

Clarence Grier
County Manager

Sally Shutt
Assistant County
Manager



Rawls Howard
Director

David Moon
Deputy Director

CUMBERLAND COUNTY JOINT PLANNING BOARD

AGENDA September 17, 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
 - A. **CASE # ZON-24-0029: Rezoning from A1 Agricultural District to R7.5 Residential District or to a more restrictive zoning district for two parcels comprising 65.2 +/- acres; located east of Covington Lane, northwest of Interstate-95, and south of Wade Stedman Road and Main Street, submitted by Weeks Farm Inc. (Owner)**
 - B. **CASE # ZON-24-0035: Rezoning from RR Rural Residential District to R7.5 Residential District or to a more restrictive zoning district for two parcels comprising 5.00 +/- acres; located in the Town of Wade and abutting southside of Wade Stedman Road, approx. 1,050 feet east of Main Street, submitted by Weeks Farms Inc. (Owner) (Wade)**
 - C. **CASE # ZON-24-0033: Rezoning from A1 Agricultural District to R40A Residential District or to a more restrictive zoning district for one parcel comprising 2.00 +/- acres; located at 2388 Smith Road, submitted by Donna and Ebbie Quick (Owner).**

VIII. PUBLIC MEETING CONTESTED ITEMS

REZONING CASES

- D. **CASE # ZON-24-0030: Rezoning from A1 Agricultural District to RR Rural Residential District or to a more restrictive zoning district for one parcel comprising 77.22 +/- acres; located east of Sherrill Baggett Road, south of Interstate-95, north of Bend of River Road, submitted by Seth Thompson (Applicant) and Weeks Farm Inc (Owner).**

- E. CASE # ZON-24-0032: Initial zoning from A1 Agricultural District to C3 Heavy Commercial District or to a more restrictive zoning district for five non-contiguous parcels comprising 0.367 acres of a 107.35 +/- acre parcel; located in the Town of Falcon and abutting east side of Interstate-95 and south of Rhodes Pond Road, submitted by Robert & Tammy Dorman (Owner). (Falcon)**

IX. PUBLIC MEETING ITEM

X. DISCUSSION

XI. ADJOURNMENT

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



PLANNING AND INSPECTIONS DEPARTMENT

MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF SEPTEMBER 17, 2024

TO: JOINT PLANNING BOARD

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

DATE: 9/17/2024

**SUBJECT: CASE # ZON-24-0029: REZONING FROM A1 AGRICULTURAL
DISTRICT TO R7.5 RESIDENTIAL DISTRICT OR TO A MORE
RESTRICTIVE ZONING DISTRICT FOR TWO PARCELS
COMPRISING 65.2 +/- ACRES; LOCATED EAST OF COVINGTON LANE,
NORTHWEST OF INTERSTATE-95, AND SOUTH OF WADE STEDMAN
ROAD AND MAIN STREET, SUBMITTED BY WEEKS FARM INC.
(OWNER)**

ATTACHMENTS:

Description

ZON-24-0029

Type

Backup Material

Location: Northwest of I-95, South of intersection of Wade Stedman Rd and Covington Ln
Jurisdiction: County-Unincorporated

REQUEST

Rezoning A1 to R7.5

Applicant requests a rezoning from A1 Agricultural District to R7.5 Residential District for approximately 65.20 +/- acres located east of Covington Lane, northwest of Interstate-95, and south of Wade Stedman Road and Main Street, as shown in Exhibit "A". The properties are currently vacant farmland with no existing structures. The owner intends to subdivide the property for residential development. Parcels abutting the northern property line are located within the Town of Wade, are owned by the same property owner as this zoning case and are addressed under rezoning Case ZON-24-0035 for the Town of Wade.

PROPERTY INFORMATION

OWNER/APPLICANT: Weeks Farms Inc.
(Owner)

ADDRESS/LOCATION: Located on the east side of Covington Lane, northwest of Interstate-95 and generally south of Wade Stedman Road and Main Street. Refer to Exhibit "A", Location and Zoning Map. REID number(s): 0581225499000 and a small portion of the southern area of REID 0581231844000, all located in unincorporated Cumberland County.

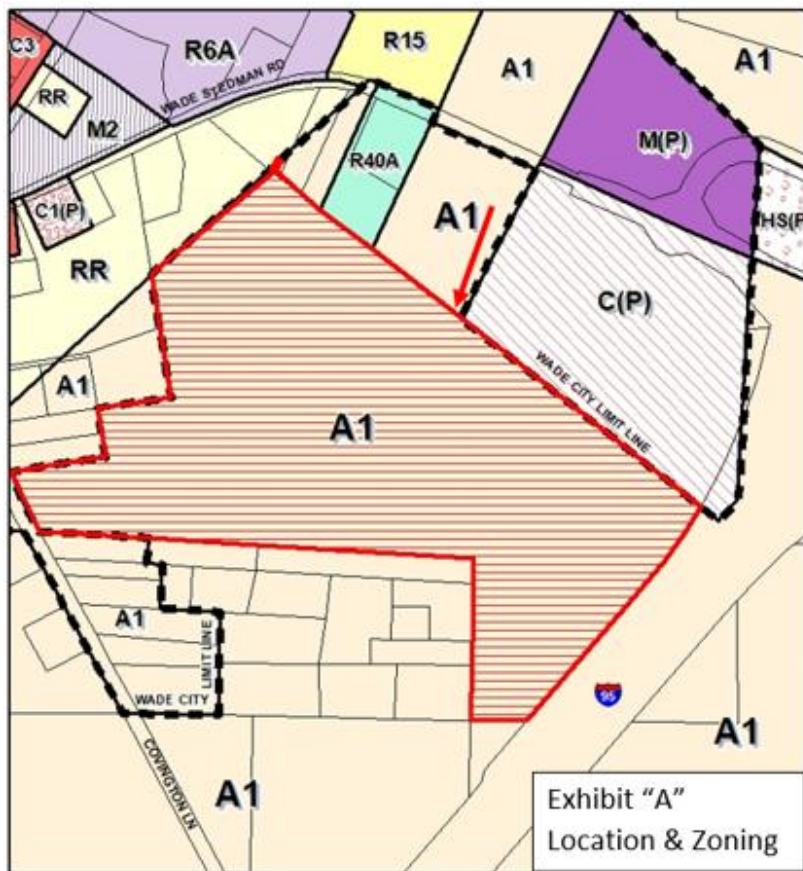
SIZE: Parcel 0581225499000 and a portion of 0581231844000 has approximately 65.20 +/- acres and 270 feet of street frontage and is 2,760 feet +/- in length at its deepest point.

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 is currently farmland with no structures located on it.

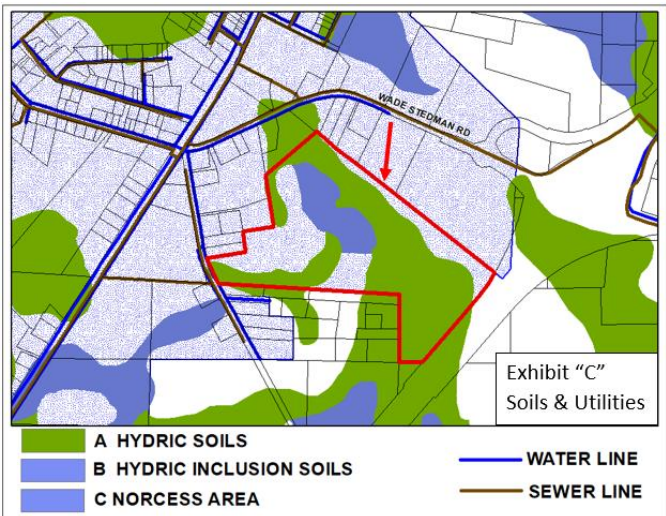
SURROUNDING LAND USE: Exhibit "B" illustrates the following:

- **North:** Farmland and single-family Homes
- **South:** Woodlands, single-family homes and I-95



- **East:** Woodlands, single-family homes and I-95
- **West:** Farmland, woodlands and S-F homes

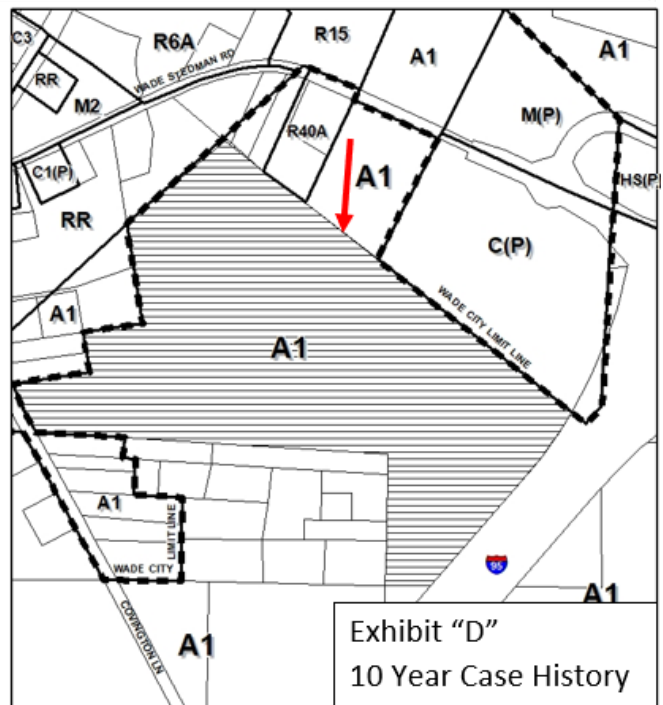
OTHER SITE CHARACTERISTICS: The site is located in the Cape Fear River Watershed Protection Area, but it is not within a Flood Zone Hazard Area. The subject property, as delineated in Exhibit "C", illustrates hydric and hydric inclusion soils are present on the property.



TEN YEAR ZONE CASE HISTORY:

Exhibit "D" denotes no zoning case history that has occurred 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)	R7.5 (Proposed Zoning)
Front Yard Setback	50 feet	30 feet
Side Yard Setback	20 feet	10 feet
Rear Yard Setback	50 feet	35 feet
Lot Area	2 Acres	7,500 sq. ft.
Lot Width	100'	75'

DEVELOPMENT POTENTIAL:

Existing Zoning (A1)	Proposed Zoning (R7.5)
33 dwelling units	379 dwelling units

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

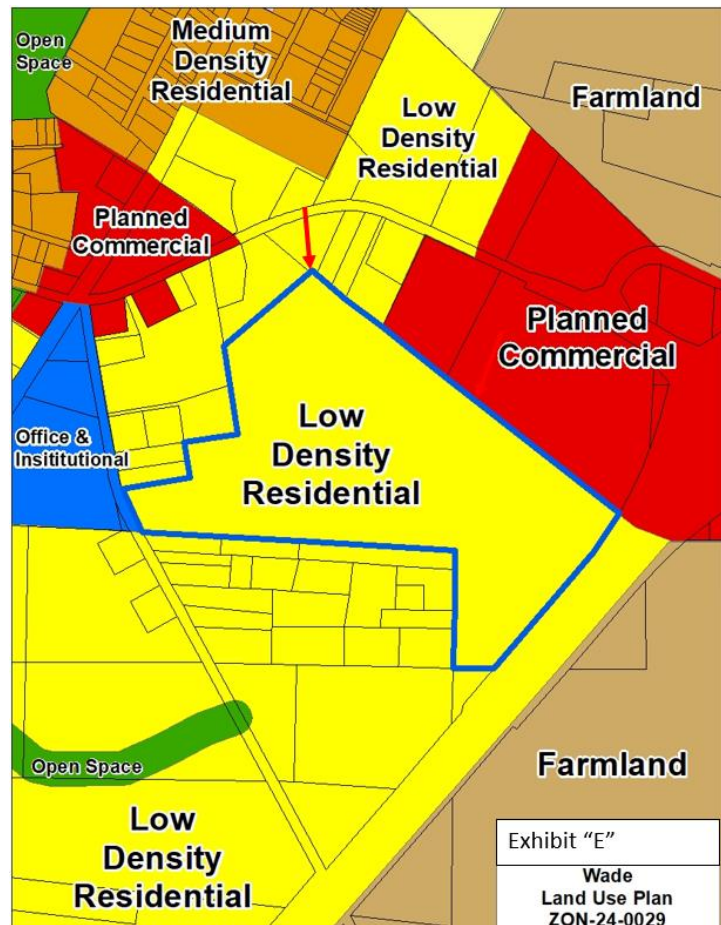
COMPREHENSIVE PLANS:

This property is located within the Wade Area Detailed Land Use Plan (2003). The future land use classification of the property is "Low Density Residential". Associated zoning districts for Low Density Residential are R10 (corresponding to R7.5), R15, and R15A.

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

FUTURE LAND USE CLASSIFICATION Development Goals and Notes:

- Provide attractive, affordable, and safe housing for residents in the Area, offering a wide range of housing types and prices that meet the needs of the residents and are compatible with the existing housing stock (Wade Study Area Detailed Land Use Plan 2003, p. 45)
- Provide an opportunity for residential development that would be compatible with the rural areas of the Study Area (Wade Study Area Detailed Land Use Plan 2003, p. 45).
- Provide adequate economic development opportunities for residential, commercial and industrial development that is dynamic, diverse and capable of providing a full range of economic and business opportunities within the Study Area (Wade Study Area Detailed Land Use Plan 2003, p. 46).



