



Cabarrus County Government

Cabarrus County Planning and Zoning Commission Meeting
September 10, 2019 @ 6:30 P.M.
Board of Commissioners Meeting Room
Cabarrus County Governmental Center

Agenda

1. Roll Call
2. Approval of August 13, 2019, Planning and Zoning Commission Meeting Minutes
3. **New Business – Board of Adjustment**
 - A. **VARN2019-00003** – Request for relief from required front and side setbacks, impervious area and structural coverage standards for the LDR district. Applicant is Brandon and Nancy Russell. Property located is 15060 Northgreen Drive (PIN: 4670-59-7133).
4. Directors Report
5. Legal Update



Cabarrus County Government – Planning and Development

Planning and Zoning Commission Minutes September 10, 2019

Mr. Charles Paxton, 2nd Vice Chair, called the meeting to order at 6:35 p.m. Members present, in addition to the Vice Chair, were Mr. Adam Dagenhart, Ms. Holly Grimsley, Mr. David Hudspeth, Mr. James Litaker, Mr. Andrew Nance, Ms. Ingrid Nurse, Mr. Steve Wise and Mr. Jerry Wood. Attending from the Planning and Zoning Division were, Ms. Susie Morris, Planning and Zoning Manager, Mr. Boyd Stanley, Senior Planner, Ms. Arlena Roberts, Clerk to the Board and Mr. Richard Koch, County Attorney.

Roll Call

Approval of August 13, 2019 Meeting Minutes

Ms. Holly Grimsley, **MOTIONED, SECONDED** by Mr. Adam Dagenhart, to **APPROVE** the August 13, 2019, meeting minutes. The vote was unanimous.

The Chair said anyone wishing to speak on the Board of Adjustment case needs to complete a blue card and must be sworn in.

The Chair said we will consider the Rules of Procedures. Mr. Litaker **MOTIONED, SECONDED** by Mr. Adam Dagenhart to consider the Rules of Procedures. The vote was unanimous.

The Chair administered the oath.

Board of Adjustment Function:

The Chair introduced Petition VARN2019-00003 – Request for relief from required front and side setback, impervious area and structural coverage standards for the LDR district. The applicants are Brandon and Nancy Russell. The property is located at 15060 Northgreen Drive (PIN#4670-59-7133).

The Chair asked if there were any conflicts of interest or information that needed to be disclosed by any Board member. There being none, the Chair called on Mr. Boyd Stanley, Sr. Planner to present the staff report.

Mr. Boyd Stanley addressed the Board presenting the staff report for VARN2019-00003. He said the variance that is in front of you, is actually a few different request in one. The applicant is Mr. Tim Medlin, who is a Real Estate Broker, and represents the Russell's in selling their home on 15060 Northgreen Drive.

He said it is a little bit smaller than most lots in the County, it is 11,831 square feet, a little shy of 12,000 square feet. But, in their due diligence, before closing on the house, it came to their attention that there was an encroachment into the front setback.

Once they came and met with us, it became evident that there were not only encroachments in the front setback, but also in the side setback and on the impervious and structural coverage in the current Ordinance.

He said back in 2004, when this house was constructed, it was zoned Medium Density Residential (MDR), now it is zoned Low Density Residential (LDR). It was changed a couple of years after the house was built.

The house was built into the front setback. The setbacks from the side are more restrictive now; the rear is not an issue. We looked a little further and found they were over on their impervious coverage as well.

He said in 2004, they were over on their impervious and structural built upon coverage and built upon area and the front setback. But, there was not a side setback issue at the time. But, there is now since it is LDR.

As stated, the property is on 15060 Northgreen Drive, in the Skybrook community, it is a Huntersville address and the property backs up to the Skybrook golf course.

He said the exhibit in the packet will shed a little more light on what it looked like with the original setbacks from the recorded plat, which shows 30 foot front, 5 foot sides and 25 rear, and that was under the MDR at the time on this recorded plat.

Currently, for the LDR, it is 50 foot front setback, 20 feet on the sides and 30 on the rear. He said that is the difference in that zoning and today's zoning.

Mr. Stanley said the Board is probably asking how it got built in the front setback. We are not sure and that is why we are here. In the exhibits, there is an actual permit, a zoning permit from 2004. As you can see it just kind of throws the setback information on there. There is not a lot of detailed information.

One thing he would like to point out, is that there was a note on the recorded plat, which is hard to see, that basically gave the developer or builder at the time the flexibility to have flexible front setbacks, which it would have been in compliance. What we think is, although this note was never signed and recorded on here and followed through with, it is a note that says that a certain percentage of the houses in this neighborhood could have varying front setbacks.

We think at the time, this is how this error was made. They thought they had that flexibility and they did not.

As I stated, the current LDR setbacks are 50 feet front, 20 feet side and 30 feet rear. As it stands today, the front setback encroaches 23.9 feet into the front setback for the LDR. On one side of the house there is a 9.9 foot encroachment, on the other side a 9 foot encroachment. The rear setback is fine; that is not an issue.

He said the maximum impervious coverage at the time was 20 percent and the structural coverage was 15 percent; that has not changed. But, they are over on the impervious coverage 1,341 square feet and then on the structural coverage by 1232.35 square feet.

What they are asking for tonight is a variance, but under that variance umbrella is for the front setback with the encroachments that he mentioned in the staff report; side setbacks, impervious coverage and structural coverage.

Why is this important and why are they here? It has something to do with the warranty deed and their transaction. They have a buyer for the house, a closing date, they are moving out and they want this to go as smoothly as possible, obviously.

Mr. Stanley said for the record, he is not going through every exhibit unless the Board has specific questions. He said like the zoning, that is not really in question, the zoning is what it is. We have a zoning map in here and he showed the recorded plat for the neighborhood, which is a little hard to see.

But it was interesting, once you start doing a little digging on these, you are like, there is a note on there. If only that note had been followed through with 15 years ago then we would not be here tonight.

He asked if there were any specific questions. There is a lot of detailed information in the application, like the findings of facts and all of that. He wants to make sure that he points out that with this variance request, they are not asking to change anything from its current condition. They are not looking to build on to the house or build into the setback. They just want what is there to be in compliance with today's ordinance with the County, so, they can have a clean Warranty Deed or clean title when they close on the property.

The Chair said at the time the builder was granted a permit to build?

Mr. Stanley said yes, both a zoning and building permit.

The Chair said if there are no other questions, the applicant can come forward.

Mr. Tim Medlin, Realtor, Southern Homes of the Carolinas, 9400 Bob Beatty Road, Charlotte, NC, addressed the Board.

He said first of all, working with Mr. Stanley, Ms. Morris and staff has been fantastic. He has lived in this County, raised his children here for ten years and now lives in Charlotte.

He said the buyer's agent is John Ratliff, with Allen Tate and he is here tonight also.

Mr. Medlin said without repeating what Mr. Stanley has said, but trying to highlight it. As soon as the house went under contract and as he is faxing Mr. Ratliff the contract back, he saw in the package that there was a survey (that survey there on the screen). So, he thought he would stick it in there for the buyers that they could use this I am sure.

Five minutes later Mr. Ratliff calls and asked if I had looked at the survey and I said no, that I had literally just seen it in the package. He then immediately saw what the problem was and we continued on, no panic or anything like that. He told Mr. Ratliff that they would be here the next morning to meeting with Planning and Zoning to see what we are supposed to do about this and how we could get it rectified.

Basically, what we found out was the house was built into the setback, it did get a CO, it did have a permit and it was built by a major builder. We are not seeking anything except for relief so that we can transfer the deed cleanly and legally and properly for this property.

He said this is the way it should be done in every transaction. Mr. Ratliff caught it, his folks are fine. It has created a hardship for the Russell's that they want to solve. This is there problem as a seller and they want to take care of this problem before we close. The closing attorney is not upset or concerned about it, it is a matter of doing what is right and what is legal.

When we came into the office we found out that not only was it built into the setback with the LDR zoning, which he is familiar with from years ago, working out in the County. Obviously, it created problems on the side and further problems on the front. That is why we are here tonight, to try to clear it up and to make sure there are no clouds on the Title going forward for the buyers. That they do not inherit this problem from the seller, that is not fair to buyer.

He said Mr. and Mrs. Russell had no clue that this was going on when they closed this house. They did not understand it, most people in the lay would not understand it. Most people in the lay would be like he was when he was a member in the lay.

If we are closing it and there is an attorney here and I have a CO and everything is good. That is what attorneys do, they close stuff, legally and rightfully. They had no clue at all why they had a Special Warranty.

Mr. Medlin said the only reason he could think of as a realtor at that time, would be that it had something to do with the Builder's umbrella package or the way their loan came out of that for this lot. It just did not make any sense.

The Russell's stepped up and did the right thing and submitted an application for relief from this and paid \$515.00. We are just trying to clean up the Title so it will transfer cleanly and legally.

The Chair asked if there were any questions from the Board.

The Chair said they currently have a Special Warranty Deed, but when it is transferred, they will have General Warranty Deed?

Mr. Medlin said yes, and that is the offered approach that is approved by the North Carolina Bar for all realtors to use. It is in our language, it is in our contract. He said the buyers are still in and are not threatening to run. They just want to clear it up, obviously, before going to closing and before we went any further in the transaction.

We would like to be able to provide a general warranty deed for the buyers and that eliminates the problem that the sellers inherited when they took possession of this house back in 2004. They are the original owners of the home.

The Chair opened the Public Hearing. There being no one speaking for or against the variance the Chair closed the Public Hearing.

The Chair read the Section 12-20 Application of the Variance Power:

A variance may only be allowed by the Commission in cases involving practical difficulties or unnecessary hardships when substantial evidence in the official record of the application supports all the following findings:

1. Unnecessary hardship would result from the strict application 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.
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.
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.
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.

All of these findings of fact shall be made in the indicated order by the Commission, which is not empowered to grant a variance without an affirmative finding of fact on all four categories above. Each finding of fact shall be supported by substantial, material, and competent evidence in the record of the proceeding before the Commission.

The Commission may impose reasonable conditions upon the granting of any variance to ensure that the public health, safety, and general welfare shall be protected and substantial justice done. Violation of such conditions shall be a violation of this Ordinance.

The Chair said we shall discuss the variances before us. We can consider them individually or as a group of one. He asked if there were any comments from the Board, hearing none, the Chair recommended considering them all at one time with an up or down vote.

The Chair said we shall have a discussion about what we have heard tonight and discuss some of the findings of fact that we have heard. He asked if there were any comments.

The Chair said at the time, the applicant was granted a permit and therefore, they had no knowledge that they were not in compliance and therefore it has created an undue hardship on them, therefore in selling the property.

He thinks that would qualify as one of the four findings.

Mr. Jerry Wood thinks it is interesting that there is a note that allows the developer to differ for about half of the lots from the required setbacks in the ordinance, but there is no definition or clarification of which lots are where. So now, he does not think that it would be fair to hold these people responsible for somebody else's lack of detail or their mistake.

Ms. Morris said if the Board remembers, this is a Board of Adjustment case so we need some findings for the record before you actually make a motion and those findings need to be supportive of that motion in case it is appealed. She said so that a judge understands why you made the decision that you made based on the record

Mr. David Hudspeth asked why the zoning changed from MDR to LDR.

Ms. Morris believes that it was part of the whole mass rezoning that the County did in 2005, with the Designing Cabarrus Project. We have had some difficulties with other properties in that particular area to where they had a different zoning designation prior to that change. There are a lot of nonconforming properties in that area.

Mr. Hudspeth is trying to understand the plat. He said did it meet all the requirements for MDR at the time?

Ms. Morris said to clarify about the plat. The County used to have a cluster development option, think of it as our current open space option. She said to get smaller lots the developer gave up more open space. But also as part of that, that note that is on that plat, they were allowed to pick 50 percent of the lots, they could pick whatever the setbacks were.

As you saw in the staff report, that really was not properly documented because as you see on the plat, the developer indicated that the recorded setbacks on that plat were going to be the 30 feet in the front and whatever the side setbacks that were shown. She said that is shown for all of those lots.

There really is no record of what that developer was doing. It was somewhat on the honor system and all of the permits that were issued for that development have the standard what is expected setbacks on them. There was that flexibility built in but they did not show that on the plats, they did not come back and show it on the plot plans, they consistently used that 30 feet and those MDR setbacks.

She said to answer your question, it would have been compliant with MDR at the time, but based on having those flexible setbacks, they could go down to a 3 foot setback if they wanted too as long as they still met the fire code before different construction codes came into play.

The way that zoning permitting was done back then, there was not a good way to track it and staff at that time did not put notes in there to say if they were exercising the flexible option or not for that particular lot.

Mr. Hudspeth said it looks like the hardship was created by the change in zoning and the flexibility that was given to the developer.

Ms. Morris said if you look at this particular exhibit that is up in front of you right now, which is the as built survey for that particular house, it does not even meet the MDR standards that were in place at the time.

Mr. Hudspeth said he was looking at the front set back and it sits inside of it on the plat.

Ms. Morris said that is correct. That is not something that our ordinance would allow. We have certain things that can encroach, that is a covered porch so that would not have been allowed to be an encroachment. You see that the corner of the house is actually pegged at 26.1, so they were already over the 30 with the actual house plus the additional encroachment.

Mr. Wood asked if there had been any properties in close proximity that have had sales go on with a precedent that has already been set with a similar situation? Is there anything we have that presents a case law on this already for us or a precedent to follow?

Mr. Koch does not think we have had any out there. He asked Ms. Morris and she said no. He said on the other lots, we do not know what the setbacks were on them. Based on what Ms. Morris just said, they may have been behind the 30 feet that they show on the plat or they could have been over like this one. We do not know and he is not sure that any other lots were involved but these.

Mr. Wood did not know if this maybe had come up before in this neighborhood, prior to him coming on this Board.

Ms. Morris said it has not.

The Chair said one reason that we can grant a variance is that the hardship did not result from the actions taken by the applicant or the property owner. Obviously, when they purchased the house

they thought they were compliant and now we have a peculiar situation which makes them vulnerable. He thinks he could support granting a variance. We will have that discussion among the members.

The Chair asked if there were any more comments. There being no comments the Chair asked if the Board would consider grouping all of the variance requests under one motion and proceed forward. It was the consensus of the Board to have one motion for all six of variances.

Mr. James Litaker **MOTIONED, SECONDED** by Ms. Holly Grimsley to **APPROVE** VARN2019-00003, Request for relief from required front and side setback, impervious area and structural coverage standards for the LDR District. The vote was unanimous.

Mr. Wood is anticipating that as some of these lots that are very close to this lot, he is going to bet this the builder did that to line up the fronts of all of them and this was the first case. We may see this again.

Mr. Koch said we could. We have not had any up until this point and these people apparently bought this house and have lived in it. He does not know how many of these there could be. We will have to deal with them as they come up.

The Chair thinks it might have come up as the result of the Special Warranty Deed versus the General Warranty Deed; that raised a red flag. There may be others out there that have Special Warranty Deeds.

Mr. Koch does not know how they could have gotten Title insurance on this. You can get it with a Special Warranty Deed but when you have six problems with your setbacks, no Title insurance company is going to issue a policy on that. They could not get Title insurance and he is sure that was the basic problem. What they did was went ahead and transferred it from what he understood and they did it with a Special Warranty Deed which basically says that these people did nothing themselves to impair the Title. It did not take into account the Builder who had Title before them.

When you give a Special Warranty Deed you are saying, I have done nothing to hurt the Title myself. When you give a General Warranty Deed you are saying I did nothing wrong and neither did anybody previous to me in the chain of Title; that was the issue.

He thinks what it really came down to was that they could not get Title insurance because no Title insurance company would insure this and every lender would require Title insurance and most owners do too if they know what they should be doing. He thinks that is probably what it really was, not really so much about the deeds. That really did not make a difference, it just allowed them to go ahead and transfer Title.

There probably was not a loan involved that allowed them to do that and he was not going to ask him about the details and it really does not matter. He thinks that is probably what it came down too, is that they could not get Title insurance. He said with this they will be able to get it.

He thinks it was better to do the variances all together because if you granted five of them and not six and would not have really helped them.

Directors Report:

Ms. Susie Morris provided a couple of updates. At the last meeting she told the Board that she was going to send the next Census meeting invitation and they should have received it in an email. The next meeting is Tuesday, October 22, 2019, and it is going to be at the Cabarrus Arena from 2:30 to 4:30 p.m. If you can attend that would be great.

We need more people to brain storm for the different types of outreach that we need for the County. The Census people have a booth set up at the fair, so if you go to the fair, she has heard that they are in the same room with where our politicians and aspiring politicians typically are, so their table is setup there, stop by and see them.

If you have not responded, she would appreciate it if you would go ahead and respond. At the next meeting we are going to take the information that we gathered at the meeting on the 14th and try to find the common challenges across all of the different groups. We will work through that and then we will go into the working groups again to try to hone in on certain things that maybe beneficial as far as targets and things that we can do for those particular groups.

The reason she needs the Board to respond is because we be providing some refreshments at that meeting and the Arena will need final numbers. It will be in the Cabarrus Room, which is the first building at the arena.

