

ORDINANCE ORD-2025-17

ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE TOWN OF ROLESVILLE AMENDING THE OFFICIAL ZONING DISTRICT MAP OF THE TOWN OF ROLESVILLE TO CHANGE THE ZONING OF APPROXIMATELY 45.48 ACRES LOCATED AT 6520 MITCHELL MILL ROAD AND 6521 FOWLER ROAD, BEING WAKE COUNTY TAX PINS 1768602816 AND 1767696199 FROM THE WAKE COUNTY R-30 DISTRICT TO A RESIDENTIAL HIGH DENSITY CONDITIONAL ZONING DISTRICT (RH-CZ)

REZ-24-04, 6520 Mitchell Mill Road / 6521 Fowler Road

**WHEREAS**, the application submitted by Collier Marsh, Parker Poe Adams & Bernstein LLP, on behalf of property owner Richards, Barbara J. for the rezoning of land hereinafter described was duly filed with the Planning Department; and

**WHEREAS** the Planning Board was presented the application for Recommendation on June 23, 2025, and the Board of Commissioners held a Legislative hearing on August 5, 2025, and

**WHEREAS**, mailed notices and property sign postings were carried out in advance of the Legislative hearing pursuant to G.S. § 160D-602 and the Land Development Ordinance and

**WHEREAS** the Planning Board submitted its recommendation to the Board of Commissioners recommending Approval of said application that was generally consistent with the Comprehensive Plan for the lands hereinafter described, all in accordance with the requirements of the Town of Rolesville Land Development Ordinance and the provisions of Chapter 160D, Article 6, of the North Carolina General Statutes.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Commissioners of the Town of Rolesville, North Carolina:

Section 1: The lands that are the subject of the Ordinance are those certain lands described in **Exhibit 1 – Legal Description**, which is incorporated herein by reference, and said lands are hereafter referred to as the “Rezoned Lands.”

Section 2: The parcels identified by the Wake County Tax Parcel Identification Numbers 1768602816 AND 1767696199, and described in **Exhibit 1**, are currently located within Wake County but will be within the Town’s Corporate Limits upon adoption of Ordinance ORD-2025-18 for ANX-25-01.

Section 3: The Town of Rolesville Land Development Ordinance, including the Town of Rolesville North Carolina Official Zoning District Map, which is a part of said Ordinance, is hereby amended by changing the zoning classification of the “Rezoned Lands” from WAKE COUNTY R-30 DISTRICT TO A RESIDENTIAL HIGH DENSITY CONDITIONAL ZONING DISTRICT (RH-CZ), subject to the conditions stated herein.

Section 4: The “Rezoned Lands” are subject to all the standards and conditions in **Exhibit 2 – Conditions of Approval dated July 16, 2025**, which are voluntarily imposed as part of this rezoning.

Section 5: The Administrator is hereby authorized and directed to cause the said Official Zoning District Map for the Town of Rolesville, North Carolina, to be physically revised and amended to reflect the zoning changes ordained by this Ordinance.

Section 6: After reviewing all the information presented at the Legislative hearing and the Town of Rolesville plans, policies and ordinances, the Rolesville Board of Commissioners find the Rezoning map amendment request reasonable and consistent with the 2017 Comprehensive Plan and is in the interest of the public and adopted a Plan Consistency and Reasonableness Statement.

Section 7: The "Rezoned Lands" shall be perpetually bound to the Conditions imposed, including the uses authorized, unless subsequently changed or amended as provided for in the Land Development Ordinance.

Adopted and effective this the 5<sup>th</sup> day of August 2025.