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: Water and sewer utility lines are immediately available along the subject property as shown on Exhibit "C". The water line is provided via the Town of Wade, and the sewer line is provided by NORCRESS. The applicant will need to coordinate to determine if these utility lines will be extended and connected to serve the development. The subject property is located within the NORCRESS sewer utility area.

SCHOOLS CAPACITY/ENROLLMENT:

School	Capacity	Enrollment
District 7 Elementary	307	195
Mac Williams Middle	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:

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

n/a – not applicable

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

STAFF RECOMMENDATION

In Case ZON-24-0029, Planning and Inspections staff **recommends approval** of the rezoning request from A1 Agricultural District to R7.5 Residential District. Staff finds that the request is consistent with the Wade Area Detailed Land Use Plan which calls for "Low Density Residential" at this location. Staff also finds that the request is reasonable and in the public interest as it is compatible to and in harmony with the surrounding land use activities and zoning.

Attachments:
Notification Mailing List
Application

ATTACHMENT – MAILING LIST

DAUGHTRY, SANDRA U	4069 CHURCH ST	WADE, NC 28395
STEDMAN-WADE HEALTH SERVICES INC	7118 MAIN ST	WADE, NC 28395
DIXON, NANCY C.;WEAVER, JENNIFER LYNN	7036 MAIN ST	WADE, NC 28395
WEEKS FARMS INC	PO BOX 787	DUNN, NC 28335
LONG, DOROTHY ANN LIFE ESTATE	PO BOX 159	WADE, NC 28395
REGISTER, LORIE DENISE JONES;REGISTER, DOUGLAS EARL	192 BEARS LN	DUNN, NC 28334
NC DEPARTMENT OF TRANSPORTATION	1546 MAIL SERVICE CENTER	RALEIGH, NC 27611
MCPHAIL, VIOLA;MCPHAIL, PERTRILLA	8974 N DEER MEADOW DR	HOUSTON, TX 77071
HARVEY, RAY G	3540 RICH WALKER RD	WADE, NC 28395
BARNES, LUTHER CURTIS JR	6713 WADE STEDMAN RD	WADE, NC 28395
LONG, DOROTHY ANN LIFE ESTATE	PO BOX 159	WADE, NC 28395
COPELAND, DOUGLAS N;COPELAND, DEBRA B	7114 COVINGTON LN	WADE, NC 28395
TOWN OF WADE	PO BOX 127	WADE, NC 28395
BREECE, NORMAN A	6930 PARADISE RD 1064	LAS VEGAS, NV 89119
BULLARD, GEORGE EDMUND;BULLARD, RUBY WARREN	882 THREE WOOD DR	FAYETTEVILLE, NC 28312
LAKETREE INC	PO BOX 766	SPRING LAKE, NC 28390
WEEKS FARMS INC	PO BOX 787	DUNN, NC 28335
WEEKS FARMS INC	PO BOX 787	DUNN, NC 28335
DAUGHTRY, CORDIE	4069 CHURCH ST	WADE, NC 28395
LAKETREE INC	PO BOX 766	SPRING LAKE, NC 28390
LEE, ROBERT DEAN JR;LEE, DIANA EVA MOSLEY	4120 BROKEN WING DR	WADE, NC 28395
SMITH, LOU IRENE HEIRS	6930 PARADISE RD	LAS VEGAS, NV 89119
HOUSE, DONALD RAY	7110 COVINGTON LN	WADE, NC 28395
DAUGHTRY, SANDRA U	4069 CHURCH ST	WADE, NC 28395
MCKEITHAN, HENRY HEIRS	3604 PINE LKW SE PR 2	FAYETTEVILLE, NC 28311
BARNES, LUTHER CURTIS JR	6713 WADE STEDMAN RD	WADE, NC 28395
DIXON, NANCY C.;WEAVER, JENNIFER LYNN	7036 MAIN ST	WADE, NC 28395
WEEKS FARMS INC	PO BOX 787	DUNN, NC 28335
LOVICK, CRAIG MORRIS;LOVICK, DIANE WALKER	PO BOX 118	WADE, NC 28395
WADE BAPTIST CHURCH INC	PO BOX 340	WADE, NC 28395
TOWN OF WADE	PO BOX 127	WADE, NC 28395
TOWN OF WADE	PO BOX 127	WADE, NC 28395
LAKETREE INC	PO BOX 766	SPRING LAKE, NC 28390
BREECE, NORMAN	6930 PARADISE RD 1064	LAS VEGAS, NV 89119
DAUGHTRY, SANDRA U	PO BOX 242	WADE, NC 28395
BANSAL, SHIVRAJ	6568 WADE STEDMAN RD	WADE, NC 28395
SHIVA REAL ESTATE LLC	6569 WADE STEDMAN ROAD	WADE, NC 28395
BULLARD, GEORGE EDMUND III;BULLARD, RUBY WARREN	882 THREE WOOD DR	FAYETTEVILLE, NC 28312
LEE, ROBERT D SR	4120 BROKEN WING DR	WADE, NC 28395

BREECE, ETTA LEE	PO BOX 383	WADE, NC 28395
MONK, RUTH I	6429 LIVINGSTON RD 301	OXON HILL, MD 20745
DUKE ENERGY PROGRESS INC	PO BOX 1551	RALEIGH, NC 27602
STEDMAN WADE HEALTH SERVICES I	PO BOX 86	WADE, NC 28395
BREECE, NORMAN A	6930 PARADISE RD 1064	LAS VEGAS, NV 89119
GENERATIONAL INVESTMENT LLC	75 COLUMBIA AVE	CEDARHURST, NY 11516
WELLONS, WILLIAM S JR	PO BOX 766	SPRING LAKE, NC 28390
AUTRY, LESTER HEIRS	4098 MAGNOLIA PL	DIBERVILLE, MS 39540
ARREDONDO, MANUEL	7100 COVINGTON LN	WADE, NC 28395
DAUGHTRY, SANDRA U	PO BOX 242	WADE, NC 28395
DIXON, NANCY C.;WEAVER, JENNIFER LYNN	7036 MAIN ST	WADE, NC 28395
LOVICK, CRAIG MORRIS;LOVICK, DIANE WALKER	6729 WADE STEDMAN RD	WADE, NC 28395
RIDDLE, JOSEPH P III	PO BOX 53729	FAYETTEVILLE, NC 28305
WASHINGTON, DWIGHT D	7261 CLARA ST	WADE, NC 28395
LEE, ROBERT DEAN JR;LEE, DIANA EVA MOSLEY	4120 BROKEN WING DR	WADE, NC 28395
LONG, DOROTHY ANN LIFE ESTATE	PO BOX 159	WADE, NC 28395
MCKEITHAN, GLENN M	1402 MINGARY AVE	FAYETTEVILLE, NC 28306
TART AND TART INC	PO BOX 8	DUNN, NC 28335
BREECE, NORMAN A	6930 PARADISE RD 1064	LAS VEGAS, NV 89119
DAUGHTRY, SANDRA U	4069 CHURCH ST	WADE, NC 28395
LAKETREE INC	PO BOX 766	SPRING LAKE, NC 28390
MUZQUIZ, ELIZABETH ANN GUY	7122 COVINGTON ST	WADE, NC 28395
JOHNSON, LARRY E;JOHNSON, JOANN L	6855 WADE STEDMAN RD	WADE, NC 28395
MATHIS, JANIS PATRICIA;ROBINSON-CARTER, NICHOLAS FREEDOM	422 PERTH ST	FAYETTEVILLE, NC 28314

ATTACHMENT: APPLICATION



CASE #: _____

PLANNING BOARD
MEETING DATE: _____

DATE APPLICATION
SUBMITTED: _____

APPLICATION FOR REZONING REQUEST CUMBERLAND COUNTY ZONING ORDINANCE

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

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

Rezoning Procedure:

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

The Planning & Inspections Staff will advise on zoning options, inform applicants of development requirement and answer questions regarding the application and rezoning process. For further questions, call (910)678-7627 or (910)678-7609. Hours of operation are 8:00 a.m. to 5:00 p.m., Monday through Friday.

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

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

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

1. Requested Rezoning from A1 to R7.5
2. Address of Property to be Rezoned: Covington Lane
3. Location of Property, details: South of the intersection of Wade Stedman Rd & Covington Ln.
The property also is adjacent to I-95
4. Parcel Identification Number (PIN #) of subject property: 0581225499000 minus the ~0.1 ac portion on the west side of Covington Ln. Includes 0.1 ac of 058123184400 per description
(also known as Tax ID Number or Property Tax ID)
5. Acreage: 65.2 Frontage: 270' Depth: 2,760'
6. Water Provider: Well: _____ PWC: _____ Other (name): Town of Wade
7. Septage Provider: Septic Tank _____ PWC Town of Wade
8. Deed Book 2720, Page(s) 269, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: farm land
10. Proposed use(s) of the property: single family residential
11. Do you own any property adjacent to or across the street from this property?
Yes X No _____ If yes, where? north of subject parcel
12. Has a violation been issued on this property? Yes _____ No X

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

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

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

Weeks Farms Inc
NAME OF OWNER(S) (PRINT OR TYPE)

PO Box 787, Dunn, NC 28335
ADDRESS OF OWNER(S)

HOME TELEPHONE # WORK TELEPHONE #

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

510 N Powell Avenue, Dunn, NC 28334
ADDRESS OF AGENT, ATTORNEY, APPLICANT

setht@wellonsconstruction.com
E-MAIL

919-868-1733
HOME TELEPHONE # WORK TELEPHONE #


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

SIGNATURE OF OWNER(S)

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



PLANNING AND INSPECTIONS DEPARTMENT

MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF SEPTEMBER 17, 2024

TO: JOINT PLANNING BOARD

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

DATE: 9/17/2024

**SUBJECT: CASE # ZON-24-0035: REZONING FROM RR RURAL RESIDENTIAL
DISTRICT TO R7.5 RESIDENTIAL DISTRICT OR TO A MORE
RESTRICTIVE ZONING DISTRICT FOR TWO PARCELS
COMPRISING 5.00 +/- ACRES; LOCATED IN THE TOWN OF WADE
AND ABUTTING SOUTHSIDE OF WADE STEDMAN ROAD, APPROX.
1,050 FEET EAST OF MAIN STREET, SUBMITTED BY WEEKS FARMS
INC. (OWNER) (WADE)**

ATTACHMENTS:

Description	Type
ZON-24-0035	Backup Material

REQUEST

Rezoning RR to R7.5

Applicant requests a rezoning from RR Rural Residential District to R7.5 Residential District for approximately 5.00 +/- acres located on Wade Stedman Rd., west of I-95, between Elva Wallace Rd and Covington Ln., as shown in Exhibit "A". The parcel is currently used as farmland. The applicant intends to subdivide to create a single-family residential subdivision. At the southeast boundary of this zoning request is unincorporated property owned by the same property owner and covered under rezoning case ZON-24-0029.

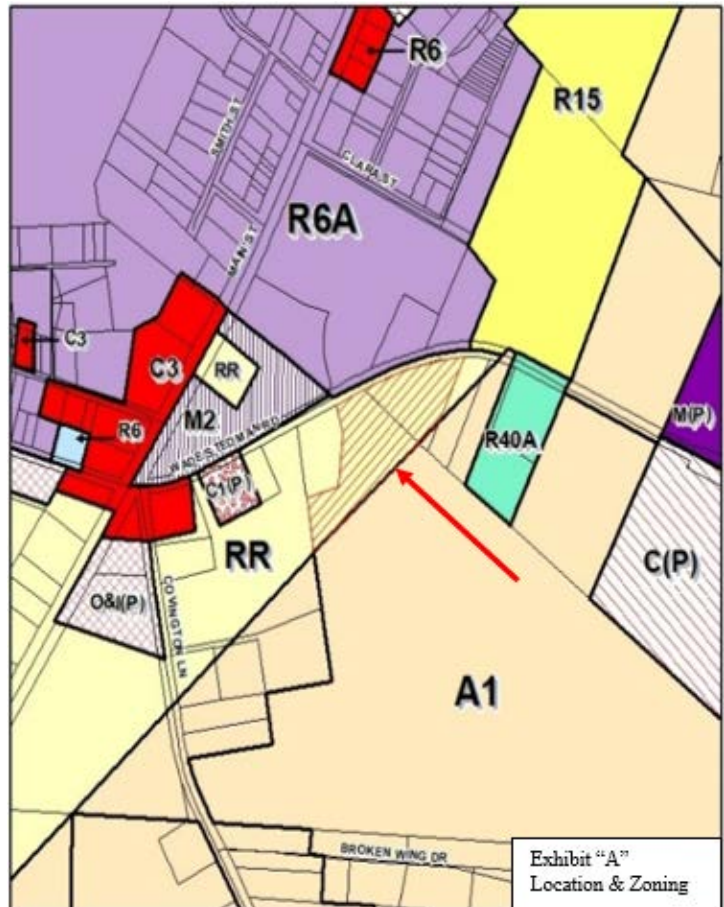
PROPERTY INFORMATION

OWNER/APPLICANT: Weeks Farms Inc. (Owner)

ADDRESS/LOCATION: Located west of I-95 on Wade Stedman Rd. between Elva Wallace Rd. and Covington Lane. Refer to Exhibit "A", Location and Zoning Map. REID number(s): 0581138578000 & a portion of 0581231844000.