She introduced Mr. Boyd Stanley, Sr. Planner. He comes to us from Concord by way of Pulte Homes. He has a unique perspective in that he has been in government for a long time, plus he has been on the development side. He has a four year degree and a Master's degree in Public Administration.

We are working on the Zoning Enforcement position, hopefully, we will have that filled within the next 60 days.


No Legal Update

Planning and Zoning Commission Minutes
September 10, 2019

There being no further discussion, Mr. Jerry Wood, Jr. **MOTIONED, SECONDED** by Mr. James Litaker to **ADJOURN**. The vote was unanimous. The meeting ended at 7:00 p.m.

APPROVED BY:


Mr. Charles Paxton, 2nd Vice Chair



SUBMITTED BY:


Arlena B. Roberts

ATTEST BY:


Susie Morris, Planning and Zoning Manager

PLANNING STAFF REPORT
 CABARRUS COUNTY PLANNING AND ZONING COMMISSION
 09/10/2019

Staff Use Only:
 Approved: _____
 Denied: _____
 Tabled: _____

Variance: VARN2019-00003

Applicant Information: Tim Medlin, acting as agent for Brandon and Nancy Russell
 9400 Bob Beatty Road
 Charlotte, NC 28269

Owner Information: Brandon and Nancy Russell
 15060 Northgreen Drive
 Huntersville, NC 28269

PIN: 4670-59-7133

Area in Acres: +/- .2716 acres (11,831 sq. ft.)

Purpose of Request: The applicant is currently working with the property owners as their listing agent. There is an active sales contract on the subject property. During the due-diligence period prior to closing, it was discovered the existing single-family dwelling was not in compliance with the LDR zoning district.

The Cabarrus County Development Ordinance (Ordinance), specifically, Chapter 5-5(B) Dimensional Standards, requires that all single family dwellings in the Low-Density Residential District (LDR) have a minimum front yard setback of 50 feet; side yard setback of 20 feet and rear yard setback of 30'. In addition, a maximum impervious area of 20% and maximum structural coverage area of 15% is allowed.

The existing single-family home, which was built in 2004, has a front yard setback of 26.1 feet, side yard setback of 10.1 feet (south side) and 11.0 feet (north side), 31.34% total impervious area and 25.42% structural coverage. Therefore, the applicant is seeking a variance from the above-reference Ordinance requirements.

Applicant is seeking relief from the setback, impervious and structural coverage standards for the LDR zoning district.

Site Description: The subject property is occupied by a single-family dwelling and is surrounded by similar dwellings and the Skybrook Community golf course. There is no floodplain located on the subject property and it is not located in a Watershed.

Current Land Uses:	The subject property is currently being used for residential purposes.
Adjacent Land Uses:	<p>The subject property is surrounded to the</p> <ul style="list-style-type: none"> • North by residential properties, • East by residential and open-space (golf course), • South residential properties, and • West by residential properties.
Permitted Uses:	All uses in the LDR zoning district are permitted on the subject property.
Existing Zoning:	LDR (Low-Density Residential)
Surrounding Zoning:	<p>The subject property is surrounded by:</p> <ul style="list-style-type: none"> • North by Low Density Residential (LDR) • East by Low Density Residential (LDR) • South by Low Density Residential (LDR) • West by Low Density Residential (LDR)
Signs Posted:	8/26/2019
Newspaper Notification 1:	08/28/2019
Newspaper Notification 2:	09/04/2019
Notification Letters:	08/21/2019

Exhibits

- Exhibit A – Staff Report
- Exhibit B – Application
- Exhibit C – Survey
- Exhibit D – Recorded Subdivision Plat
- Exhibit E – Property Maps
- Exhibit F – Adjacent Parcel Letter & List
- Exhibit G – Variance Signs
- Exhibit H – Zoning Permit

Agency Review Comments

Emergency Services Review:

No issues from EMS (per Justin Brines, EMS Assistant Director).

Fire Review: Approved

No code related issues at this time. (per Matthew Hopkins, Assistant Fire Marshal).

NCDOT Review: Approved

That is fine. (per Marc Morgan, NCDOT)

Sherriff's Department Review:

No Comments (per Ray Gilleland, Lieutenant Sherriff).

Zoning Review: Approved

See staff report (per Boyd Stanley, Sr. Planner)

History / Other Information

- The subject property is currently zoned LDR and has been occupied by a single-family dwelling since 2004.
- The subject property is located in Skybrook, backs up to the golf course, and is approximately .2716 acres (11,831 square feet) in size.
- The existing house is being sold and the issue of it being constructed within the required front setback was discovered during the contract due-diligence period.
 - Upon further research of the property, it was determined the existing single-family house also does not comply with LDR side yard setbacks, structural or overall impervious coverage standards.
- Applicant contends that the requested variances would allow for the sale of the property with a clean warranty deed as it would be in compliance with the current setback, impervious and structural coverage requirements.
- The sale of the property is currently on hold pending the outcome of the variance hearing as the warranty deed is the desired method of transfer.
- Applicant contends that there was no prior knowledge of the encroachments or overages until the property owner started the process of selling the house. The current property owners are the original owners of the home and purchased the home from the builder, Saussy Burbank.
- The subject property was originally zoned MDR (Medium-Density Residential) when Skybrook was developed.
 - The setbacks for the development, under MDR zoning, were 30 feet front, 5 feet for each side and 25 feet for the rear. These setbacks were shown on the plat that was recoded and established the same building envelop for all of the lots in this particular part of the development. (See Plat)
 - The recorded plat had a note that allowed for 50% of the lots to exercise a flexible setback option using "customized" subdivision design standards. (See Plat)

- The setback used for individual lot development was determined by the developer. Setbacks for the applicable lot were to be established on the plat or on the plot plan during the zoning permitting process.
- The county has no record of whether or not this particular lot was required to meet the setbacks for the MDR district when it was developed or if the flexible setback option was exercised by developer for construction of the home.
- The zoning permit that was issued lists the minimum setbacks as 30 feet for the front, 5 feet for the sides and 25 feet for the rear. Based on the survey provided, the structure was not built according to the setbacks identified on the permit that was issued.
- The current setbacks for the property in the LDR district are 50 feet front, 20 feet side and 30 feet rear.
 - The setbacks for the existing house according to the survey provided are as follows:
 - 26.1 feet on the front, which is a 23.9 foot encroachment into the required 50 foot setback.
 - 10.1 feet on the south side which is a 9.9 foot encroachment into the required 20 foot side setback.
 - 11.0 feet side on the north side which is a 9 foot encroachment into the required 20 foot setback.
 - 50.2 feet rear setback to the primary structure which complies with the required 30 foot setback. Per Chapter 6, Section 6-14, Setback Encroachments, uncovered, unenclosed decks may encroach into the required setbacks but cannot be any closer than 5 feet to the property line. The deck appears to comply as it sits outside of the 25 foot setback that is shown on the plot plan.
- Under the previous MDR zoning, a maximum of 20% impervious ($20\% \times 11,831 = 2,366.2$ SF) and 15% structural coverage ($15 \times 11,831 = 1,774.65$ SF) are permissible.
- Under current LDR zoning, a maximum of 20% impervious and 15% structural coverage are permissible.
 - Current impervious coverage is 31.34% or 3,707.84 SF which is approximately 1,341 SF over what is permitted.
 - Current structural coverage is 25.42% or 3,007 SF which is approximately 1,232.35 SF over what is permitted.

Conditions of Approval

Should the Board of Adjustment grant approval of this variance, the following conditions should be considered as part of the approval and case record:

- The Granting Order, stating restrictions and applicable conditions of approval, shall be recorded with the deed of the property.



CABARRUS COUNTY VARIANCE APPLICATION

STAFF USE ONLY:

Application/Accela#: _____

Reviewed by: _____

Date: _____

Amount Paid: _____

INSTRUCTIONS/PROCEDURES:

1. Schedule a pre-application meeting with Staff. During this meeting, Staff will assess the proposed variance request to evaluate options that may be available to you through the zoning ordinance. If it is necessary to proceed with the request, Staff will explain the procedures and requirements, including the thresholds of consideration for Variance requests.

2. Submit a complete application to the Planning Division. All applications must include the following:

- Cabarrus County Land Records printout of all adjacent property owners. This includes properties located across the right-of-way and all on-site easement holders. The list must include owner name, address, and Parcel Identification Number.
- A recent survey or legal description of the property.

- provided* ➔ 18 folded copies of the proposed site plan. At a minimum, the site plan shall show the following:
- ✓ The subject property and any adjacent properties. *Both Adjacent + X Street neighbors provided*
 - ✓ All existing buildings, including setbacks from property lines. *N/A*
 - ✓ All proposed buildings, parking facilities and accessory uses, including setbacks from property lines (if applicable). *N/A*
 - ✓ The location and type of screening and buffering proposed (if applicable). *N/A*
 - ✓ Impervious surface ratio (if applicable). *provided*
 - ✓ Waterbody buffers (if applicable). *N/A*
 - Delineation of the proposed Variance on the site plan so that type of variance the applicant is seeking is clear. (This may be accomplished by submitting two site plans. One to show the requirements of the ordinance and a second to show what the variance request will achieve.) *N/A*
 - Any additional item(s) that should be illustrated on the plan as determined during the pre-application meeting. *Summary page explaining all requests*
 - Any additional documents essential for the application to be considered complete. (Determined at pre-application meeting)

3. Submit cash, check, or money order made payable to Cabarrus County.

Fees: Residential Variance request = \$500.00 or Non-residential Variance request = \$600.00
plus 3% technology fee based on total application fee

The deadline for submittal is always the same day as the Planning and Zoning Commission Meeting which is the second Tuesday of the month. Applications must be submitted before 2:00 PM that day for consideration on the next available agenda.

Incomplete applications will be returned to the applicant and will not be processed.

PROCESS SUMMARY:

1. Hold a pre-application meeting with Staff to discuss your request and the variance process.
2. Submit a complete application with the appropriate fees to the Cabarrus County Planning Division.
3. When the complete application is received, Staff and appropriate agents will review the application and site plan and will make comments on the proposed request.

TO THE BOARD OF ADJUSTMENT

I, Tim Medlin, HEREBY PETITION THE BOARD OF ADJUSTMENT FOR A **VARIANCE** FROM THE LITERAL PROVISIONS OF THE **ZONING ORDINANCE**. UNDER THE INTERPRETATION GIVEN TO ME BY THE ZONING ADMINISTRATOR, I AM PROHIBITED FROM USING THE AFOREMENTIONED PARCEL OF LAND. I REQUEST A **VARIANCE** FROM THE FOLLOWING PROVISION(S) OF THE ORDINANCE.

The following information shall be completed by applicant(s) seeking a variance:

1. Variance Request Including Related Zoning Ordinance Section(s)

Section: ZONING ORDINANCE Chapter Five Dimensional Requirements
ATTACHED as Exhibit 1 + 1A

2. Reason(s) for Seeking a Variance

current owners are seeking variance(s) to bring home into
compliance w/ current zoning restrictions that will allow
for proper & legal transfer of title

FACTORS RELEVANT TO THE ISSUANCE OF A VARIANCE:

The Board of Adjustment does not have unlimited discretion in deciding whether to grant a Variance. Direction is received by both state legislation and local ordinance. Under the state enabling act, the Board is required to reach four (4) conclusions as a prerequisite to the issuance of a Variance:

1. Unnecessary hardship would result from the strict application 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.
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.
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.
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.

In order to make its determination, the Board will review the evidence submitted in this application as well as receive public comment during the scheduled public hearing. This application will be entered into the official record of the public hearing.

THE RESPONSIBILITY FOR PRESENTING EVIDENCE TO SUPPORT THE VARIANCE REQUEST, AS DESCRIBED DURING THE MEETING AND TO THE BOARD OF ADJUSTMENT, LIES COMPLETELY WITH THE APPLICANT.

FINDING OF FACT CHECKLIST

Please provide an explanation to each point in the space provided.

1. The alleged hardships or practical difficulties are unique and singular to the property of the person requesting the variance and are not those suffered in common with other property similarly located.

(The problem must be unique to the property and not a public hardship and must apply to the property, not the property owner).

This property needs adjustments @ all four sides to be brought into LDR
compliance as per current zoning - Front 26.1' to 50' - Sides to a total
of 40' currently (11.0 + 10.1) 21.1 Total Back to 50' currently has back deck in setback
Impervious 31% now to 20% Structural 25% now to 15%

2. The alleged hardships and practical difficulties, which will result from failure to grant the variance, extend to the inability to use the land in question for any use in conformity with the provisions of the ordinance and include substantially more than mere inconvenience and inability to attain a higher financial return.

(This often will be the most difficult area in which to make a determination. The issue, as established by court decisions, deals with the nebulous term of "reasonableness." Generally, if the variance is sought to make a greater profit on this property at the expense of others in the area, this point cannot be met. This item is best reviewed with the concept of, "is the property barred from a reasonable use if the strict terms of the ordinance are adhered to"?)

This is a strict matter of conveying real property in a
legal, honest, and straightforward manner period!! In fact
there is a contract in place for SUBSTANTIALLY less than
list price already. NOT FINANCIAL GAIN ONLY PROPER "CONDUCT
OF TRANSACTION"

3. The variance, if allowed, will not substantially interfere with or injure the rights of others whose property would be affected by allowance of the variance.

(This is a second way to address reasonableness. This is also where the issue of "where did the hardship originate from?" should be addressed. Self-inflicted hardships should be carefully reviewed for reasonableness.)

The builder, Savussy Burbank, was supposedly allowed to identify
& be allowed to build 50% of the ~~the~~ takedowns as this
house was... These lots, as per Cal. County zoning, were never
identified. It is the seller's belief that this is one of the lots.

4. The variance is in harmony with and serves the general intent and purpose of the ordinance.
(If a variance is granted, is the overall "spirit" of the zoning ordinance still intact? While difficult to explain, some types of variance are usually not in accord with the general intent and purpose of the ordinance and therefore must be cautiously reviewed. These often include extending a non-conforming use in scope, a use variance (clearly not allowed), and modifying a dimensional standard so as to the detriment of a neighborhood or area. The second part relates to the question, if granted will the spirit of the adopted plan for proper development of the neighborhood or area be compromised?)

Actually variance approval will allow home to be in accordance w/ original Approval - That being all homes should be in AS CLOSE ALIGNMENT W/ EACH OTHER AS POSSIBLE!! ← This is to create a uniformity as you look down the street

5. The variance will result in substantial justice being done, considering both the public benefits intended to be secured by this ordinance and the individual hardships that will be suffered by a failure of the Board to grant a variance.
(This is the final way to address reasonableness via common sense. Simply put, does the variance make sense? Will its approval or denial endanger any one? Will the essential character of the area be altered if approved or denied?)

Variations will result in correcting the hardship imposed ~~upon~~ onto the owners (original) by the builder. Absolute Substantial Justice would be obtained by the approval of these requests!

POSSIBLE CONDITIONS, SUGGESTED BY THE APPLICANT:

If the Board of Adjustment finds that a variance may be in order but the Board still has concerns in granting the variance, reasonable conditions can be imposed to assure that any of the five points will continue to be met and not violated. In your review of the five points, are there any conditions that you believe would clarify the justification of a variance? If so, suggest these conditions in the space below.

Nothing would change as the house will not be "de-constructed"

(See Attachments Incl. Explanation)

I CERTIFY THAT ALL OF THE INFORMATION PRESENTED BY ME IN THIS APPLICATION IS, TO THE BEST OF MY KNOWLEDGE, TRUE AND CORRECT.

SIGNATURE OF OWNER: R. Brandon Russell DATE: 8-13-19

Warry M Russell 8-19-19

SIGNATURE OF APPLICANT: [Signature] DATE: 8/12/19

When this home was built by Saussy Burbank in 2004...
It is alleged that said builder would be allowed to
use 50% of the properties irregardless to setbacks to
create a "street of uniformity" I.E. a street where all
the homes appeared to be aligned w/ the front of each other.

TWO PROBLEMS currently presented:

#1 NO RECORDS CURRENTLY EXIST (According to
Cab. County
Zoning)

#2 The Lots were never identified

The current (also original) owners never understood
their home may have been in the setback.

The current (also original) owners ~~were~~ never were
properly explained why or what a "Special
Warranty Deed" in fact consisted of.

All the sellers are requesting is a granting
of their "variance request" so they may
convey title in a proper and best legal
manner.

Thank you!

Tim Medlin



Southern Homes
of The Carolinas
Experienced. Professional. Realtors.

