

Clarence Grier
County Manager

Sally Shutt
Assistant County
Manager



Rawls Howard
Director

David Moon
Deputy Director

CUMBERLAND COUNTY JOINT PLANNING BOARD

AGENDA

March 18, 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
 - A. **ZNG-011-24: Request to rezone 0.86 +/- acres to O&I Office and Institutional District or to a more restrictive zoning district, located at the empty lot on the southeast corner of Camden Rd & Waldos Beach Rd intersection REID 9494757135000, submitted by Tom Lloyd (agent) on behalf of Bryant Properties, LLC (owners). (Hope Mills)**
 - B. **ZNG-004-25: Rezoning of 5.948 +/- acres from R6 Residential to R5 Residential or to a more restrictive zoning district, located at 3700 Damien Dr REIDs 0414713770000 & 0414716750000, submitted by Jeremy Sparrow (agent) on behalf of Church Street Apartments, LLC (owners). (Hope Mills)**
 - C. **ZON-25-0003: Rezoning request from M(P) Planned Industrial District to R15 Residential District or to a more restrictive zoning district for 0.67 +/- acres; located at 1650 and 1656 Zinnia Ct; submitted by Ronald and Judy Wynne (Owners).**
 - D. **ZON-25-0004: Rezoning request from A1 Agricultural District to R40 Residential District or to a more restrictive zoning district for a 3.64 +/- acres located at 6745 Oak Grove Church Rd; submitted by Jim Long Jr. (Agent/Applicant) on behalf of Halo Investors, LLC (Owner).**
 - E. **ZON-25-0005: Rezoning request from A1 Agricultural District to A1A Agricultural District or to a more restrictive zoning district for 2.5 +/- acres; located at the 13933 NC Highway 210 S; submitted by Jeremy and Kimberly Hobbs (Owners).**

VIII. PUBLIC MEETING CONTESTED ITEMS

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 MARCH 18, 2025

TO: JOINT PLANNING BOARD

FROM: RAWLS HOWARD, DIRECTOR OF PLANNING AND INSPECTIONS

DATE: 3/18/2025

SUBJECT: ZNG-011-24: REQUEST TO REZONE 0.86 +/- ACRES TO O&I OFFICE AND INSTITUTIONAL DISTRICT OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT THE EMPTY LOT ON THE SOUTHEAST CORNER OF CAMDEN RD & WALDOS BEACH RD INTERSECTION REID 9494757135000, SUBMITTED BY TOM LLOYD (AGENT) ON BEHALF OF BRYANT PROPERTIES, LLC (OWNERS). (HOPE MILLS)

ATTACHMENTS:

Description

CASE # ZNG-011-24

Type

Backup Material



STAFF REPORT

REZONING CASE# ZNG-011-2024

Planning Board Meeting: 3-18-2025

Hope Mills Board Meeting: 4-21-2025

Address: Southeast corner of Camden Rd and Waldos Beach Rd intersection

ZONING REQUEST: Rezoning O&I Office & Institutional Zoning

The Town of Hope Mills staff received a request of rezoning for 0.86 +/- acres of land tied to parcel identification number 9494-75-7135. The subject property is adjacent to the Estates of Camden subdivision and across the street from the Camden Woods subdivision Olympus at Jack Britt Apartments, as well as across the street from a commercially zoned lot. The original request was to rezone to C2(P) with Conditional Zoning but due to the location and the uses they wanted to permit (please reference the application), it made more sense to request O&I Office and Institutional as mentioned in the supplemental email. Plan review staff worked diligently with the proposed developers to facilitate the submission of this application for rezoning request. The location of the subject property is illustrated in Exhibit "A."

SUBJECT PROPERTY INFORMATION

OWNER/APPLICANT:

Tom Lloyd (applicant)
on behalf of
Bryant Properties, LLC
(owners)

ADDRESS/LOCATION:

Southeast corner of
Camden Rd
and Waldos Beach Rd,
REID 9494757135000
For additional information
on the site location, refer
to Exhibit "A"

SIZE: As stated above, the
subject property .86 acres in
size with varying lengths
of depth is being looked
at today.

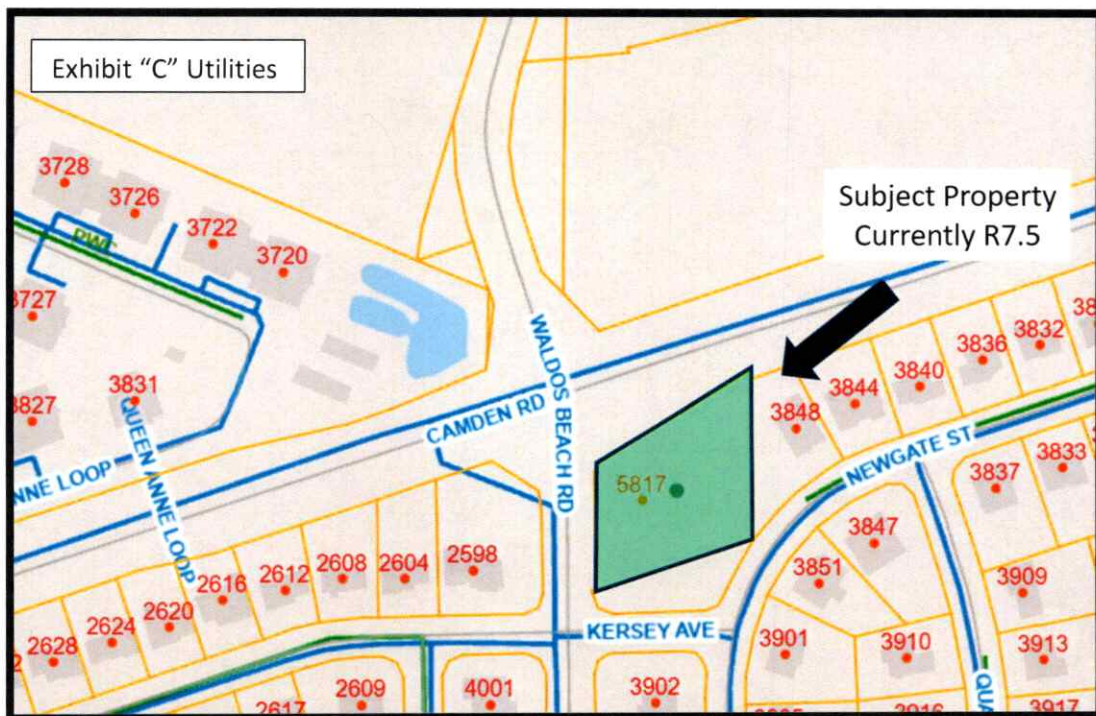
EXISTING ZONING: The subject property is currently zoned under the R7.5 Residential Zoning District with the area to the immediate south and southwest being the Estates of Camden subdivision and Camden Woods subdivision are both zoned similarly within the County's jurisdiction at R10, the area to the north is zoned C2(P) Planned Service & Retail and the area to the northwest is currently zoned R5 Residential. Please refer to Exhibit "B" for additional zoning information





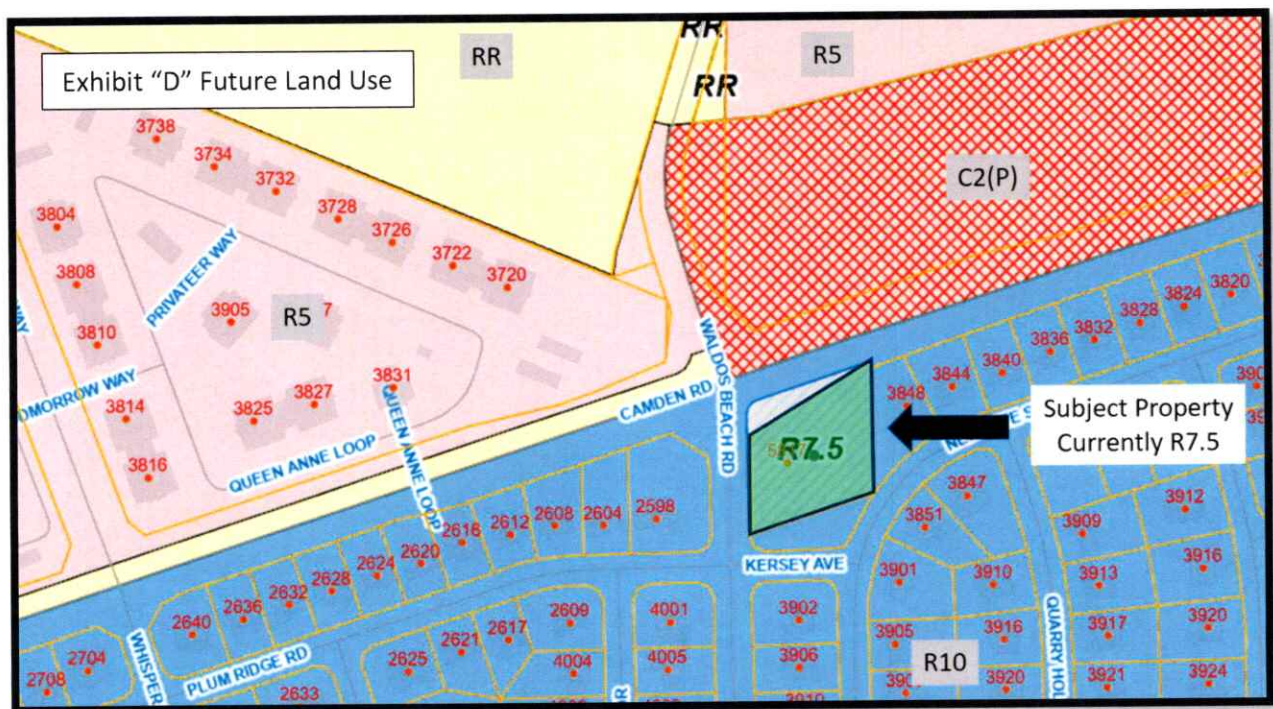
EXISTING LAND USE: This property is currently undeveloped and even though it is directly adjacent to the Estates of Camden subdivision, the property cannot be accessed from within the subdivision but only from either Camden Road or Waldos Beach Road – both maintained by the North Carolina Department of Transportation.

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



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

COMPREHENSIVE DEVELOPMENT PLANS: This site is located within the Southwest Cumberland Land Use Plan area (2013) and is designated as “Low Density Residential.” The areas to the immediate east, west, and south are fully developed single family residential neighborhoods and this request would be considered spot zoning. Please refer to Exhibit “D” for additional information.



IMPACTS ON AREA FACILITIES

UTILITIES: The property will be served by PWC water and sewer.

RLUAC: No objections to this request.

FCEDC: No objections to this request.

STORMWATER: Will require Stormwater Management Permit application

PLAN REVIEW COMMENTS: The developer shall submit for site plan approval.

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

CODE DEVIATIONS: None.

CONDITIONS: The applicant of this conditional zoning request has submitted conditions for consideration. Please refer to Exhibit E for additional information.

STAFF RECOMMENDATION

In ZNG-011-24, the Town of Hope Mills Planning staff **recommends approval** of the request to rezone from R7.5 to O&I Office and Institutional district and finds that despite this request not being consistent with the Southwest Cumberland Land Use Plan (2013) recommendation of low density residential, O&I is designed to be situated between business and residential areas consisting of specialized services such as finance, real estate, and brokerage as well as the traditional institutional functions both public and private, public assembly, religious and certain cultural and recreational activities and group housing. This request would be in harmony with the makeup of the existing surrounding neighborhood which does complement the future vision of the Town of Hope Mills. The economic and regional impact of the proposed development complements the vision and long-term outlook of the area in regards to economic development viability. Approval of the request is reasonable and in the public interest because the district requested does complement the existing adjacent parcels in the surrounding area.



Jack Britt High School (County)

Commercial Property

Olympus at Jack Britt Apartments

Subject Property

Camden Woods Subdivision (County)

Estates of Camden Subdivision (County)





Town of Hope Mills

Planning Department

CASE #: ZNG-011-24

ZONING BOARD MEETING DATE: 12/17/24

DATE APPLICATION SUBMITTED: 12/3/24

RECEIPT #: R00026154

RECEIVED BY: ETW

APPLICATION FOR CONDITIONAL ZONING DISTRICT REZONING REQUEST HOPE MILLS ZONING ORDINANCE

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

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

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

1. A copy of the recorded deed and/or plat,
2. If a portion of an existing tract is/are being submitted for rezoning, an accurate written legal description of only the area to be considered;
3. A copy of a detailed site plan drawn to an engineering scale, showing the location of all buildings, yard dimensions, driveways, fencing, lighting parking areas, landscaping, and all other pertinent data to the case; and
4. A check made payable to the "Town of Hope Mills" in the amount of \$ 600.00 (See attached Fee Schedule)

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

The Planning Staff is available for advice on completing this application; however, they are not available for completion of the application or preparation of the site plan. For questions call (910)424-4555. Hours of operation are 8:00 a.m. to 5:00 p.m., Monday through Friday.

The following C2(P) permitted or special uses shall not be allowed per this conditional zoning approval:

Alcoholic Beverage Control Sales

Auction Sales

Bars & Night Clubs

Bus Station Activities

Club or Lodge

Convenience Container and Recycling Facility

Convenience retail/with gasoline sales

Crematorium

Hotel/Motel

Internet Café/Video Gaming

Massage and Bodyworks Therapy

Motor Vehicle Parking Lot, commercial

Quarry

Recreation and Amusement indoor, for profit

Recreation and Amusement outdoor, for profit

Recreation and amusement outdoor with mechanized vehicle operations

Recreation vehicle Park

Residential Habilitation support facility

Second Hand Pawn and Flea Market

Taxicab stand operations

Tobacco, vape and Hemp retail

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

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

1. Applicant/Agent Tom Lloyd
2. Address: P.O. Box 53142 Fayetteville, NC Zip Code 28305
3. Telephone: (Home) (910) 574-3177 (Work) SAME
4. Location of Property: Camden Rd / Walden's Beach Rd.
5. Parcel Identification Number (PIN #) of subject property: 9494-75-7135
(also known as Tax ID Number or Property Tax ID)
6. Acreage: 0.86 Frontage: 148.7+220.58 Depth: 213.87
7. Water Provider: PWC Septage Provider: PWC
8. Deed Book 011563, Page(s) 60114, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: VACANT
10. Proposed use(s) of the property: ALL C-2(P) uses with exception of enclosed list.

NOTE: Be specific and list all intended uses.

11. Do you own any property adjacent to, including across the street from, the property being submitted for rezoning? Yes _____ No ✓
12. Has a violation been issued on this property? Yes _____ No ✓
13. It is requested that the foregoing property be rezoned FROM: R7.5

- TO: (Select one)
- ✓ Conditional Zoning District, with an underlying zoning district of C-2(P)
(Article V)
 - _____ Mixed Use District/Conditional Zoning District (Article VI)
 - _____ Planned Neighborhood District/Conditional Zoning District (Article VII)
 - _____ Density Development/Conditional Zoning District, at the _____ Density
(Article VIII)

APPLICATION FOR
CONDITIONAL ZONING

1. PROPOSED USE(S):

- A. List the use(s) proposed for the Conditional Zoning. (Use of the underlying district will be restricted only to the use(s) specified in this application if approved.) *all of C2(P) with exception of enclosed list.*
- 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.
-

2. DIMENSIONAL REQUIREMENTS:

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

all C2(P) requirements followed

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

Per required by specific use permitted

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Article XIV.

C2(P)

4. LANDSCAPE AND BUFFER REQUIREMENTS:

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

Per permitted use

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

Buffering provided along the southern and eastern property lines.

5. MISCELLANEOUS:

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

6. SITE PLAN REQUIREMENTS:

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

*Per permitted use before
Zoning permit.*

7. STATEMENT OF ACKNOWLEDGMENT:

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

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

I further understand I must voluntarily agree to all ordinance related conditions prior to the first hearing on the case or any disagreement may be cause for an unfavorable recommendation. The undersigned hereby acknowledge that the Planning Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.

