.p.charles@usace.army.mil>; Tiffany Faulk <tiffany.faulk@faypwc.com>; Timothy Doersam <tdoersam@cumberlandcountync.gov>; Tony Means <tmeans@ci.fay.nc.us>; Trey Smith <rsmith@cumberlandcountync.gov>; Troy Baker <tlbaker@ncdot.gov>; Wesley Jacobs <wesley.jacobs@faypwc.com>; Will Johnson <will.johnson@duke-energy.com>; Will Phipps <wphipps@cumberlandcountync.gov>  
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Thanks, and I hope you have a wonderful week!

Take care,

Emily AV Weidner, CZO

Town Planner

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910.303.4762 mobile

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## Emily Weidner

---

**From:** Timothy Doersam <tdoersam@cumberlandcountync.gov>  
**Sent:** Wednesday, July 3, 2024 9:00 AM  
**To:** Emily Weidner  
**Subject:** RE: Request for Comments for ZNG-006-24

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Good morning Emily,

Due to the subject parcels being wholly located within the Town of Hope Mills town limits, Cumberland County Current Planning does not have any comments for the proposed rezoning for ZNG-006-24.

Thank you for your time,

**Timothy Doersam**  
**Planner, MPA, CZO**  
**Current Planning Development Coordinator**  
**Department of Planning & Inspections**  
**130 Gillespie Street**  
**Fayetteville, NC 28301**  
**Phone: (910) 678-7558**  
[www.cumberlandcountync.gov](http://www.cumberlandcountync.gov)

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**From:** Emily Weidner <eaweidner@townofhopemills.com>  
**Sent:** Tuesday, July 2, 2024 6:10 PM  
**To:** Adrian Jones <adrianjones@cumberlandcountync.gov>; Amy Hall <ahall@cumberlandcountync.gov>; Ashley Wyatt <awyatt@townofhopemills.com>; Barry Roberts <baroberts@cumberlandcountync.gov>; Bruce Clark <bclark@townofhopemills.com>; Chancer McLaughlin <cmclaughlin@townofhopemills.com>; Corey S. Lawson <cslawson@cumberlandcountync.gov>; Dan Hartzog <dhartzogjr@hartzoglawgroup.com>; Deontae Watson <deontaewatson@fayettevillenc.gov>; Don Sisko <dsisko@townofhopemills.com>; Duke Pickler <duke-pickler@duke-energy.com>; Ehsan Momeni <emomeni@cumberlandcountync.gov>; Elisabeth Brown <eabrown@townofhopemills.com>; Fayetteville Airport <airport@ci.fay.nc.us>; Gene Booth <wbooth@cumberlandcountync.gov>; Hank Graham <hgraham@cumberlandcountync.gov>; Jennifer Way <Jennifer.L.Way@usps.gov>; Kelvin Raiford <kraiford@cumberlandcountync.gov>; Kenneth Tatum <ktatum@townofhopemills.com>; Leland Cottrell <leland.cottrell@ncdenr.gov>; Lori Britt <lori.britt@ncdenr.gov>; Matthew Cain <mbcain@townofhopemills.com>; Michael Gibson <mgibson@ci.fay.nc.us>; Mike Rutan <mrutan@mccog.org>; Mike Zylka <mzylka@cumberlandcountync.gov>; Misty Manning <misty.manning@faypwc.com>; Otieria Green <ogreen@cumberlandcountync.gov>; RLUAC Executive Director <director@rluac.com>; Rob Patton <Patton@fayedc.com>; Rob Schob <rschob@cumberlandcountync.gov>; Robert Carter <rcarter@townofhopemills.com>; Robert Van Geons <robert@fayedc.com>; Sam Powers <sam.powers@faypwc.com>; Shawn Taurone <shawntaurone@ccs.k12.nc.us>; Stephen Dollinger <sdollinger@townofhopemills.com>; Thomas Charles <thomas.p.charles@usace.army.mil>; Tiffany Faulk



<tiffany.faulk@faypwc.com>; Timothy Doersam <tdoersam@cumberlandcountync.gov>; Tony Means <tmeans@ci.fay.nc.us>; Rufus Smith III <rsmith@cumberlandcountync.gov>; Troy Baker <tlbaker@ncdot.gov>; Wesley Jacobs <wesley.jacobs@faypwc.com>; Will Johnson <will.johnson@duke-energy.com>; William Phipps <wphipps@cumberlandcountync.gov>  
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Thanks, and I hope you have a wonderful week!

Take care,

Emily AV Weidner, CZO

Town Planner

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## Emily Weidner

---

**From:** Don Sisko  
**Sent:** Wednesday, July 3, 2024 8:37 AM  
**To:** Emily Weidner  
**Cc:** Bruce Clark; Stephen Kessinger  
**Subject:** FW: Request for Comments for ZNG-006-24  
**Attachments:** ZNG-006-24 Recorded Plat.pdf; ZNG-006-24 Sketch Map.pptx; ZNG-006-24 Request for Comments Memo.pdf

Miss Emily,

Public Works has no comment concerning this rezoning request.

v/r  
Don

*Don Sisko*

Public Works Director  
Town of Hope Mills  
(910) 429-3384 (office)  
(910) 316-4318 (cell)



---

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**Sent:** Tuesday, July 2, 2024 6:10 PM  
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<tiffany.faulk@faypwc.com>; Timothy Doersam <tdoersam@cumberlandcountync.gov>; Tony Means <tmeans@ci.fay.nc.us>; Trey Smith <rsmith@cumberlandcountync.gov>; Troy Baker <tlbaker@ncdot.gov>; Wesley Jacobs <wesley.jacobs@faypwc.com>; Will Johnson <will.johnson@duke-energy.com>; Will Phipps <wphipps@cumberlandcountync.gov>  
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Take care,

Emily AV Weidner, CZO

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## Emily Weidner

---

**From:** Robert Carter  
**Sent:** Wednesday, July 3, 2024 7:14 AM  
**To:** Emily Weidner  
**Subject:** RE: Request for Comments for ZNG-006-24

No comments at this time.

Thank you,

*Bobby Carter*  
**Fire Marshal/ Fire Prevention Division Chief**  
**Town of Hope Mills**  
**Office # 910-429-3397**  
**CELL: 910-850-4968**

---

**From:** Emily Weidner <eaweidner@townofhopemills.com>  
**Sent:** Tuesday, July 2, 2024 6:10 PM  
**To:** Adrian Jones <adrianjones@cumberlandcountync.gov>; Amy Hall <ahall@cumberlandcountync.gov>; Ashley Wyatt <awyatt@townofhopemills.com>; Barry Roberts <baroberts@cumberlandcountync.gov>; Bruce Clark <bclark@townofhopemills.com>; Chancer McLaughlin <cmclaughlin@townofhopemills.com>; Corey Lawson <cslawson@cumberlandcountync.gov>; Dan Hartzog <dhartzogjr@hartzoglawgroup.com>; Deontae Watson <deontaewatson@fayettevillenc.gov>; Don Sisko <dsisko@townofhopemills.com>; Duke Pickler <duke-pickler@duke-energy.com>; Ehsan Momeni <emomeni@cumberlandcountync.gov>; Elisabeth Brown <eabrown@townofhopemills.com>; Fayetteville Airport <airport@ci.fay.nc.us>; Gene Booth <wbooth@cumberlandcountync.gov>; Hank Graham <hgraham@cumberlandcountync.gov>; Jennifer Way <Jennifer.L.Way@usps.gov>; Kelvin Raiford <kraiford@cumberlandcountync.gov>; Kenneth Tatum <ktatum@townofhopemills.com>; Leland Cottrell <leland.cottrell@ncdenr.gov>; Lori Britt <lori.britt@ncdenr.gov>; Matthew Cain <mbcain@townofhopemills.com>; Michael Gibson <mgibson@ci.fay.nc.us>; Mike Rutan <mrutan@mccog.org>; Mike Zylka <mzylka@cumberlandcountync.gov>; Misty Manning <misty.manning@faypwc.com>; Otieria Green <ogreen@cumberlandcountync.gov>; RLUAC Executive Director <director@rluac.com>; Rob Patton <Patton@fayedc.com>; Rob Schob <rschob@cumberlandcountync.gov>; Robert Carter <rcarter@townofhopemills.com>; Robert Van Geons <robert@fayedc.com>; Sam Powers <sam.powers@faypwc.com>; Shawn Taurone <shawntaurone@ccs.k12.nc.us>; Stephen Dollinger <sdollinger@townofhopemills.com>; Thomas Charles <thomas.p.charles@usace.army.mil>; Tiffany Faulk <tiffany.faulk@faypwc.com>; Timothy Doersam <tdoersam@cumberlandcountync.gov>; Tony Means <tmeans@ci.fay.nc.us>; Trey Smith <rsmith@cumberlandcountync.gov>; Troy Baker <tlbaker@ncdot.gov>; Wesley Jacobs <wesley.jacobs@faypwc.com>; Will Johnson <will.johnson@duke-energy.com>; Will Phipps <wphipps@cumberlandcountync.gov>  
**Subject:** Request for Comments for ZNG-006-24

Good afternoon,

Attached, you will find the request for comments memorandum and associated materials for ZNG-006-24 for Hope Mills. If you have no related comments, please reply with "no comment." This case is for Rezoning. The applicant is requesting to rezone from R10 Residential to RR Rural Residential.

Please let me know if you have any questions or concerns.

Thanks, and I hope you have a wonderful week!

Take care,

Emily AV Weidner, CZO

Town Planner

910.429.3514 office

910.303.4762 mobile

910.429.3386 fax

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



**\*\* All correspondence to and from this address may be subject to the N.C. Public Records Law and may be disclosed to third parties. \*\***



## Emily Weidner

---

**From:** Rob Patton <Patton@fcedc.com>  
**Sent:** Wednesday, July 3, 2024 7:54 AM  
**To:** Emily Weidner  
**Subject:** RE: Request for Comments for ZNG-006-24

**CAUTION:** This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

FCEDC has no issue with this action.

Rob Patton  
Executive Vice President  
FCEDC  
910-500-6404  
patton@fcedc.com

---

**From:** Emily Weidner <eaweidner@townofhopemills.com>  
**Sent:** Tuesday, July 2, 2024 6:10 PM  
**To:** Adrian Jones <adrianjones@cumberlandcountync.gov>; Amy Hall <ahall@cumberlandcountync.gov>; Ashley Wyatt <awyatt@townofhopemills.com>; Barry Roberts <baroberts@cumberlandcountync.gov>; Bruce Clark <bclark@townofhopemills.com>; Chancer McLaughlin <cmclaughlin@townofhopemills.com>; Corey Lawson <cslawson@cumberlandcountync.gov>; Dan Hartzog <dhartzogjr@hartzoglawgroup.com>; Deontae Watson <deontaewatson@fayettevillenc.gov>; Don Sisko <dsisko@townofhopemills.com>; Duke Pickler <duke-pickler@duke-energy.com>; Ehsan Momeni <emomeni@cumberlandcountync.gov>; Elisabeth Brown <eabrown@townofhopemills.com>; Fayetteville Airport <airport@ci.fay.nc.us>; Gene Booth <wbooth@cumberlandcountync.gov>; Hank Graham <hgraham@cumberlandcountync.gov>; Jennifer Way <Jennifer.L.Way@usps.gov>; Kelvin Raiford <kraiford@cumberlandcountync.gov>; Kenneth Tatum <ktatum@townofhopemills.com>; Leland Cottrell <leland.cottrell@ncdenr.gov>; Lori Britt <lori.britt@ncdenr.gov>; Matthew Cain <mbcain@townofhopemills.com>; Michael Gibson <mgibson@ci.fay.nc.us>; Mike Rutan <mrutan@mccog.org>; Mike Zylka <mzylka@cumberlandcountync.gov>; Misty Manning <misty.manning@faypwc.com>; Otieria Green <ogreen@cumberlandcountync.gov>; RLUAC Executive Director <director@rluac.com>; Rob Patton <Patton@fcedc.com>; Rob Schob <rschob@cumberlandcountync.gov>; Robert Carter <rcarter@townofhopemills.com>; Robert Van Geons <Robert@fcedc.com>; Sam Powers <sam.powers@faypwc.com>; Shawn Taurone <shawntaurone@ccs.k12.nc.us>; Stephen Dollinger <sdollinger@townofhopemills.com>; Thomas Charles <thomas.p.charles@usace.army.mil>; Tiffany Faulk <tiffany.faulk@faypwc.com>; Timothy Doersam <tdoersam@cumberlandcountync.gov>; Tony Means <tmeans@ci.fay.nc.us>; Trey Smith <rsmith@cumberlandcountync.gov>; Troy Baker <tlbaker@ncdot.gov>; Wesley Jacobs <wesley.jacobs@faypwc.com>; Will Johnson <will.johnson@duke-energy.com>; Will Phipps <wphipps@cumberlandcountync.gov>  
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Take care,

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Town Planner

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## Emily Weidner

---

**From:** Barry Roberts <baroberts@cumberlandcountync.gov>  
**Sent:** Wednesday, July 3, 2024 8:11 AM  
**To:** Emily Weidner  
**Subject:** RE: Request for Comments for ZNG-006-24

**CAUTION:** This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

No Comment

**Andy Roberts**  
Code Enforcement Manager  
Planning and Inspections Department

**Cumberland County**  
O: 910-321-6654

[baroberts@cumberlandcountync.gov](mailto:baroberts@cumberlandcountync.gov)



How was your experience? Take our customer survey [here](#)

---

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**Subject:** Request for Comments for ZNG-006-24

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**PLANNING AND INSPECTIONS DEPARTMENT**

**MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF AUGUST 20, 2024**

**TO: JOINT PLANNING BOARD**

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

**DATE: 8/20/2024**

**SUBJECT: CASE # ZNG-007-24: INITIALLY ZONE 14.89 +/- ACRES TO R5A  
RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT,  
LOCATED AT THE DEAD END OF AFTON AVE REID 0424246561000,  
SUBMITTED BY SMITH SITE CONSULTANTS, PLLC (AGENT) ON  
BEHALF OF DUGGINS SOUTHVIEW HOLDINGS, LLC (OWNERS).  
(HOPE MILLS)**

**ATTACHMENTS:**

Description

ZNG-007-24

Type

Backup Material



## STAFF REPORT

INITIAL ZONING CASE# ZNG-007-2024

Planning Board Meeting: 8-20-2024

Hope Mills Board Meeting: 9-16-2024

**Address:** Empty Lot at the dead end of  
Afton Ave and Gibbon Dr

### ZONING REQUEST: Initial Zoning to R5A Residential

The Town of Hope Mills staff received an annexation petition for 14.89 +/- acres of land tied to parcel identification number 0424-24-6561. The Hope Mills Board of Commissioners accepted the annexation petition, adopting Resolution R2024-07 and set the public hearing for July 3, 2024 under annexation number A2024-03. The Hope Mills Board of Commissioners voted unanimously to approve the annexation with the intention to initially zone the property R5A Residential during the regularly scheduled meeting on July 3, 2024. The subject property is adjacent to the Worthington subdivision (located within the Cumberland County jurisdiction) and Southview Apartments/Townhomes and surrounded by areas zoned for residential use. Plan review staff worked diligently with the proposed developers to facilitate the submission of this annexation and initial zoning request. 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

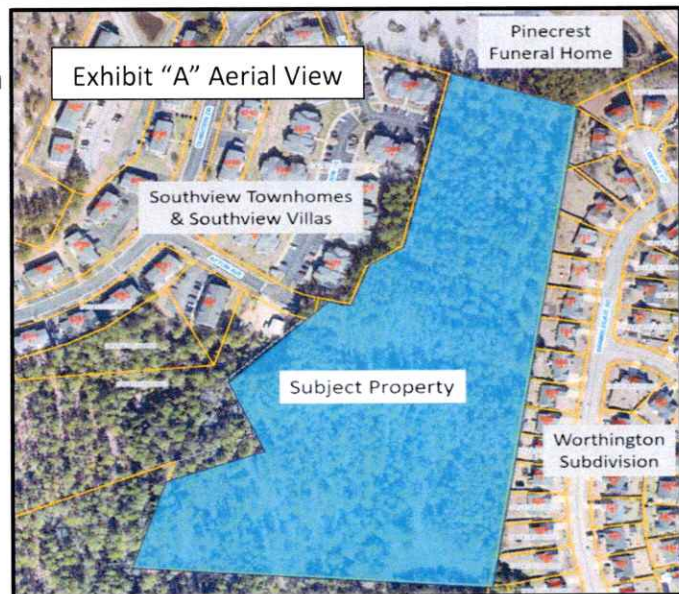
#### OWNER/APPLICANT:

Smith Site Consultants, PLLC (applicant) on  
behalf of Duggins Southview Holdings, LLC  
(owners)

**ADDRESS/LOCATION:** Empty lot  
at the dead ends of Afton Ave & Gibbon Dr,  
REID 0424246561000.

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

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

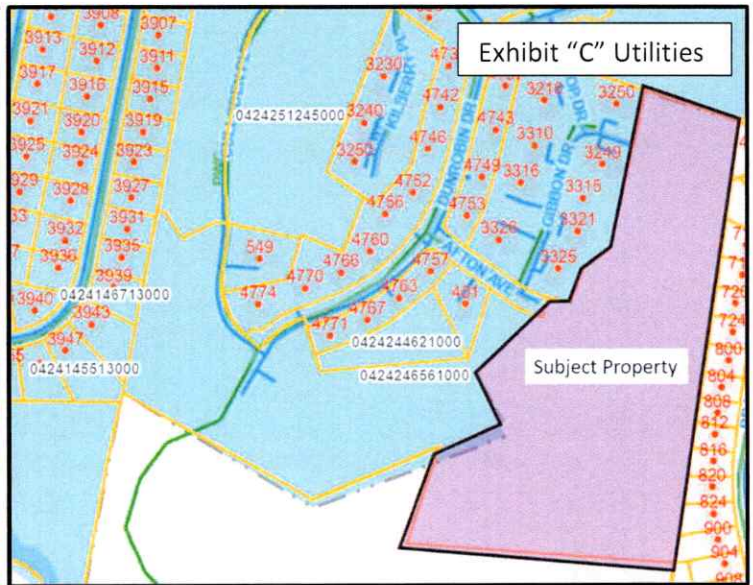
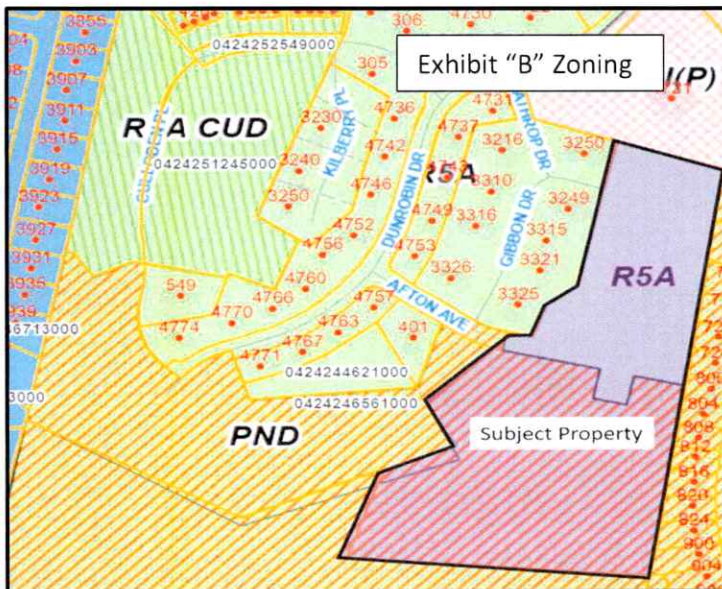


**EXISTING ZONING:** The subject property is  
currently zoned under PND Planned Neighborhood Development & R5A Residential  
with the area to the immediate east being the Worthington subdivision, currently zoned at PND  
Planned Neighborhood Development. The area to the immediate west is the Southview Villas  
and zoned R5A Residential. Other areas nearby include undeveloped lots zoned PND and  
O&I(P) Office and Institutional, which are all zones meant to be compatible near residentially  
zoned areas.



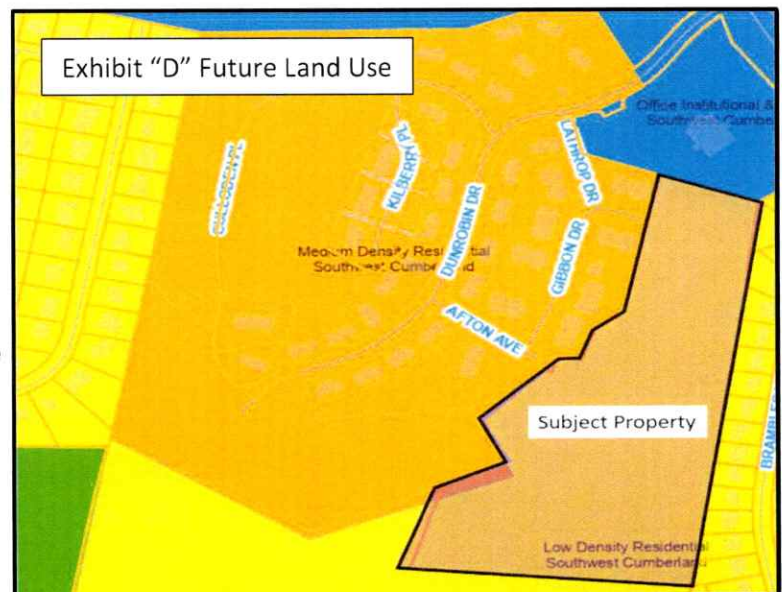
**EXISTING LAND USE:** The subject property is currently vacant.

**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 "Low Density Residential." Despite this request not complying with the Southwest Cumberland Land Use Plan, The intended use of this property is to build more apartments that are complimentary to the existing apartments and the previous zoning while under the Cumberland County's jurisdiction shows that about 5.23 acres of the property was zoned R5A while the rest is PND. 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 and Floodplain Permit Application.

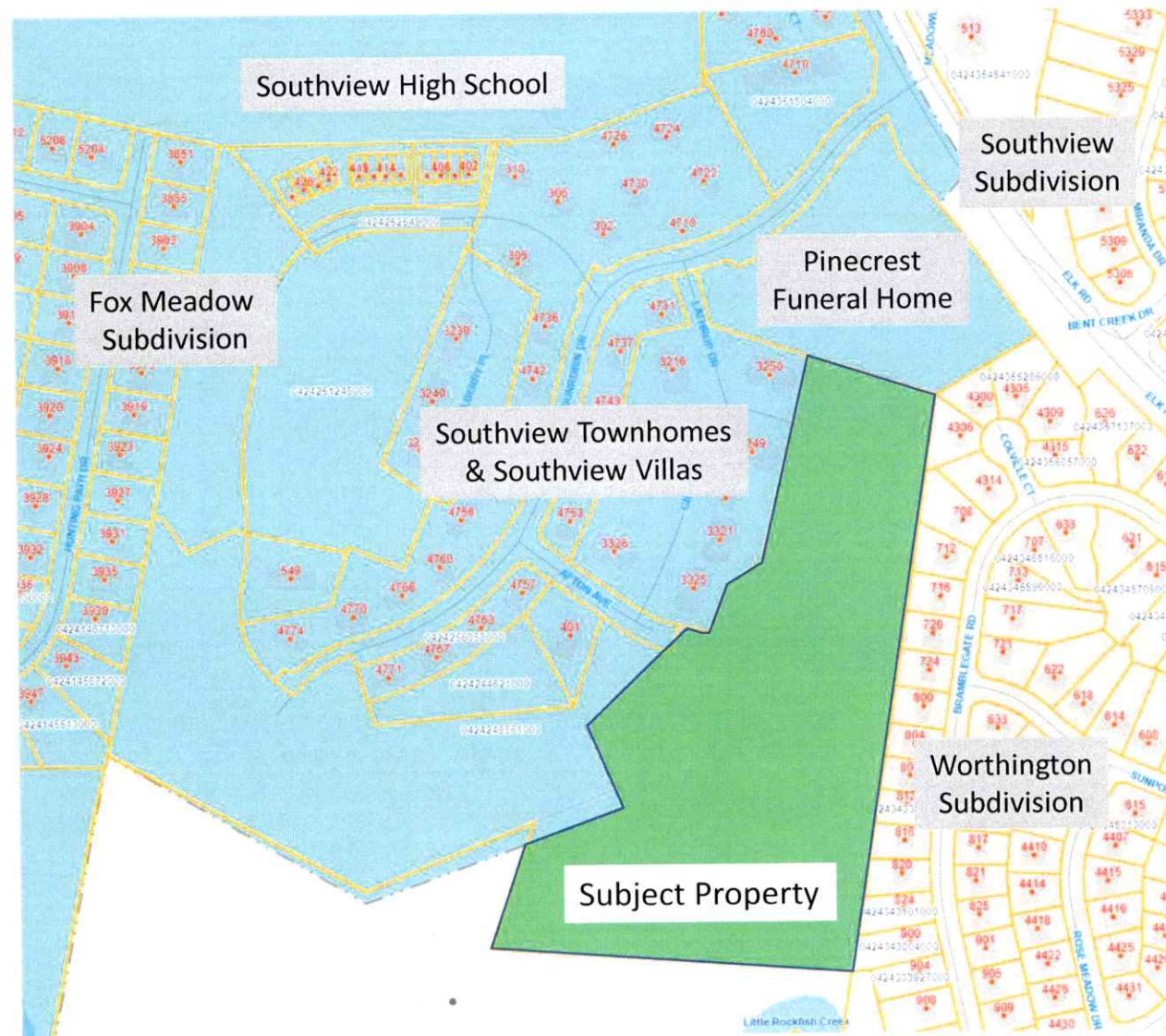
**PLAN REVIEW COMMENTS:** The Town of Hope Mills Plan Review team has no objections to this request.

**SPECIAL OVERLAY DISTRICTS:** The subject property is located within the boundaries of the Airport Overlay District.

**CODE DEVIATIONS:** None.

## **STAFF RECOMMENDATION**

In ZNG-007-24, the Town of Hope Mills Planning staff **recommends approval** of the initial zoning request to the R5A Residential district and finds that even though this request is not consistent with the Southwest Cumberland Land Use Plan (2013) designation of low density residential, it does complement the future vision of the Town of Hope Mills in regards to indicated 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 interest because the district requested complements the proposed development of the adjacent parcels in the surrounding area.





## Town of Hope Mills

### Planning Department

CASE NO.: ZNA-007-24

ZONING BOARD  
MEETING DATE: 8/20/24

DATE APPLICATION  
SUBMITTED: 7/2/24

RECEIPT NO.: N/A

RECEIVED BY: ETHW

### APPLICATION FOR REZONING HOPE MILLS ZONING ORDINANCE

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

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

#### Rezoning Procedure:

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

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

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

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

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

1. Requested Rezoning from PND to R5A *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: East of Afton Avenue Hope Mills, NC
3. Parcel Identification Number (PIN #) of property: 0424-24-6561 (also known as Tax ID Number or Property Tax ID)
4. Acreage: 14.89 Frontage: 825.77' (3 streets) Depth: 1,237.68'
5. Water Provider: Well: \_\_\_\_\_ PWC: YES
6. Septage Provider: Septic Tank \_\_\_\_\_ PWC YES Other (name) \_\_\_\_\_
7. Deed Book 11934, Page(s) 0677 Cumberland County Register of Deeds. (Attach copy of deed of subject property as it appears in Registry).
8. Existing use(s) of property: vacant land
9. Proposed use(s) of the property: multi-family apartments
10. Do you own any property adjacent to, including across the street from, the property being submitted for rezoning? Yes X No \_\_\_\_\_  
If yes, where? Applicant also owns the parcels to the north & south
11. Has a violation been issued on this property? Yes \_\_\_\_\_ No X

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



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

Duggins Southview Holdings, LLC  
Property owner(s)' name (print or type)

2939 Breezewood Ave, Ste 201, Fayetteville NC 28303  
Complete mailing address of property owner(s)

910-764-6600 910-323-4266  
Telephone number Alternative telephone number

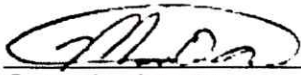
tbass@unitedcompaniesnc.com  
E-mail address Fax number

\_\_\_\_\_  
Agent, attorney, or applicant (other than property owner) (print or type)

\_\_\_\_\_  
Complete mailing address of agent, attorney, or applicant

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

\_\_\_\_\_  
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.**



Requested Zoning Districts	Less Than 1 Acre	1 to 5 acres	Over 5, Up to 10 acres	Over 10 Acres
RR	\$400	\$500	\$600	\$700
R20	\$400	\$500	\$600	\$700
R15	\$400	\$500	\$600	\$700
R7.5	\$400	\$500	\$600	\$700
R6	\$400	\$500	\$600	\$700
R6A	\$400	\$500	\$600	\$700
R5	\$400	\$500	\$600	\$700
R5A	\$400	\$500	\$600	\$700
O&I(P)	\$500	\$600	\$700	\$900
C1(P)	\$500	\$600	\$700	\$900
C2(P)	\$500	\$600	\$700	\$900
C(P)	\$500	\$600	\$700	\$900
M1(P)	\$500	\$600	\$700	\$900
M2(P)	\$500	\$600	\$700	\$900
<b>Pre application meeting required for all applications</b>				

**Please Note:**

1. If more than one zoning district is request in the same applications, the highest fee for the district requested will apply.
2. If a general rezoning is requested and based on recommendations of the Planning Board of Hope Mills Commissioners, as Conditional Use District and Permit application is to be filed; the original application fee will be credited toward the Conditional Use District and Permit application fee.

FILED	Mar 26, 2024
AT	02:29:50 PM
BOOK	11934
START PAGE	0677
END PAGE	0679
INSTRUMENT #	08506
RECORDING	\$26.00
EXCISE TAX	\$0.00

Excise Tax \$ 0.00

Recording Time, Book and Page

Tax Lot No. \_\_\_\_\_ Parcel Identifier No. \_\_\_\_\_  
 Verified by \_\_\_\_\_ County on the \_\_\_\_\_ day of \_\_\_\_\_, 2024

Mail after recording to: William Lockett Tally, 2573 Ravenhill Drive, Fayetteville, NC 28303  
 This instrument was prepared by William Lockett Tally (\*\*Title Not Certified by Preparer\*\*)

Brief Description for the index

**NORTH CAROLINA GENERAL WARRANTY DEED**THIS DEED made 3/26/2024 by and between

GRANTOR	GRANTEE
DUGGINS SMITH, LLC, a North Carolina limited liability company 2939 Breezewood Avenue, Suite 201 Fayetteville, NC 28303	DUGGINS SOUTHVIEW HOLDINGS, LLC a North Carolina limited liability company 2939 Breezewood Avenue, Suite 201 Fayetteville, NC 28303

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 \_\_\_\_\_, Rockfish Township, Cumberland County, North Carolina and more particularly described as follows:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION.

The property hereinabove described was acquired by Grantor by instrument recorded in Book \_\_\_\_\_, Page \_\_\_\_\_

A map showing the above described property is recorded in Plat Book \_\_\_\_, Page \_\_\_\_.

All or a portion of the property herein conveyed \_\_\_\_ includes or X does not include the primary residence of a Grantor.

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.

IN WITNESS WHEREOF, the Grantor(s) have hereunto set his hand and seal, the day and year first above written.

DUGGINS SMITH, LLC

BY: *Murray O. Duggins* (SEAL)  
MURRAY O. DUGGINS, MANAGING MEMBER

State of North Carolina

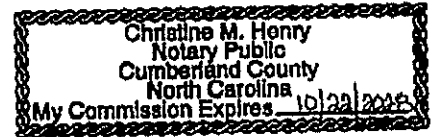
SEAL-  
STAMP

Cumberland County

I, Christine M. Henry, a Notary Public for said county and state, do hereby certify MURRAY O. DUGGINS, Managing Member of DUGGINS SMITH, LLC, a North Carolina Limited Liability Company, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

My commission expires: 10/22/2008

*Christine M. Henry* Notary Public



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

\_\_\_\_\_  
REGISTER OF DEEDS FOR \_\_\_\_\_ COUNTY

By \_\_\_\_\_ Deputy/Assistant-  
Register of Deeds.

**EXHIBIT "A"**

**Legal Description**

PIN #: 0424-24-4049 AND 0424-24-1587

BEING ALL OF LOTS 1 AND 2 AS SHOWN ON THE SAID PLAT ENTITLED  
"SUBDIVISION SURVEY OF THE DUGGINS SMITH, LLC PARCEL" RECORDED  
IN BOOK OF PLATS 151, PAGE 33 OF THE CUMBERLAND COUNTY, NORTH  
CAROLINA REGISTRY.





## Town of Hope Mills Voluntary Annexation Packet

### VOLUNTARY ANNEXATION SUBMITTAL REQUIREMENTS:

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

- ☒ Original Petition Form Signed by ALL Owners of the property.
- ☒ Legal description of the area to be annexed in both hard and digital (Word) format.
- ☒ A complete copy of the last deed of record for each parcel of property to be annexed.
- ☒ 1 paper copy and 1 digital copy of the **\*filed** annexation plat prepared by a registered land surveyor including the following information:
  - Title block:  
Annexation Map for Town of Hope Mills  
Annexation File # \_\_\_\_\_
  - Vicinity map showing location of property in relation to the primary corporate town limits. (indicate where corporate limits are adjacent to the property or the location of the closest point of the primary Town Limits)
  - Surveyors' certificate.
  - Plat book and page numbers.

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

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

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

**Town of Hope Mills**

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





For Town Clerk Use:

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

## Town of Hope Mills Voluntary Annexation Petition

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

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

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

### Property Information:

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

Cumberland County Parcel Identification Number (s):

PIN: 0424244049 REID: 0424244049000

Cumberland County Real Estate Identification Number (s):

Acreage of Annexation Area: 14.89 acres

Existing Population: 0

Number of existing residential dwelling units: 0

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

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

Property Owner(s):

Address:

Signature:

Date:

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

Duggins Southview Holdings, LLC.

2939 Breezewood Ave. Ste 20  
Fayetteville, NC 28303

04-10-2024

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

Town of Hope Mills

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



**EXHIBIT "A"**

**Legal Description**

PIN #: 0424-24-4049 AND 0424-24-1587

BEING ALL OF LOTS 1 AND 2 AS SHOWN ON THE SAID PLAT ENTITLED  
"SUBDIVISION SURVEY OF THE DUGGINS SMITH, LLC PARCEL" RECORDED  
IN BOOK OF PLATS 151, PAGE 33 OF THE CUMBERLAND COUNTY, NORTH  
CAROLINA REGISTRY.

**Annexation Legal Description  
Duggins Southview Holdings, LLC  
Portion of 0424-24-4049  
Rockfish Township  
Cumberland County, North Carolina**



The following described tract of land lies along the eastern end of Afton Avenue in the Rockfish Township, known as a portion of Lot 1 as recorded in Plat Book 151, Page 33 and being a portion of the deed duly recorded in Deed Book 11934, Page 677 of the Cumberland County, North Carolina Registry.

BEGINNING at an existing 1/2" rebar, said rebar being the common corner of the Citadel Management, LLC parcel as recorded in Deed Book 7767, Page 356 of the Cumberland County Registry, and Lot 173/174 of the Worthington Section Two, Part One subdivision as recorded in Plat Book 109, Page 23 of the Cumberland County Registry; thence with the western line of Lots 173-159 as recorded in Plat Book 109, Page 23 and Plat Book 114, Page 139 both of the Cumberland County Registry S08°52'01"W 1,237.68 feet to an existing 1/2" rebar; thence leaving said line and running with a new line the following four calls: N85°58'49"W 763.83 feet to a set 1/2" rebar; thence N19°04'08"E 283.68 feet to a set 1/2" rebar, thence N68°10'33"E 196.54 feet to a point; thence N29°48'27"W 197.23 feet to an existing 5/8" rebar, said rebar being the southern corner of the NTD, LLC parcel as recorded in Deed Book 7198, Page 334 of the Cumberland County Registry; thence with the eastern line of said NTD, LLC parcel N19°04'08"E 200.95 feet to a set 1/2" rebar on the southern right-of-way margin of Afton Avenue; thence with said right-of-way margin the following three calls: S55°32'02"E 55.18 feet to a point; thence with a curve as it curves to the left having a radius of 290.00 feet and an arc distance of 109.04 feet, chord bearing and distance of S66°18'20"E 108.40 feet to a set 1/2" rebar; thence N12°55'22"E 60.00 feet to a set 1/2" rebar on the southern line of the Southview Villas Associates Limited Partnership parcel as recorded in Deed Book 7859, Page 770 of the Cumberland County Registry; thence with said southern line S77°04'38"E 71.54 feet to an existing 5/8" rebar; thence N20°39'13"E 101.72 feet to an existing 5/8" rebar; thence N55°38'54"E 91.04 feet to an existing 5/8" rebar; thence N13°02'16"E 451.29 feet to an existing 1/2" rebar on the southern line of said Citadel Management, LLC parcel; thence running with said southern line S72°07'04"E 282.86 feet to the POINT OF BEGINNING, said tract of land containing 648,612 square feet (14.89 acres), more or less and is shown as the hatched area on the subdivision map recorded in Plat Book 151, Page 33 of the Cumberland County Registry.



04.09.24

FILED	Mar 26, 2024
AT	02:29:50 PM
BOOK	11934
START PAGE	0677
END PAGE	0679
INSTRUMENT #	08506
RECORDING	\$26.00
EXCISE TAX	\$0.00

Excise Tax \$ 0.00

Recording Time, Book and Page

Tax Lot No. \_\_\_\_\_ Parcel Identifier No. \_\_\_\_\_  
 Verified by \_\_\_\_\_ County on the \_\_\_\_\_ day of \_\_\_\_\_, 2024

Mail after recording to: William Lockett Tally, 2573 Ravenhill Drive, Fayetteville, NC 28303  
 This instrument was prepared by William Lockett Tally(\*\*\*Title Not Certified by Preparer\*\*\*)

Brief Description for the index

**NORTH CAROLINA GENERAL WARRANTY DEED**THIS DEED made 3 / 26 / 2024 by and between

GRANTOR	GRANTEE
DUGGINS SMITH, LLC, a North Carolina limited liability company 2939 Breezewood Avenue, Suite 201 Fayetteville, NC 28303	DUGGINS SOUTHVIEW HOLDINGS, LLC a North Carolina limited liability company 2939 Breezewood Avenue, Suite 201 Fayetteville, NC 28303

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 \_\_\_\_\_, Rockfish Township, Cumberland County, North Carolina and more particularly described as follows:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION.

The property hereinabove described was acquired by Grantor by instrument recorded in Book \_\_\_\_\_, Page \_\_\_\_\_

A map showing the above described property is recorded in Plat Book \_\_\_\_, Page \_\_\_\_.

All or a portion of the property herein conveyed \_\_\_\_ includes or X does not include the primary residence of a Grantor.

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.

IN WITNESS WHEREOF, the Grantor(s) have hereunto set his hand and seal, the day and year first above written.

DUGGINS SMITH, LLC

BY: Murray O. Duggins (SEAL)  
MURRAY O. DUGGINS, MANAGING MEMBER

SEAL-  
STAMP

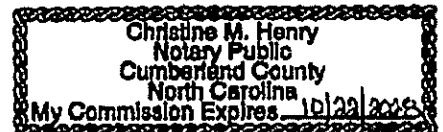
State of North Carolina

Cumberland County

I, Christine M. Henry, a Notary Public for said county and state, do hereby certify MURRAY O. DUGGINS, Managing Member of DUGGINS SMITH, LLC, a North Carolina Limited Liability Company, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

My commission expires: 10/22/2008

Christine M. Henry Notary Public



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

\_\_\_\_\_  
REGISTER OF DEEDS FOR \_\_\_\_\_ COUNTY

By \_\_\_\_\_ Deputy/Assistant-  
Register of Deeds.



Annexation No. A2024-03  
Citadel Management  
PIN 0424244049

**RESOLUTION DIRECTING THE CLERK TO INVESTIGATE  
A PETITION RECEIVED UNDER G.S. 160A-31  
RESOLUTION NO. R2024-06**

**WHEREAS** a petition requesting annexation of an area described in said petition was received on May 6, 2024 by the Hope Mills Board of Commissioners consisting of 14.89 Acres, and

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

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

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

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

**ADOPTED** this 6th day of May, 2024.

---

JESSIE BELLFLOWERS, MAYOR

**ATTEST:**

---

Ashley Wyatt, CMC Town Clerk



**AGENDA FORM**

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

**FROM:** Ashley Wyatt, Town Clerk

**SUBJECT:** Annexation Petition A2024-03

**BACKGROUND INFORMATION:**

The Town of Hope Mills staff received a voluntary annexation petition for Pin # 042424049

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

**STAFF RECOMMENDATION, IF APPLICABLE:**

N/A

**RECOMMENDED ACTION/MOTION:**

If the Board of Commissioners so chooses:

Move to accept the Annexation petition and adopt Resolution R2024- 06 directing the Clerk to investigate the sufficiency of the petition.

**FISCAL IMPACT:**

Increase tax base.

**ATTACHMENTS:**

- Annexation Petition – including map.
- Resolution No. R2024-06 instructing the Clerk to investigate.

This agenda form has been reviewed by:	Initial & Date
Town Manager	
Finance Director	
Town Attorney	
Department Head (s)	
Town Clerk	



Meeting Date: May 6, 2024

This agenda form has been reviewed by:	Initial & Date
Town Manager	
Finance Director	
Town Attorney	
Department Head (s)	
Town Clerk	

Annexation No. A2024-03  
Duggins Southview Holdings, LLC  
Portion of 0424-24-4049  
PIN 0424244049

**RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION OF**  
**ANNEXATION PURSUANT TO G.S. 160A-58.2**  
**RESOLUTION NO. R2024-07**

**WHEREAS** a petition requesting annexation of the area described herein has been received; and

**WHEREAS** the Board of Commissioners has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and

**WHEREAS** certification by the Town Clerk as to the sufficiency of the petition has been made;

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

**Section 1.** A public hearing on the question of annexation of the area described herein will be held at Town Hall, 5770 Rockfish Road, Bill Luther Board Meeting Room #120, at 7:00 p.m., July 1, 2024.

**Section 2.** The area proposed for annexation is described as follows:

Cumberland County Parcel 0424-24-4049 and containing 14.89 acres, more or less, duly recorded in Plat Book 151, page 33 and being a portion of the deed duly recorded in Deed Book 11934, Page 677, Cumberland County Registry, North Carolina. This is a contiguous annexation.

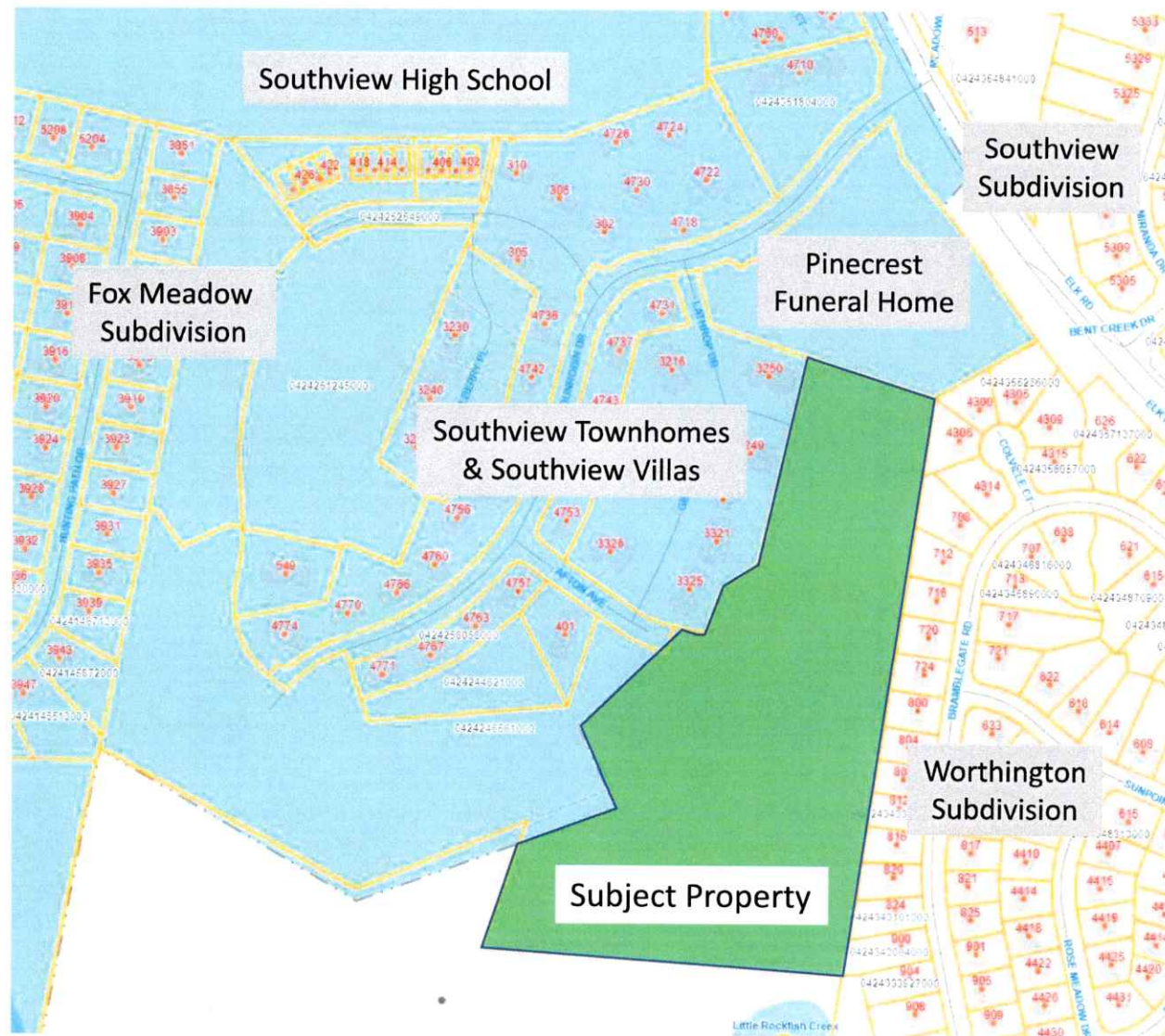
**Section 3.** Notice of the public hearing shall be published in the Fayetteville Observer, a newspaper having general circulation in the Town of Hope Mills, at least ten (10) days prior to the date of the public hearing.

**ADOPTED this 3rd Day of June 2024.**

\_\_\_\_\_  
Jessie Bellflowers, MAYOR

**ATTEST:**

\_\_\_\_\_  
Ashley Wyatt, CMC Town Clerk





Meeting Date: July 1, 2024



---

**AGENDA FORM**

**TO:** Chancer F. McLaughlin, Town Manager

**FROM:** Ashley Wyatt, Town Clerk &  
Emily Weidner, Planning/Economic Development  
Director

**SUBJECT:** Public Hearing for Annexation A2024-03 – property off of  
Camden Rd

**BACKGROUND INFORMATION:**

At the May 6, 2024 regular meeting, the Board of Commissioners (BOC) of the Town of Hope Mills voted to accept a petition for annexation and approved resolution R2024-07, directing the clerk to investigate the sufficiency of the petition. The Clerk found the application to be in order. On June 3, 2024 at Hope Mills Town Hall, 5770 Rockfish Rd, Room #120, on the question of annexing the following described territory, requested by petition filed pursuant to GS 160A-29 and GS 160A-58.1:

This property consists of a contiguous annexation of 14.89 acres, more or less, part of PIN 0424-24-6561, property belonging to Duggins Southview Holdings, LLC, deed book 11934, pg. 0677 adjacent to the southwest property line of 4721 Dunrobin Drive

**STAFF RECOMMENDATION, IF APPLICABLE:**

Town of Hope Mills Staff recommends approval of the request.

**RECOMMENDED MOTION:**

If the Board of Commissioners so chooses:

Approve Annexation A2024-03 and authorize staff to begin the initial zoning process to designate the property as R5A Residential District

**ATTACHMENTS:**

- Annexation Ordinance A2024-01
- Application
- Map
- Zoning Staff Report

Meeting Date: July 1, 2024

- Plan Review Memo

This agenda form has been reviewed by:	Initial & Date
Town Manager	
Finance Director	
Town Attorney	
Department Head (s)	
Town Clerk	
Development/Planning Administrator	EW





## MEMORANDUM

**DATE:** June 17, 2024

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

**FROM:** Stephen F. Dollinger – Police Chief  
Elisabeth Brown – Stormwater Administrator  
Don Sisko – Public Works Director  
Chuck Hodges – Fire Chief  
Robert Carter – Fire Marshal  
Kenny Tatum – Chief Building Official  
Emily Weidner – Planning/Economic Development Director

**SUBJECT:** Camden Rd Annexation

**REQUEST:** Annexation

**REID:** 0424246561000

**SIZE:** 14.89 +/- acres

**LOCATION:** Adjacent to the southwest border of 4721 Dunrobin Dr

**POLICE DEPARTMENT:**

Recommendation: **APPROVAL**  
Comments: No objections

**PUBLIC WORKS DEPARTMENT:**

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

**STORMWATER DEPARTMENT:**

Recommendation: **APPROVAL**  
Comments: Stormwater permit required. Is located in the Airport Overlay District but it is not located within the floodplain.

**PLANNING AND ZONING DEPARTMENT:**

Recommendation: **APPROVAL**  
Comments: Planning staff is requesting approval to begin the initial zoning process to designate the site under the R5A Residential District

**FIRE DEPARTMENT:**

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

**INSPECTIONS DEPARTMENT:**

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



## STAFF REPORT

**DATE:** June 17, 2024

**CASE#** N/A

**Planning Board Meeting:** N/A

**Hope Mills Board Meeting:** July 1, 2024

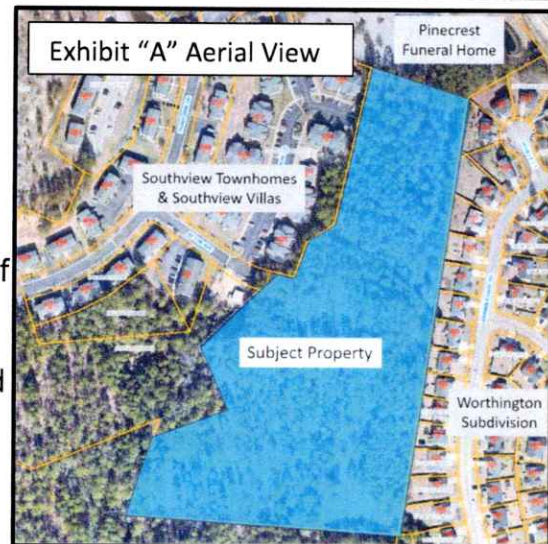
**Address:** EMPTY LOT SOUTHWEST OF  
4721 DUNROBIN DR

### REQUEST

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

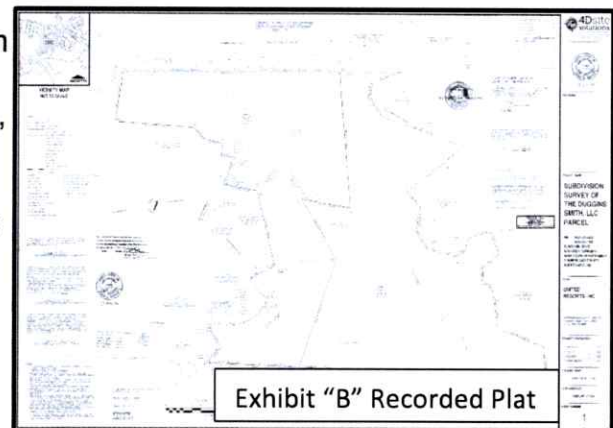
### BACKGROUND

At the May 6, 2024 Board meeting, the Hope Mills Board of Commissioners moved to set the public hearing for Resolution R2024-07 for July 1, 2024. The resolution is tied to annexation petition A2024-03 for the consideration of the contiguous annexation of 14.89 +/- acres of land at the southwest border of 4721 Dunrobin Dr, directly off of Gibbon Dr and Afton Ave. The parcel in question is tied to PIN 0424-24-6561. Plan review staff has worked diligently with the proposed developers to facilitate the submission of this annexation. The location of the subject property is illustrated in Exhibit "A."



