

**BOARD OF ADJUSTMENT
MEETING**

THURSDAY, AUGUST 26, 2021

6:30 P.M.

**Council Chambers
300 West Crowell Street
Monroe NC**

A G E N D A

Due to the increased risk of exposure and possibility of transmission associated with the Delta strain of COVID-19, everyone will be required to wear face masks at this meeting.

- Item 1.** **Call to Order.**
- Item 2.** **Approval of Minutes** – May 27, 2021
- Item 3.** **Conflicts of Interest**
- Item 4.** **Case PLZNA-2022-00029 Variance** – The applicant, Sherri Hartsell, on behalf of Sign Connection, is requesting a Variance of 80 square feet to install an attached sign on the property located at 1817 Dickerson Blvd. (Tax ID #09-264-026)
- Item 5.** **Case PLZNA-2022-00025 Variance** – The applicants, Jeffrey and Sharon Darr, are requesting a Variance to the maximum square footage of accessory structures in order to build a new accessory structure on the property located at 3914 Priceton Drive (Tax ID #09-295-108)
- Item 6.** **Case PLSUP-2022-0031 Special Use Permit** – The applicant, Charles Steele, is requesting a Special Use Permit to operate a hair salon in a detached structure on the property located at 2024 Griffith Road (Tax ID #09-247-001-A)
- Item 7.** **Chair and Vice Chair Appointments**
- Item 8.** **Next Meeting:** September 23, 2021
- Item 9.** **Adjournment**

Attention: BOARD MEMBERS:

Please call Maryann Brown at 704.282.4527 to confirm your attendance. Thank you!

cc: ***Mujeeb Shah-Khan
Ashley Duncan
Doug Britt
Keri Hutchins***

**MINUTES OF THE
BOARD OF ADJUSTMENT MEETING
MAY 27, 2021 at 6:30 P.M.
Conference Room
300 West Crowell Street
Monroe NC**

To S. Laney – e-mailed 5-28-21

Item 1. Call to Order

Chairman George Massey called the May 27, 2021 meeting to order at 6:30 p.m. The Clerk of the Board called the roll. Mr. Massey noted that there was a quorum present with five members.

Members Present: George Massey, Ken Deal, Lou Philippi, William Draper and George Smith

Members Absent: Julius Marsh, Jr.

Staff Present: Doug Britt, Senior Planner; Ashley Britt, Assistant City Attorney; Joe McCollum, BOA Attorney; William Nance, Planning Intern and Maryann Brown, Administrative Assistant

Guests: Benedict Okwara, Sarah Hemby, Tim Hemby, Dusty Wiederhold

Item 2. Approval of Minutes – Minutes of April 22, 2021 Meeting

Approval of the minutes for the meeting was requested.

Motion: William Draper moved to approve the minutes of the April 22, 2021 Meeting.

Second: George Smith

Action: The motion to approve the minutes passed unanimously with the following votes:

AYES: George Massey, Ken Deal, Louis Philippi, William Draper and George Smith

NAYS: None

Item 3. Conflicts of Interest

Mr. Massey asked if there were any conflicts of interest. Doug said if anyone has a conflict of interest, he needs to recuse himself.

Louis Philippi asked Doug if he says no, does he still have to get kicked off. Doug said this is a legal question so he will turn it over to the Board Attorney. Mr. Philippi said he would like to make his case first. He said to Mr. McCollum that he had a letter from him, e-mail, telling him that someone that he [Mr. Philippi] does not know, told someone at the City that he had made a remark [could not understand]. He said to Mr. McCollum you never asked me, “Mr. Philippi, did you ever say that?” He said when he

[Mr. McCollum] got here, he [Mr. Philippi] was talking to the Chairman of the Board and the Board knew what went on. He said you didn't say to the Board Members, "Did Louis Philippi try to influence you to go home." He said that was not asked. He said yet you whispered in his ear and had him recused. He asked Mr. McCollum, "Sir, what gives you the authority to recuse me without even a question of whether I was involved with anything wrong or not." Mr. McCollum said to Mr. Philippi that he had spoken to him. Mr. Philippi said your decision along...Mr. McCollum said to Mr. Philippi if he had said no, the Board would have voted but you recused yourself. Mr. Philippi said to Mr. McCollum that he [Mr. Philippi] discussed this with the Board before he [Mr. McCollum] got here. Mr. McCollum said to Mr. Philippi that maybe you did before I got here. Mr. Philippi said to Mr. McCollum not maybe, there is no question that we did. Mr. Philippi said [could not understand]. Mr. Philippi said talk about due process, I don't know what law school you went to, Sir. He said you are supposed to get some kind of due process and some kind of evidence and you have none. He said that is his two cents. Mr. McCollum said you did not excuse yourself voluntarily? Mr. Philippi said of course I didn't. He said you went from here to here and said I got to go. Mr. McCollum said [could not understand].

Mr. McCollum said to Mr. Philippi that he said something to you and you got up and left. Mr. Philippi said [could not understand]. Mr. Philippi asked Mr. McCollum what did he whisper in his [George Massey's] ear? Mr. McCollum said he did not remember. Mr. Philippi said to Mr. McCollum was it "did you have a good lunch" or was it something like "did you call recently." He said to Mr. McCollum what type of question could you possibly ask. Mr. McCollum said to Mr. Philippi that he told him [George Massey] that he needed to speak to you a minute. Mr. Philippi said to Mr. McCollum that you did not speak to me, Sir. You said I had to leave and walked off. Mr. Philippi said what he is saying that he had no due process and this is from someone who told someone, and I don't know who it is ...and he thinks anybody who has been on this Board for a while knows this is because of the City. He said [could not understand] the Union Power case. He said I am telling you that I am upset about it. He said next time, you are not having me removed, Sir, because I am not removing myself unless the Board votes me off or if the [Mayor?] votes me off. Mr. McCollum said to Mr. Philippi that he can ask for a vote from the Board anytime. He said you can do that too. Mr. Philippi said he did not know that. He asked Mr. McCollum if he needed anything else from him. Mr. McCollum said no. Mr. Philippi said he thought so.

Mr. Massey said the minutes have been approved and the conflicts of interest have been settled.

Item 4. Case PLZNA-2021-00052 Variance – Mr. Massey said the applicant, First Care Medical Clinic, is requesting a Variance to the sign ordinance to modify the existing monument sign located at 404 S. Sutherland Avenue. The applicant is requesting a variance from Section 156.133 (W) Section 5, b of the sign code in order to install an LED electronic sign within the existing monument sign on the property. (Tax ID #09-194-137) [Tabled from April 22, 2021 meeting]

Mr. Massey said that anyone who is going to give testimony in this case needs to be administered the oath. Doug Britt and Dr. Benedict Okwara came forward and were sworn.

Doug Britt, Senior Planner, introduced this item and said it is a variance request for the First Care Medical Clinic in order to install an electronic changeable copy sign in the OT district. He said at this time he would present the Findings:

Findings:

1. The property located at 404 S. Sutherland Avenue is owned by Okwara Properties and is zoned Office Transitional. (Exhibit 1, 2)
2. On March 31, 2021, the applicant submitted a variance application in order to request a variance to the sign code regarding the Office Transitional district sign allowances. The applicant is requesting to install an electronic changeable copy sign within the existing ground monument sign. The overall square footage of the existing sign will not be altered. The sign if approved with the electronic changeable copy would be located approximately 306 feet from a residential district. (Exhibit 3, 4)
3. Section 156.133 (W) does not allow properties in the Office Transitional District to have electronic changeable copy signs or for said signs to be located within 400 feet of residential districts and institutional uses. (Exhibit 5)
4. All adjacent property owners have been notified of the variance request. (Exhibit 6 and 7)

Doug said the matter to be decided is twofold: Can they have an electronic changeable copy sign at that location and within 400 feet of a residential zoning district?

Doug said he would be glad to answer any questions and the applicant is here tonight as well.

Mr. Massey asked Doug if he received any calls from residents in the area. Doug said he did not.

Mr. Massey asked if anyone had any questions for Doug. There were none.

Mr. Massey asked Dr. Okwara to come forward to answer any questions. He said to Dr. Okwara that he sees that he answered the questions on the application. He asked Dr. Okwara if there were any further comments.

Dr. Okwara came forward and said the sign has been there since 1994. He explained that the sign does not allow them to allow them to give messages for our patients. He said our practice provides a service that benefits the community. He said if they have any change in practice they can make the change instead of going back to the sign company. He said it will provide better communication.

William Draper asked if it will be only on the bottom half or top half of the sign. Dr. Okwara said in the middle of their sign.

Louis Philippi asked Dr. Okwara how long the content will be showing and how often would it change. Dr. Okwara said whatever the City allows. He said they don't want to change it too frequently. He said it will be programmable to what the City wants us to do.

George Smith asked Dr. Okwara how many messages do you perceive will be showing. Dr. Okwara said about six (6) messages they will be looking at.

George Smith asked Dr. Okwara how long would the messages be looped. Every 15 seconds, every 30 seconds, every minute? Dr. Okward said it is programmable. He said it depends on what the City will allow.

Mr. Massey asked if there were any further questions.

Ken Deal asked if he could read the following into the record even though it is part of the application, just for clarity. He said we know the sign will be composed of 50% of the total face area of the existing signage.

- a. Sign will not include animated or scrolling images, graphics, or video active images (similar to television images);
- b. Sign will continuously show one message a minimum of ten seconds in time before switching to other message, unless this is modified here tonight.
- c. Message will not dim, flash, fade or scroll;
- d. Message will have no moving, rotating, fluttering, blinking or flashing elements;
- e. Message will have no animation, video, audio, pyrotechnic components, or blue casting technology.
- f. Signage will not be lit between the hours of 11:00 PM and 6:00 AM

He asked Dr. Okwara to acknowledge the above for the record. Dr. Okwara said yes and acknowledged the above.

Mr. Massey said there are certain standards that this Board has to look at and have to be met and that is what we need to deal with:

1. It is the Board's CONCLUSION, that unnecessary hardship (~~would~~/would not) result from the strict application of the ordinance.

Motion: Louis Philippi made a motion that the unnecessary hardship **would not** result from the strict application of the ordinance because there are other ways of getting information out.

Second: William Draper

Action: The motion passed unanimously with the following votes:

AYES: George Massey, Ken Deal, William Draper, Louis Philippi and George Smith

NAYS: None

2. It is the Board's CONCLUSION, that the hardship (is/is ~~not~~) peculiar to the applicant's property.

Motion: Ken Deal made a motion that the hardship **is** peculiar to the applicant's property.

Second: George Massey

Action: The motion passed unanimously with the following votes:

AYES: George Massey, Ken Deal, William Draper, Louis Philippi and George Smith

NAYS: None

3. It is the Board's CONCLUSION, that the hardship (is/is ~~not~~) the result of the applicant's own actions.

Motion: Ken Deal made a motion that the hardship **is not** the result of the applicant's own actions.

Second: William Draper

Action: The motion failed with the following votes:

AYES: George Massey and Ken Deal
NAYS: George Smith, Louis Philippi and William Draper

4. (a) It is the Board's CONCLUSION, that the variance (is/is not) consistent with the spirit, purpose, and intent of the ordinance.

Motion: William Draper made a motion that the variance **is not** consistent with the spirit, purpose and intent of the ordinance because there is residential around the sign and that type of sign could be a distraction to drivers.

Second: Louis Philippi

Action: The motion passed with the following votes:

AYES: George Massey, William Draper, Louis Philippi and George Smith

NAYS: Ken Deal

- (b) It is the Board's CONCLUSION, that in granting of the variance, the public safety (~~will~~/will not) be secured and substantial justice (~~will~~/will not) be achieved.

Motion: William Draper made a motion that in the granting of the variance **will not** conform and it **will not** improve the neighborhood or the property.

Second: Louis Philippi

Action: The motion passed with the following votes:

AYES: George Massey, William Draper, Louis Philippi and George Smith

NAYS: Ken Deal

5. The variance (will/~~will not~~) result in the extension of a nonconforming situation in violation of § 156.90, and it (will/~~will not~~) authorize the initiation of a nonconforming use of land.

Motion: George Smith made a motion that the variance **will** result in the extension of a nonconforming situation in violation of Section 156.90 and it **will** authorize the initiation of a nonconforming use of land.

Second: William Draper

Action: The motion passed unanimously with the following votes:

AYES: George Massey, William Draper, Louis Philippi, George Smith, and Ken Deal

NAYS: None

Mr. Massey asked for a motion to grant or deny the variance request.

Motion: George Smith made a motion to **deny** this variance based on the information provided.

Second: William Draper

Action: The motion to deny the variance passed with the following votes:

AYES: George Massey, Louis Philippi, William Draper and George Smith

NAYS: Ken Deal

THEREFORE, on the basis of the foregoing, IT IS ORDERED that the application variance Case PLZNA-2021-00052 be denied.

Item 8. Case PLZNA-2021-00064 Variance - The applicant, WSB Retail Partners, LLC, is requesting a Variance to section 156.221 in order to remove trees with a circumference greater than seventy-five (75) inches at 2806 W. Highway 74 (Tax ID #09-298-092)

Mr. Massey said that anyone who is going to give testimony in this case needs to be administered the oath. Doug Britt, Dusty Wiederhold, Sarah Hemby and Tim Hemby came forward and were sworn.

Doug Britt, Senior Planner, introduced this item and said tonight he is presenting a variance request to Section 156.221 in order to remove trees with circumference greater than 75 inches at 2806 W. Highway 74. He said at this time he will proceed with the Findings.

Findings:

1. The property located at 2806 W. Highway 74 is owned by Sarah Hemby Trustees and is zoned General Business. (Exhibit 1, 2). Doug said the property is on Hwy 74 but the house has been there for many years. He said there has been some development interest in the property so they want to develop for commercial purposes. He said there are a few houses up and down Hwy 74 but not many.
2. On April 9, 2021, the applicant submitted a variance application to request a variance to section 156.221 in order to remove trees with a circumference greater than seventy-five (75) inches at 2806 W. Highway 74. (Exhibit 3, 4)
3. Section 156.221 stipulates “trees seventy-five (75) inches in circumference must be preserved and shall not be removed.” (Exhibit 5)
4. All adjacent property owners have been notified of the variance request. (Exhibit 6 and 7) Doug said staff did receive one (1) call inquiring about why the property was posted.

Doug said he would be glad to answer any questions at this time and the applicants are here as well.

William Draper asked Doug [could not understand]. Doug said it is zoned commercial. He said it is zoned for retail sales and services. He said residential is a nonconforming use. He said residential may stay there but obviously down the road it will be commercial.

Mr. Massey asked the applicants to come forward to make their statements.

Ms. Sarah Hemby came forward and said she currently shares ownership of 2806 W. Highway 74 with her sister and brother. She explained how her mother and father lived at this property for 64 years, raised their family there and died there. She said in 2008, the surrounding properties were developed into commercial uses for shopping centers, strip malls with retail, restaurants and medical offices. She said although it was always a residence, the County and City automatically rezoned the property to commercial use thereby substantially raising their taxes to the current level. She said from that time, until their passing in 2016, my parents, on a limited income, paid both County and City property taxes on the

commercial level rather than the true residential status. She said between 2008 and 2020 the family has paid commercial property taxes in the amount of \$121,700 to the City of Monroe and approximately \$153,000 to Union County. She said over the past 13 years, our parents and we, as the heirs, have paid approximately \$275,000 in commercial taxes. She said there was a mistake in the application because the total came out to \$286,000 and she has since retotalled this amount to \$275,000.

Ms. Hemby said she wanted to provide you this background to help you understand the impact of the tree ordinance has placed on the ability to sell our property and relieve us of this tax burden. She said her mother passed away in the year 2014 at the age of 96 and her father in 2016 at the age of 98. She said even with the tax costs, we were very happy that they were able to stay in their own home until the day they died.

Ms. Hemby said since 2016, her siblings and her have paid these property taxes at a cost of \$24,000 per year. She said since the passing of her father in 2016, we had this property for sale and under contract with five (5) different developers. She said these contracts have failed because of the planned DOT project that would take a portion of the property for the synchronized street turnaround bowl. She said fortunately we have now negotiated with DOT to resolve an ingress issue in from Hwy 74 only to face another hurdle with this tree ordinance.

Ms. Hemby said should this variance be denied it will severely hinder the ability to develop this property commercially, even though we have been paying commercial taxes all these years. She said, additionally, it will continue to place a burden on her family. She said our current contract for this property is with WSB Retail Partners, and our contact with those partners is Dusty Wiederhold.

Ms. Hemby thanked the Board for taking the time to consider this variance application and to allow us to sell the property per its commercial zoning. She said we hope you will agree that in this situation there is an excellent reason for a variance to the tree ordinance.

Mr. Dusty Wiederhold came forward and said he is Senior Partner of WSB Retail Partners, based in Mt. Pleasant, South Carolina. He said they develop in North and South Carolina and recently finished a project in Fort Mill, which is in South Carolina. He said they finished a large project in Fayetteville, some 225,000 square feet, and they contracted to purchase this property based on relationships that they have with National Tenants.

Mr. Wiederhold said the property, in their opinion, is not developable with the current location of the trees. He said as the site plan will show, there are approximately 12 trees on this property that were there when the parents built the home. He said without the removal of the trees, the property for our use is not feasible. He said they have planned to build approximately 13,250 feet of retail and 70% of that is under letter of intent by National Tenants. He said Sarah, Tim and himself met with DOT numerous times to work out the reconfiguration and the rebuilding of Hwy 74. He said they have an agreement with them to get a curb cut [could not understand].