BRYANT PROPERTIES
NAME OF OWNER(S) (PRINT OR TYPE)

2130 Hope Mills Rd. Fayetteville NC 28304
ADDRESS OF OWNER(S)

~~BRANT~~ BRYANTbuilt@aol.com
E-MAIL

(910) 574-2621 HOME TELEPHONE same WORK TELEPHONE

A. K. Bryant SIGNATURE OF OWNER(S) SIGNATURE OF OWNER(S)

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

P.O. Box 53142 Fayetteville NC 28305
ADDRESS OF AGENT, ATTORNEY, APPLICANT

(910) 574-3177 HOME TELEPHONE WORK TELEPHONE

Tom@FranklinJohnsonCommercial.com E-MAIL ADDRESS FAX NUMBER

Tom Lloyd
SIGNATURE OF AGENT, ATTORNEY, OR APPLICANT

The following C2(P) permitted or special uses **shall not** be allowed per this conditional zoning approval:

Alcoholic Beverage Control Sales

Auction Sales

Bars & Night Clubs

Bus Station Activities

Club or Lodge

Convenience Container and Recycling Facility

Convenience retail/with gasoline sales

Crematorium

Hotel/Motel

Internet Café/Video Gaming

Massage and Bodyworks Therapy

Motor Vehicle Parking Lot, commercial

Quarry

Recreation and Amusement indoor, for profit

Recreation and Amusement outdoor, for profit

Recreation and amusement outdoor with mechanized vehicle operations

Recreation vehicle Park

Residential Habilitation support facility

Second Hand Pawn and Flea Market

Taxicab stand operations

Tobacco, vape and Hemp retail

FILED Sep 01, 2022
AT 01:41:15 PM
BOOK 11563
START PAGE 0114
END PAGE 0118
INSTRUMENT # 35690
RECORDING \$26.00
EXCISE TAX \$78.00

Revenue Stamps \$ 78.00

DEED FOR HIGHWAY RIGHT OF WAY

THIS INSTRUMENT DRAWN BY Kaye Baggett CHECKED BY Michael N Grimes

The hereinafter described property Does Does not include the primary residence of the Grantor

RETURN TO: The Right of Way Group c/o Mark Smith
210E 5th Street
Lumberton NC 28358

NORTH CAROLINA TIP/PARCEL NUMBER: U-3422 045
COUNTY OF Cumberland WBS ELEMENT: 39001.2.1
TAX PARCEL 9494757135000 ROUTE: SR 10C3 (Camden Road)

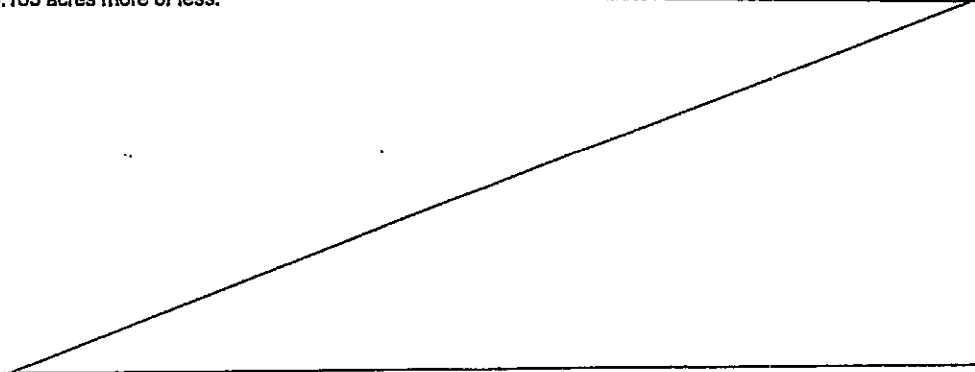
THIS FEE SIMPLE DEED, made and entered into this the 29th day of July 20 22
by and between Bryant Properties, LLC, a North Carolina limited liability company
2130-A Hope Mills Road
Fayetteville NC 28304

hereinafter referred to as GRANTORS, and the Department of Transportation, an agency of the State of North Carolina, 1546 Mail Service Center, Raleigh, NC 27611, hereinafter referred to as the Department;

WITNESSETH

That the GRANTORS, for themselves, their heirs, successors, and assigns, for and in consideration of the sum of \$39,000.00 agreed to be paid by the DEPARTMENT to the GRANTORS, do hereby give, grant and convey unto the DEPARTMENT, its successors and assigns, in FEE SIMPLE (together with any provisions relating to abutter's rights of access which may be hereinafter stated), that certain property located in Rockfish Township, Cumberland County, North Carolina, which is particularly described as follows:

Point of beginning being S 34°54'12.1" W, 83.110 feet from -L- Sta 64+00 thence along a curve 31.361 feet and having a radius of 25.010 feet. The chord of said curve being on a bearing of S 36°7'27.1" W, a distance of 29.346 feet thence to a point on a bearing of S 0°38'33.1" E 10.490 feet thence to a point on a bearing of S 0°38'33.1" E 181.608 feet thence to a point on a bearing of N 88°57'36.3" E 8.570 feet thence to a point on a bearing of N 1°0'24.4" W 15.002 feet thence to a point on a bearing of N 1°0'24.4" W 77.560 feet thence to a point on a bearing of N 1°0'24.4" W 21.462 feet thence to a point on a bearing of N 1°0'24.4" W 42.482 feet thence to a point on a bearing of N 58°25'9.9" E 228.928 feet thence to a point on a bearing of S 71°53'19.2" W 195.377 feet returning to the point and place of beginning. Having an area of 7103.234 Square feet being 0.163 acres more or less.



submitted electronically by "Schweizer & Associates, PLLC"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Cumberland County Register of Deeds.

COUNTY: Cumberland WBS ELEMENT: 39001.2.1 TIP/PARCEL NO.: U-3422 045

IN ADDITION, and for the aforesaid consideration, the GRANTORS further hereby convey to the DEPARTMENT, its successors and assigns the following described areas and interests:

Permanent Utility Easement described as follows:

Point of beginning being S 9°3'52.8" W, 285.271 feet from -L- Sta 64+00 thence to a point on a bearing of N 6°23'29.5" W 13.141 feet thence to a point on a bearing of S 88°57'24.7" W 7.991 feet thence to a point on a bearing of S 1°0'24.4" E 15.002 feet thence to a point on a bearing of S 88°57'36.3" W 8.670 feet thence to a point on a bearing of S 0°38'33.1" E 3.581 feet thence to a point on a bearing of N 71°48'29.7" E 18.649 feet returning to the point and place of beginning. Having an area of 145.081 Square feet being 0.003 acres more or less.

Said Permanent Utility easement in perpetuity is for the installation and maintenance of utilities, and for all purposes for which the DEPARTMENT is authorized by law to subject same. The Department and its agents or assigns shall have the right to construct and maintain in a proper manner in, upon and through said premises a utility line or lines with all necessary pipes, poles and appurtenances, together with the right at all times to enter said premises for the purpose of inspecting said utility lines and making all necessary repairs and alterations thereon; together with the right to cut away and keep clear of said utility lines, all trees and other obstructions that may in any way endanger or interfere with the proper maintenance and operation of the same with the right at all times of ingress, egress and regress. It is understood and agreed that the Department shall have the right to construct and maintain the cut and/or fill slopes in the above-described Permanent Utility Easement area(s). It is further understood and agreed that Permanent Utility Easement shall be used by the Department for additional working area during the above described project. The underlying fee owner shall have the right to continue to use the Permanent Utility Easement area(s) in any manner and for any purpose, including but not limited to the use of said area for access, ingress, egress, and parking, that does not, in the determination of the Department, obstruct or materially impair the actual use of the easement area(s) by the Department of Transportation, its agents, assigns, and contractors.

Drainage Utility Easement described as follows:

Point of beginning being S 76°20'55.5" E, 142.477 feet from -L- Sta 64+00 thence to a point on a bearing of N 0°38'14.3" W 16.340 feet thence to a point on a bearing of N 0°44'54.7" W 9.863 feet thence to a point on a bearing of S 58°25'9.9" W 69.284 feet thence to a point on a bearing of S 18°6'40.8" E 8.862 feet thence to a point on a bearing of N 71°53'19.2" E 59.529 feet returning to the point and place of beginning. Having an area of 1042.823 Square feet being 0.024 acres more or less.

Said Permanent Drainage/Utility easement in perpetuity is for the installation and maintenance of drainage facilities and/or utilities, and for all purposes for which the DEPARTMENT is authorized by law to subject same. The Department and its agents or assigns shall have the right to construct and maintain in a proper manner in, upon and through said premises a drainage facility and/or utility line or lines with all necessary pipes, poles and appurtenances, together with the right at all times to enter said premises for the purpose of inspecting said drainage facility and/or utility lines and making all necessary repairs and alterations thereon; together with the right to cut away and keep clear of said drainage facility and/or utility lines, all trees and other obstructions that may in any way endanger or interfere with the proper maintenance and operation of the same with the right at all times of ingress, egress and regress. It is understood and agreed that the Department shall have the right to construct and maintain the cut and/or fill slopes in the above-described permanent drainage/utility easement area(s). It is further understood and agreed that Permanent Drainage/Utility Easement shall be used by the Department for additional working area during the above described project. The underlying fee owner shall have the right to continue to use the Permanent drainage/Utility Easement area(s) in any manner and for any purpose, including but not limited to the use of said area for access, ingress, egress, and parking, that does not, in the determination of the Department, obstruct or materially impair the actual use of the easement area(s) by the Department of Transportation, its agents, assigns, and contractors.

Permanent Drainage Easement described as follows:

Point of beginning being S 24°4'29.9" W, 139.443 feet from -L- Sta 64+00 thence to a point on a bearing of S 1°0'24.4" E 42.482 feet thence to a point on a bearing of N 23°9'15.7" E 48.656 feet thence to a point on a bearing of N 58°28'2.0" E 130.417 feet thence to a point on a bearing of N 58°34'50.4" E 9.043 feet thence to a point on a bearing of N 18°6'40.8" W 8.862 feet thence to a point on a bearing of S 58°25'9.9" W 159.644 feet returning to the point and place of beginning. Having an area of 1700.149 Square feet being 0.039 acres more or less.

Said Permanent Drainage Easement in perpetuity is for the installation and maintenance of drainage facilities, and for all purposes for which the DEPARTMENT is authorized by law to subject same. The Department and its agents or assigns shall have the right to construct and maintain in a proper manner in, upon and through said premises a drainage facility with all necessary pipes, poles and appurtenances, together with the right at all times to enter said premises for the purpose of inspecting said drainage facility and making all necessary repairs and alterations thereon; together with the right to cut away and keep clear of said drainage facility, all trees and other obstructions that may in any way endanger or interfere with the proper maintenance and operation of the same with the right at all times of ingress, egress and regress.

It is understood and agreed that the Department shall have the right to construct and maintain the cut and/or fill slopes in the above-described Permanent Drainage Easement area(s). It is further understood and agreed that Permanent Drainage Easement shall be used by the Department for additional working area during the above described project. The underlying fee owner shall have the right to continue to use the Permanent Drainage

COUNTY: Cumberland WBS ELEMENT: 39001.2.1 TIP/PARCEL NO.: U-3422 045

Easement area(s) in any manner and for any purpose, including but not limited to the use of said area for access, ingress, egress, and parking, that does not, in the determination of the Department, obstruct or materially impair the actual use of the easement area(s) by the Department of Transportation, its agents, assigns, and contractors.

Temporary Construction Easement described as follows:

Point of beginning being S 76°20'55.5" E, 142.477 feet from -L- Sta 64+00 thence to a point on a bearing of S 71°53'19.2" W 59.529 feet thence to a point on a bearing of S 58°34'50.4" W 9.043 feet thence to a point on a bearing of S 58°28'2.0" W 130.417 feet thence to a point on a bearing of S 23°9'15.7" W 48.656 feet thence to a point on a bearing of S 1°0'24.4" E 21.462 feet thence to a point on a bearing of N 24°25'23.4" E 61.946 feet thence to a point on a bearing of N 60°21'13.0" E 194.061 feet thence to a point on a bearing of N 0°38'14.3" W 5.227 feet returning to the point and place of beginning. Having an area of 3112.756 Sqr feet being 0.071 acres, more or less.

It is understood and agreed that the Department shall have the right to construct and maintain the cut and/or fill slopes in the above described area(s) until such time that the property owners alter the adjacent lands in such a manner that the lateral support of the cut and/or fill slopes are no longer needed. Any additional construction areas lying beyond the beyond the right of way limits and beyond any permanent easement areas will terminate upon completion of the project. The underlying fee owner shall have the right to continue to use the Temporary Easement area(s) in any manner and for any purpose, including but not limited to the use of said area for access, ingress, egress, and parking, that does not, in the determination of the Department, obstruct or materially impair the actual use of the easement area(s) by the Department of Transportation, its agents, assigns, and contractors.

SPECIAL PROVISIONS. This deed is subject to the following provisions only:

It is understood and agreed that the total consideration set forth above shall be made payable to Schweizer & Associates, PLLC and after satisfaction of all taxes, liens, encumbrances on this parcel, the remaining balance shall be disbursed in accordance with the Grantors' directions, and the Grantors shall have no claim against the Department as a result thereof.

The property hereinabove described was acquired by the GRANTORS by instrument(s) recorded in the Cumberland County Registry in Deed Book 9560 Page 847.

The final right of way plans showing the above described right of way are to be certified and recorded in the Office of the Register of Deeds for said County pursuant to N.C.G.S. 136-19.4, reference to which plans is hereby made for purposes of further description and for greater certainty.

The Grantors acknowledge that the project plans for Project # 39001.2.1 have been made available to them. The Grantors further acknowledge that the consideration stated herein is full and just compensation pursuant to Article 9, Chapter 136 of the North Carolina General Statutes for the acquisition of the said interests and areas by the Department of Transportation and for any and all damages to the value of their remaining property; for any and all claims for interest and costs; for any and all damages caused by the acquisition for the construction of Department of Transportation Project # 39001.2.1, Cumberland County, and for the past and future use of said areas by the Department of Transportation, its successors and assigns for all purposes for which the said Department is authorized by law to subject the same.

IT IS UNDERSTOOD AND AGREED between the parties hereto that this conveyance is made for the purpose of constructing and establishing upon the right of way hereby conveyed a road or highway designated as State Highway Project 39001.2.1, Cumberland County, which road or highway is a controlled access facility as defined by law and the GRANTORS shall have no right of access to said road or highway, except such access as may be provided by way of local service or frontage roads and streets or specific access points as shown and designated as such on the right of way plans for said State Highway Project on file in the office of the DEPARTMENT in Raleigh, North Carolina and to be recorded in the Register of Deeds Office of Cumberland County pursuant to NCGS 136-19.4.

The access as provided is more particularly described as follows:

By means of a local traffic road which is designated as (Waldos Beach Road), said access point being located left/right of and between Survey Station Y2+12+19 and Survey Station 13+57.50 on Survey Line Y2.

As to such local service or frontage roads and streets or specific points of access, the GRANTORS reserve unto themselves, their heirs, successors, executors and assigns for the benefit of their remaining property abutters' rights of access thereto as at common law; subject, however, to the right of the DEPARTMENT to reasonably regulate said abutters' rights of access in order to protect and safeguard the traveling public.

COUNTY: Cumberland WBS ELEMENT: 39001.2.1 TIP/PARCEL NO.: U-3422 045

TO HAVE AND TO HOLD the aforesaid premises and all privileges and appurtenances thereunto belonging to the DEPARTMENT, its successors and assigns in FEE SIMPLE, or by easement as indicated, for the past, present and future use thereof and for all purposes which the said Department is authorized by law to subject the same.

And the GRANTORS covenant with the DEPARTMENT, that the GRANTORS are seized of the premises in fee simple, have the right to convey the same in fee simple, or by easement as indicated, that the title thereto is marketable and free and clear of all encumbrances, and that the GRANTORS will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated. Title to the property hereinabove described is hereby conveyed subject to the following exceptions: Restrictive covenants and easements of record, government regulations, and the tier of property taxes for the current year.

COUNTY: Cumberland WBS ELEMENT: 39001.2.1 TIP/PARCEL NO.: U-3422 045


IN WITNESS WHEREOF, the GRANTORS have hereunto set their hands and seals (or if corporate, has caused the instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors) the day and year first above written.

This instrument does not transfer the herein described interests unless and until this document is accepted by an authorized agent of the Department of Transportation.

Bryant Properties, LLC

BY: *Kristopher K. Bryant*
Kristopher K. Bryant (Member)

ACCEPTED FOR THE DEPARTMENT OF TRANSPORTATION BY: *Paul B. Ryan*

	North Carolina, <u>Cumberland</u> County
	I, <u>Michael N. Grimes</u> , a Notary Public for <u>Johnston</u> County, North Carolina, do hereby certify that
	<u>Kristopher K. Bryant, Member</u> of
	<u>Bryant Properties, LLC</u> , a limited liability company,
	personally came before me this day and acknowledged the due execution of the foregoing instrument on behalf of the company.
Witness my hand and official seal this the <u>28th</u> day of <u>July</u> , 20 <u>22</u> .	
<u><i>Michael N. Grimes</i></u> Notary Public	
My commission expires: <u>June 7th 2023</u>	



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

Receipt Number: R00026154

Cashier Name: Whitney Martinez

Terminal Number: 1

Receipt Date: 10/23/2024 12:55:40 PM

Tran. Code: 103651 - Zoning Petitions

Name: BRYANT BUILDERS

\$600.00

REZONING

\$600.00

Total Amount Applied: \$600.00

Amount: \$600.00

Total Payment Received: \$600.00

Change: \$0.00

Payment Method: Check

Payor: BRYANT BUILDERS

Reference: 6452

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

Emily Weidner

From: Tom - Franklin Johnson Commercial <tom@franklinjohnsoncommercial.com>
Sent: Monday, March 3, 2025 12:09 PM
To: Emily Weidner

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

Emily,

Please change the requested rezoning request at Waldos Beach and Camden from commercial to OI. Thanks for your help. If you come accross a contact person for the HOA, please give them my number.

