

**BOARD OF ADJUSTMENT
MEETING
THURSDAY, FEBRUARY 23, 2023
6:00 P.M.
Council Chambers
300 W. Crowell Street
Monroe NC**

AGENDA

Item 1. **Call to Order:**

Item 2. **Pledge of Allegiance and Moment of Silence**

Item 3. **Approval of Minutes** – November 17, 2022

Item 4. **Conflicts of Interest**

Item 5. **PLZNA 2023-00086 Variance-** The Board of Adjustment is requested to consider a Variance application from LeNeal Austin Love, Secretary of the United Church of Deliverance for 520 Craig Street. The applicant is requesting a variance from Section 157.4.2.3 of the Unified Development Ordinance that requires a minimum lot area of 12,000 square feet in the RMD, Residential Medium Density, District in order to subdivide the property. (Parcel # 09-273-200)

Item 6. **PLZNA- 2023-00097 Variance-** The Board of Adjustment is requested to consider a Variance application from Adolfo Roldan for 1091 Parker Street in order to deviate from section 157.4.2.3 of the Unified Development Ordinance that requires a 20' front setback in the RMD, Residential Medium Density district. (Parcel# 09-238-010A)

Item 7. **Next Meeting:** March 22, 2023

Item 8. **Adjournment**

Attention: BOARD MEMBERS:

Please call Ashlyn Penegar at 704.282.4527 to confirm your attendance. Thank you!

cc: ***Mujeeb Shah-Khan
Ashley Duncan
Doug Britt
Keri Mendler
Megan Brightharp***

MINUTES OF THE BOARD OF ADJUSTMENT MEETING

November 17, 2022, at 6:00 P.M.

**Council Chambers
300 W. Crowell St.
Monroe, NC**

To S. Laney : 12/21/22

Item 1. Call to Order

Chairman Kenneth Deal called the November 17, 2022, meeting to order at 6:00 p.m. and noted that there was a quorum present with 3 members. Ashlyn Penegar, Administrative Assistant, called the roll.

Members Present: Kenneth Deal, William Draper and George Smith

Members Absent: None

Staff Present: Doug Britt, Senior Planner; Megan Brightharp, Planner I; Al Benshoff, BOA Attorney; Ashley Britt, Assistant City Attorney; Ashlyn Penegar, Administrative Assistant

Guests: Heather Miller, LeNeal Love, Mark Fox

Item 2. Pledge of Allegiance and Moment of Silence

Item 3. Approval of Minutes – Minutes of October 10, 2022

Motion: George Smith made a motion to approve the minutes of the October 10, 2022, meeting.

Second: William Draper

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

AYES: Kenneth Deal, William Draper and George Smith

NAYS: None

Item 4. Conflicts of Interest

Chair asked if there were any conflicts of interest. There were none.

Item 4. PLSUP-2023-00047 Special Use Permit- The Board of Adjustment is requested to consider a Special Use Permit application from Mark A. Fox, Guarantor of Fox's Alley, LLC. in order to establish a bourbon and cigar lounge within the GB, General Business District at 1901 B Skyway Drive. Parcel # 09-222-056

Chair said that anyone who is going to give testimony in this case needs to be administered the oath. Megan Brightharp, Planner I, Doug Britt, Senior Planner, and Mark Fox, Guarantor, came forward and were sworn.

Megan Brightharp, Planner I, said this is a Special Use Permit request by Mark A. Fox, Guarantor of Fox's Alley, LLC in order to establish a bourbon and cigar lounge within the GB, General Business District at 1901 B Skyway Drive. She proceeded to enter the proposed Findings into the record:

Proposed Findings:

1. The property at 1901 B Skyway Drive is owned by Fox's Alley, LLC and is zoned GB (General Business). (Exhibit 1, 2).
2. A Special Use Permit Application was submitted on October 14, 2022, requesting to establish a bourbon and cigar lounge in the GB (General Business) District. (Exhibit 3)
3. According to Section 157.7.1 of the City of Monroe Unified Development Ordinance titled "Tables of Permissible Uses (Traditional and Mixed-Use)", bars, tavern, and night clubs are only allowed in the GB Zoning District with the issuance of a Special Use Permit from the Board of Adjustment. (Exhibit 4)
4. According to Section 157.7.2.6.N of the City of Monroe Unified Development Ordinance titled "Bar/Tavern/Nightclub", the use is described as "Any business or commercial establishment which is devoted primarily to the retailing and on-premises consumption of alcoholic beverages (not made on-site) and which is licensed by the state to dispense or sell alcoholic beverages. May be subject to locational requirements." (Exhibit 5)
5. All adjoining property owners have been notified of the Special Use Permit application. (Exhibit 6&7).

Chair asked if there are any questions for Staff?

Mr. Draper said not at this time.

Chair said I have one, under the Monroe UDO, under bar, tavern, nightclub. It says any business or commercial establishment, which is devoted primarily for the retailing and on premises consumption of alcoholic beverages. My question involves the word primarily. Is the bowling alley function of this building going to go away?

Megan Brightharp said the bowling alley is a separate structure with a separate use.

Chair asked it is a separate structure?

Megan Brightharp said yes.

Chair said thank you.

Al Benshoff, Board of Adjustment Attorney, said I have a question, it puts the standard condition D, it says that the Board has to find that the location and character of the use, if developed according to the plan as submitted 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. Ms. Brightharp, can you tell us, the Board, what the Land Development Plan says about this property?

Megan Brightharp said our Future Land Use map has this marked as Community Corridor. Further details for the Community Corridor area generally cover most of US 74 and areas adjacent to intersecting major streets and so it is a primary conduit to downtown, epicenter of the City's commercial activity and the spot in the community that has critical connections to major employers and activity centers. This designation encourages a more unified approach to improving the area's physical environment and economic viability. This may be achieved by focusing more intense commercial mixed use at key intersections, with transitional uses as a buffer to adjacent residential areas.

William Draper asked is there any other places or any other land where there are two liquor licenses within that geography?

Megan Brightharp answered and said to my knowledge, no. However, this is also not common for there to be two separate structures on one parcel.

Chair asked did you receive any phone calls or inquiries from adjacent property owners?

Megan Brightharp said no.

Chair asked if there are any other questions for staff?

George Smith asked is it going to be in the same bar area that currently exists or is that a question for Mark?

Megan Brightharp asked do you mean at the bowling alley?

George Smith said yes.

Megan Brightharp said the bowling alley is its own separate use in its own separate building. The bar is proposed in a different building that is on the same property. It wouldn't have anything to do with the bowling alley.

George Smith said thank you.

Chair said would the applicant like to come forward? Please state your name and address for the record.

Mark Fox, Guarantor of Fox's Alley, stepped forward and introduced himself and said he is located at 803 Deese Rd. Monroe, NC. The one thing that I would like to say about that question before is this was originally a bowling alley with a carpet store in the back, so it was 1901 A and 1901 B. The previous owners had two separate businesses on the same parcel beforehand, I just wanted to make that clear that the addresses have already been set up to an extent and that building has always been 1901 B Skyway Drive. Then I took it over.

George Smith asked that is going to the right?

Mark Fox said when you pull into the parking lot, it would be to the left and all the way to the back. It was previously a carpet store. It was a green building in the back.

George Smith said I didn't know what that was. I always wondered what it was.

Mark Fox pointed to the site plan on the screen, and said the building that looks like an L, that is the building and it was originally a carpet store owned by the previous owners, until Mr. Carlot passed away in 2010 and they shut it down before we bought it.

George Smith said that makes a lot more sense. Thank you.

Chair said explain a little bit about how your business is going to work. You had indicated on your application that this is going to be a private club?

Mark Fox said yes sir. It will be private membership. We have been very open about how we want to do it, the name of the bar will be Blue Line Bourbon and Sticks. It's more focused on the law enforcement theme, very rustic, private. We have dress codes and I have been very vocal in the community about the bowling alley, and we are very strict on who we let in and how we run our bowling alley and we've only had to call 911 at one point in seven years because of a disturbance. We are very strict, we have turned in over 36 fake IDs in the first three years that I was there, and I have an exemplary record with the Monroe Police Department the Union County Sheriff's Department. We also employ off-duty officers on the weekends, Fridays and Saturdays for the bowling alley to make sure that we have a very upstanding business. Since we revamped it, it has been nothing but a pillar of good things. If you look at our Facebook and Google reviews, they have been very good and that's why I wanted to keep it separate and not to take away from any of the families that come in now and the churches and things of that nature. I wanted to have a separate building for it, and it's always been a dream of mine to have a bourbon and cigar lounge.

Chair asked what operating hours are you going to have?

Mark Fox said it's probably going to be happy hour, that's what we are looking at. Kind of a 4:00 p.m. to 9:00 p.m. type deal, so that when ladies and gentlemen get off work, it's more of a relaxing thing to come in and things of that nature. Even on the weekends, we are looking at the same kind of hours, probably 4:00 p.m. to 10:00 p.m. on Saturdays and on Sundays it would be 12:30 p.m. for the football games and closing down at 7:00 p.m. after the last game is finished. But, no hours past 10:00 p.m. on the weekends. It's more of a laid back....

George Smith said along with the alcoholic beverages that you will be selling, you will be selling tobacco and cigars there?

Mark Fox said yes sir. Cigars and prewrapped sticks, no pipes at this point. We will have cold cuts and pre-made charcuterie boards for our food items, and they can also order wings from the bowling alley.

Chair asked what kind of lighting do you have back there?

Mark Fox said the City of Monroe has put up lights over the last six years. We have the two big lights on one pole and then the back side also has lighting on that building, and it is lit up at night from the right side and that whole back area. There is also another light pole back there. (inaudible)

Mark Fox said it's very well lit.

Chair asked if there are any more questions.

Mark Fox said I would like to add that I've never drank in my own business. I am very responsible as far as that goes. When you run a business like this and you have alcohol being sold, I feel like the responsible one should be the owner. I've never had a drink in my own business and anybody that bowls in my place will tell you that. I pretty much have water 90% of the time and I just feel like level heads prevail when it comes to drinking, so I know that you can't always be safe when drinking and I understand what it causes at times, but I will tell you in front of this Board that I'm probably the best bar owner that I've ever known. I know it sounds crazy, but I know 90% of the bars that the owners drink in, it tends to have issues that come up that we don't. So, I've been very responsible for seven years, within the community and in Monroe and I will continue to do that if I'm allowed a permit to complete this bar.

William Draper asked was there a time when smoking was allowed in the bowling alley?

Mark Fox said yes sir. Back before we took it over, but it's never been allowed since. We don't allow vaping inside either, so that was another reason for having the separate building with the ventilation that we are going to have in there. I plan on putting in three smoke eaters in the ceiling in a 15 square foot area and plus what they call rabbits in the floor. Which are carbon filtered smoke eaters on the ground, so that smoking will be as ventilated as you can possibility have it in a setting this small.

William Draper asked is there any state law prohibit smoking inside?

Mark Fox said not on the private side. No sir. Not with it being just a bar.

George Smith asked is that why it's a private bar?

Mark Fox said yes sir.

George Smith said you can't do it in a regular bar, but if it's private....

Mark Fox said if you have a restaurant, you can't have smoking. We consider the bowling alley a restaurant with the amount of food that we sell there.

William Draper said I think cigars are something that you do on the golf course.

Mark Fox said they have become very popular over the last five to six years.

Chair asked if there are any further questions.

Al Benshoff said I have a few. Looking at the aerial photo, can you tell us where the nearest residence is?

Mark Fox said as far as I can tell, if you see where those storage buildings are to the right, there are apartment complexes back there off of Wilkes Drive and that's it. There is another residence that is off this map, but it's where the ramp goes off 74 off of Skyway and there is a residence there.

George Smith said where that little church is.

Al Benshoff asked do you know how far away the closest residence is?

Mark Fox said probably over, and I would have to say probably four to five hundred yards through the woods. That would be my best guess.

Al Benshoff said the application says that the cigar bar will improve the value of the surrounding properties or will have no effect on the value of the surrounding properties. Let me see what you said in your application. Can you expand on that a little more please? The application says you wrote the development of this use should actually raise the value of the adjacent lands and businesses.

Mark Fox said yes sir. The reason I look at it that way is right now it's just a storage building. Anytime you can put a business that thrives in any area, that's no different than the bowling alley. Before we took it over, it was very small, people were going to other cities to spend their money and the same thing here. The only other cigar bar that I am aware of is in Matthews and they just put one in their downtown and there is one in Waxhaw in an upstairs business. When the money is leaving the county and going to another county or another city,

that's the way I look at doing my part as a business owner and keeping the money in Monroe. Whether it be from taxes or sales and so forth. So, in my opinion, you can have a bad business, but if that business is bad, they are going to leave. But, if you build a good business with a good reputation as we have in the seven years that we've owned the bowling alley, then people will stay here and not leave the city to spend their money in other municipalities. That's how I came up with that.

George Smith asked is there enough room for parking for it?

Mark Fox said yes sir. There is plenty of parking for the bowling alley and then down the side we typically keep those for employee parking, so if you look where the L goes up on the map, there is parking here in front of the building and to the left where the L goes up and over.

Al Benshoff asked what is the building to the south?

Mark Fox said that must be an old picture because we took that building down years ago. Are you talking about the one that sits there by itself?