SIZE: Parcel 0581138578000 has approximately 3.06 +/- acres and 145.7 feet of street frontage and is 372 feet +/- in length at its deepest point. Parcel 0581231844000 has approximately 2.00 +/- acres and 489.5 feet of street frontage and is 342 +/- feet in length at its deepest point.

EXISTING ZONING: The subject property is currently zoned RR Rural Residential District. RR Rural Residential District is designed as a district for traditional rural use with lots of 20,000 square feet or above. The principal use of the land is for suburban density residential, including manufactured housing units, and agricultural purposed. These districts are intended to ensure that residential development not having access to public water supplies and dependent upon septic tanks for sewage disposal will occur at a sufficiently low density to provide for a healthful environment.



EXISTING LAND USE: The site is currently croplands with a drainage canal that runs the depth of parcel.

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

- **North:** farmland and single-family Homes
- **East:** Interstate-95, farmland, and single-family homes
- **West:** farmland and single-family homes
- **South:** farmlands

OTHER SITE CHARACTERISTICS: The site is located in the Cape Fear River Watershed Protection Area, but it is not within a Flood Zone Hazard Area. The subject property, as delineated in Exhibit “C”, illustrates hydric and hydric inclusion soils are present on the property. The subject property is located within the NORCRESS sewer utility area and has a Town of Wade water line located near it.

TEN YEAR ZONE CASE HISTORY:

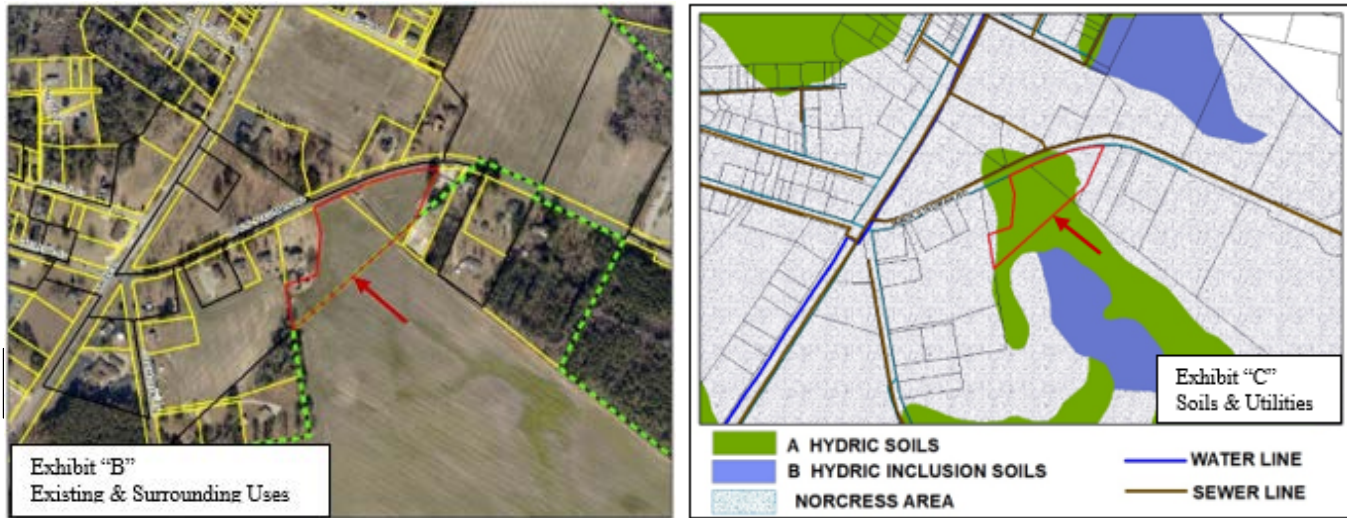
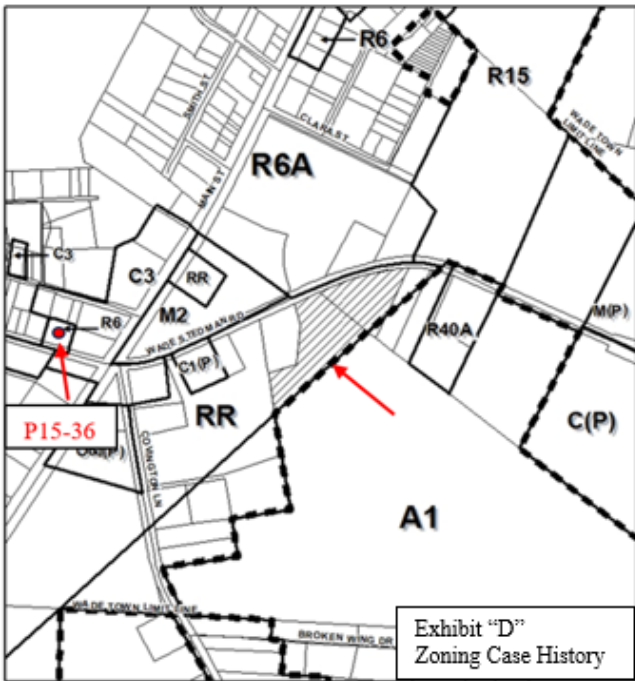


Exhibit “D” denotes the following zoning case history that has occurred in the past ten years for property near the subject site.

P15-36: R6A to R6; Approved

DEVELOPMENT REVIEW: Should the request be approved, a preliminary plan will need to be submitted for review and approval to ensure conformance with the Town of Wade Subdivision and Zoning Ordinances.



DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

Minimum Standard	RR (Existing Zoning)	R7.5 (Proposed Zoning)
Front Yard Setback	30 feet	30 feet
Side Yard Setback	15 feet	10 feet
Rear Yard Setback	35 feet	35 feet
Lot Area	20,000 sq. ft.	7,500 sq. ft.
Lot Width	100'	75'

DEVELOPMENT POTENTIAL:

Existing Zoning (RR)	Proposed Zoning (R7.5)
11 dwelling units	29 dwelling units

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

COMPREHENSIVE PLANS:

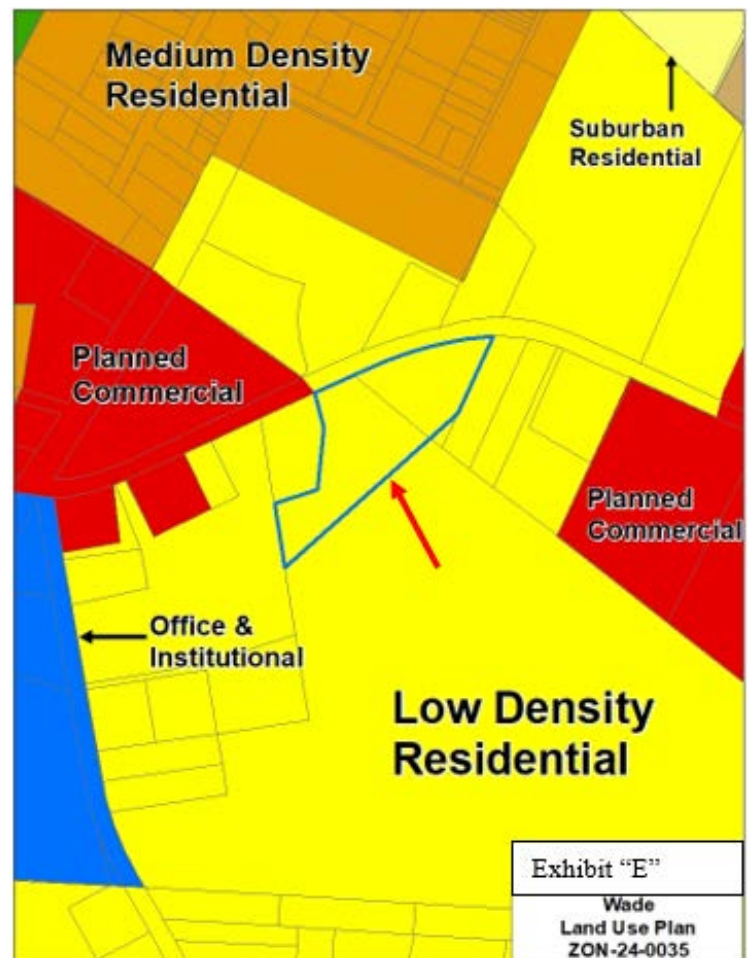
This property is located within the Wade Study Area Detailed Land Use Plan (2003), which recommends that the Town of Wade should be the urban center for the area, and policies should be developed" [such as through rezoning requests] "to ensure that the most intense development occur within the Town or the area where public services are available. This means the most-dense residential development along with support office and neighborhood commercial uses should be placed inside the Town of Wade or areas with urban services." (pg 62 Wade Land Use Plan) The future land use classification of the property is "Low Density Residential".

Associated zoning districts for Low Density Residential in the Town of Wade is the R15 district.

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

FUTURE LAND USE CLASSIFICATION Development Goals and Notes:

- Provide attractive, affordable, and safe housing for residents in the Area, offering a wide range of housing types and prices that meet the needs of the residents and are compatible with the existing housing stock (Wade Study Area Detailed Land Use Plan 2003, p. 45)
- Provide an opportunity for residential development that would be compatible with the rural areas of the Study Area (Wade Study Area Detailed Land Use Plan 2003, p. 45).
- Provide adequate economic development opportunities for residential, commercial and industrial development that is dynamic, diverse and capable of providing a full range of economic and business opportunities within the Study Area (Wade Study Area Detailed Land Use Plan 2003, p. 46).



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: Water and sewer utility lines are immediately available along the subject property as shown on Exhibit "C". The water utility line is provided by the Town of Wade and the sewer utility line is provided by NORCRESS. The applicant will need to coordinate to determine if these utility lines will be extended and connected to serve the development.

SCHOOLS CAPACITY/ENROLLMENT:

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

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

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

SPECIAL DISTRICTS/ OVERLAY DISTRICTS:

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

n/a – not applicable

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

STAFF RECOMMENDATION

In Case ZON-24-0035, Planning and Inspections staff **recommends approval** of the rezoning request from RR Rural Residential District to R7.5 Residential District and find that:

1. Approval is an amendment to the adopted, current Wade Study Area Detailed Land Use Plan and that the Town Board should not require any additional request or application for amendment to said map for this request.
2. The proposed residential uses will be strategically located between two planned commercial and office centers.
3. The proposed residential uses would have direct access to public services, including water and sewer lines as well as major roadways and a nearby I-95 interchange.

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

Attachments:
Notification Mailing List
Application

ATTACHMENT – MAILING LIST

WEEKS FARMS INC	PO BOX 787	DUNN, NC 28335
LONG, DOROTHY ANN LIFE ESTATE	PO BOX 159	WADE, NC 28395
HARVEY, RAY G	3540 RICH WALKER RD	WADE, NC 28395
BARNES, LUTHER CURTIS JR	6713 WADE STEDMAN RD	WADE, NC 28395
LONG, DOROTHY ANN LIFE ESTATE	PO BOX 159	WADE, NC 28395
COPELAND, DOUGLAS N;COPELAND, DEBRA B	7114 COVINGTON LN	WADE, NC 28395
LAKETREE INC	PO BOX 766	SPRING LAKE, NC 28390
WEEKS FARMS INC	PO BOX 787	DUNN, NC 28335
LAKETREE INC	PO BOX 766	SPRING LAKE, NC 28390
MCKEITHAN, HENRY HEIRS	3604 PINE LKW SE PR 2	FAYETTEVILLE, NC 28311
BARNES, LUTHER CURTIS JR	6713 WADE STEDMAN RD	WADE, NC 28395
WEEKS FARMS INC	PO BOX 787	DUNN, NC 28335
LOVICK, CRAIG MORRIS;LOVICK, DIANE WALKER	PO BOX 118	WADE, NC 28395
WADE BAPTIST CHURCH INC	PO BOX 340	WADE, NC 28395
TOWN OF WADE	PO BOX 127	WADE, NC 28395
LAKETREE INC	PO BOX 766	SPRING LAKE, NC 28390
BANSAL, SHIVRAJ	6568 WADE STEDMAN RD	WADE, NC 28395
SHIVA REAL ESTATE LLC	6569 WADE STEDMAN ROAD	WADE, NC 28395
		,
GENERATIONAL INVESTMENT LLC	75 COLUMBIA AVE	CEDARHURST, NY 11516
WELLONS, WILLIAM S JR	PO BOX 766	SPRING LAKE, NC 28390
LOVICK, CRAIG MORRIS;LOVICK, DIANE WALKER	6729 WADE STEDMAN RD	WADE, NC 28395
RIDDLE, JOSEPH P III	PO BOX 53729	FAYETTEVILLE, NC 28305
WASHINGTON, DWIGHT D	7261 CLARA ST	WADE, NC 28395
LONG, DOROTHY ANN LIFE ESTATE	PO BOX 159	WADE, NC 28395
LAKETREE INC	PO BOX 766	SPRING LAKE, NC 28390
JOHNSON, LARRY E;JOHNSON, JOANN L	6855 WADE STEDMAN RD	WADE, NC 28395
MUZQUIZ, ELIZABETH ANN GUY	7122 COVINGTON ST	WADE, NC 28395

ATTACHMENT: APPLICATION

Town of Wade

County Planning & Inspections Department

CASE #: _____

PLANNING BOARD
MEETING DATE: _____

DATE APPLICATION
SUBMITTED: _____

RECEIPT #: _____

RECEIVED BY: _____

APPLICATION FOR REZONING REQUEST WADE ZONING ORDINANCE

Upon receipt of this application (petition), the County Planning & Inspections Staff will present to the Joint Planning Board the application at a hearing. In accordance with state law and board's policy, the staff will provide notice of the hearing to the appropriate parties and in the proper manner.

