

Clarence Grier
County Manager

Sally Shutt
Assistant County
Manager



Rawls Howard
Director

David Moon
Deputy Director

CUMBERLAND COUNTY JOINT PLANNING BOARD

AGENDA
July 15, 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 OF JUNE 17, 2025
- VI. CHAIRMAN'S WELCOME AND RULES OF PROCEDURE
- VII. PUBLIC MEETING CONSENT ITEMS

TEXT AMENDMENT

- A. **CASE ZON-25-0028: Text Amendment to amend the boundary lines of the Eastover Commercial Core Overlay District Map appearing as Exhibit "A" of Article VIII.I Subsection 801 of the Town's Zoning Ordinance; submitted by the Town of Eastover (Applicant). (Eastover)**

REZONING CASES

- B. **CASE ZON-25-0011: Rezoning from RR Rural Residential District to R7.5 Residential District or to a more restrictive zoning district for a parcel comprising 0.56 +/- acres; located at 4080 School Street; submitted by Timothy Evans (Agent) on behalf of Rockfish Run Land and Development LLC (Owners). (Eastover)**
- C. **CASE ZON-25-0025: Rezoning from R6A Residential District and RR Rural Residential District to R6A Residential District or to a more restrictive zoning district for a parcel comprising 2.74 +/- acres; located at 169 Snow Hill Rd; submitted by Jazmine Scott (Agent) on behalf of Tweety Enterprise, LLC (Owners).**
- D. **CASE ZON-25-0023: Rezoning from A1 Agricultural District to R40/CZ Residential District Conditional Zoning or to a more restrictive zoning district for a parcel comprising 10.16 +/- acres; located at the northwest corner of the intersection of Hayfield Rd and South River School Rd; submitted by Mike Adams (Agent) on behalf of JF Johnson Family Farms LLC (Owner/Applicant).**

- E. CASE ZON-25-0024: Rezoning from A1 Agricultural District to R40A Residential District or to a more restrictive zoning district for a parcel comprising 2.85 +/- acres; located at 6512 Cedar Creek Road; submitted by Juanita Philyaw (Agent) on behalf of Beulah Mae Johnson Heirs (Owners).**
- F. CASE ZON-25-0027: Rezoning from A1 Agricultural District to R20 Residential District or to a more restrictive zoning district for a parcel comprising 5.11 +/- acres; located at 487 Palestine Rd; submitted by Ernest and Barbara Smith (Owners).**

VIII. PUBLIC MEETING CONTESTED ITEMS

IX. PUBLIC HEARINGS

- G. DEV-0066-25: Consideration of Subdivision Waiver from Section 2304.C.3, Upgrading Street Classification, Cumberland County Subdivision Ord., to allow an existing lot comprising 10.21 +/- acres to be subdivided into two residential lots without upgrading the existing Sunny Dale Drive Class “C” private street to a Class “A” private street, located at 3411 and 3461 Sunny Dale Dr; Charles and Ellen Jarvis (Owners).**

X. DISCUSSION

H. UNC SCHOOL OF GOVERNMENT TRAINING

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



CUMBERLAND COUNTY JOINT PLANNING BOARD

MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF JULY 15, 2025

TO: JOINT PLANNING BOARD

FROM: RAWLS HOWARD, DIRECTOR OF PLANNING & INSPECTIONS

DATE: 7/15/2025

**SUBJECT: CASE ZON-25-0028: TEXT AMENDMENT TO AMEND THE BOUNDARY
LINES OF THE EASTOVER COMMERCIAL CORE OVERLAY
DISTRICT MAP APPEARING AS EXHIBIT "A" OF ARTICLE VIII.I
SUBSECTION 801 OF THE TOWN'S ZONING ORDINANCE;
SUBMITTED BY THE TOWN OF EASTOVER (APPLICANT).
(EASTOVER)**

ATTACHMENTS:

Description

ZON-25-0028

Type

Backup Material



PLANNING STAFF REPORT

ZONING CASE # ZON-25-0028

Planning Board Meeting: July 15, 2025

Jurisdiction: Town of Eastover

EXPLANATION OF THE REQUEST

Text Amendment

This request is submitted by the Town of Eastover for a text amendment to Article VIII.I Section 801(B) of the Eastover Commercial Core Overlay District (CCOD). The request is to amend the boundaries of the overlay district for only the intended properties to be within and subject to the regulations of the CCOD.

The current boundary description and overlay's placement on the County GIS has had residential properties become absorbed into the CCOD incidentally. This causes some property owners to have additional restrictions or requirements for development placed onto their properties that were not intended or to have parcels that only had a portion of the property within the Overlay District.

The proposed boundary changes are provided in Exhibit "A" with the boundaries being either the depth of the first lot on each side of Dunn Road or 250 feet in depth to the lot, whichever is less. All properties fronting either the north of School Street or south of Church Street between Dunn Road and Middle Road are also subject to the CCOD with all properties fronting the south side of School Street and the north side of Church Street being exempt from the CCOD.

None of the proposed changes would be to any permitted land uses or development standards within the CCOD. This amendment only proposes to provide more distinguished boundaries of the CCOD.

STAFF RECOMMENDATION

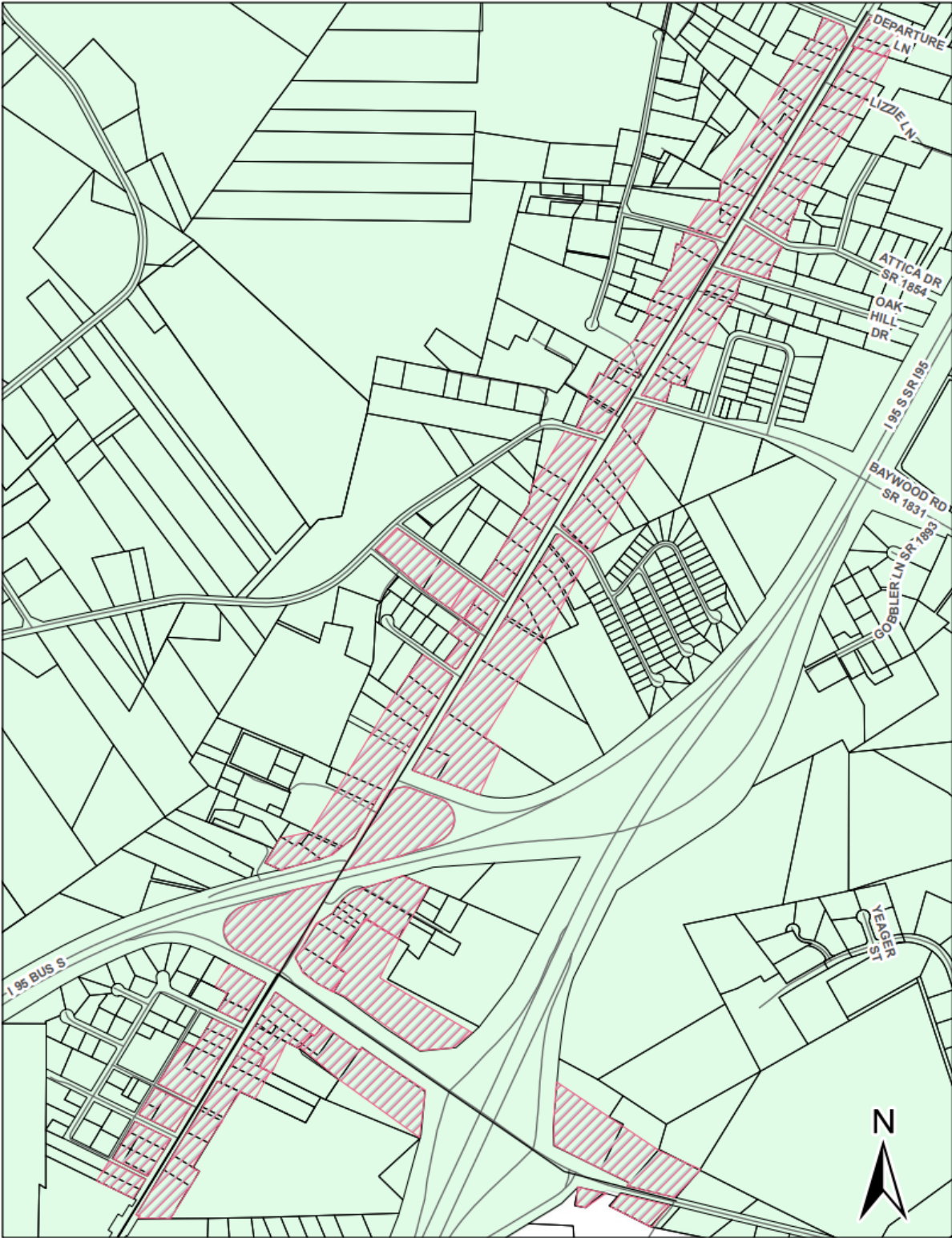
In Case ZON-25-0028, Planning & Inspections staff **recommends approval** of the text amendment and finds the request consistent with the intent and goals of the Town of Eastover Commercial Core Overlay District and the policies of the Eastover Area Land Use Plan. Approval of this text amendment is also reasonable and in the public interest as it is an update to clarify the boundaries of the overlay district and to better distinguish which properties shall be subject to all rules and regulations of the Eastover Commercial Core Overlay District.

Exhibit "A"

B. *Commercial Core Overlay District* area defined, generally. The area within the corporate limits of the town subject to the provisions of this article are properties located approximately within the depth of the first lot or 250 feet along (whichever is less) each side of Dunn Road (SR 1830/US HWY 301) between Reese Creek (also known as Reedy Creek/Reedy Branch) and 170 feet north of Beard Road (SR 1722). In addition, the properties along SR 1832 (Murphy Road) from US HWY 301 to a point approximately 2,000 feet east of the northbound I-95 onramp, extending 500 feet on each side of SR 1832 (Murphy Road) and within the corporate limits of the town: and all properties fronting North of School Street and South of Church Street (SR 2996) between Dunn Road (SR 1838) and Middle Road (SR 1728) are included within this overlay district. A map of the district is shown on Exhibit A of this ordinance for general reference purposes. The official Commercial Core Overlay district is included on the zoning map referenced in Section 3-310.

The south side of School Street and the north side of Church Street shall be exempt from the Commercial Core Overlay for the Town of Eastover

Exhibit "A"
Revised Commercial Core Overlay District Map





TOWN *of* EASTOVER

3876 Dunn Road

Eastover, North Carolina, 28312

910-323-0707

www.eastovernc.com

910-323-264

June 12, 2025

To: Tim Doersam

Fm: Ronald Autry, Town Administrator *RA*

Subject: Commercial Core Overlay District

The Town of Eastover is requesting a Text Amendment to the Commercial Core Overlay District. The purpose is to clarify property concerns along the corridor.

Please advise if further information is needed.



PLANNING AND INSPECTIONS DEPARTMENT

MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF JULY 15, 2025

TO: JOINT PLANNING BOARD

FROM: RAWLS HOWARD, DIRECTOR OF PLANNING & INSPECTIONS

DATE: 7/15/2025

SUBJECT: CASE ZON-25-0011: REZONING FROM RR RURAL RESIDENTIAL DISTRICT TO R7.5 RESIDENTIAL DISTRICT OR TO A MORE RESTRICTIVE ZONING DISTRICT FOR A PARCEL COMPRISING 0.56 +/- ACRES; LOCATED AT 4080 SCHOOL STREET; SUBMITTED BY TIMOTHY EVANS (AGENT) ON BEHALF OF ROCKFISH RUN LAND AND DEVELOPMENT LLC (OWNERS). (EASTOVER)

ATTACHMENTS:

Description

ZON-25-0011

Type

Backup Material

REQUEST

Rezoning RR to R7.5

Applicant requests a rezoning from RR Rural Residential District to R7.5 Residential District for a parcel containing approximately 0.55 acres located at 4080 School St. The parcel is currently undeveloped. The intent of the property owner is to build three townhouses on the property. The southeastern half of the parcel is located within the Commercial Core Overlay District (CCOD) in the Town of Eastover, but an ordinance amendment is proposed to move this portion of the parcel outside the overlay.

PROPERTY INFORMATION

OWNER/APPLICANT: Rockfish Run Land and Development, LLC (Owner) / Timothy Evans (Agent and Applicant)

ADDRESS/LOCATION: Located at 4080 School St. Refer to Exhibit "A", Location and Zoning Map. REID number: 0468384874000

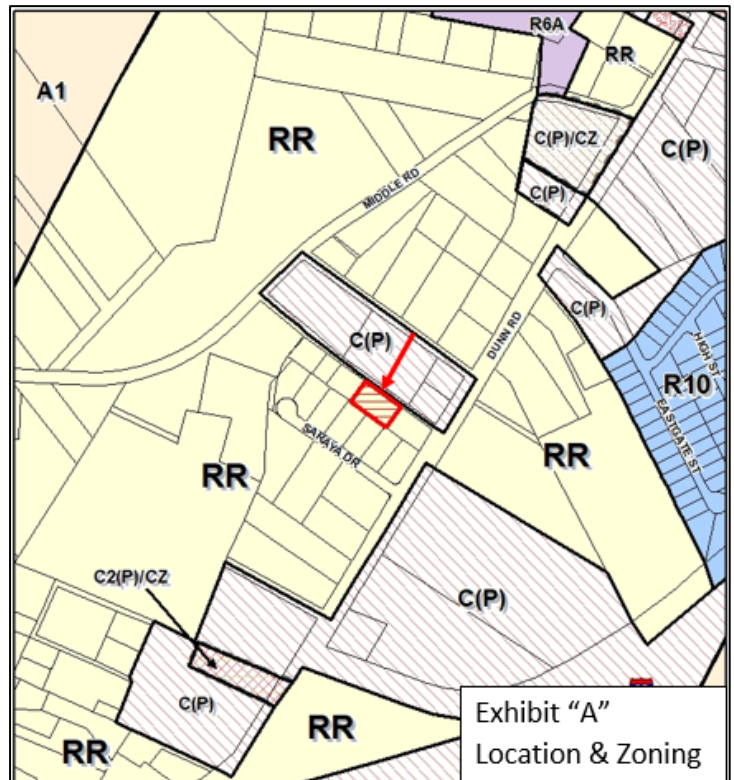
SIZE: The parcel contains approximately 0.55 acres. Road frontage along School St is 203 feet. The property is approximately 120 feet in length at its deepest point.

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

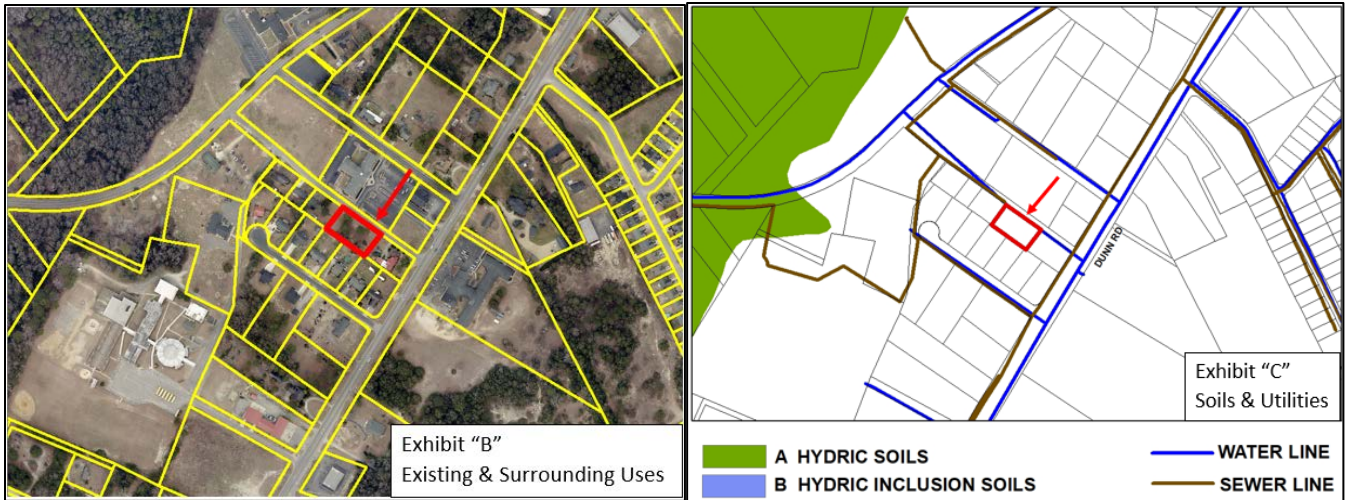
EXISTING LAND USE: The subject parcel is currently undeveloped.

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

- **North:** Single-family residential and commercial
- **East:** Wooded lands, single-family homes, and health care facility
- **West:** Wooded lands, single-family residential, and Salem Methodist Church of Eastover
- **South:** Single-family residential and Armstrong Elementary



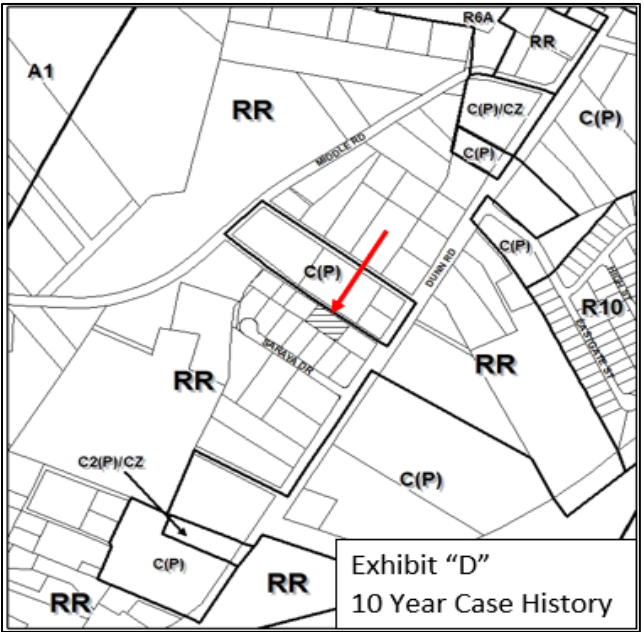
OTHER SITE CHARACTERISTICS: The site is not located in a Watershed or within a Flood Zone Hazard Area. The subject property, as delineated in Exhibit “C”, illustrates no presence of hydric or hydric inclusion soils at the property.



TEN YEAR ZONE CASE HISTORY:

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

DEVELOPMENT REVIEW: Prior to commencement of any new subdivision or Group Development, a preliminary plan or site plan must be submitted, reviewed, and approved by the Town of Eastover for compliance with the Subdivision and Zoning Ordinances prior to development activity.



DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

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

DEVELOPMENT POTENTIAL:

Existing Zoning (RR)	Proposed Zoning (R7.5)
1 dwelling unit	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:

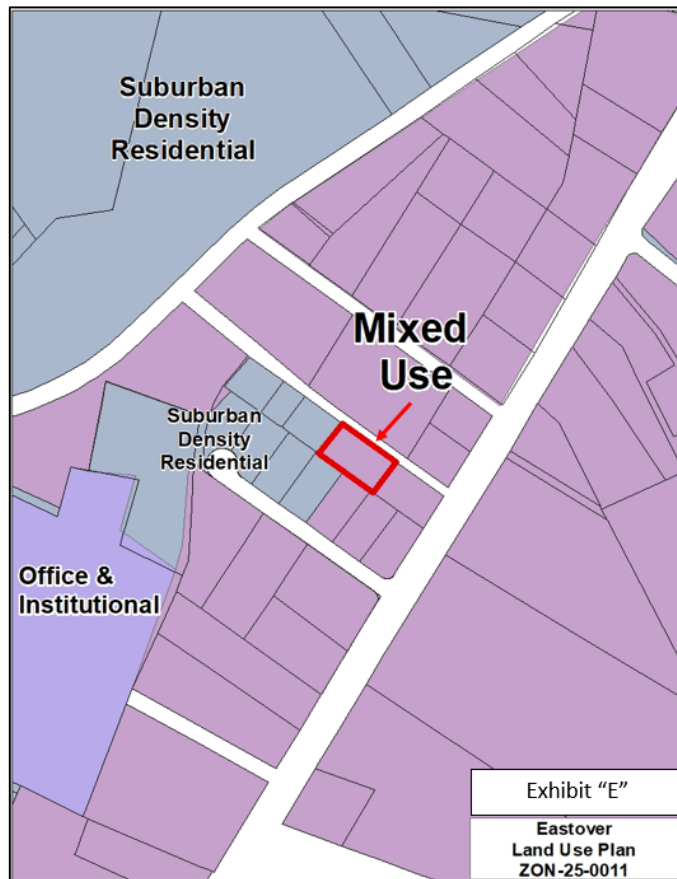
This property is located in the Eastover Area Land Use Plan (2018). The future land use classification of the property is "Mixed Use". The associated zoning districts for Mixed Use are MXD/CZ, C(P), C1(P), C2(P), and O&I(P).