Ronnie Currin  
Mayor

ATTEST:



Christina Ynclan  
Town Clerk



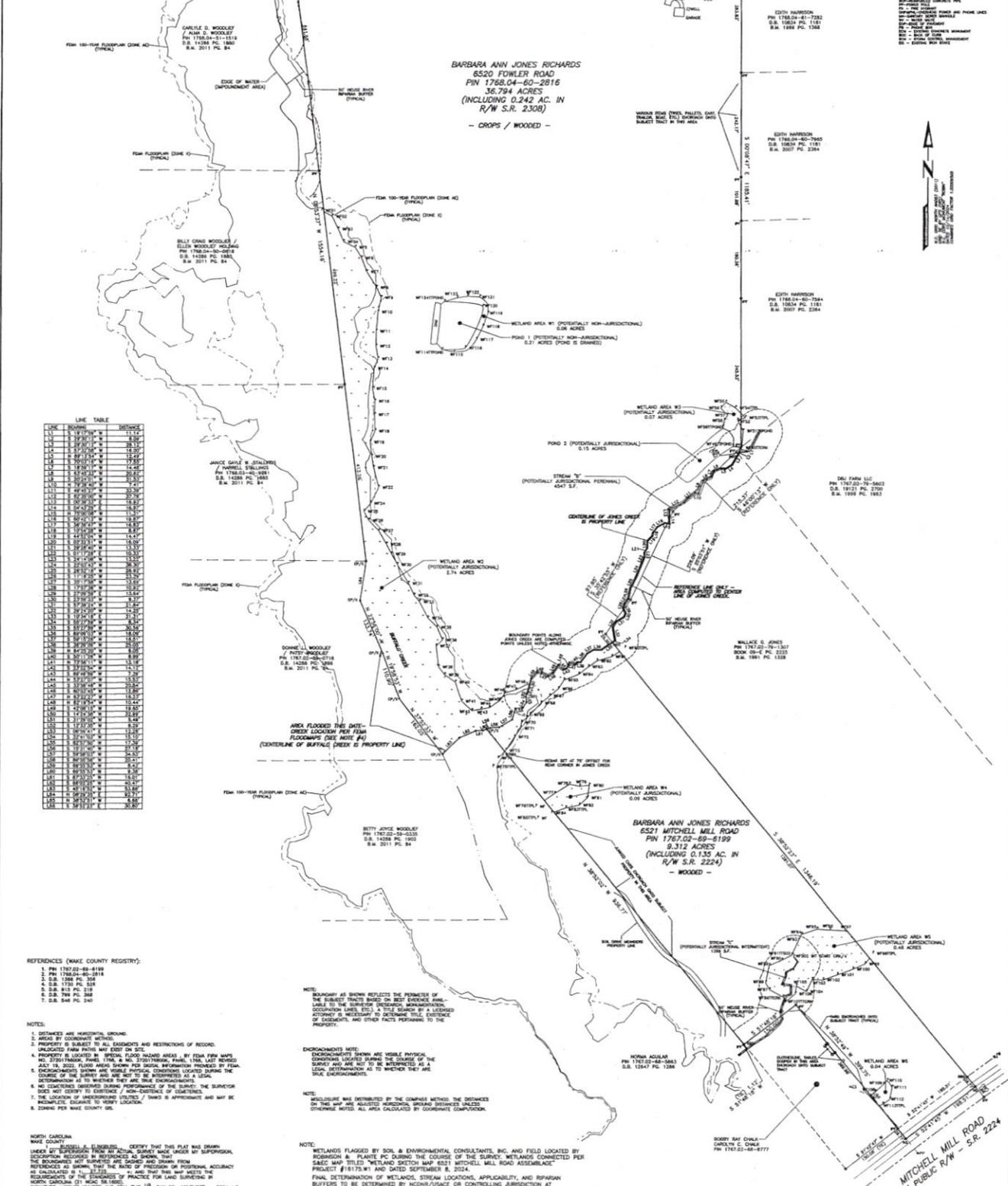
**EXHIBIT 1**

THE BARBARA ANN JONES RICHARDS TRACTS  
(PINS 1768.04-60-2816 & 1767.02-69-6199) TO BE ANNEXED INTO  
THE TOWN OF ROLESVILLE

Being all of those tracts or parcels of land located  
in Wake Forest Township, Wake County, North Carolina,  
and more particularly described:

Beginning at a tack in a stone, said stone located at the  
northwest corner of the subject tract (Barbara Ann Jones  
Richards - Pin 1768.04-60-2816), then along the southern  
property line of the Alford Tracts (Pins 1768.04-51-8609  
and 1768.04-61-0621),  
North 88°34'18" East 741.72 feet to an existing nail in  
the centerline of Fowler Road (S.R. 2308 - 60' Public R/W),  
then, along the centerline of Fowler Road,  
South 69°31'54" East 315.39 feet to an existing nail,  
then, leaving the centerline of Fowler Road,  
South 00°08'47" East 1,185.41 feet along the western prop-  
erty line of the Edith Harrison Tracts (Pins 1768.04-  
61-7282, 1768.04-60-7965, and 1768.04-60-7594) to an exist-  
ing iron pipe, then South 19°17'59" West 11.14 feet to a  
computed point in the centerline of Jones Creek, then,  
following the run of Jones Creek,  
South 29°30'12" West 34.21 feet to a computed point,  
South 57°32'58" West 16.00 feet to a computed point,  
North 89°13'54" West 12.49 feet to a computed point,  
South 70°03'16" West 17.55 feet to a computed point,  
South 18°59'17" West 14.48 feet to a computed point,  
South 63°45'33" West 20.62 feet to a computed point,  
South 20°24'01" West 31.53 feet to a computed point,  
North 79°39'40" West 7.41 feet to a computed point,  
South 49°45'27" West 33.39 feet to a computed point,  
South 62°35'00" West 37.78 feet to a computed point,  
South 00°36'33" East 16.93 feet to a computed point,  
South 04°43'29" East 16.97 feet to a computed point,  
North 75°00'08" West 11.31 feet to a computed point,  
South 60°42'13" West 19.87 feet to a computed point,  
South 36°36'47" West 16.83 feet to a computed point,  
South 10°54'28" West 8.67 feet to a computed point,  
South 44°52'04" West 14.47 feet to a computed point,  
South 02°32'51" West 16.09 feet to a computed point,  
South 29°28'40" West 13.33 feet to a computed point,  
South 01°17'28" East 10.33 feet to a computed point,  
South 24°14'08" West 13.22 feet to a computed point,  
South 22°03'43" West 38.30 feet to a computed point,  
South 26°52'18" West 28.92 feet to a computed point,  
South 11°16'25" West 23.29 feet to a computed point,  
South 35°17'58" West 13.69 feet to a computed point,

South 17°57'36" West 10.92 feet to a computed point,  
South 27°09'59" East 13.64 feet to a computed point,  
South 23°59'33" West 9.37 feet to a computed point,  
South 57°36'24" West 21.84 feet to a computed point,  
South 29°24'20" West 14.25 feet to a computed point,  
South 10°34'18" East 31.31 feet to a computed point,  
South 55°27'59" West 8.34 feet to a computed point,  
then, along the property line of Wallace G. Jones  
(Pin 1767.02-79-1307), South 38°52'23" East 1320.84  
feet to nail set at the centerline of Mitchell Mill  
Road (S.R. 2224 - 60' Public R/W), then, along the  
centerline of Mitchell Mill Road, South 52°41'45" West  
198.51 feet to a nail set, then leaving the center-  
line of Mitchell Mill Road, North 38°52'49" West  
399.75 feet along the property line of Bobby Ray &  
Carolyn C. Chalk (Pin 1767.02-68-8777) to an iron  
pipe found, then South 51°48'18" West 150.00 feet  
to a set rebar, then along the property line of Nor-  
ma Aguilar (Pin 1767.02-68-5863), North 38°52'02"  
West 936.77 feet to a computed point in the run of  
Jones Creek, then along the run of Jones Creek,  
South 69°55'53" West 9.38 feet to a computed point,  
South 87°33'25" West 16.01 feet to a computed point,  
South 66°02'25" West 40.47 feet to a computed point,  
South 45°16'52" West 53.88 feet to a computed point  
in the run of Buffalo Creek; then, along the run of  
Buffalo Creek and along the Donnie L. & Patsy Woodlief  
property, North 37°52'33" West 162.05 feet to a computed  
point, North 19°58'53" West 110.90 feet to a computed point,  
North 22°56'00" West 133.74 feet to a computed point,  
and North 08°29'35" East 92.71 feet to a computed  
point, in the creek, then leaving the run of Buffalo  
Creek, along the Janice Gayle W. Stallings and  
Harrell Stallings property, the Billy Craig Woodlief  
and Ellen Woodlief Holding property, and the Carlyle  
D. Woodlief and Alma D. Woodlief property (pins  
1768.03-40-9261, 1768.04-50-0618, & 1768.04-51-1519,  
respectively), North 06°53'37" West 1554.16 feet to  
the point and place of beginning and being two tracts  
to be annexed into the Town Of Rolesville and having  
a total area of 46.106 acres.