Mr. Wiederhold said they have letters of intent from tenants. He said it is a very workable project for us. He said we are planning to go into Phase 2 of the predevelopment process by getting the engineers started. He said this meeting tonight is an important one for us.

Mr. Wiederhold said he would be glad to answer any questions you might have.

Mr. Massey asked Mr. Wiederhold how many trees need to be removed. Mr. Wiederhold said 12 oak trees on the property. He showed the trees on the site plan.

Mr. Massey said there are certain standards that this Board has to look at and have to be met and that is what we need to deal with:

1. It is the Board's CONCLUSION, that unnecessary hardship (would/~~would not~~) result from the strict application of the ordinance.

Motion: Louis Philippi made a motion that unnecessary hardship **would** result from the strict application of the ordinance.

Second: William Draper

Action: The motion passed unanimously with the following votes:

AYES: George Massey, Ken Deal, Louis Philippi, William Draper, George Smith

NAYS: None

2. It is the Board's CONCLUSION, that the hardship (is/~~is not~~) peculiar to the applicant's property.

Motion: Louis Philippi made a motion that the hardship **is** peculiar to the applicant's property.

Second: George Smith

Action: The motion passed unanimously with the following votes:

AYES: George Massey, Ken Deal, Louis Philippi, William Draper, George Smith

NAYS: None

3. It is the Board's CONCLUSION, that the hardship (is/is not) the result of the applicant's own actions.

Motion: George Smith made a motion that the hardship **is not** the result of the applicant's own actions.

Second: William Draper

Action: The motion passed unanimously with the following votes:

AYES: George Massey, Ken Deal, Louis Philippi, William Draper, George Smith

NAYS: None

4. (a) It is the Board's CONCLUSION, that the variance (is/~~is not~~) consistent with the spirit, purpose, and intent of the ordinance.

Motion: Louis Philippi made a motion that the variance **is** consistent with the spirit, purpose and intent of the ordinance.

Second: William Draper

Action: The motion passed unanimously with the following votes:

AYES: George Massey, Ken Deal, Louis Philippi, William Draper, George Smith

NAYS: None

- (b) It is the Board's CONCLUSION, that in granting of the variance, the public safety (will/will not) be secured and substantial justice (will/will not) be achieved.

Motion: Ken Deal made a motion that in granting of the variance, the public safety **will** be secured and substantial justice **will** be achieved.

Second: William Draper

Action: The motion passed unanimously with the following votes:

AYES: George Massey, Ken Deal, Louis Philippi, William Draper, George Smith

NAYS: None

5. The variance (will/will not) result in the extension of a nonconforming situation in violation of §156.90, and it (will/will not) authorize the initiation of a nonconforming use of land.

Motion: Louis Philippi made a motion that the variance **will not** result in the extension of a nonconforming situation in violation of Section 156.90 and it **will not** authorize the initiation of a nonconforming use of land.

Second: William Draper

Action: The motion passed unanimously with the following votes:

AYES: George Massey, Ken Deal, Louis Philippi, William Draper, George Smith

NAYS: None

Mr. Massey asked for a motion to grant or deny the variance request.

Motion: George Smith made a motion to **grant** this variance based on the information provided.

Second: William Draper

Action: The motion to **grant** the variance passed unanimously with the following votes:

AYES: George Massey, Ken Deal, Louis Philippi, William Draper, George Smith

NAYS: None

THEREFORE, on the basis of the foregoing, IT IS ORDERED that the application variance **Case PLZNA-2021-00064** be granted.

Item 9. Other

Louis Philippi asked if it was possible to have discussion to perhaps exchange some ideas instead of going directly into the presentation and voting. Mr. McCollum said yes.

Louis Philippi said he noticed that the American Flag is still not in this office.

Ken Deal said to Ms. Hemby that what happened to her and her siblings is a crime. Ms. Hemby said thank you. George Smith said to Ms. Henby that he has been looking for a definition of a white elephant and you have one. He said it is something that is very expensive to get, very expensive to keep, and you can't really get rid of it. Mr. Deal said to Ms. Hemby that at least your Mom and Dad got to stay in their home.

Doug Britt introduced the Planning Intern, William Nance, who is a graduate from Appalachian. He is fulfilling his college requirement doing this internship.

Mr. Massey said to Louis Philippi, regarding his comment on the American flag, that he does not set up the room for this meeting so however it is set up...Mr. Philippi said he does not understand that we are making decisions that affect the population of the City. He said whenever you go to a City Council meeting or any kind of authoritative meeting, there is an American flag in the room. He said they usually leave out the Pledge of Allegiance.

Doug Britt said this Conference Room is a temporary meeting room and we had been meeting here due to special circumstances of social distancing. He said this will be the Board's last meeting in here. He said he knows that this Board comes here and has its meeting but there are things that happen before the meeting, timewise, that you are not privy to.

Mr. Massey said as far as the Pledge of Allegiance, you would have to go to City Council. He said it is not part of the agenda.

Item 10. **Next Meeting – June 24, 2021**

Item 11. **Adjournment**

Motion: William Draper made a motion to adjourn the meeting.

Second: Louis Philippi

Action: The motion to adjourn passed unanimously with the following votes:

AYES: **George Massey, Ken Deal, Louis Philippi, William Draper and George Smith**

NAYS: **None**

The meeting was adjourned at 7:20 p.m.

Respectfully submitted,

George Massey
Chairman

Maryann Brown
Clerk of the Board



STAFF REPORT

PLZNA- 2022-00029

TO: Board of Adjustment Members

DATE: August 26, 2021

FROM: William Nance, Planning Intern

SUBJECT: Variance Request by Sherri Hartsell on behalf of Sign Connection for an additional 80 square feet of attached signage in the General Business District

SUMMARY STATEMENT

The applicant is requesting a variance to section 156.133 (W) of the zoning code. The applicant is requesting a variance of 80 square feet to install an attached sign on the property located at 1817 Dickerson Blvd. The applicant's property is located in the General Business zoning district. The zoning code does not allow for more than 120 square feet of attached signage in this district.

SITE DATA

Type of Action: Variance
Date of Petition: August 2, 2021
Name of Petitioner: Sherri Hartsell/Sign Connection
Location: 1817 Dickerson Blvd.
Tax ID #: 09-264-026
Lot Size: 12.78 Acres
Zoning Classification: General Business

REVIEW

Findings:

1. The property located at 1817 Dickerson Blvd. is owned by Union Square Monroe, LLC and is zoned General Business. (Exhibit 1, 2)
2. On August 2, 2021, the applicant submitted a variance application in order to request a variance to the sign ordinance regarding the General Business district sign allowances. The

applicant is requesting to install a 200 square foot attached sign on the front elevation of the property. (Exhibit 3, 4)

3. Section 156.133 (W) does not allow properties in the General Business District more than 120 square feet of signage per façade. Therefore, the applicant is requesting an 80 square foot variance. (Exhibit 5)
4. All adjacent property owners have been notified of the variance request. (Exhibit 6, 7)

Conclusions:

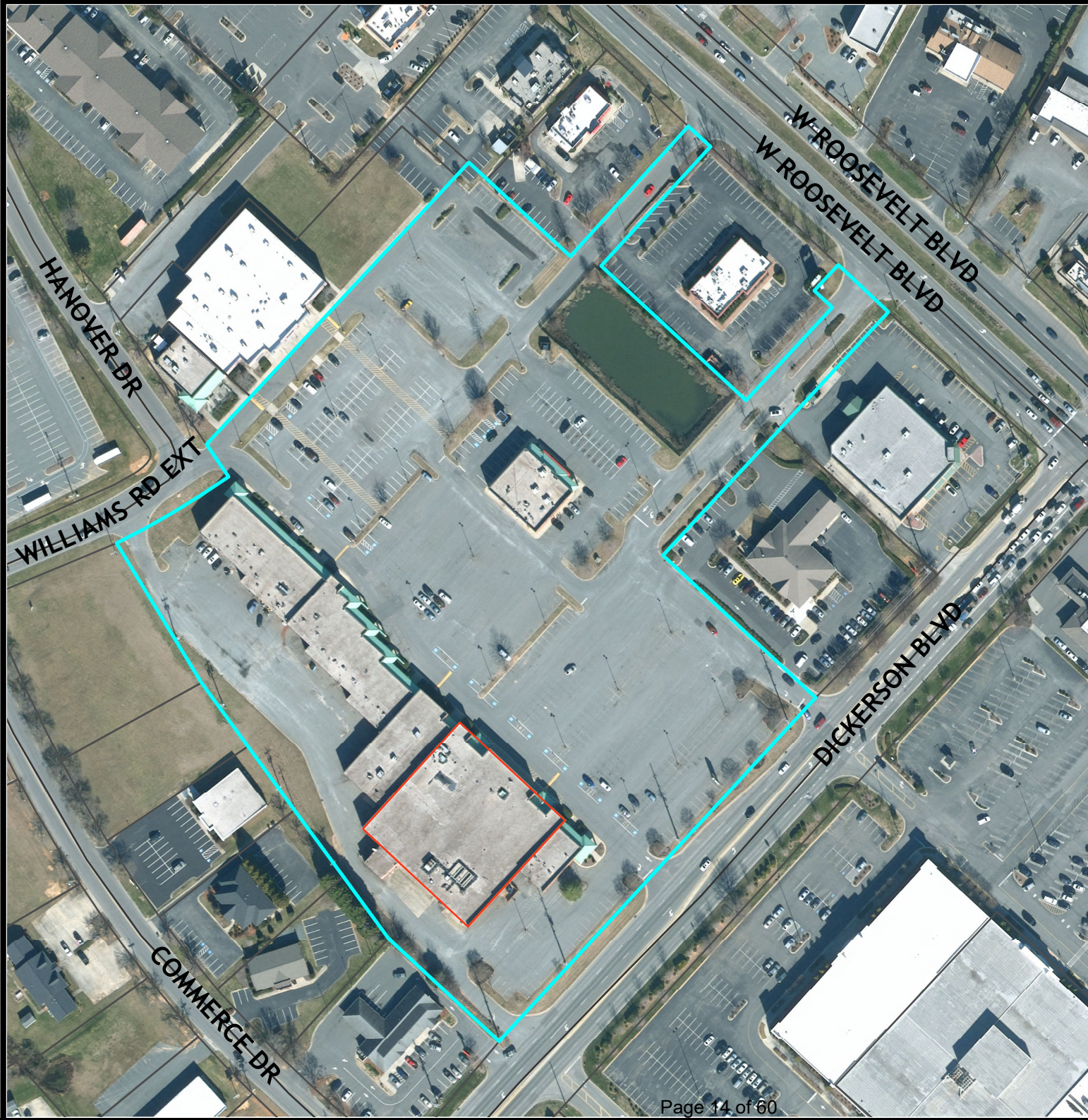
1. It is the Board's CONCLUSION, that unnecessary hardship (would/would not) result from the strict application of the ordinance.
2. It is the Board's CONCLUSION, that the hardship (is/is not) peculiar to the applicant's property.
3. It is the Board's CONCLUSION, that the hardship (is/is not) the result of the applicant's own actions.
4. (a) It is the Board's CONCLUSION, that the variance (is/is not) consistent with the spirit, purpose, and intent of the ordinance.

(b) It is the Board's CONCLUSION, that in granting of the variance, the public safety (will/will not) be secured and substantial justice (will/will not) be achieved.
5. The variance (will/will not) result in the extension of a nonconforming situation in violation of § 156.90, and it (will/will not) authorize the initiation of a nonconforming use of land.

THEREFORE, on the basis of all foregoing, IT IS ORDERED that the application Variance *PLZNA-2022-00029* be (**approved/denied**).

Exhibit 1 - Aerial Map
Exhibit 2 - Zoning Map
Exhibit 3 - Application
Exhibit 4 - Renderings
Exhibit 5 - Ordinance
Exhibit 6 - APO List
Exhibit 7 - APO Map

Prepared by: WN 8-10-21



Ortho Map

PLZNA-2022-00029

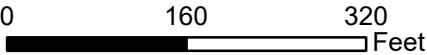
Legend

-  Centerlines
-  Parcels
-  Subject Property

**Existing: GB
(General Business)**

**Owner: Union Square
Monroe LLC**

Acres: 12.78



Zoning Map

PLZNA-2022-00029

Legend

-  Parcels
-  Centerlines

Zoning Districts

-  GB
-  CD

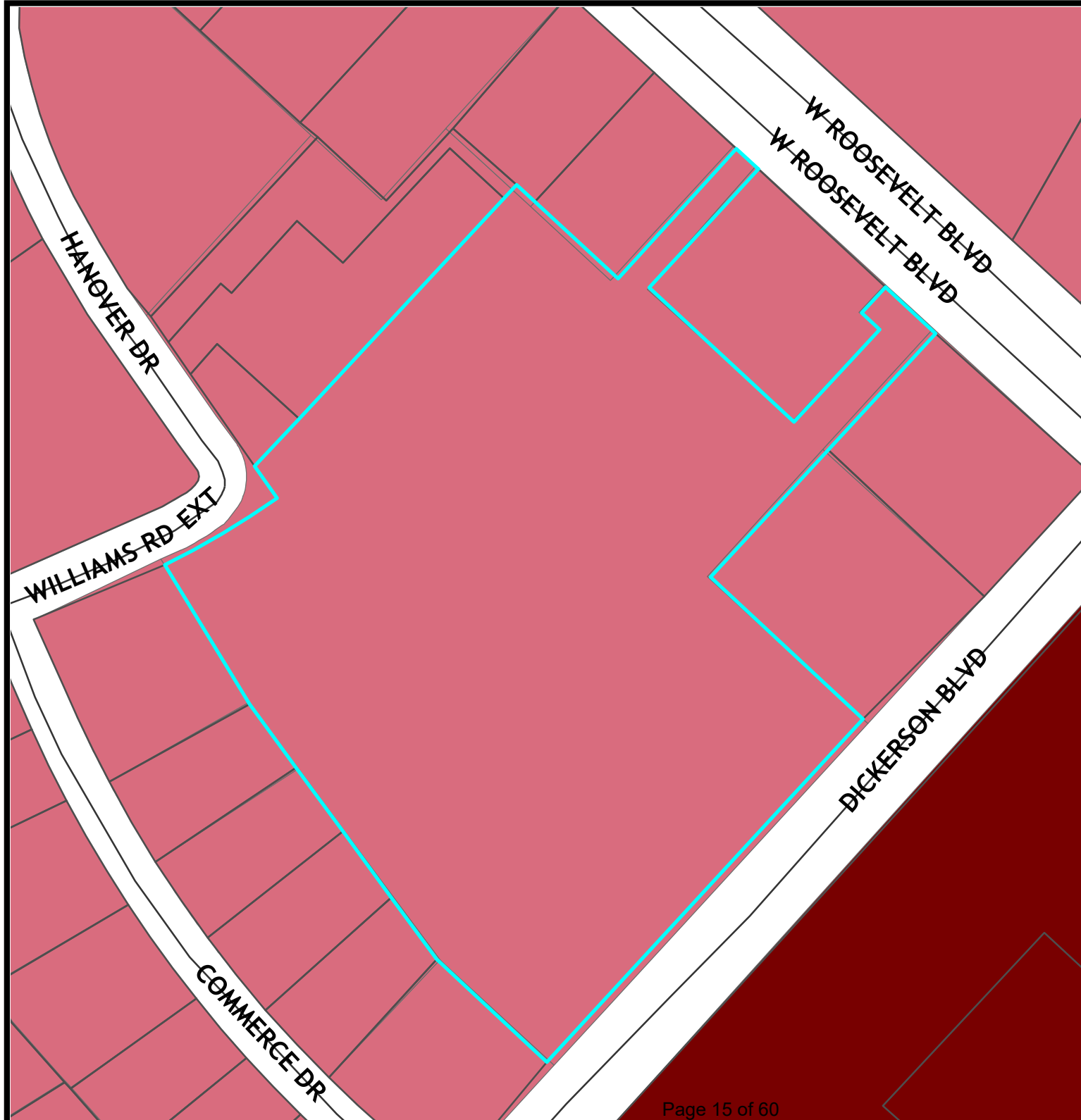
Existing: GB
(General Business)

**Owner: Union Square
Monroe LLC**

Acres: 12.78



0 160 320
 Feet





City of Monroe Variance Application Form

Applicant's Name: Sherri Hartsell/Sign Connection

Applicant's Address: 1660 Pacolet Ct.,

Gastonia, NC 28052

Property Owner's Name: Union Square Monroe LLC

Property Owner's Address: 3362 Smith Farm Rd

Matthews NC 28104

Legal Relationship of Applicant to Property Owner: Agent

Contact Person Name and Phone Number: Sherri Hartsell 704-791-9789

Existing Use of Property: Retial

Property Location: 1817 Dickerson Blvd Monroe NC 28110

Tax Map Number: 09264026 Lot Size: 12.78 Zoning District: GB

Ordinance section number to which a variance is being sought. Section 156.133 W 1 (B)

Proposed variance description: To allow additional signage over the square footage maximum of 120 SQ FT.

Requested a variance of 80 SQ FT

For Staff Use Only	
Application #:	_____
Date Submitted:	_____
Approved:	_____
Denied:	_____

The Board of Adjustment does not have unlimited discretion in deciding whether to grant a variance. Under NC State law, the Board must reach the conclusions listed below before it can issue a variance. When unnecessary hardships would result from carrying out the strict letter of a zoning ordinance, the board of adjustment shall vary any of the provisions of the ordinance upon a showing of the conclusions below.