Al Benshoff said no, it's south of the blue property line.

Mark Fox said that is Skyway Tire. It's a tire shop and they that typically closes at 5:30 p.m. during the day. I have a good relationship with them.

William Draper asked have you done any demographic studies? Is there a lot of people calling for a cigar bar?

Mark Fox said my studies are word of mouth and it's extremely exciting at this point. Ninety percent (90%) of the people that I've talked to, they are very excited about something that's more focused on the bourbon and cigar. They just go together, it's a taste. I haven't done a demographic study other than that, it's just been word of mouth.

Al Benshoff asked, the cigar bar will be in harmony with the surrounding area because?

Mark Fox said I can't see how it would affect it any differently. I own a bar now within the bowling alley, so I can't see how it would affect anything differently than the convenience store that sells beer 500 feet from my place or the grocery store or anything else.

Al Benshoff asked will you have any customers outside?

Mark Fox asked what do you mean?

Al Benshoff asked will you have any outside seating for customers?

Mark Fox said there will be at some point in the back where the L is. You can see in in the back in that area, there is a flat area that we are going to have fenced around. In the state of

North Carolina, you have to have an enclosure and a lot of bars get away with it, but I don't, I do everything by the book. This will have a seating area, some corn hole boards, things of that nature. But, you cannot take anything outside the front of the building that is not within that contained space. There will be lighting out back in that area and a concrete pad that we will put in there, if we are able to do that. I haven't checked with the City yet for permits.

Al Benshoff asked any outside music?

Mark Fox said no sir. We haven't planned on it. We had outside music at the bowling alley and if you look here (points to map) we have it fenced in and we have a covered shed out there. The covered area is for smoking and things, and we've had outside music there in the past, but we haven't had it since COVID. A lot of your bands and stuff aren't the same, I mean we always had the acoustical side of things because we do have the apartment complex X amount of feet in the back, so we never wanted to disturb that.

Al Benshoff said I have one more question, which is not a legal question, and it does not go to the evidence that the Board needs. Your application is signed guarantor of Fox's Alley? I'm not familiar with that.

Mark Fox said yes sir. My wife's name is on everything with the bowling alley, it was easier to get our SBA loan through her. She had an 850 beacon score at the time we bought it, so technically being married to her I am the owner. I've been married to her for 33 years, but they put me down as a guarantor, so in other words, I have to put everything down for me to be a guarantor, that's why it was put down that way.

Al Benshoff said thank you.

Chair asked if there are any more questions?

Al Benshoff asked Ms. Brightharp, there is no site plan required with this application, right?

Doug Britt said no, because there is an existing building. If they are doing something brand new, like the project we did last month for the metal recycling facility and that was a raw piece of land, we did require them to submit a site plan. But, if there is an existing building, we don't require them to do that.

Al Benshoff said since you are here, I will ask you. One of the conclusions the Board has to make is that the application meets all the ordinances of the city and all other applicable laws and to your knowledge, does the application meet the City's ordinances and all other applicable laws?

Doug Britt said yes, to our knowledge, yes it does.

Al Benshoff said thank you.

Chair asked if there are any other questions, concerns or comments? Hearing none, based on

the fact that the staff has indicated that the application is complete and correct, I will entertain a motion on whether or not to accept the findings of facts as presented by staff and applicant as meeting your individual concerns with the application.

Motion: William Draper made a motion to approve the Findings of Fact.
Second: George Smith
Action: The motion to approve the Findings of Fact 1-5 passed unanimously with the following votes:

AYES: Kenneth Deal, William Draper and George Smith
NAYS: None

Al Benshoff said Mr. Chairman, I would like to have some discussion about that. The Board is required to find facts and I'm not sure that just saying we find all the facts that Mr. Fox stated is sufficient to make an order.

Chair asked even though it's a matter of record now?

Al Benshoff said it's a matter of record, but that doesn't convert it from the facts that you adopted. I would like to suggest some additional Findings of Fact, for your consideration.

Chair said hold on, we've got a parliamentary thing that we have to do. I need the individual who made the motion to approve the findings to withdraw that.

Motion: George Smith made a motion to withdraw the motion approving the Findings of Fact.
Second: William Draper
Action: The motion to withdraw the motion approving the Findings of Fact passed unanimously with the following votes:

AYES: Kenneth Deal, William Draper and George Smith
NAYS: None

Chair said now we can start over.

Al Benshoff said on the loose worksheet...

George Smith asked if this is the one you emailed to us?

Al Benshoff said yes. On page two and I think you adopted the first 5 findings, my suggestion:

6. The cigar bar is located 400-500 yards from the nearest existing residence.

7. The conditions of use of the cigar bar are that it will be a private club, a dress code will be applied, off-duty cops will be present on the weekends, the hours will not extend past 10 p.m. on any day. Food will be served, there is adequate lighting because there is two poles in the parking lot and at least three lights that shine on the parking, according to the testimony of the applicant.
8. Doug Britt testified that the application meets all of the requirements of the Monroe UDO and other applicable laws.
9. The use of the property will not impact the value of surrounding properties because the property will no longer be vacant and it's an existing building and there won't be any new construction on the site.
10. The cigar bar will be in harmony with the surrounding area because there will be no outside amplified music and because it's the re-use of an existing, vacant building.
11. The Land Development Plan for this property recommends that the future use be community corridor, according to Ms. Brightharp.

Al Benshoff said this suggests that commercial uses be concentrated at intersections, community corridor, I'm sorry, and mixed uses at intersections near and along US 74. I don't know if there is an intersection near here, but it certainly is making the property more dense.

George Smith said you are about a tenth of a mile from the intersection of Skyway and 74, which is just south of there.

Al Benshoff said that would seem to meet the community corridor and Land Use Plan standard and that's all I have.

Chair said based on that, do I have a motion to include Findings of Facts 1-11 as it pertains to the applicant's request?

Mark Fox said I don't know if this is being recorded or whatever.

Chair said it is.

Mark Fox said just so you know, I was guessing at the four to five hundred because there is no way for me to walk that up.

Chair said we knew that.

George Smith said we go with the approximate.

Mark Fox said the law enforcement officers I use at the bowling alley, I don't necessarily think we will have to have that at the bourbon bar, it will be a lot more smaller and a lot more intimate. But, we do employee, through the Monroe Police Department, off-duty officers on Friday and Saturday nights from 7:00 p.m. to 12:00 a.m. at the bowling alley, but I don't know if we will need that at the bourbon bar.

Chair said we will modify number 7 and strike that from the record.

7. The conditions of use of the cigar bar are that it will be a private club, a dress code will be applied, the hours will not extend past 10 p.m. on any day. Food will be served, there is adequate lighting because there is two poles in the parking lot and at least three lights that shine on the parking, according to the testimony of the applicant.

Motion: George Smith made a motion to approve the Findings of Fact 1-11.
Second: William Draper
Action: The motion to approve the Findings of Fact 1-11 passed unanimously with the following votes:

AYES: Kenneth Deal, William Draper and George Smith
NAYS: None

Chair said now we are moving onto the elements of the Special Use Permit. At this time, I will entertain a motion to adopt the Conclusions of Law as amended.

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

Petitioners Response: The use will not endanger the public health or safety. It is located in a non-residential location. The conditions of the use will be appealing and structured as private/membership.

Motion: Mr. Smith made a motion that the standard is met because it is located in a nonresidential location, approximately four to five hundred yards from any residence. The conditions of use will be appealing because it will be a usable business structure, instead of a storage building. The cigar bar will be a private membership club, which will benefit public health and safety by restricting access to known individuals.
Second: Mr. Draper
Action: The motion passed unanimously with the following votes:

AYES: Kenneth Deal, William Draper and George Smith
NAYS: None

- 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.

Petitioners Response: Yes, the structure is pre-existing and was formerly a business.

Motion: Mr. Smith made a motion that the standard is met because Doug Britt from

the Monroe Planning Department testified that the application meets the requirements of the Monroe UDO and all other applicable laws.

Second: Mr. Draper

Action: The motion passed unanimously with the following votes:

AYES: Kenneth Deal, William Draper and George Smith

NAYS: None

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

Petitioners Response: No, the development of this use should actually raise the value of the adjacent land and businesses by upgrading the structure and making it a viable business.

Motion: Mr. Smith made a motion that the standard is met because the property will no longer be vacant and it will be improved by the applicant to a usable structure.

Second: Mr. Draper

Action: The motion passed unanimously with the following votes:

AYES: Kenneth Deal, William Draper and George Smith

NAYS: None

- 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.

Petitioners Response: Yes, my wife and I own the bowling alley on the same property. We have made and kept Fox's Alley Bowling Center a wonderful addition to Monroe with no violations. We will do the same with this project.

Motion: Mr. Smith made a motion that the standard is met because the Land Development Plan recommends the use of the property as part of the 74 corridor business.

Second: Mr. Draper

Action: The motion passed unanimously with the following votes:

AYES: Kenneth Deal, William Draper and George Smith

NAYS: None

Chair asked for a motion to grant or deny the Special Use Permit.

Motion: Mr. Smith made a motion to grant this Special Use Permit.

Second: Mr. Draper

Action: The motion to grant the Special Use Permit passed unanimously with the following votes:

AYES: Kenneth Deal, William Draper and George Smith
NAYS: None

Item 5. PLZNA 2023-00055 Variance- The Board of Adjustment is requested to consider a Variance application from LeNeal Austin Love, Secretary of the United Church of Deliverance. The applicant is requesting a variance from Section 157.4.2.3 of the Unified Development Ordinance that requires a minimum lot area of 12,000 in the RMD, Residential Medium Density, District in order to subdivide the property.
Parcel # 09-273-200

Megan Brightharp, Doug Britt, Heather Miller and LeNeal Love came forward and were sworn.

Megan Brightharp, Planner I, said this is a Variance request to reduce the minimum lot size of the Residential Medium Density District in order to subdivide the property located at 520 Craig Street. She proceeded to enter the proposed Findings into the record:

1. The property located at 520 Craig Street is owned by United Church of Deliverance, Inc. and is zoned RMD (Residential Medium Density). (Exhibit 1 and 2)
2. A variance application was submitted on October 25, 2022, by Heather Miller, on behalf of the applicant, requesting a variance from the minimum lot size in order to subdivide the subject property. (Exhibit 3 and 4)
3. Unified Development Ordinance (UDO) Table 4.2.3 entitled “RMD-Residential Medium Density” states in relevant parts: (Exhibit 5)

Table 4.3.4.3 RMD District Development Standards Table
Lot: Area: 12,000 Square Feet Minimum (By Right)

4. In order to subdivide the property, the applicant request a lot area reduction from 12,000 sf to 10,433 sf. (Exhibit 6)
5. All adjacent property owners have been notified of the proposed variance. (Exhibit 7 and 8)

Chair asked if any of the surrounding houses called to indicate a concern?

Megan Brightharp said we only received one call and that was a concern about what the posted sign was about, and I just explained that the church wishes to subdivide, so they would need a variance from the lot size.

Chair asked if there are any further questions for staff?

William Draper asked what is the subdivision purpose? Why do they want to subdivide? Do they want to put a structure?

Megan Brightharp said it is their intention to sell the house. I don't know if you can see it clearly, but (points to the map on the screen) there is a house directly behind the church. So, on the actual frontage of Craig Street, it's the house, but behind it is the church and they wish to subdivide so they can sell the house.

Al Benshoff asked can we have the Ortho Map please? (Megan Brightharp pulls up Ortho Map on the screen).

Al Benshoff said so, they want to subdivide this parcel and then on the left side there is a house?

Megan Brightharp said yes.

Al Benshoff asked, the applicant said it's vacant?

Megan Brightharp said yes.

Al Benshoff said thank you.

Chair said the house faces Craig Street, where the church faces Jackson Street.

Al Benshoff said ok, I see that now.

Chair asked if there were any other questions for staff? There were none.

Chair said would the applicant like to come forward and state your name and address for the record?

LeNeal Love stepped forward and introduced herself. She said she is at 5040 Pleasant Grove Rd. Waxhaw, NC.

Chair said I can see the residence on here and I read your statements, so this house is basically dilapidated and has been vandalized many times?

LeNeal Love said it needs a lot of remodeling done to it and no one has actually lived in it since 2018 when the assistant pastor passed in 2017 in November. We've had several people break in and use it for drug related issues. They used it as a crash place. In the beginning, the neighbors kind of let us know, but now a lot of the older neighbors have died off and so the last one was in October when we went in and found all the windows covered. I had all of the window shades up, so anybody could see in at all times from all sides, because there is a neighbor right beside of us and then there is one across the street. On the backside, it's the only one that's kind of hidden, it's between the yard of the church and the church. You couldn't even tell, it just looked like it

was black in there. We couldn't tell if someone had put something up over the windows. They used sheets and air mattresses and pieces of boards and things. Just driving by you couldn't tell. So, when we went in, we saw that someone had actually stayed there and there was a pallet on the floor and their belongings there with a kerosene heater. I'm not sure how long they had been there, and they hadn't been there that long, but they had been in there. My dad and the church purchased that house in the early 1970's and everything and the assistant pastor or visiting pastors were the ones that stayed there. The pastor had his own home. My dad passed in 2004 and our assistant pastor became the pastor of the church and then we had another assistant pastor, who was an elderly lady. She stayed in the home until she passed. We had no problem until 2018 and that's when people started finding out that it's an empty house. For a while, we didn't have any services when they closed the churches due to COVID. It's just become a place, not a healthy place. The church can't keep going and replacing and fixing it. They go in and break the doors and windows getting in and out. I don't think there was any kind of ordinance back then about the lot size and subdividing. What we ask, so we want the church to have the 12,000 and the house to go to the smaller lot. There will still be plenty of parking in the yard and on the side of the church. That's the reason we need it. We just need it subdividing for that reason, to be able to sell it.