### STAFF RECOMMENDATION/REQUEST

Please refer to the attached memorandum from the Town of Hope Mills Plan Review staff outlining recommendations from Planning, Fire, Police, Public Works, Stormwater, and Inspections. Planning staff is requesting authorization to begin the initial zoning process to designate the development under the R5A Residential district. The recorded plat is illustrated in Exhibit "B"



## Emily Weidner

---

**From:** Robert Carter  
**Sent:** Tuesday, June 18, 2024 7:24 AM  
**To:** Emily Weidner  
**Subject:** RE: Request for Comments - Annexation

Hello,  
Water supply for Fire Suppression.

*Bobby Carter*  
**Fire Marshal/ Fire Prevention Division Chief**  
**Town of Hope Mills**  
**Office # 910-429-3397**  
**CELL: 910-850-4968**

---

**From:** Emily Weidner <eaweidner@townofhopemills.com>  
**Sent:** Monday, June 17, 2024 1:48 PM  
**To:** Chancer McLaughlin <cmclaughlin@townofhopemills.com>; Stephen Dollinger <sdollinger@townofhopemills.com>; Don Sisko <dsisko@townofhopemills.com>; Kenneth Tatum <ktatum@townofhopemills.com>; Elisabeth Brown <eabrown@townofhopemills.com>; Matthew Cain <mbcain@townofhopemills.com>; Robert Carter <rcarter@townofhopemills.com>  
**Subject:** Request for Comments - Annexation

Hiya,

Attached, you will find the request for comments memorandum and associated materials for a request for annexation into the Town of Hope Mills. If you have no related comments, please reply with "no comment."

Please let me know if you have any questions or concerns.

Take care,

Emily AV Weidner, CZO  
Planning & Economic Development Director  
910.429.3514 office  
910.303.4762 mobile  
910.429.3386 fax  
[www.townofhopemills.com](http://www.townofhopemills.com)



\*\* All correspondence to and from this address may be subject to the N.C. Public Records Law and may be disclosed to third parties. \*\*

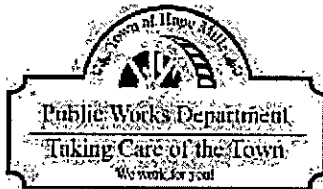
## Emily Weidner

---

**From:** Don Sisko  
**Sent:** Tuesday, June 18, 2024 8:11 AM  
**To:** Emily Weidner  
**Subject:** RE: Request for Comments - Annexation

Miss Emily,  
No comments from Public Works concerning this annexation.  
v/r  
Don

*Don Sisko*  
Public Works Director  
Town of Hope Mills  
(910) 429-3384 (office)  
(910) 316-4318 (cell)



---

**From:** Emily Weidner <eaweidner@townofhopemills.com>  
**Sent:** Monday, June 17, 2024 1:48 PM  
**To:** Chancer McLaughlin <cmclaughlin@townofhopemills.com>; Stephen Dollinger <sdollinger@townofhopemills.com>; Don Sisko <dsisko@townofhopemills.com>; Kenneth Tatum <ktatum@townofhopemills.com>; Elisabeth Brown <eabrown@townofhopemills.com>; Matthew Cain <mbcain@townofhopemills.com>; Robert Carter <rcarter@townofhopemills.com>  
**Subject:** Request for Comments - Annexation

Hiya,

Attached, you will find the request for comments memorandum and associated materials for a request for annexation into the Town of Hope Mills. If you have no related comments, please reply with "no comment."

Please let me know if you have any questions or concerns.

Take care,

Emily AV Weidner, CZO  
Planning & Economic Development Director  
910.429.3514 office  
910.303.4762 mobile  
910.429.3386 fax

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



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# THE TOWN OF HOPE MILLS

## Development Projects

### Annexation

*Request to Initially zone to R5A Residential Districts*

Annexation Ordinance A2024-03

July 1, 2024

D E V E L O P M E N T   S E R V I C E S

# Annexation Ordinance A2024-03

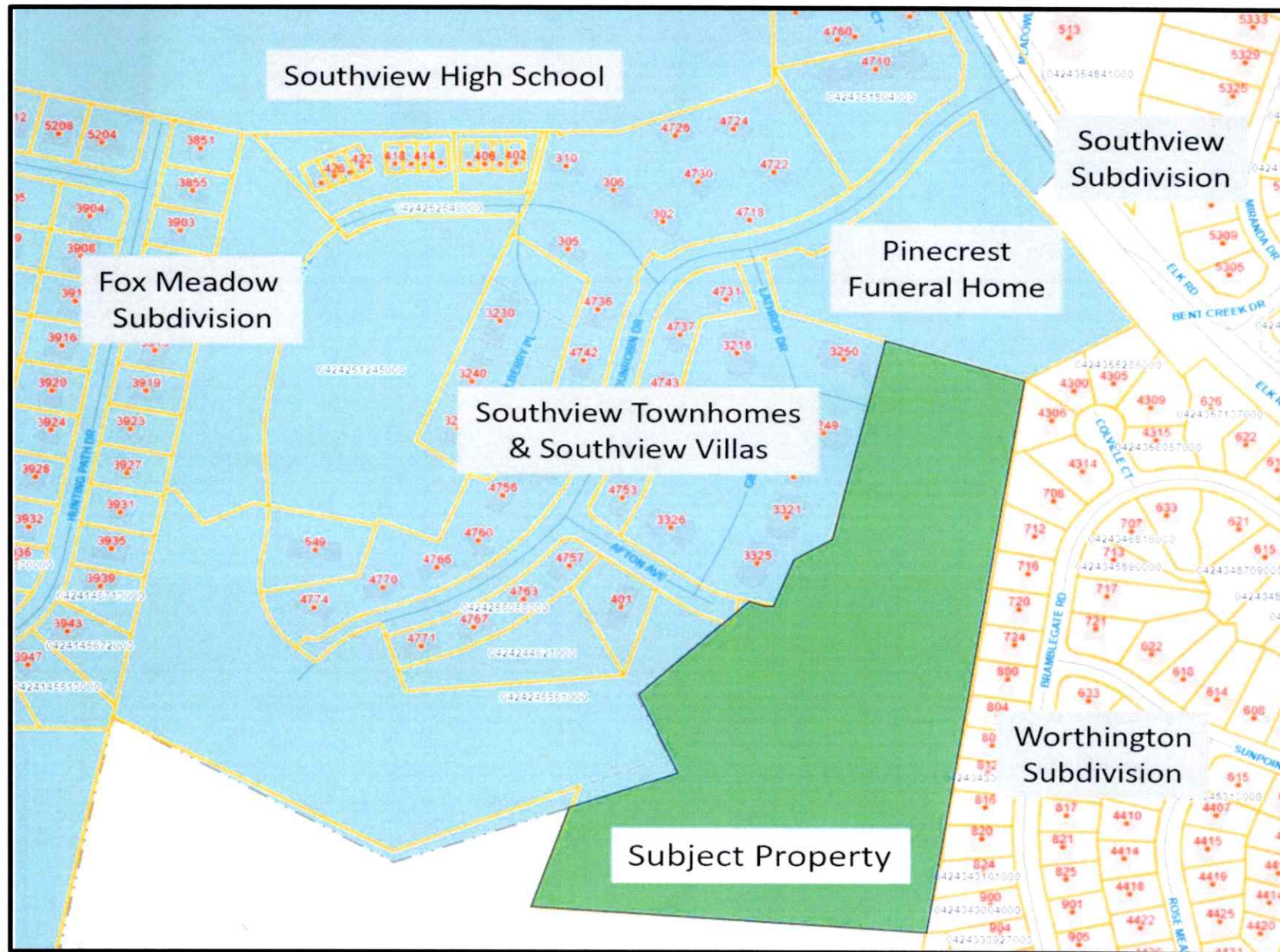
## Background Information

- Town of Hope Mills voted to accept the petition for annexation on May 6, 2024, submitted by Smith Site Consultants, PLLC (agent) on behalf of Duggins Southview Holdings, LLC (owners).
- Tied to PIN 0424-24-6561
- Subject property is adjacent to the Pinecrest Funeral Home, as well as several residential neighborhoods like Fox Meadow (Town), Worthington and Southview Subdivisions and is also near Southview High School.
- Access to the property will be from both Lathrop Drive and Afton Avenue – both private roads
- Board of Commissioners Approved Resolution R2024-07 on June 3, 2024, fixing the public hearing to today's meeting, July 1, 2024.
- Staff is requesting authorization to proceed with initially zoning the property under the R5A Residential District.

**Annexation Ordinance A2024-03** *Background Information*



# SKETCH MAP



# Annexation Ordinance A2024-03 Annexation

## Staff Recommendation

Staff is requesting authorization to proceed with initially zoning the property under the R5A Residential District.

**Annexation Ordinance: A2024-03**



**Jessie Bellflowers**  
Mayor

**Chancer F. McLaughlin**  
Town Manager



**Kenjuana McCray**  
Mayor Pro-Tem

**Emily AV Weidner**  
Director

August 2, 2024

Duggins Southview Holdings, LLC  
2939 Breezewood Ave Ste 201  
Fayetteville, NC 28303

Dear Duggins Southview Holdings, LLC,

The Joint Planning Board of Cumberland County will hold a public meeting on August 20, 2024, beginning at 6:00 p.m. or shortly thereafter, in Court Room 3 on the 2<sup>nd</sup> floor of the Old Historic Court House Building, located at 130 Gillespie Street, Fayetteville, NC and will consider the following:

**Case ZNG-007-24:** Initially Zone 14.89 +/- acres to R5A Residential or more restrictive zoning located at the empty lot at the dead end of Afton Ave REID 0424246561000 submitted by Smith Site Consultants, PLLC (agent) on behalf of Duggins Southview Holdings, LLC (owners).

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  
Planning & Economic Development Director

Cc: Adjacent Property Owners

Owner	Street	City	State	Zip
Duggins Southview Holdings, LLC	2939 Breezewood Ave Ste 201	Fayetteville	NC	28303
Southview Villas Associates Limited Partnership	2727 LBJ Freeway Ste 806	Dallas	TX	75234
Citadel Management, LLC	PO Box 207	Feasterville	PA	19053
Ryan M Vanuithuizen	4306 Colville Ct	Hope Mills	NC	28348
Won Y & Heesun K Lee	708 Bramblegate Rd	Hope Mills	NC	28348
Timothy S Richard	712 Bramblegate Rd	Hope Mills	NC	28348
Noel & Erika Arcibal, Jr	716 Bramblegate Rd	Hope Mills	NC	28348
Joeseeph E & Linda D Guillory, Sr	720 Bramblegate Rd	Hope Mills	NC	28348
Laura Medina Trustee	347 Calle De Andaiucia	Redondo Beach	CA	90277
Chaudhary Khan & Mehreen Mughal	800 Bramblegate Rd	Hope Mills	NC	28348
Kelvin Robinson & Keisha R Shockley	804 Bramblegate Rd	Hope Mills	NC	28348
Dylan & Suzanne Benfield	808 Bramblegate Rd	Hope Mills	NC	28348
Joseph Herring & Jennifer Fuller	812 Bramblegate Rd	Hope Mills	NC	28348
Jeremy & Courtney Cooper	816 Bramblegate Rd	Hope Mills	NC	28348
Crystal Simms	820 Bramblegate Rd	Hope Mills	NC	28348
Vanetta S Parker	PO Box 818	Hope Mills	NC	28348
Joel & Angela Young	7717 Okanagan Ct	Bakersfield	CA	93309



## Emily Weidner

---

**From:** Bruce Clark  
**Sent:** Wednesday, July 17, 2024 3:17 PM  
**To:** Emily Weidner; RLUAC Executive Director; Adrian Jones; Amy Hall; Ashley Wyatt; Barry Roberts; Chancer McLaughlin; Corey Lawson; Dan Hartzog ; Deontae Watson; Don Sisko; Duke Pickler; Ehsan Momeni; Elisabeth Brown; Fayetteville Airport; Gene Booth; Hank Graham; Jennifer Way; Kelvin Raiford; Kenneth Tatum; Leland Cottrell; Lori Britt; Matthew Cain; Michael Gibson; Mike Rutan; Mike Zylka; Misty Manning; Otieria Green ; Rob Patton; Rob Schob; Robert Carter; Robert Van Geons; Sam Powers; Shawn Taurone; Stephen Dollinger; Thomas Charles; Tiffany Faulk; Timothy Doersam; Tony Means; Trey Smith; Troy Baker; Wesley Jacobs; Will Johnson; Will Phipps  
**Subject:** RE: Request for Comments for ZNG-007-24

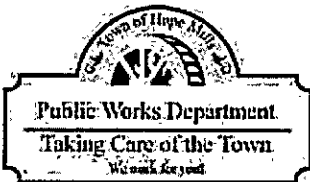
Emily,

Public Works has no comments for this Initial Zoning.

Thanks

**Bruce D. Clark**

Deputy Director, Public Works  
Town of Hope Mills  
5770 Rockfish Road  
Hope Mills, NC 28348  
[bclark@townofhopemills.com](mailto:bclark@townofhopemills.com)  
Office (910) 429-3380



*Email correspondences to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties.*

---

**From:** Emily Weidner <[eaweidner@townofhopemills.com](mailto:eaweidner@townofhopemills.com)>  
**Sent:** Friday, July 12, 2024 9:29 AM  
**To:** RLUAC Executive Director <[director@rluac.com](mailto:director@rluac.com)>; Adrian Jones <[adrianjones@cumberlandcountync.gov](mailto:adrianjones@cumberlandcountync.gov)>; Amy Hall <[ahall@cumberlandcountync.gov](mailto:ahall@cumberlandcountync.gov)>; Ashley Wyatt <[awyatt@townofhopemills.com](mailto:awyatt@townofhopemills.com)>; Barry Roberts <[baroberts@cumberlandcountync.gov](mailto:baroberts@cumberlandcountync.gov)>; Bruce Clark <[bclark@townofhopemills.com](mailto:bclark@townofhopemills.com)>; Chancer McLaughlin <[cmclaughlin@townofhopemills.com](mailto:cmclaughlin@townofhopemills.com)>; Corey Lawson <[cslawson@cumberlandcountync.gov](mailto:cslawson@cumberlandcountync.gov)>; Dan Hartzog <[dhartzogjr@hartzoglawgroup.com](mailto:dhartzogjr@hartzoglawgroup.com)>; Deontae Watson <[deontaewatson@fayettevillenc.gov](mailto:deontaewatson@fayettevillenc.gov)>; Don Sisko <[dsisko@townofhopemills.com](mailto:dsisko@townofhopemills.com)>; Duke Pickler <[duke-pickler@duke-energy.com](mailto:duke-pickler@duke-energy.com)>; Ehsan Momeni <[emomeni@cumberlandcountync.gov](mailto:emomeni@cumberlandcountync.gov)>; Elisabeth Brown <[eabrown@townofhopemills.com](mailto:eabrown@townofhopemills.com)>; Fayetteville Airport <[airport@ci.fay.nc.us](mailto:airport@ci.fay.nc.us)>; Gene Booth <[wbooth@cumberlandcountync.gov](mailto:wbooth@cumberlandcountync.gov)>; Hank Graham <[hgraham@cumberlandcountync.gov](mailto:hgraham@cumberlandcountync.gov)>; Jennifer Way <[Jennifer.L.Way@usps.gov](mailto:Jennifer.L.Way@usps.gov)>; Kelvin Raiford <[kraiford@cumberlandcountync.gov](mailto:kraiford@cumberlandcountync.gov)>; Kenneth Tatum <[ktatum@townofhopemills.com](mailto:ktatum@townofhopemills.com)>; Leland Cottrell

<leland.cottrell@ncdenr.gov>; Lori Britt <lori.britt@ncdenr.gov>; Matthew Cain <mbcain@townofhopemills.com>; Michael Gibson <mgibson@ci.fay.nc.us>; Mike Rutan <mrutan@mccog.org>; Mike Zylka <mzylka@cumberlandcountync.gov>; Misty Manning <misty.manning@faypwc.com>; Otieria Green <ogreen@cumberlandcountync.gov>; Rob Patton <Patton@fayedc.com>; Rob Schob <rschob@cumberlandcountync.gov>; Robert Carter <rcarter@townofhopemills.com>; Robert Van Geons <robert@fayedc.com>; Sam Powers <sam.powers@faypwc.com>; Shawn Taurone <shawntaurone@ccs.k12.nc.us>; Stephen Dollinger <sdollinger@townofhopemills.com>; Thomas Charles <thomas.p.charles@usace.army.mil>; Tiffany Faulk <tiffany.faulk@faypwc.com>; Timothy Doersam <tdoersam@cumberlandcountync.gov>; Tony Means <tmeans@ci.fay.nc.us>; Trey Smith <rsmith@cumberlandcountync.gov>; Troy Baker <tlbaker@ncdot.gov>; Wesley Jacobs <wesley.jacobs@faypwc.com>; Will Johnson <will.johnson@duke-energy.com>; Will Phipps <wphipps@cumberlandcountync.gov>  
**Subject:** Request for Comments for ZNG-007-24

Good morning,

Attached, you will find the request for comments memorandum and associated materials for ZNG-007-24 for Hope Mills. If you have no related comments, please reply with "no comment." This case is for Initial Zoning.

Please let me know if you have any questions or concerns.

Thanks, and I hope you have a wonderful weekend!

Take care,

Emily AV Weidner, CZO  
Planning & Economic Development Director  
910.429.3514 office  
910.303.4762 mobile  
910.429.3386 fax  
[www.townofhopemills.com](http://www.townofhopemills.com)

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## Emily Weidner

---

**From:** Deontae Watson <DeontaeWatson@FayettevilleNC.gov>  
**Sent:** Sunday, July 14, 2024 11:20 AM  
**To:** Emily Weidner  
**Subject:** RE: Request for Comments for ZNG-007-24  
**Attachments:** land\_use\_airports.pdf

**CAUTION:** This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Emily,

My recommendation is to reduce aviation incompatible land uses (residential, churches, schools) within the airport's overlay district. The attached document is more insight as advised by the Federal Aviation Administration.

Regards,



**Deontae K. Watson, MBA, A.A.E., ACE**

*Interim Airport Director*

Fayetteville Regional Airport .

400 Airport Road- Suite 1 | Fayetteville, NC 28306

(O) 910-433-1623

(C) 248-826-3703

[deontaewatson@fayettevillenc.gov](mailto:deontaewatson@fayettevillenc.gov)

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

[www.FayettevilleNC.gov](http://www.FayettevilleNC.gov)

---

**From:** Emily Weidner <eaweidner@townofhopemills.com>

**Sent:** Friday, July 12, 2024 9:29 AM

**To:** RLUAC Executive Director <director@rluac.com>; Adrian Jones <adrianjones@cumberlandcountync.gov>; Amy Hall <ahall@cumberlandcountync.gov>; Ashley Wyatt <awyatt@townofhopemills.com>; Barry Roberts <baroberts@cumberlandcountync.gov>; Bruce Clark <bclark@townofhopemills.com>; Chancer McLaughlin <cmclaughlin@townofhopemills.com>; Corey Lawson <cslawson@cumberlandcountync.gov>; Dan Hartzog <dhartzogjr@hartzoglawgroup.com>; Deontae Watson <DeontaeWatson@FayettevilleNC.gov>; Don Sisko <dsisko@townofhopemills.com>; Duke Pickler <duke-pickler@duke-energy.com>; Ehsan Momeni <emomeni@cumberlandcountync.gov>; Elisabeth Brown <eabrown@townofhopemills.com>; Airport <Airport@FayettevilleNC.gov>; Gene Booth <wbooth@cumberlandcountync.gov>; Hank Graham <hgraham@cumberlandcountync.gov>; Jennifer Way <Jennifer.L.Way@usps.gov>; Kelvin Raiford <kraiford@cumberlandcountync.gov>; Kenneth Tatum <ktatum@townofhopemills.com>; Leland Cottrell <leland.cottrell@ncdenr.gov>; Lori Britt <lori.britt@ncdenr.gov>; Matthew Cain <mbcain@townofhopemills.com>; Michael Gibson <MichaelGibson@FayettevilleNC.gov>; Mike Rutan <mrutan@mccog.org>; Mike Zylka <mzylka@cumberlandcountync.gov>; Misty Manning <misty.manning@faypwc.com>; Otieria Green <ogreen@cumberlandcountync.gov>; Robert Patton Jr. <patton@fayedc.com>; Rob Schob <rschob@cumberlandcountync.gov>; Robert Carter <rcarter@townofhopemills.com>; Robert Van Geons

<robert@fayedc.com>; Sam Powers <sam.powers@faypwc.com>; Shawn Taurone <shawntaurone@ccs.k12.nc.us>; Stephen Dollinger <sdollinger@townofhopemills.com>; Thomas Charles <thomas.p.charles@usace.army.mil>; Tiffany Faulk <tiffany.faulk@faypwc.com>; Timothy Doersam <tdoersam@cumberlandcountync.gov>; Tony Means <tmeans@ci.fay.nc.us>; Trey Smith <rsmith@cumberlandcountync.gov>; Troy Baker <tlbaker@ncdot.gov>; Wesley Jacobs <wesley.jacobs@faypwc.com>; Will Johnson <will.johnson@duke-energy.com>; Will Phipps <wphipp@cumberlandcountync.gov>

**Subject:** [EXTERNAL]Request for Comments for ZNG-007-24

Good morning,

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Please let me know if you have any questions or concerns.

Thanks, and I hope you have a wonderful weekend!

Take care,

Emily AV Weidner, CZO  
Planning & Economic Development Director  
910.429.3514 office  
910.303.4762 mobile  
910.429.3386 fax  
[www.townofhopemills.com](http://www.townofhopemills.com)

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## Emily Weidner

---

**From:** Shawn Taurone <shawntaurone@ccs.k12.nc.us>  
**Sent:** Monday, July 15, 2024 7:38 AM  
**To:** Emily Weidner  
**Subject:** Re: Request for Comments for ZNG-007-24

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ZNG-007-24

School	Cap	Enr
Ed Baldwin Elem	638	625
South View Mid	847	650
South View High	1871	1599

On Fri, Jul 12, 2024 at 9:29 AM Emily Weidner <[eaweidner@townofhopemills.com](mailto:eaweidner@townofhopemills.com)> wrote:

Good morning,

Attached, you will find the request for comments memorandum and associated materials for ZNG-007-24 for Hope Mills. If you have no related comments, please reply with "no comment." This case is for Initial Zoning.

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Take care,

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Planning & Economic Development Director  
910.429.3514 office  
910.303.4762 mobile  
910.429.3386 fax  
[www.townofhopemills.com](http://www.townofhopemills.com)

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--  
**Mr. Shawn Taurone | CCS Planning Specialist**

Office: (910) 678-2342 | Cell: (910) 580-2269

"Man appointed mortal sorrow, the 'Praise of God' comes down preaching, His death shall bring the despairing rest." Genesis Genealogy Name Meanings



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## Emily Weidner

---

**From:** RLUAC Executive Director <director@rluac.com>  
**Sent:** Monday, July 15, 2024 11:58 AM  
**To:** Emily Weidner  
**Subject:** RE: Request for Comments for ZNG-007-24

**CAUTION:** This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Emily,

RLUAC does not have any comments on this case.

Thanks,

Vagn

Vagn K. Hansen II, AICP, Executive Director  
Regional Land Use Advisory Commission  
6205 Raeford Road  
Fayetteville, NC 28304  
(910) 398-3743  
[director@rluac.com](mailto:director@rluac.com)  
[www.rluac.com](http://www.rluac.com)

---

**From:** Emily Weidner <eaweidner@townofhopemills.com>  
**Sent:** Friday, July 12, 2024 9:29 AM  
**To:** RLUAC Executive Director <director@rluac.com>; Adrian Jones <adrianjones@cumberlandcountync.gov>; Amy Hall <ahall@cumberlandcountync.gov>; Ashley Wyatt <awyatt@townofhopemills.com>; Barry Roberts <baroberts@cumberlandcountync.gov>; Bruce Clark <bclark@townofhopemills.com>; Chancer McLaughlin <cmclaughlin@townofhopemills.com>; Corey Lawson <cslawson@cumberlandcountync.gov>; Dan Hartzog <dhartzogjr@hartzoglawgroup.com>; Deontae Watson <deontaewatson@fayettevillenc.gov>; Don Sisko <dsisko@townofhopemills.com>; Duke Pickler <duke-pickler@duke-energy.com>; Ehsan Momeni <emomeni@cumberlandcountync.gov>; Elisabeth Brown <ebrown@townofhopemills.com>; Fayetteville Airport <airport@ci.fay.nc.us>; Gene Booth <wbooth@cumberlandcountync.gov>; Hank Graham <hgraham@cumberlandcountync.gov>; Jennifer Way <Jennifer.L.Way@usps.gov>; Kelvin Raiford <kraiford@cumberlandcountync.gov>; Kenneth Tatum <ktatum@townofhopemills.com>; Leland Cottrell <leland.cottrell@ncdenr.gov>; Lori Britt <lori.britt@ncdenr.gov>; Matthew Cain <mbcain@townofhopemills.com>; Michael Gibson <mgibson@ci.fay.nc.us>; Mike Rutan <mrutan@mccog.org>; Mike Zylka <mzylka@cumberlandcountync.gov>; Misty Manning <misty.manning@faypwc.com>; Oteria Green <ogreen@cumberlandcountync.gov>; Rob Patton <Patton@fayedc.com>; Rob Schob <rschob@cumberlandcountync.gov>; Robert Carter <rcarter@townofhopemills.com>; Robert Van Geons <robert@fayedc.com>; Sam Powers <sam.powers@faypwc.com>; Shawn Taurone <shawntaurone@ccs.k12.nc.us>; Stephen Dollinger <sdollinger@townofhopemills.com>; Thomas Charles <thomas.p.charles@usace.army.mil>; Tiffany Faulk <tiffany.faulk@faypwc.com>; Timothy Doersam <tdoersam@cumberlandcountync.gov>; Tony Means <tmeans@ci.fay.nc.us>; Trey Smith <rsmith@cumberlandcountync.gov>; Troy Baker <tlbaker@ncdot.gov>; Wesley Jacobs <wesley.jacobs@faypwc.com>; Will Johnson <will.johnson@duke-energy.com>; Will Phipps

<wphipps@cumberlandcountync.gov>

**Subject:** Request for Comments for ZNG-007-24

Good morning,

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Please let me know if you have any questions or concerns.

Thanks, and I hope you have a wonderful weekend!

Take care,

Emily AV Weidner, CZO  
Planning & Economic Development Director  
910.429.3514 office  
910.303.4762 mobile  
910.429.3386 fax  
[www.townofhopemills.com](http://www.townofhopemills.com)

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## Emily Weidner

---

**From:** Ashley Wyatt  
**Sent:** Friday, July 12, 2024 12:47 PM  
**To:** Emily Weidner  
**Subject:** RE: Request for Comments for ZNG-007-24

No comments.

In Service,



Ashley S. Wyatt  
MMC, NCCMC  
Town Clerk  
5770 Rockfish Road  
Hope Mills, NC 28348  
☎ (910) 424-4555  
🌐 [TownofHopeMills.com](http://TownofHopeMills.com)  
📱

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Please consider the environment before printing this email.

---

**From:** Emily Weidner <eaweidner@townofhopemills.com>  
**Sent:** Friday, July 12, 2024 9:29 AM  
**To:** RLUAC Executive Director <director@rluac.com>; Adrian Jones <adrianjones@cumberlandcountync.gov>; Amy Hall <ahall@cumberlandcountync.gov>; Ashley Wyatt <awyatt@townofhopemills.com>; Barry Roberts <baroberts@cumberlandcountync.gov>; Bruce Clark <bclark@townofhopemills.com>; Chancer McLaughlin <cmclaughlin@townofhopemills.com>; Corey Lawson <cslawson@cumberlandcountync.gov>; Dan Hartzog <dhartzogjr@hartzoglawgroup.com>; Deontae Watson <deontaewatson@fayettevillenc.gov>; Don Sisko <dsisko@townofhopemills.com>; Duke Pickler <duke-pickler@duke-energy.com>; Ehsan Momeni <emomeni@cumberlandcountync.gov>; Elisabeth Brown <eabrown@townofhopemills.com>; Fayetteville Airport <airport@ci.fay.nc.us>; Gene Booth <wbooth@cumberlandcountync.gov>; Hank Graham <hgraham@cumberlandcountync.gov>; Jennifer Way <Jennifer.L.Way@usps.gov>; Kelvin Raiford <kraiford@cumberlandcountync.gov>; Kenneth Tatum <ktatum@townofhopemills.com>; Leland Cottrell <leland.cottrell@ncdenr.gov>; Lori Britt <lori.britt@ncdenr.gov>; Matthew Cain <mbcain@townofhopemills.com>; Michael Gibson <mgibson@ci.fay.nc.us>; Mike Rutan <mrutan@mccog.org>; Mike Zylka <mzylka@cumberlandcountync.gov>; Misty Manning <misty.manning@faypwc.com>; Otieria Green <ogreen@cumberlandcountync.gov>; Rob Patton <Patton@fayedc.com>; Rob Schob <rschob@cumberlandcountync.gov>; Robert Carter <rcarter@townofhopemills.com>; Robert Van Geons <robert@fayedc.com>; Sam Powers <sam.powers@faypwc.com>; Shawn Taurone <shawntaurone@ccs.k12.nc.us>; Stephen Dollinger <sdollinger@townofhopemills.com>; Thomas Charles <thomas.p.charles@usace.army.mil>; Tiffany Faulk <tiffany.faulk@faypwc.com>; Timothy Doersam <tdoersam@cumberlandcountync.gov>; Tony Means <tmeans@ci.fay.nc.us>; Trey Smith <rsmith@cumberlandcountync.gov>; Troy Baker <tlbaker@ncdot.gov>; Wesley Jacobs <wesley.jacobs@faypwc.com>; Will Johnson <will.johnson@duke-energy.com>; Will Phipps <wphipps@cumberlandcountync.gov>  
**Subject:** Request for Comments for ZNG-007-24

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Take care,

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Planning & Economic Development Director  
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## Emily Weidner

---

**From:** Matthew Cain  
**Sent:** Friday, July 12, 2024 9:44 AM  
**To:** Emily Weidner  
**Subject:** RE: Request for Comments for ZNG-007-24

No comments  
Thanks,

---

**From:** Emily Weidner <eaweidner@townofhopemills.com>  
**Sent:** Friday, July 12, 2024 9:29 AM  
**To:** RLUAC Executive Director <director@rluac.com>; Adrian Jones <adrianjones@cumberlandcountync.gov>; Amy Hall <ahall@cumberlandcountync.gov>; Ashley Wyatt <awyatt@townofhopemills.com>; Barry Roberts <baroberts@cumberlandcountync.gov>; Bruce Clark <bclark@townofhopemills.com>; Chancer McLaughlin <cmclaughlin@townofhopemills.com>; Corey Lawson <cslawson@cumberlandcountync.gov>; Dan Hartzog <dhartzogjr@hartzoglawgroup.com>; Deontae Watson <deontaewatson@fayettevillenc.gov>; Don Sisko <dsisko@townofhopemills.com>; Duke Pickler <duke-pickler@duke-energy.com>; Ehsan Momeni <emomeni@cumberlandcountync.gov>; Elisabeth Brown <eabrown@townofhopemills.com>; Fayetteville Airport <airport@ci.fay.nc.us>; Gene Booth <wbooth@cumberlandcountync.gov>; Hank Graham <hgraham@cumberlandcountync.gov>; Jennifer Way <Jennifer.L.Way@usps.gov>; Kelvin Raiford <kraiford@cumberlandcountync.gov>; Kenneth Tatum <ktatum@townofhopemills.com>; Leland Cottrell <leland.cottrell@ncdenr.gov>; Lori Britt <lori.britt@ncdenr.gov>; Matthew Cain <mbcain@townofhopemills.com>; Michael Gibson <mgibson@ci.fay.nc.us>; Mike Rutan <mrutan@mccog.org>; Mike Zylka <mzylka@cumberlandcountync.gov>; Misty Manning <misty.manning@faypwc.com>; Otieria Green <ogreen@cumberlandcountync.gov>; Rob Patton <Patton@faycdc.com>; Rob Schob <rschob@cumberlandcountync.gov>; Robert Carter <rcarter@townofhopemills.com>; Robert Van Geons <robert@faycdc.com>; Sam Powers <sam.powers@faypwc.com>; Shawn Taurone <shawntaurone@ccs.k12.nc.us>; Stephen Dollinger <sdollinger@townofhopemills.com>; Thomas Charles <thomas.p.charles@usace.army.mil>; Tiffany Faulk <tiffany.faulk@faypwc.com>; Timothy Doersam <tdoersam@cumberlandcountync.gov>; Tony Means <tmeans@ci.fay.nc.us>; Trey Smith <rsmith@cumberlandcountync.gov>; Troy Baker <tlbaker@ncdot.gov>; Wesley Jacobs <wesley.jacobs@faypwc.com>; Will Johnson <will.johnson@duke-energy.com>; Will Phipps <wphipps@cumberlandcountync.gov>  
**Subject:** Request for Comments for ZNG-007-24

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Thanks, and I hope you have a wonderful weekend!

Take care,

Emily AV Weidner, CZO  
Planning & Economic Development Director  
910.429.3514 office  
910.303.4762 mobile  
910.429.3386 fax  
[www.townofhopemills.com](http://www.townofhopemills.com)

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## Emily Weidner

---

**From:** Rob Patton <Patton@fcedc.com>  
**Sent:** Friday, July 12, 2024 9:44 AM  
**To:** Emily Weidner  
**Subject:** RE: Request for Comments for ZNG-007-24

**CAUTION:** This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

FCEDC has no issue with this action.

Rob Patton  
Executive Vice President  
FCEDC  
910-500-6404  
patton@fcedc.com

---

**From:** Emily Weidner <eaweidner@townofhopemills.com>  
**Sent:** Friday, July 12, 2024 9:29 AM  
**To:** RLUAC Executive Director <director@rluac.com>; Adrian Jones <adrianjones@cumberlandcountync.gov>; Amy Hall <ahall@cumberlandcountync.gov>; Ashley Wyatt <awyatt@townofhopemills.com>; Barry Roberts <baroberts@cumberlandcountync.gov>; Bruce Clark <bclark@townofhopemills.com>; Chancer McLaughlin <cmclaughlin@townofhopemills.com>; Corey Lawson <cslawson@cumberlandcountync.gov>; Dan Hartzog <dhartzogjr@hartzoglawgroup.com>; Deontae Watson <deontaewatson@fayettevillenc.gov>; Don Sisko <dsisko@townofhopemills.com>; Duke Pickler <duke-pickler@duke-energy.com>; Ehsan Momeni <emomeni@cumberlandcountync.gov>; Elisabeth Brown <eabrown@townofhopemills.com>; Fayetteville Airport <airport@ci.fay.nc.us>; Gene Booth <wbooth@cumberlandcountync.gov>; Hank Graham <hgraham@cumberlandcountync.gov>; Jennifer Way <Jennifer.L.Way@usps.gov>; Kelvin Raiford <kraiford@cumberlandcountync.gov>; Kenneth Tatum <ktatum@townofhopemills.com>; Leland Cottrell <leland.cottrell@ncdenr.gov>; Lori Britt <lori.britt@ncdenr.gov>; Matthew Cain <mbcain@townofhopemills.com>; Michael Gibson <mgibson@ci.fay.nc.us>; Mike Rutan <mrutan@mccog.org>; Mike Zylka <mzylka@cumberlandcountync.gov>; Misty Manning <misty.manning@faypwc.com>; Otieria Green <ogreen@cumberlandcountync.gov>; Rob Patton <Patton@fcedc.com>; Rob Schob <rschob@cumberlandcountync.gov>; Robert Carter <rcarter@townofhopemills.com>; Robert Van Geons <Robert@fcedc.com>; Sam Powers <sam.powers@faypwc.com>; Shawn Taurone <shawntaurone@ccs.k12.nc.us>; Stephen Dollinger <sdollinger@townofhopemills.com>; Thomas Charles <thomas.p.charles@usace.army.mil>; Tiffany Faulk <tiffany.faulk@faypwc.com>; Timothy Doersam <tdoersam@cumberlandcountync.gov>; Tony Means <tmeans@ci.fay.nc.us>; Trey Smith <rsmith@cumberlandcountync.gov>; Troy Baker <tlbaker@ncdot.gov>; Wesley Jacobs <wesley.jacobs@faypwc.com>; Will Johnson <will.johnson@duke-energy.com>; Will Phipps <wphipp@cumberlandcountync.gov>  
**Subject:** Request for Comments for ZNG-007-24

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Take care,

Emily AV Weidner, CZO  
Planning & Economic Development Director  
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910.429.3386 fax  
[www.townofhopemills.com](http://www.townofhopemills.com)

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## Emily Weidner

---

**From:** Timothy Doersam <tdoersam@cumberlandcountync.gov>  
**Sent:** Friday, July 12, 2024 9:36 AM  
**To:** Emily Weidner  
**Subject:** RE: Request for Comments for ZNG-007-24

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Good morning Emily,

Due to the parcel being entirely within the Town of Hope Mills limits, Cumberland County Current Planning does not have any comments for this initial zoning case.

Thank you for your time,

**Timothy Doersam**  
**Planner, MPA, CZO**  
**Current Planning Development Coordinator**  
**Department of Planning & Inspections**  
**130 Gillespie Street**  
**Fayetteville, NC 28301**  
**Phone: (910) 678-7558**  
[www.cumberlandcountync.gov](http://www.cumberlandcountync.gov)

How was your experience? Take our customer survey [here](#)

---

**From:** Emily Weidner <eaweidner@townofhopemills.com>  
**Sent:** Friday, July 12, 2024 9:29 AM  
**To:** RLUAC Executive Director <director@rluac.com>; Adrian Jones <adrianjones@cumberlandcountync.gov>; Amy Hall <ahall@cumberlandcountync.gov>; Ashley Wyatt <awyatt@townofhopemills.com>; Barry Roberts <baroberts@cumberlandcountync.gov>; Bruce Clark <bclark@townofhopemills.com>; Chancer McLaughlin <cmclaughlin@townofhopemills.com>; Corey S. Lawson <cslawson@cumberlandcountync.gov>; Dan Hartzog <dhartzogjr@hartzoglawgroup.com>; Deontae Watson <deontaewatson@fayettevillenc.gov>; Don Sisko <dsisko@townofhopemills.com>; Duke Pickler <duke-pickler@duke-energy.com>; Ehsan Momeni <emomeni@cumberlandcountync.gov>; Elisabeth Brown <eabrown@townofhopemills.com>; Fayetteville Airport <airport@ci.fay.nc.us>; Gene Booth <wbooth@cumberlandcountync.gov>; Hank Graham <hgraham@cumberlandcountync.gov>; Jennifer Way <Jennifer.L.Way@usps.gov>; Kelvin Raiford <kraiford@cumberlandcountync.gov>; Kenneth Tatum <ktatum@townofhopemills.com>; Leland Cottrell <leland.cottrell@ncdenr.gov>; Lori Britt <lori.britt@ncdenr.gov>; Matthew Cain <mbcain@townofhopemills.com>; Michael Gibson <mgibson@ci.fay.nc.us>; Mike Rutan <mrrutan@mccog.org>; Mike Zylka <mzylka@cumberlandcountync.gov>; Misty Manning <misty.manning@faypwc.com>; Otteria Green <ogreen@cumberlandcountync.gov>; Rob Patton <Patton@fayedc.com>; Rob Schob <rschob@cumberlandcountync.gov>; Robert Carter <rcarter@townofhopemills.com>; Robert Van Geons <robert@fayedc.com>; Sam Powers <sam.powers@faypwc.com>; Shawn Taurone <shawntaurone@ccs.k12.nc.us>; Stephen Dollinger <sdollinger@townofhopemills.com>; Thomas Charles <thomas.p.charles@usace.army.mil>; Tiffany

Faulk <tiffany.faulk@faypwc.com>; Timothy Doersam <tdoersam@cumberlandcountync.gov>; Tony Means <tmeans@ci.fay.nc.us>; Rufus Smith III <rsmith@cumberlandcountync.gov>; Troy Baker <tlbaker@ncdot.gov>; Wesley Jacobs <wesley.jacobs@faypwc.com>; Will Johnson <will.johnson@duke-energy.com>; William Phipps <wphipps@cumberlandcountync.gov>

**Subject:** Request for Comments for ZNG-007-24

CAUTION: This email originated from outside of the County. Do not open attachments, click on links, or reply unless you trust the sender or are expecting it.

Good morning,

Attached, you will find the request for comments memorandum and associated materials for ZNG-007-24 for Hope Mills. If you have no related comments, please reply with "no comment." This case is for Initial Zoning.

Please let me know if you have any questions or concerns.

Thanks, and I hope you have a wonderful weekend!

Take care,

Emily AV Weidner, CZO  
Planning & Economic Development Director  
910.429.3514 office  
910.303.4762 mobile  
910.429.3386 fax  
[www.townofhopemills.com](http://www.townofhopemills.com)

**\*\* All correspondence to and from this address may be subject to the N.C. Public Records Law and may be disclosed to third parties. \*\***



**PLANNING AND INSPECTIONS DEPARTMENT**

**MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF AUGUST 20, 2024**

**TO: JOINT PLANNING BOARD**

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

**DATE: 8/20/2024**

**SUBJECT: CASE # ZNG-008-24: REZONE 8.61 +/- ACRES FROM PND TO R5A  
RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT,  
LOCATED AT THE DEAD END OF DUNROBIN DR REID 0424246561000,  
SUBMITTED BY SMITH SITE CONSULTANTS, PLLC (AGENT) ON  
BEHALF OF DUGGINS SOUTHVIEW HOLDINGS, LLC (OWNERS).  
(HOPE MILLS)**

**ATTACHMENTS:**

Description

ZNG-008-24

Type

Backup Material



## STAFF REPORT

REZONING CASE# ZNG-008-2024

Planning Board Meeting: 8-20-2024

Hope Mills Board Meeting: 9-16-2024

**Address:** Empty Lot at the dead end of Dunrobin Dr

### ZONING REQUEST: Rezoning to R5A Residential

The Town of Hope Mills staff received an application, requesting rezoning for 8.61 +/- acres of land tied to parcel identification number 0424-24-6561. The subject property is adjacent to the Fox Meadow subdivision and Southview Apartments/Townhomes and surrounded by areas zoned for residential use. 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:

Smith Site Solutions PLLC (applicant) on behalf of Duggins Southview Holdings, LLC (owners)

**ADDRESS/LOCATION:** Empty lot at the dead end of Dunrobin Dr, REID 0424246561000.

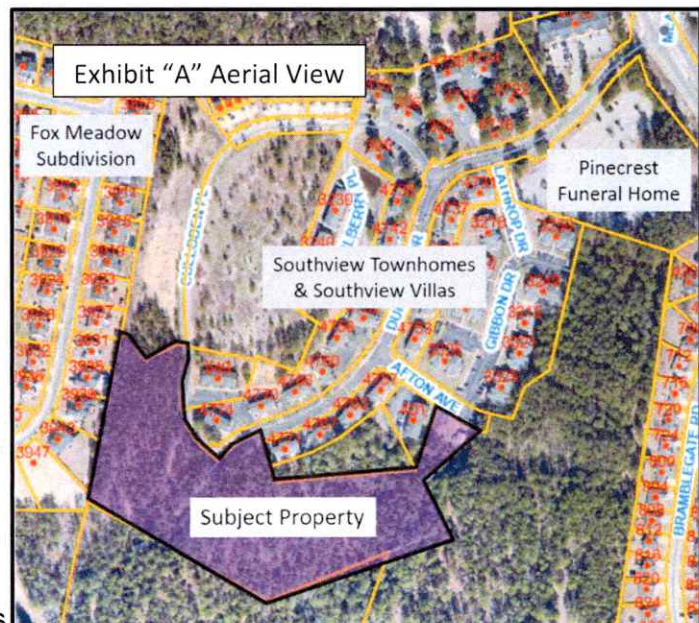
For additional Information on the site location, refer to Exhibit "A"

**SIZE:** As stated above, the subject property 8.61 acres in size with varying lengths of depth is being looked at today.

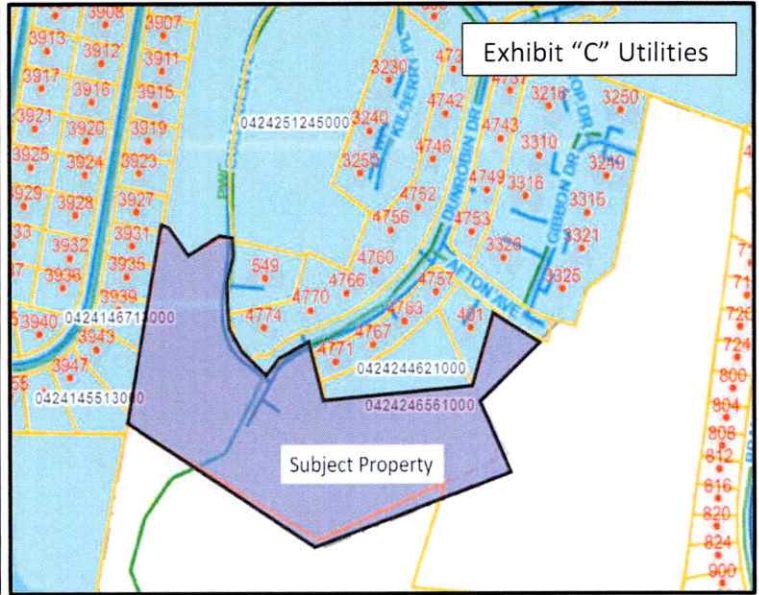
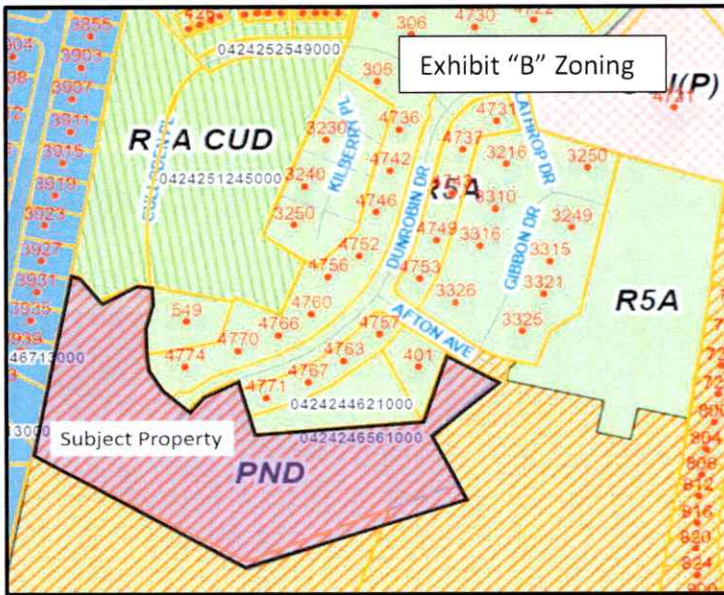
**EXISTING ZONING:** The subject property is currently zoned under PND Planned Residential District with the area to the immediate east being the Fox Meadow subdivision, the area to the north is an undeveloped lot that is already zoned R5A and the area to the northeast is Southview Townhomes and Southview Apartments, also currently zoned at R5A Residential. The area to the immediate east is all undeveloped and zoned PND – all residential uses.

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

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

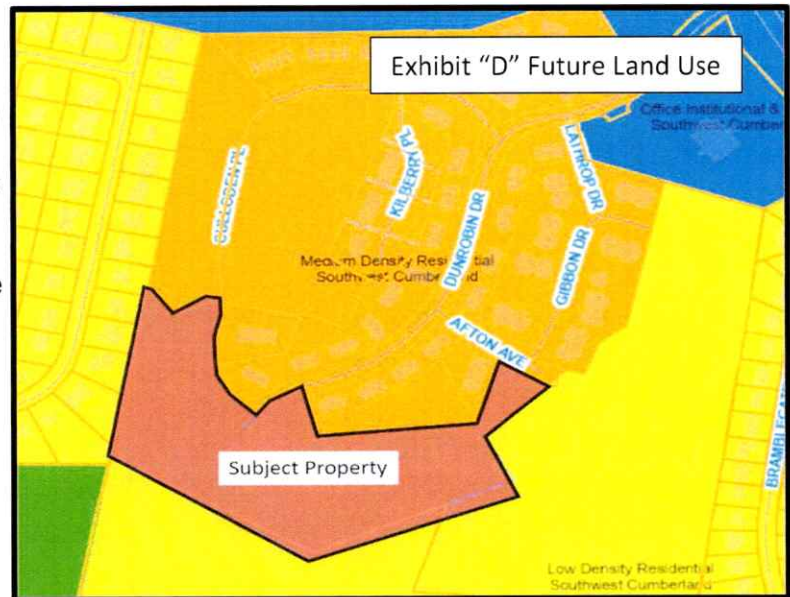






**DEVELOPMENT REVIEW:** The development of this property will require a site plan and development review.

**COMPREHENSIVE DEVELOPMENT PLANS:** This site is located within the Southwest Cumberland Land Use Plan area (2013) and is designated as "Medium Density Residential." The intended use of this property is to build more apartments that are complimentary to the existing apartments which does fit within the Southwest Cumberland Land Use Plan. 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 and Floodplain Permit Application.

