

**BOARD OF ADJUSTMENT MEETING**

**THURSDAY, JUNE 25, 2026**

**6:00 P.M.**

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

**AGENDA**

- Item 1.**        **Call to Order – Roll Call**
- Item 2.**        **Appoint Chair**
- Item 3.**        **Pledge of Allegiance and Moment of Silence**
- Item 4.**        **Adopt Agenda**
- Item 5.**        **Conflicts of Interest**
- Item 6.**        **Approval of Minutes– May 28, 2026**
- Item 7.**        **Quasi-Judicial Statement**
- Item 8.**        **PLSUP-2026-00173 Special Use Permit** – The Board of Adjustment is requested to consider a Special Use Permit from Greg Moore of Homebrew Taproom & Tunes in order to conduct a rooftop use at 215 South Main Street in the Downtown Central Mixed Use (DC-MX) zoning district. (Parcel ID #09-232-075A)
- Item 9.**        **Order of the City of Monroe Zoning Board of Adjustment Case PLZONA-2026-00169 Appeal (1109 Cyrus Edwards Road)**
- Item 10.**      **Next Meeting: Thursday, July 23, 2026**
- Item 11.**      **Adjournment**

***ATTENTION BOARD MEMBERS:***

***Please call Kimberly Davis at 704-282-4527 to confirm your attendance. Thank you.***

***cc:     Melanie Cox, Board Attorney  
       Jeff Wells, Assistant City Manager  
       Lisa Stiwinter, Director of Planning & Development  
       Planning Staff***

**MINUTES OF THE  
BOARD OF ADJUSTMENT MEETING**

**May 28, 2026, at 6:00 P.M.**

**Council Chambers**

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

To HR: 05/29/26

**Item 1. Call to Order – Roll Call**

Thomas Loria called the Board of Adjustment meeting to order at 6:00 p.m. Kimberly Davis, Administrative Assistant, called the roll.

Members Present: Thomas Loria, Myles Kuly, Cary Rogers, Kevin Secrest

Members Absent: Matthew Kegel, Corey Noland

Staff Present: Melanie D. Cox, BOA Attorney; Richard Long, Attorney; Terry Sholar, City Attorney; Doug Britt, Asst. Dir. Of Planning and Dev.; Megan Brightharp, Planner 1; Patrick Blaszyk, Planner 2; Kimberly Davis, Admin. Asst. II;

Guests, Witnesses: John Floyd, Steve Hart, Andy Morrison, Laura Reid, Shel Roberts, Tricia Pressley, Deborah and Tim Pressley, Richard Pressley, Daniel H. Bigham, Brenda Bigham, Chris Pressley, Judy Pressley, Rafina Hansen, Robert T. Hansen, Tim S. Brown, Steven Polk

**Item 2. Appoint Chair**

**Motion:** Cary Rogers made a motion to appoint Thomas Loria to serve as Acting Chair for this Board of Adjustment Meeting.

**Second:** Myles Kuly

**Action:** The motion passed with the following votes:

**AYES:** Thomas Loria, Myles Kuly, Cary Rogers, Kevin Secrest

**NAYS:** None

**Item 3. Pledge of Allegiance and Moment of Silence**

**Item 4. Adopt Agenda**

**Motion:** Cary Rogers made a motion to adopt the agenda.

**Second:** Myles Kuly

**Action:** The motion passed with the following votes:

**AYES:** Thomas Loria, Myles Kuly, Cary Rogers, Kevin Secrest

**NAYS:** None

**Item 5. Conflicts of Interest** – None noted.

**Item 6. Approval of Minutes** – Minutes of February 26, 2026

**Motion:** Cary Rogers made a motion to approve the minutes of the February 26, 2026,

**meeting.**  
**Second:** Myles Kuly  
**Action:** The motion to approve the minutes passed unanimously with the following votes:  
**AYES:** Thomas Loria, Myles Kuly, Cary Rogers, Kevin Secrest  
**NAYS:** None

**Item 7. Quasi-Judicial Statement:**

Attorney Melanie Cox - This is for the audience and it is a brief explanation of what the Board of Adjustment does. This is a quasi-judicial hearing which means it is like a court hearing. North Carolina law sets specific procedures and rules concerning how this board of adjustment must make its decisions. These rules are different from other types of land use decisions, such as a rezoning. This board's discretion is limited. This board must base its decisions on competent, relevant and substantial evidence in the record. A quasi-judicial process is not a popularity contest. It is a decision limited by the standards in the zoning ordinance and based on the facts presented. If you will speak as a witness, please focus on the facts and ordinance standards, not personal preference or opinion. Participation is limited by state law and this meeting is open to the public. Everyone is welcome to watch and parties with standing have rights to participate fully. Parties may present evidence, call witnesses and make legal arguments. Parties are limited to the City of Monroe, applicants and individuals who can show that they will suffer special damages. Other individuals may serve as witnesses when called by the chair. General witness testimony is limited to facts, not opinions. For certain topics, this board needs to hear opinion testimony from expert witnesses. These topics include impacts on property values and increased traffic. Persons providing expert opinion must be qualified as experts and provide the factual evidence on which their opinions are based. Witnesses may be cross-examined by parties with standing and witnesses must swear or affirm their testimony.

**Item 8. PLZONA-2026-00169 Appeal - The Board of Adjustment is requested to consider an appeal application from Steven Polk of Stevens Repair Service regarding Planning Staff's zoning determination of a golf cart repair and sales business operating at 1109 Cyrus Edwards Road. (Parcel ID #09-143-021)**

Patrick Blaszyk, Doug Britt, City Attorney Terry Sholar and Steven Polk came forward and were sworn in.

Patrick Blaszyk, Planner 2, presented the proposed findings:

1. The property 1109 Cyrus Edwards Road is owned by Steven Polk of Stevens Repair Service and is zoned RLD (Residential Low Density). (Exhibit 1-3) Exhibit 1 is the Ortho Map showing the subject property highlighted in blue. The subject property is located to the northeast of Cyrus Edwards Road. Exhibit 2 is the Zoning Map where the subject property and surrounding parcels are zoned RLD (Residential Low Density). Parcels located on the opposite side of the street are zoned RMD (Residential Medium Density). Exhibit 3 is a copy of the Deed to the property.

2. In response to a fire, staff received notification regarding a golf cart repair and sales business operating at 1109 Cyrus Edwards Road on March 4, 2026. (Exhibit 4) Exhibit 4 are photos submitted to Planning Staff.
3. On March 4, 2026, Planning staff sent a Notice of Violation to Steven Polk regarding the illegal home occupation of a golf cart repair and sales business operating from the home. Staff stated that per section 7.4.C. of the Unified Development Ordinance (UDO), the uses of vehicle or equipment repair & service and vehicle equipment sales and rental are not permissible as home occupations. Staff also stated the use of a junk yard is classified under Heavy Industrial and is not permitted in the RLD zoning district per section 7.1 of the UDO. (Exhibit 5-6) Exhibit 5 is the Notice of Violation that was sent. Exhibit 6 are the Ordinance Sections which we just discussed: 7.4.C is for home occupations and discusses the standards of how home occupations should be incidental and subordinate to the dwelling. Home occupations shall be conducted within the principal structure and no storage or warehousing materials are permitted or allowed. There should be no exterior display or signage for home occupations. For prohibited uses, under the same “Home Occupation” Section states how a repair service and painting, including vehicles, lawn equipment and appliances, and other similar uses with similar impacts, are not permitted as a home occupation. In Table 7.1, Table of Permissible Uses indicates how the use of a junk yard is not permitted, as it falls under Heavy Industrial, and is not allowed in the Residential Low Density Zoning District.
4. On March 23, 2026, Planning staff sent 1st Citation to Steven Polk for continuing to operate an illegal home occupation of a golf cart repair and sales business and junk yard from 1109 Cyrus Edwards Road. (Exhibit 7)
5. Steven Polk contends that Stevens Repair Service has been operating at 1109 Cyrus Edwards Road prior to being annexed into the City of Monroe on June 30, 2003 and is legally nonconforming or grandfathered.
6. On March 23, 2026, the applicant submitted photos to Planning staff of the City of Monroe Privilege Licenses from 2007 and from 2010-2014 and a photo of an IRS Certificate of Registration from 2007. (Exhibits 8 & 9) Exhibit 8 are the Privilege Licenses submitted. Exhibit 9 is the IRS Certificate of Registration that was submitted.
7. Section 10.1.B of the Unified Development Ordinance states: “The burden of establishing that a nonconformity lawfully exists shall be the responsibility of the person who owns or rents the property upon which the nonconformity exists. Evidence that may be used to prove the legal status as a lawful nonconformity may include approved permits, construction plans, and records of previously approved regulations.” (Exhibit 10)
8. On April 13, 2026, Planning staff sent the applicant a determination letter after reviewing the City of Monroe Privilege Licenses and IRS Certificate of Service document. The determination letter stated that no evidence has been submitted that indicates the use of a golf cart repair and sales business was operating at 1109 Cyrus Edwards Road prior to the property being annexed into the City of Monroe on June 30, 2003 and the business is not considered legally-nonconforming (grandfathered). (Exhibit 11) This is the Determination

Letter and the photos attached that displays how the use and property have changed from 2007 to 2025.