Please provide facts and arguments on how the request for a variance meets each of the conclusions listed below. Please be as specific as possible in your statements. Should you need more room to complete the information, please attach a separate sheet.

1. **There are unnecessary hardships in the way of carrying out the strict letter of the ordinance.** [It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property, and it is not sufficient that failure to grant the variance will simply make the property less valuable.]

The Building sits back 310' from Commerce Dr and 800' from Roosevelt Blvd. There

are three other businesses that sit in front of this building also which will make visibilty of the wall

sign difficult. The building elevation is 190'.

2. **The hardship results from conditions that are peculiar to the property, such as location, size, or topography.** [Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance]

With the setback of the building and the businesses that are between the building this creates a significant hardship for this location.

3. **The hardship did not result from actions taken by the applicant or the property owner.** [The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship]

The existing business Harris Teeter had a significant larger wall sign than what code currently allows.

4. **The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.**

Allowing a larger sign on this building elevation would be beneficial to the general public to ensure they can find their destination.

5. **The variance will neither result in the extension of a nonconforming situation in violation of § [156.90](#), nor authorize the initiation of a nonconforming use of land.**

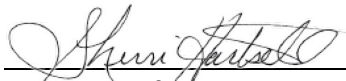
Allowing Ollies will not extend or result in a nonconforming situation. The only nonconforming signs at this shopping center are the two ground signs and they will not be structurally altered.

Request for variances may need to be accompanied by a sketch plan or survey from a Registered Land Surveyor. Said plan shall show, in a scaled form, the location and size of:

1. The boundaries of the lot(s) in question,
2. The size, shape and location of all existing buildings, parking facilities and accessory buildings,
3. The size, shape and location of all proposed buildings, parking facilities and accessory uses,
4. The location of all setbacks and front lot widths as measured at the front setback,
5. The location and type of screening and buffering proposed; and
6. Other information deemed by the Zoning Officer necessary to consider the application complete.

Sherri Hartsell

Printed name of Applicant



Signature of Applicant

Agent for owner

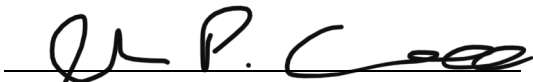
8/1/2021

Date

John Couchell

Owner

Printed name of Owner



Signature of Owner

6.30.21

Date

****If you are signing on behalf of a company, please include your title within the company****

FOR STAFF USE ONLY

(PLEASE DO NOT WRITE BELOW THIS LINE)

Scaled plan attached: Yes _____ No _____ Fee Attached: Yes _____ No _____

Adjoining property owner's information attached: Yes _____ No _____

Public hearing date: _____

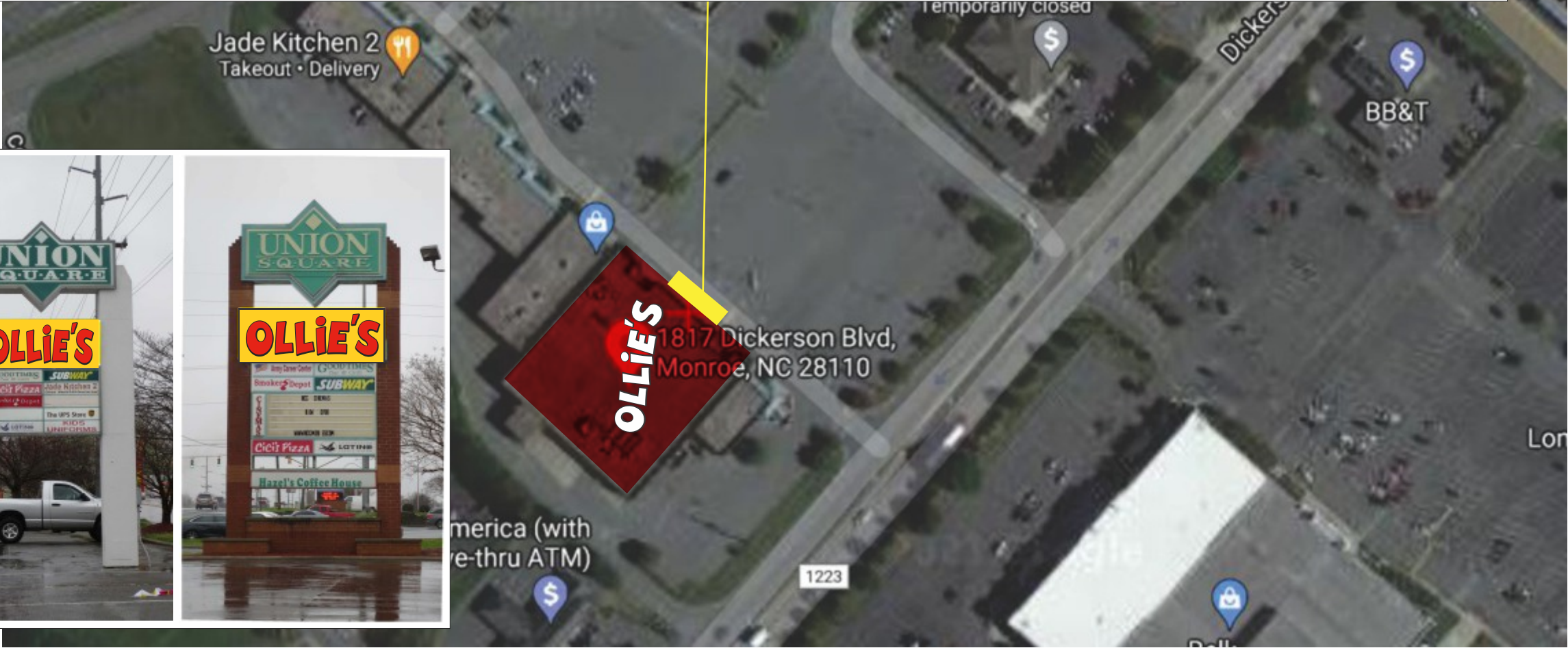
Notice to applicant and adjoining property owners mailed on: _____ INT. _____

Action taken by the Board of Adjustment: _____

Notification of Action Mailed to applicant on: _____



1817 Dickerson Blvd., Monroe, NC 28110



PROJECT INFORMATION

Client
Ollie's

City & State
2918 Vine Street,
Hays, KS 67601

Drawing #
1

Scale
NA

Designer
DD

Project Manager
CR

REVISIONS

CLIENT APPROVAL

☐ APPROVED
☐ APPROVED AS NOTED
☐ REVISE & RESUBMIT
NAME:
DATE:



Main Office
22 Bloomsbury Ave.
Catonsville, MD 21228
phone: 443-792-4454

PAGE SIZE: 11x 17

Site Plan

1 of 5



1817 Dickerson Blvd., Monroe, NC 28110



	height	width	sq inches	sq feet
OLLIE'S *	45.6	193.0	8800.8	61.1
Underscore	15.3	155.6	2380.7	16.5
production square feet:				77.6

COLOR KEY

PLEX FACE

- #7328 WHITE ACRYLIC

#278-0 RED
(EQUIVALENT TO #2793 RED ACRYLIC)

VINYL

- 3M 3630 - 22 BLACK

PAINT

- BLACK, SATIN FINISH

HEAD LOGO:

- 3M 3630 - 149 LT. BEIGE
- 3M 3630 - 53 CARDINAL RED
- 3M 3630 - 22 BLACK

INTERNALLY ILLUMINATED CHANNEL LETTERS
(1) REQUIRED

REQUIREMENTS FOR ELECTRICAL ILLUMINATION
PRIMARY ELECTRICAL LOCATION IS PROVIDED
BY OTHERS. A DEDICATED CIRCUIT WITH NO SHARED
NEUTRALS AND A GROUND RETURNING TO THE PANEL
IS REQUIRED FOR ALL INSTALLATIONS

120 Sq.Ft. Scale:3/16"=1'



Previous tenant approx. 200 Sq.Ft.



Existing

*Measurement for scale provided by client



OLLIE'S

PROJECT INFORMATION

Client
Ollie's
City & State
1817 Dickerson Blvd.,
Monroe, NC 28110
Drawing #
1
Scale
NA
Designer
DD
Project Manager
CR

REVISIONS

CLIENT APPROVAL

[] APPROVED
[] APPROVED AS NOTED
[] REVISE & RESUBMIT
NAME:
DATE:



Main Office
22 Bloomsbury Ave.
Catonsville, MD 21228
phone: 443-792-4454

PAGE SIZE: 11x 17

Channel letters

2 of 5



1817 Dickerson Blvd., Monroe, NC 28110



	height	width	sq inches	sq feet
OLLIE'S *	64.2	272.0	17462.4	121.3
Underscore	21.6	219.3	4736.9	32.9
production square feet:				154.2

COLOR KEY

PLEX FACE

- #7328 WHITE ACRYLIC

#278-0 RED
(EQUIVALENT TO #2793 RED ACRYLIC)

VINYL

- 3M 3630 - 22 BLACK

PAINT

- BLACK, SATIN FINISH

HEAD LOGO:

- 3M 3630 - 149 LT. BEIGE

3M 3630 - 53 CARDINAL RED

3M 3630 - 22 BLACK

INTERNALLY ILLUMINATED CHANNEL LETTERS
(1) REQUIRED

200 Sq.Ft. Scale:3/16"=1'

REQUIREMENTS FOR ELECTRICAL ILLUMINATION
PRIMARY ELECTRICAL LOCATION IS PROVIDED
BY OTHERS. A DEDICATED CIRCUIT WITH NO SHARED
NEUTRALS AND A GROUND RETURNING TO THE PANEL
IS REQUIRED FOR ALL INSTALLATIONS



Previous tenant approx. 200 Sq.Ft.



Existing

*Measurement for scale provided by client



PROJECT INFORMATION

Client
Ollie's
City & State
1817 Dickerson Blvd.,
Monroe, NC 28110
Drawing #
1
Scale
NA
Designer
DD
Project Manager
CR

REVISIONS

CLIENT APPROVAL

[] APPROVED
[] APPROVED AS NOTED
[] REVISE & RESUBMIT
NAME:
DATE:



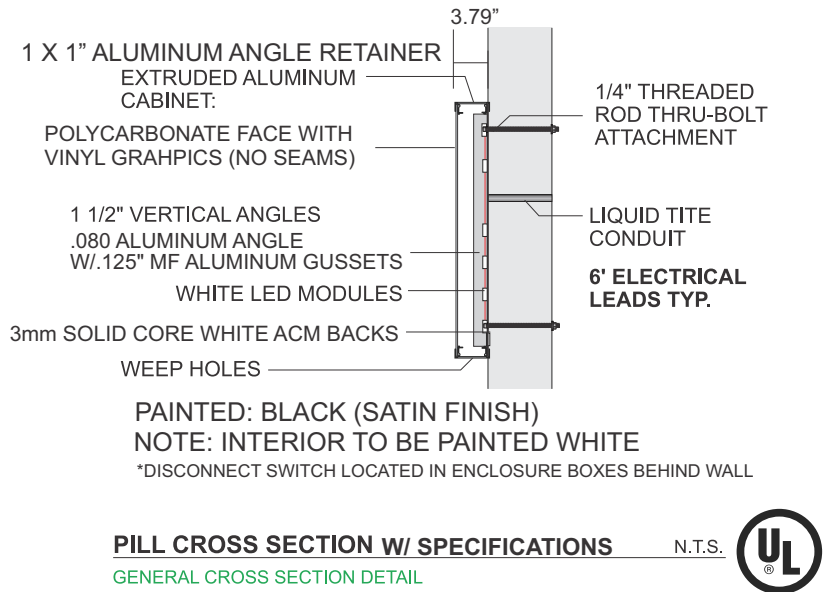
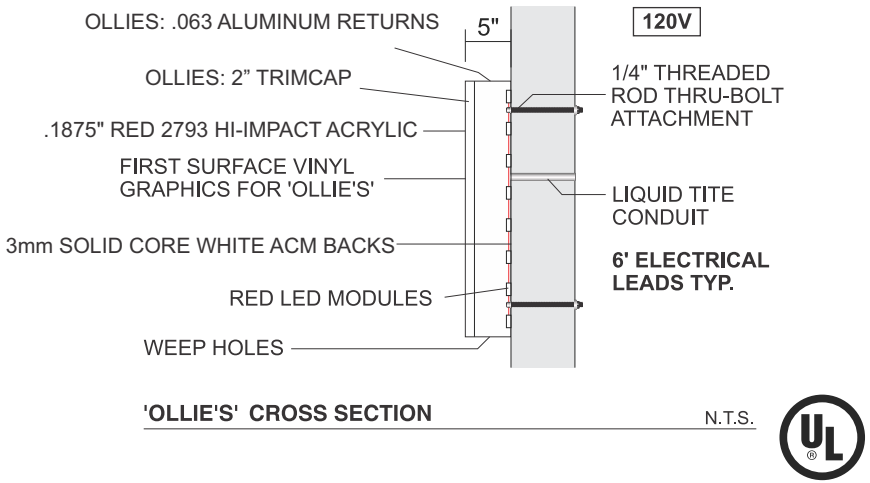
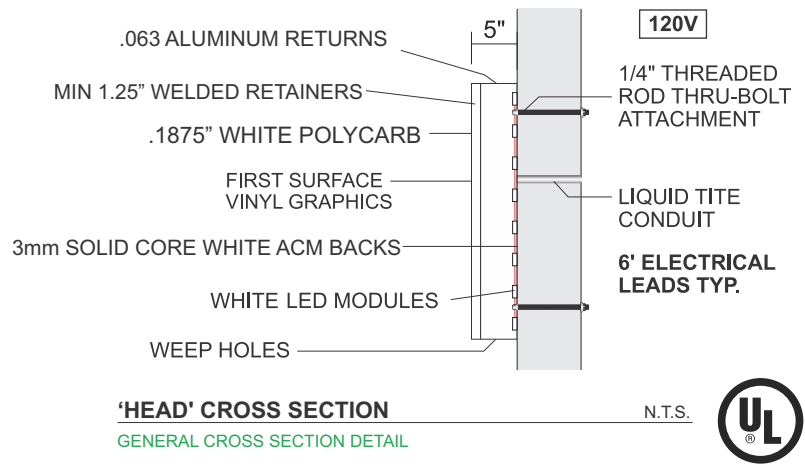
Main Office
22 Bloomsbury Ave.
Catonsville, MD 21228
phone: 443-792-4454

PAGE SIZE: 11x 17

Channel letters
3 of 5



Flush Mounted



All logos to be fabricated with welded retainers.
Letters 60” h or greater to be fabricated with welded retainers in lieu of trim caps and opaque vinyl.

All attachment methods shown as thru bolted threaded rod, some with aluminum angle stringers. Actual method of attachment may vary based on wall construction.

PROJECT INFORMATION

Client
Ollie's

City & State
1817 Dickerson Blvd.,
Monroe, NC 28110

Drawing #
1

Scale
NA

Designer
DD

Project Manager
CR

REVISIONS

CLIENT APPROVAL

[] APPROVED

[] APPROVED AS NOTED

[] REVISE & RESUBMIT

NAME:

DATE:

Main Office

22 Bloomsbury Ave.
Catonsville, MD 21228
phone: 443-792-4454

PAGE SIZE: 11x 17

Channel letters

4 of 5

(W) *General Business District (GB) and Industrial District (G-I)*. in addition to the permanent and temporary signs and sign-types that are allowed pursuant to division (T) of this section, the following permanent signs are also allowed within the GB and GI Zoning Districts. The permanent signs described below require a sign permit.

(1) *Attached signs.*

(a) *Maximum number.* No limit.

(b) *Maximum area.* The maximum square footage of all signs on each facade is equal to a rate of 1.5 square feet per linear foot of the facade, not to exceed a total of one hundred twenty (120) square feet of signage per facade.

(c) *Location.* Attached signs shall not extend above the parapet wall and shall not project more than six (6) inches into the street right-of-way unless it is at least ten (10) feet above street grade.