Tom

Jessie Bellflowers
Mayor

Chancer F. McLaughlin
Town Manager



Kenjuana McCray
Mayor Pro-Tem

Emily AV Weidner
Director

March 4, 2025

Bryant Properties, LLC
2130 A Hope Mills Rd
Fayetteville, NC 28304

Dear Bryant Properties, LLC,

PLEASE DISREGARD THE PREVIOUS NOTICE THAT WAS DATED FERUARY 28, 2025.

The Joint Planning Board of Cumberland County will hold a public meeting on March 18, 2025, beginning at 6:00 p.m. or shortly thereafter, in Court Room 3 on the 2nd floor of the Old Historic Court House Building, located at 130 Gillespie Street, Fayetteville, NC and will consider the following:

Case ZNG-011-24: *Request to rezone 0.86 +/- acres to O&I Office and Institutional District or more restrictive zoning located at the Southeast corner of Camden Rd and Waldos Beach Rd intersection REID 9494757135000 submitted by Tom Lloyd (agent) on behalf of Bryant Properties, LLC (owners).*

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

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

Sincerely,

Emily Weidner
Planning & Economic Development Director

Cc: Adjacent Property Owners

Owner	Street	City	State	Zip
Bryant Properties, LLC	2130 A Hope Mills Rd	Fayetteville	NC	28304
CBMM Properties, LLC; CJR Property Holdings, LLC	2709 Thorngrove Ct	Fayetteville	NC	28303
Matthew & Chanda Oconnell	3848 Newgate St	Fayetteville	NC	28306
Steven & Mandy Abernathy	3851 Newgate St	Fayetteville	NC	28306
Estates of Camden Homeowners Association, Inc	PO Box 64345	Fayetteville	NC	28306
Sherry & Angelina Flippen	2594 Plum Ridge Rd	Fayetteville	NC	28306
3831 Queen Ann Investors, LLC; 3831 Queen Anne Partners, LLC	500 Throckmorton St Ste 300	Ft Worth	TX	76102



PLANNING AND INSPECTIONS DEPARTMENT

MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF MARCH 18, 2025

TO: JOINT PLANNING BOARD

FROM: RAWLS HOWARD, DIRECTOR OF PLANNING AND INSPECTIONS

DATE: 3/18/2025

SUBJECT: ZNG-004-25: REZONING OF 5.948 +/- ACRES FROM R6 RESIDENTIAL TO R5 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 3700 DAMIEN DR REIDS 0414713770000 & 0414716750000, SUBMITTED BY JEREMY SPARROW (AGENT) ON BEHALF OF CHURCH STREET APARTMENTS, LLC (OWNERS). (HOPE MILLS)

ATTACHMENTS:

Description

CASE # ZNG-004-25

Type

Backup Material



STAFF REPORT

REZONING CASE# ZNG-004-25

Planning Board Meeting: 3-18-2025

Hope Mills Board Meeting: 4-21-2025

Address: 3700 Damien Dr

ZONING REQUEST: Rezone to R5 Residential District

The Town of Hope Mills staff received an application request to rezone 5.948 +/- acres of land from R6 Residential to R5 Residential District for parcel identification numbers 0414-71-3770 & 0414-71-6750. The subject property is adjacent to the rear of Hope Mills Middle School, and single-family homes, including the Creekbend Subdivision. The property is a part of the existing Church Street Apartments. The Plan Review staff worked diligently with the applicant to facilitate the submission of this rezoning request. The location of the subject property is illustrated in Exhibit "A."

SUBJECT PROPERTY INFORMATION

OWNER/APPLICANT:

Jeremy Sparrow
(applicant) on behalf of
Church Street Apartments, LLC (owner)

ADDRESS/LOCATION: 3700 Damien Dr,
REIDs 0414713770000 & 0414716750000
For additional information on the
site location, refer to Exhibit "A"

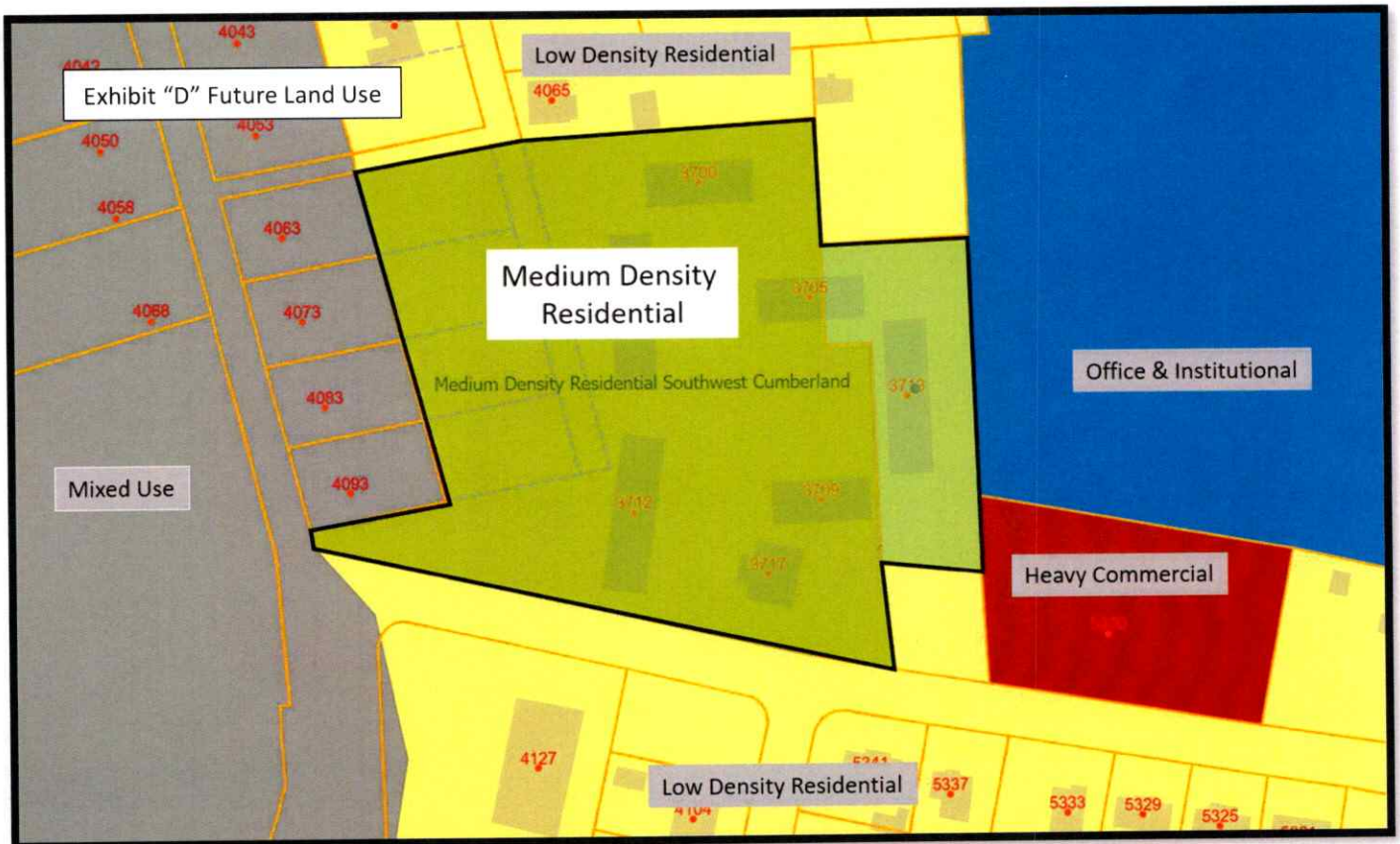
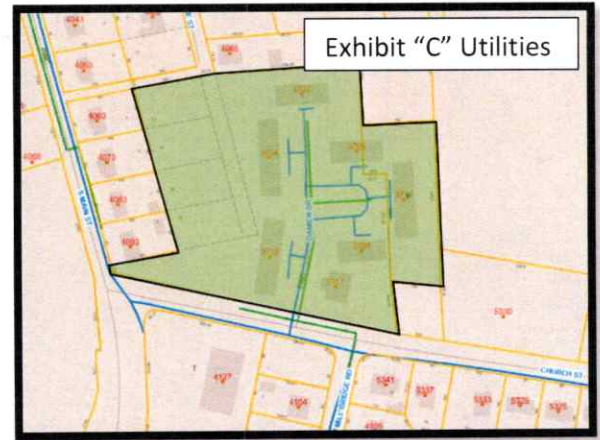
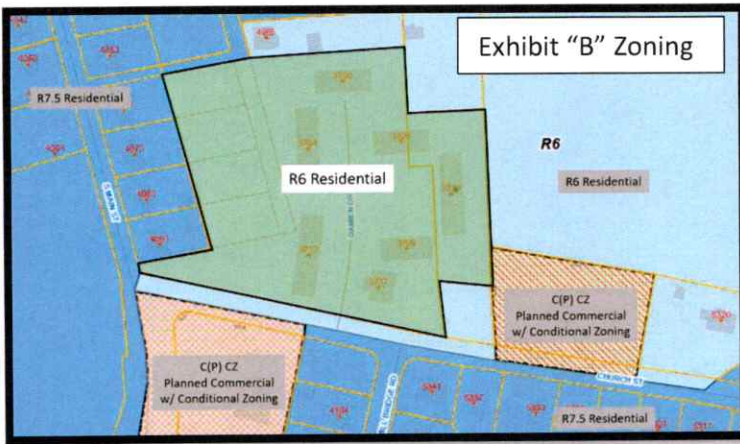
SIZE: As stated above, the subject
property 5.948 acres in size with varying
lengths of depth is being looked at today.

EXISTING ZONING: The subject property is currently zoned under the R6 Residential District with the area immediately adjacent being zoned R7.5 Residential, C(P) CZ Planned Commercial with Conditional Zoning and across the street, being zoned R7.5 Residential and C2(P) CZ Planned Service and Retail District with Conditional.

EXISTING LAND USE: This property is currently undeveloped.

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





DEVELOPMENT REVIEW: Site plan approval is required before development.

COMPREHENSIVE DEVELOPMENT PLANS: This site is located within the Southwest Cumberland Land Use Plan area (2013) and is designated as "Medium Density Residential." The requested zoning does fit within the guidelines of the Southwest Cumberland Land Use Plan, it does complement the existing surrounding area nicely as the area across the street is a residential as well as the adjacent properties along the southwest border of the subject property. The intended use of this property is for adding more apartments to the already existing apartment complex. Please refer to Exhibit "D" for additional information.

IMPACTS ON AREA FACILITIES

UTILITIES: Did not receive any comments.

STORMWATER: Any development will require Stormwater Management Permit. This is not located within the floodplain nor the Airport Overlay District.

PUBLIC WORKS: Must adhere to the Standards and Specifications

INSPECTIONS: Must meet all applicable North Carolina State Building Codes.

PLAN REVIEW COMMENTS: The Town of Hope Mills Plan Review team has no objections to this request. Must submit for site plan approval, sidewalks are required. The Town does not pick up trash for apartment complexes – developer must make the proper accommodations.

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

CUMBERLAND COUNTY SCHOOLS: The school zones for this location includes Ed Baldwin Elementary, Hope Mills Middle, and South View High School

FAMPO: The subject property sits on Damien Dr and is identified as a local road in Metropolitan Transportation Plan. There are no roadway construction improvement projects planned and the subject property will have no significant impact on the Transportation Improvement Program. In addition, Damien Dr has no 2021 AADDT or road capacity data available. Due to lack of data and the small scale, the new zoning request does not demand a trip generation. The new development should not generate enough traffic to significantly impact Damien Dr.

NCDOT: Did not receive any comments.

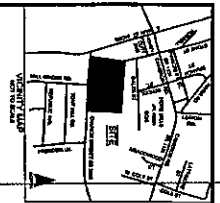
RLUAC: No comment.

FCEDC: Has no issue with this action.

CODE DEVIATIONS: None.

STAFF RECOMMENDATION

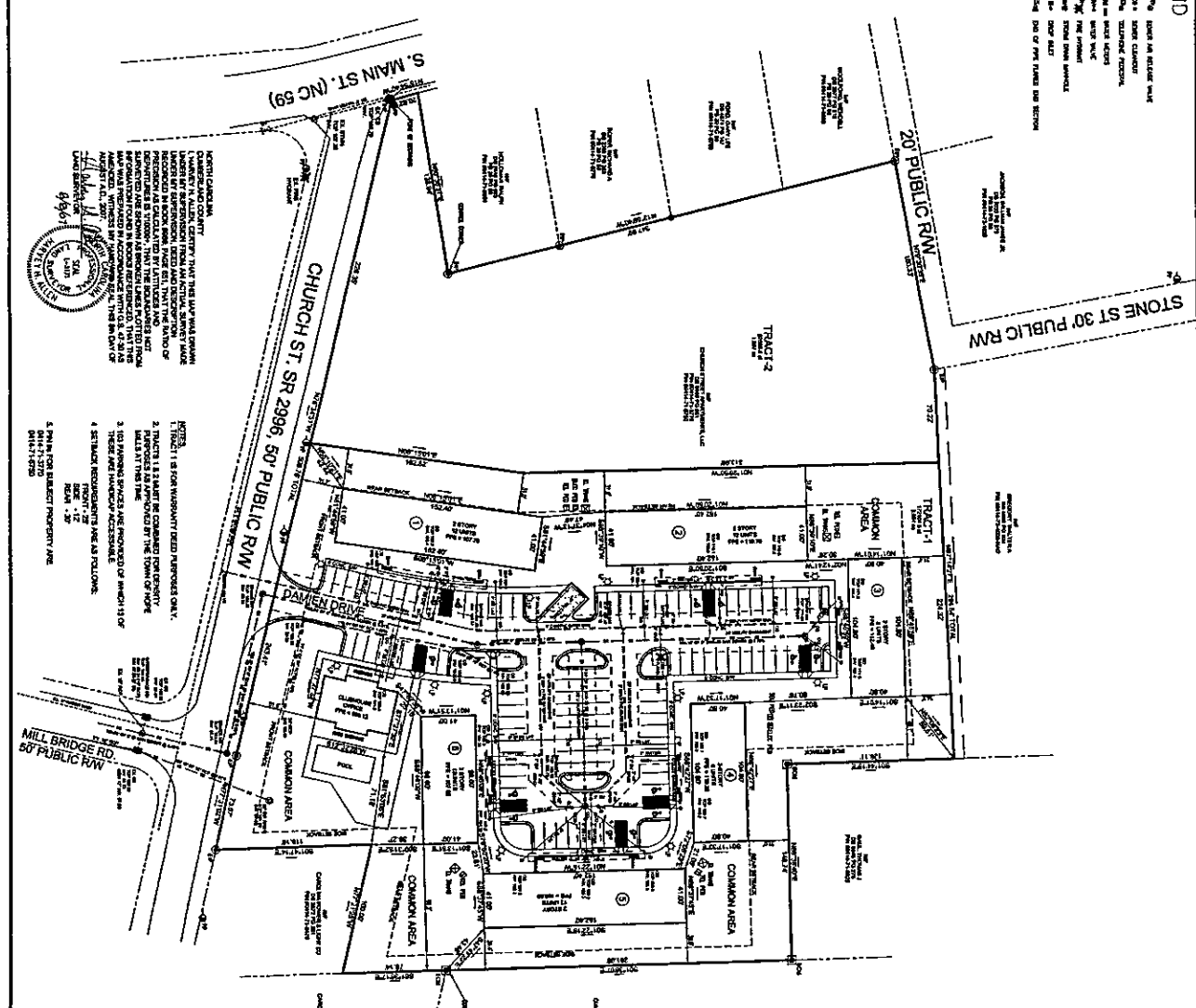
In ZNG-004-24, the Town of Hope Mills Planning staff **recommends approval** of the rezoning request to the R5 Residential Zoning district and finds that this request is consistent with the Southwest Cumberland Land Use Plan (2013), designating this property the requested R5 will complement the current and future vision of the Town of Hope Mills. The economic and regional impact of the proposed development fits within the vision and long-term outlook of the area in regards to economic development viability. Approval of the request is reasonable and in the public interest because the district requested is compliments the proposed development of adjacent parcels in the surrounding area.