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

Note: The future land use classification of the property is Mixed Use. However, the property is closely neighbored by an area designated by the Future Land Use Map as "Suburban Density Residential" and R7.5 is an associated zoning district. If the request is approved, a map amendment to Suburban Density Residential will be established.

Future Land Use Classification Development Goals, Notes, and Objectives:

- "Provide for a full range of housing types with adequate infrastructure throughout that is in harmony with the surrounding areas and accommodates the future needs of the residents while maintaining the character of the area" (Eastover Area Land Use Plan 2018, p. 49).
- "The Suburban Density Residential classification has a minimum lot size of 7,500 square feet and allows a density of > 2.2 to 6 units per acre" (Eastover Area Land Use Plan 2018, p. 57).
- "The Mixed-Use classification allows a mixture of commercial uses, office and institutional as well as vertical mixed-use, which allows light commercial/office and institutional/residential uses in the same building...Public water and sewer should be required" (Eastover Area Land Use Plan 2018, p. 57).



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: Water and sewer lines are available near the subject property provided by the Eastover Sanitary District. It is the applicant's responsibility to determine if this utility provider will serve their development. Water and sewer lines are shown on Exhibit "C".

TRAFFIC: According to the Fayetteville Area Metropolitan Planning Organization (FAMPO), 4080 School St is identified as a local road. No roadway improvement projects are currently planned for School St, and the proposed rezoning would not have any significant impact on the Transportation Improvement Program.

SCHOOLS CAPACITY/ENROLLMENT:

School	Capacity	Enrollment
Armstrong Elementary	441	442
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 rezoning.

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

SPECIAL DISTRICTS/ OVERLAY DISTRICTS: The southeastern half of the subject property is located within the Eastover Commercial Core Overlay District currently.

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

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

STAFF RECOMMENDATION

In Case ZON-25-0011, Planning and Inspections staff **recommends approval** of the rezoning request from RR Rural Residential District to R7.5 Residential District and find that:

1. Approval is an amendment to the adopted, current Eastover 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 subject property is abutting lots designated as Suburban Density Residential in the land use plan, which assigns R7.5 as an associated zoning district.
3. The site is located directly in an area of the Eastover Core that promotes both mixing of land use and residential types via the associated, adopted land use plan.

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

HAYES, JAMES E:HAYES, KIMBERLY S
3521 SARAYA DR
EASTOVER, NC 28312

GOODMAN, JAMES E II:OSTRANDER, KIMBERLY
3513 SARAYA DRIVE
EASTOVER, NC 28312

BAGGETT, MARY SUSAN
3602 DUNN RD
EASTOVER, NC 28312

BROWN, PATRICK
4046 SCHOOL STREET
EASTOVER, NC 28312

J W SEALEY & ASSOCIATES INC
PO BOX 99
WADE, NC 28395

CUMBERLAND COUNTY BOARD OF EDUCATION
PO BOX 2357
FAYETTEVILLE, NC 28302

ROCKFISH RUN LAND AND DEVELOPMENT
4239 CAMERON RD
FAYETTEVILLE, NC 28306

CAIN, JOHN A JR
3612 DUNN RD
EASTOVER, NC 28312

ADAIR, AARON KYLE:ADAIR, KASEY LASHA
3506 SARAYA DR
EASTOVER, NC 28312

STRICKLAND, RONALD NEWTON:WEBB, SUSAN
3509 SARAYA DR
EASTOVER, NC 28312

TOWN OF EASTOVER
3863 DUNN RD
EASTOVER, NC 28312

BUIE, ISAAC SHIRLEY JR:BUIE, OCTAVIA N
1029 MIDDLE RD
FAYETTEVILLE, NC 28312

EASTOVER PROFESSIONAL OFFICE CONDOMINIUM ASSO
2015 VALLEYGATE DR
FAYETTEVILLE, NC 28304

LUDWIGSEN, ERIC VON TRUSTEE:LUDWIGSEN, KELLY RAE
3512 SARAYA DR
EASTOVER, NC 28391

BAGGETT, MARY SUSAN
3602 DUNN RD
EASTOVER, NC 28312

DANALI PROPERTIES LLC
517 ROB RD
STEDMAN, NC 28391

WRIGHT, JOHN H:WRIGHT, JANET W
3145 CHURCH ST
EASTOVER, NC 28312

TOWN OF EASTOVER
3863 DUNN RD
EASTOVER, NC 28312

BAGGETT, MARY SUSAN:LEE, ROY
3602 DUNN RD
EASTOVER, NC 28312

MOUNT ZION AME ZION CHURCH OF EASTOVER
PO BOX 1027
FAYETTEVILLE, NC 28302

WILLIAMS, MANGIER:WILLIAMS, JOYCE
3615 DUNN RD
EASTOVER, NC 28312

WHALEY, GARY:WHALEY, RHONDA
3501 SARAYA DR
FAYETTEVILLE, NC 28312

WHALEY, GARY:WHALEY, RHONDA
3501 SARAYA DR
FAYETTEVILLE, NC 28312

BULLARD, HERMAN R LIFE ESTATE
3525 DUNN ROAD
EASTOVER, NC 28312

ERYAN, WANDA GAIL:MOMILLAN:ERYAN, MICHAEL WAYNE
4056 SCHOOL ST
EASTOVER, NC 28312

JACTOM INC
3532 DUNN RD
EASTOVER, NC 28312

BUIE, ISAAC SHIRLEY JR:BUIE, OCTAVIA
4036 SCHOOL ST
EASTOVER, NC 28312

WILLIAMS, DONALD HOWARD
3129 CHURCH ST
EASTOVER, NC 28312

REEP, CHARLES MICHAEL:TRACY, LYN TEW
3505 SARAYA DR
EASTOVER, NC 28312

CHAPMAN, KELLEY MICHEAL
3517 SARAYA DR
EASTOVER, NC 28312

JACTOM INC
3532 DUNN RD
EASTOVER, NC 28312

BRYANT, MICHAEL S:LEWIS, ANESSA J
3163 CHURCH ST
EASTOVER, NC 28312

HANCOCK FAMILY HOLDINGS LLC
980 KEN HANCOCK LANE
STEDMAN, NC 28391

BAGGETT, MARY SUSAN:LEE, ROY
3602 DUNN RD
EASTOVER, NC 28312

SANDERS, CALVIN SANDERS, WILLODENE HOLLAND
3525 SARAYA DR
EASTOVER, NC 28312

SMITH, PHILIP N.:SMITH, JONI L.
PO BOX 156
WADE, NC 28395

ATTACHMENT: APPLICATION



County of Cumberland
Planning & Inspections Department

CASE #: _____

PLANNING BOARD
MEETING DATE: _____

DATE APPLICATION
SUBMITTED: _____

RECEIPT #: _____

RECEIVED BY: _____

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

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

1. A copy of the *recorded* deed and/or plat.
2. If a portion(s) of the property is being considered for rezoning, an accurate written legal description of only the area to be considered;
3. A check made payable to "Cumberland County" in the amount of \$ 250.00.
(See attached Fee Schedule).

Rezoning Procedure:

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

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

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

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

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

1. Requested Rezoning from R-R to R-7.5 XBE
2. Address of Property to be Rezoned: 4080 School St.
3. Location of Property: School St / Dunn Rd
4. Parcel Identification Number (PIN #) of subject property: _____
(also known as Tax ID Number or Property Tax ID)
5. Acreage: .55 Frontage: 203 Depth: 120
6. Water Provider: Well: _____ ~~FWC~~ Footover Other (name): _____
7. Septage Provider: Septic Tank _____ ~~FWC~~ Footover
8. Deed Book 10467 ~~10467~~, Page(s) 0108, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: Empty
10. Proposed use(s) of the property: Town-houses
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.

Rockton Run, Lot 2 / Development
NAME OF OWNER(S) (PRINT OR TYPE)

2680 Alimath Estate Place
ADDRESS OF OWNER(S)

910-273-5016
HOME TELEPHONE #

910-273-5016
WORK TELEPHONE #

Tim Evans

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

ADDRESS OF AGENT, ATTORNEY, APPLICANT

tim@longestproperties.com
E-MAIL

HOME TELEPHONE #

WORK TELEPHONE #

[Signature]

SIGNATURE OF OWNER(S)

[Signature]

SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

SIGNATURE OF OWNER(S)

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



PLANNING AND INSPECTIONS DEPARTMENT

MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF JULY 15, 2025

TO: JOINT PLANNING BOARD

FROM: RAWLS HOWARD, DIRECTOR OF PLANNING & INSPECTIONS

DATE: 7/15/2025

SUBJECT: CASE ZON-25-0025: REZONING FROM R6A RESIDENTIAL DISTRICT AND RR RURAL RESIDENTIAL DISTRICT TO R6A RESIDENTIAL DISTRICT OR TO A MORE RESTRICTIVE ZONING DISTRICT FOR A PARCEL COMPRISING 2.74 +/-ACRES; LOCATED AT 169 SNOW HILL RD; SUBMITTED BY JAZMINE SCOTT (AGENT) ON BEHALF OF TWEETY ENTERPRISE, LLC (OWNERS).

ATTACHMENTS:

Description

ZON-25-0025

Type

Backup Material



PLANNING & INSPECTIONS

PLANNING STAFF REPORT
REZONING CASE # ZON-25-0025
Planning Board Meeting: July 15, 2025

Location: 169 Snow Hill Rd
Jurisdiction: County-Unincorporated

REQUEST

Rezoning R6A and RR to R6A

Applicant requests a rezoning from R6A Residential District and RR Rural Residential District to R6A Residential District for a parcel containing approximately 2.74 acres located at 169 Snow Hill Rd. as shown in Exhibit "A". The intent is to assign a single uniform zoning district to the property and to establish a manufactured home park, which is a permitted use in the R6A Residential District under the Use Matrix, Section 403, County Zoning Ordinance.

PROPERTY INFORMATION

OWNER/APPLICANT: Tweety Enterprise, LLC
(Owner) / Jazmine Scott (Applicant).

ADDRESS/LOCATION: Located at 169 Snow Hill Rd. Refer to Exhibit "A", Location and Zoning Map. REID numbers: 0424877793000.

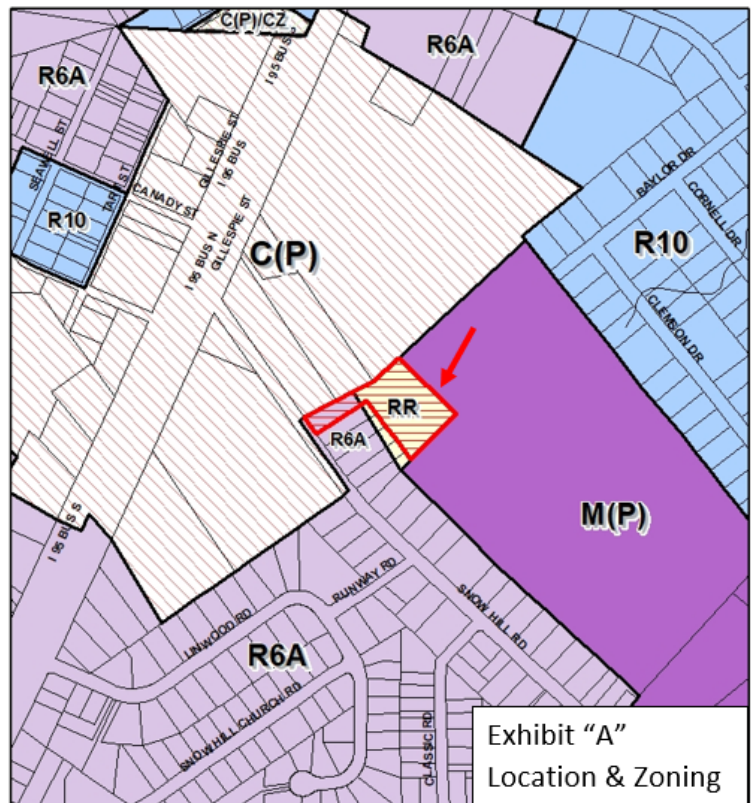
SIZE: The parcels contain approximately 2.74 acres. Road frontage along Snow Hill Rd is approximately 89 feet. The property is approximately 508 feet in length at its deepest point.

EXISTING ZONING: The subject property is currently zoned R6A Residential District and RR Rural Residential District. R6A Residential District is a district designed for a mix of single- and multi-family dwellings including the use of manufactured homes on individual lots and in manufactured home parks. RR Rural Residential District is a district for traditional rural use with lots of 20,000 square feet or above. The principal use of the land is for suburban density residential, including manufactured housing units, and agricultural purposes. These districts are intended to ensure that residential development not having access to public water supplies and dependent upon septic tanks for sewage disposal will occur at a sufficiently low density to provide for a healthful environment.

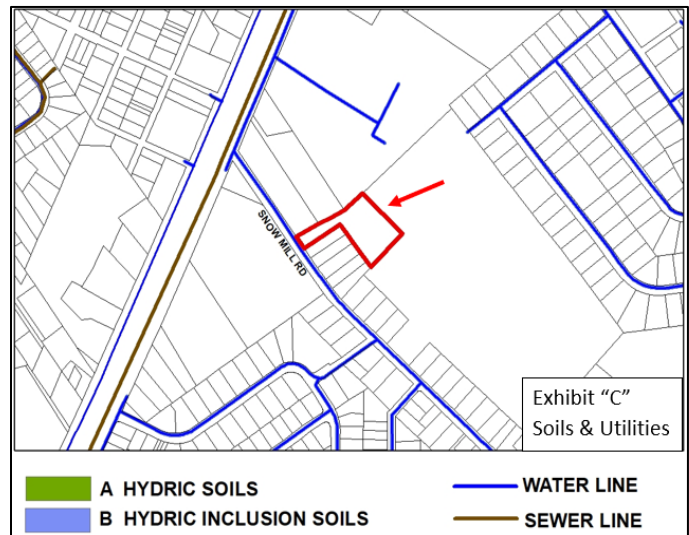
EXISTING LAND USE: The subject property is currently undeveloped wooded land.

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

- **North:** Rhino Linings of Fayetteville and undeveloped wooded lands.
- **East:** Undeveloped wooded lands.
- **West:** Undeveloped wooded lands and I-95 Business North
- **South:** Single-family homes.



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



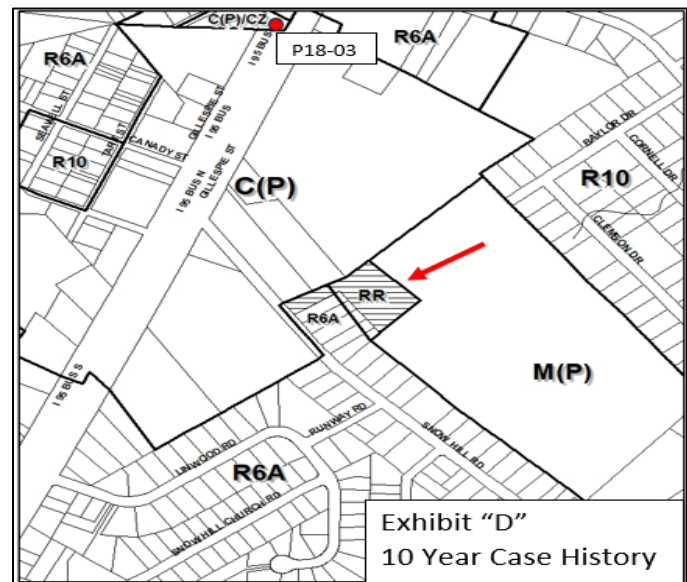
TEN YEAR ZONE CASE HISTORY:

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

- P18-03: R10 to C(P)/CZ; Approved

DEVELOPMENT REVIEW:

For a manufactured home park, a site plan review and approval, conforming to the County Zoning and Subdivision Ordinance, will be required via the Current Planning Division prior to commencement of any site construction activity. Any proposed subdivision will require preliminary plan review and approval by the Current Planning Division prior to any plat recordation, conforming to the County Zoning and Subdivision Ordinance.



DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

Minimum Standard	RR (Existing)	R6A (Existing & Proposed)
Front Yard Setback	30 feet	25 feet
Side Yard Setback	15 feet	10 feet
Rear Yard Setback	35 feet	15 feet
Lot Area	20,000 sq. ft.	6,000 sq. ft.
Lot Width	100 feet	60 feet

DEVELOPMENT POTENTIAL:

Existing Zoning (R6A)	Existing Zoning (RR)	Proposed Zoning (R6A)
4 dwelling units	5 dwelling units	29 dwelling units

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

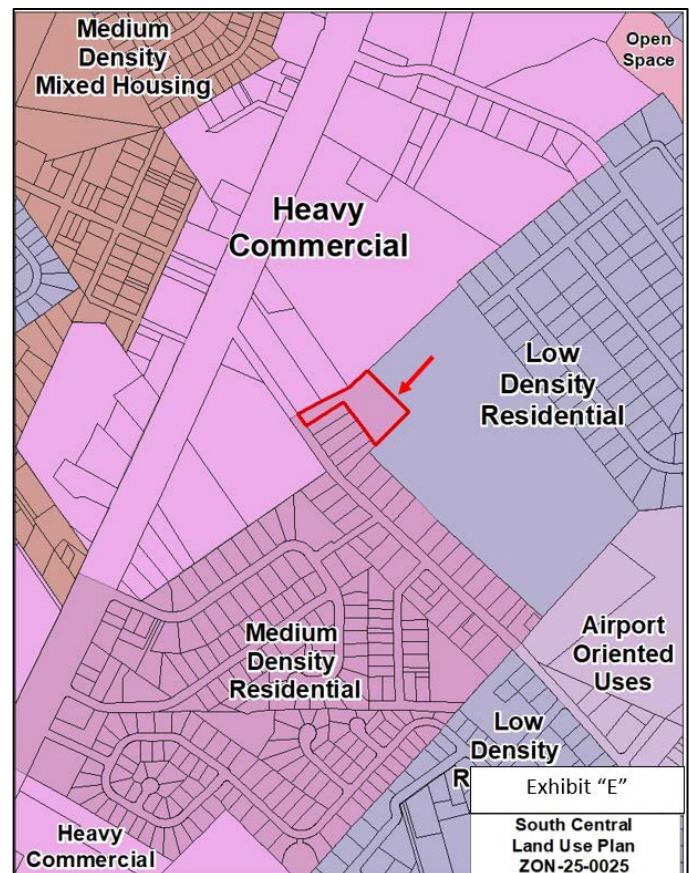
COMPREHENSIVE PLANS:

This property is located in the South-Central Land Use Plan (2015). The future land use classification of the property is "Medium Density Residential". The associated zoning districts for Medium Density Residential are R5, R5A, R6, R6A, DD/CUD, and MXD/CUD.

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

Future Land Use Classification Development Goals, Notes, and Objectives:

- "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 2015, p. 93).
- "Promote the building of quality housing" (South Central Land Use 2015, p. 93).
- "Locate residential areas with respect to natural and environmental sensitive areas" (South Central Land Use 2015, p. 93).
- "[Medium Density Residential] allows for all types of multi-family development including manufactured home on individual lots and manufactured home parks" (South Central Land Use 2015, p. 118).