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

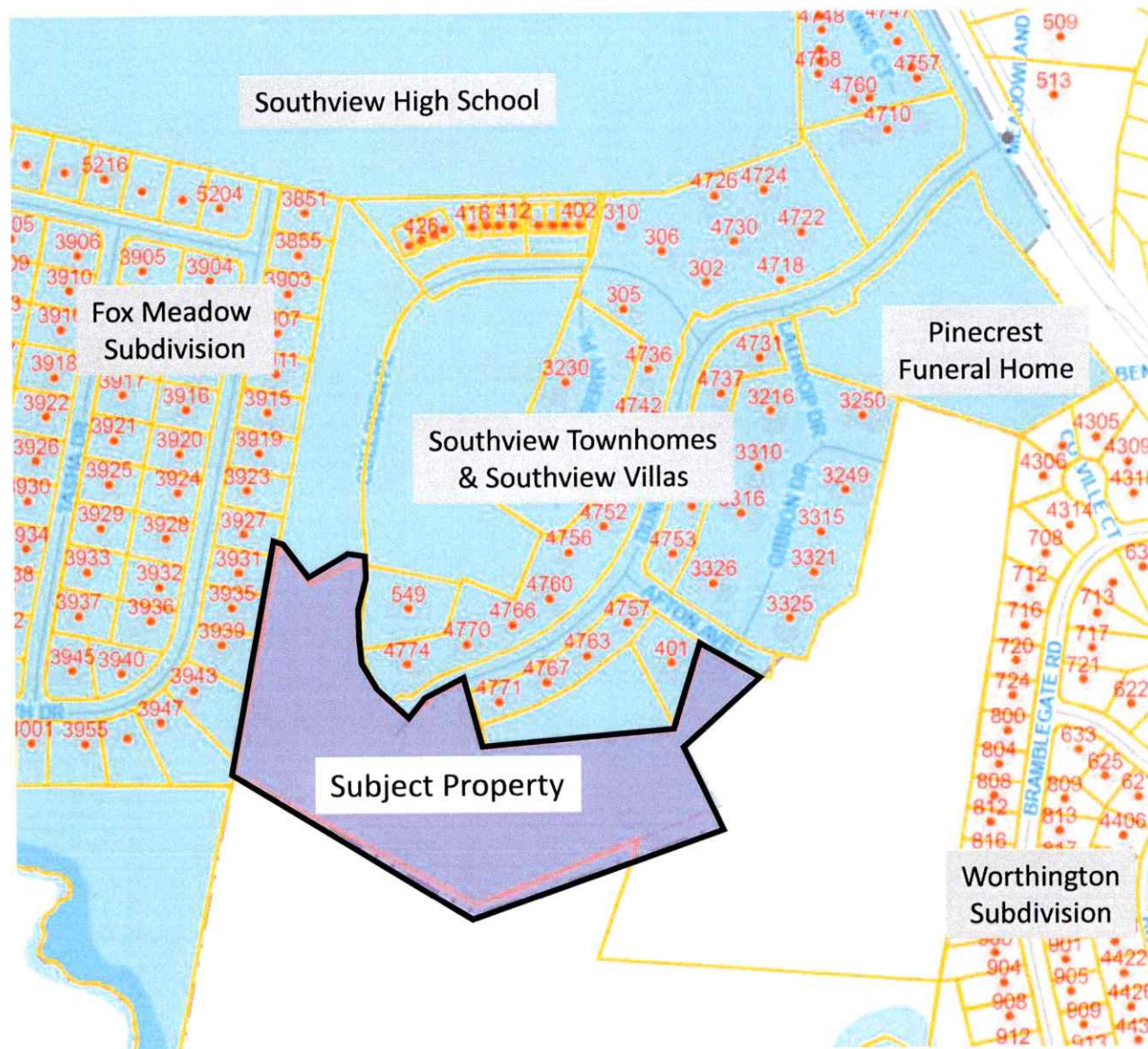
**SPECIAL OVERLAY DISTRICTS:** The subject property is located within the boundaries of the Airport Overlay District.

**CODE DEVIATIONS:** None.

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

In ZNG-008-24, the Town of Hope Mills Planning staff **recommends approval** of the rezoning request to the R5A Rural Residential district and finds that this request is consistent with the Southwest Cumberland Land Use Plan (2013) designation as R5A Rural Residentials intended principal use of the land is for medium density residential, it does complement the future vision of the Town of Hope Mills in regards to indicated 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-008-24

ZONING BOARD  
MEETING DATE: 8/20/24

DATE APPLICATION  
SUBMITTED: 7/16/24

RECEIPT NO.: R00025534

RECEIVED BY: GAN

### 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 \$\_\_\_\_\_.  
(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 PND to R5A *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: East of Afton Avenue Hope Mills, NC
3. Parcel Identification Number (PIN #) of property: 0424-24-6561 (also known as Tax ID Number or Property Tax ID)
4. Acreage: 8.61 Frontage: 825.77' (3 streets) Depth: 1,237.68'
5. Water Provider: Well: \_\_\_\_\_ PWC: YES
6. Septage Provider: Septic Tank \_\_\_\_\_ PWC YES Other (name) \_\_\_\_\_
7. Deed Book 11934, Page(s) 0677 Cumberland County Register of Deeds. (Attach copy of deed of subject property as it appears in Registry).
8. Existing use(s) of property: vacant land
9. Proposed use(s) of the property: multi-family apartments
10. Do you own any property adjacent to, including across the street from, the property being submitted for rezoning? Yes X No \_\_\_\_\_  
If yes, where? Applicant also owns the parcels to the north & south
11. Has a violation been issued on this property? Yes \_\_\_\_\_ No X

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

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

Duggins Southview Holdings, LLC  
Property owner(s)' name (print or type)

2939 Breezewood Ave, Suite 201, Fayetteville NC 28303  
Complete mailing address of property owner(s)

910-764-6600 910-323-4266  
Telephone number Alternative telephone number


tbass@unitedcompaniesnc.com  
E-mail address Fax number

\_\_\_\_\_  
Agent, attorney, or applicant (other than property owner) (print or type)

\_\_\_\_\_  
Complete mailing address of agent, attorney, or applicant

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

\_\_\_\_\_  
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.**



Requested Zoning Districts	Less Than 1 Acre	1 to 5 acres	Over 5, Up to 10 acres	Over 10 Acres
RR	\$400	\$500	\$600	\$700
R20	\$400	\$500	\$600	\$700
R15	\$400	\$500	\$600	\$700
R7.5	\$400	\$500	\$600	\$700
R6	\$400	\$500	\$600	\$700
R6A	\$400	\$500	\$600	\$700
R5	\$400	\$500	\$600	\$700
R5A	\$400	\$500	\$600	\$700
O&I(P)	\$500	\$600	\$700	\$900
C1(P)	\$500	\$600	\$700	\$900
C2(P)	\$500	\$600	\$700	\$900
C(P)	\$500	\$600	\$700	\$900
M1(P)	\$500	\$600	\$700	\$900
M2(P)	\$500	\$600	\$700	\$900
Pre application meeting required for all applications				

**Please Note:**

1. If more than one zoning district is request in the same applications, the highest fee for the district requested will apply.
2. If a general rezoning is requested and based on recommendations of the Planning Board of Hope Mills Commissioners, as Conditional Use District and Permit application is to be filed; the original application fee will be credited toward the Conditional Use District and Permit application fee.





05-04-24

REVISIONS

# **SUBDIVISION SURVEY OF THE DUGGINS SMITH, LLC PARCEL**

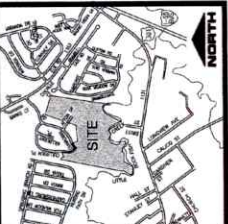
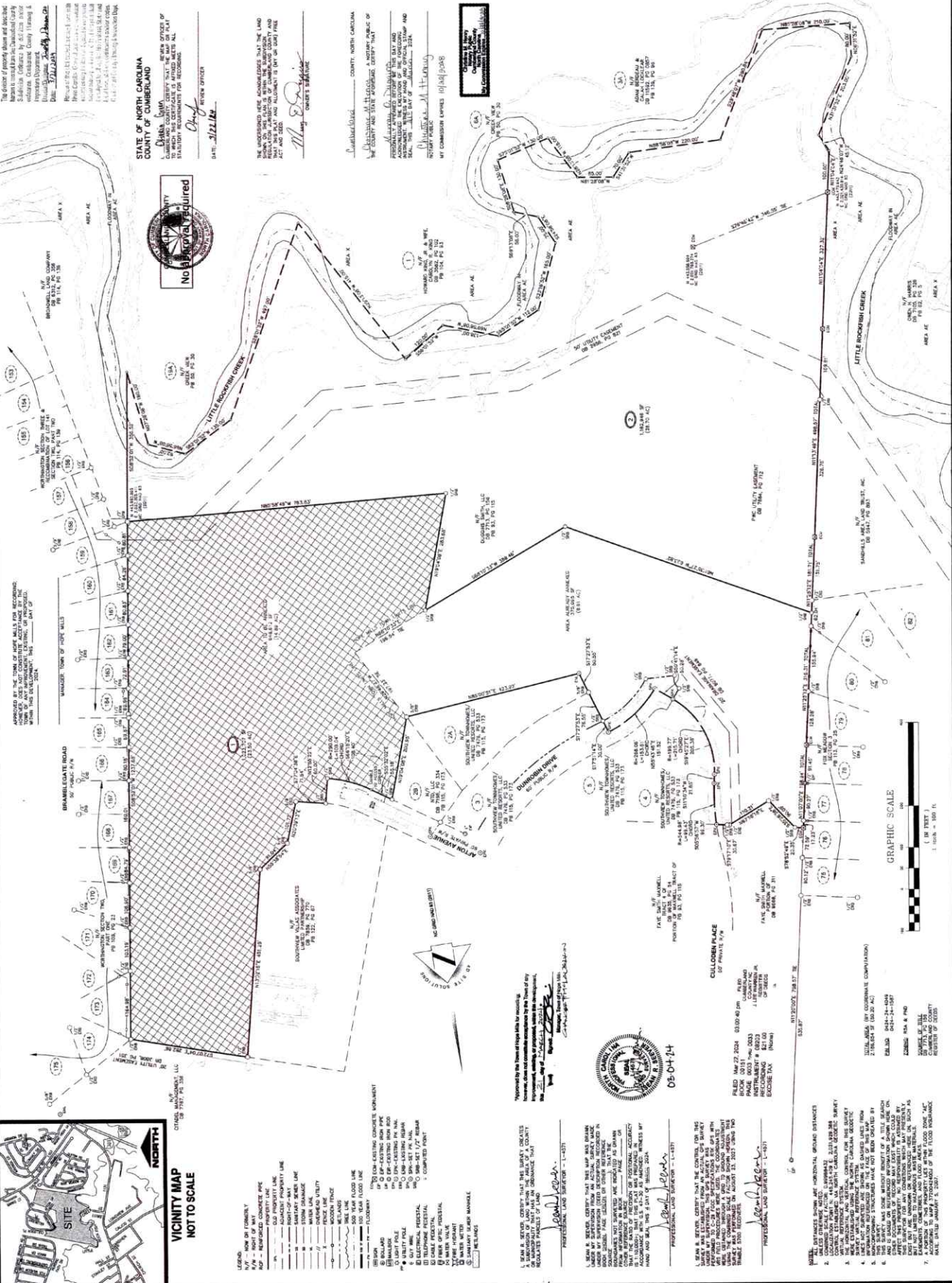
**CLIENT**  
**UNITED  
RESORTS, INC**

**PROJECT INFORMATION**  
SUBMITTED BY: [blank]  
DRAWN BY: [blank]  
CHECKED BY: [blank]  
PROJECT NUMBER: [blank]

**DRAWING SCALE**  
HORIZONTAL: 1"=100'  
VERTICAL: 1"=100'

**DATE SUBMITTED**  
FEBRUARY 27, 2024

**SHEET NUMBER**  
1 OF 1



**STATE OF NORTH CAROLINA**  
**DAVID L. SMITH**  
REGISTERED PROFESSIONAL ENGINEER  
LICENSE NO. 10000  
EXPIRATION DATE 12/31/2024

**APPROVED BY THE TOWN OF HOPE HILLS FOR RECORDING**  
TOWN OF HOPE HILLS, NORTH CAROLINA  
DATE: 02/27/2024

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DATE: 02/27/2024

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DATE: 02/27/2024

**APPROVED BY THE TOWN OF HOPE HILLS FOR RECORDING**  
TOWN OF HOPE HILLS, NORTH CAROLINA  
DATE: 02/27/2024

FILED	Mar 26, 2024
AT	02:29:50 PM
BOOK	11934
START PAGE	0677
END PAGE	0679
INSTRUMENT #	08506
RECORDING	\$26.00
EXCISE TAX	\$0.00

Excise Tax \$ 0.00

Recording Time, Book and Page

Tax Lot No. \_\_\_\_\_ Parcel Identifier No. \_\_\_\_\_  
 Verified by \_\_\_\_\_ County on the \_\_\_\_\_ day of \_\_\_\_\_, 2024

Mail after recording to: William Lockett Tally, 2573 Ravenhill Drive, Fayetteville, NC 28303  
 This instrument was prepared by William Lockett Tally(\*\*\*Title Not Certified by Preparer\*\*\*)

Brief Description for the index

**NORTH CAROLINA GENERAL WARRANTY DEED**THIS DEED made 3/26/2024 by and between

GRANTOR	GRANTEE
DUGGINS SMITH, LLC, a North Carolina limited liability company 2939 Breezewood Avenue, Suite 201 Fayetteville, NC 28303	DUGGINS SOUTHVIEW HOLDINGS, LLC a North Carolina limited liability company 2939 Breezewood Avenue, Suite 201 Fayetteville, NC 28303

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 \_\_\_\_\_, Rockfish Township, Cumberland County, North Carolina and more particularly described as follows:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION.

The property hereinabove described was acquired by Grantor by instrument recorded in Book \_\_\_\_\_, Page \_\_\_\_\_

submitted electronically by "Tally and Tally, Attorneys and Counselors at Law, PLLC"  
 in compliance with North Carolina statutes governing recordable documents  
 and the terms of the submitter agreement with the Cumberland County Register of Deeds.

A map showing the above described property is recorded in Plat Book \_\_\_\_, Page \_\_\_\_.

All or a portion of the property herein conveyed \_\_\_\_ includes or X does not include the primary residence of a Grantor.

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.

IN WITNESS WHEREOF, the Grantor(s) have hereunto set his hand and seal, the day and year first above written.

DUGGINS SMITH, LLC

BY: Murray O. Duggins (SEAL)  
MURRAY O. DUGGINS, MANAGING MEMBER

State of North Carolina

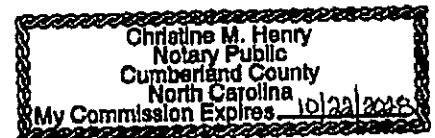
SEAL-  
STAMP

Cumberland County

I, Christine M. Henry, a Notary Public for said county and state, do hereby certify MURRAY O. DUGGINS, Managing Member of DUGGINS SMITH, LLC, a North Carolina Limited Liability Company, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

My commission expires: 10/22/2018

Christine M. Henry Notary Public



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

\_\_\_\_\_  
REGISTER OF DEEDS FOR \_\_\_\_\_ COUNTY

By \_\_\_\_\_ Deputy/Assistant-  
Register of Deeds.

EXHIBIT "A"

Legal Description

PIN #: 0424-24-4049 AND 0424-24-1587

BEING ALL OF LOTS 1 AND 2 AS SHOWN ON THE SAID PLAT ENTITLED  
"SUBDIVISION SURVEY OF THE DUGGINS SMITH, LLC PARCEL" RECORDED  
IN BOOK OF PLATS 151, PAGE 33 OF THE CUMBERLAND COUNTY, NORTH  
CAROLINA REGISTRY.



Town of Hope Mills  
5770 Rockfish Road  
Hope Mills, NC 28348

Receipt Number: R00025534

Cashier Name: Vonda Johnson

Terminal Number: 5

Receipt Date: 7/16/2024 8:45:34 AM

Tran. Code: 103650 - Zoning Permits/Applications

Name: DUGGINS SOUTHVIEW HOLDINGS, LLC/REZONING A

\$700.00

Zoning Permits/Applications

\$700.00

Total Amount Applied: \$700.00

Amount: \$700.00

Payment Method: Check

Payor: DUGGINS SOUTHVIEW HOI Reference: 1008

Total Payment Received: \$700.00

Change: \$0.00

GL Distribution:	Account Number	Account Name	Amount
	10-3650	ZONING PERMITS	700.00
		Total Distribution Amount:	700.00



**Jessie Bellflowers**  
Mayor

**Chancer F. McLaughlin**  
Town Manager



**Kenjuana McCray**  
Mayor Pro-Tem

**Emily AV Weidner**  
Director

August 2, 2024

Duggins Southview Holdings, LLC  
2939 Breezewood Ave Ste 201  
Fayetteville, NC 28303

Dear Duggins Southview Holdings, LLC,

The Joint Planning Board of Cumberland County will hold a public meeting on August 20, 2024, beginning at 6:00 p.m. or shortly thereafter, in Court Room 3 on the 2<sup>nd</sup> floor of the Old Historic Court House Building, located at 130 Gillespie Street, Fayetteville, NC and will consider the following:

**Case ZNG-008-24:** *Rezone 8.61 +/- acres from PND to R5A Residential or more restrictive zoning located at the empty lot at the dead end of Dunrobin Dr REID 0424246561000 submitted by Smith Site Consultants, PLLC (agent) on behalf of Duggins Southview Holdings, LLC (owners).*

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  
Planning & Economic Development Director

Cc: Adjacent Property Owners



Owner	Street	City	State	Zip
Duggins Southview Holdings, LLC	2939 Breezewood Ave Ste 201	Fayetteville	NC	28303
Faye Smith Maxwell	1314 Longleaf Dr	Fayetteville	NC	28305
United Realty of Fay, Inc	PO Box 87770	Fayetteville	NC	28304
Southview Townhomes/United Resorts, LLC	PO Box 87770	Fayetteville	NC	28304
NTD, LLC	PO Box 87770	Fayetteville	NC	28304
Capricia & Justin Whitley	3943 Huntingpath Dr	Hope Mills	NC	28348
Raphael & Pamela Price	3939 Huntingpath Dr	Hope Mills	NC	28348
Darcy & Tammy Haynes	3935 Huntingpath Dr	Hope Mills	NC	28348
Christopher & Amanda Fann	3931 Huntingpath Dr	Hope Mills	NC	28348
Travina Love	3927 Huntingpath Dr	Hope Mills	NC	28348

## Emily Weidner

---

**From:** Elisabeth Brown  
**Sent:** Tuesday, July 23, 2024 9:46 AM  
**To:** Emily Weidner  
**Subject:** RE: Request for Comments for ZNG-008-24

No Comment

---

**From:** Emily Weidner <eaweidner@townofhopemills.com>  
**Sent:** Monday, July 22, 2024 2:38 PM  
**To:** RLUAC Executive Director <director@rluac.com>; Adrian Jones <adrianjones@cumberlandcountync.gov>; Amy Hall <ahall@cumberlandcountync.gov>; Ashley Wyatt <awyatt@townofhopemills.com>; Barry Roberts <baroberts@cumberlandcountync.gov>; Bruce Clark <bclark@townofhopemills.com>; Chancer McLaughlin <cmclaughlin@townofhopemills.com>; Corey Lawson <cslawson@cumberlandcountync.gov>; Dan Hartzog <dhartzogjr@hartzoglawgroup.com>; Deontae Watson <deontaewatson@fayettevillenc.gov>; Don Sisko <dsisko@townofhopemills.com>; Duke Pickler <duke-pickler@duke-energy.com>; Ehsan Momeni <emomeni@cumberlandcountync.gov>; Elisabeth Brown <eabrown@townofhopemills.com>; Fayetteville Airport <airport@ci.fay.nc.us>; Gene Booth <wbooth@cumberlandcountync.gov>; Hank Graham <hgraham@cumberlandcountync.gov>; Jennifer Way <Jennifer.L.Way@usps.gov>; Kelvin Raiford <kraiford@cumberlandcountync.gov>; Kenneth Tatum <ktatum@townofhopemills.com>; Leland Cottrell <leland.cottrell@ncdenr.gov>; Lori Britt <lori.britt@ncdenr.gov>; Matthew Cain <mbcain@townofhopemills.com>; Michael Gibson <mgibson@ci.fay.nc.us>; Mike Rutan <mrutan@mccog.org>; Mike Zylka <mzylka@cumberlandcountync.gov>; Misty Manning <misty.manning@faypwc.com>; Otteria Green <ogreen@cumberlandcountync.gov>; Rob Patton <Patton@fayedc.com>; Rob Schob <rschob@cumberlandcountync.gov>; Robert Carter <rcarter@townofhopemills.com>; Robert Van Geons <robert@fayedc.com>; Sam Powers <sam.powers@faypwc.com>; Shawn Taurone <shawntaurone@ccs.k12.nc.us>; Stephen Dollinger <sdollinger@townofhopemills.com>; Thomas Charles <thomas.p.charles@usace.army.mil>; Tiffany Faulk <tiffany.faulk@faypwc.com>; Timothy Doersam <tdoersam@cumberlandcountync.gov>; Tony Means <tmeans@ci.fay.nc.us>; Trey Smith <rsmith@cumberlandcountync.gov>; Troy Baker <tlbaker@ncdot.gov>; Wesley Jacobs <wesley.jacobs@faypwc.com>; Will Johnson <will.johnson@duke-energy.com>; Will Phipps <wphipps@cumberlandcountync.gov>  
**Subject:** Request for Comments for ZNG-008-24

Good afternoon,

Attached, you will find the request for comments memorandum and associated materials for ZNG-008-24 for Hope Mills. If you have no related comments, please reply with "no comment." This case is for Rezoning.

Please let me know if you have any questions or concerns.

Thanks, and I hope you have a wonderful week!

Take care,

Emily AV Weidner, CZO

Town Planner

910.429.3514 office

910.303.4762 mobile

910.429.3386 fax

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



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## Emily Weidner

---

**From:** Don Sisko  
**Sent:** Monday, July 22, 2024 3:13 PM  
**To:** Emily Weidner  
**Cc:** Bruce Clark; Stephen Kessinger  
**Subject:** RE: Request for Comments for ZNG-008-24

Miss Emily,

No comments from Public Works concerning this rezoning request.

v/r  
Don

*Don Sisko*

Public Works Director  
Town of Hope Mills  
(910) 429-3384 (office)  
(910) 316-4318 (cell)



---

**From:** Emily Weidner <eaweidner@townofhopemills.com>  
**Sent:** Monday, July 22, 2024 2:38 PM  
**To:** RLUAC Executive Director <director@rluac.com>; Adrian Jones <adrianjones@cumberlandcountync.gov>; Amy Hall <ahall@cumberlandcountync.gov>; Ashley Wyatt <awyatt@townofhopemills.com>; Barry Roberts <baroberts@cumberlandcountync.gov>; Bruce Clark <bclark@townofhopemills.com>; Chancer McLaughlin <cmclaughlin@townofhopemills.com>; Corey Lawson <cslawson@cumberlandcountync.gov>; Dan Hartzog <dhartzogjr@hartzoglawgroup.com>; Deontae Watson <deontaewatson@fayettevillenc.gov>; Don Sisko <dsisko@townofhopemills.com>; Duke Pickler <duke-pickler@duke-energy.com>; Ehsan Momeni <emomeni@cumberlandcountync.gov>; Elisabeth Brown <eabrown@townofhopemills.com>; Fayetteville Airport <airport@ci.fay.nc.us>; Gene Booth <wbooth@cumberlandcountync.gov>; Hank Graham <hgraham@cumberlandcountync.gov>; Jennifer Way <Jennifer.L.Way@usps.gov>; Kelvin Raiford <kraiford@cumberlandcountync.gov>; Kenneth Tatum <ktatum@townofhopemills.com>; Leland Cottrell <leland.cottrell@ncdenr.gov>; Lori Britt <lori.britt@ncdenr.gov>; Matthew Cain <mbcain@townofhopemills.com>; Michael Gibson <mgibson@ci.fay.nc.us>; Mike Rutan <mrutan@mccog.org>; Mike Zylka <mzylka@cumberlandcountync.gov>; Misty Manning <misty.manning@faypwc.com>; Otieria Green <ogreen@cumberlandcountync.gov>; Rob Patton <Patton@fayedc.com>; Rob Schob <rschob@cumberlandcountync.gov>; Robert Carter <rcarter@townofhopemills.com>; Robert Van Geons <robert@fayedc.com>; Sam Powers <sam.powers@faypwc.com>; Shawn Taurone <shawntaurone@ccs.k12.nc.us>; Stephen Dollinger <sdollinger@townofhopemills.com>; Thomas Charles <thomas.p.charles@usace.army.mil>; Tiffany Faulk <tiffany.faulk@faypwc.com>; Timothy Doersam <tdoersam@cumberlandcountync.gov>; Tony Means <tmeans@ci.fay.nc.us>; Trey Smith <rsmith@cumberlandcountync.gov>; Troy Baker <tlbaker@ncdot.gov>; Wesley

Jacobs <wesley.jacobs@faypwc.com>; Will Johnson <will.johnson@duke-energy.com>; Will Phipps  
<wphipps@cumberlandcountync.gov>

**Subject:** Request for Comments for ZNG-008-24

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Thanks, and I hope you have a wonderful week!

Take care,

Emily AV Weidner, CZO

Town Planner

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## Emily Weidner

---

**From:** RLUAC Executive Director <director@rluac.com>  
**Sent:** Monday, July 22, 2024 3:14 PM  
**To:** Emily Weidner  
**Subject:** RE: Request for Comments for ZNG-008-24

**CAUTION:** This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Emily,

RLUAC does not have any comments on this case.

Thanks,

Vagn

Vagn K. Hansen II, AICP, Executive Director  
Regional Land Use Advisory Commission  
6205 Raeford Road  
Fayetteville, NC 28304  
(910) 398-3743  
[director@rluac.com](mailto:director@rluac.com)  
[www.rluac.com](http://www.rluac.com)

---

**From:** Emily Weidner <eaweidner@townofhopemills.com>  
**Sent:** Monday, July 22, 2024 2:38 PM  
**To:** RLUAC Executive Director <director@rluac.com>; Adrian Jones <adrianjones@cumberlandcountync.gov>; Amy Hall <ahall@cumberlandcountync.gov>; Ashley Wyatt <awyatt@townofhopemills.com>; Barry Roberts <baroberts@cumberlandcountync.gov>; Bruce Clark <bclark@townofhopemills.com>; Chancer McLaughlin <cmclaughlin@townofhopemills.com>; Corey Lawson <cslawson@cumberlandcountync.gov>; Dan Hartzog <dhartzogjr@hartzoglawgroup.com>; Deontae Watson <deontaewatson@fayettevillenc.gov>; Don Sisko <dsisko@townofhopemills.com>; Duke Pickler <duke-pickler@duke-energy.com>; Ehsan Momeni <emomeni@cumberlandcountync.gov>; Elisabeth Brown <eabrown@townofhopemills.com>; Fayetteville Airport <airport@ci.fay.nc.us>; Gene Booth <wbooth@cumberlandcountync.gov>; Hank Graham <hgraham@cumberlandcountync.gov>; Jennifer Way <Jennifer.L.Way@usps.gov>; Kelvin Raiford <kraiford@cumberlandcountync.gov>; Kenneth Tatum <ktatum@townofhopemills.com>; Leland Cottrell <leland.cottrell@ncdenr.gov>; Lori Britt <lori.britt@ncdenr.gov>; Matthew Cain <mbcain@townofhopemills.com>; Michael Gibson <mgibson@ci.fay.nc.us>; Mike Rutan <mrutan@mccog.org>; Mike Zylka <mzylka@cumberlandcountync.gov>; Misty Manning <misty.manning@faypwc.com>; Otteria Green <ogreen@cumberlandcountync.gov>; Rob Patton <Patton@fayedc.com>; Rob Schob <rschob@cumberlandcountync.gov>; Robert Carter <rcarter@townofhopemills.com>; Robert Van Geons <robert@fayedc.com>; Sam Powers <sam.powers@faypwc.com>; Shawn Taurone <shawntaurone@ccs.k12.nc.us>; Stephen Dollinger <sdollinger@townofhopemills.com>; Thomas Charles <thomas.p.charles@usace.army.mil>; Tiffany Faulk <tiffany.faulk@faypwc.com>; Timothy Doersam <tdoersam@cumberlandcountync.gov>; Tony Means <tmeans@ci.fay.nc.us>; Trey Smith <rsmith@cumberlandcountync.gov>; Troy Baker <tlbaker@ncdot.gov>; Wesley Jacobs <wesley.jacobs@faypwc.com>; Will Johnson <will.johnson@duke-energy.com>; Will Phipps



<wphipps@cumberlandcountync.gov>

**Subject:** Request for Comments for ZNG-008-24

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Thanks, and I hope you have a wonderful week!

Take care,

Emily AV Weidner, CZO

Town Planner

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## Emily Weidner

---

**From:** Timothy Doersam <tdoersam@cumberlandcountync.gov>  
**Sent:** Monday, July 22, 2024 3:16 PM  
**To:** Emily Weidner  
**Subject:** RE: Request for Comments for ZNG-008-24

**CAUTION:** This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon Emily,

Because the subject property is located wholly within the Town of Hope Mills' town limits, Cumberland County Current Planning does not have any comments for the proposed rezoning located at REID: 0424246561000.

Thank you for your time,

**Timothy Doersam**  
**Planner, MPA, CZO**  
**Current Planning Development Coordinator**  
**Department of Planning & Inspections**  
**130 Gillespie Street**  
**Fayetteville, NC 28301**  
**Phone: (910) 678-7558**  
[www.cumberlandcountync.gov](http://www.cumberlandcountync.gov)

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---

**From:** Emily Weidner <eaweidner@townofhopemills.com>  
**Sent:** Monday, July 22, 2024 2:38 PM  
**To:** RLUAC Executive Director <director@rluac.com>; Adrian Jones <adrianjones@cumberlandcountync.gov>; Amy Hall <ahall@cumberlandcountync.gov>; Ashley Wyatt <awyatt@townofhopemills.com>; Barry Roberts <baroberts@cumberlandcountync.gov>; Bruce Clark <bclark@townofhopemills.com>; Chancer McLaughlin <cmclaughlin@townofhopemills.com>; Corey S. Lawson <cslawson@cumberlandcountync.gov>; Dan Hartzog <dhartzogjr@hartzoglawgroup.com>; Deontae Watson <deontaewatson@fayettevillenc.gov>; Don Sisko <dsisko@townofhopemills.com>; Duke Pickler <duke-pickler@duke-energy.com>; Ehsan Momeni <emomeni@cumberlandcountync.gov>; Elisabeth Brown <eabrown@townofhopemills.com>; Fayetteville Airport <airport@ci.fay.nc.us>; Gene Booth <wbooth@cumberlandcountync.gov>; Hank Graham <hgraham@cumberlandcountync.gov>; Jennifer Way <Jennifer.L.Way@usps.gov>; Kelvin Raiford <kraiford@cumberlandcountync.gov>; Kenneth Tatum <ktatum@townofhopemills.com>; Leland Cottrell <leland.cottrell@ncdenr.gov>; Lori Britt <lori.britt@ncdenr.gov>; Matthew Cain <mbcain@townofhopemills.com>; Michael Gibson <mgibson@ci.fay.nc.us>; Mike Rutan <mrutan@mccog.org>; Mike Zylka <mzylka@cumberlandcountync.gov>; Misty Manning <misty.manning@faypwc.com>; Otieria Green <ogreen@cumberlandcountync.gov>; Rob Patton <Patton@fayedc.com>; Rob Schob <rschob@cumberlandcountync.gov>; Robert Carter <rcarter@townofhopemills.com>; Robert Van Geons <robert@fayedc.com>; Sam Powers <sam.powers@faypwc.com>; Shawn Taurone <shawntaurone@ccs.k12.nc.us>; Stephen Dollinger <sdollinger@townofhopemills.com>; Thomas Charles <thomas.p.charles@usace.army.mil>; Tiffany

Faulk <tiffany.faulk@faypwc.com>; Timothy Doersam <tdoersam@cumberlandcountync.gov>; Tony Means <tmeans@ci.fay.nc.us>; Rufus Smith III <rsmith@cumberlandcountync.gov>; Troy Baker <tlbaker@ncdot.gov>; Wesley Jacobs <wesley.jacobs@faypwc.com>; Will Johnson <will.johnson@duke-energy.com>; William Phipps <wphipps@cumberlandcountync.gov>

**Subject:** Request for Comments for ZNG-008-24

CAUTION: This email originated from outside of the County. Do not open attachments, click on links, or reply unless you trust the sender or are expecting it.

Good afternoon,

Attached, you will find the request for comments memorandum and associated materials for ZNG-008-24 for Hope Mills. If you have no related comments, please reply with "no comment." This case is for Rezoning.

Please let me know if you have any questions or concerns.

Thanks, and I hope you have a wonderful week!

Take care,

Emily AV Weidner, CZO

Town Planner

910.429.3514 office

910.303.4762 mobile

910.429.3386 fax

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



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## Emily Weidner

---

**From:** Shawn Taurone <shawntaurone@ccs.k12.nc.us>  
**Sent:** Monday, July 22, 2024 3:16 PM  
**To:** Emily Weidner  
**Subject:** Re: Request for Comments for ZNG-008-24

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ZNG-008-24

School	Cap	Enr
Ed Baldwin Elem	638	625
South View Mid	847	650
South View High	1871	1599

On Mon, Jul 22, 2024 at 2:38 PM Emily Weidner <[eaheidner@townofhopemills.com](mailto:eaheidner@townofhopemills.com)> wrote:  
Good afternoon,

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--  
**Mr. Shawn Taurone | CCS Planning Specialist**

Office: (910) 678-2342 | Cell: (910) 580-2269

"Man appointed mortal sorrow, the 'Praise of God' comes down preaching, His death shall bring the despairing rest." Genesis Genealogy Name Meanings



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## Emily Weidner

---

**From:** Kenneth Tatum  
**Sent:** Monday, July 22, 2024 3:25 PM  
**To:** Emily Weidner  
**Subject:** RE: Request for Comments for ZNG-008-24

No comments.  
V/R,  
Kenny Tatum

---

**From:** Emily Weidner <eaweidner@townofhopemills.com>  
**Sent:** Monday, July 22, 2024 2:38 PM  
**To:** RLUAC Executive Director <director@rluac.com>; Adrian Jones <adrianjones@cumberlandcountync.gov>; Amy Hall <ahall@cumberlandcountync.gov>; Ashley Wyatt <awyatt@townofhopemills.com>; Barry Roberts <baroberts@cumberlandcountync.gov>; Bruce Clark <bclark@townofhopemills.com>; Chancer McLaughlin <cmclaughlin@townofhopemills.com>; Corey Lawson <cslawson@cumberlandcountync.gov>; Dan Hartzog <dhartzogjr@hartzoglawgroup.com>; Deontae Watson <deontaewatson@fayettevillenc.gov>; Don Sisko <dsisko@townofhopemills.com>; Duke Pickler <duke-pickler@duke-energy.com>; Ehsan Momeni <emomeni@cumberlandcountync.gov>; Elisabeth Brown <eabrown@townofhopemills.com>; Fayetteville Airport <airport@ci.fay.nc.us>; Gene Booth <wbooth@cumberlandcountync.gov>; Hank Graham <hgraham@cumberlandcountync.gov>; Jennifer Way <Jennifer.L.Way@usps.gov>; Kelvin Raiford <kraiford@cumberlandcountync.gov>; Kenneth Tatum <ktatum@townofhopemills.com>; Leland Cottrell <leland.cottrell@ncdenr.gov>; Lori Britt <lori.britt@ncdenr.gov>; Matthew Cain <mbcain@townofhopemills.com>; Michael Gibson <mgibson@ci.fay.nc.us>; Mike Rutan <mrutan@mccog.org>; Mike Zylka <mzylka@cumberlandcountync.gov>; Misty Manning <misty.manning@faypwc.com>; Otieria Green <ogreen@cumberlandcountync.gov>; Rob Patton <Patton@fayedc.com>; Rob Schob <rschob@cumberlandcountync.gov>; Robert Carter <rcarter@townofhopemills.com>; Robert Van Geons <robert@fayedc.com>; Sam Powers <sam.powers@faypwc.com>; Shawn Taurone <shawntaurone@ccs.k12.nc.us>; Stephen Dollinger <sdollinger@townofhopemills.com>; Thomas Charles <thomas.p.charles@usace.army.mil>; Tiffany Faulk <tiffany.faulk@faypwc.com>; Timothy Doersam <tdoersam@cumberlandcountync.gov>; Tony Means <tmeans@ci.fay.nc.us>; Trey Smith <rsmith@cumberlandcountync.gov>; Troy Baker <tlbaker@ncdot.gov>; Wesley Jacobs <wesley.jacobs@faypwc.com>; Will Johnson <will.johnson@duke-energy.com>; Will Phipps <wphipps@cumberlandcountync.gov>  
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Take care,



Emily AV Weidner, CZO

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## Emily Weidner

---

**From:** Rob Patton <Patton@fcedc.com>  
**Sent:** Monday, July 22, 2024 3:30 PM  
**To:** Emily Weidner  
**Subject:** RE: Request for Comments for ZNG-008-24

**CAUTION:** This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

FCEDC has no issue with this action.

Rob Patton  
Executive Vice President  
FCEDC  
910-500-6404  
patton@fcedc.com

---

**From:** Emily Weidner <eaweidner@townofhopemills.com>  
**Sent:** Monday, July 22, 2024 2:38 PM  
**To:** RLUAC Executive Director <director@rluac.com>; Adrian Jones <adrianjones@cumberlandcountync.gov>; Amy Hall <ahall@cumberlandcountync.gov>; Ashley Wyatt <awyatt@townofhopemills.com>; Barry Roberts <baroberts@cumberlandcountync.gov>; Bruce Clark <bclark@townofhopemills.com>; Chancer McLaughlin <cmclaughlin@townofhopemills.com>; Corey Lawson <cslawson@cumberlandcountync.gov>; Dan Hartzog <dhartzogjr@hartzoglawgroup.com>; Deontae Watson <deontaewatson@fayettevillenc.gov>; Don Sisko <dsisko@townofhopemills.com>; Duke Pickler <duke-pickler@duke-energy.com>; Ehsan Momeni <emomeni@cumberlandcountync.gov>; Elisabeth Brown <eabrown@townofhopemills.com>; Fayetteville Airport <airport@ci.fay.nc.us>; Gene Booth <wbooth@cumberlandcountync.gov>; Hank Graham <hgraham@cumberlandcountync.gov>; Jennifer Way <Jennifer.L.Way@usps.gov>; Kelvin Raiford <kraiford@cumberlandcountync.gov>; Kenneth Tatum <ktatum@townofhopemills.com>; Leland Cottrell <leland.cottrell@ncdenr.gov>; Lori Britt <lori.britt@ncdenr.gov>; Matthew Cain <mbcain@townofhopemills.com>; Michael Gibson <mgibson@ci.fay.nc.us>; Mike Rutan <mrutan@mccog.org>; Mike Zylka <mzylka@cumberlandcountync.gov>; Misty Manning <misty.manning@faypwc.com>; Otieria Green <ogreen@cumberlandcountync.gov>; Rob Patton <Patton@fcedc.com>; Rob Schob <rschob@cumberlandcountync.gov>; Robert Carter <rcarter@townofhopemills.com>; Robert Van Geons <Robert@fcedc.com>; Sam Powers <sam.powers@faypwc.com>; Shawn Taurone <shawntaurone@ccs.k12.nc.us>; Stephen Dollinger <sdollinger@townofhopemills.com>; Thomas Charles <thomas.p.charles@usace.army.mil>; Tiffany Faulk <tiffany.faulk@faypwc.com>; Timothy Doersam <tdoorsam@cumberlandcountync.gov>; Tony Means <tmeans@ci.fay.nc.us>; Trey Smith <rsmith@cumberlandcountync.gov>; Troy Baker <tlbaker@ncdot.gov>; Wesley Jacobs <wesley.jacobs@faypwc.com>; Will Johnson <will.johnson@duke-energy.com>; Will Phipps <wphipps@cumberlandcountync.gov>  
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## Emily Weidner

---

**From:** Matthew Cain  
**Sent:** Monday, July 22, 2024 3:38 PM  
**To:** Emily Weidner  
**Subject:** RE: Request for Comments for ZNG-008-24

No comment  
Thanks,

---

**From:** Emily Weidner <eaweidner@townofhopemills.com>  
**Sent:** Monday, July 22, 2024 2:38 PM  
**To:** RLUAC Executive Director <director@rluac.com>; Adrian Jones <adrianjones@cumberlandcountync.gov>; Amy Hall <ahall@cumberlandcountync.gov>; Ashley Wyatt <awyatt@townofhopemills.com>; Barry Roberts <baroberts@cumberlandcountync.gov>; Bruce Clark <bclark@townofhopemills.com>; Chancer McLaughlin <cmclaughlin@townofhopemills.com>; Corey Lawson <cslawson@cumberlandcountync.gov>; Dan Hartzog <dhartzogjr@hartzoglawgroup.com>; Deontae Watson <deontaewatson@fayettevillenc.gov>; Don Sisko <dsisko@townofhopemills.com>; Duke Pickler <duke-pickler@duke-energy.com>; Ehsan Momeni <emomeni@cumberlandcountync.gov>; Elisabeth Brown <eabrown@townofhopemills.com>; Fayetteville Airport <airport@ci.fay.nc.us>; Gene Booth <wbooth@cumberlandcountync.gov>; Hank Graham <hgraham@cumberlandcountync.gov>; Jennifer Way <Jennifer.L.Way@usps.gov>; Kelvin Raiford <kraiford@cumberlandcountync.gov>; Kenneth Tatum <ktatum@townofhopemills.com>; Leland Cottrell <leland.cottrell@ncdenr.gov>; Lori Britt <lori.britt@ncdenr.gov>; Matthew Cain <mbcain@townofhopemills.com>; Michael Gibson <mgibson@ci.fay.nc.us>; Mike Rutan <mrutan@mccog.org>; Mike Zylka <mzylka@cumberlandcountync.gov>; Misty Manning <misty.manning@faypwc.com>; Otteria Green <ogreen@cumberlandcountync.gov>; Rob Patton <Patton@fayedc.com>; Rob Schob <rschob@cumberlandcountync.gov>; Robert Carter <rcarter@townofhopemills.com>; Robert Van Geons <robert@fayedc.com>; Sam Powers <sam.powers@faypwc.com>; Shawn Taurone <shawntaurone@ccs.k12.nc.us>; Stephen Dollinger <sdollinger@townofhopemills.com>; Thomas Charles <thomas.p.charles@usace.army.mil>; Tiffany Faulk <tiffany.faulk@faypwc.com>; Timothy Doersam <tdoersam@cumberlandcountync.gov>; Tony Means <tmeans@ci.fay.nc.us>; Trey Smith <rsmith@cumberlandcountync.gov>; Troy Baker <tlbaker@ncdot.gov>; Wesley Jacobs <wesley.jacobs@faypwc.com>; Will Johnson <will.johnson@duke-energy.com>; Will Phipps <wphipps@cumberlandcountync.gov>  
**Subject:** Request for Comments for ZNG-008-24

Good afternoon,

Attached, you will find the request for comments memorandum and associated materials for ZNG-008-24 for Hope Mills. If you have no related comments, please reply with "no comment." This case is for Rezoning.

Please let me know if you have any questions or concerns.

Thanks, and I hope you have a wonderful week!

Take care,

Emily AV Weidner, CZO

Town Planner

910.429.3514 office

910.303.4762 mobile

910.429.3386 fax

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



**\*\* All correspondence to and from this address may be subject to the N.C. Public Records Law and may be disclosed to third parties. \*\***



**PLANNING AND INSPECTIONS DEPARTMENT**

**MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF AUGUST 20, 2024**

**TO: JOINT PLANNING BOARD**

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

**DATE: 8/20/2024**

**SUBJECT: CASE # ZNG-009-24: INITIALLY ZONE 4.96 +/- ACRES TO C(P)/CZ  
PLANNED COMMERCIAL DISTRICT WITH CONDITIONAL ZONING  
OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 5956  
CAMDEN RD & EMPTY LOT ON THE NORTHEAST CORNER OF  
CAMDEN RD & ELLIS JACKSON RD REIDS 0404689083000 &  
0407822177000, SUBMITTED BY GREG STEWART (AGENT) ON  
BEHALF OF RHETSON COMPANIES, INC (OWNERS). (HOPE MILLS)**

**ATTACHMENTS:**

Description	Type
ZNG-009-24	Backup Material





## STAFF REPORT

REZONING CASE# ZNG-009-2024

Planning Board Meeting: 8-20-2024

Hope Mills Board Meeting: 9-16-2024

**Address:** 5956 Camden Rd & 0 Camden Rd (empty lot on the northeast corner of Camden Rd & Ellis Jackson Rd)

### **ZONING REQUEST: Initial Zoning to C(P)/CZ Planned Commercial w/Conditional Zoning**

The Town of Hope Mills staff received an annexation petition for 4.96 +/- acres of land tied to parcel identification numbers 0404-68-9083 & 0407-82-2177. The Hope Mills Board of Commissioners accepted the annexation petition, adopting Resolution R2024-011 and set the public hearing for July 3, 2024 under annexation number A2024-04. The Hope Mills Board of Commissioners voted unanimously to approve the annexation with the intention to initially zone the property C(P)/CZ Planned Commercial with Conditional Zoning during the regularly scheduled meeting on July 3, 2024. The subject property is adjacent to the Kensington Village subdivision and across the street from the Millstone Shopping Center. Plan review staff worked diligently with the proposed developers to facilitate the submission of this annexation and initial zoning request. 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:**

Rhetson Companies, Inc (applicant)  
on behalf of Angela Tyndall and  
Daniel & Brenda Norton (owners)

**ADDRESS/LOCATION:** 5956 Camden Rd  
& 0 Camden Rd (empty lot on the  
northeast corner of Camden Rd & Ellis  
Jackson Rd), REIDs 0404689083000 &  
0407822177000.

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

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

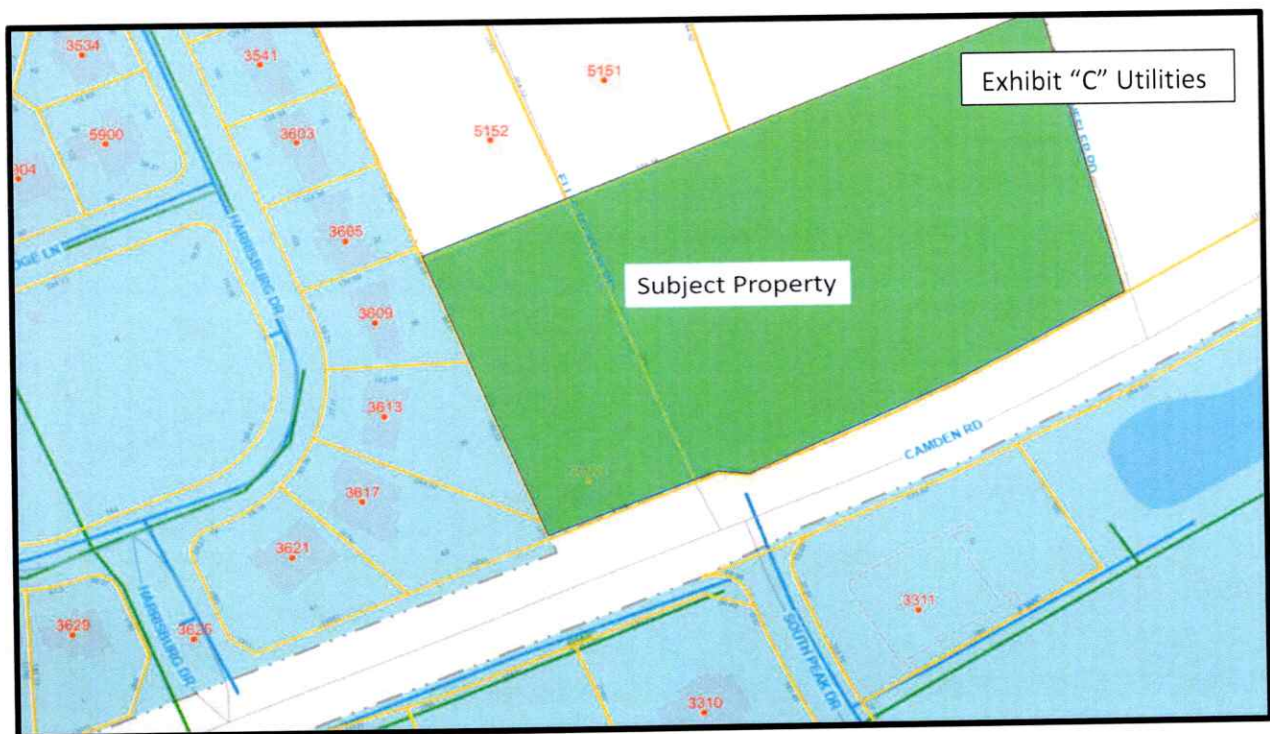




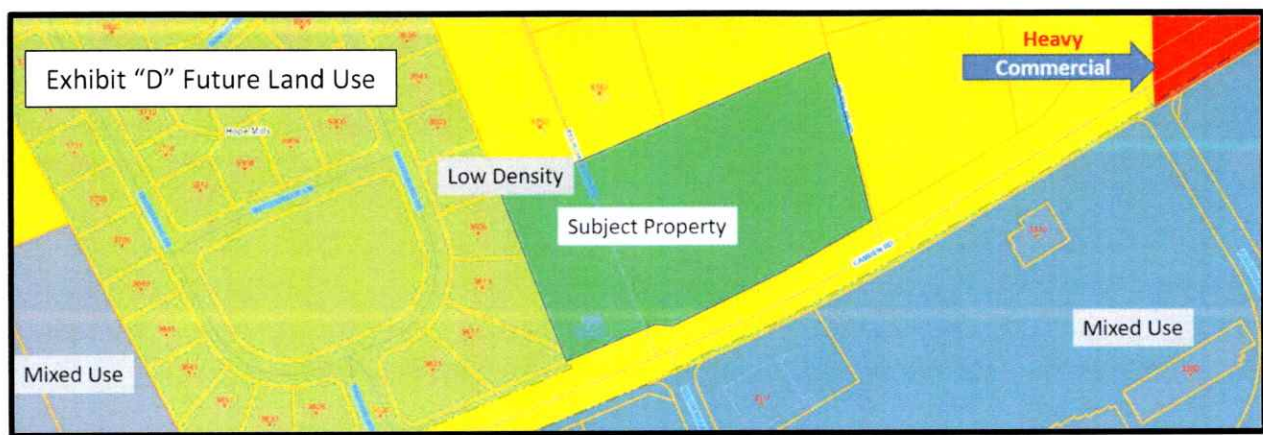
**EXISTING ZONING:** The subject property was previously zoned (when under the Cumberland County jurisdiction) under RR and R10 Residential Zoning Districts with the area to the immediate west being the Kensington Village subdivision, the area to the north is zoned RR and has multiple single-family homes while the area to the east is undeveloped and the area to the south contains the Millstone Movie Theater, shopping center and its commercial outparcels.

