

Clarence Grier
County Manager

Sally Shutt
Assistant County
Manager



Rawls Howard
Director

David Moon
Deputy Director

CUMBERLAND COUNTY JOINT PLANNING BOARD

AGENDA January 21, 2025 6:00 PM Hearing Room #3

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

REZONING CASES

- A. **ZON-24-0039: Rezoning from A1 Agricultural District to R15 Residential District or to a more restrictive zoning district for 28.50 +/- acres; located north of Fennell Road and west of Tower Drive, submitted by Scott Brown (Agent) on behalf of Sids Mill Properties LLC (Owner).**
- B. **ZON-24-0041: Rezoning from RR Rural Residential and R10 Residential District to R6ACZ Residential District Conditional Zoning or to a more restrictive zoning district for a portion of a parcel containing 15.33 +/- acres; located north of Odell Road and east of Old Angus Lane, submitted by D. Ralph Huff, III for Caelin Farms LLC and Jerry and Jean Smith (Owners). (Spring Lake)**

- VIII. PUBLIC MEETING CONTESTED ITEMS

REZONING CASES

- IX. DISCUSSION
 - C. **PRESENTATION OF CUMBERLAND COUNTY HISTORIC ARCHITECTURAL SURVEY**
- X. ADJOURNMENT

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

www.cumberlandcountync.gov



PLANNING AND INSPECTIONS DEPARTMENT

MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF JANUARY 21, 2025

TO: JOINT PLANNING BOARD

FROM: RAWLS HOWARD, DIRECTOR OF PLANNING & INSPECTIONS

DATE: 1/21/2025

SUBJECT: ZON-24-0039: REZONING FROM A1 AGRICULTURAL DISTRICT TO R15 RESIDENTIAL DISTRICT OR TO A MORE RESTRICTIVE ZONING DISTRICT FOR 28.50 +/- ACRES; LOCATED NORTH OF FENNEL ROAD AND WEST OF TOWER DRIVE, SUBMITTED BY SCOTT BROWN (AGENT) ON BEHALF OF SIDS MILL PROPERTIES LLC (OWNER).

ATTACHMENTS:

Description

ZON-24-0039

Type

Backup Material

| | |
|----------------|---------------------------|
| REQUEST | Rezoning A1 to R15 |
|----------------|---------------------------|

Applicant requests a rezoning from A1 Agricultural District to R15 Residential District for approximately 20.50 +/- acres located along the north side of Fennell Rd. and west of Tower Dr. as shown in Exhibit "A". The parcel currently contains undeveloped woodlands. The applicant intends to subdivide the parcel for single-family residential development.

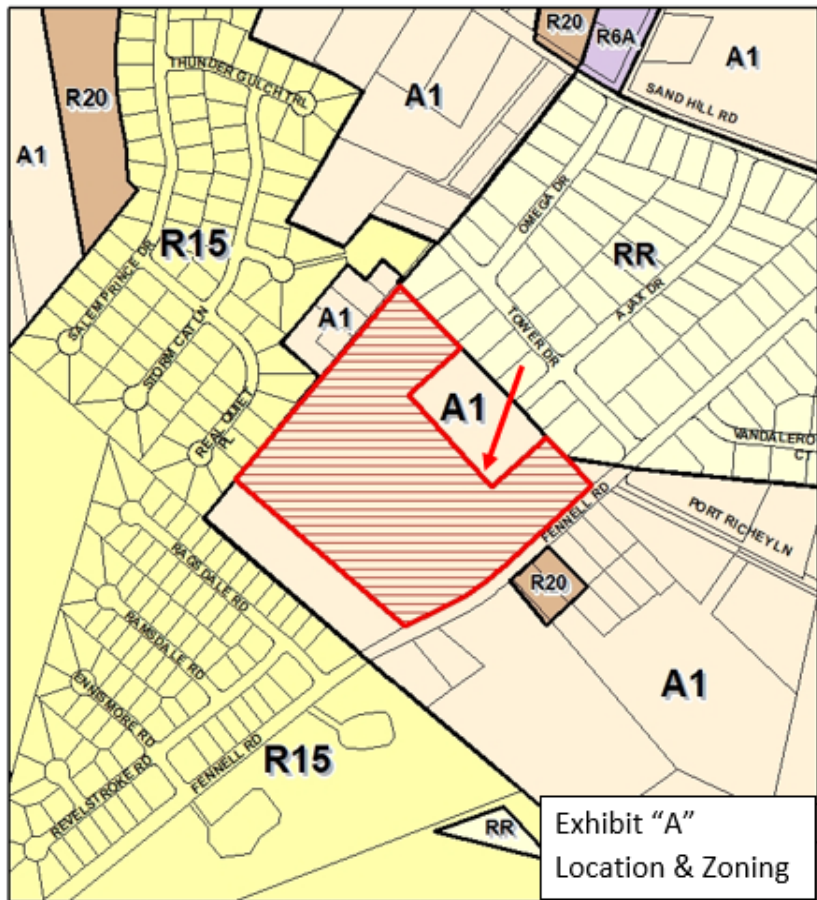
| |
|-----------------------------|
| PROPERTY INFORMATION |
|-----------------------------|

OWNER/APPLICANT:
 Sids Mill Properties, LLC (Owner);
 Scott Brown (agent)

ADDRESS/LOCATION: Located along Fennell Rd, West of Tower Dr. Refer to Exhibit "A", Location and Zoning Map. REID number(s): 0432891422000.

SIZE: Approximately 20.50 +/- acres, 925' +/- of street frontage and is 1,081' +/- in length at its deepest point.

EXISTING ZONING: The subject property is currently zoned A1 Agricultural District. The 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.

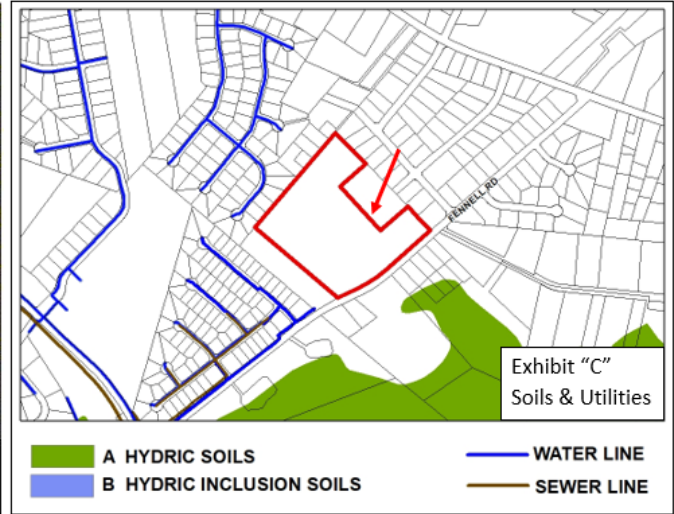


EXISTING LAND USE: The subject site consists of undeveloped woodlands and a utility easement.

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

- **North:** Churchill Downs Subdivision, Single-family homes, Manufactured Homes, and Woodlands
- **East:** Silver Fox Run Subdivision, Single-family homes, Manufactured Homes, and Woodlands
- **West:** Cypress Pointe Subdivision, Single-family Homes, and Woodlands
- **South:** Single-family homes and Woodlands

OTHER SITE CHARACTERISTICS: The subject property is not located in a Watershed Protection Area nor within a Flood Zone Hazard Area. The subject property, as delineated in Exhibit "C", illustrates that hydric or hydric inclusion soils are not present on the subject property.

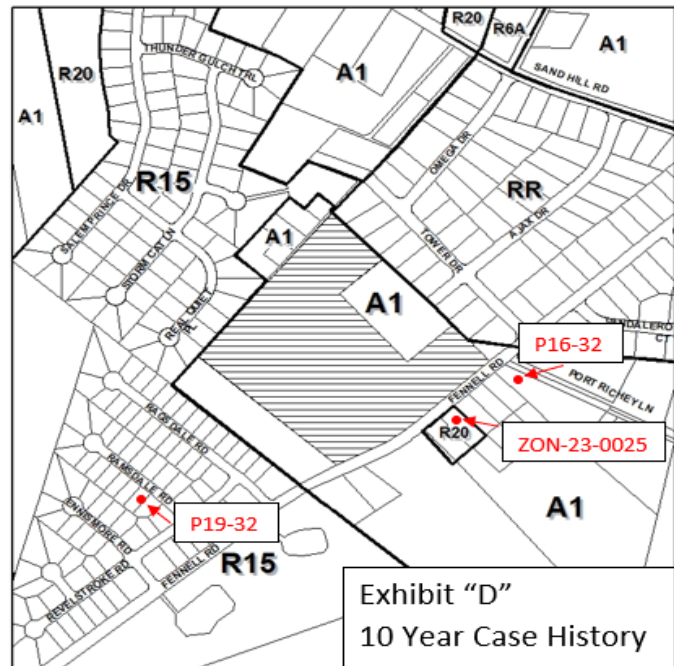


TEN YEAR ZONE CASE HISTORY: Exhibit "D" denotes the location zoning and development cases in the past ten years and as described below:

- P16-32: A1 to A1A, Denied.
- P19-32: RR to R15, Approved.
- ZON-23-0025: A1 to R20, Approved.

DEVELOPMENT REVIEW: Should the request be approved, a preliminary plan for any subdivision or site plan for development will need to be submitted for review and approval to the Current Planning Division to ensure conformance with the County Subdivision and Zoning Ordinances.

Per Cumberland County Code Enforcement, there is existing debris, outside storage, and inoperable/junk vehicles within the subject site along Timkin Dr. that constitutes a violation of the Zoning Ordinance, and which must be removed prior to any development activity.



DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

| Minimum Standard | A1 (Existing Zoning) | R15 (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 | 15,000 sq. ft. |
| Lot Width | 100 feet | 75 feet |

DEVELOPMENT POTENTIAL:

| Existing Zoning (A1) | Proposed Zoning (R15) |
|----------------------|-----------------------|
| 10 dwelling units | 60 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.