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: PWC water lines are available near the subject property along Snow Hill Rd. It is the applicant's responsibility to determine if this utility provider will serve their development. No sewer lines are located in front of the property but are located within 680 feet to the northwest along S.R. 301. Septic permits must be obtained from the Environmental Health office for any new development on the subject property if not connected to public sewer. The available utilities are shown on Exhibit "C".

TRANSPORTATION. Snow Hill Rd is classified as a Local Road per the NCDOT Road Classification. Driveway connection permits must be obtained from NCDOT to serve any new development.

SCHOOLS CAPACITY/ENROLLMENT:

School Name	Enrollment	Capacity
Alderman Road Elementary	610	707
South View Middle	611	847
South View High	1437	1871

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

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

SPECIAL DISTRICTS/ OVERLAY DISTRICTS: The property is located within the Fayetteville Regional Airport Overlay District. The Fayetteville Regional Airport did not have any comments for the proposed rezoning.

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

n/a – not applicable

STAFF RECOMMENDATION

In Case ZON-25-0025, Planning and Inspections staff **recommends approval** of the rezoning request from R6A Residential District and RR Rural Residential District to R6A Residential District. Staff finds that the request is consistent with the South-Central Land Use Plan which calls for “Medium 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

YOUNG, ISAAC C HEIRS
4439 CLAUDE LEE RD
FAYETTEVILLE, NC 28306

TWEETY ENTERPRISE LLC
115 PRETTY ACRES AVE
HAHNVILLE, LA 70056

MORAN, SHARON
310 SNOW HILL RD
FAYETTEVILLE, NC 28306

WEAVER, CLYDE R & HELEN, R TRUSTEES
104 OLD GATE RD
FAYETTEVILLE, NC 28314

MORRIS, VONDA H
PO BOX 41854
FAYETTEVILLE, NC 28309

GALLARDO, ARACELI LOYA
212 EISLER DR
LILLINGTON, NC 27546

WEAVER, CLYDE R TRUSTEE &
WEAVER, HELEN R TRUSTEE
104 OLD GATE RD
FAYETTEVILLE, NC 28314

BREWINGTON, WILLIE C &
BREWINGTON, RUTHALENE
246 SNOW HILL RD
FAYETTEVILLE, NC 28306

EVANS, EDWARD LOUIS
255 SNOW HILL RD
FAYETTEVILLE, NC 28306

AUTRY, GEORGE LIFE ESTATE
335 SNOW HILL ROAD
FAYETTEVILLE, NC 28306

ELLIOTT, WILLIAM PATRICK
10416 ROSEWOOD AVE
EVERETT, WA 98204

SWANSON, HARRY D
6408 EMU DR
HOPE MILLS, NC 28348

GAMBLE, ANTHONY &
GAMBLE, KATRINA ANN
204 RUNWAY RD
FAYETTEVILLE, NC 28306

SWANSON, DOUGLAS H
PO BOX 163
EDENTON, NC 27932

RETAIL LOCATIONS LLC
PO BOX 87428
FAYETTEVILLE, NC 28304

VANN, LINDA A
265 SNOW HILL RD
FAYETTEVILLE, NC 28306

SIMMONS, VIRGIE
256 SNOW HILL RD
FAYETTEVILLE, NC 28306

KIMBLE, LORETTA ANN
264 SNOWHILL RD
FAYETTEVILLE, NC 28306

MORAN, SHARON
310 SNOW HILL RD
FAYETTEVILLE, NC 28306

WEAVER, CLYDE R & HELEN, R TRUSTEES
104 OLD GATE RD
FAYETTEVILLE, NC 28314

WHITFIELD, VERNARD LEE JR
1905 GLENWICK DR
FAYETTEVILLE, NC 28304

TERRELL, GLORIA CARROLL
305 SNOW HILL RD
FAYETTEVILLE, NC 28306

RICHARDSON, DANIEL J
236 SNOWHILL RD
FAYETTEVILLE, NC 28306

ATTACHMENT: APPLICATION



Planning & Inspections Department

CASE #: _____

PLANNING BOARD
MEETING DATE: _____

DATE APPLICATION
SUBMITTED: _____

APPLICATION FOR REZONING REQUEST CUMBERLAND COUNTY ZONING ORDINANCE

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

1. A copy of the *recorded* deed and/or plat.
2. If a portion(s) of the property is being considered for rezoning, an accurate written legal description of only the area to be considered.
3. A check made payable to "Cumberland County" in the amount of \$ 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 B6A/BH to B6A
2. Address of Property to be Rezoned: 169 Snow Hill Rd, Fayetteville, NC, 28306
3. Location of Property, details: First lot on the left after turning in from Gillespie that extends to the rear as well
4. Parcel Identification Number (PIN #) of subject property: 0424-87-7793
(also known as Tax ID Number or Property Tax ID)
5. Acreage: 2.74 Frontage: 88.7 Feet Depth: 507.6 Feet
6. Water Provider: Well: _____ PWC: ☒ Other (name): _____
7. Septage Provider: Septic Tank ☒ PWC _____
8. Deed Book 12,043, Page(s) 0469, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: Nothing, wooded & vacant land
10. Proposed use(s) of the property: Have as many mobile homes placed on land to rent either lots or homes to tenants
11. Do you own any property adjacent to or across the street from this property?
Yes ☒ No _____ If yes, where? 235, 229, 221, 213, 205 Snow Hill Rd Fayetteville, NC
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.

Tweety Enterprise LLC / Jazmine Scott
NAME OF OWNER(S) (PRINT OR TYPE)

P.O. Box 75, Hahnville, LA, 70057
ADDRESS OF OWNER(S)

504-442-6752 n/a
HOME TELEPHONE # WORK TELEPHONE #

n/a
NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)

n/a
ADDRESS OF AGENT, ATTORNEY, APPLICANT

tweetyentersprisellc@gmail.com
E-MAIL

n/a n/a
HOME TELEPHONE # WORK TELEPHONE #

Jazmine D. Scott n/a
SIGNATURE OF OWNER(S) SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

n/a
SIGNATURE OF OWNER(S)

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



PLANNING AND INSPECTIONS DEPARTMENT

MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF JULY 15, 2025

TO: JOINT PLANNING BOARD

FROM: RAWLS HOWARD, DIRECTOR OF PLANNING & INSPECTIONS

DATE: 7/15/2025

SUBJECT: CASE ZON-25-0023: REZONING FROM A1 AGRICULTURAL DISTRICT TO R40/CZ RESIDENTIAL DISTRICT CONDITIONAL ZONING OR TO A MORE RESTRICTIVE ZONING DISTRICT FOR A PARCEL COMPRISING 10.16 +/- ACRES; LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF HAYFIELD RD AND SOUTH RIVER SCHOOL RD; SUBMITTED BY MIKE ADAMS (AGENT) ON BEHALF OF JF JOHNSON FAMILY FARMS LLC (OWNER/APPLICANT).

ATTACHMENTS:

Description

ZON-25-0023

Type

Backup Material

REQUEST

Rezoning A1 to R40/CZ

Applicant requests a conditional rezoning from A1 Agricultural District to R40/CZ Residential District Conditional Zoning for a parcel containing approximately 10.16 acres and located at the northwest corner of the intersection of Hayfield Rd and South River School Rd. The parcel is undeveloped and wooded. The intent of the property owner is to further subdivide the property into ten residential lots.

PROPERTY INFORMATION

OWNER/APPLICANT: J F Johnson Family Farms LLC
(Owner) / Mike Adams, MAPS Surveying
(Agent/Applicant).

ADDRESS/LOCATION: Northwest of the intersection of Hayfield Rd. and S. River School Rd. Refer to Exhibit "A", Location and Zoning Map. REID number: 0498680025000.

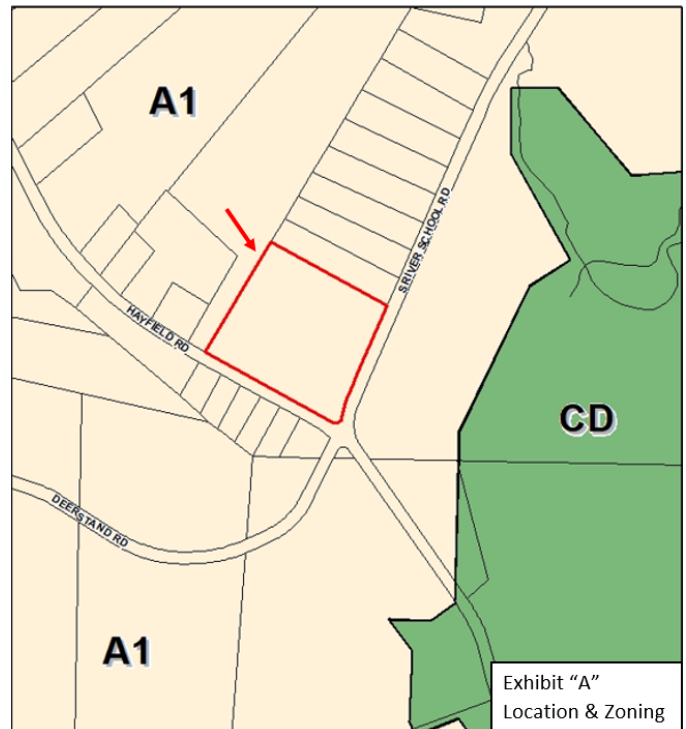
SIZE: The parcel contains approximately 10.16 acres. Road frontage along Hayfield Rd is 721.33 feet and road frontage along South River School Rd is 600.50 ft. The subject parcel, located at the northwest corner of Hayfield and South River School Roads, and has two depth measurements: the property is approximately 635.16 feet in length at its deepest point from South River School Rd and 655.73 feet in length at its deepest point from Hayfield Road.

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.

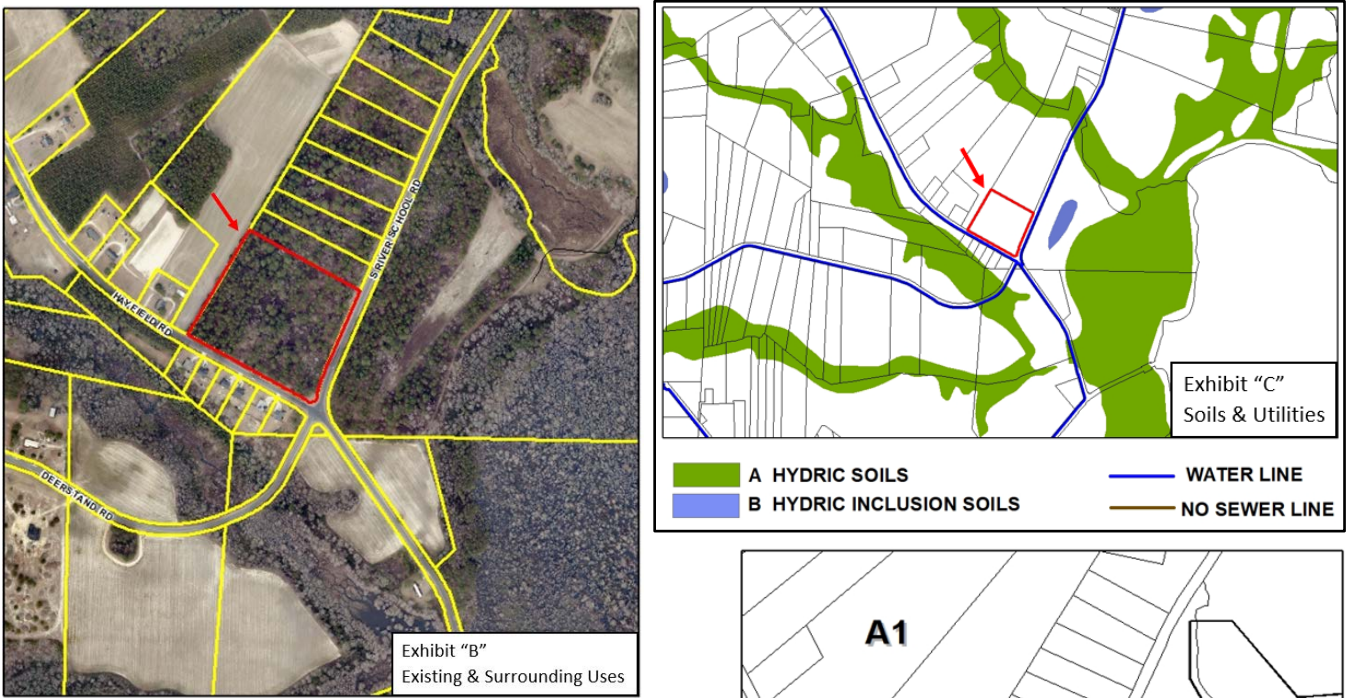
EXISTING LAND USE: The subject parcel is currently undeveloped and represents Lot 7 of the South River Landing Phase One Zero-Lot-Line plat (recorded No. 1, 2018). Exhibit "B" shows the existing use of the subject property and Exhibit "B1" (attachment) provides a copy of the South Landing Phase One Plat. No development, zoning, density or use restrictions were placed on Lot 7, as indicated on the South River Landing Plat.

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

- **North:** Single-family Residential, Wooded lands, and Farmland.
- **East:** Wooded lands, South River Swamp, and Wetlands.
- **West:** Single-family Residential, Wooded lands, Farmland and Wetlands.
- **South:** Single-family Residential, Wooded lands, Farmland and Wetlands.



OTHER SITE CHARACTERISTICS: The site is not located in a Watershed or flood zone and the subject property, as delineated in Exhibit "C", illustrates no hydric or hydric inclusion soils on the property.



TEN YEAR ZONE CASE HISTORY:

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

DEVELOPMENT REVIEW:

Should the request be approved, the applicant intends to submit a preliminary subdivision plan. Any preliminary plan must be consistent with the County's Subdivision and Zoning Ordinances.

DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

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

(*) Refer to Exhibit "F" Conditions of Approval for site specific setback requirements.

DEVELOPMENT POTENTIAL:

Existing Zoning A1	Proposed Zoning R40/CZ
5 dwelling units	11 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.

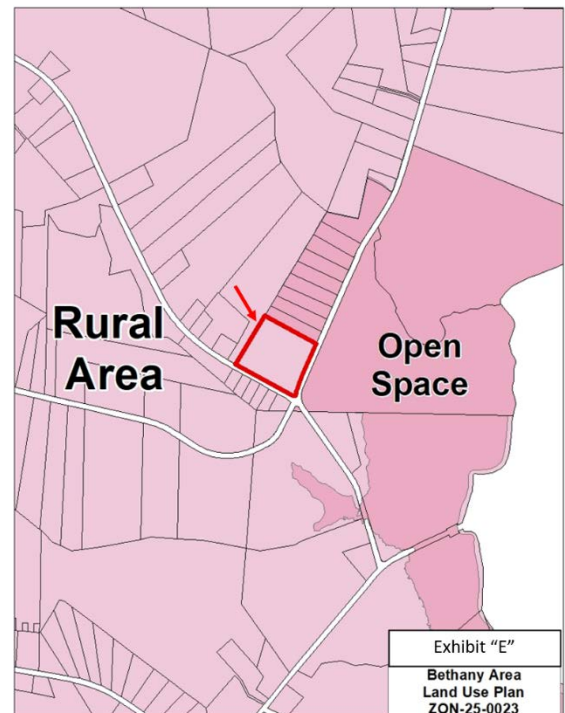
COMPREHENSIVE PLANS:

This property is located in the Bethany Area Land Use Plan (2021), as referenced in Exhibit "E". The future land use classification of the property is "Rural". Associated zoning districts for this classification are A1 and A1A. R40 and R40A may be appropriate for rezoning, but only when compatible with the surrounding area and a conditional zoning should be required.

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

Suburban Residential Development Goals:

- "Residential zoning districts R40 and R40A may be appropriate in this area, however, only when compatible with the surrounding area and when a Conservation Development (currently called Density Development – Conditional Zoning District) or some other form of higher development standard is utilized. This will help preserve scenic views and element of rural character by increasing the amount of undeveloped land and minimizing views of new development from existing roads through use of natural buffers and open space." The Suburban Density Residential land use classification represents land that will be used for residential purposes of a denser nature than that of the Rural Density Residential classification" (Bethany Area Land Use Plan 2021, p. 40).
- "Encourage creativity in design of residential subdivisions where site specific development plans and the use of building location, natural buffers, and landscaping will be utilized with the goal of lessening adverse impacts and retaining the desired rural character desired in this area" (Bethany Area Land Use Plan 2021, p. 40).
- "New driveway connections on existing state roads should be limited and designed in a way to utilize shared access roads on existing public roads. New and existing subdivisions should be designed in a way to provide for internal connections" (Bethany Area Land Use Plan, p. 40).



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: Sewer lines are not available, but Eastover Sanitary District water lines are available along both Hayfield Road and South River School Road. It is the applicant's responsibility to determine if this utility provider will serve their development. Utilities for water are shown on Exhibit "C".

TRANSPORTATION: According to the Mid-Carolina Rural Planning Organization (MCRPO), South River School Road and Hayfield Road are both local, secondary routes per the current NCDOT Functional Classification system. There are no roadway construction improvement projects planned, and the proposed subdivision at the property located at the intersection of these roads will have no significant impact on the Transportation Improvement Program. In addition, Hayfield Road has an Annual Average Daily Traffic County of 1,000 trips, and South River School Road has an average of 350 ADT trips. The proposed new development should not generate enough traffic to significantly impact Hayfield Road or South River School Road. Coordination and approval with NCDOT are required for all access and driveway permits.

SCHOOLS CAPACITY/ENROLLMENT:

School	Enrollment	Capacity
Eastover-Central Elementary	385	480
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 rezoning.

EMERGENCY SERVICES: Cumberland County Fire Marshal's Office has reviewed the conditional rezoning request and will require an additional hydrant if applicant submits a preliminary plan in conformance with conditions and terms of this conditional zoning.

RLUAC: The Regional Land Use Advisory Commission has reviewed the request and has no objection to the proposed rezoning.

SPECIAL DISTRICTS/ OVERLAY DISTRICTS: The subject property is not located in any special district.

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

n\ - Not Applicable

CONDITIONS OF APPROVAL: The proposed conditions of approval and conditional zoning site plan are provided in Exhibit "F".

STAFF RECOMMENDATION

In Case ZON-25-0023, Planning and Inspections staff **recommends approval** of the rezoning request from A1 Agricultural District to R40/CZ Residential District Conditional Zoning and find that the request is consistent with the Bethany Area Land Use Plan which calls for "Rural" at this location. Staff also finds that the request is reasonable and in the public interest as it is compatible to and in harmony with the surrounding land use activities and zoning.

Attachments:
Conditions of Approval and Site Plan
South River Landing – Phase 1 Plat
Notification Mailing List
Application

Exhibit "F" – Conditional Zoning No. ZON-25-0023 Conditions of Approval

General Address: North of Hayfield Road and South River School Road.	Acres: 10.16 +/-
REID: 0498-68-0025	Approval Date: TBD
Effective Date: TBD	Issued to: Franklin Johnson, J F Johnson Farms LLC (Owner); Mike Adams, Maps Surveying (Agent and Applicant)

R40 Residential/CZ Conditional Zoning District Ordinance Related Conditions for Residential Use of Property

A. Applicability:

Applicant requests a rezoning from A1 Agricultural District to R40/CZ Residential Conditional Zoning District for 10.16 +/- acres; located Northwest corner of Hayfield Road and South River School Road; submitted by Mike Adams of Maps Surveying (Agent and Applicant) on behalf Franklin Johnson of J F Johnson Family Farms, LLC (Owner). This Conditional Zoning only applies to the property appearing in Exhibit "A" and titled South River Landing Phase 2 Residential Development (FKA Lot 7 of the South River Landing Phase One Plat).