9. Section 10.1.B. of the Unified Development Ordinance places the burden of proof on the property owner or tenant; however, Planning Staff utilized various resources to identify whether Stevens Repair Service was operating prior to annexation in 2003. These include the NC Secretary of State webpage, Yelp and the Better Business Bureau; however, staff was unable to find evidence of Stevens Repair Service operating at 1109 Cyrus Edwards Road prior to 2003. (Exhibits 12-14) Exhibit 12 is the Secretary of State Webpage, when searching for Stevens Repair Service there were no results found. Exhibit 13 is from the Yelp website and, under the “About the Business” section, as seen on this next slide states how the business has been “Established in 2006.” The Better Business Bureau states how the business started on May 1, 2006.
10. On April 27th, 2026 Steven Polk of Stevens Repair Service submitted an appeal application to appeal staff’s determination letter of the nonconformity status of the business operating at 1109 Cyrus Edwards Road prior to June 30, 2003. (Exhibit 15) Exhibit 15 is the appeal application.
11. All adjacent property owners and those within 150-feet of the subject property have been notified of this appeal application via first class mail and a sign has also been on the property for 10 days. (Exhibits 16 & 17) Exhibit 16 is the APO map with the subject property having a red star on it. There was a total of twelve parcels that were notified and staff has received three general inquiries regarding the appeal application. Exhibit 17 is the APO list.

The Board began with questions for Patrick. The oldest Privilege License is from 2007 and all evidence received by the Planning Department is presented in the staff report.

The applicant, Steven Polk, came to the podium to testify. His dad built an operational machine shop and ran the business until 2008 until his health no longer permitted. He brought the property in 2002 from his dad and transferred his business, S & S Auto Repair, to this property. In 2003, the City of Monroe annexed the property. There has been an ongoing conflict with the neighbors. He said in 2003 that the City of Monroe employees visited his property and said “everything is fine.” In 2008 and then in 2009, he received letters about complaints from the neighbor. He got a new state and tax ID number in order to change the company name to Stevens Repair Service. He has had City of Monroe Privilege Licenses from 2006 to 2015 when they were no longer required. In 2008, Ann Rushing and Doug Britt, from the City of Monroe Zoning Department, came to the property and said “everything was fine” as long as he didn’t put up a business sign and/or advertise. He has no written documentation on these visits. He said they took pictures and they said “it was fine.” He said he was not informed that the R-40 zoning district was changed in 2021. He said City of Monroe has accounts with him on golf carts and repairs. He said the power line was moved prior to him buying the property and was “faulty” and the “wires would touch each other and throw sparks.” The fire was the Monday after Christmas (2025) and he said “everyone who came out to fight the fire said the fire came from the power line” belonging to Duke Energy. He and the neighbor both had fire damage and his insurance company said he was “not at fault.” He said he spoke with Duke Energy “several times” and he never received a response.

Mr. Polk continued stating that on Easter Sunday, 2026, the power lines “catch on fire for the second time” on his property. He said, “Nothing on the ground started the fire.” Duke Energy replaced the power line and the following Monday they set a new pole. He states he has done everything he “could do and has been advised to do and this is out of (his) control.” He did not provide any documentation on the results found by the EPA, Fire Department, insurance company or any other entity that investigated the fire.

Terry Sholar, City Attorney, looked over the documents presented to the Board from the Mr. Polk. Attorney Sholar introduced himself and asked Mr. Polk the following questions and received the following responses:

Mr. Sholar: You testified earlier that your business existed prior to being annexed to the City?

Mr. Polk: Correct

Mr. Sholar: At that time, it was an automotive repair, right?

Mr. Polk: It was called S & S Auto Repair, but I did work on small engines and golf carts. That name does not fit the golf cart industry so when I investigated on switching the name over, I was advised by the state that you cannot do so. I applied for a new tax ID number through the state and the federal government. I followed what I was advised to do.

Mr. Sholar: In 2003, I think you testified...

Mr. Polk: In 2006 is when I converted it to Steven’s Repair Service.

Mr. Sholar: You changed it really to a golf cart repair business at that time?

Mr. Polk: I wanted to shy away from the automotive business. My body couldn’t handle doing the extras.

Mr. Sholar: When you were in the County, did you have any type of approval or any type of paperwork from the County approving the automotive repair business.

Mr. Polk: I went to the County, registered my business through the County, that’s the first thing you got to do before you open up a bank account. You got to go to the courthouse and register the business name.

Mr. Sholar: That is the register of the name though.

Mr. Polk: The County had no issues with it whatsoever. I checked on that before I closed on my property. There was also an existing business on the property. They had run D & H Machine Company from the mid 90’s until 2008. That was six years after I bought the property. He still ran the machine shop there until he got to the point where he couldn’t do it.

Mr. Sholar: Did you ever get any zoning approval from the County? Any written documents?

Mr. Polk: The County said everything was fine. Because it was county, there were no restrictions on it. I did ask about it and they said there were no restrictions and actually there was already a business registered there. They said I was good to go.

Mr. Sholar: But when you were annexed into the City, then you started getting letters, at least in 2003, from the City, notifying you that you may not be in compliance with the zoning?

Mr. Polk: That came from a neighbor complaining. The two-car garage was built 15-foot onto my property and the neighbor had it surveyed and added an additional 10-foot to it on my side so he had room to park his truck. Now I told him this is not how it works.

Mr. Sholar: The point is the City at least sent you a letter in 2003 that you may not be in compliance.

Mr. Polk: Yes, and they came out and I showed them my documentations from S & S Auto Repair.

Mr. Sholar: Did you get any kind of zoning confirmation or any type of permit from the City confirming that you are...

Mr. Polk: My privilege license.

Mr. Sholar: A business license is a tax on a business.

Mr. Polk: Every time they get a complaint, they have to investigate. The zoning department, there are several different names, but at least three or four people from the zoning department have been out there. When they come out in '03, I showed them my documentation and they said 'everything is fine' and 'you're good.' I've gotten an all-clear each time.

Mr. Sholar: Did you ever apply at any point for a zoning permit from the City of Monroe?

Mr. Polk: They told me I didn't need anything. I had all my documentation.

Mr. Sholar: At least, in 2003, there was an indication that you were not in compliance. You never asked to be brought into compliance or see if you receive any type of zoning permit.

Mr. Polk: The City of Monroe never required me to have such.

Mr. Sholar: You never followed up with any type of approval process?

Mr. Polk: Didn't know there was such and was never notified of anything I need to do. I showed them my documentation and they told me "All clear."

Mr. Sholar: (to the Board) I would move that you accept the exhibits that the City received.

Chris and Tricia Pressley, from 1113 Cyrus Edwards Road, came forward and were sworn in. It is not their primary residence, but they spend the night there at least two or three nights a week. They submitted photos and a Google Earth photo showing the current state of the subject property which is next door to their property. There is an abandoned box van and vehicles as well as golf carts on the subject property. Duke Power was unable to get onto the subject property in order to check or make repairs. They have photos of pallets of batteries. Eighteen wheelers have blocked traffic on their busy road in order to unload items. They submitted photos taken on December 29, 2025 of the batteries that caught on fire. The fire destroyed their privacy fence, a double-car garage, an 8x10 storage building and irreplaceable personal items stored in those buildings. He leaves almost every weekend and blocks his driveway. The fire department was not able to access his property due to his blocked driveway and they had to cut a section of the fence down to fight the fire. She submitted photos for evidence.

Mr. Polk refuted Chris and Tricia's testimony regarding the fire. He said all of the golf carts on the subject property are operational except three.

Mrs. Pressley refuted Mr. Polk's testimony regarding the fire and spoke about the monitor cameras.

Attorney Cox advises the Board that the issue at hand is whether there is a zoning violation. The cameras and details of the fire are not relevant as to whether or not he is operating an illegal or non-conforming home business.

Mr. Polk refuted Mrs. Pressley's testimony. He keeps the batteries outside covered with a tarp and building parts in the shipping container.

Timothy Brown, Mrs. Pressley's brother, from 3804 Secrest Shortcut Road, swears in and testifies against the business on the subject property.

Mr. Polk refuted Mr. Brown's testimony.

Judy Pressley, Chris Pressley's Mother, refuted Mr. Polk's testimony.

There are no further testimonies to be heard and no more evidence to submit.