ACCTNO	PROPERTYST	OWNERNAME1	OWNERADDRE	OWNERCITY	OWNERSTATE	OWNERZIP
09216071	2120 W ROOSEVELT BLVD	EXTRA SPACE PROPERTIES TWO LLC	2795 E COTTONWOOD PKWY STE 300	SALT LAKE CITY	UT	84121
09216072	2204 W ROOSEVELT BLVD	CHERRY LOG DEVELOPERS LLC	101 RIVERWOODS DRIVE	MORGANTON	NC	28655
09216073 01	2200 W ROOSEVELT BLVD	FRANCES SIMPSON FAMILY LLC	C/O BOJANGLES 307 CJ THOMAS RD E	MONROE	NC	281106202
09216074	2258 W ROOSEVELT BLVD	TY-PAR REALTY INC	P O BOX 748	MONROE	NC	281110748
09216075	2320 W ROOSEVELT BLVD	TYSON CENTER LLC	PO BOX 748	MONROE	NC	28111
09216089	2259 W ROOSEVELT BLVD	THE QUACH GROUP LLC	2825 PULASKI DR	MONROE	NC	28110
09216090	2263 W ROOSEVELT BLVD	FRANCIS LLC	2263 W ROOSEVELT BLVD	MONROE	NC	28110
09216149	2239 W ROOSEVELT BLVD	MR TOKYO TRADING LLC	13725 DALTREY LN	CHARLOTTE	NC	28277
09261001 A	2303 W ROOSEVELT BLVD	EAST BROADWAY APARTMENTS LLC	C/O ZELMAN REALTY PO BOX 1347	ROSLYN HEIGHTS	NY	11577
09261016	0 HANOVER DR	CITY OF MONROE	PO BOX 69	MONROE	NC	281110069
09264003 01	2123 W ROOSEVELT BLVD	MONROE CROSSING OWNER LLC	% TIME EQUITIES INC 55 FIFTH AVE 15TH FLOOR	NEW YORK	NY	10003
09264024	1993 DICKERSON BLVD	VINSON ENTERPRISES INC	PO BOX 1159	DEERFIELD	IL	60015
09264025	1795 DICKERSON BLVD	CHOPRA ISH K	C/O BANK OF AMERICA 101 N TRYON STREET	CHARLOTTE	NC	28255
09264026	1809 DICKERSON BLVD	UNION SQUARE MONROE LLC	3362 SMITH FARM RD	MATTHEWS	NC	28104
09264026 A	1911 DICKERSON BLVD	MONROE CINEMAS LLC	300 W 5TH ST UNIT 118	CHARLOTTE	NC	28202
09264029	1790 DICKERSON BLVD	STATE EMPLOYEES' CREDIT UNION	ATTN: REX SPIVEY PO BOX 26807	RALEIGH	NC	27611
09264030	2166 COMMERCE DR	BEACHWOOD REAL ESTATE LLC	11217 PINE VALLEY CLUB DR	CHARLOTTE	NC	28277
09264033	1800 DICKERSON BLVD	1800 DICKERSON BUILDING LLC	1800 DICKERSON BLVD	MONROE	NC	28110

09264034	1989 DICKERSON BLVD	FIRST UNION NATIONAL BANK OF NC	%THOMSON REUTERS PO BOX 2609	CARLSBAD	CA	92018
09264035	DICKERSON BLVD	MONROE CINEMAS LLC	300 WEST FIFTH ST UNIT 118	CHARLOTTE	NC	28202
09264036	DICKERSON BLVD	MONROE CINEMAS LLC	300 W 5TH ST UNIT 118	CHARLOTTE	NC	28202
09265016	1737 WILLIAMS RD EXT	CITY OF MONROE	PO BOX 69	MONROE	NC	281110069
09265017	2204 COMMERCE DR	CERRIG CORP	5231 CLUB VIEW DR	CONCORD	NC	28025
09265018	2208 COMMERCE DR	PRS HOLDINGS LLC	2208 COMMERCE DR	MONROE	NC	28110
09265019	2214 COMMERCE DR	LBSJR PROPERTIES LLC	516 S ELM ST	MARSHVILLE	NC	28103
09265020	0 COMMERCE DR	ANDREWS DEANA S	1105 CHADBOURNE AVE	CONCORD	NC	28027
09265021	0 COMMERCE DRIVE	ARMSTRONG KATHERINE T	1111 OAK HILL DR	MONROE	NC	28112
09265022	0 COMMERCE DR	ANDREWS DEANNA S	1105 CHADBOURNE AVE	CONCORD	NC	28027
09265023	0 COMMERCE DR	ANDREWS DEANA S	1105 CHADBOURNE AVE	CONCORD	NC	28027
09265025	2213 COMMERCE DRIVE	MOYER THOMAS M III	5323 SUGAR AND WINE RD	MONROE	NC	28110
09265026	0 COMMERCE DRIVE	GRLLC	2016 W MOREHEAD ST	CHARLOTTE	NC	28208
09265027	2205 COMMERCE DRIVE	GRLLC	2016 W MOREHEAD ST	CHARLOTTE	NC	28208
09265028	0 DICKERSON	J J & H INVESTMENTS LLC	2328 E LAWYERS RD	MONROE	NC	28110
09265031	0 COMMERCE DR	ANDREWS DEANA S	1105 CHADBOURNE AVE	CONCORD	NC	28027

APO Map

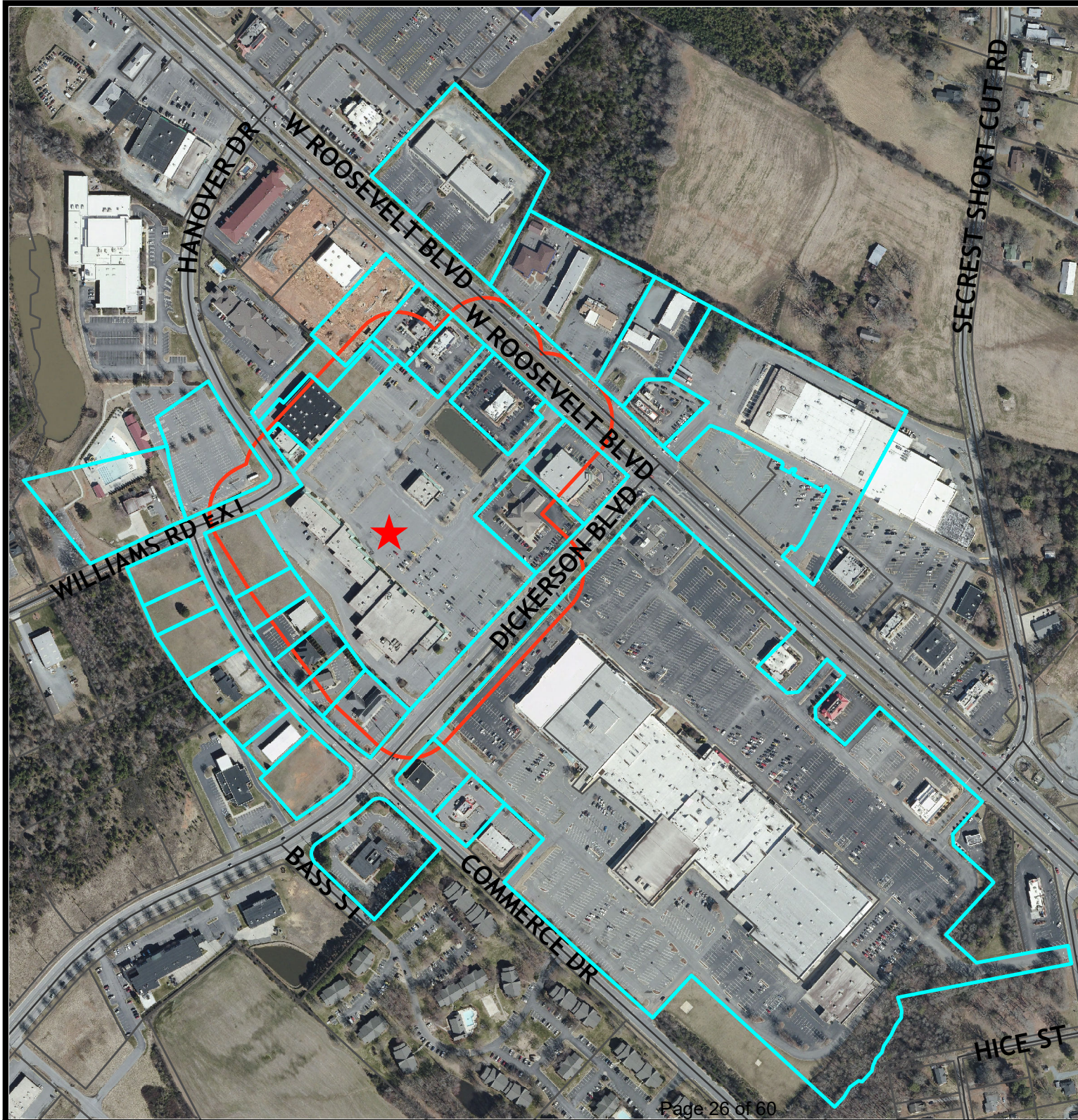
1817 Dickerson Blvd.

Legend

-  Centerlines
-  Parcels
-  Notified Properties
-  150-foot Buffer
-  Subject Property



0 335 670
 Feet





STAFF REPORT

PLZNA - 2022 - 00025

TO: Board of Adjustment Members

DATE: August 26, 2021

FROM: Keri Mendler, Planner

PREPARED BY: William Nance, Planning Intern

SUBJECT: Variance Request by Jeffrey and Sharon Darr for an additional 3,000 square feet of accessory structure allowance

SUMMARY STATEMENT

The applicants are requesting a variance to section 156.14 of the Zoning Code for the property located at 3914 Priceton Drive. The applicants are requesting a variance to the maximum square footage of accessory structures to build a new accessory structure on the property.

SITE DATA

Type of Action:	Variance
Date of Petition:	July 29, 2021
Name of Petitioner:	Jeffrey and Sharon Darr
Location:	3914 Priceton Drive
Tax ID #:	09-295-108
Lot Size:	3.31 Acres
Zoning Classification:	R-40

REVIEW

Findings:

1. The property located at 3914 Priceton Drive is owned by Jeffrey and Sharon Darr and is zoned R-40 (Residential Single - Family). (Exhibit 1, 2)
2. On July 29, 2021 the applicants submitted a variance application in order to request a variance to the maximum square footage of accessory structures of 3,000 square feet. (Exhibit 3)

3. According to Section 156.14 of the Unified Development Ordinance titled Definition of Basic Terms, Accessory Structure is defined as “a structure on the same lot as a principal structure, which is incidental and subordinate to the principal structure, and which is considered attached or detached.” Therefore, it is interpreted that the square footage of all accessory structures cannot exceed the principal structure, which is the house in single-family zoning districts. (Exhibit 4)
4. The applicant is requesting a variance of 3,000 square feet to build a 1,500 square foot storage building with a covered awning. Currently, there are four structures on the property. The principal structure on the property, the house, is 1,901 heated square feet. The other three structures are a pool house, gazebo, and shed. (Exhibit 5, 6)
5. The pool house is 1,144 square feet, the gazebo is 208 square feet, and the shed is 63 square feet. The existing accessory structures total 1,415 square feet. This leaves 486 square feet for additional accessory structures. The proposed structure would be 1500 square feet, plus a covered awning which would be approximately 360 square feet. This would bring the total square footage for the structure to 1,860 square feet, and would require a variance of 1,374 square feet. However, the applicant is requesting a variance of 3,000 square feet to install the new accessory structure. This number is to ensure that all square footage is covered, but would also allow for an additional 1,626 square feet of accessory structures. (Exhibit 5, 6)
6. All adjacent property owners have been notified of the proposed variance. (Exhibit 7, 8)

Conclusions:

1. It is the Board’s CONCLUSION, that unnecessary hardship (would/would not) result from the strict application of the ordinance.
2. It is the Board’s CONCLUSION, that the hardship (is/is not) peculiar to the applicant’s property.
3. It is the Board’s CONCLUSION, that the hardship (is/is not) the result of the applicant’s own actions.
4. (a) It is the Board’s CONCLUSION, that the variance (is/is not) consistent with the spirit, purpose, and intent of the ordinance.

(b) It is the Board’s CONCLUSION, that in granting of the variance, the public safety (will/will not) be secured and substantial justice (will/will not) be achieved.
5. The variance (will/will not) result in the extension of a nonconforming situation in violation of § 156.90, and it (will/will not) authorize the initiation of a nonconforming use of land.

THEREFORE, on the basis of all foregoing, IT IS ORDERED that the application Variance PLZNA-2022-00025 be (**approved/denied**).

Attachments:

Exhibit 1: Aerial Map
Exhibit 2: Zoning Map
Exhibit 3: Application
Exhibit 4: Section 156.137 of UDO
Exhibit 5: Site Plan & Renderings
Exhibit 6: Current Structures
Exhibit 7: APOs
Exhibit 8: APO Map

Prepared by: WN 8-12-21

Ortho Map

PLZNA-2022-00025

Legend

— Centerlines

□ Parcels

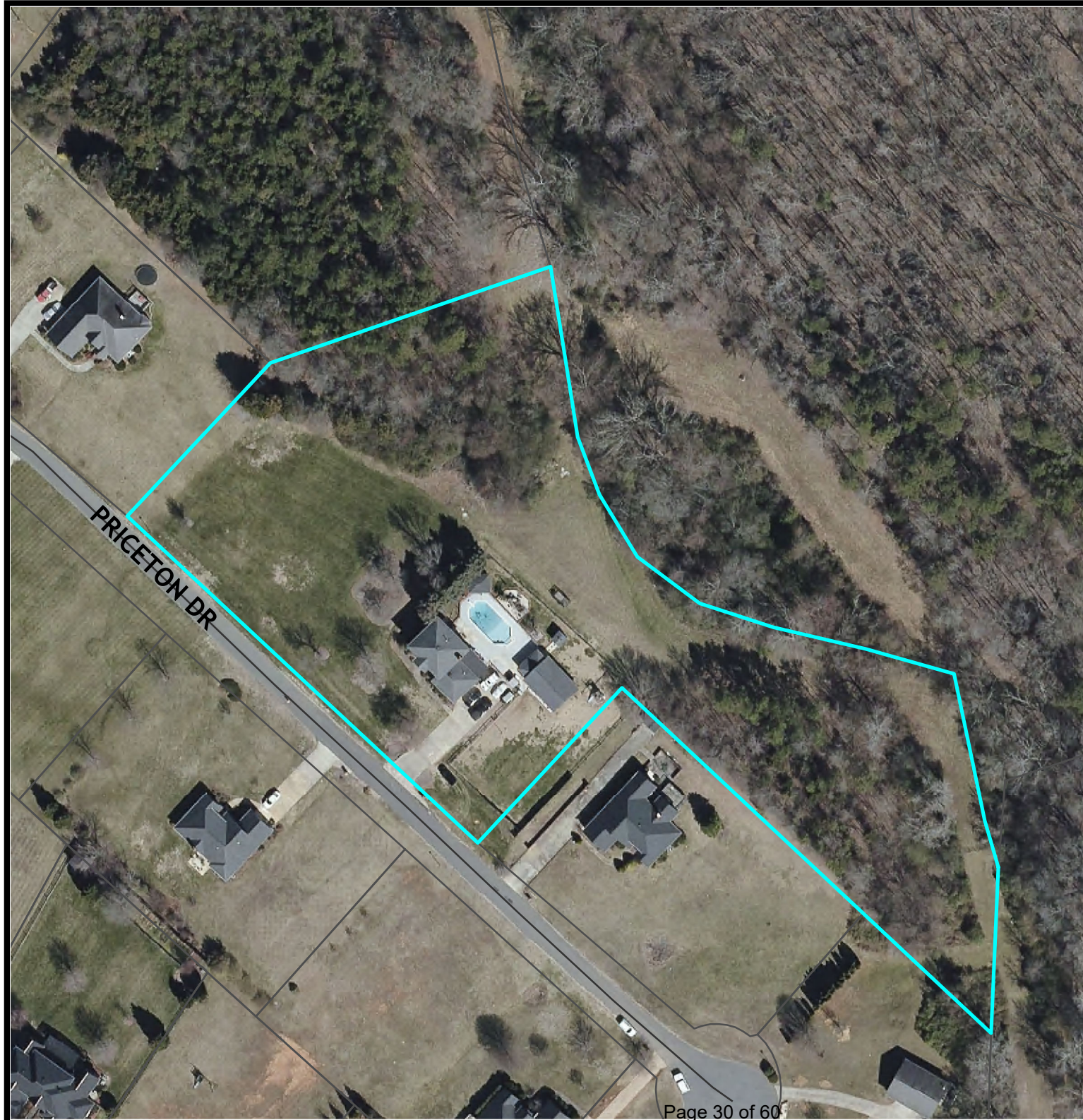
**Existing: R-40
(Residential Low Density)**