B. Permitted and Prohibited Uses.

The use of the subject property is limited to single family residential as well as the terms and conditions of this Conditions of Approval and the Conditional Zoning Site Plan for ZON-25-0023, as set forth in Exhibit "A". Group Development shall not be allowed.

C. Development Standards.

1. **Setback Standards.** Minimum setback standards for development of this property shall comply with the R40 Residential Zoning District standards set forth in the County Zoning Ordinance except for the below situations:
 - a. Lots 10 through 17 abutting Hayfield Road and South River School Road shall comply with a minimum 50-ft Front Yard Setback standard. Flag lots 8 and 9 shall comply with a minimum 30-ft Front Yard Setback Standard. Lot 8 western lot line shall serve as the rear yard and comply with a 35-ft rear yard setback standard.
 - b. Lot 17 shall be required to provide a 20-ft Side Yard Setback along the western lot line.
 - c. Lot 13 shall be required to provide 50-ft Front yard Setbacks along Hayfield Rd and South River School Road and two 15-ft Side Yard Setbacks for lot lines not fronting a public road.

D. Infrastructure and Utilities:

1. **Water and Sewer:**

- a. Connection to public water is required. The Developer/Applicant shall coordinate with Eastover Sanitary District to provide public water service connection.
- b. Septic permits shall be required for this development and the developer shall coordinate with Environmental Health to procure all applicable permits prior to development.

2. Fire Marshal and Fire Inspections:

The Developer must ensure fire protection water supply requirements are met in accordance with Section 507 of the 2018 NC Fire Code. The Developer shall ensure fire protection water supply requirements are met in accordance with Section 507 of the 2018 NC Fire Code. The Fire Marshal's office has determined an additional fire hydrant is required and fire flow calculations shall be provided to the Fire marshal's Office for review.

3. Stormwater and Drainage:

- a. For any new development where the developer disturbs or intends to disturb more than one acre of land, the developer must provide the Code Enforcement Section with an approved NC Department of Environmental Quality (NCDEQ) sedimentation and erosion control plan(S&E). If any retention/detention basins are required for state approval of this plan, a formal revision application must be filed with Current Planning for review and approval.
- b. New development where the developer will disturb or intends to disturb more than one acre of land is subject to the Post- Construction Stormwater Management Permitting Program (Phase II Stormwater Management Requirements) administered by the Division of Water Quality, North Carolina Department of Environmental Quality. If one acre or more of land is to be disturbed, a copy of the State's *Post-Construction Permit* must be provided to County Code Enforcement prior to the issuance of the Certificate of Occupancy.
- c. For any new development, an adequate drainage system must be installed by the developer in accordance with the NC Department of Environmental Quality (NCDEQ) *Manual on Best Management Practices* and all drainage ways must be kept clean of free and debris (Section 2306, D., County Subdivision Ordinance).
- d. In the event a stormwater utility structure is required by the NC Department of Environmental Quality (NCDEQ), the owner/developer must demonstrate on the revised plan the placement of a four-foot-high fence with a lockable gate for the security of the stormwater utility structure. The owner/developer is required to maintain the detention/retention basin, keeping it clear of debris and taking measures for the prevention of insect and rodent infestation.
- e. The applicant is advised to consult an expert on wetlands before proceeding with any development.

4. Roads and Access:

- a. The developer must obtain driveway permits from the NC Department of Transportation (NCDOT). A copy of the approved driveway permit(s) must be provided to Code Enforcement at the time of application for building/zoning permit.
- b. If any NCDOT permits are required, these permits must be obtained and submitted to the Code Enforcement Division prior to any issuance of a building permit or commencement of any development activity.
- c. All NCDOT permits must be obtained and submitted to the Code Enforcement Division prior to any issuance of a building permit or commencement of any development activity or change in property usage. Per NCDOT comments for this rezoning, failure to secure required permits prior to construction or change in property usage may result in the removal of the driveway or street connections at the property owner's expense.

5. Landscape Easements and Landscaping:

- a. Landscaping and Tree Protection. A continuous 20-ft wide Landscaping Buffer Easement shall be placed within each lot abutting Hayfield Road and South River School Road, except for areas within each lot to accommodate minimum width for NCDOT-approved driveways and associated line-of-site angles. Along Hayfield Road all existing natural trees and understory plants shall be undisturbed and preserved within each lot's landscape easement. Along Hayfield Road and South River School Road, Lots 8 through 13 additional trees and understory plants shall be planted within the roadside landscape easement to promote a rural character and according to a landscape plan that shall be submitted with the preliminary plan to illustrate the tree and understory plants as set forth in Condition 5.D.
- b. For the rear yard and side yard landscape easements appearing in Lot 8 and 17 respectively, existing trees and understory plants shall be retained and no clearing or grading shall be allowed.
- c. A Landscape Plan shall be submitted with the Preliminary Subdivision Plan and shall show all existing trees and vegetation to be preserved, and all new tree and landscape plantings. The Landscape Plan shall also list the type, height, and size (caliper) of each proposed tree and planting.
- d. Maintenance of Landscape Easements. The lot owner shall be responsible for maintaining all existing and planted trees and landscaping within the landscape buffer easements within the owner's lot. No clearing or grading is allowed within the landscape buffer easement located on each lot except for the minimum area necessary to accommodate placement of NCDOT-approved driveway locations and any associated line-of-sight angles within a front and side yards. Each lot owner is responsible for replacing and replanting any trees and landscaping within the landscape buffer that have died, are destroyed, or removed. All dead or removed trees and landscaping shall be replaced by a lot owner within thirty days notification by the County Code Enforcement Section.
- e. Landscape Easement Planting Standards.
 - i. All new trees and landscaping shall be installed and completed consistent with the Landscape Plan prior to issuance of a certificate of occupancy for each lot.
 - ii. Lots 10 through 13 shall include two canopy trees 50-ft apart from each other within the 20-ft wide landscape buffer easement.
 - iii. Existing trees and understory plants within the landscape easements for all lots along Hayfield Road shall be retained and preserved in perpetuity.
 - iv. Side yard landscape easement for Lot 17 and the rear lot landscape easement for Lots 8 shall occur in the form of maintaining existing natural vegetation and the planting of two canopy trees per lot, 50-ft apart from each other.
 - v. The size of the trees to be planted within any landscape easement shall be a minimum of two-inch caliper for large canopy shade trees at a height of eight feet as specified by the latest edition of *American Standard for Nursery Stock* published by the American Association of Nurserymen. Species may include White, Live, Willow, Nuttall, or Shumard Oak, Southern Magnolia, Red Maple, American Sycamore, or American Beech, or similar canopy deciduous trees approved by the Planning Department.
- f. Accessory structures, including opaque fences, shall not be allowed in a landscape easement. A three-foot high post and rail fence is allowed in the landscape easement subject to compliance with the County Zoning Ordinance.
- g. Should NCDOT require additional ROW prior to the recording of the plat, a 20-foot landscape easement within each lot along Hayfield Road and South River School Road shall be retained.

- h. For new development, all utilities, except for 25k or greater electrical lines, must be located underground.

6. Development Review Process:

- a. Prior to any clearing or grading activity, applicant shall be required to submit a preliminary subdivision plan in accordance with the Subdivision and Zoning Ordinances and in conformance with the approved Conditional Zoning Site Plan and the Conditional Zoning terms and conditions. A landscape plan for the landscape easement areas shall also be submitted with the preliminary plan to demonstrate compliance with the Conditions of Approval.
- b. In the event the requirements or conditions from a State or Federal Agency or utility provider creates an inconsistency with the conditional zoning site plan in any manner, a revised conditional zoning site plan must be submitted to the Current Planning Division for review. Any change determined by the Planning Director to represent a substantial change to the conditional zoning site plan, including the landscape easement areas, shall require Board of County Commission approval.
- c. Developer must coordinate with the Current Planning Division prior to making any changes to the conditional zoning site plan. Any changes to the conditional zoning site plan must be reviewed by the Current Planning Division to determine if any change is considered an insubstantial or substantial modification.

7. Preliminary Plan & Final Plat Standards:

- a. A note on the preliminary plan and final plat shall state that all use and development of lots, including building setbacks, shall occur consistent with Conditions of Approval for ZON-25-0023.
- b. Developer shall include a note on the preliminary plan and final plat stating the following:

"The lot owner shall be responsible for maintaining the trees and landscaping within the 20-ft wide landscape buffer easement as a natural landscape. No clearing or grading is allowed within any landscape buffer easement located on a lot except for the minimum area necessary to accommodate placement of NDDOT-approved driveway and any associated line-of-sight areas. Each lot owner is responsible for replacing and replanting any trees and landscaping within the landscape buffer that have died, are destroyed, or removed."
- c. A note on the preliminary plan and final plat shall state: "Group development on any lot is prohibited."
- d. All buildable lot areas shall comply with the setbacks established in the Conditional Zoning Site Plan (Exhibit "A" attached).
- e. Any/all easements appearing on the Conditional Zoning Site Plan (Exhibit "A") must be reflected on the preliminary plan and final plat and labeled as to: type of easement, reference number for document that requires the easement, and the name of the agency, individual, entity, etc. who holds the easement.
- f. The NC Department of Transportation (NCDOT) stamp must be affixed to the final plat prior to submission for final plat approved by the Current Planning Division. Note: The property owner most likely will be required to provide a copy of a recorded plat and deed

conveying to the NCDOT that portion of the subject property located within or to be located within the right-of-way at the time of driveway permit application.

- g. The notarized signature(s) of all current tax record owner(s) and notary certifications appear on the final plat when submitted for final approval. (Section 2503 §D, Certificate of Ownership and Dedication, Cumberland County Subdivision and Development Ordinance).
- h. The final plat must be submitted to the Current Planning Division for review and approval for recording with the County Registrar of Deeds, and the plat must be recorded prior to any permit application for any structure and/or prior to the sale of any lot or unit within this development.
- i. The developer should be aware that any addition and/or revision to the subdivision plan or plat may require an additional review and approval by the Planning & Inspections Department prior to submission for final plat approval of any portion of this development.

8. Other Conditions:

- a. The owner/developer(s) of the lot must obtain detailed instructions on provisions of the County Zoning Ordinance and permits required to place any structure within this development from the County Code Enforcement Section, Room 101, in the Historic Courthouse at 130 Gillespie Street. For additional information, the developer should contact a Code Enforcement Officer.
- b. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application.
- c. This conditional approval is not to be construed as all-encompassing of the applicable rules, regulations, etc. which must be complied with for any development. Other regulations, such as building, environmental, health and so forth, may govern the specific development. The developer is responsible party to ensure full compliance with all applicable Federal, State, and local regulations.
- d. Any substantial modification made to this approved conditional zoning site plan or conditions of approval, other than those set forth in the above conditions, must be approved by the Board of Commissioners as set forth by Section 506 of the Zoning Ordinance.
- e. Pursuant to Section 507, County Zoning Ordinance, two years after the date of the Board of County Commissioners approves this Conditional Zoning, the Planning Board may examine progress made to determine if active efforts are proceeding. If the Planning Board determines that active efforts to develop are not proceeding, it may institute proceedings to rezone the property to its previous zoning classification.
- f. All applications and plan submittals shall be submitted via the County online permitting self-service portal at the following website address:
https://selfservice.co.cumberland.nc.us/EnerGov_Prod/SelfService#/home

Property Owner/Agent Acceptance of Conditions

(Print Name)

(Signature)

Date

Issued by:

David B. Moon, AICP, NC-CZO
Deputy Director
Planning & Inspections Department
Cumberland County, NC

Date

ATTACHMENT – MAILING LIST

Brenda A Williams
8920 Challis Hill LN
Charlotte, NC 28226

Tojo Investments LLC
1338 Longleaf Dr
Fayetteville, NC 28305

Christopher J & Jessica J Fresquez
6226 Deerstand Rd
Wade, NC 28395

Pendergraft Homes LLC
2800 Raeford Rd STE 2
Fayetteville, NC 28304

Helen Autry Williams Life Estate
2251 Hayfield Rd
Wade, NC 28395

Bethany Rural Fire Department &
Emergency Response Inc
2140 Wade Stedman Road
Stedman, NC 28391

David W & Frances Murphy
2156 Hayfield Rd
Wade, NC 28395

Karl R & Diane P Strickland
6171 Deerstand Rd
Wade, NC 28395

Glenn Edward &
Janet Williams Howard
2268 Hayfield Rd
Wade, NC 28395

Dorothy Mika & Austin Konkright
2051 Hayfield Road
Wade, NC 28395

JF Johnson Family Farms LLC
2547 Ravenhill Dr STE 100
Fayetteville, NC 28303

Pendergraft Homes LLC
2800 Raeford RD STE 2
Fayetteville, NC 28304

Brenda Williams
8920 Challis Hill LN
Charlotte, NC 28226

Mary Autry & Rodger C Strickland
6227 Deerstand Rd
Wade, NC 28395

Josephine Kariuki
2027 Hayfield Rd
Wade, NC 28395

JNL Property Management LLC
6400 New Hope Church Rd
Wade, NC 28395

Christopher & Summer Hill
2073 Hayfield Rd
Wade, NC 28395

Jody Wayne Murphy
2212 Hayfield Rd
Wade, NC 28395

Benjamin & Haley Quinn Combs
2015 Hayfield Rd
Wade, NC 28395

Ian L & Alison F Wright
2039 Hayfield Rd
Wade, NC 28395

Christian Chase Snow
2061 Hayfield Rd
Wade, NC 28395

Wanda A Autry
13824 Glen Abbey Dr
Charlotte, NC 28278

ATTACHMENT: APPLICATION



County of Cumberland

Planning & Inspections Department

APPLICATION FOR CONDITIONAL ZONING DISTRICT REZONING REQUEST CUMBERLAND COUNTY ZONING ORDINANCE

CASE #: _____

PLANNING BOARD
MEETING DATE: _____

DATE APPLICATION
SUBMITTED: _____

RECEIPT #: _____

RECEIVED BY: _____

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

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

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

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

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

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

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

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

1. Applicant/Agent JF Johnson Farms LLC
2. Address: 2547 Ravenhill Dr Suite 100 Fayetteville NC Zip Code 28303
3. Telephone: (Home) 910-818-8400 (Work) 910-864-2626
4. Location of Property: Intersection of S River School Rd + Hayfield Rd
5. Parcel Identification Number (PIN #) of subject property: 0498680025000
(also known as Tax ID Number or Property Tax ID)
6. Acreage: 10.16 Frontage: 686 Depth: 635
7. Water Provider: Eastover Septage Provider: Septic
8. Deed Book 12127, Page(s) 640, 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: Residential Single Family

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 X No _____
12. Has a violation been issued on this property? Yes _____ No X
13. It is requested that the foregoing property be rezoned FROM: A1

TO: (Select one)

- X Conditional Zoning District, with an underlying zoning district of R 40
(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.)

10 40,000 square foot plus lots for
Single Family Houses

- 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.

10.16 - Residential (entire property - no open space)
10 proposed lots

2. DIMENSIONAL REQUIREMENTS:

- A. Reference either the dimensional requirements of the district, Sec. 1104 or list the proposed setbacks.

Front - 30'
Side - 15'
Rear - 35'

Those lots fronting Hayfield Rd +
S River School Rd will hold 50'
front setbacks (as shown on site plan)

- B. Off-street parking and loading, Sec. 1202 & 1203: List the number of spaces, type of surfacing material and any other pertinent information.

Each single family house will provide at least 2
parking spaces.

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Article XIII.

N/A

4. LANDSCAPE AND BUFFER REQUIREMENTS:

- A. For all new non-residential and mixed use development abutting a public street, indicate the number and type of large or small ornamental trees used in the streetscape, yard space, and/or parking areas, plus the number and type of shrubs. (Sec. 1102N). **NOTE: All required landscaping must be included on the site plan.**

Existing vegetation will be kept except for those areas where driveways are allowed. Proposed lots already cleared will adhere to the current landscaping requirements

- B. Indicate the type of buffering and approximate location, width and setback from the property lines. (Sec. 1102G). **NOTE: All required buffers must be included on the site plan.**

20' Landscape buffer along the entire western property line (635'±) as well as the entire length of Hayfield + S River School Rd, where the subject property abuts the public roads.

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.

N/A

6. SITE PLAN REQUIREMENTS:

The application must include a site plan drawn to the specifications of Sec. 1402. If the proposed uses involve development subject to the County Subdivision Ordinance, the site plan required may be general in nature, showing a generalized street pattern, if applicable, and the location of proposed uses. If the proposed uses include development not subject to the Subdivision Ordinance, the site plan must be of sufficient detail to allow the Planning and Inspections Staff, Planning Board and County Commissioners to analyze the proposed uses and arrangement of uses on the site. It also must include the footprints of all buildings (proposed and existing), the proposed number of stories, location and number of off-street parking and loading spaces, proposed points of access to existing streets and internal circulation patterns. In addition, the location of all proposed buffers and fences and landscaping shall be included on the site plan.

7. STATEMENT OF ACKNOWLEDGMENT: -

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

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

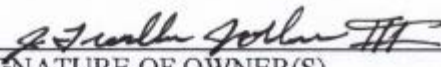
I further understand I must voluntarily agree to all ordinance related conditions prior to the first hearing on the case or any disagreement may be cause for an unfavorable recommendation. The undersigned hereby acknowledge that the Planning and Inspections Staff has conferred with the petitioner or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

JF Johnson Farms LLC
NAME OF OWNER(S) (PRINT OR TYPE)

2547 Ravichill Dr Suite 100 Fayetteville NC 28303
ADDRESS OF OWNER(S)

Franklin@Franklinjohnsoncommercial.com
E-MAIL

910-818-8400 910-864-2626
HOME TELEPHONE WORK TELEPHONE


SIGNATURE OF OWNER(S) SIGNATURE OF OWNER(S)

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

216 Mason St Fayetteville Nc 28301
ADDRESS OF AGENT, ATTORNEY, APPLICANT

910-484-6432
HOME TELEPHONE WORK TELEPHONE

maps@mapssurveying.com N/A
E-MAIL ADDRESS FAX NUMBER


SIGNATURE OF AGENT, ATTORNEY, OR APPLICANT



AFFIDAVIT OF OWNERSHIP/AGENT AUTHORIZATION FORM

PROPERTY OWNER (Company or Individual): JF Johnson Family Farms LLC
MAILING ADDRESS: 2547 Ravenhill Dr Suite 100 Fayetteville NC 28303
Officer's name and title: Owner

1. That I am (we are) owner's and record title holder(s) of the following described property legal description, to with:
2. That this property constitutes the property for which a request for (type of Application Approval Requested): Conditional Reopening
3. That the undersigned has (have) appointed and does (do) appoint MAPS Surveying Inc 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.

[Signature]
Owner's Signature

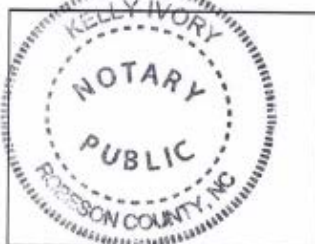
Owner's Signature

Owner's Signature

State of North Carolina

Cumberland County

The foregoing instrument was acknowledged before me by means of X physical presence or _____ online notarization, this 19th day of June (month), 2025 (year), by Kelly Ivory (name of person acknowledging) who is personally known to me or who has produced NCID (type of identification) as identification.



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



PLANNING AND INSPECTIONS DEPARTMENT

MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF JULY 15, 2025

TO: JOINT PLANNING BOARD

FROM: RAWLS HOWARD, DIRECTOR OF PLANNING & INSPECTIONS

DATE: 7/15/2025

SUBJECT: CASE ZON-25-0024: REZONING FROM A1 AGRICULTURAL DISTRICT TO R40A RESIDENTIAL DISTRICT OR TO A MORE RESTRICTIVE ZONING DISTRICT FOR A PARCEL COMPRISING 2.85 +/- ACRES; LOCATED AT 6512 CEDAR CREEK ROAD; SUBMITTED BY JUANITA PHILYAW (AGENT) ON BEHALF OF BEULAH MAE JOHNSON HEIRS (OWNERS).

