



Cabarrus County Government

Cabarrus County Planning and Zoning Commission
Tuesday, June 13, 2023 @ 6:30 p.m.
Board of Commissioners Meeting Room
Cabarrus County Governmental Center

Agenda

1. Roll Call
2. Approval of March 14th, 2023, PZ Meeting Minutes
3. New Business Planning Board Function:
4. RZON2023-00002 – Request to rezone property from Low Density Residential (LDR) district to Office / Institutional (OI) district. Allen Volunteer Fire Department, Inc. is the owner of the subject property and the applicant of this request. The address associated with the subject property is 4000 US Highway 601, South (PIN: 5548-09-3803).
5. Legal Update
6. Director's Report
7. Adjourn



Planning and Zoning Commission Minutes
June 13th, 2023

Mr. Adam Dagenhart, Chair, called the meeting to order at 6:35 p.m. Members present, in addition to the Chair, were Mr. Jeff Corley, Mr. Charles Paxton, Mr. Chris Pinto, Mr. Brent Rockett, Mr. Stephen Wise, Mr. David Hudspeth, Ms. Ingrid Nurse and Mr. Mohammed Idlibi. Attending from the Planning and Zoning Division were, Mr. Phil Collins, Planner, Ms. Susie Morris, Planning and Development Director, Ms. Kendall Bolton, Clerk to the Board, and Mr. Richard Koch, County Attorney.

Roll Call

Approval of Minutes

Approval of March 14, 2023, Planning and Zoning Commission Meeting Minutes.

There being no corrections or additions to the minutes, Mr. Jeff Corley **MOTIONED, SECOND** by Ms. Ingrid Nurse to **APPROVE** the March 14th2023, meeting minutes. The vote was unanimous.

Legal update

Mr. Rich Koch said, you have heard me talk about the Shelly case for years. It has been going on for about 14 years now. It has been to the Court of Appeals 3 times and the county won all 3 times. We thought it may go again over another issue that had no merit. The time is run for the appeal. The whole case has now been settled. The neighbors all settled among themselves.

We had been let out of the case several months ago. The Shelly's seem to think their appeal time would run from when the whole case was dismissed, which was just about 40 days ago now, so they had 30 days to appeal. We have checked the file to see if anyone filed anything and our outside attorney has not received anything. It has been going on so long, you wonder if there could be something else that could come up at this point. I can say with a degree of confidence that it is over. We have a couple other things we are working on, but I wanted to wait until we have something specific to report.

Ms. Morris said you are all aware of the Radford Case, which is the sawmill case. They came up at the meeting and withdrew their application and tried to file another appeal. The County filed against them because they were continuing to work on the property. We have talked about the Board of Commissioners holding a hearing for the building side. They approved an order for the building to be torn down due to people being in the building and it being a safety hazard. We held a mediation, that case was settled out. The terms, if any of you live near or go by there, they had to take the barn down. If you drive past, you will see that it is down. They had to do that within 10 days. Everything needs to be cleaned up by June 22nd, so next Thursday or Friday. As of now, they have not made a lot of progress on the site. They had to pay the outstanding fines, they also had to sign a covenant to run with the property, agreeing that type of use would not happen there again, because there are two buildings on the property that are not part of this, plus a manufactured home. The reason for the Order is because if they do not follow and comply with these things, it is Contempt of Court.

Similar to Philip Little, where they would have to be in front of a judge at some point for a contempt of court order. Hopefully we will be done with it soon. We still have two appeals from the pandemic that may or may not make their way before the Board. One of them, they are trying to look at the site to make things work. They have been working on it with Rich. We are starting to move along with some of them and dispose of them. Stay tuned on the other two cases.

Mr. Koch said, you may remember that David was handling this matter (Radford), now Evan, our new lawyer, picked it up and they got it resolved. They took down the building where most of the sawing was going on. They haven't done the rest of everything. That is the property, if you recall, next to Flowes Store Fire Department.

Ms. Morris said, Evan wanted me to give you that update since he was not able to be here this evening.

Director's report

Ms. Susie Morris said, most of you know our newest staff member. For those of you that do not know him, his name is Wayne Krimminger. He has about 20 years of experience in planning, zoning, and field inspections. We are happy to have him. Now we will have someone looking after the area south of Highway 49.

New Business Planning Board Function:

RZON2023-00002 – Rezone property from Low Density Residential (LDR) to Office / Institutional (OI). Owner/applicant is Allen Volunteer Fire Department, Inc. Address is 4000 US Highway 601, South (PIN: 5548-09-3803).

The Chair called on Mr. Phil Collins to present the Staff report.