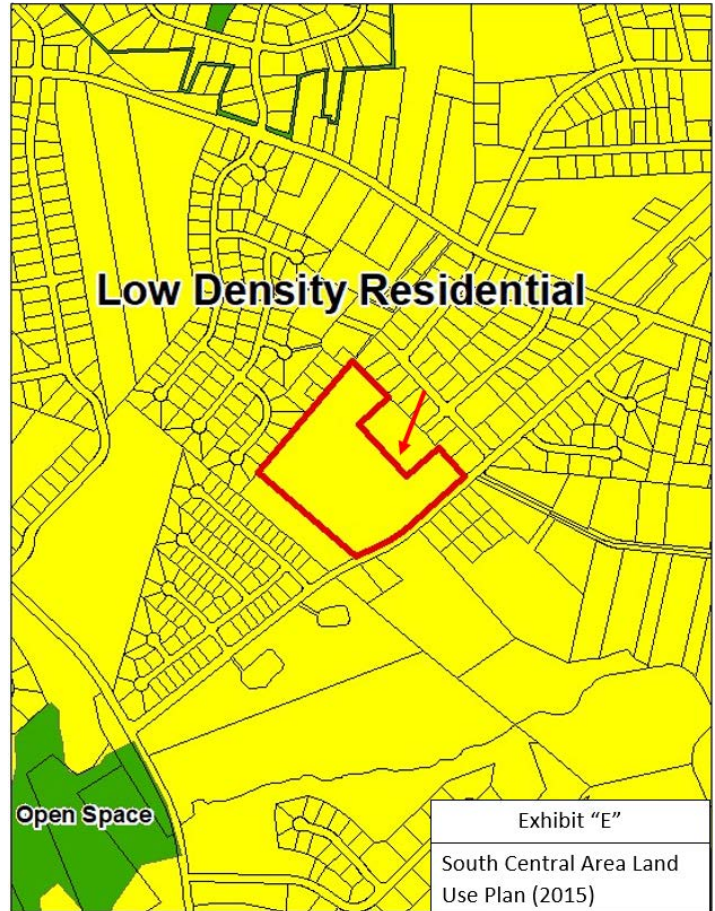
COMPREHENSIVE PLANS:

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

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

Future Land Use Classification Development Goals:

- 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 Area Land Use Plan 2015, p. 93).
- Promote the building of quality housing. (South Central Area Land Use Plan 2015, p.93)
- Locate residential areas with respect to natural and environmental sensitive areas. (South Central Area Land Use Plan 2015, p.93)
- Promote sidewalks and pedestrian facilities, where appropriate to provide access to facilities such as schools, commercial areas, and recreation facilities. (South Central Area Land Use Plan 2015, p.93)
- Provide and preserve natural vegetative buffer areas between single and multistory residential development and non-residential uses. (South Central Area Land Use Plan 2015, p.93)



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: Per County GIS, water utility lines are located along Fennell Rd at the southwest corner of the subject site. Sewer utility lines are located approximately 1,100 feet to the west at the intersection of Fennell Road and Ennismore Rd, as shown on Exhibit "C". The rezoning application (attached) indicates that the developer intends to connect to PWC water and sewer.

SCHOOLS CAPACITY/ENROLLMENT: The Cumberland County Schools was contacted several times regarding applicable school attendance zones and their associated enrollment. No response was returned as of the date this report was submitted to the Planning Board.

| School | Capacity | Enrollment |
|------------|---------------|---------------|
| Elementary | Not available | Not available |
| Middle | Not available | Not available |
| High | Not available | Not available |

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-24-0039, Planning and Inspections staff **recommends approval** of the rezoning request from A1 Agricultural District to R15 Residential District. Staff finds that the request is consistent with the South-Central Area 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
 Affidavit of Ownership/Agent Authorization Form

