



Cabarrus County Government

SPECIAL MEETING NOTICE

NOTICE IS HEREBY GIVEN that a Special Meeting of the Cabarrus County Planning and Zoning Board of Adjustment will be held on Wednesday, March 30, 2022, at 6:30 p.m. in the Board of Commissioners Meeting Room at the 65 Church Street S., Concord NC 28025

The purpose of the special meeting is for the Board of Adjustment to reconvene to address:

APPL2021-00001 – Appeal of a Notice of Violation for construction of structure without permits, disturbances of the required water body buffers and wetland disturbance. The address associated with the subject property is 3233 Hahn Scott Road (PIN: 5589-24-3362).

In accordance with ADA regulations, anyone in need of accommodation to participate in the meeting should notify the ADA Coordinator at 704-920-2100 at least 48 hours prior to the meeting.

PLANNING STAFF REPORT
CABARRUS COUNTY PLANNING AND ZONING COMMISSION

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

Petition: APPL2021-00001
Appeal of Interpretation of Cabarrus County Zoning and Subdivision Ordinances

Appellant Information: Connie Arstark

Zoning: Agriculture Open

Property Location: 3233 Hahn Scott Road
Mount Pleasant NC 28124

PIN#: 5589-24-3362

Request: Appellant is contesting a Notice of Violation issued for construction of a structure without permits, disturbance of the required water body buffers and wetland disturbance.

Noticing

Letters sent:	February 21, 2022
Newspaper Ad:	February 23, 2022 March 2, 2022
Sign Posted:	February 21, 2022

History

7/7/2020 Senior Enforcement Officer James Lowe (Officer Lowe) visited the site to discuss the setbacks for the house with the property owner. An accessory structure was located on the property at that time. Permits were not issued for the structure. At that time, Officer Lowe advised the Appellant that permits would be needed for the structure.

9/25/2020 A complaint was filed with Planning and Development regarding a building being constructed without permits. When Officer Lowe visited the site that same day, it was determined that an accessory structure had been constructed without the proper permits. He also observed grading and tree removal in the required Waterbody Buffer. It also appeared that the newly constructed structure was encroaching into the required Waterbody Buffer Zone area. (See Site Photo dated September 25, 2020)

- Per the Cabarrus County Development Ordinance (CCDO), accessory structures are not permitted unless there is a primary structure on site.
- Per the CCDO, undisturbed buffers are required on all perennial streams as well as any ponds located along those streams. Wetlands also must be buffered.

Officer Lowe talked with the property owner and suggested that work be stopped pending a survey of the site and required buffer areas to determine the level of encroachment and where

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additional structures could be located on the site in the future. The property owner stated that a survey of the property was available and that it would be provided to Officer Lowe.

A survey dated 11/1/2020 was provided by the Appellant to Staff. The survey did not show the required buffers on the stream, or the wetlands located on the property. Only the standard setbacks were noted on the property. (See Survey #1)

Officer Lowe advised Appellant the minimum requirement for the stream buffer was 50 feet. The survey determined that a violation of the ordinance existed and that the accessory structure was in the required buffer area. Additionally, based on the survey provided, clearing and grading had occurred in the buffer area as well. A Notice of Violation was issued on 1/14/2021. (See ZNC2021-00023 Notice of Violation)

1/26/2021 Officer Lowe visited the site for a follow up. At that time, it was determined that the property owner had placed two additional structures on the property without permits. The new structures also appeared to be in the waterbody buffer zone. Additionally, there is an RV on the site that has been placed in the buffer and it appears that it is being used as a dwelling. (See Photos dated January 25, 2021) The Appellant appealed the Notice of Violation on 2/12/2021. Filing an Appeal stays further enforcement action for that specific violation issued on the site.

3/1/2021 Officer Lowe visited the site and observed continued, and possibly new, violations of the ordinance. (See Photos Dated March 1, 2021)

5/7/2021 Office Lower and Deputy County Attorney, David Goldberg, visited the subject site to observe conditions. Officer Lowe and Attorney Goldberg observed, and determined, that additional land disturbing and clearing was conducted on the site. (See Photos Dated March 1, 2021)

5/10/2021 Deputy County Attorney David Goldberg and Susie Morris, Planning and Zoning Manager, met with property owner to discuss options for compliance.

A survey dated May 10, 2021, was provided by the Appellant which shows the calculations and delineates the required Waterbody Buffer Zone for the property. It also includes the proposed placement of the house and pool on the subject property. The survey confirms the accessory structure is in the buffer zone, along with the two additional structures and the RV. The area has also been graded, riprap and gravel placed in the buffer area, and vegetation removed. (See Survey #2)

5/11/2021 An second Notice of Violation was issued for the subject property for new clearing related to identified wetlands on the site. A Stop Work Order was also issued for the entire site to prevent additional clearing or development in the required buffers. (See ZNC2021-00215

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Notice of Violation, May 7 Photos, Informal and Preliminary Notice of Buffer Violation, Stop Work Order)

Prior to the site visits by Officer Lowe in July and then in September, the Appellant was in contact with multiple staff members in Planning and Development about the requirements for the road right-of-way, soil suitability testing application submittal requirements, permitting requirements for a new home, pool, and an accessory structure (barn) to be located on the property after the new home was built. (See Timeline for Staff Contacts and Emails)

- *February 25, 2020 - Appellant submitted for soil suitability analysis testing for property located at 3233 Hahn Scott Road.*
- *April 14, 2020 - The Appellant initiated contact with the Zoning Office in April of 2020 regarding applying for a permit to build a new single-family home and how to apply for soil suitability testing, also commonly known as a perc test, and a well permit.*
- *6/12/2020-6/25/2020 During the month of June, the Appellant continued conversations with Staff about permitting for the house, an accessory use (swimming pool) and the right-of-way width requirements for the road.*
- *The Appellant asked questions of Staff related to a barn. Appellant was informed that a permit would be required for the accessory structure (barn). A letter would also be needed from CHA to say that the accessory structure could be placed in the proposed location without impacting the well and septic systems.*

Findings

1. An accessory structure was constructed on the subject property some time prior to July 7, 2021.
2. The accessory structure was constructed without proper permits in place.

Per Chapter 12, section 12-3, Zoning Compliance Permit

A Zoning Compliance Permit must be obtained from the Zoning Administrator prior to the use or occupancy of any building or premises, or both, hereinafter created, erected, changed, converted, or wholly or partly altered or enlarged in its use or structure.

Additionally, no nonconforming structure or use can similarly be changed or extended without a Zoning Compliance Permit or Certificate of Non-Conformity Adjustment being issued.

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3. The accessory structure was constructed without a primary structure or use located on the site.

Chapter 2 of the Cabarrus County Development Ordinance (CCDO) defines accessory use as a subordinate use of a building or use of land which is:

- *Conducted on the same parcel as the principal use to which it is related, and*
- *Clearly incidental to and customarily found in connection with the principal use of the building, structure, or land.*

4. The stream on the subject property is identified and classified as a perennial stream per USGS maps. There are also identified wetlands on the site. (See USGS Map)
5. An accessory structure has been built in the required buffer. (See Survey #2).
6. Grading has occurred in the required buffer. (See Site Photos)
7. The wetland area on the subject property has been disturbed.

Per Chapter 4 of the Cabarrus County Development Ordinance, Section 4-10 The requirements of the Waterbody Buffer Zone:

- *A minimum 50-foot buffer shall be established from the stream bank on all sides of perennial streams in addition to any lakes, ponds or impoundments located along, or on, those streams. Perennial streams include all rivers, streams, lakes, ponds, or waterbodies shown on the USGS Quadrangle Maps as a solid blue line or identified in the Cabarrus County Geographic Information System.*
 - *A minimum 25-foot-buffer shall be established along the edge of any identified wetlands.*
8. Survey provided by Appellant for structure in question clearly shows that it is in the required buffer area.

Per Chapter 4 of the Cabarrus County Development Ordinance, Section 4-10 The requirements of the Waterbody Buffer Zone:

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- *The applicant must provide a detailed survey that field verifies the location of all perennial streams, lakes, ponds, impoundments, and wetlands on the subject property and within 100 feet of the boundary of the subject property for all proposed plats and site plans.*

9. Grading has occurred in the required buffer areas. Gravel and riprap have been placed in the required buffer area.

Per Chapter 4 of the Cabarrus County Development Ordinance, Section 4-10 The requirements of the Waterbody Buffer Zone:

- *The Waterbody Buffer Zone shall be determined and clearly delineated on site prior to any development or pre-development activity occurring in order to protect the required buffer from encroachment or damage. No development, including soil disturbing activities or grading, shall occur within the established buffer area.*

10. A structure is in the required buffer area.

11. Grading has occurred in the required buffer area.

12. Gravel and riprap have been placed in the required buffer area.

Per Chapter 4 of the Cabarrus County Development Ordinance, Section 4-10 The requirements of the Waterbody Buffer Zone:

All buffer areas shall remain in a natural, vegetated state. If the buffer area is wooded, it shall remain undisturbed.

13. The property is subject to Cabarrus County Zoning and Construction Standards permitting.

BONA FIDE FARM - The production and activities relating to or incidental to the production of crops, grains, fruits, vegetables, ornamental and flowering plants, dairy, livestock, poultry, and all other forms of agriculture as defined in G.S.106-581.1.

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For purposes of determining whether a property is being used for bona fide farm purposes, any of the following shall constitute sufficient evidence that the property is being used for bona fide farm purposes:

- a. A farm sales tax exemption certificate issued by the Department of Revenue.*
- b. A copy of the property tax listing showing that the property is eligible for participation in the present use value program pursuant to G.S.105-277.3.*
- c. A copy of the farm owner's or operator's Schedule F from the owner or operator's most recent federal income tax return.*
- d. A forest management plan.*

Information Provided

- 1. Application Materials Provided by Appellant
- 2. Staff Report and Exhibits
- 3. Adjacent Parcel Owner List
- 4. Letter Sent to Adjacent Parcel Owners
- 5. Letter Sent to Applicant
- 6. Picture of Posted Sign

KEY FOR STAFF CONTACTS:

Martha Hernandez (Senior Permit Associate/Primary for Zoning Permitting), [Boyd Stanley](#) (Senior Planner), [Jay Lowe](#) (Senior Enforcement Officer/Conducts site visits, inspections, and issues NOVs) [Susie Morris](#) (Planning and Zoning Manager)

NOTE: There is a period where there were questions about how the ROW should be looked at to establish setbacks for the property. As early as June 29, the surveyor was working on staking the house on the lot and asking questions about the ROW and setbacks. Legal provided determination for how setbacks would be determined for property.

4/14/2020	Emailed Connie Arstark information about permitting zoning, answered questions
6/12/2020	Emailed Connie Arstark information about permitting zoning, answered questions
6/12/2020	Received completed zoning application for house at 3233 Hahn Scott
6/12/2020	Emailed approval for zoning permit related to house related to 3233 Hahn Scott
6/15/2020	Received email with questions on the well fee and building related to 3233 Hahn Scott
6/15/2020	Responded to email on well & building questions, also emailed back and forth (5 different emails), trying to get signature on house zoning permit related to 3233 Hahn Scott
6/22/2020	Received email with questions on building pool related to 3233 Hahn Scott
6/22/2020	Responded with application and swimming pool requirements related to 3233 Hahn Scott
6/22/2020	Processed zoning application and permit for pool related to 3233 Hahn Scott
6/23/2020	Received email with the question if a zoning permit is required for a barn, related to 3233 Hahn Scott
6/23/2020	Answered questions via email on the zoning requirements for a barn related to 3233 Hahn Scott
6/23/2020	Informed Connie via email the septic permit did not reflect her proposed barn therefore CHA needed to provide letter of approval, I also emailed her the contact information for CHA
6/23/2020	Connie continued to question via email if a zoning permit was really required for barn to which I gave a simple answer of "Yes.", related to 3233 Hahn Scott
6/24/2020	Connie asked for help with getting approval from CHA, I emailed her with contact information for Tyler at CHA
6/25/2020	Connie emailed questions on setbacks and the possible change in address related to 3233 Hahn Scott

6/25/2020 Answered questions via email on the setback requirements for a barn related to 3233 Hahn Scott

7/7/2020

- Met on site with owner to discuss setbacks for house.
- At that time barn was built. I questioned owner about distance from creek, owner indicated that a survey was done (by Chad Byrd). I recommended that she provide it to our office.

7/15/2020 Emailed Connie reminder that I had not received signed pool permit related to 3233 Hahn Scott

9/15/2020 Received complaint via PC on barn being built without permit on 3233 Hahn Scott

9/15/2020 Emailed Connie information on obtaining a zoning permit

9/15/2020 Emailed Jay Lowe information on the complaint related to 3233 Hahn Scott

9/17/2020 Received zoning application from Connie for barn related to 3233 Hahn Scott

9/17/2020 Emailed informing her that I had to wait for the approval of CHA

9/17/2020 Emailed Jay the information received from Connie, and questioned if the property reflected the plot plan submitted for 3233 Hahn Scott

9/23/2020 Received letter of approval from CHA for property related to 3233 Hahn Scott

9/23/2020 Processed zoning application and permit for barn related to 3233 Hahn Scott

9/23/2020- Took \$150.00 payment over the phone from Connie Arstark for the permit

9/23/2020- Responded to Martha/Connie's email with receipt for payment

9/25/2020

- Site Inspection was made
- Barn had already been built prior to being issued a zoning permit
- Barn looks as though it may be encroaching into the Water Body Buffer
- Further research will need to be done
- Owner indicated that a survey had been done by Chad Byrd (Surveyor) and that he had indicated that the buffer from the creek should only be approximately 30 feet
- Requested that applicant provide copy of the survey

10/2/2020 Emailed reminder that I still had not received signed permit for barn related to 3233 Hahn Scott

11/6/2020 Received email on if I had received survey to complete barn permit something that I didn't know about since she had already submitted her plot plan to me on property related to 3233 Hahn Scott

11/6/2020	Connie emailed Martha and me and asked if we had received a survey from Chad Byrd/Sam King. We had not.
11/10/2020	Chad Byrd sent an email/survey locating the barn and property lines
11/23/20	Spoke with Sam King around 11/23 about my concerns with the placement of the barn. At that time, he indicated that he did not realize that the stream was a perennial and he felt certain that the barn is within the Water Body Buffer. He later sent me his survey map. Staff then followed up with our own mapping of the WBB and discovered that the barn was within the WBB.
12/2/2020	I received a voicemail from Connie asking about the stream and I sent an email showing her a snapshot of the USGS maps, which classify the stream as a perennial.
12/10-2020	Sent detailed email to Susie with all the exhibits, maps, applications, etc. for the case
1/4/2021	Further research shows that an encroachment into the WBB exists and that the location of the building will need to be shifted
1/5/2021	I called Connie to let her know the barn is in violation and would need to be moved
1/6/2021	Received a voicemail from Connie about a letter/NOV and responded to her via email
1/14/21	Warning letter was sent via regular mail and certified
1/26/21	<ul style="list-style-type: none"> • Site inspection was made • It seems that property owner has now placed two more buildings on the property without permits. They also look to be in the waterbody buffer • There also seems to be an RV placed in the waterbody buffer
2/9/2021	Applicant requested an appeal form
3/1/2021	Site inspection was made, more pictures taken

Susie Morris

From: Martha Hernandez
Sent: Tuesday, June 23, 2020 4:52 PM
To: Connie Arstark
Subject: RE: do I need a permit for Barn?

Yes.

Many thanks,

Martha Hernandez

Zoning and Septic Suitability Permit Associate

Planning and Development Department

Cabarrus County

65 Church St. SE, Concord, NC 28025

P.O. Box 707, Concord, NC 28026

O: 704-920-2147

F: 704-920-2227

www.cabarruscounty.us



From: Connie Arstark <connie@arstark.com>
Sent: Tuesday, June 23, 2020 4:51 PM
To: Martha Hernandez <mhernandez@cabarruscounty.us>
Subject: RE: do I need a permit for Barn?

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe!

Do we need it if I intend to be a farm once the home is built?
Ca

Sent via the Samsung Galaxy Note9, an AT&T 5G Evolution capable smartphone

----- Original message -----

From: Martha Hernandez <mhernandez@cabarruscounty.us>
Date: 6/23/20 4:42 PM (GMT-05:00)
To: Connie Arstark <connie@arstark.com>
Subject: RE: do I need a permit for Barn?

The septic permit doesn't reflect the barn on the lay-out. We would need approval from the Health Alliance.

Many thanks,

Martha Hernandez

Zoning and Septic Suitability Permit Associate

Planning and Development Department

Cabarrus County

65 Church St. SE, Concord, NC 28025

P.O. Box 707, Concord, NC 28026

O: 704-920-2147

F: 704-920-2227

www.cabarruscounty.us



From: Connie Arstark <connie@arstark.com>
Sent: Tuesday, June 23, 2020 4:35 PM
To: Martha Hernandez <mhernandez@cabarruscounty.us>
Subject: RE: do I need a permit for Barn?

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Ok can you email me what I need for that permit? Lol

You guys are taking all my money! Lol

Connie

Sent via the Samsung Galaxy Note9, an AT&T 5G Evolution capable smartphone

----- Original message -----

From: Martha Hernandez <mhernandez@cabarruscounty.us>

Date: 6/23/20 4:33 PM (GMT-05:00)

To: Connie Arstark <connie@arstark.com>

Subject: RE: do I need a permit for Barn?

yes

Many thanks,

Martha Hernandez

Zoning and Septic Suitability Permit Associate

Planning and Development Department

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65 Church St. SE, Concord, NC 28025

P.O. Box 707, Concord, NC 28026

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From: Connie Arstark <connie@arstark.com>
Sent: Tuesday, June 23, 2020 4:32 PM
To: Martha Hernandez <mhernandez@cabarruscounty.us>
Subject: RE: do I need a permit for Barn?

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I have a 43x30 metal barn installed on the property. Do I need permit for that as well?

Connie

Sent via the Samsung Galaxy Note9, an AT&T 5G Evolution capable smartphone

----- Original message -----

From: Martha Hernandez <mhernandez@cabarruscounty.us>

Date: 6/23/20 4:03 PM (GMT-05:00)

To: Connie Arstark <connie@arstark.com>

Cc: Boyd Stanley <bvstanley@cabarruscounty.us>

Subject: RE: Zoning Permit Requirements-POOL Permit?

Your zoning permit (**ZN2020-00653**) request has been approved. It is ready for payment (**\$75.00**). Someone from our department will be calling you to take your payment over the phone.

Please sign on the **2 places** marked and return attached permit. The permit will not be valid until payment is made AND signed permit is returned.

Many thanks,

Martha Hernandez

Zoning and Septic Suitability Permit Associate

Planning and Development Department

Cabarrus County

65 Church St. SE, Concord, NC 28025

P.O. Box 707, Concord, NC 28026

O: 704-920-2147

F: 704-920-2227

www.cabarruscounty.us



From: Connie Arstark <connie@arstark.com>

Sent: Monday, June 22, 2020 2:53 PM

To: Martha Hernandez <mhernandez@cabarruscounty.us>

Subject: RE: Zoning Permit Requirements-POOL Permit?

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Here you go.

thanks so much

Connie

From: Martha Hernandez <mhernandez@cabarruscounty.us>

Sent: Monday, June 22, 2020 2:37 PM

To: Connie Arstark <connie@arstark.com>

Subject: RE: Zoning Permit Requirements-POOL Permit?

Complete the application attached and submit a plot plan that shows measurements on pool and concrete surrounding it.

Many thanks,

Martha Hernandez

Zoning and Septic Suitability Permit Associate

Planning and Development Department

Cabarrus County

65 Church St. SE, Concord, NC 28025

P.O. Box 707, Concord, NC 28026

O: 704-920-2147

F: 704-920-2227



From: Connie Arstark <connie@arstark.com>
Sent: Monday, June 22, 2020 2:22 PM
To: Martha Hernandez <mhernandez@cabarruscounty.us>
Subject: RE: Zoning Permit Requirements-POOL Permit?

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Pool Permit? What info is needed to get this processed.

connie

From: Martha Hernandez <mhernandez@cabarruscounty.us>
Sent: Monday, June 15, 2020 9:31 AM
To: Connie Arstark <connie@arstark.com>
Subject: RE: Zoning Permit Requirements

Yes. The \$725.00 fee includes the well permit.

Many thanks,

Martha Hernandez

Zoning and Septic Suitability Permit Associate

Planning and Development Department

Cabarrus County

65 Church St. SE, Concord, NC 28025

P.O. Box 707, Concord, NC 28026

O: 704-920-2147

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From: Connie Arstark <connie@arstark.com>
Sent: Friday, June 12, 2020 4:46 PM
To: Martha Hernandez <mhernandez@cabarruscounty.us>
Subject: RE: Zoning Permit Requirements

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe!

Does this include my well permit as well?

I need it too.

Thanks

Ca

Sent via the Samsung Galaxy Note9, an AT&T 5G Evolution capable smartphone

----- Original message -----

From: Martha Hernandez <mhernandez@cabarruscounty.us>

Date: 6/12/20 4:30 PM (GMT-05:00)

To: connie@arstark.com

Cc: Boyd Stanley <bvstanley@cabarruscounty.us>

Subject: RE: Zoning Permit Requirements

Your zoning permit (**ZN2020-00614**) request has been approved. It is ready for payment (**\$100.00**). In addition to the zoning permit, you also need to pay **\$725.00** for the septic permit (**SE2020-00062**) Someone from our department will be calling you to take your payment over the phone.

Please sign on the **2 places** marked and return attached permit. The permit will not be valid until payment is made **AND** signed permit is returned.

Many thanks,

Martha Hernandez

Zoning and Septic Suitability Permit Associate

Planning and Development Department

Cabarrus County

65 Church St. SE, Concord, NC 28025

P.O. Box 707, Concord, NC 28026

O: 704-920-2147

F: 704-920-2227



From: connie@arstark.com <connie@arstark.com>
Sent: Friday, June 12, 2020 1:39 PM
To: Martha Hernandez <mhernandez@cabarruscounty.us>
Cc: Connie Arstark <connie@arstark.com>
Subject: RE: Zoning Permit Requirements

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From: Martha Hernandez <mhernandez@cabarruscounty.us>
Sent: Friday, June 12, 2020 12:45 PM
To: connie@ARSTARK.com
Subject: Zoning Permit Requirements

You can email me application, plot plan and supporting documentation. We will then process and notify when its ready for payment over phone with credit card. Please feel free to call at 704-920-2147 should you have any questions.

I have attached zoning permit application and plot/site plan example. Dimensions of all structures and the applicable setbacks must be included in the plot/site plan submitted. You may use GIS to print out the subject parcel and create a plot plan if a survey of the property is not available. The link for accessing the County's GIS system is below.

GENERAL REQUIREMENTS:

CABARRUS HEALTH ALLIANCE:

- ☐ If the property has an **existing** septic system, call the Cabarrus Health Alliance at 704-920-1207 or visit them at 300 Mooresville Road, Kannapolis, for an inspection. CHA will provide a letter for you to turn in with your application.
- ☐ If the property requires a **new** septic system, a site evaluation application will need to be completed at the Cabarrus County Governmental Center at 65 Church Street, SE, Concord.

SITE/PLOT PLAN (to scale) that shows:

- ☐ size and configuration of the property, including lot dimensions and acreage
 - ☐ location and dimensions of all existing structures
 - ☐ location and dimensions of all existing parking and driveway areas
 - ☐ location and dimensions of any bodies of water or water channels (ponds, streams, swales, etc.)
 - ☐ location of identified flood hazard areas, including floodway, 100-year and 500-year
 - ☐ location and dimensions of proposed work (new structure, pool, addition to existing building, deck, etc.)
 - ☐ setbacks for the applicable zoning district (proposed work must meet established setbacks for district)
- All requests for zoning permits must comply with the standards of the Cabarrus County Development Ordinance.
- Additional information may be needed, or may be required on the plot plan, if the property lies within an Overlay District as defined in Chapter 4 of the Cabarrus County Development Ordinance.

<https://location.cabarruscounty.us/mapcabarrus/>

Many thanks,

Martha Hernandez

Zoning and Septic Suitability Permit Associate

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Susie Morris

From: Boyd Stanley
Sent: Monday, June 29, 2020 2:23 PM
To: Chad Byrd; Sam King Jr.; Connie Arstark; Martha Hernandez; Phillip Collins
Cc: Kelly Sifford
Subject: RE: 3233 Hahn Scott Road Mt. Pleasant

Follow Up Flag: Follow up
Flag Status: Completed

Chad,

We spoke with the County Attorney and we're waiting to hear back from Jeff Burleson w/ NCDOT. In short, we just need verification from NCDOT it is not a 60' right-of-way and they only have maintenance from ditch to ditch. Assuming it not a 60' r-o-w, then we can start the 75' setback at the back of the ditch. If not, we'll need to go with the setback from the 60' (approximately 30' from centerline).

I think you have already done this research, but I will let you know when I hear back from Jeff. Thanks.

Boyd V. Stanley, AICP

Senior Planner

Planning and Development

Cabarrus County
65 Church St S
Concord NC 28025
O: 704-920-2149
F: 704-920-2144



From: Chad Byrd <chad@kingengineernc.com>
Sent: Monday, June 29, 2020 9:53 AM
To: Boyd Stanley <bvstanley@cabarruscounty.us>; Sam King Jr. <samkingjr@gmail.com>; Connie Arstark <connie@arstark.com>; Martha Hernandez <mhernandez@cabarruscounty.us>; Phillip Collins <PECollins@cabarruscounty.us>
Cc: Kelly Sifford <KFSifford@cabarruscounty.us>
Subject: Re: 3233 Hahn Scott Road Mt. Pleasant

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe!

Boyd thanks for your quick response, Connie and Jim have decided on facing the house towards Hahn Scott.

Chad A. Byrd
Senior Project Manager
King Engineering of Concord, Inc.

Susie Morris

From: Brandy Webster
Sent: Thursday, June 25, 2020 4:24 PM
To: Boyd Stanley; Martha Hernandez
Cc: connie@arstark.com
Subject: RE: 3233 Hahn Scott Road

Follow Up Flag: Follow up
Flag Status: Completed

10555 Bowman Barrier Rd.

Thank you,
Brandy Webster
E911 Addressing Coordinator

From: Boyd Stanley <bvstanley@cabarruscounty.us>
Sent: Thursday, June 25, 2020 4:15 PM
To: Brandy Webster <bewebster@cabarruscounty.us>
Subject: RE: 3233 Hahn Scott Road

Bowman-Barrier Road

Boyd V. Stanley, AICP
Senior Planner

Planning and Development
Cabarrus County
65 Church St S
Concord NC 28025
O: 704-920-2149
F: 704-920-2144



From: Brandy Webster <bewebster@cabarruscounty.us>
Sent: Thursday, June 25, 2020 4:13 PM
To: Boyd Stanley <bvstanley@cabarruscounty.us>
Subject: RE: 3233 Hahn Scott Road

Where will the driveway take access from?

Thank you,
Brandy Webster
E911 Addressing Coordinator

From: Boyd Stanley <bvstanley@cabarruscounty.us>
Sent: Thursday, June 25, 2020 3:01 PM

To: Brandy Webster <bewebster@cabarruscounty.us>

Subject: 3233 Hahn Scott Road

Hey Brandy,

Hope all is well with you. We have issued permits for a new house at the subject address. She would like change her permit/site plan and rotate the house to face Bowman-Barrier. Can you issue an address for Bowman-Barrier so I can revise the permits? Thanks.



Boyd V. Stanley, AICP
Senior Planner
Planning and Development
Cabarrus County
65 Church St S

35 Church Street S
Suite 107
Concord, NC 28025
704.791.5606

From: Boyd Stanley <bvstanley@cabarruscounty.us>
Sent: Monday, June 29, 2020 9:48:37 AM
To: Chad Byrd <chad@kingengineernc.com>; Sam King Jr. <samkingjr@gmail.com>; Connie Arstark <connie@arstark.com>; Martha Hernandez <mhernandez@cabarruscounty.us>; Phillip Collins <PECollins@cabarruscounty.us>
Cc: Kelly Sifford <KFSifford@cabarruscounty.us>
Subject: RE: 3233 Hahn Scott Road Mt. Pleasant

Chad,

I chatted with Connie last week and explained the setback would start from the street right-of-way. In my expertise, we have not made our determination on whether the right-of-way is dedicated or assumed only what is shown as ROW of GIS.

Based on my conversations with Connie last week, she obtained an new address and was going to revise permit to front the house on Bowman-Barrier.

Let me know if we need to chat further about this. Thanks.

Boyd V. Stanley, AICP

Senior Planner

Planning and Development

Cabarrus County
65 Church St S
Concord NC 28025
O: 704-920-2149
F: 704-920-2144



From: Chad Byrd <chad@kingengineernc.com>
Sent: Monday, June 29, 2020 9:34 AM
To: Kelly Sifford <KFSifford@cabarruscounty.us>; Connie Arstark <connie@arstark.com>; Sam King <sam@kingengineernc.com>
Subject: 3233 Hahn Scott Road Mt. Pleasant

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe!

Kelly

I am working with Connie Arstark, included in this email on staking a new dwelling, as well as other structures on the 10+ acres located at 3233 Hahn Scott Road Mt. Pleasant. This property is zoned AO, and has a 75' front setback,. NCDOT does not have a dedicated Right of Way on Hahn Scott, and our front property line generally runs with the center of the road. The position of the front setback is critical to what the Arstark's plans are. I spoke with the lady that answers the phone in your office, and she says GIS indicates a 60' RW on Hahn Scott which I have verified both through NCDOT as well as searching for any out conveyance on the property to NCDOT. I have also check several houses along Hahn Scott and found that their positioning does not adhere to a 75' setback from an assumed RW of 60', or a total of 105' from the front property line. Can you please let us know if we use the property line to establish the front setback? Or direct me to the correct place in the ordinance where it addresses roads that do not have a RW?
Please call me anytime to discuss. 704.791.5606

Thanks

Chad A. Byrd
Senior Project Manager
King Engineering of Concord, Inc.
35 Church Street South Suite 107
Concord, NC 28025
704.791.5606

E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties.

- ☒ Improvement Permit
☐ Authorization to Construct

Cabarrus Health Alliance
Application for Improvement Permit
and / or Authorization to Construct

- ☐ Survey plat to scale* submitted
☐ Scaled* site plan submitted
☒ Unscaled site plan submitted
scale of 1" = no more than 60'

Sent to: _____

IF THE INFORMATION IN THE APPLICATION FOR AN IMPROVEMENTS PERMIT IS FALSIFIED, CHANGED, OR THE SITE IS ALTERED, THEN THE IMPROVEMENTS PERMIT AND AUTHORIZATION TO CONSTRUCT SHALL BECOME INVALID. The permit is valid for either 60 months or without expiration depending upon documentation submitted. (complete site plan= 60 months; complete plat= without expiration)

APPLICANT INFORMATION

Septic Application SE2020-00062

2/25/2020

CONNIE ARSTARK

Applicant name

5625 WEDDINGTON RD
CONCORD, NC 28027

Applicant address

(704) 788-2615

Applicant Phone

MCMATH PAUL STEPHEN

Owner

3215 WOODCHUCK DR
KANNAPOLIS, NC 28081

Address

Home and Work Phone

PROPERTY INFORMATION

PIN: 55892433620000

Date originally deeded & recorded: _____

3233 HAHN SCOTT RD

Street Address

Subdivision Name

Lot

10.01

Size (acres)

EAST SIDE HAHN-SCOTT RD

Desc

- ☒ Property Ready for Evaluation ☐ Property not Ready for Evaluation

Directions to site: _____

DEVELOPMENT INFORMATION

Residential Specifications

- ☒ New Single Family Residence

Max number of bedrooms / occupants: _____

4 / 8

- ☐ Expansion of Existing System

If expansion: Current number of bedrooms: _____

- ☐ Non-Residential Type of Structure

Will there be a basement? _____

Yes

- ☐ Multi-Family

If yes, will there be plumbing in the basement? _____

Yes

- ☐ Repair to Malfunctioning Sewage Disposal System

Non-Residential Specifications:

Type of business: _____

Total square footage of building: _____

Max number of employees: _____

Max number of seats: _____

Water Supply:

Are there any existing wells, springs or existing waterlines on this property? ☐ yes ☐ no

- ☒ New Well

- ☐ Existing Well

- ☐ Community Well

- ☐ Public Water

- ☐ Spring

If applying for authorization to construct, please indicate desired system type(s): (systems can be ranked in order of your preference)

____ Alternative 2 Conventional ____ Innovative

1 Accepted ____ Any ____ Modified Conventional Other (specify): _____

The applicant shall notify the local health department upon submittal of this application if any of the following apply to the property in question. If the answer to any question is "yes" applicant must attach supporting documentation.

☐ yes

☒ no

Does the site contain any jurisdictional wetlands?

☐ yes

☒ no

Does the site contain any existing wastewater systems?

☐ yes

☒ no

Is any wastewater going to be generated on the site other than domestic sewage?

☐ yes

☒ no


Is the site subject to approval by any other public agency?

☐ yes

☒ no

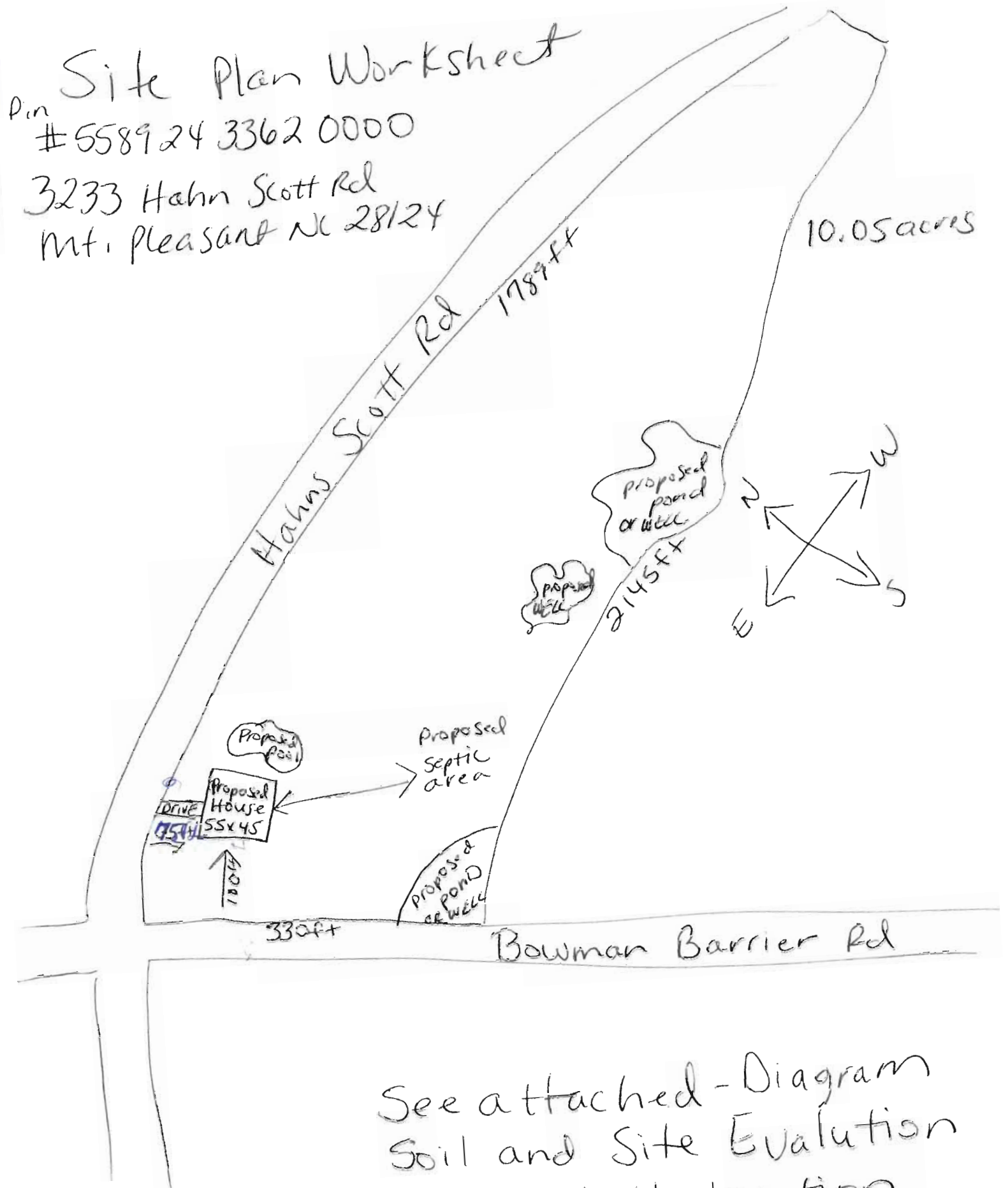
Are there any easements or right-of-ways on this property?

I have read this application and certify that the information provided herein is true, complete and correct. Authorized county and state officials are granted the right of entry to conduct necessary inspections to determine compliance with applicable laws and rules. I understand that I am solely responsible for the proper identification and labeling of all property lines and corners and making the site accessible so that a complete site evaluation can be performed.

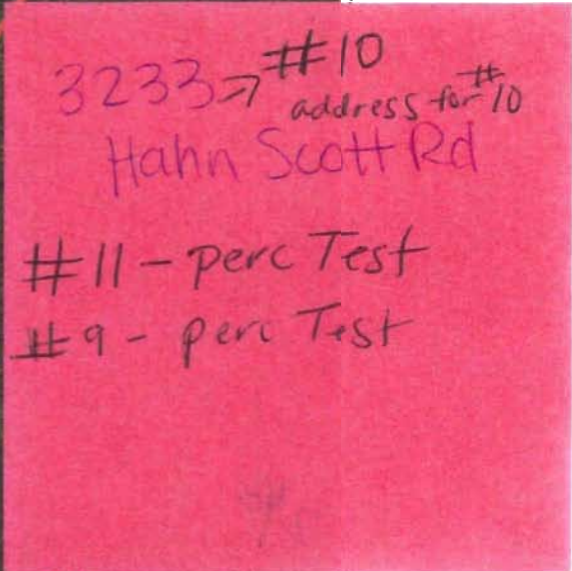

Property owner's or owner's legal representative** signature (required)

2/25/2020
Date

**Must provide documentation to support claim as owner's legal representative.



See attached - Diagram
Soil and Site Evaluation
#9 or #11 location
for conventional system
2 chamber w/ pump for
4 Bdr Basement



1

#11 or #9 For House Location

245

~~2100 Lin~~

2145 Feet
~~59 ft~~

330 Feet

1789 ft (4)

)

3233 Hahn Scott Rd
Mt. Pleasant NC 28124

40.24
55.54

55.54
40.24

2.344
40.24

4.774
9.95

1.534
30.17

14.174
88.52

2.72A

9
11

3180³²³⁵ Hahn Scott Road
Mount Pleasant NC 28124
Tax ID: 5589-14-9533-0000
* 5589-24-3362-0000

SOIL AND SITE EVALUATION

Hahn-Scott Road
Mount Pleasant, NC 28124

Prepared For:

Paul Stephen McMath
3215 Woodchuck Drive
Kannapolis, NC 28081

Prepared By:



Thompson Environmental Consulting, Inc.
PO Box 541
Midland, NC 28107

November 23, 2019



INTRODUCTION & SITE DESCRIPTION

This Soil and Site Evaluation was performed on a portion of a 24.23-acre tract located in the northeast quadrant of the intersection of Bowman-Barrier Road and Hahn-Scott Road in Mount Pleasant, North Carolina (Cabarrus County Tax Parcel 55891495330000). Thompson Environmental Consulting, Inc. (TEC) was retained to determine areas that are suitable for placement of an onsite subsurface wastewater septic system for a single-family residence. The property was evaluated in accordance with North Carolina statutes for waste disposal (“Laws and Rules for Sewage Treatment and Disposal Systems”, amended April 1, 2017).

The property is currently undeveloped and is being used for agricultural production. There is a stream that runs along the eastern property line.

INVESTIGATION METHODOLOGY & SITE PHYSICAL CHARACTERISTICS

Pits were dug with a compact excavator and evaluated. Soil color was determined with a Munsell Soil Color Chart and observations of the landscape (slope, drainage patterns, etc.) as well as soil properties (depth, texture, structure, seasonal wetness, restrictive horizons, etc.) were recorded.

FINDINGS

The field survey was conducted on November 22, 2019 by Larry Thompson, LSS. Ten pits excavated, logged, and their locations noted on the attached Figure 1.

Pits 1, 2, 3, 4, 6, 7, 8, and 9 were rated as “Provisionally Suitable” for Accepted or Low-Profile Chamber Systems. Surfaces typically exhibited a friable silt clay loam texture with weak, medium, subangular blocky structure 2 to 8 inches in depth. Upper subsurface horizons exhibited firm silty clay textures with moderate, medium, subangular blocky structure ranging in depth from 22 to 36 inches. A long-term acceptance rate (LTAR) of 0.275 to 0.3 gal./day/sq. ft. would typically be recommended for these soils.

Pits 5 and 10 were rated as “Provisionally Suitable” for Non-Treated Subsurface Drip Dispersal. Surfaces typically exhibited a friable silt clay loam texture with weak, medium, subangular blocky structure 5 to 8 inches in depth. Upper subsurface horizons exhibited firm silty clay textures with moderate, medium, subangular blocky structure ranging in depth from 18 to 20 inches. A long-term acceptance rate (LTAR) of 0.12 to 0.15 gal./day/sq. ft. would typically be recommended for these soils.

CONCLUSION

The soils evaluated appear to be adequate to support the installation of an Accepted or Low-Profile Chamber System with a Non-Treated Drip Dispersal repair area for a 4-bedroom single family residence. The initial system could be designed with a LTAR of 0.3 gal./day/sq. ft. and would require approximately 4,100 square feet of suitable soil to be allocated and completely

available for a system installation. The proposed repair system would require approximately 3,900 square feet of are to be set aside for this purpose.

The findings presented herein represent TEC's professional opinion based on this Soil and Site Evaluation and knowledge of the current laws and rules governing on-site wastewater systems in North Carolina. Soils naturally change across a landscape and contain many inclusions. As such, attempts to quantify them are not always precise and exact. Due to this inherent variability of soils and the subjectivity when determining limiting factors, there is no guarantee that a regulating authority will agree with the findings of this report. This report does not guarantee or represent approval or issuance of an Improvement Permit, which can only be authorized by the Cabarrus Health Alliance.

Thompson Environmental Consulting, Inc.
PO Box 541
Midland, NC 28107

Sheet 1 of 3
PROPERTY ID #: 550109522-0000
COUNTY: Currituck

SOIL/SITE EVALUATION
for ON-SITE WASTEWATER SYSTEM

OWNER: Paul Steven McNaughton
ADDRESS: 3415 Woodchuck Dr. Williams, NC 28581
PROPOSED FACILITY: Septic System PROPOSED DESIGN FLOW (.1949):
LOCATION OF SITE: Back-South-Lawn, Williams, NC
WATER SUPPLY: ☒ Private ☐ Public ☐ Well ☐ Spring ☐ Other
EVALUATION METHOD: ☐ Auger Boring ☒ Pit ☐ Cut TYPE OF WASTEWATER: ☒ Sewage ☐ Industrial Process ☐ Mixed

DATE EVALUATED: 11-22-19
PROPERTY SIZE: 60.523 ac
PROPERTY RECORDED:

PROFILE #	.1940 LANDSCAPE POSITION/ SLOPE %	HORIZON DEPTH (IN.)	SOIL MORPHOLOGY (.1941)		OTHER PROFILE FACTORS				PROFILE CLASS & LTAR
			.1941 STRUCTURE/ TEXTURE	.1941 CONSISTENCE/ MINERALOGY	.1942 SOIL WETNESS/ COLOR	.1943 SOIL DEPTH	.1956 SAPRO CLASS	.1944 RESTR HORIZ	
1	LS 5'	0-3	GR/SIC	FR/medium	N/A	36"	10mm	N/A	PS 0.3
		3-7	SS/SICL	FR/medium					
		7-36	SB/SIC	FR/medium					
		36"	11/16	FR/medium					
2	LS 5'	0-3	GR/SIC	FR/medium	N/A	26"	11/4	24" Pln	PS 0.3
		3-7	SB/SICC	FR/medium					
		7-24	SB/SIC	FR/medium					
3	LS 5'	0-2	GR/SIC	FR/medium	N/A	22"	11/4	25" Pln	PS 0.3
		2-7	SB/SICL	FR/medium					
		7-20	SB/SIC	FR/medium					
4	LS 5'	0-6	SB/SICC	FR/medium	N/A	29"	11/4	27" Pln	PS 0.3
		6-29	SB/SIC	FR/medium					

DESCRIPTION	INITIAL SYSTEM	REPAIR SYSTEM	OTHER FACTORS (.1946):
Available Space (.1945)	PS	PS	SITE CLASSIFICATION (.1948): <u>Provisionally Suitable</u>
System Type(s)	Accepted	Low Profile or On-P	EVALUATED BY: <u>Larry Thompson, LSS</u>
Site LTAR	0.3	0.3/0.12	OTHER(S) PRESENT: <u>Currituck County</u>

COMMENTS:

SOIL/SITE EVALUATION

(Continuation Sheet-Complete all field in full)

Sheet 2 of 3

PROPERTY ID #: 5589149533 0000

DATE OF EVALUATION: 11-22-11

COUNTY: Liberty

P R O F I L E #	.1940 LANDSCAPE POSITION/ SLOPE %	HORIZ ON DEPTH (IN.)	SOIL MORPHOLOGY (.1941)		OTHER PROFILE FACTORS				PROFILE CLASS & LTAR
			.1941 STRUCTURE/ TEXTURE	.1941 CONSISTENCE/ MINERALOGY	.1942 SOIL WETNESS/ COLOR	.1943 SOIL DEPTH	.1956 SAPRO CLASS	.1944 RESTR HORIZ	
5	LS 12%	2-3	SS/SIC	Fine sand					
		3-20	SS/SIC	Fine sand					
6	LS 5%	0-2	SS/SIC	Fine sand					
		2-8	SS/SIC	Fine sand					
		8-9	SS/SIC	Fine sand					
7	LS 5%	0-6	SS/SIC	Fine sand					
		6-33	SS/SIC	Fine sand					
8	LS 8%	0-1	SS/SIC	Fine sand					
		1-2	SS/SIC	Fine sand					
9	LS 10%	0-7	SS/SIC	Fine sand					
		7-33	SS/SIC	Fine sand					

COMMENTS:

SOIL/SITE EVALUATION
(Continuation Sheet-Complete all field in full)

Sheet 3 of 3

PROPERTY ID #: 5589149533.0000
DATE OF EVALUATION: 11-22-14
COUNTY: Calaveras

P R O F I L E #	.1940 LANDSCAPE POSITION/ SLOPE %	HORIZ ON DEPTH (IN.)	SOIL MORPHOLOGY (.1941)		OTHER PROFILE FACTORS				PROFILE CLASS & LTAR
			.1941 STRUCTURE/ TEXTURE	.1941 CONSISTENCE/ MINERALOGY	.1942 SOIL WETNESS/ COLOR	.1943 SOIL DEPTH	.1956 SAPRO CLASS	.1944 RESTR HORIZ	
9	LS 5%	0-7	SB:1/STCL	2-5-10 deep	M	27"	M	50" PM	1-3 J-3
		7-20	SB:1/STC	15-20-30 deep					
10	LS 5%	0-8	SB:1/STCL	2-5-10 deep	M	18"	M	15" PM	C-1 0-2
		8-14	SB:1/STC	15-20-30 deep					

COMMENTS: _____

LEGEND

use the following standard abbreviations

LANDSCAPE POSITION	GROUP	SOIL TEXTURE	CONVENTIONAL .1955 LTAR*	LPP .1957 LTAR*	MINERALOGY/ CONSISTENCE	STRUCTURE
CC (Concave Slope)	I	S (Sand)	1.2 - 0.8	0.6 - 0.4	SEXP (Slightly Expansive)	G (Single Grain)
CV (Convex Slope)		LS (Loamy Sand)			EXP (Expansive)	M (Massive)
D (Drainage Way)						CR (Crumb)
DS (Debris Slump)	II	SL (Sandy Loam)	0.8 - 0.6	0.4 - 0.3		GR (Granular)
FP (Flood Plain)		L (Loam)				SBK (Subangular Blocky)
FS (Foot Slope)						ABK (Angular Blocky)
H (Head Slope)	III	Si (Silt)	0.6 - 0.3	0.3 - 0.15		PL (Platy)
L (Linear Slope)		SiCL (Silty Clay Loam)				PR (Prismatic)
N (Nose Slope)		CL (Clay Loam)				
R (Ridge)		SCL (Sandy Clay Loam)				
S (Shoulder Slope)		SiL (Silt Loam)				
T (Terrace)						
	IV	SC (Sandy Clay)	0.4 - 0.1	0.2 - 0.05		
		SiC (Silty Clay)				
		C (Clay)				
		O (Organic)	None	None		
					<u>MOIST</u>	<u>WET</u>
					VFR (Very Friable)	NS (Non-sticky)
					FR (Friable)	SS (Slightly Sticky)
					FI (Firm)	S (Sticky)
					VFI (Very Firm v. Very Sticky)	VS (Very Sticky)
					EFI (Extremely Firm)	NP (Non-plastic)
						SP (Slightly Plastic)
						P (Plastic)
						VP (Very Plastic)

*Adjust LTAR due to depth, consistence, structure, soil wetness, landscape, position, wastewater flow and quality.

NOTES

HORIZON DEPTH

In inches below natural soil surface

DEPTH OF FILL

In inches from land surface

RESTRICTIVE HORIZON

Thickness and depth from land surface

SAPROLITE

S(suitable) or U(unsuitable)

SOIL WETNESS

Inches from land surface to free water or inches from land surface to soil colors with chroma 2 or less - record Munsell color chip designation

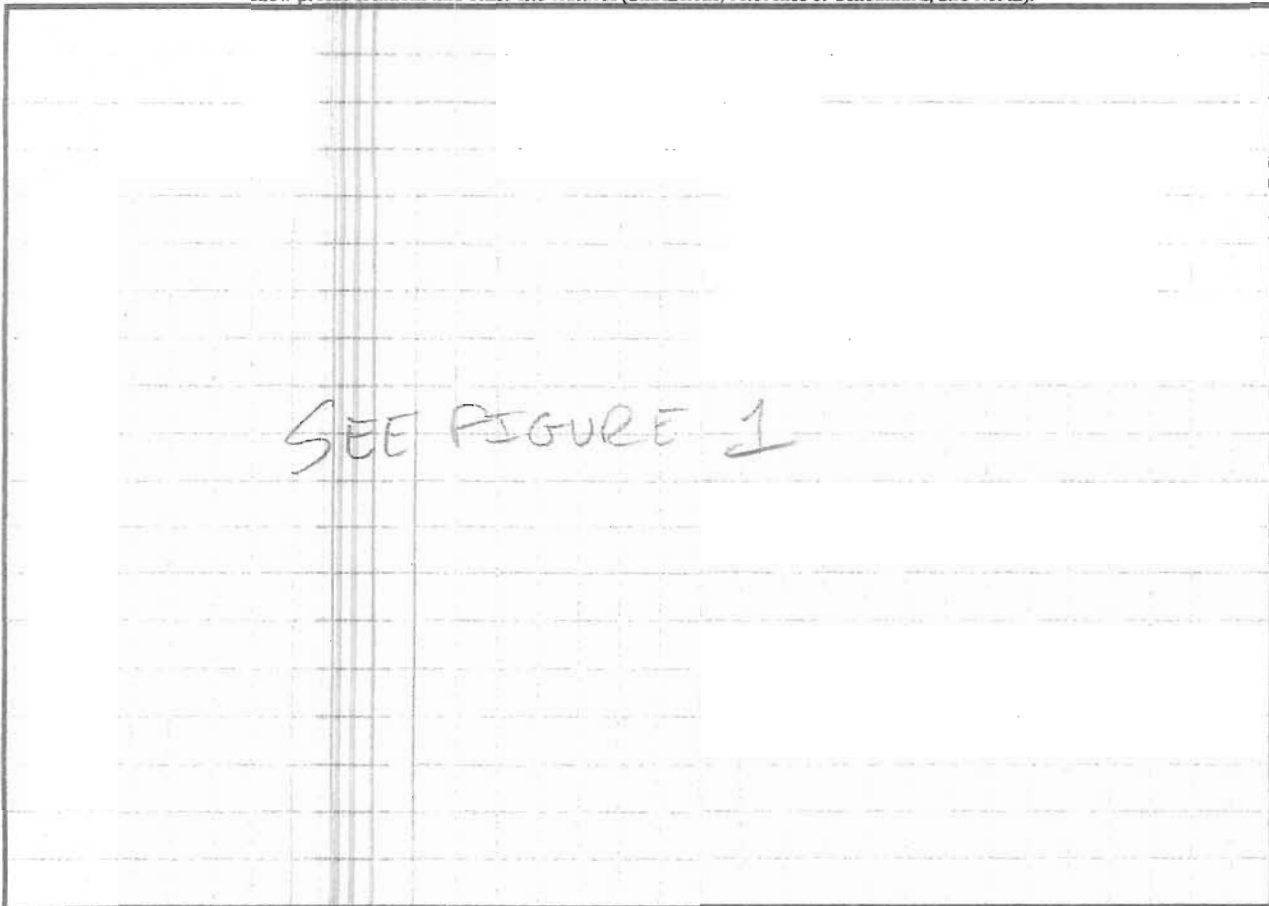
CLASSIFICATION

S (Suitable), PS (Provisionally Suitable), or U (Unsuitable)

Evaluation of saprolite shall be by pits.

Long-term Acceptance Rate (LTAR): gal/day/ft²

Show profile locations and other site features (dimensions, reference or benchmark, and North).



The applicant is responsible for preparing property for a site evaluation by an Environmental Health Specialist. The applicant must address each of the items listed below prior to the evaluation

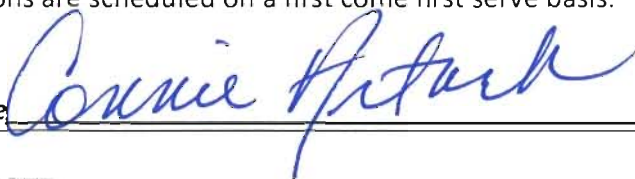
1. **Property Lines must be marked:** All property lines and corners must be clearly marked and readily identifiable. If you are proposing to subdivide property, the proposed property lines must be clearly marked.
2. **The area to be evaluated must be accessible:** In order to conduct a site evaluation, the lot must be easily accessible. If fallen trees, underbrush, or other obstacles prevent free movement across the property, then clearing will be required. Clearing "sight lines" (clearing paths to see the ground) in the area to be evaluated (example: cleared undergrowth to allow easy accessibility and at least 50 feet visibility in any direction; All sites may not require clearing. **NOTE:** *Soil disturbance must be minimized during the clearing process in order to avoid removing natural soil and adversely affecting site/soil characteristics.*
3. **House/structures must be marked:** The proposed location of a house or any other structure must be clearly marked on the property.

PLEASE CHECK ONE OF THE FOLLOWING:

- ☒ *My property presently meets the conditions mentioned above and is ready to be evaluated by Cabarrus Health Alliance Environmental Health*
- ☐ *My property presently does not meet the conditions mentioned above. When these conditions are met I will contact the Environmental Health office at **704-920-1207** to have my property scheduled for a soils evaluation.*

I understand if the aforementioned conditions are not met the property will not be evaluated and that BEING ON SITE AT THE TIME OF THE EVALUATION IS NOT A SUBSTITUTE FOR MARKING THE PROPERTY. All applications are scheduled on a first come first serve basis.

Signature



PLEASE NOTE:

- Test sites are done in one acre increments
- A plat or tax map that shows property dimensions MUST be included with the application.
- If a proper evaluation cannot be accomplished with an auger (example: rock at shallow depths or too close to the surface), the NC Administrative Code states that you may be required to dig backhoe pits which will permit us to do a more complex evaluation.

OFFER TO PURCHASE AND CONTRACT - VACANT LOT/LAND

[Consult "Guidelines" (form 12G) for guidance in completing this form]

NOTE: This contract is intended for unimproved real property that Buyer will purchase only for personal use and does not have immediate plans to subdivide. It should not be used to sell property that is being subdivided unless the property has been platted, properly approved and recorded with the register of deeds as of the date of the contract. If Seller is Buyer's builder and the sale involves the construction of a new single family dwelling prior to closing, use the standard Offer to Purchase and Contract-New Construction (Form 800-T) or, if the construction is completed, use the Offer to Purchase and Contract (Form 2-T) with the New Construction Addendum (Form 2A3-T).

For valuable consideration, the receipt and legal sufficiency of which are hereby acknowledged, Buyer offers to purchase and Seller upon acceptance agrees to sell and convey the Property on the terms and conditions of this Offer To Purchase and Contract and any addendum or modification made in accordance with its terms (together the "Contract").

1. TERMS AND DEFINITIONS: The terms listed below shall have the respective meaning given them as set forth adjacent to each term.

(a) "Seller": Paul Stephen McMath, spouse Brenda Fowler McMath

(b) "Buyer": JIM and CONNIE ARSTARK

(c) "Property": The Property shall include all that real estate described below together with all appurtenances thereto including the improvements located thereon.

NOTE: If the Property will include a manufactured (mobile) home(s), Buyer and Seller should consider including the Manufactured (Mobile) Home provision in the Additional Provisions Addendum (Standard Form 2A11-T) with this offer.

Street Address: 3233 Hahn Scott Rd

City: Mount Pleasant

Zip: 28124

County: Cabarrus, North Carolina

NOTE: Governmental authority over taxes, zoning, school districts, utilities and mail delivery may differ from address shown.