**EXISTING LAND USE:** 5956 Camden Rd has a single-family home while the adjacent property on the corner of Ellis Jackson Rd and Camden Rd is currently vacant/undeveloped.

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







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

**COMPREHENSIVE DEVELOPMENT PLANS:** This site is located within the Southwest Cumberland Land Use Plan area (2013) and is designated as "Low Density Residential." While the requested zoning does not fit within the guidelines of the Southwest Cumberland Land Use Plan, it does mirror the development directly across the street and will complement the area nicely as there are future plans for development in the area such as NCDOT will be widening Camden Rd to accommodate for future developments. 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 and Floodplain Permit Application.

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

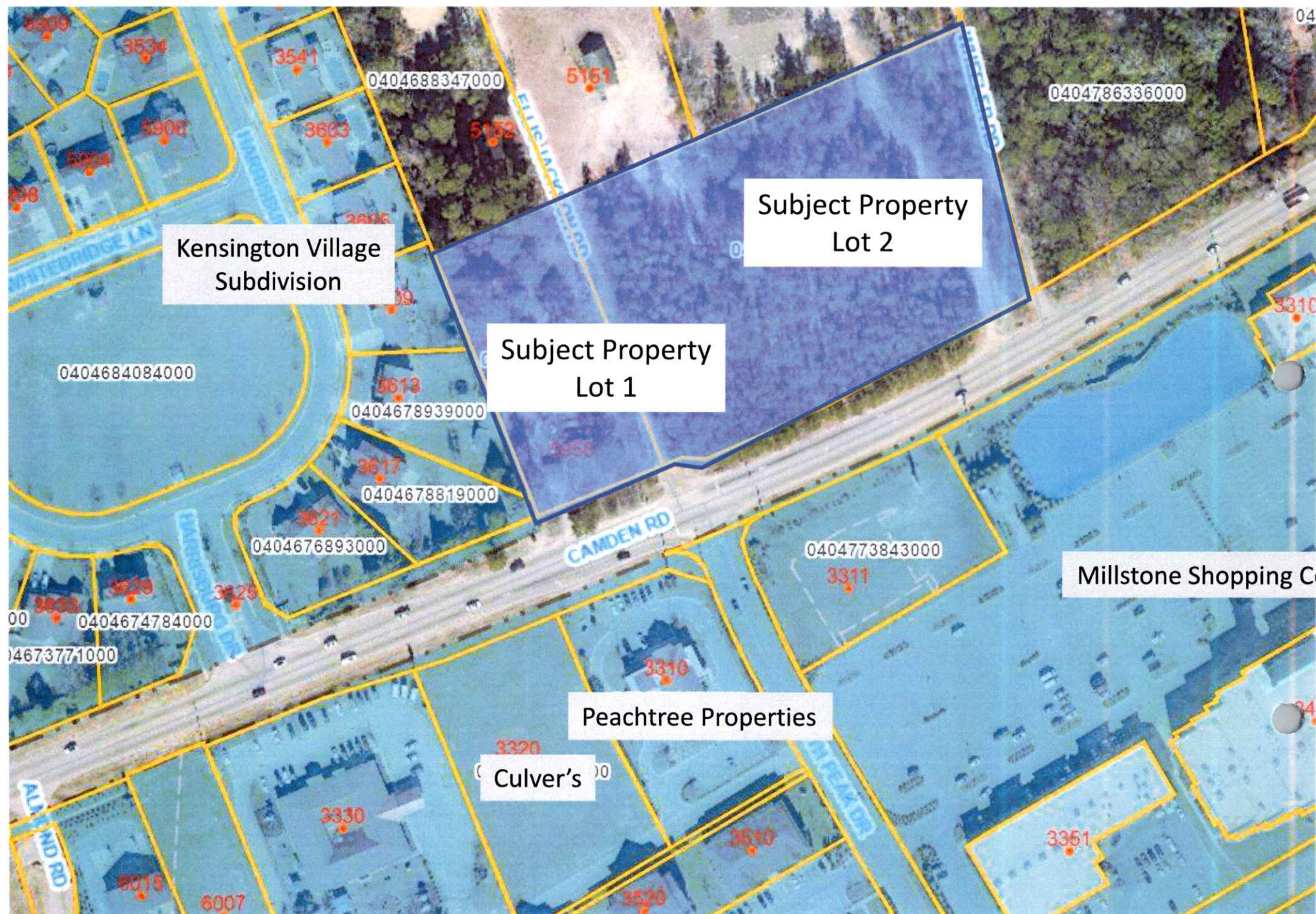
**SPECIAL OVERLAY DISTRICTS:** The subject property is not located within the boundaries of the Airport Overlay District.

**CODE DEVIATIONS:** None.

#### STAFF RECOMMENDATION

In ZNG-009-24, the Town of Hope Mills Planning staff **recommends approval** of the initial zoning request to the C(P)/CZ Planned Commercial with Conditional Zoning district and finds that even though this request is not consistent with the Southwest Cumberland Land Use Plan (2013), designating these properties the requested C(P)/CZ will mirror the development directly across the street as well as the future development of the area as indicated with NCDOT's plans to widen Camden Rd in the near future, therefore, it does complement the future vision of the Town of Hope Mills. 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**  
◆  
**County Planning Department**

CASE #: ZNG-009-24

ZONING BOARD  
MEETING DATE: 8/20/24

DATE APPLICATION  
SUBMITTED: 7/25/24

RECEIPT #: N/A

RECEIVED BY: GAN

**APPLICATION FOR  
CONDITIONAL ZONING DISTRICT  
REZONING REQUEST  
HOPE MILLS ZONING ORDINANCE**

Upon receipt of this application (petition), the County Planning Staff will schedule the request to be heard by the Hope Mills Zoning Board in accordance with the Board's adopted meeting schedule. In accordance with state law and board's policy, a notice of the hearing will be mailed to the owners of the adjacent and surrounding properties, which may be affected by the proposed Conditional Zoning. In addition, a sign will be posted on the property.

The Zoning Board will make a recommendation to the Hope Mills Board of Commissioners concerning the request. The Board of Commissioners will schedule a public hearing and issue a final decision on the matter. Generally, the Commissioners will hold the public hearing two to four weeks following the Zoning Board meeting. The Conditional Zoning District is not effective until the request is heard and approval granted by the Board of Commissioners.

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 of an existing tract is/are being submitted for rezoning, an accurate written legal description of only the area to be considered;
3. A copy of a detailed site plan drawn to an engineering scale, showing the location of all buildings, yard dimensions, driveways, fencing, lighting parking areas, landscaping, and all other pertinent data to the case; and
4. A check made payable to the "Town of Hope Mills" in the amount of \$\_\_\_\_\_ (See attached Fee Schedule)

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

*The County Planning Staff is available for advice on completing this application; however, they are not available for completion of the application or preparation of the site plan. For questions call (910)678-7603 or (910) 678-7602. Hours of operation are 8:00 a.m. to 5:00 p.m., Monday through Friday.*



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

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

1. Applicant/Agent Rhetson Companies, Inc
2. Address: 2075 Juniper Lake Road, West End, NC Zip Code 27376
3. Telephone: (Home) same (Work) (910) 944-0881
4. Location of Property: 5956 Camden Road & 0 Camden Road
5. Parcel Identification Number (PIN #) of subject property: 0404-68-9083 & 0404-78-2177  
(also known as Tax ID Number or Property Tax ID)
6. Acreage: 4.96 AC Frontage: 620 LF Depth: 350 LF +/-
7. Water Provider: Fayetteville PWC Septage Provider: Fayetteville PWC
8. Deed Book 9105; 2594, Page(s) 292; 169,  
Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: Single Family & Vacant
10. Proposed use(s) of the property: uses designated under the C(P) designation except those in the restrictions list agreed upon with the Town of Hope Mills and attached to this application **NOTE: Be specific and list all intended uses.**
11. Do you own any property adjacent to, including across the street from, the property being submitted for rezoning? Yes \_\_\_\_\_ No X
12. Has a violation been issued on this property? Yes \_\_\_\_\_ No X
13. It is requested that the foregoing property be rezoned FROM: RR & R10  
TO: (Select one)  
X Conditional Zoning District, with an underlying zoning district of C(P)  
(Article V)  
\_\_\_\_ Mixed Use District/Conditional Zoning District (Article VI)  
\_\_\_\_ Planned Neighborhood District/Conditional Zoning District (Article VII)
14. \_\_\_\_\_ Density Development/Conditional Zoning District, at the \_\_\_\_\_ Density

APPLICATION FOR  
CONDITIONAL ZONING

1. PROPOSED USE(S):

- A. List the use(s) proposed for the Conditional Zoning. (Use of the underlying district will be restricted only to the use(s) specified in this application if approved.)

All permitted uses within the C(P) Planned Commercial District with the exception of the uses excluded in the attached Camden Road Rezoning Restrictions

- B. Density: List the amount of acreage that will be residential, commercial, and/or open space, and the number of lots and/or dwelling units proposed, and the square footage of the non-residential units.

Three (3) commercial buildings ranging from 1000 - 10000 square feet

2. DIMENSIONAL REQUIREMENTS:

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

The dimensional requirements for the property will be in accordance with the C(P) district requirements as noted in Section 102A-1204 of the Town of Hope Mills Zoning Ordinance

- B. Off-street parking and loading, Sec. 102A-1301 & 102A-1303: List the number of spaces, type of surfacing material and any other pertinent information.

Off-street parking and loading areas will be based on the proposed use and in accordance with Sections 102A-1301 and 102A-1303 of the Town of Hope Mills Zoning Ordinance

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Article XIV.

Signage will be in accordance with Article XIV of the Town of Hope Mills Zoning Ordinance

4. LANDSCAPE AND BUFFER REQUIREMENTS:

- A. For all new non-residential and mixed use development abutting a public street, indicate the number and type of large or small ornamental trees used in the streetscape, yard space, and/or parking areas, plus the number and type of shrubs. [Sec. 102A-1202(n)]. **NOTE: All required landscaping must be included on the site plan.**

Streetscape plantings shall include one large shade tree, ten feet in height at time of planting, or three flowering or ornamental trees per each 50 linear feet of street frontage or fraction thereof. Plantings for parking areas and yards shall meet the requirements as noted in Section 102A-1022(N) of the Town of Hope Mills Zoning Ordinance.

- B. Indicate the type of buffering and approximate location, width and setback from the property lines. [Sec. 102A-1202(g)] **NOTE: All required buffers must be included on the site plan.**

A perimeter buffer shall be located along the property boundary for areas that abut adjacent residential uses or zoning districts and shall include a landscape area and a 6ft minimum height wood screen fence. Buffer shall meet the requirements of Section 102A-1202(G) of the Town of Hope Mills Zoning Ordinance.

5. MISCELLANEOUS:

List any information not set forth above, such as the days and hours of the operation, number of employees, exterior lighting, noise, odor and smoke, emission controls, etc.

To be determined based on the user. Typically hours of operation vary from user to user and ranger from 7 am - 11 pm

6. SITE PLAN REQUIREMENTS:

The application must include a site plan drawn to the specifications of Sec. 102A-1502. If the proposed uses involve development subject to the Hope Mills Subdivision Ordinance, the site plan required may be general in nature, showing a generalized street pattern, if applicable, and the location of proposed uses. If the proposed uses include development not subject to the Subdivision Ordinance, the site plan must be of sufficient detail to allow the County Planning Staff, Hope Mills Review Committee, the Zoning Board and Board of Commissioners to analyze the proposed uses and arrangement of uses on the site. It also must include the footprints of all buildings (proposed and existing), the proposed number of stories, location and number of off-street parking and loading spaces, proposed points of access to existing streets and internal circulation patterns. In addition, the location of all proposed buffers and fences and landscaping shall be included on the site plan.

7. STATEMENT OF ACKNOWLEDGMENT:

It is understood by the undersigned that the official zoning map, as originally adopted and subsequently amended, is presumed to be appropriate to the property involved and that the burden of proof for a zoning amendment (rezoning) rest with the petitioner.

It is the responsibility of the petitioner (personally or by agent) to submit to the County Planning Department a valid request within a complete application.

I further understand I must voluntarily agree to all ordinance related conditions prior to the first hearing on the case or any disagreement may be cause for an unfavorable recommendation.

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

Lot 1: Angela Jackson Tyndall Trustee Daniel and Brenda Norton Lot 2: Daniel & Brenda Norton

8. NAME OF OWNER(S) (PRINT OR TYPE)

9. 3678 Doc Bennett Road, Fayetteville, NC, 28306

ADDRESS OF OWNER(S)

permits@rhetson.com

E-MAIL

(910) 308-9282

HOME TELEPHONE

(910) 484-6432

WORK TELEPHONE

Daniel Norton

SIGNATURE OF OWNER(S)

Brenda Norton

SIGNATURE OF OWNER(S)

Rhetson Companies, Inc

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

2075 Juniper Lake Road, West End, NC, 27376

ADDRESS OF AGENT, ATTORNEY, APPLICANT

(910) 944-0881

HOME TELEPHONE

same

WORK TELEPHONE

permits@rhetson.com

E-MAIL ADDRESS

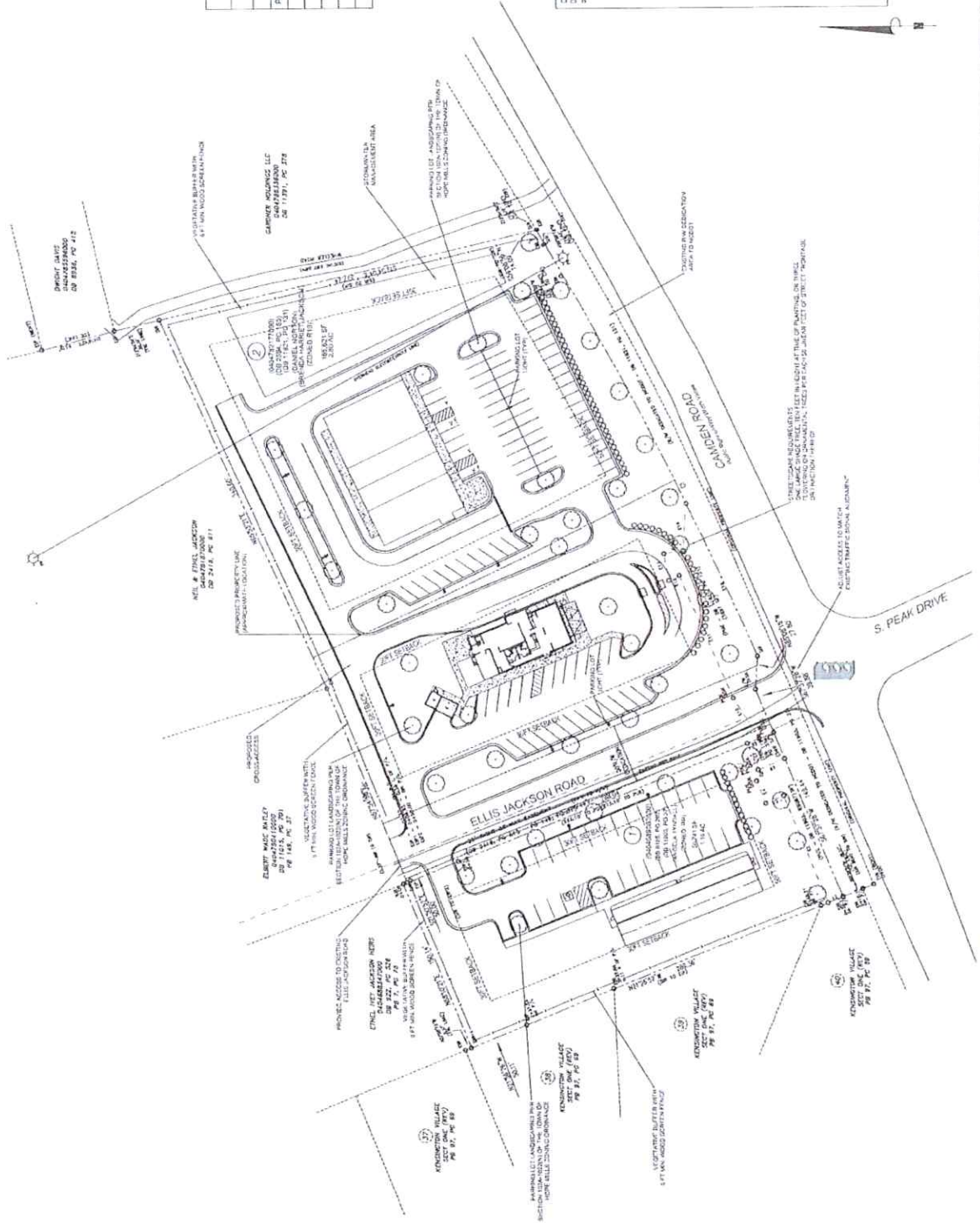
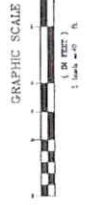
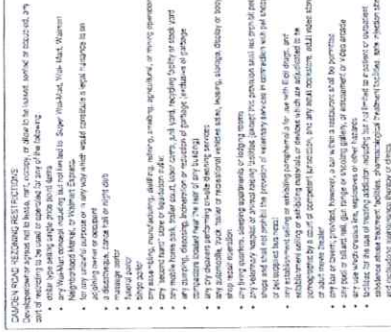
FAX NUMBER

SIGNATURE OF AGENT, ATTORNEY, OR APPLICANT

Developer/owner agrees not to lease, rent, occupy, or allow to be leased, rented or occupied, any part of restricting to be used or operated for any of the following:

- dollar type selling single price point items
- any Wal-Mart concept including but not limited to: Super Wal-Mart, Wal-Mart, Walmart Neighborhood Market, or Walmart Express.
- for any unlawful purpose or in any way which would constitute a legal nuisance to an adjoining owner or occupant
- a discotheque, dance hall or night club
- massage parlor
- funeral parlor
- bingo parlor
- any assembling, manufacturing, distilling, refining, smelting, agricultural, or mining operation
- any "second hand" store or liquidation outlet
- any mobile home park, trailer court, labor camp, junk yard, recycling facility or stock yard
- any dumping, disposing, incineration or reduction of garbage (exclusive of garbage compactors located near the rear of any building)
- any dry cleaners performing on-site cleaning services
- any automobile, truck, trailer or recreational vehicles sales, leasing, storage, display or body shop repair operation
- any living quarters, sleeping apartments or lodging rooms
- any veterinary hospital or animal raising facilities (except this provision shall not prohibit pet shops and shall not prohibit the provision of veterinary services in connection with pet shops or pet supplies business)
- any establishment selling or exhibiting paraphernalia for use with illicit drugs, and establishment selling or exhibiting materials or devices which are adjudicated to be pornographic by a court of competent jurisdiction, and any adult bookstore, adult video store or adult movie theater
- any bar or tavern; provided, however, a bar within a restaurant shall be permitted
- any pool or billiard hall, gun range or shooting gallery, or amusement or video arcade
- any use which creates fire, explosives or other hazards
- facilities for the use of treating addiction including but not limited to inpatient or outpatient substance abuse treatment facilities, pharmacological treatment facilities, safe injection sites and methadone maintenance therapy or clinics.





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

**HOPE MILLS ZONING ORDINANCE  
FEE SCHEDULE**

REQUESTED ZONING DISTRICTS <sup>1</sup>	LESS THAN 5 ACRES	5 TO 50 ACRES	50 TO 100 ACRES	100+ ACRES
CONDITIONAL ZONING DISTRICTS <sup>2</sup> RESIDENTIAL DD/CZ	\$400	\$500	\$600	\$800
CONDITIONAL ZONING DISTRICTS <sup>2</sup> NONRESIDENTIAL PND/CZ MXD/CZ	\$600	\$700	\$800	\$1,000

- 1 If more than one zoning district is requested in the same application, the highest fee for the district requested will apply.
- 2 If a general rezoning is requested and based on recommendations of the Zoning Board or Hope Mills Commissioners, the applicant desires to submit a Conditional Zoning District application; the original application fee will be credited towards the Conditional Zoning application fee.





Legend

—	Property Line
—	Survey Line
—	Boundary Line
—	Setback Line
—	Right of Way Line
—	Other

Notes

1.	Survey of the property described in the plat.
2.	Survey of the property described in the plat.
3.	Survey of the property described in the plat.
4.	Survey of the property described in the plat.
5.	Survey of the property described in the plat.



Survey Data

1.	Survey of the property described in the plat.
2.	Survey of the property described in the plat.
3.	Survey of the property described in the plat.
4.	Survey of the property described in the plat.
5.	Survey of the property described in the plat.

Survey of the property described in the plat.

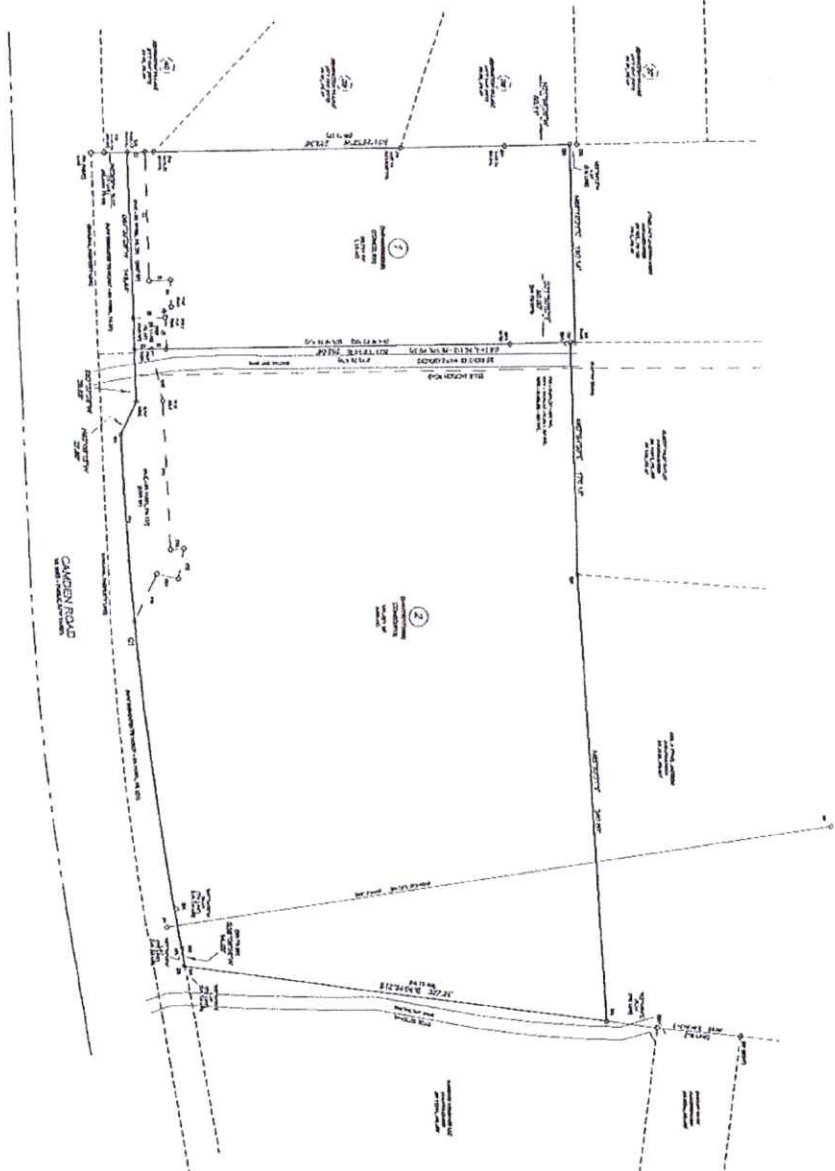
Survey of the property described in the plat.

Survey of the property described in the plat.

Survey of the property described in the plat.

Survey of the property described in the plat.

Survey of the property described in the plat.



MAPS SURVEYING INC.

PHILIPPO POLYMERIS INC.

Lot 1: Legal Description

LYING in Rockfish Township, Cumberland County, near the town of Hope Mills, North Carolina, this subject property being bounded on the north by lands deeded and conveyed to Ethel Ivey Jackson Heirs in Deed Book 922, Page 526; on the east by lands deeded and conveyed to Elbert Wade Ratley In Deed Book 11015, Page 701 and also shown on Plat Book 149, Page 37, and by lands deeded and conveyed to Daniel and Brenda Norton in Deed Book 2594, Page 169; on the south by the northern right of way margin of Camden Road (SR 1003 – having a varied width public right of way) and on the west by Lots 38-39-40 of the “Kensington Village – Section One Subdivision” as shown and recorded in Plat Book 97, Page 69. All referenced materials located in the Cumberland County Registry.

BEGINNING from an iron rebar, said iron rebar being on the northern right of way margin of Camden Road said iron rebar being a common property corner between Lot 40 of the Kensington Village Subdivision and the subject property, and runs thence with the common property line between the subject property and Lot 40 as well as the common property line between the subject property and Lot 39 and Lot 38, **North 21 degrees 26 minutes 52 seconds West** for a total distance of **289.36 feet** to an iron rebar, said iron rebar being on the common property line between the subject property and Lot 38;

THENCE with the common property line between the subject property and Lot 38, **North 21degrees 56 minutes 26 seconds West** for a distance of **50.11 feet** to an iron rebar, said iron rebar being a common property corner between the subject property and the aforementioned Ethel Jackson Heirs property;

THENCE with the common property line between the subject property and the Ethel Jackson Heirs property, **North 68 degrees 10 minutes 21 seconds East** for a distance of **150.14 feet** to an iron rebar, said iron rebar being a common property corner between the subject property, the Ethel Jackson Heirs property and the aforementioned Ratley property;

THENCE with the common property line between the subject property and the Ratley property as well as the Norton property, **South 21 degrees 50 minutes 52 seconds East** for a total distance of **50.00 feet** to an iron pipe; said iron pipe being on the common property line between the subject property and the Norton property;

THENCE with the common property line between the subject property and the Norton property, **South 21 degrees 19 minutes 14 seconds East** for a distance of **288.04 feet** to an iron rebar, said iron rebar being located on the northern right of way margin of Camden Road;

THENCE with the northern right of way margin of Camden Road, **South 67 degrees 37 minutes 28 seconds West** for a distance of **149.44 feet** to an iron rebar, said iron rebar being the true point and place of Beginning and being the major portion of the property deeded and conveyed to Angela Tyndall in Deed Book 9105, Page 292, Cumberland County Registry, less and except those areas deeded and conveyed to the North Carolina Department of Transportation.

Subject property contains **50,741 sqaure feet / 1.16 acres**

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

This description was prepared this 31st day of May, 2024 under the direct supervision of Michael J. Adams, PLS L-4491/CFS NC-075 and is based on a physical survey performed by M.A.P.S. Surveying



Lot 2: Legal Description

LYING in Rockfish Township, Cumberland County, near the town of Hope Mills, North Carolina, this subject property being bounded on the north by lands deeded and conveyed to Elbert Wade Ratley In Deed Book 11015, Page 701 and also shown on Plat Book 149, Page 37 and by lands deeded and conveyed to Neil and Ethel Jackson in Deed Book 2418, Page 611; on the east by lands deeded and conveyed to Gardner Holdings LLC in Deed Book 11391, Page 378; on the south by the northern right of way margin of Camden Road (SR 1003 – having a varied width public right of way) and on the west by lands deeded and conveyed to Angela Tyndall in Deed Book 9105, Page 292. All referenced materials located in the Cumberland County Registry.

BEGINNING from an iron rebar, said iron rebar being on the northern right of way margin of Camden Road said point being a common property corner between the subject property and the Tyndall property, and runs thence with the common property line between the subject property and the Tyndall property, **North 21 degrees 19 minutes 14 seconds West** for a distance of **288.04 feet** to an iron pipe;

THENCE continuing with the common property line between the subject property and the Tyndall property, **North 21 degrees 50 minutes 52 seconds West** for a distance of **46.63 feet** to an iron rebar, said iron rebar being a common property corner between the subject property and the aforementioned Ratley property;

THENCE with the common property line between the subject property and the Ratley property, **North 67 degrees 54 minutes 50 seconds East** for a distance of **176.18 feet** to an iron pipe, said iron pipe being a common property corner between the subject property, the Ratley property, and the aforementioned Jackson property;

THENCE with the common property line between the subject property and the Jackson property, **North 65 degrees 53 minutes 21 seconds West** for a distance of **340.60 feet** to an iron rebar, said iron rebar being on the common property line between the subject property and the aforementioned Gardner Holdings property;

THENCE with the common property line between the subject property and the Gardner Holdings property, **South 12 degrees 54 minutes 04 seconds East** for a distance of **327.24 feet** to an iron rebar, said iron rebar being on the northern right of way margin of Camden Road;

THENCE with the northern right of way margin of Camden Road, **South 59 degrees 08 minutes 56 seconds West** for a distance of **14.09 feet** to an iron rebar;

THENCE continuing with the northern right of way margin of Camden Road, along a curve to the right, having a radius of **2955.00 feet** and an arc length of **391.58 feet**, being subtended by chord bearing of **South 62 degrees 56 minutes 43 seconds West** and a chord length of **391.29 feet** to an iron rebar;

THENCE continuing with the northern right of way margin of Camden Road, **North 85 degrees 08 minutes 15 seconds West** for a distance of **27.80 feet** to a right of way disk;

THENCE continuing with the northern right of way margin of Camden Road, **South 67 degrees 37 minutes 28 seconds West** for a distance of **39.88 feet** to an iron rebar, said iron rebar being the true point and place of Beginning and being the major portion of the property deeded and conveyed to

Daniel and Brenda Norton in Deed Book 2594, Page 169, Cumberland County Registry, less and except those areas deeded and conveyed to the North Carolina Department of Transportation.

Subject property contains 165,621 square feet / 3.80 acres

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

This description was prepared this 31st day of May, 2024 under the direct supervision of Michael J. Adams, PLS L-4491/CFS NC-075 and is based on a physical survey performed by M.A.P.S. Surveying Inc (C-2589)

9105  
0292

09105 00292

LOT 1

0404689083000

FILED  
CUMBERLAND COUNTY NC  
J. LEE WARREN, JR.  
REGISTER OF DEEDS  
FILED Feb 08, 2013  
AT 08:20:00 am  
BOOK 09105  
START PAGE 0292  
END PAGE 0293  
INSTRUMENT # 04566  
RECORDING \$26.00  
EXCISE TAX (None)  
KSJ

Excise Tax 0.00 Do NOT write above this line. Recording: Time, Book and Page

## North Carolina Quitclaim Deed

This instrument prepared by: Thorp and Clarke, P.A.; P.O. Box 670, Fayetteville, NC 28302  
Brief description for the Index: Thorp and Clarke, P.A.  
This Deed made this 25th day of January, 2013, by and between Grantor and Grantee.  
Enter in appropriate block for each party: Name, address, county, state and if appropriate entity (i.e. corporation, partnership).  
The designation Grantor and Grantee as used herein shall include all parties, their heirs, successors and assigns and shall include singular, plural, masculine, feminine or neuter as required by context.

Grantor:

James Archie Tyndall

Grantee:

Angela Nan Jackson Tyndall

5956 Camden Road  
Fayetteville, NC

Transfer of Ownership: Grantor, for a valuable consideration paid by Grantee, the receipt of which is hereby acknowledged, has remised and released and does hereby remise, release and forever quitclaim to grantee, the property described below:

Property: City of \_\_\_\_\_, County of Cumberland, North Carolina.  
Township of \_\_\_\_\_, County of \_\_\_\_\_, Page \_\_\_\_\_, Cumberland County.  
This property was acquired by Grantor by an instrument recorded in Book \_\_\_\_\_, Page \_\_\_\_\_, \_\_\_\_\_ County.  
A map showing the property is recorded in Plat Book \_\_\_\_\_, Page \_\_\_\_\_, \_\_\_\_\_ County.  
The legal description of the Property is:

BEGINNING at an existing iron rod located in the northern right of way margin of Camden Road (SR 1003) and running thence with the northern right of way margin of said road, S 67 degrees 42 minutes 15 seconds West 160 feet to an existing iron stake in the northern right of way margin of said road; thence leaving the northern right of way margin of Camden Road and running N 21 degrees 25 minutes 51 seconds West 307.64 feet to an existing iron pipe; thence North 21 degrees 48 minutes 44 seconds W 50 feet to a set iron rod; thence North 68 degrees 12 minutes 58 seconds E 150.15 feet to a set iron rod; thence S 21 degrees 49 minutes 50 seconds E 60 feet to an existing iron pipe; thence S 21 degrees 23 minutes 47 seconds E 306.30 feet to the place and point of beginning.

For additional information see Deed recorded in Book 921, Page 641 and Boundary Line Agreement recorded in Book 6149, Page 162, Cumberland County Registry.

Continued on Page 2

After recording mail to:

Thorp and Clarke, P.A. 13-12733  
160 N. McPherson Church Road Norton  
Fayetteville, NC 28303

Tax Lot No. \_\_\_\_\_  
Parcel Identifier No. \_\_\_\_\_  
Verified By \_\_\_\_\_ County, \_\_\_\_\_  
on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
By \_\_\_\_\_  
Page 1 of 2 Initial JA T



BOOK 2594 PAGE 169

WARRANTY DEED-Form WD-601 Printed and for sale by James Williams & Co., Inc., Yadkinville, N. C.

STATE OF NORTH CAROLINA, CUMBERLAND County.

THIS DEED, Made this 5th day of April, 1977, by and between LESLIE EARL JACKSON and wife, BETTY RUTH JACKSON of CUMBERLAND County

and state of North Carolina, hereinafter called Grantor, and DANIEL NORTON and wife, BRENDA HARRIET JACKSON NORTON of CUMBERLAND County and State of North Carolina, hereinafter called Grantee.

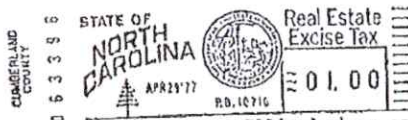
WITNESSETH: That the Grantor, for and in consideration of the sum of TEN AND NO/100 Dollars and other good and valuable considerations to him in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has given, granted, bargained, sold and conveyed, and by these presents does give, grant, bargain, sell, convey and confirm unto the Grantee, his heirs and/or successors and assigns, premises in Rockfish Township, Cumberland County, North Carolina, described as follows:

Lying on the North margin of the Camden Road in the lands of Ellis Jackson tract, bounded on the east by Wheeler (see book 839 on page 270), on the west by Leslie Earl Jackson (see book 921 on page 541), on the north by Howard Jackson and John David Jackson. BEGINNING at an iron pipe on the north margin of the Camden Road, Wheeler's southwest corner, and runs with Ellis Jackson and Wheeler line north 12 degrees 03 minutes west 351 feet to an iron stake, a common corner of Howard Jackson; thence with Howard Jackson's line south 68 degrees 32 minutes west 517.5 feet to an iron stake; thence south 19 degrees 40 minutes east 350.6 feet with Leslie Jackson east line to an iron pipe on the margin of the Camden Road; thence with a chord of North 67 degrees 57 minutes east 470.7 feet and the arc of Camden Road to the beginning, containing 3.9 acres, more or less.

This deed also conveys a 20 foot right-of-way parallel with the western line of the land herein described and running the entire distance of said western line from the Camden Road.

For reference see deed recorded in Book 483 on page 259, Cumberland County Registry.

Surveyed December 1973 by Hugh McCormick, Registered Surveyor.



The above land was conveyed to Grantor by Ellis Jackson and wife, Vester Jackson See Book No. 2418, Page 597 TO HAVE AND TO HOLD The above described premises, with all the appurtenances thereto belonging, or in any wise appertaining, unto the Grantee, his heirs and/or successors and assigns forever.

And the Grantor covenants that he is seised of said premises in fee, and has the right to convey the same in fee simple that said premises are free from encumbrances (with the exceptions above stated, if any); and that he will warrant and defend the said title to the same against the lawful claims of all persons whomsoever.

When reference is made to the Grantor or Grantee, the singular shall include the plural and the masculine shall include the feminine or the neuter.

IN WITNESS WHEREOF, The Grantor has hereunto set his hand and seal, the day and year first above written.

Leslie Earl Jackson (SEAL) Betty Ruth Jackson (SEAL)

STATE OF NORTH CAROLINA CUMBERLAND COUNTY.

I, Donna E. Culbreth, Notary Public of said County, do hereby certify that

Grantor, personally appeared before me this day and acknowledged the execution of the foregoing deed.

Witness my hand and notarial seal, this 29th day of April, 1977.

My Commission Expires: Nov 7, 1979

STATE OF NORTH CAROLINA CUMBERLAND COUNTY.

I, a Notary Public of said County, do hereby certify that

Grantor, personally appeared before me this day and acknowledged the execution of the foregoing deed.

Witness my hand and notarial seal, this 29th day of April, 1977.

My Commission Expires: Nov 7, 1979

STATE OF NORTH CAROLINA CUMBERLAND COUNTY.

The foregoing certificate of Donna E. Culbreth, a Notary Public, is (and) certified to be correct. This instrument was presented for registration this 29th day of April, 1977, at 2:45 P. M., and duly recorded in the office of the Register of Deeds of Cumberland County, North Carolina, in Book 2594, Page 169.

This the 29th day of April, 1977.

Register of Deeds

By: James L. Williams, Assistant, Deputy Register of Deeds

This Deed drawn by



Continued from Page 1

Title to the property hereinabove described is subject to the following exceptions:

- a. County and/or Municipal Zoning Ordinances, Rules and Regulations.
- b. Restrictions, Easements and Rights of way of record
- c. Current year Cumberland County Ad Valorem Taxes

TO HAVE AND TO HOLD the said property and all privileges and appurtenances (rights) belonging to Debtor (Grantee).

It is understood and agreed that this Release shall apply only to the amount of Property expressly described and conveyed and that the remainder of the property shall remain subject to the lien of the Deed of Trust and shall remain in full force and effect.

Signatures: Trustee, and/or Beneficiary (Note Holder) has duly executed the foregoing instrument, as of the day and year first written above.

Entity	Individual
Name: _____	U <u>James Archie Tyndall</u> (Seal)
By: _____	S _____ (Seal)
Title: _____	E _____ (Seal)
Name: _____	B _____ (Seal)
By: _____	L _____ (Seal)
Title: _____	A _____ (Seal)
Name: _____	C _____ (Seal)
By: _____	K _____ (Seal)
Title: _____	I _____ (Seal)
	N _____ (Seal)
	O _____ (Seal)
	T _____ (Seal)

(N.P. SEAL)

SEAL-STAMP

STATE OF NC COUNTY OF Cumberland  
I, Kimberly M. Johnson, a Notary Public of the County and State aforesaid, certify that  
James Archie Tyndall  
Grantor, personally came before me this day and acknowledged the execution of the foregoing  
Instrument.  
Witness my hand and official stamp or seal, this 5th day of February, 2013.  
My Commission Expires: 2-22-15 Notary Public

SEAL-STAMP

STATE OF \_\_\_\_\_ COUNTY OF \_\_\_\_\_  
I, \_\_\_\_\_, a Notary Public of the County and State aforesaid, certify that  
Grantor, personally came before me this day and acknowledged the execution of the foregoing  
Instrument.  
Witness my hand and official stamp or seal, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
My Commission Expires: \_\_\_\_\_ Notary Public

SEAL-STAMP

ENTITY: Corporation, Limited Liability Company, General Partnership or Limited Partnership  
STATE OF \_\_\_\_\_ COUNTY OF \_\_\_\_\_  
I, \_\_\_\_\_, a Notary Public of the County and State aforesaid, certify that  
\_\_\_\_\_ personally came before me this day and  
acknowledged that he is \_\_\_\_\_ of \_\_\_\_\_,  
a North Carolina or \_\_\_\_\_ corporation / limited liability company / general partnership  
limited partnership (strike through inapplicable) and that by authority duly given and as an act of the  
Entity, has signed the foregoing instrument in its name and on its behalf as its act and deed.  
Witness my hand and official stamp or seal, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
My Commission Expires: \_\_\_\_\_ Notary Public

SEAL-STAMP

ENTITY: Corporation, Limited Liability Company, General Partnership or Limited Partnership  
STATE OF \_\_\_\_\_ COUNTY OF \_\_\_\_\_  
I, \_\_\_\_\_, a Notary Public of the County and State aforesaid, certify that  
\_\_\_\_\_ personally came before me this day and  
acknowledged that he is \_\_\_\_\_ of \_\_\_\_\_,  
a North Carolina or \_\_\_\_\_ corporation / limited liability company / general partnership  
limited partnership (strike through inapplicable) and that by authority duly given and as an act of the  
Entity, has signed the foregoing instrument in its name and on its behalf as its act and deed.  
Witness my hand and official stamp or seal, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
My Commission Expires: \_\_\_\_\_ Notary Public

The foregoing Certificate(s) of \_\_\_\_\_

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown  
on the page hereof.-REGISTER OF DEEDS FOR \_\_\_\_\_ COUNTY  
By \_\_\_\_\_ Deputy/Assistant - Register of Deeds

# AGREEMENT FOR PURCHASE AND SALE OF REAL PROPERTY

THIS AGREEMENT including any and all addenda attached hereto ("Agreement") is by and between RHETSON COMPANIES, INC. and/or assigns ("Buyer"), and ANGLEA JACKSON TYNDALL TRUSTEE DANIEL AND BRENDA NORTON AND DANIEL NORTON & BRENDA NORTON ("Seller").

FOR AND IN CONSIDERATION OF THE MUTUAL PROMISES SET FORTH HEREIN AND OTHER GOOD AND VALUABLE CONSIDERATION, THE RECEIPT AND SUFFICIENCY OF WHICH ARE HEREBY ACKNOWLEDGED, THE PARTIES HERETO AGREE AS FOLLOWS:

Section 1. Terms and Definitions: The terms listed below shall have the respective meaning given them as set forth adjacent to each term.

(a) "Property": Seller agrees to sell and Buyer agrees to buy the Property (the entirety of Parcel PIN: 0404782177 & 0404689083 located at 5956 Camden Road, Fayetteville in Cumberland County, NC ), together with all improvements, easements, licenses, privileges, appurtenances, water rights and other rights pertaining thereto, including without limitation all air or air space rights, all subsurface rights, all riparian rights, all title and interest of Seller in and to adjacent roads, rights of way, alleys, drainage facilities, utility facilities, impact fee credits, concurrency rights, development rights, sewer or water reservations or tap-in rights, and any and all similar development rights incident or related thereto. Acreage purchased does not include any additional right of way dedication existing or required by NCDOT.

(Legal Description) Parcel ID: 0404782177 & 0404689083 Zoned RR & R-10 Cumberland County

☐ If this box is checked, "Property" shall mean that property described on Exhibit A attached hereto and incorporated herewith by reference as if fully set forth herein, together with all buildings and improvements thereon and all fixtures and appurtenances thereto and all personal property, if any, itemized on Exhibit A.

(b) "Purchase Price" shall mean the sum of payable on the following terms:

(i) "Earnest Money" shall mean [REDACTED] payable on terms as follows:

Upon acceptance of this contract, the Earnest Money shall be promptly deposited in escrow with Investors Title Insurance Company (name of person/entity with whom deposited), to be applied as partial payment of the Purchase Price of the Property at Closing, or disbursed as agreed upon under the provisions of Sections 4, 6, 7, 8, and 9 herein. Upon execution of this Agreement, Escrow Agent, Buyer and Seller shall each sign the Escrow Agreement attached hereto as Exhibit B.

☒ ANY EARNST MONEY DEPOSITED BY BUYER IN A TRUST ACCOUNT MAY BE PLACED IN AN INTEREST BEARING ACCOUNT. ANY INTEREST EARNED THEREON SHALL BELONG TO THE ACCOUNT HOLDER IN CONSIDERATION OF THE EXPENSES INCURRED BY MAINTAINING SUCH ACCOUNT AND RECORDS ASSOCIATED THEREWITH.

(ii) Cash, balance of Purchase Price, at Closing in the amount [REDACTED] The Purchase Price is a "lump sum" price, and is not subject to any adjustment based the number of acres of the Property.

(c) "Closing" shall mean the date and time of recording the deed. Closing shall occur on or before thirty (30) days after the expiration of the Examination Period, with TIME BEING OF THE ESSENCE. At Buyer's election, Closing may occur on an earlier date, with ten days advance notice to Seller. If Buyer is prepared to purchase the Property on or before the date of Closing as specified above and Seller fails to transfer title to the Property, as

Buyer initials

**Seller Initials**

(Page 1 of 12)

required by Section 5 herein, on or before the date of Closing, then Seller shall pay a per diem penalty to Buyer at a rate of            per day that Closing is delayed, and Buyer shall be entitled, at Buyer's sole discretion, to deduct such penalty from the Earnest Money, deduct such penalty from the Purchase Price, and/or seek damages for such penalty. Should the date of Closing fall on a federal holiday or weekend, the Closing date will be adjusted to the following business day.

(d) "Contract Date" means the date this Agreement has been fully executed by both Buyer and Seller.

(e) "Examination Period" shall mean the period beginning on the Contract Date and extending One Hundred Eighty (180) days. Buyer shall have the option to extend the Examination Period for two additional Thirty (30) day periods at no penalty. Should the expiration of the Examination Period fall on a federal holiday or weekend, the expiration date will be adjusted to the following business day.

(f) "Broker(s)" shall mean Nell Grant with Grant-Murray Real Estate, LLC representing the Seller and None representing the Buyer. At closing, Seller shall pay such brokers a commission pursuant to a separate agreement. Buyer and Seller represent and warrant that there are no other real estate brokers or sales agents involved in this transaction and Buyer and Seller agree to indemnify the other against any commission, finder's fees, expenses and other charges claimed by real estate brokers other than those stated above.

(g) "Intended Use" shall mean the use of the Property for the following purpose: general commercial uses.

(h) "Seller's Notice Address" shall be as follows:

Daniel Norton & Brenda Norton  
Angela Jackson Tyndall, Trustee Daniel and Brenda Norton  
3678 Doc Bennett Road  
Fayetteville, NC 28306

With a copy to:  
Nell Grant  
Grant-Murray Real Estate  
150 N. McPherson Church Road  
Fayetteville, NC 28303  
910-818-3252  
nell@grantmurrayre.com

except as same may be changed pursuant to Section 11.

(i) "Buyer's Notice Address" shall be as follows:

Rhetson Companies, Inc  
2075 Juniper Lake Rd  
West End, NC 27376  
Attn: Carrie Key-Boles  
carrie@rhetson.com

With a copy to:  
Jim McNeill  
c/o Clarke, Philfer, Vaughn, Brenner and McNeill  
135 Applecross Road

(Page 2 of 12)

Buyer Initials



Seller Initials





Pinehurst, NC 28374

except as same may be changed pursuant to Section 11.

**Section 2. Proration of Expenses and Payment of Costs:** Seller and Buyer agree that all property taxes (on a calendar year basis), leases, rents and utilities or any other assumed rights or liabilities if any, shall be prorated as of the date of Closing. Seller shall pay for preparation of a deed and all other documents necessary to perform Seller's obligations under this Agreement, rollback taxes, excise tax (revenue stamps), and other conveyance fees or taxes required by law, and the following: N/A. Buyer shall pay recording cost, costs of any title search, title insurance, survey and the following: N/A. Each party shall pay its own attorneys' fees, except as provided below in Section 9.

**Section 3. Sale of Property and Payment of Purchase Price:** Seller agrees to sell and Buyer agrees to buy the Property for the Purchase Price.

**Section 4. Deliveries:** Seller shall deliver to Buyer within 5 business days of the Contract Date copies of all title information in possession of or available to Seller, including but not limited to: title insurance policies, attorney's opinions on title, surveys, easements, covenants, leases, deeds, notes and deeds of trust and easement relating to the Property. Seller authorizes (1) any attorney presently or previously representing Seller; to release and disclose any title insurance policy in such attorney's file to Buyer and both Buyer's and Seller's agents and attorneys; and (2) the Property's title insurer or its agent to release and disclose all materials in the Property's title insurer's (or title insurer's agent's) file to Buyer and both Buyer's and Seller's agents and attorneys. Seller shall also deliver to Buyer as soon as reasonably possible after the Contract Date copies of all presently effective warranties or non-terminable service contracts related to the Property. If Buyer does not consummate the Closing for any reason other than Seller default, then Buyer shall return to Seller all materials delivered by Seller to Buyer pursuant to this Section 4, if any, and shall, upon Seller's request, assign and transfer to Seller all of its right, title and interest in and to any and all studies, reports, surveys and other information, data and/or documents relating to the Property prepared by or at the request of Buyer, its employees and agents, and shall deliver to Seller, upon the release of the Earnest Money, copies of all of the foregoing without any warranty or representation by Buyer as to the contents, accuracy or correctness thereof.

**Section 5. Evidence of Title:** Seller agrees to convey to Buyer at Closing fee simple marketable and insurable title to the Property by Special warranty deed free and clear of all liens, encumbrances, leases, tenancies and defects of title other than: (a) zoning ordinances affecting the Property, (b) taxes not yet due and payable and (c) matters of record existing at the Contract Date that are not objected to by Buyer prior to the end of the Examination Period ("Permitted Exceptions"); provided that Seller shall be required to satisfy, at or prior to Closing, any encumbrances that may be satisfied by the payment of a fixed sum of money, such as deeds of trust, mortgages or statutory liens. Seller represents and warrants that Seller is the fee simple owner of the Property. Seller shall not enter into or record any instrument that affects the Property (or any personal property listed on Exhibit A) after the Contract Date without the prior written consent of Buyer, which consent shall not be unreasonably withheld, conditioned or delayed. Prior to Closing Buyer shall have the right to secure a new ALTA/ACSM survey of the Property (the "Survey") to be performed by a licensed surveyor in the State of North Carolina, which Survey may be submitted to the title company for the purpose of deleting any pre-printed survey exceptions from the title commitment.

**Section 6. Conditions:** This Agreement and the rights and obligations of the parties under this Agreement are hereby made expressly conditioned upon fulfillment (or waiver by Buyer, whether explicit or implied) of the following conditions:

(a) **Title Examination:** After the Contract Date, Buyer shall, at Buyer's expense, cause a title examination to be made of the Property before the end of the Examination Period. In the event that such title examination shall show that Seller's title is not fee simple marketable and insurable or that there is a defect of title that will prevent or impair the Intended Use, subject only to Permitted Exceptions, then Buyer shall promptly notify Seller in writing of all such title defects and exceptions, in no case later than the end of the Examination Period, and Seller shall have thirty (30) days to cure said noticed defects and the original Examination Period shall continue to run until the defects are remedied. If Seller does not cure the defects or objections within thirty (30) days of notice thereof, then Buyer may, in its sole discretion, terminate this Agreement and receive a return of Earnest Money (notwithstanding that the Examination Period may have expired). If Buyer is to purchase title insurance, the insuring company must be licensed to do business in the state in which the Property is located. Title to the

(Page 3 of 12)

Buyer Initials BN Seller Initials W BK



Property must be insurable at regular rates, subject only to standard exceptions and Permitted Exceptions. In the event that the Property is subject to a lease, Seller shall provide all necessary and sufficient notices and take whatever action is necessary to terminate said lease and remove any tenants and their personal property from the Property prior to Closing. If Seller fails to comply with the requirements of the preceding sentence Seller shall be responsible for all costs and fees resulting from such failure to comply, including but not limited to, court costs, attorney's fees, and tenant relocation costs.