ATTACHMENT – MAILING LIST

FREEMAN, WILLIE EDISON JR
2003 FENNELL ROAD
HOPE MILLS, NC 28348

CARRANZA, RODOLFO JORGE
1709 RAGSDALE ROAD
HOPE MILLS, NC 28348

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

BOGGESE, STEVEN D
PO BOX 619063
DALLAS, TX 75261

DORVIL, ALICIA;DORVIL, GREGORY
4625 STORM CAT LN
HOPE MILLS, NC 28348

QUINLAN, M_ANN;QUINLAN, JOSHUA AARON
1741 RAGSDALE ROAD
HOPE MILLS, NC 28348

NDHLOVU, KEARA;NDHLOVU, PARDON
1805 CITIDANCER COURT
HOPE MILLS, NC 28348

FERGUSON, KIMBERLY ANN
4609 STORM CAT LN
HOPE MILLS, NC 28348

WILLIAMS TIMBER LLC
2709 THORNGROVE CT
FAYETTEVILLE, NC 28303

SWINEHART, J LACY; JENNIFER
1812 CITIDANCER CT
HOPE MILLS, NC 28348

FREEMAN, WILLIAM EDWARD JR
5820 AJAX DR
HOPE MILLS, NC 28348

SENATRE, NICOLAS
1728 RAGSDALE ROAD
HOPE MILLS, NC 28348

FENNELL, MINNIE
9388 MEADOW GATE LN
JONESBORO, GA 30236

WILL, SKYLER;WILL, MONICA
1729 REAL QUIET PL
HOPE MILLS, NC 28348

PALUZZI, TERRY W;PALUZZI, KAREN L
1804 CITIDANCER CT
HOPE MILLS, NC 28348

GARNER, M HEIRS;GARNER, R HEIRS
PO BOX 9044
FAYETTEVILLE, NC 28311

NUNEZ, GILBERTO;NUNEZ, GULTEN
1704 RAGSDALE ROAD
HOPE MILLS, NC 28348

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

BREWINGTON, CECILIA
532 ARVEL WISE LN
RINEYVILLE, KY 40162

DUMARS, HENRY
1729 RAMSDALE ROAD
HOPE MILLS, NC 28348

PONE, BRENDA S
8529 CRATIN PL
PHILADELPHIA, PA 19153

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

CHRISTYPHI CONSTRUCTION INC
3687 GAINNEY RD
FAYETTEVILLE, NC 28306

KEELING, FREDERICK; KEELING, NICOLA
1744 REAL QUIET PL
HOPE MILLS, NC 28348

BURKE, CHRISTOPHER
1705 RAMSDALE ROAD
HOPE MILLS, NC 28348

SINCLAIR, VERNICE
5829 AJAX DR
HOPE MILLS, NC 28348

DAHLMAN, TIMOTHY; DAHLMAN, TIFFANY
4624 STORM CAT LN
HOPE MILLS, NC 28348

ROSS, STEPHANIE D
5833 FLAT FERN DR
RALEIGH, NC 27610

YOUNG, TYLER BRETT
1753 RAGSDALE RD
HOPE MILLS, NC 28348

BRADEN, KEMBERLE J
4519 STORM CAT LN
HOPE MILLS, NC 28348

LI, MINGNA
1717 RAMSDALE ROAD
HOPE MILLS, NC 28348

HARDIN, HELEN KEICHER
5964 TIMKIN DR
HOPE MILLS, NC 28348

BREWINGTON, CECILIA
532 ARVEL WISE LN
RINEYVILLE, KY 40162

NEWSOME, SAMANTHA
4621 STORM CAT LANE
HOPE MILLS, NC 28348

WRIGHT, WILLIAM B
2709 BOBWHITE DR
ROANOKE, VA 24018

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

THE BATTLE FAMILY LIMITED PARTNERSHIP
216 E CHATHAM STREET STE 108
CARY, NC 27511

SANDERS, JOHNNY SANDERS, MONICA
1737 REAL QUIET PL
HOPE MILLS, NC 28348

HANS, BILLY J HANS, PAMELA KAY
4608 REVELSTROKE ROAD
HOPE MILLS, NC 28348

LO, WENYEN
1716 RAGSDALE ROAD
HOPE MILLS, NC 28348

BYRD, LA TESA
1740 RAGSDALE RD
HOPE MILLS, NC 28348

HARMON, WILLIAM
5833 AJAX DR
HOPE MILLS, NC 28348

GOMEZ, JESSE GOMEZ, MARCELA
4611 REVELSTROKE ROAD
HOPE MILLS, NC 28348

PARKER, RICHARD R FFLKI, MELISSA A
363 BURR POND RD
SUDBURY, VT 05733

MORAHERN, CHRISTOPHER ORRINE, DOMINIQUE
1740 REAL QUIET PL
HOPE MILLS, NC 28348

COVELL, DAVID COVELL, JOHANNA
1733 RAGSDALE ROAD
HOPE MILLS, NC 28348

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

SPEARS, KEAUJA
1709 RAMSDALE RD
HOPE MILLS, NC 28348

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

ZETINA, ISABEL CORTES, JULIO C MALDONADO
1321 BILL DR
FAYETTEVILLE, NC 28306

ENGLAND, STEVEN
1757 RAGSDALE ROAD
HOPE MILLS, NC 28348

IVEY, MATTHEW W
1748 REAL QUIET PL
HOPE MILLS, NC 28348

ROBINSON, JORNELLE S
1721 RAMSDALE ROAD
HOPE MILLS, NC 28348

WRIGHT, WILLIAM B
2709 BOBWHITE DR
ROANOKE, VA 24018

DEISCH, LISA A
1725 REAL QUIET PL
HOPE MILLS, NC 28348

CARMELINO, RAMOS HERNANDEZ, MARIA
1712 RAGSDALE ROAD
HOPE MILLS, NC 28348

TAYLOR, RAYFORD TAYLOR, UNAKA
1736 RAGSDALE RD
HOPE MILLS, NC 28303

BEARD, GWENDOLYN MCKENZIE
1721 RAGSDALE ROAD
HOPE MILLS, NC 28348

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

JOHNSON, JAMES JR JOHNSON, LINDSEY T FRAHM
1753 REAL QUIET PL
HOPE MILLS, NC 28348

MCNEILL, EVA MAE
2142 SANDHILL RD
HOPE MILLS, NC 28348

JACKSON, CAROLYN A; JACKSON, REGINALD B
1745 RAGSDALE ROAD
HOPE MILLS, NC 28348

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

BUCKLEY, GEORGIA J
1730 REAL QUIET PL
HOPE MILLS, NC 28348

SMITH, TAYLOR E; SMITH, ANTHONY G
4617 STORM CAT LN
HOPE MILLS, NC 28348

JOHNSON, HARVEY M; JOHNSON, BRENDA
4523 STORM CAT LN
HOPE MILLS, NC 28348

CROMARTIE, PAULINE
603 STEELE ST
MOUNT OLIVE, NC 28365

DUNN, JONATHAN LINWOOD
5946 TIMKIN DR
HOPE MILLS, NC 28348

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

HERRING, ADAM; HERRING, KYRIA
1724 RAGSDALE ROAD
HOPE MILLS, NC 28348

HOLSCHER, JAMES W
1813 CITIDANCER CT
HOPE MILLS, NC 28348

GAUSE, DAVID
5516 MCPHAIL ST
HOPE MILLS, NC 28348

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

HICKS, FRANK; HICKS, TEUDORA
4607 REVELSTROKE ROAD
HOPE MILLS, NC 28348

WOLFINGTON, DAVID L JR; CHRISOLM, ASHLI N
1733 RAMSDALE ROAD
HOPE MILLS, NC 28348

MURPHY, TERRELL JEROME JR; YOH, MIYUN
4530 STORM CAT LANE
HOPE MILLS, NC 28348

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

BERRY, JERMAINE SR; BERRY, DANA L
3043 CAYENNE WAY
PERRIS, CA 92571

JEFFREY, CHAD; GADDIS, ASHLEY
1725 RAGSDALE ROAD
HOPE MILLS, NC 28348

CHRISTYPHI CONSTRUCTION INC
3687 GAINNEY RD
FAYETTEVILLE, NC 28306

FLOREZ, ALBEIRO; FLOREZ, JESSICA
4608 STORM CAT LN
HOPE MILLS, NC 28348

THOMPSON, DEVETT; ATKINSON, GERARD
1749 RAGSDALE ROAD
HOPE MILLS, NC 28348

SLADE, ALICE F
873 VANDALERO CT
HOPE MILLS, NC 28348

REECH INC
558 LAKE GASTON DR
FUQUAY VARINA, NC 27526

MASHA, OLALEKAN
4515 STORM CAT LN
HOPE MILLS, NC 28348

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

BURDEN, LACY
5635 DUNCAN ST
HOPE MILLS, NC 28348

BRABOY, ANNIE M
1881 CASCADE ST
FAYETTEVILLE, NC 28301

CRYSTAL PAMELA; SUAREZ, PHILIP KENNON
4604 REVELSTROKE ROAD
HOPE MILLS, NC 28348

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

LOW, CLAIRE; LOW, KEVIN
2139 BALDWIN ST
FT COLLIN, CO 80528

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

CYPRESS POINTE RESIDENTIAL OWNERS ASSOCIATION
2709 THORNGROVE COURT STE
1FAYETTEVILLE, NC 28303

BURNETTE, SAMARIA KARIN
1713 RAGSDALE ROAD
HOPE MILLS, NC 28348

BUXTON, LINDA
2018 SAND HILL RD
HOPE MILLS, NC 28348

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

KIRK, VIVIAN BUXTON
2002 SAND HILL ROAD
HOPE MILLS, NC 28348

BURRELL, KENYAUNA; NAFTALI, MONAE
1737 RAGSDALE ROAD
HOPE MILLS, NC 28348

SIEBO, SAMUEL DOTY
4620 STORM CAT LANE
HOPE MILLS, NC 28348

DRAUGHON, TOMMIE JO
5828 AJAX DR
HOPE MILLS, NC 28348

SMITH, DAVID; GERGES, MARIAM
4613 STORM CAT LANE
HOPE MILLS, NC 28348

BARBER, MARCEE; BARBER, D SCOTT
4612 STORM CAT LANE
HOPE MILLS, NC 28348

VANASSE, J ROBERT;VANASSE, JAIME LEA
10755 FLINT ST
OVERLAND PARK, KS 66210

WILLIAMS, J WILBERT III; BUIE, DENISE
5816 OMEGA DR
HOPE MILLS, NC 28348

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

WHITEHEAD, CHRISTOPHER WIFE JEWEL HALL
1721 REAL QUIET PL
HOPE MILLS, NC 28348

PATTERSON, PALEITHA M
4014 AIRLINE DR
FAYETTEVILLE, NC 28306

ROSKY, ARTHUR; ROSKY, CATHLEEN
1701 RAGSDALE RD
HOPE MILLS, NC 28348

BREWINGTON, CECILIA
532 ARVEL WISE LN
RINEYVILLE, KY 40162

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

ANGALA, TADEO; ANGALA, ASHLEY
1732 RAGSDALE ROAD
HOPE MILLS, NC 28348

EVANS, GARRETT R; EVANS, ANGELICA
1711 REAL QUIET PL
HOPE MILLS, NC 28348

MACK, JOYCE MARIE
874 VANDALERO CT
HOPE MILLS, NC 28348

MORGAN, MELVIN; MORGAN, CATHERINE
5821 OMEGA DR
HOPE MILLS, NC 28348

DILLON, SHEREE
1701 RAMSDALE RD
HOPE MILLS, NC 28348

SHIELDS, JOSEPH A; SHIELDS, CHERYL
1717 RAGSDALE RD
HOPE MILLS, NC 28348

POGETTI, PETER V; POGETTI, BARBARA
1741 REAL QUIET PL
HOPE MILLS, NC 28348

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

BOROFF, DEBORAH
2043 FENNELL ROAD
HOPE MILLS, NC 28348

SILVER FOX HOMEOWNERS ASSOC
PO BOX 2273
FAYETTEVILLE, NC 28302

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

TUCKER, VERNON; TUCKER, ROBIANNA
4616 STORM CAT LANE
HOPE MILLS, NC 28348

BRADFORD, NICHOLAS; BRADFORD, TANIKA
1752 REAL QUIET PL
HOPE MILLS, NC 28348

GILBERT, ANNE M
1730 THUNDER GULCH TRL
HOPE MILLS, NC 28348

HARDIN, WILLIAM L
5964 TIMKIN DR
HOPE MILLS, NC 28348

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

WHITE, MARTAYEZ
1720 RAGSDALE ROAD
HOPE MILLS, NC 28348

BREWINGTON, CECILIA; BREWINGTON, B LEE
795 CORLEY RD
PARIS, AR 72855

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

LOEHR, JOHN J; LOEHR, STEPHANIE M
4603 REVELSTROKE ROAD
HOPE MILLS, NC 28348

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

SMITH, BRANDY NICHOLE
1729 RAGSDALE ROAD
HOPE MILLS, NC 28348

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

WEBBER, JOSEPH; WEBBER, REBECCA
4605 STORM CAT LN
HOPE MILLS, NC 28348

COLSON, WILLIAM; COLSON, LAURALEE
1705 RAGSDALE ROAD
HOPE MILLS, NC 28348

JALLOW, BRITNEY; JALLOW, SAMBA
1713 RAMSDALE ROAD
HOPE MILLS, NC 28348

HUYLER, KIMBERLY; SCHROMM, JAMES
4612 REVELSTROKE ROAD
HOPE MILLS, NC 28348

CROMARTIE, PAULINE
603 STEELE ST
MOUNT OLIVE, NC 28365

CAMPBELL, CHERYL; CAMPBELL, LEE II
1808 CITIDANDER CT
HOPE MILLS, NC 28348

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

WESLEY, FRANCIS J
1756 REAL QUIET PL
HOPE MILLS, NC 28348

NEWSOME, HEATHER L; NEWSOME, SHERRY
1761 RAGSDALE RD
HOPE MILLS, NC 28348

MANESS, WALTER LEONARD JR
878 VANDALERO CT
HOPE MILLS, NC 28382

COLLINS, CANDI C
1725 RAMSDALE RD
HOPE MILLS, NC 28348

MCLAURIN, RYAN W; MCLAURIN, STEPHANIE H
1733 REAL QUIET PL
HOPE MILLS, NC 28348

FREEMAN, SANDRA D
1886 SAND HILL RD
HOPE MILLS, NC 28348

JR HOMES OF NORTH CAROLINA LLC
8000 CORPORATE CENTER DR STE 100
CHARLOTTE, NC 28226

CREEK, K THERESA; CREEK, J MATTHEW
1706 RAGSDALE ROAD
HOPE MILLS, NC 28348

OATES, HENRY THOMAS; OATES, DOREEN MAY
1710 REAL QUIET PL
HOPE MILLS, NC 28348

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

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.

Sids Mill Properties LLC

NAME OF OWNER(S) (PRINT OR TYPE)

8000 Corporate Center Drive, Suite 100, Charlotte, NC 28226

ADDRESS OF OWNER(S)

HOME TELEPHONE #

704-877-1178
WORK TELEPHONE #

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

ADDRESS OF AGENT, ATTORNEY, APPLICANT

E-MAIL

HOME TELEPHONE #

WORK TELEPHONE #

SIGNATURE OF OWNER(S)

[Handwritten Signature]
James Sids Mill Properties LLC

SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

SIGNATURE OF OWNER(S)

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

ATTACHMENT: AFFIDAVIT OF OWNERSHIP/AGENT AUTHORIZATION



AFFIDAVIT OF OWNERSHIP/AGENT AUTHORIZATION FORM

PROPERTY OWNER (Company or Individual): Sids Mill Properties LLC
MAILING ADDRESS: 8000 Corporate Center Dr. 5th Floor Charlotte NC 28226
Officer's name and title: Jimmy Ray - Member

1. That I am (we are) owner's and record title holder(s) of the following described property legal description, to with:
2. That this property constitutes the property for which a request for (type of Application Approval Requested): rezoning from A1 to R-15
3. That the undersigned has (have) appointed and does (do) appoint Scott Brown as agent(s) to execute any petitions or other documents necessary to affect such petition, including development review time extension requests; and request that you accept my agent (s) signature as rep[resenting my agreement of all terms and conditions of the approval process;
4. That this affidavit has been executed to induce Cumberland County, North Carolina and act on the foregoing request;
5. That I, (we) the undersigned authority, hereby certify that the foregoing is true and correct.

Jimmy Ray Member Sids Mill Properties LLC
Owner's Signature/Print Title

Owner's Signature/Print Title

Owner's Signature/Print Title

State of North Carolina
~~Cumberland County~~
Union

The foregoing instrument was acknowledged before me by means of ✓ physical presence or _____ online notarization, this 6 day of January (month), 2025 (year), by Jimmy Ray (name of person acknowledging) who is personally known to me or who has produced _____ (type of identification) as identification.



Debra Kay Fike

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



PLANNING AND INSPECTIONS DEPARTMENT

MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF JANUARY 21, 2025

TO: JOINT PLANNING BOARD

FROM: RAWLS HOWARD, DIRECTOR OF PLANNING & INSPECTIONS

DATE: 1/21/2025

SUBJECT: ZON-24-0041: REZONING FROM RR RURAL RESIDENTIAL AND R10 RESIDENTIAL DISTRICT TO R6ACZ RESIDENTIAL DISTRICT CONDITIONAL ZONING OR TO A MORE RESTRICTIVE ZONING DISTRICT FOR A PORTION OF A PARCEL CONTAINING 15.33 +/- ACRES; LOCATED NORTH OF ODELL ROAD AND EAST OF OLD ANGUS LANE, SUBMITTED BY D. RALPH HUFF, III FOR CAELIN FARMS LLC AND JERRY AND JEAN SMITH (OWNERS). (SPRING LAKE)

ATTACHMENTS:

Description

ZON-24-0041

Type

Backup Material

Location: North of Odell Rd and East of Old Angus Ln.
Jurisdiction: Town of Spring Lake

REQUEST

Rezoning from RR and R10 to R6A/CZ

Applicant requests a rezoning from R10 and RR Residential District(s) to R6A/CZ Residential Conditional Zoning District for approximately 15.33 +/- acres; located North of Odell Rd and East of Old Angus Ln. The rezoning comprises one parcel, a 15.33-acre portion of a 26.36-acre tract of undeveloped land and is owned by Jerry and Jean Smith. The intent of the property owners is to rezone the 15.33 acres for a potential sale to Caelin Farms, LLC, the developer of Caelin Farms Phases 1 – 3 to the west. The 15.33 acres, as delineated by a legal description, is proposed to be incorporated into the abutting Caelin Farms residential community as Phase 4. Phases 1 through 3 are under development with Phase I currently platted and single-family homes constructed or under construction on some lots. A conditional zoning site plan appears as Exhibit "A" of the CZ Conditions of Approval, which is provided in Exhibit "F" of this report.