LINE TABLE

LINE	BEARING	DISTANCE
L1	S 89° 15' 00" W	1.00
L2	S 89° 15' 00" W	1.00
L3	S 89° 15' 00" W	1.00
L4	S 89° 15' 00" W	1.00
L5	S 89° 15' 00" W	1.00
L6	S 89° 15' 00" W	1.00
L7	S 89° 15' 00" W	1.00
L8	S 89° 15' 00" W	1.00
L9	S 89° 15' 00" W	1.00
L10	S 89° 15' 00" W	1.00
L11	S 89° 15' 00" W	1.00
L12	S 89° 15' 00" W	1.00
L13	S 89° 15' 00" W	1.00
L14	S 89° 15' 00" W	1.00
L15	S 89° 15' 00" W	1.00
L16	S 89° 15' 00" W	1.00
L17	S 89° 15' 00" W	1.00
L18	S 89° 15' 00" W	1.00
L19	S 89° 15' 00" W	1.00
L20	S 89° 15' 00" W	1.00
L21	S 89° 15' 00" W	1.00
L22	S 89° 15' 00" W	1.00
L23	S 89° 15' 00" W	1.00
L24	S 89° 15' 00" W	1.00
L25	S 89° 15' 00" W	1.00
L26	S 89° 15' 00" W	1.00
L27	S 89° 15' 00" W	1.00
L28	S 89° 15' 00" W	1.00
L29	S 89° 15' 00" W	1.00
L30	S 89° 15' 00" W	1.00
L31	S 89° 15' 00" W	1.00
L32	S 89° 15' 00" W	1.00
L33	S 89° 15' 00" W	1.00
L34	S 89° 15' 00" W	1.00
L35	S 89° 15' 00" W	1.00
L36	S 89° 15' 00" W	1.00
L37	S 89° 15' 00" W	1.00
L38	S 89° 15' 00" W	1.00
L39	S 89° 15' 00" W	1.00
L40	S 89° 15' 00" W	1.00
L41	S 89° 15' 00" W	1.00
L42	S 89° 15' 00" W	1.00
L43	S 89° 15' 00" W	1.00
L44	S 89° 15' 00" W	1.00
L45	S 89° 15' 00" W	1.00
L46	S 89° 15' 00" W	1.00
L47	S 89° 15' 00" W	1.00
L48	S 89° 15' 00" W	1.00
L49	S 89° 15' 00" W	1.00
L50	S 89° 15' 00" W	1.00
L51	S 89° 15' 00" W	1.00
L52	S 89° 15' 00" W	1.00
L53	S 89° 15' 00" W	1.00
L54	S 89° 15' 00" W	1.00
L55	S 89° 15' 00" W	1.00
L56	S 89° 15' 00" W	1.00
L57	S 89° 15' 00" W	1.00
L58	S 89° 15' 00" W	1.00
L59	S 89° 15' 00" W	1.00
L60	S 89° 15' 00" W	1.00
L61	S 89° 15' 00" W	1.00
L62	S 89° 15' 00" W	1.00
L63	S 89° 15' 00" W	1.00
L64	S 89° 15' 00" W	1.00
L65	S 89° 15' 00" W	1.00
L66	S 89° 15' 00" W	1.00
L67	S 89° 15' 00" W	1.00
L68	S 89° 15' 00" W	1.00
L69	S 89° 15' 00" W	1.00
L70	S 89° 15' 00" W	1.00
L71	S 89° 15' 00" W	1.00
L72	S 89° 15' 00" W	1.00
L73	S 89° 15' 00" W	1.00
L74	S 89° 15' 00" W	1.00
L75	S 89° 15' 00" W	1.00
L76	S 89° 15' 00" W	1.00
L77	S 89° 15' 00" W	1.00
L78	S 89° 15' 00" W	1.00
L79	S 89° 15' 00" W	1.00
L80	S 89° 15' 00" W	1.00
L81	S 89° 15' 00" W	1.00
L82	S 89° 15' 00" W	1.00
L83	S 89° 15' 00" W	1.00
L84	S 89° 15' 00" W	1.00
L85	S 89° 15' 00" W	1.00
L86	S 89° 15' 00" W	1.00
L87	S 89° 15' 00" W	1.00
L88	S 89° 15' 00" W	1.00
L89	S 89° 15' 00" W	1.00
L90	S 89° 15' 00" W	1.00
L91	S 89° 15' 00" W	1.00
L92	S 89° 15' 00" W	1.00
L93	S 89° 15' 00" W	1.00
L94	S 89° 15' 00" W	1.00
L95	S 89° 15' 00" W	1.00
L96	S 89° 15' 00" W	1.00
L97	S 89° 15' 00" W	1.00
L98	S 89° 15' 00" W	1.00
L99	S 89° 15' 00" W	1.00
L100	S 89° 15' 00" W	1.00