Chair asked once you subdivide it, what is going to be the setback from the new property line to the back of the church?

Heather Miller came forward and introduced herself. Said she is at 502 N. West Street in Monroe. She said so we did run into kind of a problem with getting a surveyor out and we wanted to get that information ahead of time, but all surveyors are super, super backed up. But, we do have one that is supposed to come out any day now. But, we also think that it's best that we get the variance and that way we can officially have him do the subdivide plan. So, we don't know what the setback is and if there is a required one or suggested one, we can definitely pass that to the surveyor and do whatever is required. Right now, it's just set that 12,000 square feet for the church and the remainder for the house.

Chair asked if there are any other questions?

William Draper said I understand the vandalism and stuff, how will subdividing stop all of that?

LeNeal Love said because we will be able to sell it. We have a buyer who is wanting to remodel it and live in it. We won't have to worry about anyone coming in it and having a rough crowd for anybody in the area, because like I said, I feel like it was drug problems there and that's why they were coming in to crash. We walked in on one other little fellow and he took off running and he ran straight down to Dickerson Park and that's where the police stopped him. We've had to call the police out several times when I found it broken into. So, I believe this will help the church out and the community and give a nice home when they get it remodeled for the buyer.

Heather Miller said I am a realtor and it's actually my brother that's buying it and he's already got plans lined up and everything like that. It's not just going to be bought and held.

Chair said looking at your 22,433 square foot diagram, judging by the 160 ft. and 75 ft. marker you've got here, it looks to be making that a 12,000 square foot lot, you will still have more than the minimum setbacks between the lots. It would have been nice to have the survey.

Heather Miller said I know, I tried. I spent days of calling.

George Smith asked how many square foot it is it?

Heather Miller asked how many square foot is the house?

George Smith said yes.

Heather Miller said I think it's 825. I'm almost positive it's 825.

George Smith said as a realtor, would you call it a story book house?

Heather Miller said yes. I've got pictures of the house, if needed.

Chair said let me ask you a serious question. If we voted to table this matter until next month in order to get that survey, what's that going to do to you? What kind of impact will that have on you?

Heather Miller said I have to make sure that the offer would still be good. Even though it is my brother, I know he is ready to start on it now. He currently lives in Charlotte, and he bought a commercial property off N. Charlotte, and I live in this neighborhood. It would impact our personal plans of him having the ability to help with the commercial property with winter coming up. I would have to make sure that he would still want to go through with it. Also, we don't know and can't predict if there will be any more damage that can be done to the property. When she went to show us, there was literally someone that had been living in it. The windows were broken, so that's also a risk.

LeNeal Love said I was going to say that the greatest impact that would be on the church is the fact that we would have to deal with more vandalism and more people trying to come in and stuff. It's not the same person, it's different people.

Chair said all of that is very compelling. Doug, did you have something to add?

Doug Britt said the rear setback is 20 feet from the church, so a variance request doesn't have anything to do with the setbacks. The variance request is for lot size, and they are obligated to meet that rear setback.

Al Benshoff asked may I ask Doug a question?

Chair said sure.

Al Benshoff said in the RMD zoning district, what is the rear yard setback, what is the minimum setback?

Doug Britt said 20 ft.

Al Benshoff asked 20 ft. from the property line?

Doug Britt said right.

Al Benshoff said if I can make a suggestion, Mr. Chairman, you can add a condition to the variance order saying that when the property is subdivided, it has to meet RMD zoning district setbacks.

Doug Britt said that's a given anyways.

Chair said that's a given anyways.

Al Benshoff said that should cover it.

Chair asked if anyone has any objections?

William Draper said no.

Doug Britt said I think when we looked at it and we did ask for a survey and they can't get one, but when we looked at it and basically divided it up and the rear setback of the church was going to be fine. Like I said, it's only going to be 20 ft. off the foundation, so it's not like it's going anywhere close to the house.

Chair said I am going to put you on the spot here for a minute. Does the City of Monroe have any concerns or objections to this property being subdivided in the manner that it's being requested?

Doug Britt said no. But, this is a Board of Adjustment decision, Staff doesn't decide Variances.

Chair said thank you.

Al Benshoff said I have one question. So, does your application say that the church can't afford to fix the house? Is that how I read it?

Heather Miller said I don't think it specifically says that. I don't have the application in front of me. That's not the wording, but it is a burden on the church for upkeep.

LeNeal Love said it is a burden.

Heather Miller said to make the house usable and fix the windows, I think I put that after COVID and with attendance being down, it's also going to affect the amount of giving as well. LeNeal has someone that keeps up with yard maintenance and it would help in that aspect as well.

Chair said thank you. Doug, I've got one more question for you. Do you attest that the application is complete and correct as submitted?

Doug Britt said yes.

Board members discuss.

Chair said now we will move on to the proposed Findings of Fact. Stipulate Findings of Fact 1-5 and 6-9 on the Staff Report, modify number 10 to read repairing the house is a financial burden on the UCD. Number 11, as on the Staff Report and I would add number 12, Doug Britt from the City of Monroe, Planning Department, indicated that the City has no objections to approval of the subdivision of this property.

6. A church sanctuary and house are located on the property.
7. The house is vacant. The house has been vandalized.
8. The house is creating blight in the neighborhood.
9. The house cannot be used in its existing condition.
10. UCD does not have the resources to continue repairing the house and the house is a burden.
11. UCD has a willing buyer, who will repair the house and rent or sell it to occupants.
12. Doug Britt from the City of Monroe, Planning Department, indicated that the City has no objections to the approval of the subdivision of the property.

Chair said at this moment, I will entertain motions on whether or not to accept the proposed Findings of Fact as a matter of record.

Motion: Mr. Draper made a motion to approve the Findings of Fact 1-12.
Second: Mr. Smith
Action: The motion to approve the Findings of Fact 1-12 passed unanimously with the following votes:

AYES: Kenneth Deal, William Draper and George Smith
NAYS: None

Chair said now we are moving onto the conclusions.

1. It is the Board's CONCLUSION, that unnecessary hardship would result from the strict application of the ordinance because the house has been vandalized. The UCD cannot afford to repair it. The house affects the church sanctuary by attracting vandals to the property.

Motion: Mr. Smith made a motion that it would be an unnecessary hardship.
Second: Mr. Draper
Action: The motion passed unanimously with the following votes:

AYES: Kenneth Deal, William Draper and George Smith
NAYS: None

2. It is the Board's CONCLUSION, that the hardship is peculiar to the applicant's property.

Motion: Mr. Draper made a motion that it is peculiar to that piece of property because original development was built on a lot of 22,433 square feet.

Second: Mr. Smith

Action: The motion passed unanimously with the following votes:

AYES: Kenneth Deal, William Draper and George Smith

NAYS: None

3. It is the Board's CONCLUSION, that the hardship is not the result of the applicant's own actions because the applicant did not create the 22,433 square foot lot nor did the applicant vandalize the property.

Motion: Mr. Smith made a motion that it is not because the applicant did not create the 22,433 square foot lot nor did the applicant vandalize the property.

Second: Mr. Draper

Action: The motion passed unanimously with the following votes:

AYES: Kenneth Deal, William Draper and George Smith

NAYS: None

4. (a) It is the Board's CONCLUSION, that the variance is consistent with the spirit, purpose, and intent of the ordinance because it promotes the re-use of an existing blighted house which will improve both the applicants' remaining property and the neighborhood overall.

Motion: Mr. Draper made a motion that it is because it promotes the re-use of an existing blighted house which will improve the applicants' remaining property and neighborhood overall.

Second: Mr. Smith

Action: The motion passed unanimously with the following votes:

AYES: Kenneth Deal, William Draper and George Smith

NAYS: None

- (b) It is the Board's CONCLUSION, that in granting of the variance, the public safety will be secured and substantial justice will be achieved because an attractive nuisance will be eliminated and the neighborhood improved by eliminating a location of blight.

Motion: Mr. Draper made a motion that in granting the variance, the public safety will be secured and substantial justice will be achieved because an attractive nuisance will be eliminated and the neighborhood improved by eliminating a location of blight.

Second: Mr. Smith

Action: The motion passed unanimously with the following votes:

AYES: Kenneth Deal, William Draper and George Smith
NAYS: None

Chair asked for a motion to grant or deny the variance request with the following condition. The condition was that the divided properties meet the minimum setback requirements of the Unified Development Ordinance.

Motion: Mr. Smith made a motion to grant this variance based on the information provided, with the condition that the divided properties meet the minimum setback requirements.

Second: Mr. Draper

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

AYES: Kenneth Deal, William Draper and George Smith
NAYS: None

Item 7. Discussion: Date of December Meeting

Chair asked are we going to need a December meeting?

Doug Britt said we don't know yet. The meeting would be December 22, so I will ask you all, will all three of you be here for December 22?

Chair said I am available.

William Draper said yes, I will be available.

George Smith said I will be there.

Chair said let's schedule that for the 22nd.

Doug Britt said right now, we have something that Megan has kind of sort of been working on, but it depends if they pull the trigger between now and December 1, because that is our final deadline. Our final deadline is always the first workday of the month. But, we will know shortly.

Item 8. Adjournment

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

Second: George Smith

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

AYES: Kenneth Deal, William Draper and George Smith
NAYS: None

The meeting was adjourned at 7:15 p.m.

Respectfully submitted,

Kenneth Deal
Chair

Ashlyn Penegar
Clerk of the Board



STAFF REPORT

Case # PLZNA 2023-00086

TO: Board of Adjustment Members

DATE: February 23, 2023

FROM: Doug Britt, Senior Planner

PREPARED BY: Megan Brightharp, Planner

SUBJECT: Variance request by LeNeal Austin Love for property located at 520 Craig Street

SUMMARY STATEMENT

LeNeal Austin Love is requesting a variance from minimum lot size of the Residential Medium Density District in order to subdivide the property located at 520 Craig Street.

SITE DATA

Type of Action: Variance

Date of Petition: January 4, 2023

Name of Petitioner: LeNeal Austin Love

Location: 520 Craig Street

Tax ID #: 09-273-200

Lot Size: .515 Acres

Current Zoning Classification: RMD (Residential Medium Density) Zoning District

PROPOSED FINDINGS

Proposed Findings:

1. The property located at 520 Craig Street is owned by United Church of Deliverance, Inc. and is zoned RMD (Residential Medium Density). (Exhibit 1 and 2)
2. A variance application was submitted on January 4, 2023 by Heather Miller, on behalf of the applicant, requesting a variance from the minimum lot size in order to subdivide the subject property. (Exhibit 3 and 4)

3. Unified Development Ordinance (UDO) Table 4.2.3 entitled “RMD- Residential Medium Density” states in relevant parts: (Exhibit 5)

Table 4.2.3.2 RMD District Development Standards Table

Lot: Area: 12,000 Square Feet Minimum (By Right)

4. In order subdivide the property, the applicant requests a lot area reduction from 12,000 square feet to 10,409 square feet. (Exhibit 6)
5. A church sanctuary and house are located on the property.
6. The existing house at 520 Craig street is vacant and has been vandalized.
7. The house is creating blight within the neighborhood.
8. United Church of Deliverance does not have the resources to continue repairing the house and the house is a burden.
9. United Church of Deliverance has a willing buyer who will repair the house and rent or sell it to occupants.
10. A variance was granted on November 17, 2022 to reduce the minimum lot size to 10, 433 square feet at this property with the condition that the parcels, once subdivided, meet the minimum setbacks. However, after the variance was approved and a land surveyor was retained, it was discovered that the measurements provided in the variance application were incorrect, requiring the applicant to resubmit a variance application with the correct square footage.
11. All adjacent property owners have been notified of the proposed variance. (Exhibit 7 and 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.

THEREFORE, on the basis of all foregoing, IT IS ORDERED that the application Variance 2023-00086 be (**approved/denied**).

Exhibits:

- Exhibit 1: Ortho Map
- Exhibit 2: Zoning Map
- Exhibit 3: Application
- Exhibit 4: Letter from Church Secretary
- Exhibit 5: UDO Section 157.4.2.3.2
- Exhibit 6: Proposed Variance
- Exhibit 7: APO List
- Exhibit 8: APO Map

Prepared by: MB 2/15/2023

Ortho Map

520 Craig Street

Legend

- Centerlines
- ▭ Parcels
- ▭ Subject Property



Owner:
United Church of Deliverance, Inc.
Acres: .515

Exhibit 1

0 20 40 80 120 160
Feet

Zoning Map

520 Craig Street

Legend

— Centerlines

▭ Parcels

Zoning

▭ RMD

▭ Subject Property



Owner:
United Church of Deliverance, Inc.

