

Project Overview

#1352604

Project Title: Summerlin Drive Lots
Application Type: 5.1) Rezoning (Map Amendment)
Workflow: Staff Review

Jurisdiction: City of Fayetteville
State: NC
County: Cumberland

Project Location

Project Address or PIN: 0 DUNDLE RD (9495269866000) **Zip Code:** 28306

Is it in Fayetteville? [Click this link to the Cumberland County Tax Office GIS system](#)

GIS Verified Data

Property Owner: Parcel
 • 0 DUNDLE RD: L J BRUTON LIVING TRUST

Zoning District: Zoning District
 • 0 DUNDLE RD: AR

Fire District:

Airport Overlay District:

Hospital Overlay District:

Coliseum Tourism District:

Cape Fear District:

Downtown Historic District:

Haymount Historic District:

Floodway:

100 Year Flood: <100YearFlood>

500 Year Flood: <500YearFlood>

Watershed:

General Project Information

Has the land been the subject of a map amendment application in the last five years?: No

Previous Amendment Approval Date:

Previous Amendment Case #:

Proposed Zoning District: SF15

Acreage to be Rezoned: 0.45

Is this application related to an annexation?: No

Water Service: Public

Sewer Service: Public

A) Please describe all existing uses of the land and existing structures on the site, if any:

The land is vacant. There are no existing structures. It appears the land has never been developed.

B) Please describe the zoning district designation and existing uses of lands adjacent to and across the street from the subject site.:

The adjacent property to the west is SR15. The adjacent property to the north and south is AR. The property across Dundle Road is AR.

Amendment Justification - Answer all questions on this and all pages in this section (upload additional sheets as needed).

A) State the extent to which the proposed amendment is consistent with the comprehensive plan and all other applicable long-range planning documents.:

The amendment is consistent with the long range planning. The lot is split by Summerlin Drive and is adjacent to existing SF15

zoning.

B) Are there changed conditions that require an amendment? :

No

C) State the extent to which the proposed amendment addresses a demonstrated community need.:

The lot is too small to be developed at AR zoning with the property being split by Summerlin Drive. More residential lots are needed in the area. Rezoning will allow the trend for the subdivision lots to be extended to Dundle Road and complete what was started years ago.

D) State the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land, and why it is the appropriate zoning district for the land.:

The property is adjacent to SF15 zoning. The property to the west is an existing residential development. The proposed SF15 zoning is compatible with the existing zoning and surrounding land use.

E) State the extent to which the proposed amendment results in a logical and orderly development pattern.:

it is logical to complete the existing neighborhood to Summerlin Drive. The rezoning will allow this to be complete by recombining the property with the parcels to the west to be developed as single family homes.

F) State the extent to which the proposed amendment might encourage premature development.:

Development to the west has already occurred and the proposed rezoning will close the loop. The rezoning is not anticipated to impact the property across Dundle Road.

G) State the extent to which the proposed amendment results in strip-style commercial development.:

N/A

H) State the extent to which the proposed amendment results in the creation of an isolated zoning district unrelated to adjacent and surrounding zoning districts.:

No isolated zoning district will be created. The property is adjacent to existing SF15 zoned property.

I) State the extent to which the proposed amendment results in significant adverse impacts on the property values of surrounding lands.:

No significant adverse impacts to the surrounding property values are anticipated based on the rezoning request.

J) State the extent to which the proposed amendment results in significantly adverse impacts on the natural environment.:

No adverse impacts expected. The adjacent property is already a developed residential community.

Primary Contact Information

Contractor's NC ID#:

Project Owner

LB Bruton
LJ Burton Living Trust
2830 Dundle Road
Fayetteville, NC 28306
P:910-303-1507
lorrainemohler@mohlerinvestments.com

Project Contact - Agent/Representative

Lorraine Mohler
Mohler Investments
2148 Rim Road
Fayetteville, NC 28314
P:910-221-9901
lorrainemohler@mohlerinvestments.com

As an unlicensed contractor, I am aware that I cannot enter

into a contract that the total amount of the project exceeds \$40,000. :

NC State General Contractor's License Number:

NC State Electrical Contractor #1 License Number:

NC State Electrical Contractor #2 License Number:

NC State Electrical Contractor #3 License Number:

NC State Mechanical Contractor's #1 License Number:

NC State Mechanical Contractor's #2 License Number:

NC State Mechanical Contractor:

NC State Plumbing Contractor #1 License Number:

NC State Plumbing Contractor #2 License Number:

Project Contact - Primary Point of Contact for the Surveyor

Scott Brown

4D Site Solutions, Inc

409 Chicago Drive, Suite 112

Fayetteville, NC 28306

P:(910) 4266777

sbrown@4dsitesolutions.com

Indicate which of the following project contacts should be included on this project: Surveyor

AFFIDAVIT OF OWNERSHIP

Lorraine Mohler of LLC
I, Mohler Investments, being duly sworn, deposes and says:

1. That I am the owner of the property/properties located at intersection of Dundle Rd & Summerlin Drive in the City of Fayetteville, a political subdivision of the State of North Carolina.