SYMBOL LEGEND

- 1. 2" High Solid Line: Public Property Boundary
- 2. 1/4" High Solid Line: Survey Boundary
- 3. 1/8" High Solid Line: Easement Boundary
- 4. 1/16" High Solid Line: Utility Boundary
- 5. 1/32" High Solid Line: Right-of-Way Boundary
- 6. 1/64" High Solid Line: Property Line
- 7. 1/128" High Solid Line: Subdivision Boundary
- 8. 1/256" High Solid Line: Lot Boundary
- 9. 1/512" High Solid Line: Section Boundary
- 10. 1/1024" High Solid Line: Township Boundary
- 11. 1/2048" High Solid Line: County Boundary
- 12. 1/4096" High Solid Line: State Boundary
- 13. 1/8192" High Solid Line: Federal Boundary
- 14. 1/16384" High Solid Line: National Boundary
- 15. 1/32768" High Solid Line: International Boundary
- 16. 1/65536" High Solid Line: Outer Space Boundary
- 17. 1/131072" High Solid Line: Deep Sea Boundary
- 18. 1/262144" High Solid Line: Continental Shelf Boundary
- 19. 1/524288" High Solid Line: Exclusive Economic Zone Boundary
- 20. 1/1048576" High Solid Line: Territorial Sea Boundary
- 21. 1/2097152" High Solid Line: High Seas Boundary
- 22. 1/4194304" High Solid Line: International Waters Boundary
- 23. 1/8388608" High Solid Line: Antarctica Boundary
- 24. 1/16777216" High Solid Line: Arctic Region Boundary
- 25. 1/33554432" High Solid Line: Subarctic Region Boundary
- 26. 1/67108864" High Solid Line: Temperate Region Boundary
- 27. 1/134217728" High Solid Line: Subtropical Region Boundary
- 28. 1/268435456" High Solid Line: Tropical Region Boundary
- 29. 1/536870912" High Solid Line: Subtropical Region Boundary
- 30. 1/1073741824" High Solid Line: Temperate Region Boundary
- 31. 1/2147483648" High Solid Line: Subtropical Region Boundary
- 32. 1/4294967296" High Solid Line: Tropical Region Boundary
- 33. 1/8589934592" High Solid Line: Subtropical Region Boundary
- 34. 1/17179869184" High Solid Line: Temperate Region Boundary
- 35. 1/34359738368" High Solid Line: Subtropical Region Boundary
- 36. 1/68719476736" High Solid Line: Tropical Region Boundary
- 37. 1/137438953472" High Solid Line: Subtropical Region Boundary
- 38. 1/274877906944" High Solid Line: Temperate Region Boundary
- 39. 1/549755813888" High Solid Line: Subtropical Region Boundary
- 40. 1/1099511627776" High Solid Line: Tropical Region Boundary
- 41. 1/2199023255552" High Solid Line: Subtropical Region Boundary
- 42. 1/4398046511104" High Solid Line: Temperate Region Boundary
- 43. 1/8796093022208" High Solid Line: Subtropical Region Boundary
- 44. 1/17592186044416" High Solid Line: Tropical Region Boundary
- 45. 1/35184372088832" High Solid Line: Subtropical Region Boundary
- 46. 1/70368744177664" High Solid Line: Temperate Region Boundary
- 47. 1/140737488355328" High Solid Line: Subtropical Region Boundary
- 48. 1/281474976710656" High Solid Line: Tropical Region Boundary
- 49. 1/562949953421312" High Solid Line: Subtropical Region Boundary
- 50. 1/1125899906842624" High Solid Line: Temperate Region Boundary
- 51. 1/2251799813685248" High Solid Line: Subtropical Region Boundary
- 52. 1/4503599627370496" High Solid Line: Tropical Region Boundary
- 53. 1/9007199254740992" High Solid Line: Subtropical Region Boundary
- 54. 1/18014398509481984" High Solid Line: Temperate Region Boundary
- 55. 1/36028797018963968" High Solid Line: Subtropical Region Boundary
- 56. 1/72057594037927936" High Solid Line: Tropical Region Boundary
- 57. 1/144115188075855872" High Solid Line: Subtropical Region Boundary
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- 59. 1/576460752303423488" High Solid Line: Subtropical Region Boundary
- 60. 1/1152921504606846976" High Solid Line: Tropical Region Boundary
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- 66. 1/73786976294838206464" High Solid Line: Temperate Region Boundary
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- 82. 1/4835703278458516698824704" High Solid Line: Temperate Region Boundary
- 83. 1/9671406556917033397649408" High Solid Line: Subtropical Region Boundary
- 84. 1/19342813113834066795298816" High Solid Line: Tropical Region Boundary
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- 94. 1/1980704062856608439838787584" High Solid Line: Temperate Region Boundary
- 95. 1/3961408125713216879677575168" High Solid Line: Subtropical Region Boundary
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- 97. 1/15845632502852867518710300672" High Solid Line: Subtropical Region Boundary
- 98. 1/31691265005705735037420601344" High Solid Line: Temperate Region Boundary
- 99. 1/63382530011411470074841202688" High Solid Line: Subtropical Region Boundary
- 100. 1/126765060022822940149682405376" High Solid Line: Tropical Region Boundary

NOTICE: This is a preliminary plat for a subdivision of land. It is subject to change without notice. The plat is not to be used for any purpose other than for the information of the public. The plat is not to be used for any purpose other than for the information of the public. The plat is not to be used for any purpose other than for the information of the public.



CHURCH STREET APARTMENTS
 PROPERTY OF
CHURCH STREET APARTMENTS LLC
 100 Church St.
 Hope Mills, NC 28041

ALTA SURVEY
 SHEET 1

CHURCH STREET APARTMENTS
 HOPE MILLS, NORTH CAROLINA

SCALE 1" = 40'
 DATE: AUG. 8, 2007

ALLEN-ALLEN & ASSOCIATES OF NC, PA
 154-3 New Street, Fayetteville, North Carolina 28403
 Office: (910) 437-2000 Fax: (910) 437-2055

DATE: AUG. 8, 2007
 SHEET 1





Town of Hope Mills
◆
Planning Department

CASE NO.: ZNG-004-25

ZONING BOARD
MEETING DATE: 3/18/25

DATE APPLICATION
SUBMITTED: 2/12/25

RECEIPT NO.: R00026776

RECEIVED BY: GAN

APPLICATION FOR (CHECK ONE):
 INITIAL ZONING OR REZONING
HOPE MILLS ZONING ORDINANCE

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

1. A digital and hard copy of the recorded deed and/or plat;
2. If portion(s) of an existing tract is/are being submitted for rezoning, an accurate written legal description of only the area to be considered for the rezoning; and
3. A check made payable to "Town of Hope Mills" in the amount of \$ 700.00.
(updated fee schedule can be found on the Town website)

Rezoning & Initial Zoning Procedure:

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

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

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

TO THE CUMBERLAND COUNTY JOINT PLANNING BOARD AND THE TOWN OF HOPE MILLS BOARD OF COMMISSIONERS, HOPE MILLS, NORTH CAROLINA:

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

1. Requested Rezoning/Initial Zoning from R6 to R5

If the area is a portion of an existing parcel, a written metes and bounds description of only that portion to be considered for rezoning, including the exact acreage must accompany this application along with a copy of the recorded deed and/or plat. If more than one zoning classification is requested, a correct metes and bounds legal description, including acreage, for each bounded area must be submitted.

2. Address/location of property to be Rezoned/Initially Zoned:

 3700 DAMIEN DR

3. Parcel Identification Number (PIN #) of property: #0414-71-3770
(also known as Tax ID Number or Property Tax ID) #0414-71-6750

4. Acreage: 5.948 Frontage: +/- 542 Depth: +/- 473

5. Water Provider: Well: _____ PWC: ✓

6. Septage Provider: Septic Tank _____ PWC ✓ Other (name) _____

7. Deed Book 6989 , Page(s) 651 Cumberland County Register of Deeds. (Attach copy of deed of subject property as it appears in Registry).

8. Existing use(s) of property: MULTI-FAMILY / APARTMENTS

9. Proposed use(s) of the property: MULTI-FAMILY / APARTMENTS

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

11. Has a violation been issued on this property? Yes _____ No ✓

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

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

CHURCH STREET APARTMENTS, LLC
Property owner(s)' name (print or type)

P.O. Box 25640 FAYETTEVILLE, NC 28314
Complete mailing address of property owner(s)

Telephone number Alternative telephone number


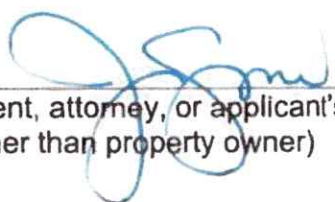
E-mail address Fax number

LONGITUDE PLANNING GROUP, PLLC (JEREMY SPARROW)
Agent, attorney, or applicant (other than property owner) (print or type)

P.O. Box 1466 SOUTHERN PINES, NC 28388
Complete mailing address of agent, attorney, or applicant

734.478.1917
Telephone number Alternative telephone number

jsparrow@longitudeplanninggroup.com
E-mail address Fax number


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

Owner's signature

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

040652

RECEIVED

8-29-2005 AM 9:48: 9

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

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: 0

Parcel Identifier No. 0414-71-3770&6750 Verified by _____ County on the _____ day of _____, 20____
By: _____

R-0573-05

Mail/Box to: Thorp, Clarke & Neville, P.A., 150 N. McPherson Church Road, Fayetteville, NC 28303

This instrument was prepared by: Thorp, Clarke & Neville, P.A., 150 N. McPherson Church Road, Fayetteville, NC 28303

Brief description for the Index: _____

THIS DEED made this 29th day of July, 2005, by and between

GRANTOR	GRANTEE
JIMMY M. PUCZYLOWSKI and wife, LISA B. PUCZYLOWSKI and TERRY W. SPELL and wife, JAN D. SPELL	CHURCH STREET APARTMENTS, LLC 4022 Stone Street Hope Mills, NC 28348

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of Hope Mills, _____ Township, Cumberland County, North Carolina and more particularly described as follows:
See Attached

The property hereinabove described was acquired by Grantor by instrument recorded in Book _____ page _____.

A map showing the above described property is recorded in Plat Book _____ page _____.

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

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

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

(Entity Name)

JIMMY M. PUCZYLOWSKI (SEAL)

By: _____
Title: _____

LISA B. PUCZYLOWSKI (SEAL)

By: _____
Title: _____

TERRY W. SPELL (SEAL)

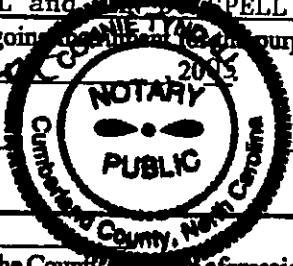
By: _____
Title: _____

JAN D. SPELL (SEAL)

State of North Carolina - County of Cumberland

I, the undersigned Notary Public of the County and State aforesaid, certify that JIMMY M. PUCZYLOWSKI, LISA B. PUCZYLOWSKI, TERRY W. SPELL and JAN D. SPELL personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this 23rd day of August, 2005.

My Commission Expires: 7-24-10



Connie Syndall
Notary Public

State of North Carolina - County of _____

I, the undersigned Notary Public of the County and State aforesaid, certify that _____ personally came before me this day and acknowledged that he is the _____ of _____, a North Carolina or _____ corporation/limited liability company/general partnership/limited partnership (strike through the inapplicable), and that by authority duly given and as the act of such entity, he signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this _____ day of _____, 20__.

My Commission Expires: _____

Notary Public

State of North Carolina - County of _____

I, the undersigned Notary Public of the County and State aforesaid, certify that _____

Witness my hand and Notarial stamp or seal, this _____ day of _____, 20__.

My Commission Expires: _____

Notary Public

The foregoing Certificate(s) of Connie Syndall

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

By Robin Jones J. LEE WARREN, JR. REGISTER OF DEEDS FOR CUMBERLAND COUNTY, Deputy/Assistant - Register of Deeds

ATTACHMENT

TRACT ONE:

BEGINNING at a concrete monument said monument being the South West corner of the land conveyed to J. A. McLean as recorded in Deed Book 2528, Page 780, Cumberland County Registry and running thence with McLean's southern line North 88 degrees 36 minutes 14 seconds East 149.11 feet to a concrete monument; thence South 01 degrees 32 minutes 58 seconds East 261.06 feet to a concrete monument; thence South 01 degrees 41 minutes 02 seconds East 78.22 feet to an iron stake, the northeast corner of the land conveyed to CP&L as recorded in Deed Book 2072, Page 281, Cumberland County Registry; thence with CP&L's northern line North 77 degrees 23 minutes 03 seconds West 100.00 feet to an iron stake; thence North 01 degrees 41 minutes 04 seconds West 215.32 feet to an iron stake; thence South 88 degrees 19 minutes 12 seconds West 51.60 feet to an iron stake; thence North 01 degrees 40 minutes 48 seconds West 100.00 feet to the Beginning. Containing .85 acres more or less.

TRACT TWO:

BEGINNING at an existing iron stake at the Northeast intersection of Church Street and NC Highway 59 (South Main Street) North 12 degrees 11 minutes 20 seconds West 17.75 feet to an iron stake in the southern line of Lot No. 8 D. J. Gales Property as recorded in Plat Book 20, Page 50, Cumberland County Registry; thence with said southern line North 79 degrees 34 minutes 20 seconds East 137.51 feet to an existing iron pipe, the northeast corner of Lot No. 8; thence with the eastern line of Lots 8, 7, 6 and 5 of said D. J. Gales Property North 13 degrees 59 minutes 40 seconds West 347.88 feet to an existing iron pipe, the northeast corner of Lot No. 5; thence with the northern line of Lot No. 12 same being the southern line of a 20 foot street as shown on D. J. Gales plat North 79 degrees 31 minutes 02 seconds East 160.31 feet crossing Stone Street to an existing iron stake, W. A. Gregory's southwest corner of a 0.51 acre tract recorded in Deed Book 3193, page 258; thence with the southern line of said tract North 87 degrees 14 minutes 10 seconds East 294.56 feet to an existing iron stake, a point in the western line of J. A. McLean (see Deed Book 2528, Page 780); thence with McLean's western line and beyond South 01 degrees 40 minutes 48 seconds East 226.09 feet to an existing iron rod, Elwood J. Gales seventh corner (see Deed Book 3213, page 60); thence with Gales sixth line North 88 degrees 19 minutes 37 seconds East 51.60 feet to an existing iron rod, Gales sixth corner, thence with the western line of Gales South 01 minutes 39 minutes 26 seconds East 215.32 feet to an existing iron rod, the northwest corner of the land conveyed to CP&L (see Deed Book 2072, page 281), thence South 01 degrees 42 minutes 30 seconds East 118.03 feet to an iron stake in the northern margin of Church Street (50 foot R/W); thence with the northern margin of Church Street, North 77 degrees 33 minutes 30 seconds West 73.02 feet to a point; thence continuing with the northern margin of Church Street North 76 degrees 34 minutes 20 seconds West 509.82 feet to the beginning. Containing 5.09 acres more or less including all of Lots 12, 13, 14 and 15 along with an unpaved street of the D. J. Gales Property as recorded in Plat Book 20, Page 50, and being a part of the land conveyed to D. J. Gales as recorded in Deed Book 199, page 3 and deed Book 265, Page 246, Cumberland County Registry.

Jessie Bellflowers
Mayor

Chancer F. McLaughlin
Town Manager



Kenjuana McCray
Mayor Pro-Tem

Emily Weidner
Director

February 27, 2025

Church Street Apartments, LLC
PO Box 25640
Fayetteville, NC 28314

Dear Church Street Apartments, LLC,

The Joint Planning Board of Cumberland County will hold a public meeting on March 18, 2025, beginning at 6:00 p.m. or shortly thereafter, in Court Room 3 on the 2nd floor of the Old Historic Court House Building, located at 130 Gillespie Street, Fayetteville, NC and will consider the following:

Case ZNG-004-25: Rezoning of 5.948 +/- acres from R6 Residential to R5 Residential or to a more restrictive zoning district, located at 3700 Damien Dr REIDs 0414713770000 & 0414716750000, submitted by Jeremy Sparrow (agent) on behalf of Church Street Apartments, LLC (owners).