Tim Medlin
Realtor®/Broker

704-699-9441

brokertim.medlin@gmail.com

Vicki Medlin
Realtor®/Broker

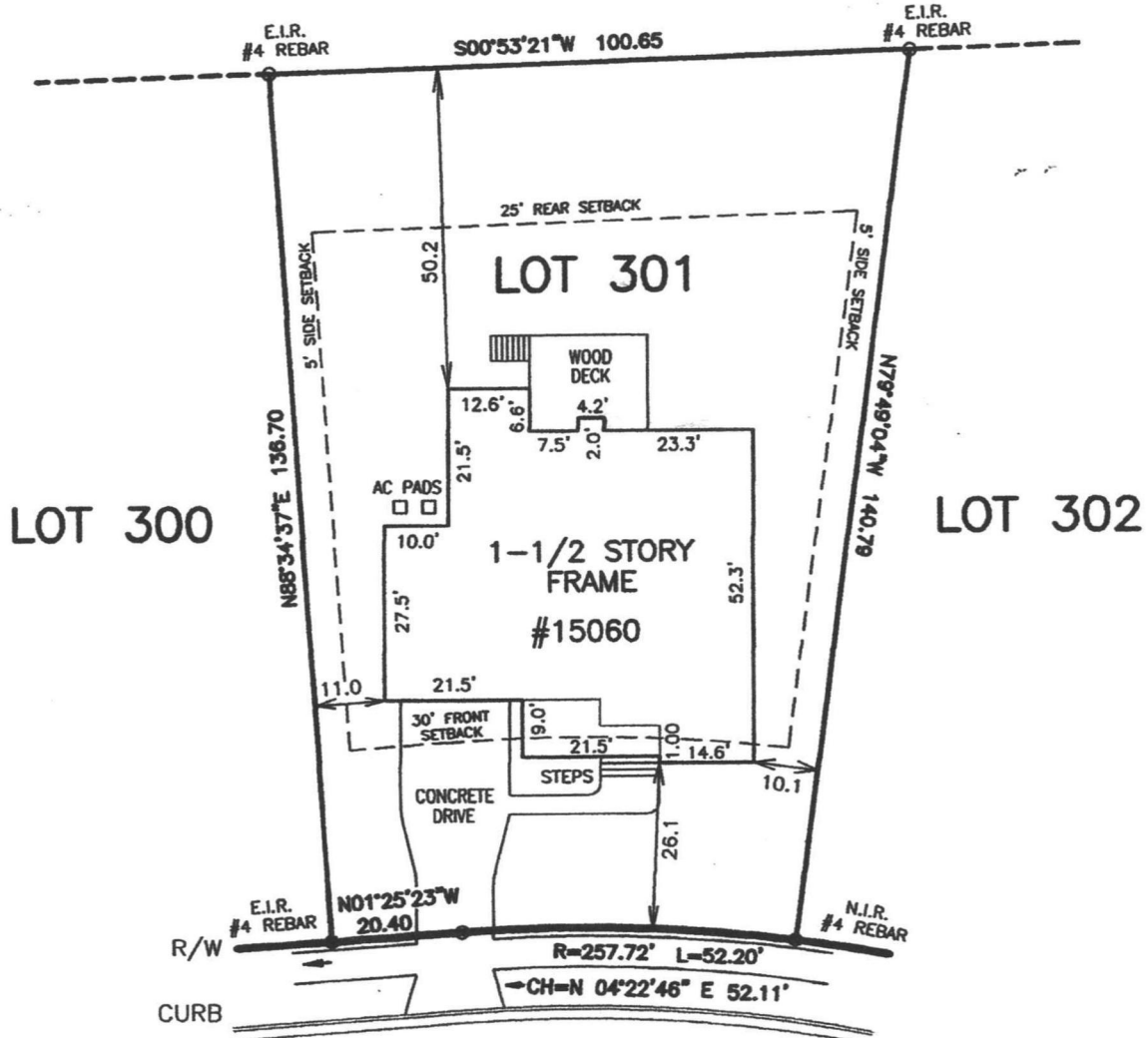
704-640-2477

brokervicki.medlin@gmail.com

7752 Gateway Ln NW Suite 200, Concord NC, 28027



NOW OR FORMERLY
REES 34, LLC.
DEED: 2782-161
PIN # 4670-57-2159
ZONED MDR



NORTHGREEN DRIVE

50' PUBLIC R/W
MAP BOOK 43, PAGE 107

AREA
11,831 SQ.FT.
OR 0.2716 ACRE

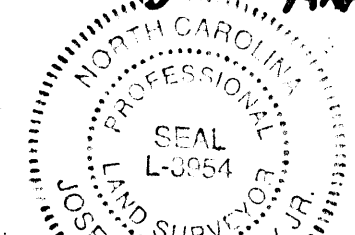
SURVEY OF
LOT 301, SKYBROOK, PHASE 9, MAP 1

B. PHARR & ASSOCIATES
PROFESSIONAL SURVEYORS
19801 S. MAIN STREET
CORNELIUS, NC 28031
TEL: 704-895-1730
FAX: 704-895-1964

TOWNSHIP #3, CABARRUS COUNTY, N.C.
PREPARED FOR
BRANDON RUSSELL & NANCY RUSSELL

REFERENCE:			
PLAT BOOK 43, PAGE 107			
TAX PARCEL:			
4670597133			
CREW:	DRAWN:	REVISED:	JOB NUMBER:
JLW	JLW		63378

I, JOSEPH E. WHALEY JR., STATE THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 2688, PAGE 185); THAT THE RATIO OF PRECISION AS CALCULATED IS IN EXCESS OF 1:10000; WITH A MAXIMUM FIELD ERROR OF ANGULAR CLOSURE OF 7 1/2 SEC. PER ANGLE; THAT THIS PLAT IS OF A SURVEY THAT CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 5TH DAY OF MARCH, A.D. 2004.



REVIEW OFFICER OF CABARRUS COUNTY CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

Jonathan Marshall NRS
DATE 3/10/04

LEGEND
CM - CONTROL MONUMENT
MB - MAP BOOK
MAX. BTL - MAXIMUM BUILD-TO-LINE
MIN. BTL - MINIMUM BUILD-TO-LINE
PDE - PUBLIC DRAINAGE EASEMENT
R/W - RIGHT-OF-WAY
SAN. SEW. R/W - SANITARY SEWER RIGHT-OF-WAY
FLOOD PROTECTION ELEVATION
ULTIMATE FLOOD ELEVATION PLUS 1 FOOT
ST - 10X70 SIGHT TRIANGLE
ST2 - 35X35 SIGHT TRIANGLE

NOTES

IRON PINS ON ALL CORNERS UNLESS OTHERWISE NOTED.
THIS PROPERTY MAY BE SUBJECT TO ANY OTHER RIGHTS-OF-WAY AND EASEMENTS OF RECORD.
AREAS WERE CALCULATED BY COORDINATE METHOD.
ALL RIGHTS-OF-WAY SHOWN SHALL BE PUBLIC AND DEDICATED RIGHTS-OF-WAY.
ALL ON-SITE WASTE DISPOSAL (STUMPHOLES) REQUIRES PRIOR APPROVAL FROM THE MECKLENBURG COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION (MDEP) AND THE ISSUANCE OF A LAND USE PERMIT FROM THE MECKLENBURG COUNTY ZONING ADMINISTRATOR.
PIPE SYSTEMS AND/OR CHANNELS LOCATED WITHIN PUBLIC STORM DRAINAGE EASEMENTS ARE THE MAINTENANCE RESPONSIBILITY OF THE INDIVIDUAL PROPERTY OWNER.
DISTANCES SHOWN ARE GROUND DISTANCES.
TO CONVERT TO GRID DISTANCES APPLY THE COMBINED GRID FACTOR OF 0.9998495.
B.F.E. - BASE FLOOD ELEVATION (100 YEAR FLOOD ELEVATION)
ANY CONSTRUCTION OR USE WITHIN THE AREAS DELINEATED AS FLOODWAY FRINGE DISTRICT BOUNDARY LINE OR FLOODWAY DISTRICT ENCROACHMENT LINE IS SUBJECT TO THE RESTRICTIONS IMPOSED BY THE FLOODWAY REGULATIONS OF MECKLENBURG COUNTY.
ANY BUILDING WITHIN THE 100-YEAR FLOODLINE FLOODLINE IS SUBJECT TO THE RESTRICTIONS OF THE (TOWN OF HUNTERVILLE/MECKLENBURG COUNTY) SUBDIVISION ORDINANCE, SECTION 7.200.8.
THE CONSTRUCTION OF BUILDINGS OR STRUCTURES BELOW THE ELEVATION OF THE BUILDING RESTRICTION FLOODLINE IS SUBJECT TO THE RESTRICTIONS IMPOSED BY SECTION 7.200.8 OF THE MECKLENBURG COUNTY ZONING ORDINANCE.
VEGETATION WITHIN PLANTING STRIPS IN RIGHT-OF-WAY TO BE MAINTAINED BY THE PROPERTY OWNER(S) OR THE SKYBROOK COMMUNITY ASSOCIATION.

CERTIFICATE OF OWNERSHIP AND DEDICATION
I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON, WHICH IS LOCATED IN THE SUBDIVISION JURISDICTION OF CABARRUS COUNTY, AND THAT I HEREBY SUBMIT THIS PLAN OF SUBDIVISION ON THIS PLAT AS STREETS, WALKS, PARKS, OPEN SPACE AND EASEMENTS, EXCEPT THOSE SPECIFICALLY INDICATED AS PRIVATE, AND THAT I WILL MAINTAIN ALL SUCH AREAS UNTIL ACCEPTED BY CABARRUS COUNTY, AND FURTHER THAT I HEREBY GUARANTEE THAT I WILL CORRECT DEFECTS OF FAILURES OF IMPROVEMENTS IN SUCH AREAS FOR A PERIOD OF ONE (1) YEAR COMMENCING AFTER A CERTIFICATE OF APPROVAL HAS BEEN EXECUTED BY THE COUNTY, OR AFTER FINAL ACCEPTANCE OF REQUIRED IMPROVEMENTS, WHICHEVER OCCURS LATER.

OWNER *John T. Colby III*

APPROVED IN ACCORDANCE WITH THE ENGINEERING REQUIREMENTS OF THE SUBDIVISION ORDINANCE OF MECKLENBURG COUNTY, NORTH CAROLINA.
MECKLENBURG COUNTY ENGINEERING DEPT.
W. Brantley 3-8-04
ENGINEERING STAFF DATE

REVIEW OFFICER OF MECKLENBURG COUNTY CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.
Lori Tomaszewski 3-9-04
REVIEW OFFICER DATE

DEVELOPMENT DATA - CABARRUS COUNTY PRELIMINARY PLAN APPROVED ON 1-19-99
PROPERTY ZONED MDR

Setback Note:
The medium density residential zoning ordinance allows for 50% of all of the Lots of Skybrook Ph. 6 & 8 to have all flexible setbacks, including front setbacks of less than 30 feet. The remaining 50% of the lots will have 30 feet or greater front setbacks. Developer and builder will coordinate the determination of which lots will be designated as flex lots based on lot constraints and/or developer and builder needs.

3) IF A CORNER LOT IS NOT BORDERED BY A LOT TO ITS REAR, THE REQUIRED SIDE YARD OF THE CORNER LOT SHALL BE AT LEAST 50 PERCENT OF ITS FRONT SETBACK AS MEASURED FROM THE ACTUAL HOUSE FRONT TO THE STREET RIGHT-OF-WAY.

4) BUILD-TO-LINE DEFINITION - A LINE EXTENDING THROUGH A LOT WHICH IS GENERALLY PARALLEL TO THE FRONT PROPERTY LINE AND MARKS THE LOCATION FROM WHICH THE PRINCIPLE VERTICAL LINE OF THE FRONT BUILDING ELEVATION MUST BE ERRECTED; INTENDED TO CREATE AN EVEN BUILDING FACADE LINE ON A STREET.

44 STREET TREES ON THIS PLAT
DEVELOPMENT DATA - TOWN OF HUNTERVILLE ZONED R (RURAL)

LOTS 465-474 &
85' LOTS - BUILD TO LINE - 20' MINIMUM
35' MAXIMUM
95' LOTS - BUILD TO LINE - 30' MINIMUM
50' MAXIMUM
MINIMUM REAR YARD SIDE YARDS

GARAGE CAN BE SIDELOADED
RECESS GARAGE 10' BEHIND BUILDING FACADE IF FRONT LOADED
FRONT LOADED GARAGE MUST BE RECESSED 10' MIN FROM PRIMARY PLANE OF HOUSE
STREET TREES TO BE PLANTED 40' ON CENTER ON BOTH SIDES OF STREETS.

LOTS ON CUL-DE-SACS & CURVES MUST BE WIDER THAN 60' AT BUILD-TO-LINE TO BE FRONT LOADED.

DEED: 2688-185
PIN # 4670-47-0184
ZONED MDR

CERTIFICATE OF APPROVAL BY THE PLANNING AND ZONING DIRECTOR
Jonathan Marshall DIRECTOR OF THE CABARRUS COUNTY PLANNING AND ZONING DEPARTMENT HEREBY APPROVE THE FINAL PLAT OF THE SUBDIVISION ENTITLED "SKYBROOK PHASE 9 MAP 1" ON THE 10TH DAY OF MARCH, OF THE 2004 YEAR.
Jonathan Marshall
DIRECTOR

CERTIFICATE OF APPROVAL OF STREETS AND STREET DRAINAGE PLANS
DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS
PROPOSED SUBDIVISION ROADS
CONSTRUCTED STANDARDS CERTIFICATION
APPROVED 03/10/04
DATE
DISTRICT ENGINEER

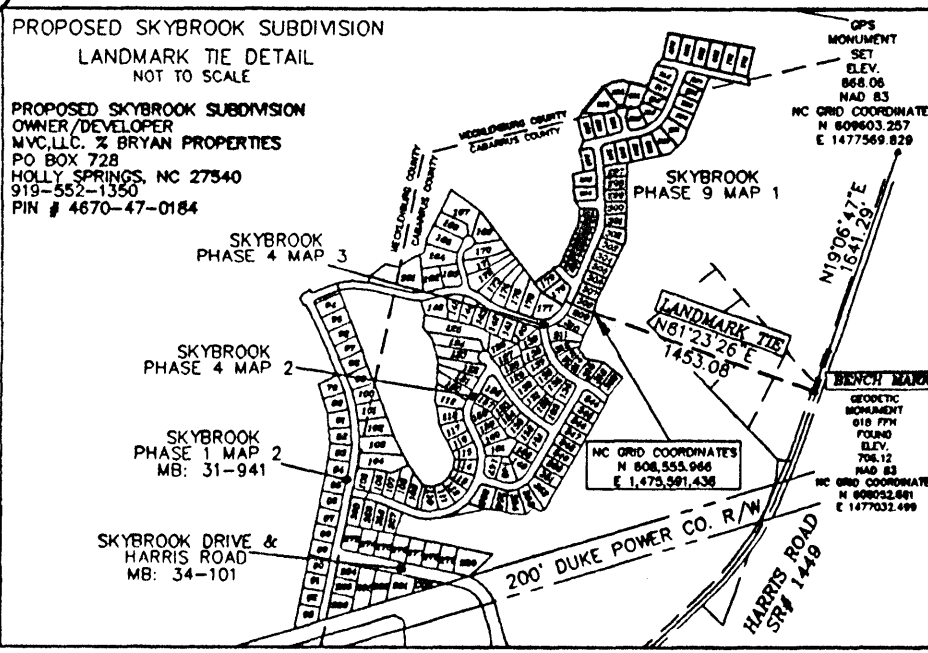
VINTAGE HILL LANE
50' PUBLIC R/W

NORTHGREEN DRIVE
50' PUBLIC R/W

SKYBROOK PHASE 4 MAP 3 MB:40-107
SKYBROOK PHASE 3 MAP 3 MB:40-107
SKYBROOK PHASE 2 MAP 3 MB:40-107
SKYBROOK DRIVE & HARRIS ROAD MB: 34-101

OFFICE REGISTER OF DEEDS
CABARRUS COUNTY, N.C.
Filed for Registration on the
14th day of March 2004
at 9:05 o'clock a.m.
and registered in Record Book
No. 43 Page 107

FILED FOR REGISTRATION
MAR 10 2004
AT 9:52 PM
JENNIFER A. MCKIN
MECKLENBURG COUNTY, N.C.
REGISTER OF DEEDS



APPROVED IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE TOWN OF HUNTERVILLE.
3-9-04 *Lori Tomaszewski*
DATE PLANNER TOWN OF HUNTERVILLE

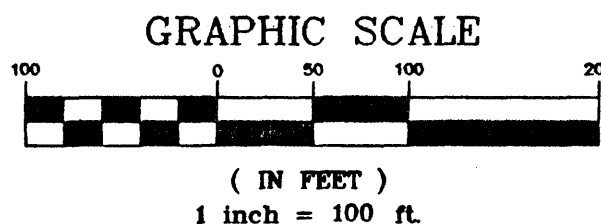
CERTIFICATE OF ROAD MAINTENANCE
A. I (WE) HEREBY CERTIFY THAT I (WE) WILL MAINTAIN THE ROADS TO THE STANDARDS SET FORTH BY THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION UNTIL THE RESPECTIVE GOVERNMENTAL AGENCY TAKES OVER THIS RESPONSIBILITY. (THIS DOES NOT INCLUDE REMOVAL OF SNOW OR ICE.)
DATE *John T. Colby III*
OWNER(S)
B. ROAD MAINTENANCE SHALL HEREBY BE THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION AND ROADS SHALL BE MAINTAINED TO THE MINIMUM STANDARDS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION UNTIL THE RESPECTIVE GOVERNMENTAL AGENCY TAKES OVER THIS RESPONSIBILITY. THE ROAD MAINTENANCE AGREEMENT IS RECORDED IN DEED BOOK _____ PAGE _____ OF THE CABARRUS COUNTY REGISTER OF DEEDS.
DATE *John T. Colby III*
OWNER/DEVELOPER