Acres: .515

0 2040 80 120 160
Feet

W FRANKLIN ST

CRAIG ST

JACKSON ST

MCCARTEN ST

W CROWELL ST

Exhibit 2

City of Monroe Variance Application Form

Applicant's Name: LeNeal Austin Love

Applicant's Mailing Address: 5040 Pleasant Grove Rd
Waxhaw, NC 28173

Property Owner: United Church of Deliverance

Property Owner's Address: _____

Legal Relationship of Applicant to Property Owner: Church Secretary / authorized signer

Contact Person Name and Phone Number: Heather Miller 704-291-1832

Existing Use of Property: church & vacant house

Property Location: 520 Craig St Monroe, NC 2811

Tax Map Number: 09-273 200 Lot Size: 0.515ac Zoning District: RMD

Ordinance section number to which a variance is being sought: _____

Proposed variance description: required lot size reduction from 12,000sf
to 10,409sf. We would like to subdivide the existing
Parcel into 2 lots. One lot would be 12,000sf & the other
would be 10,409sf.

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.]

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

The church previously used the home on the property for a previous pastor, then family, then storage. For several yrs. they have had no use for the house & would like to be able to sell to relieve this burden. They cannot sell w/ current lot size.

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]

The property is peculiar b/c it has a church & a house within a residential neighborhood.

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]

Over the past few years, the home has been broken into multiple times and has been used by squatters. Church has reduced attendance & services, so the amount of eyes on the house has decreased.

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.

The ability to sell the home would greatly benefit the neighborhood b/c the house would no longer be susceptible to squatters & vandalism.

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.

the home would remain residential - same as the neighborhood.

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.

Applicant (printed): LeNeal Austin Love

Applicant's Signature: LeNeal Austin Love

Date: 1-4-23

Property Owner: United Church of Deliverance

By: _____

Title: Secretary Authorized Signer

Owner's Signature: LeNeal Austin Love

Date: 1-4-23

****If you are signing on behalf of a business (such as an LLC), you must include your title with 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: _____

United Church of Deliverance

1974 - Purchased the church property on the corner of Jackson and Craig - Opened Church

1979 - Began taking attendance records

2004 - David Petty Austin died , Mary Ford was voted in as Pastor , Laneal Love was made an authorized signer, LaNeal Love was made POA for father David Austin

Previous:

Pastor: David P Austin (1974 - 2004)

Mary Ford Assistant Pastor: (? - 2004)

Trustees:

Mack McCaver (1974 - 2003)

Henry Spittle (1974 - 1998)

Ormand Austin (1974 - 1985)

Current:

Pastor: Mary Ford (2004 - present)

Secretary: Laneal Love (1985 - present)

Trustees: Steve Love (1985)

Ann Parker (1998)

Brian Ford (2003)

Constitution and Bylaws of United Church of Deliverance

Article I

Name and Incorporation

The name of this congregation shall be United Church of Deliverance, a nondenominational church. For the purpose of this constitution and bylaws, the United Church of Deliverance shall be referred to as “this congregation” and shall be incorporated under the laws of the State of North Carolina.

Article 2

Statement of Purpose

We are gathered, constituted, and exist to exalt Jesus Christ as Lord and proclaim His name above every name¹ to the exclusive glory of God² and to enjoy Him forever³ by submitting to, obeying, and fulfilling all that the Lord Jesus Christ calls us to throughout His Word as corporately pledged to one another in church covenant.

Article 3

Statement of Faith

A. Scripture

We believe that the entire Bible is the Word of God , written perfectly under the inspiration of the Holy Spirit , and is to be strictly and reverently⁷ understood according to the author’s original intent. Taken as such, we believe the Bible is sufficient to have supreme authority (superseding even this document) in all matters of life and faith.

B. God’s Deity

We believe that there is one living and true God , eternally existing in three persons; as Father, Son, and Holy Spirit. These three are equal in every divine perfection and execute distinct but harmonious offices in the work of creation, providence, and redemption.

C. God’s Sovereignty

We believe in the perfect sovereignty of God in creation, providence , revelation, redemption, and final judgment.

D. The Person and work of Jesus Christ

We believe in Jesus Christ; that He is truly God and truly man, God’s eternally begotten Son, and that He was conceived by the Holy Spirit. We believe in His virgin birth, His sinless life, His atoning work on Calvary, His bodily resurrection from the dead, His glorious ascension into heaven, His sole mediatorial intercession, His endless reign, and His future personal, visible return to the earth.

E. The Person and work of the Holy Spirit

We believe in the Holy Spirit; that He is truly God and manifests the active presence of God in the world and especially the church. He enlightens the minds of sinners and brings about regeneration through the finished work of Christ. He then permanently indwells every believer to become the source of assurance , strength, and wisdom, as He uniquely endows each believer with gifts for the building up of the Body of Christ and produces His fruit to the glory of God in Christ Jesus.

F. Mankind

We believe that mankind was created in the image of God, male and female; they were created, for distinct but complementary roles in the church, home, and marriage. We believe that Adam and Eve sinned and thereby incurred not only physical but also spiritual death. Having been separated from God as a result of our fall in Adam (our representative head⁴¹), all mankind exists in a state of total depravity as guilty sinners in thought, word, and deed.

G. Salvation

We believe that all sin is ultimately against God alone and that any transgression can only be atoned for by the blood of Jesus Christ. Faith in Jesus Christ is the only saving grace, whereby we receive Him alone for salvation as He is offered to us in the gospel as defined by God's Word. Those who are forgiven in Christ Jesus (in this or those in past generations) therefore can have no proper condemnation from man or God, as he is no longer condemned by God. This new life of salvation from the wrath of God, forgiveness of sin, and eternal life cannot be earned, deserved, inherited, or bought. The fruit of the new life in Christ is not exemplified in the adherence to the law of the Old Covenant but in fruits of the law of the Spirit under the freedom of the New Covenant.

H. Baptism and the Lord's Supper

We believe that water baptism is a symbol of the work of Christ on the cross and is an outward picture of the inward baptism of the Holy Spirit, and, therefore, is done by immersion for those who are walking in fellowship with Jesus Christ and who have publicly professed faith in Him. We believe that the communion of the Lord's Supper is to be eaten corporately, by those who are walking in fellowship with the Lord Jesus Christ, as a reminder of His sacrificial work on the cross⁵⁴ and proclamation of His certain return.

I. The Church

We believe that the people who make up the members of Christ's body are His Church—designated as both the bride and body of Christ on earth, empowered by the Holy Spirit, and exists to evangelize the lost and to edify the saved to the glory of God alone. The members of Christ's body, who make up United Church of Deliverance and those who comprise the Body of Christ outside this congregation are united to Jesus Christ our Head and, by nature, will cooperate with one another as His members and Partners in the exaltation of Jesus Christ, to the glory of God alone.

Article 4

Partnership and Covenant

4.01

Partnership Requirements

Individuals desiring to join this church shall first meet with a trustee and/or pastor two or more times to discuss and verify agreement to the fundamental beliefs of United Church of Deliverance as stated in the constitution. Any youth who has reached the age of 16 may participate in this process.

4.02

Conditions for Removal of Partnership

Partners may be removed from the roll of this church by the action of the trustees when the following conditions apply:

a. The partner has not attended services for one year. Any partner who has not been worshiping regularly will be contacted by a partner of the Body to see if any help is needed.

b. The partner is in violation of the Partnership Covenant, has been interviewed by the trustees following the principles of Matthew 18:15-20, there is no positive response, and therefore the decision to remove the partner from the rolls has been made. The procedure in Matthew 18 is as follows:

1. One member of the Trustee Board will speak personally with that person regarding the violation to the Covenant.

2. If the behavior continues, the person will be brought before the entire Board.

3. If the violation continues to occur, the person will be brought before the church; the church will have an opportunity to speak with and question the person; the church will then vote on whether or not to remove this person who will then be notified in person and in writing of the decision.

Article 5

Powers of the Congregation

The powers of this congregation are vested in the Congregational Meeting, called and conducted as provided in this constitution and bylaws. Specific authority is delegated to the Trustee Board or other organization units in this document; all remaining authority is retained by the Congregation, who has the authority to:

a. call a pastor

b. terminate the call of a pastor

c. adopt amendments to the constitution and bylaws

d. approve the annual budget e. acquire real and personal property by gift, will, purchase or other lawful means f. hold title to and use its property for any and all activities consistent with its purpose

g. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means

h. approve the Trustees and require that they carry out their duties in accordance with the constitution and bylaws

i. vote on any other matter before the congregation at the annual meeting or any special congregational meeting called in accordance to the provisions in this constitution and bylaws

Article 6

The Pastor

6.01 Authority to call a pastor shall be in this congregation by at least a two-thirds majority ballot vote of partners present and voting at a meeting legally called for that purpose.

6.02 Consistent with the faith and practice of the church, every pastor shall:

a. Lead this church in stating its mission, to do long-range planning, to set goals and priorities, and to evaluate its activities in light of its mission and goals.

b. Preach and teach the Word

c. Administer baptism and communion

- d. Conduct public worship
- e. Provide pastoral care: visit the sick and distressed, counsel those in need or refer them to a qualified counselor
- f. Perform marriages and funerals
- g. With the Trustee Board, administer discipline
- h. Seek out and encourage qualified persons to prepare for the ministry of the Gospel
- i. Equip and encourage people for leadership roles within the church
- j. Impart knowledge of this church and its wider ministry through distribution of its periodicals and other publications (e.g., church newsletter and local newspapers)

6.03 The specific duties of the pastor, compensation, and other matters pertaining to the service of the pastor shall be included in a letter of call.

6.04 The call of this church, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment which, except in the case of the death of the pastor, shall be terminated for the following reasons:

- a. mutual agreement to terminate the call
- b. resignation of the pastor, which shall become effective, unless otherwise agreed, 30 days after the date on which it was submitted
- c. the physical or mental incapacity of the pastor
- d. disqualification of the pastor through discipline on grounds of doctrine, morality, or continued neglect of duty
- e. the dissolution of the church

6.05 At a time of pastoral vacancy, an interim pastor may be appointed by the Trustees.

6.06 An associate pastor may be called to serve and elected by a majority vote from the church and board of Trustees.

6.07 Pastors shall ensure accurate parochial records are kept. The pastor shall be responsible to assign the task or to keep accurate parochial records of all baptism, marriages, 5 burials, partners received, dismissed or excluded from this church, and shall submit a summary of such statistics annually to the church.

6.08 The pastor shall be a partner of this church.

Article 7

Trustees

7.01 Any partner of this church may be elected to be a Trustee, subject only to the quality of their character (1 Timothy 3:8-13). A person's place on the Trustee Board shall be declared vacant if the person (a) ceases to be a partner of this church, or (b) is terminated as an Trustee due to reasons noted in [7.11].

7.02 Trustee candidates shall be nominated by the current trustee Board and voted on by the congregation at the Annual Meeting.

7.03 The Trustee Board shall have general oversight of the life and activities of this church, and in particular its ministry life, to the end that everything be done in accordance with the Word of God. The duties of this board shall include the following:

- a. To assist and give direction to this church in stating its mission, to do long-range planning, to set goals and priorities, and to evaluate its activities in light of its missions and goals.

- b. To seek to involve all partners of this church in worship, learning, witness, service and support.
- c. To oversee and provide for the administration of this church to enable it to fulfill its functions and perform its mission.
- d. To maintain supportive relationships with the pastor(s) and staff and help them annually to evaluate the fulfillment of their calling, appointment, or employment.
- e. To be examples individually and corporately of the life and ministry expected of all baptized followers of Jesus Christ.
- f. To promote a church climate of peace and goodwill and, as differences and conflicts arise, to endeavor to foster mutual understanding.
- g. To arrange for pastoral service during the sickness or absence of the pastor.
- h. To seek out and encourage qualified persons to prepare for the ministry of the Gospel.

7.04 The Trustees shall see that the provisions of this constitution/bylaws are carried out.

7.05 The Trustees shall provide for an annual review of the partnership roster.

7.06 The Trustees shall be responsible for the appointment and supervision of the salaried staff and lay workers of the church.

7.07 The Trustees shall set the date and time of the Annual Meeting.

7.08 Special meetings may be called by the Pastor. Notice to each special meeting shall be given to all who are entitled to be present.

7.09 A quorum for the transaction of business shall consist of a majority of the trustees, including the pastor or interim pastor, except when such person requests or consents to be absent and has given prior approval to an agenda or routine matter which shall be the only business of the meeting.

7.10 A Trustee's position may be terminated for the following reasons:

- a. the physical or mental incapacity of the elder
- b. disqualification of the trustee through discipline on grounds of doctrine, morality or continued neglect of duty
- c. the dissolution of the church

7.12 A Trustee must be a partner of this church.

Article 8

Church Meetings

8.01 The Annual Meeting of this church shall be held typically during the month of January each year at a date and time to be determined by the Trustees, subject to proper notice requirements of this constitution. It's purpose is to celebrate the work the church has accomplished to advance the Kingdom of God, to share our vision, and communicate plans for the future.

8.02 Only active partners will be allowed to vote at official meetings of the church.

8.03 A special church meeting may be called by the pastor, or the Trustees of this church, and shall be called at the written request of ten percent of the partners. The call for each special meeting shall specify the purpose for which it is to be held and no other business shall be transacted at the special meeting.