2. I do hereby give permission to Mohler Investments, LLC to submit a Conditional Rezoning Rezoning Variance/Special Use (circle one) application to the City of Fayetteville on my behalf for the above referenced property/properties.

3. This authority is only granted for the application to be submitted on _____.

J Mohler

Signature of Affiant

Signature of Affiant

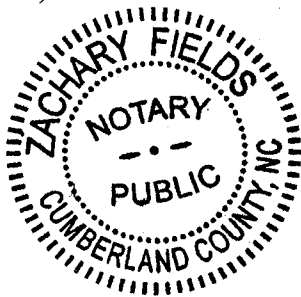
Cumberland County, North Carolina

Sworn to and subscribed before me this day on the 21 day of May, 2024.

Zachary Fields

Signature of Notary Public

(Official Seal)



Zachary Fields, Notary Public
Printed Name of Notary Public

My Commission Expires: 9-18-2027

FILED
 CUMBERLAND COUNTY NC
 J. LEE WARREN, JR.
 REGISTER OF DEEDS

FILED Apr 23, 2024
 AT 04:29:25 pm
 BOOK 11954
 START PAGE 0803
 END PAGE 0804
 INSTRUMENT # 11622
 RECORDING \$26.00
 EXCISE TAX \$26.00

CL

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$ 26.00

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

By: _____

Return:

Mail/Box to: Cooney Law Firm 1926 Fort Bragg Rd, Fayetteville, NC 28303

This instrument was prepared by: Law Office Miranda R. McCoy, 3620 Legion Road, Hope Mills, NC 28348

Brief description for the Index: LOT A & B Tarleton Plantation, Sec 1,

THIS DEED made this 22nd day of February, 2024, by and between

GRANTOR
 Janet B. Wing and Robert L. Bruton,
 Trustees of the L.J. Bruton Living Trust,
 dated September 2, 1999
 2609 Dundle Rd
 Fayetteville, NC 28306

GRANTEE
 Mohler Investments, LLC
 Summerline Dr
 Fayetteville, NC 28306

Mailing Address:
 2148 Rim Road Suite 104
 Fayetteville, NC 28314-6590

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 Fayetteville, Seventy First Township, Cumberland County, North Carolina and more particularly described as follows:

Being all of Lot A and all of Lot B as shown on a plat map of Tarleton Plantation Section One duly recorded in Plat Book 92, Page 117, Cumberland County Registry, North Carolina. Said Lots bear parcel ID numbers of 9495-27-5008, and 9495-26-4913, and 9495-26-9866 as of February 13, 2024.

DELINQUENT TAXES, IF ANY, TO BE PAID FROM THE CLOSING ATTORNEY OUT OF THE CLOSING PROCEEDS.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 400 page 317 **.

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

A map showing the above described property is recorded in Plat Book 92 page 17 and Book 4077, Page 775

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 ALL VALID AND SUBSISTING RESTRICTIONS, RESERVATIONS, COVENANTS, CONDITIONS, RIGHTS OF WAYS, AND EASEMENTS PROPERLY OF RECORD, IF ANY, AND AD VALOREM TAXES DUE FOR THE CURRENT YEAR.

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

The L. J. Bruton Living Trust (Entity Name)

(SEAL) Print/Type Name:

By: Janet B. Wing

(SEAL) Print/Type Name:

Print/Type Name & Title: Janet B. Wing as Trustee

Print/Type Name:

By: Robert L. Bruton as Trustee

(SEAL) Print/Type Name:

Print/Type Name & Title: Robert L. Bruton as Trustee

Print/Type Name:

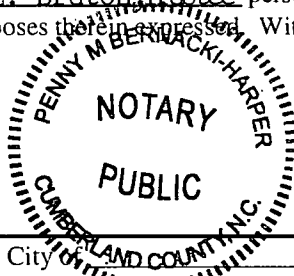
Print/Type Name & Title:

(SEAL) Print/Type Name:

State of, NC - County or City of Cumberland

I, the undersigned Notary Public of the County or City of Cumberland and State aforesaid, certify that Janet B. Wing as Trustee and Robert L. Bruton Trustee 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 22 day of February, 2024.

My Commission Expires: 7/24/2027 (Affix Seal) (N.P. SEAL)



Penny M. Bernacki-Harper Notary Public Notary's Printed or Typed Name

State of: - County or City of

I, the undersigned Notary Public of the County or City of and State aforesaid, certify that Robert L. Bruton as Trustee 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 day of 20.

My Commission Expires: (Affix Seal)

Notary Public Notary's Printed or Typed Name

State of: - County or City of

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

My Commission Expires: (Affix Seal)

Notary Public Notary's Printed or Typed Name