NOW OR FORMERLY MVC, LLC
DEED: 2688-185

NOW OR FORMERLY REES 34, LLC
DEED: 2782-161
PIN # 4670-57-2159
ZONED MDR

NOW OR FORMERLY MVC, LLC
DEED: 2688-185

CURVE	RADIUS	LENGTH	CHORD	BEARING	DELTA
C2	257.72	56.88	56.77	N16°30'20"E	12°38'48"
C3	257.72	52.20	52.11	N04°24'46"E	11°36'19"
C4	1283.53	16.93	16.93	N01°30'44"W	0°50'42"
C5	1283.53	78.18	78.17	N04°00'46"W	3°28'24"
C6	1283.53	107.57	107.54	N08°09'33"W	4°48'07"
C7	25.00	38.31	34.67	N33°20'41"E	87°48'37"
C8	275.00	62.99	62.85	N70°41'16"E	12°07'27"
C9	275.00	76.89	76.84	N58°06'57"E	18°01'11"
C10	275.00	76.89	76.84	N40°05'48"E	18°01'11"
C11	275.00	46.45	46.39	N27°14'31"E	9°40'39"
C12	598.06	16.97	16.97	N12°32'22"E	1°04'08"
C13	598.06	45.16	45.17	N10°06'16"E	4°24'07"
C14	25.00	37.23	33.88	N59°35'55"E	85°19'19"
C15	25.00	41.71	37.04	N28°56'39"W	95°35'34"
C16	536.06	42.79	42.78	N20°07'50"E	4°33'24"
C17	225.00	18.30	18.30	N24°44'21"E	4°39'39"
C18	225.00	144.01	141.56	N45°24'18"E	36°40'14"
C19	225.00	53.05	52.93	N70°29'42"E	13°30'34"
C20	25.00	36.27	35.36	S87°45'00"E	80°00'00"
C21	25.00	20.15	19.61	N10°02'36"E	48°11'13"
C22	40.00	33.32	32.37	N08°24'22"E	47°43'42"
C23	40.00	41.24	39.44	S43°49'43"E	89°04'27"
C24	40.00	37.09	35.78	N80°04'10"E	83°07'48"
C25	40.00	41.74	39.87	N23°36'37"E	58°47'17"
C26	40.00	36.76	35.48	S32°36'37"E	52°39'12"
C27	25.00	20.15	19.61	S35°50'37"E	48°11'13"
C28	25.00	39.27	35.36	N32°15'00"E	90°00'00"
C29	25.00	40.30	36.08	S56°33'52"E	82°24'18"
C30	1233.53	119.49	119.45	N07°04'14"W	63°31'01"
C31	1233.53	73.32	73.31	N07°07'33"W	32°24'20"
C32	25.00	39.27	35.36	N43°34'37"E	90°00'00"
C33	25.00	39.27	35.36	N46°23'23"W	90°00'00"
C34	207.72	67.92	67.27	N10°42'10"E	24°15'07"
C35	25.00	46.43	40.04	N78°01'57"E	108°24'27"
C40	25.00	33.80	31.29	N15°24'19"W	77°28'08"



SHEET TITLE
RECORD PLAT - 16.831 ACRES

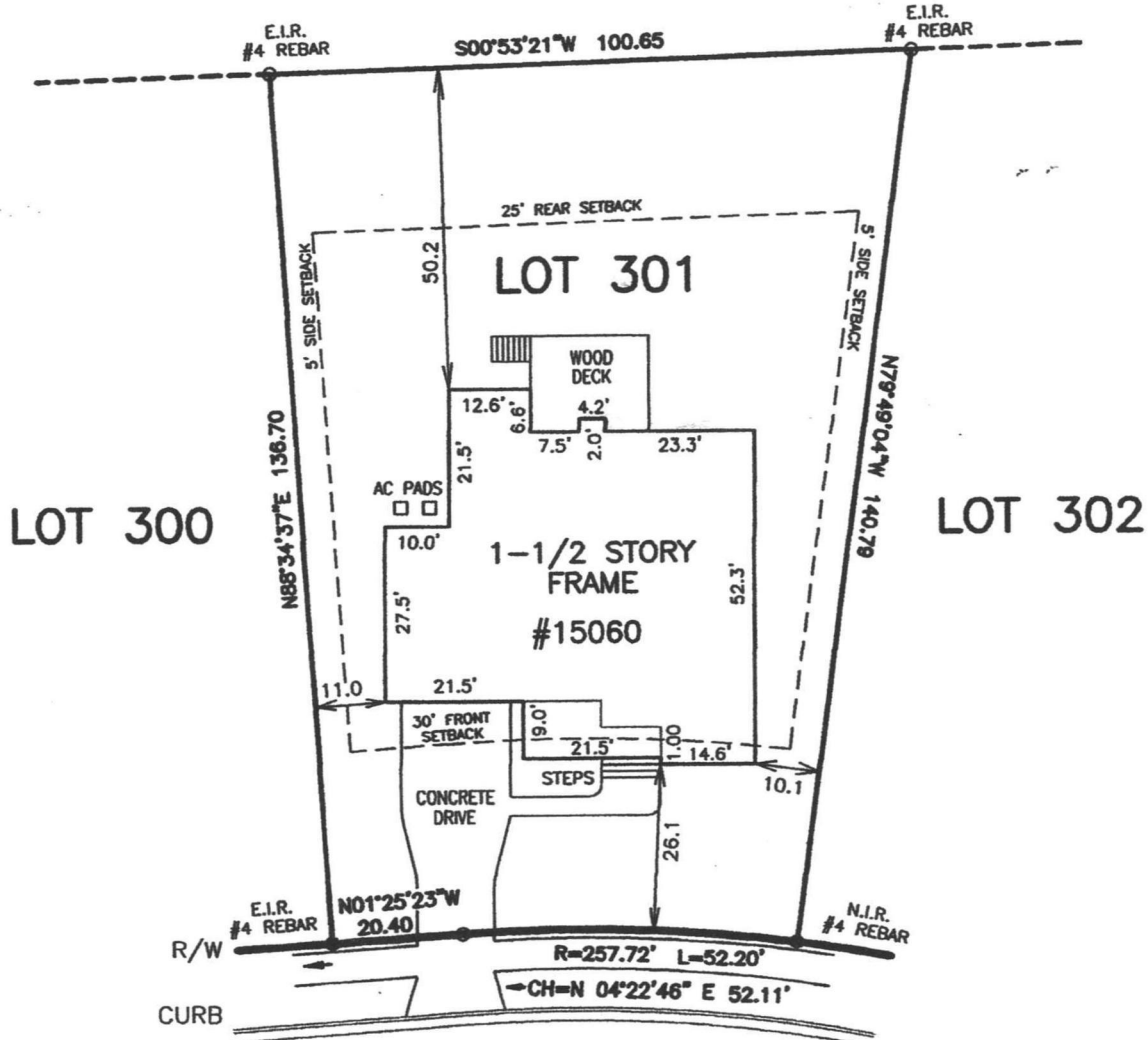
PROJECT
SKYBROOK PHASE 9 MAP 1
TOWNSHIP #3, CABARRUS COUNTY, N.C. &
HUNTERVILLE TWP., MECK. CO., N.C.
OWNER: MVC, LLC

YARBROUGH-WILLIAMS & HOULE, INC.
Planning • Surveying • Engineering
730 Windsor Oak Court Charlotte, NC 28273
704.566.1990 704.566.0505(fax)

PROJECT NO.
SCALE
1"=100'
DATE
01/06/04
DRAWN BY
JWB
CHECKED BY
JEW
ZONED
DRAWING NO.
SHT 1 OF 1 SHTS



NOW OR FORMERLY
REES 34, LLC.
DEED: 2782-161
PIN # 4670-57-2159
ZONED MDR



NORTHGREEN DRIVE

50' PUBLIC R/W
MAP BOOK 43, PAGE 107

AREA
11,831 SQ.FT.
OR 0.2716 ACRE

SURVEY OF
LOT 301, SKYBROOK, PHASE 9, MAP 1

B. PHARR & ASSOCIATES
PROFESSIONAL SURVEYORS
19801 S. MAIN STREET
CORNELIUS, NC 28031
TEL: 704-895-1730
FAX: 704-895-1964

TOWNSHIP #3, CABARRUS COUNTY, N.C.
PREPARED FOR
BRANDON RUSSELL & NANCY RUSSELL

REFERENCE:			
PLAT BOOK 43, PAGE 107			
TAX PARCEL:			
4670597133			
CREW:	DRAWN:	REVISED:	JOB NUMBER:
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 Tim Medlin



Tim Medlin
 Realtor®/Broker

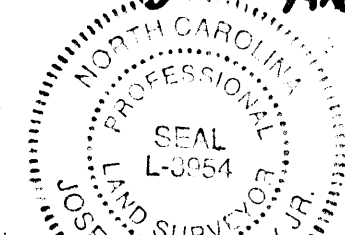
704-699-9441
 brokertim.medlin@gmail.com

7752 Gateway Ln NW Suite 200, Concord NC, 28027

Vicki Medlin
 Realtor®/Broker

704-640-2477
 brokervicki.medlin@gmail.com

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DATE 3/10/04

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AREAS WERE CALCULATED BY COORDINATE METHOD.
ALL RIGHTS-OF-WAY SHOWN SHALL BE PUBLIC AND DEDICATED RIGHTS-OF-WAY.
ALL ON-SITE WASTE DISPOSAL (STUMPHOLES) REQUIRES PRIOR APPROVAL FROM THE MECKLENBURG COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION (MDEP) AND THE ISSUANCE OF A LAND USE PERMIT FROM THE MECKLENBURG COUNTY ZONING ADMINISTRATOR.
PIPE SYSTEMS AND/OR CHANNELS LOCATED WITHIN PUBLIC STORM DRAINAGE EASEMENTS ARE THE MAINTENANCE RESPONSIBILITY OF THE INDIVIDUAL PROPERTY OWNER.
DISTANCES SHOWN ARE GROUND DISTANCES.
TO CONVERT TO GRID DISTANCES APPLY THE COMBINED GRID FACTOR OF 0.9998495.
B.F.E. - BASE FLOOD ELEVATION (100 YEAR FLOOD ELEVATION)
ANY CONSTRUCTION OR USE WITHIN THE AREAS DELINEATED AS FLOODWAY FRINGE DISTRICT BOUNDARY LINE OR FLOODWAY DISTRICT ENCROACHMENT LINE IS SUBJECT TO THE RESTRICTIONS IMPOSED BY THE FLOODWAY REGULATIONS OF MECKLENBURG COUNTY.
ANY BUILDING WITHIN THE 100-YEAR FLOODLINE FLOODLINE IS SUBJECT TO THE RESTRICTIONS OF THE (TOWN OF HUNTERVILLE/MECKLENBURG COUNTY) SUBDIVISION ORDINANCE, SECTION 7.200.8.
THE CONSTRUCTION OF BUILDINGS OR STRUCTURES BELOW THE ELEVATION OF THE BUILDING RESTRICTION FLOODLINE IS SUBJECT TO THE RESTRICTIONS IMPOSED BY SECTION 7.200.8 OF THE MECKLENBURG COUNTY ZONING ORDINANCE.
VEGETATION WITHIN PLANTING STRIPS IN RIGHT-OF-WAY TO BE MAINTAINED BY THE PROPERTY OWNER(S) OR THE SKYBROOK COMMUNITY ASSOCIATION.

CERTIFICATE OF OWNERSHIP AND DEDICATION
I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON, WHICH IS LOCATED IN THE SUBDIVISION JURISDICTION OF CABARRUS COUNTY, AND THAT I HEREBY SUBMIT THIS PLAN OF SUBDIVISION ON THIS PLAT AS STREETS, WALKS, PARKS, OPEN SPACE AND EASEMENTS, EXCEPT THOSE SPECIFICALLY INDICATED AS PRIVATE, AND THAT I WILL MAINTAIN ALL SUCH AREAS UNTIL ACCEPTED BY CABARRUS COUNTY, AND FURTHER THAT I HEREBY GUARANTEE THAT I WILL CORRECT DEFECTS OF FAILURES OF IMPROVEMENTS IN SUCH AREAS FOR A PERIOD OF ONE (1) YEAR COMMENCING AFTER A CERTIFICATE OF APPROVAL HAS BEEN EXECUTED BY THE COUNTY, OR AFTER FINAL ACCEPTANCE OF REQUIRED IMPROVEMENTS, WHICHEVER OCCURS LATER.

OWNER *John T. Colby III*

APPROVED IN ACCORDANCE WITH THE ENGINEERING REQUIREMENTS OF THE SUBDIVISION ORDINANCE OF MECKLENBURG COUNTY, NORTH CAROLINA.
MECKLENBURG COUNTY ENGINEERING DEPT.
W. Brantley 3-8-04
ENGINEERING STAFF DATE

REVIEW OFFICER OF MECKLENBURG COUNTY CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.
Lori Tomaszewski 3-9-04
REVIEW OFFICER DATE

DEVELOPMENT DATA - CABARRUS COUNTY PRELIMINARY PLAN APPROVED ON 1-19-99
PROPERTY ZONED MDR

Setback Note:
The medium density residential zoning ordinance allows for 50% of all of the Lots of Skybrook Ph. 6 & 8 to have all flexible setbacks, including front setbacks of less than 30 feet. The remaining 50% of the lots will have 30 feet or greater front setbacks. Developer and builder will coordinate the determination of which lots will be designated as flex lots based on lot constraints and/or developer and builder needs.

MECKLENBURG COUNTY & CABARRUS COUNTY LINE AS SHOWN PER RESOLUTION 2002-42 BY THE CABARRUS COUNTY BOARD OF COMMISSIONERS RESOLVING THE MECKLENBURG COUNTY CABARRUS COUNTY LINE LOCATION.

TOWN OF HUNTERVILLE GENERAL NOTES ZONED R (RURAL)
SIDE YARD DIMENSIONS FOR CORNER LOTS:
1) IF TWO CORNER LOTS ARE SEPARATED BY A COMMON REAR LOT LINE, THE COMMON SIDE YARDS OF THE LOTS ON THE STREET MUST BE AT LEAST 50 PERCENT OF THE GREATER OF THE TWO FRONT SETBACKS, EXISTING OR REQUIRED.
2) IN ANY DISTRICT, WHERE THE SIDE LOT A CONTINUATION OF THE FRONT LOT LINE OF THE LOT TO YARD SHALL (A) BE AT LEAST 50% OF THE ESTABLISHED FRONT SETBACK OF THE ADJACENT LOT OR (B) ESTABLISH A TRANSITION BETWEEN EXISTING BUILDINGS BY STEPPING TOWARD OR BACK FROM THE STREET A DISTANCE EQUAL TO THE SETBACK + 1/2 OF THE DIFFERENCE BETWEEN THE SETBACKS OF THE ADJOINING BUILDINGS.
3) IF A CORNER LOT IS NOT BORDERED BY A LOT TO ITS REAR, THE REQUIRED SIDE YARD OF THE CORNER LOT SHALL BE AT LEAST 50 PERCENT OF ITS FRONT SETBACK AS MEASURED FROM THE ACTUAL HOUSE FRONT TO THE STREET RIGHT-OF-WAY.
4) BUILD-TO-LINE DEFINITION - A LINE EXTENDING THROUGH A LOT WHICH IS GENERALLY PARALLEL TO THE FRONT PROPERTY LINE AND MARKS THE LOCATION FROM WHICH THE PRINCIPLE VERTICAL OF THE FRONT BUILDING ELEVATION MUST BE ERRECTED; INTENDED TO CREATE AN EVEN BUILDING FACADE LINE ON A STREET.