8.04 Notice of all meetings of this church shall be given at the services of worship on the preceding two consecutive Sundays and/or by mail to all voting partners at least 10 days in advance of the date of the meeting. The posting of such notice in the regular mail, with the

regular postage affixed or paid, sent the last known address of such partners shall be sufficient.

8.05 Two thirds of all partners shall constitute a quorum.

8.06 Voting by proxy or by absentee ballot shall not be permitted.

8.07 All actions by this church shall be by majority vote except as otherwise provided in this constitution.

Article 9

Officers of the Church

09.01 The Trustee Board officers shall be chosen, by mutual agreement, by the Pastor and the existing trustees. The offices are as follows:

- a. Chairman: presides at the Annual Meeting and all congregational meetings, and as appropriate, signs necessary documents and reports
- b. Vice Chairman: presides at all meetings of this church in the absence of the Chairman
- c. Secretary: keeps accurate minutes of all Elder Board meetings and congregational meetings, seeing that these are prepared and printed for distribution

09.02 The Treasurer of this church shall:

- a. receive and disburse all monies of this church as dictated by this church's budget,
- b. oversee the ledger of all transactions
- c. report as requested to the Trustees and to the annual meeting of this church

09.03 The Financial Secretary of this church shall:

- a. keep an accurate record of all donations given by the individual partners and visitors of this church through the offering envelopes
- b. send individual giving reports to the members at the beginning of each year
- c. report to the trustees and the annual meeting

Article 10

Church Committees

10.01 Ad Hoc Committees (e.g. Constitution, Anniversary, etc.) may be established as needed by the Trustees; such committees normally would be disbanded after the purpose for which they were established has been accomplished.

10.02 When a pastoral vacancy occurs, the Trustees shall use one of the following two procedures:

- a. The Trustees shall function as the Search Committee, in the process of securing a new pastor, if the appointed Search Committee is unable to complete the process.
- b. Any pastoral candidate selected by the Search Committee must personally visit the United Church of Deliverance and preach before that candidate may be put before the church for a vote.

Article 11

Amendments

11.01 Amendments to this constitution may be proposed by at least 10 voting partners or by the Trustees. Proposals must be filed in writing 60 days before the formal consideration by the church at its regular or special meeting called for that purpose. They shall notify the partners of this church of the proposal with their recommendations at least 30 days in advance of the meeting.

11.02 A proposed amendment to this constitution shall:

- a. be approved at a properly called meeting according to this constitution by a two thirds vote of those present and voting;
- b. be ratified without change at a church partner meeting held not less than 90 days after perceiving preliminary approval as in by a two-thirds vote of those present and voting;
- c. have the effective date included in the resolution and noted in the constitution.

11.03 The amendment shall become effective at the completion of the meeting at which there was a vote.

Article 12

Continuing Resolutions

12.01 The Trustees may enact continuing resolutions which describe the function of the various committees or organizations of this church.

12.02 Continuing resolutions shall be enacted or amended by a two-thirds vote of all voting members of the Trustee Board.

11-3-22

UNITED PRAYER CHAPEL

UNITED CHURCH OF DELIVERANCE JOHN 3:16 FOR GOD SO
LOVED THE WORLD, THAT HE GAVE HIS ONLY BEGOTTEN
SON, THAT WHOSOEVER BELIEVETH IN HIM SHOULD NOT
PERISH, BUT HAVE EVERLASTING LIFE.

United prayer chapel
United Church of Deliverance
1305 Jackson St. Monroe NC 28112

Pastor Mary Ford.

To the City of Monroe, Variance Committee

I am Pastor Mary Ford of United
Church of Deliverance and this letter
is to Acknowledge Authorization that
Leneal Austin Love has Authorization
to Request, Submit and sign for the
Variance application and any other
documents concerning the Church or
Church property. She is Church
Secretary + Treasurer, Care taker and
Overseer. Overall Church business
and ministry

Mailing Address
5040 Pleasant Gr. Rd
Waxhaw NC 28173

Pastor
Mary Ford
704-438-1889

UNITED PRAYER CHAPEL

UNITED CHURCH OF DELIVERANCE JOHN 3:16 FOR GOD SO
LOVED THE WORLD, THAT HE GAVE HIS ONLY BEGOTTEN
SON, THAT WHOSOEVER BELIEVETH IN HIM SHOULD NOT
PERISH, BUT HAVE EVERLASTING LIFE.

TO: City of Monroe
Variance Committee

Authorization letter for signing and
submitting of Variance Application and
all documents concerning United Church
of Deliverance Church business affairs
and property.

Authorized Person Leneal Austin Love
Title Secretary, Treasurer, Overseer of
Church and Care taker for all Church
Business Affairs ~~and~~ property.

I BRIAN FORD Board Trustee / Deacon
have Authorized Leneal Austin Love to
sign, submit any business matter on
behalf of United Church of Deliverance
and property.

Brian Ford
16326 Big Bear Rd
Albemarle NC

28001 Thank you

Signed
BRIAN Ford

Authorized Person
Leneal Austin Love
Church Secretary Treasurer
OVERSEER and Care Taker
Long Standing member
1305 JACKSON ST.
MONROE, NC 29112
5040 Pleasant Grove Rd
Waxhaw 28173

UNITED PRAYER CHAPEL

UNITED CHURCH OF DELIVERANCE JOHN 3:16 FOR GOD SO
LOVED THE WORLD, THAT HE GAVE HIS ONLY BEGOTTEN
SON, THAT WHOSOEVER BELIEVETH IN HIM SHOULD NOT
PERISH, BUT HAVE EVERLASTING LIFE.

To City of Monroe
Variance Committee

Authorization Letter for signing and
submitting of the Variance application and
all document concerning United Church of
Deliverance Church Business and Property.

Authorization Person: LeNeal Austin Love, title
Secretary - Treasure and overseer of Church
(United Church of Deliverance) business and
Property.

I Ann Parker Board Trustee authorized
LeNeal Austin Love to sign, submitted and
business matters on behalf of United Church
of Deliverance Church and Property.
Ann Parker / Board Trustee
5014 Pleasant Grove Rd
Waxhaw, N.C. 28173
10-3-22

Thank you:
Ann Parker

Authorization Person
LeNeal Austin Love
5040 Pleasant Grove Rd
Waxhaw, NC 28173

1105 JACKSON ST.
MONROE, NC 28112

Business Meeting

Jan 6, 1985

United Church of Delmar

Meeting opened

Meeting called to fill a trustee position

Pastor ~~acknowledges~~ ^{recommends} Steve Love to fill position of trustee, members raised hands on agreeing to vote.

Position was vacant because of a death of former trustee.

Meeting was closed without further business needed.

All other positions will stay in place.

All other deacons were present and voted in agreement.

Records taken by Secretary Li Neal Love

Business Meeting

Jan 3, 1998

United Church of Delmar

meeting called to open

Members + Trustees Present to vote
on new trustee, recommended by
Pastor David Petty, Austin

Ann Parker was voted in with
a raising of hands of members + trustees
to fill position of trustee that was
vacant because of sickness and death of
former trustee.

All trustees were present

Done & one 2nd the vote

Pastor closed meeting

meeting was recorded by Secretary
L. Neal Austin Lane

March 15

2003

Special Business Meeting

United Church of Deliverance

meeting called to open

Members and trustees called to vote

Brian Ford was recommended to fill position of trustee by Pastor David Petty Austin.

Members voted yes by raising of hands

Trustees present

Position was vacant because former trustee could no longer fulfill obligations

Pastor closed meeting

meeting was recorded by

Secretary LeNeal Austin Lane

Special Business Meeting July 18th 2004 United Church of Deliverance

meeting open at end of Morning Service

Pastorship was given to Mary Ford
assistant Pastor by Pastor David Petty Austin.

Arising of hands of the members in the
congregation to agree with the new
assignment of Pastor because the standing
Pastor was sick and with his passing she
became Pastor.

The 3 trustees/deacons were
in attendance and 100% in agreement

Steve Lane	Trustee since 1985
Ann Parker	Trustee since 1998
Brian Ford	Trustee deacon since 2003

Everything else is to stay the same until
Change is needed

Pastor said all hearts clear? Then
dismissed meeting by prayer

A call to close meeting
and a second person 2nd it

LeNeal Austin Page 45 of 76 Secretary recorded the minutes

Special Business Meeting Oct 1, 2027

United Church of Deliverance

meeting called to open (via telephone)

Discussion took place regarding selling the home on church property. 520 Craig St. Home has been vacant for several years and has had a problem with squatters. It would be beneficial to church to be relieved of the homes upkeep. House would be subdivided into a separate lot.

Members voted yes by raise of hands

trustees present
Steve Love
Ann Parker
Brian Ford

Pastor closed meeting

Meeting recorded by
LeNock Love - Secretary

Variance Decision to Subdivide Property

Hello my name is LeNeal Justin Love
I am the Secretary / Treasurer to United
Church of Deliverance at 1305 Jackson St.

This letter is in regard to the property
owned by church at 1305 Jackson, and
house on the corner of 520 Craig St &
Jackson St.

This house at 520 Craig St has
been used for years for housing for
a assistant pastor until 2017 and she
passed away and then used for church
business, Sunday school & storage.

For 3 months after her passing her
grandson & daughter didn't pay power bill
left 4 months of unpaid utility bills
for church to pay finally they had
eviction papers and they finally left.

They left the house with damaged
and garbage for church to have to take
care of, and they took all appliances
so, they were living rent free as long as
they took care of their mother after she
passed they took advantage of our kindness
and caused hardship on the church, since
February 2018 when they left, The House
needed much repair and was used for church
storage etc. Then when Covid came
and the churches were considered nonessential
services were put on hold till 2021 with
a big drop in attendance and finances it was
a hardship to restore the house for someone to

live there, it has been broken into many times doors, doorfacings + windows damaged. At least 3 times this year it was broken into the last one 2 weeks ago where when entering property we found some ones belongings where they had been staying there. They had covered up the windows so no one could see some one was in there, they left bags of Garbage etc for the church to clean and doors busted and doorfacings damaged.

This house was built in the 1950's and we have owned property since early 1970's so we have been a part of community for almost 50 years way before the subdividing rule was made. Much repair from damage is needed and church just doesn't have resources to do now.

A Gentleman has offered a fair price as is, to buy the property this would be a great way to solve the current problem solved and a asset for the community

So ~~we need~~ we need a Variance for a subdivide for these 2 properties that would allow one of the properties preferably the 520 Craig St house to be less than 12,000 sq ft This would be a win win for all properties involved and for all parties the church would be saved from hardship, buyer would have his home and

County would soon have a beautiful safe
house in community and neighborhood would
have a safer beautiful addition.

Please consider all this, we appreciate a yes
decision.

Thank you for your time
and consideration
United Church of Delmar
De Neal Austin Love
Secretary / Treasurer
704-363-1949

4. **Buffering.** See Section 8.3.

Table 4.2.3.2. RMD District Development Standards Table

RMD District Development Standards Table		
Building Height		Maximum 3 Stories
Density		Maximum 3 Units / Acre (By-Right) Maximum 4 Units / Acre (Cluster)
Setbacks ¹	Front (Street)	20' May be reduced to 15' where a common parking area is provided (no driveway/garage)
	Side	10' (interior lot) 15' (corner lot)
	Rear	10' (interior lot) 20' (through lot)
Lot	Width ²	75' Minimum
	Area	12,000 Square Feet Minimum (By-Right) 5,000 Square Feet Minimum (Cluster) (Refer To Table 4.2.2.1)

CERTIFICATION OF OWNERSHIP AND DEDICATION

I (WE) CERTIFY THAT I (WE) ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON, THAT THE PROPERTY IS WITHIN THE SUBDIVISION JURISDICTION OF THE CITY OF MONROE AND THAT I (WE), HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH MY (OUR) FREE CONSENT AND HEREBY ESTABLISH ALL LOTS AND DEDICATE TO THE PUBLIC ALL STREETS, ALLEYS, EASEMENTS, WALKS, PARKS AND OTHER OPEN SPACES AS SHOWN HEREON UNLESS OTHERWISE NOTED AS PRIVATE. ALSO, INCLUDED ARE BUFFERS AND EASEMENTS OUTSIDE THE GLENDALOUGH PHASE 1C AREAS WHICH ARE ON MY PROPERTY NOT BEING SUBDIVIDED AT THIS TIME.

DATE: _____

UNITED CHURCH OF DELIVERANCE, A N.C. CORPORATION

ATTEST:

By: _____ (SEAL)
President (Vice President)

Secretary (Assistant Secretary)

(CORPORATE SEAL)

Union County, North Carolina

I, _____, a notary public of Union County, North Carolina do hereby certify that _____ personally appeared before me this day and acknowledged that (he/she) is _____ Secretary of _____ a _____ corporation and that by the authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its _____ sealed with its corporate seal and attested by (him/her) as its _____ Secretary.

Witness my hand and official seal this _____ day of _____ 20 _____

My commission expires: _____

_____, NOTARY PUBLIC

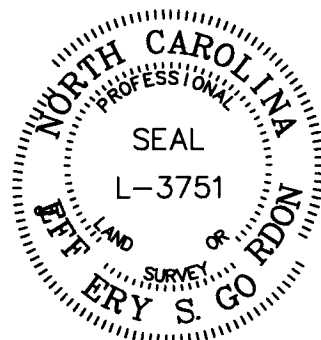
NORTH CAROLINA, UNION COUNTY

I, Jeffery S. Gordon, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed descriptions recorded in Deed Book 284, Page 480); that the boundaries not surveyed are clearly indicated as drawn from information found in Book _____, Page _____; that the ratio of precision as calculated is 1: 10,000 +; that this plat was prepared in accordance with G.S. 47-30 as amended.