Attorney Sholar made a closing comment stating the only issue before the Board is whether this is an illegal, non-conforming use in the City of Monroe. The relevant evidence presented is that there was no permit or zoning approval when (Mr. Polk) was in the County. There is no permitting or zoning approval of any kind, documented, from the City of Monroe since (Mr. Polk) has been in the City after the annexation in 2003. Since then, he has been a car repair business, a machine shop, and a golf cart business in which all of those are change of uses. He has never applied for any change of use or zoning approval for any of those uses. He got at least one letter in 2003 saying he is in violation and never made any kind of formal application. He said some people verbally said "ok," but that is heresy evidence. There is no documentary evidence at all that he has ever been approved at any time, by the County or the City, for any type of zoning use or activities on that property. Doing business with the City of Monroe is irrelevant. That is not material to the issue at hand. Privilege licenses are irrelevant and only shows he paid his business tax when the City was taxing businesses. It has no regulatory function at all. It comes down to if this is an illegal, non-conforming use in the City of Monroe operating the golf cart business that is on that property. The City contends, yes, it is. (Mr. Polk) has the burden of proving that and showing you that he has, by affirmative evidence, that he is allowed to operate that business where it is. He has presented no evidence. The Board will need to make specific Findings of Fact, with material and competent evidence, that he has met his burden. It is clear and obvious from the record that this is an illegal, non-conforming use in the City of Monroe and we ask the Board to find that way.

Mr. Polk made a closing statement refuting Mr. Sholar. He said he has done everything he was advised to do. He states he has a legal, operational business since 2009 to the present.

The hearing is now closed to the parties involved and opened for the Board to discuss and deliberate.

**Motion:** Cary Rogers made a motion to adopt proposed Findings of Fact 1-11.

**Second:** Myles Kuly

**Action:** The motion passed unanimously with the following votes:

**AYES:** Thomas Loria, Myles Kuly, Cary Rogers, Kevin Secrest

**NAYS:** None

**Motion:** Thomas Loria made a motion to adopt Finding of Fact #12. The applicant was afforded an opportunity to offer evidence, cross examine witnesses and inspect evidence that was presented.

**Second:** Myles Kuly

**Action:** The motion passed unanimously with the following votes:

**AYES:** Thomas Loria, Myles Kuly, Cary Rogers, Kevin Secrest

**NAYS:** None

**Motion:** Thomas Loria made a motion to adopt Finding of Fact #13. This is to incorporate the photos from the neighbors, Mr. and Mrs. Pressley, at 1113 Cyrus Edwards Road, in Monroe. The photos clearly depict the appearance of the property and demonstrate over fifty golf carts on the property.

**Second:** Cary Rogers

**Action:** The motion passed unanimously with the following votes:

**AYES:** Thomas Loria, Myles Kuly, Cary Rogers, Kevin Secrest

**NAYS: None**

**Motion:** Cary Rogers made a motion to adopt Finding of Fact #14. There is no evidence presented that the applicant had received a zoning compliance certificate from either Union County or the City of Monroe after the property was annexed into the City of Monroe in 2003.

**Second:** Thomas Loria

**Action:** The motion passed unanimously with the following votes:

**AYES:** Thomas Loria, Myles Kuly, Cary Rogers, Kevin Secrest

**NAYS:** None

**Motion:** Thomas Loria made a motion to adopt Finding of Fact #15. In Table 7.1, Heavy Industrial uses are not permitted in the Residential District.

**Second:** Cary Rogers

**Action:** The motion passed unanimously with the following votes:

**AYES:** Thomas Loria, Myles Kuly, Cary Rogers, Kevin Secrest

**NAYS:** None

**Motion:** Thomas Loria made a motion to adopt Finding of Fact #16. There is no documentation, prior to 2003, of a home business being operated at that address.

**Second:** Cary Rogers

**Action:** The motion passed unanimously with the following votes:

**AYES:** Thomas Loria, Myles Kuly, Cary Rogers, Kevin Secrest

**NAYS:** None

**Motion:** Cary Rogers made a motion to adopt Finding of Fact #17. On this property, there is storage or warehousing of material, supplies, and equipment outside of the residence.

**Second:** Kevin Secrest

**Action:** The motion passed unanimously with the following votes:

**AYES:** Thomas Loria, Myles Kuly, Cary Rogers, Kevin Secrest

**NAYS:** None

**Motion:** Thomas Loria made a motion to adopt Finding of Fact #18. Exhibit 6, number 8, states, "All home occupations shall be conducted within the principal structure. Activities and storage associated with a home occupation shall not take place in an accessory building, such as a detached garage." The images conflict with that statement in that vehicles, materials and equipment stored outside the principal structure.

**Second:** Cary Rogers

**Action:** The motion passed unanimously with the following votes:

**AYES:** Thomas Loria, Myles Kuly, Cary Rogers, Kevin Secrest

**NAYS:** None

**Motion:** Thomas Loria made a motion to adopt Finding of Fact #19. No evidence was presented from the applicant that once he opened his business in 2006 that he received any zoning approvals from the City of Monroe.

**Second:** Kevin Secret  
**Action:** The motion passed unanimously with the following votes:  
**AYES:** Thomas Loria, Myles Kuly, Cary Rogers, Kevin Secret  
**NAYS:** None

**Motion:** Thomas Loria made a motion, based on the evidence submitted, to affirm Planning Staff's determination.

**Second:** Kevin Secret  
**Action:** The motion passed unanimously with the following votes:  
**AYES:** Thomas Loria, Myles Kuly, Cary Rogers, Kevin Secret  
**NAYS:** None

This case is now concluded.

**Motion:** Thomas Loria made a motion to break for a 5-minute recess.  
**Second:** Cary Rogers  
**Action:** The motion passed unanimously with the following votes:  
**AYES:** Thomas Loria, Myles Kuly, Cary Rogers, Kevin Secret  
**NAYS:** None

**Item 9.** PLSUP-2026-00171 Special Use Permit - The Board of Adjustment is requested to consider a Special Use Permit from Robert Hansen for an addition that has been added to the manufactured home at 4924 Myers Road. (Parcel ID #07-027-003)

Patrick Blaszyk and Robert Hansen came forward and were sworn in.

Patrick Blaszyk, Planner 2, summarized, "The purpose of a Special Use Permit is to offer uses that may be appropriate in zoning districts to be considered with additional considerations due to the nature, extent and effects of the use in the area where it may occur." He then presented the proposed findings:

1. The subject property located at 4924 Myers Road is owned by Robert & Georgia Hansen, and is zoned RLD, (Residential Low Density). (Exhibits 1, 2 & 3) Exhibit 1 is the Ortho Map for the area showing the subject property highlighted in blue. The subject property is located to the south of Myers Road off of an access easement. Exhibit 2 is the Zoning Map for the area showing the subject property highlighted in blue and is zoned RLD for Residential Low Density, as are the surrounding parcels. Exhibit 3 is a copy of the Deed to the property.
2. Robert Hansen submitted an incomplete building permit application to the City of Monroe Permit Center on June 12, 2025 for a 30' x 35' addition that has previously been constructed onto the manufactured home at 4924 Myers Road. The applicant submitted a revised building permit application on March 10, 2026 and was approved by all departments with the exception of Planning. (Exhibits 4 & 5) Exhibit 4 is a copy of the incomplete building permit application. Exhibit 5 is the completed building permit application.

3. On March 3, Planning staff sent the property owner a Notice of Violation on April 14, 2026 for the 30' x 35' addition that has been constructed at 4924 Myers Road. (Exhibit 6) Exhibit 6 is the Notice of Violation.
4. Table 7.1. – Table of Permissible Uses indicates a Special Use Permit is required in order to locate a manufactured home in the Residential Low Density (RLD) zoning district. Additions to manufactured homes are also required to obtain a Special Use Permit. (Exhibit7)

TABLE 7.1. - TABLE OF PERMISSIBLE USES																		
"P" = Permitted, "S" = Special Use Permit Required, "X" = Prohibited																		
Use Type	Traditional Districts											Mixed-Use Districts				REFERENCE		
	RR	RLD	RMD	RHD	OM	NB	GB	GI	HI	PUD	PCD	DC-MIX	DG-MIX	CC-MIX1	CC-MIX2		FC-MIX	MD-MIX
<b>Residential Uses</b>																		
Manufactured Home	X	S	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	7.2.4.F

5. A Special Use Permit application was submitted on April 27, 2026 by Robert Hansen requesting for the 30' x 35' addition that has previously been constructed onto the manufactured home at 4924 Myers Road. (Exhibit 8) Exhibit 8 is the Special Use Permit application.
6. The applicant submitted a site plan of the property, indicating the addition does meet the Residential Low Density (RLD) zoning district setbacks in accordance with Table 4.2.2 of the UDO. (Exhibit 9 & 10) Exhibit 9 is the site plan submitted by the applicant. Exhibit 10 is the RLD District Development Standards Table which indicates the RLD setbacks are 25ft in the front, 15ft on the side and 20ft in the rear.
7. The applicant submitted photos of the addition to the manufactured home at 4924 Myers Road. (Exhibit 11)
8. All adjoining property owners have been notified of the Special Use Permit request. (Exhibit 12 & 13). Exhibit 12 is the APO map with the subject property has the red star on it. There were a total of sixteen parcels that were notified and staff received three general inquiries regarding the requests. Exhibit 13 is a copy of the APO list.

The applicant, Robert Hansen, of 4924 Myers Road, approached the podium to answer questions from the Board. The addition was 30' x 35' and was already 90% constructed when they bought it in March, 2025. They realized the previous owners did not inform the City so they contacted the City with the intention of completing it. The addition has one bedroom, one living room and a closet. His daughter had to relocate to his home due to health reasons with her two teenage children. They brought in two contractors to make sure everything was done correctly for safety concerns. The manufactured home was put there in 1984.