(b) Intended Use: If Buyer determines, prior to the date of Closing, that use of the Property for its Intended Use will violate any private restrictions or governmental regulations, then Buyer may terminate this Agreement by written notice and receive a return of the Earnest Money, and neither party shall then have any further obligations in connection with this Agreement.

(c) Same Condition: If the Property is not in substantially the same condition at Closing as of the date of the offer, reasonable wear and tear excepted, then the Buyer may terminate the Agreement and receive a return of the Earnest Money.

(d) Inspections and other Due Diligence: Buyer, its agents or representatives, at Buyer's expense and at reasonable times during normal business hours, shall have the right to enter upon the Property for the purpose of physically inspecting, examining, testing, and surveying the Property. Additionally, Buyer shall have the right, upon prior notice to Seller, to enter any buildings or other improvements located on the Property to inspect and test for harmful or unsafe conditions, such as but not limited to, the presence of asbestos. Buyer shall also have a right to review and inspect all leases, contracts or other agreements affecting or related directly to the Property and shall be entitled to review such books and records of Seller as relate directly to the operation and maintenance of the Property. Buyer assumes all responsibility for the acts of itself, its agents or representatives in exercising its rights under this Section 6(d) and agrees to indemnify and hold Seller harmless from any damages resulting therefrom. Buyer shall have from the Contract Date through the end of the Examination Period to perform the above inspections, examinations and testing.

(e) If, prior to the expiration of the Examination Period, Buyer chooses not to purchase the Property, for any reason or no reason, and provides written notice to Seller thereof, then this Agreement shall terminate, and the Earnest Money shall be promptly returned to Buyer upon Buyer's request to Escrow Agent.

(f) Financing: Buyer shall not be obligated to close the purchase of the Property until the final loan package for any Buyer financing is approved in writing by Buyer's lender, provided that this financing contingency shall only apply in the event that Buyer has applied for such financing on or before the expiration of the Examination Period. Loan approval must be provided within thirty (30) days from the end of the Examination Period.

Section 7. Environmental: Seller represents and warrants that it has no actual knowledge of the presence or disposal within the buildings or on the Property of hazardous or toxic waste or substances, which are defined as those substances, materials, and wastes, including but not limited to, those substances, materials and wastes listed in the United States Department of Transportation Hazardous Materials Table (49 CFR 172.101) or by the Environmental Protection Agency as hazardous substances (40 CFR Part 302.4) and amendments thereto, or such substances, materials and wastes, which are or become regulated under any applicable local, state or federal law, including, without limitation, any material, waste or substance which is (i) petroleum, (ii) asbestos, (iii) polychlorinated biphenyls, (iv) designated as a Hazardous Substance pursuant to Section 331 of the Clean Water Act of 1977 (33 U.S.C. § 1321) or listed pursuant to Section 307 of the Clean Water Act of 1977 (33 U.S.C. § 1317) (v) defined as a hazardous waste pursuant to Section 1004 of the Resource Conservation and Recovery Act of 1976 (42 U.S.C. § 6903) or (vi) defined as a hazardous substance pursuant to Section 101 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (42 U.S.C. § 9601). Seller further states that it has no actual knowledge of any contamination of the Property from such substances as may have been disposed of or stored on neighboring tracts, and it has no reason to suspect that such use or disposal has occurred, either during or prior to its ownership of the Property. If Purchaser's environmental studies of the Property reveal that the Property contains any of the hazardous or toxic waste or substances described above then, no later than ten (10) days before Closing, Seller shall remediate, mitigate, or remove all such waste or substances as required by applicable law and in accordance with generally-accepted best practices. Purchaser shall have the right to inspect the Property to ensure that Seller has complied with Seller's obligation to remediate, mitigate,



or remove said waste or substances, and if Seller fails to comply Purchaser may terminate this Agreement and receive a return of the Earnest Money regardless of whether the Examination Period shall have expired.

**Section 8. Risk of Loss/Damage/Repair:** Until the Closing, the risk of loss or damage to the Property, except as otherwise provided herein, shall be borne by Seller. In the event the Property is damaged so that the Property cannot be conveyed in substantially the same condition as it was on the date of the offer, Buyer may elect to terminate this Agreement, and the Earnest Money shall be returned to the Buyer. Except as to maintaining the Property in its same condition, Seller shall have no responsibility for the repair of the Property, including any improvements, unless the parties hereto agree in writing.

**Section 9. Earnest Money Disbursement and Other Remedies in Event of Breach:** In the event this offer has not been accepted by Seller, then the Earnest Money shall be refunded to Buyer at any time upon Buyer's unilateral request to Escrow Agent. In the event Buyer terminates this Agreement prior to the expiration of the Examination Period, then the Earnest Money shall be refunded immediately to Buyer at Buyer's unilateral request to Escrow Agent. In the event that any condition hereto is not satisfied, then the Earnest Money shall be refunded to Buyer upon Buyer's request, but such return shall not affect any other remedies available to Buyer for a breach of this Agreement, including, but not limited to, specific performance of this Agreement. In the event of breach of this Agreement by Seller, the Earnest Money shall be refunded to Buyer upon Buyer's request, but such return shall not affect any other remedies available to Buyer for such breach, including, but not limited to, specific performance of this Agreement. In the event of breach of this Agreement by Buyer, the Earnest Money shall be paid to Seller as liquidated damages and as Seller's sole and exclusive remedy for such breach and Seller waives all other remedies. It is acknowledged by the parties that payment of the Earnest Money to Seller in the event of a breach of this Agreement by Buyer is compensatory and not punitive, such amount being a reasonable estimation of the actual loss that Seller would incur as a result of such breach. The payment of the Earnest Money to Seller shall not constitute a penalty or forfeiture but actual compensation for Seller's anticipated loss, both parties acknowledging the difficulty determining Seller's actual damages for such breach. If a court of competent jurisdiction determines that a party has breached this Agreement, the party in breach shall reimburse the other party for that party's reasonable attorney's fees and other costs associated with such litigation.

**NOTE:** Escrow Agent shall return the Earnest Money to Buyer upon Buyer's unilateral request if Buyer confirms in writing to Escrow Agent that it terminated this Agreement in accordance with the terms of this Agreement prior to the expiration of the Examination Period. If Buyer does not terminate this Agreement prior to the expiration of the Examination Period, then in the event of a dispute between Seller and Buyer over the disposition of the Earnest Money held in escrow, a licensed real estate broker is required by state law (and Escrow Agent, if not a broker, hereby agrees) to retain the Earnest Money in the Escrow Agent's trust or escrow account until Escrow Agent has obtained a written release from the parties consenting to its disposition or until disbursement is ordered by a court of competent jurisdiction. Alternatively, if a broker or an attorney licensed to practice law in North Carolina is holding the Earnest Money, the broker or attorney may deposit the disputed monies with the appropriate clerk of court in accordance with the provisions of N.C.G.S. §93A-12.

Seller and Buyer hereby agree and acknowledge that the Escrow Agent assumes no liability in connection with the holding of the Earnest Money pursuant hereto except for negligence or willful misconduct of Escrow Agent. Escrow Agent shall not be responsible for the validity, correctness or genuineness of any document or notice referred to under this Agreement. Seller and Buyer hereby agree to indemnify, protect, save and hold harmless Escrow Agent and its successors, assigns and agents pursuant to this Agreement, from any and all liabilities, obligations, losses, damages, claims, actions, suits, costs or expenses (including attorney fees) of whatsoever kind or nature imposed on, incurred by or asserted against Escrow Agent which in any way relate to or arise out of the execution and delivery of this Agreement and any action taken hereunder; provided, however, that Seller and Buyer shall have no such obligation to indemnify, save and hold harmless Escrow Agent for any liability incurred by, imposed upon or established against it as a result of Escrow Agent's negligence or willful misconduct.

**Section 10. Closing:** At Closing, Seller shall deliver to Buyer a Special Warranty Deed on the current NC Bar Form-a Non-Warranty Deed on the current NC Bar Form (if applicable) (whichever is specified by Buyer's title insurer), and other documents customarily executed by a seller in similar transactions, including without limitation, an owner's affidavit, lien waiver forms and a non-foreign status (pursuant to the Foreign Investment in Real Property Tax Act), and Buyer shall pay to Seller the Purchase Price. At Closing, the Earnest Money shall be applied as part of the Purchase Price. The Closing shall be held at the office of Buyer's attorney or such other place as the parties hereto may mutually agree. Unless otherwise agreed



herein, exclusive possession of the Property, free and clear of any tenancies, leases, or other rights of possession, shall be delivered at Closing and all personal property shall be removed from the Property on or before Closing.

Section 11. Notices: Unless otherwise provided herein, all notices and other communications which may be or are required to be given or made by any party to the other in connection herewith shall be in writing and shall be deemed to have been properly given and received on the date: (i) delivered by facsimile transmission or by electronic mail (e.g. email), (ii) delivered in person, (iii) deposited in the United States mail, registered or certified, return receipt requested, or (iv) deposited with a nationally recognized overnight courier, to the addresses set out in Section 1(h) and Section 1(i) (as applicable), or at such other addresses as specified by written notice delivered in accordance herewith. Notwithstanding the foregoing, Seller and Buyer agree that notice may be given on behalf of each party by the counsel or broker for each party and notice by such counsel or broker in accordance with this Section 11 shall constitute notice under this Agreement. In the event any notice date occurs on a non-Business Day, then such date shall be extended until the next succeeding Business Day. Counsel to Seller or Purchaser may send and receive notices or other communications under this Agreement.

Section 12. Entire Agreement: This Agreement constitutes the sole and entire agreement among the parties hereto and no modification of this Agreement shall be binding unless in writing and signed by all parties hereto.

Section 13. Enforceability: This Agreement shall become an enforceable contract when a fully executed copy has been delivered to both parties. This Agreement shall be binding upon and inure to the benefit of the parties, their heirs, successors and assigns and their personal representatives.

Section 14. Adverse Information and Compliance with Laws:

(a) Seller Knowledge: Seller has no knowledge of (i) condemnation(s) affecting or contemplated with respect to the Property; (ii) actions, suits or proceedings pending or threatened against the Property; (iii) changes contemplated in any applicable laws, ordinances or restrictions affecting the Property; (iv) private restrictions or governmental regulations that would prohibit the Intended Use or (v) governmental special assessments, either pending or confirmed, for sidewalk, paving, water, sewer, or other improvements on or adjoining the Property, and no owners' association special assessments, except as follows: \_\_\_\_\_. (Insert "None" or the identification of such assessments, if any). Seller shall pay all owners' association assessments and all governmental assessments, if any, unless otherwise agreed as follows: \_\_\_\_\_. Seller represents that the regular owners' association dues, if any, are \$ N/A per N/A.

(b) Compliance: To the best of Seller's knowledge and belief, (i) Seller has complied with all applicable laws, ordinances, regulations, statutes, rules and restrictions pertaining to or affecting the Property; (ii) performance of the Agreement will not result in the breach of, constitute any default under or result in the imposition of any lien or encumbrance upon the Property under any agreement or other instrument to which Seller is a party or by which Seller or the Property is bound; and (iii) there are no legal actions, suits or other legal or administrative proceedings pending or threatened against the Property, and Seller is not aware of any facts which might result in any such action, suit or other proceeding.

Section 15. Survival of Representations and Warranties: All representations, warranties, covenants and agreements made by the parties hereto shall survive the Closing and delivery of the deed. Seller shall, at or within six (6) months after the Closing, and without further consideration, execute, acknowledge and deliver to Buyer such other documents and instruments, and take such other action as Buyer may reasonably request or as may be necessary to more effectively transfer to Buyer the Property described herein in accordance with this Agreement. Without limiting the generality of the foregoing sentence, Seller hereby agrees to take whatever action is necessary to order cessation and disconnection of utilities or other services that are listed in Seller's name or require Seller's authorization for such cessation and disconnection.

Section 16. Applicable Law: This Agreement shall be construed under the laws of the North Carolina.

Section 17. Tax-Deferred Exchange: In the event Buyer or Seller desires to effect a tax-deferred exchange in connection with the conveyance of the Property, Buyer and Seller agree to cooperate in effecting such exchange; provided, however, that the exchanging party shall be responsible for all additional costs associated with such exchange, and provided further, that a

Buyer Initials AR Seller Initials DP BR

non-exchanging party shall not assume any additional liability with respect to such tax-deferred exchange. Seller and Buyer shall execute such additional documents, at no cost to the non-exchanging party, as shall be required to give effect to this provision.

Section 18. Assignment: Buyer may assign this Agreement to an entity, that is either affiliated or controlled by Rhetsen Companies, Inc. In the event that the assignee is not affiliated or controlled by Rhetsen Companies, Inc. the entity must either be equal or stronger financially and capable of closing. Written notice will be required to be given to Seller for any valid assignment. Any assignment will follow all terms and conditions of the contract.

Section 19. Authority: Each signatory to this Agreement represents and warrants that he or she has full authority to sign this Agreement and such instruments as may be necessary to effectuate any transaction contemplated by this Agreement on behalf of the party for whom he or she signs and that his or her signature binds such party. Any signature on a copy of this Agreement sent electronically or by facsimile shall be binding upon transmission and the electronic or facsimile copy may be utilized for the purpose of this Agreement.

Section 20. Miscellaneous: Buyer acknowledges that there is a residential home of the property that has a verbal month to month lease. The tenant is a friend of the Seller. The Seller will ensure that the tenant will be removed prior to closing, either before expiration of the of Examination Period or immediately following.

Section 22. Permits: Seller hereby appoints Janie S. Encinosa of Rhetsen Companies, Inc or its affiliates and Jim McNeill of Clarke, Philfer, Vaughn, Brenner, and McNeill, PLLC as Seller's attorneys-in-fact for the purpose of managing and executing any applications necessary to commence construction on the Property described in Deed Book 2594 Page 0169. These applications may include but are not limited to: Rezoning applications, DOT permits, Land Use Permits, DOT Encroachment Agreements, Land Disturbance Permits, Financial Responsibility forms, Permission to Grade letters, Stormwater Permits, Zoning Permits, Well/septic permits, building, demolition permits.

THIS DOCUMENT IS A LEGAL DOCUMENT. EXECUTION OF THIS DOCUMENT HAS LEGAL CONSEQUENCES THAT COULD BE ENFORCEABLE IN A COURT OF LAW. IF YOU DO NOT FEEL THIS DOCUMENT MEETS YOUR NEEDS, YOU MAY WISH TO CONSULT YOUR ATTORNEY.

[Signature Page to Follow]

(Page 7 of 12)

Buyer Initials

Seller Initials

SIGNATURE PAGE TO AGREEMENT FOR PURCHASE AND SALE OF REAL PROPERTY

BUYER:

RHETSON COMPANIES, INC.

By: 

Name: Richard Vincent

Title: Chief Business Development Officer

Date: 3/20/2024

SELLER:

DANIEL NORTON

By: 

Date: 3-26-24

BRENDA NORTON

By: 

Date: 3/26/24

ANGELA JACKSON TYNDALL  
TRUSTEE DANIEL AND BRENDA NORTON

By: 

By: 

Date: 3/26/24


The undersigned hereby acknowledges receipt of the Earnest Money set forth herein and agrees to hold said Earnest Money in accordance with the terms hereof.

INVESTORS TITLE INSURANCE COMPANY

Date: 4/16/2024

By: 

Gina F. Webster  
Vice President - Settlement and Escrow Operations  
Investors Title Insurance Company


Buyer Initials 

Seller Initials

DN BW

EXHIBIT "A"

NOT APPLICABLE

Buyer Initials  Seller Initials DN BA



"Exhibit B"  
ESCROW ADDENDUM

This Escrow Addendum dated \_\_\_\_\_ (this "Addendum"), is hereby made a part of that certain Agreement for Purchase and Sale of Real Property having an Effective Date of \_\_\_\_\_ (the "Sales Contract"), by and between Angela Jackson Tyndall, Trustee Daniel and Brenda Norton and Daniel Norton & Brenda Norton as seller thereunder ("Seller"), and Rhetson Companies, Inc as purchaser thereunder ("Purchaser"). Investors Title Insurance Company, a North Carolina corporation ("Escrow Agent"), has executed this Addendum for the sole purpose of consenting to the terms of this Addendum.

Required SELLER Information:

Tax ID:                       
Mailing address: 2678-Durham Rd  
Fayetteville NC 28706  
Telephone: 910-308-9282  
Email: DTY DAN & BRENDA@com

Required PURCHASER Information:

Tax ID:                       
Mailing address: 2075 Juniper Lake Road, West End, NC  
27376  
Telephone: 910-944-0881  
Email: carrie@rhetson.com

WHEREAS, Seller and Purchaser desire that the closing of the transaction contemplated by the Sales Contract take place in accordance with the terms and provisions of this Addendum.

WHEREAS, pursuant to Section One of the Sales Contract, Purchaser and Seller have appointed Investors Title Insurance Company to hold earnest money in the amount of                      (the "Escrowed Funds"), which sum will be held in accordance with the terms of this Addendum and the Sales Contract.

NOW, THEREFORE, in furtherance of the transaction contemplated by the Sales Contract, and for and in consideration of                      cash paid in hand to Escrow Agent, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto hereby covenant and agree as follows:

1. Seller and Purchaser hereby designate, constitute and appoint Investors Title Insurance Company as Escrow Agent under this Addendum to hold Escrowed Funds, and Escrow Agent accepts such designation and appointment, and agrees to act in accordance with the terms of this Addendum. It is hereby expressly understood and agreed that in the event a conflict should arise as between the terms of this Addendum and those of the Sales Contract, the terms of this Addendum will control.
2. Notwithstanding any provisions regarding interest in the Sales Contract, Purchaser and Seller hereby request that the Escrowed Funds (select ONE option; if neither is selected, the second option below will be deemed selected):
  - ☒ accrue interest to the benefit of Purchaser (if left blank, Purchaser will be beneficiary, in accordance with 26 CFR § 1.468B-7).
  - ☐ do not accrue interest to the benefit of Purchaser/Seller.
3. All checks, money orders, wires or drafts sent to Escrow Agent under this Addendum will be processed for collection in the normal course of business. Escrow Agent will deposit the Escrowed Funds in a segregated savings account with a federally-insured banking institution. All funds received by check will be held for a minimum of five (5) business days prior to transfer to a segregated account or disbursement.
4. (a) Purchaser Sales Contract Termination during Examination Period. The Purchaser and Seller hereby stipulate i) the Examination Period is defined pursuant to Section 1(e) of the Sales Contract, as may be amended from time to time and ii) Purchaser has the unilateral right, for any reason or no reason, to terminate the Sales Contract during the


Examination Period, and upon such termination, is entitled return of the Escrowed Funds plus any interest earned thereon.

Notwithstanding any terms in this Addendum or in the Sales Contract to the contrary, in the event Purchaser x) provides written notice of Purchaser's termination of the Sales Contract during the Examination Period by deposit with a nationally recognized overnight courier or in the United States mail, registered or certified, return receipt requested, to the Seller's address set forth on page one of this Agreement and y) provides Escrow Agent written notice thereof, Escrow Agent shall disburse to Purchaser all Escrowed Funds including any interest earned thereon, without the necessity for additional notification to, or approval by, Seller.

By their acknowledgment below, Seller hereby specifically waives any and all claims or causes of action Seller may have as to Escrow Agent's actions pursuant to this section 4(a). Seller hereby further states Seller has either executed this Addendum subsequent to the review of Seller's counsel or has competently chosen not to retain counsel to review this Addendum.

(b) Other Disbursements. Upon Escrow Agent's receipt of consistent written instructions from both Seller and Purchaser, or their respective counsel or brokers, Escrow Agent will disburse the Escrowed Funds in accordance with such instructions. Such instructions may be given in duplicate counterparts and delivered via electronic mail. Escrow Agent requests delivery of such instructions at least twenty-four (24) hours before disbursement is needed. Notwithstanding the foregoing provisions of this Section 4, in the event that Seller or Purchaser provides Escrow Agent and the other party with a written certification claiming the Escrowed Funds pursuant to certain provisions of the Sales Contract, Escrow Agent, at its absolute and sole discretion, may elect to proceed by: (i) notifying Purchaser and Seller that it intends to disburse the Escrowed Funds in accordance with such request unless the non-requesting party delivers a written objection to such requested disbursement within ten (10) business days after receipt of said notice, and (ii) so disbursing the Escrowed Funds to the requesting party after such ten (10) business day period, provided the non-requesting party has not objected to such disbursement in accordance with this Section. Upon such a disbursement, Escrow Agent will be released and discharged from any further duty or obligation hereunder.

5. Escrow Agent will be entitled to rely upon the instructions and other matters covered thereby, and will not be required to investigate the authority of the person executing and delivering such instructions, or otherwise verify the accuracy of the statements or information presented therein.
6. Escrow Agent will not be accountable for any incidental benefit, which may be attributable to the Escrowed Funds. Escrow Agent will not owe a fiduciary responsibility to Purchaser and Seller, and will be a stakeholder only and not liable for any losses, costs or damages it may incur in performing its responsibilities hereunder unless such losses, costs or damages arise out of the willful default or gross negligence of Escrow Agent or its agents. Furthermore, and in no way limiting the foregoing sentence, Escrow Agent will not be liable for any loss or damage resulting from the following:
  - a. Any default, error, action, or omission of any other party;
  - b. The expiration of any time limit unless such time limit was known to Escrow Agent and such loss is solely caused by failure of Escrow Agent to proceed in its ordinary course of business;
  - c. Any loss or impairment of funds while on deposit with a federally-insured bank, resulting from failure, insolvency or suspension of such bank; and
  - d. Escrow Agent's compliance with any and all legal process, writs, orders, judgments, and decrees of any court, whether issued with or without jurisdiction and whether or not subsequently vacated, modified, set aside or reversed.
7. In the event of a dispute hereunder between Seller and Purchaser (or their successors or assigns), Escrow Agent will have the right, exercisable in its sole discretion, to resign by giving written notice to Seller and Purchaser, specifying a date on which such resignation will take effect, which will be no earlier than ten (10) business days after the delivery

Buyer Initials  Seller Initials 

of such notice. Promptly upon receipt of such notice, Seller and Purchaser will appoint a mutually acceptable successor escrow agent. Upon delivery by the successor escrow agent to Seller, Purchaser, and Escrow Agent of a written instrument accepting such appointment, the successor escrow agent will succeed to all the rights and duties of Escrow Agent hereunder. If a successor escrow agent is not appointed by the expiration of such ten (10) business day period, Escrow Agent will have the right, exercisable in its sole discretion, to be discharged by tendering unto the registry or custody of any court of competent jurisdiction the Escrowed Funds, together with any such legal pleadings as it deems appropriate. In such an event, Escrow Agent will have the right to charge an administrative fee of [REDACTED] toward its costs, which will be in addition to any Escrow Agent fee charged. At Escrow Agent's discretion, all applicable fees charged by Escrow Agent may be withheld from the Escrowed Funds tendered to the court. Purchaser and Seller will indemnify and hold harmless Escrow Agent for all of its expenses, costs and reasonable attorneys' fees incurred in connection with such interpleader action in excess of [REDACTED]. Escrow Agent will have the right to deduct its unpaid fee and any costs it has incurred for overnight delivery charges or wire transfer fees from the Escrowed Funds prior to disbursement.

8. The terms and provisions of this Addendum are for the benefit of Seller, Purchaser, and Escrow Agent and their respective successors and assigns only. Nothing contained herein will be deemed or construed to inure to the benefit of any other person or party, it being the express intent of Seller, Purchaser, and Escrow Agent that no such person or party will be entitled to any of the benefits hereunder, except as expressly provided herein.
9. This Addendum is intended as a contract under the laws of the State of North Carolina and will be governed thereby and construed in accordance therewith.
10. This Addendum may be executed by electronic signatures, which for all purposes will be deemed to constitute originals. This Addendum may be executed in counterparts, all of which when taken together will be deemed one original.

IN WITNESS WHEREOF, the parties hereto have executed this Addendum as of the day, month and year first above written.

SELLER:

DANIEL NORTON

By: Daniel Norton

BRENDA NORTON

By: Brenda Norton

ANGELA JACKSON TYNDALL  
TRUSTEE DANIEL AND BRENDA NORTON

By: Daniel Norton

By: Brenda Norton

PURCHASER:

RHETSON COMPANIES, INC.

By: [Signature]  
Name: Richard Vincent  
Title: Chief Business Development Officer

ESCROW AGENT:

Investors Title Insurance Company,  
a North Carolina corporation

By: [Signature]  
Name: Gina F. Webster  
Title: Vice President - Settlement and Escrow Operations  
Investors Title Insurance Company

Buyer Initials [Signature]

Seller Initials [Signature]



Last Will and Testament  
Of  
ANGELA NAN JACKSON TYNDALL

I, Angela Nan Jackson Tyndall, a resident of the county of Cumberland and state of North Carolina, being of sound mind and memory, trusting in Jesus Christ as my Lord and Savior, do hereby make, publish, and declare this to be my Last Will and Testament.

ITEM 1

I hereby revoke all former wills and codicils heretofore made by me.

ITEM 2

I hereby direct that my body be given a suitable burial, cremation, or anatomical donation as deemed by my executor(s).

ITEM 3

I am married to James Archie Tyndall, hereinafter referred to as my spouse.

ITEM 4

I direct my Executor to pay out of the residue of my estate, as soon after my death as my Executor deems consistent with good management, the expenses of my last illness, funeral and burial debts and claims duly allowed against my estate, expense of administration of my estate, and all estate, inheritance, succession, transfer, legacy and death taxes, assessed or imposed with respect to my estate, whether or not passing under this Will. However, my Executor shall not be required to prepay, any debt or installment before it is due and may distribute property subject to any existing mortgages or deeds to secure debt or deeds of trust.

ITEM 5

If my spouse survives me, I hereby devise and bequeath all of the rest, residue, and remainder of my property, both real and personal, of every

kind and description, and wherever such property may be located, outright and absolutely to my sister Brenda Harriett Jackson Norton and/or Daniel Norton, for the purpose to manage, secure, or sell as she/he deems necessary in order to secure the well-being, both mentally and physically, of my spouse, James Archie Tyndall.

ITEM 6

If my spouse fails to survive me, then I hereby devise and bequeath all of the rest, residue, and remainder of my property, both real and personal, of every kind and description, and wherever such property, may be located, in full and equal shares to Brenda Harriett Jackson Norton and/or Daniel Norton.

If Brenda Harriett Jackson Norton, predeceases me or deceases in a common accident or event with me, I hereby devise and bequeath all my estate, both real and personal, of every kind and description, to Daniel Norton, only. If Daniel Norton predeceases me or deceases me or deceases in a common accident or event with me, I hereby devise and bequeath all my estate, both real and personal, of every kind and description, to Brenda Harriett Jackson Norton, only.

ITEM 7

(a) I appoint Brenda Harriett Jackson Norton and Daniel Norton as Co-Executors of this Will. If for any reason he or she is unable or unwilling to serve or continue serving as Executor of this Will, I appoint the other party, whether it be Brenda Harriett Jackson Norton or Daniel Norton, as the sole alternate Executor of this Will.

(b) I appoint Brenda Harriett Jackson Norton and Daniel Norton as co-Trustees of any trust created by this Will. If for any reason he or she is unable or willing to serve or continue serving as Trustee, I appoint the other party, whether it be Brenda Harriett Jackson Norton or Daniel Norton, as alternate Trustee.

ITEM 8

My Executor shall have the authority to do such acts as appropriate and necessary to carry out my Last Will and Testament, including the power to sell property and distribute the proceeds of such sale as part of my



estate. I authorize my Executor to employ the services of an attorney, accountant, or other professional as may be desirable for the administration of my estate. I authorize my Executor in his or her discretion to retain any existing investments and not to diversify my assets, and to assign values to assets that are not sold in distributing them, and to have full discretion in distributing assets among my beneficiaries. My Executor shall be entitled to reasonable compensation for services performed and reimbursement for expenses incurred.

ITEM 9

I direct that no bond, security, inventory, appraisement, return, or report to any court, or other undertaking shall be imposed upon or required at any time or in any jurisdiction of any individual named herein for the faithful performance of his or her duties

IN WITNESS WHEREOF, I

Angela N.J. Tyndall, the

testator (print/type), sign my name to this instrument this 25 day of Sept. 2012

and being first duly sworn, do hereby declare to the undersigned authority that I sign and execute this instrument as my last will and testament, and that I sign it willingly, that I execute it as my free and voluntary act for the purposes therein expressed, and that I am eighteen years of age or older, of sound mind and under no constraint or undue influence.

Angela N.J. Tyndall  
testator-signature

We, Ashley R. Jones (Witness 1),

Adam B. Jones (witness 2), the  
witnesses, sign our names to this instrument, being first duly sworn, and

do hereby declare to the undersigned authority that the testator signs and executes this instrument as his last will and that he signs it willingly, and that each of us, in the presence and hearing of the testator, hereby signs this will as witness to the testator's signing, and to the best of our knowledge the testator is eighteen years of age or older, of sound mind, and under no constraint or undue influence.

[Signature] this day 25 of September, 2012.  
Witness (1), signature

2620 Bragg Blvd. Suite D. Jayetteville, NC 28303  
Address of Witness (1)

[Signature] this day 25 of September, 2012.  
Witness(2), signature

5441 Archer Rd., Hope Mills, NC 28348  
Address of Witness (2).

THE STATE OF North Carolina

COUNTY OF Cumberland

Subscribed, sworn to and acknowledged before me by

Angela Nan Jackson Tyndall, the testator and subscribed and sworn to before me by Ashley Powell and

[Signature], witnesses,

this 25th day of Sept, 2012.

Last Will & Testament of Angela N.J. Tyndall

Signed *Veronica Helton*  
Notary Public

My commission expires: *2/25/2016*

(seal)



*My comm expires  
2/25/2016*



## Town of Hope Mills Voluntary Annexation Packet

### VOLUNTARY ANNEXATION SUBMITTAL REQUIREMENTS:

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

- ☒ Original Petition Form Signed by ALL Owners of the property.
- ☒ Legal description of the area to be annexed in both hard and digital (Word) format.
- ☒ A complete copy of the last deed of record for each parcel of property to be annexed.
- ☐ 1 paper copy and 1 digital copy of the \*filed annexation plat prepared by a registered land surveyor including the following information:
  - Title block:  
Annexation Map for Town of Hope Mills  
Annexation File # \_\_\_\_\_
  - Vicinity map showing location of property in relation to the primary corporate town limits, (indicate where corporate limits are adjacent to the property or the location of the closest point of the primary Town Limits)
  - Surveyors' certificate.
  - Plat book and page numbers.

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

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

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

Town of Hope Mills

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



**Town of Hope Mills**  
**Voluntary Annexation Petition**

For Town Clerk Use:  
Annexation # \_\_\_\_\_

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

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

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

**Property Information:**

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

Cumberland County Parcel Identification Number (s):

0404689083 → Parcel 1  
0404782177 → Parcel 2

Cumberland County Real Estate Identification Number (s):

0404689083000 → Parcel 1  
0404782177000 → Parcel 2

Acreage of Annexation Area: 4.96

Existing Population: 1 (temporary lease)

Number of existing residential dwelling units: 1

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

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

Property Owner(s):

Address:

Signature:

Date:

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

Daniel Norton

3678 Doc Bennett Rd

Daniel Norton

6-4-24

Brenda Norton

3678 Doc Bennett Rd

Brenda Norton

6/4/24

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

Town of Hope Mills

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



Lot 1: Legal Description

LYING in Rockfish Township, Cumberland County, near the town of Hope Mills, North Carolina, this subject property being bounded on the north by lands deeded and conveyed to Ethel Ivey Jackson Heirs in Deed Book 922, Page 526; on the east by lands deeded and conveyed to Elbert Wade Ratley In Deed Book 11015, Page 701 and also shown on Plat Book 149, Page 37, and by lands deeded and conveyed to Daniel and Brenda Norton in Deed Book 2594, Page 169; on the south by the northern right of way margin of Camden Road (SR 1003 – having a varied width public right of way) and on the west by Lots 38-39-40 of the “Kensington Village – Section One Subdivision” as shown and recorded in Plat Book 97, Page 69. All referenced materials located in the Cumberland County Registry.

BEGINNING from an iron rebar, said iron rebar being on the northern right of way margin of Camden Road said iron rebar being a common property corner between Lot 40 of the Kensington Village Subdivision and the subject property, and runs thence with the common property line between the subject property and Lot 40 as well as the common property line between the subject property and Lot 39 and Lot 38, **North 21 degrees 26 minutes 52 seconds West** for a total distance of **289.36 feet** to an iron rebar, said iron rebar being on the common property line between the subject property and Lot 38;

THENCE with the common property line between the subject property and Lot 38, **North 21degrees 56 minutes 26 seconds West** for a distance of **50.11 feet** to an iron rebar, said iron rebar being a common property corner between the subject property and the aforementioned Ethel Jackson Heirs property;

THENCE with the common property line between the subject property and the Ethel Jackson Heirs property, **North 68 degrees 10 minutes 21 seconds East** for a distance of **150.14 feet** to an iron rebar, said iron rebar being a common property corner between the subject property, the Ethel Jackson Heirs property and the aforementioned Ratley property;

THENCE with the common property line between the subject property and the Ratley property as well as the Norton property, **South 21 degrees 50 minutes 52 seconds East** for a total distance of **50.00 feet** to an iron pipe; said iron pipe being on the common property line between the subject property and the Norton property;

THENCE with the common property line between the subject property and the Norton property, **South 21 degrees 19 minutes 14 seconds East** for a distance of **288.04 feet** to an iron rebar, said iron rebar being located on the northern right of way margin of Camden Road;

THENCE with the northern right of way margin of Camden Road, **South 67 degrees 37 minutes 28 seconds West** for a distance of **149.44 feet** to an iron rebar, said iron rebar being the true point and place of Beginning and being the major portion of the property deeded and conveyed to Angela Tyndall in Deed Book 9105, Page 292, Cumberland County Registry, less and except those areas deeded and conveyed to the North Carolina Department of Transportation.

Subject property contains **50,741 sqaure feet / 1.16 acres**

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

This description was prepared this 31st day of May, 2024 under the direct supervision of Michael J. Adams, PLS L-4491/CFS NC-075 and is based on a physical survey performed by M.A.P.S. Surveying

Lot 2: Legal Description

LYING in Rockfish Township, Cumberland County, near the town of Hope Mills, North Carolina, this subject property being bounded on the north by lands deeded and conveyed to Elbert Wade Ratley In Deed Book 11015, Page 701 and also shown on Plat Book 149, Page 37 and by lands deeded and conveyed to Neil and Ethel Jackson in Deed Book 2418, Page 611; on the east by lands deeded and conveyed to Gardner Holdings LLC in Deed Book 11391, Page 378; on the south by the northern right of way margin of Camden Road (SR 1003 – having a varied width public right of way) and on the west by lands deeded and conveyed to Angela Tyndall in Deed Book 9105, Page 292. All referenced materials located in the Cumberland County Registry.

BEGINNING from an iron rebar, said iron rebar being on the northern right of way margin of Camden Road said point being a common property corner between the subject property and the Tyndall property, and runs thence with the common property line between the subject property and the Tyndall property, **North 21 degrees 19 minutes 14 seconds West** for a distance of **288.04 feet** to an iron pipe;

THENCE continuing with the common property line between the subject property and the Tyndall property, **North 21 degrees 50 minutes 52 seconds West** for a distance of **46.63 feet** to an iron rebar, said iron rebar being a common property corner between the subject property and the aforementioned Ratley property;

THENCE with the common property line between the subject property and the Ratley property, **North 67 degrees 54 minutes 50 seconds East** for a distance of **176.18 feet** to an iron pipe, said iron pipe being a common property corner between the subject property, the Ratley property, and the aforementioned Jackson property;

THENCE with the common property line between the subject property and the Jackson property, **North 65 degrees 53 minutes 21 seconds West** for a distance of **340.60 feet** to an iron rebar, said iron rebar being on the common property line between the subject property and the aforementioned Gardner Holdings property;

THENCE with the common property line between the subject property and the Gardner Holdings property, **South 12 degrees 54 minutes 04 seconds East** for a distance of **327.24 feet** to an iron rebar, said iron rebar being on the northern right of way margin of Camden Road;

THENCE with the northern right of way margin of Camden Road, **South 59 degrees 08 minutes 56 seconds West** for a distance of **14.09 feet** to an iron rebar;

THENCE continuing with the northern right of way margin of Camden Road, along a curve to the right, having a radius of **2955.00 feet** and an arc length of **391.58 feet**, being subtended by chord bearing of **South 62 degrees 56 minutes 43 seconds West** and a chord length of **391.29 feet** to an iron rebar;

THENCE continuing with the northern right of way margin of Camden Road, **North 85 degrees 08 minutes 15 seconds West** for a distance of **27.80 feet** to a right of way disk;

THENCE continuing with the northern right of way margin of Camden Road, **South 67 degrees 37 minutes 28 seconds West** for a distance of **39.88 feet** to an iron rebar, said iron rebar being the true point and place of Beginning and being the major portion of the property deeded and conveyed to

Daniel and Brenda Norton in Deed Book 2594, Page 169, Cumberland County Registry, less and except those areas deeded and conveyed to the North Carolina Department of Transportation.

Subject property contains **165,621 square feet / 3.80 acres**

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

This description was prepared this 31st day of May, 2024 under the direct supervision of Michael J. Adams, PLS L-4491/CFS NC-075 and is based on a physical survey performed by M.A.P.S. Surveying Inc (C-2589)

9105  
0292

BK 09105 PG 0292

LOT 1  
0404689083000

FILED  
CUMBERLAND COUNTY NC  
J. LEE WARREN, JR.  
REGISTER OF DEEDS  
FILED Feb 06, 2013  
AT 08:20:00 am  
BOOK 09105  
START PAGE 0292  
END PAGE 0293  
INSTRUMENT # 04566  
RECORDING \$26.00  
EXCISE TAX (None)  
KSJ

Excise Tax 0.00

Do NOT write above this line.

Recording: Time, Book and Page

## North Carolina Quitclaim Deed

This instrument prepared by: Thorp and Clarke, P.A.; P.O. Box 870, Fayetteville, NC 28302  
Brief description for the Index: Thorp and Clarke, P.A. \*\*\*WITHOUT TITLE EXAMINATION\*\*\*  
This Deed made this 25th day of January, 2013, by and between Grantor and Grantee.  
Enter in appropriate block for each party: Name, address, county, state and if appropriate entity (i.e. corporation, partnership).  
The designation Grantor and Grantee as used herein shall include all parties, their heirs, successors and assigns and shall include singular, plural, masculine, feminine or neuter as required by context.

Grantor:

James Archle Tyndall

Grantee:

Angela Nan Jackson Tyndall

5956 Camden Road  
Fayetteville, NC

**Transfer of Ownership:** Grantor, for a valuable consideration paid by Grantee, the receipt of which is hereby acknowledged, has remised and released and does hereby remise, release and forever quitclaim to grantee, the property described below:

**Property:** City of \_\_\_\_\_, County of Cumberland, North Carolina.  
Township of \_\_\_\_\_, County of \_\_\_\_\_, Page \_\_\_\_\_, Cumberland County.  
This property was acquired by Grantor by an instrument recorded in Book \_\_\_\_\_, Page \_\_\_\_\_, \_\_\_\_\_ County.  
A map showing the property is recorded in Plat Book \_\_\_\_\_, Page \_\_\_\_\_, \_\_\_\_\_ County.  
The legal description of the Property is:

BEGINNING at an existing iron rod located in the northern right of way margin of Camden Road (SR 1003) and running thence with the northern right of way margin of said road, S 67 degrees 42 minutes 15 seconds West 150 feet to an existing iron stake in the northern right of way margin of said road; thence leaving the northern right of way margin of Camden Road and running N 21 degrees 25 minutes 51 seconds West 307.64 feet to an existing iron pipe; thence North 21 degrees 48 minutes 44 seconds W 50 feet to a set iron rod; thence North 68 degrees 12 minutes 58 seconds E 160.15 feet to a set iron rod; thence S 21 degrees 49 minutes 50 seconds E 50 feet to an existing iron pipe; thence S 21 degrees 23 minutes 47 seconds E 306.30 feet to the place and point of beginning.

For additional information see Deed recorded in Book 921, Page 541 and Boundary Line Agreement recorded in Book 6149, Page 162, Cumberland County Registry.

Continued on Page 2

After recording mail to:

Thorp and Clarke, P.A. 13-12733  
150 N. McPherson Church Road Northern  
Fayetteville, NC 28303

Tax Lot No. \_\_\_\_\_  
Parcel Identifier No. \_\_\_\_\_  
Verified By \_\_\_\_\_ County, \_\_\_\_\_  
on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
By \_\_\_\_\_  
Page 1 of 2 Initial JAT

BOOK 2594 PAGE 169

WARRANTY DEED - Form WD-601  
Printed and for sale by James Williams & Co., Inc., Yadkinville, N. C.

STATE OF NORTH CAROLINA, CUMBERLAND County.  
THIS DEED, Made this 6th day of April, 1977, by and between LESLIE EARL JACKSON and wife, BETTY RUTH JACKSON of CUMBERLAND County and state of North Carolina, hereinafter called Grantor, and DANIEL NORTON and wife, BRENDA HARRIET JACKSON NORTON of CUMBERLAND County and State of North Carolina, hereinafter called Grantee.

WITNESSETH: That the Grantor, for and in consideration of the sum of TEN AND NO/100 Dollars and other good and valuable considerations to him in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has given, granted, bargained, sold and conveyed, and by these presents does give, grant, bargain, sell, convey and confirm unto the Grantee, his heirs and/or successors and assigns, premises in Rockfish Township, Cumberland County, North Carolina, described as follows:

lying on the North margin of the Camden Road in the lands of Ellis Jackson tract, bounded on the east by Wheeler (see book 839 on page 270), on the west by Leslie Earl Jackson (see book 921 on page 541), on the north by Howard Jackson and John David Jackson. BEGINNING at an iron pipe on the north margin of the Camden Road, Wheeler's southwest corner, and runs with Ellis Jackson and Wheeler line north 12 degrees 03 minutes west 351 feet to an iron stake, a common corner of Howard Jackson; thence with Howard Jackson's line south 68 degrees 32 minutes west 517.5 feet to an iron stake; thence south 19 degrees 40 minutes east 350.6 feet with Leslie Jackson east line to an iron pipe on the margin of the Camden Road; thence with a chord of North 67 degrees 57 minutes east 470.7 feet and the arc of Camden Road to the beginning, containing 3.9 acres, more or less.

This deed also conveys a 20 foot right-of-way parallel with the western line of the land herein described and running the entire distance of said western line from the Camden Road.

For reference see deed recorded in Book 483 on page 259, Cumberland County Registry.

Surveyed December 1973 by Hugh McCormick, Registered Surveyor.



The above land was conveyed to Grantor by Ellis Jackson and wife, Vester Jackson See Book No. 2418, Page 597. TO HAVE AND TO HOLD The above described premises, with all the appurtenances thereunto belonging, or in any wise appertaining, unto the Grantee, his heirs and/or successors and assigns forever.

And the Grantor covenants that he is seized of said premises in fee, and has the right to convey the same in fee simple; that said premises are free from encumbrances (with the exceptions above stated, if any); and that he will warrant and defend the said title to the same against the lawful claims of all persons whomsoever.

When reference is made to the Grantor or Grantee, the singular shall include the plural and the masculine shall include the feminine or the neuter.

IN WITNESS WHEREOF, The Grantor has hereunto set his hand and seal, the day and year first above written.

LESLIE EARL JACKSON (SEAL)  
BETTY RUTH JACKSON (SEAL)

STATE OF NORTH CAROLINA, CUMBERLAND County.  
I, Donna E. Culbreth, a Notary Public of said County, do hereby certify that LESLIE EARL JACKSON and wife, BETTY RUTH JACKSON Grantor, personally appeared before me this day and acknowledged the execution of the foregoing deed.

Witness my hand and notarial seal, this the 29th day of April, 1977.

My Commission Expires: Nov 7, 1979

Donna E. Culbreth, Notary Public (SEAL)

STATE OF NORTH CAROLINA, CUMBERLAND County.  
I, a Notary Public of said County, do hereby certify that Grantor, personally appeared before me this day and acknowledged the execution of the foregoing deed.

Witness my hand and notarial seal, this the 29th day of April, 1977.

My Commission Expires: N. P. (SEAL)

STATE OF NORTH CAROLINA, Cumberland County.  
The foregoing certificate of Donna E. Culbreth, a Notary Public is (are) certified to be correct. This instrument was presented for registration this 29 day of April, 1977.

at 2:45 P. M., and duly recorded in the office of the Register of Deeds of Cumberland County, North Carolina, in Book 2594, Page 169.

This the 29 day of April, A. D., 1977.

Manon Clark, Register of Deeds  
By Janice L. Williams, Assistant, Deputy Register of Deeds

This Deed drawn by \_\_\_\_\_



Continued from Page 1

Title to the property hereinabove described is subject to the following exceptions:

- a. County and/or Municipal Zoning Ordinances, Rules and Regulations.
- b. Restrictions, Easements and Rights of way of record
- c. Current year Cumberland County Ad Valorem Taxes

TO HAVE AND TO HOLD the said property and all privileges and appurtenances (rights) belonging to Debtor (Grantee).

It is understood and agreed that this Release shall apply only to the amount of Property expressly described and conveyed and that the remainder of the property shall remain subject to the lien of the Deed of Trust and shall remain in full force and effect.

Signatures: Trustee, and/or Beneficiary (Note Holder) has duly executed the foregoing instrument, as of the day and year first written above.

Entity		Individual	
Name: _____	_____	U S S E R N A M E _____	(Seal)
By: _____	_____	James Archie Tyndall	(Seal)
Title: _____	_____	_____	(Seal)
Name: _____	_____	_____	(Seal)
By: _____	_____	(N.P. SEAL)	(Seal)
Title: _____	_____	_____	(Seal)
Name: _____	_____	_____	(Seal)
By: _____	_____	_____	(Seal)
Title: _____	_____	_____	(Seal)

SEAL-STAMP

INDIVIDUAL

STATE OF NC COUNTY OF Cumberland  
I, Kimberly M. Johnson, a Notary Public of the County and State aforesaid, certify that  
James Archie Tyndall  
Grantor, personally came before me this day and acknowledged the execution of the foregoing  
Instrument.  
Witness my hand and official stamp or seal, this 5th day of February, 2013.  
My Commission Expires: 2-22-15 Notary Public

SEAL-STAMP

INDIVIDUAL

STATE OF \_\_\_\_\_ COUNTY OF \_\_\_\_\_  
I, \_\_\_\_\_, a Notary Public of the County and State aforesaid, certify that  
Grantor, personally came before me this day and acknowledged the execution of the foregoing  
Instrument.  
Witness my hand and official stamp or seal, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
My Commission Expires: \_\_\_\_\_ Notary Public

SEAL-STAMP

ENTITY: Corporation, Limited Liability Company, General Partnership or Limited Partnership  
STATE OF \_\_\_\_\_ COUNTY OF \_\_\_\_\_  
I, \_\_\_\_\_, a Notary Public of the County and State aforesaid, certify that  
\_\_\_\_\_ personally came before me this day and  
acknowledged that he is \_\_\_\_\_ of \_\_\_\_\_,  
a North Carolina or \_\_\_\_\_ corporation / limited liability company/general partnership  
limited partnership (strike through inapplicable) and that by authority duly given and as an act of the  
Entity, has signed the foregoing instrument in its name and on its behalf as its act and deed.  
Witness my hand and official stamp or seal, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
My Commission Expires: \_\_\_\_\_ Notary Public

SEAL-STAMP

ENTITY: Corporation, Limited Liability Company, General Partnership or Limited Partnership  
STATE OF \_\_\_\_\_ COUNTY OF \_\_\_\_\_  
I, \_\_\_\_\_, a Notary Public of the County and State aforesaid, certify that  
\_\_\_\_\_ personally came before me this day and  
acknowledged that he is \_\_\_\_\_ of \_\_\_\_\_,  
a North Carolina or \_\_\_\_\_ corporation / limited liability company/general partnership  
limited partnership (strike through inapplicable) and that by authority duly given and as an act of the  
Entity, has signed the foregoing instrument in its name and on its behalf as its act and deed.  
Witness my hand and official stamp or seal, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
My Commission Expires: \_\_\_\_\_ Notary Public

The foregoing Certificate(s) of \_\_\_\_\_

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the page hereof.