Mr. Collins said, currently any use permitted within the LDR district is permitted on the subject property. The current land use of the subject property is Public Use Facility (Volunteer Fire Department) and is permitted as a special use. As currently zoned, future additions/alterations to

the property would require issuance of a special use permit. Under the proposed zoning of OI, public use facilities are permitted by right, which means that future additions/alterations to the property would not require the issuance of a special use permit. Also, this is a conventional rezoning request, therefore, any use listed as permitted within the Development Ordinance would be permitted if the subject property is rezoned.

The original portion of the subject property (showing on map) (PIN 5548-09-2917 – 1.490 ac) The line used to go here, as seen on the deed. This is what I refer to as the old property where the fire department is at. This is currently occupied by a Volunteer Fire Department that has been in existence since before zoning was originally adopted by the County.

The property to the southeast, which is the larger property that has larger buildings on it. (PIN 5548-09-3850 – 2.239 ac) of the VFD was recently acquired by the applicant. It was combined with the original tract to create a site that now includes multiple structures. The reconfigured site now supports the fire station and two buildings that will be used for training and equipment storage. A dilapidated building on the parcel close to US Highway 601 was recently demolished and removed.

Adjacent land uses consist of residential and vacant properties in all directions. Commercial use, or used car lot, is located to the north of the subject property. Surrounding zoning consist of CR to the East and West, Concord PUD to the West and LC, CR, and Concord PUD to the North. With regards to the intended proposed zoning district, the development ordinance states that the OI district is intended to accommodate relatively low intensity office and institutional uses at intensities complementary to residential land use. This district serves as a transitional district between residential land uses and higher intensity non-residential land uses.

This district is used to provide for low intensity office and institutional uses that can be complementary to adjacent residential land use. This district features employment options and essential services which require a moderate number of average daily trips. These uses will have a minimum impact on the surrounding area because these trips will generally occur during regular business hours, thus, not competing with residential traffic at peak hours or on weekends. This district should be located adjacent to residential districts or in areas where its use would serve as a transition between residential land uses and higher intensity nonresidential land uses. Higher intensity non-residential land uses may include commercial districts, light industrial or mixed-use districts. When bordering residential districts or residential developments, care should be taken to assure natural or manmade buffering and architectural compatibility so that the nonresidential activities are not a nuisance to residential use.

The subject property is located within the boundary of the Central Area Future Land Use Plan (Plan) and is designated as Low Density Residential. The Low-Density Residential District, as described in the Plan, is intended to allow low to moderate density residential accommodating community development. The Plan further states that the Low-Density Residential district should predominately be single family residential at a density of up to two dwelling units per acre or three dwelling units per acre provided additional development standards are met. This usually means that utilities are available at the property.

The proposed rezoning is not consistent with the Central Area Plan. However, the subject property supports an existing volunteer fire department which was constructed prior to county zoning. The property currently has a residential zoning designation. A volunteer fire department is considered a public use facility. Public use facilities are permitted in the residential LDR district as a conditional use and permitted by right in the OI district. The proposed zoning change to OI supports the by right use of the property as a volunteer fire department and allows the existing non-conforming use to better comply with the zoning ordinance. By acquiring the second parcel and combining the two lots, the site is much better positioned to be used as a long-term facility for the VFD. Creating the new larger parcel also helped alleviate several non-conformities that existed on the original fire department tract. The proposed zoning change from LDR (residential uses) to OI (office/institutional uses) would provide greater flexibility in site design (signage, impervious area, reduced setbacks, buffering etc.) and use of the property, as demand for service increases. This is a conventional rezoning request; therefore, all uses permitted in the OI zoning district would be allowed on the subject property if approved. The Planning and Zoning Commission should consider all the information provided and determine if the proposed rezoning is consistent with the Commission's vision for this area of Cabarrus County.

The Chair thanked Mr. Phil Collins and asked if there were any questions for him.

Mr. Corley said, right now a special use permit would be required for a change in use because of the residential zoning? If we go to OI, hypothetically, the fire department leaves, Mark gets the property, and somebody buys it, they can do any use allowed in the OI in the existing buildings that are there, no questions asked?

Mr. Collins said, I believe that if the use changes from a public use facility to a religious, not trying to get too specific, it has to come up to standards.

Mr. Corley said, redevelopment or change from public use would require commercial design standards to be plopped on top there.

The Chair said, if it went from a fire station to a gas station. Still a station just a different use.

Ms. Morris said, our ordinance does not require design standards in OI. Essentially right now if they wanted to add on to the fire station, they would have to pursue a special use permit. The rezoning to OI would just eliminate that step, they would still have to go through the site plan review and all of those things. OI does not require the typical design standards in a commercial district. I can double check but if someone was to buy that property, then yes it can be redeveloped.

If they were pursuing it with us, it would be limited to the OI uses.

Mr. Corley said, thank you.

The Chair asked if there were any further questions. There being none, the Chair said seeing as we don't have the applicant here to make a presentation, we will move on to the public hearing.