ATTACHMENTS:

Description

ZON-25-0024

Type

Backup Material



PLANNING & INSPECTIONS

PLANNING STAFF REPORT
REZONING CASE # ZON-25-0024
Planning Board Meeting: July 15, 2025

Location: 6512 Cedar Creek Rd
Jurisdiction: County-Unincorporated

REQUEST

Rezoning A1 to R40A

Applicants request a rezoning from A1 Agricultural District to R40A Residential District for a parcel containing approximately 2.85 acres located at 6512 Cedar Creek Rd as shown in Exhibit "A". The intent is to establish a second residential dwelling unit on the property as part of a Group Development.

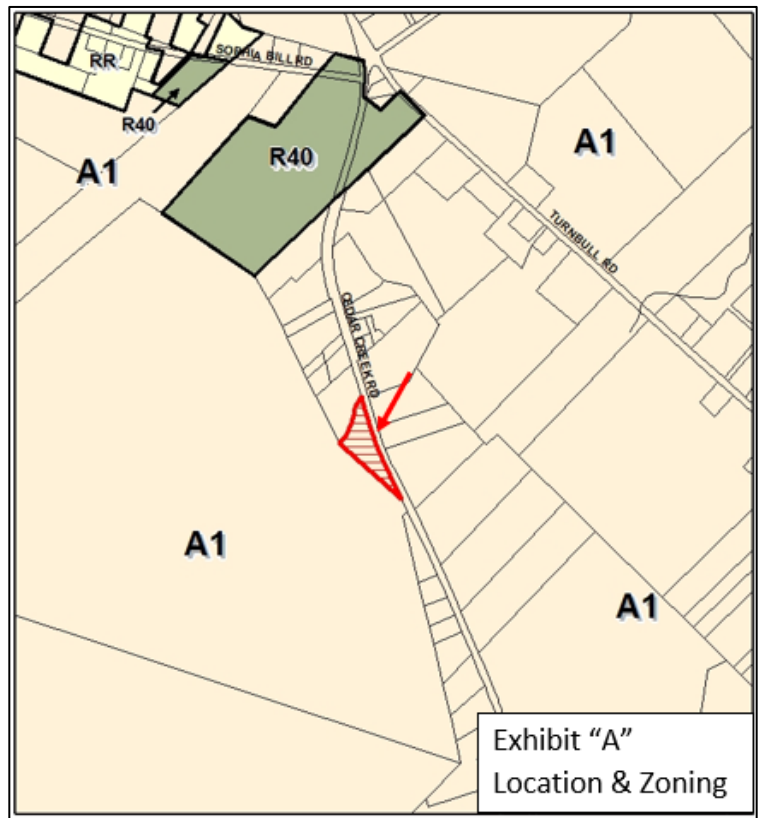
PROPERTY INFORMATION

OWNER/APPLICANT: Beulah Mae Johnson Heirs (Owners and applicants).

ADDRESS/LOCATION: Located at 6512 Cedar Creek Rd. Refer to Exhibit "A", Location and Zoning Map. REID number: 0472870276000.

SIZE: The parcels contain approximately 2.85 acres. Road frontage along Cedar Creek Rd is approximately 920 linear feet. The property is approximately 320 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.

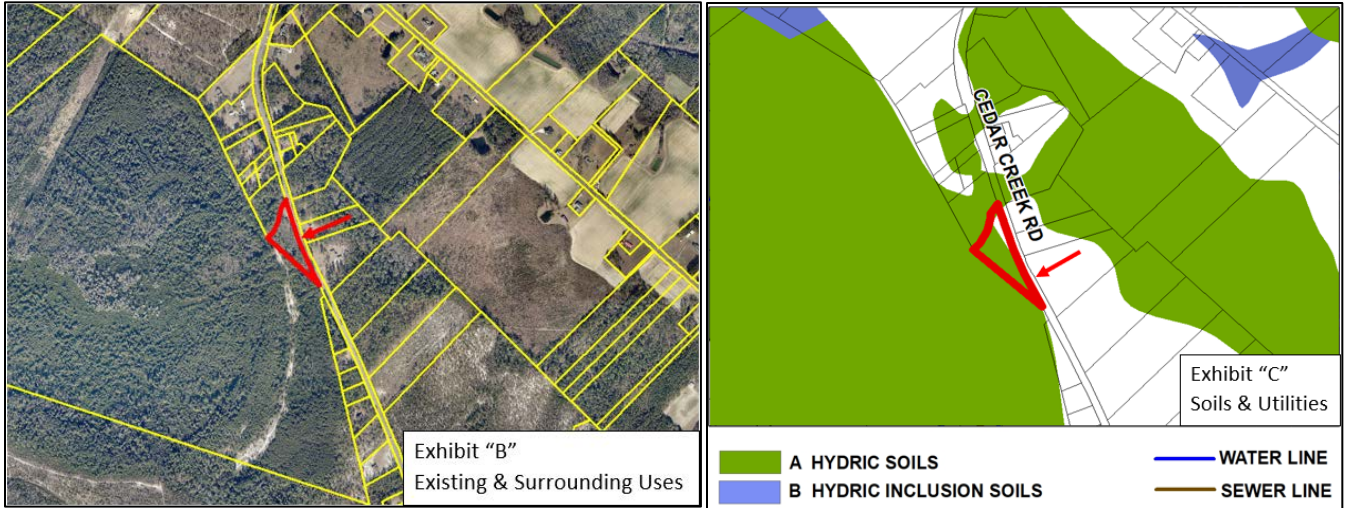


EXISTING LAND USE: The subject property currently has one existing residential dwelling unit.

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

- **North:** Single-family homes and wooded lands.
- **East:** Single-family homes, wooded lands, and farmlands
- **West:** Wooded lands and a Duke Energy Progress transmission line easement.
- **South:** Wooded lands.

OTHER SITE CHARACTERISTICS: The site is not located in a Watershed Protection Area nor within a Flood Zone Hazard Area. The subject property, as delineated in Exhibit “C”, illustrates that hydric soils are located on the majority of the property.

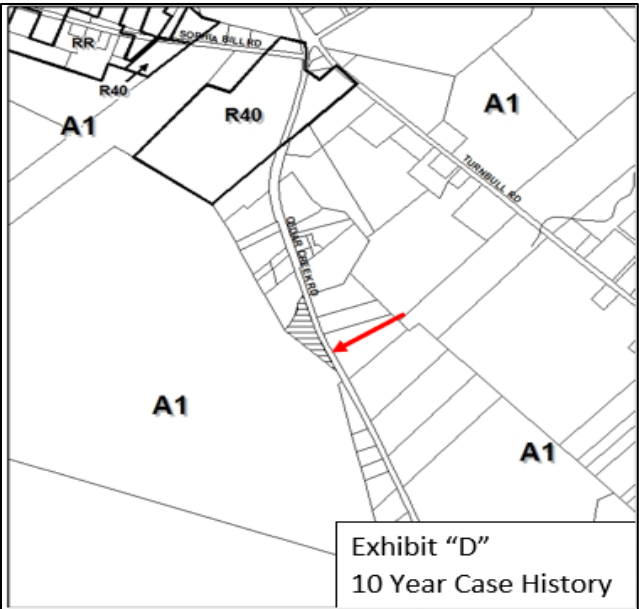


TEN YEAR ZONE CASE HISTORY:

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

DEVELOPMENT REVIEW:

Group Development site plan review and approval will be required via the Current Planning Division prior to commencement of any site construction activity. If any subdivision were to occur, a preliminary plan and final plat must be submitted to the Current Planning Division for review and approval prior to any recording in accordance with Zoning and Subdivision Ordinance.



DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

Minimum Standard	A1 (Existing)	R40A (Proposed)
Front Yard Setback	50 feet	30 feet
Side Yard Setback	20 feet	15 feet
Rear Yard Setback	50 feet	35 feet
Lot Area	2 Acres	40,000 sq. ft.
Lot Width	100'	100'

DEVELOPMENT POTENTIAL:

Existing Zoning (A1)	Proposed Zoning (R40A)
1 dwelling unit	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.

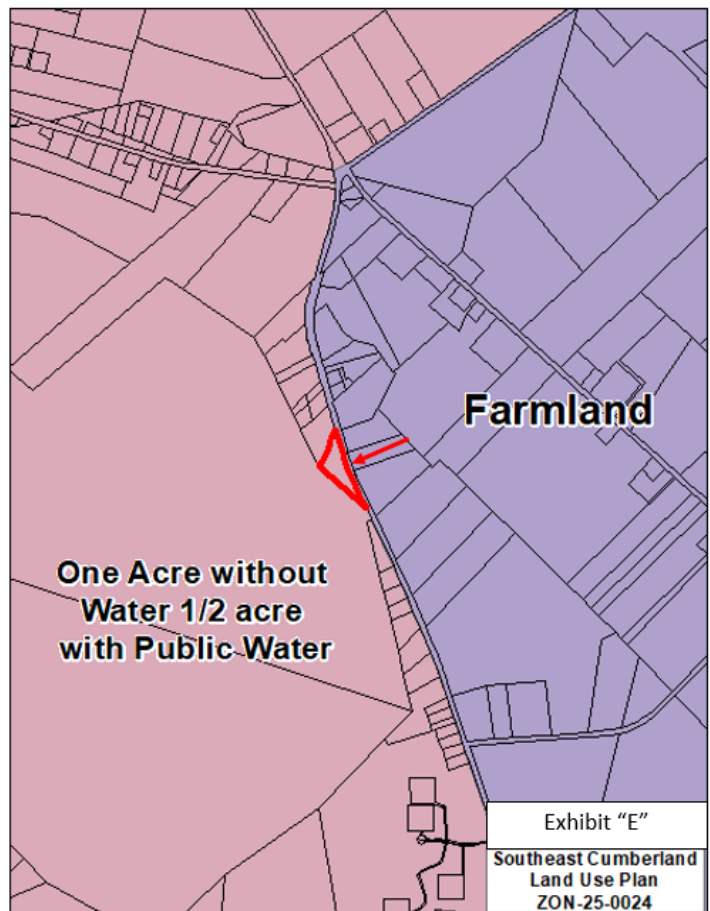
COMPREHENSIVE PLANS:

This property is located in the Southeast Cumberland Land Use Plan (2016). The future land use classification of the property is "One Acre Lots without Public Water, ½ Acre Lots with Public Water". The associated zoning districts for One Acre Lots without Public Water are R40, R40A, A1, and A1A. The associated zoning district for ½ Acre Lots with Public Water is RR.

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

Future Land Use Classification Development Goals, Notes, and Objectives:

- "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).
- "Promote the concentration of new residential development in the northwestern section of the Study Area" (Southeast Cumberland Land Use Plan 2016, p. 94).
- "Manufactured homes will be allowed on the same basis as conventional site-built housing as long as the manufactured homes are built to the same standards as conventional homes" (Southeast Cumberland Land Use Plan 2016, p. 94).
- "Only allow residential lots on soils suitable for conventional septic tanks systems" (Southeast Cumberland Land Use Plan 2016, p. 94).
- "Enforce minimum housing standards and support measures that promote the rehabilitation of existing housing in the Area." (Southeast Cumberland Land Use Plan 2016, p. 93).



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: Public water and sewer lines are not available near the subject properties along Cedar Creek Rd. Well and septic permits would be required and must be obtained from the Environmental Health office for any new development on the subject property if not connected to public water and sewer. The available utilities are shown on Exhibit "C".

TRANSPORTATION. Cedar Creek Rd is classified as a Major Collector per NCDOT Road Classification. With the existing residential structure being served off Cedar Creek Rd, the owners shall coordinate with NCDOT for any additional or revised driveway permits required to serve a Group Development.

SCHOOLS CAPACITY/ENROLLMENT:

School Name	Enrollment	Capacity
J W Seabrook Elementary	253	267
Mac Williams Middle	1190	1164
Cape Fear High	1510	1476

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

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

SPECIAL DISTRICTS/ OVERLAY DISTRICTS: The property is located within a VAD half mile buffer (VAD-03-09).

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

n/a – not applicable

STAFF RECOMMENDATION

In Case ZON-25-0024, Planning and Inspections staff **recommends approval** of the rezoning request from A1 Agricultural District to R40A Residential District. Staff finds that the request is consistent with the Southeast Cumberland Land Use Plan which calls for "One Acre Lots without Public Water, 1/2 Acre Lots with Public Water" 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

HART, WESLEY R & HART, MARGARET B
6410 CEDAR CREEK RD
FAYETTEVILLE, NC 28312

GUZMAN, ABIE & GUZMAN, JASMIN
ELENA
4076 HUMMINGBIRD PL
FAYETTEVILLE, NC 28312

CLOER, LORETTA H
6433 CEDAR CREEK RD
FAYETTEVILLE, NC 28312

BRADLEY, MARGARET SIMMONS
9838 WINCHESTER CT
MURRALLS INLET, SC 29576

DWIGHT, DORMIE A HEIRS &
DWIGHT, LEONARD TIMOTHY
512 RANDOLPH AVE
FAYETTEVILLE, NC 28311

FLEURIMOND, BUCHERSON
6565 CEDAR CREEK ROAD
FAYETTEVILLE, NC 28312

NICHOLS, SARAH OWEN TRUSTEE
6719 TURNBULL RD
FAYETTEVILLE, NC 28312

PARKER, FRANK M & PARKER, NELSA
MUNOZ
6456 CEDAR CREEK RD
FAYETTEVILLE, NC 28312

FAIRCLOTH, SARAH K
6447 CEDAR CREEK RD
FAYETTEVILLE, NC 28312

OWEN, ELIZABETH L
6386 CEDAR CREEK RD
FAYETTEVILLE, NC 28312

CLOER, LORETTA H
6433 CEDAR CREEK RD
FAYETTEVILLE, NC 28312

BULLARD, JAMES DANIEL &
BULLARD, DONNA MCDONALD
5166 JEFFERSON ST
STEDMAN, NC 28391

NICHOLS, SARAH O
6719 TURNBULL RD
FAYETTEVILLE, NC 28312

WHALEN, ROBERT E II
PO BOX 51215
DURHAM, NC 27717

THAGARD, CAROL ANNE HONEYCUTT
5770 TURNBULL RD
FAYETTEVILLE, NC 28312

GRYKA, SAMANTHA
6527 CEDAR CREEK RD
FAYETTEVILLE, NC 28312

SMITH, LINDA Y
910 JUDSON CHURCH RD
FAYETTEVILLE, NC 28301

SIMMONS, LORETTA
6433 CEDAR CREEK RD
FAYETTEVILLE, NC 28312

DEPPE, KENNETH S & DEPPE, ELENA V
6223 DUNBANE CT
FAYETTEVILLE, NC 28311

HART, WESLEY R & HART, MARGARET B
6410 CEDAR CREEK RD
FAYETTEVILLE, NC 28312

NIEVES, GLENN & NIEVES, SARAH
6329 CEDAR CREEK RD
FAYETTEVILLE, NC 28312

SANDERS, JOHN MARK
6672 CEDAR CREEK RD
FAYETTEVILLE, NC 28312

JOHNSON, BEULAH MAE HEIRS
6512 CEDAR CREEK RD
FAYETTEVILLE, NC 28312

NICHOLS, SARAH OWEN TRUSTEE
6719 TURNBULL RD
FAYETTEVILLE, NC 28312

ATTACHMENT: APPLICATION



CASE #: _____

PLANNING BOARD
MEETING DATE: _____

DATE APPLICATION
SUBMITTED: _____

APPLICATION FOR REZONING REQUEST CUMBERLAND COUNTY ZONING ORDINANCE

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

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

Rezoning Procedure:

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

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

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

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

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

1. Requested Rezoning from A1 to R40A
2. Address of Property to be Rezoned: 6512 Cedar Creek Rd.
3. Location of Property, details: On Cedar Creek Rd.
4. Parcel Identification Number (PIN #) of subject property: 0472-87-0276
(also known as Tax ID Number or Property Tax ID)
5. Acreage: 2.85 Frontage: 9090 FT Depth: 320
6. Water Provider: Well: ☒ PWC: _____ Other (name): _____
7. Septage Provider: Septic Tank ☒ PWC _____
8. Deed Book 2670, Page(s) 772, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: Home
10. Proposed use(s) of the property: Placing second mobile home on property
11. Do you own any property adjacent to or across the street from this property?
Yes _____ No X If yes, where? _____
12. Has a violation been issued on this property? Yes _____ No X

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

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

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

Juanita J. Philgaw - Christopher C. Johnson
NAME OF OWNER(S) (PRINT OR TYPE)

6512 Cedar Creek Rd.
ADDRESS OF OWNER(S)

C
910-261-4157
HOME TELEPHONE # WORK TELEPHONE #

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

ADDRESS OF AGENT, ATTORNEY, APPLICANT

Ph.lgaw@Ph.lgaw@gmail.com.
E-MAIL

HOME TELEPHONE # WORK TELEPHONE #

Juanita J. Philgaw
SIGNATURE OF OWNER(S)

SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

Christopher C. Johnson
SIGNATURE OF OWNER(S)
Maureen R. Johnson
Maureen W. Melvin
Richard B. Johnson
Shila Johnson Mack
Tracy J. Scott

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

James G. Williams
Nancy J. Johnson
Joseph A. Johnson



PLANNING AND INSPECTIONS DEPARTMENT

MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF JULY 15, 2025

TO: JOINT PLANNING BOARD

FROM: RAWLS HOWARD, DIRECTOR OF PLANNING & INSPECTIONS

DATE: 7/15/2025

SUBJECT: CASE ZON-25-0027: REZONING FROM A1 AGRICULTURAL DISTRICT TO R20 RESIDENTIAL DISTRICT OR TO A MORE RESTRICTIVE ZONING DISTRICT FOR A PARCEL COMPRISING 5.11 +/- ACRES; LOCATED AT 487 PALESTINE RD; SUBMITTED BY ERNEST AND BARBARA SMITH (OWNERS).

ATTACHMENTS:

Description

ZON-25-0027

Type

Backup Material

REQUEST

Rezoning A1 to R20

Applicant requests a rezoning from A1 Agricultural District to R20 Residential District for a parcel with approximately 5.11 acres located at 487 Palestine Rd. The parcel contains an existing residential dwelling unit. The intent of the property owners is to subdivide the parcel into five lots for residential use at a later date.

PROPERTY INFORMATION

OWNER/APPLICANT: Ernest and Barbara Smith (Owners and Applicant)

ADDRESS/LOCATION: Located at 487 Palestine Rd. Refer to Exhibit "A", Location and Zoning Map. REID number: 0553021861000

SIZE: The parcel contains approximately 5.11 acres. Road frontage along Palestine Road is approximately 148 feet. The property is approximately 1286 feet in length at its deepest point.