Legal Description: (Complete ALL applicable)

Plat Reference :Lot/Unit 10.05ac, Block/Section —, Subdivision/Condominium none

Hahn Scott Rd - 17004, as shown on Plat Book/Slide _____ at Page(s) _____

The PIN/PID or other identification number of the Property is: 5589 24 33620000

Other description: 10 acres at the corner of Hahn Scott Rd and Bowman Barrier

Some or all of the Property may be described in Deed Book 13870 at Page 165

(d) "Purchase Price":

\$ 85,000

\$ 1500

\$ 0

\$ 0

\$ 0

\$ 0

\$ 83,500

paid in U.S. Dollars upon the following terms:

BY DUE DILIGENCE FEE made payable and delivered to Seller by the Effective Date.

BY INITIAL EARNEST MONEY DEPOSIT made payable and delivered to Escrow Agent named in Paragraph 1(f) by ☐ cash ☐ personal check ☐ official bank check ☐ wire transfer, ☐ electronic transfer, EITHER ☐ with this offer OR ☐ within five (5) days of the Effective Date of this Contract.

BY (ADDITIONAL) EARNEST MONEY DEPOSIT made payable and delivered to Escrow Agent named in Paragraph 1(f) by cash, official bank check, wire transfer or electronic transfer no later than 5 p.m. on _____,

TIME BEING OF THE ESSENCE.

BY ASSUMPTION of the unpaid principal balance and all obligations of Seller on the existing loan(s) secured by a deed of trust on the Property in accordance with the attached Loan Assumption Addendum (Standard Form 2A6-T).

BY SELLER FINANCING in accordance with the attached Seller Financing Addendum (Standard Form 2A5-T).

BALANCE of the Purchase Price in cash at Settlement (some or all of which may be paid with the proceeds of a new loan).

Page 1 of 12



This form jointly approved by:

North Carolina Bar Association

REALTOR® North Carolina Association of REALTORS®, Inc.

Buyer initials JA

Seller initials PS



STANDARD FORM 12-T

Revised 7/2019

© 7/2019

Should Buyer fail to deliver either the Due Diligence Fee or any Initial Earnest Money Deposit by their due dates, or should any check or other funds paid by Buyer be dishonored, for any reason, by the institution upon which the payment is drawn, Buyer shall have one (1) banking day after written notice to deliver cash, official bank check, wire transfer or electronic transfer to the payee. In the event Buyer does not timely deliver the required funds, Seller shall have the right to terminate this Contract upon written notice to Buyer.

(e) **"Earnest Money Deposit"**: The Initial Earnest Money Deposit, the Additional Earnest Money Deposit and any other earnest monies paid or required to be paid in connection with this transaction, collectively the "Earnest Money Deposit", shall be deposited and held in escrow by Escrow Agent until Closing, at which time it will be credited to Buyer, or until this Contract is otherwise terminated. In the event: (1) this offer is not accepted; or (2) a condition of any resulting contract is not satisfied, then the Earnest Money Deposit shall be refunded to Buyer. In the event of breach of this Contract by Seller, the Earnest Money Deposit shall be refunded to Buyer upon Buyer's request, but such return shall not affect any other remedies available to Buyer for such breach. In the event of breach of this Contract by Buyer, the Earnest Money Deposit shall be paid to Seller. The payment of the Earnest Money Deposit to Seller and the retention of any Due Diligence Fee by Seller (without regard to their respective amounts, including zero) together shall serve as liquidated damages ("Liquidated Damages") and as Seller's sole and exclusive remedy for such breach, but without limiting Seller's rights under Paragraphs 4(d) and 4(e) for damage to the Property. It is acknowledged by the parties that the amount of the Liquidated Damages is compensatory and not punitive, such amount being a reasonable estimation of the actual loss that Seller would incur as a result of a breach of this Contract by Buyer. The payment to Seller and/or retention by Seller of the Liquidated Damages shall not constitute a penalty or forfeiture but actual compensation for Seller's anticipated loss, both parties acknowledging the difficulty determining Seller's actual damages for such breach. If legal proceedings are brought by Buyer or Seller against the other to recover the Earnest Money Deposit, the prevailing party in the proceeding shall be entitled to recover from the non-prevailing party reasonable attorney fees and court costs incurred in connection with the proceeding.

(f) **"Escrow Agent"** (insert name): NA

NOTE: In the event of a dispute between Seller and Buyer over the disposition of the Earnest Money Deposit held in escrow, a licensed real estate broker ("Broker") is required by state law (and Escrow Agent, if not a Broker, hereby agrees) to retain the Earnest Money Deposit in the Escrow Agent's trust or escrow account until Escrow Agent has obtained a written release from the parties consenting to its disposition or until disbursement is ordered by a court of competent jurisdiction. Alternatively, if a Broker or an attorney licensed to practice law in North Carolina ("Attorney") is holding the Earnest Money Deposit, the Broker or Attorney may deposit the disputed monies with the appropriate clerk of court in accordance with the provisions of N.C.G.S. §93A-12.

THE PARTIES AGREE THAT A REAL ESTATE BROKERAGE FIRM ACTING AS ESCROW AGENT MAY PLACE THE EARNEST MONEY DEPOSIT IN AN INTEREST BEARING TRUST ACCOUNT AND THAT ANY INTEREST EARNED THEREON SHALL BE DISBURSED TO THE ESCROW AGENT MONTHLY IN CONSIDERATION OF THE EXPENSES INCURRED BY MAINTAINING SUCH ACCOUNT AND RECORDS ASSOCIATED THEREWITH.

(g) **"Effective Date"**: The date that: (1) the last one of Buyer and Seller has signed or initialed this offer or the final counteroffer, if any, and (2) such signing or initialing is communicated to the party making the offer or counteroffer, as the case may be. The parties acknowledge and agree that the initials lines at the bottom of each page of this Contract are merely evidence of their having reviewed the terms of each page, and that the complete execution of such initials lines shall not be a condition of the effectiveness of this Agreement.

(h) **"Due Diligence"**: Buyer's opportunity to investigate the Property and the transaction contemplated by this Contract, including but not necessarily limited to the matters described in Paragraph 2 below, to decide whether Buyer, in Buyer's sole discretion, will proceed with or terminate the transaction.

(i) **"Due Diligence Fee"**: A negotiated amount, if any, paid by Buyer to Seller with this Contract for Buyer's right to terminate the Contract for any reason or no reason during the Due Diligence Period. It shall be the property of Seller upon the Effective Date and shall be a credit to Buyer at Closing. The Due Diligence Fee shall be non-refundable except in the event of a material breach of this Contract by Seller, or if this Contract is terminated under Paragraph 6(n) or as otherwise provided in any addendum hereto. Buyer and Seller each expressly waive any right that they may have to deny the right to conduct Due Diligence or to assert any defense as to the enforceability of this Contract based on the absence or alleged insufficiency of any Due Diligence Fee, it being the intent of the parties to create a legally binding contract for the purchase and sale of the Property without regard to the existence or amount of any Due Diligence Fee.

(j) **"Due Diligence Period"**: The period beginning on the Effective Date and extending through 5:00 p.m. on on or before May 01, 2020 **TIME BEING OF THE ESSENCE.**

(k) **"Settlement"**: The proper execution and delivery to the closing attorney of all documents necessary to complete the transaction contemplated by this Contract, including the deed, settlement statement, deed of trust and other loan or conveyance documents, and the closing attorney's receipt of all funds necessary to complete such transaction.

(l) **"Settlement Date"**: The parties agree that Settlement will take place on May 31, 2020 (the "Settlement Date"), unless otherwise agreed in writing, at a time and place designated by Buyer.

(m) **"Closing"**: The completion of the legal process which results in the transfer of title to the Property from Seller to Buyer, which includes the following steps: (1) the Settlement (defined above); (2) the completion of a satisfactory title update to the Property following the Settlement; (3) the closing attorney's receipt of authorization to disburse all necessary funds; and (4) recordation in the appropriate county registry of the deed(s) and deed(s) of trust, if any, which shall take place as soon as reasonably possible for the closing attorney after Settlement. Upon Closing, the proceeds of sale shall be disbursed by the closing attorney in accordance with the settlement statement and the provisions of Chapter 45A of the North Carolina General Statutes. If the title update should reveal unexpected liens, encumbrances or other title defects, or if the closing attorney is not authorized to disburse all necessary funds, then the Closing shall be suspended and the Settlement deemed delayed under Paragraph 9 (Delay in Settlement/Closing).

WARNING: The North Carolina State Bar has determined that the performance of most acts and services required for a closing constitutes the practice of law and must be performed only by an attorney licensed to practice law in North Carolina. State law prohibits unlicensed individuals or firms from rendering legal services or advice. Although non-attorney settlement agents may perform limited services in connection with a closing, they may not perform all the acts and services required to complete a closing. A closing involves significant legal issues that should be handled by an attorney. Accordingly it is the position of the North Carolina Bar Association and the North Carolina Association of REALTORS® that all buyers should hire an attorney licensed in North Carolina to perform a closing.

(n) **"Special Assessments"**: A charge against the Property by a governmental authority in addition to ad valorem taxes and recurring governmental service fees levied with such taxes, or by an owners' association in addition to any regular assessment (dues), either of which may be a lien against the Property. A Special Assessment may be either proposed or confirmed.

"Proposed Special Assessment": A Special Assessment that is under formal consideration but which has not been approved prior to Settlement.

"Confirmed Special Assessment": A Special Assessment that has been approved prior to Settlement whether payable in a lump sum or future installments.

NOTE: Any Proposed and Confirmed Special Assessments must be identified by Seller in paragraph 5(b), and Buyer's and Seller's respective responsibilities for Proposed and Confirmed Special Assessments are addressed in paragraphs 4(a) and 6(k).

2. **BUYER'S DUE DILIGENCE PROCESS:**

WARNING: BUYER IS STRONGLY ENCOURAGED TO CONDUCT DUE DILIGENCE DURING THE DUE DILIGENCE PERIOD. If Buyer is not satisfied with the results or progress of Buyer's Due Diligence, Buyer should terminate this Contract, *prior to the expiration of the Due Diligence Period*, unless Buyer can obtain a written extension from Seller. SELLER IS NOT OBLIGATED TO GRANT AN EXTENSION. Although Buyer may continue to investigate the Property following the expiration of the Due Diligence Period, Buyer's failure to deliver a Termination Notice to Seller prior to the expiration of the Due Diligence Period will constitute a waiver by Buyer of any right to terminate this Contract based on any matter relating to Buyer's Due Diligence. Provided however, following the Due Diligence Period, Buyer may still exercise a right to terminate if Seller fails to materially comply with any of Seller's obligations under paragraph 6 of this Contract or for any other reason permitted under the terms of this Contract or North Carolina law.

(a) **Loan:** Buyer, at Buyer's expense, shall be entitled to pursue qualification for and approval of the Loan if any.

NOTE: Buyer's obligation to purchase the Property is not contingent on obtaining a Loan. Therefore, Buyer is advised to consult with Buyer's lender prior to signing this offer to assure that the Due Diligence Period allows sufficient time for the appraisal to be completed and for Buyer's lender to provide Buyer sufficient information to decide whether to proceed with or terminate the transaction.

(b) **Property Investigation:** Buyer or Buyer's agents or representatives, at Buyer's expense, shall be entitled to conduct all desired tests, surveys, appraisals, investigations, examinations and inspections of the Property as Buyer deems appropriate, including but NOT limited to the following:

- (i) **Soil And Environmental:** Reports to determine whether the soil is suitable for Buyer's intended use and whether there is any environmental contamination, law, rule or regulation that may prohibit, restrict or limit Buyer's intended use.
- (ii) **Septic/Sewer System:** Any applicable investigation(s) to determine: (1) the condition of an existing sewage system, (2) the costs and expenses to install a sewage system approved by an existing Improvement Permit, (3) the availability and expense to connect to a public or community sewer system, and/or (4) whether an Improvement Permit or written evaluation may be obtained from the County Health Department for a suitable ground absorption sewage system.
- (iii) **Water:** Any applicable investigation(s) to determine: (1) the condition of an existing private drinking water well, (2) the costs and expenses to install a private drinking water well approved by an existing Construction Permit, (3) the availability, costs and expenses to connect to a public or community water system, or a shared private well, and/or (4) whether a Construction Permit may be obtained from the County Health Department for a private drinking water well.
- (iv) **Review of Documents:** Review of the Declaration of Restrictive Covenants, Bylaws, Articles of Incorporation, Rules and Regulations, and other governing documents of any applicable owners' association and/or subdivision. If the Property is subject to regulation by an owners' association, it is recommended that Buyer review the completed Owners' Association And Addendum (Standard Form 2A12-T) provided by Seller prior to signing this offer. It is also recommended that the Buyer determine if the owners' association or its management company charges fees for providing information required by Buyer's lender or confirming restrictive covenant compliance.
- (v) **Appraisals:** An appraisal of the Property.
- (vi) **Survey:** A survey to determine whether the property is suitable for Buyer's intended use and the location of easements, setbacks, property boundaries and other issues which may or may not constitute title defects.
- (vii) **Zoning and Governmental Regulation:** Investigation of current or proposed zoning or other governmental regulation that may affect Buyer's intended use of the Property, adjacent land uses, planned or proposed road construction, and school attendance zones.
- (viii) **Flood Hazard:** Investigation of potential flood hazards on the Property, and/or any requirement to purchase flood insurance in order to obtain the Loan.
- (ix) **Utilities and Access:** Availability, quality, and obligations for maintenance of utilities including electric, gas, communication services, storm water management, and means of access to the Property and amenities.
- (x) **Streets/Roads:** Investigation of the status of the street/road upon which the Property fronts as well as any other street/road used to access the Property, including: (1) whether any street(s)/road(s) are public or private, (2) whether any street(s)/road(s) designated as public are accepted for maintenance by the State of NC or any municipality, or (3) if private or not accepted for public maintenance, the consequences and responsibility for maintenance and the existence, terms and funding of any maintenance agreements.

NOTE: NC General Statutes Section 136-102.6(f) (the "Statute") requires that under circumstances described in the Statute, a buyer must be provided a subdivision streets disclosure statement prior to entering into an agreement to buy subdivided property described in the Statute. If Buyer or Seller are uncertain whether the sale of the Property described in this Contract is subject to the Statute, consult a NC real estate attorney.

- (xi) **Sale/Lease of Existing Property:** As noted in paragraph 3(b), this Contract is not conditioned upon the sale/lease or closing of other property owned by Buyer. Therefore, if Buyer must sell or lease other real property in order to qualify for a new loan or to otherwise complete the purchase of the Property, Buyer should seek to close on Buyer's other property prior to the end of the Due Diligence Period or be reasonably satisfied that closing on Buyer's other property will take place prior to the Settlement Date of this Contract.

(c) **Buyer's Obligation to Repair Damage:** Buyer shall, at Buyer's expense, promptly repair any damage to the Property resulting from any activities of Buyer and Buyer's agents and contractors, but Buyer shall not be responsible for any damage caused by accepted practices applicable to any N.C. licensed professional performing reasonable appraisals, tests, surveys, examinations and inspections of the Property. This repair obligation shall survive any termination of this Contract.

(d) **Indemnity:** Buyer will indemnify and hold Seller harmless from all loss, damage, claims, suits or costs, which shall arise out of any contract, agreement, or injury to any person or property as a result of any activities of Buyer and Buyer's agents and contractors relating to the Property except for any loss, damage, claim, suit or cost arising out of pre-existing conditions of the Property and/or out of Seller's negligence or willful acts or omissions. This indemnity shall survive this Contract and any termination hereof.

(e) **Buyer's Right to Terminate:** Buyer shall have the right to terminate this Contract for any reason or no reason, by delivering to Seller written notice of termination (the "Termination Notice") during the Due Diligence Period (or any agreed-upon written extension of the Due Diligence Period), **TIME BEING OF THE ESSENCE**. If Buyer timely delivers the Termination Notice, this Contract shall be terminated and the Earnest Money Deposit shall be refunded to Buyer.




(f) **CLOSING SHALL CONSTITUTE ACCEPTANCE OF THE PROPERTY IN ITS THEN EXISTING CONDITION UNLESS PROVISION IS OTHERWISE MADE IN WRITING.**

3. **BUYER REPRESENTATIONS:**

(a) **Loan:** Buyer ☐ does ☒ does not intend to obtain a new loan in order to purchase the Property. If Buyer is obtaining a new loan, Buyer intends to obtain a loan as follows: ☐ Conventional ☐ Other: _____ loan at a ☐ Fixed Rate ☐ Adjustable Rate in the principal amount of _____ for a term of _____ year(s), at an initial interest rate not to exceed _____ % per annum (the "Loan").

NOTE: Buyer's obligation under this Contract are not conditioned upon obtaining or closing any loan.

NOTE: If Buyer does not intend to obtain a new loan, Seller is advised, prior to signing this offer, to obtain documentation from Buyer which demonstrates that Buyer will be able to close on the Property without the necessity of obtaining a new loan.

(b) **Other Property:** Buyer ☒ DOES ☐ DOES NOT have to sell or lease other real property in order to qualify for a new loan or to complete the purchase. *(Complete the following only if Buyer DOES have to sell or lease other real property:)*

Other Property Address: 5625 WEDDINGTON ROAD, CONCORD NC 28027

☐ **(Check if applicable)** Buyer's other property IS under contract as of the date of this offer, and a copy of the contract has either been previously provided to Seller or accompanies this offer. *(Buyer may mark out any confidential information, such as the purchase price and the buyer's identity, prior to providing a copy of the contract to Seller.)* Failure to provide a copy of the contract shall not prevent this offer from becoming a binding contract; however, SELLER IS STRONGLY ENCOURAGED TO OBTAIN AND REVIEW THE CONTRACT ON BUYER'S PROPERTY PRIOR TO ACCEPTING THIS OFFER.

☒ **(Check if applicable)** Buyer's other property IS NOT under contract as of the date of this offer. Buyer's property *(check only ONE of the following options):*

☒ is listed with and actively marketed by a licensed real estate broker.

☐ will be listed with and actively marketed by a licensed real estate broker.

☐ Buyer is attempting to sell/lease the Buyer's Property without the assistance of a licensed real estate broker.

NOTE: This Contract is NOT conditioned upon the sale/lease or closing of Buyer's other property. If the parties agree to make this Contract conditioned on a sale/lease or closing of Buyer's other property, an appropriate contingency addendum should be drafted by a North Carolina real estate attorney and added to this Contract.

(c) **Performance of Buyer's Financial Obligations:** To the best of Buyer's knowledge, there are no other circumstances or conditions existing as of the date of this offer that would prohibit Buyer from performing Buyer's financial obligations in accordance with this Contract, except as maybe specifically set forth herein.

4. **BUYER OBLIGATIONS:**

(a) **Responsibility for Proposed Special Assessments:** Buyer shall take title subject to all Proposed Special Assessments.

(b) **Responsibility for Certain Costs:** Buyer shall be responsible for all costs with respect to:

(i) any loan obtained by Buyer, including charges by an owners association and/or management company as agent of an owners' association for providing information required by Buyer's lender;

(ii) charges required by an owners' association declaration to be paid by Buyer for Buyer's future use and enjoyment of the Property, including, without limitation, working capital contributions, membership fees, or charges for Buyer's use of the common elements and/or services provided to Buyer, such as "move-in fees";

(iii) determining restrictive covenant compliance;

(iv) appraisal;

(v) title search;

(vi) title insurance;

(vii) any fees charged by the closing attorney for the preparation of the Closing Disclosure, Seller Disclosure and any other settlement statement;

(viii) recording the deed; and

(ix) preparation and recording of all instruments required to secure the balance of the Purchase Price unpaid at Settlement.

(c) **Authorization to Disclose Information:** Buyer authorizes the Buyer's lender(s), the parties' real estate agent(s) and closing attorney:(1) to provide this Contract to any appraiser employed by Buyer or by Buyer's lender(s); and (2) to release and disclose any buyer's closing disclosure, settlement statement and/or disbursement summary, or any information therein, to the parties to this transaction, their real estate agent(s) and Buyer's lender(s).

5. **SELLER REPRESENTATIONS:**

(a) **Ownership:** Seller represents that Seller:

- ☒ has owned the Property for at least one year.
☐ has owned the Property for less than one year.
☐ does not yet own the Property.

(b) **Assessments:** To the best of Seller's knowledge there ☐ are ☒ are not any Proposed Special Assessments. If any Proposed Special Assessments, identify: _____.

Seller warrants that there ☐ are ☒ are not any Confirmed Special Assessments. If any Confirmed Special Assessments, identify: _____.

NOTE: Buyer's and Seller's respective responsibilities for Proposed and Confirmed Special Assessments are addressed in paragraphs 4(a) and 6(k).

(c) **Owners' Association(s) and Dues:** To best of Seller's knowledge, ownership of the Property ☐ subjects ☐ does not subject Buyer to regulation by one or more owners' association(s) and governing documents, which impose various mandatory covenants, conditions and restrictions upon the Property and Buyer's enjoyment thereof, including but not limited to obligations to pay regular assessments (dues) and Special Assessments. If there is an owners' association, then an Owners' Association Disclosure and Addendum For Properties Exempt from Residential Property Disclosure Statement (Standard Form 2A12-T) shall be completed by Seller, at Seller's expense, and must be attached as an addendum to this Contract.

(d) **Sewage System Permit:** (☐ Applicable ☒ Not Applicable) Seller warrants that the sewage system described in the Improvement Permit attached hereto has been installed, which representation survives Closing, but makes no further representations as to the system.

(e) **Private Drinking Water Well Permit:** (☐ Applicable ☒ Not Applicable) Seller warrants that a private drinking water well has been installed, which representation survives Closing, but makes no further representations as to the well. (If well installed after July 1, 2008, attach Improvement Permit hereto.)

6. **SELLER OBLIGATIONS:**

(a) **Evidence of Title, Payoff Statement(s) and Non Foreign Status:**

(i) Seller agrees to use best efforts to provide to the closing attorney as soon as reasonably possible after the Effective Date, copies of all title information in possession of or available to Seller, including but not limited to: title insurance policies, attorney's opinions on title, surveys, covenants, deeds, notes and deeds of trust, leases, and easements relating to the Property.

(ii) Seller shall provide to the closing attorney all information needed to obtain a written payoff statement from any lender(s) regarding any security interest in the Property as soon as reasonably possible after the Effective Date, and Seller designates the closing attorney as Seller's agent with express authority to request and obtain on Seller's behalf payoff statements and/or short-pay statements from any such lender(s).

(iii) If Seller is not a foreign person as defined by the Foreign Investment in Real Property Tax Act, Seller shall also provide to the closing attorney a non-foreign status affidavit (pursuant to the Foreign Investment in Real Property Tax Act). In the event Seller shall not provide a non-foreign status affidavit, Seller acknowledges that there maybe withholding as provided by the Internal Revenue Code.

(b) **Authorization to Disclose Information:** Seller authorizes: (1) any attorney presently or previously representing Seller to release and disclose any title insurance policy in such attorney's file to Buyer and both Buyer's and Seller's agents and attorneys; (2) the Property's title insurer or its agent to release and disclose all materials in the Property's title insurer's (or title insurer's agent's) file to Buyer and both Buyer's and Seller's agents and attorneys, and (3) the closing attorney to release and disclose any seller's closing disclosure, settlement statement and/or disbursement summary, or any information therein, to the parties to this transaction, their real estate agent(s) and Buyer's lender(s).

(c) **Access to Property:** Seller shall provide reasonable access to the Property through the earlier of Closing or possession by Buyer, including, but not limited to, allowing the Buyer and/or Buyer's agents or representatives an opportunity to (i) conduct Due Diligence, (ii) verify the satisfactory completion of negotiated repairs/improvements, and (iii) conduct a final walk-through inspection of the Property. Seller's obligation includes providing existing utilities operating at Seller's cost including any connections and dewatering. To the extent applicable, Seller shall also be responsible for timely clearing that portion of the Property required by the County to perform tests, inspections and/or evaluations to determine the suitability of the Property for a sewage system and/or private drinking water well.

NOTE: See WARNING in paragraph 2 above for limitation on Buyer's right to terminate this Contract as a result of Buyer's continued investigation of the Property following the expiration of the Due Diligence Period.

(d) **Removal of Seller's Property:** Seller shall remove from the Property, by the date possession is delivered, (i) all personal property which is not a part of the purchase and (ii) unless otherwise agreed, all garbage and debris.

(e) **Affidavit and Indemnification Agreement:** Seller shall furnish at Settlement an affidavit(s) and indemnification agreement(s) in form satisfactory to Buyer and Buyer's title insurer, if any, executed by Seller and any person or entity who has performed or furnished labor, services, materials or rental equipment to the Property within 120 days prior to the date of Settlement and who may be entitled to claim a lien against the Property as described in N.C.G.S. §44A-8 verifying that each such person or entity has been paid in full and agreeing to indemnify Buyer, Buyer's lender(s) and Buyer's title insurer against all loss from any cause or claim arising there from.

(f) **Designation of Lien Agent, Payment and Satisfaction of Liens:** If required by N.C.G.S. §44A-11.1, Seller shall have designated a Lien Agent, and Seller shall deliver to Buyer as soon as reasonably possible a copy of the appointment of Lien Agent. All deeds of trust, deferred ad valorem taxes, liens and other charges against the Property, not assumed by Buyer, must be paid and satisfied by Seller prior to or at Settlement such that cancellation may be promptly obtained following Closing. Seller shall remain obligated to obtain any such cancellations following Closing.

(g) **Good Title, Legal Access:** Seller shall execute and deliver a GENERAL WARRANTY DEED for the Property in recordable form no later than Settlement, which shall convey fee simple marketable and insurable title, without exception for mechanics' liens, and free of any other liens, encumbrances or defects, including those which would be revealed by a current and accurate survey of the Property, except: ad valorem taxes for the current year (prorated through the date of Settlement); utility easements and unviolated covenants, conditions or restrictions that do not materially affect the value of the Property; and such other liens, encumbrances or defects as may be assumed or specifically approved by Buyer in writing. The Property must have legal access to a public right of way.

NOTE: Buyer's failure to conduct a survey or examine title of the Property prior to the expiration of the Due Diligence Period does not relieve the Seller of their obligation to deliver good title under this paragraph.

NOTE: If any sale of the Property may be a "short sale," consideration should be given to attaching a Short Sale Addendum (Standard Form 2A14-T) as an addendum to this Contract.

(h) **Deed, Taxes, and Fees:** Seller shall pay for preparation of a deed and all other documents necessary to perform Seller's obligations under this Contract, and for state and county excise taxes, and any deferred, discounted or rollback taxes, and local conveyance fees required by law. The deed is to be made to: JAMES N. ARSTARIK

CONNIE G. ARSTARIK (MARRIED)

(i) **Agreement to Pay Buyer Expenses:** Seller shall pay at Settlement \$ _____ toward any of Buyer's expenses associated with the purchase of the Property, at the discretion of Buyer and/or lender, if any, including any FHA/VA lender and inspection costs that Buyer is not permitted to pay.

(j) **Owners' Association Fees/Charges: Seller shall pay:** (i) any fees required for confirming Seller's account payment information on owners' association dues or assessments for payment or proration; (ii) any fees imposed by an owners' association and/or a management company as agent of the owners' association in connection with the transaction contemplated by this Contract other than those fees required to be paid by Buyer under paragraph 4(b) above; and (iii) fees incurred by Seller in completing the Residential Property and Owners' Association Disclosure Statement, and resale or other certificates related to a proposed sale of the Property.

(k) **Payment of Confirmed Special Assessments:** Seller shall pay, in full at Settlement, all Confirmed Special Assessments, whether payable in a lump sum or future installments, provided that the amount thereof can be reasonably determined or estimated. The payment of such estimated amount shall be the final payment between the Parties.

(l) **Late Listing Penalties:** All property tax late listing penalties, if any, shall be paid by Seller.

(m) **Owners' Association Disclosure and Condominium Resale Statement Addendum** (Standard Form 2A12-T): If applicable, Seller shall provide the completed Owners' Association Disclosure and Condominium Resale Statement Addendum to Buyer on or before the Effective Date.

(n) **Seller's Failure to Comply or Breach:** If Seller fails to materially comply with any of Seller's obligations under this Paragraph 6 or Seller materially breaches this Contract, and Buyer elects to terminate this Contract as a result of such failure or breach, then the Earnest Money Deposit and the Due Diligence Fee shall be refunded to Buyer and Seller shall reimburse to Buyer the reasonable costs actually incurred by Buyer in connection with Buyer's Due Diligence without affecting any other remedies. If

legal proceedings are brought by Buyer against the Seller to recover the Earnest Money Deposit, the Due Diligence Fee and/or the reasonable costs actually incurred by Buyer in connection with Buyer's Due Diligence, the prevailing party in the proceeding shall be entitled to recover from the non-prevailing party reasonable attorney fees and court costs incurred in connection with the proceeding.

7. **PRORATIONS AND ADJUSTMENTS:** Unless otherwise provided, the following items shall be prorated, with Seller responsible for the prorated amounts through the date of Settlement, and either adjusted between the parties or paid at Settlement:

- (a) **Taxes on Real Property:** Ad valorem taxes and recurring governmental service fees levied with such taxes on real property shall be prorated on a calendar year basis;
- (b) **Rents:** Rents, if any, for the Property;
- (c) **Dues:** Owners' association regular assessments (dues) and other like charges.

8. **RISK OF LOSS/CONDITION OF PROPERTY AT CLOSING:** The risk of loss or damage by fire or other casualty prior to Closing shall be upon Seller. Seller is advised not to cancel existing insurance on the Property until after confirming recordation of the deed.

Buyer's obligation to complete the transaction contemplated by this Contract shall be contingent upon the Property being in substantially the same or better condition at Closing as on the date of this offer, reasonable wear and tear excepted. If the Property is not in substantially the same or better condition at Closing as on the date of this offer, reasonable wear and tear excepted, Buyer may terminate this Contract by written notice delivered to Seller and the Earnest Money Deposit shall be refunded to Buyer. If the Property is not in such condition and Buyer does NOT elect to terminate this Contract, Buyer shall be entitled to receive, in addition to the Property, the proceeds of any insurance claim filed by Seller on account of any damage or destruction to the Property.

9. **DELAY IN SETTLEMENT/CLOSING:** Absent agreement to the contrary in this Contract or any subsequent modification thereto, if a party is unable to complete Settlement by the Settlement Date but intends to complete the transaction and is acting in good faith and with reasonable diligence to proceed to Settlement ("Delaying Party"), and if the other party is ready, willing and able to complete Settlement on the Settlement Date ("Non-Delaying Party") then the Delaying Party shall give as much notice as possible to the Non-Delaying Party and closing attorney and shall be entitled to a delay in Settlement. If the parties fail to complete Settlement and Closing within fourteen (14) days of the Settlement Date (including any amended Settlement Date agreed to in writing by the parties) or to otherwise extend the Settlement Date by written agreement, then the Delaying Party shall be in breach and the Non-Delaying Party may terminate this Contract and shall be entitled to enforce any remedies available to such party under this Contract for the breach.

10. **POSSESSION:** Unless otherwise provided herein, possession, including all means of access to the Property (keys, codes, including security codes, gate openers, electronic devices, etc.) shall be delivered at Closing as defined in Paragraph 1(m). No alterations, excavations, tree or vegetation removal or other such activities may be done before possession is delivered.

11. **ADDENDA:** CHECK ALL STANDARD ADDENDA THAT MAY BE A PART OF THIS CONTRACT, IF ANY, AND ATTACH HERETO. ITEMIZE ALL OTHER ADDENDA TO THIS CONTRACT, IF ANY, AND ATTACH HERETO.

- | | |
|--|---|
| <input type="checkbox"/> Additional Provisions Addendum (Form 2A11-T) | <input type="checkbox"/> Owners' Association Disclosure And Addendum For Properties Exempt from Residential Property Disclosure Statement (Form 2A12-T) |
| <input type="checkbox"/> Additional Signatures Addendum (Form 3-T) | <input type="checkbox"/> Seller Financing Addendum (Form 2A5-T) |
| <input type="checkbox"/> Back-Up Contract Addendum (Form 2A1-T) | <input type="checkbox"/> Short Sale Addendum (Form 2A14-T) |
| <input type="checkbox"/> Loan Assumption Addendum (Form 2A6-T) | |
| <input type="checkbox"/> Identify other attorney or party drafted addenda: | |

Mineral Rights Conveyed w/ Land

NOTE: UNDER NORTH CAROLINA LAW, REAL ESTATE BROKERS ARE NOT PERMITTED TO DRAFT ADDENDA TO THIS CONTRACT.

12. **ASSIGNMENTS:** This Contract may not be assigned without the written consent of all parties except in connection with a tax-deferred exchange, but if assigned by agreement, then this Contract shall be binding on the assignee and assignee's heirs and successors.

13. **TAX-DEFERRED EXCHANGE:** In the event Buyer or Seller desires to effect a tax-deferred exchange in connection with the conveyance of the Property, Buyer and Seller agree to cooperate in effecting such exchange; provided, however, that the exchanging party shall be responsible for all additional costs associated with such exchange, and provided further, that a non-exchanging party shall not assume any additional liability with respect to such tax-deferred exchange. Buyer and Seller shall execute such additional

documents, including assignment of this Contract in connection therewith, at no cost to the non-exchanging party, as shall be required to give effect to this provision.

14. **PARTIES:** This Contract shall be binding upon and shall inure to the benefit of Buyer and Seller and their respective heirs, successors and assigns. As used herein, words in the singular include the plural and the masculine includes the feminine and neuter genders, as appropriate.

15. **SURVIVAL:** If any provision herein contained which by its nature and effect is required to be observed, kept or performed after the Closing, it shall survive the Closing and remain binding upon and for the benefit of the parties hereto until fully observed, kept or performed.

16. **ENTIRE AGREEMENT:** This Contract contains the entire agreement of the parties and there are no representations, inducements or other provisions other than those expressed herein. All changes, additions or deletions hereto must be in writing and signed by all parties. Nothing contained herein shall alter any agreement between a REALTOR® or broker and Seller or Buyer as contained in any listing agreement, buyer agency agreement, or any other agency agreement between them.

17. **CONDUCT OF TRANSACTION:** The parties agree that any action between them relating to the transaction contemplated by this Contract may be conducted by electronic means, including the signing of this Contract by one or more of them and any notice or communication given in connection with this Contract. Any written notice or communication may be transmitted to any mailing address, e-mail address or fax number set forth in the "Notice Information" section below. Any notice or communication to be given to a party herein, any any fee, deposit of other payment to be delivered to a party herein, may be given to the party or to such party's agent. Seller and Buyer agree that the "Notice Information" and "Acknowledgment of Receipt of Monies" sections below shall not constitute a material part of this Contract, and that the addition or modification of any information therein shall not constitute a rejection of an offer or the creation of a counter offer.

18. **EXECUTION:** This Contract may be signed in multiple originals or counterparts, all of which together constitute one and the same instrument.

19. **COMPUTATION OF DAYS/TIME OF DAY:** Unless otherwise provided, for purposes of this Contract, the term "days" shall mean consecutive calendar days, including Saturdays, Sundays, and holidays, whether federal, state, local or religious. For the purposes of calculating days, the count of "days" shall begin on the day following the day upon which any act or notice as provided in this Contract was required to be performed or made. Any reference to a date or time of day shall refer to the date and/or time of day in the State of North Carolina.

THE NORTH CAROLINA ASSOCIATION OF REALTORS®, INC. AND THE NORTH CAROLINA BAR ASSOCIATION MAKE NO REPRESENTATION AS TO THE LEGAL VALIDITY OR ADEQUACY OF ANY PROVISION OF THIS FORM IN ANY SPECIFIC TRANSACTION. IF YOU DO NOT UNDERSTAND THIS FORM OR FEEL THAT IT DOES NOT PROVIDE FOR YOUR LEGAL NEEDS, YOU SHOULD CONSULT A NORTH CAROLINA REAL ESTATE ATTORNEY BEFORE YOU SIGN IT.

This offer shall become a binding contract on the Effective Date. Unless specifically provided otherwise, Buyer's failure to timely deliver any fee, deposit or other payment provided for herein shall not prevent this offer from becoming a binding contract, provided that any such failure shall give Seller certain rights to terminate the contract as described herein or as otherwise permitted by law.

Date: 2-22-2020

Buyer: [Signature]

Date: 2-22-2020

Buyer: Connie A. Stark

Entity Buyer:

(Name of LLC/Corporation/Partnership/Trust/etc.)

By: _____

Name: _____

Title: _____

Date: _____

Date: 2/22/2020

Seller: [Signature]

Date: 2/22/2020

Seller: Brenda Fowler M. M. M.

Entity Seller:

(Name of LLC/Corporation/Partnership/Trust/etc.)

By: _____

Name: _____

Title: _____

Date: _____

WIRE FRAUD WARNING

TO BUYERS: BEFORE SENDING ANY WIRE, YOU SHOULD CALL THE CLOSING ATTORNEY'S OFFICE TO VERIFY THE INSTRUCTIONS. IF YOU RECEIVE WIRING INSTRUCTIONS FOR A DIFFERENT BANK, BRANCH LOCATION, ACCOUNT NAME OR ACCOUNT NUMBER, THEY SHOULD BE PRESUMED FRAUDULENT. DO NOT SEND ANY FUNDS AND CONTACT THE CLOSING ATTORNEY'S OFFICE IMMEDIATELY.

TO SELLERS: IF YOUR PROCEEDS WILL BE WIRED, IT IS RECOMMENDED THAT YOU PROVIDE WIRING INSTRUCTIONS AT CLOSING IN WRITING IN THE PRESENCE OF THE ATTORNEY. IF YOU ARE UNABLE TO ATTEND CLOSING, YOU MAY BE REQUIRED TO SEND AN ORIGINAL NOTARIZED DIRECTIVE TO THE CLOSING ATTORNEY'S OFFICE CONTAINING THE WIRING INSTRUCTIONS. THIS MAY BE SENT WITH THE DEED, LIEN WAIVER AND TAX FORMS IF THOSE DOCUMENTS ARE BEING PREPARED FOR YOU BY THE CLOSING ATTORNEY. AT A MINIMUM, YOU SHOULD CALL THE CLOSING ATTORNEY'S OFFICE TO PROVIDE THE WIRE INSTRUCTIONS. THE WIRE INSTRUCTIONS SHOULD BE VERIFIED OVER THE TELEPHONE VIA A CALL TO YOU INITIATED BY THE CLOSING ATTORNEY'S OFFICE TO ENSURE THAT THEY ARE NOT FROM A FRAUDULENT SOURCE.

WHETHER YOU ARE A BUYER OR A SELLER, YOU SHOULD CALL THE CLOSING ATTORNEY'S OFFICE AT A NUMBER THAT IS INDEPENDENTLY OBTAINED. TO ENSURE THAT YOUR CONTACT IS LEGITIMATE, YOU SHOULD NOT RELY ON A PHONE NUMBER IN AN EMAIL FROM THE CLOSING ATTORNEY'S OFFICE, YOUR REAL ESTATE AGENT OR ANYONE ELSE.

[THIS SPACE INTENTIONALLY LEFT BLANK]

NOTICE INFORMATION

NOTE: INSERT AT LEAST ONE ADDRESS AND/OR ELECTRONIC DELIVERY ADDRESS EACH PARTY AND AGENT APPROVES FOR THE RECEIPT OF ANY NOTICE CONTEMPLATED BY THIS CONTRACT. INSERT "N/A" FOR ANY WHICH ARE NOT APPROVED.

BUYER NOTICE ADDRESS:

Mailing Address: 5625 WEDDINGTON RD
CONCORD NC 28027

Buyer Fax#: 704-788-2615

Buyer E-mail: connie@arstark.com

SELLER NOTICE ADDRESS:

Mailing Address: 3215 Woodchuck Dr.
Ramoth, NC 28081

Seller Fax#: _____

Seller E-mail: smcmath@net.net

CONFIRMATION OF AGENCY/NOTICE ADDRESSES

Selling Firm Name: _____

Acting as ☐ Buyer's Agent ☐ Seller's(sub)Agent ☐ Dual Agent

Firm License#: _____

Mailing Address: _____

Individual Selling Agent: _____

☐ Acting as a Designated Dual Agent (check only if applicable)

Selling Agent License#: _____

Selling Agent Phone#: _____

Selling Agent Fax#: _____

Selling Agent E-mail: _____

Listing Firm Name: _____

Acting as ☐ Seller's Agent ☐ Dual Agent

Firm License#: _____

Mailing Address: _____

Individual Listing Agent: _____

☐ Acting as a Designated Dual Agent (check only if applicable)

Listing Agent License#: _____

Listing Agent Phone#: _____

Listing Agent Fax#: _____

Listing Agent E-mail: _____

[THIS SPACE INTENTIONALLY LEFT BLANK]

ACKNOWLEDGMENT OF RECEIPT OF MONIES

Seller: _____ ("Seller")
Buyer: _____ ("Buyer")
Property Address: _____ ("Property")

☐ LISTING AGENT ACKNOWLEDGMENT OF RECEIPT OF DUE DILIGENCE FEE

Paragraph 1(d) of the Offer to Purchase and Contract between Buyer and Seller for the sale of the Property provides for the payment to Seller of a Due Diligence Fee in the amount of \$ _____, receipt of which Listing Agent hereby acknowledges.

Date: _____ Firm: _____
By: _____
(Signature)

(Print name)

☒ SELLER ACKNOWLEDGMENT OF RECEIPT OF DUE DILIGENCE FEE

Paragraph 1(d) of the Offer to Purchase and Contract between Buyer and Seller for the sale of the Property provides for the payment to Seller of a Due Diligence Fee in the amount of \$ 1500.00, receipt of which Seller hereby acknowledges.

Date: 2-22-2020 Seller: R. Stephen McMath
(Signature)

Date: 2-22-2020 Seller: Brenda J. McMath
(Signature)

☐ ESCROW AGENT ACKNOWLEDGMENT OF RECEIPT OF INITIAL EARNEST MONEY DEPOSIT

Paragraph 1(d) of the Offer to Purchase and Contract between Buyer and Seller for the sale of the Property provides for the payment to Escrow Agent of an Initial Earnest Money Deposit in the amount of \$ _____. Escrow Agent as identified in Paragraph 1(f) of the Offer to Purchase and Contract hereby acknowledges receipt of the Initial Earnest Money Deposit and agrees to hold and disburse the same in accordance with the terms of the Offer to Purchase and Contract.

Date: _____ Firm: _____
By: _____
(Signature)

(Print name)

☐ ESCROW AGENT ACKNOWLEDGMENT OF RECEIPT OF (ADDITIONAL) EARNEST MONEY DEPOSIT

Paragraph 1(d) of the Offer to Purchase and Contract between Buyer and Seller for the sale of the Property provides for the payment to Escrow Agent of an (Additional) Earnest Money Deposit in the amount of \$ _____. Escrow Agent as identified in Paragraph 1(f) of the Offer to Purchase and Contract hereby acknowledges receipt of the (Additional) Earnest Money Deposit and agrees to hold and disburse the same in accordance with the terms of the Offer to Purchase and Contract.

Date: _____ Firm: _____
Time: _____ ☐ AM. ☐ PM By: _____
(Signature)

(Print name)








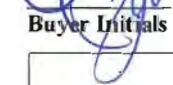
STATE OF NORTH CAROLINA MINERAL AND OIL AND GAS RIGHTS MANDATORY DISCLOSURE STATEMENT

Instructions to Property Owners

1. The Residential Property Disclosure Act (G.S. 47E) ("Disclosure Act") requires owners of certain residential real estate such as single-family homes, individual condominiums, townhouses, and the like, and buildings with up to four dwelling units, to furnish purchasers a Mineral and Oil and Gas Rights Disclosure Statement ("Disclosure Statement"). This form is the only one approved for this purpose.
2. A disclosure statement is not required for some transactions. For a complete list of exemptions, see G.S. 47E-2(a). **A DISCLOSURE STATEMENT IS REQUIRED FOR THE TRANSFERS IDENTIFIED IN G.S. 47E-2(b)**, including transfers involving the first sale of a dwelling never inhabited, lease with option to purchase contracts where the lessee occupies or intends to occupy the dwelling, and transfers between parties when both parties agree not to provide the Residential Property and Owner's Association Disclosure Statement.
3. You must respond to each of the following by placing a check ☒ in the appropriate box.

MINERAL AND OIL AND GAS RIGHTS DISCLOSURE

Mineral rights and/or oil and gas rights can be severed from the title to real property by conveyance (deed) of the mineral rights and/or oil and gas rights from the owner or by reservation of the mineral rights and/or oil and gas rights by the owner. If mineral rights and/or oil and gas rights are or will be severed from the property, the owner of those rights may have the perpetual right to drill, mine, explore, and remove any of the subsurface mineral and/or oil or gas resources on or from the property either directly from the surface of the property or from a nearby location. With regard to the severance of mineral rights and/or oil and gas rights, Seller makes the following disclosures:

	Yes	No	No Representation
 Buyer Initials _____ 1. Mineral rights were severed from the property by a previous owner.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
 Buyer Initials _____ 2. Seller has severed the mineral rights from the property.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
 Buyer Initials _____ 3. Seller intends to sever the mineral rights from the property prior to transfer of title to the Buyer.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
 Buyer Initials _____ 4. Oil and gas rights were severed from the property by a previous owner.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
 Buyer Initials _____ 5. Seller has severed the oil and gas rights from the property.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
 Buyer Initials _____ 6. Seller intends to sever the oil and gas rights from the property prior to transfer of title to Buyer.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Note to Purchasers

If the owner does not give you a Mineral and Oil and Gas Rights Disclosure Statement by the time you make your offer to purchase the property, or exercise an option to purchase the property pursuant to a lease with an option to purchase, you may under certain conditions cancel any resulting contract without penalty to you as the purchaser. To cancel the contract, you must personally deliver or mail written notice of your decision to cancel to the owner or the owner's agent within three calendar days following your receipt of this Disclosure Statement, or three calendar days following the date of the contract, whichever occurs first. However, in no event does the Disclosure Act permit you to cancel a contract after settlement of the transaction or (in the case of a sale or exchange) after you have occupied the property, whichever occurs first.

Property Address: 3233 Hahn Scott Rd / Bowman Barrier Rd
 Owner's Name(s): Paul and Brenda McMath
 Owner(s) acknowledge having examined this Disclosure Statement before signing and that all information is true and correct as of the date signed.
 Owner Signature: P. McMath Date: 2/22/2020
 Owner Signature: Brenda Louise McMath Date: 2/22/2020
 Purchaser(s) acknowledge receipt of a copy of this Disclosure Statement; that they have examined it before signing; that they understand that this is not a warranty by owner or owner's agent; and that the representations are made by the owner and not the owner's agent(s) or subagent(s).
 Purchaser Signature: Connie Arstark Date: 2/22/2020

REC 4.25

1/1/15

Untitled

Zoning / Compliance Certificate
Cabarrus County, NC (704) 920-2137
Date: 9/23/2020



Application #: ZN2020-01166
Parcel Number: 55892433620000

Fees: Residential Addition / Accessory structures zoning permit (accessory) \$150.00 9/23/2020
TOTAL \$150.00

Project Name: CONNIE ARSTARK

Applicant: ARSTARK
5625 WEDDINGTON RD
CONCORD, NC 28027
Work Location: 3233 HAHN SCOTT RD
MT PLEASANT, NC 28124
Phone: 7044006366
Property Owner: ~~MCMATH PAUL STEPHEN~~ ^{CONNIE} ARSTARK
Owner Phone:
Contractor: *Connie Arstark*
Proposed use: ACCESSORY BUILDING 1290 SQ.FT,
WITH 43 'X 30 ' DIMENSIONS
Previous use: RESIDENCE UNDER CONSTRUCTION

Setback Information

Front Corner Lot:	—	Front Local Road:	50'	Front Minor Collector:	75'
Side Yard:	20-40'	Side Yard Accessory:	20-40'	Max Impermeable Surface:	15'
Rear Yard:	30'	Rear Yard Accessory Setback 15ft or less:	5'	Max Structural Coverage:	10'

Subdivision and Lot Number:

Total Lot Area: 10 **Max Acc Bldg Size:** 8712 **Number Of Dwelling Units:**
Max Height (Principal/Acc): 40/40' **Project Description:** ACCESSORY BUILDING 1290 SQ.FT, WITH 43
'X 30 ' DIMENSIONS

Zone: AO Conventional

Development of this property will also involve:

☐ Approve Site Plan ☐ Accessory / Building / Structure Signs ☐ Watershed Overlay District
☐ Fence / Screen / Buffer Yard ☐ Flood Damage Prevention Ordinance

Comments: NO FLOODPLAIN OR WATERSHED WITHIN PROPERTY

ACCESSORY BUILDING - A BUILDING LOCATED ON THE SAME LOT AND CUSTOMARILY
INCIDENTAL AND SUBORDINATE TO THE PRINCIPAL DWELLING

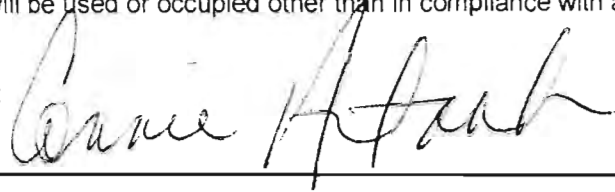
ACCESSORY BUILDINGS UP TO 15 FEET IN HEIGHT MUST MEET THE FRONT AND SIDE
SETBACKS REQUIREMENTS OF THE PRIMARY STRUCTURE. THE REAR SETBACK SHALL BE
NO LESS THAN 5 FEET. IF STRUCTURE IS GREATER THAN 15 FEET IN HEIGHT THEN ALL
PRIMARY STRUCTURE SETBACKS MUST BE MET IN ACCORDANCE WITH CABARRUS COUNTY
ORDINANCE CHAPTER 7, SECTION 3, PART 1.

Zoning Staff Signature:

Martha Hernandez

I, the undersigned, certify that all work designated on this application and on approved attached plans (if any) will be performed as indicated, and arrangement of land and / or structures will conform to all information presented herein and to all regulations of the zoning ordinance. No structures 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:



Important Setback Information

CABARRUS COUNTY

65 CHURCH STREET S - PO Box 707

CONCORD, NC 28025

Office - 704-920-2137 Fax - 704-920-2144

This notice is to inform you that all proposed principle and/or accessory structures shall be built or placed on the subject property in compliance with the setback standards listed on your Zoning Compliance Permit.

Example structures shall include but not be limited to:

- Residential Structures: Site Built, Modular, Mobile Homes
- Residential Accessory Structures: Pools, Storage Buildings, Garages
- Non Residential Structures: Offices, Warehouses, Fire Stations, Banks
- Non Residential Accessory Structures: Display Areas, Gas Pumps, ATM's

A structure built or placed on a property which encroaches a setback boundary shall be considered a violation of the Zoning Ordinance. Such violations are subject to all civil penalties and remedies set forth in the Zoning Ordinance.

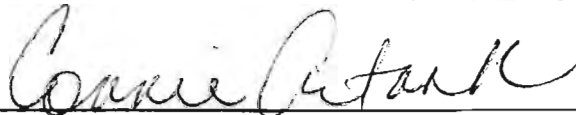
Prior to construction, verify setbacks to ensure the structure will be properly built or placed on the property.

All setbacks shall be measured from the existing or proposed right of way of record.

If you question the possibility of an encroachment consult with a land surveyor of your choice to plot out the structure placement.

I HAVE READ AND UNDERSTAND THESE REQUIREMENTS:

Applicant:



Date:

Staff:



Date:



Owner Copy



Staff Copy

STAFF USE ONLY:

Application/Accela#: _____

Reviewed by: _____

Date: _____

Amount Paid: _____

ZONING PERMIT TYPE REQUESTED:

<input type="checkbox"/>	New Construction
<input checked="" type="checkbox"/>	Accessory Building
<input type="checkbox"/>	Swimming Pool
<input type="checkbox"/>	Deck/Porch

<input type="checkbox"/>	Addition/Expansion
<input type="checkbox"/>	Accessory Dwelling
<input type="checkbox"/>	Manufactured Home
<input type="checkbox"/>	Other:

UTILITIES:

<input type="checkbox"/>	Septic Tank
<input type="checkbox"/>	Private Well

<input type="checkbox"/>	Public Sewer
<input type="checkbox"/>	Public Water

GENERAL INFORMATION:

Barn / Building
PROJECT DESCRIPTION

3233 Hahn Scott Rd Pleasant Mt. NC 28124
PROJECT ADDRESS

5589 24 336 20000
PROJECT PARCEL NUMBER (PIN)

Cabarrus County
COUNTY ZONING DESIGNATION FOR PROPERTY

CONNIE ARSTARK
PROPERTY OWNER NAME

6305 Lynnwood Dr. Concord NC 28027
PROPERTY OWNER MAILING ADDRESS

704-400-6366
PHONE NUMBER

connie@arstark.com
EMAIL ADDRESS

APPLICANT INFORMATION:

This person will receive the official correspondence to and from Cabarrus County regarding the zoning permit application and plot plan review.

CONNIE ARSTARK
NAME

704 400 6366
PHONE NUMBER

connie@arstark.com
EMAIL ADDRESS

owner
CONTRACTOR LICENSE NUMBER

6305 Lynnwood Dr. Concord NC 28027
ADDRESS

Concord NC 28027
CITY, STATE, ZIP CODE

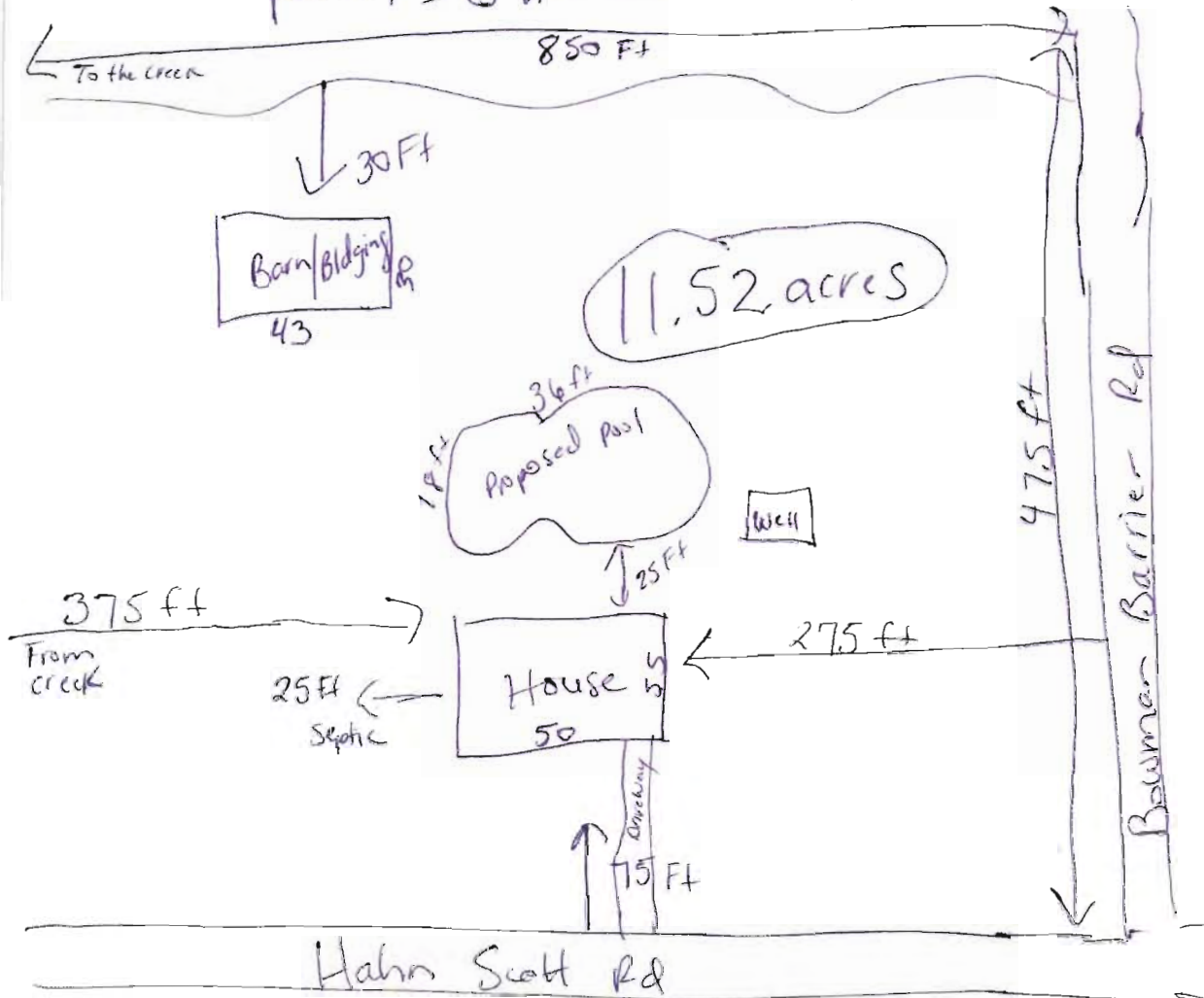
I hereby affirm that the above information is accurate and correct to the best of my knowledge. By signing below, I agree to conform to all applicable County ordinances and regulations and understand that deviations from the plan submitted may be cause for a zoning violation or a stop work order to be issued.

Signed by: Connie Arstark

Date: 9/17/2020

Plot Plan: 3233 Hahn Scott Rd

Parcel ID #: 55892433620000





Date: 9/23/20

File # 20-77

Connie Arstark

3233 Hahn Scott rd.

Mt Pleasant, NC 28124

Dear Ms. Arstark

On September 22, 2020 an existing septic inspection was performed at 3233 Hahn Scott rd. The proposed barn with a bathroom (no bedroom) appears to meet 15A NCAC 18A .1950. And permission is granted to construct.

The structure must be located a minimum of five feet away from any part of the existing septic tank system and twenty five feet away from the well.

You may call or write the local health department if you need any additional information or assistance.
7049201261

Sincerely,

A handwritten signature in black ink, appearing to read 'Tyler W. Robertson', is written over the word 'Sincerely,'.

Tyler W. Robertson, R.E.H.S.

Important Setback Information

CABARRUS COUNTY

65 CHURCH STREET S - PO Box 707

CONCORD, NC 28025

Office - 704-920-2137 Fax - 704-920-2144

This notice is to inform you that all proposed principle and/or accessory structures shall be built or placed on the subject property in compliance with the setback standards listed on your Zoning Compliance Permit.