By \_\_\_\_\_ -REGISTER OF DEEDS FOR \_\_\_\_\_ COUNTY  
Deputy/Assistant - Register of Deeds



**THE UNIVERSITY OF CHICAGO**

ROBERTO C. DE LA ROSA  
C/O. 1000 1st St. N. - Rm. 100  
C/O. 1000 1st St. N. - Rm. 100

Name \_\_\_\_\_  
 Date \_\_\_\_\_  
 Page \_\_\_\_\_

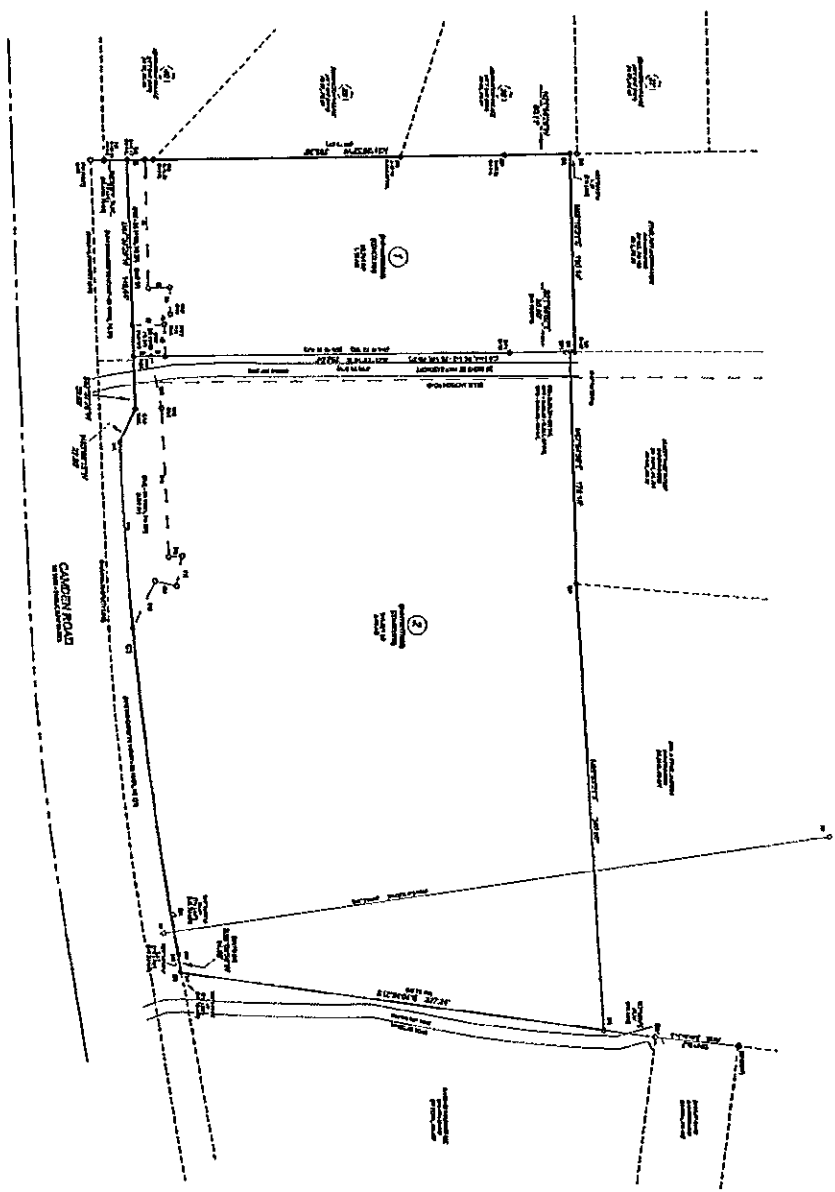


Diagram of a shaft with a central section of length 1.5m and diameter 40mm, and two end sections of length 1.5m and diameter 60mm. The shaft is supported by bearings at both ends.

**N.A.P.S.  
SURVEYING, INC.**  
The Nation's  
Leading Surveying Firm  
Established 1918  
Professional Surveying and Mapping  
Services  
Surveying for Highway, Water, Rail, and  
Aerial Surveying and Mapping

**RAYTSON COMPANIES INC.**  
2000 RAYSON DRIVE  
NEW YORK, NY 10001  
212-692-1234

**ATTENTION: NEW ORLEANS**  
RAYSON COMPANY  
RAYSON, INC. NEW  
ORLEANS, LOUISIANA  
70112-1000

**SALES PERSON**  
RAYSON, INC. NEW  
ORLEANS, LOUISIANA  
70112-1000

AGREEMENT FOR PURCHASE AND SALE OF REAL PROPERTY

THIS AGREEMENT including any and all addenda attached hereto ("Agreement") is by and between RHETSON COMPANIES, INC. and/or assigns ("Buyer"), and ANGLEA JACKSON TYNDALL TRUSTEE DANIEL AND BRENDA NORTON AND DANIEL NORTON & BRENDA NORTON ("Seller").

FOR AND IN CONSIDERATION OF THE MUTUAL PROMISES SET FORTH HEREIN AND OTHER GOOD AND VALUABLE CONSIDERATION, THE RECEIPT AND SUFFICIENCY OF WHICH ARE HEREBY ACKNOWLEDGED, THE PARTIES HERETO AGREE AS FOLLOWS:

Section 1. Terms and Definitions: The terms listed below shall have the respective meaning given them as set forth adjacent to each term.

(a) "Property": Seller agrees to sell and Buyer agrees to buy the Property (the entirety of Parcel PIN: 0404782177 & 0404689083 located at 5956 Camden Road, Fayetteville in Cumberland County, NC), together with all improvements, easements, licenses, privileges, appurtenances, water rights and other rights pertaining thereto, including without limitation all air or air space rights, all subsurface rights, all riparian rights, all title and interest of Seller in and to adjacent roads, rights of way, alleys, drainage facilities, utility facilities, impact fee credits, concurrency rights, development rights, sewer or water reservations or tap-in rights, and any and all similar development rights incident or related thereto. Acreage purchased does not include any additional right of way dedication existing or required by NCDOT.

(Legal Description) Parcel ID: 0404782177 & 0404689083 Zoned RR & R-10 Cumberland County

☐ If this box is checked, "Property" shall mean that property described on Exhibit A attached hereto and incorporated herewith by reference as if fully set forth herein, together with all buildings and improvements thereon and all fixtures and appurtenances thereto and all personal property, if any, itemized on Exhibit A.

☐ (b) "Purchase Price" shall mean the sum of [REDACTED] payable on the following terms:

☐ (i) "Earnest Money" shall mean [REDACTED] payable on terms as follows:

Upon acceptance of this contract, the Earnest Money shall be promptly deposited in escrow with Investors Title Insurance Company (name of person/entity with whom deposited), to be applied as partial payment of the Purchase Price of the Property at Closing, or disbursed as agreed upon under the provisions of Sections 4, 6, 7, 8, and 9 herein. Upon execution of this Agreement, Escrow Agent, Buyer and Seller shall each sign the Escrow Agreement attached hereto as Exhibit B.

☒ ANY EARNEST MONEY DEPOSITED BY BUYER IN A TRUST ACCOUNT MAY BE PLACED IN AN INTEREST BEARING ACCOUNT. ANY INTEREST EARNED THEREON SHALL BELONG TO THE ACCOUNT HOLDER IN CONSIDERATION OF THE EXPENSES INCURRED BY MAINTAINING SUCH ACCOUNT AND RECORDS ASSOCIATED THEREWITH.

☐ (ii) Cash, balance of Purchase Price, at Closing in the amount [REDACTED] The Purchase Price is a "lump sum" price, and is not subject to any adjustment based the number of acres of the Property.

(c) "Closing" shall mean the date and time of recording the deed. Closing shall occur on or before thirty (30) days after the expiration of the Examination Period, with TIME BEING OF THE ESSENCE. At Buyer's election, Closing may occur on an earlier date, with ten days advance notice to Seller. If Buyer is prepared to purchase the Property on or before the date of Closing as specified above and Seller fails to transfer title to the Property, as

required by Section 5 herein, on or before the date of Closing, then Seller shall pay a *per diem* penalty to Buyer at a rate of [REDACTED] per day that Closing is delayed, and Buyer shall be entitled, at Buyer's sole discretion, to deduct such penalty from the Earnest Money, deduct such penalty from the Purchase Price, and/or seek damages for such penalty. Should the date of Closing fall on a federal holiday or weekend, the Closing date will be adjusted to the following business day.

(d) "Contract Date" means the date this Agreement has been fully executed by both Buyer and Seller.

(e) "Examination Period" shall mean the period beginning on the Contract Date and extending One Hundred Eighty (180) days. Buyer shall have the option to extend the Examination Period for two additional Thirty (30) day periods at no penalty. Should the expiration of the Examination Period fall on a federal holiday or weekend, the expiration date will be adjusted to the following business day.

(f) "Broker(s)" shall mean Neil Grant with Grant-Murray Real Estate, LLC representing the Seller and None representing the Buyer. At closing, Seller shall pay such brokers a commission pursuant to a separate agreement. Buyer and Seller represent and warrant that there are no other real estate brokers or sales agents involved in this transaction and Buyer and Seller agree to indemnify the other against any commission, finder's fees, expenses and other charges claimed by real estate brokers other than those stated above.

(g) "Intended Use" shall mean the use of the Property for the following purpose: general commercial uses.

(h) "Seller's Notice Address" shall be as follows:

Daniel Norton & Brenda Norton  
Angela Jackson Tyndall, Trustee Daniel and Brenda Norton  
3678 Doc Bennett Road  
Fayetteville, NC 28306

With a copy to:  
Neil Grant  
Grant-Murray Real Estate  
150 N. McPherson Church Road  
Fayetteville, NC 28303  
910-818-3252  
neil@grantmurrayre.com

except as same may be changed pursuant to Section 11.

(i) "Buyer's Notice Address" shall be as follows:

Rhetson Companies, Inc  
2075 Juniper Lake Rd  
West End, NC 27376  
Attn: Carrie Key-Boles  
carrie@rhetson.com

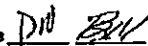
With a copy to:  
Jim McNeill  
c/o Clarke, Philfer, Vaughn, Brenner and McNeill  
135 Applecross Road

(Page 2 of 12)

Buyer Initials



Seller Initials



Pinehurst, NC 28374

except as same may be changed pursuant to Section 11.

**Section 2. Proration of Expenses and Payment of Costs:** Seller and Buyer agree that all property taxes (on a calendar year basis), leases, rents and utilities or any other assumed rights or liabilities if any, shall be prorated as of the date of Closing. Seller shall pay for preparation of a deed and all other documents necessary to perform Seller's obligations under this Agreement, rollback taxes, excise tax (revenue stamps), and other conveyance fees or taxes required by law, and the following: N/A. Buyer shall pay recording cost, costs of any title search, title insurance, survey and the following: N/A. Each party shall pay its own attorneys' fees, except as provided below in Section 9.

**Section 3. Sale of Property and Payment of Purchase Price:** Seller agrees to sell and Buyer agrees to buy the Property for the Purchase Price.

**Section 4. Deliveries:** Seller shall deliver to Buyer within 5 business days of the Contract Date copies of all title information in possession of or available to Seller, including but not limited to: title insurance policies, attorney's opinions on title, surveys, easements, covenants, leases, deeds, notes and deeds of trust and easement relating to the Property. Seller authorizes (1) any attorney presently or previously representing Seller; to release and disclose any title insurance policy in such attorney's file to Buyer and both Buyer's and Seller's agents and attorneys; and (2) the Property's title insurer or its agent to release and disclose all materials in the Property's title insurer's (or title insurer's agent's) file to Buyer and both Buyer's and Seller's agents and attorneys. Seller shall also deliver to Buyer as soon as reasonably possible after the Contract Date copies of all presently effective warranties or non-terminable service contracts related to the Property. If Buyer does not consummate the Closing for any reason other than Seller default, then Buyer shall return to Seller all materials delivered by Seller to Buyer pursuant to this Section 4, if any, and shall, upon Seller's request, assign and transfer to Seller all of its right, title and interest in and to any and all studies, reports, surveys and other information, data and/or documents relating to the Property prepared by or at the request of Buyer, its employees and agents, and shall deliver to Seller, upon the release of the Earnest Money, copies of all of the foregoing without any warranty or representation by Buyer as to the contents, accuracy or correctness thereof.

**Section 5. Evidence of Title:** Seller agrees to convey to Buyer at Closing fee simple marketable and insurable title to the Property by Special warranty deed free and clear of all liens, encumbrances, leases, tenancies and defects of title other than: (a) zoning ordinances affecting the Property, (b) taxes not yet due and payable and (c) matters of record existing at the Contract Date that are not objected to by Buyer prior to the end of the Examination Period ("Permitted Exceptions"); provided that Seller shall be required to satisfy, at or prior to Closing, any encumbrances that may be satisfied by the payment of a fixed sum of money, such as deeds of trust, mortgages or statutory liens. Seller represents and warrants that Seller is the fee simple owner of the Property. Seller shall not enter into or record any instrument that affects the Property (or any personal property listed on Exhibit A) after the Contract Date without the prior written consent of Buyer, which consent shall not be unreasonably withheld, conditioned or delayed. Prior to Closing Buyer shall have the right to secure a new ALTA/ACSM survey of the Property (the "Survey") to be performed by a licensed surveyor in the State of North Carolina, which Survey may be submitted to the title company for the purpose of deleting any pre-printed survey exceptions from the title commitment.

**Section 6. Conditions:** This Agreement and the rights and obligations of the parties under this Agreement are hereby made expressly conditioned upon fulfillment (or waiver by Buyer, whether explicit or implied) of the following conditions:

(a) **Title Examination:** After the Contract Date, Buyer shall, at Buyer's expense, cause a title examination to be made of the Property before the end of the Examination Period. In the event that such title examination shall show that Seller's title is not fee simple marketable and insurable or that there is a defect of title that will prevent or impair the Intended Use, subject only to Permitted Exceptions, then Buyer shall promptly notify Seller in writing of all such title defects and exceptions, in no case later than the end of the Examination Period, and Seller shall have thirty (30) days to cure said noticed defects and the original Examination Period shall continue to run until the defects are remedied. If Seller does not cure the defects or objections within thirty (30) days of notice thereof, then Buyer may, in its sole discretion, terminate this Agreement and receive a return of Earnest Money (notwithstanding that the Examination Period may have expired). If Buyer is to purchase title insurance, the insuring company must be licensed to do business in the state in which the Property is located. Title to the



Property must be insurable at regular rates, subject only to standard exceptions and Permitted Exceptions. In the event that the Property is subject to a lease, Seller shall provide all necessary and sufficient notices and take whatever action is necessary to terminate said lease and remove any tenants and their personal property from the Property prior to Closing. If Seller fails to comply with the requirements of the preceding sentence Seller shall be responsible for all costs and fees resulting from such failure to comply, including but not limited to, court costs, attorney's fees, and tenant relocation costs.

(b) Intended Use: If Buyer determines, prior to the date of Closing, that use of the Property for its Intended Use will violate any private restrictions or governmental regulations, then Buyer may terminate this Agreement by written notice and receive a return of the Earnest Money, and neither party shall then have any further obligations in connection with this Agreement.

(c) Same Condition: If the Property is not in substantially the same condition at Closing as of the date of the offer, reasonable wear and tear excepted, then the Buyer may terminate the Agreement and receive a return of the Earnest Money.

(d) Inspections and other Due Diligence: Buyer, its agents or representatives, at Buyer's expense and at reasonable times during normal business hours, shall have the right to enter upon the Property for the purpose of physically inspecting, examining, testing, and surveying the Property. Additionally, Buyer shall have the right, upon prior notice to Seller, to enter any buildings or other improvements located on the Property to inspect and test for harmful or unsafe conditions, such as but not limited to, the presence of asbestos. Buyer shall also have a right to review and inspect all leases, contracts or other agreements affecting or related directly to the Property and shall be entitled to review such books and records of Seller as relate directly to the operation and maintenance of the Property. Buyer assumes all responsibility for the acts of itself, its agents or representatives in exercising its rights under this Section 6(d) and agrees to indemnify and hold Seller harmless from any damages resulting therefrom. Buyer shall have from the Contract Date through the end of the Examination Period to perform the above inspections, examinations and testing.

(e) If, prior to the expiration of the Examination Period, Buyer chooses not to purchase the Property, for any reason or no reason, and provides written notice to Seller thereof, then this Agreement shall terminate, and the Earnest Money shall be promptly returned to Buyer upon Buyer's request to Escrow Agent.

(f) Financing: Buyer shall not be obligated to close the purchase of the Property until the final loan package for any Buyer financing is approved in writing by Buyer's lender, provided that this financing contingency shall only apply in the event that Buyer has applied for such financing on or before the expiration of the Examination Period. Loan approval must be provided within thirty (30) days from the end of the Examination Period.

Section 7. Environmental: Seller represents and warrants that it has no actual knowledge of the presence or disposal within the buildings or on the Property of hazardous or toxic waste or substances, which are defined as those substances, materials, and wastes, including but not limited to, those substances, materials and wastes listed in the United States Department of Transportation Hazardous Materials Table (49 CFR 172.101) or by the Environmental Protection Agency as hazardous substances (40 CFR Part 302.4) and amendments thereto, or such substances, materials and wastes, which are or become regulated under any applicable local, state or federal law, including, without limitation, any material, waste or substance which is (i) petroleum, (ii) asbestos, (iii) polychlorinated biphenyls, (iv) designated as a Hazardous Substance pursuant to Section 331 of the Clean Water Act of 1977 (33 U.S.C. § 1321) or listed pursuant to Section 307 of the Clean Water Act of 1977 (33 U.S.C. § 1317) (v) defined as a hazardous waste pursuant to Section 1004 of the Resource Conservation and Recovery Act of 1976 (42 U.S.C. § 6903) or (vi) defined as a hazardous substance pursuant to Section 101 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (42 U.S.C. § 9601). Seller further states that it has no actual knowledge of any contamination of the Property from such substances as may have been disposed of or stored on neighboring tracts, and it has no reason to suspect that such use or disposal has occurred, either during or prior to its ownership of the Property. If Purchaser's environmental studies of the Property reveal that the Property contains any of the hazardous or toxic waste or substances described above then, no later than ten (10) days before Closing, Seller shall remediate, mitigate, or remove all such waste or substances as required by applicable law and in accordance with generally-accepted best practices. Purchaser shall have the right to inspect the Property to ensure that Seller has complied with Seller's obligation to remediate, mitigate,

or remove said waste or substances, and if Seller fails to comply Purchaser may terminate this Agreement and receive a return of the Earnest Money regardless of whether the Examination Period shall have expired.

**Section 8. Risk of Loss/Damage/Repair:** Until the Closing, the risk of loss or damage to the Property, except as otherwise provided herein, shall be borne by Seller. In the event the Property is damaged so that the Property cannot be conveyed in substantially the same condition as it was on the date of the offer, Buyer may elect to terminate this Agreement, and the Earnest Money shall be returned to the Buyer. Except as to maintaining the Property in its same condition, Seller shall have no responsibility for the repair of the Property, including any improvements, unless the parties hereto agree in writing.

**Section 9. Earnest Money Disbursement and Other Remedies in Event of Breach:** In the event this offer has not been accepted by Seller, then the Earnest Money shall be refunded to Buyer at any time upon Buyer's unilateral request to Escrow Agent. In the event Buyer terminates this Agreement prior to the expiration of the Examination Period, then the Earnest Money shall be refunded immediately to Buyer at Buyer's unilateral request to Escrow Agent. In the event that any condition hereto is not satisfied, then the Earnest Money shall be refunded to Buyer upon Buyer's request, but such return shall not affect any other remedies available to Buyer for a breach of this Agreement, including, but not limited to, specific performance of this Agreement. In the event of breach of this Agreement by Seller, the Earnest Money shall be refunded to Buyer upon Buyer's request, but such return shall not affect any other remedies available to Buyer for such breach, including, but not limited to, specific performance of this Agreement. In the event of breach of this Agreement by Buyer, the Earnest Money shall be paid to Seller as liquidated damages and as Seller's sole and exclusive remedy for such breach and Seller waives all other remedies. It is acknowledged by the parties that payment of the Earnest Money to Seller in the event of a breach of this Agreement by Buyer is compensatory and not punitive, such amount being a reasonable estimation of the actual loss that Seller would incur as a result of such breach. The payment of the Earnest Money to Seller shall not constitute a penalty or forfeiture but actual compensation for Seller's anticipated loss, both parties acknowledging the difficulty determining Seller's actual damages for such breach. If a court of competent jurisdiction determines that a party has breached this Agreement, the party in breach shall reimburse the other party for that party's reasonable attorney's fees and other costs associated with such litigation.

**NOTE:** Escrow Agent shall return the Earnest Money to Buyer upon Buyer's unilateral request if Buyer confirms in writing to Escrow Agent that it terminated this Agreement in accordance with the terms of this Agreement prior to the expiration of the Examination Period. If Buyer does not terminate this Agreement prior to the expiration of the Examination Period, then in the event of a dispute between Seller and Buyer over the disposition of the Earnest Money held in escrow, a licensed real estate broker is required by state law (and Escrow Agent, if not a broker, hereby agrees) to retain the Earnest Money in the Escrow Agent's trust or escrow account until Escrow Agent has obtained a written release from the parties consenting to its disposition or until disbursement is ordered by a court of competent jurisdiction. Alternatively, if a broker or an attorney licensed to practice law in North Carolina is holding the Earnest Money, the broker or attorney may deposit the disputed monies with the appropriate clerk of court in accordance with the provisions of N.C.G.S. §93A-12.

Seller and Buyer hereby agree and acknowledge that the Escrow Agent assumes no liability in connection with the holding of the Earnest Money pursuant hereto except for negligence or willful misconduct of Escrow Agent. Escrow Agent shall not be responsible for the validity, correctness or genuineness of any document or notice referred to under this Agreement. Seller and Buyer hereby agree to indemnify, protect, save and hold harmless Escrow Agent and its successors, assigns and agents pursuant to this Agreement, from any and all liabilities, obligations, losses, damages, claims, actions, suits, costs or expenses (including attorney fees) of whatsoever kind or nature imposed on, incurred by or asserted against Escrow Agent which in any way relate to or arise out of the execution and delivery of this Agreement and any action taken hereunder; provided, however, that Seller and Buyer shall have no such obligation to indemnify, save and hold harmless Escrow Agent for any liability incurred by, imposed upon or established against it as a result of Escrow Agent's negligence or willful misconduct.

**Section 10. Closing:** At Closing, Seller shall deliver to Buyer a Special Warranty Deed on the current NC Bar Form-a Non-Warranty Deed on the current NC Bar Form (if applicable) (whichever is specified by Buyer's title insurer), and other documents customarily executed by a seller in similar transactions, including without limitation, an owner's affidavit, lien waiver forms and a non-foreign status (pursuant to the Foreign Investment in Real Property Tax Act), and Buyer shall pay to Seller the Purchase Price. At Closing, the Earnest Money shall be applied as part of the Purchase Price. The Closing shall be held at the office of Buyer's attorney or such other place as the parties hereto may mutually agree. Unless otherwise agreed

herein, exclusive possession of the Property, free and clear of any tenancies, leases, or other rights of possession, shall be delivered at Closing and all personal property shall be removed from the Property on or before Closing.

**Section 11. Notices:** Unless otherwise provided herein, all notices and other communications which may be or are required to be given or made by any party to the other in connection herewith shall be in writing and shall be deemed to have been properly given and received on the date: (i) delivered by facsimile transmission or by electronic mail (e.g. email), (ii) delivered in person, (iii) deposited in the United States mail, registered or certified, return receipt requested, or (iv) deposited with a nationally recognized overnight courier, to the addresses set out in Section 1(h) and Section 1(i) (as applicable), or at such other addresses as specified by written notice delivered in accordance herewith. Notwithstanding the foregoing, Seller and Buyer agree that notice may be given on behalf of each party by the counsel or broker for each party and notice by such counsel or broker in accordance with this Section 11 shall constitute notice under this Agreement. In the event any notice date occurs on a non-Business Day, then such date shall be extended until the next succeeding Business Day. Counsel to Seller or Purchaser may send and receive notices or other communications under this Agreement.

**Section 12. Entire Agreement:** This Agreement constitutes the sole and entire agreement among the parties hereto and no modification of this Agreement shall be binding unless in writing and signed by all parties hereto.

**Section 13. Enforceability:** This Agreement shall become an enforceable contract when a fully executed copy has been delivered to both parties. This Agreement shall be binding upon and inure to the benefit of the parties, their heirs, successors and assigns and their personal representatives.

**Section 14. Adverse Information and Compliance with Laws:**

(a) **Seller Knowledge:** Seller has no knowledge of (i) condemnation(s) affecting or contemplated with respect to the Property; (ii) actions, suits or proceedings pending or threatened against the Property; (iii) changes contemplated in any applicable laws, ordinances or restrictions affecting the Property; (iv) private restrictions or governmental regulations that would prohibit the Intended Use or (v) governmental special assessments, either pending or confirmed, for sidewalk, paving, water, sewer, or other improvements on or adjoining the Property, and no owners' association special assessments, except as follows: \_\_\_\_\_. (Insert "None" or the identification of such assessments, if any). Seller shall pay all owners' association assessments and all governmental assessments, if any, unless otherwise agreed as follows: Seller represents that the regular owners' association dues, if any, are \$ N/A per N/A.

(b) **Compliance:** To the best of Seller's knowledge and belief, (i) Seller has complied with all applicable laws, ordinances, regulations, statutes, rules and restrictions pertaining to or affecting the Property; (ii) performance of the Agreement will not result in the breach of, constitute any default under or result in the imposition of any lien or encumbrance upon the Property under any agreement or other instrument to which Seller is a party or by which Seller or the Property is bound; and (iii) there are no legal actions, suits or other legal or administrative proceedings pending or threatened against the Property, and Seller is not aware of any facts which might result in any such action, suit or other proceeding.

**Section 15. Survival of Representations and Warranties:** All representations, warranties, covenants and agreements made by the parties hereto shall survive the Closing and delivery of the deed. Seller shall, at or within six (6) months after the Closing, and without further consideration, execute, acknowledge and deliver to Buyer such other documents and instruments, and take such other action as Buyer may reasonably request or as may be necessary to more effectively transfer to Buyer the Property described herein in accordance with this Agreement. Without limiting the generality of the foregoing sentence, Seller hereby agrees to take whatever action is necessary to order cessation and disconnection of utilities or other services that are listed in Seller's name or require Seller's authorization for such cessation and disconnection.

**Section 16. Applicable Law:** This Agreement shall be construed under the laws of the North Carolina.

**Section 17. Tax-Deferred Exchange:** In the event Buyer or Seller desires to effect a tax-deferred exchange in connection with the conveyance of the Property, Buyer and Seller agree to cooperate in effecting such exchange; provided, however, that the exchanging party shall be responsible for all additional costs associated with such exchange, and provided further, that a

non-exchanging party shall not assume any additional liability with respect to such tax-deferred exchange. Seller and Buyer shall execute such additional documents, at no cost to the non-exchanging party, as shall be required to give effect to this provision.

Section 18. Assignment: Buyer may assign this Agreement to an entity, that is either affiliated or controlled by Rhetson Companies, Inc. In the event that the assignee is not affiliated or controlled by Rhetson Companies, Inc. the entity must either be equal or stronger financially and capable of closing. Written notice will be required to be given to Seller for any valid assignment. Any assignment will follow all terms and conditions of the contract.

Section 19. Authority: Each signatory to this Agreement represents and warrants that he or she has full authority to sign this Agreement and such instruments as may be necessary to effectuate any transaction contemplated by this Agreement on behalf of the party for whom he or she signs and that his or her signature binds such party. Any signature on a copy of this Agreement sent electronically or by facsimile shall be binding upon transmission and the electronic or facsimile copy may be utilized for the purpose of this Agreement.

Section 20. Miscellaneous: Buyer acknowledges that there is a residential home of the property that has a verbal month to month lease. The tenant is a friend of the Seller. The Seller will ensure that the tenant will be removed prior to closing, either before expiration of the of Examination Period or immediately following.

Section 22. Permits: Seller hereby appoints Jamie S. Encinosa of Rhetson Companies, Inc. or its affiliates and Jim McNeill of Clarke, Philfer, Vaughn, Brenner, and McNeill, PLLC as Seller's attorneys-in-fact for the purpose of managing and executing any applications necessary to commence construction on the Property described in Deed Book 2594 Page 0169. These applications may include but are not limited to: Rezoning applications, DOT permits, Land Use Permits, DOT Encroachment Agreements, Land Disturbance Permits, Financial Responsibility forms, Permission to Grade letters, Stormwater Permits, Zoning Permits, Well/septic permits, building, demolition permits.

THIS DOCUMENT IS A LEGAL DOCUMENT. EXECUTION OF THIS DOCUMENT HAS LEGAL CONSEQUENCES THAT COULD BE ENFORCEABLE IN A COURT OF LAW. IF YOU DO NOT FEEL THIS DOCUMENT MEETS YOUR NEEDS, YOU MAY WISH TO CONSULT YOUR ATTORNEY.

[Signature Page to Follow]

(Page 7 of 12)

Buyer Initials

Seller Initials

SIGNATURE PAGE TO AGREEMENT FOR PURCHASE AND SALE OF REAL PROPERTY

BUYER:

RHETSON COMPANIES, INC.

By: 

Name: Richard Vincent

Title: Chief Business Development Officer

Date: 3/20/2024

SELLER:

DANIEL NORTON

By: 

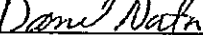
Date: 3-26-24

BRENDA NORTON

By: 

Date: 3/26/24

ANGELA JACKSON TYNDALL  
TRUSTEE DANIEL AND BRENDA NORTON

By: 

By: 

Date: 3/26/24

The undersigned hereby acknowledges receipt of the Earnest Money set forth herein and agrees to hold said Earnest Money in accordance with the terms hereof.

INVESTORS TITLE INSURANCE COMPANY

Date: 4/16/2024

By: 

Gina F. Webster  
Vice President - Settlement and Escrow Operations  
Investors Title Insurance Company

Buyer Initials 

Seller Initials DN BW



EXHIBIT "A"

NOT APPLICABLE

Buyer Initials



Seller Initials

DN BA

(Page 9 of 12)

"Exhibit B"  
ESCROW ADDENDUM

This Escrow Addendum dated \_\_\_\_\_ (this "Addendum"), is hereby made a part of that certain Agreement for Purchase and Sale of Real Property having an Effective Date of \_\_\_\_\_ (the "Sales Contract"), by and between Angela Jackson Tyndall, Trustee Daniel and Brenda Norton and Daniel Norton & Brenda Norton as seller thereunder ("Seller"), and Rhetson Companies, Inc as purchaser thereunder ("Purchaser"). Investors Title Insurance Company, a North Carolina corporation ("Escrow Agent"), has executed this Addendum for the sole purpose of consenting to the terms of this Addendum.

Required SELLER Information:

Tax ID: [REDACTED]  
Mailing address: 2678-Dur Bennett Rd  
Enfield, NC 27506  
Telephone: 910-805-9292  
Email: BT4DAN@AOL.COM

Required PURCHASER Information:

Tax ID: [REDACTED]  
Mailing address: 2075 Juniper Lake Road, West End, NC  
27376  
Telephone: 910-944-0881  
Email: carrie@rhetson.com

WHEREAS, Seller and Purchaser desire that the closing of the transaction contemplated by the Sales Contract take place in accordance with the terms and provisions of this Addendum.

WHEREAS, pursuant to Section One of the Sales Contract, Purchaser and Seller have appointed Investors Title Insurance Company to hold earnest money in the amount of [REDACTED] (the "Escrowed Funds"), which sum will be held in accordance with the terms of this Addendum and the Sales Contract.

NOW, THEREFORE, in furtherance of the transaction contemplated by the Sales Contract, and for and in consideration of [REDACTED] cash paid in hand to Escrow Agent, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto hereby covenant and agree as follows:

1. Seller and Purchaser hereby designate, constitute and appoint Investors Title Insurance Company as Escrow Agent under this Addendum to hold Escrowed Funds, and Escrow Agent accepts such designation and appointment, and agrees to act in accordance with the terms of this Addendum. It is hereby expressly understood and agreed that in the event a conflict should arise as between the terms of this Addendum and those of the Sales Contract, the terms of this Addendum will control.
2. Notwithstanding any provisions regarding interest in the Sales Contract, Purchaser and Seller hereby request that the Escrowed Funds (select ONE option; if neither is selected, the second option below will be deemed selected):
  - ☒ accrue interest to the benefit of Purchaser (if left blank, Purchaser will be beneficiary, in accordance with 26 CFR § 1.468B-7).
  - ☐ do not accrue interest to the benefit of Purchaser/Seller.
3. All checks, money orders, wires or drafts sent to Escrow Agent under this Addendum will be processed for collection in the normal course of business. Escrow Agent will deposit the Escrowed Funds in a segregated savings account with a federally-insured banking institution. All funds received by check will be held for a minimum of five (5) business days prior to transfer to a segregated account or disbursement.
4. (a) Purchaser Sales Contract Termination during Examination Period. The Purchaser and Seller hereby stipulate i) the Examination Period is defined pursuant to Section 1(e) of the Sales Contract, as may be amended from time to time and ii) Purchaser has the unilateral right, for any reason or no reason, to terminate the Sales Contract during the

Examination Period, and upon such termination, is entitled return of the Escrowed Funds plus any interest earned thereon.

Notwithstanding any terms in this Addendum or in the Sales Contract to the contrary, in the event Purchaser x) provides written notice of Purchaser's termination of the Sales Contract during the Examination Period by deposit with a nationally recognized overnight courier or in the United States mail, registered or certified, return receipt requested, to the Seller's address set forth on page one of this Agreement and y) provides Escrow Agent written notice thereof, Escrow Agent shall disburse to Purchaser all Escrowed Funds including any interest earned thereon, without the necessity for additional notification to, or approval by, Seller.

By their acknowledgment below, Seller hereby specifically waives any and all claims or causes of action Seller may have as to Escrow Agent's actions pursuant to this section 4(a). Seller hereby further states Seller has either executed this Addendum subsequent to the review of Seller's counsel or has competently chosen not to retain counsel to review this Addendum.

(b) Other Disbursements. Upon Escrow Agent's receipt of consistent written instructions from both Seller and Purchaser, or their respective counsel or brokers, Escrow Agent will disburse the Escrowed Funds in accordance with such instructions. Such instructions may be given in duplicate counterparts and delivered via electronic mail. Escrow Agent requests delivery of such instructions at least twenty-four (24) hours before disbursement is needed. Notwithstanding the foregoing provisions of this Section 4, in the event that Seller or Purchaser provides Escrow Agent and the other party with a written certification claiming the Escrowed Funds pursuant to certain provisions of the Sales Contract, Escrow Agent, at its absolute and sole discretion, may elect to proceed by: (i) notifying Purchaser and Seller that it intends to disburse the Escrowed Funds in accordance with such request unless the non-requesting party delivers a written objection to such requested disbursement within ten (10) business days after receipt of said notice, and (ii) so disbursing the Escrowed Funds to the requesting party after such ten (10) business day period, provided the non-requesting party has not objected to such disbursement in accordance with this Section. Upon such a disbursement, Escrow Agent will be released and discharged from any further duty or obligation hereunder.

5. Escrow Agent will be entitled to rely upon the instructions and other matters covered thereby, and will not be required to investigate the authority of the person executing and delivering such instructions, or otherwise verify the accuracy of the statements or information presented therein.
6. Escrow Agent will not be accountable for any incidental benefit, which may be attributable to the Escrowed Funds. Escrow Agent will not owe a fiduciary responsibility to Purchaser and Seller, and will be a stakeholder only and not liable for any losses, costs or damages it may incur in performing its responsibilities hereunder unless such losses, costs or damages arise out of the willful default or gross negligence of Escrow Agent or its agents. Furthermore, and in no way limiting the foregoing sentence, Escrow Agent will not be liable for any loss or damage resulting from the following:
  - a. Any default, error, action, or omission of any other party;
  - b. The expiration of any time limit unless such time limit was known to Escrow Agent and such loss is solely caused by failure of Escrow Agent to proceed in its ordinary course of business;
  - c. Any loss or impairment of funds while on deposit with a federally-insured bank, resulting from failure, insolvency or suspension of such bank; and
  - d. Escrow Agent's compliance with any and all legal process, writs, orders, judgments, and decrees of any court, whether issued with or without jurisdiction and whether or not subsequently vacated, modified, set aside or reversed.
7. In the event of a dispute hereunder between Seller and Purchaser (or their successors or assigns), Escrow Agent will have the right, exercisable in its sole discretion, to resign by giving written notice to Seller and Purchaser, specifying a date on which such resignation will take effect, which will be no earlier than ten (10) business days after the delivery

of such notice. Promptly upon receipt of such notice, Seller and Purchaser will appoint a mutually acceptable successor escrow agent. Upon delivery by the successor escrow agent to Seller, Purchaser, and Escrow Agent of a written instrument accepting such appointment, the successor escrow agent will succeed to all the rights and duties of Escrow Agent hereunder. If a successor escrow agent is not appointed by the expiration of such ten (10) business day period, Escrow Agent will have the right, exercisable in its sole discretion, to be discharged by tendering unto the registry or custody of any court of competent jurisdiction the Escrowed Funds, together with any such legal pleadings as it deems appropriate. In such an event, Escrow Agent will have the right to charge an administrative fee of [REDACTED] toward its costs, which will be in addition to any Escrow Agent fee charged. At Escrow Agent's discretion, all applicable fees charged by Escrow Agent may be withheld from the Escrowed Funds tendered to the court. Purchaser and Seller will indemnify and hold harmless Escrow Agent for all of its expenses, costs and reasonable attorneys' fees incurred in connection with such interpleader action in excess of [REDACTED]. Escrow Agent will have the right to deduct its unpaid fee and any costs it has incurred for overnight delivery charges or wire transfer fees from the Escrowed Funds prior to disbursement.

8. The terms and provisions of this Addendum are for the benefit of Seller, Purchaser, and Escrow Agent and their respective successors and assigns only. Nothing contained herein will be deemed or construed to inure to the benefit of any other person or party, it being the express intent of Seller, Purchaser, and Escrow Agent that no such person or party will be entitled to any of the benefits hereunder, except as expressly provided herein.
9. This Addendum is intended as a contract under the laws of the State of North Carolina and will be governed thereby and construed in accordance therewith.
10. This Addendum may be executed by electronic signatures, which for all purposes will be deemed to constitute originals. This Addendum may be executed in counterparts, all of which when taken together will be deemed one original.

IN WITNESS WHEREOF, the parties hereto have executed this Addendum as of the day, month and year first above written.

SELLER:

DANIEL NORTON

By: Daniel Norton

BRENDA NORTON

By: Brenda Norton

ANGELA JACKSON TYNDALL  
TRUSTEE DANIEL AND BRENDA NORTON

By: Daniel Norton

By: Brenda Norton

PURCHASER:

RHETSON COMPANIES, INC.

By: [Signature]  
Name: Richard Vincent  
Title: Chief Business Development Officer

ESCROW AGENT:

Investors Title Insurance Company,  
a North Carolina corporation

By: [Signature]  
Name: Gina F. Webster  
Title: Vice President - Settlement and Escrow Operations  
Investors Title Insurance Company

Buyer Initials [Signature]

Seller Initials DN BN

*Grant & Munn  
Per Estate*

Last Will & Testament of Angela N.J. Tyndall

**Last Will and Testament  
Of  
ANGELA NAN JACKSON TYNDALL**

I, Angela Nan Jackson Tyndall, a resident of the county of Cumberland and state of North Carolina, being of sound mind and memory, trusting in Jesus Christ as my Lord and Savior, do hereby make, publish, and declare this to be my Last Will and Testament.

**ITEM 1**

I hereby revoke all former wills and codicils heretofore made by me.

**ITEM 2**

I hereby direct that my body be given a suitable burial, cremation, or anatomical donation as deemed by my executor(s).

**ITEM 3**

I am married to James Archie Tyndall, hereinafter referred to as my spouse.

**ITEM 4**

I direct my Executor to pay out of the residue of my estate, as soon after my death as my Executor deems consistent with good management, the expenses of my last illness, funeral and burial debts and claims duly allowed against my estate, expense of administration of my estate, and all estate, inheritance, succession, transfer, legacy and death taxes, assessed or imposed with respect to my estate, whether or not passing under this Will. However, my Executor shall not be required to prepay, any debt or installment before it is due and may distribute property subject to any existing mortgages or deeds to secure debt or deeds of trust.

**ITEM 5**

If my spouse survives me, I hereby devise and bequeath all of the rest, residue, and remainder of my property, both real and personal, of every



kind and description, and wherever such property may be located, outright and absolutely to my sister Brenda Harriett Jackson Norton and/or Daniel Norton, for the purpose to manage, secure, or sell as she/he deems necessary in order to secure the well-being, both mentally and physically, of my spouse, James Archie Tyndall.

ITEM 6

If my spouse fails to survive me, then I hereby devise and bequeath all of the rest, residue, and remainder of my property, both real and personal, of every kind and description, and wherever such property, may be located, in full and equal shares to Brenda Harriett Jackson Norton and/or Daniel Norton.

If Brenda Harriett Jackson Norton, predeceases me or deceases in a common accident or event with me, I hereby devise and bequeath all my estate, both real and personal, of every kind and description, to Daniel Norton, only. If Daniel Norton predeceases me or deceases me or deceases in a common accident or event with me, I hereby devise and bequeath all my estate, both real and personal, of every kind and description, to Brenda Harriett Jackson Norton, only.

ITEM 7

(a) I appoint Brenda Harriett Jackson Norton and Daniel Norton as Co-Executors of this Will. If for any reason he or she is unable or unwilling to serve or continue serving as Executor of this Will, I appoint the other party, whether it be Brenda Harriett Jackson Norton or Daniel Norton, as the sole alternate Executor of this Will.

(b) I appoint Brenda Harriett Jackson Norton and Daniel Norton as co-Trustees of any trust created by this Will. If for any reason he or she is unable or willing to serve or continue serving as Trustee, I appoint the other party, whether it be Brenda Harriett Jackson Norton or Daniel Norton, as alternate Trustee.

ITEM 8

My Executor shall have the authority to do such acts as appropriate and necessary to carry out my Last Will and Testament, including the power to sell property and distribute the proceeds of such sale as part of my

estate. I authorize my Executor to employ the services of an attorney, accountant, or other professional as may be desirable for the administration of my estate. I authorize my Executor in his or her discretion to retain any existing investments and not to diversify my assets, and to assign values to assets that are not sold in distributing them, and to have full discretion in distributing assets among my beneficiaries. My Executor shall be entitled to reasonable compensation for services performed and reimbursement for expenses incurred.

ITEM 9

I direct that no bond, security, inventory, appraisement, return, or report to any court, or other undertaking shall be imposed upon or required at any time or in any jurisdiction of any individual named herein for the faithful performance of his or her duties

IN WITNESS WHEREOF, I

Angela N.J. Tyndall, the

testator (print/type), sign my name to this instrument this 25 day of Sept., 2012

and being first duly sworn, do hereby declare to the undersigned authority that I sign and execute this instrument as my last will and testament, and that I sign it willingly, that I execute it as my free and voluntary act for the purposes therein expressed, and that I am eighteen years of age or older, of sound mind and under no constraint or undue influence.

Angela N.J. Tyndall  
testator-signature

We, Ashley R. Jones (Witness 1),

Adam K. Baych (witness 2), the  
witnesses, sign our names to this instrument, being first duly sworn, and

Last Will & Testament of Angela N.J. Tyndall

do hereby declare to the undersigned authority that the testator signs and executes this instrument as his last will and that he signs it willingly, and that each of us, in the presence and hearing of the testator, hereby signs this will as witness to the testator's signing, and to the best of our knowledge the testator is eighteen years of age or older, of sound mind, and under no constraint or undue influence.

[Signature] this day 25 of September, 2012.

Witness (1), signature

2620 Bragg Blvd. Suite D. Fayetteville, NC 28303

Address of Witness (1)

[Signature] this day 25 of September, 2012.

Witness(2), signature

5441 Archer Rd., Hope Mills, NC 28348

Address of Witness (2).

THE STATE OF North Carolina.

COUNTY OF Cumberland.

Subscribed, sworn to and acknowledged before me by

Angela Nan Jackson Tyndall, the testator and subscribed and sworn to before me by Ashley Powell and

[Signature], witnesses,

this 25th day of Sept, 2012.

Last Will & Testament of Angela N.J. Tyndall

Signed *Vivian Helton*  
Notary Public

My commission expires: *2/25/2016*

(seal)



*My comm expires  
2/25/2016*

**Jessie Bellflowers**  
Mayor

**Chancer F. McLaughlin**  
Town Manager



**Kenjuana McCray**  
Mayor Pro-Tem

**Emily AV Weidner**  
Director

August 2, 2024

Angela Tyndall  
3280 Glenmore Dr  
Hope Mills, NC 28348

Dear Angela Tyndall,

The Joint Planning Board of Cumberland County will hold a public meeting on August 20, 2024, beginning at 6:00 p.m. or shortly thereafter, in Court Room 3 on the 2<sup>nd</sup> floor of the Old Historic Court House Building, located at 130 Gillespie Street, Fayetteville, NC and will consider the following:

**Case ZNG-009-24:** *Initially Zone 4.96 +/- acres to C(P)/CZ Planned Commercial District with Conditional Zoning or more restrictive zoning located at 5956 Camden Rd & empty lot on the northeast corner of Camden Rd & Ellis Jackson Rd REIDs 0404689083000 & 0407822177000 submitted by Rhetson Companies, Inc (agent) on behalf of Angela Tyndall and Daniel & Brenda Norton (owners).*

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  
Planning & Economic Development Director

Cc: Adjacent Property Owners



**Jessie Bellflowers**  
Mayor

**Chancer F. McLaughlin**  
Town Manager



**Kenjuana McCray**  
Mayor Pro-Tem

**Emily AV Weidner**  
Director

August 2, 2024

Daniel & Brenda Norton  
3678 Doc Bennett Rd  
Fayetteville, NC 28306

Dear Daniel & Brenda Norton,

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Sincerely,

Emily Weidner  
Planning & Economic Development Director

Cc: Adjacent Property Owners

Owner	Street	City	State	Zip
Angela Tyndall	3280 Glenmore Dr	Hope Mills	NC	28348
Daniel & Brenda Norton	3678 Doc Bennett Rd	Fayetteville	NC	28306
Ethel Ivey Jackson Heirs	2941 Rosemeade Dr	Fayetteville	NC	28306
Elbert Wade Ratley	6539 Waldos Beach Rd	Fayetteville	NC	28306
Neil & Ethel Jackson	5137 Ellis Jackson R	Fayetteville	NC	28306
Gardner Holdings, LLC	PO Box 715	Hope Mills	NC	28306
South Peak 3350 LLC	364 High House Rd Unit 4305	Cary	NC	27513
Landstone, LLC	PO Box 87555	Fayetteville	NC	28304
Cyndi Lee McKinney	6841 Surrey Rd	Fayetteville	NC	28306
Wichai & Chatwaroon Leecharoen	3617 Harrisburg Dr	Fayetteville	NC	28306
Autrie & Evelyn Perry	3613 Harrisburg Dr	Fayetteville	NC	28306
Harold & Laveta Wyckoff	5209 Shagbark Rd	Fayetteville	NC	28304

## Emily Weidner

---

**From:** Elisabeth Brown  
**Sent:** Monday, July 29, 2024 3:21 PM  
**To:** Emily Weidner  
**Subject:** RE: Request for Comments for ZNG-009-24

Stormwater Development Permit application required. No floodplain or AOD requirements.

---

**From:** Emily Weidner <eaweidner@townofhopemills.com>  
**Sent:** Thursday, July 25, 2024 3:25 PM  
**To:** RLUAC Executive Director <director@rluac.com>; Adrian Jones <adrianjones@cumberlandcountync.gov>; Amy Hall <ahall@cumberlandcountync.gov>; Ashley Wyatt <awyatt@townofhopemills.com>; Barry Roberts <baroberts@cumberlandcountync.gov>; Bruce Clark <bclark@townofhopemills.com>; Chancer McLaughlin <cmclaughlin@townofhopemills.com>; Corey Lawson <cslawson@cumberlandcountync.gov>; Dan Hartzog <dhartzogjr@hartzoglawgroup.com>; Deontae Watson <deontaewatson@fayettevillenc.gov>; Don Sisko <dsisko@townofhopemills.com>; Duke Pickler <duke-pickler@duke-energy.com>; Ehsan Momeni <emomeni@cumberlandcountync.gov>; Elisabeth Brown <eabrown@townofhopemills.com>; Fayetteville Airport <airport@ci.fay.nc.us>; Gene Booth <wbooth@cumberlandcountync.gov>; Hank Graham <hgraham@cumberlandcountync.gov>; Jennifer Way <Jennifer.L.Way@usps.gov>; Kelvin Raiford <kraiford@cumberlandcountync.gov>; Kenneth Tatum <ktatum@townofhopemills.com>; Leland Cottrell <leland.cottrell@ncdenr.gov>; Lori Britt <lori.britt@ncdenr.gov>; Matthew Cain <mbcain@townofhopemills.com>; Michael Gibson <mgibson@ci.fay.nc.us>; Mike Rutan <mrutan@mccog.org>; Mike Zylka <mzylka@cumberlandcountync.gov>; Misty Manning <misty.manning@faypwc.com>; Otieria Green <ogreen@cumberlandcountync.gov>; Rob Patton <Patton@fayedc.com>; Rob Schob <rschob@cumberlandcountync.gov>; Robert Carter <rcarter@townofhopemills.com>; Robert Van Geons <robert@fayedc.com>; Sam Powers <sam.powers@faypwc.com>; Shawn Taurone <shawntaurone@ccs.k12.nc.us>; Stephen Dollinger <sdollinger@townofhopemills.com>; Thomas Charles <thomas.p.charles@usace.army.mil>; Tiffany Faulk <tiffany.faulk@faypwc.com>; Timothy Doersam <tdoersam@cumberlandcountync.gov>; Tony Means <tmeans@ci.fay.nc.us>; Trey Smith <rsmith@cumberlandcountync.gov>; Troy Baker <tlbaker@ncdot.gov>; Wesley Jacobs <wesley.jacobs@faypwc.com>; Will Johnson <will.johnson@duke-energy.com>; Will Phipps <wphipps@cumberlandcountync.gov>  
**Subject:** Request for Comments for ZNG-009-24

Good afternoon,

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Please let me know if you have any questions or concerns.

Thanks, and I hope you have a wonderful week!

Take care,

Emily AV Weidner, CZO

Planning & Economic Development Director  
910.429.3514 office  
910.303.4762 mobile  
910.429.3386 fax  
[www.townofhopemills.com](http://www.townofhopemills.com)

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## Emily Weidner

---

**From:** Deontae Watson <DeontaeWatson@FayettevilleNC.gov>  
**Sent:** Friday, July 26, 2024 10:40 AM  
**To:** Emily Weidner  
**Subject:** RE: [EXTERNAL]Request for Comments for ZNG-009-24

**CAUTION:** This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

The airport does not have comments.