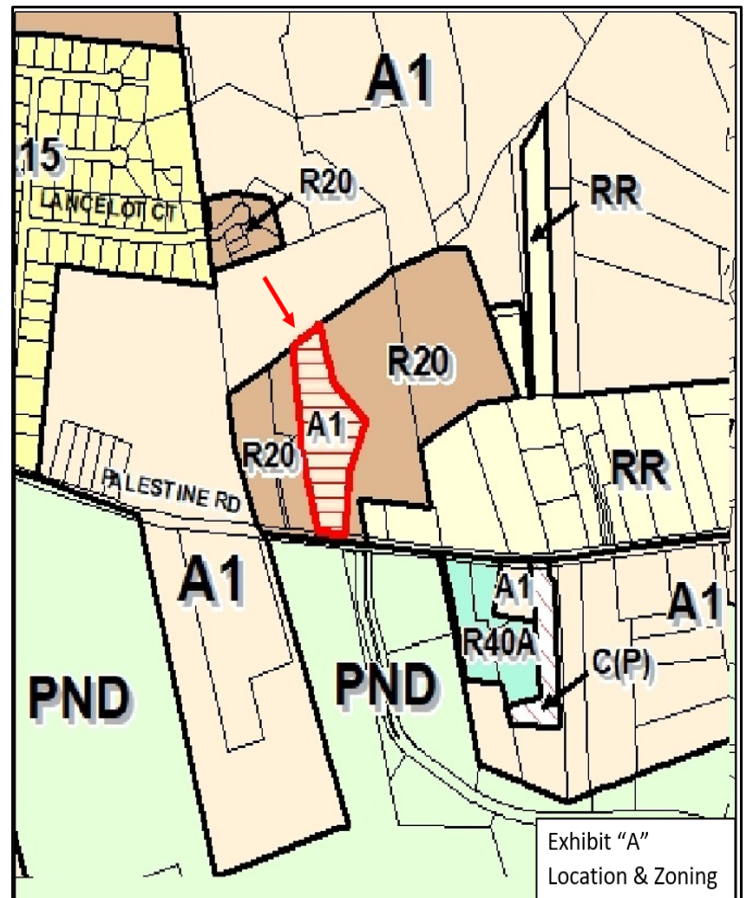
EXISTING ZONING: The subject property is currently zoned A1 Agricultural District. The A1 Agricultural District is a district designed to promote and protect agricultural lands, including woodland, within the County. The general intent of the district is to permit all agricultural use to exist free from 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.

EXISTING LAND USE: The subject parcel contains an existing single-family home and the northern portion of the parcel extends into a pond. Exhibit "B" shows the existing use of the subject property.

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

- **North:** A lake, wooded lands, and a single-family residential dwelling.
- **East:** Wooded lands, single-family residential dwelling, and a portion of an existing pond.
- **West:** Single-family residential dwellings, wooded lands, and a portion of an existing pond.
- **South:** SR 1704 'Palestine Road', wooded lands, and single-family residential dwellings

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



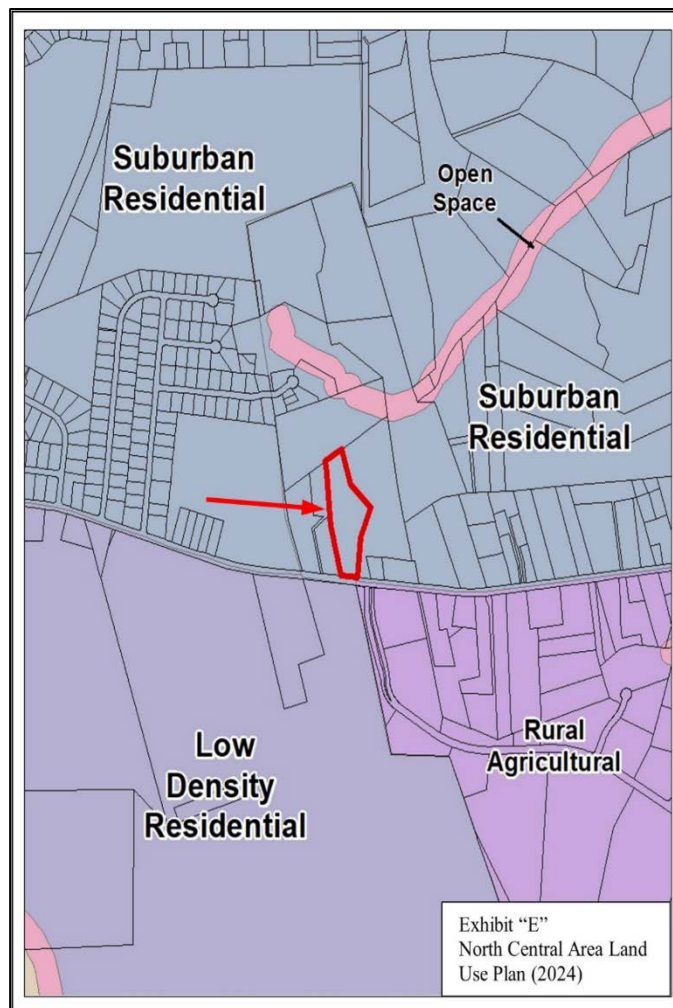
COMPREHENSIVE PLANS:

This property is located within the North Central Area Land Use Plan (2024), as shown in Exhibit "E". The future land use classification of the property is "Suburban Density Residential". Associated zoning districts for this classification are R30, R30A, RR, R20 and R20A.

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

Development Goals, Notes, and Objectives:

- The intent of Suburban Density Residential is to allow for denser residential neighborhoods with no more than one unit per 20,000 square feet in the county jurisdiction (North Central Area Land Use Plan, 2024, pg. 42.).
- In the northeast part of the plan area, maintain the rural features that define the area, and promote responsible growth for current and future generations to enjoy the distinct rural characteristics of the community (North Central Area Land Use Plan, 2024, pg. 53.).
- Preserve the stability, character, and density of established neighborhoods (North Central Area Land Use Plan, 2024, pg. 53.).
- Promote the creation of diverse housing options encompassing various structures, types, and locations to meet the current and future needs, preferences, and capacities of a varied community (North Central Area Land Use Plan, 2024, pg. 53.).



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: Sewer lines are not available near the subject property. A Town of Linden water line is within 1,650 ft. of the site. Utility lines for water and sewer are shown on Exhibit "C". Septic will likely be required, and the lot size must meet the minimum area necessary to accommodate a septic system. Applicant must coordinate with the Town of Linden to serve their development with water service.

TRANSPORTATION: Palestine Rd. is classified as Local Road based on the NCDOT Functional Class Map. The subject property sits on Palestine Road and is identified as a local road in the Metropolitan Transportation Plan. There are no roadway construction improvement projects planned, and the subject property will have no significant impact on the Transportation Improvement Program. In addition, Palestine Road has a 2021 AADT of 800 and no road capacity data available. The proposed rezoning should not have significant impact on any NCDOT project. Driveway permits for any new development must be obtained by NCDOT.

SCHOOLS CAPACITY/ENROLLMENT:

School	Enrollment	Capacity
Raleigh Road Elementary	207	179
Long Hill Elementary	416	516
Pine Forest Middle	706	804
Raleigh Road Elementary	207	179

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

EMERGENCY SERVICES: Any future subdivision of this property may be required to meet all applicable fire department access requirements are met in accordance with Section 503 of the 2018 NC Fire Code & fire protection water supply requirements are met in accordance with Section 507 of the 2018 NC Fire Code.

SPECIAL DISTRICTS/ OVERLAY DISTRICTS: This site is not located within any special district or overlay district.

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

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

STAFF RECOMMENDATION

In Case ZON-25-0027, Planning and Inspections staff **recommends approval** of the rezoning request from A1 Agricultural District to R20 Residential District. Staff finds that the request is consistent with the North Central Area Land Use Plan which calls for “Suburban 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

MEADOW BRANCH OWNERS CLUB
7933 MCARTANS FORD
LINDEN, NC 28356

JOSEPH, HYACINTH J
320 LANCELOT CT
LINDEN, NC 28356

SMITH, ERNEST H &
SMITH, BARBARA B
477 PALESTINE ROAD
LINDEN, NC 28311

BOWDEN, TAMARA LYNN
586 PALESTINE ROAD
LINDEN, NC 28356

BROCK, RANDALL SCOTT
8043 FLAMING STAR DR
LINDEN, NC 28356

ABBEY, TODD & ABBEY,
TIFFANY
350 LANCELOT CT
LINDEN, NC 28356

BOWDEN, HAROLD WAYNE LIFE
ESTATE
519 PALESTINE RD
LINDEN, NC 28356

GILLESPIE, BRIAN THOMAS
324 LANCELOT CT
LINDEN, NC 28356

BOWDEN, JAMIE ALAN
595 PALESTINE RD
LINDEN, NC 28356

RICHARDSON, LEE ADDISON &
RICHARDSON, JOHANNA LOUISE
410 PALESTINE RD
LINDEN, NC 28356

MCKETHAN, DOROTHY L
359 PALESTINE RD
LINDEN, NC 28356

RYAN, ROBERT
8024 WHITE SANDS RD
LINDEN, NC 28356

ORTENSIE, MATTHEW WILLIAM
3314 MEMORIAL DR
FAYETTEVILLE, NC 28311

ROGERS, ROY K JR &
ROGERS, DAN ZHAO
335 LANCELOT CT
LINDEN, NC 28356

BOWDEN, JAMIE ALAN
& BOWDEN, HEATHER
596 PALESTINE RD
LINDEN, NC 28356

SMITH, ERNEST & SMITH, BARBARA
PO BOX 9534
FAYETTEVILLE, NC 28311

KINLAW, PAUL JR &
KINLAW, LORINDA KAY
327 LANCELOT CT
LINDEN, NC 28356

HORTON, GERALD
8097 WHITE SANDS RD
LINDEN, NC 28356

METTS, MEGAN
5935 BURNSIDE LANDING DR
BURKE, VA 22015

BOWDEN, JAMIE & BOWDEN,
HEATHER
595 PALESTINE RD
LINDEN, NC 28395

MEADOW BRANCH
OWNERS CLUB
7933 MCARTANS FORD
LINDEN, NC 28356

BAKER, PEGGY
8099 FLAMING STAR DR
LINDEN, NC 28356

FLOWERS, TERESA HORTON
3053 S OLD STAGE RD
ERWIN, NC 28339

BAUTISTA, KRISTIN &
LIMA, EDGAR RONALDO
BAUTISTA
331 LANCELOT COURT
LINDEN, NC 28356

FAYKUS, MAX H JR &
FAYKUS, SUZANNE P
8707 STEEPLECHASE DR
LINDEN, NC 28356

HAMILTON, IRA L &
HAMILTON, JENNIFER
356 LANCELOT CT
LINDEN, NC 28356

BOWDEN, BRENDA W
576 PALESTINE RD
LINDEN, NC 28356

CULBRETH LAND & TIMBER CO LLC
351 LANCELOT CT
LINDEN, NC 28356

FIALA, MICHAEL ANTHONY &
FIALA, SAMANTHA OLDHAM
316 LANCELOT COURT
LINDEN, NC 28356

ABJ INVESTMENTS LLC
2031 MIDDLE RD
EASTOVER, NC 28312

SWEBERG, MARK H &
SWEBERG, NANCY R
365 LANCELOT CT
LINDEN, NC 28356

BEARD, RANDY D & BEARD,
YVETTE M
321 LANCELOT CT
LINDEN, NC 28356

BOWDEN, KEITH EDWARD
564 PALESTINE ROAD
LINDEN, NC 28356

DAIL, SCOTT ALAN
367 PALESTINE ROAD
LINDEN, NC 28356

GODFREY, EUGENE L &
GODFREY, MYRTLE E
336 LANCELOT CT
LINDEN, NC 28356

MEADOW BRANCH OWNERS
CLUB
7933 MCARTANS FORD
LINDEN, NC 28356

ISHMAEL, SYLVESTER D &
ISHMAEL, DEBRA A
317 LANCELOT CT
LINDEN, NC 28356

ROGERS, ROY K & ROGERS, DAN
ZHAO
335 LANCELOT CT
LINDEN, NC 28356

RAY, LLOYD E & RAY, PATSY P
509 PALESTINE RD
LINDEN, NC 28356

HORTON, GERALD & HORTON,
CONNIE
8097 WHITE SANDS RD
LINDEN, NC 28356

SHULL, LAWRENCE & SHULL,
RHONDA
345 LANCELOT CT
LINDEN, NC 28356

FAYKUS, MAX H JR &
FAYKUS, SUZANNE P
8707 STEEPLECHASE DR
LINDEN, NC 28356

GALE, JOSHUA
7005 LAMURE DR
FAYETTEVILLE, NC 28311

MEUSER, ADAM & MEUSER, SARAH
318 DAMSEL COURT
LINDEN, NC 28356

WEEKLY, KENNETH
7979 MCARTANS FRD
LINDEN, NC 28356

WASHBURN, DANNY
GREGORY & WASHBURN,
JENNETH MAGTUBA
351 PALESTINE RD
LINDEN, NC 28356

THOMPSON, DOUGLAS &
THOMPSON, SABRINA L
332 LANCELOT COURT
LINDEN, NC 28356

HORTON, WILBER CLEO &
HORTON, MARY FRANCES D
8040 WHITE SANDS RD
LINDEN, NC 28356

MURRELL, DANAY R &
MURRELL, NAKEYA S
322 DAMSEL CT
LINDEN, NC 28356

HORTON, GERALD R &
HORTON, CONNIE
8097 WHITE SANDS RD
LINDEN, NC 28356

JOHNSON, STACY E
3002 TUGALO ST
JOHNS ISLAND, SC 29455

STREIT, PHYLLIS PAULIN
497 PALESTINE RD
LINDEN, NC 28356

BOWDEN, JAMIE A
595 PALESTINE RD
LINDEN, NC 28356

FAYKUS, MAX H JR &
FAYKIS, SUZANNE P
8707 STEEPLECHASE DR
LINDEN, NC 28356

GILLESPIE FARM & TIMBER
COMPANY LLC
324 LANCELOT CT
LINDEN, NC 28356

BOWDEN, JAMIE ALAN &
BOWDEN, HEATHER RENE A
595 PALESTINE ROAD
LINDEN, NC 28356

ABJ INVESTMENTS LLC
2031 MIDDLE RD
EASTOVER, NC 28312

HORTON, GERALD & HORTON,
CONNIE
8097 WHITE SANDS RD
LINDEN, NC 28356

SMITH, ERNEST & SMITH,
BARBARA
PO BOX 9534
FAYETTEVILLE, NC 28311

NGUYEN, THUY A & THUA, VAN
TRAN
328 LANCELOT CT
LINDEN, NC 28356

GLINDEMAN, LAWRENCE SHANE
5819 STONERIDGE RD
FAYETTEVILLE, NC 28311

ATTACHMENT: APPLICATION



CASE #: _____

PLANNING BOARD
MEETING DATE: _____

DATE APPLICATION
SUBMITTED: _____

APPLICATION FOR REZONING REQUEST CUMBERLAND COUNTY ZONING ORDINANCE

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

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

Rezoning Procedure:

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

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

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

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

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

1. Requested Rezoning from A1 to R2D
2. Address of Property to be Rezoned: 487 Palestine Road, Linden, NC
3. Location of Property, details: 487 Palestine Road, Linden, NC
Lot 2
4. Parcel Identification Number (PIN #) of subject property: 0553 02 1861
(also known as Tax ID Number or Property Tax ID)
5. Acreage: 5.11 Frontage: 148 FT Depth: 1286 FT
6. Water Provider: Well: _____ PWC: _____ Other (name): Harnett
7. Septage Provider: Septic Tank ✓ PWC _____
8. Deed Book 107, Page(s) 8, 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 subdivide
into 5 parcels
11. Do you own any property adjacent to or across the street from this property?
Yes ✓ No _____ If yes, where? beside
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.

Ernest H. Smith and Barbara B. Smith
NAME OF OWNER(S) (PRINT OR TYPE)

477 Palestine Rd, Linden NC 28356
ADDRESS OF OWNER(S)

910-822-3533 910-818-1276
HOME TELEPHONE # WORK TELEPHONE #

Ernest H. Smith
NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)

477 Palestine Rd, Linden NC 28356
ADDRESS OF AGENT, ATTORNEY, APPLICANT

ebsmith1@cumbargmail.com
E-MAIL

910-822-3533 910-818-1276
HOME TELEPHONE # WORK TELEPHONE #

Ernest H. Smith Ernest H. Smith
SIGNATURE OF OWNER(S) SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

Barbara B. Smith
SIGNATURE OF OWNER(S)

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

BK 12037 PG 0053

FILED ELECTRONICALLY
CUMBERLAND COUNTY NC
J. LEE WARREN, JR.

FILED Aug 12, 2024
AT 03:22:09 PM
BOOK 12037
START PAGE 0053
END PAGE 0055
INSTRUMENT # 24028
RECORDING \$26.00
EXCISE TAX \$514.00

NORTH CAROLINA GENERAL WARRANTY DEED
DELINQUENT TAXES, IF ANY, TO BE PAID BY THE CLOSING ATTORNEY TO THE COUNTY TAX COLLECTOR
UPON DISBURSEMENT OF CLOSING PROCEEDS

File No.: JJ-55413-24-Y

Excise Tax: \$514.00

Parcel Identifier No. 0553-02-1861 Verified by _____ County on the ____ day of _____, 20__

By: _____

Mail/Box to: Single Source Real Estate Services, Inc., 2919 Breezewood Ave., Suite 300, Fayetteville, NC 28303

This instrument was prepared by: The Real Estate Law Firm, 2919 Breezewood Avenue, Suite 300, Fayetteville, NC 28303

Brief description for the Index: Lot 2 (5.11 AC), Property of H. Willy Chu

THIS DEED made this 23rd of July, 2024, by and between

GRANTOR

William N Bell, unmarried and Michele R.P. Bell AKA
Michele R. Bell, unmarried
3306 Stedman Cedar Creek Road
Fayetteville, NC 28312

GRANTEE

Ernest H Smith and Barbara B Smith, husband and wife
477 Palestine Road
Linden, NC 28311

Enter in appropriate block for each Grantor and Grantee: name, mailing address, and, if appropriate, character of entity, e.g. corporation or partnership.

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

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

BEING all of Lot 2 (5.11 AC), in a subdivision known as Property of H. Willy Chu, and the same being duly recorded in Plat Book 107, Page 8, Cumberland County Registry, North Carolina.

Parcel ID: 0553-02-1861

Property Address: 487 Palestine Road, Linden, NC 28356

BK 12037 PG 0054

The property hereinabove described was acquired by Grantor by instrument recorded in Deed Book 6158, Page 160; Re-Rec Deed Book 6183, Page 518; Re-Rec Deed Book 6211, Page 620

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

A map showing the above described property is recorded in Plat Book 107 page 8.

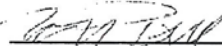
TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

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:

Subject to restrictive covenants, easements and rights-of-way as they may appear of public record.

Subject to ad valorem taxes which are a lien but not yet due and payable.

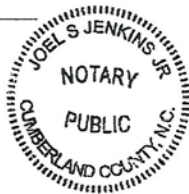
IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

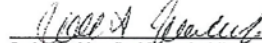
 (SEAL)
Print/Type Name: William N Bell

State of North Carolina – County of Cumberland

I, the undersigned Notary Public of the County and State aforesaid, certify that William N Bell 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 27 of July, 2024.

My Commission Expires: March 5, 2026




Joel S Jenkins, Jr., Notary Public

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

By: _____ Register of Deeds for _____ County
Deputy/Assistant – Register of Deeds

BK 12037 PG 0055

The property hereinabove described was acquired by Grantor by instrument recorded in Deed Book 6158, Page 160; Re-Rec Deed Book 6183, Page 518; Re-Rec Deed Book 6211, Page 620

All or a portion of the property herein conveyed ☒ includes or ☐ does not include the primary residence of a Grantor.

A map showing the above described property is recorded in Plat Book 107 page 8.

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:

Subject to restrictive covenants, easements and rights-of-way as they may appear of public record.

Subject to ad valorem taxes which are a lien but not yet due and payable.

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

Michele R. Bell (SEAL)
Print/Type Name: Michele R. Bell

State of North Carolina – County of Cumberland

I, the undersigned Notary Public of the County and State aforesaid, certify that Michele R. Bell 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 24th of July, 2024.

My Commission Expires: March 5, 2026

Joel S Jenkins, Jr.
Joel S Jenkins, Jr., Notary Public



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

By: _____ Register of Deeds for _____ County
Deputy/Assistant – Register of Deeds



PLANNING AND INSPECTIONS DEPARTMENT

MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF JULY 15, 2025

TO: JOINT PLANNING BOARD

FROM: RAWLS HOWARD, DIRECTOR OF PLANNING & INSPECTIONS

DATE: 7/15/2025

SUBJECT: DEV-0066-25: CONSIDERATION OF SUBDIVISION WAIVER FROM SECTION 2304.C.3, UPGRADING STREET CLASSIFICATION, CUMBERLAND COUNTY SUBDIVISION ORD., TO ALLOW AN EXISTING LOT COMPRISING 10.21 +/- ACRES TO BE SUBDIVIDED INTO TWO RESIDENTIAL LOTS WITHOUT UPGRADING THE EXISTING SUNNY DALE DRIVE CLASS "C" PRIVATE STREET TO A CLASS "A" PRIVATE STREET, LOCATED AT 3411 AND 3461 SUNNY DALE DR; CHARLES AND ELLEN JARVIS (OWNERS).