PROPERTY INFORMATION

OWNER/APPLICANT: Jerry M. Smith and Jean M. Smith (Owners); D. Ralph Huff, III of Caelin Farms, LLC (Applicant)

ADDRESS/LOCATION: Located North of Odell Road and East of Old Angus Lane. Refer to Exhibit "A", Location and Zoning Map. Portion of REID number(s): 0502228531000.

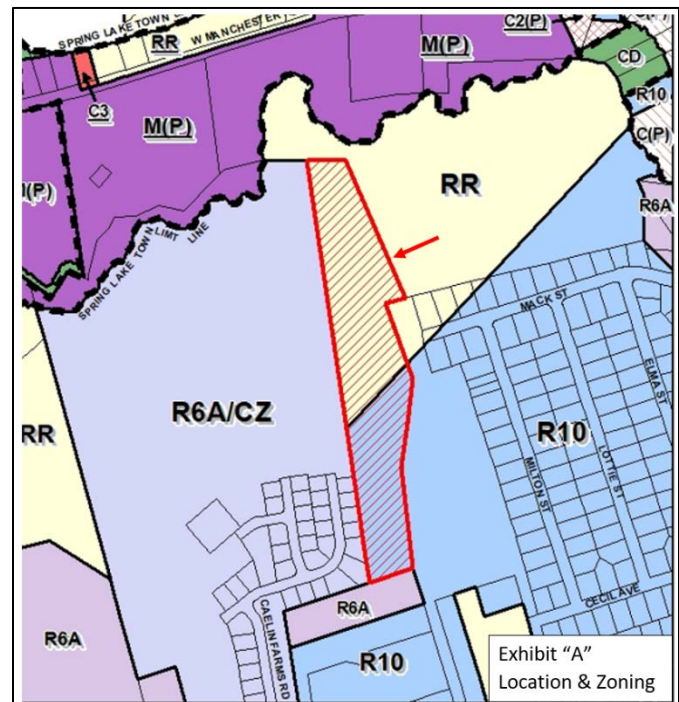
SIZE: Parcel 0502228531000 has approximately 26.36 acres and 60 feet +/- of street frontage and is 2,904 feet +/- in length at its deepest point.

EXISTING ZONING: The subject property is currently zoned RR and R-10 Residential District(s), as shown in Exhibit "A". The RR Rural Residential District is designed for traditional rural use with lots of 20,000 square feet or above. The principal use of the land is for low-density residential and agricultural purposes. These districts are intended to ensure that residential development not having access to public water supplies and dependent upon septic tanks for sewage disposal will occur at a sufficiently low density to provide a healthful environment. The R10 Residential District is a district designed primarily for single-family dwellings on medium-sized lots with area of 10,000 square feet or above.

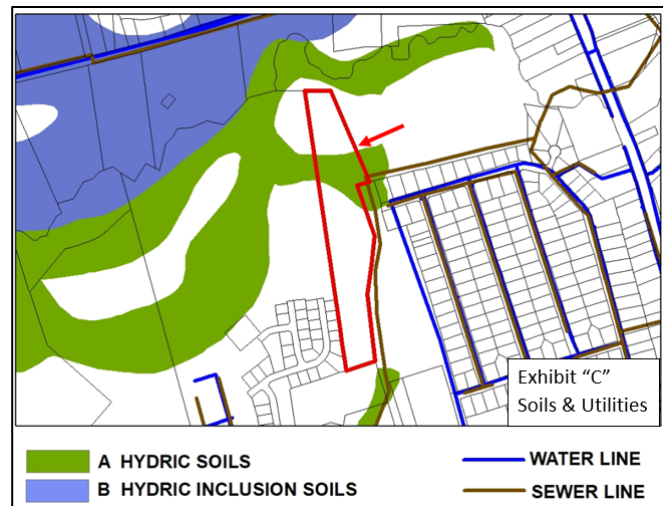
EXISTING LAND USE: The subject site consists of undeveloped woodlands.

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

- **North:** Woodlands.
- **East:** Single-family Residential and Woodlands.
- **West:** Caelin Farms residential community; and Woodlands.
- **South:** Single-family Residential and Woodlands.



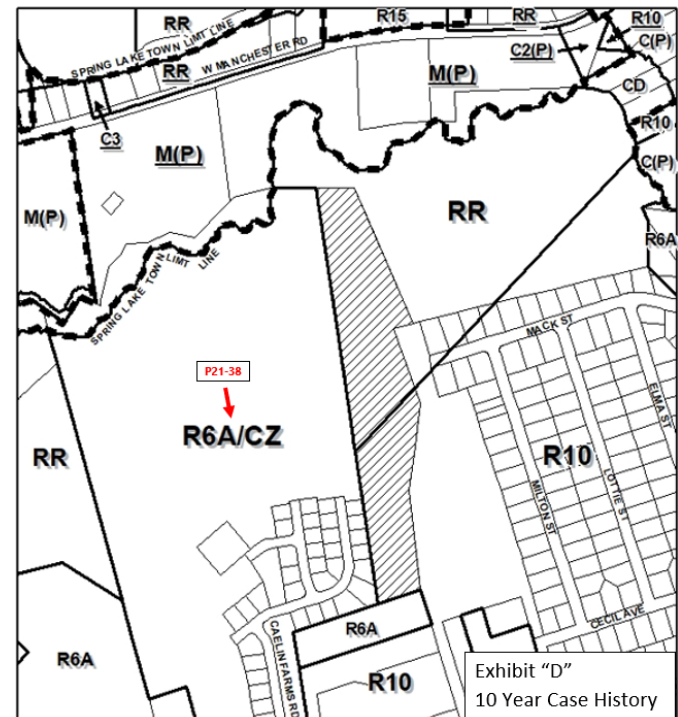
OTHER SITE CHARACTERISTICS: The site is not located in a Watershed Protection Area but is within a Flood Zone Hazard Area, as illustrated in an attachment. The subject property, as delineated in Exhibit "C", illustrates hydric or hydric inclusion soils are present on the northeast corner of the property.



TEN YEAR ZONE CASE HISTORY: Exhibit "D" denotes the location of the zoning case history described below.

- P21-88: R6A, RR, and R-10 to R6A/CZ; Known as Caelin Farms Phases 1 -3 Approved and portions of which are plated and homes constructed. Applicant intends to combine Caelin Farms Phae 4 with Phases 1- 3 if ZON-24-0041 rezoning is approved.

DEVELOPMENT REVIEW: Should the request be approved, a preliminary plan for any subdivision or site plan for development will need to be submitted for review and approval to the Current Planning Division to ensure conformance with the County Subdivision and Zoning Ordinances.



DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

| Minimum Standard | RR (Existing Zoning) | R-10 (Existing Zoning) | R6A/CZ (Proposed Zoning) |
|--------------------|------------------------------------|---|---|
| Front Yard Setback | 30 feet | 30 feet | 25 feet |
| Side Yard Setback | 15 feet (1-story)/ 15 (2-story) | 10 feet (1-story)/ 15 feet (2-story) | 15 feet (1-story)/ 17 feet (2-story) |
| Rear Yard Setback | 35 feet | 35 feet | 15 feet |
| Lot Area | 20,000 Sq. Ft. | 10,000 Sq. Ft. | 6,000 sq. ft. |
| Lot Width | 100 feet | 75 feet | 60 feet |

DEVELOPMENT POTENTIAL:

| Existing Zoning (RR and R-10) | Proposed Zoning (R6A/CZ) |
|--|--------------------------|
| 95 dwelling units (RR: 20 units, R-10: 75 units) | 28 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.

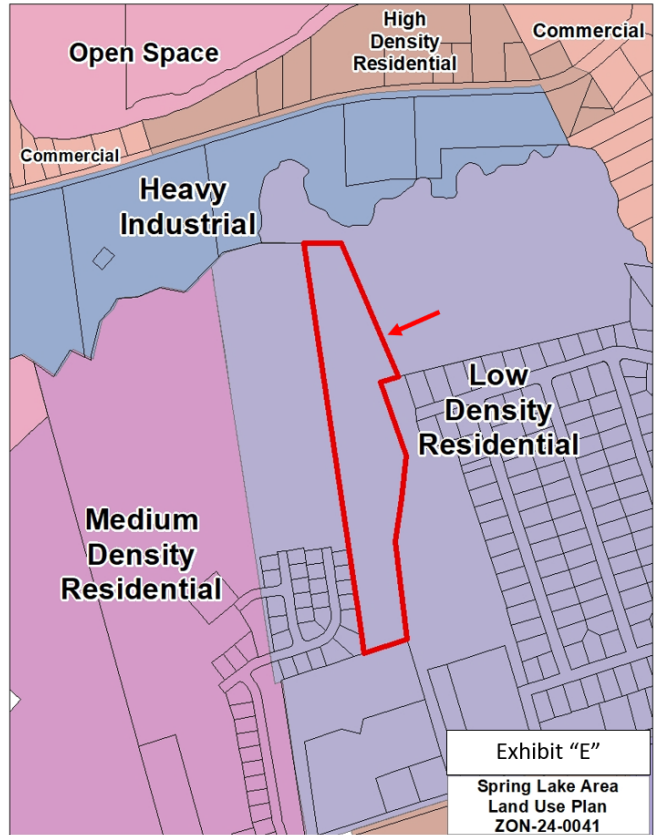
COMPREHENSIVE PLANS:

This property is located in the Spring Lake Area Land Use Plan (2022). The future land use classification of the property is "Low Density Residential". The associated zoning districts for Low Density Residential are R-15, R-10, and PND. Although the future land use map calls for the property to be zoned for Low Density Residential, the property's location in conjunction with the completion of previous phases of the project make it a viable location for Medium Density Residential associated zoning districts.

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

Future Land Use Classification Development Goals:

- Some low-density residential areas may be suitable for even greater density or multifamily housing, especially if nearby development has increased over time. (Spring Lake Area Land Use Plan, p. 48).
- To promote denser development close to existing development, including multifamily housing (Spring Lake Area Land Use Plan, p. 48).



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: Town of Spring Lake water and sewer utilities are abutting and available near the subject parcel.

SCHOOLS CAPACITY/ENROLLMENT:

| School | Capacity | Enrollment |
|-----------------------------|----------|------------|
| William T. Brown Elementary | 535 | 666 |
| Spring Lake Middle | 499 | 664 |
| Pine Forest High | 1553 | 1712 |

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

EMERGENCY SERVICES: No comments have been received from the Spring Lake Fire Marshal.