The Joint Planning Board will make a recommendation to the Wade 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 their public hearing in the month following the meeting of the Planning Board. The zoning district shall not be made effective until the request is heard and received approval 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 check made payable to the "Cumberland County" in the amount of \$ _____ (See attached Fee Schedule)

The County Planning & Inspections Staff will advise on zoning options, inform applicants of development requirements and answer questions regarding the application and rezoning process. For questions, call (910)678-7629 or (910)678-7603. Hours of operation are 8:00 a.m. to 5:00 p.m., Monday through Friday.

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

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

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

1. Requested Rezoning from RR to R7.5
2. Address of Property to be Rezoned: Wade Stedman Rd
3. Location of Property: located between Elva Wallace Rd and Convington Lane on Wade Stedman Rd
4. Parcel Identification Number (PIN #) of subject property: 0581138578000 & 0581231844000 minus a ~0.1 ac portion per attached description
(also known as Tax ID Number or Property Tax ID)
5. Acreage: 5.0 Frontage: 630' Depth: 330'
6. Water Provider: Town of Wade
7. Sewer Provider: Town of Wade
8. Deed Book 2720, Page(s) 269, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: farm land
10. Proposed use(s) of the property: single family residential subdivision
11. Do you own any property adjacent to or across the street from the subject property?
Yes X No If yes, where? south of subject parcels
12. Has a violation been issued on this property? Yes No X

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 & Inspections Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.

Weeks Farms Inc

Name of Owner(s) (Print or Type)

PO Box 787, Dunn, NC 28335

Address of Owner(s)

Home Telephone #

Work Telephone #

E-Mail

Seth Thompson

Name of Agent, Attorney, Applicant (Print or Type)

510 N Powell Avenue, Dunn, NC 28334

Address of Agent, Attorney, Applicant

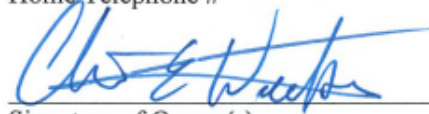
setht@wellonsconstruction.com

E-Mail

919-868-1733

Home Telephone #

Work Telephone #



Signature of Owner(s)

Signature of Agent, Attorney or Applicant

Signature of Owner(s)

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



PLANNING AND INSPECTIONS DEPARTMENT

MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF SEPTEMBER 17, 2024

TO: JOINT PLANNING BOARD

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

DATE: 9/17/2024

**SUBJECT: CASE # ZON-24-0033: REZONING FROM A1 AGRICULTURAL
DISTRICT TO R40A RESIDENTIAL DISTRICT OR TO A MORE
RESTRICTIVE ZONING DISTRICT FOR ONE PARCEL COMPRISING
2.00 +/- ACRES; LOCATED AT 2388 SMITH ROAD, SUBMITTED BY
DONNA AND EBBIE QUICK (OWNER).**

ATTACHMENTS:

Description

ZON-24-0033

Type

Backup Material

REQUEST

Rezoning A1 to R40A

Applicant requests a rezoning from A1 Agricultural District to R40A Residential District for approximately 2.00 +/- acres located at 2388 Smith Rd, as shown in Exhibit "A". The parcel contains a single-family residential dwelling unit. The applicant intends to add a second dwelling unit, a manufactured home, for a relative.

PROPERTY INFORMATION

OWNER/APPLICANT: Donna and Ebbie Quick
(Owner)

ADDRESS/LOCATION: Located at 2388 Smith Rd, on the south side of Smith Road approximately 2,262 feet west of NC Hwy 87 S. Refer to Exhibit "A", Location and Zoning Map. REID number(s): 0443313903000.

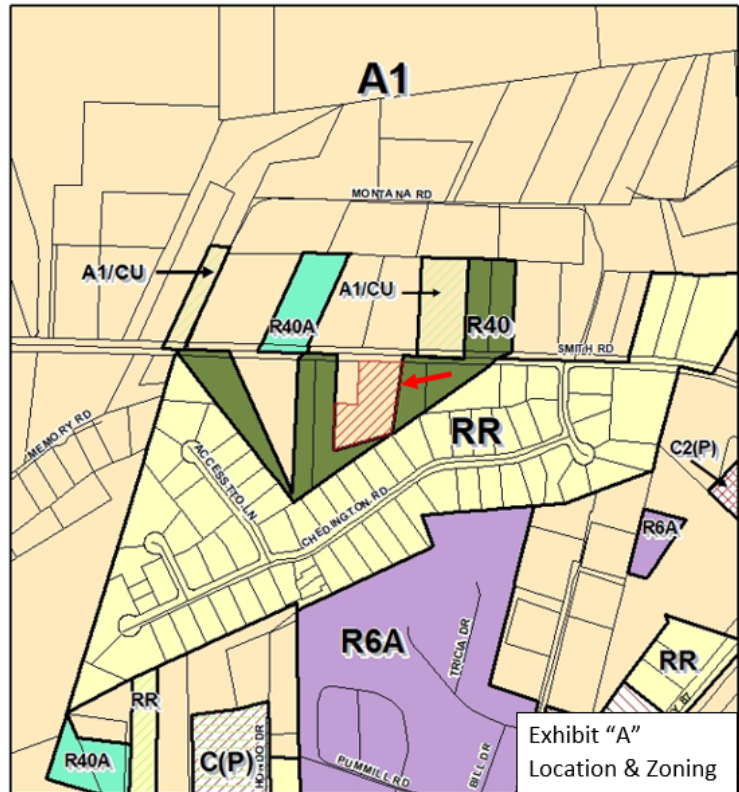
SIZE: Parcel 0443313903000 has approximately 2.00 +/- acres and 207 feet +/- of street frontage and is 412 feet +/- in length at its deepest point.

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

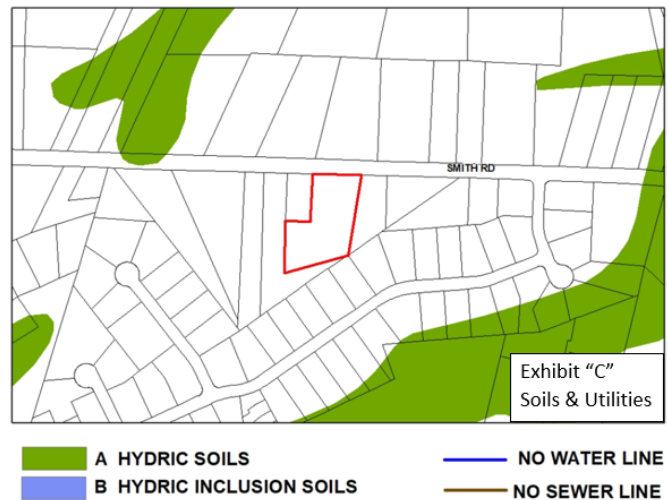
EXISTING LAND USE: The subject site has a single-family residence on the parcel.

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

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



- **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.

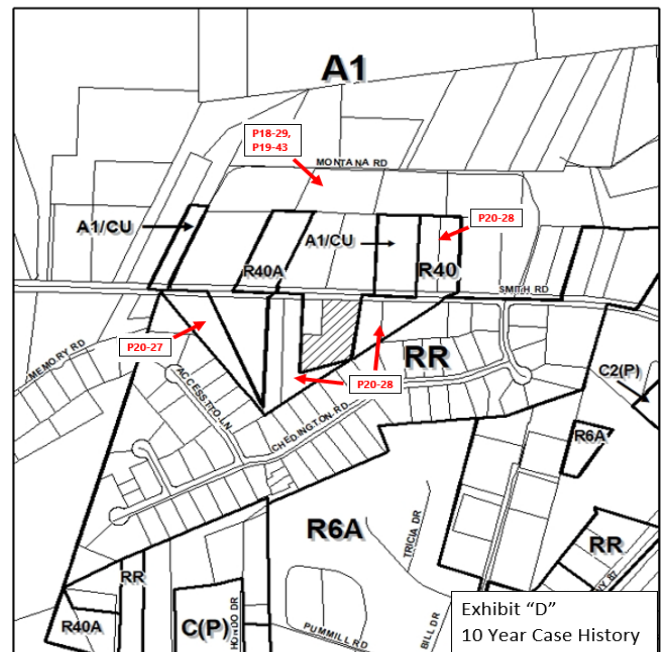


TEN YEAR ZONE CASE HISTORY:

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

- P20-28: A1 to R40, Approved.
- P20-27: A1 to R40, Approved.
- P19-43: A1 to R40A, Approved.
- P18-29: A1 to R40A, Denied.

DEVELOPMENT REVIEW: Should the request be approved, a site plan for group development permit 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.

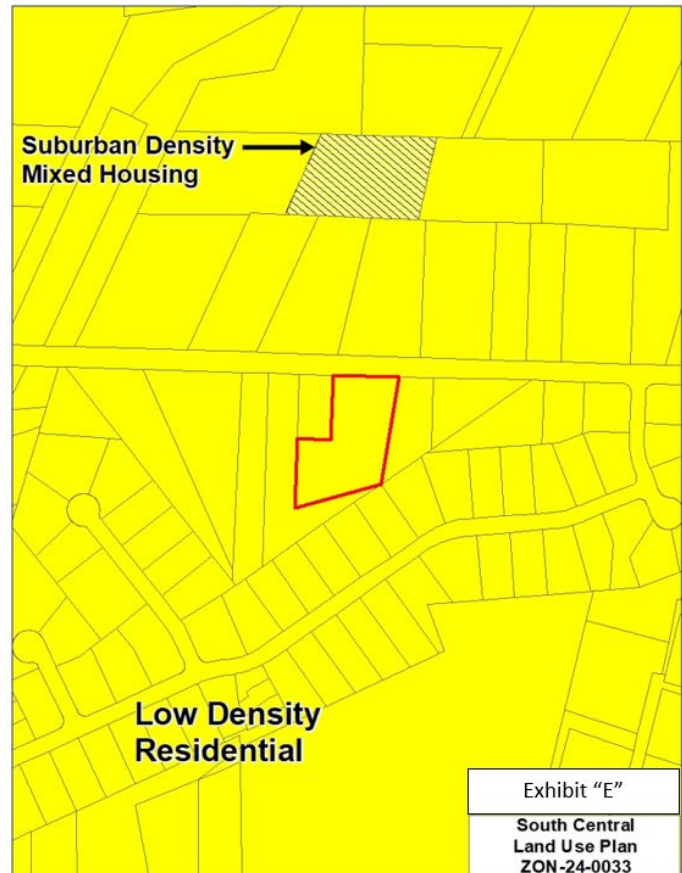
COMPREHENSIVE PLANS:

This property is located within the South-Central Land Use Plan (2015). The future land use classification of the property is "Low Density Residential". Associated zoning districts for Rural Residential are R7.5 and R15.

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

Future Land Use Classification Development Goals:

- The intent of this classification (Low Density Residential) is to provide a complete range of residential housing types that accommodates the needs of all residents with adequate infrastructure while preserving the character of the area and protecting environmentally sensitive areas (South Central Land Use Plan 2015, p. 93).
- Improve the quality of life in residential areas (Cumberland County Land Use Policies Plan, p. 3).



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
Alderman Road Elem	707	664
Gray's Creek Mid	1083	1107
Gray's Creek High	1517	1491

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:

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

n/a – not applicable

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

STAFF RECOMMENDATION

In Case ZON-24-0033, 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 South-Central Land Use Plan which calls for "Low Density Residential" at this location. Staff also finds that the request is reasonable and in the public interest as it is compatible to and in harmony with the surrounding land use activities and zoning.