Example structures shall include but not be limited to:

- Residential Structures: Site Built, Modular, Mobile Homes
- Residential Accessory Structures: Pools, Storage Buildings, Garages
- Non Residential Structures: Offices, Warehouses, Fire Stations, Banks
- Non Residential Accessory Structures: Display Areas, Gas Pumps, ATM's

A structure built or placed on a property which encroaches a setback boundary shall be considered a violation of the Zoning Ordinance. Such violations are subject to all civil penalties and remedies set forth in the Zoning Ordinance.

Prior to construction, verify setbacks to ensure the structure will be properly built or placed on the property.

All setbacks shall be measured from the existing or proposed right of way of record.

If you question the possibility of an encroachment consult with a land surveyor of your choice to plot out the structure placement.

I HAVE READ AND UNDERSTAND THESE REQUIREMENTS:

Applicant:

Date:

Staff:

Date:



Owner Copy



Staff Copy



ZONING PERMIT APPLICATION CABARRUS COUNTY-ZONING DIVISION

STAFF USE ONLY:

Application/Accela#: _____

Reviewed by: _____

Date: _____

Amount Paid: _____

WHEN IS A ZONING PERMIT APPLICABLE?

Zoning permits are required for all new construction. Whether it is a new residential or commercial structure, an addition to an existing structure, an outside storage building, or an attached deck, a zoning permit is required. Permits are also required for the installation of swimming pools (above or in ground), car ports, and to change the use of an existing structure.

GENERAL REQUIREMENTS:

CABARRUS HEALTH ALLIANCE:

- ☐ If the property has an **existing** septic system, call the Cabarrus Health Alliance at 704-920-1207 or visit them at 300 Mooresville Road, Kannapolis, for an inspection. CHA will provide a letter for you to turn in with your application.
- ☒ If the property requires a **new** septic system, a site evaluation application will need to be completed at the Cabarrus County Governmental Center at 65 Church Street, SE, Concord.

SITE/PLOT PLAN (to scale) that shows:

- ☒ size and configuration of the property, including lot dimensions and acreage
 - ☐ location and dimensions of all existing structures
 - ☐ location and dimensions of all existing parking and driveway areas
 - ☐ location and dimensions of any bodies of water or water channels (ponds, streams, swales, etc.)
 - ☐ location of identified flood hazard areas, including floodway, 100-year and 500-year
 - ☐ location and dimensions of proposed work (new structure, pool, addition to existing building, deck, etc.)
 - ☐ setbacks for the applicable zoning district (proposed work must meet established setbacks for district)
- All requests for zoning permits must comply with the standards of the Cabarrus County Development Ordinance.
- Additional information may be needed, or may be required on the plot plan, if the property lies within an Overlay District as defined in Chapter 4 of the Cabarrus County Development Ordinance.

ZONING PERMIT APPLICATION SUBMISSION:

Zoning is located on the second floor of the Cabarrus County Governmental Center at 65 Church Street SE, Concord. The application package should include a complete application form along with the appropriate zoning permit fee, plot/site plan, and supporting documentation.

Incomplete plan submittals and applications will not be processed and will be returned to the applicant

BUILDING PLAN SUBMISSION:

The zoning review process does not include NC Building Code review. When you submit the zoning permit application, you should also submit to Cabarrus County Building Standards. For additional information, call 704-920-2128.

STAFF USE ONLY:

Application/Accela#: _____

Reviewed by: _____

Date: _____

Amount Paid: _____

ZONING PERMIT TYPE REQUESTED:

<input checked="" type="checkbox"/>	New Construction
<input type="checkbox"/>	Accessory Building
<input type="checkbox"/>	Swimming Pool
<input type="checkbox"/>	Deck/Porch

<input type="checkbox"/>	Addition/Expansion
<input type="checkbox"/>	Accessory Dwelling
<input type="checkbox"/>	Manufactured Home
<input type="checkbox"/>	Other:

UTILITIES:

<input checked="" type="checkbox"/>	Septic Tank
<input type="checkbox"/>	Private Well

<input type="checkbox"/>	Public Sewer
<input type="checkbox"/>	Public Water

GENERAL INFORMATION:Arstark Custom Home

PROJECT DESCRIPTION

3233 Hahns South Rd

PROJECT ADDRESS

55892433620000

PROJECT PARCEL NUMBER (PIN)

Cabarrus

COUNTY ZONING DESIGNATION FOR PROPERTY

CONNIE ARSTARK

PROPERTY OWNER NAME

6035 Lynwood DrivePROPERTY OWNER MAILING ADDRESS Concord NC 28027704 400 6366

PHONE NUMBER

connie@arstark.com

EMAIL ADDRESS

APPLICANT INFORMATION:

This person will receive the official correspondence to and from Cabarrus County regarding the zoning permit application and plot plan review.

CONNIE ARSTARK

NAME

NA

CONTRACTOR LICENSE NUMBER

704 400 6366

PHONE NUMBER

connie@arstark.com

EMAIL ADDRESS

ADDRESS

CITY, STATE, ZIP CODE

I hereby affirm that the above information is accurate and correct to the best of my knowledge. By signing below, I agree to conform to all applicable County ordinances and regulations and understand that deviations from the plan submitted may be cause for a zoning violation or a stop work order to be issued.

Signed by:

Connie Arstark

Date:

6/12/2020

Applicant's Name: CONNIE Arstark Company Name: _____
Email: connie@arstark.com Phone: 704 784-1078
Job Site Address: 3233 Hahn Scott Road Mt. Pleasant 28124 Lot #: _____

Occupancy: ☒ Custom/Model/Single Family ☐ Single Fam Repeat ☐ Single Family Townhome ☐ Single Family Duplex
☐ Modular ☐ Multi Family Units (Comm) ☐ Single Family Manufactured Home ☐ Single Family Remodel/Upfit
☐ Assembly: Religious/Theater ☐ Assembly: Spectator Seating ☐ Assembly: Rest and Banquet Hall ☐ Small Rest
☐ Office, Med, Prof, etc. ☐ Educ Bld K-12 ☐ Med/24 Hr Care ☐ Day Care Fac ☐ Retail Sales ☐ Repair Gar/Serv St
☐ Storage (Mod Haz) ☐ Park Gar or Low Haz Storage ☐ Hotel/Motel
Type of Work: ☐ New ☐ Addition ☐ Renovation ☐ Shell ☐ Upfit ☐ Complete ☐ Demolition ☐ Accessory

Residential

Total Sq. Ft: 3100

Total Cost: \$ _____

Stories: 2

Habitable Rooms: _____

Bedrooms: 5

Bathroom(s): 3

Fireplace(s): 2

Basement Finished Sq. Ft. 1000

Unfinished Sq. Ft. _____

☒ Septic Septic # _____

☐ City Water and Sewer

Mobile Home

Sq. Footage _____

Est. Cost of Set Up \$ _____

Is this mobile home replacing an existing mobile home at this address?

☐ YES ☐ NO

If YES, please provide documentation from ZONING showing fees paid for this address. If NO, you must choose one of the options below.

☐ New WSACC fees
Domestic Water Line Size _____

☐ New Well/ Septic
Septic # _____

Jurisdiction: circle one

Concord Cabarrus Kannapolis Locust
Midland Harrisburg Mt. Pleasant

Subdivision: NH

*** If there isn't a choice marked or a Repeat PRB number listed, you will be charged for a Master Plan. ***

☐ Master Plan (never reviewed)

OR

☐ Repeat PRB (previously reviewed)

PRB#: NO

Mobile Homes

~ Completed Application

~ Approved and paid Zoning

~ Tax Assessors form if the mobile home has never been in Cabarrus County before (signed and stamped on 1st floor)

~ Well/Septic or WSACC Info-new lots on City water /Sewer will be charged WSACC fee (\$2,040.00) unless a letter is provided from zoning or WSACC proving sewer was on lot before

*Permit Fee is based on square footage and includes all trade permits.

*Mobile Homes from 1976- present can be moved and set up.

Commercial

Total Cost \$ _____

Square Footage _____

Domestic Water Line Size _____

Vanilla Box

Shell

Complete

Multi-Family Units # Units: _____

Other

Signs Total sq. ft. _____

Total Project Cost: \$ _____

☐ Wall Signs # of signs _____

☐ Monuments Sign # of signs _____

☐ Pole Sign # of signs _____

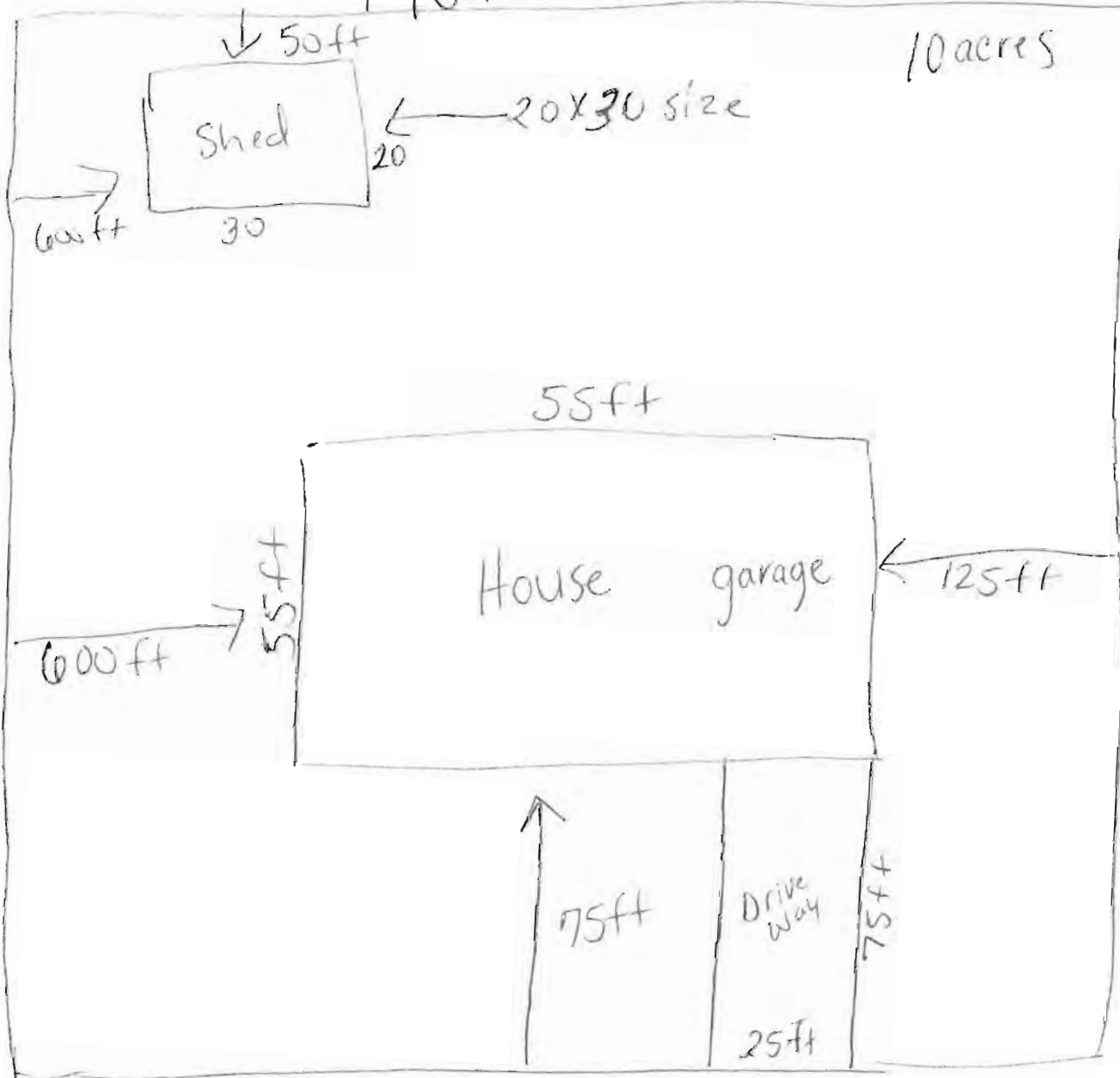
Pools Total sq. ft. _____

Total Project Cost: \$ _____

Decks/Piers Total sq. ft. _____

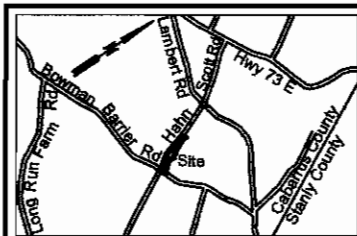
Total Project Cost: \$ _____

Plot Plan



Bowman Barrier Rd

3233 Hahn Scott Rd



Vicinity Sketch
Not to Scale

1/4" Iron Rod (f)
CL of Bowman Barrier Rd

60' NCDOT Right of Way

Overhead Utility Lines

RR Spike (f)

75' Front Setback

20' NO-BUILD SETBACK

15' RSOD BUFFER

30' Rear Setback

Property Line generally follows Lick Branch

TOP OF CREEK BANK

Disturbed 1/2" Rebar (f)

RR Spike (f)

59°55'34" E 320.87'

Tie Line

58°55'34" E 320.87'

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Robert A. Krusinski
D.B. 8154 Pg. 192
Parcel ID 5589-14-6057

NCGS Long Run 2018
N:598,347.370
E:1,576,333.110

Leslie Ann Couch
D.B. 13870 Pg. 165
Parcel ID 5589-14-6635

N:594,143.388
E:1,582,027.648

Total Area
11.545 Acres ±
Including 1.002 Acres ±
In Road Right of Way

Thomas L. Fitzgibbons
D.B. 4973 Pg. 50
M.B. 43 Pg. 12
Parcel ID 5589-34-5293

RSOD BUFFER CALCULATIONS

SECT "A"
 $(602.8 - 596.7)/250 \times 400 + 50 = 59.8'$

SECT "B"
 $(608.8 - 595.5)/250 \times 400 + 50 = 71.3'$

SECT "C"
 $(614.6 - 595.0)/250 \times 400 + 50 = 81.4'$

SECT "D"
 $(618.8 - 594.5)/250 \times 400 + 50 = 88.9'$

SECT "E"
 $(619.0 - 594.2)/250 \times 400 + 50 = 89.7'$

SECT "F"
 $(616.3 - 594.0)/250 \times 400 + 50 = 85.7'$

SECT "G"
 $(610.5 - 593.8)/250 \times 400 + 50 = 76.7'$

LINE	BEARING	DISTANCE
L1	N 26°11'26" E	104' 5 7/8"
L2	N 24°26'55" E	98' 8 5/8"
L3	N 22°00'29" E	96' 9 7/8"
L4	N 20°36'53" E	103' 3 5/8"
L5	N 21°23'38" E	74' 2 1/2"
L6	N 24°07'05" E	75' 8 1/8"
L7	N 28°11'08" E	72' 9 7/8"
L8	N 27°33'18" E	64' 4 3/4"
L9	N 31°45'07" E	76' 11 3/4"
L10	N 32°01'14" E	75' 5 1/8"
L11	N 34°12'06" E	52' 10 1/8"
L12	N 35°36'34" E	44' 11 3/4"
L13	N 38°56'46" E	133' 6 5/8"
L14	S 75°34'55" W	49' 5 1/2"
L15	S 50°16'12" W	38' 7 1/4"
L16	N 87°24'14" W	58' 1"
L17	S 44°42'48" W	70' 1 1/8"
L18	S 22°36'24" W	37' 3 3/8"
L19	S 45°50'45" W	17' 3 3/8"
L20	S 16°50'51" W	27' 9 7/8"
L21	S 35°18'44" W	62' 7 5/8"
L22	S 23°28'05" W	29' 1 7/8"
L23	S 48°48'48" W	49' 7 3/8"
L24	S 25°08'25" W	74' 10 3/8"
L25	S 26°22'26" W	112' 11 3/8"
L26	S 30°57'56" W	86' 5 5/8"
L27	S 35°49'03" W	93' 2 7/8"
L28	S 18°21'12" W	38' 1 5/8"
L29	S 05°14'41" W	115' 7 5/8"
L30	S 38°26'53" W	12' 10 5/8"
L31	S 09°02'05" W	16' 11 1/2"
L32	S 59°20'42" W	29' 1/8"
L33	N 32°09'07" W	28' 11 1/8"
L34	S 71°27'14" W	17' 11 3/4"
L35	S 34°28'39" W	103' 7/8"
L36	S 24°56'48" E	107' 6 5/8"
L37	S 28°03'15" W	43' 3/4"
L38	S 65°37'05" W	72' 7 1/8"
L39	N 41°56'21" W	33' 7 1/2"
L40	S 82°20'28" W	12' 2 5/8"
L41	S 55°12'42" W	53' 10 5/8"
L42	S 31°20'25" W	43' 7 1/2"
L43	S 39°35'44" W	102' 2"
L44	S 29°00'40" W	49' 1/4"
L45	S 18°28'46" W	66' 0"
L46	S 08°55'00" W	138' 4 5/8"
L47	S 13°00'00" W	73' 10"
L48	S 58°37'45" W	11' 6 1/8"
L49	S 11°07'56" W	109' 11 3/4"
L50	S 10°22'20" E	9' 2 1/8"
L51	S 26°16'23" W	13' 1 3/4"
L52	S 03°53'40" E	34' 2 3/4"
L53	S 20°10'34" W	53' 8 1/8"
L54	S 35°21'40" E	11' 6 1/8"
L55	S 23°38'46" W	39' 1 1/2"
L56	S 23°38'46" W	31' 11 3/4"
L57	N 33°31'00" E	8"
L58	N 56°29'00" W	14' 7 1/2"
L59	S 56°29'00" E	5' 0"
L60	S 56°29'00" E	2' 0"

- All distances are horizontal unless otherwise noted.
- All acreage is by coordinate method.
- The Client acknowledges (1) that boundary surveying services do not determine land ownership and that the professional land survey provides only an opinion of previously described boundary lines which may or may not be upheld by a court of law and, (2) the general survey does not include the location of all easements and, (3) in services relating to boundary surveys, the consultant limits the liability to the professional fee charged to the client.
- Broken lines indicate lines not surveyed.
- This survey does not constitute a title search by Surveyor. Surveyor has made no investigation or independent search for easements or record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose.
- This property is not located in a 100 year flood zone as shown on F.E.M.A. Firm Map # 3710558800J Effective Date: November 5, 2008.
- Copyright©King Engineering of Concord, RLLP All rights reserved. No part of this drawing may be reproduced by photocopying, recording or by any other means, or stored, processed or transmitted electronically without the prior written permission of the surveyor. This survey is valid only for the parties indicated the title block and is non transferable to subsequent parties.
- Basis of bearings is based on the N.C. Continuously Operating Reference stations (CORS) GPS Network. NAD 83 NSRS 2011.

NC Grid NAD 83

Joann K. Hahn
D.B. 1086 Pg. 54
Parcel ID 5589-15-7229

Patsy Hahn Moser
D.B. 384 Pg. 65
Parcel ID 5589-26-2017

Samuel L. Pearce
D.B. 10560 Pg. 204
Parcel ID 5589-35-9852

Thomas L. Fitzgibbons
D.B. 4973 Pg. 50
M.B. 43 Pg. 12
Parcel ID 5589-34-5293

Legend

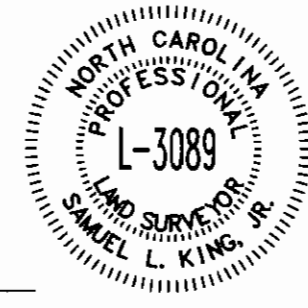
- ⊗ ⊕ Denotes Computed Point no Monument Set
- 1/2" Rebar (f) Denotes Existing Monumentation
- Right of Way
- Property Line
- Setback Line
- Adjoining Property Line
- Utility Pole

Boundary Survey for:
James N. Arstark & Connie G. Arstark
3233 Hahn Scott Road Mt. Pleasant, North Carolina, 28124
11.546 Acre ± Tract Parcel ID 5589-24-3362
Recorded in Deed Book 1623 Page 46
Number Eight Township Cabarrus County, North Carolina

Plat Prepared By:
King Engineering of Concord, RLLP
35 Church Street South Suite 107
Concord, NC 28025
Phone (828) 403 - 5586
Mailing Address:
401 Potat Drive, Morganton, NC 28655

November 1, 2020
Job Number 202097
Scale: 1" = 100'
0 50' 100' 200' 300'

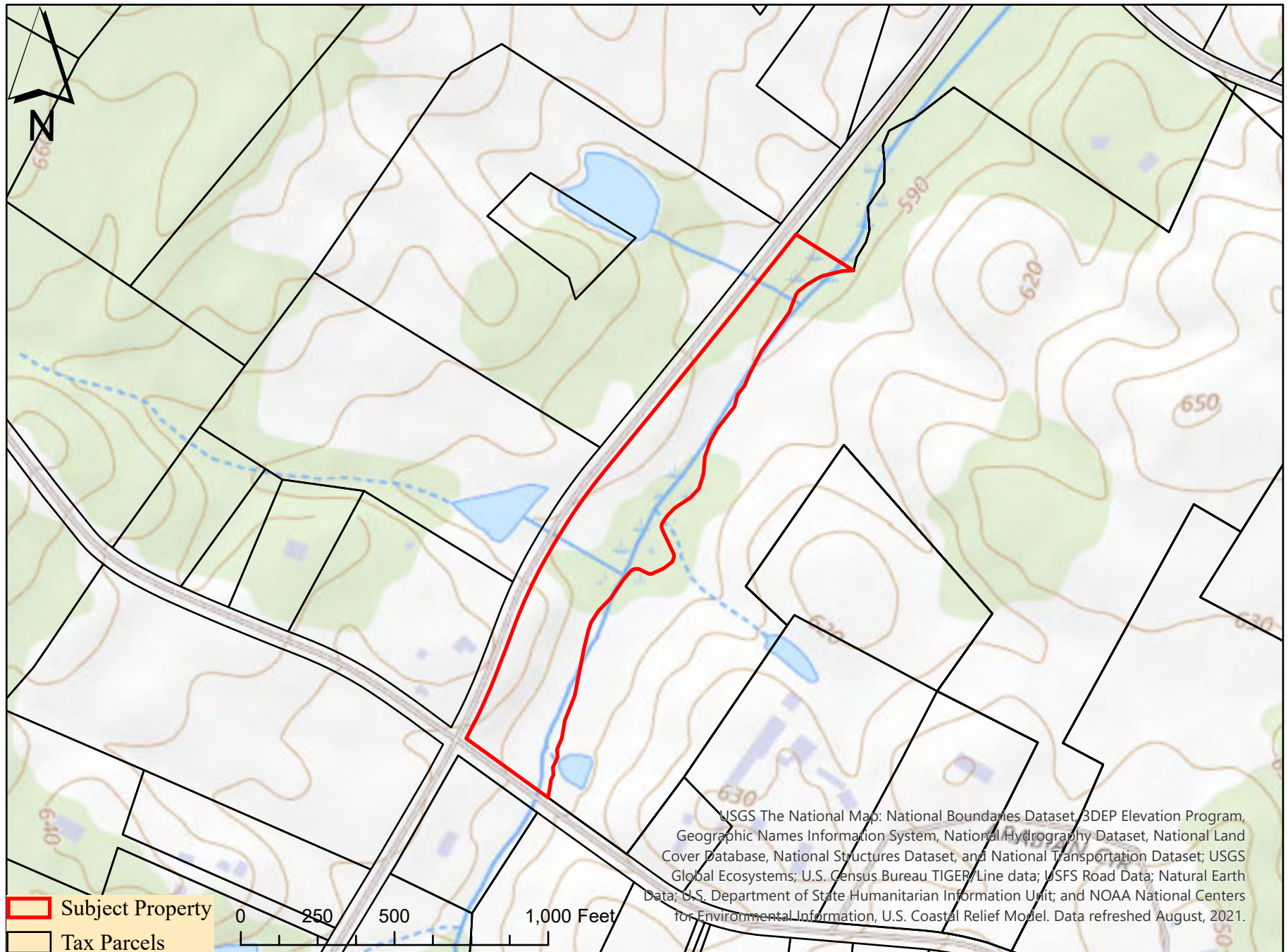
I certify that this map was drawn under my supervision from an actual survey made under my supervision (see description recorded in D.B. 1623, Pg. 46); that the boundaries not surveyed are indicated as drawn from information in M.B. 43, Pg. 12; that the ratio of precision or positional accuracy is 1:62,215; and that this map meets the requirements of The Standards of Practice for Land Surveying in North Carolina (21 NCAC 58-1600).



Revised May 10, 2021 to River Stream Overlay District, (RSOD), new residence, well, septic and proposed pool,
Revised November 1, 2020 to show Barn and proposed dwelling, and new Barn.
Revised October 8, 2020 to show relocated UEMC Utility Poles, and new Barn.

Professional Land Surveyor License No. L-3089

USGS MAP OF SUBJECT PROPERTY



From: [David Goldberg](#)
To: connie@arstark.com
Cc: [Susie Morris](#); [Jay Lowe](#); lawoffice@RichardKochLaw.com
Subject: Informal and Preliminary Notice of Buffer Violations
Date: Friday, May 7, 2021 10:07:00 PM
Attachments: [RE_Arstark.pdf](#)
Importance: High

Dear Ms. Arstark,

Thank you very much for showing Jay and I around your property (PIN 55892433620000) earlier today. Our visit gave us more context on the property's current state and your plans for it. Ultimately, we hope to be on a path towards a fair and lawful resolution of the status of the steel building.

Unfortunately, Jay and I also observed other conditions on the property that gave us great concern. After discussing it with county staff, we believe your ongoing and imminent actions likely constitute further violations of the [Cabarrus County Development Ordinance \(CCDO\)](#). Cabarrus County has a duty to faithfully implement the ordinance and to take enforcement action as needed. I am writing to give you informal and preliminary notice of our concerns in hopes that you do not do cause further irreparable harm before we are able to issue formal administrative actions next week. Further violations will only make it more difficult to resolve this matter to your satisfaction.

Destruction of Natural Vegetation in Waterbody Buffer Zone

During our visit, Jay and I saw that you were in the process of clearing trees, plants, and other vegetation near the Lick Branch stream. We saw a backhoe, piles of vegetation, and ground recently cleared of vegetation very close to the stream. You stated that your neighbor was clearing the area to increase farmable land and that he planned to continue the clearing activities soon.

We believe the clearing activities we saw encroached in the Waterbody Buffer Zone established pursuant to Cabarrus County Development Ordinance Sec. 4-10. As we have explained previously in relation to the steel building on the property, the Lick Branch stream is a perennial stream identified on both the USGS Quadrangle Maps as a solid blue line and in the Cabarrus County Geographic Information System. As such, this stream is protected by the Waterbody Buffer Zone, which ranges from 50 ft to 120 ft from the top of the stream bank depending on slope. There is also a 25 ft buffer from identified wetlands. Areas within the Waterbody Buffer Zone must "remain in a natural, vegetated state" and wooded areas in the buffer must remain "undisturbed". CCDO § 4-10(8). The ordinance further provides that "all disturbed areas within the buffer zone shall be revegetated with appropriate vegetation immediately." CCDO § 4-10(12). In addition to the legal requirements, violations of the buffer may have caused irreparable harm to the surrounding environment. Violations may also imperil Cabarrus County's compliance with a federal Clean Water Act § 404 permit issued by the Army Corp of Engineers in 1990 that requires the adoption and strict enforcement of the buffer requirements.

Based on our observations, Cabarrus County intends to issue a Notice of Violation and Stop Work Order next week. These administrative actions will further notify you of our concerns, demand that you cease the unlawful activities described, and the process for appealing those actions. [Urge you](#)

to immediately stop all activities disturbing or encroaching on the Waterbody Buffer Zone on your property until this matter is resolved. You should also ensure that your activities comply with applicable state and federal laws surrounding the protection of waterbodies and wetlands.

House Construction May Encroach on Waterbody Buffer Zone

We were also concerned when you told us that you plan to begin construction on a house on the property in the coming days. On June 12, 2020, you submitted a Zoning Permit Application for the “Arstark Custom Home” project. The application asked you to submit a “Site/Plot Plan” that, in part, indicated the “location and dimensions of any bodies of water or water channels (ponds, streams, swales, etc.).” Your application did not indicate the Lick Branch stream or any other waterbody. The County approved this permit application based on your representations.

Subsequent site visits and surveys you submitted suggested that the planned house would encroach in the “Minimum Building Setback”, also known as the “No Building Buffer Area”. This area extends at least 20 feet from the waterbody buffer zone described above. See CCDO § 4-10(14). Property owners may not construct any buildings or other structures within this area. Further, only “minimal land disturbance” is permitted within this area. *Id.* “No development, including soil disturbing activities or grading, shall occur within the established buffer area.” § 4-10(6).

Since the King Engineering survey you sent did not indicate the Waterbody Buffer Zone, county staff performed a GIS-based estimate of the zone and overlaid it over the survey. The analysis showed that most of the steel structure and parts of the planned house construction encroached on the buffer. County Attorney Rich Koch notified your attorney at the time, Jim Scarbrough, of our findings on March 19, 2021. In the email, Mr. Koch stated “the County strongly urges your client to hold off on further construction on that property that could violate the buffer and no build zone.” I have attached the email string for your reference.

You explained to Jay and I today that you intend to start construction of the house in the coming days despite the county’s concerns regarding compliance with the Waterbody Buffer Zone. As we explained, the county has cause to believe that this construction will violate the buffer and beginning construction could be a costly mistake. The best way to ensure compliance with the buffer is by obtaining a stamped survey defining the Waterbody Buffer Zone and No Building Buffer Area and showing that the planned construction is outside of these areas. Such survey is required under CCDO § 4-10(3), which states:

The applicant must provide a detailed survey that field verifies the location of all perennial streams, lakes, ponds, impoundments and wetlands on the subject property and within 100 feet of the boundary of the subject property for all proposed plats and site plans.

This survey will then allow you to mark the limits of the buffer on the site in compliance with CCDO § 4-10(6). It will also allow you to comply with CCDO § 4-10(7), which requires that the buffer “be shown on all site plans or subdivision plats related to the project submitted for review.”

To prevent construction in the buffer prior to obtaining this survey, Cabarrus County plans to formally revoke the zoning permit for the house next week and issue a Stop Work Order if also

appropriate. These administrative actions will further notify you of our concerns, tell you how to reinstate the permit, and how to appeal the decision. I urge you to not begin construction on the house until we can ensure that it will not violate the Waterbody Buffer Zone and the permit is restored. You mentioned that you have had two surveys performed on the property so far and have consulted with surveyors on the extent of the buffer, so I am hoping that this can be resolved quickly.

While I imagine this is disappointing news, we thought it was important to give you as much warning possible before we take the more formal actions described above. I hope that this information will help you avoid further violations and put this project on the path towards compliance.

Best,
David Goldberg

David B. Goldberg
Deputy County Attorney

County Manager's Office
Cabarrus County
O: (704) 920-2408
M: (919) 675-1042





STOP WORK ORDER

Mr. James Arstark and Mrs. Connie Arstark:

You are ordered to immediately stop all activity or work within the Waterbody Buffer Zone established pursuant to Cabarrus County Development Ordinance (CCDO) § 4-10. The Waterbody Buffer Zone extends from 50 feet to 120 feet from the top of a stream bank, depending on slope, with an additional 20 foot no build buffer. The Waterbody Buffer Zone also extends 25 feet from identified wetlands.

Subject Location

This order applies to 3233 Hanh Scott Road, Mt. Pleasant, North Carolina 28124 (PIN 5589-24-3362).

Reason for Order

On Friday, March 7, 2021, Senior Zoning Enforcement Officer Jay Lowe observed active and ongoing destruction of trees, plants, and other vegetation within and adjacent to Lick Branch stream and associated wetlands on the subject location, which are identified on the USGS topographic maps and the U.S. Fish and Wildlife Service National Wetlands Inventory.

The observed activity is in substantial non-compliance with Cabarrus County Development Ordinance § 4-10. Areas within the Waterbody Buffer Zone must "remain in a natural, vegetated state" and wooded areas in the buffer must remain "undisturbed". CCDO § 4-10(8)

Conditions Under Which Work or Activity May Be Resumed

1. Cease all work or activity within the Waterbody Buffer Zone.
2. Provide a detailed survey that field verifies the location of all covered waterbodies and wetlands and mark the buffer on the site.
3. Revegetate all disturbed areas within the buffer zone with appropriate vegetation in compliance with CCDO § 4-10(13).
4. Follow all other requirements in the CCDO.

Authority


This order is authorized by NC. Gen. Stat. § 160D-4-4(b) and CCDO § 12-30.2.


Penalty

Violation of this order constitutes a Class 1 misdemeanor.

Effective Date

This order is effective upon signing and continues until rescinded by the Cabarrus County Zoning Administrator.


Zoning Administrator


Date

Zoning Complaint: ZNC2021-00023

Tuesday, January 12, 2021

Inspector: James Lowe
Jurisdiction: Cabarrus County
Complaint: Disturbance of WBB
Building in WBB
Construction of a structure with no permits
Violator ARSTARK CONNIE GAIL
Zoning: AO
Parcel: 55892433620000
Location: Northeast corner of Bowman Barrier Road and Hahn Scott Road
Address: 3233 HAHN SCOTT RD

Complaint History

01/12/2021 **Type: Initial**
Site inspection was made 9/25/20.
Barn had already been built prior to being issued a zoning permit.
Barn looks as though it may be encroaching into the Water Body Buffer.
Further research will need to be done.
Owner indicated that a survey had been done by Chad Byrd (Surveyor) and that he had indicated that the buffer from the creek should only be approximately 30 feet.
I did ask the applicant to provide us with a copy of the survey.
1/4/21 Further research shows that an encroachment into the WBB exists and that the location of the building will need to be shifted.

01/14/2021 **Type: History**
Warning letter was sent via regular mail and certified.

01/26/2021 **Type: Follow Up**
Site inspection was made.
It seems that property owner has now placed two more buildings on the property without permits. They also look to be in the waterbody buffer.
There also seems to be an RV placed in the waterbody buffer.

02/09/2021 **Type: History**
Applicant requested an appeal form

05/07/2021 **Type: Follow Up**
Site inspection was made.
County Attorney, David Goldberg and I met the property owners on the site.
Additional violations of the Waterbody Buffer were discovered.
Pictures were taken.



1/14/2021

File # : ZNC2021-00023

Arstark Connie Gail
3233 Hahn Scott Rd
Mt Pleasant, NC 28124

Inspection Date: 01/14/2021

NOTICE OF VIOLATION

RE: 3233 HAHN SCOTT RD

Zoning: AO

Parcel(s): 5589-24-3362

Nature of Violation: Disturbance of Required Waterbody Buffer.
Building in Required Waterbody Buffer.
Construction of a structure with no permits

The following provision(s) of the CABARRUS COUNTY Zoning Ordinance has been violated:

04-10 WATER BODY BUFFER ZONE

06-02 ZONING AFFECTS EVERY STRUCTURE AND USE

12-03 ZONING COMPLIANCE PERMIT REQUIRED

Dear Arstark Connie Gail,

An on-site inspection of your property has found you to be in violation of the Cabarrus County Zoning Ordinance Sections 4-10, 6-2 and 12-03. You have constructed an accessory structure within the required water body buffer prior to acquiring a zoning permit.

This notice is to serve as a warning

In order to correct this violation, you must: move the structure outside of the waterbody buffer zone and restore the site to its previous condition.

You have 10 days from the receipt of this letter to comply with this ordinance.

You may appeal this decision to the Board of Adjustment within thirty (30) days. This department reserves the right to exercise the following remedies per NC G.S.153A-123:

- Issue a civil starting at \$450.00 and if unpaid a judgment could become a lien on the property.
- File lawsuit against a property owner in North Carolina Superior Court for violation of the Zoning Ordinance.

In order to avoid any monetary citations please correct this matter within the aforementioned time frame.

If you have any questions concerning this matter or if you are in the process of clearing this matter, please call our office at (704) 920-2140 so we can make appropriate arrangements.

Thank you in advance for your cooperation.

Sincerely,

James Lowe, Senior Zoning Inspector



Cabarrus County
Planning & Development
Post Office Box 707
Concord, NC 28026-0707
www.cabarruscounty.us

Attn: Jay Lowe



U.S. POSTAGE >> PITNEY BOWES



ZIP 27409 \$ 007.05⁰
02 4W
0000373342 JAN 15 2021



7004 1160 0002 691

UNK

ARSTARK CONNIE GAIL
ARSTARK JAMES N
3233 Hahn Scott Rd.
Mt. Pleasant, NC 28124

1-24
2-3

28026-0707

7004 1160 0002 6994 8900

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com®

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$



Sent To

Street, Apt. No.,
or PO Box No.

City, State, ZIP+4

ARSTARK CONNIE GAIL
ARSTARK JAMES N
3233 Hahn Scott Rd.
Mt. Pleasant, NC 28124

PS Form 3800, Jun

Use for Instructions

Zoning Complaint: ZNC2021-00215

Monday, May 10, 2021

Inspector: James Lowe
Jurisdiction: Cabarrus County
Complaint: Disturbance of the Required Water Body Buffer
Violator ARSTARK CONNIE & JAMES
Zoning: AO
Parcel: 55892433620000
Location: Corner of Hahn Scott and Bowman Barrier
Address: 3233 HAHN SCOTT RD

Complaint History

05/10/2021 **Type: Initial**
Site inspection was made on 5/7/2021.
The owner had encroached into the required Waterbody Buffer and cleared additional natural vegetation.

05/10/2021 **Type: History**
Warning Citation



5/11/2021

Arstark Connie & James
3233 Hahn Scott Rd
Mt Pleasant, NC 28124

File # : ZNC2021-00215

Inspection Date: 05/07/2021

NOTICE OF VIOLATION

RE: 3233 HAHN SCOTT RD

Zoning: AO

Parcel(s): 55892433620000

Nature of Violation: Disturbance of Waterbody Buffer Zone

The following provision(s) of the CABARRUS COUNTY Development Ordinance has been violated:

Section 4-10 (Waterbody Buffer Zone)

Dear Connie & James Arstark,

An on-site inspection of your property on Friday, May 7, 2021 indicated the clearing of trees, plants, and other vegetation on the property adjacent to Lick Branch stream and adjacent wetlands. This clearing activity encroached on the Waterbody Buffer Zone established pursuant to Cabarrus County Development Ordinance (CCDO) § 4-10. The Lick Branch stream is a perennial stream identified on both the USGS Quadrangle Maps as a solid blue line and in the Cabarrus County Geographic Information System. The USGS topographic maps also identify wetlands on your property. As such, the stream and wetlands are protected by the Waterbody Buffer Zone, which ranges from 50 ft to 120 ft from the top of the stream bank depending on slope with an additional 20 ft no build buffer. There is also a 25 ft buffer from identified wetlands. Areas within the Waterbody Buffer Zone must "remain in a natural, vegetated state" and wooded areas in the buffer must remain "undisturbed". CCDO § 4-10(8).

This notice is to serve as a Warning Citation

In order to correct this violation, you must:

Restore the impacted areas to their previous condition in compliance with CCDO § 4-10(12) and (13).

You have 30 days from the receipt of this letter to comply with this ordinance.

You may appeal this decision to the Board of Adjustment within thirty (30) days. This department reserves the right to exercise the following remedies per G.S. 160D-404:

- Issue a civil starting at \$450.00 and if unpaid a judgment could become a lien on the property.

- File lawsuit against a property owner in North Carolina Superior Court for violation of the Development Ordinance.

In order to avoid any monetary citations please correct this matter within the aforementioned time frame.

If you have any questions concerning this matter or if you are in the process of clearing this matter, please call our office at (704) 920-2140 so we can make appropriate arrangements.

Thank you in advance for your cooperation.

Sincerely,

James Lowe, Senior Zoning Inspector

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

ARSTARK CONNIE GAIL
ARSTARK JAMES N
323 Hahn Scott Rd.
Mt. Pleasant, NC 28124



9590 9402 2195 6193 5377 59

2. Article Number (Transfer from service label)

7001 2518 0800 3505 3834

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature *Connie Arstark* ☐ Agent
☐ Addressee
B. Received by (Printed Name) *CONNIE ARSTARK*
C. Date of Delivery *5/19/21*
D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

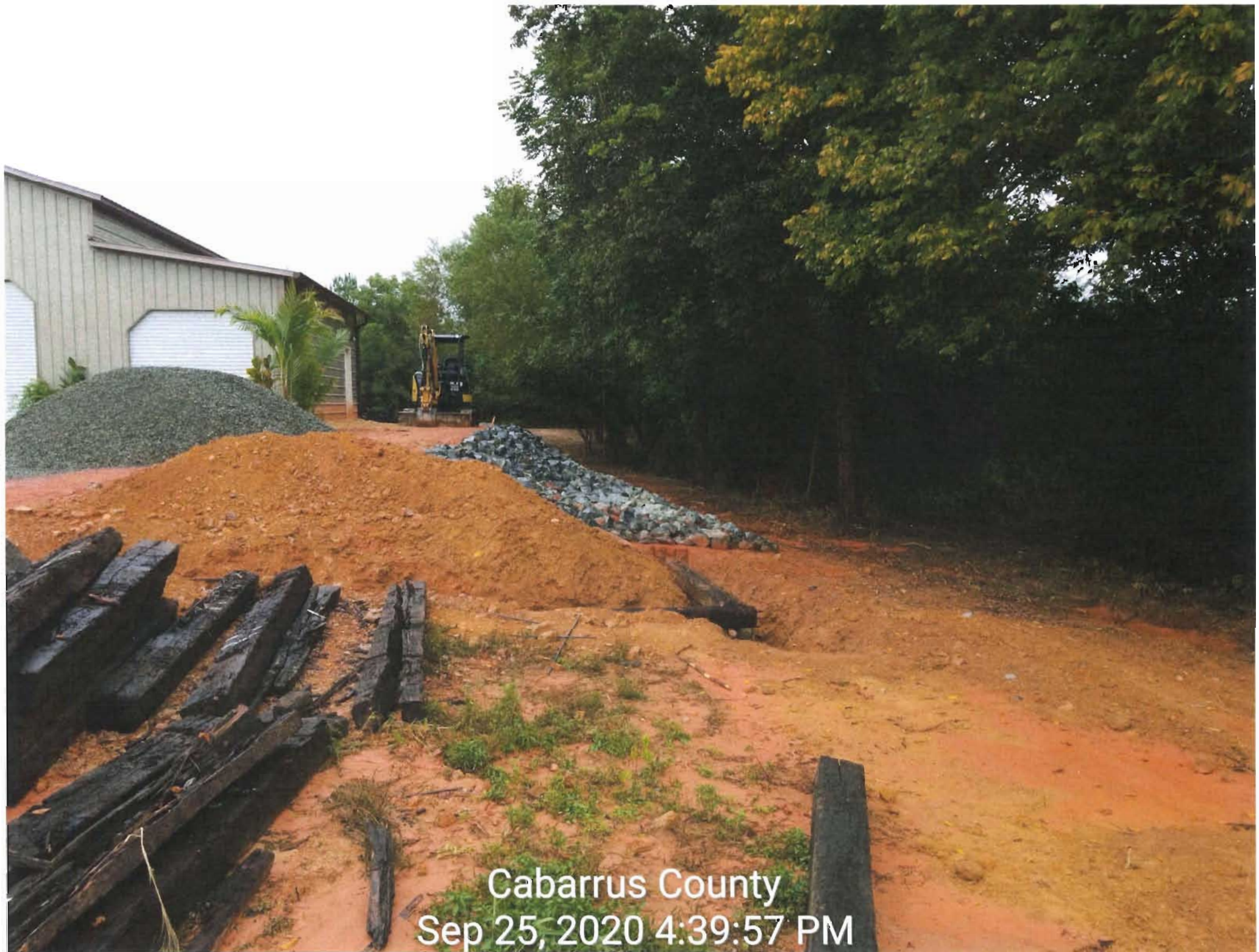
3. Service Type

- | | |
|--|---|
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| <input type="checkbox"/> Adult Signature Restricted Delivery | <input type="checkbox"/> Registered Mail™ |
| <input checked="" type="checkbox"/> Certified Mail® | <input type="checkbox"/> Registered Mail Restricted Delivery |
| <input type="checkbox"/> Certified Mail Restricted Delivery | <input type="checkbox"/> Return Receipt for Merchandise |
| <input type="checkbox"/> Collect on Delivery | <input type="checkbox"/> Signature Confirmation™ |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery | <input type="checkbox"/> Signature Confirmation Restricted Delivery |
| <input type="checkbox"/> Insured Mail | |
| <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500) | |

Domestic Return Receipt

September 25th, 2020
Gay Lowe





Cabarrus County
Sep 25, 2020 4:39:57 PM



Cabarrus County
Sep 25, 2020 4:38:56 PM





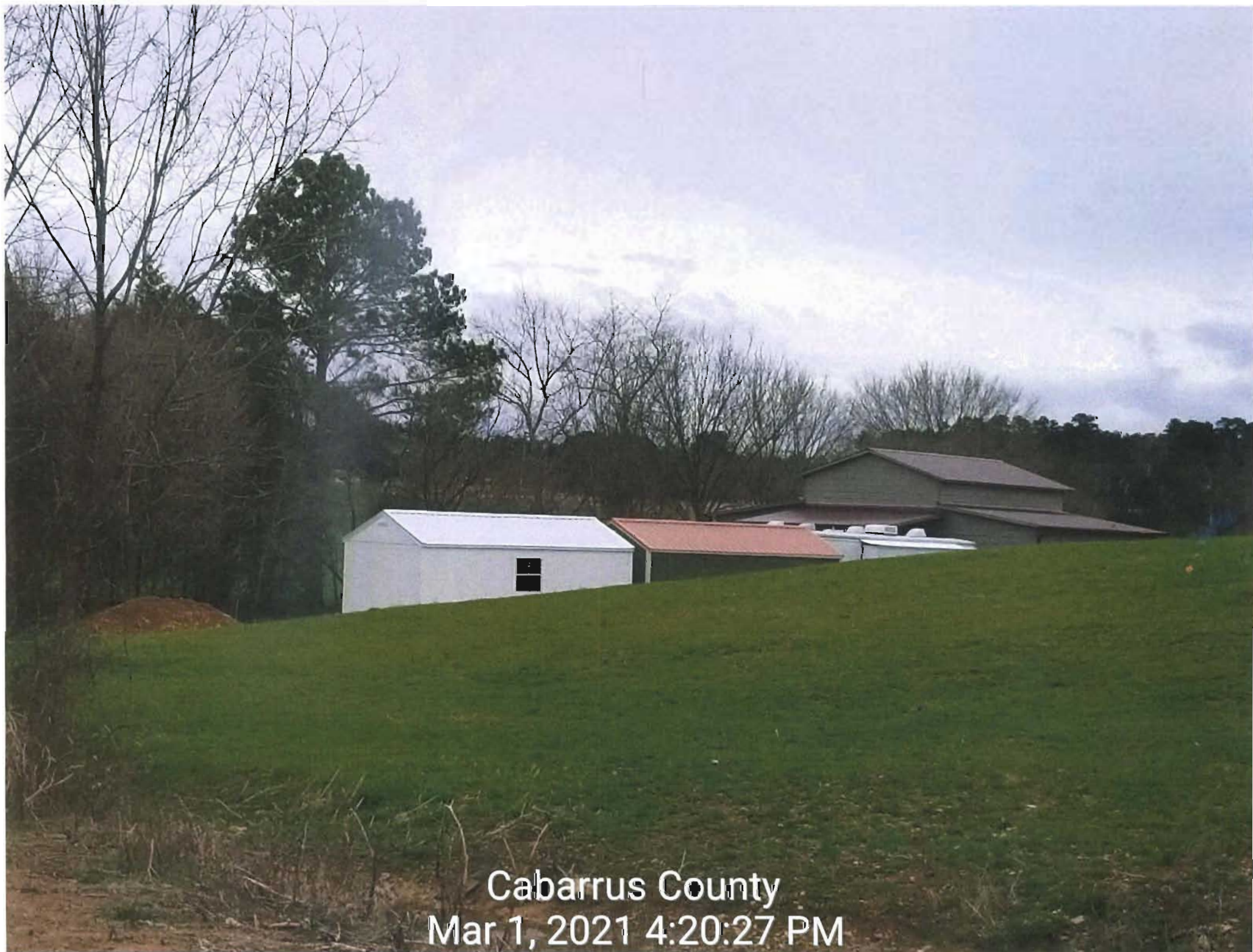
Cabarrus County
Jan 26, 2021 5:21:18 PM



Cabarrus County
Mar 1, 2021 4:21:41 PM

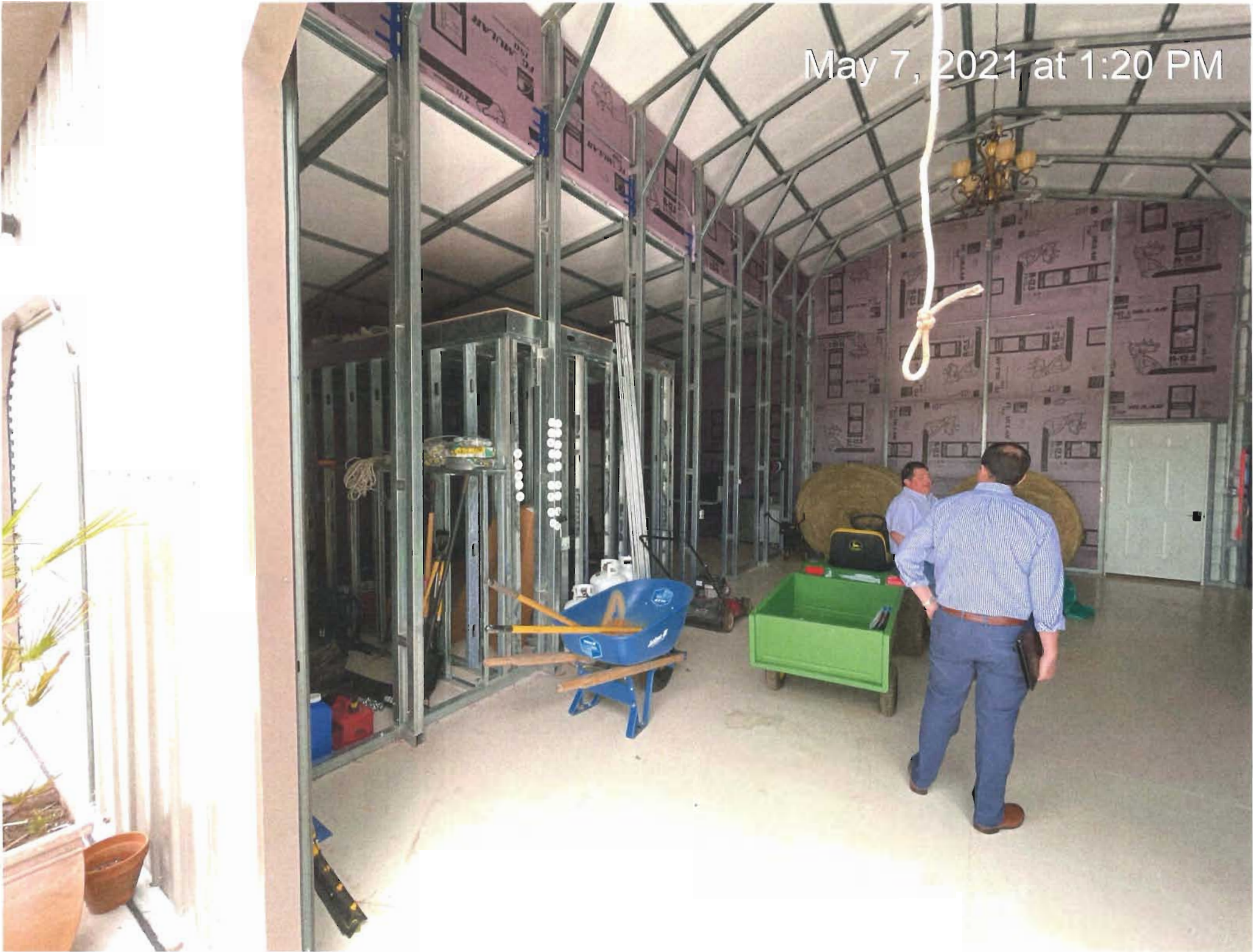


Cabarrus County
Mar 1, 2021 4:24:23 PM



Cabarrus County
Mar 1, 2021 4:20:27 PM

May 7, 2021 at 1:20 PM



May 7, 2021 at 1:37 PM



May 7, 2021 at 1:37 PM



May 7, 2021 at 1:36 PM



May 7, 2021 at 1:41 PM



May 7 2021 at 1:41 PM



May 7, 2021 at 1:43 PM



May 7, 2021 at 1:39 PM



May 7, 2021 at 1:41 PM



May 7, 2021 at 2:19 PM



May 7, 2021 at 2:12 PM



May 7, 2021 at 1:45 PM



May 7, 2021 at 1:48 PM



May 7, 2021 at 1:44 PM





Cabarrus County Government – Planning and Development Department

February 21, 2022

Dear Property Owner:

An appeal of a Notice of Violation 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 March 8, 2022 at 6:30 PM in the 2nd floor Commissioner's Chambers of the Cabarrus County Governmental Center, located at 65 Church Street S Concord, NC 28025. A Public Hearing will be conducted and public input will be allowed during that time. If you have any comments about this request, I encourage you to attend this meeting.

Petitioner	Connie Arstark
Petition Number	APPL2021-00001
Property Location	3233 Hahn Scott Road
Parcel ID Number	5589-24-3362
Existing Zoning	Agriculture / Open Space (AO)
Appeal of Notice of Violation	Section 4-10 Cabarrus County Development Ordinance

If you have any questions regarding this petition, or the hearing process, please contact me at Cabarrus County Planning and Development at 704.920.2181.

Sincerely,

A handwritten signature in cursive script that reads "Phillip Collins".

Phillip Collins, AICP
Senior Planner
Cabarrus County Planning and Development
704.920.2181



Cabarrus County Government – Planning and Development Department

February 21, 2021

Dear Property Owner:

An appeal of a Notice of Violation has been filed in our office for property **adjacent** to yours. The specifics of the request are listed below. The Cabarrus County Board of Adjustment will consider this petition on Tuesday March 8, 2022 at 6:30 PM in the 2nd floor Commissioner's Chambers of the Cabarrus County Governmental Center, located at 65 Church Street S Concord, NC 28025. A Public Hearing will be conducted and public input will be allowed during that time. If you have any comments about this request, I encourage you to attend this meeting.