Patrick Blaszyk, approached the podium to answer the Board's question as to the safety of the project. Patrick said that would be a Building Standards question, but he is not aware of any issues at the moment. There were only three general inquiries about the Special Use Project, but none for

or against. The use itself is considered to be legal and non-conforming (grandfathered) so that is why a Special Use Permit is required in this District. In order to expand that non-conformity, they need to get the Special Use Permit for the addition.

**Motion:** Thomas Loria made a motion to adopt Findings of Fact 1-8.  
**Second:** Cary Rogers  
**Action:** The motion passed unanimously with the following votes:  
**AYES:** Thomas Loria, Myles Kuly, Cary Rogers, Kevin Secrest  
**NAYS:** None

**Motion:** Thomas Loria made a motion to adopt Finding of Fact #9. The application has been completed.  
**Second:** Cary Rogers  
**Action:** The motion passed unanimously with the following votes:  
**AYES:** Thomas Loria, Myles Kuly, Cary Rogers, Kevin Secrest  
**NAYS:** None

**Standards to be considered for the Special Use Permit:**

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

**Motion:** Thomas Loria made a motion that the Standard is met and the use will not materially endanger the public health or safety if located, designed and proposed to be operated according to the plan based on Finding of Fact #2 where the application was completed by the building inspectors.  
**Second:** Cary Rogers  
**Action:** The motion passed unanimously with the following votes:  
**AYES:** Thomas Loria, Myles Kuly, Cary Rogers, Kevin Secrest  
**NAYS:** None

2. 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.

**Motion:** Myles Kuly made a motion that the Standard is met and 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 based on the fact that it falls in within the setbacks and that it is a legally non-conforming use.  
**Second:** Cary Rogers  
**Action:** The motion passed unanimously with the following votes:  
**AYES:** Thomas Loria, Myles Kuly, Cary Rogers, Kevin Secrest  
**NAYS:** None

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

**Motion:** Thomas Loria made a motion that that the Standard is met and the use or development will not adversely impact surrounding property based on the addition of square footage to the property, increasing the value of the property itself. All neighbors were notified and none were opposed to the addition.

**Second:** Kevin Secrest

**Action:** The motion passed unanimously with the following votes:

**AYES:** Thomas Loria, Myles Kuly, Cary Rogers, Kevin Secrest

**NAYS:** None

4. 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.

**Motion:** Thomas Loria made a motion that the Standard is met and it is in harmony with the area and in general conformity with the Monroe Land Development Plan since it is zoned Residential Low Density. They are adding square footage to their own personal property. They are within the required UDO setbacks.

**Second:** Myles Kuly

**Action:** The motion passed unanimously with the following votes:

**AYES:** Thomas Loria, Myles Kuly, Cary Rogers, Kevin Secrest

**NAYS:** None

**Motion:** Cary Rogers made a motion to grant the Special Use Permit.

**Second:** Myles Kuly

**Action:** The motion passed unanimously with the following votes.

**AYES:** Thomas Loria, Myles Kuly, Cary Rogers, Kevin Secrest

**NAYS:** None

**Item 10.** PLSUP 2026-00153 Special Use Permit - The Board of Adjustment is requested to consider this Special Use Permit request by Thomas Walsh on behalf of Pappas Properties to allow a convenience store with fuel pumps in the Neighborhood Business (NB) District at 3120 Goldmine Road. (Parcel ID #09-342-123)

Megan Brightharp, Doug Britt, John Floyd, Steve Hart, Andy Morrison and Laura Reid came forward and were sworn in.

Megan Brightharp, Planner 1, reminded the Board that, “The purpose of a Special Use Permit is to offer uses that may be appropriate in zoning districts to be considered with additional considerations due to the nature, extent and effects of the use in the area where it may occur.” She then presented the proposed findings:

1. The property at 3120 Goldmine Road is owned by Josephine H. Secrest and is zoned NB (Neighborhood Business). (Exhibit 1-3). Exhibit 1 is a copy of the Ortho Map showing the subject property highlighted in blue. The subject property is located east of North Rocky River Road and north of Goldmine Road. Exhibit 2 is the Zoning Map showing the subject property highlighted in blue. The subject property, as is the parcel opposite Rocky River Road and immediately south, are zoned NB (Neighborhood Business). The parcel

shown in peach are zoned RMD (Residential Medium Density) and the properties that are in white are outside the city limit zoning jurisdiction. Exhibit 3 is a copy of an affidavit confirming ownership of the property.

2. A Special Use Permit Application was submitted on March 1, 2026 requesting to establish a convenience store with fuel pumps use in the NB (Neighborhood Business) District. (Exhibit 4-6) Exhibit 4 is a copy of the application. Exhibit 5 is a copy of the preliminary site plan that has been reviewed by City staff. Exhibit 6 is a copy of an impact study that the applicant had completed by an appraiser. The impact study shows that “the location is influenced by a signalized intersection, moderate traffic volumes, commercial and service uses, institutional/fleet activity, and nearby industrial and airport-related activity. Residential uses are present, but they are low-density and are not the dominant land use along the immediate corridor.”
3. According to Section 157.7.1 of the City of Monroe Unified Development Ordinance titled “Tables of Permissible Uses (Traditional and Mixed-Use),” the convenience store with fuel pumps use is only allowed in the NB Zoning District with the issuance of a Special Use Permit from the Board of Adjustment. (Exhibit 7) Exhibit 7 is a copy of the UDO Section 157.7.1 showing that a convenience store with fuel pumps will require a Special Use Permit in the Neighborhood Business District.
4. According to Section 157.7.2.6.S of the City of Monroe Unified Development Ordinance titled “Convenience Store with Fuel Pumps”, convenience stores with fueling pumps “are involved in the retail sale of fuel for motor vehicles, and convenience items including but not limited to food, beverages, tobacco products, and other similar products as its primary sales.” (Exhibit 8) Exhibit 8 is a copy of the UDO Section 157.7.2.6.S “Convenience Store with Fuel Pumps” with detailed information and the definition of convenience stores with fuel pumps along with examples.
5. All adjoining property owners have been notified of the Special Use Permit application. (Exhibit 9-10). Exhibit 9 is the APO List. Exhibit 10 is a copy of the APO Map. Fifteen property owners were notified. There were no responses to those letters.

The Board began with questions for Megan Brightharp. This is not required to go before Planning or City Council. There has been no indication of widening the road at this time. If widening is required, that will be addressed during the formal review process for permitting. The applicant has brought legal representation as well as three experts that would like to speak.

Attorney John Floyd, with Moore & Allen represented the applicant, Tom Walsh with Pappas Properties. He approached the podium to give his PowerPoint presentation (See attached) and to direct-examine his experts.

Laura Reid, Traffic Engineer for Kimley-Horn, was the first expert reporting on this project. Together with NCDOT and the City of Monroe, she produces and examines the elements of the Traffic Impact Analysis (TIA), showing access points to the property and the “impacts of a development on a surrounding roadway network.” The TIA is still in progress and not complete.

Steve Hart, Hydrogeologist, was the second expert called to the podium. He spoke on the regulations involved in constructing a new gas station with underground storage tanks. The State reviews the reports regarding environmental aspects and issues a notice to proceed with construction. After construction, there are regulatory inspections. No car wash is involved.

Andy Morrison, with Morrison Appraisal is an MAI and CCIM Designated Appraiser and the third expert witness. He conducted an impact case study on May 1, 2026 related to this project. It covered two factors: whether the use was in harmony with the area and whether there was an impact on surrounding property value. He did not find any negative impact to the local properties and businesses.

Attorney John Floyd made a closing statement reiterating the testimonies presented and asked the Board to grant the request. A copy of the slide presentation has been admitted into evidence.

Daniel Biggam, owner of the adjoining property at 3108 Goldmine Road, asked to speak and was sworn in. He was informed about the meeting from the mailed legal notice for adjoining property owners. He is speaking against the project due to traffic safety concerns. He is also concerned about the truck traffic, road conditions, hours of the business, the products sold, et al.

Attorney John Floyd spoke about Laura Reid outlining the traffic improvements required to help alleviate the traffic caused by this project. The Board's ruling must only be on evidence presented.

The hearing is now closed.

**Motion:** Thomas Loria made a motion to adopt proposed Findings of Fact 1-5.

**Second:** Myles Kuly

**Action:** The motion passed unanimously with the following votes:

**AYES:** Thomas Loria, Myles Kuly, Cary Rogers, Kevin Secrest

**NAYS:** None

**Motion:** Thomas Loria made a motion to adopt Finding of Fact #6. According to Mr. Hart's testimony and based off of the studies presented to date, (this project) will not (negatively) impact the health or safety of the surrounding residents.