Attachments:
Notification Mailing List
Application

ATTACHMENT – MAILING LIST

LITCHFIELD FINANCIAL CORP
275 W NATICK RD 1000
WARWICK, RI 02886

GRAY'S CREEK LAND LLC
210 S RAILROAD AVE STE 4
ASHLAND, VA 23005

GLEATON, JEFFREY
48 PRISCILLA LN
FUQUAY VARINA, NC 27526

WALKER, BRUCE D
PO BOX 3091
FAYETTEVILLE, NC 28302

NORTH RAEFORD MOBILE HOME PARK
340 COVERLY SQUARE
FAYETTEVILLE, NC 28303

KD HOMES LLC
PO BOX 35886
FAYETTEVILLE, NC 28303

MCQUEEN, GLENN C;MCQUEEN,
GLORIA E
535 SNOW HILL RD
FAYETTEVILLE, NC 28306

SCOTT, BARBARA ANN
2429 SMITH RD
FAYETTEVILLE, NC 28306

JOHNSON, RUFUS S
PO BOX 64223
FAYETTEVILLE, NC 28306

JACKSON, CANDACE;LEE, JOSHUA J
2421 SMITH ROAD
FAYETTEVILLE, NC 28306

ADKINS, PATRICK D
2407 SMITH RD
FAYETTEVILLE, NC 28306

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

BATTERSBY, GEORGE LEWIS;DALLAS,
DAWN MARIE;WILLIS, MARTHA K
2776 PINECREST DRIVE
FAYETTEVILLE, NC 28306

JOHNSON, RUFUS S
PO BOX 64223
FAYETTEVILLE, NC 28306

JOHNSON, RUFUS S
PO BOX 64223
FAYETTEVILLE, NC 28306

NORTON, BREANNA;NORTON,
NATHANIEL
2415 SMITH ROAD
FAYETTEVILLE, NC 28306

MENDEZ, HECTOR ISRAEL;MEJIA, LIDIA
2527 SANDHILL ROAD
FAYETTEVILLE, NC 28306

YAMBO, KETTY RODRIGUEZ
628 HILDRETH PL 157
FAYETTEVILLE, NC 28314

CHARITY, SONJA F
2404 SMITH RD
HOPE MILLS, NC 28348

ESTEFES, JOSE LUIS
MORALES;BARDALES, EVILYN JOHANA
500 MENTOR CT
HOPE MILLS, NC 28348

PURVIS, MARY LYNN
5109 ACCESSTO LN
HOPE MILLS, NC 28348

ALVAREZ, JESSICA
5105 ACCESSTO LN
HOPE MILLS, NC 28348

LIVINGSTON, KATHLEEN SUE
1420 CHEDINGTON ROAD
HOPE MILLS, NC 28348

PORTER, NEIL;CHRISTINA, ST ROMAIN
1431 CHEDINGTON RD
HOPE MILLS, NC 28348

KANDEL, BISMARSHA
2312 SMITH ROAD
HOPE MILLS, NC 28348

LOCKLEAR, JASON DEWAYNE;TYNER,
BRANDACE NICOLE
2385 SMITH ROAD
HOPE MILLS, NC 28348

OXENDINE, JOLENA K
1400 CHEDINGTON RD
HOPE MILLS, NC 28348

HUNTER, ROBERT N JR
5117 ACCESSTO LN
HOPE MILLS, NC 28348

ONE VISION INVESTMENTS LLP
5105 ACCESSTO LANE
HOPE MILLS, NC 28348

WAGNER, MICHAEL;BONILLA,
MONICA JOSE
2350 SMITH ROAD
HOPE MILLS, NC 28348

AUTRY, REBECCA J
1435 CHEDINGTON RD
HOPE MILLS, NC 28348

DOWNEY, ROBERT EDWARD;DOWNEY,
KATHLEEN MARIE
PO BOX 761
HOPE MILLS, NC 28348

FALCON, SARA B
5113 ACCESSTO LN
HOPE MILLS, NC 28348

WHITTED, LATASHA CHERRISE
1521 CHEDINGTON RD
HOPE MILLS, NC 28348

QUICK, DONNA B;QUICK, EBBIE J
2388 SMITH ROAD
HOPE MILLS, NC 28348

THOMPkins, EMMA D
2363 SMITH RD
HOPE MILLS, NC 28348

COLON, JOSE LUIS
1513 CHEDINGTON RD
HOPE MILLS, NC 28348

WALSH, PAMELA L;JEFFREY, .
1423 CHEDINGTON RD
HOPE MILLS, NC 28348

KEARNEY, ANGELINE
5112 ACCESSTO LN
HOPE MILLS, NC 28348

CARTER, JAMES A JR;CARTER, ASHLEY
2323 SMITH RD
HOPE MILLS, NC 28348

NOBLES, THOMAS CRAIG;NOBLES,
TINA P
1516 CHEDINGTON RD
HOPE MILLS, NC 28348

CRUZ, JORGE;CORTEZ, AWILDA
1505 CHEDINGTON ROAD
HOPE MILLS, NC 28348

TOWNSEND, VANESSA
1424 CHEDINGTON RD
HOPE MILLS, NC 28348

STRANGE, DEBORAH;DAVID, E JOBES
1415 CHEDINGTON RD
HOPE MILLS, NC 28348

SIMMONS, CARLA J
2410 SMITH ROAD
HOPE MILLS, NC 28348

LEVINER, JOANNE O
5116 ACCESSTO LANE
HOPE MILLS, NC 28348

PHIPPS, ERNEST C JR;PHIPPS,
BELINDA F
1527 CHEDINGTON RD
HOPE MILLS, NC 28348

DEWISE, MARK
2341 SMITH RD
HOPE MILLS, NC 28348

STEPONIK, BARBARA P
2430 SMITH RD
HOPE MILLS, NC 28348

CABALLERO, JOSE
VICTOR;CABALLERO, ANA INES ARIAS
2264 SMITH DR
HOPE MILLS, NC 28348

BOYD, GEORGE
2330 SMITH RD
HOPE MILLS, NC 28348

MANCE, APRIL L
2366 SMITH RD
HOPE MILLS, NC 28348

FLOREZ, RICHARD;FLOREZ, DEBRA
5128 ACCESSTO LN
HOPE MILLS, NC 28348

REITH, WYATT JORDAN;REITH,
KATHERINE MARIAN
2360 SMITH RD
HOPE MILLS, NC 28348

BARRON, DORA
5100 ACCESSTO LN
HOPE MILLS, NC 28348

CODGELL, JAMESENNIA
1517 CHEDINGTON RD
HOPE MILLS, NC 28348

COLON, MARIA M
2454 SMITH RD
HOPE MILLS, NC 28348

WHITTED, HUBERT;WHITTED, RENEE
1508 CHEDDINGTON RD
HOPE MILLS, NC 28348

JACOBS INVESTMENT PROPERTIES LLC
896 CAMDEN RD
RAEFORD, NC 28376

CHAPMAN, LISA C
4546 CHICKENFOOT RD
SAINT PAULS, NC 28384

MCLEAN, DARYL;MCLEAN, SANTITA
412 PINE TREE LN
SPRING LAKE, NC 28390

ALFARO, SONIA
3700 BLANCHARD DR
CHALMETTE, LA 70043

ATTACHMENT: APPLICATION



CASE #: ZON-24-0033

PLANNING BOARD
MEETING DATE: SEPT 17th, 2024

DATE APPLICATION
SUBMITTED: Aug 12th, 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*.

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

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

1. Requested Rezoning from A1 to RR R40A DBR
2. Address of Property to be Rezoned: 2388 Smith Rd Hope Mills NC
28348
3. Location of Property, details: _____
4. Parcel Identification Number (PIN #) of subject property: 0443-31-2868
(also known as Tax ID Number or Property Tax ID)
5. Acreage: 2 Frontage: ~~207~~ 207 ft Depth: 419 ft
6. Water Provider: Well: ☒ PWC: _____ Other (name): _____
7. Septage Provider: Septic Tank ☒ PWC _____
8. Deed Book 11353, Page(s) 521, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: Primary Residence
10. Proposed use(s) of the property: Add a manufactured home
for my disabled son.
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.

Donna B Quick and Ebbie J. Quick
NAME OF OWNER(S) (PRINT OR TYPE)

2388 Smith Rd Hope Mills NC 28348
ADDRESS OF OWNER(S)

910-891-8609
HOME TELEPHONE #

WORK TELEPHONE #

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

ADDRESS OF AGENT, ATTORNEY, APPLICANT

E-MAIL

HOME TELEPHONE #

WORK TELEPHONE #

Donna B. Quick
SIGNATURE OF OWNER(S)

SIGNATURE OF AGENT, ATTORNEY OR
APPLICANT

Ebbie J. Quick
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 SEPTEMBER 17, 2024

TO: JOINT PLANNING BOARD

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

DATE: 9/17/2024

**SUBJECT: CASE # ZON-24-0030: REZONING FROM A1 AGRICULTURAL
DISTRICT TO RR RURAL RESIDENTIAL DISTRICT OR TO A MORE
RESTRICTIVE ZONING DISTRICT FOR ONE PARCEL COMPRISING
77.22 +/- ACRES; LOCATED EAST OF SHERRILL BAGGETT ROAD,
SOUTH OF INTERSTATE-95, NORTH OF BEND OF RIVER ROAD,
SUBMITTED BY SETH THOMPSON (APPLICANT) AND WEEKS FARM
INC (OWNER).**

ATTACHMENTS:

Description	Type
ZON-24-0030	Backup Material

REQUEST

Rezoning A1 to RR

Applicant requests a rezoning from A1 Agricultural District to R40A Residential District for approximately 77.22 +/- acres located East of Sherrill Baggett Road, South of Interstate 95, and North of Bend of River Road, as shown in Exhibit "A". The parcel is farmland and wooded areas with no existing structures on it. The 1.00 +/- acre square parcel in the middle of the subject property at REID: 1503422725000 is the Strickland Cemetery that is not a part of the proposed rezoning.

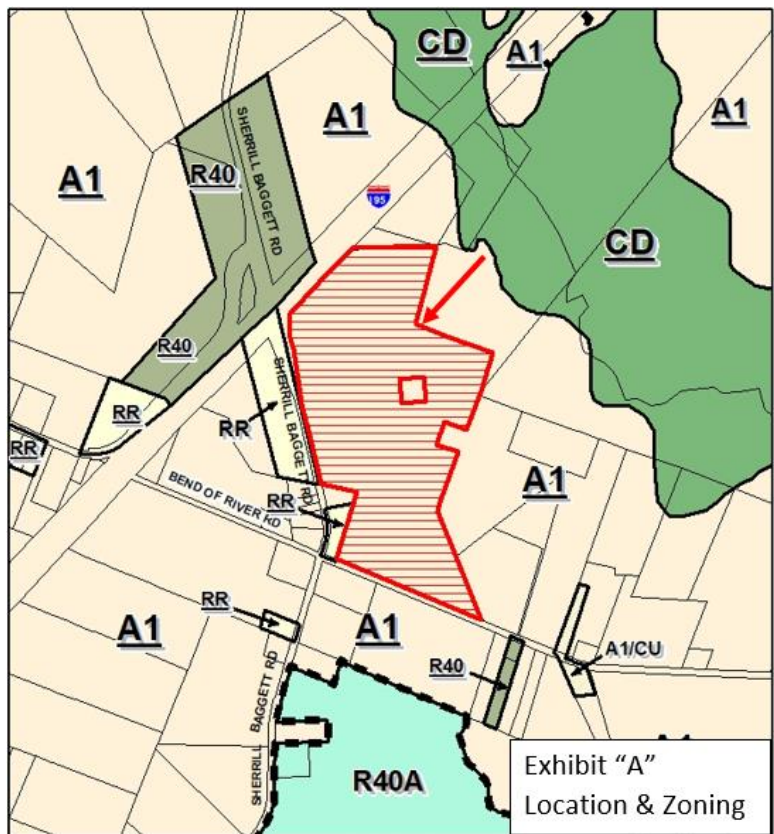
PROPERTY INFORMATION

OWNER/APPLICANT: Weeks Farms Inc.
(Owner)/Seth Thompson (Applicant)

ADDRESS/LOCATION: Northeast of the intersection of Sherrill Baggett Rd and Bend of River Rd. Refer to Exhibit "A", Location and Zoning Map. REID number(s): 1503420620000.

SIZE: Parcel 1503420620000 has approximately 77.22 +/- acres and 2,000 feet of street frontage and is 1,150 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.

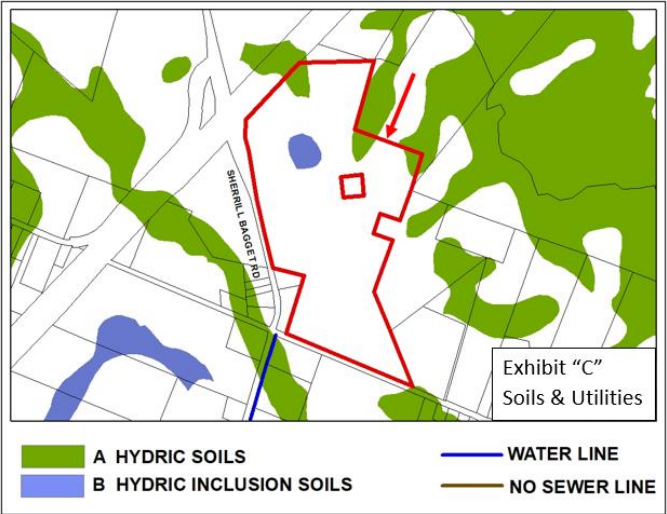
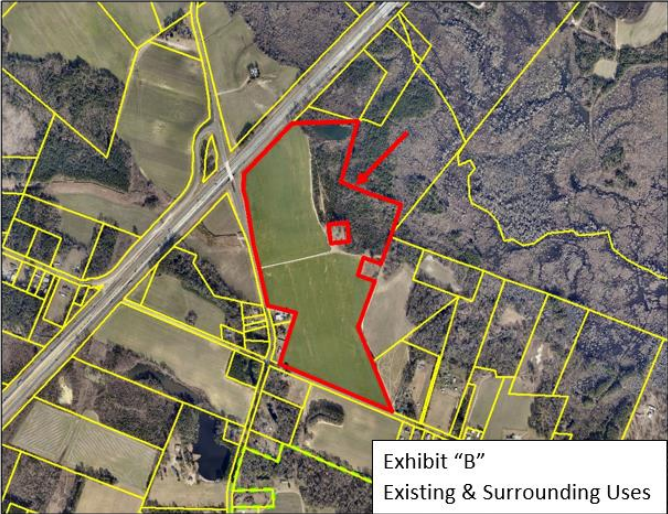


EXISTING LAND USE: The site is farmland with no structures on it. There is a 1.00 +/- acre square parcel in the middle of the subject property that is the Strickland Cemetery and is not a part of the subject property.