DEVELOPMENT DATA - TOWN OF HUNTERVILLE ZONED R (RURAL)
LOTS 465-474 &
85' LOTS - BUILD TO LINE - 20' MINIMUM
35' MAXIMUM
95' LOTS - BUILD TO LINE - 30' MINIMUM
50' MAXIMUM
MINIMUM REAR YARD SIDE YARDS
25' 5'

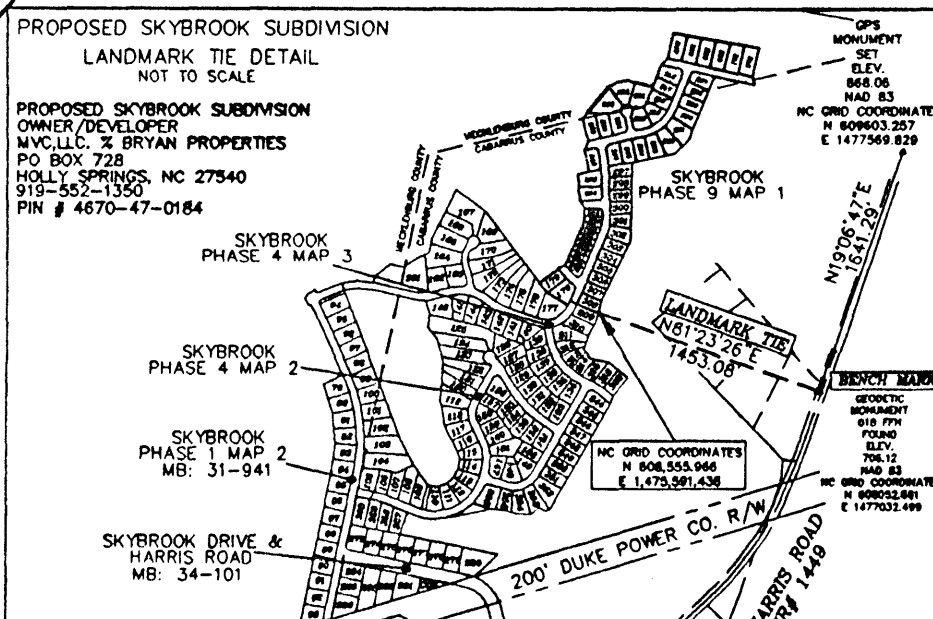
GARAGE CAN BE SIDELOADED
RECESS GARAGE 10' BEHIND BUILDING FACADE IF FRONT LOADED
FRONT LOADED GARAGE MUST BE RECESSED 10' MIN FROM PRIMARY PLANE OF HOUSE
STREET TREES TO BE PLANTED 40' ON CENTER ON BOTH SIDES OF STREETS.
LOTS ON CUL-DE-SACS & CURVES MUST BE WIDER THAN 60' AT BUILD-TO-LINE TO BE FRONT LOADED.

DEED: 2688-185
PIN # 4670-47-0184
ZONED MDR

CERTIFICATE OF APPROVAL BY THE PLANNING AND ZONING DIRECTOR
Jonathan Marshall DIRECTOR OF THE CABARRUS COUNTY PLANNING AND ZONING DEPARTMENT HEREBY APPROVE THE FINAL PLAT OF THE SUBDIVISION ENTITLED *Skybrook* ON THE 10TH DAY OF MARCH, OF THE 2004 YEAR.

CERTIFICATE OF APPROVAL OF STREETS AND STREET DRAINAGE PLANS
DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS
PROPOSED SUBDIVISION ROADS
CONSTRUCTED STANDARDS CERTIFICATION
APPROVED 03/10/04
DISTRICT ENGINEER

OFFICE REGISTER OF DEEDS
CABARRUS COUNTY, N.C.
Filed for Registration on the 14th day of March 2004
at 9:05 o'clock a.m.
and registered in Record Book No. 43 Page 107

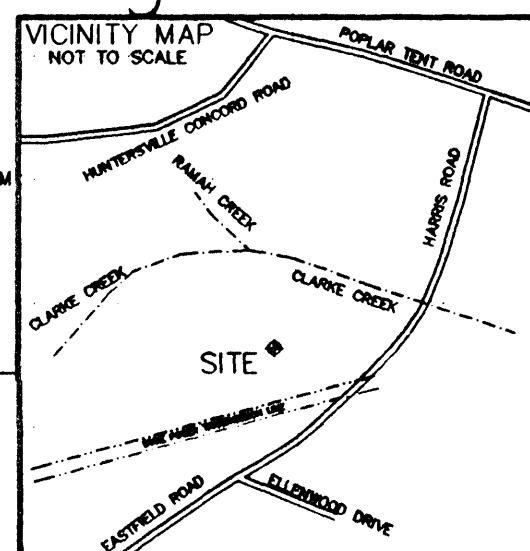


APPROVED IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE TOWN OF HUNTERVILLE.
3-9-04 *Lori Tomaszewski*
DATE PLANNER TOWN OF HUNTERVILLE

CERTIFICATE OF ROAD MAINTENANCE
A. I (WE) HEREBY CERTIFY THAT I (WE) WILL MAINTAIN THE ROADS TO THE STANDARDS SET FORTH BY THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION UNTIL THE RESPECTIVE GOVERNMENTAL AGENCY TAKES OVER THIS RESPONSIBILITY. (THIS DOES NOT INCLUDE REMOVAL OF SNOW OR ICE.)
DATE *John T. Colby III*
OWNER(S)
B. ROAD MAINTENANCE SHALL HEREBY BE THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION AND ROADS SHALL BE MAINTAINED TO THE MINIMUM STANDARDS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION UNTIL THE RESPECTIVE GOVERNMENTAL AGENCY TAKES OVER THIS RESPONSIBILITY. THE ROAD MAINTENANCE AGREEMENT IS RECORDED IN DEED BOOK PAGE OF THE CABARRUS COUNTY REGISTER OF DEEDS.
DATE *John T. Colby III*
OWNER/DEVELOPER

NOW OR FORMERLY MVC, LLC
DEED: 2688-185

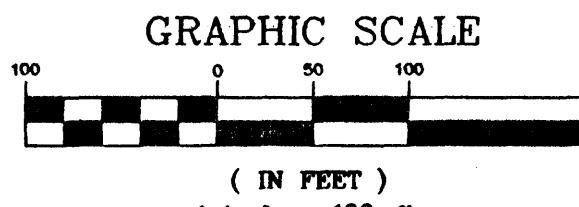
FEMA ELEV. 630.4
FEMA X-SECTION C
FUTURE CONDITIONS ELEV. 633.28
I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH MY FREE CONSENT, ESTABLISH MINIMUM BUILDING SETBACK LINES, AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS, AND OTHER SITES AND EASEMENTS TO PUBLIC OR PRIVATE USE AS NOTED. FURTHERMORE, I DEDICATE ALL SEWER LINES AND ALL WATER LINES TO THE CHARLOTTE-MECKLENBURG UTILITY DEPARTMENT, IF APPLICABLE.
DATE *John T. Colby III*
OWNER(S)



FEMA ELEV. 630.3
FEMA X-SECTION B
FUTURE CONDITIONS ELEV. 633.25

NOW OR FORMERLY REES 34, LLC
DEED: 2782-161

CURVE	RADIUS	LENGTH	CHORD	BEARING	DELTA
C2	257.72	56.88	56.77	N16°30'20"E	12°38'48"
C3	257.72	52.20	52.11	N04°24'46"E	11°36'18"
C4	1283.53	16.93	16.93	N01°30'44"W	0°50'42"
C5	1283.53	78.18	78.17	N04°00'46"W	3°28'24"
C6	1283.53	107.57	107.54	N08°09'33"W	4°48'07"
C7	25.00	38.31	34.67	N33°20'41"E	87°48'37"
C8	275.00	62.99	62.85	N70°41'16"E	120°7'27"
C9	275.00	76.89	76.84	N58°06'57"E	180°1'11"
C10	275.00	76.89	76.84	N40°05'48"E	180°1'11"
C11	275.00	46.45	46.39	N27°14'31"E	9°40'38"
C12	598.06	16.97	16.97	N21°32'22"E	1°04'08"
C13	598.06	45.16	45.17	N10°06'12"E	4°24'07"
C14	25.00	37.23	33.88	N58°35'55"E	85°19'19"
C15	25.00	41.71	37.04	N28°56'39"W	95°35'34"
C16	536.06	42.79	42.78	N20°07'50"E	4°33'24"
C17	225.00	18.30	18.30	N24°44'21"E	4°39'39"
C18	225.00	144.01	141.56	N45°24'18"E	36°40'14"
C19	225.00	53.05	52.93	N70°29'42"E	13°30'34"
C20	25.00	36.27	35.36	S87°45'00"E	80°00'00"
C21	25.00	20.15	19.61	N10°02'34"E	48°11'13"
C22	40.00	33.32	32.37	N08°34'22"E	47°43'42"
C23	40.00	41.24	39.44	S43°49'43"E	89°04'27"
C24	40.00	37.09	35.78	N80°04'10"E	83°07'48"
C25	40.00	41.74	39.87	N23°36'37"E	58°47'17"
C26	40.00	36.76	35.48	S32°36'37"E	52°39'12"
C27	25.00	20.15	19.61	S35°50'37"E	48°11'13"
C28	25.00	39.27	35.36	N32°15'00"E	90°00'00"
C29	25.00	40.30	36.08	S56°33'52"E	82°24'18"
C30	1233.53	119.49	119.45	N07°04'14"W	63°31'01"
C31	1233.53	73.32	73.31	N07°04'14"W	32°24'20"
C32	25.00	39.27	35.36	N43°34'37"E	90°00'00"
C33	25.00	39.27	35.36	N46°23'23"W	90°00'00"
C34	207.72	67.92	67.27	N10°42'10"E	24°15'07"
C35	25.00	46.43	40.04	N78°01'57"E	108°24'27"
C40	25.00	33.80	31.29	N15°24'19"W	77°28'08"



SHEET TITLE
RECORD PLAT - 16.831 ACRES

PROJECT
SKYBROOK PHASE 9 MAP 1
TOWNSHIP #3, CABARRUS COUNTY, N.C. &
HUNTERVILLE TWP., MECK. CO., N.C.
OWNER: MVC, LLC

YARBROUGH-WILLIAMS & HOULE, INC.
Planning • Surveying • Engineering
730 Windsor Oak Court Charlotte, NC 28273
704.566.1990 704.566.0505(fax)

PROJECT NO.
SCALE
1"=100'
DATE
01/06/04
DRAWN BY
JWB
CHECKED BY
JEW
ZONED
DRAWING NO.
SHT 1 OF 1 SHTS

Body 43 Page 107

Chapter Five Dimensional Requirements

Exhibit 1 + 1A

OLD
Exh 1

<p>PRINCIPAL:</p> <ul style="list-style-type: none"> -Front ... 50' -Side ... 10/30' (the structure may be set as close as 10' to one side property line, but the total of both sides must be at least 30') -Rear ... 30' <p>ACCESSORY:</p> <ul style="list-style-type: none"> -Front ... 50' -Side ... 10/30' -Rear ... 5' <p>NOTES: 1) Accessory structures may not be located closer to the road than principal structures.</p> <p>2) If the principal structure takes advantage of the flexibility of side setback placements, the accessory must situate within the same side dimensions.</p>	<p>PRINCIPAL:</p> <ul style="list-style-type: none"> -Front ... 50' -Side ... flexible -Rear ... flexible <p>ACCESSORY:</p> <ul style="list-style-type: none"> -Front ... same as principal bldg. -Side ... flexible -Rear ... flexible <p>NOTES: 1) Accessory structures may not be located closer to the road than principal structures.</p> <p>2) The front yard setback is reduced to 30' for interior roads within the cluster neighborhood, as described in Part II.</p> <p>3) Setbacks for Townhouse Development are identical to the above <u>except</u> for side and rear setbacks which are 30'</p>
•Minimum average lot width:	
-120'	-flexible
•Maximum building height (principal/accessory):	
-40'/20'	-40'/20'
•Maximum impermeable surface:	
-20%	-40%
•Maximum structural coverage:	
-15%	-30%
<p>TRADITIONAL ↓</p>	
<p>CUSTOMIZED ↓</p>	
4) Zoning District - Medium Density Residential	
•Minimum lot size	Maximum density of total tract:
10,000 square feet	4.5 dwelling units/acre
•Setbacks:	

PRINCIPAL: -Front ... 30' -Side ... 5/20' -Rear ... 30' ACCESSORY: -Front ... 30' -Side ... 5/20' -Rear ... 5' NOTES: 1) Accessory structures may not be located closer to the road than principal structures. 2) If the principal structure takes advantage of the flexibility of side setback placements, the accessory must situate within the same side dimensions.	PRINCIPAL: .. -Front ... 50% lots flexible; 50% lots 30' -Side ... flexible -Rear ... flexible ACCESSORY: -Front ... 30' -Side ... flexible -Rear ... flexible NOTES: 1) Accessory structures may not be located closer to the road than principal structures.
3) Minimum average lot width:	
-70'	-flexible
•Maximum building height (principal/accessory):	
-40/20'	-40'/20'
•Maximum impermeable surface:	
-50%	-50%
•Maximum structural coverage:	
-40%	-40%
TRADITIONAL ↓	CUSTOMIZED ↓
5) High Density Residential/Mixed Use	
•Minimum lot size:	Maximum density of total tract:
-6,000 square feet for single family or the first dwelling unit; 4,000 for the second and 2,000 for each additional unit thereafter.	same
•Setbacks:	

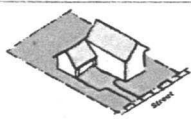
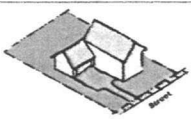
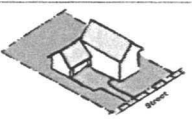
Section 5-5 Conventional subdivision standards

A. Applicability

A conventional subdivision is permitted in the AO, CR, and LDR districts. Applicants shall comply with all other provisions of this ordinance and all other applicable laws, except those that are incompatible with the provisions contained herein.

B. Dimensional standards

Applicants using the conventional subdivision option shall meet the following standards.

	AO <i>Single-Family Detached</i>	CR <i>Single-Family Detached</i>	LDR <i>Single-Family Detached</i>
CONVENTIONAL SUBDIVISION			
Tract			
Density (maximum units/acre)	0.33	0.50	0.50
Public water and sewer	not permitted*	not permitted*	optional
Lot Dimensions (minimum)			
Lot area (acres)	3	2	2
Average lot width (feet)	150	150	150
Principal (minimum feet)			
Front yard (minor collector)	75	75	75
Front yard (local road)	50	50	50
Side yard (single)	20	20	20
Side yard (total)	40	40	40
Rear yard	30	30	30
Height (maximum feet)	40	40	40
Lot Coverage (maximum)			
Impermeable surface	15%	20%	20%
Structural coverage	10%	15%	15%

* Governmental water may be provided to individual lots in these areas for public health reasons.

C. Minor Subdivisions

In the AO, CR, LDR, MDR and HDR Districts, applicants meeting the standards for a minor subdivision as defined by the subdivision ordinance may create no more than one conventional minor subdivision out of each parent tract existing as of June 20, 2005 with lots at least one acre in size, provided that each lot meets any minimum area requirements for public health purposes. The property may be further divided. However, any additional divisions shall be deemed major subdivisions and shall be processed as such and subject to all ordinances and policies related to major subdivisions.

Minor subdivision dimensional standards

Subdivisions that are classified as minor subdivisions in the AO, CR, and LDR zoning districts shall be subject to the tract requirements listed for public water and sewer, the minimum average lot width listed in lot dimensions, the setbacks, height and lot

Acres	Square Feet
0.272	11,830.90

CALCULATIONS		
Square Feet		Acres
0.00		0.00
DIMENSIONS(FEET)		
SQUARE FEET		
0	0	0.00
0	0	0.00
0	0	0.00
0	0	0.00
0	0	0.00
0	0	0.00
TOTAL		0.00

ADDRESS

15% Impermeable Surface	20% Impermeable Surface	35% Impermeable Surface	40% Impermeable Surface	45% Impermeable Surface
1,774.63	2,366.18	4,140.81	4,732.36	5,323.90
AO CONVENTIONAL	CR/LDR CONVENTIONAL	LDR	MDR	HDR
10% Structural Coverage	15% Structural Coverage	30% Structural Coverage	35% Structural Coverage	35% Structural Coverage
1,183.09	1,774.63	3,549.27	4,140.81	4,140.81