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Sincerely,

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Phillip Collins, AICP
Senior Planner
Cabarrus County Planning and Development
704.920.2181

Surrounding Property Owners					
PIN	Name	Mailing Address	City	State	Zip Code
5589-13-0771	AUSTIN C & HAYDEN L RADFORD	7980 MOUNT OLIVE RD	CONCORD	NC	28025
5589-23-1019	CURTIS L & COLLEEN A PYLE	10690 BOWMAN BARRIER RD	MT PLEASANT	NC	28124
5589-15-7229	JOANNE K HAHN	PO BOX 1415	MT PLEASANT	NC	28124
5589-13-8331	KELLY & TRACY CRUSE	3411 HAHN SCOTT RD	MT PLEASANT	NC	28124
5589-14-6635	LESLIE A & WILLIAM K COUCH	7206 TIMOTHY DR	CONCORD	NC	28025
5589-26-2017	PATSY HAHN MOSER	307 LARRY DR	KANNAPOLIS	NC	28083
5589-14-6057	ROBERT A & SHERRY L KRUSINSKI	3250 HAHN SCOTT RD	MT PLEASANT	NC	28124
5589-35-8852	SAMUEL L PEARCE	33 POWDER VIEW CT	BALTIMORE	MD	21236
5589-34-5293	THOMAS L FITZGIBBONS	249 LEEWARD ISLAND DR	ST AUGUSTINE	FL	32080
Owner Information					
5589-24-3362	CONNIE G & JAMES N ARSTARK	3233 HAHN SCOTT RD	MT PLEASANT	NC	28124

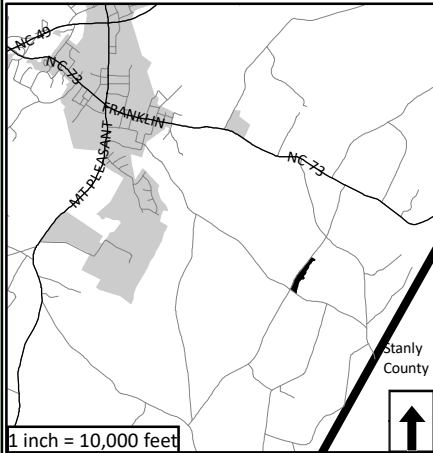
Monday, February 21, 2022 11:14AM
Cabarrus County



Eastern Planning Area Existing Zoning

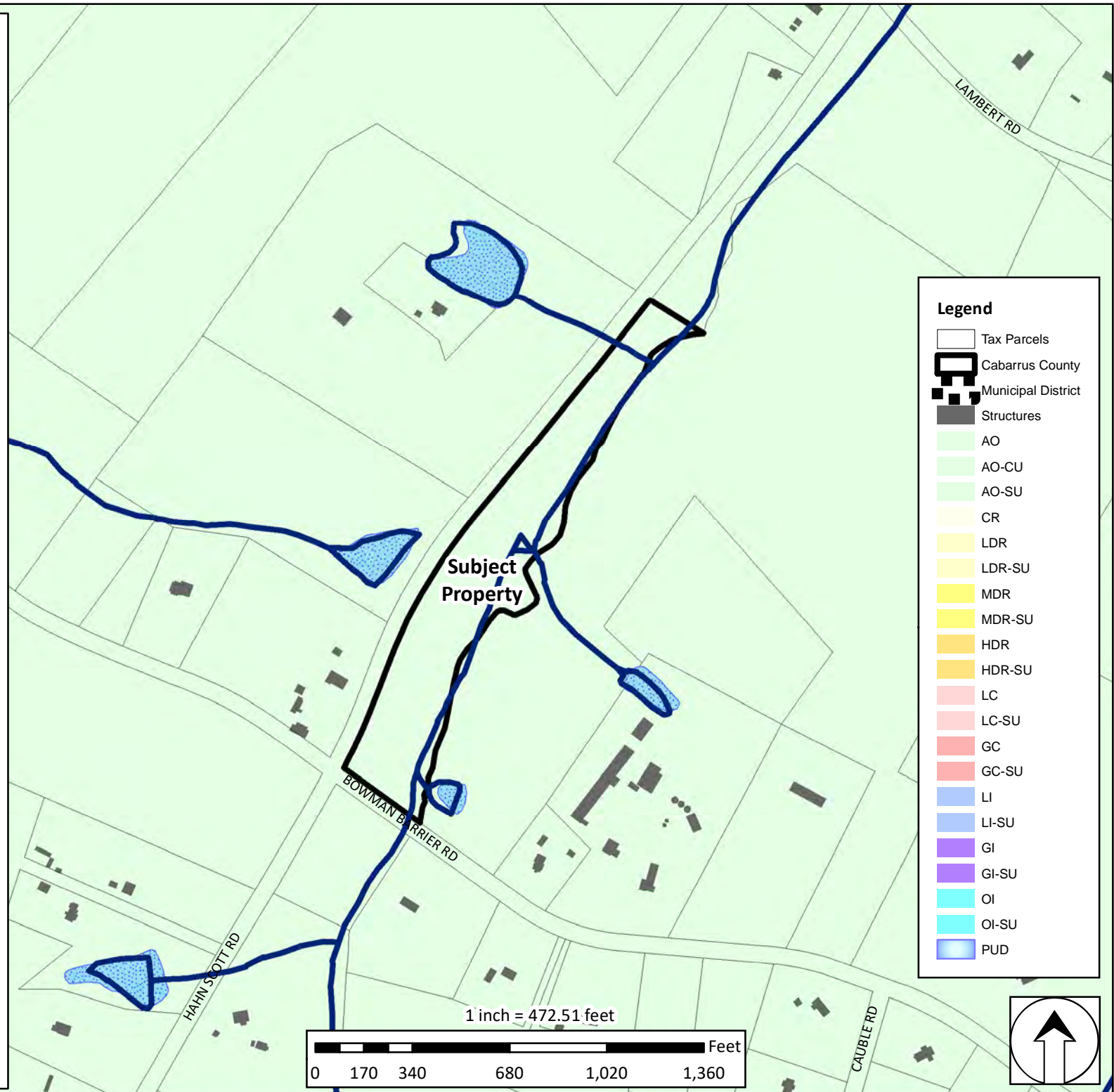


Appellant: Connie Arstark
 Owner: Connie Arstark
 Case: APPL2021-00001
 Address: 3233 Hahn Scott Road
 Purpose: Appeal of Notice of Violation
 PIN: 5589-24-3362



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 - March 2021

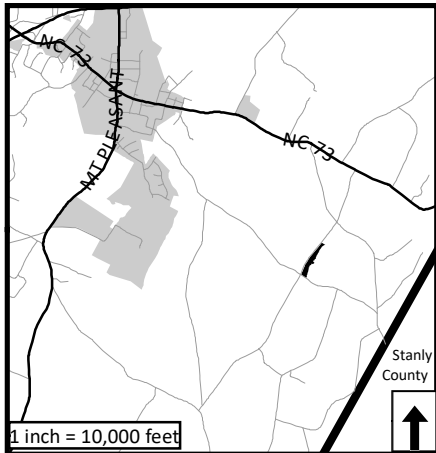


Eastern Planning Area Aerial Map



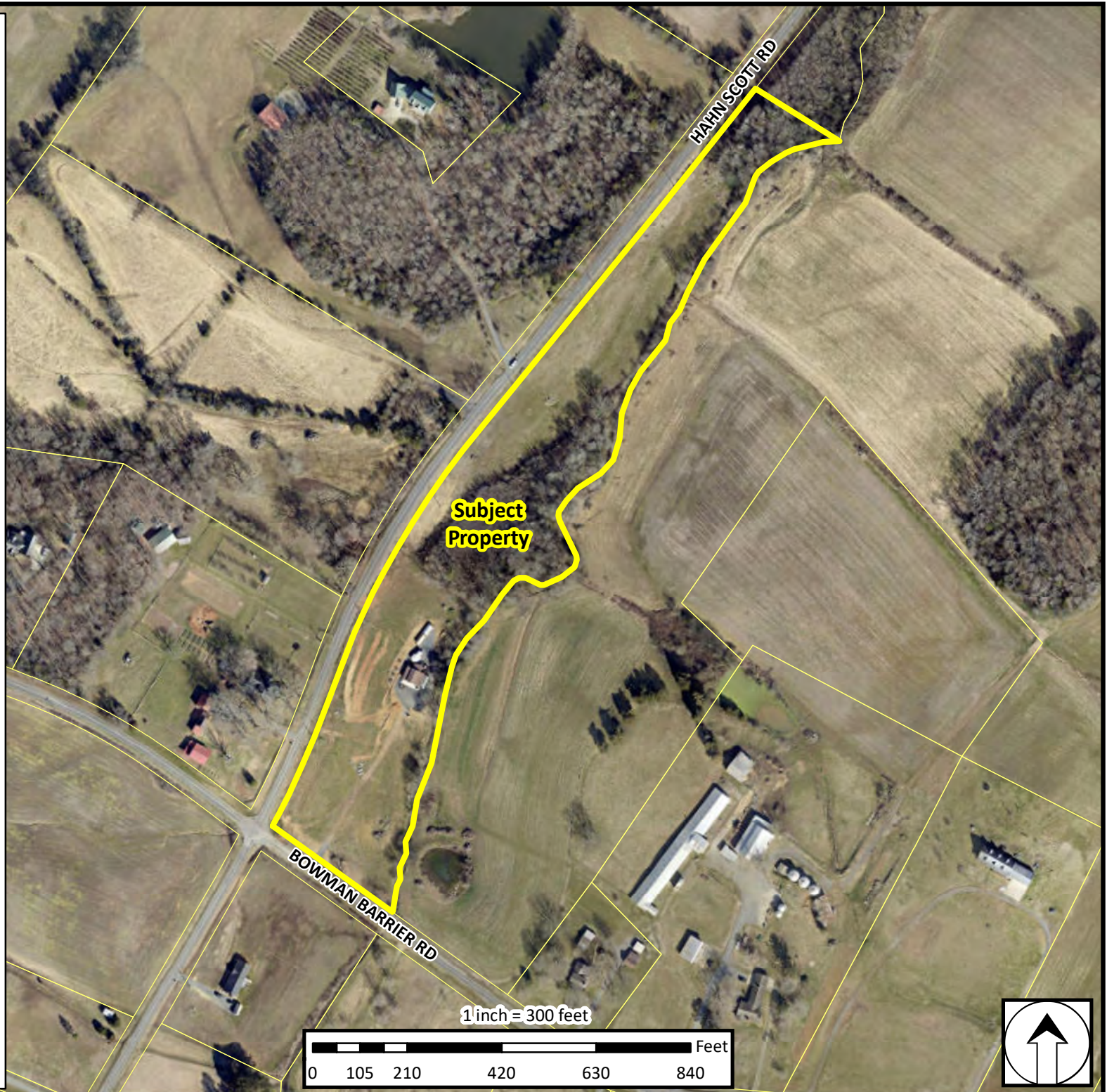
Appellant: Connie Arstark
Owner: Connie Arstark
Case: APPL2021-00001
Address: 3233 Hahn Scott Road
Purpose: Appeal of Notice of Violation
PIN: 5589-24-3362

- Cabarrus County
- Municipal District
- Tax Parcels



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.

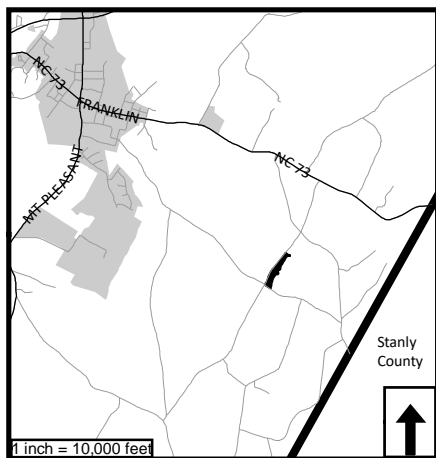
Map Prepared by Cabarrus County Planning & Development - March 2021



Eastern Planning Area Future Land Use

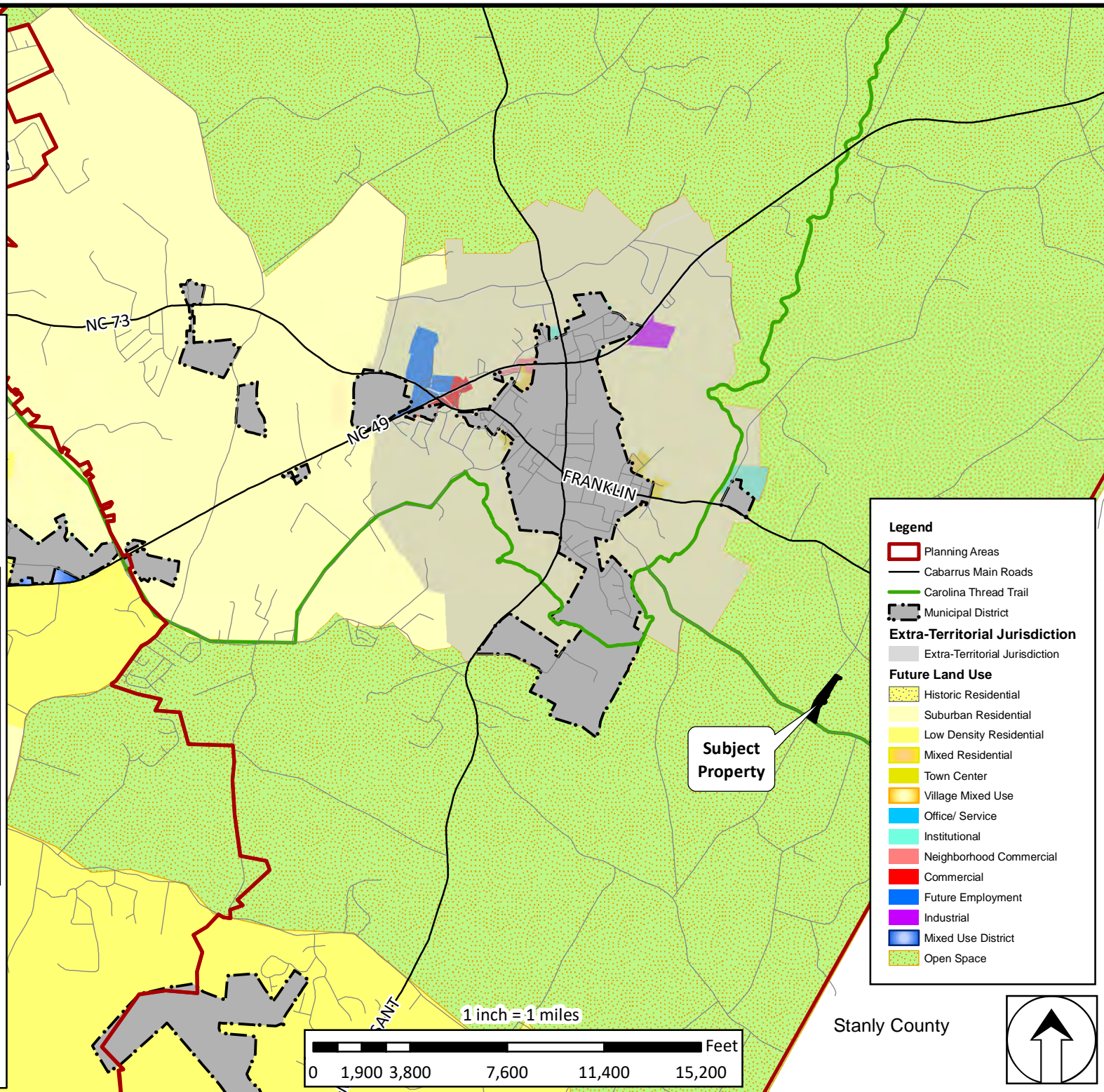


Appellant: Connie Arstark
 Owner: Connie Arstark
 Case: APPL2021-00001
 Address: 3233 Hahn Scott Road
 Purpose: Appeal of Notice of Violation
 PIN: 5589-24-3362



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Map Prepared by Cabarrus County Planning & Development - March 2021



Legend

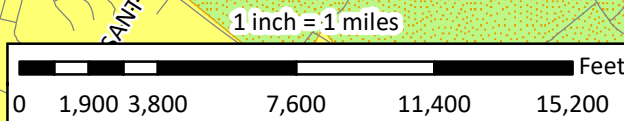
- Planning Areas
- Cabarrus Main Roads
- Carolina Thread Trail
- Municipal District

Extra-Territorial Jurisdiction

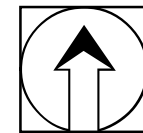
- Extra-Territorial Jurisdiction

Future Land Use

- Historic Residential
- Suburban Residential
- Low Density Residential
- Mixed Residential
- Town Center
- Village Mixed Use
- Office/ Service
- Institutional
- Neighborhood Commercial
- Commercial
- Future Employment
- Industrial
- Mixed Use District
- Open Space



Stanly County





JAMES E. SCARBROUGH
JES@SandsLegal.net

February 12, 2021

HAND DELIVERED

To: Cabarrus County Board of Adjustments

I represent the appellant Connie Gail Arstark. Enclosed is the application, fee of \$450.00 and copies of some documentation to be submitted for appeal in your file 2 NC2021-00023 for 3233 Hahn Scott Rd., Mt. Pleasant, NC 28124.

There will be additional documentation submitted as evidence at the hearing. At this point, please provide immediately 1) a copy of the county's file in this matter, 2) the name of any complainant and any complaint communicated to the county in this matter, and 3) the rules of procedure adopted by the Board pursuant to G. S. 160D-308..

Pursuant to G. S. 160D-406, I will submit a request for the subpoena of documents and possibly witnesses which I will identify. If a subpoena is needed for the information requested in the preceding paragraph, please let me know.

Very truly yours,

A handwritten signature in blue ink, appearing to be "JES", written over a horizontal line.

James E. Scarbrough

cc: Rich Koch



**APPEAL OF ADMINISTRATIVE
DECISION, INTERPRETATION
OR NOTICE OF VIOLATION**

STAFF USE ONLY:

Application/Accela#: APPL 2021-00001

Reviewed by: PEC

Date: 2-12-21

Amount Paid: \$450

In order to request an appeal from an interpretation or administrative decision made by the Zoning Administrator, the applicant must submit the following:

1. Complete application
2. Fee of \$450.00 plus cost of advertising and noticing
3. Copies of any documentation to be submitted to the Board of Adjustment as evidence. (If large format copies are included in the documentation, applicant must submit 18 copies.)

If there are additional questions concerning this process, please call the Planning and Development Department at (704) 920-2141, Monday through Friday, 8:00 am to 5:00 pm.

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

To the Cabarrus County Board of Adjustment:

I **CONNIE GAIL ARSTARK**, hereby appeal the following decision of the Zoning Administrator to the Board of Adjustment: **DECISION OF JAY LOWE IN ZONING DIVISION, FILE ZNC 2021-00023; COPY ATTACHED; SEC. 4-10 AND 6-2 AND 12-03 CONSTRUCTED STRUCTURE WITHIN WATER BUFFER PRIOR TO ZONING PERMIT.**

You may attach additional sheet(s) if needed.

I request an interpretation of:

☒ X The Zoning Atlas (Zoning classification of subject property)

☒ X The following section(s) of the Zoning Ordinance:

4-10; 6-2; 12-03.

You may attach additional sheet(s) if needed.

As it relates to the use of the property located at:

ADDRESS: **3233 HAHN SCOTT ROAD, MT. PLEASANT, NC 28124**

PARCEL IDENTIFICATION NUMBER (PIN): **5589-24-3362**

PROPERTY OWNER: **JAMES N. ARSTARK and CONNIE G. ARSTARK**

Appeal in File ZNC 2021-00023 (additional sheet)

1. James N. Arstark, a landowner, has not received a notice of violation as required by county ordinance and G. S. 160D-404. Therefore, the notice of violation is defective.
2. The necessary permits have been issued for the structure(s) in question.
3. A zoning compliance permit has been issued. It was issued after the issue of the water buffer issue was raised. Therefore, the setback issue has been resolved by the county in favor of appellant.
4. Prior to construction and on several occasions, appellant requested of the county all setback requirements. Appellant was given the setbacks for the AO district. The water buffer zone, if applicable, and the setback for the buffer zone, if applicable, were not given to applicant by the county. Applicant was only given the AO zone setbacks and they were followed.
5. The county cannot overrule or set aside the permits issued regarding this structure by issuing a notice of violation.
6. The “water body” in question is not identified as a perennial stream on any county maps. It only contains water after a heavy rainfall.
7. The county application for zoning and building permits does not require the applicant to identify stream or water buffers.
8. The survey map submitted by appellant to the county prior to construction showed a “creek” on it and the county gave the AO setbacks to appellant to follow.
9. All claims of violations in the notice of violation are denied.



**APPEAL OF ADMINISTRATIVE
DECISION, INTERPRETATION
OR NOTICE OF VIOLATION**

STAFF USE ONLY:

Application/Accela#: _____

Reviewed by: _____

Date: _____

Amount Paid: _____

TABLE OF CONTENTS

- 1. NORTH CAROLINA GENERAL WARRANTY DEED
-BOOK 14293, PAGE 108- CABARRUS COUNTY REGISTRY**
- 2. JUNE 30, 2020 LETTER FROM CABARRUS HEALTH ALLIANCE
-SEPTIC TANK APPROVAL**
- 3. APRIL 14, 2020 CABARRUS HEALTH ALLIANCE PRIVATE DRINKING
WATER WELL CONSTRUCTION PERMIT
-WELL PERMIT**
- 4. EMAILS
-BARN BUILDING PERMIT**
- 5. ZONING COMPLIANCE PERMIT
-BARN**
- 6. JULY 11, 2020 & NOVEMBER 1, 2020- BOUNDARY SURVEY MAPS**
- 7. EMAILS
-JUNE 12, 2020 THROUGH JUNE 29, 2020**

14293 0108

FILED ELECTRONICALLY
CABARRUS COUNTY NC
M. WAYNE NIXON

FILED Jun 30, 2020
AT 01:27:00 PM
BOOK 14293
START PAGE 0108
END PAGE 0111
INSTRUMENT # 20415
EXCISE TAX \$170.00

Excise Tax \$ 170.00

Recording Time, Book and Page

NORTH CAROLINA GENERAL WARRANTY DEED

FILE # 20-2188te

Tax Lot No.

Parcel Identifier No.

55892433620000

Mail after recording to **Ferguson, Hayes, Hawkins & DeMay, PLLC**, PO BOX 444, Concord, NC 28026
This instrument was prepared by **RYAN C. HAWKINS**, Ferguson, Hayes, Hawkins & DeMay, PLLC

Brief Description for the index

THIS DEED made this **30th** day of **June, 2020**, by and between

GRANTOR

GRANTEE

**P. STEPHEN MCMATH and wife,
BRENDA F. MCMATH**

**JAMES N. ARSTARK and wife,
CONNIE G. ARSTARK**

Mailing Address:

3215 Woodchuck Drive
Kannapolis, North Carolina 28081

Mailing Address:

3233 Hahn Scott Road
Mt. Pleasant, North Carolina 28124

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g., corporation or partnership.

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

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in Number **EIGHT (8)** Township, **CABARRUS** County, North Carolina and more particularly described as follows:

SEE ATTACHED EXHIBIT "A"

Submitted electronically by "Ferguson, Hayes, Hawkins & DeMay, PLLC"
in compliance with North Carolina statutes governing recordable documents
and the terms of the Memorandum of Understanding with
the Office of the Register of Deeds of Cabarrus County. NCGS 47-14(a1)(5).

The property hereinabove described was acquired by Grantor by instrument recorded in Book 11589, Page 141.

All or a portion of the property herein conveyed ☐ does or ☒ does not include the primary residence of a Grantor.

A map showing the above described property is recorded in Plat Book __, Page __.

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

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

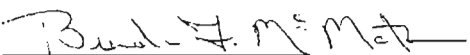
Title to the property hereinabove described is subject to the following exceptions:

SUBJECT TO easements and restrictions of record.

SUBJECT TO easements and setback lines as shown on the recorded plat.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.


 _____ (SEAL)
P. STEPHEN MCMATH


 _____ (SEAL)
BRENDA F. MCMATH

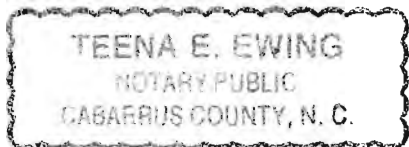
STATE OF NORTH CAROLINA
 COUNTY OF CABARRUS

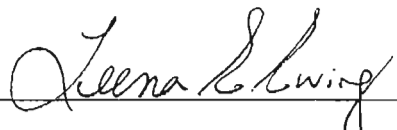
I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she signed the foregoing document:

P. STEPHEN MCMATH

Date: **June 30, 2020**

(Official Seal)




 _____ Notary Public

Printed or Typed Name: **Teena E. Ewing**

My commission expires: **1/13/2022**

STATE OF NORTH CAROLINA
COUNTY OF CABARRUS

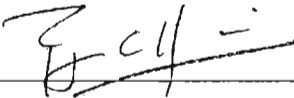
I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she signed the foregoing document:

BRENDA F. MCMATH

Date: **June 30, 2020**

(Official Seal)



 Notary Public

Printed or Typed Name: RYAN C Hawkins

My commission expires: 12/14/2021

EXHIBIT "A"

(legal description for 3233 Hahn Scott Road Mt. Pleasant, NC)

Lying and Being in Number Eight (8) Township of Cabarrus County, North Carolina, adjoining the property of W. E. Hahn, J. F. Hahn, and George L. Barrier, and being more fully described as follows: Old Description

BEGINNING at a point in the center of Lick Branch, a corner of J. F. Hahn, and runs thence North, with his line, 59 West (passing an iron pin on the West bank of the Branch at 12.0 feet) 1343.1 feet to a stone, corner of J. F. Hahn; thence South 59 West 190.0 feet to a stone, corner of J. F. Hahn; thence South 35-07 West 1175.9 feet to a point, corner of J. F. Hahn and George L. Barrier property; thence with the line of Barrier, South 34-57 West 1235.2 feet to an iron pin in a stump hole; thence South 37-57 West 44.5 feet to an iron pin, thence South 65-56 East 1656.7 feet (passing an iron pin on the West side of Lick Branch at 1651.7 feet) to a point in the center of Lick Branch; thence in a Northeastern direction with Lick Branch as it meanders to a point in the center of the bridge in the road leading from Mt. Pleasant to Mission; thence down said Lick Branch as it meanders to the BEGINNING, containing 84.02 acres, more or less, according to a survey made by Brown Engineering Company, dated August 6, 1957, of the property of Bart M. Hahn.

Less and Excepted from the above described property are the 3 tracts shown as Tract A, B, and C in Deed dated March 18, 1996 and recorded in Book 1623, Page 46, Cabarrus Registry, to which Deed reference is hereby made for a complete description of the property excepted herein; and additionally, any other portions of the above described property which have been conveyed prior hereto, including but not limited to the property conveyed in Book 13870 Page 165, Book 11323, Page 285, Cabarrus Registry and in Book 8154, Page 192, Cabarrus Registry.

For back title reference see the property designated as Tract 1 in the deed recorded in Deed Book 11589, Page 141, Cabarrus County Registry.



CABARRUS
HEALTH
ALLIANCE

at NC Research Campus

Date: 6/30/20

File # 20-77

Connie Arstark

3233 Hahn Scott Rd.

Mt Pleasant, NC 28124

Approved

Dear Ms. Arstark

On June 29, 2020 an existing septic inspection was performed at 3233 Hahn Scott rd. The proposed Barn with no plumbing appears to meet 15A NCAC 18A .1950. And permission is granted to construct.

The structure must be located a minimum of five feet away from any part of the existing septic tank system and twenty five feet away from the well.

You may call or write the local health department if you need any additional information or assistance.
7049201261

Sincerely,

Tyler W. Robertson, R.E.H.S.

CABARRUS HEALTH ALLIANCE PRIVATE DRINKING WATER WELL CONSTRUCTION PERMIT

(Permit Expires 5 Years from Date Issued)

Permit Number 20-77 Date Issued 4/14/20

Physical Location 3233 Hahn Scott Rd., Mt. Pleasant, NC 28124

THIS WELL IS REQUIRED TO BE GROUTED TO A DEPTH OF 35 FEET ☐ YES ☒ NO

Well Owner Information

Name Connie Arstark Telephone Number 704-400-6366

Address 5625 Weddington Rd.
City Concord State NC Zip Code 28027

MUST MAINTAIN 100 foot minimum separation from:

- Any subsurface ground absorption waste disposal system
- Animal barns, Animal feedlots, or manure piles
- Fertilizer, pesticide, herbicide or other chemical storage areas
- Non-hazardous waste storage, treatment or disposal lagoons
- Land Clearing and Inert Debris (LCID) landfills
- Chemical or petroleum fuel underground storage tank systems regulated under 15A NCAC 02N: (without secondary containment)
- All other petroleum or chemical storage tank systems

MUST MAINTAIN 50 foot minimum separation from:

- Surface water bodies which act as sources of groundwater recharge, such as ponds, lakes and reservoirs
- Chemical or petroleum fuel underground storage tank systems regulated under 15A NCAC 02N: (with secondary containment)
- Gravesites
- Above ground or underground storage tanks which contain petroleum fuels used for heating equipment, boilers or furnaces, with the exception of tanks used solely for storage of propane, natural gas, or liquefied petroleum gas
- All other potential sources of groundwater contamination

MUST MAINTAIN 25 foot minimum separation from

- Building perimeters, including any attached structures 25 feet
- All other surface water bodies, such as brooks, creeks, streams, rivers

For a water supply well on a lot serving a single-family dwelling and intended for domestic use, where lot size or other fixed conditions preclude the separation distances specified, the required horizontal separation distances shall be the maximum possible but shall in no case be less than:

- 50 feet from a septic tank and drainfield, or designated repair areas, except saporite systems
- 25 feet from sewage or liquid-waste collection or transfer facility constructed to water main standards in accordance with 15A NCAC 02T .0305(g)(2) or 15A NCAC 18A .1950(e),
- 50 feet from an animal barns

SEE BACK OF

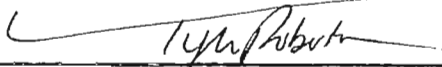
PERMIT FOR

PERMITTED

WELL LOCATION

Call 704-920-1207 if

well cannot be
located in proposed
area


(Authorized REHS)

ALL REQUESTS FOR GROUT INSPECTIONS SHALL BE CALLED IN BY 8:45 AM ON
THE DAY IT IS NEEDED CALL 704-920-1237

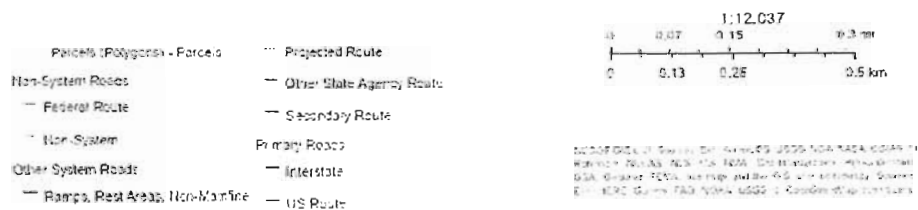
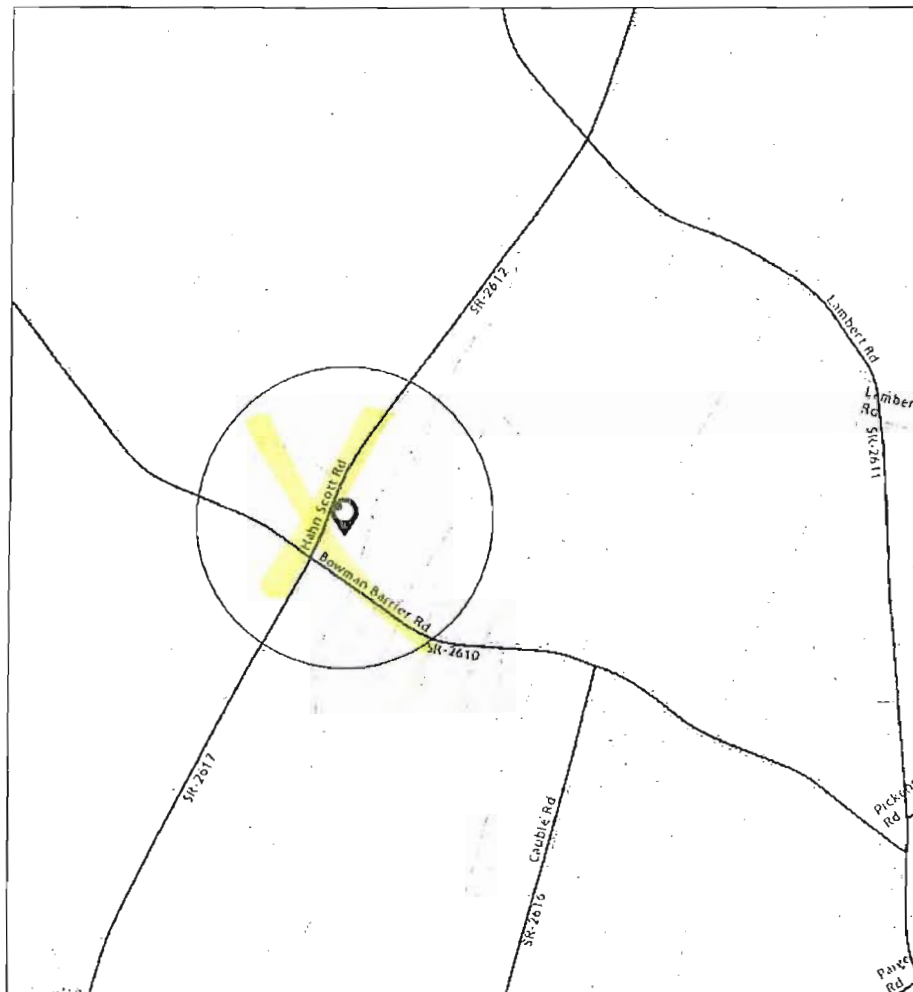


WPDT Report

Area of Interest (AOI) Information

Area : 3,134,508.8 ft²

Apr 13 2020 16:31:35 Eastern Daylight Time



All North Carolina Department of Environmental Quality (NCDEQ) GIS data is expressly provided "AS IS" and "WITH ALL FAULTS". The NCDEQ makes no warranty of any kind, express or implied, concerning this information, including but not limited to any warranties of merchantability or witness for any particular purpose. The NCDEQ assumes no responsibility or legal liability concerning the Data's accuracy, reliability, completeness, timeliness, or usefulness. The data is not intended to constitute advice nor is it to be used as a substitute for specific advice from a professional. Users should not act (or refrain from acting) based upon information in the Data without independently verifying the information and obtaining any necessary professional advice. Users are solely responsible for ensuring the accuracy, currency and other qualities of any products derived from or in connection with the NCDEQ's Data. The Data is collected from various sources and may be modified over time without notice to improve spatial and attribute accuracy. The NCDEQ disclaims responsibility for the spatial accuracy and attribution of GIS features and makes no warranty concerning same.

Connie

From: Theresa Wilkinson <tmwilkinson@cabarruscounty.us>
Sent: Monday, September 28, 2020 9:14 AM
To: Connie Arstark
Subject: RE: BARN BU2020-03328 see attached
Attachments: BU2020-03328.pdf; PLACARD 03328.pdf

Connie,
Please sign and return the building permit.
Thank you!

Theresa M. Wilkinson
Permit Associate
Construction Standards

Office Email: CitizenAccess@CabarrusCounty.us
Accela Website: www.citizenaccess.cabarruscounty.us

Direct: 704-920-2159

Office: 704-920-2128
Fax: 704.920.2144

Physical Address: 65 Church Street S., Concord, NC 28025
Mailing Address: PO Box 707, Concord, NC 28026



From: Connie Arstark <connie@arstark.com>
Sent: Friday, September 25, 2020 4:29 PM
To: Theresa Wilkinson <tmwilkinson@cabarruscounty.us>
Subject: RE: BARN BU2020-03328 see attached

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe!

From: Theresa Wilkinson <tmwilkinson@cabarruscounty.us>
Sent: Friday, September 25, 2020 3:56 PM
To: Connie Arstark <connie@arstark.com>
Subject: RE: BARN BU2020-03328 see attached

Connie,

*See attached
PAID*

Please fill in the "Intended use after completion" line on the form and return to me.

Thank you!

Theresa M. Wilkinson

Permit Associate
Construction Standards

Office Email: CitizenAccess@CabarrusCounty.us

Accela Website: www.citizenaccess.cabarruscounty.us

Direct: 704-920-2159

Office: 704-920-2128

Fax: 704.920.2144

Physical Address: 65 Church Street S., Concord, NC 28025

Mailing Address: PO Box 707, Concord, NC 28026



From: Connie Arstark <connie@arstark.com>

Sent: Friday, September 25, 2020 11:51 AM

To: Theresa Wilkinson <tmwilkinson@cabarruscounty.us>

Subject: RE: BARN BU2020-03328 see attached

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe!

From: Theresa Wilkinson <tmwilkinson@cabarruscounty.us>

Sent: Friday, September 25, 2020 7:34 AM

To: Connie Arstark <connie@arstark.com>

Subject: BARN BU2020-03328

"PAID"

Good Morning Connie,

The building permit for the barn is created and ready for payment, \$328.64.

Please call my direct line, (704) 920-2159, to make the payment. I will need the licensed electrician to sign the application before I can create the no charge electric permit for the barn. I will need this form filled out as well. The other one you submitted is for the house.

Have a great day!

Theresa M. Wilkinson

Permit Associate

Construction Standards



Office Email: CitizenAccess@CabarrusCounty.us

Accela Website: www.citizenaccess.cabarruscounty.us

Direct: 704-920-2159

Office: 704-920-2128

Fax: 704.920.2144

Physical Address: 65 Church Street S., Concord, NC 28025

Mailing Address: PO Box 707, Concord, NC 28026

E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties.

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THIS CARD MUST BE DISPLAYED AT JOBSITE AND ADDRESS DISPLAYED CLEARLY AT
ENTRANCE TO JOBSITE

CABARRUS COUNTY, N.C.

BUILDING PERMIT

NUMBER BU2020-03328 DATE 09.28.2020

ISSUED TO CONNIE ARSTARK

LOCATED AT 3233 HAHN SCOTT RD

CONSTRUCTION OF ACCESSORY BUILDING
1290 SQ.FT, WITH 43 'X 30 ' DIMENSIONS (BARN)

Barn

TRADE PERMITS ASSOCIATED WITH THIS BUILDING PERMIT:

NOTICE: The building for which this permit is issued shall not be occupied until a Certificate of Occupancy has been issued as required by the terms of the City/County Zoning/Fire Ordinances and the North Carolina State Building Code.

Do not proceed with work until the appropriate inspection has been recorded. INSPECTIONS:
To schedule or check results, call 704-920-2128 or contractors can log on to
www.cabarruscounty.us/departments/construction-standards .



Building Residential BU2020-03328

Cabarrus County, NC

(704) 920 - 2128

9/28/2020

Parcel Pin: 55892433620000
Work Location: 3233 HAHN SCOTT RD
MT PLEASANT, NC 28124
Subdivision/Lot: /
Contractor:
License:
Applicant: CONNIE ARSTARK
3233 HAHN SCOTT RD
MT PLEASANT, NC 28124
Owner: MCMATH PAUL STEPHEN
3215 WOODCHUCK DR
KANNAPOLIS, NC 28081
Description: ACCESSORY BUILDING 1290 SQ.FT, WITH 43 'X 30 '
DIMENSIONS (BARN)

Barn

PERMIT DETAILS

Heated Sq Ft:	0	Unheated Sq Ft:	1290	Total Sq Ft:	1290
Type Construction:		Type Heat:		Habitable Rooms:	
Bathrooms:		Stories:		Estimated Cost:	60000

FEES

<u>Item</u>	<u>Fee</u>
Accessory Structure / Garage - Detached Residential (No MEP) - First 500 sf	\$250.00
Accessory Structure / Garage - Detached Residential (No MEP) - Each additional 500 sf	\$37.50
Miscellaneous Electrical Work	\$41.14
Total:	\$328.64

I, THE UNDERSIGNED, CERTIFY THAT THE WORK DESIGNATED IN THIS APPLICATION WILL BE DONE ACCORDING TO THE BUILDING LAWS OF THE STATE OF NORTH CAROLINA AND CABARRUS COUNTY, AND WILL COMPLY WITH THE ZONING ORDINANCE OF CABARRUS COUNTY AND COMPLY WITH THE SOIL EROSION AND SEDIMENTATION CONTROL ORDINANCE OF CABARRUS COUNTY. IF SAID BUILDING IS TO BE ERECTED IN THE FIRE LIMITS AS ESTABLISHED BY THE CITY ORDINANCE AND CABARRUS COUNTY IN THE ONE MILE AREA, THEN SUCH BUILDING PERMIT IS ISSUED SUBJECT TO THE APPROVAL OF THE INSURANCE COMMISSIONER OF THE STATE OF NORTH CAROLINA.

For Building and Trade Permits only: Informal review of inspectors' decisions is available on the Cabarrus County website:

<https://www.cabarruscounty.us/departments/construction-standards>.

For questions concerning this process, please contact Chief Codes Enforcement Officer, Todd Culp, at 704-920-2128 or construction2222@cabarruscounty.us.

Notice for Building Permits: The Building for which this Permit is issued shall not be occupied until a Certificate of Occupancy has been issued as required by the terms of the City/County Zoning Ordinances and the North Carolina State Building Code.

Do not proceed with work until appropriate inspection has been completed. To verify an inspection has passed, or to schedule an inspection, access <https://citizenaccess.cabarruscounty.us>.

For questions, contact 704-920-2128

This permit will expire if:

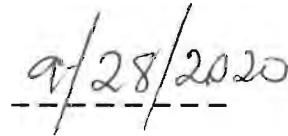
- Work has not started and been inspected within six (6) months of issue date, or
- Work has been discontinued for a period of twelve (12) months.

No Refunds will be issued.

Applicant Signature:



Date:



Zoning / Compliance Certificate

Cabarrus County, NC (704) 920-2137

Date: 9/23/2020



Application #: ZN2020-01166

Parcel Number: 55892433620000

Fees: Residential Addition / Accessory structures zoning permit (accessory) \$150.00 9/23/2020
TOTAL \$150.00

Project Name: CONNIE ARSTARK

Applicant: ARSTARK
5625 WEDDINGTON RD
CONCORD, NC 28027
Work Location: 3233 HAHN SCOTT RD
MT PLEASANT, NC 28124
Phone: 7044006366
Property Owner: MCMATH PAUL STEPHEN
Owner Phone:
Contractor:
Proposed use: ACCESSORY BUILDING 1290 SQ.FT,
WITH 43 'X 30 ' DIMENSIONS
Previous use: RESIDENCE UNDER CONSTRUCTION

Setback Information

Front Corner Lot:	—	Front Local Road:	50'	Front Minor Collector:	75'
Side Yard:	20-40'	Side Yard Accessory:	20-40'	Max Impermeable Surface:	15'
Rear Yard:	30'	Rear Yard Accessory Setback	5'	Max Structural Coverage:	10'
		15ft or less:			

Subdivision and Lot Number:

Total Lot Area: 10 **Max Acc Bldg Size:** 8712 **Number Of Dwelling Units:**
Max Height (Principal/Acc): 40/40' **Project Description:** ACCESSORY BUILDING 1290 SQ.FT, WITH 43
'X 30 ' DIMENSIONS

Zone: AO Conventional

Development of this property will also involve:

☐ Approve Site Plan ☐ Accessory / Building / Structure Signs ☐ Watershed Overlay District
☐ Fence / Screen / Buffer Yard ☐ Flood Damage Prevention Ordinance

Comments: NO FLOODPLAIN OR WATERSHED WITHIN PROPERTY

ACCESSORY BUILDING - A BUILDING LOCATED ON THE SAME LOT AND CUSTOMARILY
INCIDENTAL AND SUBORDINATE TO THE PRINCIPAL DWELLING

ACCESSORY BUILDINGS UP TO 15 FEET IN HEIGHT MUST MEET THE FRONT AND SIDE
SETBACKS REQUIREMENTS OF THE PRIMARY STRUCTURE. THE REAR SETBACK SHALL BE
NO LESS THAN 5 FEET. IF STRUCTURE IS GREATER THAN 15 FEET IN HEIGHT THEN ALL
PRIMARY STRUCTURE SETBACKS MUST BE MET IN ACCORDANCE WITH CABARRUS COUNTY
ORDINANCE CHAPTER 7, SECTION 3, PART 1.

Zoning Staff Signature:

Martha Hernandez

I, the undersigned, certify that all work designated on this application and on approved attached plans (if any) will be performed as indicated, and arrangement of land and / or structures will conform to all information presented herein and to all regulations of the zoning ordinance. No structures 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:

Connie Atank

Important Setback Information

CABARRUS COUNTY

65 CHURCH STREET S - PO Box 707

CONCORD, NC 28025

Office - 704-920-2137 Fax - 704-920-2144

This notice is to inform you that all proposed principle and/or accessory structures shall be built or placed on the subject property in compliance with the setback standards listed on your Zoning Compliance Permit.

Example structures shall include but not be limited to:

- Residential Structures: Site Built, Modular, Mobile Homes
- Residential Accessory Structures: Pools, Storage Buildings, Garages
- Non Residential Structures: Offices, Warehouses, Fire Stations, Banks
- Non Residential Accessory Structures: Display Areas, Gas Pumps, ATM's

A structure built or placed on a property which encroaches a setback boundary shall be considered a violation of the Zoning Ordinance. Such violations are subject to all civil penalties and remedies set forth in the Zoning Ordinance.

Prior to construction, verify setbacks to ensure the structure will be properly built or placed on the property.

All setbacks shall be measured from the existing or proposed right of way of record.

If you question the possibility of an encroachment consult with a land surveyor of your choice to plot out the structure placement.

I HAVE READ AND UNDERSTAND THESE REQUIREMENTS:

Applicant:

Connie Atank

Date:

10-2-2020

Staff:

Martha Hernandez

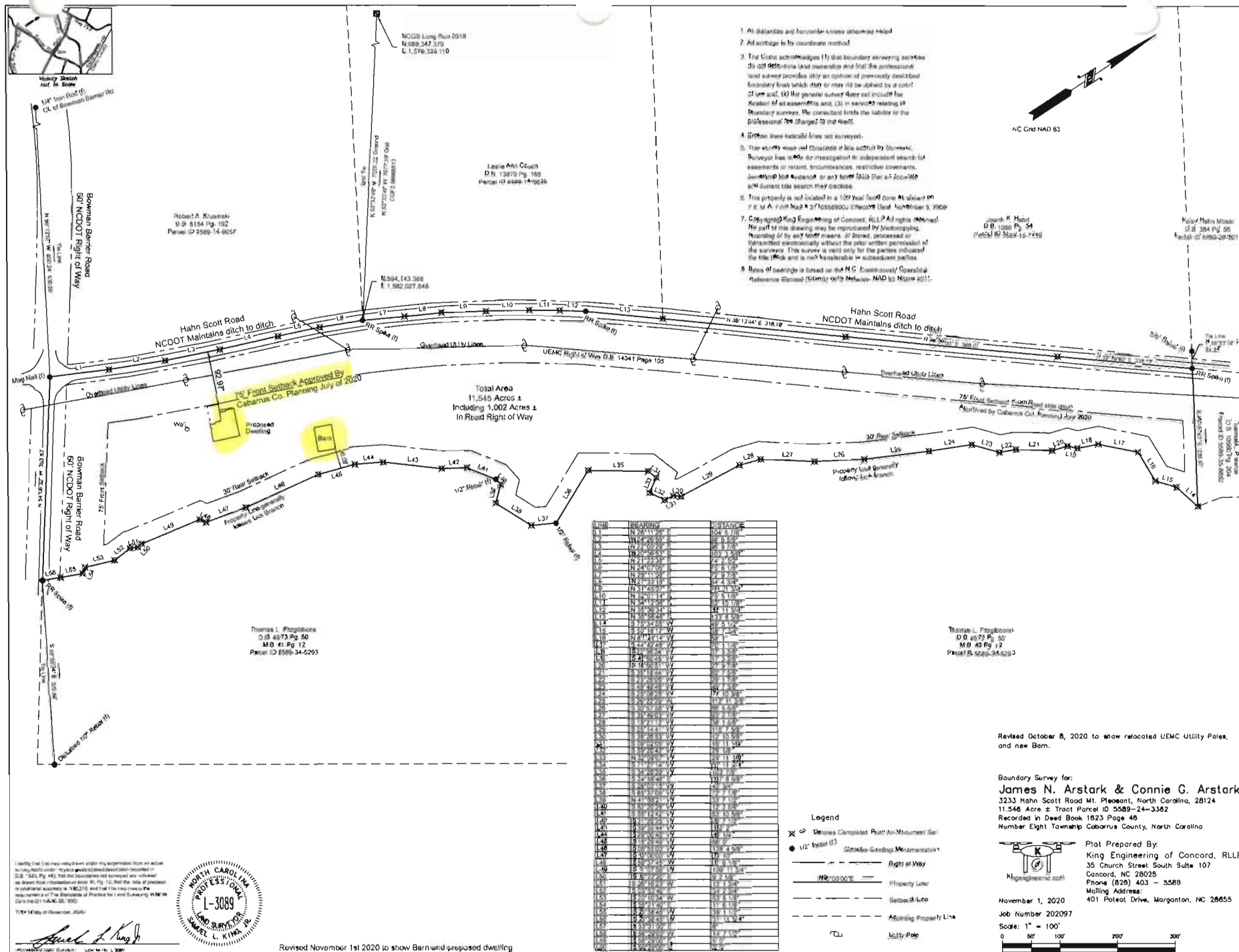
Date:



Owner Copy



Staff Copy



From: Connie Arstark <connie@arstark.com>
Sent: Monday, June 29, 2020 6:57 AM
To: chad@Kingengineernc.com
Subject: FW: Question on set backs? 3233 hahn scott road

From: Martha Hernandez <mhernandez@cabarruscounty.us>
Sent: Thursday, June 25, 2020 1:53 PM
To: Connie Arstark <connie@arstark.com>
Subject: RE: Question on set backs? 3233 hahn scott road

The property is zoned Agricultural/Open Residential and has the following setbacks:

***Agricultural/Open Space
(AO)***

<i>Principal</i> (minimum feet)	
Front yard (minor collector)	75
Front yard (local road)	50
Side yard (single)	20
Side yard (total)	40
Rear yard	30
<i>Height</i> (maximum feet)	40
<i>Lot Coverage</i> (maximum)	
Impermeable surface	15%
Structural coverage	10%

Martha Hernandez

Zoning and Septic Suitability Permit Associate

Planning and Development Department

Cabarrus County

65 Church St. SE, Concord, NC 28025

P.O. Box 707, Concord, NC 28026

O: 704-920-2147

F: 704-920-2227

www.cabarruscounty.us



From: Connie Arstark <connie@arstark.com>
Sent: Thursday, June 25, 2020 12:34 PM
To: Martha Hernandez <mhernandez@cabarruscounty.us>; connie@arstark.com
Subject: Question on set backs? 3233 hahn scott road

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe!

Do you remember what the set back guidelines are for my property off hahn scott road?
Thanks
Connie Arstark

Sent via the Samsung Galaxy Note9, an AT&T 5G Evolution capable smartphone

----- Original message -----

From: Martha Hernandez <mhernandez@cabarruscounty.us>
Date: 6/24/20 8:24 AM (GMT-05:00)
To: Connie Arstark <connie@arstark.com>
Cc: Tyler W Robertson <Tyler.Robertson@CabarrusHealth.org>
Subject: FW: Tyler said to call you for getting the barn added to septic it is not a problem. He told me to flag it on the lot which I did. He said it was \$60.00


I don't complete or take payments for secondary applications.

Many thanks,

Martha Hernandez

Zoning and Septic Suitability Permit Associate

Planning and Development Department

 Cabarrus County

65 Church St. SE, Concord, NC 28025

P.O. Box 707, Concord, NC 28026

T: 704-920-2147

F: 704-920-2227

www.cabarruscounty.us



From: Connie Arstark <connie@arstark.com>

Sent: Wednesday, June 24, 2020 8:13 AM

To: Martha Hernandez <mhernandez@cabarruscounty.us>; connie@arstark.com

Subject: RE: Tyler said to call you for getting the barn added to septic it is not a problem. He told me to flag it on the lot which I did. He said it was \$60.00

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe!

Is this something you can help me with?

Thanks

Connie

Sent via the Samsung Galaxy Note9, an AT&T 5G Evolution capable smartphone

----- Original message -----

From: Martha Hernandez <mhernandez@cabarruscounty.us>

Date: 6/23/20 4:52 PM (GMT-05:00)

To: Connie Arstark <connie@arstark.com>

Subject: RE: do I need a permit for Barn?

Yes.

Many thanks,

Martha Hernandez

Zoning and Septic Suitability Permit Associate

Planning and Development Department

Cabarrus County

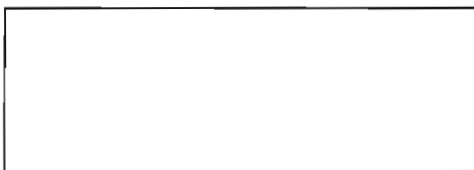
65 Church St. SE, Concord, NC 28025

P.O. Box 707, Concord, NC 28026

O: 704-920-2147

F: 704-920-2227

www.cabarruscounty.us



From: Connie Arstark <connie@arstark.com>

Sent: Tuesday, June 23, 2020 4:51 PM

To: Martha Hernandez <mhernandez@cabarruscounty.us>

Subject: RE: do I need a permit for Barn?

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe!

Do we need it if I intend to be a farm once the home is built?

Ca

Sent via the Samsung Galaxy Note9, an AT&T 5G Evolution capable smartphone

----- Original message -----

From: Martha Hernandez <mhernandez@cabarruscounty.us>

Date: 6/23/20 4:42 PM (GMT-05:00)

To: Connie Arstark <connie@arstark.com>

Subject: RE: do I need a permit for Barn?

The septic permit doesn't reflect the barn on the lay-out. We would need approval from the Health Alliance.

Many thanks,

Martha Hernandez

Zoning and Septic Suitability Permit Associate

Planning and Development Department

Cabarrus County

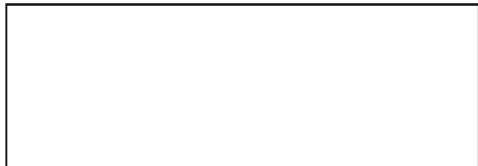
65 Church St. SE, Concord, NC 28025

P.O. Box 707, Concord, NC 28026

O: 704-920-2147

F: 704-920-2227

www.cabarruscounty.us



From: Connie Arstark <connie@arstark.com>

Sent: Tuesday, June 23, 2020 4:35 PM

To: Martha Hernandez <mhernandez@cabarruscounty.us>

Subject: RE: do I need a permit for Barn?

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe!

Ok can you email me what I need for that permit? Lol

You guys are taking all my money! Lol

Connie

Sent via the Samsung Galaxy Note9, an AT&T 5G Evolution capable smartphone

----- Original message -----

From: Martha Hernandez <mhernandez@cabarruscounty.us>

Date: 6/23/20 4:33 PM (GMT-05:00)

To: Connie Arstark <connie@arstark.com>

Subject: RE: do I need a permit for Barn?

yes

Many thanks,

Martha Hernandez

Zoning and Septic Suitability Permit Associate

Planning and Development Department

Cabarrus County

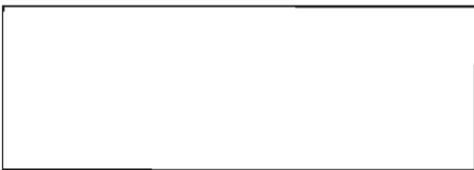
65 Church St. SE, Concord, NC 28025

P.O. Box 707, Concord, NC 28026

O: 704-920-2147

F: 704-920-2227

www.cabarruscounty.us



From: Connie Arstark <connie@arstark.com>

Sent: Tuesday, June 23, 2020 4:32 PM

To: Martha Hernandez <mhernandez@cabarruscounty.us>

Subject: RE: do I need a permit for Barn?

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe!

I have a 43x30 metal barn installed on the property. Do I need permit for that as well?

Connie

Sent via the Samsung Galaxy Note9, an AT&T 5G Evolution capable smartphone

----- Original message -----

From: Martha Hernandez <mhernandez@cabarruscounty.us>

Date: 6/23/20 4:03 PM (GMT-05:00)

To: Connie Arstark <connie@arstark.com>

Cc: Boyd Stanley <bvstanley@cabarruscounty.us>

Subject: RE: Zoning Permit Requirements-POOL Permit?

Your zoning permit (**ZN2020-00653**) request has been approved. It is ready for payment (**\$75.00**). Someone from our department will be calling you to take your payment over the phone.

Please sign on the **2 places** marked and return attached permit. The permit will not be valid until payment is made **AND** signed permit is returned.

Many thanks,

Martha Hernandez

Zoning and Septic Suitability Permit Associate

Planning and Development Department

Cabarrus County

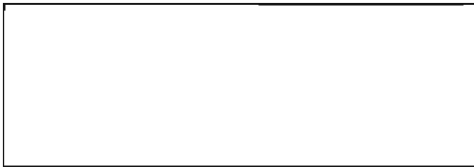
65 Church St. SE, Concord, NC 28025

P.O. Box 707, Concord, NC 28026

O: 704-920-2147

F: 704-920-2227

www.cabarruscounty.us



From: Connie Arstark <connie@arstark.com>
Sent: Monday, June 22, 2020 2:53 PM
To: Martha Hernandez <mhernandez@cabarruscounty.us>
Subject: RE: Zoning Permit Requirements-POOL Permit?

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe!

Here you go.

thanks so much

Connie

From: Martha Hernandez <mhernandez@cabarruscounty.us>
Sent: Monday, June 22, 2020 2:37 PM

To: Connie Arstark <connie@arstark.com>

Subject: RE: Zoning Permit Requirements-POOL Permit?

Complete the application attached and submit a plot plan that shows measurements on pool and concrete surrounding it.

Many thanks,

Martha Hernandez

Zoning and Septic Suitability Permit Associate

Planning and Development Department

Cabarrus County

65 Church St. SE, Concord, NC 28025

P.O. Box 707, Concord, NC 28026

O: 704-920-2147

F: 704-920-2227

www.cabarruscounty.us



From: Connie Arstark <connie@arstark.com>

Sent: Monday, June 22, 2020 2:22 PM

To: Martha Hernandez <mhernandez@cabarruscounty.us>

Subject: RE: Zoning Permit Requirements-POOL Permit?

AUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe!

Pool Permit? What info is needed to get this processed.

connie

From: Martha Hernandez <mhernandez@cabarruscounty.us>

Sent: Monday, June 15, 2020 9:31 AM

To: Connie Arstark <connie@arstark.com>

Subject: RE: Zoning Permit Requirements

Yes. The \$725.00 fee includes the well permit.

Many thanks,

Martha Hernandez

Zoning and Septic Suitability Permit Associate

Planning and Development Department

Cabarrus County

65 Church St. SE, Concord, NC 28025

P.O. Box 707, Concord, NC 28026

O: 704-920-2147

F: 704-920-2227

www.cabarruscounty.us

From: Connie Arstark <connie@arstark.com>
Sent: Friday, June 12, 2020 4:46 PM
To: Martha Hernandez <mhernandez@cabarruscounty.us>
Subject: RE: Zoning Permit Requirements

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe!

Does this include my well permit as well?

I need it too.

Thanks

Ca



Sent via the Samsung Galaxy Note9, an AT&T 5G Evolution capable smartphone

----- Original message -----

From: Martha Hernandez <mhernandez@cabarruscounty.us>

Date: 6/12/20 4:30 PM (GMT-05:00)

To: connie@arstark.com

Cc: Boyd Stanley <bvstanley@cabarruscounty.us>

Subject: RE: Zoning Permit Requirements

Our zoning permit (**ZN2020-00614**) request has been approved. It is ready for payment (**\$100.00**). In addition to the zoning permit, you also need to pay **\$725.00** for the septic permit (**SE2020-00062**) Someone from our department will be calling you to take your payment over the phone.

Please sign on the **2 places** marked and return attached permit. The permit will not be valid until payment is made **AND** signed permit is returned.

Many thanks,

Martha Hernandez

Zoning and Septic Suitability Permit Associate

Planning and Development Department

Cabarrus County

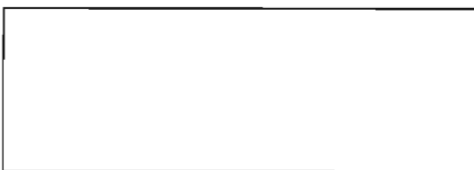
65 Church St. SE, Concord, NC 28025

P.O. Box 707, Concord, NC 28026

O: 704-920-2147

F: 704-920-2227

www.cabarruscounty.us



From: connie@arstark.com <connie@arstark.com>
Sent: Friday, June 12, 2020 1:39 PM
To: Martha Hernandez <mhernandez@cabarruscounty.us>
Cc: Connie Arstark <connie@arstark.com>
Subject: RE: Zoning Permit Requirements

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe!

From: Martha Hernandez <mhernandez@cabarruscounty.us>
Sent: Friday, June 12, 2020 12:45 PM
To: connie@ARSTARK.com
Subject: Zoning Permit Requirements

You can email me application, plot plan and supporting documentation. We will then process and notify when its ready for payment over phone with credit card. Please feel free to call at 704-920-2147 should you have any questions.