Owner: Jeffrey & Sharon Darr

Acres: 3.31



0 95 190
Feet



Zoning Map

PLZNA-2022-00025

Legend

-  Parcels
-  Centerlines

Zoning Districts

-  R-40

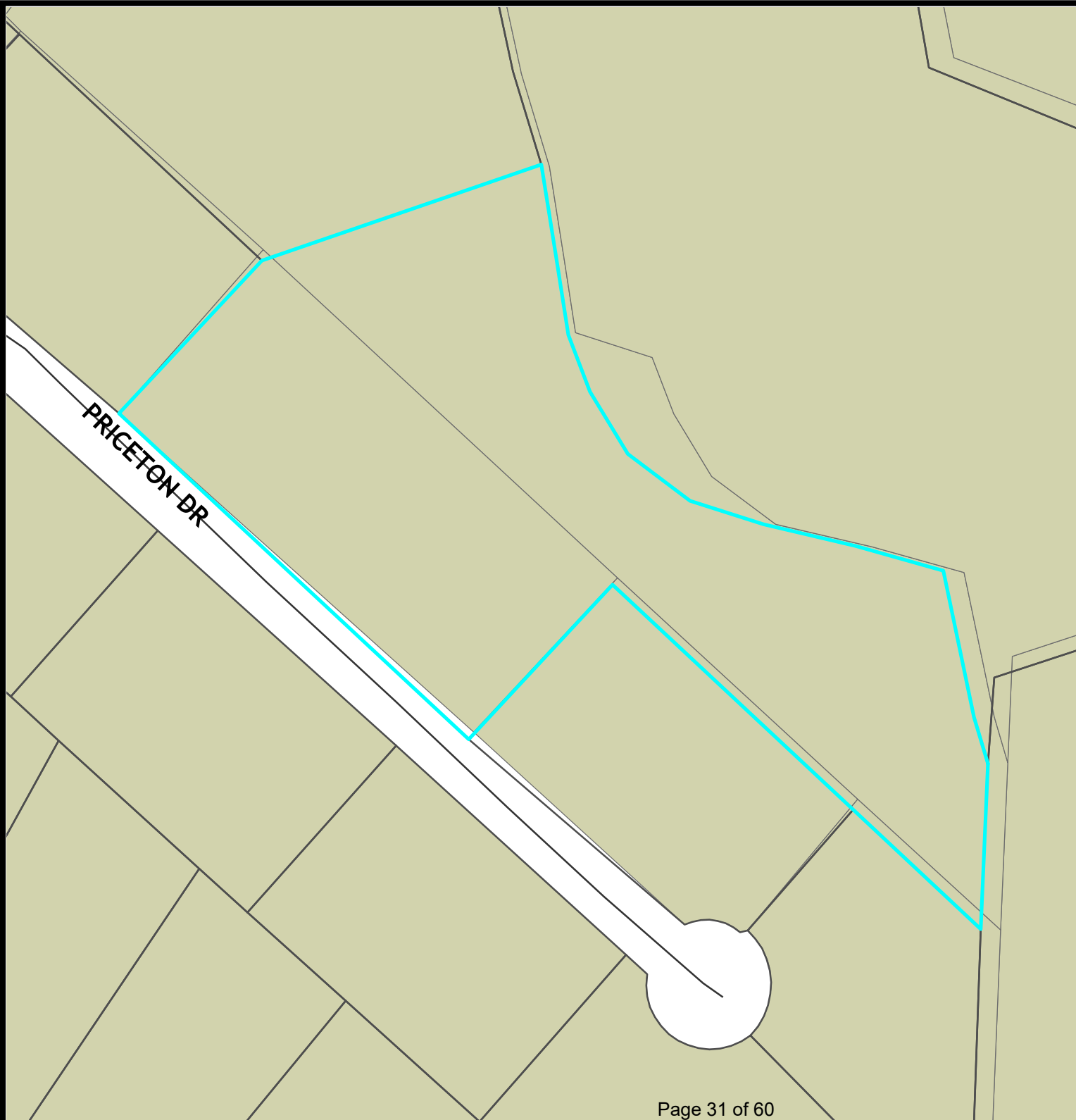
Existing: R-40
(Residential Low Density)

Owner: Jeffrey & Sharon Darr

Acres: 3.31



0 95 190
 Feet



City of Monroe Variance Application Form

Applicant's Name: JEFFREY AND SHARON DARR

Applicant's Address: 3914 PRICETON DR
MONROE NC 28110

Property Owner's Name: SAME AS ABOVE

Property Owner's Address: _____

For Staff Use Only	
Application #:	_____
Date Submitted:	_____
Approved:	_____
Denied:	_____

Legal Relationship of Applicant to Property Owner: OWNER

Contact Person Name and Phone Number: JEFF DARR C) 704-575-5846

Existing Use of Property: SINGLE FAMILY DWELLING

Property Location: PRICETON DRIVE & JAMES HAMILTON RD.

Tax Map Number: 09-295-108 Lot Size: 3.31 Zoning District: R40

Ordinance section number to which a variance is being sought: 156.14 DEFINITIONS OF BASIC

Proposed variance description: INCREASE THE ACCESSORY STRUCTURE
ALLOWANCE AND ADDITIONAL 3000 SQ FT.

The Board of Adjustment does not have unlimited discretion in deciding whether to grant a variance. Under NC State law, the Board must reach the conclusions listed below before it can issue a variance. When unnecessary hardships would result from carrying out the strict letter of a zoning ordinance, the board of adjustment shall vary any of the provisions of the ordinance upon a showing of the conclusions below.

Please provide facts and arguments on how the request for a variance meets each of the conclusions listed below. Please be as specific as possible in your statements. Should you need more room to complete the information, please attach a separate sheet.

1. There are unnecessary hardships in the way of carrying out the strict letter of the ordinance. [It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property, and it is not sufficient that failure to grant the variance will simply make the property less valuable.]

QUESTION ANSWERED ON ADDITIONAL PAGES
DUE TO LENGTH AND POOR HAND WRITING.

2. **The hardship results from conditions that are peculiar to the property, such as location, size, or topography.** [Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance]

ANSWERED ON ADDITIONAL PAGES

3. **The hardship did not result from actions taken by the applicant or the property owner.** [The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship]

ANSWERED ON ADDITIONAL PAGES

4. **The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.**

ANSWERED ON ADDITIONAL PAGES

5. **The variance will neither result in the extension of a nonconforming situation in violation of § 156.90, nor authorize the initiation of a nonconforming use of land.**

ANSWERED ON ADDITIONAL PAGES

Request for variances may need to be accompanied by a sketch plan or survey from a Registered Land Surveyor. Said plan shall show, in a scaled form, the location and size of:

1. The boundaries of the lot(s) in question,
2. The size, shape and location of all existing buildings, parking facilities and accessory buildings,
3. The size, shape and location of all proposed buildings, parking facilities and accessory uses,
4. The location of all setbacks and front lot widths as measured at the front setback,
5. The location and type of screening and buffering proposed; and
6. Other information deemed by the Zoning Officer necessary to consider the application complete.

JEFFREY A DARR

Printed name of Applicant

Jeffrey A Darr

Signature of Applicant

7/29/2021

Date

JEFFREY AND SHARON DARR

Printed name of Owner

Jeffrey A Darr

Signature of Owner

Sharon W Darr

7/29/2021

Date

****If you are signing on behalf of a company, please include your title within the company****

FOR STAFF USE ONLY
(PLEASE DO NOT WRITE BELOW THIS LINE)

Scaled plan attached: Yes _____ No _____ Fee Attached: Yes _____ No _____

Adjoining property owner's information attached: Yes _____ No _____

Public hearing date: _____

Notice to applicant and adjoining property owners mailed on: _____ INT. _____

Action taken by the Board of Adjustment: _____

Notification of Action Mailed to applicant on: _____

- 1. There are unnecessary hardships in the way of carrying out the strict letter of the ordinance. [It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property, and it is not sufficient that failure to grant the variance will simply make the property less valuable.]**

We are not exactly sure of the intent of this question. The hardship that this has caused us personally is that without knowledge of the square footage restriction for accessory structures we will be forced to forfeit the non-refundable deposit of \$6,000 that we had to put down to secure the current price of the building. We also feel that the square footage allowed should be equal per parcel but also consider the size of the parcel of land. (IE A 6 acre lot may be allowed more than a 1 acre parcel)

- 2. The hardship results from conditions that are peculiar to the property, such as location, size, or topography. [Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance]**

A large majority of the property is in a flood plain and a city sewer right away. Although we pay taxes based on the size of the property, this variance would allow us to use a portion of the property for our personal use and growth and add value to an otherwise limited use property. Additionally, much of the property is a challenge due to the terrain (hills) that cannot be changed due to the floodplain limits.

- 3. The hardship did not result from actions taken by the applicant or the property owner. [The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship]**

The intent of purchasing this property was to clean it up by improving the aesthetics and as a result, improving public safety while my family could benefit from the installation of the proposed structure. At no point, was I aware that the intended structure would be limited by the square footage of my home given I purchased a separate parcel. The purchase was not to circumvent the ordinance but to make the property more aesthetically pleasing to surrounding neighbors while making the parcel more useful. Again, it is plagued with unsightly growth, a wide flood zone, sewer easement and limited access so the intent of this project was to improve the overall area while I got a user-friendly structure for my family to use.

4. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

Public safety should not be a concern with the request for additional square footage for a garage. The garage will be located 200 ft from Priceton Dr and will not be utilized for commercial activities or any use considered a nuisance, just for personal homeowner type activities. The property also provides a second access for public safety and utilities to get to us, our neighbors and public assets.

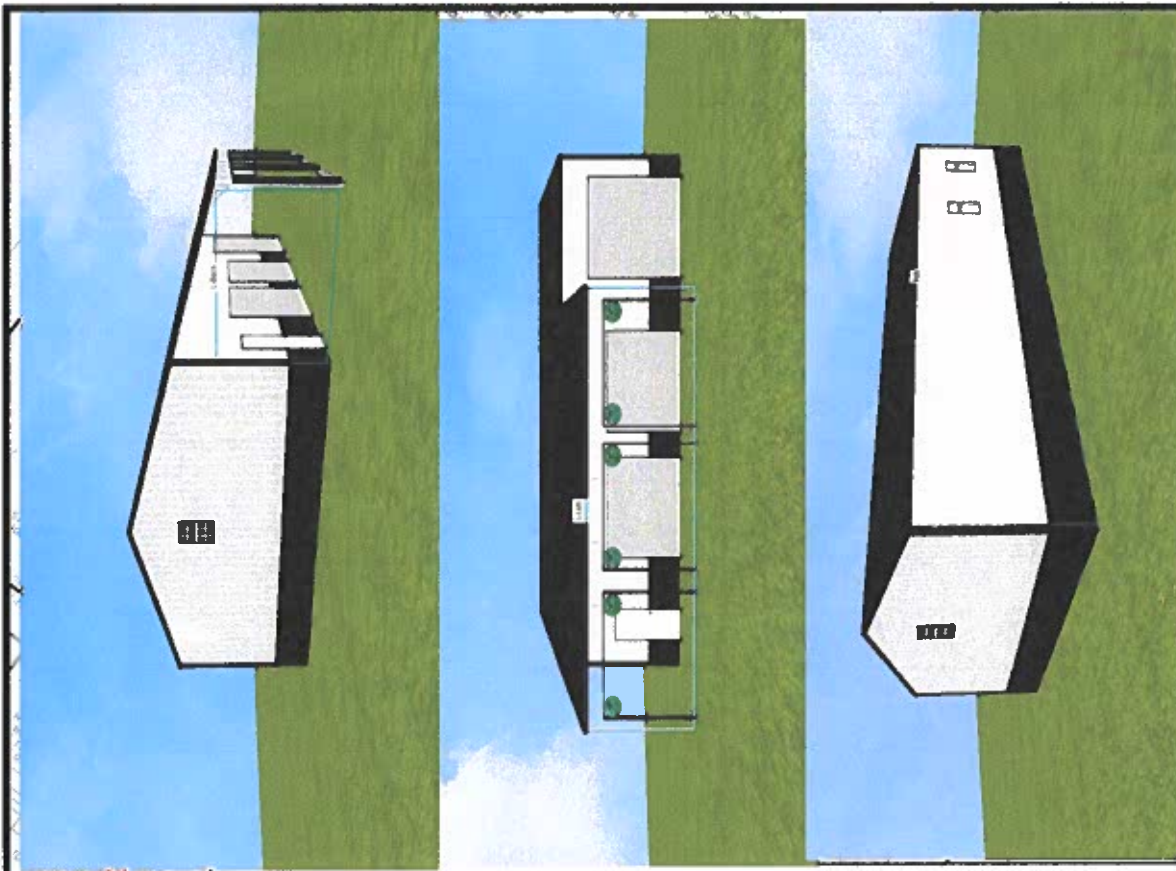
5. The variance will neither result in the extension of a nonconforming situation in violation of § 156.90, nor authorize the initiation of a nonconforming use of land.

We feel that the request for this variance will not result in any nonconforming use of the land. The current zoning is for single family dwelling. The use of the garage is for additional space for our hobbies, a workout area for exercising and additional storage of lawn mowers and outside equipment. The garage will help us keep the items under roof and prevent eyesores, thus contributing to an esthetically pleasing neighborhood.

In closing: Although we now realize that there is a square footage restriction in the city limits, in my many conversations with quite a few friends and family members, they were also unaware of this restriction. We are firm believers in establishing rules because you must have guidelines when dealing with a large community. We also believe that 'fairness' can be applied to most rules. Our hope is that you will review this variance application with 'fairness'. If you feel this request will be a detriment to the community, we will certainly respect your opinion. If our request is unfavorable, I hope you will share your reasoning so we can pass it on and not make the mistake of forfeiting our payment deposit in the future. Thank you for your consideration of this variance given the size of our lot is significantly larger than the average lot in the subdivision and backs up to a large buffer from any future development.

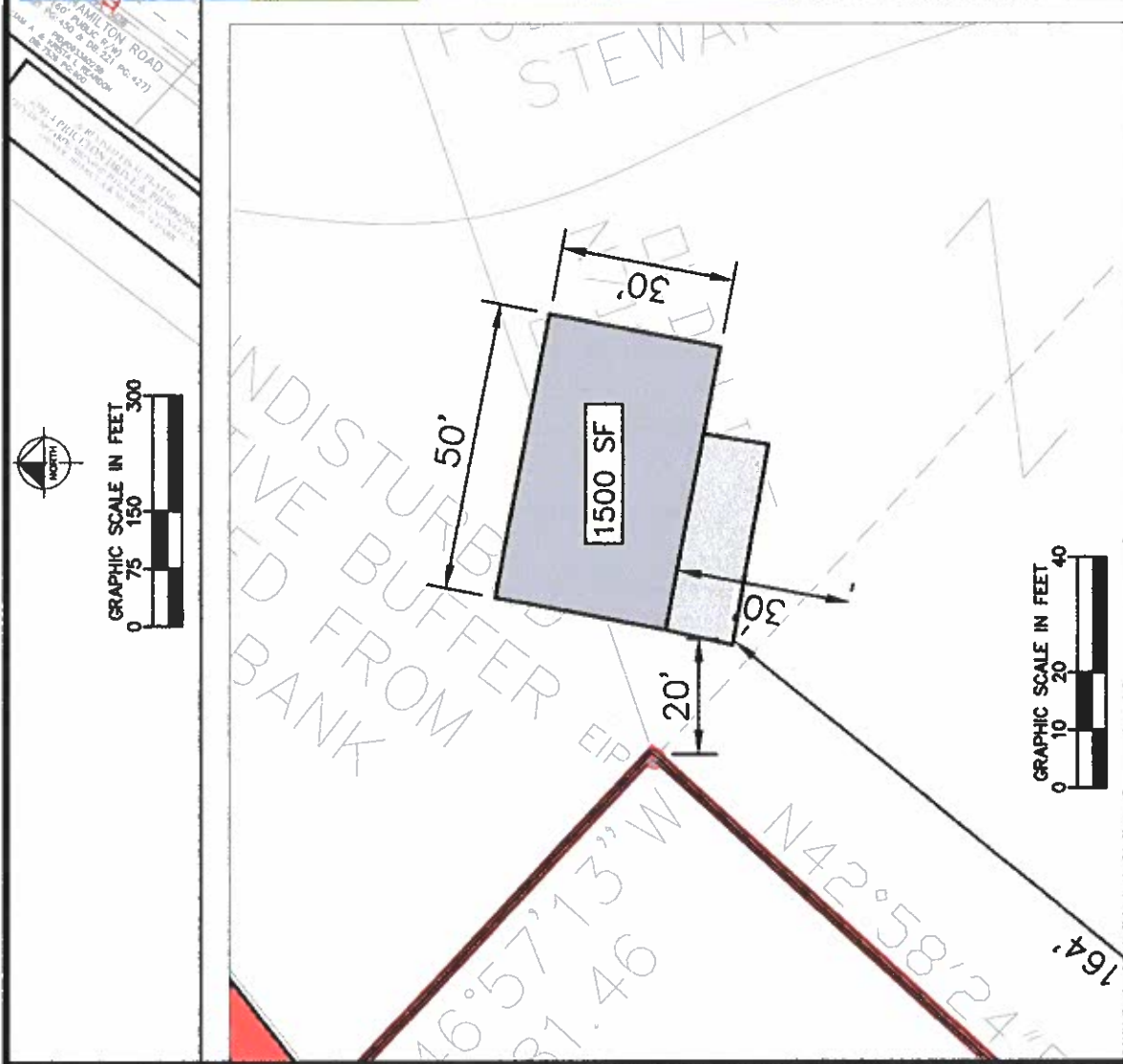
STRUCTURE, ACCESSORY. A structure on the same lot as a principal structure, which is incidental and subordinate to the principal structure, and which is considered attached or detached.

STRUCTURE, PRINCIPAL. A structure which houses the primary use of the property on which it is located.