RLUAC: Based on the findings expressed in a letter received by the Planning Department from RULAC, date January 2, 2025, RLUAC is in opposition to the zoning map amendment, as submitted, due to the

hazard posed to life and property if additional residential uses are developed within Accident Potential Zone 1 for Pope Airfield. A copy of the RLUAC letter is attached to this Staff Report.

It should be noted that staff’s recommendation is based upon prior approvals given to the initial phases of Caelin Farms, prior reviews and recommendations from RLUAC and Planning staff of the abutting, associated rezonings, and Fort Liberty moving the Accident Potential Zone boundary line after the first phases of the development had commenced.

SPECIAL DISTRICTS/ OVERLAY DISTRICTS:

| Special Districts | | | |
|--|-----|--|-----|
| Fayetteville Regional Airport Overlay: | n/a | Averasboro Battlefield Corridor: | n/a |
| Five Mile Distance of Fort Liberty: | Yes | 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: The proposed conditions of approval and conditional zoning site plan are provided in Exhibit “F”.

KEY CONDITIONS:

1. Mobile homes are prohibited.
2. The Conditional Zoning Site Plan shows a park and recreation area within useable areas of a designated “Open Space” area. If Phase 4 is annexed into and becomes part of the existing Caelin Farms homeowners association together with Phases 1-3, and the Phase 1–3 parks satisfy the minimum recreation requirements of the Spring Lake Zoning Ordinance to accommodate Phases 1-4, the Phase 4 recreation and park area may be eliminated at the discretion of the developer at the time of the Preliminary Subdivision Plan application, and the Phase 4 residents will use the parks located in Caelin Farms Phase 1- 3. If Phase 4 remains a separate homeowners association, the Phase 4 preliminary subdivision plan and plat will provide a park and recreation areas sufficient in area to comply with the Town of Spring Lake zoning ordinance.
3. Access to Phase 4 shall only occur from Phase 1–3 unless otherwise approved by the Town Board of Commissioners.
4. As noted in the Conditional Zoning Conditions of Approval, the developer shall assure that disclosure statements are placed in the homeowners association documents, on the face of the final plan, and within the deed, stating that Cailen Farms Phase 4 is located within the vicinity of a military base and the lots are located within an Accident Potential Zone Area 1.

STAFF RECOMMENDATION

In Case ZON-24-0041, Planning and Inspections staff **recommends approval** of the rezoning request from RR Rural Residential District and R-10 Residential District to R6A/CZ Residential District Conditional Zoning. Staff finds that the request is consistent with the Spring Lake Area 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:
- Conditions of Approval and Site Plan
 - Notification Mailing List
 - RLUAC Letter
 - Application

**Exhibit "F" Conditions of Approval
ZON-24-0041 (Caelin Farms Phase 4)**

| | |
|---|--|
| General Address: North of Odell Road and East of Old Angus Lane | Acres: 15.33 +/- |
| REID: Portion of 0502228531000 | Approval Date: TBD |
| Effective Date: TBD | Issued to: D. Ralph Huff, III of Caelin Farms, LLC |

**R6A Residential/CZ Conditional Zoning District
Case ZON-24-0041
Ordinance Related Conditions for Residential Use of Property**

Applicability: Applicant requests a rezoning from RR Rural Residential District and R-10 Residential District to R6A/CZ Residential Conditional Zoning District for 15.33 +/- acres; located North of Odell Road and East of Old Angus Lane; submitted by D. Ralph Huff, III of Caelin Farms, LLC (applicant) on behalf of Jerry Smith (owner). This Conditional Zoning only applies to Phase 4 of the Caelin Farms residential development. All zoning conditions application to Caelin Farms Phase 1-3 are addressed under Conditional Zoning P21-38.

Applicant Initiated Conditions:

1. The developer has minimized impact to encroachment into the RLUAC Accident Potential Zone by limiting the location of residential lots to the areas illustrated within the Conditional Zoning Site Plan, as shown within Exhibit A". The preliminary subdivision plan and final plat shall comply with the development boundaries illustrated in Exhibit "A". All final plats for recording shall include a disclosure listing all lots that are all located within Accident Potential Zone 1 associated with Runway 05/23 at Pope Field.
2. Access to Caelin Farms Phase 4 shall only occur through Caelin Farms to the west via public streets Tori Drive and Old Angus Lane as dedicated in Phase 1 Plat unless the Town Board of Commissioners approves an access (temporary, emergency, or permanent) through other points of the Phase 4 perimeter at the time of the Preliminary Subdivision Plan application.
3. Any portion of the development that is within the 60-65dB noise area contour associated with Pope Airfield shall provide additional insulation (noise dampening) in the proposed residences to mitigate the noise from military operations. Natural buffers shall be left in place to assist with noise dampening. Additional recommendations per Building Inspections shall be required to meet NC Building Code requirements.
4. The intent of the developer is to have the Phase 4 Caelin Farms lot to annex into the Caelin Farms homeowners' association (HOA). In the event such HOA annexation occurs, the recreation requirements for Phase 4 will be met by the parks located in Caelin Farms Phase 1 to 3, and the developer has the discretion in such case not to provide an HOA park within Phase 4. If Phase 4 remains a separate homeowners association, the Phase 4 preliminary subdivision plan will provide a park and recreation areas sufficient in area to comply with the Town of Spring Lake zoning ordinance.
5. All lots lines shall provide a 15-foot-wide buffer along all wetland boundaries.
6. Existing mobile homes located on the property, if any, shall be removed with the development of the parcel and no additional mobile homes shall be added to the parcels. All Mobile Homes will be removed prior to the any development activity of Phase 4.
7. The project density shall meet the requirements of the Medium Density (6-15 Units/Ac) Town of Spring Lake Land Use Plan. The proposed Development density will not exceed 4 Units/Ac.

8. Wetlands/streams shall be designated as open space and shall not be impacted by development. All wetlands/streams will be recorded as open space with the final plat.
9. The property shall be surveyed by personnel experienced management and monitoring of the red-cockaded woodpecker prior to the removal of any mature pine trees. Survey protocol shall follow procedures detailed at https://www.fws.gov/ncsandhills/pine_tree_removal.html. The results of the survey shall be sent to the US Fish and Wildlife Services Office located in Raleigh, NC.
10. Per state regulations the Land Use Plan shall be updated to reflect any use change as a result of a Conditional Zoning Case. The Land Use plan will be modified to show the new development encroachment area into the Heavy Industry Use as Medium Density Residential Use, and the Wetland/Low Lying areas as Open Space (to be undeveloped).
11. The property owner and applicant of rezoning case ZON-24-0041 agree to all terms and conditions set forth herein in this Conditional Zoning Conditions of Approval and agree that no such terms or conditions constitute a down-zoning as defined by North Carolina General Statutes.

Pre- Permit Related:

12. The owner/developer(s) of this site must obtain detailed instructions from the County Current Planning Section in the Historic Courthouse at 130 Gillespie Street on provisions of the Town of Spring Lake Zoning and Subdivision Ordinances regarding the Preliminary Plat and Final Plat submittal requirements.
13. If any right-of-way dedication is required by NCDOT or by the Town of Spring Lake, a recorded plat referenced above shall identify any such right-of-way dedication and sight distance easements.
14. Prior to building permit application, the developer must provide to the Town of Spring Lake documentation of NC Department of Environmental Quality Division of Energy, Mineral and Land Resources' (NCDEQ DEMLR) approval of the Sedimentation and Erosion control plan for this project. NCDEQ DEMLR 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.
15. Connection to public water and sewer is required, the Spring Lake Public Utility Department must approve water and sewer plans prior to application for any permits. A copy of the Spring Lake Public Utility Department's approval must be provided the Town's Inspection Department at the time of application for building/zoning permits. (Spring Lake Subdivision Ord. Section 36-66 "Water and sewer system")

Permit-Related:

16. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application with the Town of Spring Lake Inspection Department.
17. Driveway Approval Required. Construction of any new connection or alteration of any existing street connection may require an approved Driveway Permit or approval from the Town of Spring Lake.
18. 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 Department of Energy, Minerals and Land Resources, NC Department of Environmental Quality (DEMLR NCDEQ). If one acre or more of land is to be disturbed, a copy of the State's *Post-Construction Permit* must be provided the Town of Spring Lake Stormwater Administrator (Spring Lake Ord. Article II. Post Construction Stormwater.) (Note: If any retention/detention basins are required for state approval of this plan, three copies of

a revised plan (and \$25/\$50 revision fee) must be submitted and approved by Planning & Inspections.)

Site-Related:

19. All uses, dimensions, setbacks and other related provisions of the Town of Spring Lake Zoning and Subdivision Ordinances for the R6A/CZ Conditional Zoning must be complied with, as applicable, and as appearing with the conditional zoning site plan (C1-5) appearing in Exhibit "A". Any conditions set forth herein this ordinance, including Exhibit "A", shall supersede the Zoning Code. If not specifically addressed within this Ordinance, all requirements of the Zoning and Subdivision Codes shall be met.
20. This conditional approval is not approval of any freestanding signs. Attached signage for this development must be in accordance with the applicable sign regulations as set forth in the Town of Spring Lakes 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.)
21. In any subdivisions located with the town, sidewalks shall be required on one side of the street, location to be determined by the administrative officer and building inspector. Further, such sidewalks shall be installed in accordance with the town's specifications. (Spring Lake Subdivision Ord. Sec. 36-107)
22. 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 and free of debris. (Spring Lake Stormwater Utility Ord. Sec. 40-407.
23. For new development, all utilities, except for 25kv or greater electrical lines, must be located underground.
24. In the event a stormwater utility structure is required by the NC Department of Environmental Quality (NCDEQ), the owner/developer must secure the structure with a four-foot-high fence with a lockable gate and is required to maintain the detention/retention basin, keeping it clear of debris and taking measures for the prevention of insect and rodent infestation.
25. Any street improvements or plans are required to be constructed to the Town of Spring Lake and NCDOT standards for secondary roads, as applicable. (Spring Lake Chapter 34 Ord. and NC GSS§136-18(5) & §136-93]"
26. Turn lanes may be required by the NC Department of Transportation (NCDOT) or the Town of Spring Lake as applicable. [Spring Lake Subdivision Ord. and NCGS.)
27. The subdivision plan must provide an internal access to any stormwater facility serving the site, to allow the HOA to have the ability to access the stormwater facility.