ATTACHMENTS:

Description	Type
DEV-0066-25	Backup Material

REQUEST

Subdivision Waiver

Applicant requests a Subdivision Waiver from Section 2304.C.3 Upgrading Street Classification, County Subdivision Ordinance, to allow an existing lot comprising 10.21 +/- acres to be subdivided into two residential lots without upgrading the existing Sunny Dale Drive, Class "C" private street to a Class "A" private street. Section 2304.C.4.c(4), County Subdivision Ord., mandates a maximum of four lots connecting to a Class "C" private street and a maximum of eight lots connecting to a Class "B" private street. Sunny Dale Dr. currently has nine lots that rely on that road for access. Subdivision of the applicant's lot from one to two lots will increase the number of lots accessing Sunny Dale Dr. from nine to ten. Currently, Sunny Dale Rd is a dirt road with a travel way less than ten to fifteen feet wide inside a 60-foot-wide right-of-way that extends a length of about 3,500 lineal feet east of Tabor Church Rd. Pictures of the travel way are provided with the attachments.

Exhibits

- A. Location & Zoning
- B. DEV-0066-25 Preliminary Subdivision Plan
- C. Applicant Responses to Waiver Criteria
- D. Existing Used
- D1. Abbott & Barnhill Plat
- E. Additional Property Information
- F. Section 2304.C Private Streets, Sub. Ord.
- G. Subdivision Waiver Applications
- H. Section 2601 Waivers
- I. Original 1982 Subdivision Plat
- Attachment: Travel way photos, 1985 Subdivision, 2020 Subdivision, and Mailing

The lot proposed to be subdivided currently has two residential homes placed on the lot, as shown in Exhibit "A" and other exhibits herein, and the applicant desires to have each home situated on its own individual lot. As proposed in Exhibit "B" (attached), the lot split can occur with both existing homes meeting minimum front, rear, and side yard setback standards as well as the minimum lot area for the A1 Agricultural Zoning District. Also, no additional traffic impacts to Sunny Dale Dr will occur from the lot spit as the two homes exist on the lot today. Additional traffic impacts could occur because each new lot would be allowed one additional home on the lot through a group development permit (See Section 2401 Sub. Ord.). However, the property owner has agreed in writing to limit each lot to one residential unit, as shown in applicant's responses to the Waiver Criteria in Exhibit "C" (attached).

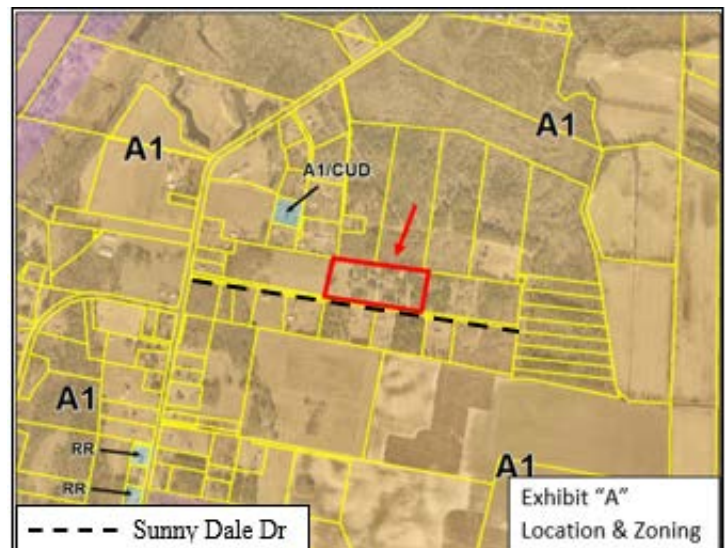
PROPERTY INFORMATION

Owner/Applicant: Charles and Ellen Jarvis
(Owners and Applicants)

Address/Location: 3411 and 3461 Sunny Dale Dr.
Refer to Exhibit "A", Location and Zoning Map.
REID number: 0462456406000

Size: 10.21 +/- acres. Road frontage along Sunny Dale Dr is approximately 1023 feet. The property is approximately 438 feet in length at its deepest point.

Property Access: Sunny Dale Dr (Class "C" Private Street) is currently the only means of access to the subject site.



Existing Zoning: The subject property is currently zoned A1 Agricultural District. The minimum lot size for this district is two acres. 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 Use: Two residential homes located in Lot no. # 1 of the Abbot & Barnhill Plat, as illustrated in Exhibit "D" (above) and "D1" (attached).

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

CASE HISTORY

The owners of the subject property submitted an application to the Current Planning Division for a preliminary subdivision plan (Exhibit "B". attached), desiring to create a two-lot subdivision for the purposes of creating an additional lot for a relative. The applicant currently owns both homes located on the existing lot and resides at the home therein with the 3411 Sunny Dale Dr address. For this type of proposed subdivision, the County Subdivision Ordinance, under Sections 2304.C.3 Upgrading Street Classification, requires at minimum, an upgrade to a Class "A" private street standards due to the number of lots already accessing Sunny Dale Dr. Nine lots currently access Sunny Dale Drive. The lot split would create ten lots. Section 2304.C.3 within the County Subdivision Ordinance private street classification upgrades and Section 2304.C.4, standards for all private street types, are provided in Exhibit "F". As County Planning staff does not have the authority to waive the street upgrade requirements or specifications, the property owner filed a subdivision waiver application (Exhibit "G"), pursuant to Section 2601(Exhibit "H") of the Subdivision Ordinance, to request that the Planning Board grant said subdivision waiver request.

FINDINGS OF FACT

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

Finding: Sunny Dale Dr was originally established in 1982 and the original plat was subject of the 1980 Subdivision Ordinance, which did not have a street classification system. The applicants' property is highlighted as Lot 1 in Exhibit "D1". The current Subdivision Ordinance would define the street a classified as a Class "C" private street with a 60-foot right-of-way. The Subdivision Ordinance effective in 1970 allowed a maximum of seven lots on a Class "C" street and the current Subdivision Ordinance limits the maximum number of lots on a Class "C" private streets to four. Based on past platting history, other lot splits occurred along Sunny Dale Road based on a maximum of seven lots allowed along a Class "C" street.

2. Fact: Sec. 2304.C.3. Upgrading street classification: "If a division of the same or adjacent lands previously approved under this section occurs which could change the status of the street to A, B or public street classifications, the entire street must be upgraded to the applicable higher standard. The individual desiring to create the additional divisions of land shall be responsible for the upgrading of the streets to the higher classification after giving notice to and receiving agreement from the affected property owners."

Applicant proposes to create a two-lot subdivision on Sunny Dale Dr as demonstrated in Exhibit "B" to create two approximately 5 acre lots which would necessitate a road upgrade based to a Class "A" street due to the total number of lots served by Sunny Dale Dr becoming greater than the four lot maximum allowed for a Class "C" private street and the eight lot maximum for a Class "B" private street with the subdivision.

Finding: Staff found that over time additional subdivisions were performed on Sunny Dale Dr that increased the number of properties being served by it. A four-lot subdivision recorded in 1985 and a two-lot subdivision recorded in 2020 are provided as attachments to demonstrate when the further subdivisions occurred. Sunny Dale Dr was not found to have been upgraded after either plat was recorded based on a Staff site visit performed on June 25, 2025.

3. Fact: Sec.2304.C.4.a., Class "A" private street specifications. Refer to Exhibit "F" for the code language.

Finding: With the applicants' proposed subdivision, Class "A" private street standards would apply. Sunny Dale Dr would be required to be upgraded from the connection point of Tabor Church Rd to the easternmost property line for the proposed Lot 1B on the applicants' preliminary plan. This would also require an owner's association with a recorded street maintenance agreement for the Class "A" private street.

4. Fact: As stated in Fact no. 2 and 3, other replats have occurred along Sunny Dale Drive since the recording of the original six-lot plat in year 1982. Property lines for other lots extend to the center line of Sunny Dale Drive. Improvement of Sunny Dale Drive will require approval of all other lot owners from Tabor Church Road to the subject site, particularly where the road traverses over a lot. Any road improvement to a Class "A" street may require approval from as many as seven other lot owners.

Finding: Other property owners will likely have to authorize any improvements across the portion of Sunny Dale Drive that cross over their legal property boundaries.

PLANNING BOARD AUTHORITY AND WAIVER CRITERIA

Section 2601. Waivers.

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

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

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

PLANNING BOARD ACTION

The Planning Board has the authority to approve, deny, or approved with conditions a subdivision waiver. In granting waivers through a quasi-judicial hearing and decision, any condition approved by the Planning Board must be reasonable ad practical. Any waiver, thus granted, is required to be entered in writing in the minutes of the Planning Board and the reasoning upon which departure was justified set forth.

The property owner, as evidenced in the "applicant's response" in Exhibit "C", has agreed to a condition that Lot 1 and 1a cannot be further subdivided and each lot limited to one single family unit.

Attachments:

Exhibits B, C, E-I

Travel way photos

1985 Recorded Plat

2020 Recorded Plat

Notification Mailing List

EXHIBIT "B"

DEV-0066-25 PRELIMINARY SUBDIVISION PLAN

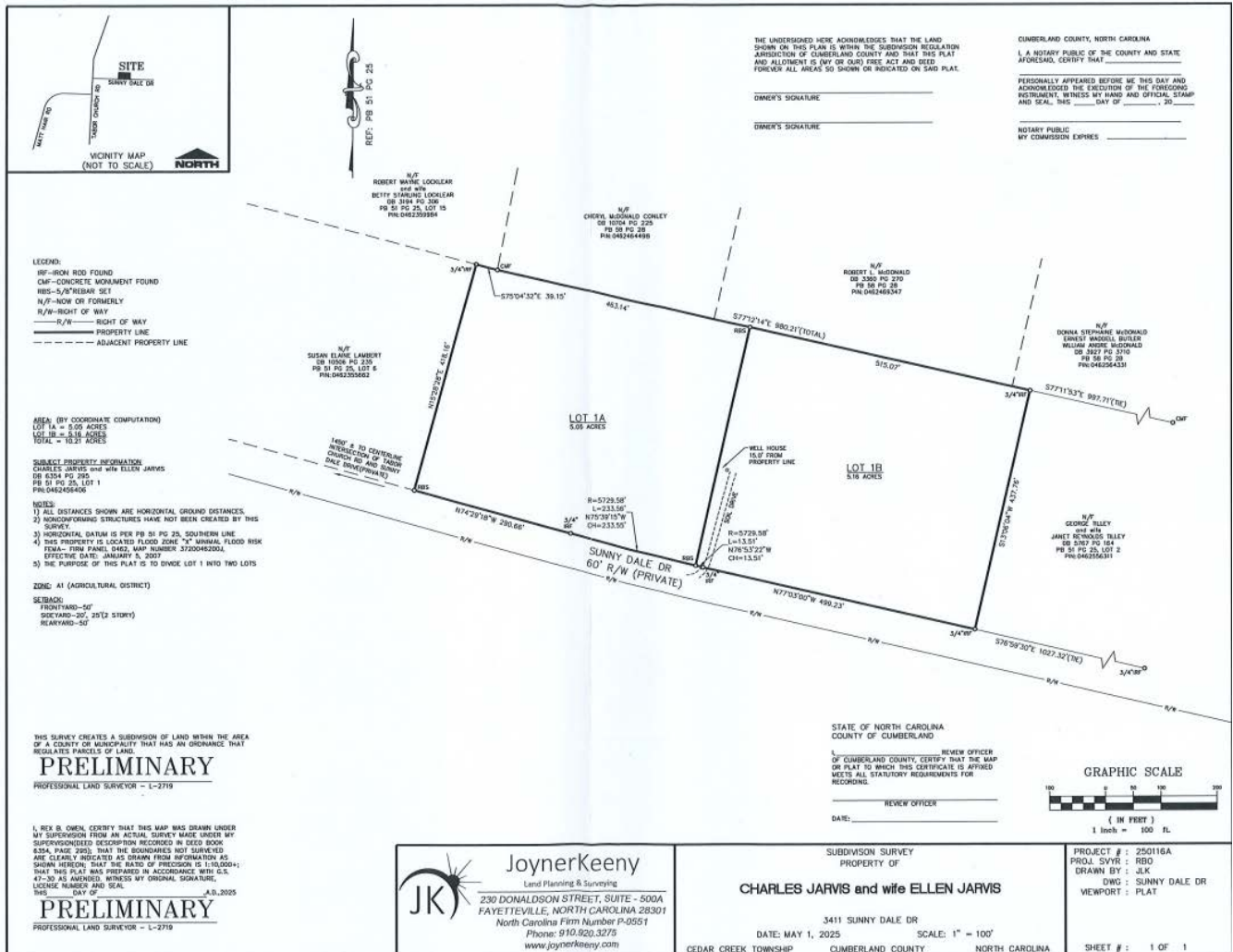


EXHIBIT "C"

APPLICANT'S RESPONSE

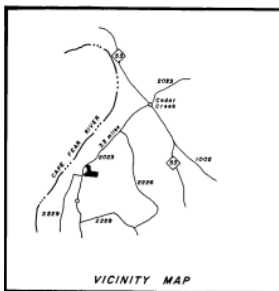
A. Because of the size of the tract to be subdivided or developed, its topography, the condition or nature of adjoining areas, or the existence of other unusual physical conditions, strict compliance with the provisions of this ordinance would cause a special hardship to the property owner and be inequitable, and ***The current condition of the Class "C" street up to my property is fair, but beyond that is rough. The cost to upgrade the entire road is beyond my financial ability. I have approached some of the current residents in the past and they don't want to upgrade the road because they believe this would increase the amount of non-resident traffic. I anticipate that the recent re-assessment and significant increase in property values will significantly increase the amount of property taxes that will be due annually, which will likely place a significant financial burden on me unless the property is divided, and taxes are appropriately dispersed between my brother and myself.***

B. The public purposes of this ordinance and the County Zoning Ordinance would be served to an equal or greater degree, and ***County services and residential density would not be affected by the subdivision, and there are currently two existing homes, including individual driveways, wells, and septic systems supporting the existing homes.***

C. The property owner would not be afforded a special privilege denied to others. ***I agree with the requirement that the preliminary plan and final plat must have the following language on them:***

1. ***"Lots 1A and 1B on this plat cannot be further subdivided nor have more than one dwelling unit on each lot."***

25



CERTIFICATE OF OWNERSHIP AND DEDICATION
The undersigned hereby acknowledges that the land shown on this plan is within the subdivision regulations jurisdiction of Cumberland County and that this plan and attachment is our first act and deed and that we do hereby dedicate forever all areas so shown or indicated as said PLAT.

CERTIFICATE OF PRIVATE STREET STATUS
No public agency is presently responsible for maintenance of the private streets shown on this plat. Private streets are for the use of all owners of property within this subdivision, their heirs and assigns, and are not to be dedicated to the public. The streets are to be maintained by the owners of the property abutting the streets, and for the construction, improvement and maintenance of streets, utilities and drainage.

DEPARTMENT OF TRANSPORTATION

~~NO APPROVAL NECESSARY~~

S. S. Dyer
District Engineer

1-13-82

2012

NORTH CAROLINA
CUMBERLAND COUNTY

I, WILLIAM TAYLOR certify that this map
was drawn under my supervision from an actual survey made under my
supervision, date and description recorded in Book 235A, Page 165 2885, 187
and the title of said map is, "Map of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 82

SEMPER PARATUS
SIGILLUM REIPUBLICÆ MASSACHUSETTENSIS

NORTH CAROLINA
SUNDERLAND COUNTY
I, MARGARET A. TATE a Notary Public for and

I, Marjaret A. Tate,
personally appeared before me this day and witnessed my hand and affix
seal this 4th day of January, 1988.
Marjaret A. Tate
Notary Public
My commission expires August 31, 1988.

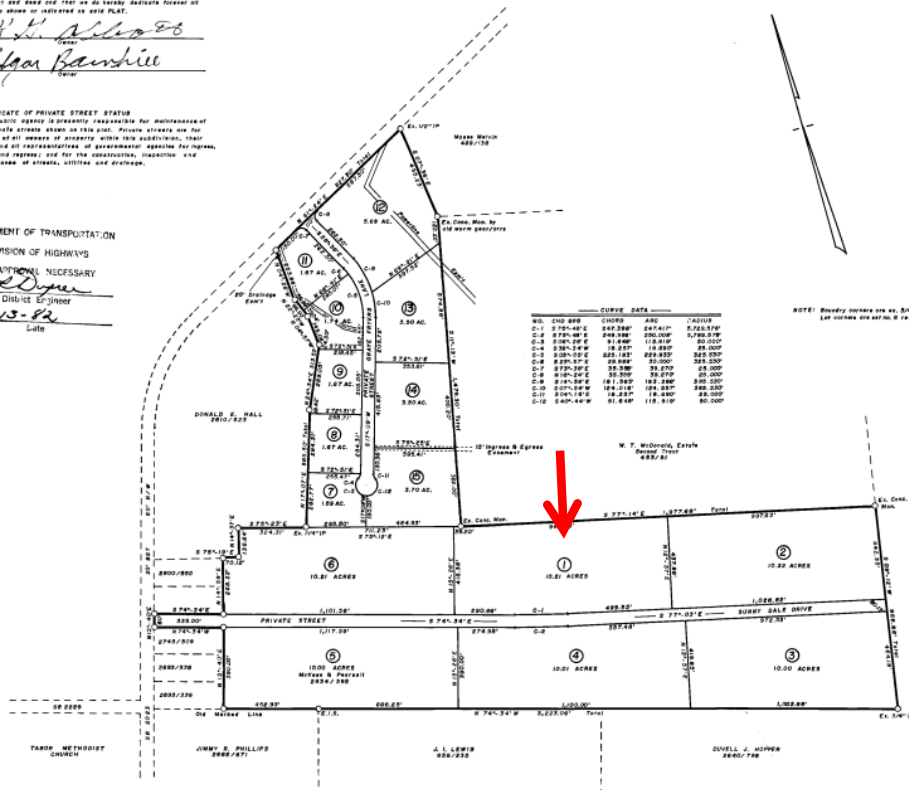
NOTARY
SEAL

NORTH CAROLINE
CUMBERLAND COUNTY

The foregoing certificate of _____
Notary Public in and for the State of North Carolina

History Public, is certified to be correct. This instrument was presented for
registration and recorded in Plat Book 52 Page 85
Date June 21, 1928 at 3:35 p.m.
MARION CLARK, of Weldon C. Fisher
Register of Deeds Reg. of Deeds

Recorded in Book of Maps _____ Vol. _____ Pg. _____



CURVE DATA				TAPER	
NO.	CHORD BEARING	CHORD	ANGLE	TAPER	
C-1	3 73° 14' 40" E	239.3 3840'	24° 47' 17"	5,725.5 58'	5,725.5 58'
C-2	3 78° 5' 20" E	239.3 3840'	24° 47' 17"	5,725.5 58'	5,725.5 58'
C-3	3 84° 0' 20" E	239.3 3840'	24° 47' 17"	5,725.5 58'	5,725.5 58'
C-4	3 88° 5' 30" E	239.3 3840'	24° 47' 17"	5,725.5 58'	5,725.5 58'
C-5	3 93° 0' 20" E	239.3 3840'	24° 47' 17"	5,725.5 58'	5,725.5 58'
C-6	3 97° 5' 30" E	239.3 3840'	24° 47' 17"	5,725.5 58'	5,725.5 58'
C-7	4 02° 0' 20" E	239.3 3840'	24° 47' 17"	5,725.5 58'	5,725.5 58'
C-8	4 06° 5' 30" E	239.3 3840'	24° 47' 17"	5,725.5 58'	5,725.5 58'
C-9	4 11° 0' 20" E	239.3 3840'	24° 47' 17"	5,725.5 58'	5,725.5 58'
C-10	4 15° 5' 30" E	239.3 3840'	24° 47' 17"	5,725.5 58'	5,725.5 58'
C-11	4 20° 0' 20" E	239.3 3840'	24° 47' 17"	5,725.5 58'	5,725.5 58'

NOTE: Boundary corners are as 3/4" P's.
Let corners are set to 0 10-0000.