STRUCTURAL COVERAGE	
PRIMARY STRUCTURE	3,008.00
STRUCTURE	0.00
TOTAL	3,008.00

NON-STRUCTURAL COVERAGE	
DRIVEWAY	700.00
SIDEWALK	0.00
TOTAL	700.00

PROPOSED STRUCTURE	0.00
TOTAL	3,708.00

STRUCTURAL
25.42%

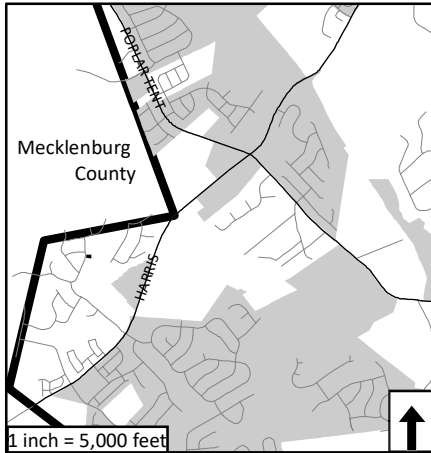
NON-STRUCTURAL
5.92%

TOTAL IMPERVIOSE
31.34%

Existing Zoning

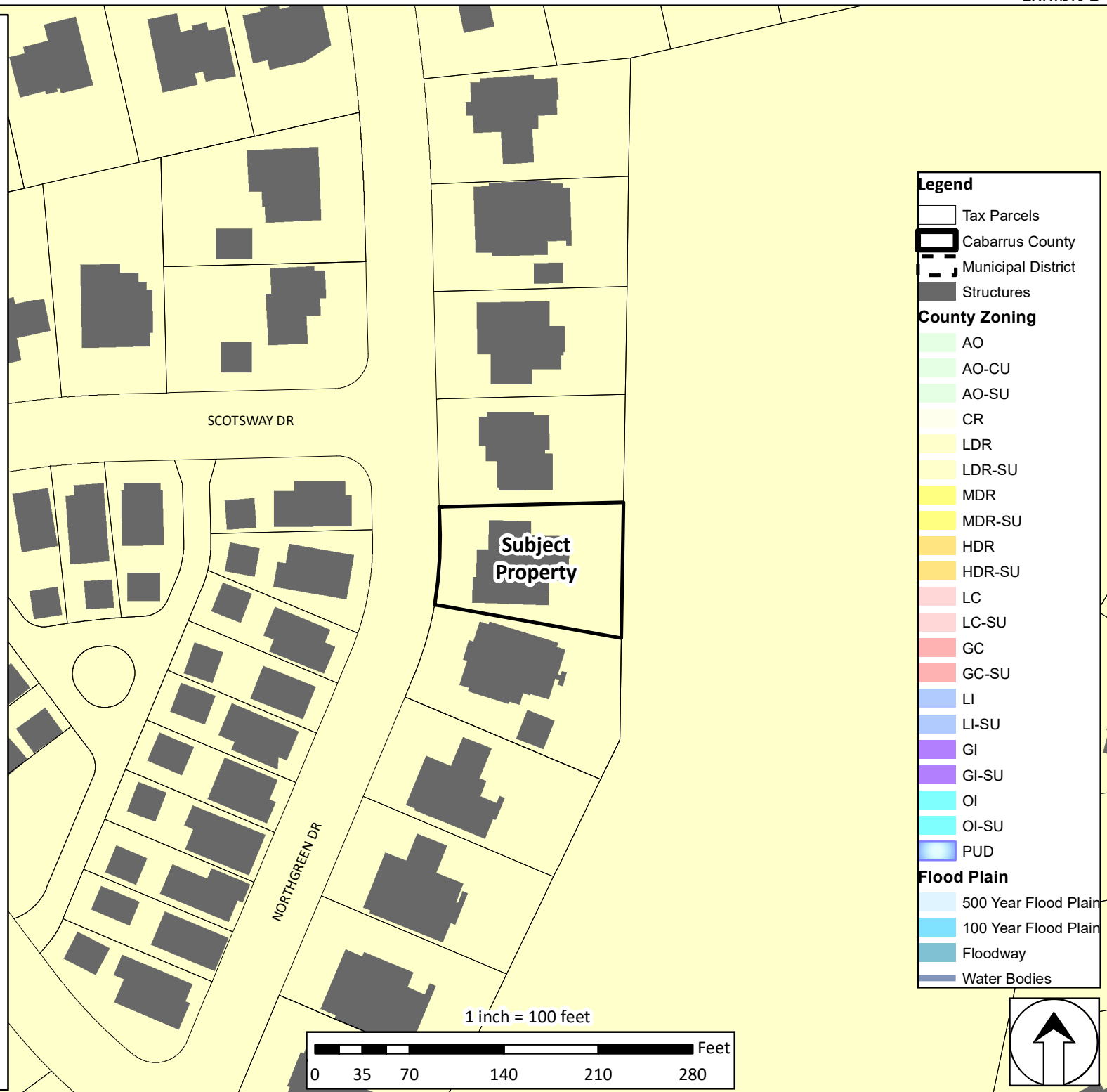


Applicant: Tim Medlin
 Owner: Brandon & Nancy Russell
 Case: VARN2019-00003
 Address: 15060 Northgreen Dr
 Purpose: Setback Encroachments
 & Impervious and Structural Area
 Exceedance
 PINs: 4670-59-7133



Cabarrus County shall not be held liable for any errors in this data. This includes errors of omission, commission, errors concerning the content of the data, and relative and positional accuracy of the data. These data cannot be construed to be a legal document. Primary sources from which these data were compiled must be consulted for verification of information contained within the data.




Map Prepared by Cabarrus County Planning & Development - September 2019

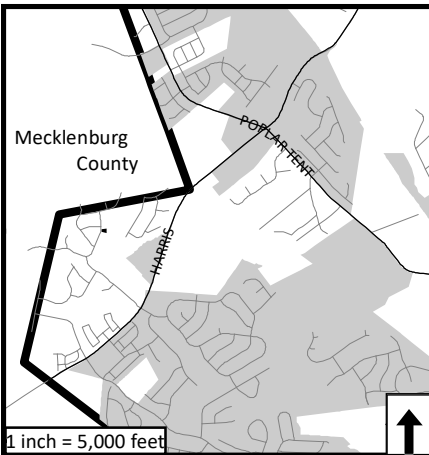


Aerial Map



Applicant: Tim Medlin
Owner: Brandon & Nancy Russell
Case: VARN2019-00003
Address: 15060 Northgreen Dr
Purpose: Setback Encroachments
& Impervious and Structural Area
Exceedance
PINs: 4670-59-7133

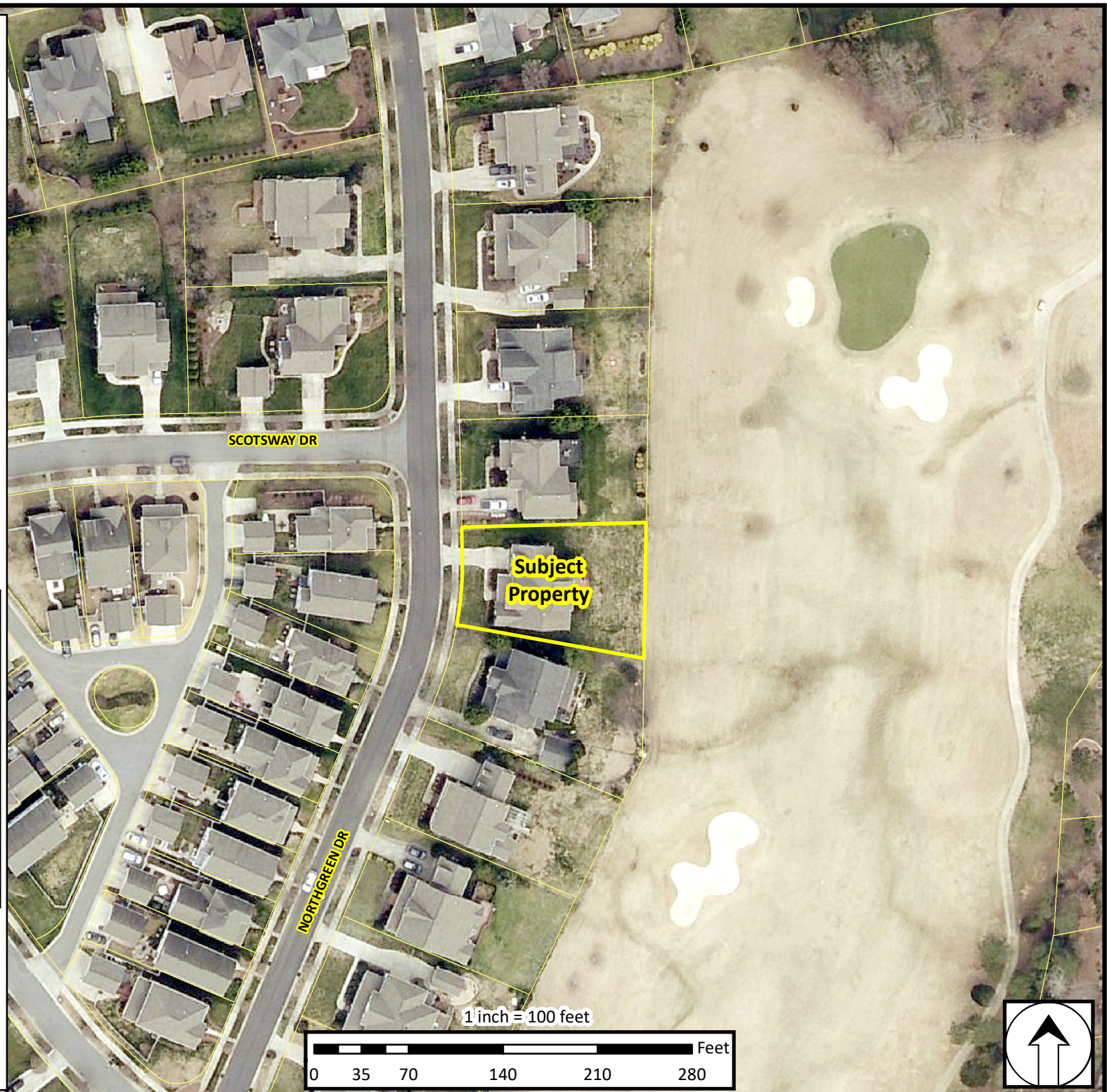
-  Cabarrus County
-  Municipal District
-  Tax Parcels



1 inch = 5,000 feet

Cabarrus County shall not be held liable for any errors in this data. This includes errors of omission, commission, errors concerning the content of the data, and relative and positional accuracy of the data. These data cannot be construed to be a legal document. Primary sources from which these data were compiled must be consulted for verification of information contained within the data.

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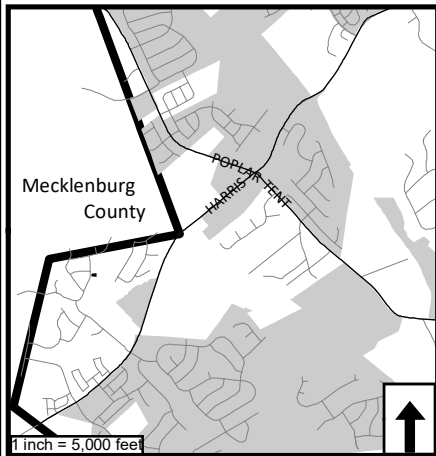
0 35 70 140 210 280 Feet



Western Planning Area Future Land Use

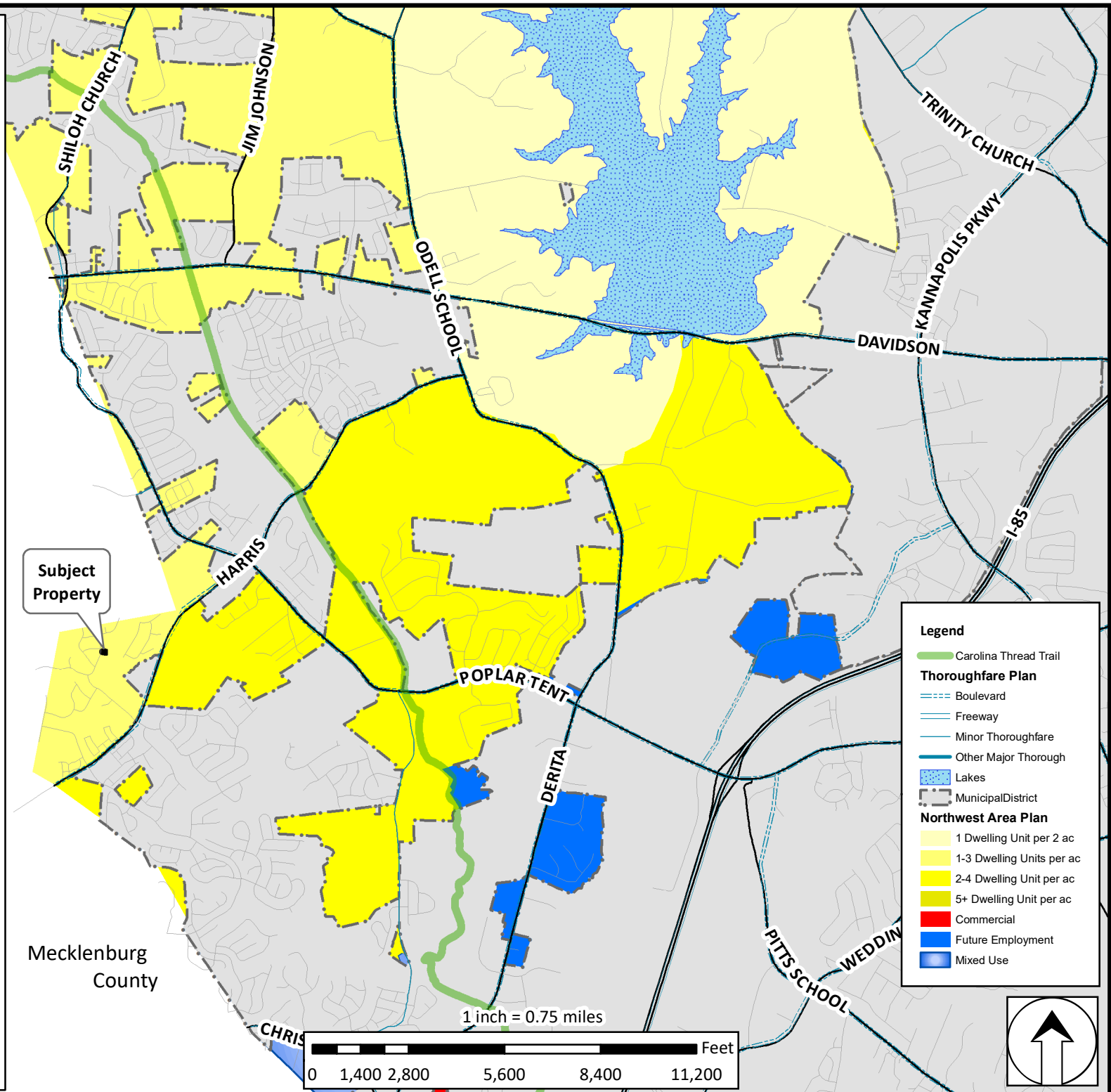


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Map Prepared by Cabarrus County Planning & Development - September 2019



Owners: Brandon and Nancy Russell
15060 Northgreen Drive
Huntersville, NC 28078

Adjacent Property Owners:

Robert and Georgia Lucas
15054 Northgreen Drive
Huntersville, NC 28078

John and Kimberly Brosnahan
15066 Northgreen Drive
Huntersville, NC 28078

Jean Musa
15063 Northgreen Drive
Huntersville, NC 28078

Charles Osborne
15059 Northgreen Drive
Huntersville, NC 28078

Jodi Wentz
1412 Kristen Circle
Mogadore, OH 44260

Resident
15055 Northgreen Drive
Huntersville, NC 28078



Cabarrus County Government – Planning and Development Department

August 21, 2019

Dear Property Owner:

A Variance Application has been filed in our office for your property. The specifics of the request are listed below. The Cabarrus County Board of Adjustment will consider this petition on Tuesday, September 10, 2019 at 6:30 PM in the 2nd floor Commissioner's Chambers of the Cabarrus County Governmental Center, located at 65 Church Street SE, Concord, NC 28026. A Public Hearing will be conducted and public input will be allowed during that time. If you have any comments about this variance request, I encourage you to attend this meeting.

- | | |
|----------------------------|---|
| • Petitioner | Brandon and Nancy Russell (via Tim Medlin) |
| • Petition Number | VARN2019-00003 |
| • Property Location | 15060 Northgreen Drive |
| • Parcel ID Number | 4670-59-7133 |
| • Existing Zoning | Low Density Residential (LDR) |
| • Variance Request | Relief from the requirements of Chapter 5 from the required front and side setbacks, impervious area and structural coverage standards for the LDR district. |

If you have any questions regarding this petition, or the hearing process, please contact me at Cabarrus County Planning and Development at 704.920.2149.

Sincerely,

A handwritten signature in black ink, reading "Boyd V. Stanley".

Boyd V. Stanley, AICP

Senior Planner

Cabarrus County Planning and Development

704.920.2149

If reasonable accommodations are needed please contact the ADA Coordinator at (704) 920-2100 at least 48 hours prior to the public hearing.



Cabarrus County Government – Planning and Development Department

August 21, 2019

Dear Property Owner:

A Variance Application has been filed in our office for property **adjacent** to yours. The property and specifics of the request are listed below. The Cabarrus County Board of Adjustment will consider this petition on Tuesday, September 10, 2019 at 6:30 PM in the 2nd floor Commissioner's Chambers of the Cabarrus County Governmental Center, located at 65 Church Street SE, Concord, NC 28026. A Public Hearing will be conducted and public input will be allowed during that time. If you have any comments about this variance request, I encourage you to attend this meeting.

- | | |
|----------------------------|---|
| • Petitioner | Brandon and Nancy Russell (via Tim Medlin) |
| • Petition Number | VARN2019-00003 |
| • Property Location | 15060 Northgreen Drive |
| • Parcel ID Number | 4670-59-7133 |
| • Existing Zoning | Low Density Residential (LDR) |
| • Variance Request | Relief from the requirements of Chapter 5 from the required front and side setbacks, impervious area and structural coverage standards for the LDR district. |

If you have any questions regarding this petition, or the hearing process, please contact me at Cabarrus County Planning and Development at 704.920.2149.

Sincerely,

A handwritten signature in black ink that reads 'Boyd V. Stanley'.

Boyd V. Stanley, AICP
Senior Planner
Cabarrus County Planning and Development
704.920.2149

If reasonable accommodations are needed please contact the ADA Coordinator at (704) 920-2100 at least 48 hours prior to the public hearing.