I have attached zoning permit application and plot/site plan example. Dimensions of all structures and the applicable setbacks must be included in the plot/site plan submitted. You may use GIS to print out the subject parcel and create a plot plan if a survey of the property is not available. The link for accessing the County's GIS system is below.

GENERAL REQUIREMENTS:

CABARRUS HEALTH ALLIANCE:

- ☐ If the property has an **existing** septic system, call the Cabarrus Health Alliance at 704-920-1207 or visit them at 300 Mooresville Road, Kannapolis, for an inspection. CHA will provide a letter for you to turn in with your application.
- ☐ If the property requires a **new** septic system, a site evaluation application will need to be completed at the Cabarrus County Governmental Center at 65 Church Street, SE, Concord.

SITE/PLOT PLAN (to scale) that shows:

- ☐ size and configuration of the property, including lot dimensions and acreage
- ☐ location and dimensions of all existing structures
- ☐ location and dimensions of all existing parking and driveway areas
- ☐ location and dimensions of any bodies of water or water channels (ponds, streams, swales, etc.)
- ☐ location of identified flood hazard areas, including floodway, 100-year and 500-year
- ☐ location and dimensions of proposed work (new structure, pool, addition to existing building, deck, etc.)
- ☐ setbacks for the applicable zoning district (proposed work must meet established setbacks for district)

- All requests for zoning permits must comply with the standards of the Cabarrus County Development Ordinance.
- Additional information may be needed, or may be required on the plot plan, if the property lies within an Overlay District as defined in Chapter 4 of the Cabarrus County Development Ordinance.

<https://location.cabarruscounty.us/mapcabarrus/>

Many thanks,

Martha Hernandez

Zoning and Septic Suitability Permit Associate

Planning and Development Department

abarrus County

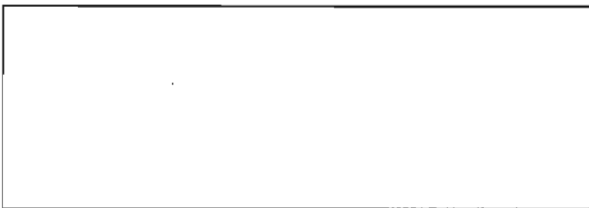
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Memorandum

To: Cabarrus County Board of Adjustment

From: David Goldberg, Deputy County Attorney

Date: Tuesday, March 8, 2022

RE: Application of Bona Fide Farm Exemption to Waterbody Buffer Zone Overlay

Question

Is a “bona fide farm” exempt from the Waterbody Buffer Zone Overlay at Part II of Chapter 4 of the Cabarrus County Development Ordinance?

Short Answer

No. The farm exemption statute only exempts owners of bona fide farms from “County zoning regulations”. GS 160D-903(a). The Waterbody Buffer Zone Overlay is a “local environmental regulation adopted pursuant to Part 2 of Article 9 of G.S. Ch. 160D. As such, whether a property is a “bona fide farm” exempt from county zoning materials does not affect the application of local environmental regulations, like the Waterbody Buffer Zone.

Background

Cabarrus County adopted a Waterbody Buffer Zone restriction as part of its Development Ordinance in 1990 to implement a special condition of a federal Clean Water Act § 404 permit issued by the Army Corp of Engineers in 1990. The current provision is at Part II of Chapter 4 of the Cabarrus County Development Ordinance. The permit provided, in part:

The Cabarrus County Board of Commissioners, through the Cabarrus County Planning Department, shall implement and maintain a county-wide mandate (ordinance) which strictly limits development within a buffer zone along all perennial streams within the county. This ordinance contains several features which will protect water quality and will also provide benefits to fish and wildlife resources. The ordinance is enforced by the county inspections department. This ordinance must be in full force and effect before the permitted action will be allowed. The buffer zone shall be established as that area which extends 50 feet from the stream bank perpendicular to the centerline of the stream. If the buffer strip is presently wooded, it cannot be disturbed. Perennial streams are defined as those which are illustrated as solid blue lines on the USGS Quadrangle topographic maps for the county. Additional requirements are described in

Cabarrus County Zoning Text Amendment: 3.13 - River/Stream Overlay
Zone (RSOZ) (see attached).

Failure to adequately implement or enforce the zoning amendment or unacceptable modification of the zoning amendment will require alternative mitigation measures to be implemented. The alternative mitigation requirement will include the restoration or creation of approximately 300 acres of forested wetlands as per a plan developed in conjunction with the N.C. Wildlife Resources Commission, the U.S. Fish and Wildlife Service, the EPA, and the Corps of Engineers.

Answer

The farm exemption statute only exempts owners of bona fide farms from “County zoning regulations”. GS 160D-903(a). A “zoning regulation” is a “zoning regulation authorized by Article 7 of [G.S. Ch. 160D].” GS 160D-102(35). Article 7 is entitled “zoning regulations” and authorizes the County to “regulate and restrict the height, number of stories, and size of buildings and other structures; the percentage of lots that may be occupied; the size of yards, courts, and other open spaces; the density of population; the location and use of buildings, structures, and land.” G.S. 160D-702(a). The North Carolina Supreme Court explained that:

Zoning, as a definitional matter, is the regulation by a local governmental entity of the use of land within a given community, and of the buildings and structures which may be located thereon, in accordance with a general plan.

Lanvale Props., LLC v. Cty. of Cabarrus, 366 N.C. 142, 157 (2012) (citations and internal quotations omitted).

In contrast, the Waterbody Buffer Zone Overlay is a “local environmental regulation adopted pursuant to Part 2 of Article 9 of G.S. Ch. 160D. This subdivision authorizes local governments to “adopt and enforce local ordinances pursuant to this Part to the extent necessary to comply with State and federal law, rules, and regulations or permits consistent with the interpretations and directions of the State or federal agency issuing the permit.” G.S. 160D-920(a).

It is important to note that the Cabarrus County Development Ordinance is a “unified development ordinance” adopted pursuant to G.S. 160D-103. “Inclusion of a regulation authorized by this Chapter or local act in a unified development ordinance does not expand, diminish, or alter the scope of authority for those regulations.” G.S. 160D-103.

As such, whether a property is a “bona fide farm” exempt from county zoning materials does not affect application of local environmental regulations, like the Waterbody Buffer Zone.

N.C. Gen. Stat. § 160D-102

Current through Session Laws 2021-192 (end) of the 2021 Regular Session of the General Assembly, except for Session Laws 2021-180 and 2021-189, but does not reflect possible future codification directives relating to Session Laws 2021-163 through 2021-192 from the Revisor of Statutes pursuant to G.S. 164-10.

General Statutes of North Carolina > Chapter 160D. Local Planning and Development Regulation. (Arts. 1 — 14) > Article 1. General Provisions. (§§ 160D-101 — 160D-111)

§ 160D-102. Definitions.

Unless otherwise specifically provided, or unless otherwise clearly required by the context, the words and phrases defined in this section shall have the following meanings indicated when used in this Chapter:

- (1) Administrative decision. — Decisions made in the implementation, administration, or enforcement of development regulations that involve the determination of facts and the application of objective standards set forth in this Chapter or local government development regulations. These are sometimes referred to as ministerial decisions or administrative determinations.
- (2) Administrative hearing. — A proceeding to gather facts needed to make an administrative decision.
- (3) Bona fide farm purposes. — Agricultural activities as set forth in *G.S. 160D-903*.
- (4) Charter. — As defined in *G.S. 160A-1(2)*.
- (5) City. — As defined in *G.S. 160A-1(2)*.
- (6) Comprehensive plan. — A comprehensive plan that has been officially adopted by the governing board pursuant to *G.S. 160D-501*.
- (7) Conditional zoning. — A legislative zoning map amendment with site-specific conditions incorporated into the zoning map amendment.

(8) County. — Any one of the counties listed in G.S. 153A-10.

(9) Decision-making board. — A governing board, planning board, board of adjustment, historic district board, or other board assigned to make quasi-judicial decisions under this Chapter.

(10) Determination. — A written, final, and binding order, requirement, or determination regarding an administrative decision.

(11) Developer. — A person, including a governmental agency or redevelopment authority, who undertakes any development and who is the landowner of the property to be developed or who has been authorized by the landowner to undertake development on that property.

(12) Development. — Any of the following:

- a. The construction, erection, alteration, enlargement, renovation, substantial repair, movement to another site, or demolition of any structure.
- b. The excavation, grading, filling, clearing, or alteration of land.
- c. The subdivision of land as defined in G.S. 160D-802.
- d.

The initiation or substantial change in the use of land or the intensity of use of land.

This definition does not alter the scope of regulatory authority granted by this Chapter.

(13) Development approval. — An administrative or quasi-judicial approval made pursuant to this Chapter that is written and that is required prior to commencing development or undertaking a specific activity, project, or development proposal. Development approvals include, but are not limited to, zoning permits, site plan approvals, special use permits, variances, and certificates of appropriateness. The term also includes all other regulatory approvals required by regulations adopted pursuant to this Chapter, including plat approvals, permits issued, development agreements entered into, and building permits issued.

(14) Development regulation. — A unified development ordinance, zoning regulation, subdivision regulation, erosion and sedimentation control regulation, floodplain or flood damage prevention regulation, mountain ridge protection regulation, stormwater control regulation, wireless telecommunication facility regulation, historic preservation or landmark regulation, housing code, State Building Code enforcement, or any other regulation adopted pursuant to this Chapter, or a local act or charter that regulates land use or development.

(15) Dwelling. — Any building, structure, manufactured home, or mobile home, or part thereof, used and occupied for human habitation or intended to be so used, and includes any outhouses and appurtenances belonging thereto or usually enjoyed therewith. For the purposes of Article 12 of this Chapter, the term does not include any manufactured home, mobile home, or recreational vehicle, if used solely for a seasonal vacation purpose.

(16) Evidentiary hearing. — A hearing to gather competent, material, and substantial evidence in order to make findings for a quasi-judicial decision required by a development regulation adopted under this Chapter.

(17) Governing board. — The city council or board of county commissioners. The term is interchangeable with the terms “board of aldermen” and “boards of commissioners” and means any governing board without regard to the terminology employed in charters, local acts, other portions of the General Statutes, or local customary usage.

(18) Landowner or owner. — The holder of the title in fee simple. Absent evidence to the contrary, a local government may rely on the county tax records to determine who is a landowner. The landowner may authorize a person holding a valid option, lease, or contract to purchase to act as his or her agent or representative for the purpose of making applications for development approvals.

(19) Legislative decision. — The adoption, amendment, or repeal of a regulation under this Chapter or an applicable local act. The term also includes the decision to approve, amend, or rescind a development agreement consistent with the provisions of Article 10 of this Chapter.

(20) Legislative hearing. — A hearing to solicit public comment on a proposed legislative decision.

(21) Local act. — As defined in G.S. 160A-1(5).

(22) Local government. — A city or county.

(23) Manufactured home or mobile home. — A structure as defined in G.S. 143-145(7).

(24) Person. — An individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, interstate body, the State of North Carolina and its agencies and political subdivisions, or other legal entity.

(25) Planning and development regulation jurisdiction. — The geographic area defined in Part 2 of this Chapter within which a city or county may undertake planning and apply the development regulations authorized by this Chapter.

(26) Planning board. — Any board or commission established pursuant to G.S. 160D-301.

(27) Property. — All real property subject to land-use regulation by a local government. The term includes any improvements or structures customarily regarded as a part of real property.

(28) Quasi-judicial decision. — A decision involving the finding of facts regarding a specific application of a development regulation and that requires the exercise of discretion when applying the standards of the regulation. The term includes, but is not limited to, decisions involving variances, special use permits, certificates of appropriateness, and appeals of administrative determinations. Decisions on the approval of subdivision plats and site plans are quasi-judicial in nature if the regulation authorizes a decision-making board to approve or deny the application based not only upon whether the application complies with the specific requirements set forth in the regulation, but also on whether the application complies with one or more generally stated standards requiring a discretionary decision on the findings to be made by the decision-making board.

(29) Site plan. — A scaled drawing and supporting text showing the relationship between lot lines and the existing or proposed uses, buildings, or structures on the lot. The site plan may include site-specific details such as building areas, building height and floor area, setbacks from lot lines and street rights-of-way, intensities, densities, utility lines and locations, parking, access points, roads, and stormwater control facilities that are depicted to show compliance with all legally required development regulations that are applicable to the project and the site plan review. A site plan approval based solely upon application of objective standards is an administrative decision and a site plan approval based in whole or in part upon the application of standards involving judgment and discretion is a quasi-judicial decision. A site plan may also be approved as part of a conditional zoning decision.

(30) Special use permit. — A permit issued to authorize development or land uses in a particular zoning district upon presentation of competent, material, and substantial evidence establishing compliance with one or more general standards requiring that judgment and discretion be exercised as well as compliance with specific standards. The term includes permits previously referred to as conditional use permits or special exceptions.

(31) Subdivision. — The division of land for the purpose of sale or development as specified in G.S. 160D-802.

(32) Subdivision regulation. — A subdivision regulation authorized by Article 8 of this Chapter.

(33) Repealed by Session Laws 2020-25, s. 3, effective June 19, 2020.

(34) Zoning map amendment or rezoning. — An amendment to a zoning regulation for the purpose of changing the zoning district that is applied to a specified property or properties. The term also includes (i) the initial application of zoning when land is added to the territorial jurisdiction of a local government that has previously adopted zoning regulations and (ii) the application of an overlay zoning district or a conditional zoning district. The term does not include (i) the initial adoption of a zoning map by a local government, (ii) the repeal of a zoning map and readoption of a new zoning map for the entire planning and development regulation jurisdiction, or (iii) updating the

zoning map to incorporate amendments to the names of zoning districts made by zoning text amendments where there are no changes in the boundaries of the zoning district or land uses permitted in the district.

(35) Zoning regulation. — A zoning regulation authorized by Article 7 of this Chapter.

History

2019-111, s. 2.4; 2020-3, s. 4.33(a); 2020-25, ss. 3, 51(a), (b), (d).

General Statutes of North Carolina

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N.C. Gen. Stat. § 160D-103

Current through Session Laws 2021-192 (end) of the 2021 Regular Session of the General Assembly, except for Session Laws 2021-180 and 2021-189, but does not reflect possible future codification directives relating to Session Laws 2021-163 through 2021-192 from the Revisor of Statutes pursuant to G.S. 164-10.

General Statutes of North Carolina > Chapter 160D. Local Planning and Development Regulation. (Arts. 1 — 14) > Article 1. General Provisions. (§§ 160D-101 — 160D-111)

§ 160D-103. Unified development ordinance.

A local government may elect to combine any of the regulations authorized by this Chapter into a unified ordinance. Unless expressly provided otherwise, a local government may apply any of the definitions and procedures authorized by law to any or all aspects of the unified ordinance and may employ any organizational structure, board, commission, or staffing arrangement authorized by law to any or all aspects of the ordinance. Inclusion of a regulation authorized by this Chapter or local act in a unified development ordinance does not expand, diminish, or alter the scope of authority for those regulations.

History

2019-111, s. 2.4; 2020-3, s. 4.33(a); 2020-25, s. 51(a), (b), (d).

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N.C. Gen. Stat. § 160D-702

Current through Session Laws 2021-192 (end) of the 2021 Regular Session of the General Assembly, except for Session Laws 2021-180 and 2021-189, but does not reflect possible future codification directives relating to Session Laws 2021-163 through 2021-192 from the Revisor of Statutes pursuant to G.S. 164-10.

General Statutes of North Carolina > Chapter 160D. Local Planning and Development Regulation. (Arts. 1 — 14) > Article 7. Zoning Regulation. (§§ 160D-701 — 160D-706)

§ 160D-702. Grant of power.

(a) A local government may adopt zoning regulations. Except as provided in subsections (b) and (c) of this section, a zoning regulation may regulate and restrict the height, number of stories, and size of buildings and other structures; the percentage of lots that may be occupied; the size of yards, courts, and other open spaces; the density of population; the location and use of buildings, structures, and land. A local government may regulate development, including floating homes, over estuarine waters and over lands covered by navigable waters owned by the State pursuant to G.S. 146-12. A zoning regulation shall provide density credits or severable development rights for dedicated rights-of-way pursuant to G.S. 136-66.10 or G.S. 136-66.11. Where appropriate, a zoning regulation may include requirements that street and utility rights-of-way be dedicated to the public, that provision be made of recreational space and facilities, and that performance guarantees be provided, all to the same extent and with the same limitations as provided for in G.S. 160D-804 and G.S. 160D-804.1.

(b) Any regulation relating to building design elements adopted under this Chapter may not be applied to any structures subject to regulation under the North Carolina Residential Code for One- and Two-Family Dwellings except under one or more of the following circumstances:

- (1) The structures are located in an area designated as a local historic district pursuant to Part 4 of Article 9 of this Chapter.

- (2) The structures are located in an area designated as a historic district on the National Register of Historic Places.
- (3) The structures are individually designated as local, State, or national historic landmarks.
- (4) The regulations are directly and substantially related to the requirements of applicable safety codes adopted under *G.S. 143-138*.
- (5) Where the regulations are applied to manufactured housing in a manner consistent with *G.S. 160D-908* and federal law.
- (6) Where the regulations are adopted as a condition of participation in the National Flood Insurance Program.

Regulations prohibited by this subsection may not be applied, directly or indirectly, in any zoning district or conditional district unless voluntarily consented to by the owners of all the property to which those regulations may be applied as part of and in the course of the process of seeking and obtaining a zoning amendment or a zoning, subdivision, or development approval, nor may any such regulations be applied indirectly as part of a review pursuant to *G.S. 160D-604* or *G.S. 160D-605* of any proposed zoning amendment for consistency with an adopted comprehensive plan or other applicable officially adopted plan.

For the purposes of this subsection, the phrase “building design elements” means exterior building color; type or style of exterior cladding material; style or materials of roof structures or porches; exterior nonstructural architectural ornamentation; location or architectural styling of windows and doors, including garage doors; the number and types of rooms; and the interior layout of rooms. The phrase “building design elements” does not include any of the following: (i) the height, bulk, orientation, or location of a structure on a zoning lot, (ii) the use of buffering or screening to minimize visual impacts, to mitigate the impacts of light and noise, or to protect the privacy of neighbors, or (iii) regulations adopted pursuant to this Article governing the permitted uses of land or structures subject to the North Carolina Residential Code for One- and Two-Family Dwellings.

Nothing in this subsection affects the validity or enforceability of private covenants or other contractual agreements among property owners relating to building design elements.

(c) A zoning regulation shall not set a minimum square footage of any structures subject to regulation under the North Carolina Residential Code for One- and Two-Family Dwellings.

History

2019-111, s. 2.4; 2020-3, s. 4.33(a); 2020-25, ss. 15, 51(a), (b), (d).

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N.C. Gen. Stat. § 160D-920

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General Statutes of North Carolina > Chapter 160D. Local Planning and Development Regulation. (Arts. 1 — 14) > Article 9. Regulation of Particular Uses and Areas. (Pts. 1 — 5) > Part 2. Environmental Regulation. (§§ 160D-920 — 160D-929)

§ 160D-920. Local environmental regulations.

(a) Local governments are authorized to exercise the powers conferred by Article 8 of Chapter 160A of the General Statutes and Article 6 of Chapter 153A of the General Statutes to adopt and enforce local ordinances pursuant to this Part to the extent necessary to comply with State and federal law, rules, and regulations or permits consistent with the interpretations and directions of the State or federal agency issuing the permit.

(b) Local environmental regulations adopted pursuant to this Part are not subject to the variance provisions of G.S. 160D-705 unless that is specifically authorized by the local ordinance.

History

2019-111, s. 2.4; 2020-3, s. 4.33(a); 2020-25, s. 51(a), (b), (d).

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Protected Area-The area adjoining and upstream of the critical area of WS-IV watersheds. The boundaries of the protected area are defined as within five miles of and draining to the normal pool elevation of the reservoir or to the ridgeline of the watershed; or within 10 miles upstream and draining to the intake located directly in the stream or river or to the ridgeline of the watershed.

Variance-A permission to develop or use property granted by the Cabarrus County Planning and Zoning Commission, acting as Board of Adjustment, relaxing or waiving a water supply watershed management requirement adopted by the Environmental Management Commission that is incorporated into this ordinance.

Watershed-The entire land area contributing surface drainage to a specific point (e.g. the water supply intake.)

4-7.4 Word Interpretation

For the purpose of this Watershed Overlay Zone, certain words shall be interpreted as follows:

- Words in the present tense include the future tense.
- Words used in the singular number include the plural, and words used in the plural number include the singular, unless the natural construction of the wording indicates otherwise.
- The word "person" includes a firm, association, corporation, trust, and company as well as an individual.
- The word "structure" shall include the word "building."
- The word "lot" shall include the words, "plot," "parcel," or "tract."
- The word "shall" is always mandatory and not merely directory.
- The word "will" is always mandatory and not merely directory.

PART II WATERBODY BUFFER ZONE

Section 4-8 Intention of Waterbody Buffer Zone

The purpose of the Waterbody Buffer Zone is to provide protected, vegetated strips of land adjacent to streams, rivers, lakes, ponds, impoundments, and wetlands. These buffers are retained in a natural, undisturbed, state, in an effort to avoid erosion problems and to reduce the velocity of overland flow, thus trapping sediment and soil eroded from cropland or land being developed to limit pollutants from entering the waterway.

Section 4-9 Effect upon bona fide farms

While North Carolina law exempts bona fide farms from local zoning regulations, the County strongly encourages the use of best management practices in farming. A waterbody buffer is one of these practices and is therefore consistent with North Carolina Sediment Control Law and thus is a 75% reimbursable North Carolina Agricultural Cost - Share Program. This program is

administered through the Cabarrus Soil and Water District. The following text shall apply to all development or changing of conditions (e.g., timbering, land clearing, etc.) adjacent to waterbodies as defined below.

4.9-1-Impoundments for agricultural purposes

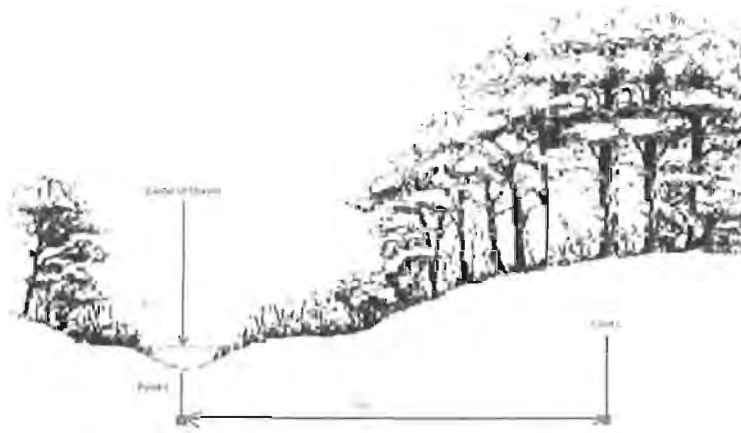
Impoundments used primarily for bona fide agricultural purposes, including animal watering, irrigation, or other agricultural uses shall not be subject to buffering requirements unless the waterbody is part of a natural drainage way (i.e., unless the waterbody is located on a perennial stream);

Section 4-10 Requirements of the Waterbody Buffer Zone

1. A minimum 50-foot buffer shall be established from the stream bank on all sides of perennial streams in addition to any lakes, ponds or impoundments located along, or on, those streams. Perennial streams include all rivers, streams, lakes, ponds or waterbodies shown on the USGS Quadrangle Maps as a solid blue line or identified in the Cabarrus County Geographic Information System.
2. A minimum 25-foot-buffer shall be established along the edge of any identified wetlands.
3. The applicant must provide a detailed survey that field verifies the location of all perennial streams, lakes, ponds, impoundments and wetlands on the subject property and within 100 feet of the boundary of the subject property for all proposed plats and site plans.
4. Streams may exist even if they are not mapped on the USGS Quadrangle Maps or NRCS Soil Survey Maps. A qualified professional must identify streams that exist on the site but are not mapped. For purposes of this section, a qualified professional shall mean an individual that has attended wetlands delineation training using application of the 1987 Wetland Delineation Manual by the US Army Corps of Engineers and Identification of Perennial and Intermittent Streams training supported by the North Carolina Division of Water Quality.
5. The determination that a waterbody or stream indicated on a USGS Map or NRCS soil survey map does not exist must be concurred by the NCDENR Division of Water Quality and/or the US Army Corps of Engineers.
6. The Waterbody Buffer Zone shall be determined and clearly delineated on site prior to any development or pre-development activity occurring in order to protect the required buffer from encroachment or damage. No development, including soil disturbing activities or grading, shall occur within the established buffer area.

7. The waterbody buffer shall be maintained as follows and shall be shown on all site plans or subdivision plats related to the project submitted for review, including soil and erosion control plans:

- a. The size of a perennial stream waterbody buffer shall be measured from the annual average stream bank, perpendicularly for a distance of 50 feet plus 4 times the average percent of slope of area adjacent to the stream. This slope shall be calculated by measuring a distance of 250 feet from the center of the stream. The percent of slope for this distance shall serve as the determining factor. However, the maximum distance shall not exceed 120 feet from the edge of the stream. For Lakes, ponds or impoundments, the buffer shall be computed using the high water elevation in place of the stream bank in the calculation.

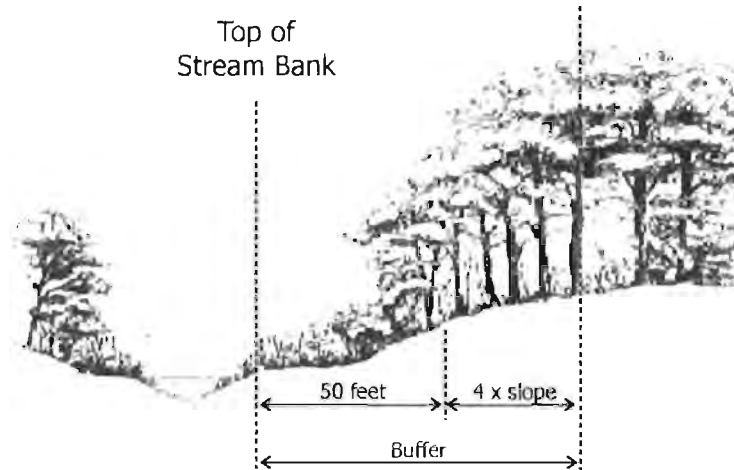


Pre-development elevation of Point 1 in feet = E1

Pre-development elevation of Point 2 in feet = E2

$$S = \frac{E2 - E1 \text{ (feet)}}{250 \text{ feet}} \times 100$$

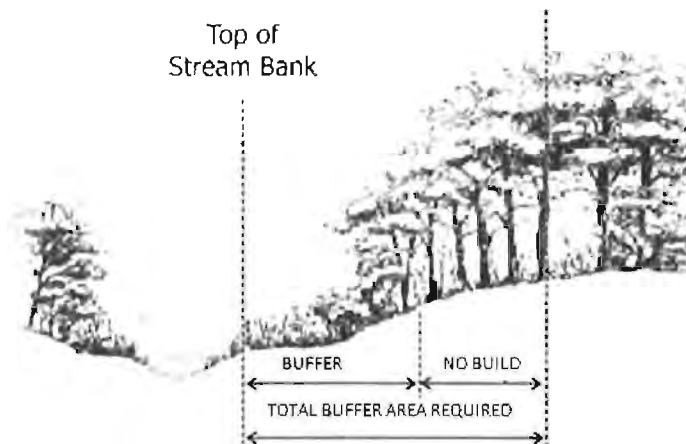
250 feet



$$\text{Width} = [50 + (4 \times S)]$$

Minimum width: 50 feet (areas with flat slopes)

Maximum width: 120 feet (areas with steep slopes)



8. All buffer areas shall remain in a natural, vegetated state. If the buffer area is wooded, it shall remain undisturbed.
9. When agricultural soil disturbing activities such as plowing, grading, ditching, excavating, placement of fill material, or similar activities must occur near the buffer zones, they shall conform to all State and Federal regulations. Other unnamed agricultural activities that would result in significant disturbance of the existing soil, increase soil erosion, or

destroy plant and wildlife habitats can only occur with an approved replacement program and shall also be consistent with North Carolina Sediment Control Law and in coordination with the North Carolina Wildlife Resources Commission's District 6 Biologist, and in consultation with the Cabarrus Soil and Water District Representative. Existing agricultural operations, forested or vegetated areas within stream buffer areas shall follow the State's forest practice guidelines which include best management practices (BMPs) as defined by the North Carolina Soil and Water Conservation Commission.

10. Buffer Encroachments:

- a. **Sewer Easements:** Permitted encroachments in the buffer area include sewer easements, providing the activities strictly adhere to applicable state and local soil and erosion control regulations/guidelines. Perennial vegetation must be established as a necessary step in completing construction of any sewer facilities. Sewer easements should be as close to perpendicular or parallel to the stream channel to minimize the impact on the stream buffer.
- b. **Utilities:** Overhead and/or underground utilities, roads, streets, bridges, or similar structures should be placed within existing public or private rights-of-way and must cross the buffer area as close to perpendicular as possible.
- c. **Driveways and Roads that Pre-date Waterbody Buffer Zone Adoption:** Where residential driveways, right-of-ways, private streets or roads used for agricultural purposes on bona fide farms were installed prior to the adoption of this section of the zoning ordinance (July 23, 1990) and encroach into the required buffers, these roads may remain and continue to be used to access the property. These driveways, right-of-ways, private streets or farm roads, however, may only be improved if it is required for emergency vehicle access.
- d. **Structures that Pre-date Waterbody Buffer Zone Adoption:** Where structures that pre-date the adoption of this section of the zoning ordinance (July 23, 1990) are located in the required buffer areas, these structures may be expanded by up to 50% percent (50%) of the square footage of the structure upon the issuance of a Certificate of Non-conformity Adjustment. To the greatest extent possible, expansions should be directed away from the buffer area. See Chapter 14 for additional information related to the Certificate of Non-conformity Adjustment process.
- e. **Fences** are permitted within the buffer area, provided that the design does not interfere with the flow of water through the buffer area to the waterbody.

11. Any proposed recreation facilities or greenways must be located a minimum of 60' from the top of the stream bank. This includes any proposed pedestrian, hiking or biking trails. Recreational structures are not permitted in the waterbody buffer.
12. In the event that a buffer is disturbed, all disturbed areas within the buffer zone shall be revegetated with appropriate vegetation immediately.
13. A progress report shall be submitted by the individual, corporation, or company disturbing land in the Waterbody Buffer Zone to the Cabarrus County Planning and Zoning Department within 60 days of approval of the replacement program by the Soil and Water Conservation District staff. Two other reports may be required at 120 and 180 days if the program is not completed. The first two reports shall explain what work has been completed and any results as well as a time schedule for completion of the rest of the program. The final report shall document that the replacement program has been completed. The site shall be regularly inspected by the enforcement branch of the Cabarrus County Planning and Zoning Department and the Cabarrus Soil and Water Conservation District to assure activity and compliance. Any noncompliance shall be treated as a zoning violation and be subject to enforcement as described in Chapter Twelve of this Ordinance.
14. The minimum building setback, also known as the no build buffer area shall be at least 20 feet from the established waterbody buffer. If there is a difference in the zoning ordinance setback and the no build buffer, the greater of the two shall apply. No buildings or structures shall be permitted in the no build buffer area. Minimal land disturbance, including the clearing of underbrush, is allowed in the no build buffer.
15. Where the Waterbody Buffer Zone or no build buffer impacts or is part of a lot, a note shall be placed on the plat or site plan and a restriction shall become part of the deed for the property stating that said property is subject to the Waterbody Buffer Zone.
 - a. Land within a stream buffer shall not be used to meet the minimum area requirements for lots that are one acre or less.
 - b. If a lot is greater than one acre in area, the buffer area may be used to meet the minimum lot size requirements, however, at least 50 percent of the lot shall remain outside the stream buffer area.
16. Applicants and property owners are strongly encouraged to consider the dedication of property or easements subject to the Waterbody Buffer Zone to one of the following when appropriate:
 - o Property/Home Owners Association

- Cabarrus Soil and Water Conservation District
- A conservation organization

PART III THOROUGHFARE OVERLAY (TOZ) ZONE

Section 4-11 Intention

The orderly development of land is dependent upon the protection of existing and proposed major roads in the County. It is extremely important because thoroughfares commonly establish a positive image of the quality of life in the County for visitors and residents alike. Preservation of this natural beauty is required to enhance trade, capital investment, tourism and general welfare.

The purpose of the Thoroughfare Overlay Zone (TOZ) is to help assure protection will be included in all land uses developed along several key roadways. Accordingly, these regulations are made with consideration to both the County's land development plan and area plans. They are designed to promote the health and general welfare of the residents of Cabarrus County as well as preserve property values and encourage appropriate land usage. And, finally, these regulations will facilitate the provision of transportation by promoting the safe and efficient movement of traffic and by encouraging development which reduces or eliminates visual clutter, excessive driveway cuts, and poor site layout.

Section 4-12 Setback requirements

All roads classified as minor thoroughfares, major thoroughfares, boulevards, expressways or freeways, in the Cabarrus Rowan Metropolitan Planning Organization (CRMPO) Comprehensive Transportation Plan or listed in the Comprehensive Transportation Plan Index, are subject to the Right-of-Way standards as adopted in the referenced documents.

The setback is measured from the edge of the proposed right-of-way. These setbacks will be in addition to the setbacks required in the applicable zone by the Cabarrus County Zoning Ordinance.

Section 4-13 Additional requirements

Arterial roadways US 29, NC 49, NC 73, NC 24-27, and US 601 are subject to the following. In addition, roadways referenced within the following shall also be subject to the additional requirements beginning in Section 4-16.

1. An official roadway corridor map approved by the Cabarrus County Board of Commissioners.
2. A comprehensive street system plan, collector street plan, or thoroughfare plan adopted by the Cabarrus County Board of Commissioners.



DEPARTMENT OF THE ARMY
WILMINGTON DISTRICT, CORPS OF ENGINEERS
P.O. BOX 1890
WILMINGTON, NORTH CAROLINA 28402-1890

October 30, 1990

IN REPLY REFER TO

Regulatory Branch

SUBJECT: File No. CESAW-CO88-N-013-0061

Mr. James W. Lentz, Chairman
Cabarrus County Board of Commissioners
Post Office Box 707
Concord, North Carolina 28025-0707

Dear Mr. Lentz:

In accordance with your written request of November 5, 1987, and the ensuing administrative record, enclosed are two copies of a permit to discharge dredged or fill material into waters of the United States for the construction of an earthen dam and water supply reservoir on Coddle Creek, west of Concord, Cabarrus County, North Carolina.

The proposed project consists of the construction of an earthen dam across a narrow part of the Coddle Creek Valley upstream of N.C. Highway 73, a raw water intake structure, related site piping, and provisions for a future new pump station. Implementation of the project will also require the realignment of N.C. Highway 73, the relocation of (a) a power transmission line, (b) two high pressure refined petroleum pipelines, and (c) an existing raw water pump station and intake for the City of Kannapolis, in addition to construction of a new bridge and approaches for Mooresville Road (N.C. Highway 136).

The proposed dam will have a length of approximately 2,400 feet with a height at the maximum section of 45 feet above the creek bed. The elevation of the top of the dam will be 660 feet mean sea level (MSL). The principal spillway will be a 225-foot-wide concrete ogee crest with a chute spillway and stilling basin, together with a 300-foot-wide concrete spillway. A 500-foot-wide earthen emergency spillway will be located on the left abutment. Excavation from the spillways will be utilized in construction of the embankment.

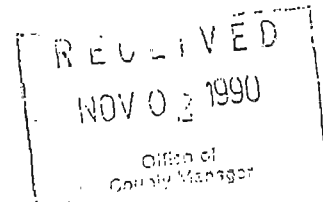
You should acknowledge that you accept the terms and conditions of the enclosed permit by signing and dating each copy in the spaces provided ("Permittee" on page 3). All pages of both copies of the signed permit with drawings should then be returned to this office for final authorization. A self-addressed envelope is enclosed for your convenience.

After the permit is authorized in this office, the original copy will be returned to you; the duplicate copy will be permanently retained in this office. Should you have questions, contact Mr. David Franklin, Regulatory Branch, telephone (919) 251-4952.

Sincerely,

James H. Bradley
Chief, Construction-Operations
Division

Enclosures



DEPARTMENT OF THE ARMY PERMIT

Cabarrus County

Post Office Box 707

Permittee, Concord, North Carolina 28025-0707

Permit No. CESAW-C088-N-013-0061

Issuing Office CESAW-CO-E

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description:

To discharge dredged or fill material into waters of the United States for the construction of an earthen dam and water supply reservoir on Coddle Creek, west of Concord.

Project Location:

Concord, Cabarrus County, North Carolina.

Permit Conditions:

General Conditions:

1. The time limit for completing the work authorized ends on December 31, 1993. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.

6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

See attached. All work required by Special Conditions must be completed prior to impoundment, except as provided for in Special Conditions.

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

() Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

(X) Section 404 of the Clean Water Act (33 U.S.C. 1344).

() Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

2. Limits of this authorization.

a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal project.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

- e. Damage claims associated with any future modification, suspension, or revocation of this permit.
4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.
5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:
- a. You fail to comply with the terms and conditions of this permit.
 - b. The information provided by you, in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).
 - c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 326.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.
CABARRUS COUNTY

(PERMITTEE)

(DATE)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

THOMAS C. SUERMANN, LIEUTENANT COLONEL
(DISTRICT ENGINEER)

(DATE)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

(TRANSFeree)

(DATE)

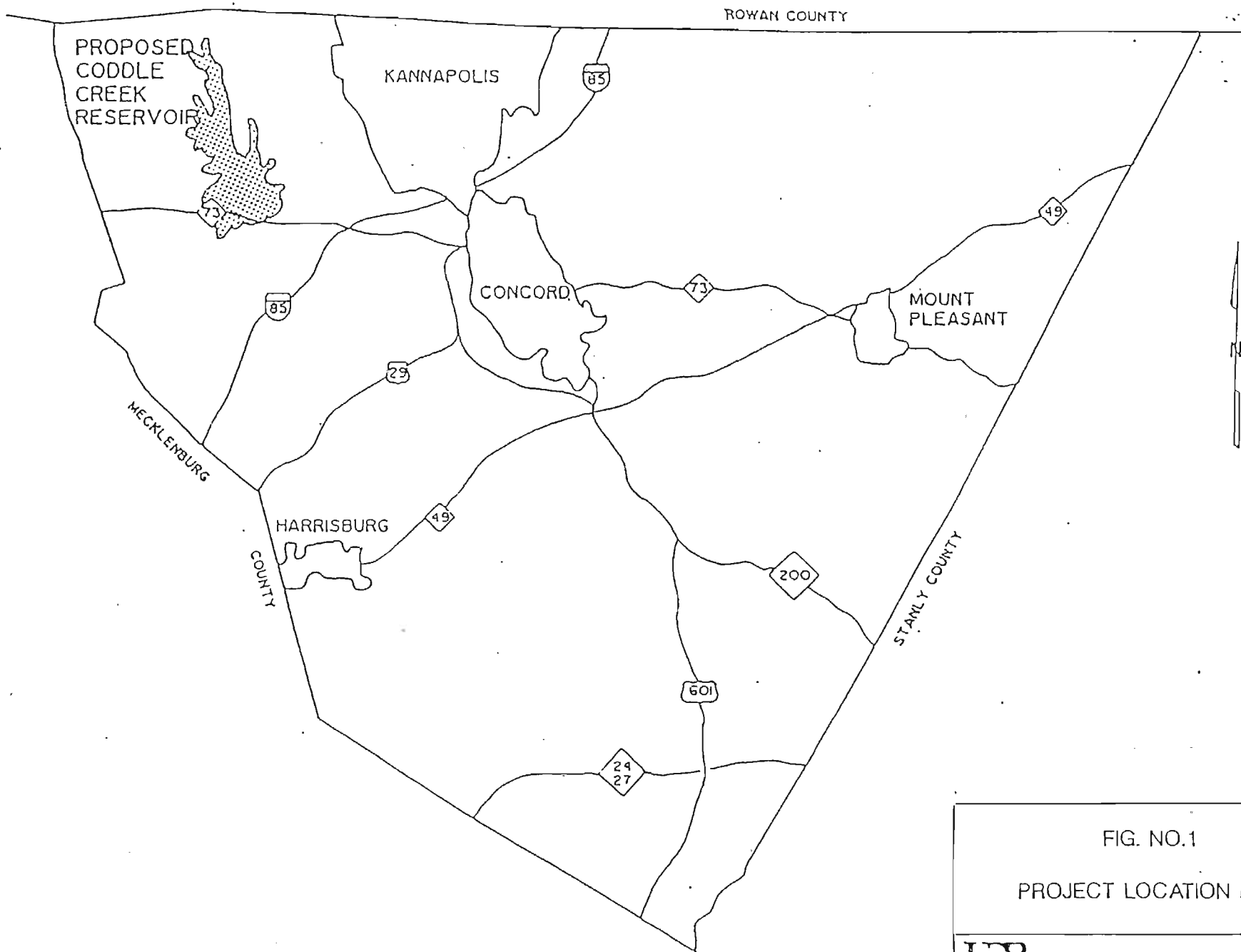
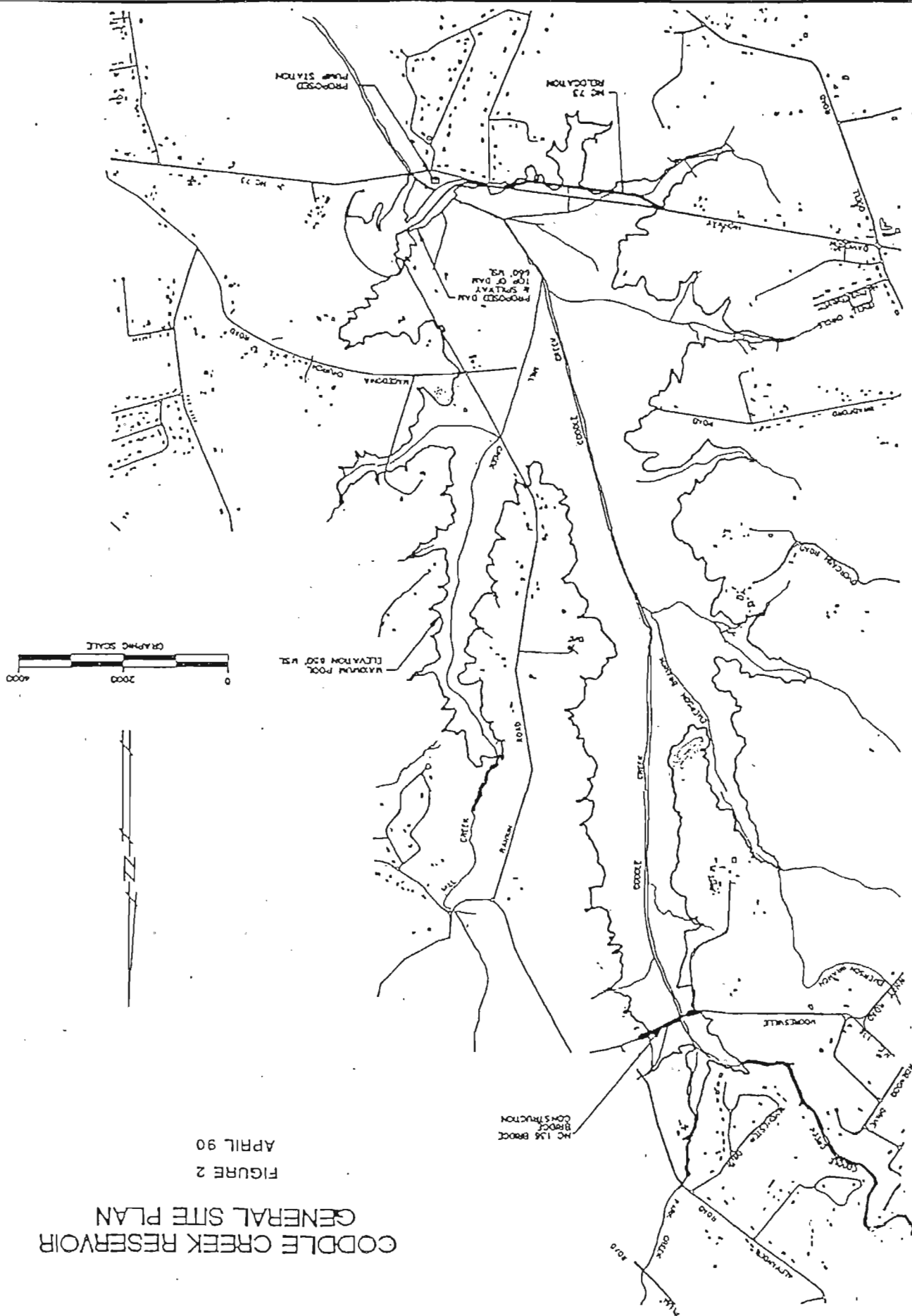


FIG. NO.1
PROJECT LOCATION MAP



CODDLE CREEK RESERVOIR
GENERAL SITE PLAN
FIGURE 2
APRIL 90

SPECIAL CONDITIONS

1. Surrounding the reservoir pool, 526 acres are to be used as mitigation lands. This will include the creation of 186 acres of wetland habitat creation (bottomland hardwoods), reforestation of 170 acres of upland fields, 6 acres of wildlife feed plots, and preservation of 164 acres of forested uplands and wetlands (140 acres of existing upland hardwood forest and 24 acres of bottomland hardwoods). All habitat creation areas will be developed in accordance with a habitat creation mitigation plan to be approved by the U.S. Fish and Wildlife Service, the N.C. Wildlife Resources Commission, EPA, and the Corps of Engineers (COE).

a. Reservoir Shoreline. Surrounding the reservoir pool, 526 acres are proposed for mitigation. Mitigation in this areas will include 188 acres of habitat creation (bottomland hardwoods), 170 acres of upland reforestation, 6 acres of wildlife feed plots, and preservation of 164 acres of moderate quality forested uplands and wetlands (24 acres of wetlands, 140 acres of uplands). Due to the large area involved, each of these various land uses has been plotted out on the attachments (Figures 1, 2, and 3A through 3J). All remaining lands between the maximum pool of 650 feet and 660 feet mean sea level (MSL) (reservoir buffer area) will be reforested/preserved.

(1) Habitat Creation. Three types of habitat creation are proposed for this area: 1) wetland creation through flooding by the reservoir of shoreline areas within the maximum pool area and planting with bottomland hardwoods; 2) reforestation of cleared fields in the upland buffer area surrounding the reservoir, and; 3) vegetating a few small cleared upland areas with wildlife feed sources such as grains, legumes, etc.

(a) Wetland Creation. Cabarrus County is directed by rules developed by the North Carolina Division of Health Services to clear and grub an area from 5 feet below to 2 feet above the normal pool of the reservoir. The normal pool elevation was determined by data developed in the Reservoir Operation Preliminary Report by HDR Engineering (December 1987). The normal pool is defined as the average pool elevation over the period modeled under the following parameters:

Rainfall Data Period	1951-1986
Maximum Pool Elevation	650 feet MSL (gates fully closed)
Water Supply Demand Year	2020

The normal pool for the reservoir is therefore estimated to be at 646 feet MSL, and so the area for 641 feet to 648 feet will be cleared and grubbed of all vegetation.

The dam facility will be constructed to include a concrete spillway designed with an overflow elevation of 645 feet MSL. Above the spillway, there will be 5-foot gates which will allow the reservoir pool to be raised to maximum pool elevation 650 feet MSL. During certain times of the year, based upon rainfall and withdrawal rates, the pool will temporarily reach this maximum elevation (Figure 1).

All upland areas between 648 feet and 650 feet MSL around the reservoir pool will be cleared of existing vegetation and replanted with bottomland hardwood saplings such as green ash, red maple, box-elder, American sycamore and sweetgum (Figure 2). Species which exhibit higher tolerance to inundation will be planted at the lower elevations within this vegetated zone. The reservoir will be operated to minimize inundation of these species during their early stages of development thereby increasing survivorship. A large number of areas which are presently above 650 feet MSL will be excavated to 650 feet MSL, while a number of other areas which are presently below 648 feet MSL will be filled to 648 feet MSL (Figures 3A-3J). The excavated material will be the source for fill areas; in no instance will more than 3 vertical feet of material be removed from excavation areas, or 2 vertical feet of material placed in fill areas. This effort will only be made in upland areas, while wetlands which occur at these elevations around the reservoir will be preserved.

The hardwood species mentioned above will be bare-root saplings planted on 10-foot centers perpendicular to the shoreline. Before planting, a 4-inch layer of mulch will be spread throughout the planting areas to increase the organic content of recipient soils. For all habitat creation areas, planted trees will be obtained from and installed according to sound horticultural practices by the North Carolina Forest Service.

(b) Upland Reforestation. As illustrated in Figure 2, several agricultural fields in the buffer surrounding the reservoir will be cleared and replanted with upland forest species. Species to be used include shortleaf and Virginia pine, with smaller plots planted with hardwoods such as yellow poplar, red oak and shagbark hickory as stock of these species is available.

(c) Wildlife Feed Plots. Two 3-5 acre agricultural fields (one on each side of the reservoir) will be cleared and replanted with wildlife feed source vegetation by the North Carolina Forest Service with support from the ASCS of Cabarrus County. These two plots are illustrated on Figures 3-C and 3-F.

(2) Preservation. In addition to the creation areas described above, an additional 140 acres of existing forested uplands, and 24 acres of existing forested wetlands, will be preserved. These areas occur within the buffer surrounding the pool. Public access to these areas will be limited to the two public access areas for fishing and canoe launch illustrated on Figures 3-D and 3-F.

2. The County shall implement monitoring programs for vegetation survivorship, growth and recruitment in creation areas, water quality and biotic recruitment in the reservoir pool, and succession and community dynamics within preservation areas, including wildlife utilization of the

project area. Management efforts shall include removal of nuisance vegetation from creation areas, enhancement of project area habitats for wildlife (particularly rare species), and elimination of pest control problems associated with the reservoir pool.

The Cabarrus County Utilities Department or its agent will be responsible for the operation of the reservoir dam facilities according to the approved Reservoir Operations Plan. The Utilities Department, in conjunction with the Cabarrus County Department of Parks and Recreation, will be responsible for the successful development (creation) and management of all mitigation lands. The Utilities Department and/or its agent(s) will conduct biotic monitoring of the pool and created lands. The Utilities Department will be responsible for the timely submittal of all monitoring reports to the appropriate regulatory agencies.

a. Monitoring. A periodic monitoring program will be implemented for: evaluation of growth, recruitment and survivorship of planted vegetation species in creation areas; water quality in the reservoir pool; and assessment of the natural development and wildlife utilization of preservation lands in the project areas. Each of these programs is described in detail below, including information regarding methodology, scheduling and reports.

(1) Wetland Creation. The wetland areas described above will be monitored for survivorship of planted species, recruitment, percent coverage of planted and recruited wetland vegetation, and growth of installed woody vegetation. Periodic monitoring reports will be submitted to the Corps of Engineers (COE).

(a) Methodology. A specific monitoring scheme using standard techniques, including regularly spaced parallel transects, shrub and herbaceous quadrats, photographic stations and qualitative evaluation of recruitment, will be developed for the wetland creation areas. Monitoring will be performed by experienced wetlands biologist.

(b) Survivorship and Replanting. Installed vegetation such as bare-root saplings will be provided and installed by the North Carolina Forest Service. The saplings will be of high quality, and plants are to be installed according to sound horticultural practices. Survivorship of at least 80% of planted individuals is required at the ends of years 1, 2, and 3. An 80% areal coverage of non-nuisance wetland vegetation is required through the end of the 7-year monitoring period. If it is noted on any monitoring events during years 1-3 that percent survivorship of installed species has dropped below 80%, replanting will be done as necessary to accomplish an 80% survivorship level.

In most cases, vegetation will be installed in rows perpendicular to streams. Should it become evident that certain species are not surviving well, either in specific locations around the reservoir or more generally at particular

elevations (i.e. closer to, or in deeper water, or farther up the hill shallower water), then a suitable substitute species will be selected as a replacement. For instance, if survivorship of sweetgum in a certain area is 20% while survivorship of box-elder is 93%, then the dead sweetgum saplings in the sweetgum row will be replaced with box-elder. In the same way, if red maples inundated by 1-2 feet of water at maximum pool all die, but green ash does well in this area, then the dead red maples in the red maple rows will be replaced with green ash. In every instance an effort will be made to maintain the highest diversity attainable while providing for the highest percent survivorship possible.

(c) Scheduling and Reports. Monitoring of habitat creation areas will be done at the beginning, middle, and end of the growing season each year during the first four years, and at the beginning and end of the growing season during years 5, 6 and 7. An initial monitoring report will be due within 60 days after the completion of mitigation construction, and a schedule for the monitoring events will be submitted at that time. An annual progress report will be submitted each year which will summarize the year's vegetation monitoring events and analyze all data collected to date. Required maintenance due to nuisance species problems (described later) will be performed within 60 days of the monitoring events. Required replanting will be performed annually at the beginning of the growing season.

(2) Water Quality. Monitoring of water quality in the pool of the reservoir will be routinely performed as part of the Reservoir Operations Plan. However, it is important to note that data collected to assess compliance with State and Federal drinking water standards will also provide insight into the ecological processes that occur in association with lake eutrophication. Evaluation of such data will be conducted as part of the monitoring of the mitigation areas.

(3) Preservation Lands and Wildlife. As partial mitigation of impacts to 520 acres of wetlands, the 164 acres of moderate to high quality forested uplands and wetlands will be preserved. This acreage occurs in buffer areas around the reservoir. These areas will be periodically monitored to assess the natural process of succession and wildlife utilization.

(a) Methodology. Associated with monitoring of the various habitat creation areas, transects will be established across areas proposed for preservation. For areas requiring more than one transect, these will be spaced approximately 100 meters apart and will span the width of the preserve area. Parameters recorded will include species of trees, number of individuals of each species, and the diameter of breast height (dbh) of each tree within 5 meters of each side of the transect. Other vegetative cover, including shrubs and herbs, along with the distribution and approximate percent cover of each, will be qualitatively assessed within the transect corridor.

Wildlife observations will be made while the vegetation monitoring is being done. A written record will be made of mammal, bird, reptile and amphibian species which are observed or for which calls, scat or tracks are confirmed.

(b) Scheduling and Reports. Monitoring will be done in conjunction with the monitoring efforts in the habitat creation areas. Reports assessing the status and condition of preservation areas, along with wildlife observed or expected, will be submitted to the COE as appendices to the monitoring reports for creation areas.

b. Maintenance. Maintenance of mitigation sites (planted areas, etc.) will be prescribed to remove nuisance species. Vegetation species identified as being of low value due to their opportunistic nature, dominating growth form, toxic secretions, etc. are considered to be a nuisance to the perpetuation on high quality, self-sustaining vegetated systems. Such species in the project area would include Sesbania spp., Ludwigia spp., Crotalaria spp., Alternanthera philoxeroides, and to a much lesser extent Typha spp., and Cephalanthus occidentalis.

Should individuals of any of these species come to dominate more than 20% of the total areas of the site, all individuals will be hand removed from the habitat creation areas and removed from the project area. Such removal will allow for the dominant establishment of planned and/or otherwise propagated desirable wetland species of vegetation. This maintenance will be done immediately following the monitoring events described above. Maintenance for nuisance species will be done as necessary for years 1-7.

c. Management. The applicant (Cabarrus County) will be responsible for all monitoring, maintenance, reports, success requirements and remedial actions associated with this mitigation plan. The County assumes responsibility for the permanent conservation (throughout the life of the reservoir), through whatever means available, of all lands herein described for purposes of habitat creation, preservation, restoration and enhancement.

3. The Cabarrus County Board of Commissioners, through the Cabarrus County Planning Department, shall implement and maintain a county-wide mandate (ordinance) which strictly limits development within a buffer zone along all perennial streams within the county. This ordinance contains several features which will protect water quality and will also provide benefits to fish and wildlife resources. The ordinance is enforced by the county inspections department. This ordinance must be in full force and effect before the permitted action will be allowed. The buffer zone shall be established as that area which extends 50 feet from the stream bank perpendicular to the centerline of the stream. If the buffer strip is presently wooded, it cannot be disturbed. Perennial streams are defined as those which are illustrated as solid blue lines on the USGS Quadrangle topographic maps for the county. Additional requirements are described in Cabarrus County Zoning Text Amendment: 3.13 - River/Stream Overlay Zone (RSOZ) (see attached).

Failure to adequately implement or enforce the zoning amendment or unacceptable modification of the zoning amendment will require alternative mitigation measures to be implemented. The alternative mitigation requirement will include the restoration or creation of approximately 300 acres of forested wetlands as per a plan developed in conjunction with the N.C. Wildlife Resources Commission, the U.S. Fish and Wildlife Service, the EPA, and the Corps of Engineers.

4. There shall be a continuous release of water of at least 6 cfs from the reservoir at all times to augment downstream flows during drought conditions. This shall be accomplished under normal flow conditions from water flowing over the spillway and discharging into the creek below the dam, thereby providing the minimum water requirements necessary to maintain aquatic life. When the water level drops below the crest of the spillway (elevation 645), such as during periods of low flow into the reservoir, the minimum downstream release requirement will be maintained by the discharge through the low level outlet. The low level outlet, which remains open at all times, is located at elevation 624.67. The bottom of the intake structure is at elevation 612. Water will flow into the structure and then through a 48-inch diameter pipe through the dam and discharge into Coddle Creek. Prior to discharge into the creek, the water will flow through an energy dissipator structure and over an 18-foot long riprap lined channel. A staff gauge will be installed immediately downstream of the release.

5. A sedimentation and erosion control plan will be developed and approved by the N.C. Department of Environment, Health and Natural Resources prior to the start of construction. The plan will conform to requirements of the N.C. Sedimentation Control Act. The county will assure that the plan's sedimentation and erosion control measures will be employed to minimize turbidity and siltation impacts.

6. The county will manage fish and wildlife resources in the new reservoir in accordance with a plan developed in consultation with the N.C. Wildlife Resources Commission.