**Second:** Cary Rogers

**Action:** The motion passed unanimously with the following votes:

**AYES:** Thomas Loria, Myles Kuly, Cary Rogers, Kevin Secrest

**NAYS:** None

**Motion:** Thomas Loria made a motion to adopt Finding of Fact #7. According to Ms. Reid's testimony on the Traffic Impact Study, turn lanes will be addressed and will help with the safety of the proposed project.

**Second:** Myles Kuly

**Action:** The motion passed unanimously with the following votes:

**AYES:** Thomas Loria, Myles Kuly, Cary Rogers, Kevin Secrest

**NAYS:** None

**Motion:** Thomas Loria made a motion to adopt Finding of Fact #8. An Impact Study and Appraisal completed by Mr. Morrison show this project will not negatively affect the surrounding properties, as far as property value.

**Second:** Myles Kuly  
**Action:** The motion passed unanimously with the following votes:  
**AYES:** Thomas Loria, Myles Kuly, Cary Rogers, Kevin Secrest  
**NAYS:** None

**Motion:** Thomas Loria made a motion to adopt Finding of Fact #9. The application has been submitted and completed.

**Second:** Cary Rogers  
**Action:** The motion passed unanimously with the following votes:  
**AYES:** Thomas Loria, Myles Kuly, Cary Rogers, Kevin Secrest  
**NAYS:** None

**Standards to be considered for the Special Use Permit:**

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

**Motion:** Thomas Loria made a motion that the standard is met based off of the site study, the three expert testimonies and the intense planning required to build it.

**Second:** Myles Kuly  
**Action:** The motion passed unanimously with the following votes:  
**AYES:** Thomas Loria, Myles Kuly, Cary Rogers, Kevin Secrest  
**NAYS:** None

2. 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.

**Motion:** Thomas Loria made a motion that the standard is met since the property is already zoned Neighborhood Business (NB) and they have met all required setbacks according to the site plan.

**Second:** Myles Kuly  
**Action:** The motion passed unanimously with the following votes:  
**AYES:** Thomas Loria, Myles Kuly, Cary Rogers, Kevin Secrest  
**NAYS:** None

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

**Motion:** Thomas Loria made a motion that the standard is met based off of Mr. Morrison's testimony for the appraisal values of the surrounding areas.

**Second:** Cary Rogers  
**Action:** The motion passed unanimously with the following votes:  
**AYES:** Thomas Loria, Myles Kuly, Cary Rogers, Kevin Secrest  
**NAYS:** None

4. 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.

**Motion:** Thomas Loria made a motion that the standard is met based off of the Neighborhood Business District, the right to build and the expert site plan.

**Second:** Myles Kuly

**Action:** The motion passed unanimously with the following votes:

**AYES:** Thomas Loria, Myles Kuly, Cary Rogers, Kevin Secrest

**NAYS:** None

**Motion:** Thomas Loria made a motion to grant the Special Use Permit.

**Second:** Myles Kuly

**Action:** The motion passed unanimously with the following votes.

**AYES:** Thomas Loria, Myles Kuly, Cary Rogers, Kevin Secrest

**NAYS:** None

**Motion:** Thomas Loria made a motion, per Attorney Cox, to have the Board's permission to use some of the applicant's responses in Exhibit B to support the various Findings of Facts.

**Second:** Myles Kuly

**Action:** The motion passed unanimously with the following votes:

**AYES:** Thomas Loria, Myles Kuly, Cary Rogers, Kevin Secrest

**NAYS:** None

**Item 10.** Next Meeting: Thursday, June 25, 2026

**Item 11.** Adjournment

**Motion:** Cary Rogers made a motion to adjourn the meeting.

**Second:** Myles Kuly

**Action:** The motion passed unanimously with the following votes:

**AYES:** Thomas Loria, Myles Kuly, Cary Rogers, Kevin Secrest

**NAYS:** None

The meeting was adjourned at **9:00 p.m.**

Respectfully submitted,

Thomas Loria  
Acting Chair

Kimberly Davis  
Clerk of the Board



**STAFF REPORT**

*Case # PLSUP-2026-00173*

**TO:** Board of Adjustment Members

**DATE:** June 25, 2026

**FROM:** Doug Britt, Assistant Director of Planning and Development

**PREPARED BY:** Patrick Blaszyk, Planner 2

**SUBJECT:** Greg Moore is requesting a Special Use Permit for a property located at 215 South Main Street

**SUMMARY STATEMENT**

Greg Moore of Home Brew Taproom & Tunes is requesting a Special Use Permit in order to conduct a rooftop use at 215 South Main Street in the Downtown Central Mixed Use (DC-MX) zoning district.

**SITE DATA**

**Type of Action:** Special Use Permit

**Date of Petition:** May 8, 2026

**Name of Petitioner:** Greg Moore

**Location:** 215 S. Main Street

**Tax ID #:** 09-232-075A

**Lot Size:** 0.06 Acres

**Zoning Classification:** DC-MX (Downtown Central Mixed-Use)

**PROPOSED FINDINGS**

Proposed Findings:

1. The property located at 215 S. Main Street, is owned by Home Brew Craft Beer and Smoothies LLC, and is zoned DC-MX (Downtown Central Mixed-Use). (Exhibit 1, 2 & 3).

2. A Special Use Permit application was submitted on May 9, 2026 by Greg Moore of Home Brew Taproom & Tunes requesting to conduct a rooftop use at 215 S. Main Street in the DC-MX zoning district. The proposed rooftop use is a seating area. (Exhibit 4)
3. Table 7.1. – Table of Permissible Uses from Section 7.1 of the City of Monroe Unified Development Ordinance (UDO) displays how a Special Use Permit is required in order to conduct a rooftop use in the DC-MX zoning district: (Exhibit 5)

TABLE 7.1. - TABLE OF PERMISSIBLE USES																		
"P" = Permitted, "S" = Special Use Permit Required, "X" = Prohibited																		
Use Type	Traditional Districts												Mixed-Use Districts				REFERENCE	
	RR	RLD	RMD	RHD	OM	NB	GB	GI	HI	PUD	PCD	DC-MX	DG-MX	CC-MX1	CC-MX2	RC-MX		MD-MX
Rooftop Uses	X	X	X	X	X	X	S	X	X	X	X	S	S	X	X	X	P	7.2.9.G

4. This property is located in the South Monroe Historic District and the applicant will be required to obtain a Certificate of Appropriateness prior to making any modifications to the building. (Exhibit 6)
5. All adjoining property owners have been notified of the Special Use Permit request. (Exhibit 7 & 8).

**CONCLUSIONS**

Staff is bringing this request before you tonight for your consideration.

- Exhibits:
- Exhibit 1: Ortho Map
  - Exhibit 2: Zoning Map
  - Exhibit 3: Deed to Property
  - Exhibit 4: Special Use Permit Application
  - Exhibit 5: Table 7.1 of UDO
  - Exhibit 6: Historic District Map
  - Exhibit 7: APO Map
  - Exhibit 8: APO List

Prepared by: PB 6/9/2026

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*SPECIAL USE PERMIT WORKSHEET*  
**TO ESTABLISH A ROOFTOP USE VIA A ROOFTOP SEATING AREA  
WITHIN THE DC-MX, DOWNTOWN CENTRAL MIXED-USE  
DISTRICT AT 215 SOUTH MAIN STREET (PARCEL #09-232-075A)**

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

**I. Completeness of Application:**

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

**II. Special Use General Standards:**

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

**Petitioner's Response:** Rooftop will be designed for safety in mind. We'll have a railing installed around the perimeter and a covering on the stairs preventing access during closed hours.

Motion standard is met; or

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

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

**Petitioner's Response:** Design will complement the current building with brick façade enclosing front patio. Rooftop will be designed complying with all regulations required.

Motion standard is met; or

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

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

**Petitioner's Response:** This project will increase the value of our neighboring buildings. I have spoken with my neighbors and they are all in favor of having a rooftop on S. Main Street.

Motion standard is met; or

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

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

**Petitioner's Response:** Preserving the historic appearance is a priority to us. We will also ensure our neighbors weigh in on our design before submitting.

Motion standard is met; or

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

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**III.** *Permit Action*

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

OR;

- B. **Motion** to DENY the special use permit based on the finding that general standard(s)

\_\_\_\_\_ above is/are not met.