- REFERENCES (MAKE COUNTY REGISTRY):
1. PIN 1767.02-69-6199
  2. PIN 1788.04-60-2816
  3. PIN 1768.04-60-2816
  4. S.B. 1754 PG. 528
  5. S.B. 1754 PG. 528
  6. S.B. 1754 PG. 528
  7. S.B. 1754 PG. 528
  8. S.B. 1754 PG. 528

- NOTES:
1. DISTANCES ARE HORIZONTAL, GROUND.
  2. AREAS BY CONVEYANCE METHOD.
  3. PROPERTY IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.
  4. UNLOCATED FARM PLOTS MAY EXIST ON SITE.
  5. PROPERTY IS LOCATED IN SPECIAL FLOOD HAZARD AREAS. BY FEMA FIRM MAPS NO. 22817R000A, PANEL 1704, & NO. 22817R000A, PANEL 1704, LAST REVISED JULY 13, 2003. FLOOD AREAS SHOWN FOR DIGITAL INFORMATION PROVIDED BY FEMA.
  6. DISCONTINUED SURVEYS AND VISIBLE PHYSICAL CONDITIONS LOCATED DURING THE COURSE OF THE SURVEY ARE NOT TO BE INTERPRETED AS A BASIS FOR DETERMINATION AS TO WHETHER THEY ARE TRUE ENCROACHMENTS.
  7. NO CONVEYANCES WERE OBSERVED DURING THE SURVEY. THE SURVEYOR DOES NOT CERTIFY TO EXISTENCE / NON-EXISTENCE OF EASEMENTS.
  8. THE LOCATION OF UNDEVELOPED LOTS / TRACTS IS APPROXIMATE AND MAY BE INCOMPLETE. EXAMINE TO VERIFY LOCATION.
  9. ZONING PER MAKE COUNTY USE.

NORTH CAROLINA  
 MAKE COUNTY  
 I, **BRUCE E. ELI**, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION. THE BOUNDARIES AND DISTANCES SHOWN THEREON ARE TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I AM A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF NORTH CAROLINA. MY LICENSE NUMBER IS 19144. I WAS BORN ON 01/11/1951.