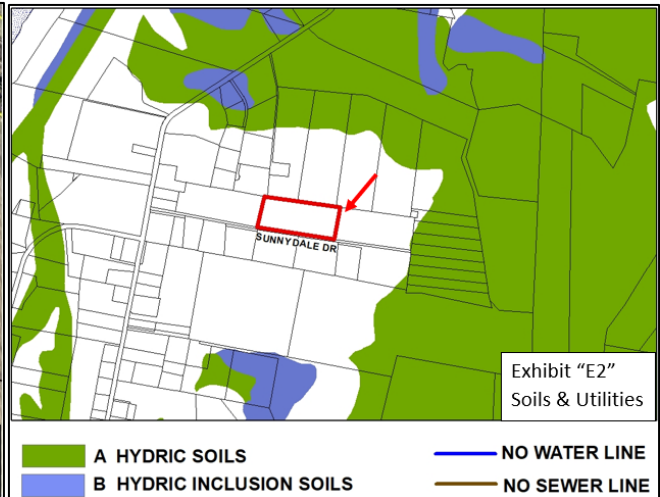
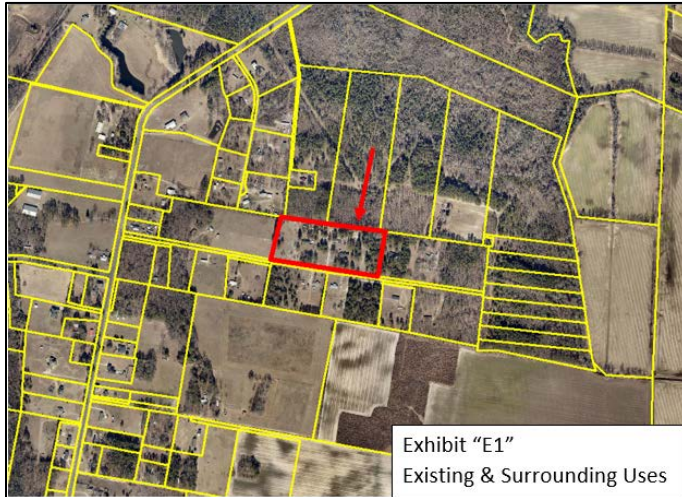
W. T. McDonald, Editor
First Frost
453/91

REVISIONS	PROPERTY OF		COMPANY	
	ABBOTT & BARNHILL		MICHAEL TATE	
			REGISTERED LAND SURVEYOR	
	TOWNSHIP: CEDAR CREEK	COUNTY: CUMBERLAND	DATE: NOV 1981	SURVEYED BY: MT
	STATE: NORTH CAROLINA		SCALE: 1"=300'	DRAWN BY: MT
	ZONE: 153	TAX MAP: 112	PARCEL: 78	CHECKED & CLOSURE BY: MT
				DRAWING NO. 262

EXHIBIT "E"
ADDITIONAL PROPERTY INFORMATION

Existing Land Use: The subject property has two existing manufactured homes.

Surrounding Land Use: Exhibit "E1" illustrates the following:

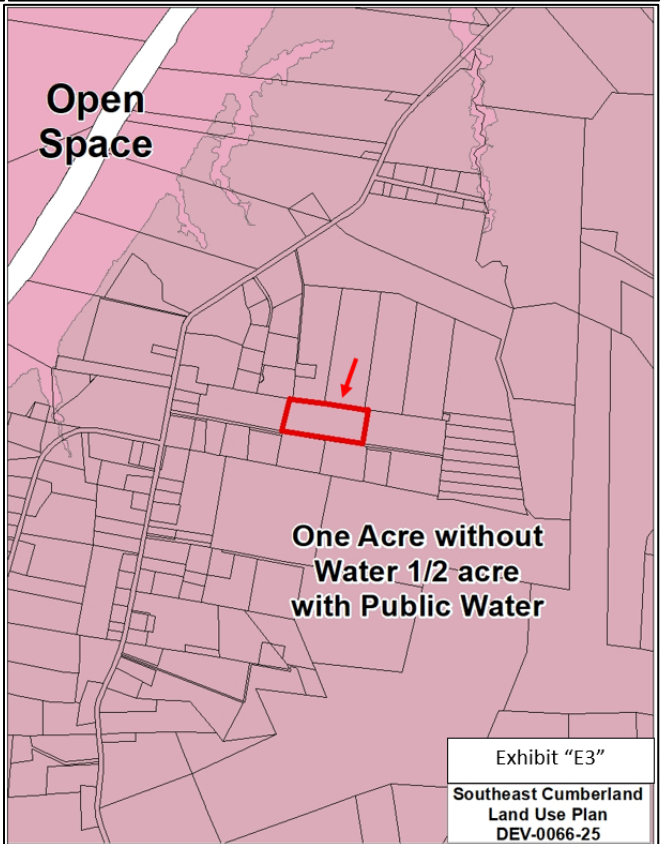


North: Single-family homes and wooded lands.
East: Single-family homes, wooded lands, and farmlands.
West: Single-family homes and wooded lands.
South: Single-family homes, wooded lands, and farmlands

Other Site Characteristics: The site is not located in a Watershed nor within a Flood Zone Hazard Area. The subject property, as delineated in Exhibit "E2", also illustrates that no hydric or hydric inclusion soils are present.

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

Comprehensive Plans: Exhibit "E3" illustrates that this property is located in the Southeast Cumberland Land Use Plan (2016). The future land use classification of the property is One Acre Lots without Public Water, ½ Acre Lots with Public Water. The associated zoning districts for One Acre Lots without Public Water are R40, R40A, A1, and A1A. The associated zoning district for ½ Acre Lots with Public Water is RR. The request does not create any inconsistency with the Land Use Plan.



Utilities: Public water and sewer lines are not available to the subject property. The subject property is served by well and septic currently with each manufactured home served by its own well and septic system.

EXHIBIT "F"
SECTION 2304.C Private Streets, SUBDIVISION ORDINANCE

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

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

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

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

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

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

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

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

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

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

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

be provided.

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

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

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

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

travel way;

(8) *Repealed*; and

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

5. *Repealed*.

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

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

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

EXHIBIT "G"
SUBDIVISION WAIVER APPLICATION

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

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

LOCATION OF PROPERTY: Cumberland County, Cedar Creek (Abbott & Barnhill)

OWNER: Charles Jarvis and wife Ellen Jarvis

ADDRESS: 3411 Sunnysdale Drive, Fayetteville, NC ZIP CODE: 28312

TELEPHONE: HOME (910) 580-0304 (cell) WORK (910) 908-5436

AGENT: _____

ADDRESS: _____

TELEPHONE: HOME _____ WORK _____

**APPLICATION FOR A WAIVER [VARIANCE]
As required by the Subdivision Ordinance**

A. Parcel Identification Number (PIN #) of subject property: 0462456406
(also known as Tax ID Number or Property Tax ID)

B. Acreage: 10.21 acres Frontage: 1023.14 Depth: 437.98

C. Water Provider: 2 x wells, 1 for each residence

D. Septage Provider: 2 x Septic Systems, 1 for each residence

E. Deed Book 0051, Page(s) 0025, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).

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

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

Cumberland County's Subdivision Ordinance, Private Street specifications
outlined in Sec. 2304

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


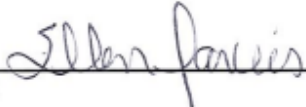
Please see attached statement and required documents in appendices Pages 6-14

STATEMENT OF ACKNOWLEDGEMENT

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

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

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

Property owner(s) signature(s)

Charles Jarvis and wife Ellen Jarvis

Property owner(s) name (print or type)

3411 Sunny Dale Drive, Fayetteville NC, 28312

Complete mailing address of property owner(s)

(910) 580-0304 (CELL)

Telephone number

(910) 908-5436 (Work)

Alternative telephone number

charles.s.jarvis.civ@army.mil

Email address

FAX number

EXHIBIT "H"
SECTION 2601

SECTION 2601. WAIVERS.

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

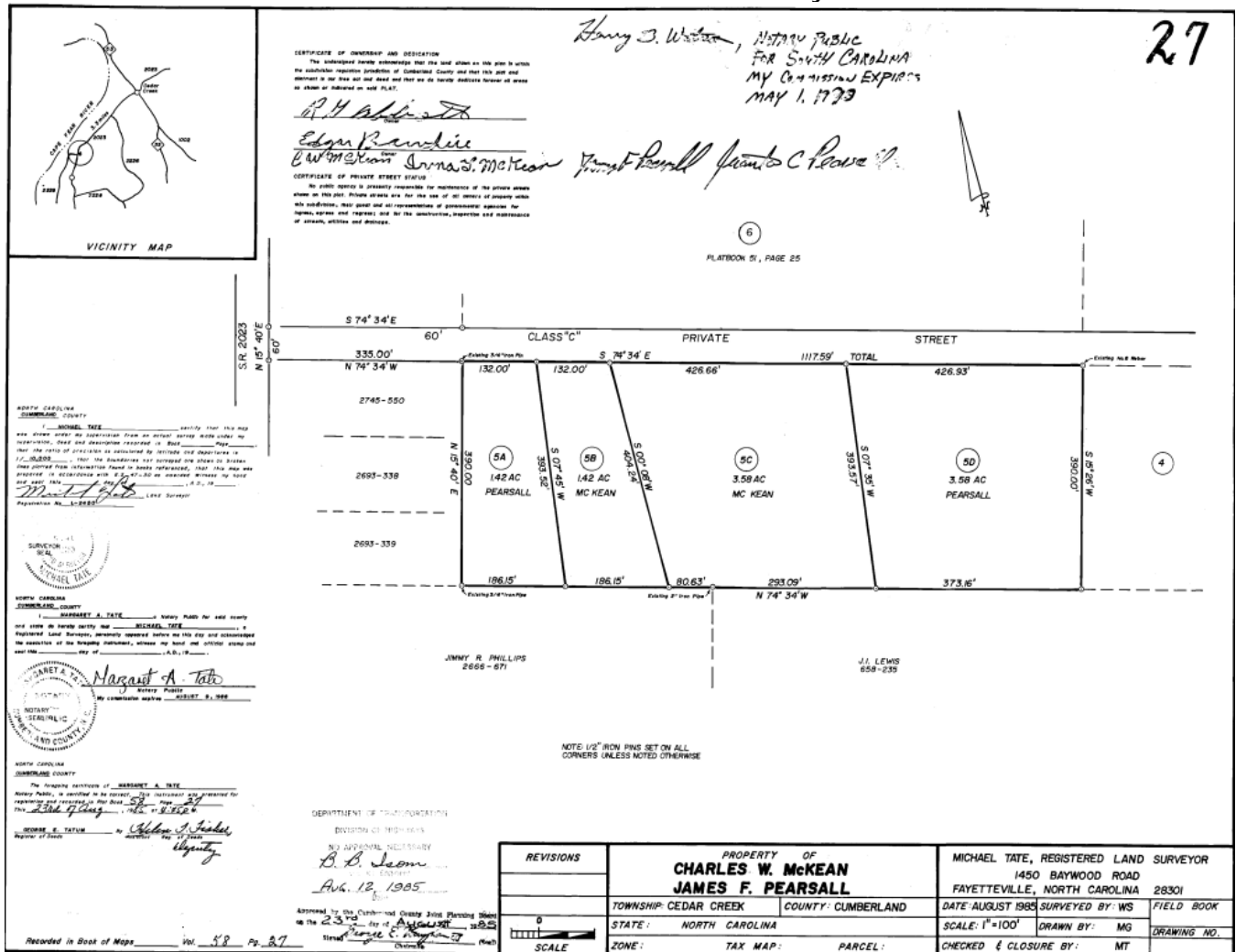
- A. Because of the size of the tract to be subdivided or developed, its topography, the condition or nature of adjoining areas, or the existence of other unusual physical conditions, strict compliance with the provisions of this ordinance would cause a special hardship to the property owner and be inequitable,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

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

ATTACHMENT — Travel way Photos



27



ATTACHMENT — 2020 Subdivision Along Sunny Dale Dr

VICINITY MAP

The individual lots in this development do not have public sewer and/or water services available, and no lots have been approved by the Health Department for on-site sewer services or have been deemed acceptable for private wells at the date of this recording.

LEGEND:
SRB= Set 1/2" Rubber
CP= Computed Point

LINE	LENGTH	BEARING
L1	36.50'	N15°26'50"E
L2	277.14'	S74°34'10"W
L3	29.39'	S77°59'09"E
L4	28.65'	S89°25'19"W
L5	27.99'	S77°15'00"W

NORTH CAROLINA CUMBERLAND COUNTY

I, MICHAEL TATE, certify that this plot was drawn by me from a survey, by me, dated descriptions shown on plot, that the boundaries not surveyed are clearly indicated by broken lines taken from deeds as shown on the plot; that this plot was prepared in accordance with OS 47-30 as amended.

Witness my original signature, license number and seal this 11th day of May A.D., 2020.

Michael Tate
Professional Land Surveyor, License No. L-2450

I, MICHAEL TATE, certify that this plot is of a survey that creates a subdivision of land within Cumberland County that has no convenience that requires parcels of land.

Michael Tate
Surveyor License No. L-2450

CERTIFICATION OF OWNERSHIP
The undersigned hereby acknowledges that the land shown on this plan is within the subdivision registered jurisdiction of Cumberland County and that this plot and statement is my free act and deed.

Donnie G. Beard
Owners Signature: Donnie G. Beard

NORTH CAROLINA CUMBERLAND COUNTY
I, Margaret A. Tate, a Notary Public of the County and State aforesaid, certify that Donnie G. Beard, owner of the subject mapped property, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal this 11th day of May, 2020.

Margaret A. Tate
Notary C

MARGARET A. TATE
NOTARY PUBLIC
Cumberland County North Carolina
My Commission Expires 11/13/21

STATE OF NORTH CAROLINA COUNTY OF CUMBERLAND
I, *Chris Melvin*, Review Officer of Cumberland County, certify that the map or plot to which this certification is affixed meets all statutory requirements for recording.

Chris Melvin 5-11-20
Review Officer Date

Approved by the Cumberland County Planning Board on this 17th day of May, 2020.

Signed: *Michael Tate* (Seal)
Chairman, Cumberland County Planning Board

FILED May 11, 2020 03:31:51 pm FILED CUMBERLAND COUNTY NC

BOOK 00144 PAGE 0070 THRU 0070 J. LEE WARREN JR. REGISTER

INSTRUMENT # 16043 RECORDED \$21.00 OF DEEDS

EXCISE TAX (None) \$1

GRAPHIC SCALE

(IN FEET) 1 inch = 300 ft.

PROPERTY OF
DONNIE G. BEARD
CEDAR CREEK TOWNSHIP CUMBERLAND COUNTY
NORTH CAROLINA

MICHAEL TATE, PROFESSIONAL LAND SURVEYOR 3205 FIELDS RD, FAYETTEVILLE, NC 28312 PHONE 910-483-7387		DRAWN BY: MT	CHECKED BY: MT
PARCEL NO. 0462-45-2094-	JOB NO. 382	DATE: FEB. 2020	SCALE: 1" = 100'
	DWG NO. 382-4	SHEET 1 OF 1	

ATTACHMENT – MAILING LIST

STARLING, JESSICA ALLENE	3246 SUNNY DALE DR	FAYETTEVILLE, NC 28312
BEARD, MICHAEL G;BEARD, DEBBIE H	3460 SUNNYDALE DR	FAYETTEVILLE, NC 28312
BALVAGE, RAYMOND T;BALVAGE, RUTH S	3529 SUNNY DALE DR	FAYETTEVILLE, NC 28312
LAMBERT, SUSAN ELAINE	3263 SUNNY DALE DR	FAYETTEVILLE, NC 28312
MONTERO, KEREN HAPUC;LOPEZ-SOSA, CARLOS ALBERTO	3526 SUNNY DALE DRIVE	FAYETTEVILLE, NC 28312
JARVIS, CHARLES;JARVIS, ELLEN	3411 SUNNY DALE DR	FAYETTEVILLE, NC 28312
STARLING, JESSICA ALLENE	3246 SUNNY DALE DR	FAYETTEVILLE, NC 28312
ZAMORA, JACOB LEE	3280 SUNNY DALE DRIVE	FAYETTEVILLE, NC 28312
COBURN, DAVID W;COBURN, NINA L	6035 TABOR CHURCH RD	FAYETTEVILLE, NC 28312
RANSOM, DUSTIN L	3432 SUNNYDALE DR	FAYETTEVILLE, NC 28312
TILLEY, GEORGE;TILLEY, JANET REYNOLDS	3529 SUNNY DALE DR	FAYETTEVILLE, NC 28312
MARTIN, JOSEPH D;MARTIN, KATHERINE M	3310 SUNNY DALE DR	FAYETTEVILLE, NC 28312
POWELL, RONALD L;POWELL, DONALD L	3536 SUNNYDALE DR	FAYETTEVILLE, NC 28312
NANTZ, HAZEL CLARK	3254 SUNNY DALE DR	FAYETTEVILLE, NC 28312
KOEHLER, HENRY GEORGE III LIFE ESTATE	6070 TABOR CHURCH RD	FAYETTEVILLE, NC 28312
LAMBERT, SUSAN ELAINE	3263 SUNNY DALE DR	FAYETTEVILLE, NC 28312

ORDER DETAILS

PREVIEW FOR AD NUMBER LWLM03262350

Order Number:
LWLM0326235
External Order #:
11455288
Order Status:
Approved
Classification:
Govt Public Notices
Package:
General Package
1 Affidavit:
5.00
Total payment:
152.56
Payment Type:
Account Billed
User ID:
L0012804
External User ID:
744350

ACCOUNT INFORMATION

Cumberland County Planning & Inspections
130 Gillespie ST AMANDA OZANICH
Fayetteville, NC 28301-5669
910-678-7600
aozanich@cumberlandcountync.gov
Cumberland County Planning & I
Contract ID:

TRANSACTION REPORT

Date
June 30, 2025 1:38:59 PM EDT
Amount:
152.56

ADDITIONAL OPTIONS

1 Affidavit

SCHEDULE FOR AD NUMBER LWLM03262350

July 3, 2025
Fayetteville Observer
July 11, 2025
Fayetteville Observer

PUBLIC HEARING NOTICE

The Cumberland County Joint Planning Board will meet at 6:00 p.m. on Tuesday, July 15, 2025, at the Old Court House Building, 130 Gillespie Street, Fayetteville, NC to hear the following:

DEV-0066-25: Consideration of Subdivision Waiver from Section 2304.C.3, Upgrading Street Classification, Cumberland County Subdivision Ord., to allow an existing lot comprising 10.21 +/- acres to be subdivided into two residential lots without upgrading the existing Sunny Dale Drive Class "C" private street to a Class "A" private street, located at 3411 and 3461 Sunny Dale Dr; Charles and Ellen Jarvis (Owners).

July 3, 11 2025
LWLM0326235



PLANNING AND INSPECTIONS DEPARTMENT

MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF JULY 15, 2025

TO: JOINT PLANNING BOARD

FROM: RAWLS HOWARD, DIRECTOR OF PLANNING & INSPECTIONS

DATE: 7/15/2025

SUBJECT: UNC SCHOOL OF GOVERNMENT TRAINING