At this time, we will open the public hearing. There being no one wishing to speak, the Chair closed the public hearing.

The Chair said, at this time, we need to discuss the request to deny or approve this motion.

Ms. Morris said, if it was a commercial or office type use, so anything in the commercial use list, then they would be subject to the design standards. If it was a church or school, something that is completely OI, they would not be subject to the design standards.

The Chair said okay, we need to have a discussion. Would anyone like to start us off? He said, remember, we have to discuss the items, and we need to make sure we include the support so we can make it easy to justify.

Mr. Rockett said, one of the obvious first points I would like to make is the Volunteer Fire Department preexists. Since it preexists, it brings it up to a better standard than where they had been. It seems to be a better fit. It is not consistent with the Central Area Land Use Plan; it is primarily surrounded by residential. It still feels like a better fit overall, it brings a lot of things into conformity. It makes a lot of sense to move forward.

The Chair said, anyone else have anything to add?

Mr. Paxton said, it is not consistent with the plan but however, I do feel it is in the public interest. Making it an important factor and consideration.

The Chair said, I would add that this proposed rezoning would have no negative impact on the surrounding neighborhoods. It would have no impact to infrastructure.

The Chair said, anyone have anything else? There being nothing to add, he said does that mean we are all in agreement to approve or deny the request?

Mr. Jeff Corley **MOTIONED, SECONDED** by Ms. Ingrid Nurse to **APPROVE** the rezoning request from LRD to OI based on the reasons mentioned by the Board. Vote was unanimous.

Chair said, Jeff Corley would you like to do a summary for your motion?

Mr. Corley said, the discussion of the board that it is not consistent with the Central Area Plan. The use does preexist county zoning. This zoning change will fix numerous non-conformities on the site. It is obviously reasonable that this site does provide fire services to the community. OI is a much more appropriate zoning for this type of use. Did I miss anything?

The Chair said, I don't think so. At this time we need a consistency statement. Anyone?

Consistency statement

Mr. Wise said, (inaudible) what is there now, a life safety building.

Mr. Koch said to Mr. Wise, include everything Jeff said.

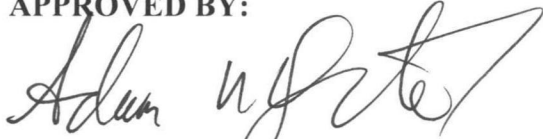
Mr. Wise said as part of the consistency statement, I include everything that Jeff Corley said. The discussion of the board that it is not consistent with the Central Area Plan. The use does preexist county zoning. This zoning change will fix numerous non-conformities on the site. It is obviously reasonable that this site does provide fire services to the community. OI is a much more appropriate zoning for this type of use.

Mr. Koch said, it is not consistent with the Central Area Plan, but it is reasonable in the public interest for all of those reasons.

Mr. Wise **MOTIONED, SECOND** by Mr. Mohammed Idlibi to **APPROVE** the consistency statement. Vote was unanimous.

There being no further discussion, Ms. Ingrid Nurse **MOTIONED, SECONDED** by Mr. Brent Rockett to adjourn the meeting at 6:56 p.m. The vote was unanimous.

APPROVED BY:



Mr. Adam Dagenhart, Chair

SUBMITTED BY:



Kendall Bolton, Clerk to the Board

ATTEST BY:

Susie Morris, Planning and Development Director

PLANNING STAFF REPORT
CABARRUS COUNTY PLANNING AND ZONING COMMISSION
6/13/2023

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

Petition: RZON2023-00002 Rezoning

Applicant Information: Allen Volunteer Fire Department
Matthew Pethel, Chief
4000 US Highway 601, South
Concord, NC 28025

Owner Information: Allen Volunteer Fire Department
Matthew Pethel, Chief
4000 US Highway 601, South
Concord, NC 28025

Existing Zoning: LDR (Low Density Residential)

Proposed Zoning: OI (Office Institutional)

Permitted Uses: Currently any use permitted within the LDR district is permitted on the subject property. The current land use of the subject property is Public Use Facility (Volunteer Fire Department) is permitted as a special use. As currently zoned, future additions/alterations to the property would require issuance of a special use permit.

Under the proposed zoning of OI, public use facilities are permitted by right, which means that future additions/alterations to the property would not require the issuance of a special use permit. Also, this is a conventional rezoning request, therefore, any use listed as permitted within the Development Ordinance would be permitted if the subject property is rezoned.

Parcel ID Number: 5548-09-3803

Property Addresses: 4000 US Highway 601, South

Area in Acres: ± 3.729 ac

Site Description: The original portion of the subject property (PIN 5548-09-2917 – 1.490 ac) is currently occupied by a Volunteer Fire Department that has been in existence since before zoning was originally adopted by the County. The property to the south (PIN 5548-09-3850 – 2.239 ac) of the VFD was recently acquired by the applicant. It was combined with the original tract to create a site that now includes multiple structures (See Map - Exhibit C).