Plat-Related:

28. The developer is required to submit to the Current Planning Section either one set of a hard copy or one set of a pdf email copy the following documents through the County on-line customer service portal:
 - a. One copy of proposed covenants, by-laws and articles of incorporation for the proposed development designating responsibility for by the owners' association for the development;

- b. One copy of the deeds proposed for recordation conveying all common area to the proposed owner's association;
- c. One copy of any proposed supplemental covenants if the proposed development is to be submitted for final approval in phases; and
- d. One copy of each proposed final plat prior to the submission for final approval – can be a phase of the approved development or the complete development as approved.

These documents must be approved by the Attorney Town of Spring Lake Town Attorney prior to the sale of or submission for final plat approval of any lot or unit within this development. (Spring Lake Subdivision Ord.)

Note: A copy of the recorded deed or deeds conveying all common area to the owners' association as shown on each plat must be provided to the Current Planning prior to submission for approval for recordation of the next succeeding phase/section of this development.

- 29. The street name signs, in compliance with the County Street Sign Specifications, must be installed prior to final plat approval. The developer should contact Location Services for inquiries regarding the County's policy for street sign installation or, if the sign is commissioned from a private source, to schedule an inspection of the street sign(s). The Current Planning Section must receive notice of agreement with the Location Services Section for sign installation or of satisfactory inspection prior to the approval of the final plat. Sec. 4-171, County Code)
- 30. The developer is required to provide an inspection for any private street(s), if any, by a registered engineer or registered surveyor upon completion of construction of the private street(s) and related facilities, including drainage ways. A statement, affixed with the engineer/surveyor's seal, certifying that all private street(s) and related facilities are designed and constructed in accordance with the requirements of Section 2304 C, Private Street, the Town of Spring Lake Ordinance, and that all such facilities are adequate to serve the development, must be submitted to the Current Planning Section prior to final plat approval or release of any construction guarantees as allowed under Section 2502, Final Plat – Guarantees of Improvements, County Subdivision and Development Ordinance.
- 31. All buildable lot areas shall comply with the setbacks established in the Conditional Zoning Site Plan (Exhibit "A" attached).
- 32. Any/All easements must be reflected on the final plat and labeled as to type of easement, reference number for document creating the easement, and the name of the agency, individual, etc. who holds the easement.
- 33. A 10' x 70' sight distance easement is required at the intersection of all internal road intersections. This easement shall be illustrated on the final plat, unless another standard is required by NCDOT.
- 34. The NC Department of Transportation (NCDOT) stamp must be affixed to the final plat prior to submission for final plat approval by the Current Planning Section.

Note: The property owner most likely will be required to provide a copy of a recorded plat and deed conveying to the NCDOT that portion of the subject property located within or to be located within the right-of-way at the time of driveway permit application.

- 35. The notarized signature(s) of all current tax record owner(s) and notary certifications appear on the final plat when submitted for final approval. (Section 2503 D, Certificate of Ownership and Dedication, Town of Spring Lake Subdivision and Development Ordinance).
- 36. The developer is reminded that the improvements must be in place or that final plat approval will only be granted in accordance with Section 2502 B, C, or D, Final Plat – Guarantees of Improvements, Town of Spring Lake County Subdivision and Development Ordinance. (Note: Once

the improvements are in place, the developer is responsible for contacting Current Planning to schedule an inspection of the improvements.)

37. The developer's engineer must submit to Cumberland County Planning and Inspection Department and the Town of Spring Lake a sealed document certifying that the streets have been constructed to the NC Department of Transportation (NCDOT) standards for secondary roads.
38. The final plat must be submitted to the Current Planning Section for review and approval for recording with the County Register of Deeds, and the plat must be recorded prior to any permit application for any structure and/or prior to the sale of any lot or unit within this development.
39. The developer should be aware that any addition and/or revision to this plat may require an additional review and approval by the Planning & Inspections Department prior to submission for final plat approval of any portion of this development.

Plat-Required Statements:

40. Because the streets in this development have been approved as "public" streets and the streets do not yet qualify for acceptance by the NC Department of Transportation or adopted by the Town of Spring Lake for maintenance purposes, the following statement is required to be included on the final plat (Section 2504 E, County Subdivision and Development Ordinance and Spring Lake Subdivision Ord. 36-38(g)):

"The streets shown on this plat though labeled as "public" – unless otherwise noted – have not been accepted by the NC Department of Transportation or adopted by the Town of Spring Lake as of the date of this recording. Until such time that the streets are accepted and formally added to the State system or adopted by the Town of Spring Lake, maintenance and liability of the streets are the responsibility of the developer and any future lot owner(s)."

41. Developer shall include a disclosure statement within the Code, Covenants and Restrictions document, deed, and on the final plat that Caelin Farms Phase 4 is within vicinity to a military base and "Lots ## through ## fall within RULAC's Accident Potential Zone 1."

Advisories:

42. The applicant is advised to consult an expert on wetlands before proceeding with any development.
43. There may be wetlands located in the project area that are subject to the permit requirements of Section 404 of the Clean Water Act. To avoid a violation of federal and/or state law, it is recommended the developer contact the Office of the Army Corp of Engineers or hire an environmental consultant to identify and delineate any wetlands in the project area prior to construction. A Section 404 permit will be required if the applicant needs to fill wetlands, and the permit must be obtained prior to any construction on this site.
44. Any revision or addition to this plan necessitates re-submission for review and approval prior to the commencement of the change.
45. The owner/developer is responsible for ensuring easements which may exist on the subject property are accounted for, not encumbered and that no part of this development is violating the rights of the easement holder.
46. The US Postal Service most likely will require this development to have centralized cluster boxes for postal service to each lot or unit. The developer is advised contact the US Postal Growth Coordinator for the Mid-Carolinas District to determine the appropriate location for the cluster

boxes. If the cluster box location requires changes to the subdivision or site plan, a revised preliminary/plan must be submitted to the Planning & Inspections Department for review and approval.

47. 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.
48. The developer(s) and any future lot owners are responsible for the maintenance and upkeep of the streets until such time the streets are added to the State system by the NC Department of Transportation (NCDOT) or adopted by the Town of Spring Lake for maintenance purposes. The developer is advised to give notice of the street status to any future lot owners in the event the lots are conveyed prior to the NCDOT's acceptance.
49. The developers and owners are responsible for confirming boundaries of the Accident Potential Zone with Fort Liberty or with the Regional Land Use Advisory Commission.

Other Relevant Conditions:

50. This conditional approval is contingent upon continued compliance with the Town of Spring Lake's Zoning and Subdivision Ordinances and the conditions set forth herein.