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

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

Sincerely,

Emily Weidner
Planning & Economic
Development Services Director

Cc: Adjacent Property Owners

Town Hall Town of Hope Mills | 5770 Rockfish Road | Hope Mills, NC 28348
Phone: 910.426.4103 | Fax: 910.429.3386
www.townofhopemills.com

Owner	Street	City	State	Zip
Church Street Apartments, LLC	PO Box 25640	Fayetteville	NC	28314
Price's Real Estate Company, LLC	PO Box 1603	Knightdale	NC	27545
Tyrone & Sarah Bardon	4104 Mill Bridge Rd	Hope Mills	NC	28348
Patricia Messina Ross	5341 Church St	Hope Mills	NC	28348
Duke Energy Progress, Inc	419 Fayetteville St	Raleigh	NC	27601
Cumberland County Board of Education	PO Box 2357	Fayetteville	NC	28302
James Edward Gaul Trustee	6119 18th Road N	Arlington	VA	22205
Walter A Gregory	4065 Stone St	Hope Mills	NC	28348
Elizabeth A Jackson	4052 Stone St	Hope Mills	NC	28348
Wendell Woolford	1899 Wayside Rd	Raeferd	NC	28376
R Chi LLC	4073 S Main St	Hope Mills	NC	28348
Nancy G Roper	4083 S Main St	Hope Mills	NC	28348
Donna Payne Holmes	3270 Glenmore Dr	Hope Mills	NC	28348
Lucille S Gilbert	1310 Goodview Ave	Fayetteville	NC	28305



PLANNING AND INSPECTIONS DEPARTMENT

MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF MARCH 18, 2025

TO: JOINT PLANNING BOARD

FROM: RAWLS HOWARD, DIRECTOR OF PLANNING AND INSPECTIONS

DATE: 3/18/2025

SUBJECT: ZON-25-0003: REZONING REQUEST FROM M(P) PLANNED INDUSTRIAL DISTRICT TO R15 RESIDENTIAL DISTRICT OR TO A MORE RESTRICTIVE ZONING DISTRICT FOR 0.67 +/- ACRES; LOCATED AT 1650 AND 1656 ZINNIA CT; SUBMITTED BY RONALD AND JUDY WYNNE (OWNERS).

ATTACHMENTS:

Description

CASE # ZON-25-0003

Type

Backup Material

REQUEST

Rezoning M(P) to R15

Applicant requests a rezoning from M(P) Planned Industrial District to R15 Residential District for a parcel containing approximately 0.67 acres and located along Zinnia Court, south of its intersection with Wilmington Highway. The subject parcel is located within the Airport Overlay District, approximately a half mile east of the Fayetteville Regional Airport property. The intent of the property owner is to use the parcel for residential purposes.

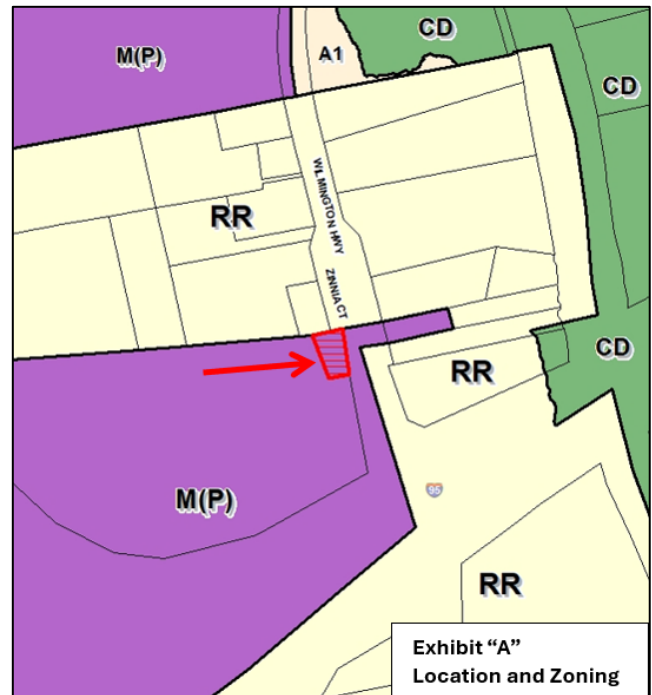
PROPERTY INFORMATION

OWNER/APPLICANT: Ronald & Judy Wynne (Owners)

ADDRESS/LOCATION: Refer to Exhibit "A", Location and Zoning Map. REID number: 0444481647000

SIZE: The parcel contains approximately 0.67 +/- acres. Road frontage along Zinnia Ct. is 158 feet. The property is approximately 237 feet in length at its deepest point.

EXISTING ZONING: The subject property is currently zoned M(P) Planned Industrial District. This district is designed primarily for basic manufacturing and processing industries, all of which normally create a high degree of nuisance and are not generally compatible with surrounding or abutting residential or commercial areas. The general intent of this district is to permit uses confined to service, wholesaling, manufacturing, fabrication and processing activities that can be carried on in an unobtrusive manner characterized by low concentration and limited external effects with suitable open spaces, landscaping, parking and service areas. This district is customarily located on larger tracts of land with good highway and rail access buffered from residential districts by other more compatible uses. Commercial activities are not permitted except those having only limited contact with the general public and those not involving the sale of merchandise at retail except for items produced on the premises or for the purpose of service employees, guests and other persons who are within the district with an industrial activity.

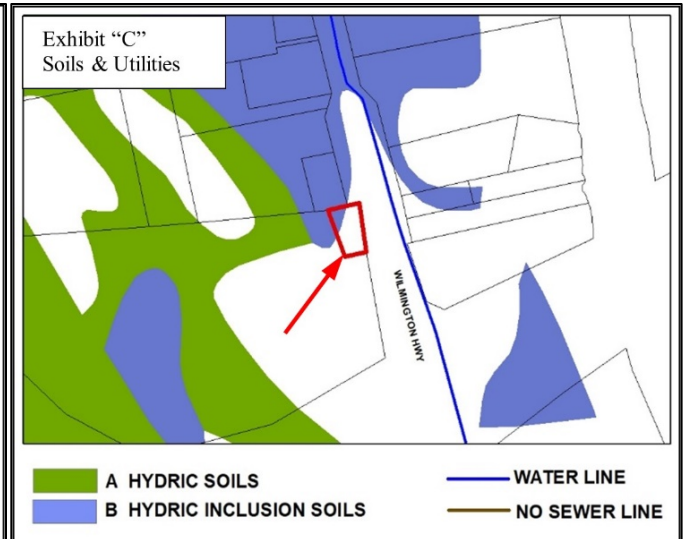


EXISTING LAND USE: The subject parcel currently has two existing residential structures. These structures are not manufactured homes. Exhibit "B" shows the existing use of the subject property.

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

- **North:** Single-family homes and wooded lands
- **East:** Wooded lands and single-family homes
- **West:** Wooded lands
- **South:** Wooded lands

OTHER SITE CHARACTERISTICS: The site is not located in a Watershed or within a Flood Zone Hazard Area. The subject property, as delineated in Exhibit "C", illustrates the presence of hydric inclusion soils on the property.

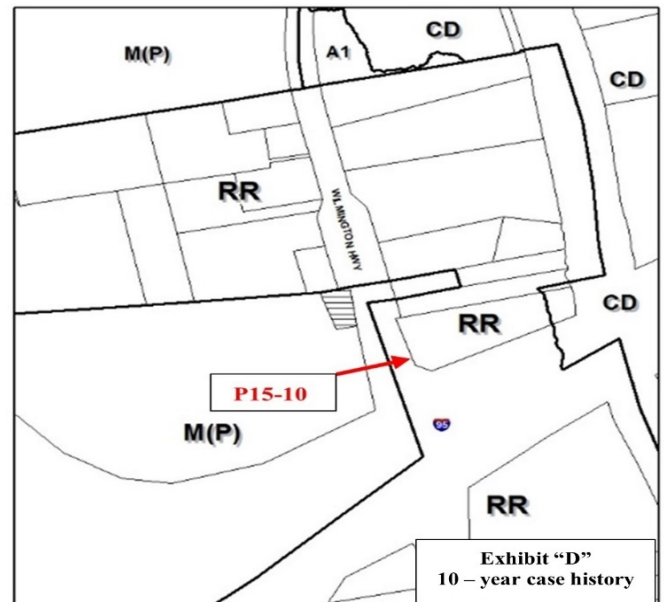


TEN YEAR ZONE CASE HISTORY:

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

- **P15-10:** M(P) to RR & CD; approved

DEVELOPMENT REVIEW: Prior to building permit issuance, a plan must be submitted, reviewed, and approved by the Cumberland County Current Planning Division for compliance.



DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

Minimum Standard	M(P) (Existing Zoning)	R15 (Proposed)
Front Yard Setback	100 feet (R/W Line) / 130 feet from Centerline.	30 feet
Side Yard Setback	50 feet	15 feet
Rear Yard Setback	50 feet	35 feet
Lot Area	N/A	15,000 square feet
Lot Width	N/A	75 feet

DEVELOPMENT POTENTIAL:

Existing Zoning (M(P))	Proposed Zoning (R15)
0 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 in the South-Central Land Use Plan (2015), as shown in Exhibit "E". The future land use classification of the property is "Suburban Density-Mixed Housing". The associated zoning districts for Suburban Density-Mixed Housing are RR, R20, R20A, R30, & R30A.

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

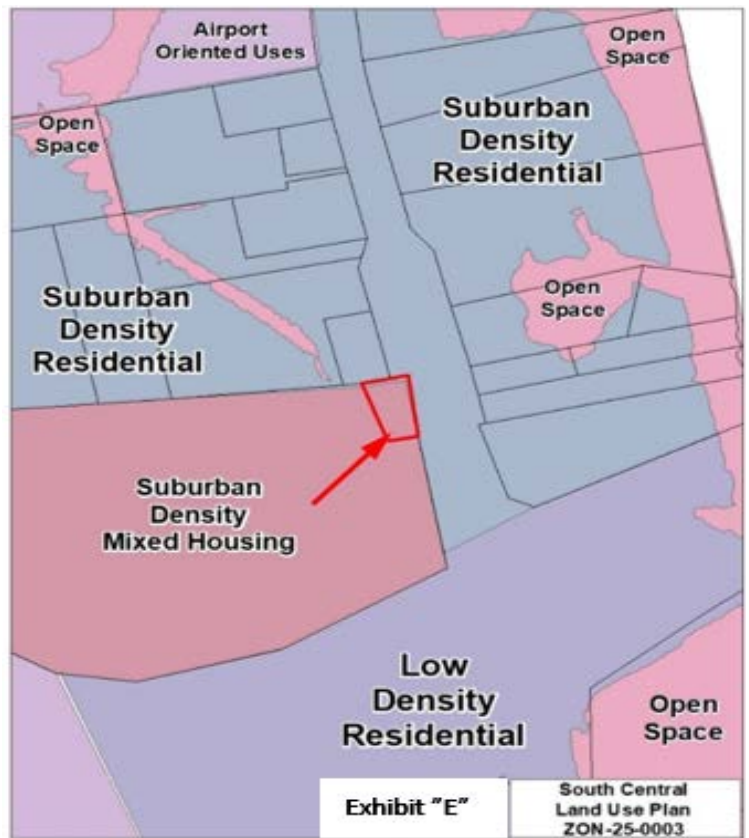
NOTE: If the proposed rezoning request for the property is approved, it will require a future land use map amendment to Low Density Residential.

Suburban Density Mixed Housing Development Goal:

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).

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

- Provide and preserve natural vegetative buffer areas between single and multistory residential development and non-residential uses (South Central Land Use Plan 2015, p. 93).
- Promote infill development (South Central Land Use Plan 2015, p. 93).
- Locate residential areas with respect to natural and environmental sensitive areas (South Central Land Use Plan 2015, p. 93).



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

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

TRAFFIC: According to the Fayetteville Area Metropolitan Planning Organization (FAMPO), the subject property will have no significant impact on the Transportation Improvement Program.

SCHOOLS CAPACITY/ENROLLMENT:

School	Capacity	Enrollment
Elizabeth M. Cashwell Elementary	624	546
Douglas Byrd Middle	1094	838
Douglas Byrd High	1466	986

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

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

SPECIAL DISTRICTS/ OVERLAY DISTRICTS:

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

No comments were received from the Fayetteville Regional Airport.

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

STAFF RECOMMENDATION

In Case ZON-25-0003, Planning and Inspections staff **recommends approval** of the rezoning request from M(P) Planned Industrial District to R15 Residential District and find that:

1. Approval is an amendment to the adopted, current South-Central Area Land Use Plan and that the Board of Commissioners should not require any additional request or application for amendment to said map for this request.
2. The requested district would be the most appropriate to maintain current conditions and allow for the reconstruction of primary residential structures, if damage or destroyed.
3. Due to the parcel size and location, the requested district would not negatively affect development of the larger, abutting properties for nonresidential development.

Staff finds that the request is reasonable and in the public interest as it is compatible to and in harmony with the surrounding land use activities and zoning.

Attachments:
Notification Mailing List
Application

ATTACHMENT – MAILING LIST

BRYANT, DIANNE	2952 WILMINGTON HWY	FAYETTEVILLE, NC 28306
WATTS, SHAWN	4736 OLD SPEARS RD	FAYETTEVILLE, NC 28304
WYNNE, RONALD; WYNNE, JUDYCOVINGTON	1656 ZINNIAC T	FAYETTEVILLE, NC 28306
WILLIAMS, JOHN PAUL; WILLIAMS, PATRICIAS	2972 WILMINGTON HWY	FAYETTEVILLE, NC 28306
WYNNE, RONALD; WYNNE, JUDYCOVINGTON	1656 ZINNIAC T	FAYETTEVILLE, NC 28306
BASS, LARRYWAYNE; BASS, RHONDARENEE	1767 CATFISH RD	FAYETTEVILLE, NC 28306
GUEST, ROBERT LJR; GUEST, ROSEMARY A	731 ALEXWOOD DR	HOPE MILLS, NC 28348
WILLIS, MICHAEL WILLIAM; WILLIS, TAMMY GRIFFIN	2501 NAVY RD	FAYETTEVILLE, NC 28306
BASS, LARRYWAYNE; BASS, RHONDARENEE	1767 CATFISH RD	FAYETTEVILLE, NC 28306
THE SPECIAL FORCES ASSOCIATION CHAPTER I-XVIII	1509 ZINNIAC COURT	FAYETTEVILLE, NC 28306
GUEST, ROBERT LJR; GUEST, ROSEMARY A	731 ALEXWOOD DR	HOPE MILLS, NC 28348
WILLIS, JUSTIN RAY	2541 NAVY RD	FAYETTEVILLE, NC 28306
BROCHU, SHARON MASON	2551 NAVY RD	FAYETTEVILLE, NC 28306

ATTACHMENT: APPLICATION



CASE #: <u>ZON-25-0003</u>
PLANNING BOARD MEETING DATE: <u>3/18/25</u>
DATE APPLICATION SUBMITTED: <u>1/16/25</u>

APPLICATION FOR
REZONING REQUEST
CUMBERLAND COUNTY ZONING ORDINANCE

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

1. A copy of the *recorded* deed and/or plat.
2. If a portion(s) of the property is being considered for rezoning, an accurate written legal description of only the area to be considered.
3. A check made payable to "Cumberland County" in the amount of \$ 250.
(See County Fee Schedule).

Rezoning Procedure:

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

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

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

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

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

1. Requested Rezoning from MP to R15
2. Address of Property to be Rezoned: 1650 Zinnia Ct. Fayetteville 28306
3. Location of Property, details: South of Fayetteville off Old Wilmington Hwy @ 5 miles
4. Parcel Identification Number (PIN #) of subject property: 0444-48-1647
(also known as Tax ID Number or Property Tax ID)
5. Acreage: .67 Frontage: 237' Depth: 158'
6. Water Provider: Well: PWC: _____ Other (name): _____
7. Septage Provider: Septic Tank PWC _____
8. Deed Book 11552, Page(s) 0715, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: residential
10. Proposed use(s) of the property: residential
11. Do you own any property adjacent to or across the street from this property?
Yes _____ No 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.

Ronald and Judy Wynne
NAME OF OWNER(S) (PRINT OR TYPE)

4526 Canasta Ct. Hope Mills, NC 28348
ADDRESS OF OWNER(S)

910.847.7613 910.322.5360
HOME TELEPHONE # WORK TELEPHONE #

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

ADDRESS OF AGENT, ATTORNEY, APPLICANT

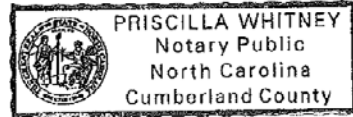
Wynne 76@gmail.com -or- Wynncoo@gmail.com
E-MAIL

910.847.7613 910.322.5360
HOME TELEPHONE # WORK TELEPHONE #

R Wynne
SIGNATURE OF OWNER(S)

SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

Judy C. Wynne
SIGNATURE OF OWNER(S)



Dec 14 2024 *[Signature]*

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

My Commission Expires
December 27, 2027

FILED	Aug 19, 2022
AT	02:15:08 PM
BOOK	11552
START PAGE	0715
END PAGE	0718
INSTRUMENT #	33942
RECORDING	\$26.00
EXCISE TAX	\$0.00

Tax Lot No.....Parcel Identifier No. 0444-48-1647

Verified by.....County on the....day....of.....
by.....