7. The county will assure that the activity be conducted in such a manner as to prevent significant increase in turbidity outside the area of construction or construction-related discharge (increases such that the turbidity in the Stream is 50 NTU's or less are not considered significant).

8. The results of mitigation monitoring shall be sent to the Division of Environmental Management at their Headquarters Office and Mooresville Regional Office. Addresses that should be used are as follows:

N.C. Division of Environmental Management
Water Quality Planning
Post Office Box 27687
Raleigh, North Carolina 27611-7687

N.C. Division of Environmental Management
Water Quality Regional Supervisor
919 North Main Street
Mooresville, North Carolina 28115

N.C. Gen. Stat. § 160D-903

Current through Session Laws 2021-192 (end) of the 2021 Regular Session of the General Assembly, except for Session Laws 2021-180 and 2021-189, but does not reflect possible future codification directives relating to Session Laws 2021-163 through 2021-192 from the Revisor of Statutes pursuant to G.S. 164-10.

General Statutes of North Carolina > Chapter 160D. Local Planning and Development Regulation. (Arts. 1 — 14) > Article 9. Regulation of Particular Uses and Areas. (Pts. 1 — 5) > Part 1. Particular Land Uses. (§§ 160D-901 — 160D-919)

§ 160D-903. Agricultural uses.

(a) Bona Fide Farming Exempt From County Zoning. — County zoning regulations may not affect property used for bona fide farm purposes; provided, however, that this section does not limit zoning regulation with respect to the use of farm property for nonfarm purposes. Except as provided in G.S. 106-743.4 for farms that are subject to a conservation agreement under G.S. 106-743.2, bona fide farm purposes include the production and activities relating or incidental to the production of crops, grains, fruits, vegetables, ornamental and flowering plants, dairy, livestock, poultry, and all other forms of agriculture, as defined in G.S. 106-581.1. Activities incident to the farm include existing or new residences constructed to the applicable residential building code situated on the farm occupied by the owner, lessee, or operator of the farm and other buildings or structures sheltering or supporting the farm use and operation. For purposes of this section, “when performed on the farm” in G.S. 106-581.1(6) includes the farm within the jurisdiction of the county and any other farm owned or leased to or from others by the bona fide farm operator, no matter where located. For purposes of this section, the production of a nonfarm product that the Department of Agriculture and Consumer Services recognizes as a “Goodness Grows in North Carolina” product that is produced on a farm subject to a conservation agreement under G.S. 106-743.2 is a bona fide farm purpose. For purposes of determining whether a property is being used for bona fide farm

purposes, any of the following is sufficient evidence that the property is being used for bona fide farm purposes:

- (1) A farm sales tax exemption certificate issued by the Department of Revenue.
- (2) A copy of the property tax listing showing that the property is eligible for participation in the present-use value program pursuant to G.S. 105-277.3.
- (3) A copy of the farm owner's or operator's Schedule F from the owner's or operator's most recent federal income tax return.
- (4) A forest management plan.

A building or structure that is used for agritourism is a bona fide farm purpose if the building or structure is located on a property that (i) is owned by a person who holds a qualifying farm sales tax exemption certificate from the Department of Revenue pursuant to G.S. 105-164.13E(a) or (ii) is enrolled in the present-use value program pursuant to G.S. 105-277.3. Failure to maintain the requirements of this subsection for a period of three years after the date the building or structure was originally classified as a bona fide farm purpose pursuant to this subsection subjects the building or structure to applicable zoning and development regulation ordinances adopted by a county pursuant to G.S. 160D-702 in effect on the date the property no longer meets the requirements of this subsection. For purposes of this section, "agritourism" means any activity carried out on a farm or ranch that allows members of the general public, for recreational, entertainment, or educational purposes, to view or enjoy rural activities, including farming, ranching, historic, cultural, harvest-your-own activities, hunting, fishing, equestrian activities, or natural activities and attractions. A building or structure used for agritourism includes any building or structure used for public or private events, including, but not limited to, weddings, receptions, meetings, demonstrations of farm activities, meals, and other events that are taking place on the farm because of its farm or rural setting.

(b) County Zoning of Residential Uses on Large Lots in Agricultural Districts. — A county zoning regulation shall not prohibit single-family detached residential uses constructed in accordance with the North Carolina State Building Code on lots greater than 10 acres in size and in zoning districts where more than fifty percent (50%) of the land is in use for agricultural or silvicultural purposes, except that this restriction does not apply to

commercial or industrial districts where a broad variety of commercial or industrial uses are permissible. A zoning regulation shall not require that a lot greater than 10 acres in size have frontage on a public road or county-approved private road or be served by public water or sewer lines in order to be developed for single-family residential purposes.

(c) Agricultural Areas in Municipal Extraterritorial Jurisdiction. — Property that is located in a city's extraterritorial planning and development regulation jurisdiction and that is used for bona fide farm purposes is exempt from the city's zoning regulation to the same extent bona fide farming activities are exempt from county zoning pursuant to this section. As used in this subsection, "property" means a single tract of property or an identifiable portion of a single tract. Property that ceases to be used for bona fide farm purposes becomes subject to exercise of the city's extraterritorial planning and development regulation jurisdiction under this Chapter. For purposes of complying with State or federal law, property that is exempt from municipal zoning pursuant to this subsection is subject to the county's floodplain regulation or all floodplain regulation provisions of the county's unified development ordinance.

(d) Accessory Farm Buildings. — A city may provide in its zoning regulation that an accessory building of a "bona fide farm" has the same exemption from the building code as it would have under county zoning.

(e) City Regulations in Voluntary Agricultural Districts. — A city may amend the development regulations applicable within its planning and development regulation jurisdiction to provide flexibility to farming operations that are located within a city or county, voluntary agricultural district, or enhanced voluntary agricultural district adopted under Article 61 of Chapter 106 of the General Statutes. Amendments to applicable development regulations may include provisions regarding on-farm sales, pick-your-own operations, road signs, agritourism, and other activities incident to farming.

History

2019-111, s. 2.4; 2020-3, s. 4.33(a); 2020-25, ss. 22, 51(a), (b), (d); 2020-74, s. 20.

General Statutes of North Carolina

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3/13

Siberian Husky Puppies

Description: Our puppies are Direct Relatives of the Disney Togo Bloodline. Very rare and unique! Which is why we ONLY breed once a year and are EXTREMELY selective and protective of who owns one of our rare puppies! We believe we choose youyou don't choose us! We want our puppies to live their best lives with their new families as their parents do on our Farm in North Carolina. We have had ALL of our Furr Family AKC registered, DNA Checked and Vet Verified. We do NOT offer any breeding rights to our puppies. We now have a Litter that has arrived on the Farm. We will offer them to the General Public once we feel they are ready. We have a mixture of Rare Agouti puppies as well as other various colors of Huskies with Blue Eyes. We do NOT create FAKE Deposits or FAKE waiting list. Once we have

MESSAGE BREEDER

- ✓ I provide a health guarantee for the puppies I sell.
- ✓ I will provide a written bill of sale detailing responsibilities for the buyer and the seller.
- ✓ If the puppy buyer cannot keep a puppy purchased from me, I will take the puppy back under all conditions.
- ✗ After my puppies are permanently identified, I enroll them in AKC Reunite.

LESS

Breed: Siberian Husky

DOB: 11/22/2021 (15 weeks old)

Sire: Sir Bentley Knight Of The Carolinas (WS61358102)

Dam: Lady Somoya Duchess Of The Carolinas (WS71297801)

Males: 2

Females: 4

Price: 1500

Health & Vaccines: All puppies have been Fully Vaccinated and Wormed and Vet Verified! All Parents have been DNA tested.

Last Edited: 03/01/2022

ADVERTISEMENT

Web Page Blocked

About the Breeder

BREEDING SINCE 2019

Connie Arstark is the proud owner of Royal Huskies of the Carolinas. She raises very beautiful rare Siberian Huskies on her Farm.

Our Disney Togo Bloodline is rare Like No other! Only serious qualified inquiries Only will be considered as we ONLY breed once a year for qualified potential owners of our Bloodline. NO Breeding rights offered.

Visit on Facebook:

#royalhuskiesofthecarolinas

704 400 6366 text

~ ~ ~ ~ ~

MESSAGE BREEDER

Breeder Name: Connie Arstark


Website: <http://Royalhuskiesofthecarolinas/facebook.com>

Location: Mount Pleasant, NC 28124

Phone: (704) 400-6366

Distinctions

Breeder Profile

-  **AKC Registration Application Provided**
 - ✘ AKC National Breed Club Member**
 - ✘ AKC Specialty Club Member**
 - ✘ AKC Licensed/AKC Member All-Breed Club**
 - ✘ Dogs Compete in AKC Events**
-

Breeder Gallery

MESSAGE BREEDER

Create an Account to Get in Touch!

Fill out your info below or sign up using your favorite social network.

FIRST NAME:

LAST NAME:

EMAIL:

PASSWORD:

CREATE AN ACCOUNT

Already have an account?

SIGN IN

Report an Issue

Founded in 1884, the AKC is the recognized and trusted expert in breed, health and training information for dogs. AKC actively advocates for responsible dog ownership and is dedicated to advancing dog sports.

MESSAGE BREEDER

AKC is not affiliated with and does not license or endorse any breeders, groomers or other service providers, including those listed on AKC Marketplace. AKC has no control over their business practices and is not liable for any dealings between you and any breeders, groomers or other service providers. AKC is not responsible for and has no liability with respect to any transaction between you and these service providers. These listings are provided solely as a service to the public.

AKC does not sell dogs and makes no warranty or guarantee as to the health, quality, parentage or any value of any dogs. American Kennel Club, AKC, and the AKC Logo are registered trademarks of American Kennel Club Incorporated. The breeders have registered with AKC the sires, and dams and litters listed on AKC Marketplace. Individual puppies of these AKC - registered litters, therefore, are eligible to be registered with AKC, subject to compliance with existing AKC Rules, Regulations, Policies and the submission of a properly completed registration application and fee. AKC registration does not indicate the health, quality or value of a dog. AKC registration simply identifies the dog as offspring of a sire and dam that the breeder has registered with AKC.

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MESSAGE BREEDER



Royal Huskies Of The Carolinas

@Royalhuskiesofthecarolinas · Dog Park

Send message

Hi! Please let us know how we can help.

Home Photos Videos About More ▾

Like



General

576 people like this

597 people follow this

Dog Park

Business details

Price range · \$\$\$\$

Additional contact info

(704) 400-6366

connie@arstark.com

Very responsive to messages

Send message

More info

About

We ONLY Breed once a year to protect and limit our Disney Togo Relative Bloodline! Therefore we are extremely Protective & Selective. DNA tested,



Additional information

Thank you for your inquiry! We raise our rare Disney Togo relative bloodline on our Family Farm in NC. We only breed once a year! Therefore we are extremely selective and protective of who owns one of our Beautiful Huskies. We do NOT offer breeding rights and we do NOT ship our puppies. Sorry we take the quality of care for our Huskies very seriously. They are our extended Furr Family and we ask that if and when our Huskies choose you that you promise to commit to staying in touch and allowing us to watch them grow.....for any reason at all....ever that you can no longer take care of our Husky we require you to return them back us with no questions! We want to make sure our babies live their BEST life like their parents. We will make that happen! We do an extensive phone inquiry before extending an invitation to The Farm for a Meet & Greet with the Huskies. We believe they choose you.....you don't choose them! Our puppies are DNA verified, Full Pedigrees, vet cleared. Thank you! 704 400 6366 cell

We do NOT do FAKE DEPOSITS OR FAKE WAITING LIST! We believe getting to know you first is most important! No filters are used with our pics or videos.

See less



Royal Huskies Of The Carolinas

@Royalhuskiesofthecarolinas · Dog Park

Send message

Hi! Please let us know how we can help.

Home Photos Videos About More ▾

Like Search ▾

About

See all



Create post

1 We ONLY Breed once a year to protect and limit our Disney Togo Relative Bloodline! Therefore we are extremely Protective & Selective, DNA tested, AKC ... See more

1 Thank you for your inquiry! We raise our rare Disney Togo relative bloodline on our Family Farm in NC. We only breed once a year! Therefore we are extremely selective and protective of who owns one of our Beautiful Huskies. We do NOT offer breeding rights and we do NOT ship our puppies. Sorry we take the quality of care for our Huskies very seriously. They are our extended Furr Family and we ask that if and when our Huskies choose you that you promise to commit to staying in touch and allowing us to watch them grow.....for any reason at all.....ever that you can no longer take care of our Husky we require you to return them back us with no questions! We want to make sure our babies live their BEST life like their parents. We will make that happen! We do an extensive phone inquiry before extending an invitation to The Farm for a Meet & Greet with the Huskies. We believe they choose you....you don't choose them! Our puppies are DNA verified, Full Pedigrees, vet cleared. Thank you! 704 400 6366 cell
We do NOT do FAKE DEPOSITS OR FAKE WAITING LIST! We believe getting to know you first is most important! No filters are used with our pics or videos. See less

576 people like this

597 people follow this

(704) 400-6366

Very responsive to messages
008 Send message

caroline@aristark.com

Photo/video

Check in

Tag friends



Royal Huskies Of The Carolinas

3h

...

This beautiful girl available! Watching her Agouti color evolving...her Mask is incredible!



Royal Huskies Of The Carolinas

Send message

7

2 Shares

Like

Comment

Share



Write a comment...

100 3x1



Royal Huskies Of The Carolinas

...

extending an invitation to the farm for a Meet & Greet with the Huskies. We believe they choose you....you don't choose them! Our puppies are DNA verified, Full Pedigrees, vet cleared. Thank you! 704 400 6366 cell
We do NOT do FAKE DEPOSITS OR FAKE WAITING LIST! We believe getting to know you first is most important! No filters are used with our pics or videos.
[See less](#)

👍 576 people like this

👤 597 people follow this

📞 (704) 400-6366

💬 Very responsive to messages
[Send message](#)

✉️ connie@arstark.com

💰 Price range - \$555

📍 Dog Park

Photos

[See all](#)



Videos

[See all](#)



Our Huskies swim!

👁️ 18

107 views · 3 days ago

009

🔒 [Data transparency](#)

[See all](#)



Royal Huskies Of The Carolinas

[Send message](#)

👁️ 7

2 Shares

👍 Like

💬 Comment

➦ Share



Write a comment...



Royal Huskies Of The Carolinas

Yesterday at 7:26 AM

...

She is working from home...👉👉👉 with her new mommy! So proud...she needs her glasses! 🥰 GORGEOUS! 🥰



👁️ 30

6 Comments

👍 Like

💬 Comment

➦ Share

Most relevant ▾



Write a comment...



Photos

See all



Videos

See all



Our Huskies swim!

18
107 views · 3 days ago

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Page created - January 30, 2019

Page manager location: United States

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Create Page

30

6 Comments

Like

Comment

Share

Most relevant



Write a comment...

1234



Mary Ann Lewis-Hetrick
She's absolutely beautiful!

Like Reply 1

Author

Royal Huskies Of The Carolinas

Mary Ann Lewis-Hetrick she is stunning! I have her twin available!

Like Reply 11



Christy Lynn
30 seconds! I turned my back and then this - she's the best!

Like Reply 1

Author

Royal Huskies Of The Carolinas

Christy Lynn she must be impressed with your working skills! She wants to be as close as she can get!

Like Reply 10



Roseanne Bohannon
She's exquisite

Like Reply 10



Charlotte Bliven
What a big girl already.

Like Reply 17

Write a comment...



Royal Huskies Of The Carolinas

Yesterday at 4:15 AM

My Big Beautiful "Snuggle Bear" loves her new family! She jumped into her arms and was ready to go! I have held onto this special girl because of her rare and unique bi-eye coloring. She has marbled Green/Blue eyes and when the sun hits them they burst with beautiful colors! But her sweet loveable personality made her special. She is a GIANT Teddy Bear. I am so glad she will be local and close to home so I can "snuggle" her again! Thankful for her new family!





Royal Huskies Of The Carolinas



(704) 400-6366



Very responsive to messages

[Send message](#)



connie@erstarluc.com



Price range: \$555



Dog Park

Photos

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Videos

[See all](#)



Our Huskies swim!

👍👍 18

107 views · 3 days ago



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👍 Like



Tonight I received the most amazing beautiful well behaved snuggle bug. She will be loved and spoiled ❤️



👍👍 9

1 Share

👍 Like

💬 Comment

🔄 Share



Write a comment...

👍👍👍👍



Royal Huskies Of The Carolinas


March 6 at 7:45 AM

...

This is soooooo cute!



Resume Video

 Dog Park

Photos

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Videos

[See all](#)



Our Huskies swim!

 18

107 Views · 3 days ago

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MESSANGER

Royal Huskies Of The Carolinas

 Send message

Royal Huskies Of The Carolinas

February 23, 2021 · 

Father and Son meet for the First Time This Morning! 🐾🐾🐾🐾🐾🐾

🐾🐾🐾🐾🐾🐾

#siberianhusky

#siberianhusky

#huskies

#huskytag

#siberianhuskylovely

#huskynation


#husky


#huskypuppy

#huskylife



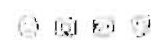
 Like

 Comment


 Share



Write a comment...



Royal Huskies Of The Carolinas

March 6 at 4:01 AM · 

...

Well another beautiful girl found her perfect family: Her name is "Sunny" 🐾 This girl has an extraordinary Mask with heavy eyeliner. Gorgeous long hair plush coat. Her furr is like silk...and her personality is adorable. So happy to keep her close to home! Did I mention...these girls are HUGE! 🐾



Photos

See all



Videos

See all



Our Huskies swim!

18

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21

2 Comments · 1 Share

Like

Comment

Share

Most relevant



Write a comment...

Write a comment...



Christy Lynn
We LOVE her! ❤️ 🐾

Like · Reply · 20



Royal Huskies Of The Carolinas

Christy Lynn she looks so happy! She is smiling 🐾

Like · Reply · 20



Royal Huskies Of The Carolinas

March 4 at 5:59 PM · 🌐

...

Our Huskies swim!



18

Like

Comment

Share



Write a comment...

Write a comment...



Royal Huskies Of The Carolinas

February 27 at 9:22 AM · 🌐

...

I have 4 Females available!! I have held on to these special girls to see their DNA results. They are HUGE female Huskies. Their Males are

know you first is most important! No filters are used with our pics or videos. See less

576 people like this

597 people follow this

(704) 400-6366

Very responsive to messages
Send message

donita@astark.com

Price range - \$\$\$

Dog Park

Photos

See all



Videos

See all



Our Huskies swim!

18

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Page created - January 30, 2019



18

Like

Comment

Share



Write a comment...

Most relevant



Royal Huskies Of The Carolinas

February 27 at 9:52 AM · 🌐

I have 4 Females available! I have held onto these special girls to see their DNA evolve. They are HUGE female Huskies...their Mask are incredible! Heavy Eyeliner around the eyes. Long hair woolies with soft plush coats. They are Unique! I am extremely selective and protective of where I place these ladies! If you are interested, please private message me and we can discuss if you are a good fit! Razzle Dazzle Girls 🐾



Royal Huskies Of The Carolinas

Send message

12

8 Comments · 1 Share

Like

Comment

Share

Most relevant



Write a comment...

Most relevant



Mary Ann Lewis-Hetrick

Photos

See all



Videos

See all



Our Huskies swim!

18

107 views · 9 days ago

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Royal Huskies Of The Carolinas

Send message

12

6 Comments · 1 Share

Like

Comment

Share

Most relevant



Write a comment...



Mary Ann Lewis-Hetrick
Sooo Stunning!

Like

Reply

1



Author

Royal Huskies Of The Carolinas

Mary Ann Lewis-Hetrick thank you so much! She has silky long fur!! It's incredible... 🐾

Like

Reply

Send Message

1



Mary Ann Lewis-Hetrick

Royal Huskies Of The Carolinas : know you will find them the perfect forever homes. I absolutely love the silver and white. Wish I could manage it right now. She looks so cuddly!

Like

Reply

1



Author

Royal Huskies Of The Carolinas

Mary Ann Lewis-Hetrick she would LOVE you guys! 🐾

Like

Reply

Send Message

1

1



Mary Ann Lewis-Hetrick

Royal Huskies Of The Carolinas We had to take Wysteria to the vet Friday. She is going blind in right eye. She also has eye infection (due to entropion). Because of her age and reaction to sedation, they can't do surgery. She also had a skin infection ... See more

Like

Reply

1



Author

Royal Huskies Of The Carolinas

Mary Ann Lewis-Hetrick I totally understand. Take care of that sweet girl! 🐾

Like

Reply

Send Message

1

Most Relevant is selected, so some replies may have been filtered out



Royal Huskies Of The Carolinas

February 26 at 4:49 PM

...

Stay Tune Folks.....in 2 years this will be our Next Utterd! It's going to be EPIC!! 🐾



Home > Dog Park

[Dog Park](#)

Photos

[See all](#)



Videos

[See all](#)



Our Huskies swim!

18

107 views · 3 days ago

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Royal Huskies Of The Carolinas

February 26 at 4:46 PM

...

Stay Tune Folks ...In 2 years this will be our Next Litter! It's going to be EPIC!!



Royal Huskies Of The Carolinas

[Send message](#)

18

1 Comment

[Like](#)

[Comment](#)

[Share](#)

Most relevant



Write a comment



Paula Condon McNulty

Put me on that list!

[Like](#)

[Reply](#)

1



Royal Huskies Of The Carolinas

February 26 at 3:09 PM

...

She came for a girl BUT This Gorgeous Boy...stole her heart!! Another one Left The Farm today



- 👍 576 people like this
- 👤 597 people follow this
- 📞 (704) 400-6366
- ✉️ Very responsive to messages
- ✉️ Send message
- ✉️ cornia@amstark.com
- 🏠 Price range - \$\$\$\$
- 🐕 Dog Park

Photos

See all



Videos

See all



Our Huskies swim!

👁️ 18
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📍 Page manager location: United States

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 Paula Condon McNulty
Put me on that list!
Like Reply ⋮

 Royal Huskies Of The Carolinas
February 26 at 3:09 PM · 🌐

She came for a girl BUT This Gorgeous Boy... stole her heart! Another one Left The Farm today! 🐕



Royal Huskies Of The Carolinas

📧 Send message

👁️ 17

👍 Like


💬 Comment

🔗 Share



Write a comment...

👍 📧 📷 📺

 Royal Huskies Of The Carolinas
February 21 at 6:11 PM · 🌐

Another handsome Boy chose a family today! 🐕

#disneybuddies
#loerlanhuskybuddy
#disneydog
#americankennelclub



Send message

✉ connie@anstaris.com

🏠 Price range - \$\$\$\$

🐕 Dog Park

Photos

See all



Videos

See all



Our Huskies swim!

👍👍 18

107 views · 3 days ago

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👍👍 17

👍 Like

💬 Comment

➦ Share



Write a comment...

👍👍👍👍



Royal Huskies Of The Carolinas

February 21 at 6:11 PM 🌐

...

Another handsome Boy chose a family today! 🐕

#disney puppies

#alberianhuskypuppy

#disneytogo

#americankennelclub



Royal Huskies Of The Carolinas

✉ Send message

👍👍 21

5 Comments

👍 Like

💬 Comment

➦ Share

Most relevant ▾



Write a comment...

👍👍👍👍



Jennifer Collier

Aww so glad he pick his new home. I'm sure it breaks your heart to see him leave as well

Like Reply 🔄

👍 1



Author

Royal Huskies Of The Carolinas

Jennifer Collier it is NEVER easy! I cry every time they leave me...

I can't help it!

👍 1

Send message

✉️ bonnie@vistar/jul21m

🕒 Price range - \$\$\$\$

📁 Dog Park

Photos

See all



Videos

See all



Our Huskies swim!

👁️ 18

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👁️ 21

5 Comments

👍 Like

💬 Comment

➦ Share

All comments ▾



Write a comment...

👍 🗨️ 📧 🔄



Jennifer Collier

Aww so glad he pick his new home. I'm sure it breaks your heart to see him leave as well

👍 Like Reply · 2w

👁️ 1

👤 Author

Royal Huskies Of The Carolinas

Jennifer Collier it is NEVER easy! : cry every time they leave me... I can't help it!

👍 Like Reply Send Message · 2w

👁️ 1



Jennifer Collier

Royal Huskies Of The Carolinas - aww I would be the same way! :

👍 Like Reply · 2w

👁️ 1



దీపక్ కలపల్లి

Toys shopping with the handsome boy



👍 Like Reply · 1w · Edited

👁️ 1

👤 Author

Royal Huskies Of The Carolinas

దీపక్ కలపల్లి he is so beautiful!
#royalhuskiesofthecarolinas

👍 Like Reply Send Message See Translation · 1w

Write a comment...



Royal Huskies Of The Carolinas

February 20 at 12:32 PM · 🌐

...

Relaxing on this Sunny Sunday!



👍 576 people like this

👤 597 people follow this

☎ (704) 400-6366

✉ Very responsive to messages
Send message

✉ connie@astark.com

💰 Price range - \$\$\$\$

📍 Dog Park

Photos

See all



Videos

See all



Our Huskies swim!

👍👍 18
107 views · 3 days ago

🔍 Page transparency

See all

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📅 Page created - January 30, 2019

📍 Page manager location: United States

020

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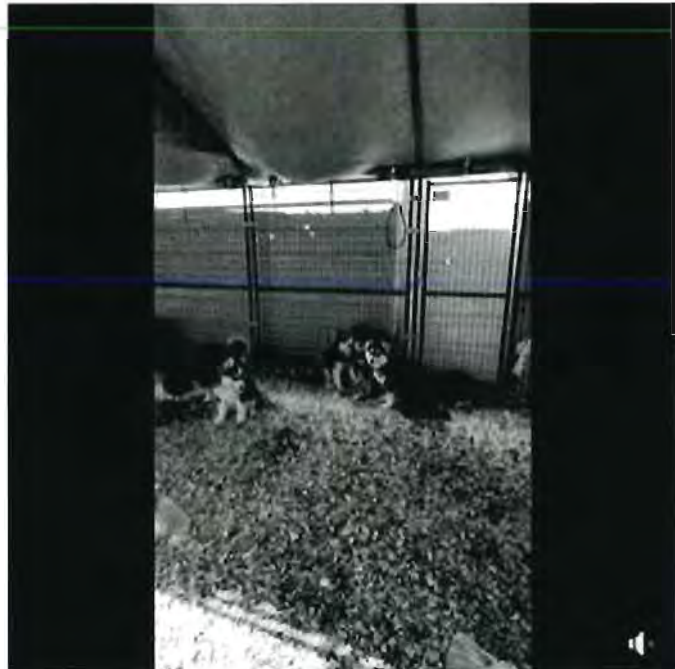


Royal Huskies Of The Carolinas

February 20 at 12:32 PM · 🌐

...

Relaxing on this Sunny Sunday!



MESSANGER

Royal Huskies Of The Carolinas

📧 Send message

👍👍 10

👍 Like

💬 Comment

🔄 Share



Write a comment...

👍👍👍👍



Royal Huskies Of The Carolinas

February 16 at 2:45 PM · 🌐

...

Another Beautiful Girl chose her forever home! These puppies are EXTREMELY picky....lol
They want to take their own sweet time to find the PERFECT human!
And I support them 100% 🐾🐾



know your first is most important! (no filters are used with our pics or videos)
[See less](#)

👍 576 people like this

👤 597 people follow this

📞 (704) 400-6365

📧 Very responsive to messages
[Send message](#)

✉️ connie@parstar.com

💰 Price range - \$555

🏠 Dog Park

Photos

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Videos

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Our Huskies swim!

👍👤 18

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📅 Page created - January 30, 2019

📍 Page managed from location: United States



Royal Huskies Of The Carolinas

...

February 18 at 2:45 PM · 🌐

Another Beautiful Girl chose her forever home. These puppies are EXTREMELY picky...lol

They want to take their own sweet time to find the PERFECT human! And I support them 100% 🐾💕



Royal Huskies Of The Carolinas

📧 [Send message](#)

👍👤 13

🔗 [1 Share](#)

👍 Like

💬 Comment

🔗 Share



Write a comment...

👍👤👤👤👤



Royal Huskies Of The Carolinas

...

February 16 at 4:13 AM · 🌐

Every litter I get what I like to call a "snuggle Bear".....well this is her! She is looking for a loveable family that she can snuggle with! 🐾💕



- 👍 576 people like this
- 👤 597 people follow this
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Send message
- 📧 com115@att.net
- 💰 Price range - \$555
- 🏠 Dog Park

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Our Huskies swim!

👍👍 18
107 views · 3 days ago

🔍 Page transparency See all

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- 📅 Page created - January 30, 2019
- 📍 Page manager location: United States

022

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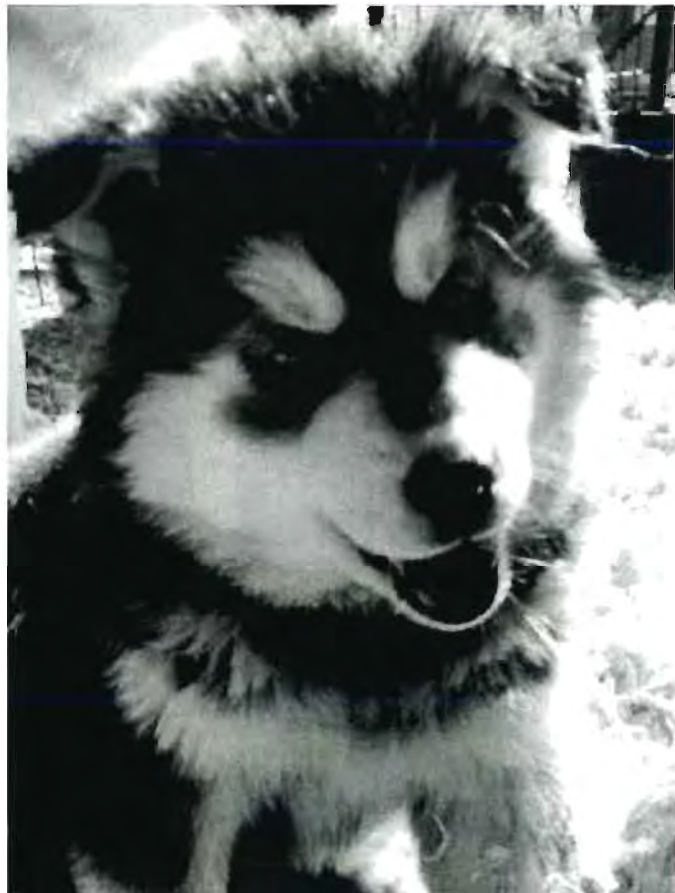
Showcase your work, create ads and connect with

- 👍 Like
- 💬 Comment
- ➦ Share

Write a comment...

Royal Huskies Of The Carolinas
February 16 at 4:13 AM

Every litter I get what I like to call a "snuggle Bear"....well this is her! She is looking for a loveable family that she can snuggle with!🐻



Royal Huskies Of The Carolinas Send message

👍👍 10

- 👍 Like
- 💬 Comment
- ➦ Share

Write a comment...

Royal Huskies Of The Carolinas
February 12 at 5:43 PM

These adorable Babies....



Send message

✉️ [connie@systems.com](#)

🕒 Price range: \$555

📍 Dog Park

Photos

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Videos

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Our Huskies swim!

👍👍 18

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➡️ Send message

👍👍 10

👍 Like

💬 Comment

➦ Share



Write a comment...

👍👍👍👍



Royal Huskies Of The Carolinas

February 12 at 5:43 PM

...

These adorable Babies...



👍👍👍 6

2 Comments

👍 Like

💬 Comment

➦ Share

Most relevant ▾



Write a comment...

👍👍👍👍



Chris Helms

Omg those babies 🐾🐾🐾🐾🐾🐾

Like Reply 1w

✍️ Author

Royal Huskies Of The Carolinas

Chris Helms I know...are they adorable! I'm in puppy heaven at The Farm! 🐾

Like Reply 7w



Royal Huskies Of The Carolinas

February 11 at 6:12 PM

...

Well my girl 'Jolly Lolly' chose her family today. She is going to live with her beautiful brother Elvis and her NEW name is going to be Priscilla! She is sooooo excited! LOVE that ALL my previous puppy

WARNING: We believe getting to know you first is most important! No filters are used with our pics or videos. See less

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Like Reply



Royal Huskies Of The Carolinas

...

February 11 at 6:17 PM

Well my girl Dolly Lolly chose her family today. She is going to live with her beautiful brother Elvis and her NEW name is going to be Priscilla! She is sooooo excited! I LOVE that ALL my previous puppy family always ADDS another after they experience how wonderful they are...their calm and relaxed temperaments make them extraordinary Husky Companions for life!



28

16 Comments

Like

Comment

Share

Most relevant



Write a comment...



Terri Mincey Deal

Love the names 🐾 1

Like Reply

[Report](#)

Royal Huskies Of The Carolinas

Terri Mincey Deal it's their personalities...lol 🐾

Like Reply



Paula Condon McNulty

Has my boy Ben gone to his home?

Send message

donnie@astark.com

Price range: \$\$\$\$

Dog Park

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Videos

See all



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16 Comments

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Write a comment...



Terri Mincey Deal
Love the names 🐾 1

Like Reply 1w



Royal Huskies Of The Carolinas
Terri Mincey Deal it's their personalities....lol 🐾 🐾

Like Reply 1w



Paula Condon McNulty
Has my boy Big Ben gone to his home? 🐾 1

Like Reply 1w



Royal Huskies Of The Carolinas
Paula Condon McNulty shhhh...I'm keeping him hidden!

Like Reply 1w



Royal Huskies Of The Carolinas
Paula Condon McNulty my personal private pic tonight! This Boy is EXTRAORDINARY! A One-Of-A-Kind! 🐾



Like Reply 1w



Paula Condon McNulty
Royal Huskies Of The Carolinas I ❤️ him, it may be the wine, but my resolve is weakening 🐾 1

Like Reply 1w



Royal Huskies Of The Carolinas
Paula Condon McNulty the ONLY person I will share him with is a previous furr family member or he stays with me! We can't go any where together...this Boy draws a crowd and LOVES his Big Old Belly Rubbed! Lol

Like Reply 1w



Paula Condon McNulty
Frankie weighed in at 80 pounds! I came across a video you took of him as a wee pup and am going to post it tomorrow with him doing the same thing now

Like Reply 1w



Royal Huskies Of The Carolinas

Send Message

✉ connie@aristark.com

📍 Price range - \$\$\$\$

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Videos

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Like Reply ...

Paula Condon McNulty
Royal Huskies Of The Carolinas ❤️ him, it may be the wine, but my resolve is weakening

Like Reply ...

👤 Author
Royal Huskies Of The Carolinas
Paula Condon McNulty the ONLY person i will share him with is a previous furr family member or he stays with me! We can't go any where together...this Boy draws a crowd and LOVES his Big Old Belty Rubbed! Lol

Like Reply ...

Paula Condon McNulty
Frankie weighed in at 80 pounds! I came across a video you took of him as a wee pup and am going to post it tomorrow with him doing the same thing now

Like Reply ...

👤 Author
Royal Huskies Of The Carolinas
Paula Condon McNulty well get ready...this Boy at 10 weeks weighed in at 21.9lbs! He is a HUSKY TANK with a Teddy Bear personality!

Like Reply ...

Paula Condon McNulty
Royal Huskies Of The Carolinas Joseph McNulty has already named him

Like Reply ...

👤 Author
Royal Huskies Of The Carolinas
Unfortunately I feel bad but I have turned so many people away due to the distance for Big Sen to be followed by myself. So it will take someone special and someone I trust for him...for sure! 🙏

Like Reply ...

Paula Condon McNulty
Royal Huskies Of The Carolinas that's what's best for him. I think I would be officially deemed 'insane', but, I am definitely warming tonit

Like Reply ...

👤 Author
Royal Huskies Of The Carolinas
Paula Condon McNulty well...you are the only other furr family that doesn't have their 2nd Husky...lol! I'm having a nice bottle of wine tonight at The Farm. Think about my beautiful Boy!

Like Reply ...

Most people who see this will see some replies they have been filtered out

👤 Reply to Paula Condon McNulty...

Write a comment...

Send message

✉️ [connie@carpetkitten.com](#)

🕒 Price range - \$555

📍 Dog Park

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Most keyboard shortcuts are disabled. All some replies may have been deleted.



Reply to Paula Condon McNulty...

👍 🗨️ 🔄 📧

Write a comment...



Royal Huskies Of The Carolinas

February 11 at 9:17 AM · 🌐

...

Waiting patiently for Breakfast!



👍 🗨️ 🔄 📧

8 Comments

👍 Like

🗨️ Comment

🔄 Share

Most relevant ▾



Write a comment...

👍 🗨️ 🔄 📧



Chris Helms

Aww i need the talker. Mine refuses to talk lol

Like Reply · 🔄

👍 1



🔗 Auto

Royal Huskies Of The Carolinas

Chris Helms she is my Chunky monkey! She started talking to me the day she was born :)

Like Reply · 🔄



Chris Helms

Royal Huskies Of The Carolinas awwww i wish mine would

Like Reply · 🔄

👍 1



Chris Helms

Royal Huskies Of The Carolinas I need another one to love. Her talking would be a plus

Like Reply · 🔄

👍 1



🔗 Auto

Royal Huskies Of The Carolinas

Chris Helms you really need one of these babies in your life! :)) i have 2 female Fluffy baby dolls available



Send message

✉️ cornie@carolink.com

🕒 Price range - \$\$\$\$

📍 Dog Park

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👤 Royal Huskies Of The Carolinas

Chris Helms you really need one of these babies in your life! 🐾 I have 2 female Fluffy baby dolls available



👍 Like · 🗨️ Reply · ⋮



Chris Helms

Omg that one on the left !!!

👍 Like · 🗨️ Reply · ⋮

👤 Author

Royal Huskies Of The Carolinas

Chris Helms oh these two are lap snuggle

Bear girls! They are sweet hearts...no doubt

👍 Like · 🗨️ Reply · ⋮

Most relevant & affected, so some replies may have been filtered out



Reply to Chris Helms...

👍 🗨️ 📷 📺



Melanie McBride Lawrence

I heard them yesterday morning fir a skinny minute

👍 Like · 🗨️ Reply · ⋮

Write a comment...



Royal Huskies Of The Carolinas

February 9 at 12:41 PM · 🌐

Wow! Check us out! 🐾



MARKETPLACE.ORG

Royal Huskies Of The Carolina - Siberian Husky Puppies For Sale - Born on 11/22/2021

👁️ 5

43 Comments

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Author
Royal Huskies Of The Carolinas



Like Reply 1v



Author
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Like Reply 1v



Author
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Like Reply 1v



Author
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✉ connie@arstark.com

🏷 Price range - \$\$\$\$

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Like Reply ...



Author

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Like Reply ...



Author

Royal Huskies Of The Carolinas

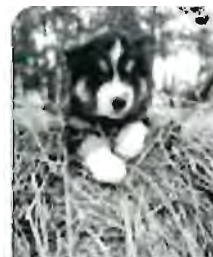


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Author

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Like Reply 1x

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Like Reply 1x

👑 Author
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Like Reply 1w



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✉ edhills@arstar1.com

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Author

Royal Huskies Of The Carolinas



Like Reply 1w

Write a comment...



Royal Huskies Of The Carolinas

February 8 · 🌐

...

If you really LOVE someone This Valentines Day...show Them! Nothing better than The LOVE of A Woolly Husky Teddy Bear! We have a limited few available! PM me please 🐾🐾

If you LOVE your Pet...give them The BEST Friend that they will EVER have...the loyalty of a Husky is like No other! Your lonely Pet deserves it! 🐾

#royalhuskiesofthecarolinas

#dailypuppies

#adoptionmarketplace

#see more

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✉️ Very responsive to messages
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✉️ connie@pawstar4u.com

💰 Price range - \$555

🐕 Dog Fan

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...

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If you really LOVE someone This Valentines Day....show Them! Nothing
better than The LOVE of A Woolly Husky Teddy Bear! We have a limited
few available! PM me please! 🐾🐾

If you LOVE your Pet...give them The BEST Friend that they will EVER
have...the loyalty of a Husky is like No other! Your lonely Pet deserves
it! 🐾

#royalhuskiesofthecarolinas

#disneypuppies

#slushmarketplace

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#puppies

#togs

#husky



Royal Huskies Of The Carolinas

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👍👍 9

3 Shares

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💬 Comments

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Write a comment...

👍 📷 📺 📱



Royal Huskies Of The Carolinas

...

February 5 · 🌐

This Gorgeous Creature of Mine! I adore my Boy Bentley! 🐾



Send message

connie@astark.com

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Royal Huskies Of The Carolinas

February 3

...

This Gorgeous Creature of Mine! I adore my Boy Bentley!



10

Like

Comment

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Write a comment...

10 10 10

Royal Huskies Of The Carolinas

February 3

...

These little Huskies of mine are so sweet and well behaved! Coachable Huskies make Great Companions!



Page transparency

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Send message

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February 3

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13

3 Comments 3 Shares

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Write a comment

100 49 10



Charlotte Britt

They have gotten so big!!

Like Reply 1

100 49 10

Royal Huskies Of The Carolinas

Charlotte Britt I know right! They are 9 weeks old
this is the biggest litter I have ever had

Like Reply

View 1 more comment



Royal Huskies Of The Carolinas

February 1

If you have one of our puppies and would like to share your experience and puppy please do so by hitting the REVIEW button. Thank you so much!

Like

Comment

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Send message

✉ johnie@alastan.com

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Royal Huskies Of The Carolinas

...

February 1 · 🌐

If you have one of our puppies and would like to share your experience and puppy please do so by hitting the REVIEW button. Thank you so much!

👍 Like

💬 Comment

🔗 Share



Royal Huskies Of The Carolinas

...

February 1 · 🌐

Another one of my precious pups getting celebrated on his 1st Birthday! I love how all of these wonderful families LOVE their Huskies. They are extraordinary creatures and deserve all the Love and celebrations of their time on this earth. ❤️



Royal Huskies Of The Carolinas

📧 Send message

👍👍 12

1 Comment

👍 Like

💬 Comment

🔗 Share

Most relevant ▾



Write a comment...

👍👍👍👍



Mary Ann Lewis-Hetrick

Oh, Asher is very much loved 🐾 He is spoiled rotten! Lol!

Like Reply · 🌐

👍 1



Royal Huskies Of The Carolinas

...

February 1 · 🌐

When you are this Gorgeous on your first birthday....you deserve a self portrait made for yourself! This Gorgeous rare Agouti Husky is one of a kind and definitely is living his BEST life with his family!

Send message

✉️ [connie@arstar.com](#)

🏷️ Price range - \$\$\$\$

📍 Dog Park

Photos

See all



Videos

See all



Our Huskies swim!

👁️ 18

107 views · 3 days ago

🔍 Page transparency

See all

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Royal Huskies Of The Carolinas

February 1 · 🌐

...

When you are this Gorgeous on your first birthday....you deserve a self portrait made for yourself! This Gorgeous rare Agouti Husky is one of a kind...no doubt! Jack is living his BEST life with his incredible family. This makes my heart sobooooo happy! This why Take time in finding the perfect families for my huskies!🐾



Royal Huskies Of The Carolinas

📧 Send message

👍👍 15

8 Comments

👍 Like

💬 Comment

🔄 Share

Most relevant ▾



Write a comment...



Linda Rose

He is even more handsome in person.

👍 Like · 🗨️ Reply · 1

Most Relevant is selected, so some replies may have been filtered.



👤 Author

Royal Huskies Of The Carolinas

Linda Rose no doubt! This a gorgeous dog!🐾

👍 Like · 🗨️ Reply · 📧 Send Message · 4v



Linda Rose

I told David and Kathy he needs a playmate!

👍 Like · 🗨️ Reply · 1v

👍 1



👤 Author

Royal Huskies Of The Carolinas

Linda Rose she is the the perfect fit!🐾



Send message

connie@arstar1.com

Price range - \$\$\$\$

Dog Park

Photos

See all



Videos

See all



Our Huskies swim!

18

107 Views · 3 days ago

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Like · Reply · Send Message · 4x



Linda Rose

fingers crossed · 1

Like · Reply · 4x



Royal Huskies Of The Carolinas

She has the exact same spot on her nose!

Like · Reply · Send Message · 1

Most Replies are selected, so some replies may have been filtered out.



Reply to Linda Rose...

Like · Reply · 4x

View 1 more comment



Royal Huskies Of The Carolinas

February 1 · 1

...

These 2 beautiful creatures from different litters remind me of each other so much! Beautiful Mask and coloring! Wowza one on the left is male and the one on the right is female. Incredible!



Royal Huskies Of The Carolinas

Send message

12

1 Comment

Like

Comment

Share

Most relevant



Write a comment.

Like · Reply · 4x



Mary Ann Lewis-Hetrick
Sooo Bentley!

Like · Reply · 4x

 Dog 49%

Photos

See 44



Videos

See also



Our Huskies swim!

18

107 views · 3 days ago

Page transparency

2000

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Mary Ann Lewis-Hetrick
Sooo Bentley!

Like Reply



Royal Huskies Of The Carolinas
January 31

Out of 17 puppies.....as of today ONLY we have 3 Boys and 6 Girls.
Folks are coming this week to pick up!

[mpg](#), [musubi](#), [otofhi](#), [ecandanas](#),
[mibokan](#), [unryu](#), [puo](#), [desforale](#), [imayara](#),
[makomarketplace](#),
[isuperanting](#) ... See more



Comments



royalhuskyofthecarolinas Ok... update! Out of 17 puppers i think we have 9 currently available as of today only... people are coming this week to pick up id the weather cooperates...lol
3 Bays and 6 spots
Check out ALL the attached pics for puppyday being available
#royalhuskyofthecarolinas
#asktheshelp
#asktheshelp
#americankennelclub
#sisterandpuppy
#sisterandhuskyfamily
#asktheshelp
#sisterandhusky
#sisterandhusky
#huskyphotography
#husky
#husky
#huskydog
#huskyworld
#huskypuppies
#huskyofinstagram
#pels
#peltsoftheday
#puppyoftheday
#puppy
#puppyandcousin
#husky
#husky



+16

Royal Huskies Of The Carolinas

 Send message

3

 Like

☐ Comment

Share



Write a comment.



Royal Huskies Of The Carolinas
January 30



Send message

✉ connie@arataki.com

🏷 Price range - \$\$\$\$

📍 Dog Park

Photos

See all



Videos

See all



Our Huskies swim!

👁 18

107 views · 2 days ago

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January 30 · 🌐



Royal Huskies Of The Carolinas

September 11, 2019 · 🌐

Every morning Maverick enjoys his morning swim!

👁 3

👍 Like

💬 Comment

🔗 Share



Write a comment...

👍 🗨 🌐 🔄



Royal Huskies Of The Carolinas

January 30 · 🌐



Send message

✉ connie@anstarfc.com

💰 Price range - \$\$\$\$

📍 Dog Park

Photos

See all



Videos

See all



Our Huskies swim!

👁️ 18
107 Views · 3 days ago

🔍 Page transparency

See all

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Royal Huskies Of The Carolinas

December 20, 2020 · 🌐

And then there were only 3! Oh my goodness joyful and heartbreaking at the same time! The 3 Amigos chose their families and headed home to enjoy Christmas with them!

Akc registered

Full pedigrees

DNA tested

Available as of Today! Thank you for ALL the inquiries about our Beautiful puppies! But as I mentioned before...I DONT take deposits or hold puppies. If they meet you and choose you...then your in luck!

👁️ 7

4 Comments

👍 Like

💬 Comment

🔗 Share

Most relevant ▾

👤 📷 📺 📱



Write a comment...



Debi Sanders

I like how you handle their adoptions

Like Reply 5w

👤 1

👤 Author

Royal Huskies Of The Carolinas

Debi Sanders thank you! I consider my babies quality of life BEFORE I let a my puppies choose their human. I LOVE them!

Like Reply 5w

👤 1



Debi Sanders

Royal Huskies Of The Carolinas that's awesome and very respectful

Like Reply 5w

👤 1

Most Relevant is selected, so some replies may have been filtered out



Randy Cole

Oh how adorable 🐾 :

Like Reply 5w

Write a comment...

Send message

✉️ connie@arstark.com

🕒 Price range - \$\$\$\$

📍 Dog Park

Photos

[See all](#)



Videos

[See all](#)



Our Huskies swim!

👁️ 18

107 views · 3 days ago

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Recently active

I take my babies with me when I leave The Farm! They LOVE to go for a ride... 🐾🐾🐾



Royal Huskies Of The Carolinas

📧 Send message

👁️ 10

👍 Like

💬 Comment

🔗 Share



Write a comment...

👍 👎 🔄 🗑️



Royal Huskies Of The Carolinas

January 28 · 🌐

...

Getting pics from my families with their New Husky they have added to their existing Husky Family! So happy to see ALL of my babies being LOVED & ADORED! 🐾



[Send message](#)

[connie@brentary.com](#)

Price range: \$\$\$\$

Dog Park

Photos [See all](#)



Videos [See all](#)



Our Huskies swim!

18
107 views · 3 days ago

Page transparency [See all](#)

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[Create Page](#)

LOVED & ADORING



15

3 Comments

Like

Comment

Share

Most relevant ▾



Write a comment...



Susan Hollyfield Bryant

Such precious pics! Our 2 boys are inseparable



Like Reply

AUTHOR

Royal Huskies Of The Carolinas

Susan Hollyfield Bryant they are beautiful

Like Reply



Lisa Isley

Oh sooo sweet! 1

Like Reply

Write a comment...



Royal Huskies Of The Carolinas

January 26 ·

...

Bentley wanted to bathe his Boy and lay in the sun with him.....so precious!

Send message

connie@earthlink.net

Price range: \$555

Dog Park

Photos

See all



Videos

See all



Our Huskies swim!

18
107 views · 3 days ago

Page transparency

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Royal Huskies Of The Carolinas
January 25

Bentley wanted to bathe his Boy and lay in the sun with him....so precious!



MESSANGER

Royal Huskies Of The Carolinas

Send message

12

Like

Comment

Share



Write a comment...

Emoji icons

Royal Huskies Of The Carolinas
January 26

Vet Day was a success! Big Ben weighed 21LBS at 8 weeks! WOW! The biggest Husky puppy I've ever had from our litters! AMAZING! The Vet said....I never forget him since I saw him the first time he was born...he is a keeper!



👍 576 people like this

👤 597 people follow this

📞 (704) 400-6366

💬 Very responsive to messages
Send message

✉️ connie@arstark.com

💰 Price range - \$\$\$\$

🐕 Dog Park

Photos

See all



Videos

See all



Our Huskies swim!

👁️ 18

107 views · 3 days ago

🔍 Page transparency

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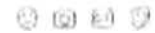
052

Add your business to Facebook

Showcase your work, create ads and connect with



Write a comment.



Royal Huskies Of The Carolinas

...

January 26 · 🌐

Vet Day was a success! Big Ben weighed 27LBS at 8 weeks! WOW! The biggest Husky puppy I've ever had from our litters! AMAZING! The Vet said....I never forget him since I saw him the first time he was born...he is a keeper!



Royal Huskies Of The Carolinas

✉️ Send message

👍👍👍 26

11 Comments

👍 Like

💬 Comment

🔄 Share

Most relevant ▾



Write a comment.



Jennifer Collier

Oh wow!! What a big boy!!! He's so handsome 🐾🐾🐾



Like Reply · 🌐

👤 1



Brandy Davis

That has to be the most beautiful dog I have ever seen in my life

Like Reply · 🌐

👤 1



👤 Author

Royal Huskies Of The Carolinas

Brandy Davis thank you so much! We think he is pretty special 🐾

Like Reply · Send Message · 🌐



Paula Condon McNulty

I love him

Like Reply · 🌐

👤 1



👤 Author

Royal Huskies Of The Carolinas

Paula Condon McNulty and he would Adore you

Send message

connie@arstar.com

Price range - \$555

Dog Park

Photos

See all



Videos

See all



Our Huskies swim!

18

107 views · 3 days ago

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Like Reply 1

Royal Huskies Of The Carolinas

Paula Condon McNulty and he would Adore you and Frankie! like I said....this guy I will deliver in person!!

Like Reply Send Message 1



Paula Condon McNulty

Royal Huskies Of The Carolinas Joe Joseph McNulty and I were discussing how important it is for you to QUICKLY find him a home Or we will have to both delete our social media accounts

Like Reply 1



Royal Huskies Of The Carolinas

Paula Condon McNulty this is sooooo funny! Another family just told me the exact same thing after they picked up their 4th Husky this week! 🤔🤔🤔

Like Reply Send Message 1



Paula Condon McNulty

Royal Huskies Of The Carolinas 🤔 staahhnp

Like Reply 1

Mark Zuckerberg is selected, so some replies may have been filtered out



Debi Sanders

He's going to be a beast!

Like Reply 1

Royal Huskies Of The Carolinas

Debi Sanders he sure is....but a baby doll. Gentle Giant!

Like Reply Send Message 1



Brigitte Golden

Big Ben is special! He is gorgeous and keeps moving up as he gets older ❤️

Like Reply 1

Write a comment...



Royal Huskies Of The Carolinas

January 23

A Husky is NOT for The Weak! Their LOVE is loyal and powerful! But they command the same in Return! They offer a distraction and a Joy that MUST be reciprocated! Their Heart is loyal! Their Angel Wings CANT be seen but they are There! 🤔🤔 God sent them with NO wings so that we could experience their unconditional LOVE. It is an Honor and a Privilege to be Loved by a Husky!



Send message

✉️ connie@arstar1.com

💰 Price range - \$\$\$\$

🐕 Dog Park

Photos

See all



Videos

See all



Our Huskies swim!

👁️ 18

107 views · 3 days ago

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👑 Royal Huskies Of The Carolinas
January 23 · 🌐

...

A Husky is NOT for The Weak! Their LOVE is loyal and powerful! But they command the same in Return! They offer a distraction and a Joy that MUST be reciprocated! Their Heart is loyal! Their Angel Wings CANT be seen but they are There! 🌟👼 God sent them with NO wings so that we could experience their unconditional LOVE. It is an Honor and a Privilege to be Loved by a Husky!



Royal Huskies Of The Carolinas

📧 Send message

👁️ 12

1 Comment

👍 Like

💬 Comment

🔗 Share

Most relevant ▾



Write a comment.



Kim Blackwelder Russell
So, so true!

Like Reply ... 1



Royal Huskies Of The Carolinas
January 23 · 🌐

...

Available Puppies! Not All of them....so please text me your pic choice! Thanks!

#royalhustleazofthecarolinas

#AKC

#akcmarketplace

#Siberianhuskypuppiesforaleinmyarea

#siberianhuskyworld

#siberianhusky

#petsofinstagram

#siberianhuskydog

Send message

✉ connie@arstarh.com

🕒 Price range - \$\$\$\$

📍 Dog Park

Photos

See all



Videos

See all



Our Huskies swim!

👁️ 18

107 views · 3 days ago

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#iberianhuskydoppressionsterilityarea
#iberianhuskyworld
#iberianhusky
#petsofinstagram
#iberianhuskyuppy
#puppies
#huskyuppy
#iberianhuskies
#pet
#husky
#huskylife
#huskylovers
#huskylove
#iberian
#iberianhuskylove
#americantienneclub
#pet
#puppiesofinstagram
#puppylove
#puppy
#puppygram



Royal Huskies Of The Carolinas

➡ Send message

👁️ 9

3 Comments

👍 Like

💬 Comment

🔗 Share

Most relevant ▾



Write a comment...

👍 🗨️ 🔄 📷



Evelyn Hogie
Beautiful puppy's 🐾

Like · Reply · ...

Most Relevant is selected, so some replies may have been filtered out

👤 Auto

Royal Huskies Of The Carolinas

Send message

✉️ connie@astark.com

💰 Price range - \$\$\$\$

📍 Dog Park

Photos

See all



Videos

See all



Our Huskies swim!

👁️ 18

107 views · 3 days ago

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👍 Like

💬 Comment

🔗 Share

Most relevant

👍 🗨️ 📧 🔄



Write a comment...



Evelyn Hogie
Beautiful puppy's 🐾

Like · Reply · 🔄

👑 Admin

Royal Huskies Of The Carolinas

Evelyn Hogie thank you so much! 🐾

Like · Reply · Send Message · 🔄



Belleza La Amorosa
how much

Like · Reply · Page responded privately · 🔄



Reply to Evelyn Hogie...

👍 🗨️ 📧 🔄



Royal Huskies Of The Carolinas

January 23 · 🔄

...

Beautiful Peaches is headed to Georgia with her New Family to become a Princess Georgia Pasch. She hit the Lottery with this wonderful human she chose...her Life is about to get incredible. She gets to grow up with siblings! Live your Best Life Peaches! 🐾



Royal Huskies Of The Carolinas

📧 Send message

Send message

✉️ connie@arstar1.com

🕒 Price range: \$555

📁 Dog Party

Photos

See all



Videos

See all



Our Huskies swim!

👁️ 18

107 views · 3 days ago

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Royal Huskies Of The Carolinas

Send message

👁️ 16

👍 Like

💬 Comment

🔄 Share



Write a comment...

👍 🗨️ 🔄 📧



Royal Huskies Of The Carolinas

January 23 · 🌐

...

Female chunky girl available! Beautiful Mask with blue eyes...very snuggable!



👁️ 43

3 Comments · 6 Shares

👍 Like

💬 Comment

🔄 Share

Most relevant ▾



Write a comment...

👍 🗨️ 🔄 📧



Ann Eddy

She's a beautiful dog

Like Reply

👍

1



Marsh L Derby

Beautiful

👍

Like Reply

👍



Popeye Ladd

Racing stripes, I love it

Like Reply

👍

1

Write a comment...

Send message

✉️ connie@arstark.com

📌 Price range - \$\$\$\$

🏠 [Dog Park](#)

Photos

[See all](#)



Videos

[See all](#)



Our Huskies swim!

👁️ 18

107 views · 5 days ago

🔍 Page transparency

[See all](#)

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👍 Racing stripes, I love it

Like Reply [Share](#) 🔄

Write a comment...