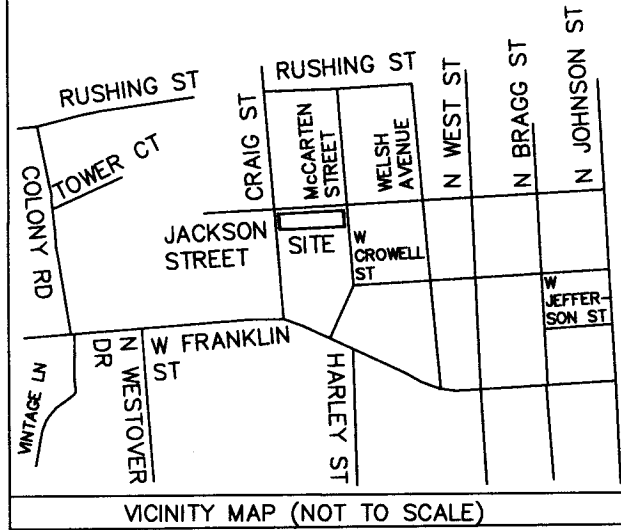
I also certify that this survey is of another category, such as the recombination of existing parcels, a court-ordered survey, or other exemption of exception to the definition of subdivision.

Witness my original signature, registration number and seal this 22nd day of November, A.D., 2022.

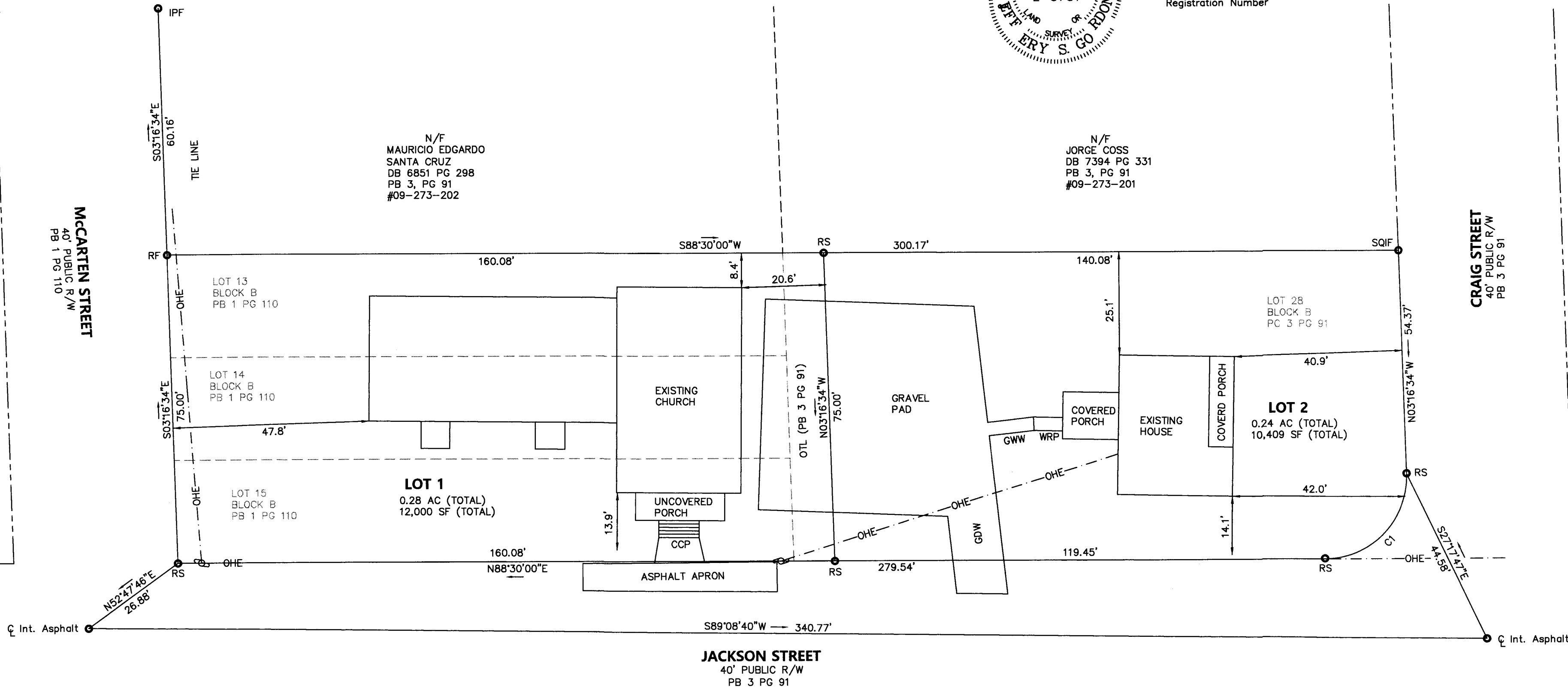
Seal or Stamp



Professional Land Surveyor
L-3751
Registration Number



VICINITY MAP (NOT TO SCALE)



- NOTES:
1. TAX I.D. #09-273-200
 2. AREA CALCULATED BY COORDINATES.
 3. NO NCGS MONUMENT FOUND WITHIN 2000'
 4. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES, MEASURED WITH ELECTRONIC METERS
 5. #5 REBARS SET AT ALL NEW LOT CORNERS, UNLESS OTHERWISE NOTED.
 6. ADJOINING PROPERTY OWNERS NAMES WERE TAKEN FROM UNION COUNTY TAX OFFICE RECORDS, AND ARE CONSIDERED AS NOW OF FORMERLY
 7. PROPERTY MAY BE SUBJECT TO OTHER EASEMENTS AND OR RIGHTS OF WAY, EITHER RECORDED OR IMPLIED.
 8. TWO (2) EXISTING LOTS ON THIS PLAT. REDID MIDDLE LINE.
 9. THIS PROPERTY IS NOT SUBJECT TO A FEMA SPECIAL FLOOD HAZARD ZONE AS PER FIRM, MAP NO. 3710543500J, PANEL 5435J, EFFECTIVE DATE: OCTOBER 16, 2008.
 11. CURRENT ZONING: RMD (MONROE)
SETBACKS: FRONT - 20'
REAR - 10'
SIDE - 10'
SIDE CORNER - 10'

LEGEND

RF - REBAR FOUND
RS - REBAR SET
SQIF - SQUARE IRON FOUND
OHE - OVERHEAD UTILITY
PP - POWERPOLE
GDW - GRAVEL DRIVEWAY
CCP - CONCRETE PAD
GWW - GRAVEL WALKWAY
WRP - WOOD RAMP
IPF - IRON PIPE FOUND
PB - PLAT BOOK
DB - DEED BOOK
PG - PAGE
R/W - RIGHT OF WAY
SF - SQUARE FEET
EOP - EDGE OF PAVEMENT
N/F - NOW OR FORMERLY
AC - ACRE(S)
BLK - BLOCK
#09-273-202 - TAX I.D.
Int. - Intersection
C - Centerline

CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD	CHORD BEARING
C1	32.04	20.00	28.72	N42°36'43"E

GRAPHIC SCALE



(IN FEET)
1 inch = 20 ft.

NO.	DATE	DESCRIPTION	BY
1	12-12-22	Revised Lot Area	JSG

State of North Carolina
County of Union

I, _____ Review Officer of Union County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

Date

Review Officer

CERTIFICATE OF SUBDIVISION ADMINISTRATOR APPROVAL

Approved for recording by the City of Monroe, N.C. Subdivision Administrator pursuant to chapter 156 of the City of Monroe code of ordinances. This plat shall be recorded within thirty days of this date.

Date

Subdivision Administrator

RECOMBINATION PLAT FOR:
JONATHAN MILLER
Property of: United Church of Deliverance, Inc
Legal Ref: DB 284 PG 480; PB 1 PG 110, BLK B, LOTS 13-15; PB 3 PG 91, BLK B, LOT 28
Monroe Township, Union County, North Carolina

Jeffery S. Gordon Surveying
1394-B WALKUP AVENUE
Monroe, N.C. 28110
(704) 283-9726

Scale: 1" = 20' Date: 21 November 2022

Surveyed by: Jeffery S. Gordon, NCPLS, L-3751

DWG. FILE: C:\CRAIGST520-MONROE.DWG

PIN	OWNERNAME1	OWNERADDRE	OWNERZIP	OWNERSTAT	OWNERCITY	OWNERNAME2
09273145	EK REAL ESTATE FUND I LLC	215 PARK AVENUE SOUTH STE 1713-1718	10003	NY	NEW YORK	
09273202	CRUZ MAURICIO EDGARDO SANTA	5324 WALES ST	28269	NC	CHARLOTTE	
09273154	SISK JOHNNIE RUTH	601 CRAIG ST	28110	NC	MONROE	
09273142	ANNEUS JEAN ROLAND	511 CRAIG ST	28112	NC	MONROE	ANNEUS PATRICIA RUSHING
09273143	HELMS TODD A	2905 MEADOW CREEK LN	28110	NC	MONROE	HELMS DENISE M
09273187B	MUSSEN KEVIN RILEY	604 MCCARTEN ST	28112	NC	MONROE	MCNEELY BRITTANY MICHELLE
09273199	MERRY ROBIN E	600 CRAIG ST	28110	NC	MONROE	
09273203	GIBSON ELIZABETH H	1300 W FRANKLIN ST	28112	NC	MONROE	GIBSON JAMES ROBERT
09273213	ROSS TAMMY A	3322 OLD CAMDEN RD	28110	NC	MONROE	
09273212B	FRANCO ABEL A	3419 WAXHAW HWY	28112	NC	MONROE	
09273187	FLORES EUSTAQUIO G	1208 JACKSON RD	28110	NC	MONROE	
09273198	SANTANIELLO LAWRENCE	1509 SCHUSTER CT	28105	NC	MATTHEWS	
09273144	DAY ANTHONY	515 CRAIG ST	28112	NC	MONROE	
09273188	HESS JESSICA	601 MCCARTEN ST	28112	NC	MONROE	
09273201	COSS JORGE	309 WALNUT ST	28110	NC	MONROE	
09273212	RICHARDSON CHARLES LARRY	508 MCCARTEN ST	28112	NC	MONROE	
09273213A	MILLS ANNAGRET K	1204 CROWELL ST	28112	NC	MONROE	MILLS DAVID A JR
09273155	BAYNES DARVI S	603 CRAIG ST	28112	NC	MONROE	
09273189	KIKER BOBBIE M	3437 GREENE RD	281109290	NC	MONROE	KIKER GENE A

APO Map

520 Craig Street

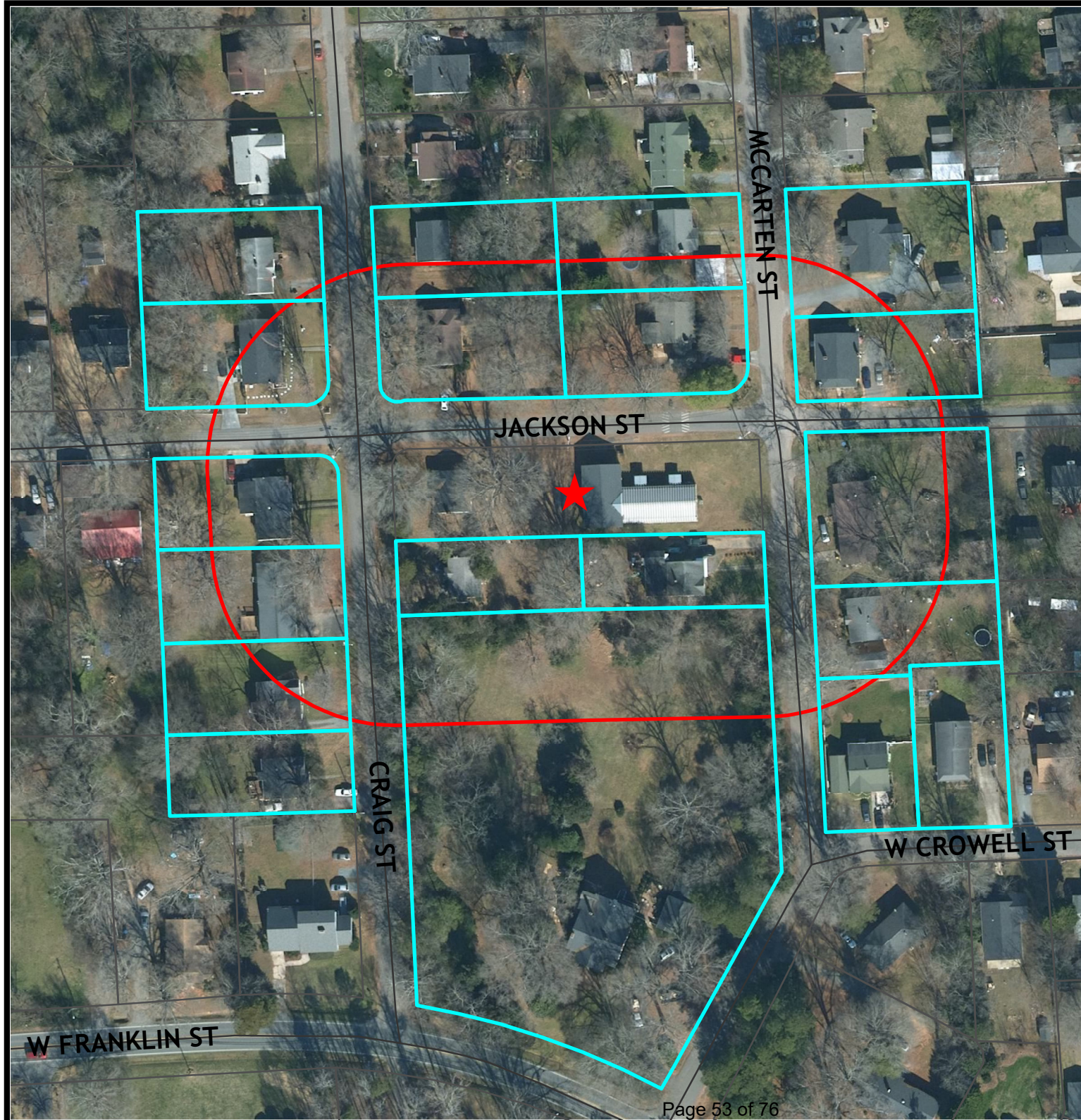
Legend

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



Owner:
United Church of Deliverance, Inc.
Acres: .515

0 20 40 80 120 160
 Feet





STAFF REPORT

Case # PLZNA 2023-00097

TO: Board of Adjustment Members

DATE: February 23, 2023

FROM: Doug Britt, Senior Planner

PREPARED BY: Megan Brightharp, Planner

SUBJECT: Variance request by Adolfo Roldan for property located at 1091 Parker Street.