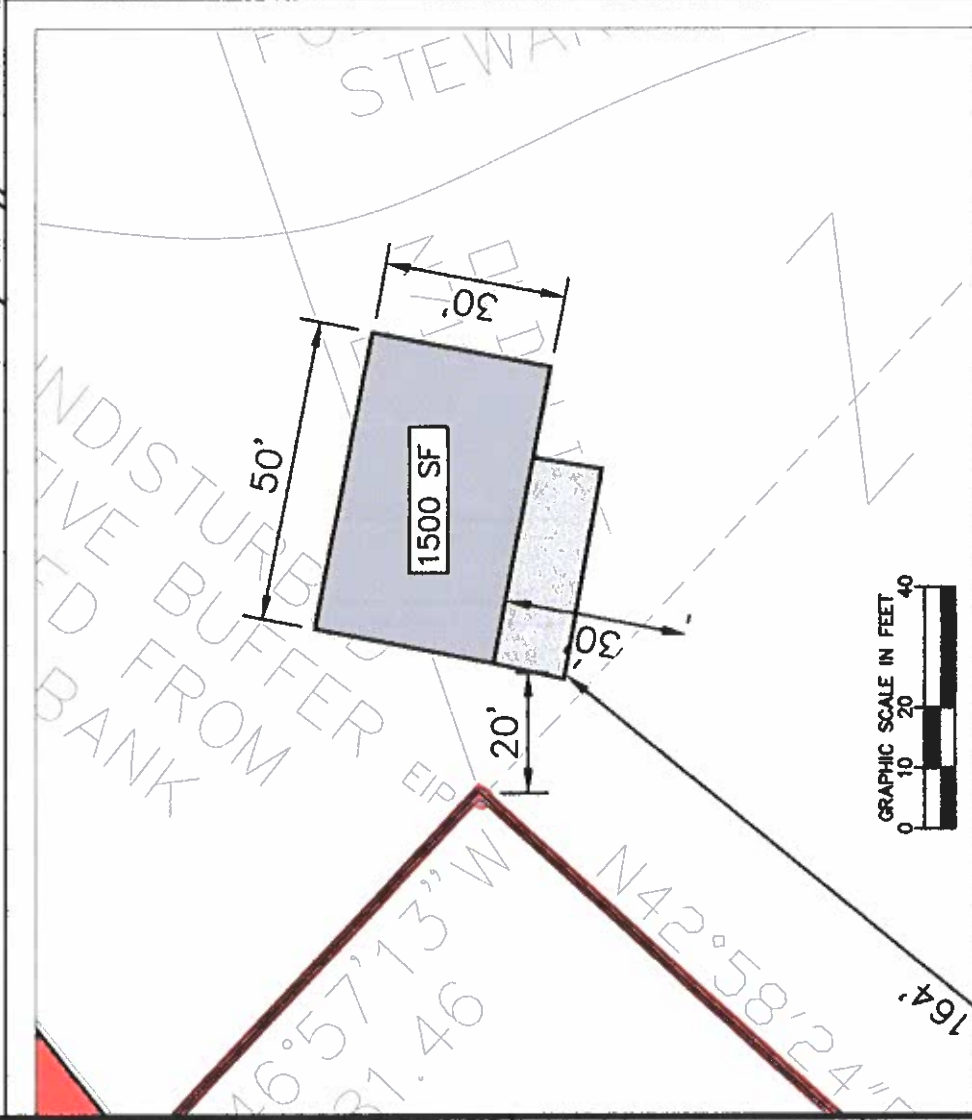
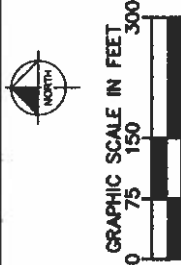
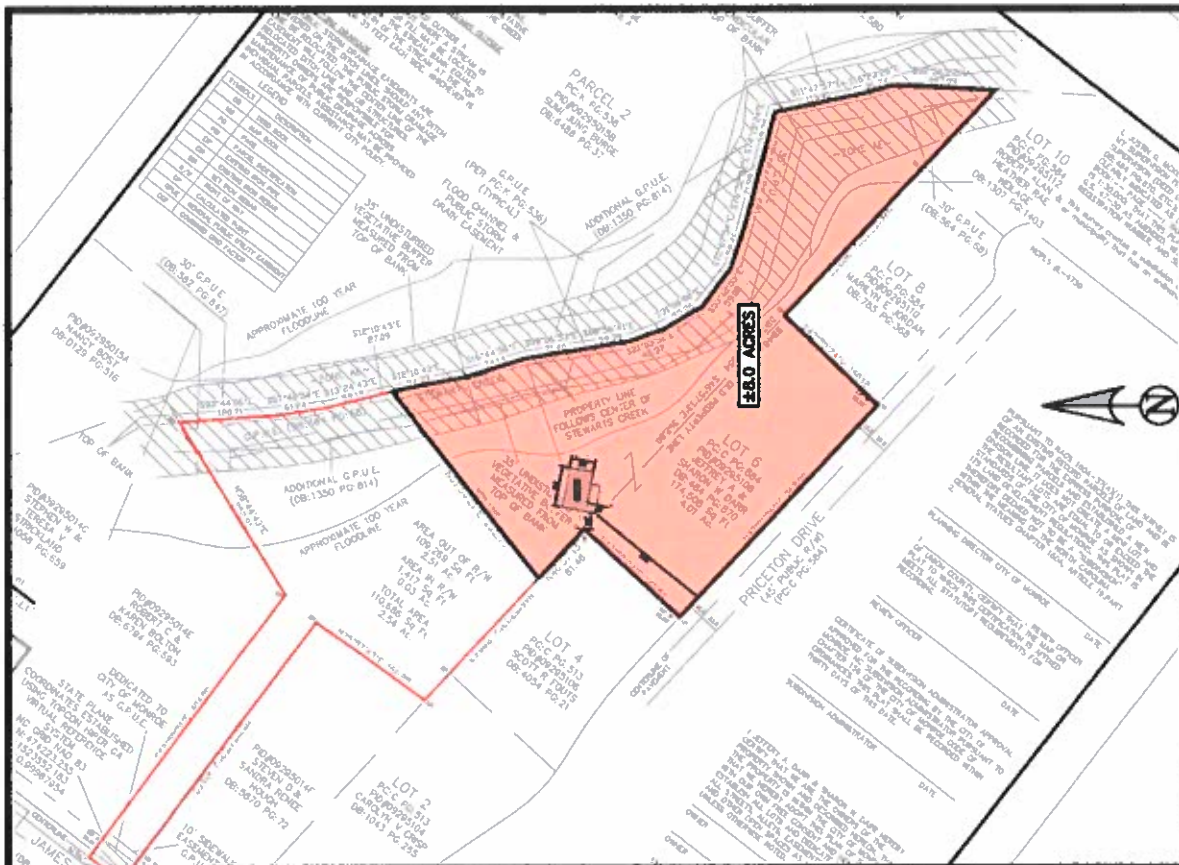
Kimley»Horn

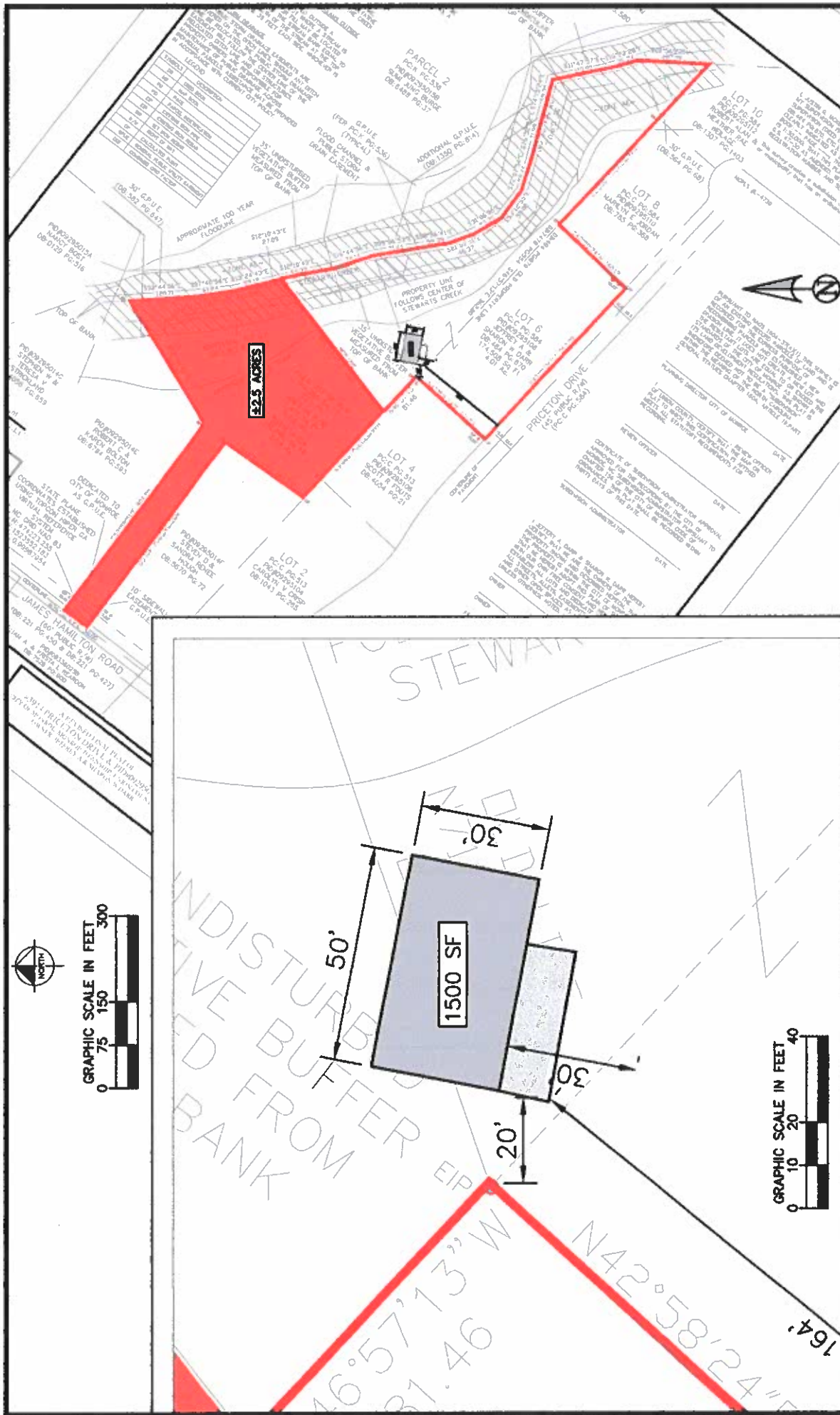
SHEET 1 of 1

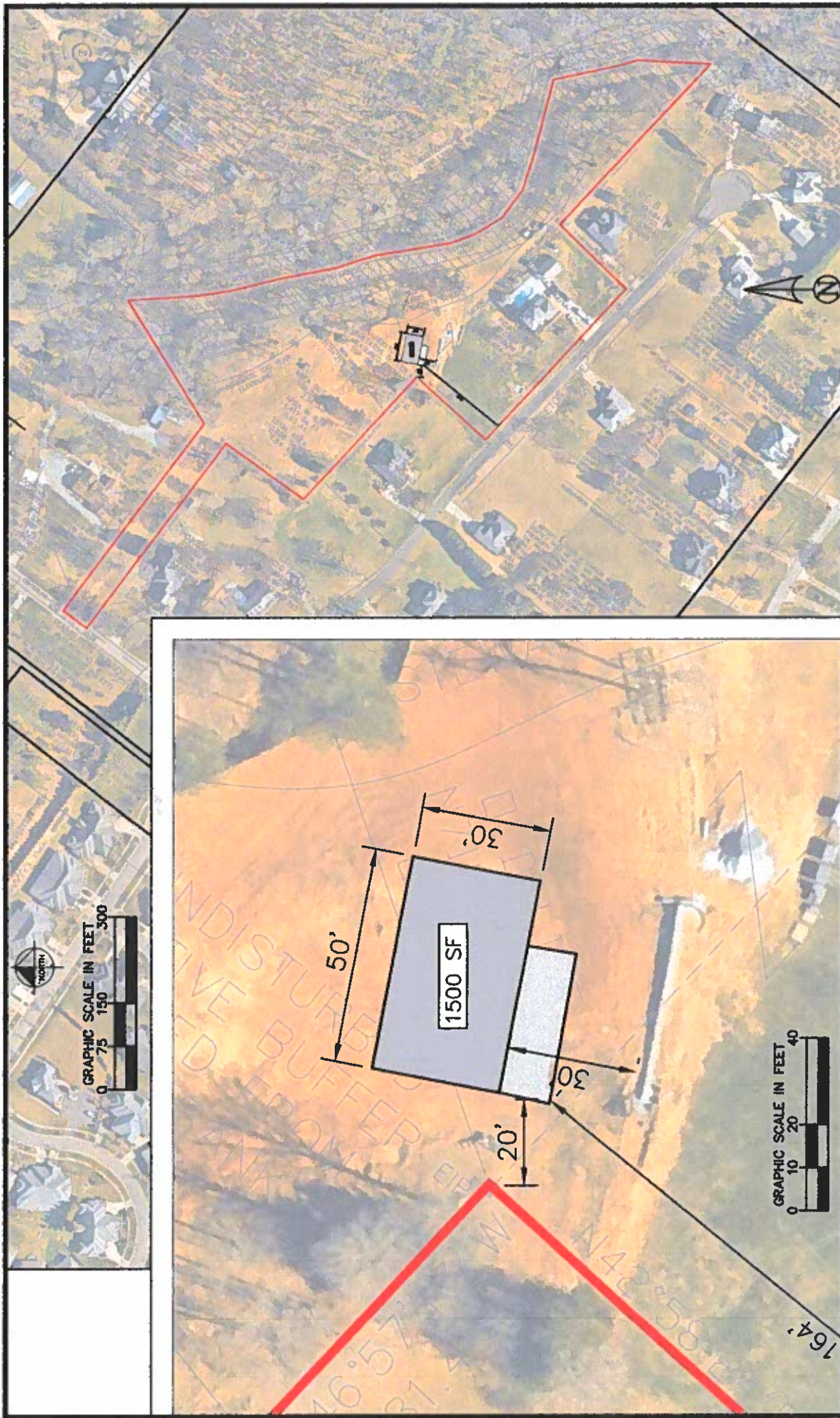


DARR PROPERTY EXHIBIT

DATE: 7-23-21







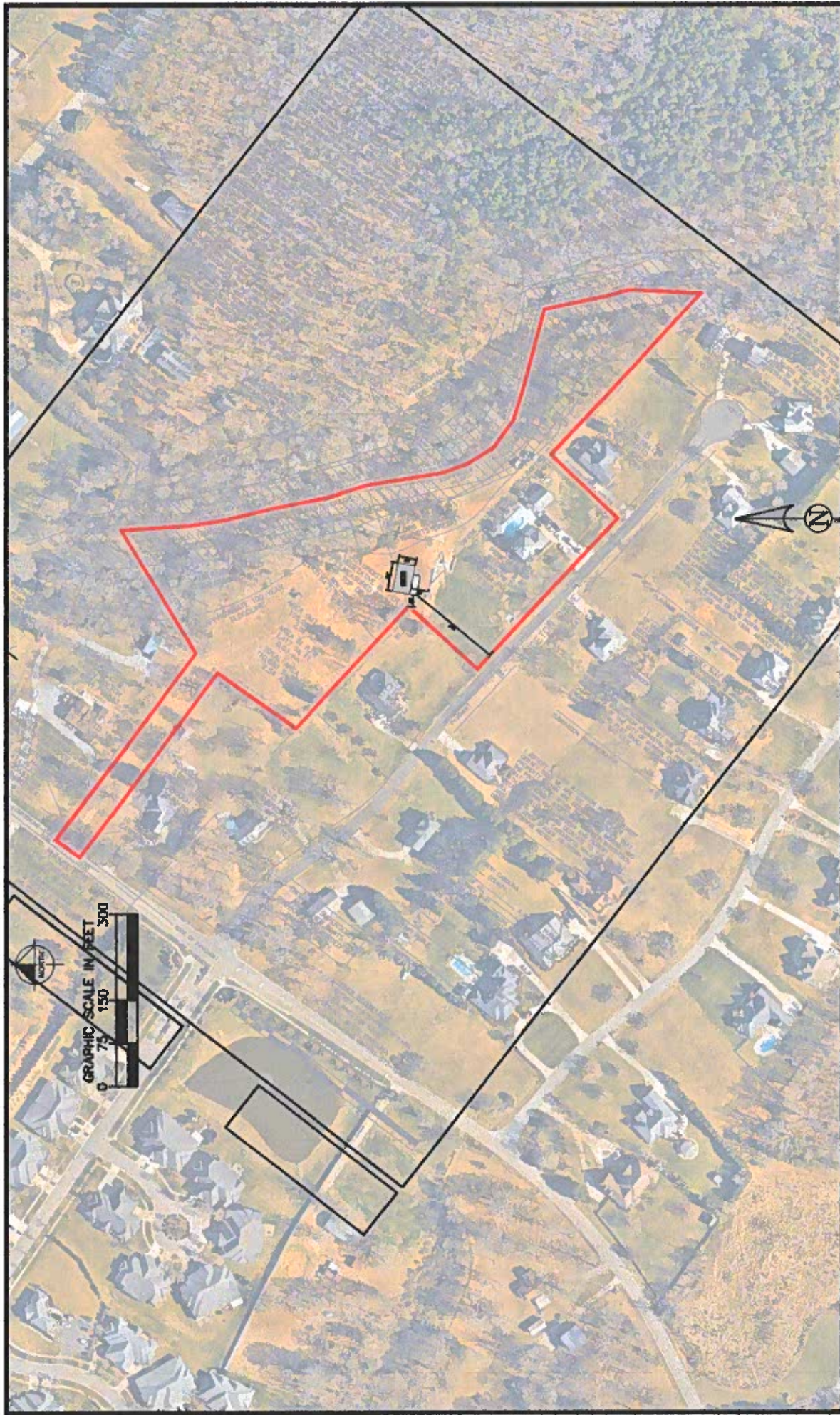
DARR PROPERTY EXHIBIT

DATE: 7-23-21

SHEET 1 of 1

Kimley»Horn

Kimley-Horn & Associates, Inc.
10000 West 10th Avenue, Suite 100
Boulder, CO 80501-2298
Phone: 303.440.1000
Fax: 303.440.1001
www.kimley-horn.com