S MAIN ST

LANE ST

Exhibit 1



### Ortho Map

Case #: PLSUP-2026-00173

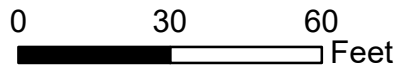
215 S. Main Street

### Legend

- Centerlines
- ▭ Parcels
- ▭ Subject Property

Owner: Home Brew Craft Beer & Smoothies LLC

Acres: 0.06



## Zoning Map

Case #: PLSUP-2026-00173

215 S. Main Street

### Legend

-  Centerlines
-  Parcels
-  DC-MX
-  Subject Property

Owner: Home Brew Craft  
Beer & Smoothies LLC

Acres: 0.06

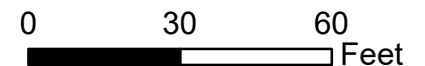
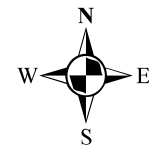


Exhibit 2

FILED  
UNION COUNTY, NC  
**CRYSTAL D. GILLIARD**  
**REGISTER OF DEEDS**

FILED May 26, 2021  
AT 10:52 am  
BOOK 08114  
START PAGE 0457  
END PAGE 0459  
INSTRUMENT # 24964  
EXCISE TAX (None)  
DM

**NORTH CAROLINA GENERAL WARRANTY DEED**

Excise Tax: \$0.00

Parcel Identifier No. 09-232-075A Verified by \_\_\_\_\_ County on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
By: \_\_\_\_\_

Mail/Box to: Perry Bundy Plyler & Long, LLP  
This instrument was prepared by: Perry Bundy Plyler & Long, LLP (2110363) (No title exam requested or performed)

Brief description for the Index: 215 S. Main Street, Monroe, NC

THIS DEED made this \_\_ day of May, 2021, by and between

GRANTOR	GRANTEE
Home Brew Catering, LLC	Home Brew Craft Beer and Smoothies, LLC, a North Carolina limited liability corporation
	<u>Mailing Address:</u> 101 N Crawford St Monroe, NC 28112

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

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

See attached Exhibit A

The property hereinabove described was acquired by Grantor by instrument recorded in Book 7259 page 722, Union County Registry.

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

A map showing the above described property is recorded in Plat Cabinet \_\_, File \_\_\_\_.

**Exhibit 3**

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

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

General Rights of way and easements that border or cross the property.

Restrictions of Record.

Ad valorem Taxes

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

By: \_\_\_\_\_ (Entity Name) Gregory Moore (SEAL)  
Gregory Moore, Member/Manager

Print/Type Name & Title: Jenny Moore (SEAL)  
Jennifer Moore, Member/Manager

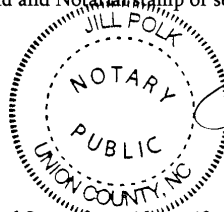
By: \_\_\_\_\_ (SEAL)  
Print/Type Name & Title: \_\_\_\_\_

By: \_\_\_\_\_ (SEAL)  
Print/Type Name & Title: \_\_\_\_\_

State of NC - County of Union

I, the undersigned Notary Public of the County and State aforesaid, certify that Gregory Moore, as Member/Manager of Home Brew Catering, LLC, personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this 25 day of May, 2021

My Commission Expires: 6/12/23  
(Affix Seal)

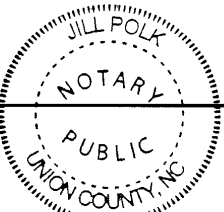


Jill Polk  
Notary Public

State of NC - County of Union

I, the undersigned Notary Public of the County and State aforesaid, certify that Jennifer Moore, as Member/Managers of Home Brew Catering, LLC, personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this 25 day of April, 2021

My Commission Expires: 6/12/23  
(Affix Seal)



Jill Polk  
Notary Public

**EXHIBIT A**

**BEGINNING AT AN OLD IRON LOCATED IN THE NORTHERN EDGE OF THE RIGHT OF WAY FOR LANE STREET AND THE EASTERN EDGE OF THE SIDEWALK ON THE EASTERN SIDE OF SOUTH MAIN STREET, AND THENCE FROM A SAID BEGINNING POINT NORTH 0-30 WEST 29.6 FEET TO ANOTHER IRON SET THENCE IN PART THROUGH A COMMON WALL, NORTH 89-30 EAST 90.0 FEET TO AN IRON SET; THENCE SOUTH 0-30 EAST 29.6 FEET TO AN IRON SET IN THE NORTHERN EDGE OF THE RIGHT OF WAY FOR LANE STREET; AND THENCE SOUTH 89-30 WEST 90.0 FEET TO THE POINT AND PLACE OF BEGINNING, CONTAINING 2,664 SQUARE FEET OR 0.06 ACRES, MORE OR LESS AS SHOWN ON A PLAT OF SURVEY DATED OCTOBER 10, 1988, BY WALTER L. GORDON, R.L.S., REFERENCE TO WHICH PLAT HEREBY IS MADE FOR A MORE PARTICULAR DESCRIPTION AND BEING PART OF THAT PROPERTY CONVEYED TO GILBERT HALL EFIRD, III, BY DEED RECORDED IN DEED BOOK 389, PAGE 191 UNION COUNTY, NORTH CAROLINA REGISTRY.**



# SPECIAL USE PERMIT APPLICATION

Applicant's Name: Greg Moore

Applicant's Mailing Address: 215 S Main St  
Monroe, NE, 28112

Applicant's Phone: [REDACTED]

Applicant's Email: [REDACTED]

Property Owner Name: Greg Moore

Property Owner Mailing Address: 215 S Main St  
Monroe, NC 28112

For Staff Use Only	
Project Number:	_____
Date Submitted:	_____
Approved	_____
Denied	_____

Applicant's Relationship to the Property Owner (Check the one that applies):

- Owner
- Legal Representative of the Owner (must attach Affidavit of owner's permission for this action)
- Developer (must attach Affidavit of owner's permission for this action)
- Other, specify (must attach Affidavit of owner's permission for this action)

Property Address: 215 South Main St, Monroe

Tax ID Number: 09232075A Lot Size 0.06 Deed Reference: Book \_\_\_\_\_ Page \_\_\_\_\_

Existing Zoning: DC-MX

Proposed Special Use: Enclosing front patio and adding  
rooftop seating facing main st. Rooftop will  
be above patio with access from stairs from back patio.

Proposed Conditions: We hope to increase our downtown  
appeal by offering rooftop seating

A site plan drawn to scale and sealed by a registered engineer, surveyor, architect, or landscape architect licensed to practice in the State of North Carolina may be required for certain Special Use Permits such as a change in use requiring site improvements or the development of a vacant site, the Zoning Administrator will assist in determining when a site plan is required to accompany the Special Use Permit application. Site plans for subdivision applications shall be in the form of a preliminary plat with all information that is required per Chapter 157 of the Monroe Code of Ordinances – Zoning Code. The site plan shall include the following information; however, the Zoning Administrator may require additional information whenever necessary and may waive one or more of the requirements if such is found to be irrelevant to the proposed project.

**Exhibit 4**

### **General Information Required**

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

### **Information on Natural, Historic, and Recreational Features Required**

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

### **Zoning and Lot Information Required**

- Existing and proposed zoning district lines, flood plain delineation, property lines, existing and proposed parking, trash collection systems and screening (include a copy of the planting schedule) and building footprints for any structure or walls to be placed on the property. Residential uses shall include the number of units per building and the total project.
- Proposed lot dimensions and setbacks, with diagrams of proposed signs showing location on the lot, size, height, and attachment (if indicated).
- Boundary of any phase lines, for phased development plans. (Include a statement for future building time line)
- Detailed landscape plan in compliance with section 157.8.3 of the Monroe Code of Ordinances issued by a certified landscape architect, or other certified professional preparer

### **Transportation and Utilities Information Required**

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

Special use permit approval requires several standard findings of fact (see below). It shall be the responsibility of the applicant to address all findings related to the development proposal. The burden of submitting competent evidence that the findings have been met is the applicant's responsibility. Additional information supporting the special use permit application shall be the responsibility of the petitioner and not the responsibility of the city.

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

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

Note: Due to the amount of detailed information needing to be submitted to the city, it is *requested* that early contact with the city planning department be accomplished to avoid unnecessary delays. All applications for a special use permit shall be reviewed by the Zoning Administrator prior to Board of Adjustment review. The applicant shall submit a completed application no later than the 1<sup>st</sup> of the month to the Board of Adjustment meeting at which the petition is to be heard. If the application is found to be incomplete or the development is found to be in conflict with the requirements of this application, the developer shall be notified and the petition rejected.

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

It is understood and acknowledged that if the Special Use Permit is authorized, the property involved in this request will be perpetually bound to the use(s) authorized and subject to such conditions as imposed, unless subsequently changed or amended as provided for in Chapter 157.3.4.9 of the Zoning Ordinance of the City of Monroe Code of Ordinances.

**Special Use General Standards:**

- A. The use will not materially endanger the public health or safety if located, designed, and proposed to be operated according to plan.  
rooftop will be designed for safety in mind. We'll have a railing installed around the perimeter and a covering on stairs preventing access during closed hours.
- 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.  
Design will complement the current building with brick facade enclosing front patio. Rooftop will be designed complying with all regulations required.
- C. The use or development will not adversely impact surrounding property and will not substantially injure the value of adjoining property.  
This project will increase the value of our neighboring buildings. I have spoken with my neighbors and they are all in favor of having a rooftop on S Main St.
- 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.  
Preserving the historic appearance is a priority to us. We will also ensure our neighbors weigh in on our design before submitting

To the best of my knowledge, all of the information herein submitted is accurate and complete. If you are signing on behalf of a company, please include your title within the company

By signing and submitting this document, I agree that all signatures where required may be Electronically Signed by either party pursuant to NCGS 66-315(b).