Property Address: 1656 Zinnia Ct., Fayetteville, NC 28306

No Revenue

Mail after recording to: The Law Office of Jeffrey E. Radford
1300 Bragg Blvd. Suite 1316 Fayetteville NC 28301

This instrument prepared by: The Law Office of Jeffrey E. Radford

Brief description for the index:

WITHOUT TITLE EXAM

NORTH CAROLINA QUITCLAIM DEED

THIS DEED made this ____ day of August, 2022 by and between:

GRANTOR

GRANTEE

Brandon Keith Holmes, and wife
Angela Maria Holmes
1650 Zinnia Ct.
Fayetteville, NC 28306

Ronald Wynne, and wife
Judy Covington Wynne
1656 Zinnia Ct.
Fayetteville, NC 28306

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the grantee in fee simple, an undivided interest in all that certain lot or parcel of land situated in the City of Parkton, Robeson County, North Carolina and more particularly described as follows:

SEE EXHIBIT A

Submitted electronically by "The Law Office of Jeffrey E. Radford"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Cumberland County Register of Deeds.

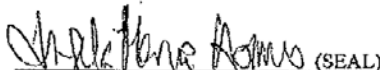
This instrument is intended to sever the tenancy by the entireties in the parties and to convey full and sole ownership of the subject property to the Grantee. It is further the intent of the Grantor in the execution of this instrument that the Grantor waive, release and convey any and all rights and interest in which they may now or hereafter be entitled in the above described property as the spouse of the Grantee pursuant to N.C.G.S. Section 50-20 et al., N.C.G.S. Section 39-7 and N.C.G.S Chapters 29 and 30, or any other applicable sections of the General Statutes of North Carolina which create marital rights or ownership rights in real property for one spouse in the property of the other spouse. This deed is executed pursuant to N.C.G.S. Section 39-13.3(c). Henceforth the Grantee shall be free to convey or encumber the subject property without joinder of the Grantor and in all respects to act as a free trader of the subject property irrespective of the marital status of the parties.

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

This is a quitclaim deed. Grantors make no warranties of title.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereto affixed by authority or its Board of Directors, the day and year first above written.


Brandon Keith Holmes (SEAL)

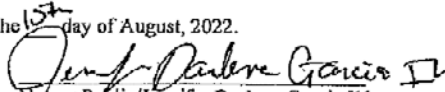

Angela Maria Holmes (SEAL)

State of North Carolina
County of Cumberland

I, Jennifer Darlene Garcia IV a Notary Public of said County and State do hereby certify the Brandon Keith Holmes individually appeared before me this day and acknowledged the execution of the foregoing instrument.

WITNESS my hand and notarial seal this the ^{15th} day of August, 2022.




Notary Public/Jennifer Darlene Garcia IV
My Commission Expires: 11/28/2026

State of North Carolina
County of Cumberland

I, Jennifer Darlene Garcia IV a Notary Public of said County and State do hereby certify the Angela Maria Holmes individually appeared before me this day and acknowledged the execution of the foregoing instrument.

WITNESS my hand and notarial seal this the 15th day of August, 2022.

Jennifer Darlene Garcia IV
Notary Public/Jennifer Darlene Garcia IV

My Commission Expires: 11/28/2026



ATTACHMENT

Tract One -Book 674 Page 313

BEGINNING at a stake in the western margin of Highway No. 87 at a point South 12 degrees East 84 feet from where the Northern line of the tract of which this is a part crosses said highway and runs thence with the western margin of said highway South 12 degrees East 70.5 feet to a stake; thence South 81 degrees 15 minutes West 135 feet to a stake in the old road; thence North 12 degrees West 73 feet to a stake; thence North 82 degrees West 135 feet to the BEGINNING and beginning, and being on the western side of a tract described in deed recorded in Book 300, Page 19, in the office of the Register of Deeds for Cumberland County, North Carolina.

Tract Two-Book 674 Page 316

BEGINNING at a stake in the western margin of Highway No. 87 at a point South 12 degrees East 84 feet from where the northern line of the tract of which this is a part crossed said highway and runs thence with the western margin of said highway South 12 degrees East 70.5 feet to a stake; thence South 82 degrees 15 minutes West 135 feet to a stake in the old road; thence North 12 degrees West 73 feet to a stake; thence North 83 degrees East 135 feet to the BEGINNING and being on the western side of a tract described in deed recorded in Book 300, page 19, in the office of the Register of Deeds for Cumberland County, North Carolina.

Tract Three -Book 914 Page 69

BEGINNING at a stake on what was formerly known as the Wilmington Road, the beginning corner of the tract of which this is a part and running thence as the first line of the tract of which this is a part North 81 degrees 30 minutes East 135 feet to a point in the western margin of NC Highway No. 87; thence with the margin of said highway South 12 degrees East 84 feet to a stake; thence South 83 degrees West 135 feet to a stake in the fourth line of the tract of which this is a part; thence with the fourth line North 12 degrees West 790 feet to the BEGINNING and being a part of the land described in deed from Alice D. Hall and husband, to Euclid Covington and wife, Mary Covington, recorded in Book 300, Page 19, Cumberland County Registry.



PLANNING AND INSPECTIONS DEPARTMENT

MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF MARCH 18, 2025

TO: JOINT PLANNING BOARD

FROM: RAWLS HOWARD, DIRECTOR OF PLANNING AND INSPECTIONS

DATE: 3/18/2025

SUBJECT: ZON-25-0004: REZONING REQUEST FROM A1 AGRICULTURAL DISTRICT TO R40 RESIDENTIAL DISTRICT OR TO A MORE RESTRICTIVE ZONING DISTRICT FOR A 3.64 +/- ACRES LOCATED AT 6745 OAK GROVE CHURCH RD; SUBMITTED BY JIM LONG JR. (AGENT/APPLICANT) ON BEHALF OF HALO INVESTORS, LLC (OWNER).

ATTACHMENTS:

Description

CASE # ZON-25-0004

Type

Backup Material

REQUEST **Rezoning A1 to R40**

Applicant requests a rezoning from A1 Agricultural District to R40 Residential District for approximately 3.64 acres located at 6745 Oak Grove Church Rd. The parcel is currently undeveloped woodlands. The intent of the property owner is to subdivide the parcel into three residential lots.

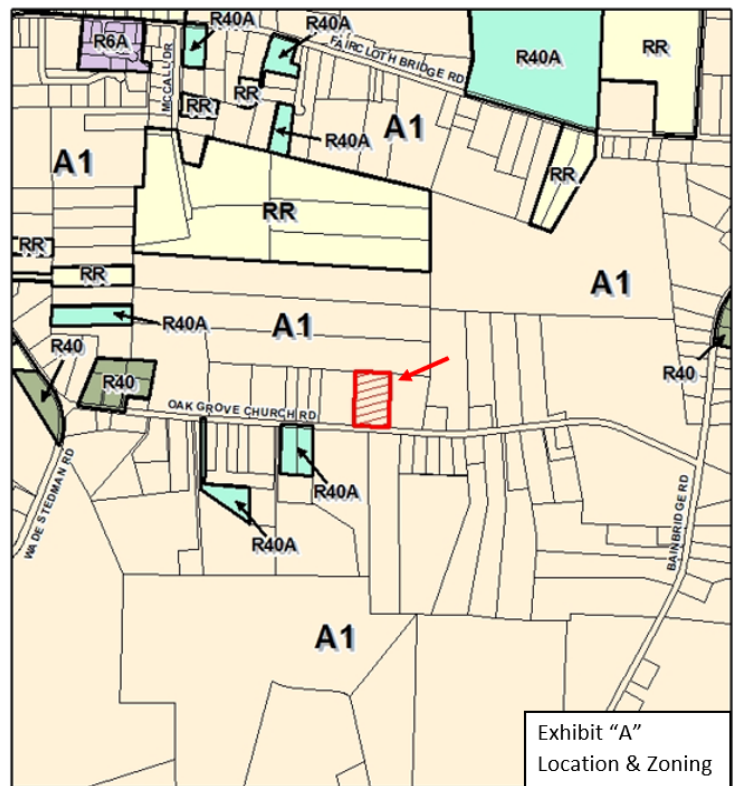
PROPERTY INFORMATION

OWNER/APPLICANT: Halo Investors, LLC (Owner); Jim Long, Jr. (Applicant).

ADDRESS/LOCATION: Refer to Exhibit "A", Location and Zoning Map. REID number: 0497624516000.

SIZE: The parcel contains approximately 3.64 acres. Road frontage along Oak Grove Church Road is 320 feet. The property is approximately 494.70 feet in length at its deepest point.

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

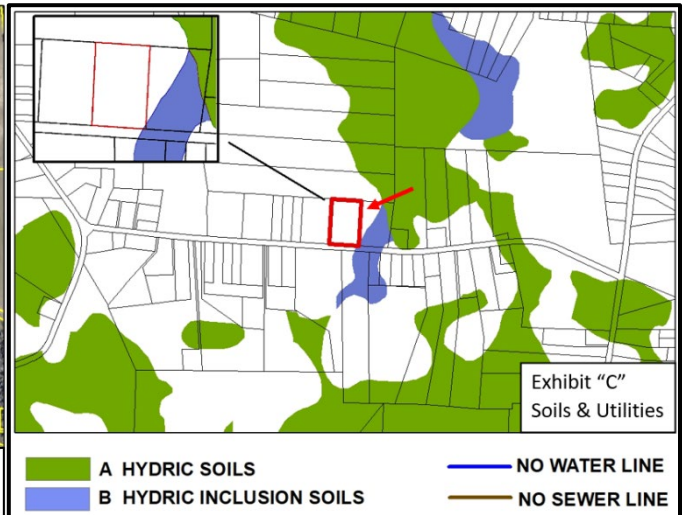
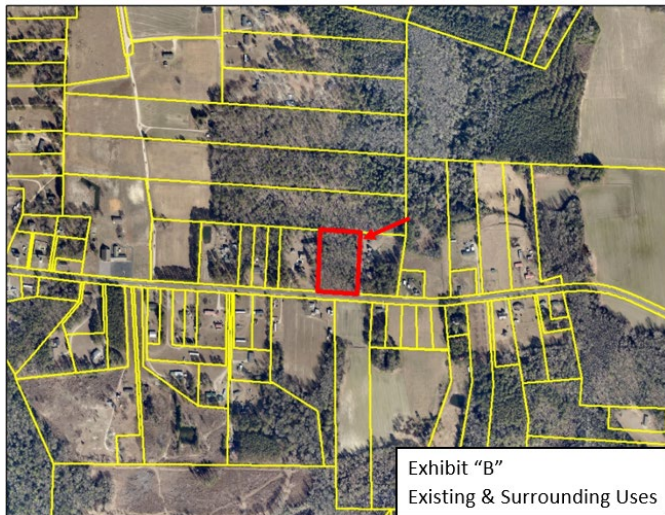


EXISTING LAND USE: The subject parcel is currently undeveloped woodlands. Exhibit "B" shows the existing use of the subject property.

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

- **North:** Wooded lands
- **East:** Wooded lands and single-family homes
- **West:** Wooded lands and single-family homes
- **South:** Farmland and single-family homes

OTHER SITE CHARACTERISTICS: The site is not located in a Watershed or within a Flood Zone Hazard Area. The subject property, as delineated in Exhibit "C", illustrates no presence of hydric soils. However, hydric inclusion soils cover the southeastern tip at the property.

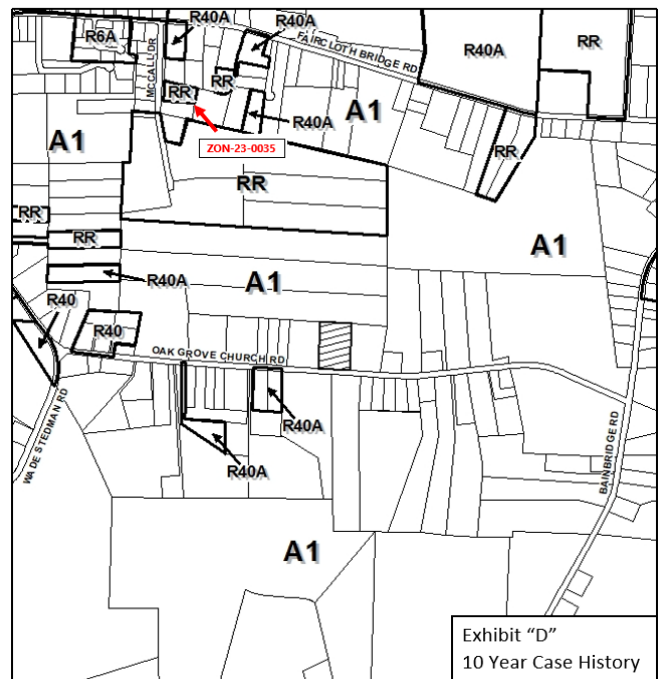


TEN YEAR ZONE CASE HISTORY:

Exhibit "D" denotes rezoning cases within the past ten years near the subject property:

- ZON-23-0035: A1 to RR; approved.

DEVELOPMENT REVIEW: Should the request be approved, the property owner intends to submit a preliminary subdivision plan and plat to subdivide the parcel. Any subdivision must be consistent with County Subdivision and Zoning Ordinances.



DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

Minimum Standard	A1 (Existing Zoning)	R40 (Proposed)
Front Yard Setback	50 feet	30 feet
Side Yard Setback	20 feet	15 feet
Rear Yard Setback	50 feet	35 feet
Lot Area	2 acres	40,000 square feet
Lot Width	100 feet	100 feet

Development Potential:

Existing Zoning (A1)	Proposed Zoning (R40)
2 dwelling units	3 dwelling units

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

COMPREHENSIVE PLANS:

This property is located within the Bethany Area Land Use Plan (2021). The future land use classification of the property is "Rural Density Residential", as shown in Exhibit "E".

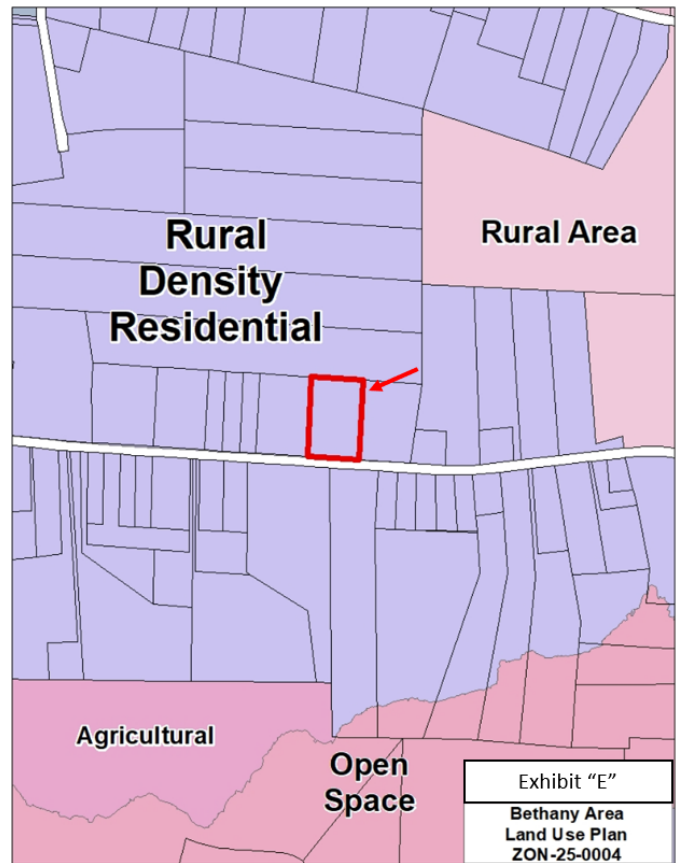
The Rural Density Residential land use classification represents land used for a mix of agricultural and residential uses while preserving the rural character of the area.

The associated zoning districts for Rural Density Residential are A1, A1A, R40, and R40A; however, R30 and R30A may be appropriate when compatible with the surround area.

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

Land Use Plan Development Goals and Objectives:

- This classification is designed for residential uses that are supported by individual septic and well systems and maintains the rural character of the area by allowing densities of one unit per 40,000 square feet (0.92 acres). (Bethany Area Land Use Plan 2021, p. 42).
- Conservation developments and other planning techniques such as vegetative buffers, berms, and significant setbacks from main roads as well as other planning techniques that preserve rural character should be encouraged but not required. (Bethany Area Land Use Plan, p. 42).
- New driveway connections on existing state roads should be limited and designed in a way to utilize shared access roads on existing public roads. New and existing subdivisions should be designed in a way to provide for internal connections. (Bethany Area Land Use Plan 2021, p. 42)



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: Water and sewer lines are not available near the subject property as shown in Exhibit "C".