🐾 Royal Huskies Of The Carolinas
January 23 · 🌐

...

My handsome HUGE boy is available! This Boy is ALL Heart... his markings and coat are incredible!



Royal Huskies Of The Carolinas

📧 Send message

👁️ 6

1 Comment

👍 Like

💬 Comment

🔗 Share

Most relevant ▾



Write a comment...

👍 📧 🔄



👤 Author

Royal Huskies Of The Carolinas

He looks like my Bentley with his Mask!

Like Reply [Send Message](#) [Share](#)



Royal Huskies Of The Carolinas

January 23 · 🌐

...

Available Puppies coming up next week at 8 weeks old!

Send message

✉️ connie@astark.com

🕒 Price range - \$555

📍 Dog Park

Photos

See all



Videos

See all



Our Huskies swim!

👤 18

107 views · 3 days ago

Page transparency

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Royal Huskies Of The Carolinas

January 23 · 🌐

...

Available Puppies coming up next week at 6 weeks old!



MESSANGER

Royal Huskies Of The Carolinas

➡️ Send message

👤 6

👍 Like

💬 Comment

🔗 Share



Write a comment...

👤 10 📷 10 📺 10 📺 10

👤 10 📷 10 📺 10 📺 10



Royal Huskies Of The Carolinas

January 23 · 🌐

...

You guys will Fall in Love with this guy...he is my snuggle Teddy Bear!! / LOVE him so much...he is incredibly stunning!



Resume Video

MESSANGER

Royal Huskies Of The Carolinas

➡️ Send message

👤 22

7 Comments · 1 Share

Send message

✉️ connie@artstark.com

💰 Price range - \$555

📍 Dog Park

Photos See all



Videos See all



Our Huskies swim!

👁️ 18
107 views · 3 days ago

🔍 Page transparency See all

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MESSANGER

Royal Huskies Of The Carolinas

Send message

👁️ 22

7 Comments · 1 Share

👍 Like

💬 Comment

🔗 Share

Most relevant ▾



Write a comment...

👍 🗨️ 🔄 📄



Diana Albor

How much it is the puppy please 🙏 1

Like Reply Page responded privately · 1w

View 5 more comments



Royal Huskies Of The Carolinas

January 23 📅

...

This Boy is extraordinary! The ONLY one like him in the Litter...stunning! He will be available next week at 8 weeks old!



Send message

connie@starlink.com

Price range: \$555

Dog Park

Photos

See all



Videos

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Our Huskies swim!

13

107 views · 3 days ago

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Like · Reply · ...

Terrie Moreno
He absolutely gorgeous.

Like · Reply · ... · 1

Most profiles in a subject are shown. Some profiles have been filtered out.

Write a comment...



Royal Huskies Of The Carolinas

January 23 · 🌐

...

She is the smallest Husky of the litter. Very Fluffy and adorable. Beautiful ocean color eyes and the sweetest personality!



3

Like

Comment

Share



Write a comment...

👍 🗨️ 🔄 🌐



Royal Huskies Of The Carolinas

January 21 · 🌐

...

Play Time over...snow Day in nc



Send message

iconrla@aristark.com

Price range - \$\$\$\$

Dog Park

Photos

See all



Videos

See all



Our Huskies swim!

18
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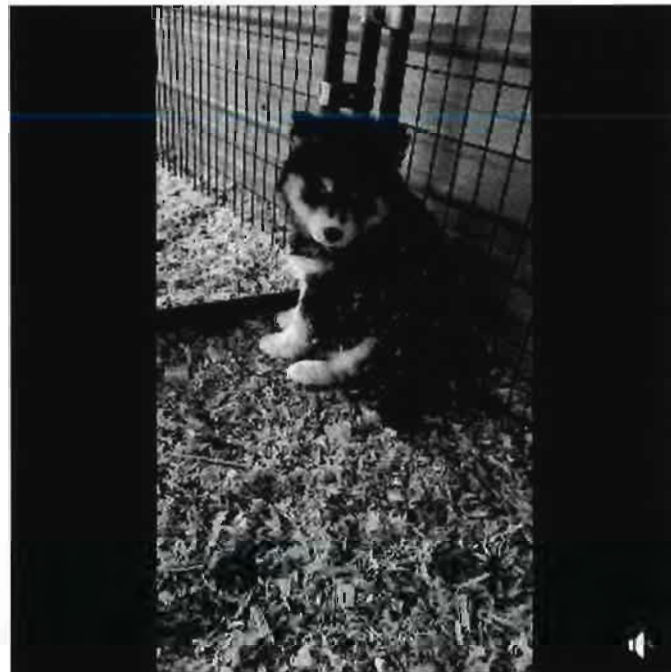
Write a comment.

Sarah Trawinski

Like Reply

Royal Huskies Of The Carolinas
January 21

He loves his Family!



MESSANGER
Royal Huskies Of The Carolinas

Send message

16

Like Comment Share

Write a comment.

Royal Huskies Of The Carolinas
January 21

Snow Day! Ready to go back into the Barn!



Send message

connie@astark.com

Price range - \$\$\$\$

Dog Park

Photos

See all



Videos

See all



Our Huskies swim!

18

187 views · 3 days ago

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Like

Comment

Share



Write a comment...

Write a comment...



Royal Huskies Of The Carolinas

January 31 · 🌐

It's a Snow Day in North Carolina!

#husky

#Doe's husky pups for sale in my area

#AKC marketplace

#adoption #dog ... See more



29

4 Comments · 3 Shares

Like

Comment

Share

Most relevant



Write a comment...

Write a comment...



Susan Hollyfield Bryant

Kyle Bryant cuteness overload!

Like · Reply · 🌐 1



Karen Wiles McAnally

I need to come play with them!!! Soooo cute

Like · Reply · 🌐 1



Terrie Moreno

Very nice pups. 🌐 1

Like · Reply · 🌐

Auto

Royal Huskies Of The Carolinas

Terrie Moreno thank you so much! We love and adore them 🌐

Like · Reply · 🌐

Write a comment...



Royal Huskies Of The Carolinas

January 30 · 🌐

This Baby Boy Bentley is the Most Loving Sweet Companion that I have ever loved! He is a One Of A Kind!



Send message

✉️ connie@arstark.com

📍 Price range - \$\$\$\$

📍 Dog Park

Photos

See all



Videos

See all



Our Huskies swim!

👁️ 18

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Like · Reply · Send Message · ...

View 3 more comments



Royal Huskies Of The Carolinas

...

December 27, 2021 · 🌐

Sorry if I'm not quick enough to respond....as you can see this process goes very FAST once I make the announcement. I don't ever want to disappoint anyone to not get the puppy they were hoping for... so please send me a pic of your choice so I can make sure our extended furr Family gets first choice! My Phone is blowing up and I can't keep up....my apologies. 🙏 We now have 15 puppies available....to our extended Family THEN I will release them for consideration of our new families hoping to get one of our babies. Thank you again for your patience and understanding! This is the hard part!



Royal Huskies Of The Carolinas

📩 Send message

👁️ 17

👍 Like

💬 Comments

🔗 Share



Write a comment...

👍 🗨️ 🌐 📩



Royal Huskies Of The Carolinas

...

December 27, 2021 · 🌐

Well this Little Hidden Jewel just chose her new family as well! She is going to one of our furr families and will also join her Brother! This family is lovely and will spoil this baby girl rotten. Check out her super wooly coat and that gorgeous mask with sable highlights! Omg...love this BABY DOLL! Her eyes are like the Ocean....



376 people like this
 597 people follow this
 (704) 400-6366
 Very responsive to messages
 Send message
 corrie@aristhuc.com
 Price range - \$\$\$\$
 Dog Park

Photos

See all



Videos

See all



Our Huskies swim!

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065

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Melanie McBride Lawrence
 I love that sound
 Like Reply ...
 View 1 more comment

Royal Huskies Of The Carolinas
 November 15, 2021

...

The Farm is Ready for The Holiday Huskies!



12

1 Comment

Like

Comment

Share

Most relevant

Write a comment...

Charlotte Britt
 Beautiful!!
 1
 Like Reply ...

Royal Huskies Of The Carolinas
 November 15, 2021

...

Puppies are Thriving!



- 👍 576 people like this
- 👤 597 people follow this
- 📞 (704) 400-6366
- 💬 Very responsive to messages
Send message
- ✉️ connie@aristark.com
- 💰 Price range - \$555
- 🏠 Dog Park

Photos

See all



Videos

See all



Our Huskies swim!

👍 18

107 views · 3 days ago

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📍 Page manager location: United States

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👍 4

4 Shares

👍 Like

💬 Comment

➦ Share



Write a comment...

👍 🗨️ 📧 🔄



Royal Huskies Of The Carolinas

April 9, 2021 · 🌐

...

Teddy loves to ride...he is such a happy fella!



👍 7

2 Shares

👍 Like

💬 Comment

➦ Share



Write a comment...

👍 🗨️ 📧 🔄

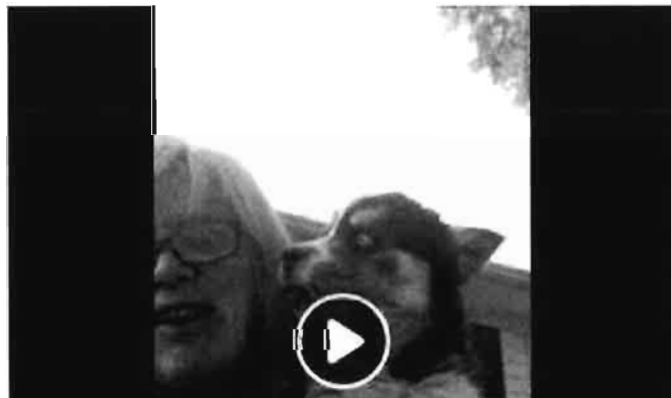


Royal Huskies Of The Carolinas

April 9, 2021 · 🌐

...

So much LOVE this morning! This sweet Baby Boy is available!



Send message

Comics @arapsfucm

Price range - \$\$\$\$

Dog Park

Photos

See all



Videos

See all



Our Huskies swim!

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Remember to come to the pool! I hope a soon in the pool he goes under water to get it...lol

Like Reply Send Message · 4h

Royal Huskies Of The Carolinas

April 7, 2021 · 🌐

These are MY people.....🐾



Royal Huskies Of The Carolinas

Send message

27

Like

Comment

Share



Write a comment...

👍 🗨️ 📷 🌐

Royal Huskies Of The Carolinas

April 6, 2021 · 🌐

This Big Boy Teddy is hanging out with Mom & Dad today...getting all the attention! Loves the WATER! He is currently AVAILABLE! please inquire BEFORE traveling long distances! I require a phone interview first before extending an invitation to my Farm. DNA tested, acc with FULL pedigrees, vet verified and vaccinated! As I stated before...we are BOTH very picky about choosing a family that is perfect for this guy! Last of the Disney Togo relative bloodline...so extremely ... See more



Good Afternoon.

Your request for appeal to the Board of Equalization and Review should be presented in writing. A letter stating your desire to appeal the decision and a brief reasoning will suffice. The address to use is listed on the denial notice. I am attaching an Application for Hearing form that we typically mail after we receive the request for appeal. If you would like to submit both together, it will cut down on some of the back and forth. Please contact me if you have any questions about this.

As to the other comments and questions. As I indicated in our phone call yesterday, the Tax Administration does not question some of the land being used for agricultural purposes, nor do we take a position of whether or not farming is allowed. Our records do show that this property was previously part of a larger tract that qualified for and was enrolled in the Present Use Value program for deferral of taxes. The parcel as it exists now was created in 2019, and was subsequently disqualified from the PUV deferral program and deferred tax bills were created and paid. The parcel was not in the PUV program and no taxes were deferred for tax year 2020.

Regarding the clearing of trees, use of wetlands area and having an expert evaluate the usage and acreage; I think those may all be relevant, because the issue in this instance and the reason for denial of the PUV program is the lack of having a full 10 acres in actual production. My calculations as I showed yesterday did not provide for enough available area for agricultural production to meet an actual area of 10 acres. You will need to have information that shows that the property had 10 acres in production for tax year 2021 to prevail in your potential appeal to the Board of E&R.

David Thrift (PUV)

While rescinding a stated approval for program status is not common, it is my responsibility to ensure that the parcels requesting deferral of property taxes qualify for that benefit.

Please let me know if you have further questions or wish to discuss.

David Thrift

Tax Administrator

Tax Administration

Cabarrus County

65 Church St. S., Concord, NC 28025

P.O. Box 707, Concord, NC 28026

Forestry Present-Use Value Assessment

(G.S. 105-277.2 through G.S. 105-277.7)

County of Cabarrus, NC

Tax Year 2021

Full Name of Owner(s) <u>JAMES N. ARSTARK and CONNIE ARSTARK</u>			
Mailing Address of Owner <u>3233 Hahn Scott Road</u>			
City <u>mt. Pleasant</u>	State <u>NC</u>	Zip Code <u>28124</u>	
Home Telephone Number <u>704 400 6366</u>	Work Telephone Number <u>na</u>	Ext. <u>na</u>	Cell Phone Number <u>na</u>

Instructions

Application Deadline: This application must be filed during the regular listing period, or within 30 days of a notice of a change in valuation, or within 60 days of a transfer of the land.

Where to Submit Application: Submit this application to the county tax assessor where this property is located. County tax assessor addresses and telephone numbers can be found online at: www.dorn.com/downloads/CountyList.pdf. DO NOT submit this application to the North Carolina Department of Revenue.

- Office Use Only:

This application is for: (check all that apply)

☒ AGRICULTURE (includes Aquaculture)

☐ HORTICULTURE

☐ FORESTRY

Enter the Parcel Identification Number, acreage breakdown, and acreage total for each tax parcel included in this application:

PARCEL ID	OPEN LAND in Production	OPEN LAND not in Production	WOOD LAND	WASTE LAND	CRP LAND	HOME SITE	OTHER (Describe in Comments)	TOTAL ACRES
<u>55892433630000</u>		<u>11.54</u>				<u>.66</u>		<u>11.54</u>
		<u>See Survey</u>						<u>0.00</u>
								<u>0.00</u>
								<u>0.00</u>
								<u>0.00</u>

Comments:

☐ Yes ☒ No Does the applicant own property in other counties that is also in present-use value and is within 50 miles of this property? If YES, list the county or counties and parcel identification number(s):

County: Parcel ID:

County: Parcel ID:

IMPORTANT!

AGRICULTURE and HORTICULTURE applications with LESS than 20 acres of woodland generally need to complete PARTS 1, 2, and 4.

AGRICULTURE and HORTICULTURE applications with MORE than 20 acres of woodland generally need to complete PARTS 1, 2, 3, and 4.

FORESTRY applications need to complete PARTS 1, 3, and 4.

ADDITIONALLY, applications for CONTINUED USE of existing present-use value classification need to complete PART 5.

Please contact the Tax Assessor's office if you have questions about which parts should be completed.

Part 1. Ownership

On what date did the applicant become the owner of the property? DATE: 06-30-2020

If owned less than four full years on January 1, provide: Name of Previous Owner: Stephen McMath

How the Applicant is Related to the Previous Owner: na

☒ Yes ☐ No Did one of the applicants reside on the property on January 1 of the year for which this application is made?

If YES, provide name of resident:

☐ Yes ☐ No Are any of the acres leased out to a farmer? If YES, indicate: Number of acres leased out:

Name of farmer leasing the land:

Phone:

Choose the legal form of ownership from "a - e" below, and answer the questions, if any, for that ownership:

☐ a. One Individual

☒ b. Husband and Wife (as tenants by the entirety)

☐ c. Business Entity. (Circle one: Corporation, Limited Liability Company, Partnership) List all the direct shareholders, members, or partners of the business entity and their farming activities:

Member: James Arstark

Farming Activities: Soy Beans / Corn

Member: Connie Arstark

Farming Activities: Soy Beans / Corn

Member:

Farming Activities:

Member:

Farming Activities:

☐ Yes ☒ No Are any of the direct shareholders, members, or partners either a business entity or trust (i.e. not an individual)? If YES, you must attach a breakdown of those business entities or trusts until you reach the individual level of ownership interest and you must describe those individuals' farming activities.

☒ Yes ☐ No Once you have reached the individual level of ownership interest, are all of the individuals relatives of each other? (See G.S. 105-277.2(5a) for the definition of relative.)

State the principal business of the business entity: na

☐ d. Trust. List the trustee(s), name of the trust, and all of the beneficiaries:

Trustee(s):

na

Name of trust:

Beneficiary:

Farming Activities:

Beneficiary:

Farming Activities:

Beneficiary:

Farming Activities:

Beneficiary:

Farming Activities:

☐ Yes ☒ No Are any of the beneficiaries either a business entity or trust (i.e. not an individual)? If YES, you must attach a breakdown of those business entities or trusts until you reach the individual level of ownership interest and you must describe those individual's farming activities.

☐ Yes ☒ No Once you have reached the individual level of ownership interest, are all of the beneficiaries either the trust's creator or relatives of the creator? (See G.S. 105-277.2(5a) for the definition of relative.)

☐ e. Tenants in common. List the tenants and their percentage of ownership (round to the nearest 0.1%):

Owner

na

%

Owner

%

Owner

%

Owner

%

☐ Yes ☒ No Are any of the tenants either a business entity or trust? If YES, you must make a copy of this page for each business entity or trust. You must complete the business entity section only or trust section only for each tenant, as appropriate, labeling each copy with the name of the business entity or trust.

The Tax Assessor may contact you for additional information after reviewing this application.

Part 2. Agriculture and Horticulture

For the past three years and for each tax parcel within the farm unit, enter the agricultural or horticultural products actually produced on the land and the gross income from the sale of the products, including livestock, poultry, and aquatic species. **INCOME INFORMATION IS SUBJECT TO VERIFICATION.**

If payments are received from any governmental soil conservation or land retirement program, indicate the acres and amount of income in the table below. Provide the name of the program in the Product column.

Do not include income received from the rental of the land. Income must be from the sale of the product.

	ONE YEAR AGO 20 <u>20</u>			TWO YEARS AGO 20 <u>19</u>			THREE YEARS AGO 20 <u>18</u>		
Parcel ID	Product	Acres	Income	Product	Acres	Income	Product	Acres	Income
	Corn	10	\$500	Corn	10	\$500	Corn	10	\$500
	Soy Beans	10	\$500	Soy Beans	10	\$500	Soy Beans	10	\$500
	Totals	0.00	0	Totals	0.00	0	Totals	0.00	0
	Totals	0.00	0	Totals	0.00	0	Totals	0.00	0
	Totals	0.00	0	Totals	0.00	0	Totals	0.00	0
	Totals	0.00	0	Totals	0.00	0	Totals	0.00	0
	Totals	0.00	0	Totals	0.00	0	Totals	0.00	0

☐ Yes ☒ No ➤ If this application covers a horticultural tract used to grow Christmas trees, has a written management plan been prepared? If YES, attach a copy. If NO, attach a full explanation of your operation that contains at least the following: year each tract was planted, gross income from each tract, site management practices, number of trees per acre, and expected date of harvesting for each tract.

If this application covers an aquatic species farming operation, enter the total pounds produced for commercial sale annually for the last three years Year 20 : lbs, Year 20 : lbs, Year 20 : lbs

Part 3. Forestry

Attach a complete copy of your forest management plan. Indicate below who prepared the plan:

☐ N.C. Division of Forest Resources ☐ Consulting Forester ☐ Owner ☐ Other

Note: The property must be actively engaged in the commercial growing of trees under a sound management program as of January 1 of the year for which application is made.


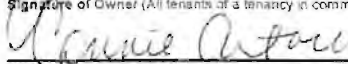
Key elements in a written plan for a sound forestland management program are listed below:

1. Management and Landowner Objectives Statement—Long range and short range objectives of owner(s) as appropriate.
2. Location—Include a map or aerial photograph that locates the property described and also delineates each stand referenced in the "Forest Stand(s) Description/Inventory and Stand Management Recommendations" (item 3 below).
3. Forest Stand(s) Description/Inventory and Stand Management Recommendations -- Include a detailed description of various stands within the forestry unit. Each stand description should detail the acreage, species, age, size (tree diameter, basal area, heights), condition (quality and vigor), topography, soils and site index or productivity information. Stand-specific forest management practices needed to sustain productivity, health and vigor must be included with proposed timetable for implementation.
4. Regeneration-Harvest Methods and Dates—For each stand, establish a target timetable for harvest of crop trees, specifying the type of regeneration-harvest (clear cut, seed tree, shelter wood, or selection regeneration systems as applicable).
5. Regeneration Technique—Should include a sound proposed regeneration plan for each stand when harvest of final crop trees is done. Specify intent to naturally regenerate or plant trees.

NOTE: Forest management plans can and should be updated as forest conditions significantly change (e.g. change in product class mix as the stand ages and grows, storm damage, insect or disease attack, timber harvest, thinning, wildfire). The county will audit plans periodically and, to remain eligible for use-value treatment, the plan must be implemented.

Part 4. Affirmation

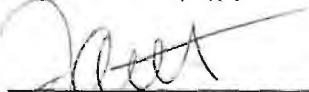
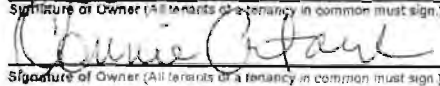
AFFIRMATION OF APPLICANT—I (we) the undersigned declare under penalties of law that this application and any attachments hereto have been examined by me (us) and to the best of my (our) knowledge and belief are true and correct. In addition, I (we) fully understand that an ineligible transfer of the property or failure to keep the property actively engaged in commercial production under a sound management program will result in the loss of eligibility. I (we) fully understand that loss of eligibility will result in removal from the program and the immediate billing of deferred taxes.

	Owner	1/13/2021
Signature of Owner (All tenants of a tenancy in common must sign.)	Title	Date
	Owner	1/13/2021
Signature of Owner (All tenants of a tenancy in common must sign.)	Title	Date
Signature of Owner (All tenants of a tenancy in common must sign.)	Title	Date

Part 5. Continued Use *(Complete only if the property is currently in Present-Use Value and you are applying for immediate eligibility under the Continued Use exception. See G.S. 105-277.3(b2)(1) for full details.)*

- I certify:
1. The property is currently in Present-Use Value.
 2. I intend to continue the current use of the land under which it currently qualifies.
 3. I understand I will be responsible for all deferred taxes due because of any disqualification.
 4. I ACCEPT FULL LIABILITY FOR ANY EXISTING DEFERRED TAXES.

Note: If the property is currently in Present-Use Value and liability is not accepted, the full amount of the deferred taxes will typically be due in the name of the grantor immediately. Liability need not be accepted and no deferred taxes are due for qualifying transfers pursuant to G.S. 105-277.3(b) and (b1). For example, liability does not need to be accepted for qualifying transfers to relatives. However, any deferred taxes existing at the time of transfer will remain a lien on the property. Owners already receiving Present-Use Value on properties not included in this application may wish to review the alternative provisions of G.S. 105-277.3(b2)(2).

	Owner	1/13/2021
Signature of Owner (All tenants of a tenancy in common must sign.)	Title	Date
	Owner	1/13/2021
Signature of Owner (All tenants of a tenancy in common must sign.)	Title	Date
Signature of Owner (All tenants of a tenancy in common must sign.)	Title	Date

FOR OFFICE USE ONLY: ☐ APPROVED ☐ DENIED BY: _____ REASON FOR DENIAL: _____

[illegible]

NO FARMS, NO FOOD

APPL 2021-00001

Connie & Jim Arstark

Summary of Property Owner's Position

1. No violation has occurred. Look at the Zoning Compliance Permit, and the application for it, as well as the Building Permit and the emails with Martha Hernandez. The Arstarks have complied with everything requested of them and everything set forth in the Zoning Compliance Permit.

The Arstarks supplied everything required when applied for the ZCP. See the plot plan provided. A survey is not required to obtain a ZCP. Jay Lowe even came out and personally inspected, and measured the distance from the creek on July 7, 2020. If there is really a buffer, the County missed it.

2. Farms are exempt from zoning and building permitting laws and ordinances. The Cabarrus County Development Ordinance says the same thing. A county ordinance cannot override a specific state law – Cabarrus County already tried that and was made to pay back millions of dollars to developers and builders in the Lanvale v. Cabarrus County case.
3. There's no question this is a farm – it has a state sales tax exemption as a farm, the farmer files a Schedule F to his federal tax returns, and it has received the Present Use Value property tax deferment for all previous years until this dispute arose. It has been farmed for generations – see the aerial photos.
4. There is no way for a person to know that buffers are required – a fundamental principal of law. See the GIS printouts – no wetlands, flood plain or water quality buffers are shown. Nor is it shown on the statewide NC Division of Water Quality state Surface Water Classification maps. These water quality buffers have apparently been required since the early 1990's – yet they are still not shown on the County GIS system. Why not? Not even the surveyor, who has been working in this county for well over 20 years, was aware.
5. There is no enforcement proceeding against the County pending with the State or the U.S. Army Corps of Engineers. See emails from Alan Johnson at the State and Scott Jones at the USACOE.
6. The Arstarks had a wetlands/water quality engineer visit the property yesterday. He reported no evidence of impact to the creek and that there was still substantial vegetation along the creek bank other than where the barn was constructed, and in that area stabilization had been done with riprap and grass. He also confirmed that the Arstarks stated a willingness to voluntarily plant additional vegetation along the bank in a good faith effort, even though this is not required.
7. The 2022 farm deferral/PUV application is fully in order – but the County appears to be sitting on it. Why? Because if they grant it, the County is agreeing that this is a farm – and therefore the CDO does not apply to it.
8. The Arstarks have common law vested rights to build/maintain their barn as permitted. They relied on the assurances of the County that no permit was required, as per the emails with Martha Hernandez, in building the barn, and received their permits after a personal inspection by the head zoning inspector. The County legally cannot now revoke the permit by claiming that it has been "violated".

Bottom line: There is no possible way for a layperson – or many at the County, for that matter – to know that there is purported buffer here – or anywhere else. Even if there were, this is a bona fide farm and is exempt from the ordinance. If it is not, that means a sea change for farmers throughout Cabarrus County. The Arstarks reasonably relied on the guidance and the approvals they were given, and have spent many thousands of dollars defending that reliance. Engineers and other experts have stated that no damage to the creek has occurred, and that the state and federal authorities are not concerned. This is nothing more than a small barn on a small farm like hundreds of others throughout the County. The notice of violation should be overturned and the Board rule that the Arstarks are not in violation in any way.

1

Zoning / Compliance Certificate**Cabarrus County, NC (704) 920-2137****Date: 9/23/2020****Application #: ZN2020-01166****Parcel Number: 55892433620000**

Fees: Residential Addition / Accessory structures zoning permit (accessory) \$150.00 9/23/2020
TOTAL \$150.00

Project Name: CONNIE ARSTARK

Applicant: ARSTARK
5625 WEDDINGTON RD
CONCORD, NC 28027

Work Location: 3233 HAHN SCOTT RD
MT PLEASANT, NC 28124

Phone: 7044006366

Property Owner: MCMATH PAUL STEPHEN

Owner Phone: Barn

Contractor:

Proposed use: ACCESSORY BUILDING 1290 SQ.FT,
WITH 43 'X 30 ' DIMENSIONS

Previous use: RESIDENCE UNDER CONSTRUCTION

Setback Information

Front Corner Lot: — **Front Local Road:** 50' **Front Minor Collector:** 75'

Side Yard: 20-40' **Side Yard Accessory:** 20-40' **Max Impermeable Surface:** 15'

Rear Yard: Set Back 30' **Rear Yard Accessory Setback** 5' **Max Structural Coverage:** 10'
15ft or less:

Subdivision and Lot Number:

Total Lot Area: 10 **Max Acc Bldg Size:** 8712 **Number Of Dwelling Units:**

Max Height (Principal/Acc): 40/40' **Project Description:** ACCESSORY BUILDING 1290 SQ.FT, WITH 43
'X 30 ' DIMENSIONS

Zone: AO Conventional**Development of this property will also involve:**

☐ Approve Site Plan ☐ Accessory / Building / Structure Signs ☐ Watershed Overlay District
☐ Fence / Screen / Buffer Yard ☐ Flood Damage Prevention Ordinance

Comments: NO FLOODPLAIN OR WATERSHED WITHIN PROPERTYACCESSORY BUILDING - A BUILDING LOCATED ON THE SAME LOT AND CUSTOMARILY
INCIDENTAL AND SUBORDINATE TO THE PRINCIPAL DWELLINGACCESSORY BUILDINGS UP TO 15 FEET IN HEIGHT MUST MEET THE FRONT AND SIDE
SETBACKS REQUIREMENTS OF THE PRIMARY STRUCTURE. THE REAR SETBACK SHALL BE
NO LESS THAN 5 FEET. IF STRUCTURE IS GREATER THAN 15 FEET IN HEIGHT THEN ALL
PRIMARY STRUCTURE SETBACKS MUST BE MET IN ACCORDANCE WITH CABARRUS COUNTY
ORDINANCE CHAPTER 7, SECTION 3, PART 1.**Zoning Staff Signature:**Martha Hernandez**Exhibit 6**

Important Setback Information

CABARRUS COUNTY

65 CHURCH STREET S - PO Box 707

CONCORD, NC 28025

Office - 704-920-2137 Fax - 704-920-2144

This notice is to inform you that all proposed principle and/or accessory structures shall be built or placed on the subject property in compliance with the setback standards listed on your Zoning Compliance Permit.

Example structures shall include but not be limited to:

- Residential Structures: Site Built, Modular, Mobile Homes
- Residential Accessory Structures: Pools, Storage Buildings, Garages
- Non Residential Structures: Offices, Warehouses, Fire Stations, Banks
- Non Residential Accessory Structures: Display Areas, Gas Pumps, ATM's

A structure built or placed on a property which encroaches a setback boundary shall be considered a violation of the Zoning Ordinance. Such violations are subject to all civil penalties and remedies set forth in the Zoning Ordinance.

Prior to construction, verify setbacks to ensure the structure will be properly built or placed on the property.

All setbacks shall be measured from the existing or proposed right of way of record.

If you question the possibility of an encroachment consult with a land surveyor of your choice to plot out the structure placement.

I HAVE READ AND UNDERSTAND THESE REQUIREMENTS:

Applicant:

Cornie Hawk

Date:

10-2-2020

Staff:

Martha Hernandez

Date:

☐ Owner Copy

☐ Staff Copy

THIS CARD MUST BE DISPLAYED AT JOBSITE AND ADDRESS DISPLAYED CLEARLY AT
ENTRANCE TO JOBSITE

CABARRUS COUNTY, N.C.

BUILDING PERMIT

NUMBER BU2020-03328 DATE 09.28.2020

ISSUED TO CONNIE ARSTARK

LOCATED AT 3233 HAHN SCOTT RD

CONSTRUCTION OF ACCESSORY BUILDING
1290 SQ.FT, WITH 43 'X 30 ' DIMENSIONS (BARN)

Barn

TRADE PERMITS ASSOCIATED WITH THIS BUILDING PERMIT:

Exhibit 5

NOTICE: The building for which this permit is issued shall not be occupied until a Certificate of Occupancy has been issued as required by the terms of the City/County Zoning/Fire Ordinances and the North Carolina State Building Code.

Do not proceed with work until the appropriate inspection has been recorded. INSPECTIONS:
To schedule or check results, call 704-920-2128 or contractors can log on to
www.cabarruscounty.us/departments/construction-standards.



CABARRUS
HEALTH
ALLIANCE

at NC Research Campus

Date: 6/30/20

File # 20-77

Connie Arstark

3233 Hahn Scott Rd.

Mt Pleasant, NC 28124

Approved

Dear Ms. Arstark

On June 29, 2020 an existing septic inspection was performed at 3233 Hahn Scott rd. The proposed Barn with no plumbing appears to meet 15A NCAC 18A .1950. And permission is granted to construct.

The structure must be located a minimum of five feet away from any part of the existing septic tank system and twenty five feet away from the well.

You may call or write the local health department if you need any additional information or assistance.
7049201261

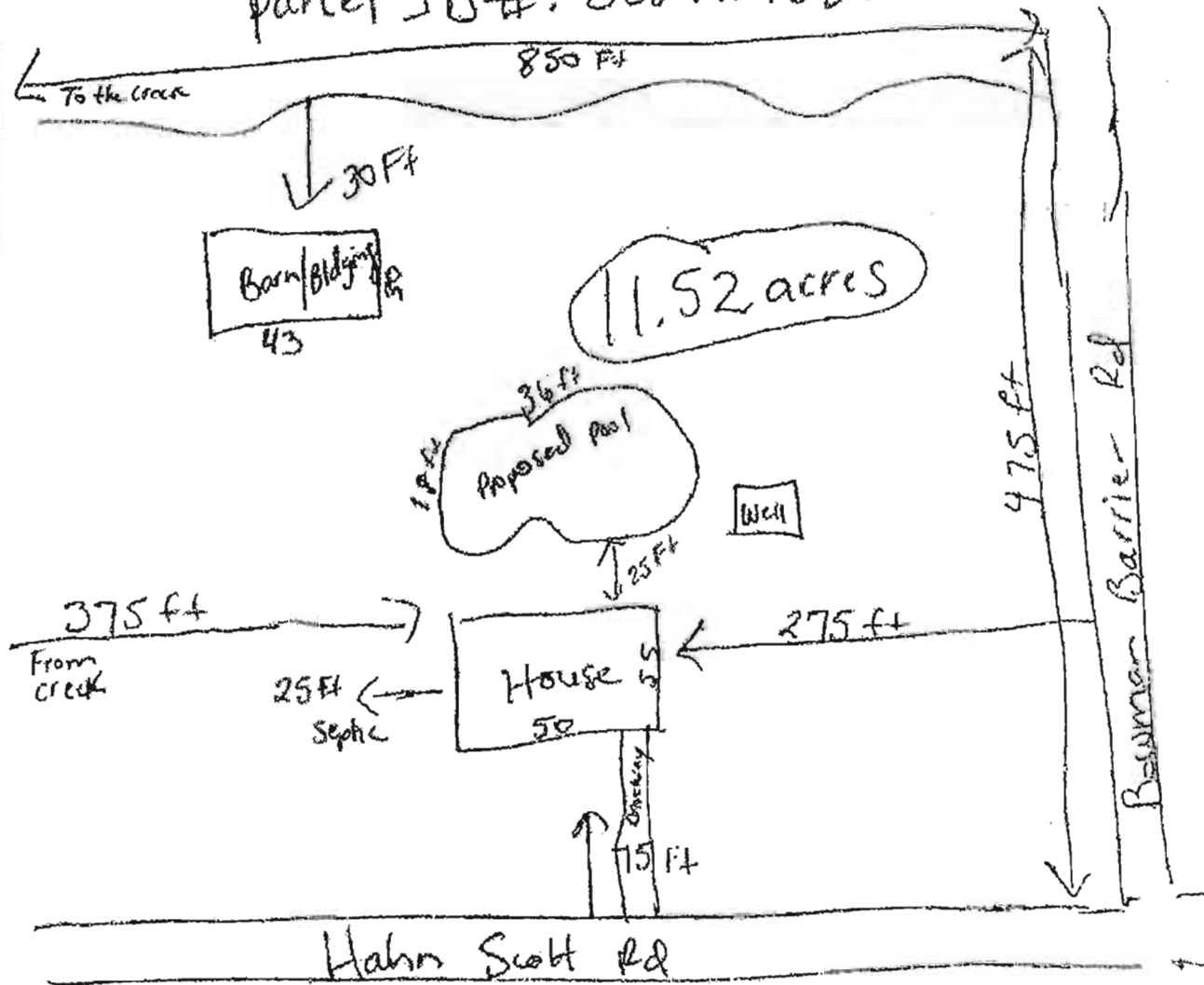
Sincerely,

Tyler W. Robertson, R.L.H.S.

*the County considers
it a Barn for
Agriculture purposes*

Exhibit 7

Plot Plan: 3233 Hahn Scott Rd
Parcel ID #: 55892433620000



From: Connie Arstark <connie@arstark.com>
Sent: Monday, June 29, 2020 6:57 AM
To: chad@kingengineerinc.com
Subject: FW: Question on set backs? 3233 hahn scott road

From: Martha Hernandez <mhernandez@cabarruscounty.us>
Sent: Thursday, June 25, 2020 1:53 PM
To: Connie Arstark <connie@arstark.com>
Subject: RE: Question on set backs? 3233 hahn scott road

The property is zoned Agricultural/Open Residential and has the following setbacks:

Agricultural/Open Space

(AO)

<i>Principal</i> (minimum feet)	
Front yard (minor collector)	75
Front yard (local road)	50
Side yard (single)	20
Side yard (total)	40
Rear yard	30
<i>Height</i> (maximum feet)	40
<i>Lot Coverage</i> (maximum)	
Impermeable surface	15%
Structural coverage	10%

Martha Hernandez
Zoning and Septic Suitability Permit Associate
Planning and Development Department
Cabarrus County
65 Church St. SE, Concord, NC 28025
P.O. Box 707, Concord, NC 28026

O: 704-920-2147
F: 704-920-2227
www.cabarruscounty.us



From: Connie Arstark <connie@arstark.com>
Sent: Thursday, June 25, 2020 12:34 PM
To: Martha Hernandez <mhernandez@cabarruscounty.us>; connie@arstark.com
Subject: Question on set backs? 3233 hahn scott road

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe!

Do you remember what the set back guidelines are for my property off hahn scott road?
Thanks
Connie Arstark

Sent via the Samsung Galaxy Note9, an AT&T 5G Evolution capable smartphone

----- Original message -----

From: Martha Hernandez <mhernandez@cabarruscounty.us>
Date: 6/24/20 8:24 AM (GMT-05:00)
To: Connie Arstark <connie@arstark.com>
Cc: Tyler W Robertson <Tyler.Robertson@CabarrusHealth.org>
Subject: FW: Tyler said to call you for getting the barn added to septic it is not a problem. He told me to flag it on the lot which I did. He said it was \$60.00

I don't complete or take payments for secondary applications.

Many thanks,

Martha Hernandez

Zoning and Septic Suitability Permit Associate

Planning and Development Department

Cabarrus County

65 Church St. SE, Concord, NC 28025

P.O. Box 707, Concord, NC 28026

T: 704-920-2147

F: 704-920-2227

www.cabarruscounty.us



From: Connie Arstark <connie@arstark.com>

Sent: Wednesday, June 24, 2020 8:13 AM

To: Martha Hernandez <mhernandez@cabarruscounty.us>; connie@arstark.com

Subject: RE: Tyler said to call you for getting the barn added to septic it is not a problem. He told me to flag it on the lot which I did. He said it was \$60.00

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe!

Is this something you can help me with?

Thanks

Connie

Sent via the Samsung Galaxy Note9, an AT&T 5G Evolution capable smartphone

----- Original message -----

From: Martha Hernandez <mhernandez@cabarruscounty.us>

Date: 6/23/20 4:52 PM (GMT-05:00)

To: Connie Arstark <connie@arstark.com>

Subject: RE: do I need a permit for Barn?

Yes.

Many thanks,

Martha Hernandez

Zoning and Septic Suitability Permit Associate

Planning and Development Department

Cabarrus County

;

65 Church St. SE, Concord, NC 28025

P.O. Box 707, Concord, NC 28026

O 704-920-2147

F 704-920-2227

www.cabarruscounty.us



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From: Connie Arstark <connie@arstark.com>

Sent: Tuesday, June 23, 2020 4:51 PM

To: Martha Hernandez <mhernandez@cabarruscounty.us>

Subject: RE: do I need a permit for Barn?

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe!

Do we need it if I intend to be a farm once the home is built?

Ca

Sent via the Samsung Galaxy Note9, an AT&T 5G Evolution capable smartphone

----- Original message -----

From: Martha Hernandez <mhernandez@cabarruscounty.us>

Date: 6/23/20 4:42 PM (GMT-05:00)

To: Connie Arstark <connie@arstark.com>


Subject: RE: do I need a permit for Barn?

The septic permit doesn't reflect the barn on the lay-out. We would need approval from the Health Alliance.

Many thanks,

Martha Hernandez

Zoning and Septic Suitability Permit Associate

 Planning and Development Department

Cabarrus County

65 Church St. SE, Concord, NC 28025

P.O. Box 707, Concord, NC 28026

O: 704-920-2147

F: 704-820-2227

www.cabarruscounty.us



From: Connie Arstark <connie@arstark.com>
Sent: Tuesday, June 23, 2020 4:35 PM
To: Martha Hernandez <mhernandez@cabarruscounty.us>
Subject: RE: do I need a permit for Barn?

AUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe!

Ok can you email me what I need for that permit? Lol

You guys are taking all my money! Lol

Connie

Sent via the Samsung Galaxy Note9, an AT&T 5G Evolution capable smartphone

----- Original message -----

From: Martha Hernandez <mhernandez@cabarruscounty.us>

Date: 6/23/20 4:33 PM (GMT-05:00)

To: Connie Arstark <connie@arstark.com>

Subject: RE: do I need a permit for Barn?

yes

Many thanks,

Martha Hernandez

Zoning and Septic Sullability Permit Associate

Planning and Development Department

Cabarrus County

65 Church St. SE, Concord, NC 28025

P.O. Box 707, Concord, NC 28026

O: 704-920-2147

F: 704-920-2227

www.cabarruscounty.us



From: Connie Arstark <connie@arstark.com>

Sent: Tuesday, June 23, 2020 4:32 PM

To: Martha Hernandez <mhernandez@cabarruscounty.us>

Subject: RE: do I need a permit for Barn?

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe!

I have a 43x30 metal barn installed on the property. Do I need permit for that as well?

Connie

Sent via the Samsung Galaxy Note9, an AT&T 5G Evolution capable smartphone

----- Original message -----

From: Martha Hernandez <mlhernandez@cabarruscounty.us>

Date: 6/23/20 4:03 PM (GMT-05:00)

To: Connie Arstark <connie@arstark.com>

Cc: Boyd Stanley <bvstanley@cabarruscounty.us>

Subject: RE: Zoning Permit Requirements-POOL Permit?

Your zoning permit (**ZN2020-00653**) request has been approved. It is ready for payment (**\$75.00**). Someone from our department will be calling you to take your payment over the phone.

Please sign on the 2 places marked and return attached permit. The permit will not be valid until payment is made AND signed permit is returned.

Many thanks,

Martha Hernandez

Zoning and Septic Suitability Permit Associate

Planning and Development Department

Cabarrus County

65 Church St. SE, Concord, NC 28025

P.O. Box 707, Concord, NC 28026

O: 704-920-2147

F: 704-920-2227

www.cabarruscounty.us



From: Connie Arstark <connie@arstark.com>
Sent: Monday, June 22, 2020 2:53 PM
To: Martha Hernandez <mhernandez@cabarruscounty.us>
Subject: RE: Zoning Permit Requirements-POOL Permit?

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe!

Here you go.

thanks so much

Connie

From: Martha Hernandez <mhernandez@cabarruscounty.us>
Sent: Monday, June 22, 2020 2:37 PM

To: Connie Arstark <connie@arstark.com>

Subject: RE: Zoning Permit Requirements-POOL Permit?

Complete the application attached and submit a plot plan that shows measurements on pool and concrete surrounding it.

Many thanks,

Martha Hernandez

Zoning and Septic Suitability Permit Associate

Planning and Development Department

Cabarrus County

65 Church St. SE, Concord, NC 28025

P.O. Box 707, Concord, NC 28026

O: 704-920-2147

F: 704 920-2227

www.cabarruscounty.us



From: Connie Arstark <connie@arstark.com>

Sent: Monday, June 22, 2020 2:22 PM

To: Martha Hernandez <mhernandez@cabarruscounty.us>

Subject: RE: Zoning Permit Requirements-POOL Permit?

AUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe!

Pool Permit? What info is needed to get this processed.

connie

From: Martha Hernandez <mhernandez@cabarruscounty.us>
Sent: Monday, June 15, 2020 9:31 AM
To: Connie Arstark <connie@arstark.com>
Subject: RE: Zoning Permit Requirements

Yes. The \$725.00 fee includes the well permit.

Many thanks,

Martha Hernandez

Zoning and Septic Suitability Permit Associate

Planning and Development Department

Cabarrus County

65 Church St. SE, Concord, NC 28025

P.O. Box 707, Concord, NC 28026

O: 704-920-2147

F: 704-920-2227

www.cabarruscounty.us



From: Connie Arstark <connie@arstark.com>
Sent: Friday, June 12, 2020 4:46 PM
To: Martha Hernandez <mhernandez@cabarruscounty.us>
Subject: RE: Zoning Permit Requirements

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe!

Does this include my well permit as well?

I need it too.

Thanks

Ca

Sent via the Samsung Galaxy Note9, an AT&T 5G Evolution capable smartphone

----- Original message -----

From: Martha Hernandez <mhernandez@cabarruscounty.us>

Date: 6/12/20 4:30 PM (GMT-05:00)

To: connie@arstark.com

Cc: Boyd Stanley <bvstanley@cabarruscounty.us>

Subject: RE: Zoning Permit Requirements

Our zoning permit (ZN2020-00614) request has been approved. It is ready for payment (\$100.00). In addition to the zoning permit, you also need to pay \$725.00 for the septic permit (SE2020-00062) Someone from our department will be calling you to take your payment over the phone.

Please sign on the 2 places marked and return attached permit. The permit will not be valid until payment is made AND signed permit is returned.

Many thanks,

Martha Hernandez

Zoning and Septic Suitability Permit Associate

Planning and Development Department

Cabarrus County

65 Church St. SE, Concord, NC 28025

P.O. Box 707, Concord, NC 28026

O: 704-920-2147

F: 704-920-2227

www.cabarruscounty.us



From: connie@arstark.com <connie@arstark.com>

Sent: Friday, June 12, 2020 1:39 PM

To: Martha Hernandez <mhernandez@cabarruscounty.us>

Cc: Connie Arstark <connie@arstark.com>

Subject: RE: Zoning Permit Requirements

AUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe!

From: Martha Hernandez <mhernandez@cabarruscounty.us>
Sent: Friday, June 12, 2020 12:45 PM
To: connie@ARSTARK.com
Subject: Zoning Permit Requirements

You can email me application, plot plan and supporting documentation. We will then process and notify when its ready for payment over phone with credit card. Please feel free to call at 704-920-2147 should you have any questions.

I have attached zoning permit application and plot/site plan example. Dimensions of all structures and the applicable setbacks must be included in the plot/site plan submitted. You may use GIS to print out the subject parcel and create a plot plan if a survey of the property is not available. The link for accessing the County's GIS system is below.

GENERAL REQUIREMENTS:

CABARRUS HEALTH ALLIANCE:

- ☐ If the property has an **existing** septic system, call the Cabarrus Health Alliance at 704-920-1207 or visit them at 300 Mooresville Road, Kannapolis, for an inspection. CHA will provide a letter for you to turn in with your application.
- ☐ If the property requires a **new** septic system, a site evaluation application will need to be completed at the Cabarrus County Governmental Center at 65 Church Street, SE, Concord.

SITE/PLOT PLAN (to scale) that shows:

- ☐ size and configuration of the property, including lot dimensions and acreage
- ☐ location and dimensions of all existing structures
- ☐ location and dimensions of all existing parking and driveway areas
- ☐ location and dimensions of any bodies of water or water channels (ponds, streams, swales, etc.)
- ☐ location of identified flood hazard areas, including floodway, 100-year and 500-year
- ☐ location and dimensions of proposed work (new structure, pool, addition to existing building, deck, etc.)
- ☐ setbacks for the applicable zoning district (proposed work must meet established setbacks for district)

- All requests for zoning permits must comply with the standards of the Cabarrus County Development Ordinance.
- Additional information may be needed, or may be required on the plot plan, if the property lies within an Overlay District as defined in Chapter 4 of the Cabarrus County Development Ordinance.

<https://location.cabarruscounty.us/mapcabarrus/>

Many thanks,

Martha Hernandez

Zoning and Septic Suitability Permit Associate

Planning and Development Department

Cabarrus County

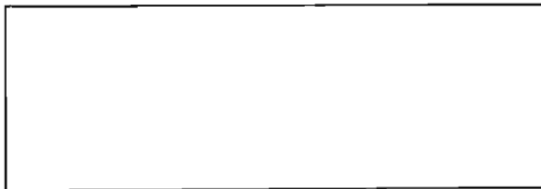
65 Church St. SE, Concord, NC 28025

P.O. Box 707, Concord, NC 28026

O: 704-920-2147

F: 704-920-2227

www.cabarruscounty.us



E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties.



ZN2020-00614



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[Search](#) [Create Building and Trade Permit](#)

Permits ZN2020-00614:

[Add to collection](#)

Zoning Residential Single Family

Record Status: Inspections in Progress

[Record Info](#) ▼

[Payments](#) ▼

[Custom Component](#)

TRY OUR MOBILE AP use your phone browser and log in to <https://CitizenAccess.CabarrusCounty.us/AMCA>.

Work Location

3233 HAHN SCOTT

Permits Details

Applicant:

CONNIE ARSTARK
5625 WEDDINGTON RD
CONCORD, NC, 28027

Owner:

MCMATH PAUL STEPHEN
3215 WOODCHUCK DR
KANNAPOLIS NC 28081

▼ More Details

📄 Application Information

GENERAL

Jurisdiction: Cabarrus County
Max Acc Bldg Size: 8712
Max Front Setback: 50'
Max Height: 40/40'
Min Rear Acc: 5'
Min Rear Yard: 30'
Min Side Acc: 20-40'
Min Side Yard: 20-40'
Use: NEW RESIDENCE WITH APPROX. 55' X 55' DIMENSIONS, APPROX. 3025 SQ.FT FOOTPRINT
Last Use: VACANT
Subdivision: undefined
Total Lot Area: 10
Zone: AO Conventional
Zone Description: Agriculture Open
Comments: NO FLOODPLAIN OR WATERSHED WITHIN PROPERTY
Front Corner Lot Setback: --
Front Minor Collector Setback: 75'
Max Structural Coverage: 10'
Max impermeable Surface: 15'
Max impermeable Surface Area: 0
Max Structural Coverage Area: 0

📄 Application Information Table

INSPECTIONS

Insp Date: 07/07/2020
Inspector: James Lowe
Insp Type: Inspection
Insp Result: Inspected
Comments: Site inspection was made. House was staked off but not started.

📄 Parcel Information

Parcel Number: 55892433620000
Subdivision:
Legal Description: EAST SIDE HAHN-SCOTT RD
Accessory Percentage: 0
Accessory Total:

0
Impervious Percentage:

0
Impervious Total:
0

Neighborhood:
HAHN SCOTT RD

Nbh Number:
17004

Structural Percentage:
0

Structural Total:
0

APF Subdivision:
No APF

Middle School Feeder:
Mt Pleasant MS

Elementary School Feeder:
Mt Pleasant ES

High School Feeder:
Mt Pleasant HS

Jurisdiction:
Cabarrus County

Flood:
No

Flood100:
No

Flood500:
No

Zoning Inspection Dist:
ZN1

Square Footage:
434242

2

CABARRUS COUNTY DEVELOPMENT ORDINANCE
CHAPTER 1-GENERAL PROVISIONS

- Everywhere within the corporate limits or extraterritorial planning areas of any municipality that has adopted a resolution authorizing the Ordinance to be applicable within such areas.

Section 1-4 Bona fide farms exempt

The provisions of this Ordinance shall not affect bona fide farms, owner-operated or leased, but any farm property used for non-farm purposes shall be subject to the provisions of this Ordinance. For purposes of this Ordinance, see Chapter 2, Rules of Construction and Definitions, for the definition of a Bona Fide Farm and Agriculture.

CABARRUS COUNTY DEVELOPMENT ORDINANCE
CHAPTER 2-RULES OF CONSTRUCTION AND DEFINITIONS

BODY PIERCING –The practice of puncturing or cutting a part of the human body, creating an opening in which jewelry may be worn, or where an implant could be inserted.

BONA FIDE FARM - The production and activities relating to or incidental to the production of crops, grains, fruits, vegetables, ornamental and flowering plants, dairy, livestock, poultry, and all other forms of agriculture as defined in G.S.106-581.1.

For purposes of determining whether a property is being used for bona fide farm purposes, any of the following shall constitute sufficient evidence that the property is being used for bona fide farm purposes:

- a. A farm sales tax exemption certificate issued by the Department of Revenue.
- b. A copy of the property tax listing showing that the property is eligible for participation in the present use value program pursuant to G.S.105-277.3.
- c. A copy of the farm owner's or operator's Schedule F from the owner or operator's most recent federal income tax return.
- d. A forest management plan.

BONA FIDE FARM PURPOSES. – Agricultural activities as set forth in G. S. 160D-903.

CABARRUS COUNTY DEVELOPMENT ORDINANCE
CHAPTER 4-OVERLAY DISTRICTS AND ZONES

Protected Area-The area adjoining and upstream of the critical area of WS-IV watersheds. The boundaries of the protected area are defined as within five miles of and draining to the normal pool elevation of the reservoir or to the ridgeline of the watershed; or within 10 miles upstream and draining to the intake located directly in the stream or river or to the ridgeline of the watershed.

Variance-A permission to develop or use property granted by the Cabarrus County Planning and Zoning Commission, acting as Board of Adjustment, relaxing or waiving a water supply watershed management requirement adopted by the Environmental Management Commission that is incorporated into this ordinance.

Watershed-The entire land area contributing surface drainage to a specific point (e.g. the water supply intake.)

4-7.4 Word Interpretation

For the purpose of this Watershed Overlay Zone, certain words shall be interpreted as follows:

- Words in the present tense include the future tense.
- Words used in the singular number include the plural, and words used in the plural number include the singular, unless the natural construction of the wording indicates otherwise.
- The word "person" includes a firm, association, corporation, trust, and company as well as an individual.
- The word "structure" shall include the word "building."
- The word "lot" shall include the words, "plot," "parcel," or "tract."
- The word "shall" is always mandatory and not merely directory.
- The word "will" is always mandatory and not merely directory.

PART II WATERBODY BUFFER ZONE

Section 4-8 Intention of Waterbody Buffer Zone

The purpose of the Waterbody Buffer Zone is to provide protected, vegetated strips of land adjacent to streams, rivers, lakes, ponds, impoundments, and wetlands. These buffers are retained in a natural, undisturbed, state, in an effort to avoid erosion problems and to reduce the velocity of overland flow, thus trapping sediment and soil eroded from cropland or land being developed to limit pollutants from entering the waterway.

Section 4-9 Effect upon bona fide farms

While North Carolina law exempts bona fide farms from local zoning regulations, the County strongly encourages the use of best management practices in farming. A waterbody buffer is one of these practices and is therefore consistent with North Carolina Sediment Control Law and thus is a 75% reimbursable North Carolina Agricultural Cost - Share Program. This program is

§ 160D-903. Agricultural uses.

(a) Bona Fide Farming Exempt From County Zoning. – County zoning regulations may not affect property used for bona fide farm purposes; provided, however, that this section does not limit zoning regulation with respect to the use of farm property for nonfarm purposes. Except as provided in G.S. 106-743.4 for farms that are subject to a conservation agreement under G.S. 106-743.2, bona fide farm purposes include the production and activities relating or incidental to the production of crops, grains, fruits, vegetables, ornamental and flowering plants, dairy, livestock, poultry, and all other forms of agriculture, as defined in G.S. 106-581.1. Activities incident to the farm include existing or new residences constructed to the applicable residential building code situated on the farm occupied by the owner, lessee, or operator of the farm and other buildings or structures sheltering or supporting the farm use and operation. For purposes of this section, "when performed on the farm" in G.S. 106-581.1(6) includes the farm within the jurisdiction of the county and any other farm owned or leased to or from others by the bona fide farm operator, no matter where located. For purposes of this section, the production of a nonfarm product that the Department of Agriculture and Consumer Services recognizes as a "Goodness Grows in North Carolina" product that is produced on a farm subject to a conservation agreement under G.S. 106-743.2 is a bona fide farm purpose. For purposes of determining whether a property is being used for bona fide farm purposes, any of the following is sufficient evidence that the property is being used for bona fide farm purposes:

- (1) A farm sales tax exemption certificate issued by the Department of Revenue.
- (2) A copy of the property tax listing showing that the property is eligible for participation in the present-use value program pursuant to G.S. 105-277.3.
- (3) A copy of the farm owner's or operator's Schedule F from the owner's or operator's most recent federal income tax return.
- (4) A forest management plan.

A building or structure that is used for agritourism is a bona fide farm purpose if the building or structure is located on a property that (i) is owned by a person who holds a qualifying farm sales tax exemption certificate from the Department of Revenue pursuant to G.S. 105-164.13E(a) or (ii) is enrolled in the present-use value program pursuant to G.S. 105-277.3. Failure to maintain the requirements of this subsection for a period of three years after the date the building or structure was originally classified as a bona fide farm purpose pursuant to this subsection subjects the building or structure to applicable zoning and development regulation ordinances adopted by a county pursuant to G.S. 160D-702 in effect on the date the property no longer meets the requirements of this subsection. For purposes of this section, "agritourism" means any activity carried out on a farm or ranch that allows members of the general public, for recreational, entertainment, or educational purposes, to view or enjoy rural activities, including farming, ranching, historic, cultural, harvest-your-own activities, hunting, fishing, equestrian activities, or natural activities and attractions. A building or structure used for agritourism includes any building or structure used for public or private events, including, but not limited to, weddings, receptions, meetings, demonstrations of farm activities, meals, and other events that are taking place on the farm because of its farm or rural setting.

(b) County Zoning of Residential Uses on Large Lots in Agricultural Districts. – A county zoning regulation shall not prohibit single-family detached residential uses constructed in accordance with the North Carolina State Building Code on lots greater than 10 acres in size and in zoning districts where more than fifty percent (50%) of the land is in use for agricultural or silvicultural purposes, except that this restriction does not apply to commercial or industrial districts where a broad variety of commercial or industrial uses are permissible. A zoning regulation shall not require that a lot greater than 10 acres in size have frontage on a public road or county-approved private road or be served by public water or sewer lines in order to be developed for single-family residential purposes.