REVISIONS	BOUNDARY SURVEY OF RICHARDS TRACTS FOR HOPPER COMMUNITIES	ROBINSON & PLANTE, P.C. LAND SURVEYING 870 TRINITY ROAD RALEIGH, NC 27607 PHONE: (919) 859-8030
TOWNSHIP: MAKE FOREST	COUNTY: MAKE	SURVEY DATE: 10-14-24 SURVEYED BY: KS
STATE: NORTH CAROLINA		SCALE: 1"=100'
ZONE: R-30 (BOTH TRACTS - MAKE COUNTY)	P.L.N.: SEE ABOVE	CHECKED & CLOSURE BY: RJK
		DRAWN BY: RE
		FILE: RICHARDS

## EXHIBIT 2

### Fowler Road Rezoning Conditions July 16, 2025

1. The development of the property shall be in substantial conformance with the accompanying Concept Plan. Locations shown for committed elements including, but not limited to greenways, streets, and open areas shown on the Concept Plan, may be adjusted to conform to LDO requirements or as permitted as a minor adjustment by the Land Development Administrator.
2. The following uses shall be prohibited:
  - a. Dwelling, single-family attached;
  - b. Dwelling, double family;
  - c. Dwelling, multiple family;
  - d. Boarding House/Dormitory;
  - e. Family Care Facility;
  - f. Live-work unit;
  - g. Residential Care; and
  - h. Telecommunications tower.
3. There shall be a maximum of 100 single-family detached units.
4. All single-family detached dwellings shall adhere to the following conditions:
  - a. Siding Material:
    - i. If masonry (such as brick veneer or faux stone product) is not the predominant first floor finish (greater than 50%), then the front elevation shall have at least two (2) styles of fiber cement siding (i.e. lap, shake, or board and batten, etc.);
    - ii. Vinyl material is prohibited except for soffits, fascia, and corner boards;
    - iii. No dwelling unit shall be constructed with an exterior elevation or color palette that is identical to the dwelling unit on either side or directly across the street.
  - b. Garages: A minimum 2-car side-by-side (not tandem) garage shall be provided;

**Fowler Road Rezoning Conditions**  
**July 16, 2025**

- c. Roofs: Roof materials shall be asphalt shingles, metal, copper, wood, or a combination of these materials.
  - d. Building Foundations:
    - i. Building foundations along the front façade shall have an exposed height above finished grade of at least 18” and must be finished with masonry product such as brick veneer or faux stone product.
    - ii. Any foundation facing a public street must be finished with masonry product such as brick veneer or faux stone product.
  - e. Rear Yard Amenity: An unenclosed patio, deck, or screened-in porch of at least 64 square feet.
5. Pollinator Garden: The development shall include at least one pollinator garden. The pollinator garden shall be a landscaped garden in which at least seventy five percent (75%) of all plants, excluding grasses, are native milkweeds and other nectar-rich flowers. The final location(s) of pollinator garden shall be determined at subsequent stages of approval and will be identified on the landscape plan submitted with the construction drawings. The pollinator garden shall be constructed prior to the issuance of the 75<sup>th</sup> residential building permit.
6. Community Amenities: The development shall include one tot-lot and one dog park. Locations will be determined at subsequent stages of approval and will be identified on the construction drawings. The tot-lot and dog park shall be constructed prior to the issuance of the 75<sup>th</sup> residential building permit.
7. During the preliminary subdivision stage, the developer shall offer to the Town of Rolesville approximately 0.8 acres generally located and oriented in the area labeled as “Dedicated Park Land” in the attached Exhibit 1, with the final location to be determined in the Construction Drawing process, for use as a public park. The Town of Rolesville may accept or reject the offer of dedication in its sole discretion. If the Town of Rolesville accepts dedication of the Dedicated Park Land:
- a. the area dedicated to the Town of Rolesville shall be credited to this project as active open space;
  - b. the area dedicated to the Town of Rolesville shall count toward the Town’s recreation open space dedication requirements; and
  - c. the developer shall be relieved of the obligation to construct any improvements within the Dedicated Park Land that are shown on the Concept Plan.

[SIGNATURE PAGE FOLLOWS]

**Fowler Road Rezoning Conditions  
July 16, 2025**

**Property Owner Authorization**

Property Addresses: 6520 Fowler Road and 6521 Mitchell Mill Road

PINs: 1768-60-2816 and 1767-69-6199

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Barbara J. Richards Date  
By Samuel Albert Richards, as her attorney in fact

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Barbara J. Richards Date  
By Amy R. Harrison, as her attorney in fact