TRAFFIC: According to the Fayetteville Area Metropolitan Planning Organization (FAMPO), the subject property at 6745 Oak Grove Church Rd, is located outside of FAMPO boundaries. Mid-Carolina Rural Transportation Planning Organization has reviewed the request and has found the proposed request will not have a significant impact on the Transportation Improvement Program.

SCHOOLS CAPACITY/ENROLLMENT:

School	Enrollment	Capacity
Stedman Primary	139	162
Stedman Elementary	283	358
Mac Williams Middle	1190	1164
Cape Fear High	1510	1476

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

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

SPECIAL DISTRICTS/ OVERLAY DISTRICTS:

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

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

STAFF RECOMMENDATION

In Case ZON-25-0004, Planning and Inspections staff **recommends approval** of the rezoning request from A1 Agricultural District to R40 Residential District. Staff finds that the request is consistent with the Bethany Area Land Use Plan, which calls for "Rural 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

MCPHAIL PROPERTIES I LLC
366 CARROLL STORE RD
AUTRYVILLE, NC 28318

CASHWELL, BILLY PAUL
6662 OAK GROVE CHURCH
STEDMAN, NC 28391

HALO INVESTORS LLC
1270 CANADY POND RD
HOPE MILLS, NC 28348

BULLARD, OGDEN; BULLARD, MARY ELIZABETH
1518 MCCALL DR
STEDMAN, NC 28391

AUTRY, MARY B TRUSTEE
6842 OAK GROVE CHURCH RD
STEDMAN, NC 28391

RUSSELL, FLOYD E JR; RUSSELL, JACQUELINE O
6687 OAK GROVE CHURCH RD
STEDMAN, NC 28391

MANNING, WALTER S; MANNING, SYLVIA D
7240 HARVESTGRAIN DR
STEDMAN, NC 28391

TAYLOR, DONNA MARIE
6693 SANDY CREEK RD
STEDMAN, NC 28391

AUTRY, MARY B TRUSTEE
6842 OAK GROVE CHURCH RD
STEDMAN, NC 28391

AUTRY, HELEN COLLIER LIFE ESTATE
2707 WADE STEDMAN RD
STEDMAN, NC 28391

MCGEE, CRYSTAL
6650 OAK GROVE CHURCH RD
STEDMAN, NC 28391

ROBERTS, STACY; ROBERTS, NICOLE
6857 OAK GROVE CHURCH RD
STEDMAN, NC 28391

AUTRY, MARY B TRUSTEE
6842 OAK GROVE CHURCH RD
STEDMAN, NC 28391

LONG, RONALD A JR; LONG, KIMBERLY
6654 OAK GROVE CHURCH RD
STEDMAN, NC 28391

TAYLOR, LARRY; TAYLOR, MARY U
2622 TRENTON RD
FAYETTEVILLE, NC 28304

RUSSELL, FLOYD E JR; RUSSELL, JACQUELINE O
6687 OAK GROVE CHURCH RD
STEDMAN, NC 28391

TAYLOR, EMMITT LARRY
2622 TRENTON RD
FAYETTEVILLE, NC 28304

MANNING, WALTER S; MANNING, SYLVIA
7240 HARVESTGRAIN DR
STEDMAN, NC 28391

TAYLOR, PAMELA B LIFE ESTATE
6782 OAK GROVE CHURCH ROAD
STEDMAN, NC 28391

JONES, ARNOLD F
525 DUNN RD
FAYETTEVILLE, NC 28312

AUTRY, MARY B TRUSTEE
6842 OAK GROVE CHURCH RD
STEDMAN, NC 28391

RUSSELL, FLOYD E JR; RUSSELL, JACQUELINE O
6687 OAK GROVE CHURCH RD
STEDMAN, NC 28391

JONES, ARNOLD F
4216 CLINTON RD
FAYETTEVILLE, NC 28312

GREENWOOD, JEAN; PHILLIPS, RICHARD ERVIN JR
612 ARCH JORDAN RD
STEDMAN, NC 28391

RAPOLLA, TERESA P; RAPOLLA, MICHAEL A
6614 OAK GROVE CHURCH RD
STEDMAN, NC 28391

MORRIS, MARGARET HALL
1744 WADE STEDMAN RD
STEDMAN, NC 28391

SMITH, HALEY CHARLENE
6811 OAK GROVE CHURCH RD
STEDMAN, NC 28391

HUGHES, WILLIAM JAY
2750 OLD ST AUGUSTINE RD APT F57
TALLAHASSEE, FL 32301

TAYLOR, JAMES W; TAYLOR, HAZEL
6903 OAK GROVE CHURCH RD
STEDMAN, NC 28391

SMITH, HALEY
471 FOX RUN LN
AUTRYVILLE, NC 28318

MATTHEWS, RONNIE M
6767 OAK GROVE CHURCH RD
STEDMAN, NC 28391

AUTRY, LEONARD; SAVAGE, PAULA AUTRY
6892 FAIRCLOTH BRIDGE RD
STEDMAN, NC 28391

TAYLOR, JAMES WAYNE
6903 OAK GROVE CHURCH RD
STEDMAN, NC 28391

TAYLOR, DWIGHT
6682 OAK GROVE CHURCH RD
STEDMAN, NC 28391

MOZINGO, DRUE; MOZINGO, SONYA
6878 OAK GROVE CHURCH RD
STEDMAN, NC 28391

FURR, SAMANTHA; FURR, BOBBY M JR
6647 OAK GROVE CHURCH RD
STEDMAN, NC 28391

SCHOLL, GWEN; RONNIE, MATTHEWS
6847 OAK GROVE CHURCH
RDSTEDMAN, NC 28391

JONES, ARNOLD F
4216 CLINTON RD
FAYETTEVILLE, NC 28312

HOBSON, GARY; HOBSON, JOANN
6707 OAK GROVE CHURCH RD
STEDMAN, NC 28391

TAYLOR, CLAYTON LEE
6682 OAK GROVE CHURCH RD
STEDMAN, NC 28391

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[

ATTACHMENT – APPLICATION

Feb 11



CASE #: _____
PLANNING BOARD MEETING DATE: _____
DATE APPLICATION SUBMITTED: <u>02/11/25</u>

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 ~~F100-Rural A.1~~ to R40
2. Address of Property to be Rezoned: 6745 Oak Grove Ch. Rd.
3. Location of Property, details: Unincorporated Cumberland County
4. Parcel Identification Number (PIN #) of subject property: 0497624516
(also known as Tax ID Number or Property Tax ID)
5. Acreage: 3.64 Frontage: 325 ft. Depth: 495 ft.
6. Water Provider: Well: PWC: _____ Other (name): _____
7. Septage Provider: Septic Tank PWC _____
8. Deed Book 0038, Page(s) 0038, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: Vacant Land
10. Proposed use(s) of the property: 3- 1.2 acre buiding lots
Residential
11. Do you own any property adjacent to or across the street from this property?
Yes _____ No If yes, where? _____
12. Has a violation been issued on this property? Yes _____ No

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

Halo Investors LLC
NAME OF OWNER(S) (PRINT OR TYPE)

1270 Canady Pond Rd Hope Mills NC 28348
ADDRESS OF OWNER(S)

910 624-0579 Same
HOME TELEPHONE # WORK TELEPHONE #

Tim Long JR.
NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)

5015 High Branch Ct. Stedman NC 28391
ADDRESS OF AGENT, ATTORNEY, APPLICANT

jlongjr4@aol.com
E-MAIL

910 624 0579 _____
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."



AFFIDAVIT OF OWNERSHIP/AGENT AUTHORIZATION FORM

PROPERTY OWNER (Company or Individual): Halo Investors LLC

MAILING ADDRESS: 1270 Canady Pond Rd Hope Mills NC 28348

Officer's name and title: Jim Long Jr.

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 application
3. That the undersigned has (have) appointed and does (do) appoint _____ as agent(s) to execute any petitions or other documents necessary to affect such petition, including development review time extension requests; and request that you accept my agent (s) signature as 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.

James C. Long Jr. JAMES C. Long Jr. VP
Owner's Signature/Print Title

Owner's Signature/Print Title

Owner's Signature/Print Title

State of North Carolina
Cumberland County

The foregoing instrument was acknowledged before me by means of Drivers License physical presence or _____ online notarization, this _____ day of February (month), 11TH (year), by 2025 (name of person acknowledging) who is personally known to me or who has produced Drivers License (type of identification) as identification.

Cherice A Hill
Signature of Notary Public – State of North Carolina

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

CHERICE A HILL
Notary Public, North Carolina
Cumberland County
My Commission Expires
November 21, 2028



PLANNING AND INSPECTIONS DEPARTMENT

MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF MARCH 18, 2025

TO: JOINT PLANNING BOARD

FROM: RAWLS HOWARD, DIRECTOR OF PLANNING AND INSPECTIONS

DATE: 3/18/2025

SUBJECT: ZON-25-0005: REZONING REQUEST FROM A1 AGRICULTURAL DISTRICT TO A1A AGRICULTURAL DISTRICT OR TO A MORE RESTRICTIVE ZONING DISTRICT FOR 2.5 +/- ACRES; LOCATED AT THE 13933 NC HIGHWAY 210 S; SUBMITTED BY JEREMY AND KIMBERLY HOBBS (OWNERS).

ATTACHMENTS:

Description

CASE # ZON-25-0005

Type

Backup Material

REQUEST	Rezoning A1 to A1A
----------------	---------------------------

Applicant requests a rezoning from A1 Agricultural District to A1A Agricultural District for approximately 2.50 acres located at 13933 NC Hwy 210 S. as shown in Exhibit "A". This parcel currently contains one manufactured home that was recently placed on the property. The intent of the applicant is to subdivide the property into two parcels with a minimum lot size of one acre each, and to place a manufactured on each lot. The applicant also owns the abutting parcel to the east -- 13943 NC Hwy 210 S.

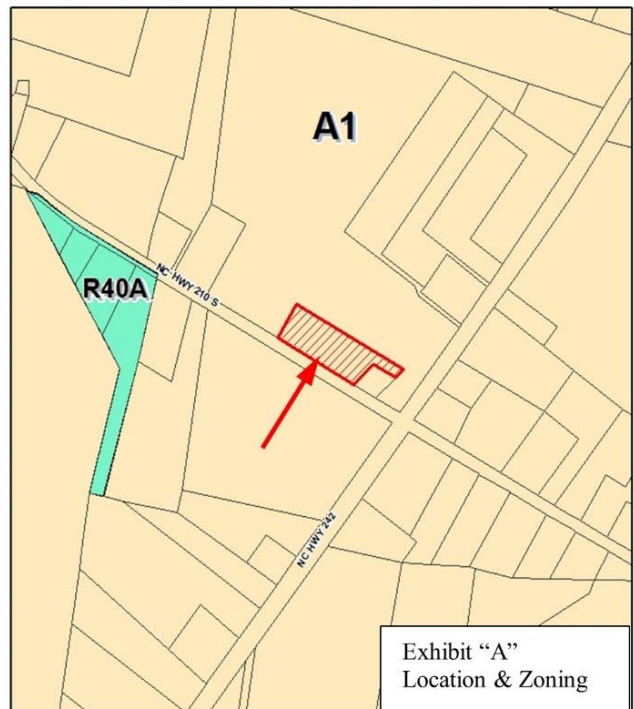
PROPERTY INFORMATION

OWNER/APPLICANT: Jeremy & Kimberly Hobbs (Owners)

ADDRESS/LOCATION: Refer to Exhibit "A", Location and Zoning Map. REID number: 1430766096000

SIZE: The parcel contains approximately 2.50 acres. Road frontage along NC HWY 210 S is 475 feet. The property is approximately 201.68 feet in length at its deepest point.

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

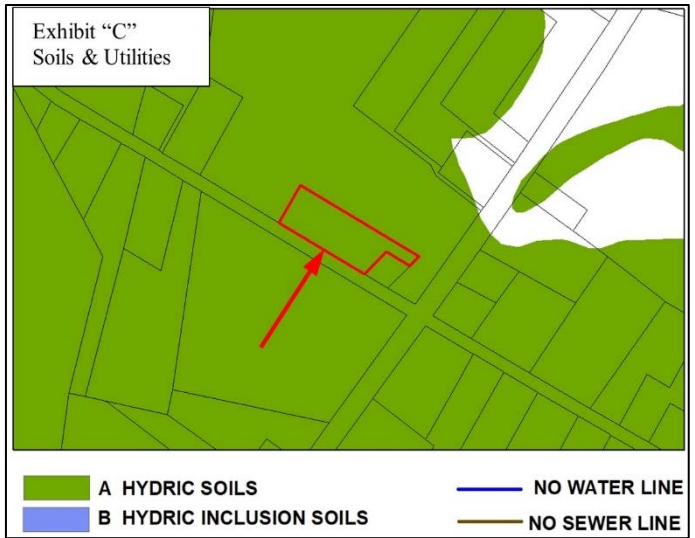


EXISTING LAND USE: The subject parcel currently has one manufactured home. Exhibit "B" shows the existing use of the subject property.

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

- **North:** Wooded lands, a substation, and single-family homes.
- **East:** Single-family homes and manufactured homes.
- **West:** Wooded lands, manufactured homes, and single-family homes
- **South:** Wooded lands

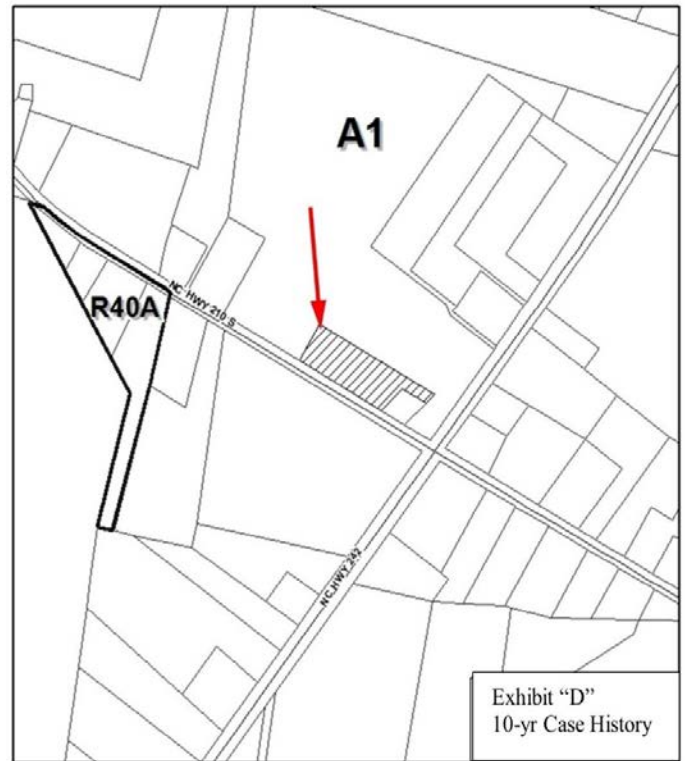
OTHER SITE CHARACTERISTICS: The site is not located in a Watershed or within a Flood Zone Hazard Area. The subject property, as delineated in Exhibit "C", illustrates the presence of hydric soils.



TEN YEAR ZONE CASE HISTORY:

Exhibit "D" denotes no rezoning cases within the past ten years near the subject property.

DEVELOPMENT REVIEW: Prior to a subdivision of the current parcel, a preliminary plan must be submitted, reviewed, and approved by Cumberland County Current Planning Division for compliance with the Subdivision and Zoning Ordinances prior to development activity.



DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

Minimum Standard	A1 (Existing Zoning)	A1A (Proposed)
Front Yard Setback	50 feet	50 feet
Side Yard Setback	20 feet	20 feet
Rear Yard Setback	50 feet	50 feet
Lot Area	2 Acre	1 Acre
Lot Width	100 feet	100 feet

Development Potential:

Existing Zoning (A1)	Proposed Zoning (A1A)
1 dwelling units	3 dwelling units

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

COMPREHENSIVE PLANS:

This property is located in the Southeast Cumberland Land Use Plan (2016).