Greg Moore  
Applicant (printed)

[Signature]  
Applicant's Signature

5/8/26  
Date

Greg Moore  
Property Owner's (printed)

[Signature]  
Property Owner's Signature

5/8/26  
Date

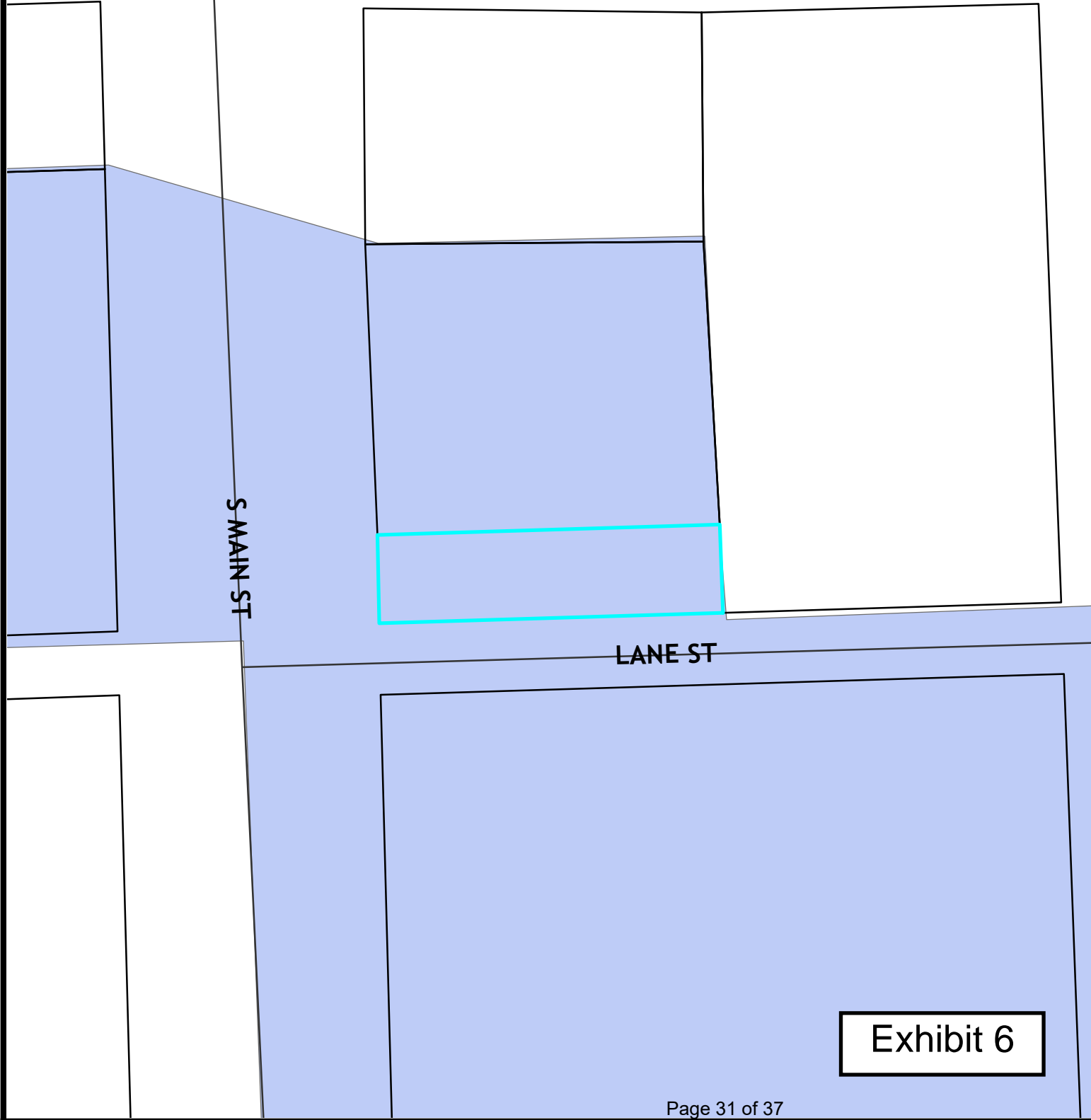
**\*\*If you are signing on behalf of a company, please include your title within the company\*\***

**TABLE 7.1. - TABLE OF PERMISSIBLE USES**

“P” = Permitted, “S” = Special Use Permit Required, “X” = Prohibited

Use Type	Traditional Districts											Mixed-Use Districts						REFERENCE
	RR	RLD	RMD	RHD	OM	NB	GB	GI	HI	PUD	PCD	DC-MX	DG-MX	CC-MX1	CC-MX2	RC-MX	MD-MX	
Rooftop Uses	X	X	X	X	X	X	S	X	X	X	X	S	S	X	X	X	P	7.2.9.G