DARR PROPERTY EXHIBIT

DATE: 7-29-21

SHEET 1 of 1

Kimley»Horn

Kimley-Horn & Associates, Inc.
1000 North 10th Street
Tomball, Texas 77375
281.962.2200
www.kimley-horn.com

Corporate Office
PO Box 1328
1372 Boggs Drive
Mount Alry, NC 27030



Phone: 336-673-6020
Email: Orders@American Building Network.com
Order Number ODR-009969

Rev 3.3.21

Dealer Name: Carport Central: Joshua Gomez Dealer Phone: 980-321-9898		Order Date: 06/04/2021	
Customer Name: Jeff Darr (REVISED #1 06/22/2021)		Install Address: 3914 Priceton Dr.	
City: Monroe	State: NC	Zip: 28110	Mailing Address: 3914 Priceton Dr.
Day Phone: (704) 575-5846	Cell:	Other Phone:	Email: jdarr3914@aol.com County: UNION
Width: 30/12	Length: 51/36	Height: 12/9	Roof Style: A-Frame Vertical Certification: Code Requirements: 104MPH/10PSF
Color Selection		Framing Gauge	Electricity
Roof: Black	Sides/Ends: White	Wainscoting: Black	Trim: Black 14 YES
Special Notes: LOT MUST BE LEVEL OR UNIT MAY NOT BE INSTALLED			
Send generic engineered drawings		Enter Frame Base Rail Length 50/35	Ready for installation: NO - SEPTEMBER /OCTOBER INSTALL
		Installation Surface:	CONCRETE

Is your install Surface Level and Square? YES Site Must be Level & Clear of Obstacles? YES Building Type: Garage with Lean-to

ITEM DESCRIPTION	Price
30x51' A-Frame Vertical Roof Garage (Frame Length 50')	9395
12' Side Eave Height (3/12 Roof Pitch)	1200
Both Sides Enclosed Vertically	3985
Both Ends Enclosed Vertically	5050
Vertical Wainscoting (Black)	1975
(1) 10x10' Roll up Garage Door (Left Side Wall, 2'6" off Right Corner)	925
(2) 10x8' Roll up Garage Doors ((1) Evenly Spaced under Awning)	1600
(1) Premium 9 Lite Walk in Door - 36x80"	525
(2) 24x36" Windows ((1) Per Gable End, Centered, Place as High as Possible)	350
(2) 18x43" Framed Out Openings (For A/C Units) (Right Side Wall, (1) 5' off Right Corner, (1) 10' off Right Corner, Place 5' high)	450
Prodex Insulation - Fully Insulated R-16	7462
(1) 12x36' A-Frame Vertical Lean-to (Frame Length 35') (Left Side Wall / Back Alignment)	3425
9' Side Eave Height (3/12 Roof Pitch)	210
Connection Side Fee	180
(3) 10x8' Framed Out Openings (Evenly Spaced)	675

****EAGLE PRICE MATCHING****

LINK TO ATC HAZARD / BUILDING CODE REQUIREMENTS:

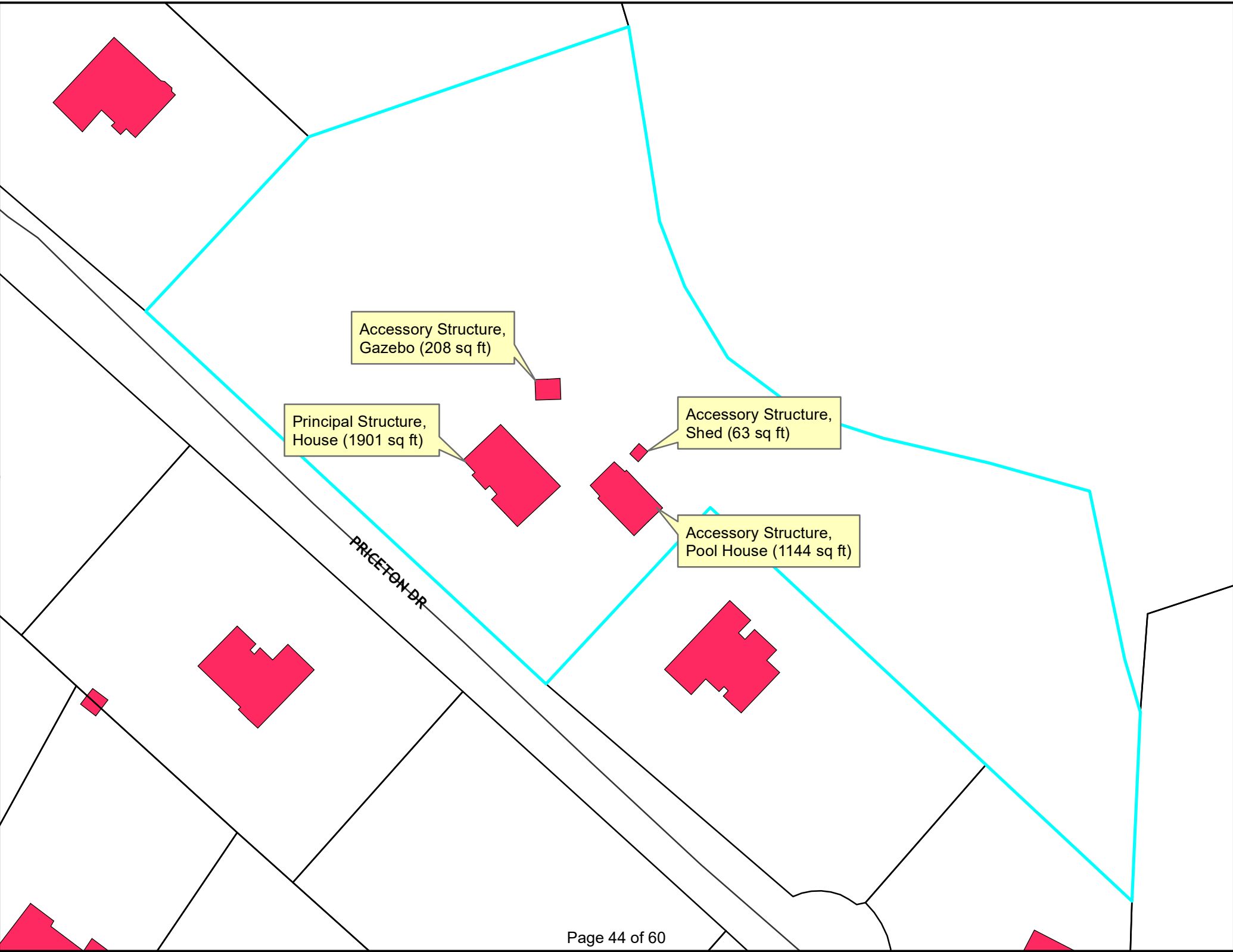
<https://hazards.atccouncil.org/#/enow?lat=35.0403842&lng=-80.5902108&address=3914%20Priceton%20Dr%2C%20Monroe%2C%20NC%2028110%2C%20USA>

CUSTOMERS SITE IS NOT PREPARED / NEEDS GENERIC ENGINEERED PLANS / CUSTOMER TO NOTIFY WHEN CONCRETE IS READY

CUSTOMER IS PLANNING FOR AN OCTOBER INSTALLATION DATE

PGC	EAGLE	<i>Jeff Darr</i>	06 / 22 / 2021	SubTotal	37407
YES	☒ NO	FINANCED	DP%	17	Tax%
				6.750	2524.97
American Building Network ("ABN") agrees to sell and the person identified in the Customer Name box above ("Customer") agrees to purchase, the item(s) described above (collectively the "Metal Structure") per the terms set forth herein and in the provided American Building Network Contract Terms and Conditions. This Contract takes effect upon payment by Customer of the order payment shown herein. By signing below, Customer acknowledges that the Order Payment is nonrefundable, that ABN will arrange for manufacture and installation of the Metal Structure by third parties, that additional charges may be due if the location for the Metal Structure is not level and free from obstructions, and that the American Building Network Contract Terms and Conditions are acceptable and part of this contract. <i>Jeff Darr</i> 06 / 22 / 2021				Total	39931.97
				Order Payment	6359.19
				Extra Labor	
				Sub Total Due	33572.78
				Document Fee	
				Total Balance Due	33572.78
ALL ORDERS ARE COD					

Doc ID: 678ca2381a2de67b9b6c0923c9c48fb2a69dc7c3



ACCTNO	OWNERNAME1	OWNERNAME2	OWNERADDRE	OWNERCITY	OWNERSTATE	OWNERZIP
09295111	MULL CARI F	MULL MICHAEL W	3907 PRICETON DR	MONROE	NC	28110
09295112	WEILAGE HEATHER RAE	WEILAGE ROBERT ALAN	3902 PRICETON DR	MONROE	NC	28110
09295113	WINCHESTER DONNA S	WINCHESTER TIMOTHY L	3901 PRICETON DR	MONROE	NC	28110
09295014	JOHNSTON JAMES GUY TRUSTEE	JOHNSTON LYNDA P TRUSTEE	3199 GREENWOOD	ROCK HILL	SC	29730
09295014C	STRICKLAND TERESA V	STRICKLAND STEPHEN W	3014 JAMES HAMILTON RD	MONROE	NC	28110
09295014D	RAMIREZ LORA DARR	RAMIREZ ERIK VIVERO	4705 MANCHINEEL LN	MONROE	NC	28110
09295014E	DAVIS CARRIE LYNNE	HADLOCK CAMILLE ANN	3006 JAMES HAMILTON RD	MONROE	NC	28110
09295014F	HOWARD LYNN		2922 JAMES HAMILTON RD	MONROE	NC	28110
09295015A	BOST NANCY		3015 FOWLER SECREST RD	MONROE	NC	28110
09295015B	BURGE SUMI JUNG		3007 FOWLER SECREST RD	MONROE	NC	28110
09295108	DARR SHARON W	DARR JEFFREY A	3914 PRICETON DR	MONROE	NC	28110
09295109	HARN C RICHARD JR	HARN SHARON B	3913 PRICETON DR	MONROE	NC	28110
09295110	JORDAN MARILYN E		3908 PRICETON DR	MONROE	NC	28110
09295104	CRISP CAROLYN V		3930 PRICETON DR	MONROE	NC	28110
09295105	KENDALL LYNN CAROL		3925 PRICETON DR	MONROE	NC	28110
09295106	FOUTTS SCOTT R		3922 PRICETON DR	MONROE	NC	28110
09295107	HAIGLER TRACY LEE		3921 PRICETON DR	MONROE	NC	28110
09336025B	REARDON WILLIAM A	REARDON KRISTA L	3001 JAMES HAMILTON RD	MONROE	NC	28110
09336025H	PORFILIO ROY ANTHONY	PORFILIO CHERYL RENEE	3007 JAMES HAMILTON RD	MONROE	NC	28110
09336548	ST JAMES ASSOCIATION INC		4020 ST JAMES WAY	MONROE	NC	28110

APO Map

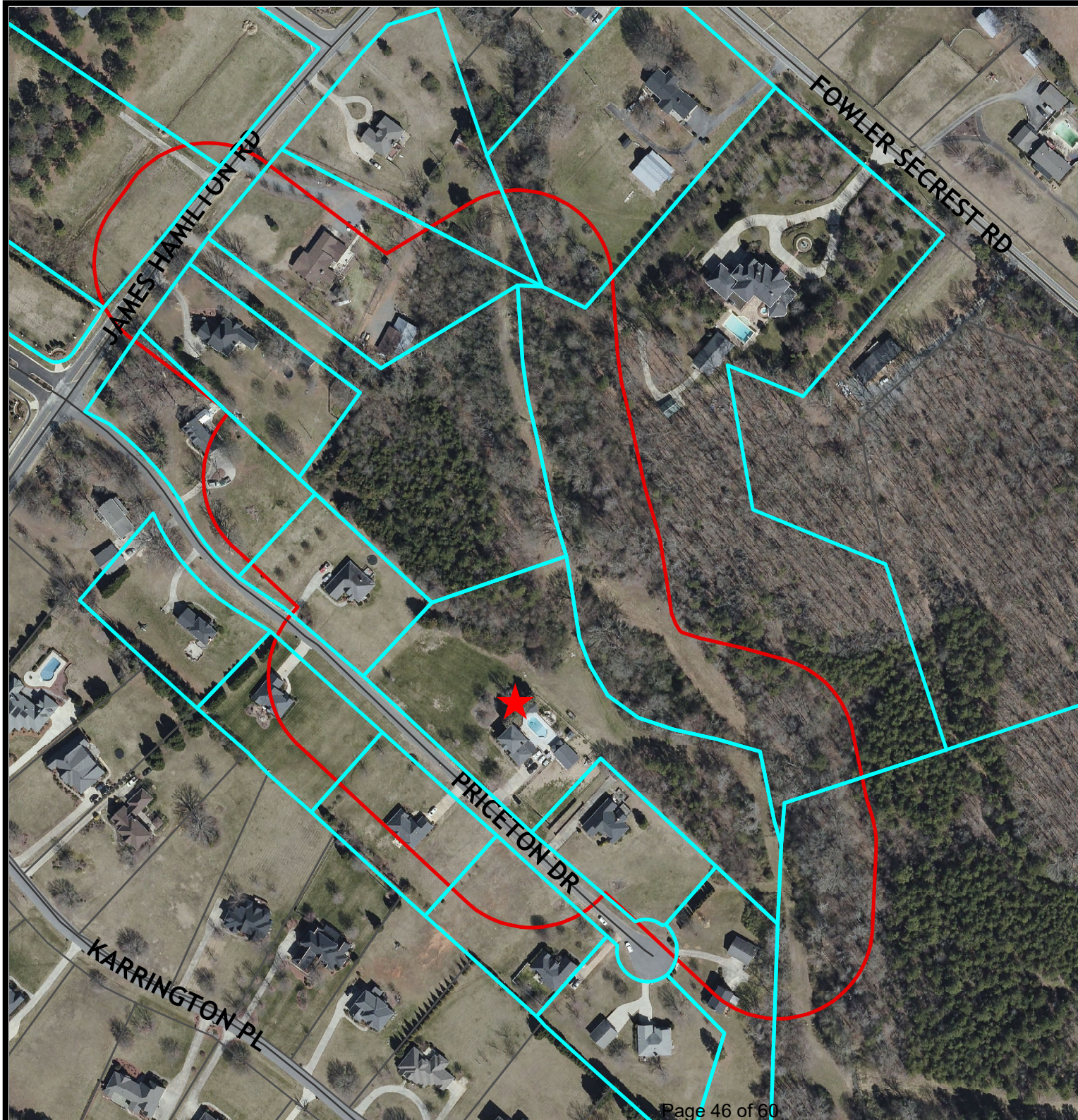
3914 Priceton Drive

Legend

-  Centerlines
-  Parcels
-  Notified Properties
-  150-foot Buffer
-  Subject Property



0 165 330
 Feet





STAFF REPORT
Case #SUP-202100048

TO: Board of Adjustment Members

DATE: August 26, 2021

FROM: Doug Britt, Senior Planner

SUBJECT: Special Use Permit request by Charles Steele to operate a home occupation in a detached structure at 2024 Griffith Road

SUMMARY STATEMENT

The Board of Adjustment is requested to consider this request by Charles Steele to operate a home occupation (hair salon) in a detached structure on the property located at 2024 Griffith Road.

SITE DATA

Type of Action:	Special Use Permit
Date of Petition:	August 3, 2021
Name of Petitioner:	Charles Steele
Location:	2024 Griffith Road
Tax ID #:	09-247-001-A
Lot Size:	14.54 acres
Zoning Classification:	R-20 (Residential- Low Density)

FINDINGS

Staff offers the following Findings:

1. The property at 2024 Griffith Road is currently owned by Charles Steele and is zoned R-20 (Residential- Low Density) (Exhibit 1, 2)

2. The applicant submitted a Special Use Permit Application on August 3, 2021 requesting to operate a home occupation (hair salon) in a detached structure on the property located at 2024 Griffith Road. (Exhibit 3)
3. According to Section 156.129, Home Occupation, customary home occupations may be conducted in an accessory building subject to the issuance of a special use permit by the Board of Adjustment. (Exhibit 4)
4. All adjoining property owners have been properly notified of this special use permit. (Exhibit 5)

CONCLUSIONS

Please see attached Special Use Permit Worksheet.

Attachment(s):

Exhibit 1: Ortho Map
Exhibit 2: Zoning Map
Exhibit 3: Application
Exhibit 4: Ordinance
Requirements
Exhibit 5: APOs

Prepared by: DB 8-17-21

**SPECIAL USE PERMIT WORKSHEET
TO CONSTRUCT A NEW SINGLE FAMILY HOME AT 2024 GRIFFITH
ROAD (PARCEL # 09-247-001-A)**

Before the Board of Adjustment makes a decision concerning the proposed Special Use Permit, they shall consider the following:

I. Completeness of Application:

Staff finds the application to be complete and the jurisdiction proper.

II. Special Use General Standards:

- A. The use will not materially endanger the public health or safety if located, designed, and proposed to be operated according to plan.*

Petitioner's Response: No, the salon will be separate from our home and will be designed to service one client at a time.

☐ Motion standard is met; or

☐ Motion standard is NOT met based on the following findings of fact:

- B. The use or development complies with all regulations and standards of the City of Monroe Zoning Ordinance, as well as any other state or local rule or regulation governing the development of land.*

Petitioner's Response: We will be following all guidelines during construction of the salon, as well as those set by the N.C. State Board of Cosmetic Art Examiners.