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

- **North:** Interstate-95, farmland, and wooded areas
- **East:** Wooded areas and single-family homes
- **West:** Farmland, wooded areas, and single-family homes
- **South:** Farmland, wooded areas, and single-family homes

OTHER SITE CHARACTERISTICS: The site is not located in a Watershed Protection Area. There is a Flood Zone Hazard Area located on the northeast side of the property. The subject property, as delineated in Exhibit “C”, illustrates hydric and hydric inclusion soils are present on the property in the north central and northeastern portions of the property.



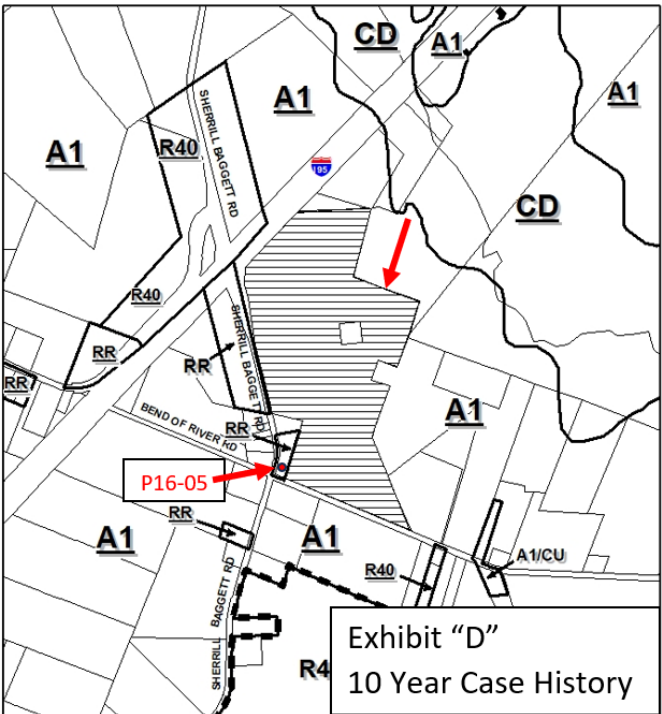
TEN YEAR ZONE CASE HISTORY:

Exhibit “D” denotes the following zoning case history within the past ten years for property near the subject site:

- P16-05: A1 to RR; approved.

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.

The A1A zoning district is not a viable alternative to RR Rural Residential because the Zoning Ordinance limits any A1A rezoning to a maximum ten acres (Sec. 303.B., Zoning Ordinance).



DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

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

DEVELOPMENT POTENTIAL:

Existing Zoning (A1)	Proposed Zoning (RR)
39 dwelling units	168 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:

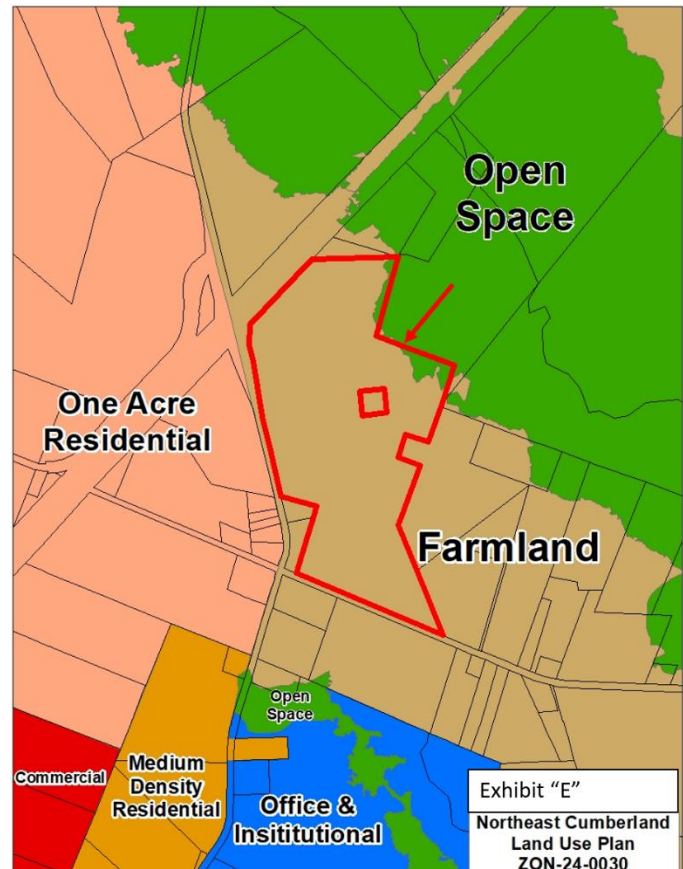
This property is located within the Northeast Cumberland Land Use Plan (2010). The future land use classification of the property is primarily "Farmland" with a small area of "Open Space". Associated zoning districts for "Farmland" are A1 and A1A. Associated zoning districts for "Open Space" are CD.

The A1A zoning district is not a viable alternative to RR Rural Residential because the Zoning Ordinance limits any A1A rezoning to a maximum ten acres (Sec. 303.B., Zoning Ordinance).

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

FUTURE LAND USE CLASSIFICATION Development Goals and Notes:

- Protect farmland and farming operations from urban encroachment (Vision Northeast 2010, p. 20).
- Enhance and protect farming and the agricultural industry (Vision Northeast 2010, p. 20).
- Protect, maintain and preserve natural areas (swamps, marshlands, creeks, streams, wetlands, bodies of water (Rhodes Pond), smaller existing ponds, South River, and Cape Fear River), historic sites and other natural resources from urban encroachment while providing limited access and/or utilization of these features (Vision Northeast 2010, p.18).
- Locate residential development in areas with compatible land uses (Vision Northeast 2010, p.17).
- Plan and design future residential development to protect natural features, environmental sensitive areas, and protect and improve transportation corridors (Vision Northeast 2010, p.17).



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: No sewer utility lines are available near the subject property, but a waterline belonging to the Town of Falcon is present at the intersection of Sherrill Baggett Rd and Bend of River Rd as shown on Exhibit "C". The applicant will need to secure septic permits through Cumberland County Environmental Health prior to any construction, and the applicant must determine if the water provider will serve any development prior to any construction.

SCHOOLS CAPACITY/ENROLLMENT:

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

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

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

SPECIAL DISTRICTS/ OVERLAY DISTRICTS:

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

n/a – not applicable

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

STAFF RECOMMENDATION

In Case ZON-24-0030, Planning and Inspections staff **recommends denial** of the rezoning request from A1 Agricultural District to RR Rural Residential District. Staff finds that the request is not consistent with the Northeast Cumberland Land Use Plan which calls for "Farmland" and "Open Space" at this location. Staff also finds that the request is not compatible or in harmony with the surrounding land use activities and zoning.

Attachments:
Notification Mailing List
Application

ATTACHMENT – MAILING LIST

SILLS, DENNIS;SILLS, TINA	7646 SHERRILL BAGGETT RD	DUNN, NC 28334
GLOVER, EDWARD A;GLOVER, MICHELLE	7633 SHERRILL BAGGETT RD	DUNN, NC 28334
BAGGETT, TALMAGE S JR;RICE, MARY B;MOORE, DEBRA B	2913 MIRROR LAKE DR	FAYETTEVILLE, NC 28303
BAREFOOT, DUSTEN BLAKE;BAREFOOT, ELIZABETH L.	6312 BEND OF RIVER RD	DUNN, NC 28334
GLOVER, EDWARD A;GLOVER, MICHELLE	7633 SHERRILL BAGGETT RD	DUNN, NC 28334
LANE, PATRICIA G	6319 BEND OF RIVER RD	DUNN, NC 28334
WEEKS FARMS INC	163 RUFFIN RD	DUNN, NC 28334
SCOGGINS, BILLY ORDELL	270 NE 101ST	MIAMI SHORES, FL 33138
GLOVER, EDWARD A;GLOVER, MICHELLE	7633 SHERRILL BAGGETT RD	DUNN, NC 28334
BAREFOOT, WILLIAM HORACE LIFE ESTATE	6029 BEND OF RIVER RD	DUNN, NC 28334
ARVIEUX, KATHRYN POPE;ARVIEUX, LOUIS C	7448 SHERRILL BAGGETT RD	DUNN, NC 28334
MCKEEL, BRADLEY;MCKEEL, KATHLEEN	6261 BEND OF RIVER RD	DUNN, NC 28334
GLOVER, EDWARD A;GLOVER, MICHELLE	7633 SHERRILL BAGGETT RD	DUNN, NC 28334
MCKEEL, BRADLEY A.;MCKEEL, KATHLEEN T.	6261 BEND OF RIVER ROAD	DUNN, NC 28334
J & J PROPERTY DEVELOPERS LLC	PO BOX 1326	DUNN, NC 28335
MCLELLAN, ARCHIBALD HEIRS	7245 S NC 242 HWY	DUNN, NC 28334
ARVIEUX, KATHRYN POPE;ARVIEUX, LOUIS C	7448 SHERRILL BAGGETT RD	DUNN, NC 28334
BAREFOOT, ELIZABETH L LIFE ESTATE	6312 BEND OF RIVER ROAD	DUNN, NC 28334
MASON, CARL BRUCE;MASON, BOBBI LEE	11428 DUNN RD	DUNN, NC 28334
TART, MARY LEE B	PO BOX 8	DUNN, NC 28335
BAGGETT, TALMAGE S;RICE, MARY B;MOORE, DEBRA B	2913 MIRROR LAKE DR	FAYETTEVILLE, NC 28303
BAGGETT, TALMAGE S;RICE, MARY B;MOORE, DEBRA B	2913 MIRROR LAKE DR	FAYETTEVILLE, NC 28303
DAMMER, STEVEN M;DAMMER, ANNETTE G	6118 BEND OF RIVER RD	DUNN, NC 28334
DORMAN, TAMMY B;DORMAN, ROBERT DALE	7996 RHODES POND RD	DUNN, NC 28334
N C DEPT OF TRANSPORTATION	1546 MAIL SERVICE CTR	RALEIGH, NC 27699
GLOVER, EDWARD A;GLOVER, MICHELLE	7633 SHERRILL BAGGETT RD	DUNN, NC 28334
MCKEEL, BRADLEY;MCKEEL, KATHLEEN	6261 BEND OF RIVER RD	DUNN, NC 28334
BAREFOOT, ELLEN LIFE ESTATE;FLOYD, EARL	6270 BEND OF RIVER RD	DUNN, NC 28334
SANDLIN, SANDRA KAY NORRIS LIFE ESTATE	7634 SHERRILL BAGGETT RD	DUNN, NC 28334
WM WESLEY LAND DEVELOPMENTS LLC;ISAAC, W GOWIN HEIRS	1995 E CORNELIUS HARNETT BLV	LILLINGTON, NC 27546

ATTACHMENT: APPLICATION



CASE #: _____

PLANNING BOARD
MEETING DATE: _____

DATE APPLICATION
SUBMITTED: _____

APPLICATION FOR REZONING REQUEST CUMBERLAND COUNTY ZONING ORDINANCE

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

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

Rezoning Procedure:

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

The Planning & Inspections Staff will advise on zoning options, inform applicants of development requirement and answer questions regarding the application and rezoning process. For further questions, call (910)678-7627 or (910)678-7609. Hours of operation are 8:00 a.m. to 5:00 p.m., Monday through Friday.