ATTACHMENT: MAILING LIST

DAVIS, MONZELL; DAVIS, PATRICIA
PO BOX 841
GRETNA, FL 32332

LASERIA PROPERTIES LLC
230 WHIT CT
ANGIER, NC 27501

BONDS, JUANITA
1423 MILTON ST
SPRING LAKE, NC 28390

BENJAMIN STOUT REAL ESTATE SERVICES INC
222 MAIDEN LANE
FAYETTEVILLE, NC 28301

HOFFLER, JAMES L; HOFFLER, HELEN F
1417 MILTON ST
SPRING LAKE, NC 28390

BENJAMIN STOUT REAL ESTATE SERVICES INC
222 MAIDEN LN
FAYETTEVILLE, NC 28301

SMITH, JERRY M; SMITH, JEAN M
803 CHALYBEATE SPRING RD
ANGIER, NC 27501

WRIGHT, THERESA; JACQUELYN, V
3720 SALEM RD
OXFORD, NC 27565

CARTER, MICKEY R
214 CECIL AVE
SPRING LAKE, NC 28390

SANDERS, TRAVIS; SANDERS, SAMANTHA
220 CECIL AVE
SPRING LAKE, NC 28390

MORGAN, CHRISTA M
1427 LOTTIE ST
SPRING LAKE, NC 28390

WIE CONTRACTING AND CONSULTING SERVICES LLC
1264 O B J RD
DUNN, NC 28334

OLINGER, MARY A
1403 MILTON ST
SPRING LAKE, NC 28390

LEWIS, JOSEPH WAYNE
1419 LOTTIE ST
SPRING LAKE, NC 28390

BROGDON, MATTHEW; BROGDON, DOMINIQUE
1426 LOTTIE ST
SPRING LAKE, NC 28390

BROGDON, MATTHEW; BROGDON, DOMINIQUE
1426 LOTTIE ST
SPRING LAKE, NC 28390

MCFALL, RUDOLPH; MCFALL, ANN
1625 MACK ST
SPRING LAKE, NC 28390

HOLLINGSWORTH, ANTHONY; DONNA
1421 LOTTIE STREET
SPRING LAKE, NC 28390

ATKINS, DOROTHY M
5986 ALLERTON DR
ROCKFORD, IL 61114

BROWN, WILLIAM H III; BROWN, BARBARA
PO BOX 125
SPRING LAKE, NC 28390

PALACIOS, GABRIELA MIA SOTO
1612 MACK ST
SPRING LAKE, NC 28390

KIM, YONG SOK; KIM, SUNG MI
1413 MILTON ST
SPRING LAKE, NC 28390

PIKE, JOSEFINA FRANCISCO TRUSTEE
784 FLYNN MCPHERSON
RDCAMERON, NC 28326

VILLAGE ON THE LAKE APARTMENTS, L.L.C.
9900 MAIN ST STE 500
FAIRFAX, VA 22031

DEANKINO, MICHAEL; DEANKINO, TAMARA
1420 MILTON ST
SPRING LAKE, NC 28390

JARRETT, SHANIA
742 OLD ANGUS LANE
SPRING LAKE, NC 28390

MALONE, HENRY; MALONE, TOYO T
222 CECIL AVE
SPRING LAKE, NC 28390

OZUNA, BRANDON
1412 MILTON ST
SPRING LAKE, NC 28390

TREADWAY, JASCQUELYNE P
1408 LOTTIE ST
SPRING LAKE, NC 28390

ADAMS, DARIUS; ADAMS, ANNA
1413 LOTTIE ST
SPRING LAKE, NC 28390

WIE CONTRACTING AND CONSULTING SERVICES LLC
1264 O B J RD
DUNN, NC 28334

GUARD, LIEN HA
1624 MACK ST
SPRING LAKE, NC 28390

CABRERA, DEYANIRA MODESTA CO-TRUSTEE
7602 ALAMEDA DR
FAYETTEVILLE, NC 28304

ESTEVEZ, ALMA; ESTEVEZ, AURELIO
310 ODELL RD
SPRING LAKE, NC 28390

WILSON, BILLY E HEIRS
1617 MACK ST
SPRING LAKE, NC 28390

TK RE HOLDINGS LLC
240 HEATHER LANE
SOUTHERN PINES, NC 28387

LIMITLESS PROPERTY GROUP LLC
PO BOX 53724
FAYETTEVILLE, NC 28305

VIZACHERO, ALBERT; VIZACHERO, FRED A
400 VIRGINIA DR
SPRING LAKE, NC 28390

BUCHANAN ROOFING & GUTTERING INC
806 LILLINGTON HWY
SPRING LAKE, NC 28390

POOLE, ROBERT E II TRUSTEE
2405 ROBESON ST
FAYETTEVILLE, NC 28305

TRUINI, LEIGHA; CHACON, KYLE
812 OLD ANGUS LANE
SPRING LAKE, NC 28390

WALTERS, BOBBY R
1423 LOTTIE ST
SPRING LAKE, NC 28390

BORDERS, DELOIS
1409 MILTON ST
SPRING LAKE, NC 28390

WASHINGTON, ROGINA UTLEY
4122 MCILWAINE DR
DINWIDDIE, VA 23803

REES, ELIZABETH ~~GREEN~~, MARK OWEN ~~COOK~~
1094 TAXAHAW RD
PAGELAND, SC 29728

ESTEVEZ, ALMA; ESTEVEZ, AURELIO
310 ODELL RD
SPRING LAKE, NC 28390

CAELIN FARMS LLC
2919 BREEZEWOOD AVE STE 100
FAYETTEVILLE, NC 28303

BENJAMIN STOUT REAL ESTATE SERVICES INC
222 MAIDEN LN
FAYETTEVILLE, NC 28301

PONDER, HENRY
1452 MACK ST
SPRING LAKE, NC 28390

LOCKETT, CHESLEY N
PO BOX 791
SPRING LAKE, NC 28390

CLARK, ETHEL T. CLARK, DAVID L
126 CAVALIER DR
RAEFORD, NC 28376

NANCE, ZAKIETTA
1406 LOTTIE ST
SPRING LAKE, NC 28390

WATSON, DONNELL
226 CECIL AVE
SPRING LAKE, NC 28390

AMEDIN, KOSSI AMETEPE
824 OLD ANGUS LN
SPRING LAKE, NC 28390

OLIVER, DARION; OLIVER, ASHLEY RAE ANN
1416 MILTON ST
SPRING LAKE, NC 28390

WIE CONTRACTING AND CONSULTING SERVICES LLC
1264 O B J RD
DUNN, NC 28334

TINDAL, BRANDON
1416 LOTTIE ST
SPRING LAKE, NC 28390

FLOYD, JOE JUNIOR; MARY, F
217 FILLY LN
RAEFORD, NC 28376

SERRANO, HANELLY H.
1418 LOTTIE ST
SPRING LAKE, NC 28390

SPANN, NELLIE PAULINE MOIVER; MOIVER, JAMES JR
617 GOODYEAR DR
SPRING LAKE, NC 28390

PIKE, JOSEFINA FRANCISCO TRUSTEE
784 FLYNN MCPHERSON RD
CAMERON, NC 28326

SMITH, KENNETH WAYNE SR
1084 ELLIOTT FARM RD
FAYETTEVILLE, NC 28311

LEE, TAMARA
1409 LOTTIE ST
SPRING LAKE, NC 28390

SMITH, JERRY M; SMITH, JEAN M
PO BOX 722
ANGIER, NC 27501

BENNETT, DEBRA P
219 CECIL AVE
SPRING LAKE, NC 28390

SWEZEY, DANIEL LUDWIN; SWEZEY, SHELBY YVETTE
731 OLD ANGUS LN
SPRING LAKE, NC 28390

MCARTHUR, SANDRA KAY
1411 MILTON ST
SPRING LAKE, NC 28390

CHAFFEE, FREDRIC H; LAWRENCE, PAMELA R
1094 TAXAHAW RD PAGELAND, SC
29728

DOBBINS, LARRY GENE
PO BOX 88
SPRING LAKE, NC 28390

STATE STORAGE NC, LLC
9450 SW GEMINI DR
BEAVERTON, OR 97008

HOLMQUIST, THOMAS; HOLMQUIST, NICOLE
520 BRIDLE LN APT 204
RALEIGH, NC 27609

SPRING LAKE GREEN ASSOC. LIMITED PARTNERSHIP
PO BOX 87770
FAYETTEVILLE, NC 28304

HOGANS, NAPOLEON; HOGANS, SHEILA
1418 MILTON ST
SPRING LAKE, NC 28390

LAKETREE INC
PO BOX 766
SPRING LAKE, NC 28390

LASERIA PROPERTIES LLC
230 WHIT CT
ANGIER, NC 27501

PIKE, JOSEFINA FRANCISCO TRUSTEE
784 FLYNN MCPHERSON
RDCAMERON, NC 28326

AGARWAL, JYOTI
9500 PASATIEMPO DR
AUSTIN, TX 78717

PIKE, JOSEFINA FRANCISCO TRUSTEE
784 FLYNN MCPHERSON RD
CAMERON, NC 28326

LOGAN, RONALD SR; LOGAN, DEETA L
1415 LOTTIE STREET
SPRING LAKE, NC 28390

SMITH, KENNETH SR; SMITH, LYNNE
1084 ELLIOT FARM
ROAD FAYETTEVILLE, NC 28311

LIVINGSTON, TOM JR; LIVINGSTON, CHARLENE
1406 MILTON ST
SPRING LAKE, NC 28390

LASERIA PROPERTIES LLC
230 WHIT CT
ANGIER, NC 27501

MCLEOD, NORMA
1421 MILTON ST
SPRING LAKE, NC 28390

CUMMINGS, BILLY W JR
215 CECIL AVE
SPRING LAKE, NC 28390

JONES, R B; JONES, MILDRED
1428 MILTON ST
SPRING LAKE, NC 28390

GALVIN, HAROLD F; GALVIN, LINDA T
1408 LOTTIE ST
SPRING LAKE, NC 28390

GRAHAM, LEATRICE
1609 MACK STREET
SPRING LAKE, NC 28390

SMITH, JERRY M; SMITH, JEAN M
803 CHALYBEATE SPRING RD
ANGIER, NC 27501

BAKER, JAMES FREEMAN
218 CECIL AVE
SPRING LAKE, NC 28390

TOP HAT RENTALS & PROPERTIES LLC
1503 N BRAGG BLVD
SPRING LAKE, NC 28390

ATKINS, MICHAEL TROY
5986 ALLERTON DR
ROCKFORD, IL 61114

WILLIAMS, WILLIE; WILLIAMS, HELEN B
1425 LOTTIE ST
SPRING LAKE, NC 28390

HARLAN, LESTER JR; HARLAN, LORETTA
1426 MILTON ST
SPRING LAKE, NC 28390

MANCHESTER RD PROPERTIES LLC
PO DRAWER 1867
FAYETTEVILLE, NC 28302

CAELIN FARMS LLC
2919 BREEZEWOOD AVE STE 100
FAYETTEVILLE, NC 28303

CASTLE RISING PROPERTIES LLC
PO BOX 87426
FAYETTEVILLE, NC 28304

BENJAMIN STOUT REAL ESTATE SERVICES INC
222 MAIDEN LANE
FAYETTEVILLE, NC 28301

COLEMAN, NATHANIEL P
227 CECIL AVE
SPRING LAKE, NC 28390

LEROY, JAMES A
1430 LOTTIE ST
SPRING LAKE, NC 28390

BENJAMIN STOUT REAL ESTATE SERVICES INC
222 MAIDEN LANE
FAYETTEVILLE, NC 28301

LASERIA PROPERTIES LLC
230 WHIT CT
ANGIER, NC 27501

CAELIN FARMS LLC
2919 BREEZEWOOD AVE STE 100
FAYETTEVILLE, NC 28303

MILLER, ROGER LYN
1616 MACK STREET
SPRING LAKE, NC 28390

CLARK, DAVID L
126 CAVALIER DR
RAEFORD, NC 28376

FULLER, MABLE
1605 MACK ST
SPRING LAKE, NC 28390

SMITH, JERRY; SMITH, JEAN M
803 CHALYBEATE SPRING RD
ANGIER, NC 27501

BYLO, DAVID; BYLO, RUTH ANN
2723 DALY AVE
SPRING LAKE, NC 28390

VILLAGE ON THE LAKE APARTMENTS, L.L.C.
9900 MAIN ST STE 500
FAIRFAX, VA 22031

FLYTHER, FLOYD; FLYTHER, YONG NAN
1405 LOTTIE ST
SPRING LAKE, NC 28390

DAVIS, SHIRLEY M
1410 MILTON ST
SPRING LAKE, NC 28390

DORSEY, RODRICKUS DORSEY, PATRICIANOELA
221 CECIL AVE
SPRING LAKE, NC 28390

BRADLEY KRISTIAN; BRADLEY, AUBREY
1428 LOTTIE STREET
SPRING LAKE, NC 28390

BOLDEN, BARBARA
1411 LOTTIE ST
SPRING LAKE, NC 28390

FLORES, RICARDO; GARCIA, LESLY YAMILET
1419 MILTON ST
SPRING LAKE, NC 28390

WIE CONTRACTING AND CONSULTING SERVICES LLO
1264 O B J RD
DUNN, NC 28334

BARKLEY, CRAIG SR
738 OLD ANGUS LANE
SPRING LAKE, NC 28390

LASERIA PROPERTIES LLC
230 WHIT CT
ANGIER, NC 27501

SFR3-008 LLC
500 WESTOVER DR #14104
SANFORD, NC 27330

WALKER, MARIELA C
1557 MACK ST
SPRING LAKE, NC 28390

SMITH, RICHELE
1608 MACK ST
SPRING LAKE, NC 28390

ATTACHMENT: RLUAC LETTER OF OBJECTION

RLUAC

Regional Land Use Advisory Commission

TOWN OF SPRING LAKE COURTESY REVIEW

Case: ZON-24-0041 (RR and R10 to Conditional R6A)

Location: North side of Odell Road between Louise Street and Tori Drive

PIN#: 0502-22-8531

January 2, 2025

Following a review of the above referenced zoning map amendment petition by the RLUAC Land Use Committee, it has been determined that:

- A portion of the parcel is identified as Critical to Protect in the Fort Liberty Compatible Use Rating System due to its location within Accident Potential Zone 1 associated with Runway 05/23 at Pope Field.
- The site plan submitted by the applicant proposes 10 residential lots within Accident Potential Zone 1 in the portion of the development subject to the conditional zoning map amendment.
- A proposed modification of the previously approved Caelin Farms subdivision plan that is dependent on this zoning map amendment would add 7 additional lots within Accident Potential Zone 1 in the area of the previously approved development.
- Department of Defense compatible use planning guidance for Aircraft Accident Potential Zones recommends that residential uses of any type not be developed within Accident Potential Zone 1 (see DoD Instruction 4165.57).

Based on the above stated findings, RLUAC submits this letter in opposition to the zoning map amendment, as submitted, due to the hazard posed to life and property if additional residential uses are developed within Accident Potential Zone 1. Furthermore, we caution that development of any type that concentrates population in proximity to a military airfield runway poses an additional degree of hazard, whether within or outside of a defined Accident Potential Zone, due to the continuum of risk that extends beyond those defined boundaries.