**Deontae K. Watson, MBA, A.A.E., ACE**

*Interim Airport Director*

Fayetteville Regional Airport

400 Airport Road- Suite 1 | Fayetteville, NC 28306

(O) 910-433-1623

(C) 248-826-3703

[deontaewatson@fayettevillenc.gov](mailto:deontaewatson@fayettevillenc.gov)

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

[www.FayettevilleNC.gov](http://www.FayettevilleNC.gov)

---

**From:** Emily Weidner <eaweidner@townofhopemills.com>

**Sent:** Thursday, July 25, 2024 3:25 PM

**To:** RLUAC Executive Director <director@rluac.com>; Adrian Jones <adrianjones@cumberlandcountync.gov>; Amy Hall <ahall@cumberlandcountync.gov>; Ashley Wyatt <awyatt@townofhopemills.com>; Barry Roberts <baroberts@cumberlandcountync.gov>; Bruce Clark <bclark@townofhopemills.com>; Chancer McLaughlin <cmclaughlin@townofhopemills.com>; Corey Lawson <cslawson@cumberlandcountync.gov>; Dan Hartzog <dhartzogjr@hartzoglawgroup.com>; Deontae Watson <DeontaeWatson@FayettevilleNC.gov>; Don Sisko <dsisko@townofhopemills.com>; Duke Pickler <duke-pickler@duke-energy.com>; Ehsan Momeni <emomeni@cumberlandcountync.gov>; Elisabeth Brown <ebrown@townofhopemills.com>; Airport <Airport@FayettevilleNC.gov>; Gene Booth <wbooth@cumberlandcountync.gov>; Hank Graham <hgraham@cumberlandcountync.gov>; Jennifer Way <Jennifer.L.Way@usps.gov>; Kelvin Raiford <kraiford@cumberlandcountync.gov>; Kenneth Tatum <ktatum@townofhopemills.com>; Leland Cottrell <leland.cottrell@ncdenr.gov>; Lori Britt <lori.britt@ncdenr.gov>; Matthew Cain <mbcain@townofhopemills.com>; Michael Gibson <MichaelGibson@FayettevilleNC.gov>; Mike Rutan <mrrutan@mccog.org>; Mike Zylka <mzyzka@cumberlandcountync.gov>; Misty Manning <misty.manning@faypwc.com>; Otieria Green <ogreen@cumberlandcountync.gov>; Robert Patton Jr. <patton@fayedc.com>; Rob Schob <rschob@cumberlandcountync.gov>; Robert Carter <rcarter@townofhopemills.com>; Robert Van Geons <robert@fayedc.com>; Sam Powers <sam.powers@faypwc.com>; Shawn Taurone <shawntaurone@ccs.k12.nc.us>; Stephen Dollinger <sdollinger@townofhopemills.com>; Thomas Charles <thomas.p.charles@usace.army.mil>; Tiffany Faulk <tiffany.faulk@faypwc.com>; Timothy Doersam <tdoersam@cumberlandcountync.gov>; Tony Means <tmeans@ci.fay.nc.us>; Trey Smith <trsmith@cumberlandcountync.gov>; Troy Baker <tlbaker@ncdot.gov>; Wesley Jacobs <wesley.jacobs@faypwc.com>; Will Johnson <will.johnson@duke-energy.com>; Will Phipps



<wphipps@cumberlandcountync.gov>

**Subject:** [EXTERNAL]Request for Comments for ZNG-009-24

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Thanks, and I hope you have a wonderful week!

Take care,

Emily AV Weidner, CZO  
Planning & Economic Development Director  
910.429.3514 office  
910.303.4762 mobile  
910.429.3386 fax  
[www.townofhopemills.com](http://www.townofhopemills.com)

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## Emily Weidner

---

**From:** Shawn Taurone <shawntaurone@ccs.k12.nc.us>  
**Sent:** Friday, July 26, 2024 11:16 AM  
**To:** Emily Weidner  
**Subject:** Re: Request for Comments for ZNG-009-24

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ZNG-009-24

School	Cap	Enr
C Wayne Collier Elem	580	476
South View Mid	847	650
South View High	1871	1599

On Thu, Jul 25, 2024 at 3:25 PM Emily Weidner <[eweidner@townofhopemills.com](mailto:eweidner@townofhopemills.com)> wrote:

Good afternoon,

Attached, you will find the request for comments memorandum and associated materials for ZNG-009-24 for Hope Mills. If you have no related comments, please reply with "no comment." This case is for Initial Zoning.

Please let me know if you have any questions or concerns.

Thanks, and I hope you have a wonderful week!

Take care;

Emily AV Weidner, CZO  
Planning & Economic Development Director  
910.429.3514 office  
910.303.4762 mobile  
910.429.3386 fax  
[www.townofhopemills.com](http://www.townofhopemills.com)

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--  
**Mr. Shawn Taurone | CCS Planning Specialist**  
Office: (910) 678-2342 | Cell: (910) 580-2269

"Man appointed mortal sorrow, the 'Praise of God' comes down preaching, His death shall bring the despairing rest." Genesis Genealogy Name Meanings



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## Emily Weidner

---

**From:** RLUAC Executive Director <director@rluac.com>  
**Sent:** Friday, July 26, 2024 10:25 AM  
**To:** Emily Weidner  
**Subject:** RE: Request for Comments for ZNG-009-24

**CAUTION:** This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Emily,

RLUAC does not have any comments on this case.

Thanks,

Vagn

Vagn K. Hansen II, AICP, Executive Director  
Regional Land Use Advisory Commission  
6205 Raeford Road  
Fayetteville, NC 28304  
(910) 398-3743  
[director@rluac.com](mailto:director@rluac.com)  
[www.rluac.com](http://www.rluac.com)

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**Sent:** Thursday, July 25, 2024 3:25 PM  
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<wphipps@cumberlandcountync.gov>

**Subject:** Request for Comments for ZNG-009-24

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Take care,

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Planning & Economic Development Director  
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910.429.3386 fax  
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## Emily Weidner

---

**From:** Barry Roberts <baroberts@cumberlandcountync.gov>  
**Sent:** Thursday, July 25, 2024 4:28 PM  
**To:** Emily Weidner  
**Subject:** RE: Request for Comments for ZNG-009-24

**CAUTION:** This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

No comments. 😊

### Andy Roberts

Code Enforcement Manager  
Planning and Inspections Department

### Cumberland County

O: 910-321-6654

[baroberts@cumberlandcountync.gov](mailto:baroberts@cumberlandcountync.gov)



How was your experience? Take our customer survey [here](#)

---

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**Sent:** Thursday, July 25, 2024 3:25 PM  
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**Subject:** Request for Comments for ZNG-009-24



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## Emily Weidner

---

**From:** Timothy Doersam <tdoersam@cumberlandcountync.gov>  
**Sent:** Thursday, July 25, 2024 4:01 PM  
**To:** Emily Weidner  
**Subject:** RE: Request for Comments for ZNG-009-24

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Good afternoon Emily,

With the annexation of the property into Hope Mills, Current Planning does not have any comments for the properties' initial zonings to C(P) with conditions.

Thank you for your time,

**Timothy Doersam**  
**Planner, MPA, CZO**  
**Current Planning Development Coordinator**  
**Department of Planning & Inspections**  
**130 Gillespie Street**  
**Fayetteville, NC 28301**  
**Phone: (910) 678-7558**  
[www.cumberlandcountync.gov](http://www.cumberlandcountync.gov)

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## Emily Weidner

**From:** Ashley Wyatt  
**Sent:** Thursday, July 25, 2024 3:39 PM  
**To:** Emily Weidner  
**Subject:** RE: Request for Comments for ZNG-009-24

No comments.

Am I caught up on these?

In Service,



Ashley S. Wyatt  
MMC, NCCMC  
Town Clerk  
5770 Rockfish Road  
Hope Mills, NC 28348  
(910) 424-4555  
[TownofHopeMills.com](http://TownofHopeMills.com)



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---

**From:** Emily Weidner <eaweidner@townofhopemills.com>

**Sent:** Thursday, July 25, 2024 3:25 PM

**To:** RLUAC Executive Director <director@rluac.com>; Adrian Jones <adrianjones@cumberlandcountync.gov>; Amy Hall <ahall@cumberlandcountync.gov>; Ashley Wyatt <awyatt@townofhopemills.com>; Barry Roberts <baroberts@cumberlandcountync.gov>; Bruce Clark <bclark@townofhopemills.com>; Chancer McLaughlin <cmclaughlin@townofhopemills.com>; Corey Lawson <cslawson@cumberlandcountync.gov>; Dan Hartzog <dhartzogjr@hartzoglawgroup.com>; Deontae Watson <deontaewatson@fayettevillenc.gov>; Don Sisko <dsisko@townofhopemills.com>; Duke Pickler <duke-pickler@duke-energy.com>; Ehsan Momeni <emomeni@cumberlandcountync.gov>; Elisabeth Brown <eabrown@townofhopemills.com>; Fayetteville Airport <airport@ci.fay.nc.us>; Gene Booth <wbooth@cumberlandcountync.gov>; Hank Graham <hgraham@cumberlandcountync.gov>; Jennifer Way <Jennifer.L.Way@usps.gov>; Kelvin Raiford <kraiford@cumberlandcountync.gov>; Kenneth Tatum <ktatum@townofhopemills.com>; Leland Cottrell <leland.cottrell@ncdenr.gov>; Lori Britt <lori.britt@ncdenr.gov>; Matthew Cain <mbcain@townofhopemills.com>; Michael Gibson <mgibson@ci.fay.nc.us>; Mike Rutan <mrutan@mccog.org>; Mike Zylka <mzylka@cumberlandcountync.gov>; Misty Manning <misty.manning@faypwc.com>; Otieria Green <ogreen@cumberlandcountync.gov>; Rob Patton <Patton@fayedc.com>; Rob Schob <rschob@cumberlandcountync.gov>; Robert Carter <rcarter@townofhopemills.com>; Robert Van Geons <robert@fayedc.com>; Sam Powers <sam.powers@faypwc.com>; Shawn Taurone <shawntaurone@ccs.k12.nc.us>; Stephen Dollinger <sdollinger@townofhopemills.com>; Thomas Charles <thomas.p.charles@usace.army.mil>; Tiffany Faulk <tiffany.faulk@faypwc.com>; Timothy Doersam <tdoersam@cumberlandcountync.gov>; Tony Means <tmeans@ci.fay.nc.us>; Trey Smith <rsmith@cumberlandcountync.gov>; Troy Baker <tlbaker@ncdot.gov>; Wesley Jacobs <wesley.jacobs@faypwc.com>; Will Johnson <will.johnson@duke-energy.com>; Will Phipps <wphipps@cumberlandcountync.gov>

**Subject:** Request for Comments for ZNG-009-24

Good afternoon,

Attached, you will find the request for comments memorandum and associated materials for ZNG-009-24 for Hope Mills. If you have no related comments, please reply with "no comment." This case is for Initial Zoning.

Please let me know if you have any questions or concerns.

Thanks, and I hope you have a wonderful week!

Take care,

Emily AV Weidner, CZO  
Planning & Economic Development Director  
910.429.3514 office  
910.303.4762 mobile  
910.429.3386 fax  
[www.townofhopemills.com](http://www.townofhopemills.com)

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## Emily Weidner

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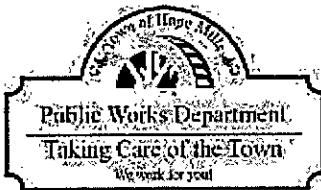
**From:** Don Sisko  
**Sent:** Thursday, July 25, 2024 3:42 PM  
**To:** Emily Weidner  
**Subject:** RE: Request for Comments for ZNG-009-24

Miss Emily

No comments from Public Works regarding this initial zoning.

v/r  
Don

*Don Sisko*  
Public Works Director  
Town of Hope Mills  
(910) 429-3384 (office)  
(910) 316-4318 (cell)



---

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**Sent:** Thursday, July 25, 2024 3:25 PM  
**To:** RLUAC Executive Director <director@rluac.com>; Adrian Jones <adrianjones@cumberlandcountync.gov>; Amy Hall <ahall@cumberlandcountync.gov>; Ashley Wyatt <awyatt@townofhopemills.com>; Barry Roberts <baroberts@cumberlandcountync.gov>; Bruce Clark <bclark@townofhopemills.com>; Chancer McLaughlin <cmclaughlin@townofhopemills.com>; Corey Lawson <cslawson@cumberlandcountync.gov>; Dan Hartzog <dhartzogjr@hartzoglawgroup.com>; Deontae Watson <deontaewatson@fayettevillenc.gov>; Don Sisko <dsisko@townofhopemills.com>; Duke Pickler <duke-pickler@duke-energy.com>; Ehsan Momeni <emomeni@cumberlandcountync.gov>; Elisabeth Brown <ebrown@townofhopemills.com>; Fayetteville Airport <airport@ci.fay.nc.us>; Gene Booth <wbooth@cumberlandcountync.gov>; Hank Graham <hgraham@cumberlandcountync.gov>; Jennifer Way <Jennifer.L.Way@usps.gov>; Kelvin Raiford <kraiford@cumberlandcountync.gov>; Kenneth Tatum <ktatum@townofhopemills.com>; Leland Cottrell <leland.cottrell@ncdenr.gov>; Lori Britt <lori.britt@ncdenr.gov>; Matthew Cain <mbcain@townofhopemills.com>; Michael Gibson <mgibson@ci.fay.nc.us>; Mike Rutan <mrutan@mccog.org>; Mike Zylka <mzylka@cumberlandcountync.gov>; Misty Manning <misty.manning@faypwc.com>; Otieria Green <ogreen@cumberlandcountync.gov>; Rob Patton <Patton@fayedc.com>; Rob Schob <rschob@cumberlandcountync.gov>; Robert Carter <rcarter@townofhopemills.com>; Robert Van Geons <robert@fayedc.com>; Sam Powers <sam.powers@faypwc.com>; Shawn Taurone <shawntaurone@ccs.k12.nc.us>; Stephen Dollinger <sdollinger@townofhopemills.com>; Thomas Charles <thomas.p.charles@usace.army.mil>; Tiffany Faulk <tiffany.faulk@faypwc.com>; Timothy Doersam <tdoersam@cumberlandcountync.gov>; Tony Means <tmeans@ci.fay.nc.us>; Trey Smith <rsmith@cumberlandcountync.gov>; Troy Baker <tlbaker@ncdot.gov>; Wesley Jacobs <wesley.jacobs@faypwc.com>; Will Johnson <will.johnson@duke-energy.com>; Will Phipps



<wphipps@cumberlandcountync.gov>

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## Emily Weidner

---

**From:** Kenneth Tatum  
**Sent:** Thursday, July 25, 2024 3:36 PM  
**To:** Emily Weidner  
**Subject:** Re: Request for Comments for ZNG-009-24

No comments.

V/R

Kenny Tatum,  
Chief Building Official,  
Inspections & Permitting Director  
910-426-4118  
Town of Hope Mills

On Jul 25, 2024, at 3:25 PM, Emily Weidner <eaweidner@townofhopemills.com> wrote:

Good afternoon,

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<ZNG-009-24 Request for Comments Memo.pdf>

<ZNG-009-24 Sketch Map.pdf>

## Emily Weidner

---

**From:** Matthew Cain  
**Sent:** Thursday, July 25, 2024 3:34 PM  
**To:** Emily Weidner  
**Subject:** RE: Request for Comments for ZNG-009-24

No comment  
Thanks,

---

**From:** Emily Weidner <eaweidner@townofhopemills.com>  
**Sent:** Thursday, July 25, 2024 3:25 PM  
**To:** RLUAC Executive Director <director@rluac.com>; Adrian Jones <adrianjones@cumberlandcountync.gov>; Amy Hall <ahall@cumberlandcountync.gov>; Ashley Wyatt <awyatt@townofhopemills.com>; Barry Roberts <baroberts@cumberlandcountync.gov>; Bruce Clark <bclark@townofhopemills.com>; Chancer McLaughlin <cmclaughlin@townofhopemills.com>; Corey Lawson <cslawson@cumberlandcountync.gov>; Dan Hartzog <dhartzogjr@hartzoglawgroup.com>; Deontae Watson <deontaewatson@fayettevillenc.gov>; Don Sisko <dsisko@townofhopemills.com>; Duke Pickler <duke-pickler@duke-energy.com>; Ehsan Momeni <emomeni@cumberlandcountync.gov>; Elisabeth Brown <eabrown@townofhopemills.com>; Fayetteville Airport <airport@ci.fay.nc.us>; Gene Booth <wbooth@cumberlandcountync.gov>; Hank Graham <hgraham@cumberlandcountync.gov>; Jennifer Way <Jennifer.L.Way@usps.gov>; Kelvin Raiford <kraiford@cumberlandcountync.gov>; Kenneth Tatum <ktatum@townofhopemills.com>; Leland Cottrell <leland.cottrell@ncdenr.gov>; Lori Britt <lori.britt@ncdenr.gov>; Matthew Cain <mbcain@townofhopemills.com>; Michael Gibson <mgibson@ci.fay.nc.us>; Mike Rutan <mrutan@mccog.org>; Mike Zylka <mzylka@cumberlandcountync.gov>; Misty Manning <misty.manning@faypwc.com>; Otieria Green <ogreen@cumberlandcountync.gov>; Rob Patton <Patton@fayedc.com>; Rob Schob <rschob@cumberlandcountync.gov>; Robert Carter <rcarter@townofhopemills.com>; Robert Van Geons <robert@fayedc.com>; Sam Powers <sam.powers@faypwc.com>; Shawn Taurone <shawntaurone@ccs.k12.nc.us>; Stephen Dollinger <sdollinger@townofhopemills.com>; Thomas Charles <thomas.p.charles@usace.army.mil>; Tiffany Faulk <tiffany.faulk@faypwc.com>; Timothy Doersam <tdoersam@cumberlandcountync.gov>; Tony Means <tmeans@ci.fay.nc.us>; Trey Smith <rsmith@cumberlandcountync.gov>; Troy Baker <tlbaker@ncdot.gov>; Wesley Jacobs <wesley.jacobs@faypwc.com>; Will Johnson <will.johnson@duke-energy.com>; Will Phipps <wphipps@cumberlandcountync.gov>  
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## Emily Weidner

---

**From:** Rob Patton <Patton@fcedc.com>  
**Sent:** Thursday, July 25, 2024 3:29 PM  
**To:** Emily Weidner  
**Subject:** RE: Request for Comments for ZNG-009-24

**CAUTION:** This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

FCEDC has no issue with this action.

Rob Patton  
Executive Vice President  
FCEDC  
910-500-6404  
patton@fcedc.com

---

**From:** Emily Weidner <eaweidner@townofhopemills.com>  
**Sent:** Thursday, July 25, 2024 3:25 PM  
**To:** RLUAC Executive Director <director@rluac.com>; Adrian Jones <adrianjones@cumberlandcountync.gov>; Amy Hall <ahall@cumberlandcountync.gov>; Ashley Wyatt <awyatt@townofhopemills.com>; Barry Roberts <baroberts@cumberlandcountync.gov>; Bruce Clark <bclark@townofhopemills.com>; Chancer McLaughlin <cmclaughlin@townofhopemills.com>; Corey Lawson <cslawson@cumberlandcountync.gov>; Dan Hartzog <dhartzogjr@hartzoglawgroup.com>; Deontae Watson <deontaewatson@fayettevillenc.gov>; Don Sisko <dsisko@townofhopemills.com>; Duke Pickler <duke-pickler@duke-energy.com>; Ehsan Momeni <emomeni@cumberlandcountync.gov>; Elisabeth Brown <ebrown@townofhopemills.com>; Fayetteville Airport <airport@ci.fay.nc.us>; Gene Booth <wbooth@cumberlandcountync.gov>; Hank Graham <hgraham@cumberlandcountync.gov>; Jennifer Way <Jennifer.L.Way@usps.gov>; Kelvin Raiford <kraiford@cumberlandcountync.gov>; Kenneth Tatum <ktatum@townofhopemills.com>; Leland Cottrell <leland.cottrell@ncdenr.gov>; Lori Britt <lori.britt@ncdenr.gov>; Matthew Cain <mbcain@townofhopemills.com>; Michael Gibson <mgibson@ci.fay.nc.us>; Mike Rutan <mrutan@mccog.org>; Mike Zylka <mzylka@cumberlandcountync.gov>; Misty Manning <misty.manning@faypwc.com>; Otieria Green <ogreen@cumberlandcountync.gov>; Rob Patton <Patton@fcedc.com>; Rob Schob <rschob@cumberlandcountync.gov>; Robert Carter <rcarter@townofhopemills.com>; Robert Van Geons <Robert@fcedc.com>; Sam Powers <sam.powers@faypwc.com>; Shawn Taurone <shawntaurone@ccs.k12.nc.us>; Stephen Dollinger <sdollinger@townofhopemills.com>; Thomas Charles <thomas.p.charles@usace.army.mil>; Tiffany Faulk <tiffany.faulk@faypwc.com>; Timothy Doersam <tdoersam@cumberlandcountync.gov>; Tony Means <tmeans@ci.fay.nc.us>; Trey Smith <rsmith@cumberlandcountync.gov>; Troy Baker <tlbaker@ncdot.gov>; Wesley Jacobs <wesley.jacobs@faypwc.com>; Will Johnson <will.johnson@duke-energy.com>; Will Phipps <wphipps@cumberlandcountync.gov>  
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**PLANNING AND INSPECTIONS DEPARTMENT**

**MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF AUGUST 20, 2024**

**TO: JOINT PLANNING BOARD**

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

**DATE: 8/20/2024**

**SUBJECT: CASE # ZON-24-0025: REZONING FROM C(P) PLANNED  
COMMERCIAL DISTRICT TO C(P)/CZ PLANNED COMMERCIAL  
DISTRICT CONDITIONAL ZONING OR TO A MORE RESTRICTIVE  
ZONING DISTRICT FOR TWO PARCELS COMPRISING 6.21 +/-  
ACRES; LOCATED AT 3123 MURPHY ROAD AND A PORTION OF AN  
ABUTTING PARCEL ALONG MURPHY ROAD, SUBMITTED BY ANDY  
PRIOLO (AGENT) ON BEHALF OF LAMAR INVESTMENTS LLC AND  
AOM INVESTMENTS LLC (OWNERS). (EASTOVER)**

**ATTACHMENTS:**

Description

ZON-24-0025

Type

Backup Material

**REQUEST**

**Rezoning C(P) to C(P)/CZ**

Applicant requests a rezoning from C(P) Planned Commercial District to C(P)/CZ Planned Commercial Conditional Zoning District for a combined 6.21 +/- acres; located at 3123 Murphy Rd. and a portion of an abutting parcel. The rezoning comprises two parcels, one containing 1.36 +/- acres and owned by Lamar Investments LLC, and the other containing approximately 4.85 +/- acres and owned by AOM Investments LLC. The intent of the property owners is to expand the existing Circle K convenience store gas station owned by Lamar Investments with a portion of the abutting parcel owned by AOM Investments. The additional land will allow the existing convenience store to accommodate a large vehicle parking area and a diesel fueling station. (Site plan is provided as Exhibit "A" to the CZ Conditions of Approval, which is found in Exhibit "F" - attached). Per Section 801, Commercial Core Overlay District, of Article VIII.I of the Eastover Zoning Ordinance, with a proposed new use or expansion of an existing use, a conditional rezoning application shall be filed and approved by the Town of Eastover prior to the commencement of the proposed new use or expansion in an existing use which is provided in the Appendix.

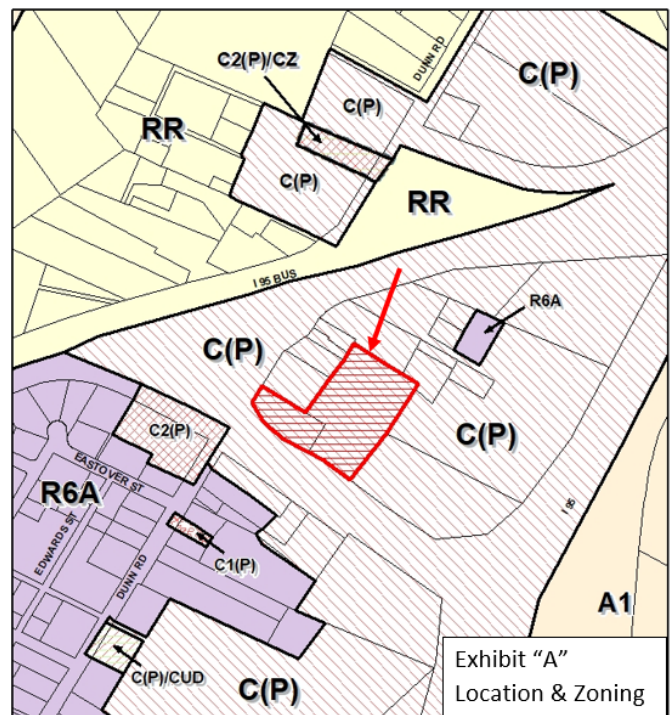
**PROPERTY INFORMATION**

**OWNER/APPLICANT:** Andy Priolo (Applicant) on behalf of Lamar Investments LLC and AOM Investments LLC (Owners).

**ADDRESS/LOCATION:** Located on the parcel located at 3123 Murphy Rd and a portion of the abutting parcel located along Murphy Rd and I-95 S. Refer to Exhibit "A", Location and Zoning Map. REID number: 0468265272000 and 0468361026000.

**SIZE:** The parcel with the existing convenience store and gas station contains approximately 1.36 +/- acres. The portion of the abutting parcel to the east will be using approx. 4.85 +/- acres for the proposed expansion for the large vehicle parking and diesel fuel station. Road frontage along Murphy Road is 680 +/- feet and road frontage along Dunn Rd is 100 +/- feet. The property is approximately 600 +/- feet in length at its deepest point.

**EXISTING ZONING:** The subject property is currently zoned C(P) Planned Commercial District. This district is designed to assure the grouping of buildings on a parcel of land so as to constitute a harmonious, efficient and convenient retail shopping area. Site plans assure traffic safety and the harmonious and beneficial relations between the commercial area and contiguous land. To promote the essential design features with the C(P) district, plan approval is a requirement.

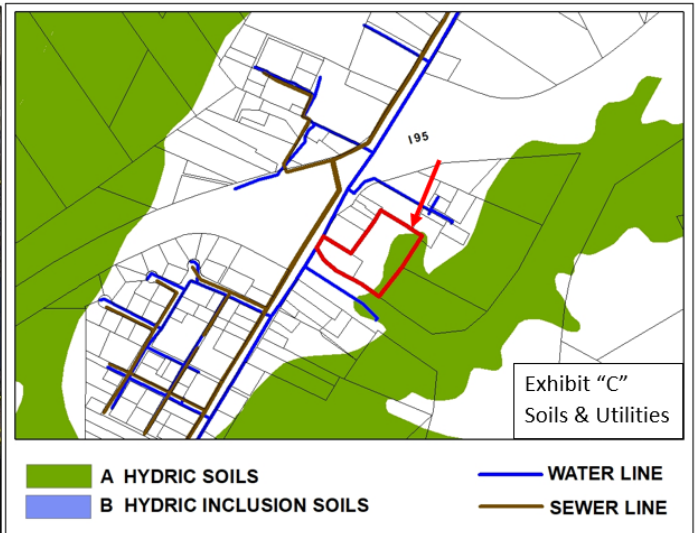


**EXISTING LAND USE:** The subject parcel currently has a convenience store and gas station operating on it and wooded lands. Exhibit "B" shows the existing use of the subject property.

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

- **North:** Wooded lands, commercial sites, and the I-95 Business N on-ramp.
- **East:** Wooded lands and I-95 S
- **West:** Motel, I-95 interchange, and undeveloped land.
- **South:** A convenience store and gas station, single-family residences, and wooded lands.

**OTHER SITE CHARACTERISTICS:** The site is not located in a Watershed Protection Area. A portion of the subject property is located within a Flood Zone Hazard Area and must apply for floodplain development permit if any of the development is located within the floodplain. The subject property, as delineated in Exhibit "C", illustrates the presence of hydric soils at the property.

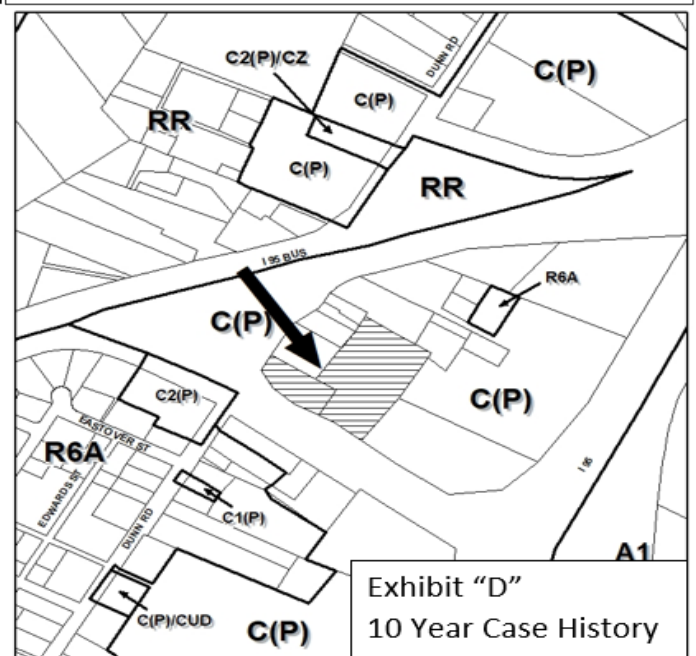


#### TEN YEAR ZONE CASE HISTORY:

Exhibit "D" denotes that there has been no rezoning case history affecting properties near the subject site within the most recent 10-year period.

#### DEVELOPMENT REVIEW:

A site plan review and approval will be required via the Current Planning Division prior to commencement of operations on site.



**DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:**

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

**Development Potential:**

Existing Zoning (C(P))	Proposed Zoning (C(P)/CZ)
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.

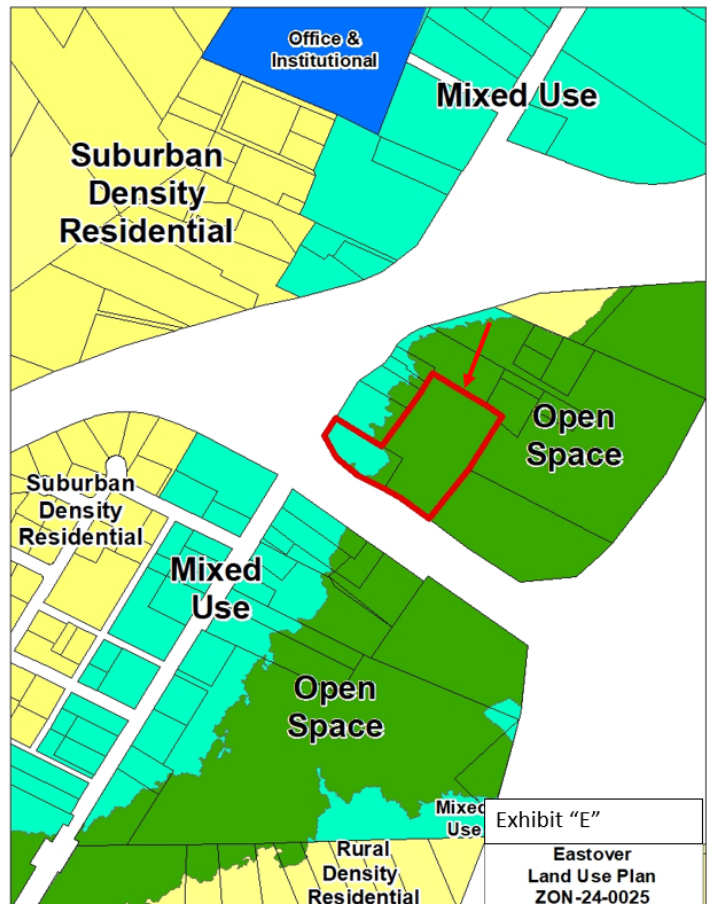
**COMPREHENSIVE PLANS:**

This property is located in the Eastover Area Land Use Plan (2018). The future land use classifications of the property are "Mixed Use" and "Open Space". Associated Zoning districts for these classifications are MXD/CZ, C(P), C1(P), C2(P), O&I(P), CD, and DD/CZ.

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

**FUTURE LAND USE CLASSIFICATION Development Goal:**

- The Eastover Area Future Land Use Map calls for a Mixed-Use classification within the CCOD. This classification allows for a mixture of commercial uses, office and institutional as well as vertical mixed-use, which allows light commercial/office and institutional/residential uses in the same building. (Eastover Area Land Use Plan, pg. 34).
- Provide quality, attractive development that has supporting infrastructure, is harmonious with its surrounding area and supports the needs of the community (Eastover Area Land Use Plan, pg. 51).
- Encourage the location of businesses that reflects the needs of the community (Eastover Area Land Use Plan, pg. 51).
- Require all commercial development within the town to locate within the designated Commercial Core (Eastover Area Land Use Plan, pg. 51).





## IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

**UTILITIES:** Water lines are available along Murphy Road, and sewer lines are available along Dunn Road. Utilities for water and sewer are shown on Exhibit "C".

**TRAFFIC:** The property subject to the rezoning is located at or close to the intersections of Hwy 301/I-95 Business, Dunn Road, Murphy Road, and I-95. Dunn Rd. is a designate minor arterial road while Murphy Rd. is a designated local road on the NCDOT road functional classification system. FAMPO has reviewed the proposal and found it has no significant impact on Dunn Road or Murphy Road.

### SCHOOLS CAPACITY/ENROLLMENT:

School	Capacity	Enrollment
Long Hill Elementary	441	454
Raleigh Road Elementary	1164	1174
Pine Forest Middle	1476	1598

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

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

**SPECIAL DISTRICTS/ OVERLAY DISTRICTS:** The subject parcels are located within the Eastover Commercial Core Overlay District.

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:	Yes
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:** The proposed conditions of approval and conditional zoning site plan are attached to this report, which is found in Exhibit "F".

## STAFF RECOMMENDATION

In Case ZON-24-0025, Planning and Inspections staff **recommends approval** of the rezoning request from C(P) Planned Commercial to C(P)/CZ Planned Commercial District Conditional Zoning. Staff finds that the request is consistent with the Eastover Area Land Use Plan which calls for "Mixed Use" and "Open Space" at this location. Staff finds that the request is reasonable and in the public interest as it is compatible to and in harmony with the surrounding land use activities and zoning.

Attachments:  
Conditions of Approval and Site Plan  
Notification Mailing List  
Application

## Exhibit "F" Conditions of Approval

General Address: 3123 Murphy Road (at the NE intersection of Murphy Rd and Dunn Rd)	Acres: 6.21 +/-
REID: 0468265272000 and 0468361026000	Approval Date: TBD
Effective Date: TBD	Issued to: Andy Priolo

### **C(P) Planned Commercial/CZ Conditional Zoning District Case ZON-24-0025**

#### **Ordinance Related Conditions for Expansion of a Use Inconsistent with the Commercial Core Overlay District**

**Applicability:** Applicant requests a rezoning from C(P) Planned Commercial District to C(P)/CZ Planned Commercial District Conditional Zoning District for 6.21 +/- acres; located on the parcels addressed at 3123 Murphy Road and abutting REID: 0468361026000; submitted by Andy Priolo (applicant) on behalf of Lamar Investments LLC and AOM Investments LLC (owner). The intent of the rezone is to expand the existing Circle K convenience store and gas station to have two diesel fuel pump stations, a thru lane, and nine large vehicle parking spaces for temporary parking only, no overnight parking. (Site plan is provided as Exhibit "A" to the CZ Conditions of Approval, which is found in Exhibit "F" (attached)). Per Section 801, Commercial Core Overlay District, in Article VIII.I of the Eastover Zoning Ordinance, a proposed new use or expansion in an existing use be inconsistent with the underlying zoning district, and a conditional rezoning application shall be filed and approved by the Town of Eastover prior to the commencement of the proposed new use or expansion in an existing use which is provided in the Appendix.

#### **A. Permitted and Prohibited Uses.**

1. Use and development of the large vehicle parking and diesel fuel station expansion shall occur consistent with the Conditional Zoning Site Plan within Exhibit "A" of the Conditions of Approval, the Conditions set forth herein, the Eastover Commercial Core Overlay District and the applicable Zoning and Subdivision Ordinances. Where any conflicts occur between the Conditions of Approval herein, including the Site Plan, with the applicable Zoning and Subdivision Ordinances, the Conditions of Approval and Site Plan shall supersede.
2. The nine large vehicle parking spaces shall not be used for any overnight parking with a maximum parking time of 30 minutes for any large vehicles parked on-site. No larger vehicle shall be parked for longer than four consecutive hours on the property. A large vehicle is defined as any vehicle (including attached trailers) with a length longer than 20 feet.

#### **B. Development Standards.**

1. The owner/developer(s) of these lots must obtain detailed instructions on provisions of the County Zoning Ordinance and permits required to place any should be within this development from the County Code Enforcement Section, Room 101 in the Historic Courthouse at 130 Gillespie Street. For additional information, the developer should contact a Code Enforcement Officer. In addition, applicant is responsible to obtain all other federal, state, and local permits required for construction or operation of the expansion area.
  - a. Note: This conditional approval is not approval of the permitting of any structures for this site; re- submittal of the site plan for staff review and approval is required prior to application for permits for any structure to be located on this site.



2. The applicant must keep an updated copy of the state permit and conditions on record with the County Planning & Inspections Department.
3. A recombination plat that adjusts the lot lines so that all 6.21 acres of the development shown on the Conditional Zoning Site plan shall be submitted to Current Planning and recorded with the register of deeds prior to any issuance of a zoning permit or building permit.
4. Prior to issuance of a zoning permit, the applicant must provide to Code Enforcement an acknowledged copy- to include the County Manager - of the *Affidavit of Notification* which is required as part of the state application for a mining permit and a copy of the state mining permit application.
5. This conditional approval is not approval of any freestanding signs. If a freestanding sign is desired as stated in the written application, re-submittal of the site plan is required prior to application for any freestanding sign permits. Attached signage for this development must be in accordance with the applicable sign regulations as set forth in Article XIII of the County Zoning Ordinance and that the proper permit(s) must be obtained prior to the installation of any permanent signs on the property. (Note: This conditional approval is not approval of the size, shape, or location of any signs.)
6. The owner/developer is responsible and liable for maintenance and upkeep of this site, to include ensuring that the site is kept free of litter and debris, all grass areas mowed, all buffers/berms and shrubbery kept trim and maintained, so that the site remains in a constant state of being aesthetically and environmentally pleasing.
7. Noise levels shall not exceed 60 dB(A) between the hours of 10:00 pm and 7:00 am. In any event, the noise level, regardless of the time of day, shall become a nuisance to neighboring properties and strict compliance with the County's Noise Ordinance is required.

#### **C. Infrastructure and Utilities:**

1. All lighting is required to be directed internally within this development and comply with the provisions of Section 1102 M, Outdoor Lighting, County Zoning Ordinance:

The following standards are applicable to all properties:

- i. All lights shall be shielded in such a way as to direct all light toward the Earth's surface and away from reflective surfaces;
  - ii. Light fixtures or lamps shall be shielded/shaded in such a manner as to direct incident rays away from all adjacent property and any light on a pole, stand, or mounted on a building must have a shield, and adjustable reflector and non-protruding diffuser;
  - iii. Any facilities, which may require floodlighting, may not arrange the light in such a way that it will shine toward roadways, on adjacent residential property or residentially zoned property or into the night sky;
  - iv. Any interior lighted signs may not be lit at night when any face of the sign is removed or damaged in such a way that the light may distract pedestrians or drivers or become a nuisance to property owners and residents;
  - v. Any light fixture must be placed in such a manner that no light-emitting surface is visible from any residential area or public/private roadway, walkway, trail or other public way when viewed at the ground level.
2. For new development, all utilities, except for 25k or greater electrical lines, must be located underground.

#### **D. Fire Marshal and Fire Inspections:**

1. Developer must ensure fire protection water supply requirements are met in accordance with Section 507 of the 2018 NC Fire Code. Developer is required to provide advanced coordination and contact with the County Fire Marshal Office prior to final site plan submittal as well as during site construction. Submit plans for any permits required in Section 105 of the 2018 Fire Code. All fire department access requirements shall be met in accordance with Section 503 of the 2018 NC Fire Code and demonstrated at the time of final site plan and permit applications, as applicable. Construction plans may be required for review by the Fire Marshal, and the developer is responsible for contacting prior to any development activity, including clearing and grading.

#### **E. Stormwater and Drainage:**

1. For any new development where the developer disturbs or intends to disturb more than one acre of land, the developer must provide the Code Enforcement Section with an approved NC Department of Environmental Quality (NCDEQ) sedimentation and erosion control plan(S&E). If any retention/detention bases are required for state approval of this plan, a formal revision application must be filed with Current Planning for review and approval.
2. New development where the developer will disturb or intends to disturb more than one acre of land is subject to the Post- Construction Stormwater Management Permitting Program (Phase II Stormwater Management Requirements) administered by the Division of Water Quality, North Carolina Department of Environmental Quality. If one acre or more of land is to be disturbed, a copy of the State's *Post-Construction Permit* must be provided to County Code Enforcement prior to the issuance of the Certificate of Occupancy.
3. For any new development, an adequate drainage system must be installed by the developer in accordance with the NC Department of Environmental Quality (NCDEQ) *Manual on Best Management Practices* and all drainage ways must be kept clean of free and debris (Section 2306, D., County Subdivision Ordinance).
4. In the event a stormwater utility structure is required by the NC Department of Environmental Quality (NCDEQ), the owner/developer must demonstrate on the revised plan the placement of a four-foot-high fence with a lockable gate for the security of the stormwater utility structure. The owner/developer is required to maintain the detention/retention basin, keeping it clear of debris and taking measures for the prevention of insect and rodent infestation.
5. Prior to permit application, the developer must provide to the Code Enforcement Section documentation of NC Department of Environmental Quality (NCDEQ) approval of the Sedimentation and Erosion control plan for this project. NCDEQ requires a Sedimentation and Erosion control plan be submitted and approved 30 days prior to land disturbing activities if said land disturbing activity will exceed one acre.

If a plan is not required, per 15ANCAC 04B.0105 "Person conducting land disturbing activity shall take all reasonable measures to protect public and private property from damage cause by such activities." Sedimentation and erosion control measures will need to be installed to protect adjacent properties. [Sec. 4-8(b)(6), County Code; originally under County jurisdiction relinquished to NCDEQ around 2000].

6. The applicant is advised to consult an expert on wetlands before proceeding with any development.

**F. Environmental:**

1. The parcel with the large vehicle parking and diesel fuel pump expansion is located within the 100-year floodplain. Any development into the floodplain will require obtaining a floodplain development permit from the County Engineering Department.

**G. Landscaping:**

1. Developments within this overlay district shall be exempt from the street tree requirements of Section 1102.N. Landscaping for the yard space and off-street parking areas shall be the same as required by Section 1102.N for any proposed development.
2. Existing vegetation may be preserved to satisfy all yard space landscaping requirements of 1102.N., Zoning Ordinance.
3. Vegetative and non-vegetative fence buffers shall be installed along the side property line shared by the property located at 3236 Dunn Rd to block the sound and lights from the expansion encroaching onto the abutting motel.

**H. Roads/Access/Parking:**

1. The developer must obtain a driveway permit from the NC Department of Transportation (NCDOT). A copy of the approved driveway permit must be provided to Code Enforcement at the time of application for building/zoning permits.
2. All NCDOT permits must be obtained and submitted to the Code Enforcement Division prior to any issuance of a building permit or commencement of any development activity or change in property usage. Per NCDOT comments for this rezoning, failure to secure required permits prior to construction or change in property usage may result in the removal of the driveway or street connections at the property owner's expense.
3. Turn lanes may be required by the NC Department of Transportation (NCDOT) during review of the driveway permit or construction plans. Any NCDOT required improvements shall be completed prior to issuance of a certificate of occupancy unless otherwise indicated by NCDOT.
4. Access ways or drives within the premises shall be maintained in a dust-free condition through surfacing or such other treatment as may be necessary.
5. The 9 proposed large vehicle parking spaces in the expansion area shall be at least 65' long and 12.5' wide as shown on the Conditional Zoning Site Plan.
6. The 3 newly proposed parking spaces to serve the existing Circle K convenience store shall be at least 20' long and 9' wide as shown on the Conditional Zoning Site Plan.

**I. Development Review Process:**

1. A final site plan, to include a detailed lighting plan and landscaping plan, shall be provided to Planning staff with a written transmittal with a brief narrative of the plans provided prior to any site development activity, including clearing and grading.
2. In the event the requirements or conditions from a State or Federal Agency or utility provider creates an inconsistency with the conditional zoning site plan in any manner, a revised conditional site plan must be submitted to the Current Planning Division for review. Any change determined by the County to represent a substantial change to the conditional

zoning site plan, Board of County Commission approval may be required, as shall be determined by the Planning Director.

3. Developer must coordinate with the Current Planning Division prior to making any changes to the conditional zoning site plan. Any changes to the conditional zoning site plan must be reviewed by the Current Planning Division to determine if any change is considered an insubstantial or substantial modification.

**J. Other Conditions:**

1. This conditional approval is not to be construed as all-encompassing of the applicable rules, regulations, etc., which must be complied with for any development. Other regulations, such as building, environmental health, and so forth, may govern the specific development. The developer is the responsible party to ensure full compliance with all applicable Federal, State, and local regulations.
2. Any substantial modification made to this approved conditional zoning site plan or conditions of approval, other than those set forth in the above conditions, must be approved by the Board of Commissioners as set forth by Section 506 of the Zoning Ordinance.
3. No clearing or grading shall occur until authorized by the Code Enforcement Manager.
4. Pursuant to Section 507, County Zoning Ordinance, two years after the date of the Board of County Commissions approves the Conditional Zoning, the Planning Board may examine progress made to determine if active efforts are proceeding. If the Planning Board determines that active efforts to develop are not proceeding, it may institute proceedings to rezone the property to its previous zoning classification.
5. All applications and plan submittals shall be submitted via the County online permitting self-service portal at the following website address:  
[https://selfservice.co.cumberland.nc.us/EnerGod\\_Prod/SelfService#/home](https://selfservice.co.cumberland.nc.us/EnerGod_Prod/SelfService#/home)

**K. Time Limitation**

1. At the end of two years from the date of approval of this Conditional Zoning by the Town of Eastover Town Council, the Town Council may examine progress made to determine if active efforts are proceeding. If the Town Council determines that active efforts to develop are not proceeding in good faith, it may institute proceedings to rezone the property to its previous zoning classification.

Property Owner/Agent Acceptance of Conditions

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Signature)

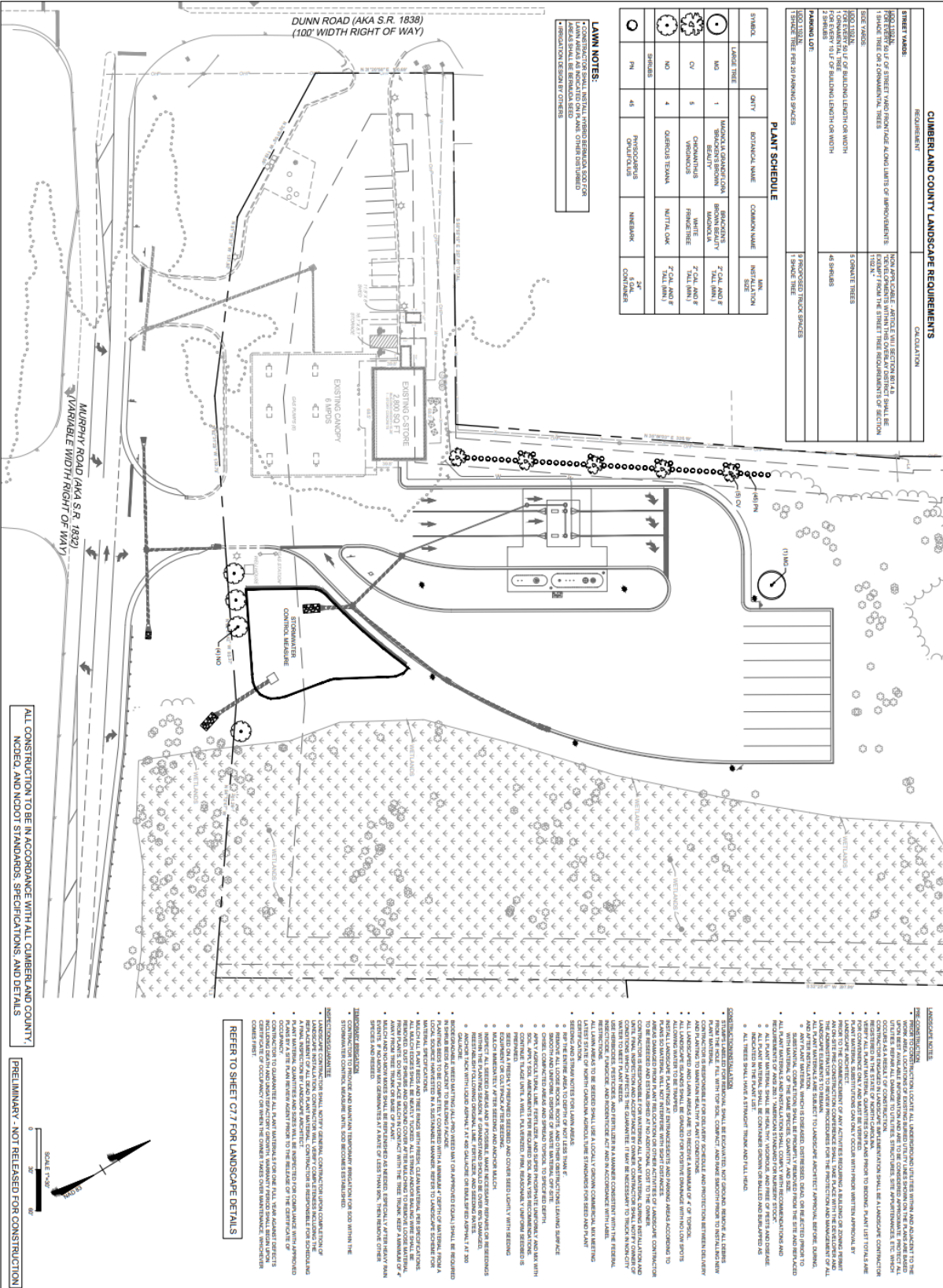
\_\_\_\_\_  
Date

**Issued by:**

\_\_\_\_\_  
David B. Moon, AICP, NC-CZO

\_\_\_\_\_  
Date





CUMBERLAND COUNTY LANDSCAPE REQUIREMENTS

REQUIREMENT	CALCULATION
STREET TREES	
MINIMUM TREES PER 100' OF STREET FRONTAGE	10' MIN. DBH. 1" MIN. SECTION 801.8
MINIMUM TREES PER 100' OF STREET FRONTAGE	10' MIN. DBH. 1" MIN. SECTION 801.8
MINIMUM TREES PER 100' OF STREET FRONTAGE	10' MIN. DBH. 1" MIN. SECTION 801.8
MINIMUM TREES PER 100' OF STREET FRONTAGE	10' MIN. DBH. 1" MIN. SECTION 801.8
MINIMUM TREES PER 100' OF STREET FRONTAGE	10' MIN. DBH. 1" MIN. SECTION 801.8

SYMBOL	QUANTITY	RECOMMENDATION	COMMON NAME	MIN. HEIGHT	MIN. DBH.
1	1	MAJESTIC OAK	MAJESTIC OAK	7' COL. AND 8' TALL	10"
2	1	SHRUB	SHRUB	7' COL. AND 8' TALL	10"
3	1	SHRUB	SHRUB	7' COL. AND 8' TALL	10"
4	1	SHRUB	SHRUB	7' COL. AND 8' TALL	10"
5	1	SHRUB	SHRUB	7' COL. AND 8' TALL	10"
6	1	SHRUB	SHRUB	7' COL. AND 8' TALL	10"
7	1	SHRUB	SHRUB	7' COL. AND 8' TALL	10"
8	1	SHRUB	SHRUB	7' COL. AND 8' TALL	10"
9	1	SHRUB	SHRUB	7' COL. AND 8' TALL	10"
10	1	SHRUB	SHRUB	7' COL. AND 8' TALL	10"

**LANDSCAPE NOTES:**

- CONSTRUCTION SHALL BE IN ACCORDANCE WITH ALL CUMBERLAND COUNTY, NC CODES AND NDOT STANDARDS SPECIFICATIONS AND DETAILS.
- CONSTRUCTION SHALL BE IN ACCORDANCE WITH ALL CUMBERLAND COUNTY, NC CODES AND NDOT STANDARDS SPECIFICATIONS AND DETAILS.
- CONSTRUCTION SHALL BE IN ACCORDANCE WITH ALL CUMBERLAND COUNTY, NC CODES AND NDOT STANDARDS SPECIFICATIONS AND DETAILS.