☐ Motion standard is met; or

☐ Motion standard is NOT met based on the following findings of fact:

- C. The use or development will not adversely impact surrounding property and will not substantially injure the value of adjoining property.*

Petitioner's Response: No in fact, we believe the salon will be a drastic improvement, as well as providing a service in a clean environment. In no way would the salon have a negative impact on the adjoining properties.

☐ Motion standard is met; or

☐ Motion standard is NOT met based on the following findings of fact:

D. *The location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the Monroe Land Development Plan.*

Petitioner's Response: Yes our plan is to keep the salon following state guidelines, and at the same time incorporate the farm and surroundings to impact the area in a positive way.

☐ Motion standard is met; or

☐ Motion standard is NOT met based on the following findings of fact:

III. Permit Action

A. **Motion** to GRANT the special use permit. (*Board of Adjustment may add conditions as deemed necessary*).

OR;

B. **Motion** to DENY the special use permit based on the finding that general standard(s) _____ above is/are not met.

Ortho Map

Case #:
PLSUP-20220031

Legend

-  Centerlines
-  Parcels

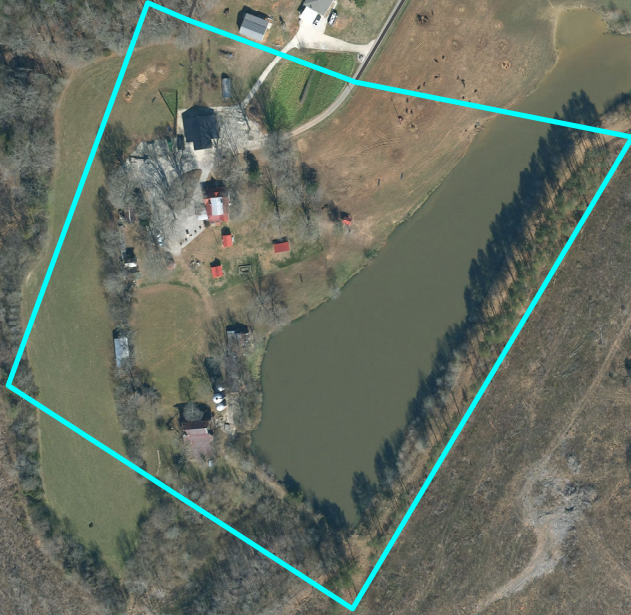
Existing: R-20
(Residential- Low Density)

Owner: Charles Steele

Acres: 14.54



0 290 580
 Feet



GRIFFITH RD

Zoning Map

Case #:
PLSUP-20220031

Legend

 Centerlines

 Parcels

Zoning Districts

Code

 R-20

 Union County

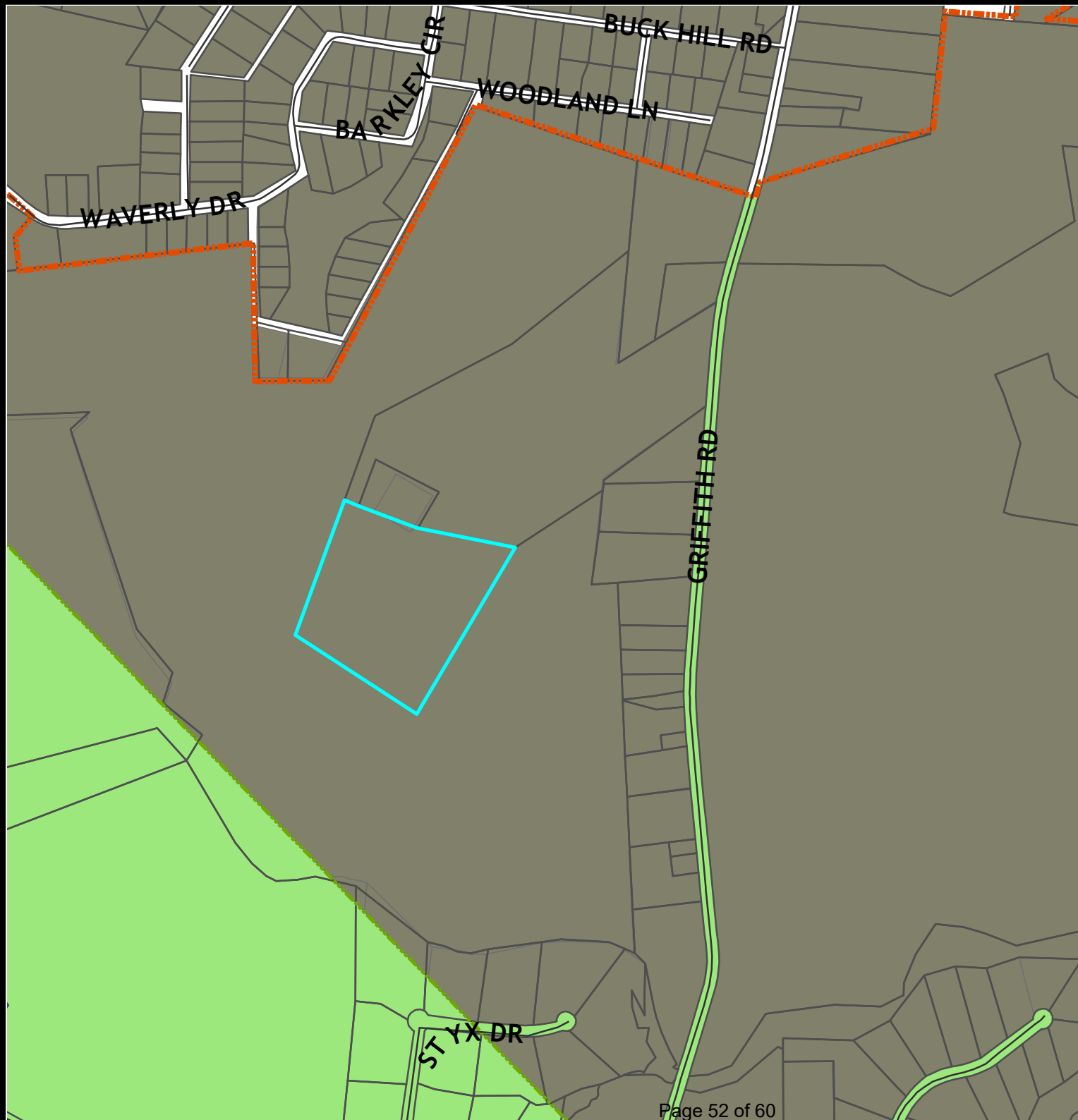
Existing: R-20
(Residential- Low Density)

Owner: Charles Steele

Acres: 14.54



0 580 1,160
 Feet





SPECIAL USE PERMIT APPLICATION

Applicant's Name: Charles K. Steele

Applicant's Mailing Address: 2024 Griffith Rd.
Monroe, NC 28112

Applicant's Phone Number: (704) 577-9898

Applicant's Email Address: chuck.steele@boggsmaterials.com

Property Location: 2024 Griffith Rd.

Tax ID Number: 09 - 247-001A Deed Reference Number: BOOK 66750 PAGE 0379-0380

Existing Zoning: R-20

Proposed Special Use:
Building a hair salon that meets state requirements.

Proposed Conditions:
Proposing that a salon be built, where I just removed an existing building that was 30' x 45'.
Pouring a concrete slab & erecting a metal building with a station for hair.

Every petition for a reclassification of property shall be accompanied by a site plan drawn to scale and sealed by a registered engineer, surveyor, architect, or landscape architect licensed to practice in the State of North Carolina. Site plans for subdivision applications shall be in the form of a preliminary plat with all information that is required per Chapter 156 of the Monroe Code of Ordinances – Zoning Code, and specifically listed in the Appendix *Standards*. In addition, all applications for a Special Use Permit shall be accompanied by a written consulting report from a North Carolina State Certified Real Estate Appraisal that conforms to Standard 5 of the Uniform Standards of Professional Appraisal Practice (single family homes on single family lots are exempt from this requirement). The site plan shall include the following information; however, the Zoning Administrator may require additional information whenever necessary and may waive one or more of the requirements if such is found to be irrelevant to the proposed project.

General Information Required

- A location map that shows the project in relation to surrounding parcels, zones, streets, right of ways, and utility services and easements, total acreage, north arrow, legend, and a vicinity map.
- Name of the applicant(s) and the name of the proposed development including a copy of the current deed.
- Scale, at one (1) inch equals 100 feet, unless otherwise approved by the Zoning Administrator.

Information on Natural, Historic, and Recreational Features Required

- Contour lines at no greater than five (5) foot intervals.
- Location and dimensions of all recreational areas, equipment, features, historic sites and open space.
- Natural screening (woods, thickets, etc.), streams, ponds, rivers and similar natural or man-made features.

Zoning and Lot Information Required

- Existing and proposed zoning district lines, flood plain delineation, property lines, existing and proposed parking, trash collection systems and screening (include a copy of the planting schedule) and building footprints for any structure or walls to be placed on the property. Residential uses shall include the number of units per building and the total project.
- Proposed lot dimensions and setbacks, with diagrams of proposed signs showing location on the lot, size, height, and attachment (if indicated).
- Watershed data to demonstrate compliance with sections 156.101 of the Monroe Code of Ordinances.
- Boundary of any phase lines, for phased development plans. (Include a statement for future building time line)
- Detailed landscape plan in compliance with section Chapter 156, Article XVII of the Monroe Code of Ordinances issued by a certified landscape architect, or other certified professional preparer

Transportation and Utilities Information Required

- Existing and proposed streets, sidewalks, easements, parking and loading areas, drainage facilities, storm water control devices, and public utilities.
- A driveway permit from NCDOT for developments on state maintained roads, and a city driveway permit for development on city maintained streets.
- A letter from the Director of Water Resources stating that adequate water and sewer is available, or can be made available, to the site in adequate capacities.

Special use permit approval requires several standard findings of fact (see below). It shall be the responsibility of the applicant to address all findings related to the development proposal. The burden of submitting competent evidence that the findings have been met is the applicant's responsibility. Every application shall include an appraisal report from a certified appraiser that the proposed use will not substantially injure the value of the adjoining property, as specified in the findings below. Additional information supporting the special use permit application shall be the responsibility of the petitioner and not the responsibility of the city.

At the Board of Adjustment hearing, petitioners should be prepared to testify to the following standard findings of fact for all special uses:

1. Will not endanger the public health or safety,
2. Will not injure the value of adjoining or abutting property,
3. Will be in harmony with the area in which it is located, and
4. Will be in conformity with the land-use plan, thoroughfare plan, or other plan officially adopted by the Council.

Note: Due to the amount of detailed information needing to be submitted to the city, it is *requested* that early contact with the city planning department be accomplished to avoid unnecessary delays. All applications for a special use permit shall be reviewed by the Zoning Administrator prior to Board of Adjustment review. The applicant shall submit a completed application no later than 30 days prior to the Board of Adjustment meeting at which the petition is to be heard. If the application is found to be incomplete or the development is found to be in conflict with the requirements of this application, the developer shall be notified and the petition rejected.

Upon acceptance of the site plan by planning staff, the petitioner shall provide a digital copy of the site plan. Depending on site details, the applicant may be required to provide ten (10) copies of the site plan for review by the Board of Adjustment.

It is understood and acknowledged that if the Special Use Permit is authorized, the property involved in this request will be perpetually bound to the use(s) authorized and subject to such conditions as imposed, unless subsequently changed or amended as provided for in Chapter 156.42 of the *Zoning Ordinance of the City of Monroe Code of Ordinances*.

I. Special Use General Standards:

- A. The use will not materially endanger the public health or safety if located, designed, and proposed to be operated according to plan.

No. The salon will be separate from our home and will be designed to service one client at a time.

- B. The use or development complies with all regulations and standards of the City of Monroe Zoning Ordinance, as well as any other state or local rule or regulation governing the development of land.

We will be following all guidelines during construction of the salon, as well as those set by the NC State Board of Cosmetic Art Examiners.

- C. The use or development will not adversely impact surrounding property and will not substantially injure the value of adjoining property.

No in fact, we believe the salon will be a drastic improvement, as well as providing a service in a clean environment. In no way would the salon have a negative impact on the adjoining properties.

- D. The location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the Monroe Land Development Plan.

Yes. Our plan is to keep the ~~the~~ salon following state guidelines, and, at the same time incorporate the form & surroundings to impact the area in a positive way.

To the best of my knowledge, all of the information herein submitted is accurate and complete.

Charles K. Steele

Applicant (printed)

Charles Steele

Applicant's Signature

8-3-2021

Date

Charles K. Steele

Property Owner (printed)

Charles Steele

Property Owner's Signature

8-3-2021

Date

****If you are signing on behalf of a company, please include your title within the company****

26

156.129 HOME OCCUPATIONS.

(A) The home occupation shall be clearly incidental and subordinate to the residential use of the dwelling and shall not change the residential character of the dwelling.

(B) No accessory buildings or outside storage shall be used in connection with the home occupation (except as permitted in Section 156.129(L)).

(C) Use of the dwelling for the home occupation shall be limited to 25% of the area of the principal building.

(D) Only residents of the dwelling may be engaged in a home occupation or otherwise report to work at the dwelling.

(E) No display of products shall be visible from adjoining street or properties. Sales of products are limited to those made on the premises and those which are necessary to the service being provided.

(F) No internal or external alterations, construction features, or use of electrical or mechanical equipment which are inconsistent with the residential use of the building shall be permitted.

(G) There shall be no additional or separate entrance to the dwelling for the purpose of conducting the home occupation.

(H) Only vehicles used primarily as passenger vehicles (for example, automobiles, vans, and pick-up trucks) shall be permitted in connection with the conduct of the customary home occupation. The home occupation shall not involve the use of commercial vehicles for delivery of materials to or from the premises other than vehicles normally associated with residential home delivery (i.e., postal or united parcel vehicles.)

(I) Off-street parking shall be established in the manner and the amount provided for in Article XV.

(J) There shall be no traffic generated by a home occupation which is greater in volume than that which would be normally expected in the residential area in which the home occupation is located.

(K) There shall be no use of chemical, mechanical, or electrical equipment that creates odors, smoke, fumes, vibrations, light emission noises, or interference in radio or television reception detectable to the normal senses at any point beyond the boundary of the property in such a manner as to annoy, disturb, frighten or otherwise interfere with the use and quiet enjoyment of adjacent properties, or which creates water usage or the production of sewage than domestic in nature.

(L) Customary home occupations may be conducted in an accessory building subject to the issuance of a special use permit by the Board of Adjustment.

(M) All home occupations shall be conducted between the hours of 7:00 a.m. and 9:00 p.m. only.

(N) All customary home occupations shall require the issuance of a certificate of occupancy by the Zoning Officer.

(O) The following uses, by nature of the investment or operation, have a pronounced tendency, once started, to rapidly increase beyond the limits specified above for home occupations and impair the use, value and quiet enjoyment of adjacent residential properties. Therefore the uses below shall not be permitted as home occupations:

- (1) Antique, book or gift shop;
- (2) Appliance repair, large or small;
- (3) Auto/vehicle repairs, major or minor;
- (4) Bicycle repair or service;
- (5) Dance studio;
- (6) Dental office or clinic;
- (7) Freight, trucking or shipping;

- (8) Lawn mower repair or service;
- (9) Medical office or clinic;
- (10) Painting of vehicles, trailers, boats, etc.;
- (11) Photo developing;
- (12) Private schools with organized classes;
- (13) Restaurants, eating or drinking establishments;
- (14) Upholstering;
- (15) Taxi service;
- (16) Television or radio repair;
- (17) Tool or equipment rental;
- (18) Tooling, welding, or machine shop;
- (19) Veterinary clinic, kennel, or stable;
- (20) Any use not in compliance with the intent and conditions set forth in this section.

(P) By way of example, the following uses, when conducted in compliance with the conditions set forth above, qualify as permitted home occupations:

- (1) Artist's, musician's or writer's studio;
- (2) Barber/beauty shop (limited to no more than one (1) client at a time);
- (3) Cake making or decorating (not a catering or commercial bakery facility);
- (4) Dressmaking, millinery, sewing or tailoring;
- (5) Home school, including cottage schools;
- (6) Personal office for a(n):
 - (a) Accountant;
 - (b) Architect;
 - (c) Broker;
 - (d) Consultant;
 - (e) Engineer;
 - (f) Insurance Agent;
 - (g) Lawyer;
 - (h) Notary public;
 - (i) Planner;
 - (j) Real estate professional, broker/ appraiser; or
 - (k) Sales representative.

(7) Photography study (limited to not more than one (1) client at a time);

(8) Teaching or tutoring, including musical instruments or dance, when limited to one pupil at a time.

(Q) Other uses that comply with the intent and conditions set forth above in this section.

(Ord. O-2003-63, passed 12-16-03)

ACCTNO	OWNERNAME1	OWNERADDRE	OWNERCITY	STATE	OWNERZIP
09247001 90	B & C LAND FARMING LLC	2627 BREKONRIDGE CENTRE DR	MONROE	NC	28110
09247001B	STEELE DEBORAH ANNE	2020 GRIFFITH RD	MONROE	NC	28112
09247001A	STEELE CHARLES KEVIN	2024 GRIFFITH RD	MONROE	NC	281128831
09247001C	STEELE MARGARET B	2014 GRIFFITH RD	MONROE	NC	28112