Pope Field is a vital national security asset and its viability as a military airfield is a critical component of the operational and training missions of Fort Liberty. Degradation of its utility and function through incompatible development decreases its military value and increases the hazards

that the neighboring civilian host communities are exposed to. Incremental changes toward a less compatible land use pattern will, over time, impact operations at Pope Field; potentially requiring alterations in current operations to limit risk. This, in turn, can impact the types of missions assigned to Fort Liberty.

The Town of Spring Lake has been a strong partner with Fort Liberty in working to maintain a compatible environment that sustains the mission and viability of critical military assets like Pope Field. While RLUAC's findings and recommendations are non-binding on the Town, their consideration and incorporation into your review of this case will help to improve compatibility outcomes for our region as a whole by protecting Fort Liberty's critical military training and operational missions.

Thank you for allowing RLUAC to review this case.

Vagn K. Hansen II, AICP, Executive Director
Fort Liberty Regional Land Use Advisory Commission

ATTACHMENT: APPLICATION



Town of Spring Lake
◆
Planning & Inspections Department

CASE #: _____
PLANNING BOARD
MEETING DATE: _____
DATE APPLICATION
SUBMITTED: _____
RECEIPT #: _____
RECEIVED BY: _____

**APPLICATION FOR
CONDITIONAL USE DISTRICT & PERMIT
REZONING REQUEST
TOWN OF SPRING LAKE ZONING CODE**

Upon receipt of this application (petition), the County Planning 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 Use.

The Planning Board will make a recommendation to the Spring Lake Board of Aldermen concerning the request. The Board of Aldermen will schedule a public hearing and make a final decision on the matter. Generally, the Board will hold a public hearing four weeks following the meeting of the Planning Board. The Conditional Use District and Permit shall not be made effective until the request is heard and received approval by the Board of Aldermen.

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 Town Staff and the County Planning Staff are available for advice on completing this application; however, they are not available for completion of the application or preparation of the site plan.

**TO THE BOARD OF ALDERMEN, TOWN OF SPRING LAKE, NORTH CAROLINA
THROUGH THE CUMBERLAND COUNTY JOINT PLANNING BOARD:**

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

1. Applicant/Agent D. Ralph Huff, III - member/manager - Caelin Farms, LLC. (applicant/agent) & Jerry M. Smith (landowner)
CF LLC: 2919 Breezewood Ave. Ste 100 Fayetteville, NC 28303
2. Address: Jerry Smith: 803 Chalybeate Springs Rd Angier, NC 27501 Zip Code 28303 & 27501
3. Telephone: (Home) 910-237-7869 & 919-210-2246 (Work) 910-237-7869 & 919-210-2246
4. Location of Property: Northeast of the end of Old Angus Lane and West of Mack Street

5. Parcel Identification Number (PIN #) of subject property: 0502228531
(also known as Tax ID Number or Property Tax ID)
6. Acreage: 15.33 acres (Jerry Smith) Frontage: 183 LF (Jerry Smith) Depth: ~1200 LF
7. Water Provider: Town of Spring Lake
8. Septage Provider: Town of Spring Lake
9. Deed Book DB 3334 (Jerry Smith), Page(s) PG 201 (Jerry Smith), Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
10. Existing use of property: woods
11. Proposed use(s) of the property: 28 additional single family lots

NOTE: Be specific and list all intended uses or in the alternative, list the uses to be excluded.

12. 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 R6A CZ (the same as previous CF LLC)
(Article IV)
 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 USE PERMIT

1. PROPOSED USE(S):

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

To connect both Phase 3 of the Caelin Farms subdivision as well as this proposed Phase 4 to Spring Lake's existing gravity sanitary sewer outfall within parcel PIN: 0502228531 as well as to include the 15.33 acres of more land for a total of 28 lots in phase 4 and a reduction of 42 lots in phase 3 (70 single family lots total between phases 3 & 4). Phase 3 can not currently receive gravity sanitary sewer due to topography challenges, so bringing in this new 15.33 acres of land for Phase 4 will allow for Phase 3 to be developed - all of this 15.33 acres of land for Phase 4 is to be recombined with PIN:0502127579 after conditional rezoning approval.

- 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.

28 single family lots are proposed within phase 4 with a total acreage of 15.33 acres for a density of ~1.83 lots per acre. 49.61 acres of open space will be provided once the 15.33 acres are recombined & this phase 4 will utilize Caelin Farm subdivision's existing 3.02 acres of recreational space that was platted in phase 1.

2. DIMENSIONAL REQUIREMENTS: (Sec. 42-192):

Reference either the dimensional requirements of the district or list the proposed setbacks.

FRONT = 25', SIDE = 17' (2 STORY) OR 15' (1 STORY), REAR = 15', CORNER LOTS = 25'
& CASE P21-38 R6A-CZ CONDITION #3 REQUIRES A 15' WETLANDS BUFFER FOR ALL BUILT UPON AREAS

3. OFF-STREET PARKING AND LOADING (Sec. 42-260 *et. seq.*):

Off-street parking and loading: List the number of spaces, type of surfacing material and any other pertinent information.

N/A - residential subdivision for single family lots so no off street parking or loading requirements

4. SIGN REQUIREMENTS (Sec. 42-288 *et. seq.*):

Reference the district sign dimensional regulations. The site plan must reflect any areas for proposed freestanding signs.

N/A - no sign is proposed for this last phase

5. LANDSCAPE AND BUFFER REQUIREMENTS (Sec. 42-223 *et. seq.*):

- 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 - all required landscaping must be included on the site plan.

The wetlands as delineated are to remain with a 15' wetlands buffer from all built upon areas

- B. Indicate the type of buffering and approximate location, width and setback from the property lines—all required buffering must be included on the site plan.

The wetlands as delineated are to remain with a 15' wetlands buffer from all built upon areas which shall serve as a buffer between this proposed development & adjoining parcels

6. MISCELLANEOUS:

List any information related to this petition, such as: the days and hours of the operation, number of employees, exterior lighting, noise, odor and smoke, emission controls, etc.

N/A - This is a residential subdivision

7. SITE PLAN REQUIREMENTS:

The application must include a site plan drawn to the specifications of Sec. 42-167. If the proposed uses involve development subject to the Town's Subdivision Regulations, 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 Regulations, the site plan shall be of sufficient detail to allow the County Planning Staff, Town Staff and the Planning Board to analyze the proposed uses and arrangement of uses on the site. It shall also 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.

8. 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 Staff a valid request, not incompatible with existing neighborhood zoning patterns.

In order for the Planning Board to offer a favorable recommendation and for the Board of Aldermen to approve any Conditional Use District and Permit they must find from the evidence presented at their respective hearing that:

- A. The use will not materially endanger the public health or safety if located according to the plan submitted and recommended;
- B. The use meets all required conditions and specifications;
- C. The use will maintain or enhance the value of adjoining or abutting properties, or that the use is a public necessity; and
- D. The location and character of the use, if developed according to the plan as submitted and recommended, will be in harmony with the area in which it is to be located and in general conformity with Town's most recent Land Use Plan and adopted planning policies.

I further understand I must voluntarily agree to all conditions for the Conditional Use Permit. 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. *JERRY M. SMITH*

Jerry M. Smith

NAME OF OWNER(S) (PRINT OR TYPE)

803 CHALYBENTE SPRINGS ROAD, ANGIER, NC 27501

ADDRESS OF OWNER(S)

JERRYMORTONSMITH@GMAIL.COM

E-MAIL

919-210-2346

HOME TELEPHONE

N/A

WORK TELEPHONE

Jerry M. Smith

SIGNATURE OF OWNER(S)

SIGNATURE OF OWNER(S)

~~D. Huff~~ D. Ralph Huff
 NAME OF AGENT, ATTORNEY, APPLICANT (by assign) (PRINT OR TYPE)

2919 BREEZEWOOD AVE - SUITE 100 FAYETTEVILLE, NC 28703
 ADDRESS OF AGENT, ATTORNEY, APPLICANT

910 237-7869 N/A
 HOME TELEPHONE WORK TELEPHONE

DR.HUFF@HOFFFAMILYOFFICE.COM N/A
 E-MAIL ADDRESS FAX NUMBER

[Signature]
 SIGNATURE OF AGENT, ATTORNEY,
 OR APPLICANT

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

**TOWN OF SPRING LAKE
 CONDITIONAL USE DISTRICT AND PERMIT FEE SCHEDULE**

| REQUESTED ZONING DISTRICTS ¹ | LESS THAN 5 ACRES | 5 TO 50 ACRES | 50 TO 100 ACRES | 100+ ACRES |
|--|-------------------|---------------|-----------------|------------|
| CONDITIONAL USE DISTRICTS ² RESIDENTIAL DD/CUD | \$500 | \$500 | \$500 | \$500 |
| CONDITIONAL USE DISTRICTS ² NONRESIDENTIAL PND/CUD MXD/CCUD | \$700 | \$800 | \$800 | \$800 |

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 Planning Board or Town of Aldermen, the applicant desires to submit a Conditional Use District application; the original application fee will be credited towards the Conditional Use District and Permit application fee.

ATTACHMENT: LETTER OF AUTHORIZATION



AFFIDAVIT OF OWNERSHIP/AGENT AUTHORIZATION FORM

PROPERTY OWNER (Company or Individual): Jerry M. Smith - land owner

MAILING ADDRESS: 803 Chalybeate Springs Road Angier, NC 27501

Officer's name and title: _____

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

Jerry M. Smith
Owner's Signature

Owner's Signature

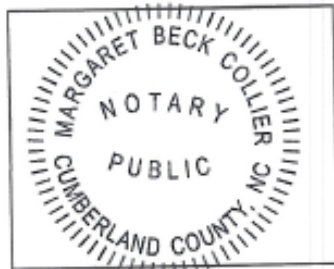
Owner's Signature

D. Ralph Huff III

State of North Carolina

Cumberland County

The foregoing instrument was acknowledged before me by means of ✓ physical presence or _____ online notarization, this 20 day of December (month), 2024 (year), by Margaret Beck Collier (name of person acknowledging) who is personally known to me or who has produced _____ (type of identification) as identification.



Margaret Beck Collier
Signature of Notary Public - State of North Carolina
(Print, Type or Stamp Commissioned Name of Notary Public to the Left of Signature)



PLANNING AND INSPECTIONS DEPARTMENT

MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF JANUARY 21, 2025

TO: JOINT PLANNING BOARD

FROM: RAWLS HOWARD, DIRECTOR OF PLANNING & INSPECTIONS

DATE: 1/21/2025

**SUBJECT: PRESENTATION OF CUMBERLAND COUNTY HISTORIC
ARCHITECTURAL SURVEY**