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

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

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

1. Requested Rezoning from A1 to RR
2. Address of Property to be Rezoned: Bend of River Rd & Sherrill Baggett Rd
3. Location of Property, details: northeast intersection of Bend of River Rd & Sherrill Baggett Rd
4. Parcel Identification Number (PIN #) of subject property: 1503420620000 minus the overlap portion in northwest corner per attached legal description. See sketch for area to be rezoned
(also known as Tax ID Number or Property Tax ID)
5. Acreage: 78.9 Frontage: 2,000' Depth: 1,150'
6. Water Provider: Well: _____ PWC: _____ Other (name): Town of Falcon
7. Septage Provider: Septic Tank X PWC _____
8. Deed Book 9470, Page(s) 646, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: farm land
10. Proposed use(s) of the property: single family residential
11. Do you own any property adjacent to or across the street from this property?
Yes _____ No X If yes, where? _____
12. Has a violation been issued on this property? Yes _____ No X

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

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

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

Weeks Farms Inc

NAME OF OWNER(S) (PRINT OR TYPE)

PO Box 787, Dunn, NC 28335
ADDRESS OF OWNER(S)

HOME TELEPHONE #

(919) 820 0746
WORK TELEPHONE #

Seth Thompson

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


510 N Powell Avenue, Dunn, NC 28334
ADDRESS OF AGENT, ATTORNEY, APPLICANT

setht@wellonsconstruction.com
E-MAIL

919-868-1733
HOME TELEPHONE #

WORK TELEPHONE #


SIGNATURE OF OWNER(S)


SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

SIGNATURE OF OWNER(S)

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



PLANNING AND INSPECTIONS DEPARTMENT

MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF SEPTEMBER 17, 2024

TO: JOINT PLANNING BOARD

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

DATE: 9/17/2024

**SUBJECT: CASE # ZON-24-0032: INITIAL ZONING FROM A1 AGRICULTURAL
DISTRICT TO C3 HEAVY COMMERCIAL DISTRICT OR TO A MORE
RESTRICTIVE ZONING DISTRICT FOR FIVE NON-CONTIGUOUS
PARCELS COMPRISING 0.367 ACRES OF A 107.35 +/- ACRE PARCEL;
LOCATED IN THE TOWN OF FALCON AND ABUTTING EAST SIDE OF
INTERSTATE-95 AND SOUTH OF RHODES POND ROAD, SUBMITTED
BY ROBERT & TAMMY DORMAN (OWNER). (FALCON)**

ATTACHMENTS:

Description	Type
ZON-24-0032	Backup Material



PLANNING STAFF REPORT
REZONING CASE # ZON-24-0032
 Planning Board Meeting: Sept 17, 2024
 Location: East side of Interstate-95 and
 South of Rhodes Pond Road
 Jurisdiction: Town of Falcon

REQUEST	Initial Zoning from A1 to C3
----------------	-------------------------------------

Applicant request is for an initial zoning from A1 Agricultural District to C3 Heavy Commercial District or to a more restrictive zoning district for five non-contiguous parcels comprising 0.367 acres of a 107.35 +/- acre parent parcel located in the Town of Falcon. A legal description for each of these five rezoning areas is provided within the attachments. Each of the five non-contiguous parcels abuts the east side of Interstate-95 and are all located the south of Rhodes Pond Road, as shown in Exhibit "A". The larger parent parcel surrounding each of these five non-contiguous areas is unincorporated. The intent of the property owner is to use each of the five non-contiguous parcels for the placement of advertising billboards visible to Interstate 95 travelers.

PROPERTY INFORMATION	
-----------------------------	--

OWNER/APPLICANT: Robert and Tammy Dorman (Owner and Applicant)

ADDRESS/LOCATION: Located in the Town of Falcon, abutting the east side of Interstate-95 and south of Rhodes Pond Road. Refer to Exhibit "A", Location and Zoning Map. Portion of REID number(s): 1503671210000.

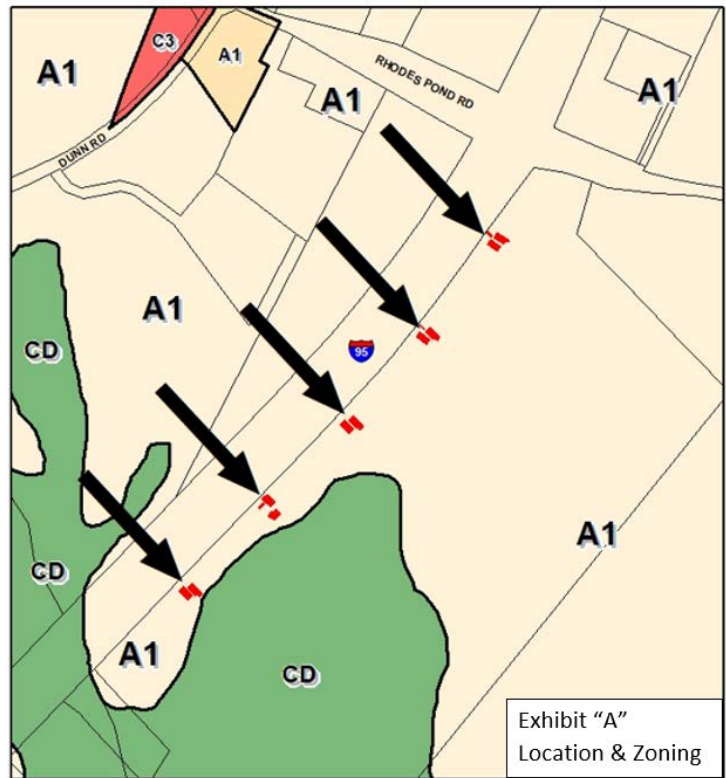
SIZE: Parcel 1503671210000 has approximately 107.35 +/- acres and 279 feet of street frontage and is 4,011 feet +/- in length at its deepest point. The five non-contiguous parcels subject to the request for initial zoning are approx. 3,200 sq. ft. each, totaling 16,000 sq. ft. and do not have direct access to a public street and cannot be accessed from I-95.

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.

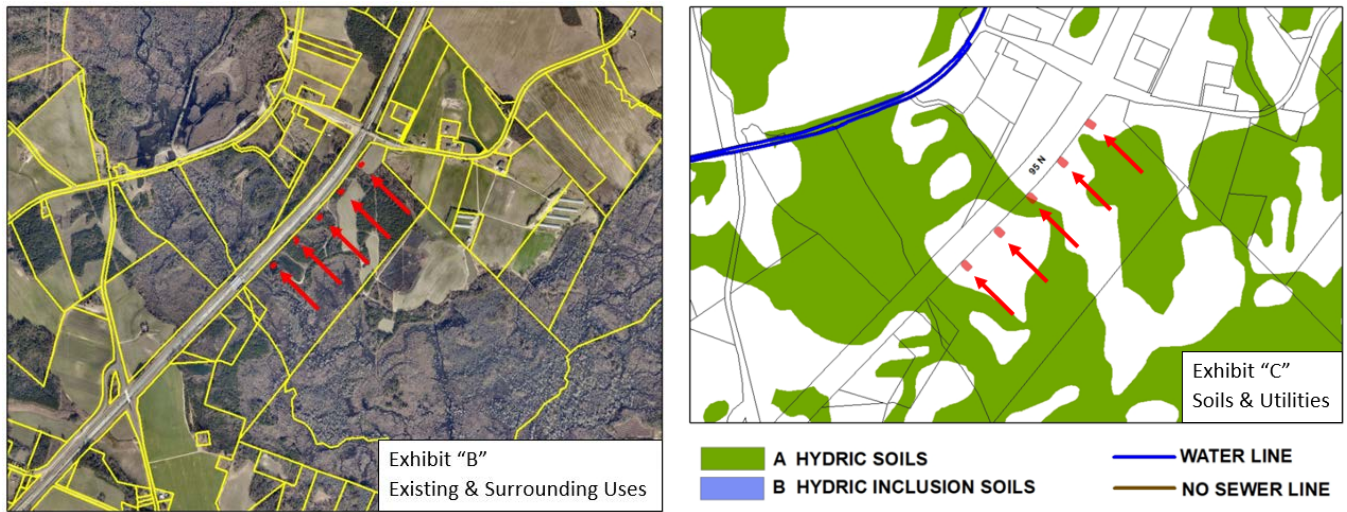
EXISTING LAND USE: Subject site is currently undeveloped.

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

- | | |
|--|--|
| <ul style="list-style-type: none"> • North: I95, Farmland, and Single-Family Homes • East: Wetlands, Woodlands, and Farmland | <ul style="list-style-type: none"> • South: Wetlands and Woodlands • West: I-95, Wetlands, Woodlands, Farmland |
|--|--|



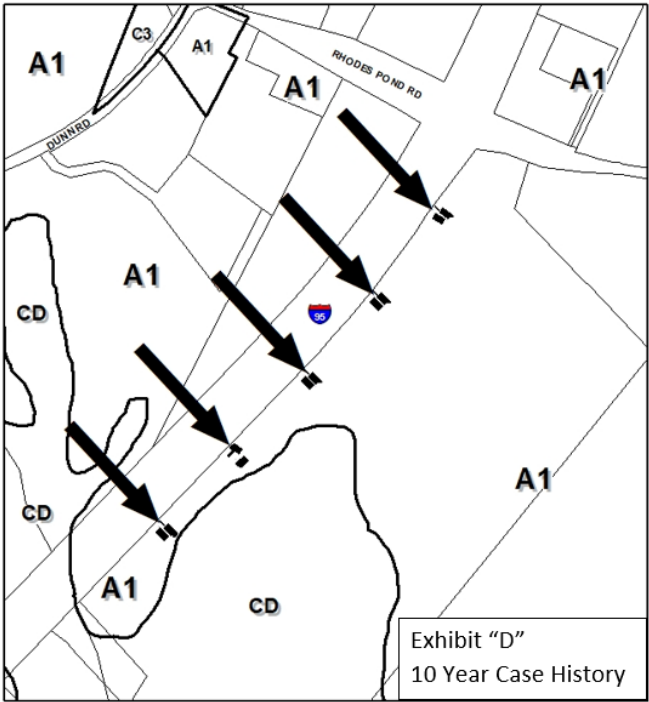
OTHER SITE CHARACTERISTICS: The site is not located in a Watershed Protection Area or within a Flood Zone Hazard Area. The subject property, as delineated in Exhibit “C”, illustrates hydric soils are present on one of the five rezoning parcels.



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 non-residential site plan will need to be submitted for review and approval to ensure conformance with the Town of Falcon Subdivision and Zoning Ordinances. Access to each rezoning parcel through the unincorporated parent parcel will be subject to the County Zoning and Subdivision Ordinances.



DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

Minimum Standard	A1 (Initial Zoning)	C3 (Proposed Zoning)
Front Yard Setback	50 feet	45 feet
Side Yard Setback	20 feet	15 feet
Rear Yard Setback	50 feet	20 feet
Lot Area	2 acres	N/A
Lot Width	100 feet	N/A

DEVELOPMENT POTENTIAL:

Initial Zoning (A1)	Proposed Zoning (C3)
1 dwelling	N/A

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

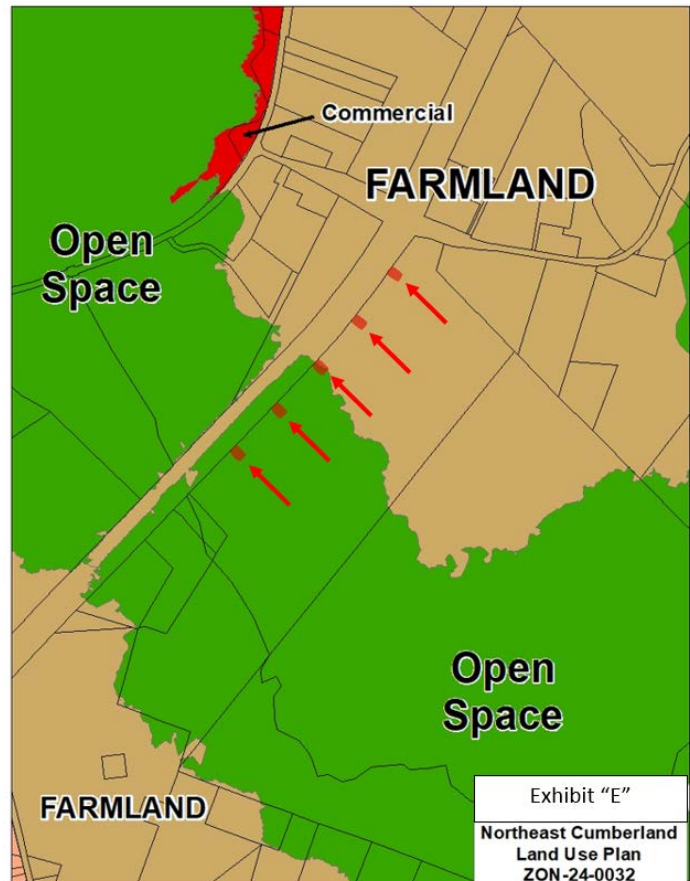
COMPREHENSIVE PLANS:

This property is located in the Vision Northeast Land Use Plan (2010). The future land use classification of the property is split between "Farmland" and "Open Space". Associated zoning district(s) for Farmland are A1 and A1A. Associated zoning district(s) for Open Space is CD.

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

Future Land Use Classification Development Goals:

- The intent of this classification (Farmland and Open Space) is to protect, maintain, and preserve natural areas (swamps, marshlands, creeks, streams, wetlands, bodies of water (Rhodes Pond), smaller existing ponds, South River, and Cape Fear River), historic sites and other natural resources from urban encroachment while providing limited access and/or utilization of these features (Vision Northeast 2010, p. 19)
- Enhance and protect farming and the agricultural industry (Vision Northeast 2010, p. 20).
- Protect farmland and farming operations from urban encroachment (Vision Northeast 2010, p. 20).
- Encourage the preservation of as much natural vegetation along the roadways in the area as possible (Vision Northeast 2010, p. 20).



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: No water or sewer utility lines are immediately available to any of the five rezoning parcels, as shown on Exhibit "C". The applicant may need to secure permits through Cumberland County Environmental Health prior to any construction, if such utilities are required.