SUMMARY STATEMENT

Adolfo Roldan is requesting a variance from the minimum front yard setback of the Residential Medium Density District in order to bring a recently constructed home into compliance.

SITE DATA

Type of Action: Variance

Date of Petition: January 24, 2023

Name of Petitioner: Adolfo Roldan

Location: 1091 Parker Street

Tax ID #: 09-238-010A

Lot Size: .295 Acres

Current Zoning Classification: RMD (Residential Medium Density) Zoning District

PROPOSED FINDINGS

Proposed Findings:

1. The property located at 1091 Parker Street is owned by B&R Property Investments, LLC and is zoned RMD (Residential Medium Density). (Exhibit 1 and 2)
2. A variance application was submitted on January 24, 2023 by Adolfo Roldan, on behalf of the property owner, requesting a variance from the minimum front yard setback in order to bring into compliance a recently built single family home. (Exhibit 3)

3. Unified Development Ordinance (UDO) Table 4.2.3 entitled “RMD- Residential Medium Density” states in relevant parts: (Exhibit 4)

Table 4.2.3.2 RMD District Development Standards Table

Setbacks: Front: 20 Feet (By Right)

4. On November 4, 2022, a building permit application for the house at 1091 Parker Street was reviewed and failed by the Planning Department for not accurately specifying the distance the house would be from the property lines.
5. On November 16, 2022, the application was resubmitted and corrected to indicate that the new single family home would be 30 feet from the front property line, 28 feet from the northern side property line, 40 feet from the southern side property line, and 44 feet from the rear property line (Exhibit 5).
6. For new single family homes and additions, the Planning Department includes in the conditions of the building permit that a foundation survey must be submitted within 10 days of the foundation being poured (Exhibit 6).
7. The issued building permit also included a miscellaneous condition where the zoning district of the subject property was listed with the applicable setbacks.
8. Unified Development Ordinance (UDO) Section 157.8.10.2.B entitled “RMD- Residential Medium Density” states in relevant parts: (Exhibit 7)

Building Placement (Setbacks), shall be measured from the nearest part of the applicable building, structure or sign, measured perpendicularly to the lot line or street right-of-way line.

9. On January 9, 2023 a foundation survey was submitted and failed for indicating that the front of the house had been built into the setbacks (Exhibit 8).
10. At the time the foundation survey was submitted, the applicant had unsuccessfully attempted to schedule the framing and rough inspections, indicating a significant portion of the home had been completed (Exhibit 9).
11. All adjacent property owners have been notified of the proposed variance. (Exhibit 10 and 11)

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.

THEREFORE, on the basis of all foregoing, IT IS ORDERED that the application Variance 2023-00097 be (**approved/denied**).

Exhibits:

Exhibit 1: Ortho Map
Exhibit 2: Zoning Map
Exhibit 3: Application
Exhibit 4: UDO Table 4.2.3.2
Exhibit 5: Plot Plan
Exhibit 6: Building Permit
Exhibit 7: UDO Section 157.8.10.2.B
Exhibit 8: Foundation Survey
Exhibit 9: Photo of Subject Property
Exhibit 10: APO List
Exhibit 11: APO Map

Prepared by: MB 2/15/2023



Ortho Map
1091 Parker Street

Legend

-  Centerlines
-  Parcels
-  Subject Property

Owner:
B&R Property Investment, LLC
Acres: 0.295



012.525 50 75 100
 Feet

Zoning Map
1091 Parker Street

Legend

Centerlines

Parcels

Zoning Districts

CD

RHD

RMD

Subject Property

Owner:
B&R Property Investment, LLC
Acres: 0.295



0 12.5 25 50 75 100 Feet

City of Monroe

Variance Application Form

Applicant's Name: Adolfo Roldan

Applicant's Address: 1736 F Dickens Blvd #F

Monroe N.C. 28112

Property Owner's Name: Rafe Brownfield, Member/Owner

Property Owner's Address: 2505 King Allen Dr.

Monroe N.C.

Legal Relationship of Applicant to Property Owner: Builder / 704-254-2726

Contact Person Name and Phone Number: Adolfo Roldan 704-254-2726

Existing Use of Property: House

Property Location: 1091 Parker St Monroe N.C 28112

Tax Map Number: 09-238-010 Lot Size: 12,021 Zoning District: RMD

Ordinance section number to which a variance is being sought: Front Setback

Proposed variance description: Footprint of House Heated area is within proper setback. Front Porch in violation

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.]

Front porch is in violation of setback. Porch could be removed and house would comply. Don't want to remove because of time and money spent Most important the porch improves the aesthetics of house. Most houses in neighborhood have porches.

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]

Set back of this house is consistent with many of the houses in this street. If allowed variance it will not look out of place among other houses.

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]

I made a mistake and marked line in wrong
Place - I measured from wrong Property line.

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.**

Variance approval would not hurt the community appearance of values

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.

Adolfo Roldan

Printed name of Applicant

Ceballos

Signature of Applicant

1-24/23

Date

Printed name of Owner Rafe Bronfeller

Rafe Bronfeller
Signature of Owner

1/24/23
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: _____



LIMITED LIABILITY COMPANY ANNUAL REPORT

1/6/2022

NAME OF LIMITED LIABILITY COMPANY: B & R Property Investments, LLC

SECRETARY OF STATE ID NUMBER: 0826573

STATE OF FORMATION: NC

REPORT FOR THE CALENDAR YEAR: 2022

AMENDING DOC ID

Filing Office Use Only
E - Filed Annual Report
0826573
CA202207303319
3/14/2022 12:45

☐ Changes

SECTION A: REGISTERED AGENT'S INFORMATION

1. NAME OF REGISTERED AGENT: Bromfield, L. Rafe

2. SIGNATURE OF THE NEW REGISTERED AGENT: _____

SIGNATURE CONSTITUTES CONSENT TO THE APPOINTMENT

3. REGISTERED AGENT OFFICE STREET ADDRESS & COUNTY 4. REGISTERED AGENT OFFICE MAILING ADDRESS

2505 King Arthur Dr

2505 King Arthur Dr

Monroe, NC 28110 Union County

Monroe, NC 28110

SECTION B: PRINCIPAL OFFICE INFORMATION

1. DESCRIPTION OF NATURE OF BUSINESS: 698

2. PRINCIPAL OFFICE PHONE NUMBER: (704) 408-8702

3. PRINCIPAL OFFICE EMAIL: Privacy Redaction

4. PRINCIPAL OFFICE STREET ADDRESS

5. PRINCIPAL OFFICE MAILING ADDRESS

2505 King Arthur Dr

2505 King Arthur Dr

Monroe, NC 28110

Monroe, NC 28110

6. Select one of the following if applicable. (Optional see instructions)

☐

The company is a veteran-owned small business

☐

The company is a service-disabled veteran-owned small business

SECTION C: COMPANY OFFICIALS (Enter additional company officials in Section E.)

NAME: L. Rafe Bromfield

NAME: _____

NAME: _____

TITLE: Member

TITLE: _____

TITLE: _____

ADDRESS: _____

ADDRESS: _____

ADDRESS: _____

2505 King Arthur Drive

Monroe, NC 28110

SECTION D: CERTIFICATION OF ANNUAL REPORT. Section D must be completed in its entirety by a person/business entity.

L. Rafe Bromfield

3/14/2022

SIGNATURE

DATE

Form must be signed by a Company Official listed under Section C of This form.

L. Rafe Bromfield

Member

Print or Type Name of Company Official

Print or Type Title of Company Official

This Annual Report has been filed electronically.

MAIL TO: Secretary of State, Business Registration Division, Post Office Box 29525, Raleigh, NC 27626-0525

4. **Buffering.** See Section 8.3.

Table 4.2.3.2. RMD District Development Standards Table

RMD District Development Standards Table		
Building Height		Maximum 3 Stories
Density		Maximum 3 Units / Acre (By-Right) Maximum 4 Units / Acre (Cluster)
Setbacks ¹	Front (Street)	20' May be reduced to 15' where a common parking area is provided (no driveway/garage)
	Side	10' (interior lot) 15' (corner lot)
	Rear	10' (interior lot) 20' (through lot)
Lot	Width ²	75' Minimum
	Area	12,000 Square Feet Minimum (By-Right) 5,000 Square Feet Minimum (Cluster) (Refer To Table 4.2.2.1)



New 1 or 2 Family Dwelling or
Townhouses
Monroe, NC

Permit No: PRSF202300830

ISSUED

November 21, 2022

Job Address	1091 PARKER ST, MONROE, NC 28112
Owner	B & R PROPERTY INVESTMENTS LLC 2505 KING ARTHUR DR MONROE, NC 28110
Applicant	JEN CONSTRUCTION, INC. 1736- F Dickerson Blvd box178 MONROE, NC 28112 (704) 254-2726
Contractor	JEN CONSTRUCTION, INC. 1736- F Dickerson Blvd box178 MONROE, NC 28112 (704) 254-2726 ACH ELECTRIC INC.(NEW) 1621 C WALKUP AVE MONROE, NC 28110 (704) 776-9404 NICHOLAS ARTHUR TSANGARIDES (C.T. and Sons Plumbing (dba) 6018 E Oak Island Dr Oak Island , NC 28465 (910) 274-8022 Erwin Paul Rexing 155 Hightide Dr Rock Hill , SC 29732 (803) 230-9565
Description:	New Single Family Dwelling

Parcel #	Type of Construction	Zoning	# Of Units	Fee Amount
09238010	New			\$899.63

Building Components:

Description	Units	Quantity
Attached (Heated)	SQ FT	1340
Plumbing System New/Alteration	SQ FT	1340
Temp Saw Pole	QTY	1
Electrical Wiring	SQ FT	1340
HVAC System	SQ FT	1340
Site Plan (Residential) New	QTY	1

Total Value of Work:	\$90,000.00
-----------------------------	-------------

Permit in force for period of 180 days from above date. Provided, however, the above named party complies with all of the regulations as set out in the Building and Zoning Ordinances as are now in effect or that may be enacted during the time this permit is in effect. Any violations of Ordinances and Building Codes if not corrected will automatically cancel this permit. The permit holder is to ensure that all construction meets the current North Carolina Building Code, and is responsible for any code violations that may be discovered during inspection that result in any changes that may require reconstruction. The work completed shall comply with all State Building Code and all other applicable State and local laws. The issuance of this permit does not relieve the property owner from complying with the City of Monroe's minimum housing code or suspend any associated enforcement actions.

SIGNED:

Permitting Official
Monroe, NC



New 1 or 2 Family Dwelling or
Townhouses
Monroe, NC

Permit No: PRSF202300830

ISSUED

November 21, 2022

A handwritten signature in black ink, appearing to be 'LB', followed by a long horizontal line.

Chief Building official



Permits included on this application:

Building
Plumbing
Electrical
Mechanical
Zoning

Conditions:

Lien Agent / Workers Comp Form Required

Lien Agent / Workers Comp Form Required

Misc Conditions

3. WNC1 - WR NC One Call

Applicant is to call NC ONE CALL AT 800-632-4949 to locate all utilities prior to digging.

- No permanent structures, fences, extensive landscaping or trees shall be placed within 10-feet of a water main or within 15-feet of a sanitary sewer main.

- Any grading resulting in depth of cover over existing water or sewer mains shall require written approval from the Water Resources Department.

- Any conflicts with existing mains or appurtenances shall be brought to the attention of the Water Resources Engineer for review and approval and resolved at the Developer's expense.