ALL CONSTRUCTION TO BE IN ACCORDANCE WITH ALL CUMBERLAND COUNTY, NC CODES AND NDOT STANDARDS SPECIFICATIONS AND DETAILS.

PRELIMINARY - NOT RELEASED FOR CONSTRUCTION

**TIMMONS GROUP**

NORTH CAROLINA LICENSE NO. C-1652

**CIRCLE K - HSD ADDITION 2723051**

EASTOVER - CUMBERLAND COUNTY - NORTH CAROLINA

CONDITIONAL ZONING LANDSCAPE PLAN

YOUR VISION ACHIEVED THROUGH OURS.

THIS DRAWING PREPARED AT THE  
TIMMONS GROUP  
5410 Trinity Road, Suite 102, Raleigh, NC 27607  
TEL 919.266.4952 FAX 919.833.8324 www.timmons.com

REVISION DESCRIPTION

NO.	DATE	DESCRIPTION
1	03/22/2024	ISSUED BY P. BARREAU
2	03/22/2024	ISSUED BY P. BARREAU
3	03/22/2024	ISSUED BY P. BARREAU
4	03/22/2024	ISSUED BY P. BARREAU
5	03/22/2024	ISSUED BY P. BARREAU
6	03/22/2024	ISSUED BY P. BARREAU
7	03/22/2024	ISSUED BY P. BARREAU
8	03/22/2024	ISSUED BY P. BARREAU
9	03/22/2024	ISSUED BY P. BARREAU
10	03/22/2024	ISSUED BY P. BARREAU

PRELIMINARY  
NOT FOR  
CONSTRUCTION



## ATTACHMENT – MAILING LIST

ALFORD, ELLA RUTH LIFE ESTATE	3093 HATCHER LN	EASTOVER, NC 28312
ALFORD, SHERICE, ALEXANDER;ALFORD, ELLA RUTH	3093 HATCHER LN	EASTOVER, NC 28312
AOM INVESTMENTS LLC	PO BOX 361	FAYETTEVILLE, NC 28302
AOM INVESTMENTS LLC	PO BOX 361	FAYETTEVILLE, NC 28302
BAGGETT, MARY SUSAN;LEE, ROY	3602 DUNN RD	EASTOVER, NC 28312
BOBONIS, ANGEL PEREIRA	3130 DUNN RD	FAYETTEVILLE, NC 28303
BREWER, RANDY V TRUSTEE;BREWER, LORI A TRUSTEE	PO BOX 598	HILMAR, CA 95324
CHERRY, MARVIN W;CHERRY, VIRGINIA E	3058 DUNN RD	EASTOVER, NC 28312
CHERRY, MARVIN W;CHERRY, VIRGINIA E	3058 DUNN RD	EASTOVER, NC 28312
CHINA, ODELL;PARKER, JAMES M;PARKER, JO ANNE	3199 ORANGEBURG DR	EASTOVER, NC 28312
CUMBERLAND COUNTY	PO BOX 449	FAYETTEVILLE, NC 28302
DUTARY, YOLANDA D.	1796 GEIBERGER DR	FAYETTEVILLE, NC 28303
EARTH PETROLEUM CORP OF NC III INC	3138 DUNN RD	EASTOVER, NC 28312
FALCON CHILDREN'S HOME	7569 N WEST ST	FALCON, NC 28342
HARRELL, DIANE TRUSTEE;HARRELL, DIANE TRUSTEE	P O BOX 53729	FAYETTEVILLE, NC 28305
KIRKPATRICK GROUP LLC	PO DRAWER 2570	BURLINGTON, NC 27216
LAMAR INVESTMENTS LLC	1120 LONGLEAF DR	FAYETTEVILLE, NC 28305
LEE, RHONDA	3174 ORANGEBURG DR	EASTOVER, NC 28312
LVST LLC	PO BOX 2524	FAYETTEVILLE, NC 28302
LVST LLC	PO BOX 2524	FAYETTEVILLE, NC 28302
LVST LLC	PO BOX 2524	FAYETTEVILLE, NC 28302
LVST LLC	PO BOX 2524	FAYETTEVILLE, NC 28302
LVST LLC	PO BOX 2524	FAYETTEVILLE, NC 28302
MARCHANT, PEGGY;EDWARDS, LINDA;MARCHANT, MICHAEL;SHOWALTER, KATHY;MARCHANT, JAMES;LEE, RHONDA;SPELL, LISA	2676 GOLDFINCE DR	MYRTLE BEACH, NC 29577
MARSH, KEVIN	3112 DUNN RD	EASTOVER, NC 28312
MCKOY, COLEMAN;MCKOY, ROSA	1913 UNIVERSITY ST	GAUTIER, MS 39553
MCLAURIN, JESSIE ALFORD	3071 HATCHER LN	EASTOVER, NC 28312
OWENS, RACHEL	3035 HATCHER LN	EASTOVER, NC 28312
PARKER, JAMES MICHAEL;PARKER, JOANN POWERS	3199 ORANGEBURG DR	EASTOVER, NC 28312
PARKER, JAMES MICHAEL;PARKER, JOANNE POWERS	3199 ORANGEBURG DR	EASTOVER, NC 28312
PATEL, MAMTA;GEORGE, BIJU;BIJU, ANJANA	5604 SHADY PINE CT	HOPE MILLS, NC 28348
PATEL, MAMTA;GEORGE, BIJU;BIJU, ANJANA	5604 SHADY PINE CT	HOPE MILLS, NC 28348
RANK DEV INC	3236 DUNN RD	EASTOVER, NC 28312
SMITH, DWIGHT W;SMITH, DOROTHY J	1757 EASTOVER ST	EASTOVER, NC 28312
SMITH, PHILIP;SMITH, JONI	883 THREE WOOD DR	FAYETTEVILLE, NC 28312
SMITH, PHILIP;SMITH, JONI	883 THREE WOOD DR	FAYETTEVILLE, NC 28312
SMITH, PHILIP;SMITH, JONI	883 THREE WOOD DR	FAYETTEVILLE, NC 28312

## ATTACHMENT: APPLICATION



### County of Cumberland

#### Planning & Inspections Department

#### APPLICATION FOR CONDITIONAL ZONING DISTRICT REZONING REQUEST CUMBERLAND COUNTY ZONING ORDINANCE

CASE #: \_\_\_\_\_

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

DATE APPLICATION  
SUBMITTED: \_\_\_\_\_

RECEIPT #: \_\_\_\_\_

RECEIVED BY: \_\_\_\_\_

Upon receipt of this application (petition), the Planning and Inspections Staff will present to the Planning Board the application at a hearing. In accordance with state law and board's policy, a notice of the hearing will be mailed to the owners of the adjacent and surrounding properties, which may be affected by the proposed Conditional Zoning. In addition, a sign will be posted on the property.

The Planning Board will make a recommendation to the Cumberland County Board of Commissioners concerning the request. The Board of Commissioners will schedule a public hearing and issue a final decision on the matter. Generally, the Commissioners will hold the public hearing four weeks following the Planning Board meeting. The Conditional Zoning District is not effective until the request is heard and approval granted by the Board of Commissioners.

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 of an existing tract is/are being submitted for rezoning, an accurate written legal description of only the area to be considered;
3. A copy of a detailed site plan drawn to an engineering scale, showing the location of all buildings, yard dimensions, driveways, fencing, lighting parking areas, landscaping, and all other pertinent data to the case; and
4. A check made payable to the "Cumberland County" in the amount of \$ \_\_\_\_\_ (See attached Fee Schedule)

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

*The Planning and Inspections Staff is available for advice on completing this application; however, they are not available for completion of the application or preparation of the site plan. For questions call (910)678-7603 or (910) 678-7602. Hours of operation are 8:00 a.m. to 5:00 p.m., Monday through Friday.*

**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, as hereinafter requested, the following facts are submitted:

1. Applicant/Agent Andy Priolo
2. Address: 1100 Situs Court; Suite 100 Raleigh, NC Zip Code 27606
3. Telephone: (Home) \_\_\_\_\_ (Work) 919-609-5052
4. Location of Property: 3123 Murphy Road, Eastover, NC 28312
5. Parcel Identification Number (PIN #) of subject property: 0468-26-5272, 0468-36-1026  
(also known as Tax ID Number or Property Tax ID)
6. Acreage: <sup>1.36 AC & 10.31 AC</sup>  
6.21 AC Proposed Frontage: \_\_\_\_\_ Depth: \_\_\_\_\_
7. Water Provider: \_\_\_\_\_ Septage Provider: \_\_\_\_\_
8. Deed Book 5032 & 11835, Page(s) 683 & 433, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: Convenience Store with Gas sales & Vacant
10. Proposed use(s) of the property: \_\_\_\_\_

Convenience Store with Gas & Diesel Sales (regular gas and diesel canopies) with truck parking

**NOTE: Be specific and list all intended uses.**

11. Do you own any property adjacent to, including across the street from, the property being submitted for rezoning? Yes \_\_\_\_\_ No X
12. Has a violation been issued on this property? Yes \_\_\_\_\_ No X
13. It is requested that the foregoing property be rezoned FROM: C(P) - Eastover Commercial Core Overlay District  
TO: (Select one)  
X Conditional Zoning District, with an underlying zoning district of C(P)  
(Article V)  
\_\_\_\_\_ Mixed Use District/Conditional Zoning District (Article VI)  
\_\_\_\_\_ Planned Neighborhood District/Conditional Zoning District (Article VII)  
\_\_\_\_\_ Density Development/Conditional Zoning District, at the \_\_\_\_\_ Density  
(Article VIII)



APPLICATION FOR  
CONDITIONAL ZONING

1. PROPOSED USE(S):

- A. List the use(s) proposed for the Conditional Zoning. (Use of the underlying district will be restricted only to the use(s) specified in this application if approved.)

JCD - Amended 6/17/24

Convenience Store with Gas & Diesel Sales with temporary parking for large vehicles.

- B. Density: List the amount of acreage that will be residential, commercial, and/or open space, and the number of lots and/or dwelling units proposed, and the square footage of the non-residential units.

Proposed Areas	Proposed Structures
2.05 AC Commercial Area	817sf diesel fueling canopy
1.99 AC Open Space	
1.96 AC undisturbed wetlands	
0.27 AC Stormwater Control Measure	

2. DIMENSIONAL REQUIREMENTS:

- A. Reference either the dimensional requirements of the district, Sec. 1104 or list the proposed setbacks.

C(P) Dimensional requirements, Section 1104

- B. Off-street parking and loading, Sec. 1202 & 1203: List the number of spaces, type of surfacing material and any other pertinent information.

14 parking spaces to remain, 9 truck parking spaces proposed. Proposed truck parking spaces to be paved with standard duty concrete.

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Article XIII.

C(P) district sign regulations noted in Article XIII

4. LANDSCAPE AND BUFFER REQUIREMENTS:

- A. For all new non-residential and mixed use development abutting a public street, indicate the number and type of large or small ornamental trees used in the streetscape, yard space, and/or parking areas, plus the number and type of shrubs. (Sec. 1102N). **NOTE: All required landscaping must be included on the site plan.**

See included landscape plan

- B. Indicate the type of buffering and approximate location, width and setback from the property lines. (Sec. 1102G). **NOTE: All required buffers must be included on the site plan.**

See included site plan

5. MISCELLANEOUS:

List any information not set forth above, such as the days and hours of the operation, number of employees, exterior lighting, noise, odor and smoke, emission controls, etc.

6. SITE PLAN REQUIREMENTS:

The application must include a site plan drawn to the specifications of Sec. 1402. If the proposed uses involve development subject to the County Subdivision Ordinance, the site plan required may be general in nature, showing a generalized street pattern, if applicable, and the location of proposed uses. If the proposed uses include development not subject to the Subdivision Ordinance, the site plan must be of sufficient detail to allow the Planning and Inspections Staff, Planning Board and County Commissioners to analyze the proposed uses and arrangement of uses on the site. It also must include the footprints of all buildings (proposed and existing), the proposed number of stories, location and number of off-street parking and loading spaces, proposed points of access to existing streets and internal circulation patterns. In addition, the location of all proposed buffers and fences and landscaping shall be included on the site plan.

7. STATEMENT OF ACKNOWLEDGMENT:

It is understood by the undersigned that the official zoning map, as originally adopted and subsequently amended, is presumed to be appropriate to the property involved and that the burden of proof for a zoning amendment (rezoning) rest with the petitioner.

It is the responsibility of the petitioner (personally or by agent) to submit to the Planning and Inspections Department a valid request within a complete application.

I further understand I must voluntarily agree to all ordinance related conditions prior to the first hearing on the case or any disagreement may be cause for an unfavorable recommendation. The undersigned hereby acknowledge that the Planning and Inspections Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.

LAMAR INVESTMENTS LLC ADM INVESTMENT LLC  
NAME OF OWNER(S) (PRINT OR TYPE)

John L Wood PO Box 361 28302  
ADDRESS OF OWNER(S)

1120 LONG LEAF DR Fayetteville NC  
E-MAIL FAYE REVILLE NC 28305

910-574-8317 910-824-0996  
HOME TELEPHONE WORK TELEPHONE

Cell John L Wood [Signature]  
SIGNATURE OF OWNER(S) SIGNATURE OF OWNER(S)

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

\_\_\_\_\_  
ADDRESS OF AGENT, ATTORNEY, APPLICANT

\_\_\_\_\_  
HOME TELEPHONE WORK TELEPHONE

\_\_\_\_\_  
E-MAIL ADDRESS FAX NUMBER

Andy Brude / Applicant  
SIGNATURE OF AGENT, ATTORNEY, OR APPLICANT





**PLANNING AND INSPECTIONS DEPARTMENT**

**MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF AUGUST 20, 2024**

**TO: JOINT PLANNING BOARD**

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

**DATE: 8/20/2024**

**SUBJECT: CASE # ZON-24-0027: REZONING FROM A1 AGRICULTURAL  
DISTRICT TO R40A RESIDENTIAL DISTRICT OR TO A MORE  
RESTRICTIVE ZONING DISTRICT FOR ONE PARCEL COMPRISING  
1.95 +/- ACRES; LOCATED AT 4266 SIDS MILL RD, SUBMITTED BY  
LARRY EDWARDS (AGENT/OWNER).**

**ATTACHMENTS:**

Description

ZON-24-0027

Type

Backup Material

**REQUEST**

**Rezoning A1 to R40A**

Applicant requests a rezoning from A1 Agricultural District to R40A Residential District for approximately 1.95 +/- acres located at 4266 Sids Mill Rd, as shown in Exhibit "A". The parcel contains a single dilapidated storage building on the eastern portion of the parcel. The applicant intends to subdivide to create two lots, each with a manufactured home.

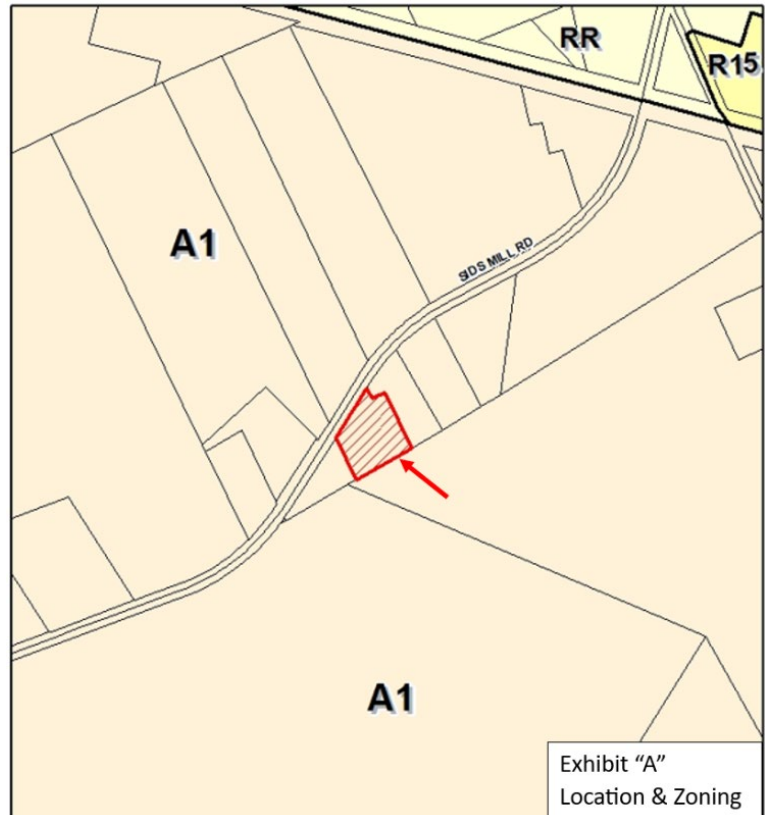
**PROPERTY INFORMATION**

**OWNER/APPLICANT:** Larry Edwards (Owner)

**ADDRESS/LOCATION:** Located at 4266 Sids Mill Rd, on the south side of Sids Mill Road approximately 2,300 feet south of Old Vander Road. Refer to Exhibit "A", Location and Zoning Map. REID number(s): 0466734265000.

**SIZE:** Parcel 0466734265000 has approximately 1.95 +/- acres and 262 feet of street frontage and is 318 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.

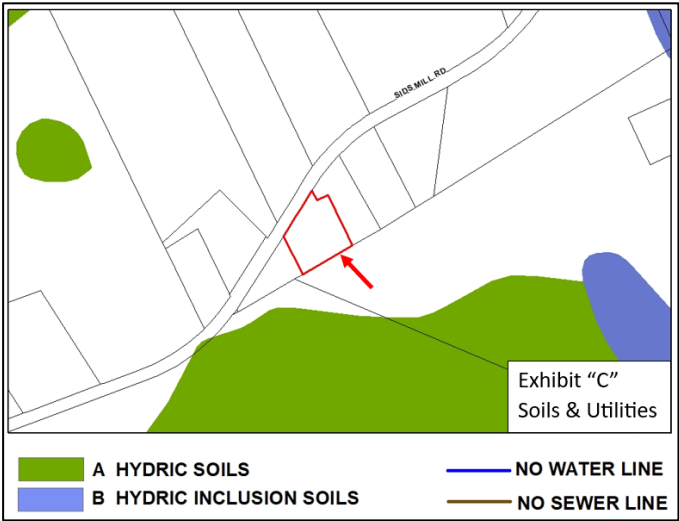


**EXISTING LAND USE:** The site has a dilapidated shed on the eastern side of the parcel with a portion to the south containing powerlines and the remainder being vacant.

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

- **North:** Farmland and Single-family Homes
- **East:** Woodlands, Farmland, and Single-family homes
- **West:** Farmland and Single-family homes
- **South:** Woodlands

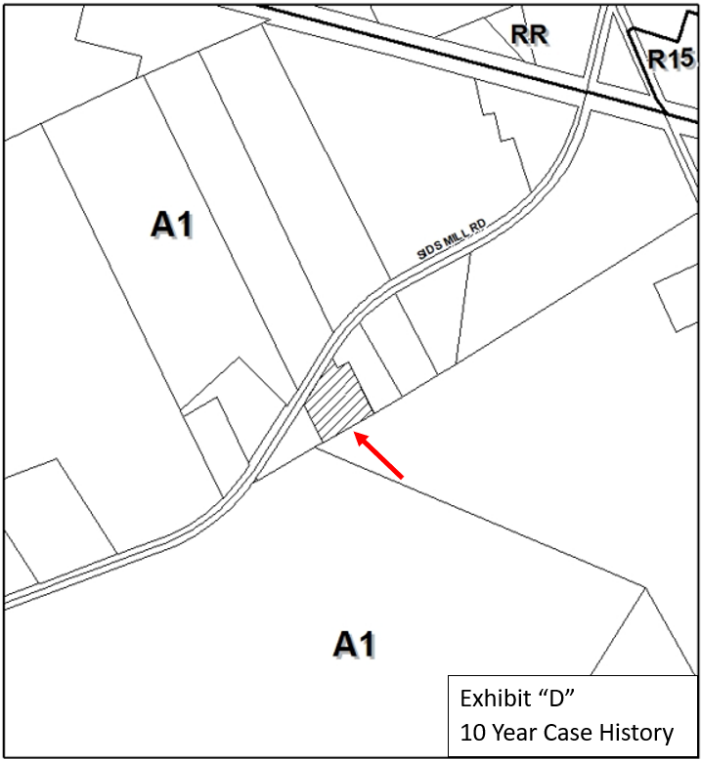
**OTHER SITE CHARACTERISTICS:** The site is not located in a Watershed Protection Area or within a Flood Zone Hazard Area. The subject property, as delineated in Exhibit “C”, illustrates hydric or hydric inclusion soils are not present on the property.



**TEN YEAR ZONE CASE HISTORY:**

Exhibit “D” denotes no zoning case history occurs on in the past ten years for property near the subject site.

**DEVELOPMENT REVIEW:** Should the request be approved, a preliminary plan will need to be submitted for review and approval to ensure conformance with the County Subdivision and Zoning Ordinances.



**DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:**

Minimum Standard	A1 (Existing Zoning)	R40A (Proposed Zoning)
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. ft.
Lot Width	100'	100'

**DEVELOPMENT POTENTIAL:**

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

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

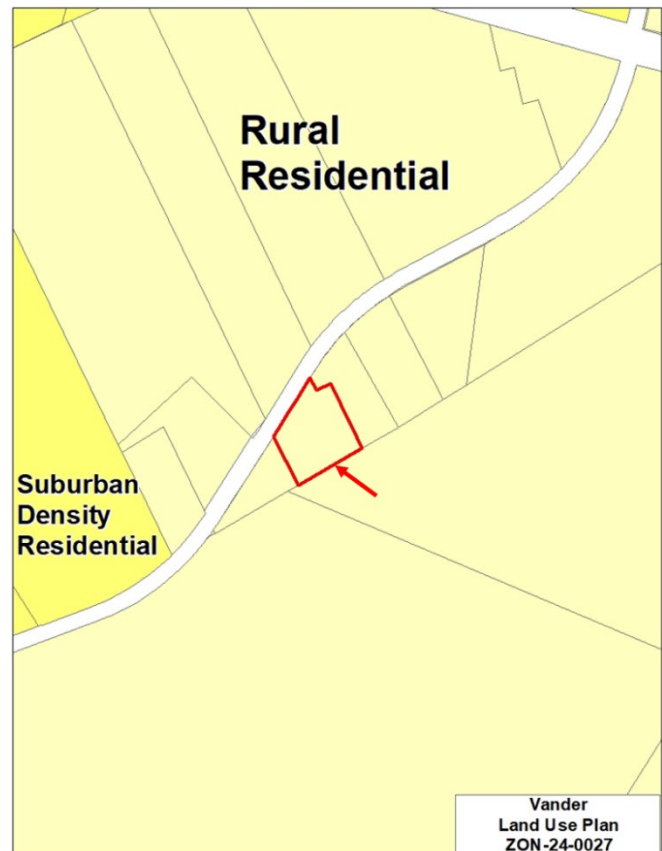
**COMPREHENSIVE PLANS:**

This property is located within the Vander Area Land Use Plan (2017). The future land use classification of the property is "Rural Residential". Associated zoning districts for Rural Residential are R40, R40A, & A1A.

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

Future Land Use Classification Development Goals:

- The intent of this classification (Rural Residential) is to ensure the Vander area is comprised of well-planned, aesthetic and pedestrian-friendly residential developments that offer a variety of housing choices to persons of a variety of age and income groups. (Vander Area Land Use Plan, page 38).

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

**UTILITIES:** No water or sewer utility lines are immediately available along the subject property as shown on Exhibit "C". The applicant will need to secure permits through Cumberland County Environmental Health prior to any construction.

**SCHOOLS CAPACITY/ENROLLMENT:**

School	Capacity	Enrollment
Seabrook Elem	267	275
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 objection to the proposal.

**SPECIAL DISTRICTS/ OVERLAY DISTRICTS:**

<b>Special Districts</b>			
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 rezoning. There are no conditions proposed at this time.

**STAFF RECOMMENDATION**

In Case ZON-24-0027, Planning and Inspections staff **recommends approval** of the rezoning request from A1 Agricultural District to R40A Residential District. Staff finds that the request is consistent with the Vander Area Land Use Plan which calls for "Rural 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



STRICKLAND, GARY L II  
4298 SIDS MILL RD  
FAYETTEVILLE, NC 28312

JOHNSON, MIRIAM ROSE  
668 OLD VANDER RD  
FAYETTEVILLE, NC 28312

CARTER, GALINA  
4089 SIDS MILL RD  
FAYETTEVILLE, NC 28312

CARTER, GALINA  
4089 SIDS MILL RD  
FAYETTEVILLE, NC 28312

SMITH, WENDELL C.;SMITH, JULIE M.  
4335 SIDS MILL RD  
FAYETTEVILLE, NC 28312

GUY, SHIRLEY ANN  
4274 SIDS MILL RD  
FAYETTEVILLE, NC 28312

CARTER, GALINA  
4089 SIDS MILL RD  
FAYETTEVILLE, NC 28312

SMITH, GEORGE SCOTT;SMITH, MELISSA  
4225 SIDS MILL RD  
FAYETTEVILLE, NC 28312

SMITH, GEORGE SCOTT;SMITH, MELISSA  
HORNE  
4225 SIDS MILL RD  
FAYETTEVILLE, NC 28312

SMITH, GEORGE SCOTT;SMITH, MELISSA  
HORNE  
4225 SIDS MILL RD  
FAYETTEVILLE, NC 28312

SMITH, DUANE ASHFORD;SMITH, BETTY  
SCOGGINS  
4340 SIDS MILL RD  
FAYETTEVILLE, NC 28312

CARTER, GALINA  
4089 SIDS MILL RD  
FAYETTEVILLE, NC 28312

SMITH, DUANE A.  
4340 SIDS MILL RD  
FAYETTEVILLE, NC 28312

EDWARDS, LARRY  
5222 ACE CT  
PARKTON, NC 28371



## ATTACHMENT: APPLICATION



CASE #:	_____
PLANNING BOARD MEETING DATE:	Aug 20 <sup>th</sup> , 2024
DATE APPLICATION SUBMITTED:	July 9 <sup>th</sup> , 2024

### 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 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*.

Historic Cumberland County Courthouse • 130 Gillespie St. – Post Office Box 1829 • Fayetteville, North Carolina 28301 (910) 678-7690 • Fax: (910) 678-7631

**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 ~~A1A~~ R 40A <sup>LOE</sup>
2. Address of Property to be Rezoned: 4266 Sid Mill Rd Fayetteville, NC 28312
3. Location of Property, details: lot located on left after turning  
on Sidmill Rd
4. Parcel Identification Number (PIN #) of subject property: \_\_\_\_\_  
(also known as Tax ID Number or Property Tax ID)
5. Acreage: 1.95 AC Frontage: 265 ft Depth: 327 ft
6. Water Provider: Well: ☒ PWC: \_\_\_\_\_ Other (name): \_\_\_\_\_
7. Septage Provider: Septic Tank ☒ PWC \_\_\_\_\_
8. Deed Book 7682, Page(s) 0251, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: \_\_\_\_\_
10. Proposed use(s) of the property: proposed manufactured  
home on 2 lots once subdivided
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.

Larry Edwards  
NAME OF OWNER(S) (PRINT OR TYPE)

5222 Ace Ct Parkton, NC 28371  
ADDRESS OF OWNER(S)

910-224-4701 910-224-7401  
HOME TELEPHONE # WORK TELEPHONE #

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

\_\_\_\_\_  
ADDRESS OF AGENT, ATTORNEY, APPLICANT

michele.edwards1964@gmail.com  
E-MAIL

\_\_\_\_\_  
HOME TELEPHONE #

\_\_\_\_\_  
WORK TELEPHONE #

Larry D. Edwards  
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 AUGUST 20, 2024**

**TO: JOINT PLANNING BOARD**

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

**DATE: 8/20/2024**

**SUBJECT: CASE # ZON-24-0023: REZONING FROM R6A RESIDENTIAL DISTRICT  
TO RR RURAL RESIDENTIAL DISTRICT OR TO A MORE  
RESTRICTIVE ZONING DISTRICT FOR TWO PARCELS  
COMPRISING 3.74 +/- ACRES; LOCATED AT 393 BROOKLYN CIRCLE  
AND 209 HULON STREET, SUBMITTED BY MICHAEL ADAMS  
(AGENT) ON BEHALF OF GUILLERMO ROMO (OWNER).**

**ATTACHMENTS:**

Description

ZON-24-0023

Type

Backup Material



PLANNING STAFF REPORT  
**REZONING CASE # ZON-24-0023**  
Planning Board Meeting: July 16, 2024

**Location: 393 Brooklyn Cir. & 209 Hulon St.**  
**Jurisdiction: County-Unincorporated**

**REQUEST**

**Rezoning R6A to RR**

Applicant requests a rezoning from R6A Residential District to RR Rural Residential District for two parcels containing a total of 3.74 +/- acres located at 393 Brooklyn Circle and 209 Hulon Street, with access available via Brooklyn Circle, as shown in Exhibit "A". The parcel holding the address 393 Brooklyn Circle currently contains a single-family residence; the parcel holding the address 209 Hulon Street is currently occupied with a manufactured home. The intent of the request is for the owner to apply for a Special Use Permit via the Board of Adjustment (BOA) for a Recreational Vehicle (RV) Park if the rezoning is approved.

**PROPERTY INFORMATION**

**OWNER/APPLICANT:** Guillermo Romo (Owner);  
MAPS Surveying Inc., Mike Adams (Agent)

**ADDRESS/LOCATION:** Located at 393 Brooklyn Circle and 209 Hulon Street. Refer to Exhibit "A", Location and Zoning Map. REID numbers: 0423294621000 and 0423297795000.

**SIZE:** The parcels contain approximately 3.74 +/- combined acres. Road frontage along Brooklyn Circle is 202 +/- feet. The property is approximately 810 +/- feet in length at its combined deepest point.

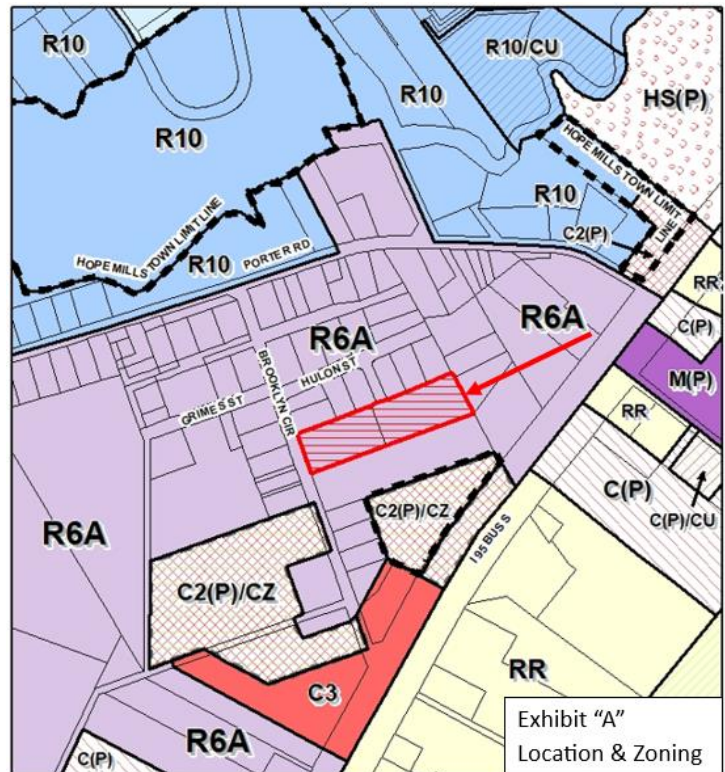
**EXISTING ZONING:** The subject parcels are zoned R6A Residential District. The R6A Residential district is designed to allow for a mix of single- and multi-family dwellings, including the use of manufactured homes on individual lots and in manufactured home parks.

**EXISTING LAND USE:** The subject parcel is currently occupied by single family and manufactured homes. Exhibit "B" shows the existing use of the subject property.

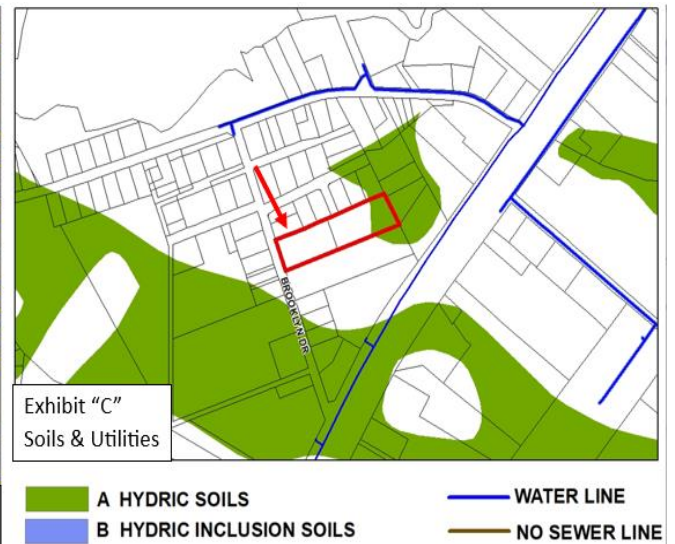
**SURROUNDING LAND USE:** Exhibit "B" illustrates the following:

- **North:** Single-family homes, wooded lands, and manufactured homes
- **East:** Single-family homes and wooded lands
- **West:** Wooded lands, single-family homes
- **South:** Trade contractor office with open storage

**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 on a portion of the easternmost parcel. There are no hydric inclusion soils at the property.







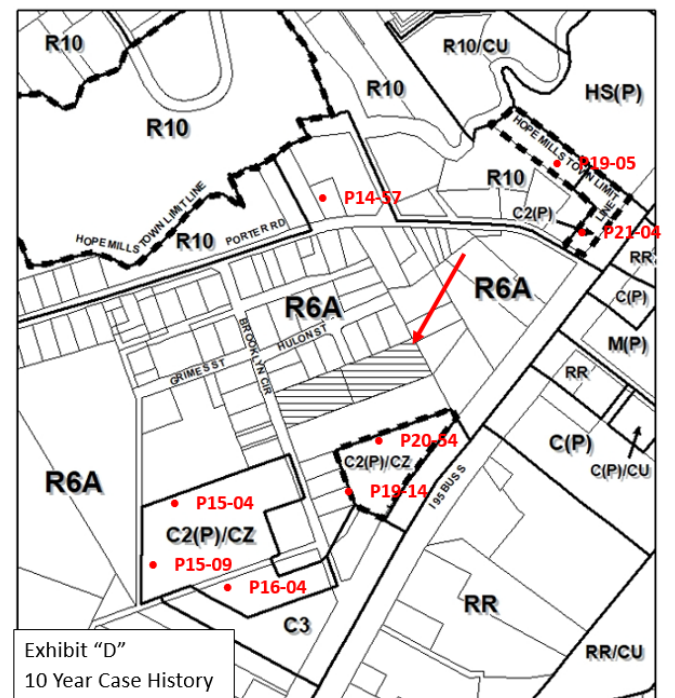
### TEN YEAR ZONE CASE HISTORY:

The following zoning cases appear in the area over the last ten-year period, as demonstrated in "Exhibit D":

- **P14-57:** Approved; R6A to R10
- **P15-04:** Approved; R6A to C2(P)/CZ
- **P15-09:** Approved; R6A to C2(P)/CZ (Modification of P15-04)
- **P16-04:** Approved; R6A to C2(P)/CZ
- **P19-05:** Approved; R10 to C2(P)/CZ
- **P19-14:** Approved; R6A & C3 to C2(P)/CZ
- **P20-54:** Approved; INT to C2(P)/CZ
- **P21-04:** Approved; C2(P)/CZ to C2(P)

### DEVELOPMENT REVIEW:

Should the request to rezone be approved and the intent remains to place an RV Park on the property, a Special Use approval must be obtained from the County Board of Adjustment before the site can be used for RV Park activities. As part of the Special Use review process, the BOA may impose reasonable conditions on the use of the property to assure compatibility with the character of the surrounding area. If the BOA denies a Special Use request, the site will be subject to the standards and uses controlled by the underlying zoning.



### DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

Minimum Standard	R6A (Existing)	RR (Proposed)
Front Yard Setback	25 feet	30 feet
Side Yard Setback	12 feet	15 feet
Rear Yard Setback	15 feet	35 feet
Lot Area	6,000 sq. feet	20,000 sq. feet
Lot Width	60 feet	100 feet



### Development Potential:

Existing Zoning (R6A)	Proposed Zoning (RR)
27 dwelling units	8 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.

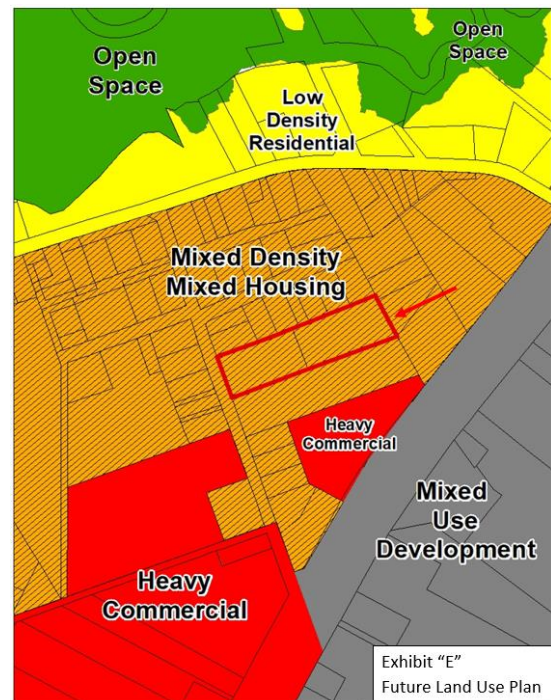
### COMPREHENSIVE PLANS:

The subject parcels are located in the Southwest Cumberland Land Use Plan (2013) area. The future land use classification of the property is "Medium Density Mixed Housing". Associated zoning district for this classification is R6A.

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

Future Land Use Classification Development Goals:

- Maintain the stability, character, and density of existing sound neighborhoods (Southwest Cumberland Land Use Plan, p.135).
- Protect existing residential areas from encroachment of non-residential uses (Southwest Cumberland Land Use Plan, p.135).
- 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, p.136).



### 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 water or sewer system.

**TRAFFIC:** The subject properties sit on both Brooklyn Circle and Hulon Street; both are identified as local roads 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. Neither Brooklyn Circle nor Hulon Street have 2021 AADT or road capacity data available. Due to the 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 Brooklyn Circle nor Hulon Street.

### SCHOOLS CAPACITY/ENROLLMENT:

School	Capacity	Enrollment
Gallberry Farm Elementary	884	876
South View Middle	847	650
South View High	1871	1599

**ECONOMIC DEVELOPMENT:** Fayetteville Cumberland County Economic Development Corporation has reviewed the request and offered no objections to the proposed rezoning.

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

**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

The subject parcels are within the Hope Mills 10-Year Municipal Influence Area. The Town of Hope Mills advises that should the applicant request to extend existing water or sewer lines, an annexation petition may need to occur at that time.

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

<b>STAFF RECOMMENDATION</b>
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In Case ZON-24-0023, Planning and Inspections staff **recommends denial** of the rezoning request from R6A Residential District to RR Rural Residential District. Staff finds the request is not consistent with the Southwest Cumberland Land Use Plan which calls for "Medium Density Mixed Housing" 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

ELDRIDGE, PHILLIP M;ELDRIDGE, S  
P O BOX 206  
INDIAN LAKE, NY 12842

MARTIN, DANIEL GREGORY  
6309 HUNTINGRIDGE RD  
CHAPEL HILL, NC 27517

MARTIN, DANIEL GREGORY  
6309 HUNTINGRIDGE RD  
CHAPEL HILL, NC 27517

WARREN, MARQUITTA;WARREN, T  
1911 WORDSWORTH DR  
FAYETTEVILLE, NC 28304

DAVIS, SANDRA  
5325 BAYLEAF DR  
FAYETTEVILLE, NC 28304

WARREN, MARQUITTA;WARREN, T  
1911 WORDSWORTH DR  
FAYETTEVILLE, NC 28304

WARREN, MARQUITTA;WARREN, T  
1911 WORDSWORTH DR  
FAYETTEVILLE, NC 28304

KDM SOLO 401K TRUST ROTH-F  
PO BOX 58375  
FAYETTEVILLE, NC 28305

RAYNOR PROPERTY MANAGEMENT LLC  
3137 BOLIVIA ST  
FAYETTEVILLE, NC 28306

NAVE, COLIN T  
4709 BUTLER NURSERY RD  
FAYETTEVILLE, NC 28306

POLLITT, THOMAS R  
PO BOX 65344  
FAYETTEVILLE, NC 28306

RATLEY, BARBARA  
4018 BAMMEL DR  
FAYETTEVILLE, NC 28306

POLLITT, THOMAS R  
PO BOX 65344  
FAYETTEVILLE, NC 28306

BARRETT, DEBORAH  
2634 PHOENICIAN DR  
FAYETTEVILLE, NC 28306

HALL, ROBIN CULBRETH  
5690 ELWOOD DR  
FAYETTEVILLE, NC 28306

POLLITT, THOMAS R  
PO BOX 65344  
FAYETTEVILLE, NC 28306

JACOBS, TAD PHILLIP  
4715 MARRACCO DR  
HOPE MILLS, NC 28348

FELTON, ELEANOR B;ELAINE, B  
201 BROOKLYN CIR  
HOPE MILLS, NC 28348

MELVIN, PAUL GERALD;MELVIN, P  
4378 CALHOUN ST  
HOPE MILLS, NC 28348

HAMMOND, LARRY;OLIVER, PEGGIE G  
404 BROOKLYN CIR  
HOPE MILLS, NC 28348

DSI PROPERTIES LLC  
4830 S US 301 HWY  
HOPE MILLS, NC 28348

DSI PROPERTIES LLC  
4830 S US 301 HWY  
HOPE MILLS, NC 28348

FELTON, ELEANOR B  
201 BROOKLYN CIR  
HOPE MILLS, NC 28348

PORTER, KENNETH W;PORTER, EVELYN  
PO BOX 884  
HOPE MILLS, NC 28348

DSI PROPERTIES LLC  
4830 S US 301 HWY  
HOPE MILLS, NC 28348

ROMO, GUILLERMO ZERMENO  
393 BROOKLYN CIR  
HOPE MILLS, NC 28348

LOCKLEAR, RONALD CRAIG;LOCKLEAR,  
TALESIA L  
358 GRIMES ST  
HOPE MILLS, NC 28348

JACOBS, LUBERTA  
4680 S US 301 HWY  
HOPE MILLS, NC 28348

HOG COUNTRY LLC  
4772 S US 301 HWY  
HOPE MILLS, NC 28348

TOW, ERIC KYLE  
318 GRIMES ST  
HOPE MILLS, NC 28348

PORTER, KENNETH W;PORTER, EVELYN  
PO BOX 884  
HOPE MILLS, NC 28348

BARNHILL, TONY SHANE;BARNHILL, C  
241 HULON ST  
HOPE MILLS, NC 28348

ROMO, GUILLERMO ZERMENO  
393 BROOKLYN CIR  
HOPE MILLS, NC 28348

PONE, GERALD;PONE, BROXIE  
4634 S US 301 HWY  
HOPE MILLS, NC 28348

HAYES, CHARLES N;TONYA, D  
3033 THROWER RD  
HOPE MILLS, NC 28348

ELDRIDGE, PHILLIP M;ELDRIDGE, S  
185 BROOKLYN CIR  
HOPE MILLS, NC 28348

ROMO, GUILLERMO ZERMENO  
393 BROOKLYN CIR  
HOPE MILLS, NC 28348

CORNEY, ELISHA TATE;CORNEY, LESLIE  
4423 MARRACCO DR  
HOPE MILLS, NC 28348

GORUM, PATRICIA LEE  
419 BROOKLYN CIR  
HOPE MILLS, NC 28348

HALLSBORO CONSTRUCTION CO INC  
4705 MARRACCO DR  
HOPE MILLS, NC 28348

PORTER, KENNETH W;PORTER, EVELYN  
PO BOX 884  
HOPE MILLS, NC 28348

PORTER, KENNETH W;PORTER, EVELYN  
PO BOX 884  
HOPE MILLS, NC 28348

LOCKLEAR, JOSHUA QUINTON;  
LOCKLEAR, TEJAY S  
438 BROOKLYN CIR  
HOPE MILLS, NC 28348

DSI PROPERTIES LLC  
4830 S US 301 HWY  
HOPE MILLS, NC 28348

HALLSBORO CONSTRUCTION INC  
4705 MARRACCO DR  
HOPE MILLS, NC 28348

ROMO, GUILLERMO ZERMENO  
393 BROOKLYN CIR  
HOPE MILLS, NC 28348

JACKSON, STEPHEN CRAIG;HAYES, TONYA  
DENISE;JACKSON, TIMOTHY MICHAEL;JACKSON,  
TARA JEAN  
233 BROOKLYN CIR  
HOPE MILLS, NC 28348

HOBBS, RITA BLACKWELL;HOBBS, M  
251 HULON ST  
HOPE MILLS, NC 28348

JACOBS, LUBERTA  
4680 S US 301 HWY  
HOPE MILLS, NC 28348

DSI PROPERTIES LLC  
PO BOX 385  
HOPE MILLS, NC 28348

DSI PROPERTIES LLC  
4830 S US 301 HWY  
HOPE MILLS, NC 28348

PONE, GERALD;PONE, BROXIE P  
4634 S US 301 HWY  
HOPE MILLS, NC 28348

ROMO, GUILLERMO ZERMENO  
393 BROOKLYN CIR  
HOPE MILLS, NC 28348

ROMO, GUILLERMO ZERMENO  
393 BROOKLYN CIR  
HOPE MILLS, NC 28348

GILMORE, CALVIN CURTIS;GILMORE, B  
449 BROOKLYN CIR  
HOPE MILLS, NC 28348

PORTER, KENNETH W;PORTER, EVELYN  
PO BOX 884  
HOPE MILLS, NC 28348

LOCKLEAR, DONNA LYNN JACOBS  
4680 S US 301 HWY  
HOPE MILLS, NC 28348

LOCKLEAR, RONALD CRAIG;LOCKLEAR,  
T  
358 GRIMES ST  
HOPE MILLS, NC 28348

IDECOR PROPERTIES LLC  
173 BROOKLYN CIR  
HOPE MILLS, NC 28348

PORTER, KENNETH WARE;PORTER, E  
PO BOX 884  
HOPE MILLS, NC 28348

BRIDGES, JEROME A  
259 HULON ST  
HOPE MILLS, NC 28348

GILMORE, CALVIN CURTIS;GILMORE, B  
449 BROOKLYN CIR  
HOPE MILLS, NC 28348

CORNEY, ELISHA TATE;LESLIE, WOLFE  
522 WEST MCLEAN ST  
ST PAULS, NC 28384

ELLIS, JEAN HAMP  
2544 SW BROOKFIELD LN  
SUPPLY, NC 28462

GRIMES, DAVID E JR  
429 4TH ST  
SUNSET BEACH, NC 28468

APONTE, MIKE;GOOD, KATHERINE  
200 SE BUTLER GLEN  
LAKE CITY, FL 32025

WRAY, WILLIAM C;WRAY, ROSEMARY  
2340 PICKENS PL  
THE VILLAGES, FL 32162

SUDDEN SERVICE INC  
649 N CHURCH AVE  
LOUISVILLE, MS 39339

SUDDEN SERVICE INC  
649 N CHURCH AVE  
LOUISVILLE, MS 39339

EAGLETREE HOLDINGS LLC  
63 VIA PICO PLAZA #544  
SAN CLEMENTE, CA 92672

## ATTACHMENT: APPLICATION

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

The undersigned submit application and petition the County Commissioners to  
amend and change the Cumberland County zoning map as provided for in the  
Zoning Ordinance, Section 12.5. In support of this, the following is submitted:

Requested Rezoning from R6A to RR

Address of Property

Sought to be Rezoned 393 Brooklyn Circle / 205 Hixon St Hope Mills 28348  
Street Address or Route and Box # and Zip Code

Located on 965'± NW on Brooklyn Circle from Int of Brooklyn Cir + I-95 Bus  
General Directions to Site

Parcel Identification Number 0423294621000 / 0423297795000  
(Obtain from Tax Receipt or Office of the Tax Administrator – (910) 678-7567)

Lot(s)# \_\_\_\_\_ Frontage 202 feet Depth 810 feet Acreage 3.74

Existing Use of Property (Residential, commercial, etc.) \_\_\_\_\_  
Residential - Single Family

Proposed Use of Property RV Park

Water Provider: Well X PWC \_\_\_\_\_ Other (name) \_\_\_\_\_

Septage Disposal Provider: Septic Tank X PWC \_\_\_\_\_

Do you own any property adjacent to or across the street from this property?

Yes X No \_\_\_\_\_ If yes, where? 3 lots north of Parcel 0423297795000

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  
must accompany the deed and/or plat. If more than one zoning classification is  
requested, a correct metes and bounds legal description of each bounded area  
must be submitted.



The undersigned understand that the official zoning map, as originally adopted and subsequently amended, is presumed to be appropriate to the property involved and that the burden of proof for a zoning amendment (change) rests with the petitioner.

The undersigned acknowledge that this Application as submitted is accurate and correct.

Guillermo Zermeno Romo  
PRINTED OR TYPED NAME OF OWNER(S)

393 Brooklyn Circle Hope Mills NC 28348  
ADDRESS OF OWNER(S)

\_\_\_\_\_  
HOME TELEPHONE

910-286-1754  
WORK TELEPHONE

MAPS Surveying Inc (Michael J. Adams)  
PRINTED OR TYPED NAME OF APPLICANT, AGENT OR ATTORNEY

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

\_\_\_\_\_  
HOME TELEPHONE

910-484-6432  
WORK TELEPHONE

Guillermo Zermeno  
SIGNATURE OF OWNER

[Signature]  
SIGNATURE OF APPLICANT,  
AGENT OR ATTORNEY

**See Meeting Schedule to determine deadline for application submission.**



**PLANNING AND INSPECTIONS DEPARTMENT**

**MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF AUGUST 20, 2024**

**TO: JOINT PLANNING BOARD**

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

**DATE: 8/20/2024**

**SUBJECT: SUBDIVISION ORDINANCE UPDATE**