SCHOOLS CAPACITY/ENROLLMENT:

School	Capacity	Enrollment
District 7 Elementary	307	195
Mac Williams Middle	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:

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

n/a – not applicable

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

STAFF RECOMMENDATION

In Case ZON-24-0032, Planning and Inspections staff **recommends denial** of the initial rezoning request from A1 Agricultural District to C3 Heavy Commercial District. Staff finds that the request is not consistent with the Vision Northeast Land Use Plan which calls for "Farmland" and "Open Space" 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

KISHBAUGH, EDWARD
STERLING;KISHBAUGH, DOREEN M
199 RIVERBIRCH WAY
CLAYTON, NC 27520

MCGREGOR, JERRY LYNN
JR;MCGREGOR, MICHELLE LEE
199 RIVERBIRCH WAY
CLAYTON, NC 27520

BAGGETT, TALMAGE S;RICE, MARY
B;MOORE, DEBRA B
2913 MIRROR LAKE DR
FAYETTEVILLE, NC 28303

JENNINGS, KIMBERLY PAM DORMAN
7951 RHODES POND RD
DUNN, NC 28334

MCLELLAN, ARCHIBALD HEIRS
7245 S NC 242 HWY
DUNN, NC 28334

HONEYCUTT, JOHN S LIFE ESTATE
7635 RHODES POND RD
DUNN, NC 28334

DORMAN, ROBERT DALE
7996 RHODES POND RD
DUNN, NC 28334

DORMAN, ROBERT DALE;DORMAN, T
7996 RHODES POND RD
DUNN, NC 28334

JENNINGS, JOHN PATRICK DIGAN
7951 RHODES POND RD
DUNN, NC 28334

FOWL RHODES LLC
111 COMMERCE DR
DUNN, NC 28334

DORMAN, ROBERT DALE;DORMAN,
TAMMY B
7996 RHODES POND RD
DUNN, NC 28334

DORMAN, ROBERT DALE;DORMAN,
TAMMY B
7996 RHODES POND RD
DUNN, NC 28334

DORMAN, ROBERT DALE;DORMAN, T
7996 RHODES POND RD
DUNN, NC 28334

VARGAS, RAMON CORTEZ;VARGAS,
MARIA VERONICA CORTEZ RECENDI
8310 RHODES POND RD
DUNN, NC 28334

DORMAN, TAMMY B;DORMAN,
ROBERT DALE
7996 RHODES POND RD
DUNN, NC 28334

BAKER, MYRA H
7637 RHODES POND RD
DUNN, NC 28334

BENTLEY, ADAM THOMAS;BENTLEY,
GRISelda GONZALEZ
10784 DUNN RD
DUNN, NC 28334

DORMAN, TAMMY B;DORMAN,
ROBERT DALE
7996 RHODES POND RD
DUNN, NC 28344

LEE FARMS TRUST LLC
2765 WEST TENNESSEE ST
TALLAHASSEE, FL 32304

ATTACHMENT: APPLICATION



Town of Falcon
Planning & Inspections Department

Application for
REZONING/OVERLAY REQUEST
TOWN OF FALCON

CASE #: ZON-24-0032

PLANNING BOARD
MEETING DATE: _____

DATE APPLICATION

SUBMITTED: 8/12/24

RECEIPT #: _____

RECEIVED BY: S. Greer

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

1. A copy of the *recorded* deed and/or plat.
2. If a portion(s) of the property is being considered for rezoning, an accurate written legal description of only the area to be considered;
3. A check made payable to "Cumberland County" in the amount of \$ 450.
(See attached Fee Schedule).

Rezoning Procedure:

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

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

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

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

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

1. Requested Rezoning from A1 to C-3
2. Address of Property to be Rezoned: _____
3. Location of Property, details: East side of I95 and South side of Rhodes Pond Rd

4. Parcel Identification Number (PIN #) of subject property: 1503-67-1210
(also known as Tax ID Number or Property Tax ID)
5. Acreage: 16,000 sq ft Frontage: 2778.41 Ft Depth: 250 Ft
6. Water Provider: Well: _____ PWC: _____ Other (name): _____
7. Septage Provider: Septic Tank _____ PWC _____
8. Deed Book 11647, Page(s) 583, Cumberland
County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: Agricultural
10. Proposed use(s) of the property: Commercial

11. Do you own any property adjacent to or across the street from this property?
Yes _____ No x If yes, where? _____
12. Has a violation been issued on this property? Yes _____ No x
13. _____

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 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.

The Planning and Inspections Staff is available for advice on completing this application; however, they are not authorized to complete 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.

Robert Dale Dorman & Tammy B. Dorman

NAME OF OWNER(S) (PRINT OR TYPE)

7996 Rhodes Pond Road, Dunn, NC 28334

ADDRESS OF OWNER(S)

dormanfarms@embarqmail.com

E-MAIL

910-263-0978

HOME TELEPHONE #

910-263-0980 (CELL)

WORK TELEPHONE #

Robert Dorman

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

7996 Rhodes Pond Road, Dunn, NC 28334

ADDRESS OF AGENT, ATTORNEY, APPLICANT

dormanfarms@embarqmail.com

E-MAIL

910-263-0978

HOME TELEPHONE #

910-263-0980 (CELL)

WORK TELEPHONE #

Robert Dale Dorman

SIGNATURE OF OWNER(S)

SIGNATURE OF AGENT, ATTORNEY OR
APPLICANT

Tammy B. Dorman

SIGNATURE OF OWNER(S)

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

BK11966 P00537



TOWN OF FALCON

Return To: Town of Falcon/Cheryl Reed

Wayne G. Lucas, MAYOR

Post Office Box 112 • 7156 South West Street • Falcon, North Carolina 28342
Phone: (910) 980-1355 • Fax: (910) 980-5639 • E-mail: falcontownhall@gmail.com

FILED May 08, 2024 02:16:33 pm	FILED
BOOK 11966	CUMBERLAND
PAGE 0537 THRU 0541	COUNTY NC
INSTRUMENT # 13360	J. LEE WARREN JR.
RECORDING \$51.00	REGISTER
EXCISE TAX (None)	OF DEEDS
	AB

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF FALCON, NORTH CAROLINA

WHEREAS, the Town of Falcon has been petitioned under G.S. 160A-58.1 to annex the area described below; and

WHEREAS, the Town of Falcon has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, the Town Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at the Falcon Town Hall at 7:00 p.m. on March 4, 2024, after due notice by publication on February 20, 2024, and

WHEREAS, the Town of Falcon finds that the area described therein meets the standards of G.S. 160A-58.1 (b), to wit:

- a. The nearest point on the proposed satellite corporate limits is not more than three (3) miles from the corporate limits of the Town;
- b. No point on the proposed satellite corporate limits is closer to another municipality than to the Town;
- c. The area described is so situated that the Town will be able to provide the same services within the proposed satellite corporate limits that it provides within the primary corporate limits;
- d. No subdivision, as defined in G.S. 160A-376, will be fragmented by this proposed annexation;

TOWN COMMISSIONERS

R.DWAYNE DUNNING
FINANCE OFFICER / MAYOR PRO-TEM

JAMES D. NELSON
WATER SYSTEM

LARRY C. LOVICK
PARKS / RECREATION

JOHN C. WHEELER
STREETS / TECHNOLOGY

Cheryl F. Reed, TOWN CLERK

- e. The area within the proposed satellite corporate limits, when added to the area within all other satellite corporate limits, does not exceed ten percent (10%) of the area within the primary corporate limits of the Town; and

WHEREAS, the Town of Falcon further finds that the petition has been signed by all the owners of real property in the area who are required by law to sign; and

WHEREAS, the Town of Falcon further finds that the petition is otherwise valid, and that the public health, safety and welfare of the Town and of the area proposed for annexation will be best served by annexing the area described;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Falcon, North Carolina that:

Section 1. By virtue of the authority granted by G.S. 160A-58.2, the following described non-contiguous territory is hereby annexed and made part of the City of Falcon, immediately as of the date this document is executed below.

Area 1

Beginning at the northwest corner of Leased Area 1, [said corner being located from a cotton spindle set in Rhodes Pond Road (NCSR 1804) at the northeast corner of the Robert Dale Dorman property (NC PIN: 1503-67-1210) as shown on Plat Book 124, page 193, Cumberland County Registry (said corner being North 18 degrees 06 minutes 22 seconds East 343.69 feet from a point having NC Grid Coordinates N:537237.87', E: 2107176.59'); thence South 18 degrees 06 minutes 22 seconds West 120.85 feet; thence North 69 degrees 06 minutes 20 seconds West 55.85 feet to a point; thence North 69 degrees 06 minutes 20 seconds West 76.71 feet to a point; thence North 75 degrees 36 minutes 04 seconds West 98.86 feet to a point; thence North 88 degrees 04 minutes 29 seconds West 95.34 feet to a point; thence South 28 degrees 15 minutes 00 seconds West 337.95 feet] thence from said point and place of beginning South 56 degrees 39 minutes 26 seconds East 80 feet to a point; thence South 33 degrees 20 minutes 34 seconds West 40 feet to a point; thence North 56 degrees 39 minutes 26 seconds West 80 feet to a point; thence North 33 degrees 20 minutes 34 seconds East 40 feet to the point and place of BEGINNING.

Area 2

Beginning at the northwest corner of Leased Area 2, [said corner being located from the southwest corner of Leased Area 1 above South 70 degrees 02 minutes 11 seconds West 50.21 feet to a point in the eastern right of way of Interstate 95; thence from said point in the eastern right of way of Interstate 95 South 35 degrees 47 minutes 03 seconds West 355.43 feet to another point in the eastern right of way of Interstate 95; thence South 23 degrees 02 minutes 06 seconds West 105.66 feet] thence from the point and place of beginning South 50 degrees 28 minutes 10 seconds East 80 feet to a point; thence South 39 degrees 31 minutes 50 seconds West 40 feet to a point; thence North 50 degrees 28 minutes 10 seconds West 80 feet to a point; thence North 39 degrees 31 minutes 50 seconds East 40 feet to the point and place of BEGINNING.

Area 3

Beginning at the northwest corner of Leased Area 3, *[said corner being located from the southwest corner of Leased Area 2 above South 45 degrees 04 minutes 05 seconds West 310.89 feet to a point in the eastern right of way line of Interstate 95; thence South 33 degrees 48 minutes 46 seconds West 191.39 feet]* thence from said point and place of beginning South 47 degrees 10 minutes 08 seconds East 80 feet to a point; thence South 42 degrees 49 minutes 52 seconds West 40 feet to a point; thence North 47 degrees 10 minutes 08 seconds West 80 feet to a point; thence North 42 degrees 49 minutes 52 seconds East 40 feet to the point and place of BEGINNING.

Area 4

Beginning at the northwest corner of Leased Area 4, *[said corner being located from the southwest corner of Leased Area 3 above South 61 degrees 25 minutes 03 seconds West 94.12 feet to a point in the eastern right of way line of Interstate 95; thence along said right of way South 43 degrees 54 minutes 45 seconds West 430.13 feet to another point in the eastern right of way of Interstate 95; thence South 79 degrees 38 minutes 24 seconds East 36 feet]* thence from said point and place of beginning South 46 degrees 05 minutes 15 seconds East 80 feet to a point; thence South 43 degrees 54 minutes 45 seconds West 40 feet to a point; thence North 46 degrees 05 minutes 15 seconds West 80 feet to a point; thence North 43 degrees 54 minutes 45 seconds East 40 feet to the point and place of BEGINNING.

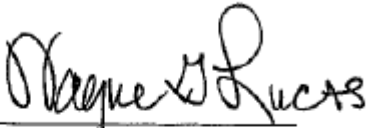
Area 5

Beginning at the northwest corner of Leased Area 5, *[said corner being located from the southwest corner of Leased Area 4 above South 49 degrees 38 minutes 16 seconds West 290.88 feet to a point in the eastern right of way line of Interstate 95; thence South 36 degrees 08 minutes 20 seconds West 212.52 feet]* thence from said point and place of beginning South 45 degrees 44 minutes 46 seconds East 80 feet to a point; thence South 44 degrees 15 minutes 14 seconds West 40 feet to a point; thence North 45 degrees 44 minutes 46 seconds West 80 feet to a point; thence North 44 degrees 15 minutes 14 seconds East 40 feet to the point and place of BEGINNING *[said southwest corner of Leased Area 5 being located from NC Grid Coordinates N:535271.12', E:2105319.94' North 45 degrees 44 minutes 46 seconds West 250 feet; thence North 51 degrees 01 minutes 42 seconds East 242.93 feet]*.

Section 2. Upon and after the date of this instrument, the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Falcon and shall be entitled to the same privileges and benefits as other parts of the Town of Falcon. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Town of Falcon shall cause to be recorded in the office of the Register of Deeds of Cumberland County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Town Board of Elections, as required by G.S. 163-288.1.

Adopted this 4th day of March, 2024.


Wayne G. Lucas, Mayor

ATTEST:



Cheryl F. Reed, Town Clerk

EXHIBIT A BK11966 PG0541

THIS MAP MAY NOT BE A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS AND HAS NOT BEEN REVIEWED FOR COMPLIANCE WITH RECORDING REQUIREMENTS FOR A PLAT.