Misc Conditions

1. DRIVEWAYS

- Per the City of Monroe Specifications for water main construction, Section 09.01.05, "If an installed water and/or sewer service is in conflict with a proposed driveway, the service will be required to be relocated at the Developer's expense."

Additional comments have been provided to the Engineer and Permittee throughout the permitting process and approved permitted plans regarding services shall not be within driveways.

****ANY CONFLICT FOR WATER AND SEWER SERVICES WITHIN DRIVEWAYS WILL REQUIRE SERVICES TO BE RELOCATED AT THE DEVELOPER'S EXPENSE.****

An inspection of the water meter box and sewer cleanout shall be scheduled with the Water Resources Project Manager a minimum of 72-hours in advance. Contact (STEVEN HORVATH)_ at 704-282-4615 to schedule inspections.

***Inspections are required prior to the issuance of the Certificate of Occupancy. It is REQUIRED that inspections are scheduled AFTER staking the driveway and PRIOR to the placement of concrete. ***

2. DRIVEWAY PHOTOS - NEW

- Per the City of Monroe Specifications for water main construction, Section 09.01.05, "If an installed water and/or sewer service is in conflict with a proposed driveway, the service will be required to be relocated at the Developer's expense."

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Photo of Water Meter clearly showing top of meter box. Photo of sanitary sewer cleanout clearly showing top of cleanout flush with finished grade and PVC cap inverted.

Proper documentation must be provided prior to the issuance of the Certificate of Occupancy.

Misc Conditions

Grinder Pump Condition

- Permittee shall sign a Grinder Pump User's Agreement and submit a grinder pump inspection contract to the Water Resources Department for review and approval prior to the certificate of occupancy being released.
- Applicant shall contact Water Resources Engineer at 704-282-4615 for additional information pertaining to the grinder pump requirements and grinder pump specifications.
- The Water Resources Department shall inspect the grinder pump installation in addition to any plumbing inspections performed by the Building Standards Department prior to any issuance of the Certificate of Occupancy to ensure compliance with the grinder pump specifications.
- This inspection will include an inspection of the installation, an air test of the private service force main, and a draw down test per the specifications.
- Please contact the Water Resources Engineer at 704-282-4615 72 hours in advance to schedule this inspection.
- ** Please note this inspection is not scheduled through the permit center.

- The Water Resources Department may require a flushing of clean water from the junction box to the low pressure sanitary sewer force main in the right-of-way.

- The Water Resources Department may also conduct a flushing of the low pressure sanitary sewer force main from the nearest upstream flushing point of the home address

** Please contact the Water Resources Maintenance Superintendent, at 704-282-4610 72 hours in advance to determine if this procedure is required.

**If required, this procedure will need to be completed prior to any release of the Certificate of Occupancy.

Contact Steven Horvath, 704-282-4615 or shorvath@monroenc.org to schedule in advance (3 working days) an inspection of the grinder pump.

PL - New Residential

1. All disturbed areas shall be seeded with grass and covered with straw or be sodded
2. All construction equipment and debris must be removed from the site prior to the zoning inspection
3. The driveway must be paved from the road to the garage and must be able to accommodate at least 2 vehicles.

PL - Foundation Survey

For Single Family Residential uses, a Foundation Survey shall be required no later than 10 days after the foundation has been poured.

PL - Zoning inspection (for certificate of occupancy)

All zoning requirements must be inspected by the zoning officer prior to requesting a certificate of occupancy if required.

Please call 704.282.4524 to schedule a zoning inspection.

PL - Trees (residential)

The front yard of each lot shall contain at least two (2) canopy trees, suitable for healthy growth in our climate, each with a minimum height of five (5) feet from grade and with a minimum caliper of one and one-half inches measured at a height of six (6) inches above grade.

Misc Conditions

This parcel is zoned RMD and the setbacks are as follows:

Front: 20'

Sides: 10'

Rear: 10'

Review Comments:

Verify Application/Submittals - Joann Juan

Engineering - Erosion Control Review - Zach Ross

Energy Services Review - Rob Miller

External Agencies Review - Joann Juan

Planning and Zoning Review - Megan Brightharp

Water Resources Review - Steven Horvath

- Contact Steven Horvath, 704-282-4615 or shorvath@monroenc.org to schedule in advance (3 working days) an inspection of the grinder pump.
 1. DRIVEWAYS
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Applicant is to call NC ONE CALL AT 800-632-4949 to locate all utilities prior to digging.

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- The Water Resources Department may also conduct a flushing of the low pressure sanitary sewer force main from the

nearest upstream flushing point of the home address

** Please contact the Water Resources Maintenance Superintendent, at 704-282-4610 72 hours in advance to determine if this procedure is required.

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Grinder Pump Inspection - Steven Horvath

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- Contact Steven Horvath, 704-282-4615 or shorvath@monroenc.org to schedule in advance (3 working days) an inspection of the grinder pump.

Plumbing - Other - Steven Horvath

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Proper documentation must be provided prior to the issuance of the Certificate of Occupancy.

Verify Final Review Status - Joann Juan
Generate/Send Correction Notice - Joann Juan
Waiting for Resubmittal - Joann Juan
Verify Resubmittal - Joann Juan
Engineering - Erosion Control Review - Zach Ross
Energy Services Review - Rob Miller
External Agencies Review - Joann Juan
Planning and Zoning Review - Megan Brightharp
Water Resources Review - Steven Horvath
Verify Final Review Status - Catherine Mullis
Stamp Approved Plans -
Waiting for Fee Payment - Joann Juan
Generate/Issue Permit(s) - Joann Juan

feet. Additional stories shall be a maximum of twelve (12) feet for each individual story. Building heights are limited through the district development standards table for each district. To allow for a wide variety of building designs, requests to modify the allowable height of stories, so long as the maximum permitted height of the structure is not exceeded, may be permitted via a design alternative.

- a. **Habitable Space.** Stories are understood to also include the habitable space of a building excluding rooflines, architectural features or similar. If there is habitable space on the rooftop of a structure (i.e. an active eating area, pool, or rooftop lounge), it is understood this shall constitute a story as defined in this UDO. Non-habitable rooftop elements, such as cornices, porch roofs, turrets, towers, or dormers, are limited to ten (10) feet in height. Non-habitable rooftop structures, such as structures used for sheltering mechanical and electrical equipment, tanks, elevators and related machinery, shall be limited to fifteen (15) feet in height, not including base floor elevation (B.F.E.)

- B. **Building Placement (Setbacks).** *Building Placement (Setbacks)*, shall be measured from the nearest part of the applicable building, structure or sign, measured perpendicularly to the lot line or street right-of-way line. Setbacks are designated by a front setback requirement, side setback requirements, and a rear setback requirement. Provisions for setbacks for accessory structures are made in each respective district below, or in Section 7: Permissible Uses and Standards, of the UDO for each respective use. It is understood, for the purpose of calculating setback requirements and yards, three configuration of lots exist: interior lots, corner lots, and through lots. A lot which abuts a cul-de-sac street design, featuring a radial primary street yard, shall measure its primary street setback at the point in which the side and front lot lines would have met without rounding.

- 1. **Interior Lot.** A lot bounded by a street on only one side. For the purpose of setbacks and yards, the street yard shall be recognized as the primary (i.e. front) yard. An interior lot shall have one primary front yard, two side yards, and one



Vicinity Map

(NTS)

Certificate of Survey and Accuracy
State of North Carolina, Union County

I, Andrew Q. Lawrence, certify that this map was drawn under my supervision from a survey made under my supervision; that the ratio of precision as calculated by latitudes and departures is better than 1:10,000. The boundaries not surveyed are shown as broken lines plotted from descriptions found in Book Aa, Page 3000, that this map was prepared in accordance with G.S. 47-30 as amended.

Witness my hand and seal this 4 day of Jan, 2023

Andrew Q. Lawrence, NCPLS L-4495



PB# 082380098
LUIS JAVIER RODRIGUEZ HERNANDEZ
DB. 7891, PG. 2
LOT 1
PC. Q. FILE 95
ZONED: RMD

PB# 08238009
FRANCES O. BENTON
ROY A. BENTON, JR.
DB. 1653, PG. 784
ZONED: RMD

LINE TABLE		
LINE	BEARING	LENGTH
L1	S82°04'29"W	1.62
L2	N08°33'37"W	8.92
L3	S70°31'32"E	17.07

NC Grid
NAD 83 (2011)

2 STORY DUPLEX

ASPHALT DRIVE

PB# 08238010
B & R PROPERTY INVESTMENTS, LLC
DB. 7133, PG. 503
ZONED: RMD

PB# 08238011
PATRICIO LEONIS HERNANDEZ
& AMALIA GARCIA SALGADO
DB. 8348, PG. 385
ZONED: RMD

1 STORY RESIDENCE

NEW R/W DEDICATED
PER PC. Q. FILE 890

EXISTING R/W LINE



(IN FEET)
1 inch = 30 ft

PARKER STREET

EXISTING ROAD IS NOT
CENTERED WITHIN THE
RIGHT OF WAY

BAY STREET



**LAWRENCE
ASSOCIATES**

108 W. Jefferson St.
Monroe, North Carolina 28112
P 704-288-1013

www.lawrenceassociates.com
Firm License Number: C-2008

Foundation Survey

Tract 2 (PC. Q. File 890)

Property Of: B & R Property Investments, LLC

City of Monroe, Monroe Township, Union County, NC

Graphic scale: 1" = 30'

Date: January 4, 2023

Drawn By: JLN

REVISIONS

Job No. 6548

Drawing file: 6548 Parker Street Foundation Survey.dwg

Drawing no. 23/001

2: 6548 Parker Street - Rafe Bromfield 6548 Parker Street Foundation Survey.dwg 1/4/2023 1:20:49 PM EST



ACCTNO	PIN	OWNERNAME1	OWNERADDRE	OWNERZIP	OWNERSTATE	OWNERCITY	OWNERNAME2
09234188	09234188	RODRIGUEZ EPIFANIA	2136 N MOODY AVE	60639	IL	CHICAGO	
09238020A	09238020A	RORIE WADE OLINE	127 BAY ST	281126218	NC	MONROE	
09238152	09238152	DIAZ-CHACON LILIANA MARIA	1108 PARKER ST	28110	NC	MONROE	CHACON JAIME A
09238009A	09238009A	ONS PROPERTY MANAGEMENT GROUP LLC	301 E JOHN ST STE 2084	28105	NC	MATTHEWS	
09238010	09238010	B & R PROPERTY INVESTMENTS LLC	2505 KING ARTHUR DR	28110	NC	MONROE	
09238019	09238019	VONEGIDY DENNIS	PO BOX 2192	28111	NC	MONROE	VONEGIDY TRACI
09238020	09238020	DIAZ RICARDO CARRILLO	1105 S HAYNE ST	28112	NC	MONROE	
09238033B	09238033B	PEREZ ELIEZER REYES	1106 PARKER ST	28111	NC	MONROE	
09238150C	09238150C	GALEANA-GARCIA MIQUEL ET AL	1220 S HAYNE ST	28112	NC	MONROE	RAMIREZ JOAQUINA ABARCA
09234186	09234186	VERGARA CELIA	1115 S HAYNE ST	28112	NC	MONROE	VERGARA FELIPE
09234187	09234187	CANONGO JUANA	926 SOUTHRIDGE DR	28112	NC	MONROE	VAZQUEZ JUAN CANONGO
09234190	09234190	GARCIA FELIX	1215 S HAYNE ST	28112	NC	MONROE	
09238009	09238009	BENTON FRANCES O	1023 S PARKER ST	28112	NC	MONROE	BENTON ROY A JR
09238009B	09238009B	HERNANDEZ LUIS JAVIER RODRIGUEZ	2811 ARROWHEAD CT	28110	NC	MONROE	
09238022C	09238022C	PAREDES PERFECTO A	5300 GLENCOVE CT	28173	NC	WAXHAW	
09238151	09238151	PEREZ ELIEZER REYES	1106 PARKER ST	28112	NC	MONROE	
09234185	09234185	AGUILAR BULMARO CALLEJA	1111 S HAYNE ST	28112	NC	MONROE	
09238009C	09238009C	DEPEREZ FLORENTIN	1112 S HAYNE ST	28112	NC	MONROE	PEREZ JOSE FELIZ
09238022A	09238022A	ALDRED KIRT	1022 S PARKER ST	28112	NC	MONROE	ALDRED NELLIE HOWARD
09238150	09238150	FARACI GLENN E	1719 S ROCKY RIVER RD	28112	NC	MONROE	
09238150A	09238150A	DUNNWRIGHT CONSTRUCTION HOLDINGS LLC	10101 WHITE CASCADE DR	28269	NC	CHARLOTTE	
09238150B	09238150B	CHAPMAN FAMILY ENTERPRISES LLC	5900 S M BENTON LN	28110	NC	MONROE	
09234189	09234189	ALANIS CARLOS	1209 S HAYNE ST	281126209	NC	MONROE	GARCIA JUDITH
09238021	09238021	RAPE MARGIE C HEIRS	1024 S PARKER ST	28112	NC	MONROE	

APO Map
1091 Parker Street

Legend

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

Owner:
B&R Property Investments, LLC

Acres: 0.295



0 25 50 100 150 200
 Feet