3

North Carolina Department of Revenue
Sales and Use Tax

Account ID: 601378691

Issued by the Secretary of Revenue

Certificate of Registration

ARSTARK & COMPANY INC
THE FARM
3233 HAHN SCOTT RD
MT PLEASANT NC 28124-9363



Date Issued: August 25, 2021
County: CABARRUS
Business Class: 5050
City Code: 0013040
County Code: 013
License No: 003792141

#13

From: Support Assist <no-reply@salestaxapplication.net>
Sent: Wednesday, August 18, 2021 1:29 PM
To: connie@arstark.com
Subject: Company Registration Status: Arstark & Company Inc.

Attention: Connie Arstark

Company Name: Arstark & Company Inc.

Thank you for your State Sales Tax Application.



Applications are received and begin processing upon information verification.

You will be contacted if any further information is necessary.

A confirmation e-mail will be sent to the address entered on the application connie@arstark.com .

Please do not hesitate to reply with any questions; responses are sent as soon as possible, however please allow a bit longer during peak times.

At times, the confirmation e-mail may go into your "Spam" or "Junk" folder, please be sure to check.

Support



Qualifications For Farm

Exhibit 13



Abbreviated 156 Farm Record

Operator Name : JOHN R BRITT
Farms Associated with Operator : 37-025-2981, 37-025-3404, 37-025-3449, 37-025-3502, 37-025-4419, 37-025-4575, 37-025-4882, 37-025-4883, 37-025-4909, 37-025-4910
CRP Contract Number(s) : None
Recon ID : 37-025-2021-13
Transferred From : None
ARCPLC G//F Eligibility : Eligible

Farm Land Data

Farmland	Cropland	DCP Cropland	WBP	WRP	CRP	GRP	Sugarcane	Farm Status	Number Of Tracts
12.16	9.03	9.03	0.00	0.00	0.00	0.00	0.00	Active	1
State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped		MPL	Acre Election	EWP	DCP Ag. Rel. Activity	Broken From Native Sod
0.00	0.00	9.03	0.00		0.00		0.00	0.00	0.00

Crop Election Choice

ARC Individual	ARC County	Price Loss Coverage
None	OATS, SOYBN	WHEAT, CORN

DCP Crop Data

Crop Name	Base Acres	CCC-505 CRP Reduction Acres	PLC Yield	HIP
Oats	0.87	0.00	56	
Corn	7.14	0.00	70	
Soybeans	0.87	0.00	22	
TOTAL	8.88	0.00		

NOTES

Tract Number : 7548

Description :
FSA Physical Location : NORTH CAROLINA/CABARRUS
ANSI Physical Location : NORTH CAROLINA/CABARRUS
BIA Unit Range Number :
HEL Status : HEL field on tract. Conservation system being actively applied
Wetland Status : Wetland determinations not complete
WL Violations : None
Owners : JAMES N ARSTARK, CONNIE GAIL ARSTARK
Other Producers : None
Recon ID : 37-025-2016-10

Exhibit 14

Tract Land Data

Farm Land	Cropland	DCP Cropland	WBP	WRP	CRP	GRP	Sugarcane
12.16	9.03	9.03	0.00	0.00	0.00	0.00	0.00
State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped	MPL	EWP	DCP Ag. Rel. Activity	Broken From Native Sod
0.00	0.00	9.03	0.00	0.00	0.00	0.00	0.00

CCC-858
(09-23-14)U.S. DEPARTMENT OF AGRICULTURE
Commodity Credit Corporation**BASE REALLOCATION AND YIELD UPDATE
DECISION FOR
AGRICULTURE RISK COVERAGE (ARC) AND
PRICE LOSS COVERAGE (PLC) PROGRAMS**

1. Program Years: 2014 through 2018

2A. County FSA Office Name and Address (Including Zip Code)

CABARRUS-MECKLENBURG COUNTY FARM SERVICE AGENCY
715 CABARRUS AVE W RM 201
CONCORD, NC 28027-62142B. County FSA Office Telephone Number
(Including Area Code)

(704)788-2107 x2

2C. County FSA Office FAX Number
(Including Area Code)

(844)325-6881

3. State Code

37

4. County Code

025

5. Farm Number

3617

NOTE:

The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a - as amended). The authority for requesting the information identified on this form is 7 CFR Part 1412, the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.), and the Agricultural Act of 2014 (Pub. L. 113-79). The information will be used to determine eligibility to participate in and receive benefits under the Agriculture Risk Coverage Program and Price Loss Coverage Program. The information collected on this form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-2, Farm Records File (Automated). Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of ineligibility to participate in and receive benefits under the Agriculture Risk Coverage Program and Price Loss Coverage Program.

This information collection is exempted from the Paperwork Reduction Act as specified in the Agricultural Act of 2014 (Pub. L. 113-79, Title I, Subtitle F, Administration). The provisions of criminal and civil fraud, privacy, and other statutes may be applicable to the information provided. RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.

THE BASE ACRE REALLOCATION AND YIELD UPDATE DECISION is made by the undersigned current owner of the farm identified above. If FSA receives conflicting yield update or base acre reallocation requests from another current owner, all current owners will be required to resolve their dispute providing CCC with written evidence of the dispute resolution by the end of the yield update period or reallocation period.

FARM BASE ACRE REALLOCATION
☒ 6A. I agree to maintain the farm's 2013 base acres on the following crops, excluding cotton acres

☐ 6B. I agree to reallocate base acres on the following crops, excluding cotton base acres, not to exceed the total base acres in effect on September 30, 2013 (see page 2 for tract designation, if applicable)

(1) Commodity	(2) Base Acres	(1) Commodity	(2) Base Acres	6C. Tract Reallocation Method
Com	12	Com	6.95	<input type="checkbox"/> (1) Crop Land
Oats	1.2	Oats	2.64	<input type="checkbox"/> (2) Owner Designation
Soybeans	1.2	Soybeans	10.25	
Wheat	7.1	Wheat	1.66	

FARM YIELD UPDATE

7A. I agree to use the farm's 2013 Counter Cyclical (CC) yield for the PLC yield for the following crops.

7B. I agree to update the PLC yield for the following crops based on 90 percent of the farm's 2008 through 2012 average yield per planted acre, excluding any year(s) when no acreage was planted.

(1) Commodity	(2) CC Yield	(1) Commodity	(2) PLC Yield
Oats	56	Com	70
Wheat	40	Soybeans	22

Exhibit 19

8. Owner's Name and Address (Including Zip Code)

PAUL STEPHEN MCMATH
3215 WOODCHUCK DR
KANNAPOLIS, NC 28081-8404

9A. Signature of Owner (By)

P. Stephen McMath

9B. Title/Relationship of the Individual Signing in the Representative Capacity

9C. Date (MM-DD-YYYY)

02-23-2015

10A. Signature of CCC Representative

10B. Date (MM-DD-YYYY)

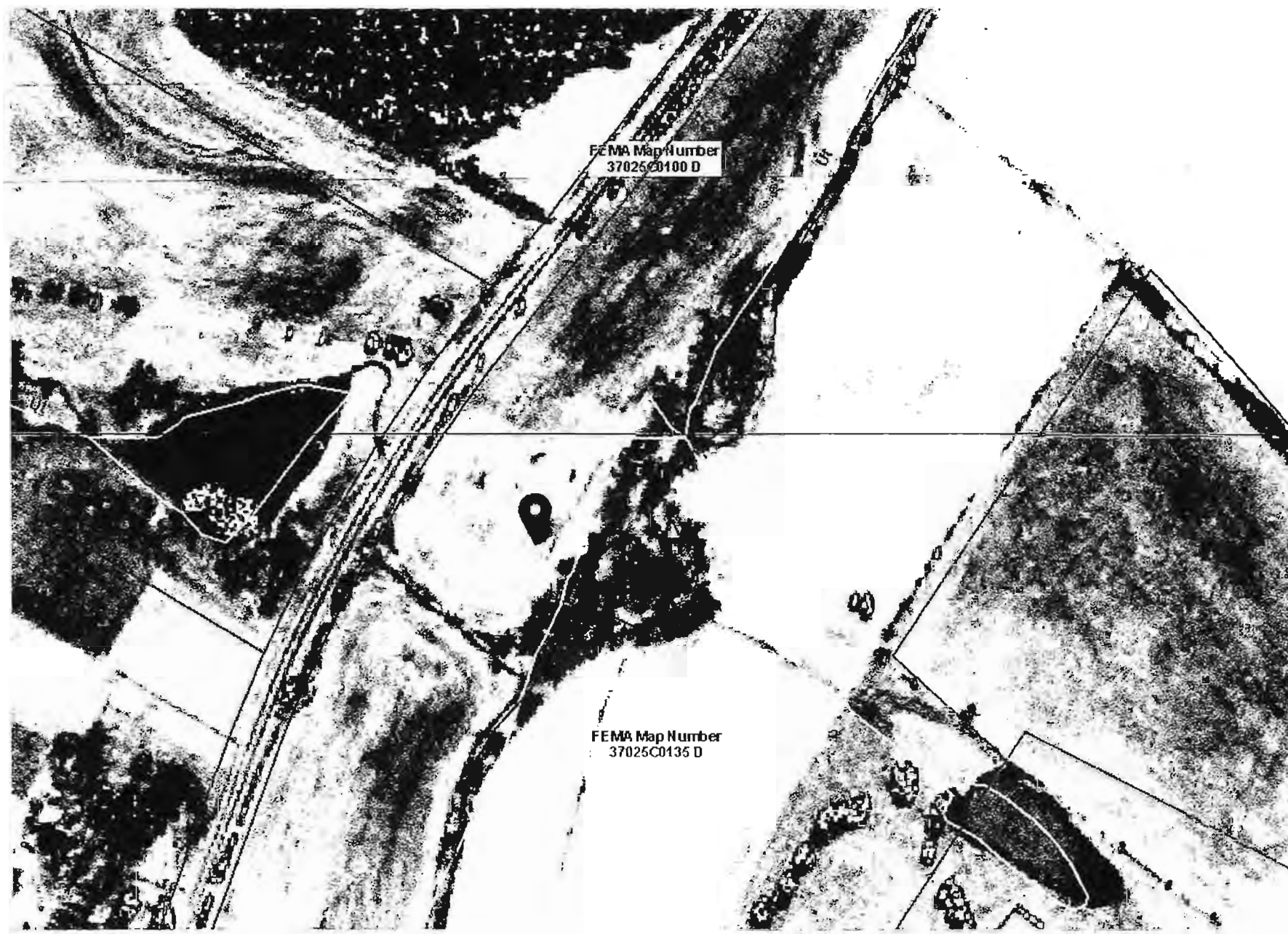
The U.S. Department of Agriculture (USDA) prohibits discrimination against its customers, employees, and applicants for employment on the basis of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, and where applicable, political beliefs; marital status, familial or parental status, sexual orientation, or all or part of an individual's income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department. (Not all prohibited bases will apply to all programs and/or employment activities.) Persons with disabilities who wish to file a program complaint, write to the address below or if you require alternative means of communication for program information (e.g., Braille, large print, audiotape, etc.) please contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). Individuals who are deaf, hard of hearing, or have speech disabilities and wish to file either an EEO or program complaint, please contact USDA through the Federal Relay Service at (800) 877-8339 or (800) 845-6135 (in Spanish).

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at http://www.usda.gov/complaint_filing_cust.html, or at any USDA office, or call (866) 877-9922 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter by mail to: U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W. Washington, D.C. 20250-9410, by fax (202) 596-7442 or email at program.intake@usda.gov. USDA is an equal opportunity provider and employer.

#29



2007 All The Land Was Farmed
in acres



5661

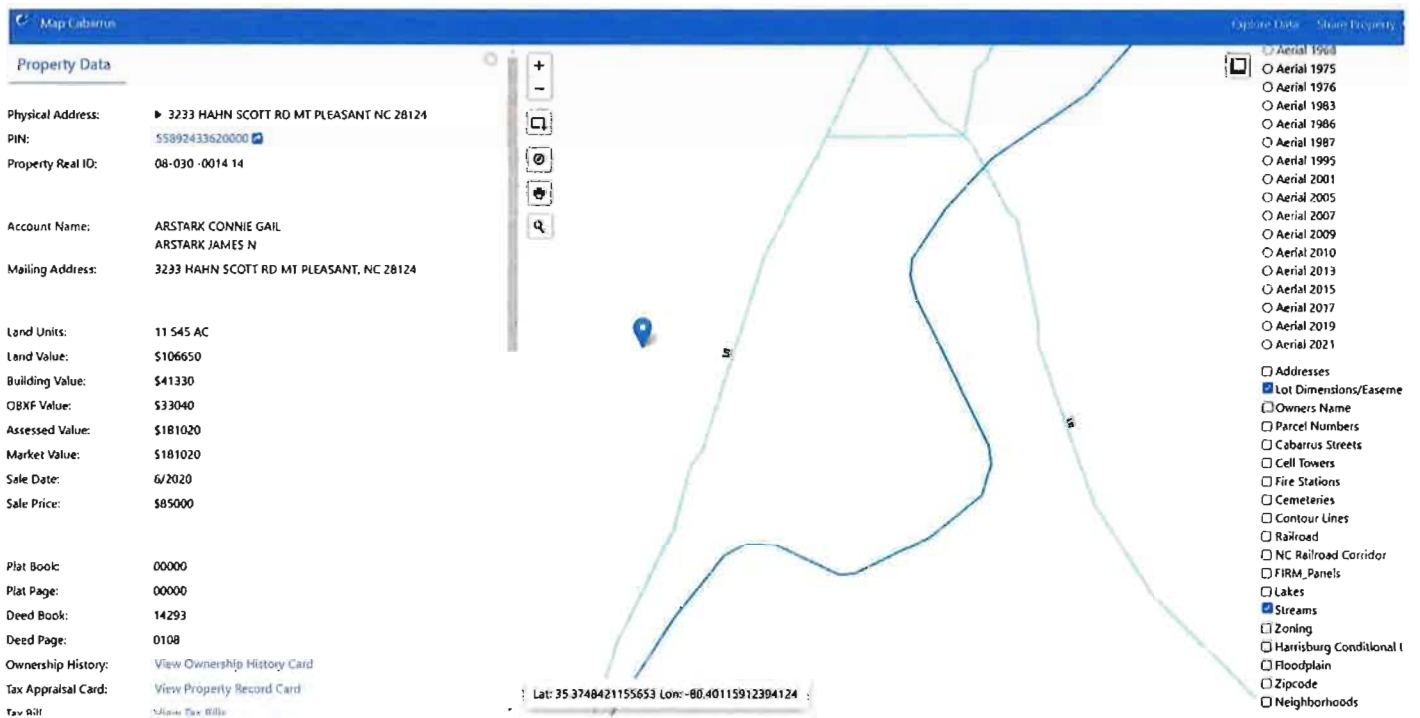
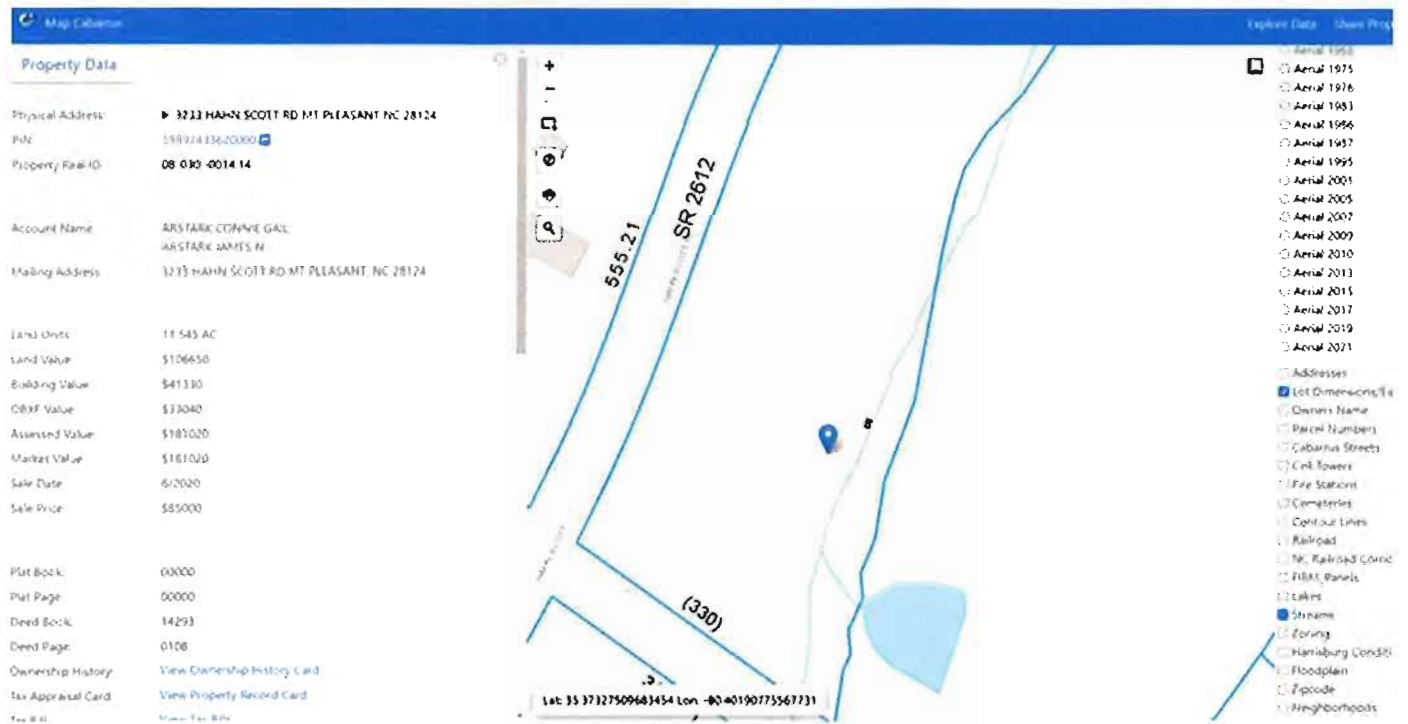




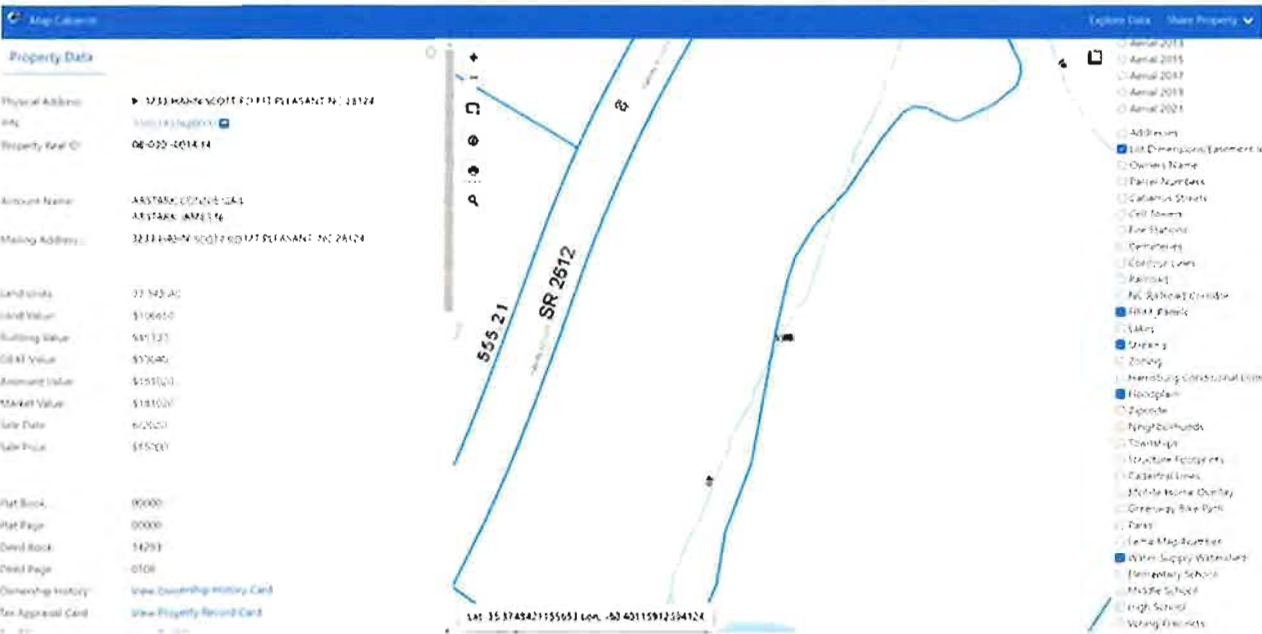
1964

4

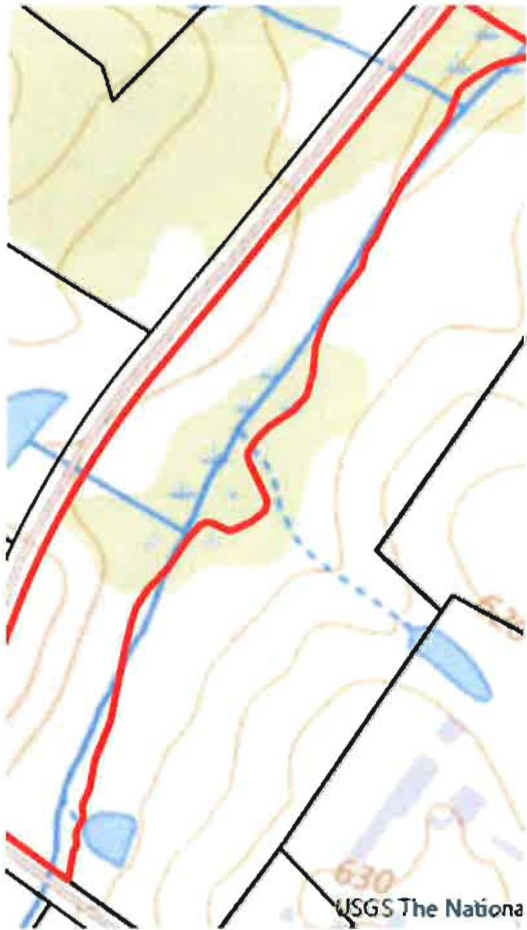
Note that the "Ut" ("unnamed tributary") appears differently on the GIS than the "blue line"!



If you turn on the “FIRM_Panels”, Lakes, Floodplain and Water Supply Watershed boxes on the GIS, nothing different shows up except for the code number of the flood map – and there is NO FLOOD ZONE per the survey.



The USGS map “blue line” is not even labeled or anything but follows “Ut” line per GIS as opposed to actual creek/property line per survey and GIS. So the “blue line” on the USGS map is different from the blue line shown on the GIS and runs right down through the middle of the property rather than with the creek.



Search Stream Name or ID

300ft



Layer List

- ☒ Surface Water Classification
- ☒ 2018 Integrated Report On
- ☒ Classification B/SB (Recreat
- ☒ Classification SC (Tidal Salt
- ☒ Classification SW (Swamp)
- ☒ Classification NSM (Nutrien
- ☒ Classification on ORW (Outstar
- ☒ Classification HQW (High C
- ☒ Classification Trout Water
- ☒ Classification WSI
- ☒ Classification WSI-II
- ☒ Classification WSI-III
- ☒ Classification WSI-IV
- ☒ Classification WSI-V
- ☒ Water Supply Wetlands
- ☒ Eastern Band of Cherokee I
- ☒ Boundaries
- ☒ Primary Nursery Areas
- ☒ Permanent Secondary Nur
- ☒ Special Secondary Nursery
- ☒ Unique Wetlands Classifica

Zac Moretz

From: connie arstark.com <connie@arstark.com>
Sent: Tuesday, March 8, 2022 1:45 PM
To: Zac Moretz
Subject: FW: [Non-DoD Source] Re: info request

From: Jones, M Scott (Scott) CIV USARMY CESAW (USA) <Scott.Jones@usace.army.mil>
Sent: Thursday, February 24, 2022 7:31 AM
To: connie arstark.com <connie@arstark.com>
Subject: RE: [Non-DoD Source] Re: info request

Correct.

Scott Jones
O – 828.271.7980, ext. 4222

From: connie <connie@arstark.com>
Sent: Wednesday, February 23, 2022 5:50 PM
To: Jones, M Scott (Scott) CIV USARMY CESAW (USA) <Scott.Jones@usace.army.mil>
Subject: RE: [Non-DoD Source] Re: info request

Thank you for the clarification. But at this time....no action has been taken in reference to my farm? Correct?
Connie Arstark

Sent from my Galaxy

----- Original message -----

From: "Jones, M Scott (Scott) CIV USARMY CESAW (USA)" <Scott.Jones@usace.army.mil>
Date: 2/23/22 5:25 PM (GMT-05:00)
To: connie <connie@arstark.com>
Subject: RE: [Non-DoD Source] Re: info request

Ms. Arstark –

If the Corps determines in the future that the County is not meeting the conditions set forth in the Coddle Creek Reservoir permit, including the mitigation requirements to establish and adhere to local ordinances developed to protect / buffer tributaries and wetlands within the watershed, then the Corps may take said action.

Scott Jones

O – 828.271.7980, ext. 4222

From: connie <connie@arstark.com>
Sent: Wednesday, February 23, 2022 4:57 PM
To: Jones, M Scott (Scott) CIV USARMY CESAW (USA) <Scott.Jones@usace.army.mil>
Subject: RE: [Non-DoD Source] Re: info request

Thank you for the update. The county has shared with me that the ACOE could penalize them up to 300 acres if I do not tear my barn down.

Connie

Sent from my Galaxy

----- Original message -----

From: "Jones, M Scott (Scott) CIV USARMY CESAW (USA)" <Scott.Jones@usace.army.mil>
Date: 2/23/22 4:20 PM (GMT-05:00)
To: connie@arstark.com
Subject: RE: [Non-DoD Source] Re: info request

Ms. Arstark –

I am not aware of any correspondence between the County and the Corps specific to your farm. To my knowledge the County has not been issued any type of notice by the Corps indicating violation of or non-compliance with their authorization for the Coddle Creek Reservoir.

Regards,

Scott Jones

O – 828.271.7980, ext. 4222

From: connie@arstark.com <connie@arstark.com>
Sent: Wednesday, February 23, 2022 2:37 PM
To: Jones, M Scott (Scott) CIV USARMY CESAW (USA) <Scott.Jones@usace.army.mil>
Cc: connie@arstark.com
Subject: [Non-DoD Source] Re: info request

Dear Scott,

Is there any correspondence with the County in reference to my Farm? It has now been over eighteen months and was hoping for a resolution

Between ACOE in reference to the County's violation of their Permit for the Coddle Creek Reservoir. I currently have no attorney and will be going in front of the Board for a hearing dated March 8, 2022 and need such information.

I understand that under the "Freedom of Information Act" I can receive internal information that relates to myself and my Farm. I respect and

Appreciate your time in this matter.

Respectfully,

Connie Arstark

3233 Hahn Scott Road

Mt. Pleasant NC 28124

connie@arstark.com

Army Core of Engineering

From: Jones, M Scott (Scott) CIV USARMY CESAW (USA) <Scott.Jones@usace.army.mil>
Sent: Monday, March 8, 2021 2:40 PM
To: Johnson, Alan
Cc: Stygar, KRYSTYNKA B CIV USARMY CESAW (USA); Sugg, Mickey T CIV USARMY CESAW (USA); Winget, Emily M CIV (USA); connie@arstark.com
Subject: FW: [Non-DoD Source] RE: is the branch on my property subject to a buffer?

Hi Alan –

Our District office in Wilmington received the message below regarding stream buffers in Cabarrus County from Ms. Connie Arstark. Thought a more appropriate response should come from you / NCDWR as the Corps has no buffer requirements per se. Ms. Arstark is copied on this message and her contact info is in the email chain below.

Great seeing you last week at Mt. Holly site visit. Talk soon.

Scott Jones
O – 828.271.7980, ext. 4222

From: connie@arstark.com <connie@arstark.com>
Date: Monday, Mar 08, 2021, 10:34 AM
To: Winget, Emily M CIV (USA) <Emily.M.Winget@usace.army.mil>
Subject: RE: [Non-DoD Source] RE: is the branch on my property subject to a buffer?

Cabarrus County. Were you able to find anything out for our farm?
Thanks so much for your assistance.
Connie

From: Winget, Emily M CIV (USA) <Emily.M.Winget@usace.army.mil>
Sent: Friday, March 5, 2021 4:27 PM
To: connie@arstark.com
Subject: RE: [Non-DoD Source] RE: is the branch on my property subject to a buffer?

Hello,

What county are you located in?

Thank you,

Emily Winget
Public Affairs Specialist
U.S. Army Corps of Engineers
Wilmington District
Office 910.251.4625
Cell 910.990.4784
<https://www.facebook.com/USACE.Wilmington>

6

Quible

Quible & Associates, P.C.

ENGINEERING • ENVIRONMENTAL SCIENCES • PLANNING • RESTORATION
SINCE 1959

90 Church St., Suite B
Black Mountain, NC 28711
Phone: 828-793-0398
Web: quible.com

March 8, 2022

Connie Gail Arstark
3233 Hahn Scott Rd
Mt. Pleasant, NC 28124
Cabarrus County

RE: Agricultural Development of Parcel PIN: 5589-24-3362
11.5 acres
3233 Hahn Scott Rd
Mt. Pleasant, NC 28124
Cabarrus County

Ms. Arstark:

On Friday March 3, 2022, you requested that Quible make a site visit and review information you provided including a Notice of Violation (1/14/21), a Stop Work Order (5/11/21), and a hearing between you and Cabarrus County (3/8/2022) related to alleged stream buffer and wetland impacts on the subject property.

Based on a copy of a survey of the subject parcel, dated July 11, 2020 by Samuel King Jr. that you provided, the eastern property line generally follows "Lick Branch" a perennial stream with a 30 feet setback requirement.

Cabarrus County issued a Building Permit, dated September 28, 2020, to construct a 1,290 square feet accessory building (barn) on the subject parcel. Cabarrus Health Alliance granted permission to construct the barn with respect to well and on-site septic on June 30, 2020. Cabarrus County Tax Administration approved an Application for Agriculture Present Use Value Assessment on February 25, 2021. Correspondence between you and Jonathan Lanier, Attorney with North Carolina Department of Agriculture and Consumer Services indicates that the subject property is a bona fide farm, has been issued a NC Farm Number and that agricultural buildings and activities on the property should be exempt from Cabarrus County zoning ordinances and building codes. You also indicated that Mr. Lanier sent a letter to the County. Cabarrus County issued a Zoning / Compliance Certificate for the barn on September 23, 2021, with comments that included "30 feet rear yard setback and "no floodplain or watershed within property".



Email correspondence from Scott Jones of the Wilmington District of the United States Army Corps of Engineers (USACE) Asheville Regional Office indicates that USACE has no jurisdiction of stream buffers on the subject property.



A review of the North Carolina Department of Environmental Quality (NC DEQ), Surface Water Quality Classifications Map (<https://www.arcgis.com/apps/webappviewer/index.html?id=6e125ad7628f494694e259c80dd64265>) does not show stream(s) on the subject property but indicates the closest receiving water (Bear Creek)

March 8, 2022

✱ listed as a "C" class water with no state buffer requirements. This information was apparently verified by Allan Johnson of NC DEQ via email with you.

Subsequent to issuance of the building permit, the well and septic approval, and the other approvals and correspondence referenced above, Cabarrus County issued the Notice of Violation and Stop Work order related to County Zoning Ordinance(s) violations (04-10 Water Body Buffer Zone, 06-02 Zoning Affects Every Structure and Use, 12-03 Zoning Compliance Permit).

✱ Based on Quible's brief site visit on March 7, 2022, and evaluation of the subject property, it was observed and verified that the barn structure is greater than 30 feet from the top of the river-left streambank of Lick Branch. Quarried stone has been placed on the slope below the barn for stabilization and an approximately 10 feet wide bench (at an apparent natural elevation) is vegetated with grass between the rock slope and stream. Additionally, as reported by you, local farmers from the Britt and Hahn families who barter/lease your property to grow hay and other crops have cleared underbrush and downed trees near the stream on your property. Mature trees were observed in the stream buffer downstream of your barn to a width of 30-50 feet from the stream bank. Approximately one-half acre area of land disturbance was observed immediately downstream (northeast) of your barn and the access road. The area closest to the stream remained vegetated with native trees, shrubs, saplings and herbaceous plants. A significant amount of exotic invasive vegetation (privet hedge & multiflora rose) was also observed along the stream. You reported that this area is where processing and burning of dead trees and underbrush had most recently been conducted and that it had not been replanted in hay due to the Stop Work Order. Photos taken during our site visit are attached below.

✱ Based on Quible's observations of the parcel on March 7, 2022, there was not any observed physical evidence that land disturbance, sediment, or any water quality impacts resulting from the agricultural development of your parcel have impacted the stream. It is Quible's opinion that all disturbed areas on the parcel should be stabilized with temporary and permanent vegetation as quickly as possible during this ideal time for planting. Additionally, while on site, Quible discussed with you the benefits of riparian buffers, both for improving and maintaining water quality and for protecting your property against streambank erosion. You indicated that you would be agreeable to the establishment/enhancement of a native riparian buffer within your property, both to protect your streambanks and improve/protect water quality and habitat in Lick Branch, in a good faith effort to work cooperatively with Cabarrus County.

Quible appreciates the opportunity to provide you with this letter and is available to provide more detailed information with respect to this project if needed.

Thank you,

Joel D. Lenk, P.G.



Quible & Associates, P.C.



Photo 1. Measuring from centerline of Lick Branch to nearest corner of barn.



Photo 2: Close up of measurement from Lick Branch centerline to closest corner of barn.



Photo 3: Close up of measurement from Lick Branch centerline to closest corner of barn.



Photo 4: View southwest of barn in relation to Lick Branch.



Photo 5: Photo of disturbed area northeast of barn and entrance ready to be planted in hay.

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Zac Moretz

From: connie arstark.com <connie@arstark.com>
Sent: Tuesday, March 8, 2022 2:44 PM
To: Zac Moretz
Subject: FW: please confirm you received my PUV application and you don't need any additional information-thanks

From: Leslie Reimer <LReimer@cabarruscounty.us>
Sent: Thursday, January 27, 2022 12:04 PM
To: connie arstark.com <connie@arstark.com>; David Thrift <MDThrift@cabarruscounty.us>
Cc: jrbritt72@yahoo.com
Subject: RE: please confirm you received my PUV application and you don't need any additional information-thanks

My apologies, I thought I had responded.
Your application was received. We will begin processing new applications, in the order in which they were received, shortly.
Thank you,

Leslie Reimer
Exempt Property Analyst

Tax Administration
Cabarrus County
O: 704-920-2428
F: 704-920-2111



From: connie@arstark.com <connie@arstark.com>
Sent: Thursday, January 27, 2022 12:01 PM
To: David Thrift <MDThrift@cabarruscounty.us>; Leslie Reimer <LReimer@cabarruscounty.us>
Cc: jrbritt72@yahoo.com; connie@arstark.com
Subject: Re: please confirm you received my PUV application and you don't need any additional information-thanks
Importance: High

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe!

E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties.

AV-5

Web
3-13

Application for Agriculture, Horticulture, and Forestry Present-Use Value Assessment

(G.S. 105-277.2 through G.S. 105-277.7)

County of Cabarrus, NCTax Year 2022

Full Name of Owner(s)

JAMES N. ARSTARK and CONNIE G. ARSTARK

Mailing Address of Owner

3233 Hahn Scott Rd

City

Mt. Pleasant

State

Zip Code

NC28124

Home Telephone Number

NA

Work Telephone Number

704 400 6364

Ext.

Cell Phone Number

same**Instructions**

Application Deadline: This application must be filed during the regular listing period, or within 30 days of a notice of a change in valuation, or within 60 days of a transfer of the land.

Where to Submit Application: Submit this application to the county tax assessor where this property is located. County tax assessor addresses and telephone numbers can be found online at: www.dorn.com/downloads/CountyList.pdf. DO NOT submit this application to the North Carolina Department of Revenue.

- Office Use Only:

This application is for: (check all that apply)

☒ **AGRICULTURE** (includes Aquaculture)☐ **HORTICULTURE**☐ **FORESTRY**

Enter the Parcel Identification Number, acreage breakdown, and acreage total for each tax parcel included in this application:

PARCEL ID	OPEN LAND In Production	OPEN LAND not in Production	WOOD LAND	WASTE LAND	CRP LAND	HOME SITE	OTHER (Describe in Comments)	TOTAL ACRES
<u>5589243362000</u>	<u>11.14</u>					<u>.4</u>		<u>0.00</u>
								<u>0.00</u>
								<u>0.00</u>
								<u>0.00</u>
								<u>0.00</u>

Comments:

☐ Yes☒ No

Does the applicant own property in other counties that is also in present-use value and is within 50 miles of this property? If YES, list the county or counties and parcel identification number(s):

County:

Parcel ID:

County:

Parcel ID:

IMPORTANT!

AGRICULTURE and HORTICULTURE applications with LESS than 20 acres of woodland generally need to complete PARTS 1, 2, and 4.

AGRICULTURE and HORTICULTURE applications with MORE than 20 acres of woodland generally need to complete PARTS 1, 2, 3, and 4.

FORESTRY applications need to complete PARTS 1, 3, and 4.

ADDITIONALLY, applications for CONTINUED USE of existing present-use value classification need to complete PART 5.

Please contact the Tax Assessor's office if you have questions about which parts should be completed.

Part 1. OwnershipOn what date did the applicant become the owner of the property? DATE: 06-30-2020If owned less than four full years on January 1, provide: Name of Previous Owner: Stephen McMathHow the Applicant is Related to the Previous Owner: NA☐ Yes ☒ No ➤ Did one of the applicants reside on the property on January 1 of the year for which this application is made?

If YES, provide name of resident: _____

☐ Yes ☒ No ➤ Are any of the acres leased out to a farmer? If YES, indicate: Number of acres leased out: _____

Name of farmer leasing the land: _____

Phone: _____

Choose the legal form of ownership from "a - e" below, and answer the questions, if any, for that ownership:☐ a. **One Individual**☒ b. **Husband and Wife** (as tenants by the entirety)☐ c. **Business Entity** (Circle one: Corporation, Limited Liability Company, Partnership) List all the direct shareholders, members, or partners of the business entity and their farming activities:Member: JAMES ARSTARFarming Activities: Hay, Soy Beans, CornMember: CONNIE ARSTARFarming Activities: raising Live Stock Horses, goats, Rabbits

Member: _____

Farming Activities: chickens etc.

Member: _____

Farming Activities: _____

☐ Yes ☒ No ➤ Are any of the direct shareholders, members, or partners either a business entity or trust (i.e. not an individual)? If YES, you must attach a breakdown of those business entities or trusts until you reach the individual level of ownership interest and you must describe those individuals' farming activities.☒ Yes ☐ No ➤ Once you have reached the individual level of ownership interest, are all of the individuals relatives of each other? (See G.S. 105-277.2(5a) for the definition of relative.)State the principal business of the business entity: NA☐ d. **Trust**. List the trustee(s), name of the trust, and all of the beneficiaries:Trustee(s): NA

Name of trust: _____

Beneficiary: _____

Farming Activities: _____

Beneficiary: _____

Farming Activities: _____

Beneficiary: _____

Farming Activities: _____

Beneficiary: _____

Farming Activities: _____

☐ Yes ☒ No ➤ Are any of the beneficiaries either a business entity or trust (i.e. not an individual)? If YES, you must attach a breakdown of those business entities or trusts until you reach the individual level of ownership interest and you must describe those individual's farming activities.☐ Yes ☒ No ➤ Once you have reached the individual level of ownership interest, are all of the beneficiaries either the trust's creator or relatives of the creator? (See G.S. 105-277.2(5a) for the definition of relative.)☐ e. **Tenants in common**. List the tenants and their percentage of ownership (round to the nearest 0.1%):Owner: NA

%

Owner: _____

%

Owner: _____

%

Owner: _____

%

☐ Yes ☒ No ➤ Are any of the tenants either a business entity or trust? If YES, you must make a copy of this page for each business entity or trust. You must complete the business entity section only or trust section only for each tenant, as appropriate, labeling each copy with the name of the business entity or trust.The Tax Assessor may contact you for additional information after reviewing this application.

Part 2. Agriculture and Horticulture

For the past three years and for each tax parcel within the farm unit, enter the agricultural or horticultural products actually produced on the land and the gross income from the sale of the products, including livestock, poultry, and aquatic species. **INCOME INFORMATION IS SUBJECT TO VERIFICATION.**

If payments are received from any governmental soil conservation or land retirement program, indicate the acres and amount of income in the table below. Provide the name of the program in the Product column.

Do not include income received from the rental of the land. Income must be from the sale of the product.

	ONE YEAR AGO 20 <u>2021</u>			TWO YEARS AGO 20 <u>2020</u>			THREE YEARS AGO 20 <u>2019</u>		
Parcel ID	Product	Acres	Income	Product	Acres	Income	Product	Acres	Income
	Corn		1500 ⁰⁰	Hay		1500 ⁰⁰	Soy beans		2700 ⁰⁰
	Hay		1500 ⁰⁰						
	Totals	0.00	0	Totals	0.00	0	Totals	0.00	0
	Totals	0.00	0	Totals	0.00	0	Totals	0.00	0
	Totals	0.00	0	Totals	0.00	0	Totals	0.00	0
	Totals	0.00	0	Totals	0.00	0	Totals	0.00	0
	Totals	0.00	0	Totals	0.00	0	Totals	0.00	0

☐ Yes ☒ No If this application covers a horticultural tract used to grow Christmas trees, has a written management plan been prepared? If YES, attach a copy. If NO, attach a full explanation of your operation that contains at least the following: year each tract was planted, gross income from each tract, site management practices, number of trees per acre, and expected date of harvesting for each tract.

If this application covers an aquatic species farming operation, enter the total pounds produced for commercial sale annually for the last three years: Year 20 lbs, Year 20 lbs, Year 20 lbs

Part 3. Forestry

Attach a complete copy of your forest management plan. Indicate below who prepared the plan:

☐ N.C. Division of Forest Resources ☐ Consulting Forester ☐ Owner ☐ Other

Note: The property must be actively engaged in the commercial growing of trees under a sound management program as of January 1 of the year for which application is made.

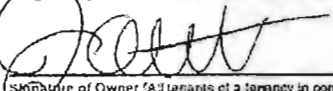
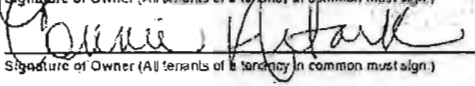
Key elements in a written plan for a sound forestland management program are listed below:

1. Management and Landowner Objectives Statement—Long range and short range objectives of owner(s) as appropriate.
2. Location—Include a map or aerial photograph that locates the property described and also delineates each stand referenced in the "Forest Stand(s) Description/Inventory and Stand Management Recommendations" (item 3 below).
3. Forest Stand(s) Description/Inventory and Stand Management Recommendations—Include a detailed description of various stands within the forestry unit. Each stand description should detail the acreage, species, age, size (tree diameter, basal area, heights), condition (quality and vigor), topography, soils and site index or productivity information. Stand-specific forest management practices needed to sustain productivity, health and vigor must be included with proposed timetable for implementation.
4. Regeneration-Harvest Methods and Dates—For each stand, establish a target timetable for harvest of crop trees, specifying the type of regeneration-harvest (clear cut, seed tree, shelter wood, or selection regeneration systems as applicable).
5. Regeneration Technique—Should include a sound proposed regeneration plan for each stand when harvest of final crop trees is done. Specify intent to naturally regenerate or plant trees.

NOTE: Forest management plans can and should be updated as forest conditions significantly change (e.g. change in product class mix as the stand ages and grows, storm damage, insect or disease attack, timber harvest, thinning, wildfire). The county will audit plans periodically and, to remain eligible for use-value treatment, the plan must be implemented.

Part 4. Affirmation

AFFIRMATION OF APPLICANT—I (we) the undersigned declare under penalties of law that this application and any attachments hereto have been examined by me (us) and to the best of my (our) knowledge and belief are true and correct. In addition, I (we) fully understand that an ineligible transfer of the property or failure to keep the property actively engaged in commercial production under a sound management program will result in the loss of eligibility. I (we) fully understand that loss of eligibility will result in removal from the program and the immediate billing of deferred taxes.

	Owner	1/7/2022
Signature of Owner (All tenants of a tenancy in common must sign.)	Title	Date
	Owner	1/7/2022
Signature of Owner (All tenants of a tenancy in common must sign.)	Title	Date
Signature of Owner (All tenants of a tenancy in common must sign.)	Title	Date

Part 5. Continued Use *(Complete only if the property is currently in Present-Use Value and you are applying for immediate eligibility under the Continued Use exception. See G.S. 105-277.3(b2)(1) for full details.)*

- I certify:
1. The property is currently in Present-Use Value.
 2. I intend to continue the current use of the land under which it currently qualifies.
 3. I understand I will be responsible for all deferred taxes due because of any disqualification.
 4. I ACCEPT FULL LIABILITY FOR ANY EXISTING DEFERRED TAXES.

Note: If the property is currently in Present-Use Value and liability is not accepted, the full amount of the deferred taxes will typically be due in the name of the grantor immediately. Liability need not be accepted and no deferred taxes are due for qualifying transfers pursuant to G.S. 105-277.3(b) and (b1). For example, liability does not need to be accepted for qualifying transfers to relatives. However, any deferred taxes existing at the time of transfer will remain a lien on the property. Owners already receiving Present-Use Value on properties not included in this application may wish to review the alternative provisions of G.S. 105-277.3(b2)(2).

Signature of Owner (All tenants of a tenancy in common must sign.)	Title	Date
Signature of Owner (All tenants of a tenancy in common must sign.)	Title	Date
Signature of Owner (All tenants of a tenancy in common must sign.)	Title	Date

FOR OFFICE USE ONLY: ☐ APPROVED ☐ DENIED BY: _____ REASON FOR DENIAL: _____

SCHEDULE F
(Form 1040)

Profit or Loss From Farming

OMB No. 1545-0074

2018

Attachment
Sequence No. **14**

Department of the Treasury
Internal Revenue Service (99)

▶ Attach to Form 1040, Form 1040NR, Form 1041, or Form 1065.
▶ Go to www.irs.gov/ScheduleF for instructions and the latest information.

Name of proprietor John R Britt			Social security number (SSN) 342-23-4835		
A Principal crop or activity Hay		B Enter code from Part IV 111100		C Accounting method: <input checked="" type="checkbox"/> Cash <input type="checkbox"/> Accrual	
D Employer ID number (EIN), (see instr)					
E Did you "materially participate" in the operation of this business during 2018? If "No," see instructions for limit on passive losses. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					
F Did you make any payments in 2018 that would require you to file Form(s) 1099 (see instructions)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
G If "Yes," did you or will you file required Forms 1099? <input type="checkbox"/> Yes <input type="checkbox"/> No					

Part I Farm Income—Cash Method. Complete Parts I and II (Accrual method. Complete Parts II and III, and Part I, line 9.)

1a Sales of livestock and other resale items (see instructions)	1a			
b Cost or other basis of livestock or other items reported on line 1a	1b			
c Subtract line 1b from line 1a		1c		
2 Sales of livestock, produce, grains, and other products you raised		2		
3a Cooperative distributions (Form(s) 1099-PATR)	3a		3b Taxable amount	3b
4a Agricultural program payments (see instructions)	4a		4b Taxable amount	4b
5a Commodity Credit Corporation (CCC) loans reported under election		5a		
b CCC loans forfeited	5b		5c Taxable amount	5c
6 Crop insurance proceeds and federal crop disaster payments (see instructions)				
a Amount received in 2018	6a		6b Taxable amount	6b
c If election to defer to 2019 is attached, check here <input type="checkbox"/>		6d Amount deferred from 2017	6d	
7 Custom hire (machine work) income		7		
8 Other income, including federal and state gasoline or fuel tax credit or refund (see instructions)		8		
9 Gross income. Add amounts in the right column (lines 1c, 2, 3b, 4b, 5a, 5c, 6b, 6d, 7, and 8). If you use the accrual method, enter the amount from Part III, line 50. See instructions		9		

Part II Farm Expenses—Cash and Accrual Method. Do not include personal or living expenses. See instructions.

10 Car and truck expenses (see instructions). Also attach Form 4562	10		23 Pension and profit-sharing plans	23	
11 Chemicals	11		24 Rent or lease (see instructions):		
12 Conservation expenses (see instructions)	12		a Vehicles, machinery, equipment	24a	
13 Custom hire (machine work)	13		b Other (land, animals, etc.)	24b	
14 Depreciation and section 179 expense (see instructions)	14		25 Repairs and maintenance	25	
15 Employee benefit programs other than on line 23	15		26 Seeds and plants	26	
16 Feed	16		27 Storage and warehousing	27	
17 Fertilizers and lime	17		28 Supplies	28	
18 Freight and trucking	18		29 Taxes	29	
19 Gasoline, fuel, and oil	19		30 Utilities	30	
20 Insurance (other than health)	20		31 Veterinary, breeding, and medicine	31	
21 Interest (see instructions)			32 Other expenses (specify):		
a Mortgage (paid to banks, etc.)	21a		a See Attached Statement	32a	
b Other	21b		b	32b	
22 Labor hired (less employment credits)	22		c	32c	
			d	32d	
			e	32e	
			f	32f	
33 Total expenses. Add lines 10 through 32f. If line 32f is negative, see instructions		33			
34 Net farm profit or (loss). Subtract line 33 from line 9		34			
If a profit, stop here and see instructions for where to report. If a loss, complete lines 35 and 36.					
35 Reserved for future use.					
36 Check the box that describes your investment in this activity and see instructions for where to report your loss.					
a <input checked="" type="checkbox"/> All investment is at risk. b <input type="checkbox"/> Some investment is not at risk.					

For Paperwork Reduction Act Notice, see the separate instructions.

Schedule F (Form 1040) 2018

Exhibit 17

SCHEDULE F

(Form 1040 or 1040-SR)

Profit or Loss From Farming

OMB No. 1545-0074

2019

Attachment
Sequence No. 14

- ▶ Attach to Form 1040, Form 1040-SR, Form 1040-NR, Form 1041, or Form 1065.
▶ Go to www.irs.gov/ScheduleF for instructions and the latest information.

Department of the Treasury
Internal Revenue Service (99)

Name of proprietor

John R Britt

Social security number (SSN)

242-23-885

A Principal crop or activity

Hay

B Enter code from Part IV

111100

C Accounting method:

☒ Cash ☐ Accrual

D Employer ID number (EIN) (see instr.)

E Did you "materially participate" in the operation of this business during 2019? If "No," see instructions for limit on passive losses

☒ Yes ☐ No

F Did you make any payments in 2019 that would require you to file Form(s) 1099? See instructions.

☐ Yes ☒ No

G If "Yes," did you or will you file required Form(s) 1099?

☐ Yes ☐ No

Part I Farm Income—Cash Method. Complete Parts I and II (Accrual method. Complete Parts II and III, and Part I, line 9.)

1a	Sales of livestock and other resale items (see instructions)	1a	
b	Cost or other basis of livestock or other items reported on line 1a	1b	
c	Subtract line 1b from line 1a	1c	
2	Sales of livestock, produce, grains, and other products you raised	2	
3a	Cooperative distributions (Form(s) 1099-PATR)	3a	
3b	Taxable amount	3b	
4a	Agricultural program payments (see instructions)	4a	
4b	Taxable amount	4b	
5a	Commodity Credit Corporation (CCC) loans reported under election	5a	
b	CCC loans forfeited	5b	
5c	Taxable amount	5c	
6	Crop insurance proceeds and federal crop disaster payments (see instructions):		
a	Amount received in 2019	6a	
b	Taxable amount	6b	
c	If election to defer to 2020 is attached, check here <input type="checkbox"/>	6d	Amount deferred from 2018
7	Custom hire (machine work) income	7	
8	Other income, including federal and state gasoline or fuel tax credit or refund (see instructions)	8	
9	Gross income. Add amounts in the right column (lines 1c, 2, 3b, 4b, 5a, 5c, 6b, 6d, 7, and 8). If you use the accrual method, enter the amount from Part III, line 50. See instructions.	9	

Part II Farm Expenses—Cash and Accrual Method. Do not include personal or living expenses. See instructions.

10	Car and truck expenses (see instructions). Also attach Form 4562	10		23	Pension and profit-sharing plans	23	
11	Chemicals	11		a	Rent or lease (see instructions):		
12	Conservation expenses (see instructions)	12		b	Vehicles, machinery, equipment	24a	
13	Custom hire (machine work)	13		b	Other (land, animals, etc.)	24b	
14	Depreciation and section 179 expense (see instructions)	14		25	Repairs and maintenance	25	
15	Employee benefit programs other than on line 23	15		26	Seeds and plants	26	
16	Feed	16		27	Storage and warehousing	27	
17	Fertilizers and lime	17		28	Supplies	28	
18	Freight and trucking	18		29	Taxes	29	
19	Gasoline, fuel, and oil	19		30	Utilities	30	
20	Insurance (other than health)	20		31	Veterinary, breeding, and medicine	31	
21	Interest (see instructions):			32	Other expenses (specify):		
a	Mortgage (paid to banks, etc.)	21a		a	See Attached Statement	32a	
b	Other	21b		b		32b	
22	Labor hired (less employment credits)	22		c		32c	
				d		32d	
				e		32e	
				f		32f	
33	Total expenses. Add lines 10 through 32f. If line 32f is negative, see instructions.	33					
34	Net farm profit or (loss). Subtract line 33 from line 9.	34					
	If a profit, stop here and see instructions for where to report. If a loss, complete lines 35 and 36.						
35	Reserved for future use.						
36	Check the box that describes your investment in this activity and see instructions for where to report your loss.						
a	<input checked="" type="checkbox"/> All investment is at risk.			b	<input type="checkbox"/> Some investment is not at risk.		

For Paperwork Reduction Act Notice, see the separate instructions.

Schedule F (Form 1040 or 1040-SR) 2019

HTA

Exhibit 16

Qualifications for the Approval of the 1040

SCHEDULE F

Form 1040

Profit or Loss From Farming

OMB No. 1545-0074

2020

Attachment
Sequence No. 14

Department of the Treasury
Internal Revenue Service (99)

- ▶ Attach to Form 1040, Form 1040-SR, Form 1040-NR, Form 1041, or Form 1065.
▶ Go to www.irs.gov/ScheduleF for instructions and the latest information.

Name of proprietor

John R Britt

Social security number (SSN)

242-82-4825

A Principal crop or activity

B Enter code from Part IV

C Accounting method:

D Employer ID number (EIN) (see instr.)

Hay

111100

☒ Cash ☐ Accrual

E Did you "materially participate" in the operation of this business during 2020? If "No," see instructions for limit on passive losses

☒ Yes ☐ No

F Did you make any payments in 2020 that would require you to file Form(s) 1099? See instructions

☐ Yes ☒ No

G If "Yes," did you or will you file required Form(s) 1099?

☐ Yes ☐ No

Part I Farm Income—Cash Method. Complete Parts I and II (Accrual method. Complete Parts II and III, and Part I, line 9.)

1a	Sales of livestock and other resale items (see instructions)	1a	
b	Cost or other basis of livestock or other items reported on line 1a	1b	
c	Subtract line 1b from line 1a	1c	0
2	Sales of livestock, produce, grains, and other products you raised	2	
3a	Cooperative distributions (Form(s) 1099-PATR)	3a	
3b	Taxable amount	3b	
4a	Agricultural program payments (see instructions)	4a	
4b	Taxable amount	4b	
5a	Commodity Credit Corporation (CCC) loans reported under election	5a	
b	CCC loans forfeited	5b	
5c	Taxable amount	5c	
6	Crop insurance proceeds and federal crop disaster payments (see instructions):		
a	Amount received in 2020	6a	
6b	Taxable amount	6b	
c	If election to defer to 2021 is attached, check here <input type="checkbox"/>	6d	
7	Custom hire (machine work) income	7	
8	Other income, including federal and state gasoline or fuel tax credit or refund (see instructions)	8	
9	Gross income. Add amounts in the right column (lines 1c, 2, 3b, 4b, 5a, 5c, 6b, 6d, 7, and 8). If you use the accrual method, enter the amount from Part III, line 50. See instructions.	9	

Part II Farm Expenses—Cash and Accrual Method. Do not include personal or living expenses. See instructions.

10	Car and truck expenses (see instructions). Also attach Form 4562	10	
11	Chemicals	11	
12	Conservation expenses (see instructions)	12	
13	Custom hire (machine work)	13	
14	Depreciation and section 179 expense (see instructions)	14	
15	Employee benefit programs other than on line 23	15	
16	Feed	16	
17	Fertilizers and lime	17	
18	Freight and trucking	18	
19	Gasoline, fuel, and oil	19	
20	Insurance (other than health)	20	
21	Interest (see instructions):		
a	Mortgage (paid to banks, etc.)	21a	
b	Other	21b	
22	Labor hired (less employment credits)	22	
23	Pension and profit-sharing plans	23	
24	Rent or lease (see instructions):		
a	Vehicles, machinery, equipment	24a	
b	Other (land, animals, etc.)	24b	
25	Repairs and maintenance	25	
26	Seeds and plants	26	
27	Storage and warehousing	27	
28	Supplies	28	
29	Taxes	29	
30	Utilities	30	
31	Veterinary, breeding, and medicine	31	
32	Other expenses (specify):		
a	See Attached Statement	32a	
b		32b	
c		32c	
d		32d	
e		32e	
f		32f	
33	Total expenses. Add lines 10 through 32f. If line 32f is negative, see instructions	33	
34	Net farm profit or (loss). Subtract line 33 from line 9. If a profit, stop here and see instructions for where to report. If a loss, complete lines 35 and 36.	34	
35	Reserved for future use.		
36	Check the box that describes your investment in this activity and see instructions for where to report your loss.		
a	<input checked="" type="checkbox"/> All investment is at risk.		
b	<input type="checkbox"/> Some investment is not at risk.		

For Paperwork Reduction Act Notice, see the separate instructions.

Schedule F (Form 1040) 2020

HTA

Exhibit 15