CABARRUS COUNTY (704) 920-2137
 NORTH CAROLINA
 DATE 7/16/2004
 PROJECT NAME SKYBROOK

APPLICATION NUMBER ZN020828
 PIN NUMBER 4670-59-5334.0000
 ZONING COMPLIANCE FEE \$50.00

APPLICATION FOR ZONING/COMPLIANCE CERTIFICATE

APPLICANT ADDRESS	SAUSSY BURBANK, INC. 517 SOUTH SHARON AMITY, STE 1 CHARLOTTE	(704) 875-6117 NC 28211
PROPERTY OWNER ADDRESS	MVC LLC P.O. BOX 728/HOLLY SP/27540	
CONTRACTOR ADDRESS	SAUSSY BURBANK, INC. 517 SOUTH SHARON AMITY, STE 100 CHARLOTTE	CONTR NO: 17476 NC 28211-
LOCATION OF LAND AND/OR STRUCTURE	15060 NORTHGREEN DR CONCORD	
LAND OR STRUCTURE TO BE USED FOR	RESIDENTIAL	
LAST USE OF LAND AND/OR STRUCTURE	OPEN	
<input type="checkbox"/> MOBILE HOME YEAR/MAKE <input type="checkbox"/> MOBILE HOME PARK AND LOT NO. <input checked="" type="checkbox"/> SUBDIVISION AND LOT NUMBER SKYBROOK LOT #: 301 <input checked="" type="checkbox"/> PRIVATE LAND		
TOTAL LOT AREA	PLATTED	NUMBER OF DWELLING UNITS 1
PLOT REMARKS <input type="checkbox"/> COMPLIANCE WITH ALL CONDITIONS AND SPECIFICATIONS OF CONDITIONAL/SPECIAL USE PERMIT NUMBER 1		
DEVELOPMENT OF THIS PROPERTY WILL ALSO INVOLVE: <input type="checkbox"/> COMPLIANCE WITH APPROVED SITE PLAN <input type="checkbox"/> COMPLIANCE WITH WATERSHED OVERLAY DISTRICT <input type="checkbox"/> SUBJECT TO FLOOD DAMAGE PREVENTION ORDINANCE <input checked="" type="checkbox"/> NOT IN FLOODPLAIN <input type="checkbox"/> COMPLIANCE OF ACCESSORY/BUILDING/STRUCTURE SIGNS <input type="checkbox"/> COMPLIANCE OF A FENCE/SCREEN/BUFFER YARD		

I, THE UNDERSIGNED, CERTIFY THAT ALL WORK DESIGNATED ON THIS APPLICATION AND ON APPROVED ATTACHED PLANS (IF ANY) WILL BE DONE AS INDICATED, AND ARRANGEMENT OF LAND AND/OR STRUCTURES WILL CONFORM TO ALL INFORMATION PRESENTED HEREIN AND TO ALL REGULATIONS OF THE ZONING ORDINANCE OF CABARRUS COUNTY. NO STRUCTURES OR LAND WILL BE USED OR OCCUPIED OTHER THAN IN COMPLIANCE WITH A VALID CERTIFICATE OF ZONING COMPLIANCE/OCCUPANCY ISSUED

SIGNATURE OF OWNER OR APPLICANT AS OWNERS AUTHORIZED AGENT

ZONE	MDR/CUS	<input checked="" type="checkbox"/> CONFORMING USE	NON-CONFORMING USE	
MAXIMUM HEIGHT	40	MAX (PRINCIPAL)	20	MAX (ACCESSORY)
SETBACKS	Principal	30 MIN FRONT	5	MIN SIDE
		MAX FRONT	25	MIN REAR
	Accessories	MIN INTERIOR SIDE		MIN REAR

COMMENTS FLD/NA/MUST BUILD ACCORDING TO APPROVED PLANS

ZONING SIGNATURE

CERTIFICATE OF ZONING COMPLIANCE/OCCUPANCY DATE

7-16-01



Important Setback Information

Cabarrus County Development Services
65 Church Street
PO Box 707
Concord, NC 28026-0707
Office - 704-920-2138 Fax - 704-920-2144

This notice is to inform you that all structures including:

**Residential Structures (Site Built, Modular, Mobile Homes)
Accessory Structures (Pools, Storage Buildings, Garages)
Commercial / Industrial Structures (All Types of Business)**

- Must meet the minimum setback requirements for the zone that the property is located in. The setback requirements are listed on your Zoning Compliance Permit at the bottom of the page.
- Any structure that is built or placed on a property that encroaches on a setback boundary is a violation of the Zoning Ordinance. Such violations shall be subject to all civil penalties and remedies set forth in the Zoning Ordinance.
- The front setback should be measured from the existing or proposed edge of right-of-way. Contact the NC Department of Transportation if you need to verify the right-of-way distance. (704) 982-0104
- It is strongly suggested that you take time to make sure that the structure is properly placed on the property. If you question there might be a possibility of an encroachment, you may want to consult a land surveyor to plot out the structure.

If you have any questions regarding this matter, please contact a Zoning Officer at 704-920-2137.

I HAVE READ AND UNDERSTAND THESE REQUIREMENTS:

Applicant: X [Signature]

Staff: [Signature]

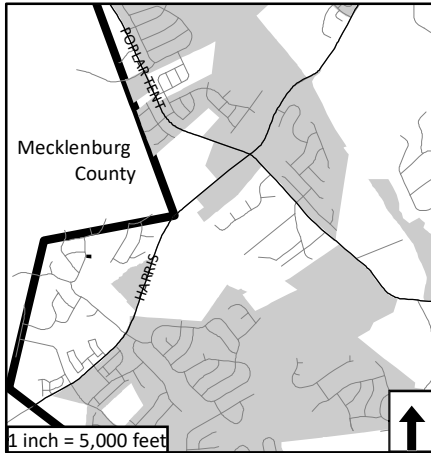


Aug 23, 2019

Existing Zoning

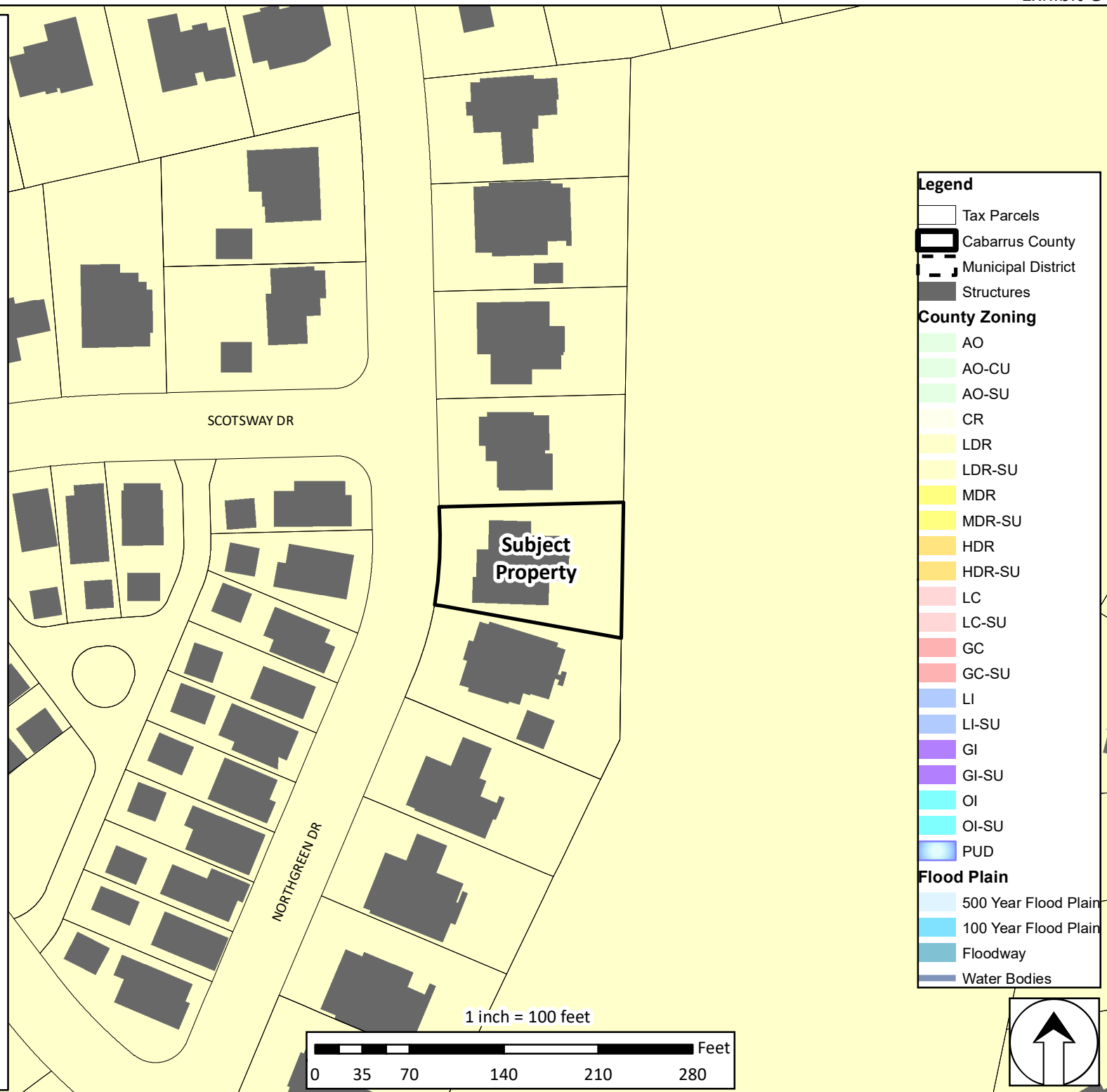


Applicant: Tim Medlin
 Owner: Brandon & Nancy Russell
 Case: VARN2019-00003
 Address: 15060 Northgreen Dr
 Purpose: Setback Encroachments
 & Impervious and Structural Area
 Exceedance
 PINs: 4670-59-7133



Cabarrus County shall not be held liable for any errors in this data. This includes errors of omission, commission, errors concerning the content of the data, and relative and positional accuracy of the data. These data cannot be construed to be a legal document. Primary sources from which these data were compiled must be consulted for verification of information contained within the data.




Map Prepared by Cabarrus County Planning & Development - September 2019

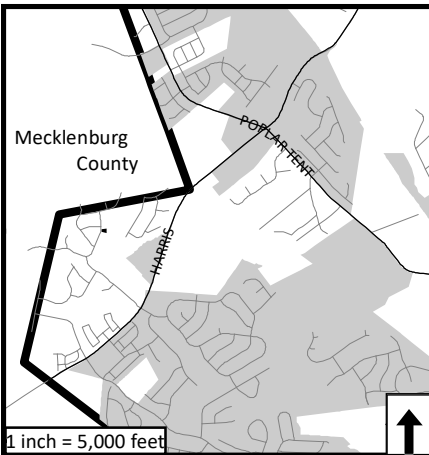


Aerial Map



Applicant: Tim Medlin
Owner: Brandon & Nancy Russell
Case: VARN2019-00003
Address: 15060 Northgreen Dr
Purpose: Setback Encroachments
& Impervious and Structural Area
Exceedance
PINs: 4670-59-7133

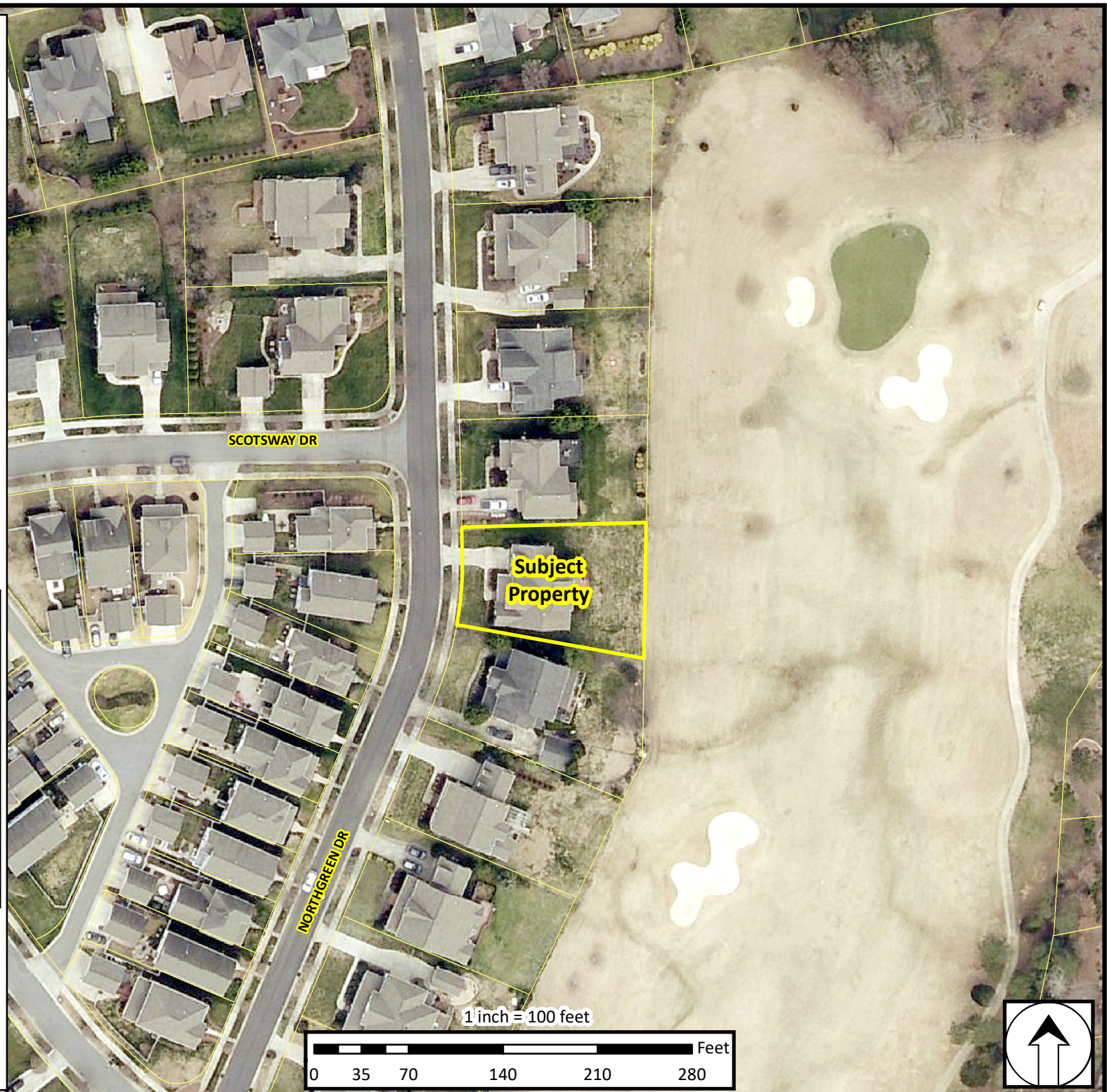
-  Cabarrus County
-  Municipal District
-  Tax Parcels



1 inch = 5,000 feet

Cabarrus County shall not be held liable for any errors in this data. This includes errors of omission, commission, errors concerning the content of the data, and relative and positional accuracy of the data. These data cannot be construed to be a legal document. Primary sources from which these data were compiled must be consulted for verification of information contained within the data.