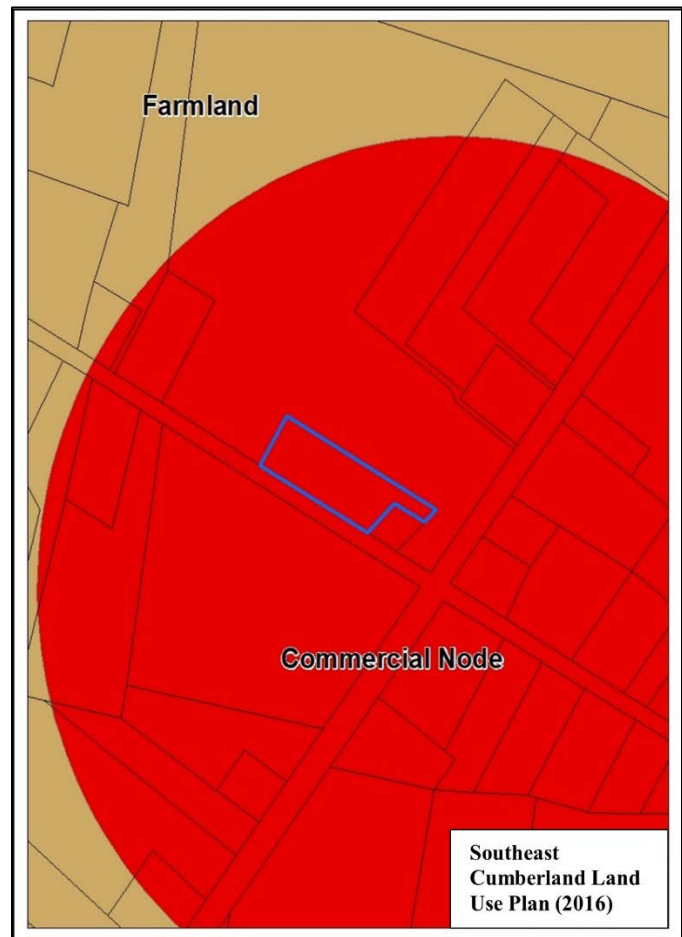
The future land use classification of the property is "Farmland". The site is also located within a "Rural Commercial Node" which would make some commercial zoning districts potentially consistent with the plan, as well. The associated zoning districts for "Farmland" are A1 & A1A.

The associated zoning districts within the "Rural Commercial Node" are A1, A1A, C(P), C2(P) & C1(P).

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

Plan Goals, Objectives, Policies and Notes:

- Provide for residential development that protects and maintains the rural residential character; does not conflict with farming and forestry operations; is not detrimental to open space, environmentally sensitive areas and recreation; and improves the quality of life for residents in the area (Southeast Cumberland Land Use Plan 2016, p. 93).
- Protect and preserve farmland, while maintaining a healthy and thriving farming community (Southeast Cumberland Land Use Plan 2016, p. 92).
- Encourage the development of a small commercial Rural Centers" that would include limited retail activities such as a grocery store, day care, farm related sales and service, eatery, and convenience goods to serve the immediate needs of local residents (Southeast Cumberland Land Use Plan 2016, p. 95).



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

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

TRAFFIC: According to the Fayetteville Area Metropolitan Planning Organization (FAMPO), the subject property, located at 13933 NC HWY 210 S, is outside of FAMPO boundaries.

SCHOOLS CAPACITY/ENROLLMENT:

School	Capacity	Enrollment
Beaver Dam Elementary	95	90
Mac Williams Middle	1164	1190
Cape Fear High	1476	1510

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

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

SPECIAL DISTRICTS/ OVERLAY DISTRICTS:

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

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

STAFF RECOMMENDATION

In Case ZON-25-0005, Planning and Inspections staff **recommends approval** of the rezoning request from A1 Agricultural District to A1A Agricultural District. Staff finds that the request is consistent with the Southeast Cumberland Land Use Plan which calls for “Commercial Node” 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

MARKHAM, MARSHALL; MARKHAM, ELIZABETH
4474 NC 242 HWY
ROSEBORO, NC 28382

BULLARD, SHELIA SMITH
735 EVERETTS CREEK DR
WILMINGTON, NC 28411

HOBBS, SHANE; HOBBS,
KIMBERLY
14715 HWY 210 S
ROSEBORO, NC 28382

AVERY, CARL E; AVERY, SHARON E
4549 NC 242 HWY
ROSEBORO, NC 28382

LYLE, ALISHA A; LYLE, PAUL A
13830 S NC 210 HWY
ROSEBORO, NC 28382

HOBBS, SHANE; HOBBS,
KIMBERLY
14715 HWY 210 S
ROSEBORO, NC 28382

AVERY, CARL E
4549 NC 242 HWY
ROSEBORO, NC 28382

JOHNSON, DIANA S
4484 NC 242 HWY
ROSEBORO, NC 28382

BULLARD, SHELIA SMITH
735 EVERETTS CREEK DR
WILMINGTON, NC 28411

BULLARD, SHELIA SMITH
735 EVERETTS CREEK DR
WILMINGTON, NC 28411

SOUTH RIVER ELECTRIC MEMBERSHIP CORP
17494 NC HWY 421 S
DUNN, NC 28334

QADOURA, KAMAL
219 LOCKVIEW DR
CARY, NC 27518

MARSHALL, MEGAN NICOLE; MARSHALL, DAMEIN
13839 S NC 210 HWY
ROSEBORO, NC 28382

CARTER, NORMAN J III
13830 NC HWY 210 S
ROSEBORO, NC 28382

JOHNSON, RAFAEL QUINN
290 MICROWAVE TOWER RD
ROSEBORO, NC 28382

ATTACHMENT: APPLICATION



CASE #: _____

PLANNING BOARD
MEETING DATE: _____

DATE APPLICATION
SUBMITTED: 2/12/25

**APPLICATION FOR
REZONING REQUEST
CUMBERLAND COUNTY ZONING ORDINANCE**

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

1. A copy of the *recorded* deed and/or plat.
2. If a portion(s) of the property is being considered for rezoning, an accurate written legal description of only the area to be considered.
3. A check made payable to "Cumberland County" in the amount of \$ 250.
(See County Fee Schedule).

Rezoning Procedure:

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

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

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

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

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

1. Requested Rezoning from A1 to A1A
2. Address of Property to be Rezoned: 13933 n.c. Hwy 210 S Roseboro N.C.
3. Location of Property, details: Hwy 210 Beaver Dam area
Already 1 mobile home on 2.5 tract of Land.
4. Parcel Identification Number (PIN #) of subject property: 1430766096000
(also known as Tax ID Number or Property Tax ID)
5. Acreage: 2.50 Frontage: ~~475~~ 475 Depth: 201.68
6. Water Provider: Well: PWC: _____ Other (name): _____
7. Septage Provider: Septic Tank PWC _____
8. Deed Book 0143, Page(s) 0019, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: Yes
10. Proposed use(s) of the property: Residential 1 acre
Lot for additional mobile home
11. Do you own any property adjacent to or across the street from this property?
Yes No _____ If yes, where? Beside it. (13943 Hwy 210)
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.

Jeremy Shane Hobbs Kimberly M Hobbs
NAME OF OWNER(S) (PRINT OR TYPE)

14715 N.C. Hwy 210 S Roseboro Nc. 28382
ADDRESS OF OWNER(S)

910-987-4125
HOME TELEPHONE #

wife - 910-366-7429
WORK TELEPHONE #

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

ADDRESS OF AGENT, ATTORNEY, APPLICANT

SHobbs0220@gmail.com
E-MAIL

HOME TELEPHONE #

WORK TELEPHONE #

Jeremy S. Hobbs
SIGNATURE OF OWNER(S)

SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

Kimberly M. Hobbs
SIGNATURE OF OWNER(S)

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

FILED	Nov 25, 2024
AT	02:13:35 PM
BOOK	1211.7
START PAGE	0755
END PAGE	0756
INSTRUMENT #	35796
RECORDING	\$26.00
EXCISE TAX	\$0.00

Tax Lot No.....Parcel Identifier No.

Verified by.....County on the...day....of.....

by.....

Property Address:

No Revenue

Mail after recording to: The Law Office of Jeffrey E. Radford
1300 Bragg Blvd. Suite 1316 Fayetteville NC 28301

This instrument prepared by: The Law Office of Jeffrey E. Radford

Brief description for the index:

WITHOUT TITLE EXAM

NORTH CAROLINA QUITCLAIM DEED

THIS DEED made this 24th day of November, 2024 by and between:

GRANTOR

GRANTEE

Charles Jerry Hobbs, widower
14592 NC Hwy 210 S.
Roseboro, NC 28382

Jeremy Shane Hobbs, and wife
Kimberly M. Hobbs
14715 Hwy 210 S.
Roseboro, NC 28382

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the grantee in fee simple, an undivided interest in all that certain lot or parcel of land situated in the City of Roseboro, Cumberland County, North Carolina and more particularly described as follows:

Beginning at a point in the northern right-of-way margin of N.C. Highway #210 (right-of-way 60 feet) North 56 degrees 05 minutes West 162.3 feet from the intersection of said margin with the western right-of-way of N.C. Highway #242 (right-of-way 60 feet) and running thence with the northern right-of-way margin of N.C. Highway #210, North 56 degrees 05 minutes West 133.0 feet to a corner; thence North 48 degrees 35 minutes East 148.0 feet to a corner; thence South 56 degrees 05 minutes East 133.0 feet to a corner ; thence South 48 degrees 35 minutes West 148.0 feet to the point of beginning, containing .44 of an acre, more or less. Being the same land conveyed by deed dated November 29, 1977, from Ann Cain Smith, widow, and Shelia Ann Smith to Bobby Lynden Faircloth and wife, Margaret S. Faircloth, and recorded in Book 2631, Page 146, Cumberland County Registry. Being the same land conveyed by Bobby Lynden Faircloth and wife to William Earl Faircloth and wife by deed dated November 16, 1981, and duly recorded in the Office of the Register of Deeds of Cumberland County, North Carolina.


This instrument is intended to sever the tenancy by the entireties in the parties and to convey full and sole ownership of the subject property to the Grantee. It is further the intent of the Grantor in the execution of this instrument that the Grantor

described property as the spouse of the Grantee pursuant to N.C.G.S. Section 50-20 et al., N.C.G.S. Section 39-7 and N.C.G.S Chapters 29 and 30, or any other applicable sections of the General Statutes of North Carolina which create marital rights or ownership rights in real property for one spouse in the property of the other spouse. This deed is executed pursuant to N.C.G.S. Section 39-13.3(c). Henceforth the Grantee shall be free to convey or encumber the subject property without joinder of the Grantor and in all respects to act as a freetrader of the subject property irrespective of the marital status of the parties.

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

This is a quitclaim deed. Grantors make no warranties of title.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereto affixed by authority or its Board of Directors, the day and year first above written.

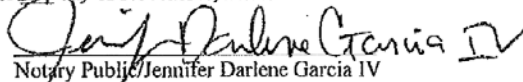
 (SEAL)
Charles Jerry Hobbs

State of North Carolina
County of Cumberland

I, Jennifer Darlene Garcia IV a Notary Public of said County and State do hereby certify the Charles Jerry Hobbs individually appeared before me this day and acknowledged the execution of the foregoing instrument.

WITNESS my hand and notarial seal this the 24th day of November, 2024.




Notary Public/Jennifer Darlene Garcia IV

My Commission Expires: 11/28/2026

FILED Nov 25, 2024
AT 02:11:48 PM
BOOK 12117
START PAGE 0752
END PAGE 0754
INSTRUMENT # 35795
RECORDING \$26.00
EXCISE TAX \$0.00

Tax Lot No.....Parcel Identifier No. 1430-76-7818

Verified by.....County on the...day....of.....
by.....
Property Address:

No Revenue

Mail after recording to: The Law Office of Jeffrey E. Radford
1300 Bragg Blvd. Suite 1316 Fayetteville NC 28301
This instrument prepared by: The Law Office of Jeffrey E. Radford

Brief description for the index:

WITHOUT TITLE EXAM

NORTH CAROLINA QUITCLAIM DEED

THIS DEED made this 25th day of November, 2024 by and between:

GRANTOR

Charles Jerry Hobbs, widower
14592 NC Hwy 210 S.
Roseboro, NC 28382

GRANTEE

Jeremy Shane Hobbs, and wife
Kimberly M. Hobbs
14715 Hwy 210 S.
Roseboro, NC 28382

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the grantee in fee simple, an undivided interest in all that certain lot or parcel of land situated in Cumberland County, North Carolina and more particularly described as follows:

Please see attached "EXHIBIT A"


PARCEL ID NO: 143-76-7818

This instrument is intended to sever the tenancy by the entireties in the parties and to convey full and sole ownership of the subject property to the Grantee. It is further the intent of the Grantor in the execution of this instrument that the Grantor waive, release and convey any and all rights and interest in which they may now or hereafter be entitled in the above described property as the spouse of the Grantee pursuant to N.C.G.S. Section 50-20 et al., N.C.G.S. Section 39-7 and N.C.G.S Chapters 29 and 30, or any other applicable sections of the General Statutes of North Carolina which create marital rights or ownership rights in real property for one spouse in the property of the other spouse. This deed is executed pursuant to N.C.G.S. Section 39-13.3(c). Henceforth the Grantee shall be free to convey or encumber the subject property without joinder of the Grantor and in all respects to act as a freetrader of the subject property irrespective of the marital status of the parties.

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

This is a quitclaim deed. Grantors make no warranties of title.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereto affixed by authority or its Board of Directors, the day and year first above written.

 (SEAL)
Charles Jerry Hobbs

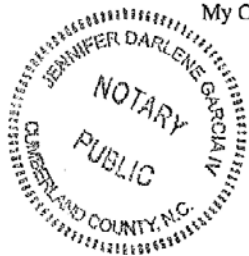
State of North Carolina
County of Cumberland

I, Jennifer Darlene Garcia IV a Notary Public of said County and State do hereby certify the Charles Jerry Hobbs individually appeared before me this day and acknowledged the execution of the foregoing instrument.

WITNESS my hand and notarial seal this the 24th day of November, 2024.


Notary Public/Jennifer Darlene Garcia IV

My Commission Expires: 11/28/2026



BK 12117 PG 0754

"Exhibit A"

BEING ALL OF Lot 2 as shown on a map entitled "Survey for Charles Jerry Hobbs Presently Owned by Shelia Smith Bullard" according to a map recorded in Map Book 143 Page 19, Cumberland County Registry.

FILED Dec 02, 2024
AT 04:40:50 PM
BOOK 12121
START PAGE 0689
END PAGE 0690
INSTRUMENT # 36376
RECORDING \$26.00
EXCISE TAX \$0.00

Prepared by and Mail to: The Law Office of Jeffrey E. Radford
1300 Bragg Blvd Suite 1316 Fayetteville, NC 28301

STATE OF NORTH CAROLINA
COUNTY OF Cumberland

CORRECTIVE AFFIDAVIT
(Pursuant to North Carolina G.S. § 47-36.1, amended 10/1/2008)

The undersigned affiant, being first duly sworn, deposes and says as follows:

1. That a written instrument (the "Instrument"), was prepared and recorded by or on behalf of the undersigned affiant, which instrument is more particularly described below, and was recorded in the Office of the Register of Deeds of Cumberland County, North Carolina.
 - a. Name or Type of Instrument: DEED
 - b. Date of Instrument: November 24, 2024
 - c. Parties to Instrument: Grantor: Charles Jerry Hobbs
Grantee: Jeremy Shane Hobbs and Kimberly M Hobbs
Trustee:
 - d. Recording Information of Instrument: Recorded Book 12117 Page 752
Cumberland County Registry, North Carolina November 25, 2024
 - e. That the Instrument contains the following typographical or other minor error (the "error"): Wrong parcel ID # 1430-76-7818

That the following is the correct information as should have appeared in the original instrument. Correct Parcel ID# 1430-76-6096

- f. That this Affidavit is prepared, executed and recorded, pursuant to North Carolina G.S. § 47-36.1, for the purpose of giving notice of the error contained therein.

Given this 2nd day of December, 2024.

By: _____

Affiant

State of North Carolina
County of Cumberland

I, Kelly Weeks, a Notary Public in and for the county and State aforesaid, hereby certify that Jeffrey E. Radford, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's Driver's License, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit. Sworn to and subscribed before me.

Witness my hand and official stamp or seal, this 2nd day of November 2024.

Stamp or Seal



Notary Public

Printed Name Kelly Weeks

My Commission Expires: 5/13/25



The County of Cumberland and its Geospatial Services (CCGIS) makes no guarantee as the content, accuracy, precision or completeness of any information and services provided. The data provided is offered without warranty, expressed or implied. The user should consult public primary information sources, such as recorded deeds and plates, to verify the accuracy of the data provided.



- Addresses
- ▭ Parcels
- ▬ Parcel Lines
- ▬ Parcel Line
- Lot Line
- City Limits
- Eastover
- Falcon
- Fayetteville
- Godwin
- Hope Hills
- Linden
- Spring Lake
- Stedman
- Wade
- Streets
- Lakes, Ponds

Printing Time: 2/12/2025 7:34 AM