**Exhibit 5**



## Historic District Map

Case #: PLSUP-2026-00173

215 S. Main Street

### Legend

- Centerlines
- Parcels
- Historic District
- Subject Property

Owner: Home Brew Craft Beer & Smoothies LLC

Acres: 0.06

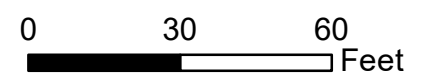


Exhibit 6

## APO Map

# PLSUP-2026-00173

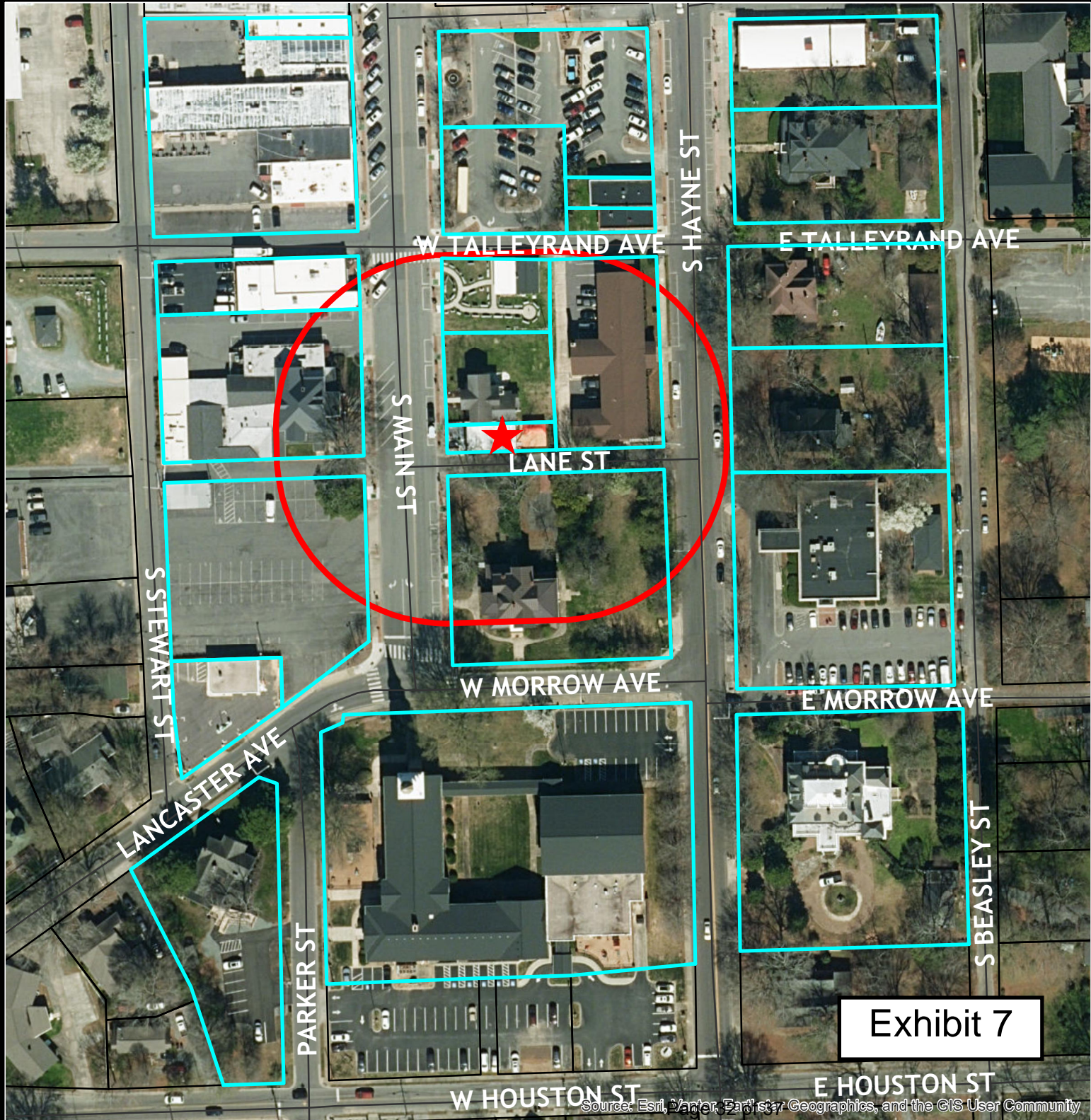
### Legend

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

## 23 Parcels Notified



**Exhibit 7**



Source: Esri, DeLorme, Garmin, GeoEye, Geographics, and the GIS User Community

ACCTNO	CURR_NAME1	CURR_NAME2	CURR_ADDR1	CURR_CITY	CURR_STATE	CURR_ZIPCODE
09232070	PRESSON STEVE ROBERT ET AL	PRESSON JAMES H	3412 CASCADE DR	GREENSBORO	NC	27410
09232074	MAHOGANY CREEK HOLDINGS LLC		657 ANN CARSON CT	ROCK HILL	SC	29732
09232018	CRIDER RICHARD		201 S HAYNE ST	MONROE	NC	28112
09232072	EUDY JAMES		3657 HELMS RD	LANCASTER	SC	29720
09232079	FOREST LAWN COMPANY (THE)		PO BOX 130548	HOUSTON	TX	77219
09232073, 09232075	W3 RESOURCE MANAGEMENT LLC		PO BOX 1561	MONROE	NC	28111
09232080	BLACKBURN JAMES	BLACKBURN DARLENE	200 S MAIN ST	MONROE	NC	28112
09232075A	HOME BREW CRAFT BEER & SMOOTHIES LLC		101 N CRAWFORD ST	MONROE	NC	28112
09232078	MFH LLC		%PROPERTY TAX 9TH FLOOR PO BOX 130548	HOUSTON	TX	77219
09232071	ALLEN TILIA		212 S HAYNE ST	MONROE	NC	28112
09232076	CARLSON-MCNABB HOLDINGS LLC		400 W WINDSOR ST	MONROE	NC	28110
09232081	JR SHUTE COMPANY LLC		321 E WINDSOR STREET	MONROE	NC	28112
09232017	HICKS ROSS B	HICKS DEBBIE L	205 S HAYNE ST	MONROE	NC	28112
09232077	OLD TOWN HOLDINGS LLC		7011 HYDE PARK DR	INDIAN TRAIL	NC	28079
09235233	LBG HOLDINGS LLC		2639 ROLLING HILLS DR	MONROE	NC	28110
09235044	FIRST BAPTIST CHURCH		109 MORROW AVE	MONROE	NC	28112
09235001	PRESERVE MONROE LLC		302 E JEFFERSON ST	MONROE	NC	28112
09232020	SHIN HYON MIN		109 S HAYNE ST	MONROE	NC	28112
09232019	RICHARD CRIDER		201 S HAYNE ST	MORROE	NC	28112
09232081A	CARAWILL LLC		408 W WINDSOR ST	MONROE	NC	28112

Exhibit 8

300 West Crowell Street  
Monroe, NC 28112

<b>NORTH CAROLINA UNION COUNTY</b>	<b>DECISION OF THE CITY OF MONROE ZONING BOARD OF ADJUSTMENT PLZONA-2026-00169</b>
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**Subject Property:** 1109 Cyrus Edwards Road, Monroe, NC  
**Tax ID No. (PIN):** 09-143-021  
**Total Lot/Tract Size:** 1.84 Acres  
**Property Owners:** Steven Polk  
**Applicant/Petitioner:** Steven Polk of Stevens Repair Service  
**Current Zoning Classification:** RLD (Residential Low Density)

This matter concerns an appeal from Steven Polk of Stevens Repair Service regarding Planning Staff’s zoning determination that the property is in violation of the City of Monroe Unified Development Ordinance. The property is being used for a golf cart repair and sales business and for what Planning Staff has identified as a junk yard use, both of which are prohibited in the RLD zoning district. The appeal came before the Board of Adjustment on May 28, 2026. The Board, having considered the application and heard the testimony and arguments of the Applicant, witnesses, and City staff makes the following:

**FINDINGS OF FACT:**

1. The property 1109 Cyrus Edwards Road is owned by Steven Polk of Stevens Repair Service and is zoned RLD (Residential Low Density). (Exhibit 1-3)
  
2. On March 4, 2026, staff received notification regarding a golf cart repair and sales business operating at 1109 Cyrus Edwards Road as a result of a fire. (Exhibit 4)
  
3. On March 4, 2026, Planning staff sent a Notice of Violation to Steven Polk regarding the illegal home occupation of a golf cart repair and sales business operating from the home. Staff stated that per section 7.4.C. of the Unified Development Ordinance (UDO), the uses of vehicle or equipment repair & service and vehicle equipment sales and rental are not permissible as home occupations. Staff also stated the use of a junk yard is classified under Heavy Industrial and is not permitted in the RLD zoning district per section 7.1 of the UDO. (Exhibit 5-6)

4. On March 23, 2026, Planning staff sent a 1<sup>st</sup> Citation to Steven Polk for continuing to operate an illegal home occupation of a golf cart repair and sales business and junk yard from 1109 Cyrus Edwards Road. (Exhibit 7)
5. Steven Polk contends that Stevens Repair Service has been operating at 1109 Cyrus Edwards Road prior to being annexed into the City of Monroe on June 30, 2003, and is legally nonconforming or grandfathered.
6. On March 23, 2026, the applicant submitted photos to Planning staff of City of Monroe Privilege Licenses from 2007 and from 2010-2014 and a photo of an IRS Certificate of Registration from 2007. (Exhibits 8 & 9). The privilege licenses indicate that taxes were paid, but neither the privilege licenses nor documents from the IRS or NC Department of Revenue constitute zoning approvals or permits.
7. Section 10.1.B of the Unified Development Code states: “The burden of establishing that a nonconformity lawfully exists shall be the responsibility of the person who owns or rents the property upon which the nonconformity exists. Evidence that may be used to prove the legal status as a lawful nonconformity may include approved permits, construction plans, and records of previously approved regulations.” (Exhibit 10)
8. On April 13, 2026, Planning staff sent the applicant a determination letter after reviewing the City of Monroe Privilege Licenses and IRS Certificate of Registration document. The determination letter stated that no evidence has been submitted that indicates the use of a golf cart repair and sales business was operating at 1109 Cyrus Edwards Road prior to the property being annexed into the City of Monroe on June 30, 2003, and the business is not considered legally nonconforming. (Exhibit 11)
9. Section 10.1.B. of the Unified Development Ordinance places the burden of proof on the property owner or tenant, however, Planning Staff utilized various resources to identify whether Stevens Repair Service was operating prior to annexation in 2003. These include Yelp and the Better Business Bureau; however, staff was unable to find evidence of Stevens Repair Service operating at 1109 Cyrus Edwards Road prior to 2003. (Exhibits 12 & 13)

10. On April 27<sup>th</sup>, 2026, Steven Polk of Stevens Repair Service submitted an appeal application to appeal staff's determination letter of the nonconformity status of the business operating at 1109 Cyrus Edwards Road prior to June 30, 2003. (Exhibit 14)
11. All adjacent property owners and those within 150-feet of the subject property have been notified of this appeal application via first class mail and a sign has also been on the property for 10 days. (Exhibits 15 & 16).
12. The Applicant was afforded an opportunity to offer evidence, cross-examine witnesses and inspect evidence that was presented.
13. The Board has reviewed and incorporates photographs presented by the neighboring property owners Chris and Tricia Pressley at 1113 Cyrus Edwards Road in Monroe. The photographs depict the appearance of the property and show that in excess of fifty golf carts are present on the property.
14. No evidence was presented that the applicant had received a zoning compliance certificate from either Union County or the City of Monroe after the property was annexed into the City of Monroe in 2003. Mr. Polk testified that he has been running his business on the property since 2009, which is six years after his property was annexed into the City. His business began as S & S Automotive Repair and it changed use from automotive repair to golf cart repair and changed names to Stevens Repair Service.
15. Under the City of Monroe's Table 7.1 (Table of Permissible Uses), Heavy Industrial uses are not permitted in the Residential Low Density zoning district.
16. No documentation has been presented showing that a home occupation or business was operating at 1109 Cyrus Edwards Road prior to the property's annexation into the City of Monroe on June 30, 2003.
17. There exists storage or warehousing of materials, supplies, and equipment on the property outside of the residence.

18. The UDO, Section 7.4 Home Occupation, C. Standards, #8 states: “All home occupations shall be conducted within the principal structure. Activities and storage associated with a home occupation shall not take place in an accessory building, such as a detached garage.” The photograph images are inconsistent with that requirement, as vehicles, materials, and equipment are stored outside the principal structure.
  
19. The Applicant bears the burden of proving that his property is legally nonconforming. The Applicant failed to produce any evidence that he has received any zoning approvals, permits, or compliance letters from the City of Monroe.

Based on the foregoing Findings of Fact and Conclusions, the BOA makes the following Decision:

1. The Zoning Enforcement Officer’s Decision letter/Notice of Violation dated March 4, 2026, regarding 1109 Cyrus Edwards Road (PIN 09-143-021) is **affirmed**.

The BOA’s Decision on this matter may be appealed to the Superior Court within thirty (30) days from the date set forth below, which is when the Decision of the BOA was filed with the Ordinance Administrator and mailed to the Applicant.

This the \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
Thomas Loria  
Acting Monroe Board of Adjustment Chair

ATTEST:

\_\_\_\_\_  
Kimberly Davis, Clerk to the Board of Adjustment