Map Prepared by Cabarrus County Planning & Development - September 2019



1 inch = 100 feet

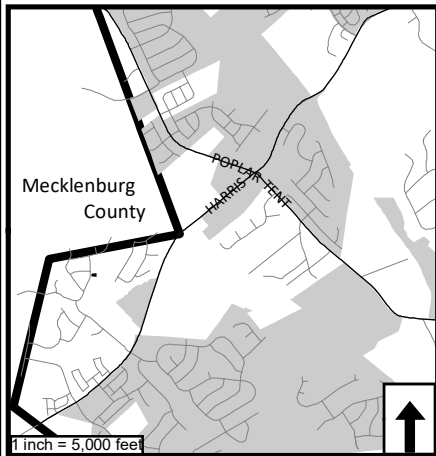
0 35 70 140 210 280 Feet



Western Planning Area Future Land Use

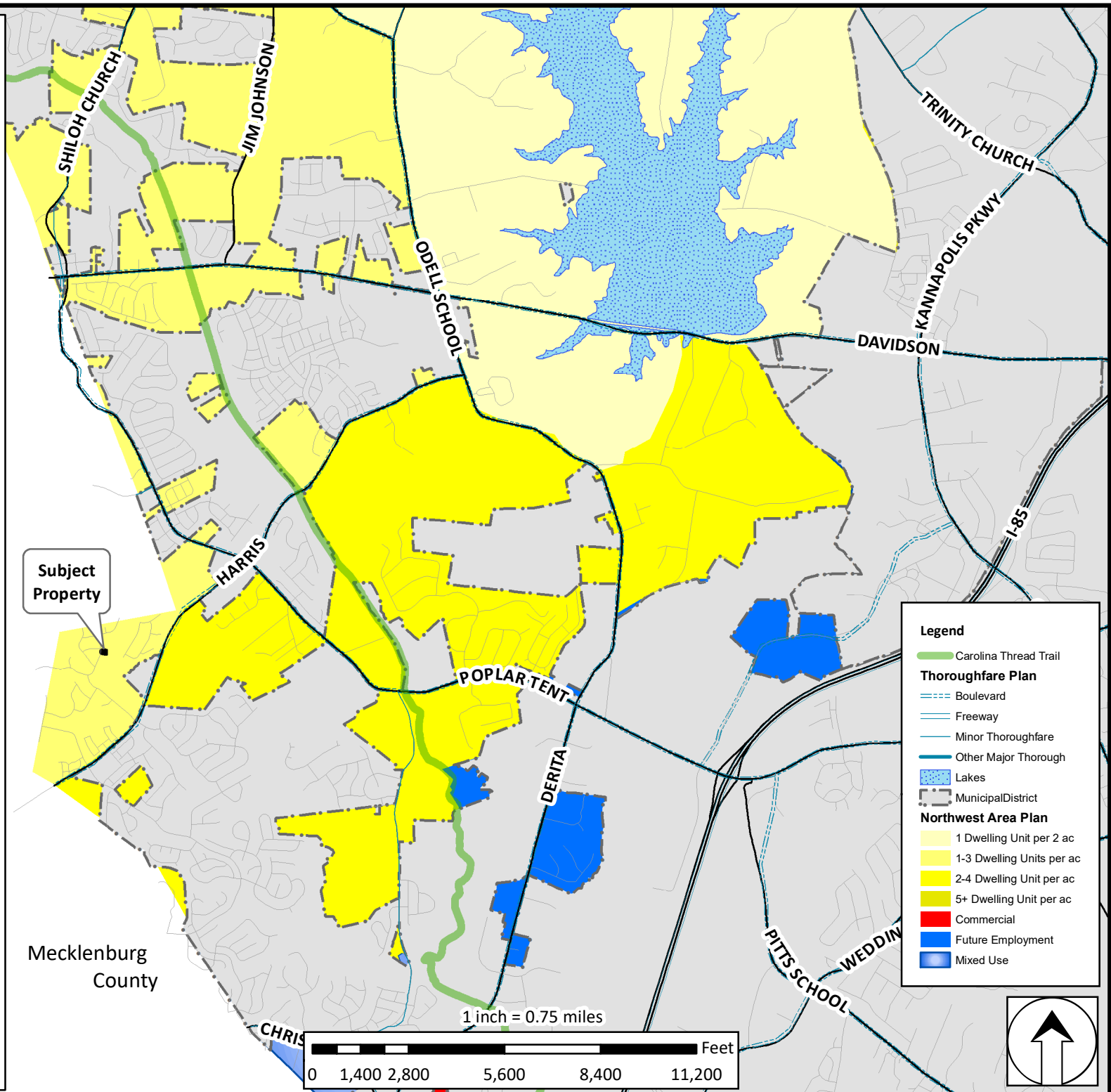


Applicant: Tim Medlin
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Map Prepared by Cabarrus County Planning & Development - September 2019



Owners: Brandon and Nancy Russell
15060 Northgreen Drive
Huntersville, NC 28078

Adjacent Property Owners:

Robert and Georgia Lucas
15054 Northgreen Drive
Huntersville, NC 28078

John and Kimberly Brosnahan
15066 Northgreen Drive
Huntersville, NC 28078

Jean Musa
15063 Northgreen Drive
Huntersville, NC 28078

Charles Osborne
15059 Northgreen Drive
Huntersville, NC 28078

Jodi Wentz
1412 Kristen Circle
Mogadore, OH 44260

Resident
15055 Northgreen Drive
Huntersville, NC 28078



Cabarrus County Government – Planning and Development Department

August 21, 2019

Dear Property Owner:

A Variance Application has been filed in our office for your property. The specifics of the request are listed below. The Cabarrus County Board of Adjustment will consider this petition on Tuesday, September 10, 2019 at 6:30 PM in the 2nd floor Commissioner's Chambers of the Cabarrus County Governmental Center, located at 65 Church Street SE, Concord, NC 28026. A Public Hearing will be conducted and public input will be allowed during that time. If you have any comments about this variance request, I encourage you to attend this meeting.

- | | |
|----------------------------|---|
| • Petitioner | Brandon and Nancy Russell (via Tim Medlin) |
| • Petition Number | VARN2019-00003 |
| • Property Location | 15060 Northgreen Drive |
| • Parcel ID Number | 4670-59-7133 |
| • Existing Zoning | Low Density Residential (LDR) |
| • Variance Request | Relief from the requirements of Chapter 5 from the required front and side setbacks, impervious area and structural coverage standards for the LDR district. |

If you have any questions regarding this petition, or the hearing process, please contact me at Cabarrus County Planning and Development at 704.920.2149.

Sincerely,

A handwritten signature in black ink, reading "Boyd V. Stanley".

Boyd V. Stanley, AICP
Senior Planner
Cabarrus County Planning and Development
704.920.2149

If reasonable accommodations are needed please contact the ADA Coordinator at (704) 920-2100 at least 48 hours prior to the public hearing.



Cabarrus County Government – Planning and Development Department

August 21, 2019

Dear Property Owner:

A Variance Application has been filed in our office for property **adjacent** to yours. The property and specifics of the request are listed below. The Cabarrus County Board of Adjustment will consider this petition on Tuesday, September 10, 2019 at 6:30 PM in the 2nd floor Commissioner's Chambers of the Cabarrus County Governmental Center, located at 65 Church Street SE, Concord, NC 28026. A Public Hearing will be conducted and public input will be allowed during that time. If you have any comments about this variance request, I encourage you to attend this meeting.

- | | |
|----------------------------|---|
| • Petitioner | Brandon and Nancy Russell (via Tim Medlin) |
| • Petition Number | VARN2019-00003 |
| • Property Location | 15060 Northgreen Drive |
| • Parcel ID Number | 4670-59-7133 |
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Boyd V. Stanley, AICP
Senior Planner
Cabarrus County Planning and Development
704.920.2149

If reasonable accommodations are needed please contact the ADA Coordinator at (704) 920-2100 at least 48 hours prior to the public hearing.



Aug 23, 2019

CABARRUS COUNTY (704) 920-2137
 NORTH CAROLINA
 DATE 7/16/2004
 PROJECT NAME SKYBROOK

APPLICATION NUMBER ZN020828
 PIN NUMBER 4670-59-5334.0000
 ZONING COMPLIANCE FEE \$50.00

APPLICATION FOR ZONING/COMPLIANCE CERTIFICATE

APPLICANT ADDRESS	SAUSSY BURBANK, INC. 517 SOUTH SHARON AMITY, STE 1 CHARLOTTE	(704) 875-6117 NC 28211
PROPERTY OWNER ADDRESS	MVC LLC P.O. BOX 728/HOLLY SP/27540	
CONTRACTOR ADDRESS	SAUSSY BURBANK, INC. 517 SOUTH SHARON AMITY, STE 100 CHARLOTTE	CONTR NO: 17476 NC 28211-
LOCATION OF LAND AND/OR STRUCTURE	15060 NORTHGREEN DR CONCORD	
LAND OR STRUCTURE TO BE USED FOR	RESIDENTIAL	
LAST USE OF LAND AND/OR STRUCTURE	OPEN	
<input type="checkbox"/> MOBILE HOME YEAR/MAKE LENGTH/WIDT <input type="checkbox"/> MOBILE HOME PARK AND LOT NO. <input checked="" type="checkbox"/> SUBDIVISION AND LOT NUMBER SKYBROOK LOT #: 301 <input checked="" type="checkbox"/> PRIVATE LAND		
TOTAL LOT AREA	PLATTED	NUMBER OF DWELLING UNITS 1
PLOT REMARKS <input type="checkbox"/> COMPLIANCE WITH ALL CONDITIONS AND SPECIFICATIONS OF CONDITIONAL/SPECIAL USE PERMIT NUMBER 1		
DEVELOPMENT OF THIS PROPERTY WILL ALSO INVOLVE: <input type="checkbox"/> COMPLIANCE WITH APPROVED SITE PLAN <input type="checkbox"/> COMPLIANCE WITH WATERSHED OVERLAY DISTRICT <input type="checkbox"/> SUBJECT TO FLOOD DAMAGE PREVENTION ORDINANCE <input checked="" type="checkbox"/> NOT IN FLOODPLAIN <input type="checkbox"/> COMPLIANCE OF ACCESSORY/BUILDING/STRUCTURE SIGNS <input type="checkbox"/> COMPLIANCE OF A FENCE/SCREEN/BUFFER YARD		

I, THE UNDERSIGNED, CERTIFY THAT ALL WORK DESIGNATED ON THIS APPLICATION AND ON APPROVED ATTACHED PLANS (IF ANY) WILL BE DONE AS INDICATED, AND ARRANGEMENT OF LAND AND/OR STRUCTURES WILL CONFORM TO ALL INFORMATION PRESENTED HEREIN AND TO ALL REGULATIONS OF THE ZONING ORDINANCE OF CABARRUS COUNTY. NO STRUCTURES OR LAND WILL BE USED OR OCCUPIED OTHER THAN IN COMPLIANCE WITH A VALID CERTIFICATE OF ZONING COMPLIANCE/OCCUPANCY ISSUED

SIGNATURE OF OWNER OR APPLICANT AS OWNERS AUTHORIZED AGENT

ZONE	MDR/CUS	<input checked="" type="checkbox"/> CONFORMING USE	NON-CONFORMING USE	
MAXIMUM HEIGHT	40	MAX (PRINCIPAL)	20	MAX (ACCESSORY)
SETBACKS	Principal	30 MIN FRONT	5	MIN SIDE
		MAX FRONT	25	MIN REAR
	Accessories	MIN INTERIOR SIDE		MIN REAR

COMMENTS FLD/NA/MUST BUILD ACCORDING TO APPROVED PLANS

ZONING SIGNATURE *James H. Miller*
 CERTIFICATE OF ZONING COMPLIANCE/OCCUPANCY DATE 7-16-01



Important Setback Information

Cabarrus County Development Services
65 Church Street
PO Box 707
Concord, NC 28026-0707
Office - 704-920-2138 Fax - 704-920-2144

This notice is to inform you that all structures including:

**Residential Structures (Site Built, Modular, Mobile Homes)
Accessory Structures (Pools, Storage Buildings, Garages)
Commercial / Industrial Structures (All Types of Business)**

- Must meet the minimum setback requirements for the zone that the property is located in. The setback requirements are listed on your Zoning Compliance Permit at the bottom of the page.
- Any structure that is built or placed on a property that encroaches on a setback boundary is a violation of the Zoning Ordinance. Such violations shall be subject to all civil penalties and remedies set forth in the Zoning Ordinance.
- The front setback should be measured from the existing or proposed edge of right-of-way. Contact the NC Department of Transportation if you need to verify the right-of-way distance. (704) 982-0104
- It is strongly suggested that you take time to make sure that the structure is properly placed on the property. If you question there might be a possibility of an encroachment, you may want to consult a land surveyor to plot out the structure.

If you have any questions regarding this matter, please contact a Zoning Officer at 704-920-2137.

I HAVE READ AND UNDERSTAND THESE REQUIREMENTS:

Applicant: X [Signature]

Staff: [Signature]

Exhibit 1 + 1A

OLD
Exh 1

<p>PRINCIPAL:</p> <ul style="list-style-type: none"> -Front ... 50' -Side ... 10/30' (the structure may be set as close as 10' to one side property line, but the total of both sides must be at least 30') -Rear ... 30' <p>ACCESSORY:</p> <ul style="list-style-type: none"> -Front ... 50' -Side ... 10/30' -Rear ... 5' <p>NOTES: 1) Accessory structures may not be located closer to the road than principal structures.</p> <p>2) If the principal structure takes advantage of the flexibility of side setback placements, the accessory must situate within the same side dimensions.</p>	<p>PRINCIPAL:</p> <ul style="list-style-type: none"> -Front ... 50' -Side ... flexible -Rear ... flexible <p>ACCESSORY:</p> <ul style="list-style-type: none"> -Front ... same as principal bldg. -Side ... flexible -Rear ... flexible <p>NOTES: 1) Accessory structures may not be located closer to the road than principal structures.</p> <p>2) The front yard setback is reduced to 30' for interior roads within the cluster neighborhood, as described in Part II.</p> <p>3) Setbacks for Townhouse Development are identical to the above <u>except</u> for side and rear setbacks which are 30'</p>
•Minimum average lot width:	
-120'	-flexible
•Maximum building height (principal/accessory):	
-40'/20'	-40'/20'
•Maximum impermeable surface:	
-20%	-40%
•Maximum structural coverage:	
-15%	-30%
<div>TRADITIONAL ↓</div>	
<div>CUSTOMIZED ↓</div>	
4) Zoning District - Medium Density Residential	
•Minimum lot size	Maximum density of total tract:
10,000 square feet	4.5 dwelling units/acre
•Setbacks:	

PRINCIPAL: -Front ... 30' -Side ... 5/20' -Rear ... 30' ACCESSORY: -Front ... 30' -Side ... 5/20' -Rear ... 5' NOTES: 1) Accessory structures may not be located closer to the road than principal structures. 2) If the principal structure takes advantage of the flexibility of side setback placements, the accessory must situate within the same side dimensions.	PRINCIPAL: .. -Front ... 50% lots flexible; 50% lots 30' -Side ... flexible -Rear ... flexible ACCESSORY: -Front ... 30' -Side ... flexible -Rear ... flexible NOTES: 1) Accessory structures may not be located closer to the road than principal structures.
3) Minimum average lot width:	
-70'	-flexible
•Maximum building height (principal/accessory):	
-40/20'	-40'/20'
•Maximum impermeable surface:	
-50%	-50%
•Maximum structural coverage:	
-40%	-40%
TRADITIONAL ↓	CUSTOMIZED ↓
5) High Density Residential/Mixed Use	
•Minimum lot size:	Maximum density of total tract:
-6,000 square feet for single family or the first dwelling unit; 4,000 for the second and 2,000 for each additional unit thereafter.	same
•Setbacks:	

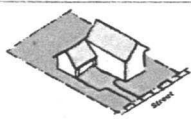
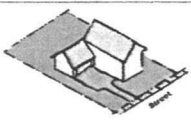
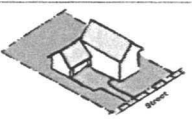
Section 5-5 Conventional subdivision standards

A. Applicability

A conventional subdivision is permitted in the AO, CR, and LDR districts. Applicants shall comply with all other provisions of this ordinance and all other applicable laws, except those that are incompatible with the provisions contained herein.

B. Dimensional standards

Applicants using the conventional subdivision option shall meet the following standards.

	AO <i>Single-Family Detached</i>	CR <i>Single-Family Detached</i>	LDR <i>Single-Family Detached</i>
CONVENTIONAL SUBDIVISION			
Tract			
Density (maximum units/acre)	0.33	0.50	0.50
Public water and sewer	not permitted*	not permitted*	optional
Lot Dimensions (minimum)			
Lot area (acres)	3	2	2
Average lot width (feet)	150	150	150
Principal (minimum feet)			
Front yard (minor collector)	75	75	75
Front yard (local road)	50	50	50
Side yard (single)	20	20	20
Side yard (total)	40	40	40
Rear yard	30	30	30
Height (maximum feet)	40	40	40
Lot Coverage (maximum)			
Impermeable surface	15%	20%	20%
Structural coverage	10%	15%	15%

* Governmental water may be provided to individual lots in these areas for public health reasons.

C. Minor Subdivisions

In the AO, CR, LDR, MDR and HDR Districts, applicants meeting the standards for a minor subdivision as defined by the subdivision ordinance may create no more than one conventional minor subdivision out of each parent tract existing as of June 20, 2005 with lots at least one acre in size, provided that each lot meets any minimum area requirements for public health purposes. The property may be further divided. However, any additional divisions shall be deemed major subdivisions and shall be processed as such and subject to all ordinances and policies related to major subdivisions.

Minor subdivision dimensional standards

Subdivisions that are classified as minor subdivisions in the AO, CR, and LDR zoning districts shall be subject to the tract requirements listed for public water and sewer, the minimum average lot width listed in lot dimensions, the setbacks, height and lot

Acres	Square Feet
0.272	11,830.90

CALCULATIONS		
Square Feet		Acres
0.00		0.00
DIMENSIONS(FEET)		
SQUARE FEET		
0	0	0.00
0	0	0.00
0	0	0.00
0	0	0.00
0	0	0.00
0	0	0.00
TOTAL		0.00

ADDRESS

15% Impermeable Surface	20% Impermeable Surface	35% Impermeable Surface	40% Impermeable Surface	45% Impermeable Surface
1,774.63	2,366.18	4,140.81	4,732.36	5,323.90
AO CONVENTIONAL	CR/LDR CONVENTIONAL	LDR	MDR	HDR
10% Structural Coverage	15% Structural Coverage	30% Structural Coverage	35% Structural Coverage	35% Structural Coverage
1,183.09	1,774.63	3,549.27	4,140.81	4,140.81

STRUCTURAL COVERAGE	
PRIMARY STRUCTURE	3,008.00
STRUCTURE	0.00
TOTAL	3,008.00

NON-STRUCTURAL COVERAGE	
DRIVEWAY	700.00
SIDEWALK	0.00
TOTAL	700.00

PROPOSED STRUCTURE	0.00
TOTAL	3,708.00

STRUCTURAL
25.42%

NON-STRUCTURAL
5.92%

TOTAL IMPERVIOSE
31.34%