The reconfigured site now supports the fire station and two buildings that will be used for training and equipment storage. A dilapidated building on the parcel was recently demolished and removed.

- Adjacent Land Use: North: Residential & Commercial (used car lot)
East: Residential
South: Residential
West: Residential & Vacant
- Surrounding Zoning: North: Limited Commercial (LC), Countryside Residential (CR) & Concord Planned Unit Development (PUD)
East: Countryside Residential (CR)
South: Countryside Residential (CR)
West: Concord Planned Unit Development (PUD)
- Utility Service Provider: Currently, the subject property is served by private septic and City of Concord water.

Exhibits

- A. Staff Report
- B. Application
- C. Survey/Deeds
- D. Staff Maps
- E. Use Comparison Table
- F. Public Notice Information
- G. Impervious Map
- H. Neighborhood Meeting Information

Intent of Zoning Districts

PROPOSED DISTRICT: OFFICE/INSTITUTIONAL (OI)

This district is intended to accommodate relatively low intensity office and institutional uses at intensities complementary to residential land use. This district serves as a transitional district between residential land uses and higher intensity non-residential land uses.

RATIONALE

This district is used to provide for low intensity office and institutional uses that can be complementary to adjacent residential land use. This district features employment options and essential services which require a moderate number of average daily trips. These uses will have a minimum impact on the surrounding area because these trips will generally occur during regular business hours, thus, not competing with residential traffic at peak hours or on weekends. This district should be located adjacent to residential districts or in areas where its

use would serve as a transition between residential land uses and higher intensity non-residential land uses. Higher intensity non-residential land uses may include commercial districts, light industrial or mixed use districts. When bordering residential districts or residential developments, care should be taken to assure natural or manmade buffering and architectural compatibility so that the nonresidential activities are not a nuisance to residential use.

EXISTING DISTRICT: LOW DENSITY RESIDENTIAL

This district is intended to permit development with a low density residential community character. This district allows conventional, open space and amenity subdivisions. This district is located where public utilities are available or are envisioned available within the next two to five years.

RATIONALE

This district is designed to provide permanent protection for those who want to live in a low density residential environment. The district, while focused on single-family residential development, is designed to allow a wide variety of residential types.

Agency Review Comments

Planning Review:

Staff Report. Phillip Collins, Senior Planner Cabarrus County

NCDOT Review:

We are fine with the proposed rezoning. Marc Morgan, NCDOT

Cabarrus Health Alliance:

No comments. Chrystal Swinger, Director of Environmental Health

Fire Marshal Review:

No comments. Jacob Thompson, County Fire Marshal

EMS Review:

No comments. Justin Brines, Cabarrus County EMS Deputy Chief

Sheriff's Office Review:

No comments. Travis McGhee, Cabarrus County Sheriff's Lieutenant

Soil and Water Review:

No comments. Tammi Remsburg, Cabarrus County Resource Conservation Manager

Land Use Plan Analysis

The subject property is located within the boundary of the Central Area Future Land Use Plan (Plan) and is designated as Low Density Residential. The Low Density Residential District, as described in the Plan, is intended to allow low to moderate density residential accommodating community development. The Plan further states that the Low Density Residential district should predominately be single family residential at a density of up to two dwelling units per acre or three dwelling units per acre provided additional development standards are met.

Although the recommendation of the Plan is for residential uses, the subject property is currently developed with a Volunteer Fire Department that provides the surrounding residential areas with fire protection services. The rationale of the OI district states that the OI district is for low intensity office and institutional uses that can be complementary to adjacent residential land use.

Conclusions

- The proposed rezoning is not consistent with the Central Area Plan. However, the subject property supports an existing volunteer fire department which was constructed prior to county zoning. The property currently has a residential zoning designation.
- A volunteer fire department is considered a public use facility. Public use facilities are permitted in the residential LDR district as a conditional use and permitted by right in the OI district.
- The proposed zoning change to OI supports the by right use of the property as a volunteer fire department and allows the existing non-conforming use to better comply with the zoning ordinance.
- By acquiring the second parcel and combining the two lots, the site is much better positioned to be used as a long-term facility for the VFD. Creating the new larger parcel also helped alleviate several non-conformities that existed on the original fire department tract.
- The proposed zoning change from LDR (residential uses) to OI (office/institutional uses) would provide greater flexibility in site design (signage, impervious area, reduced setbacks, buffering etc.) and use of the property, as demand for service increases.

This is a conventional rezoning request; therefore, all uses permitted in the OI zoning district would be allowed on the subject property if approved. The Planning and Zoning Commission should consider all the information provided and determine if the proposed rezoning is consistent with the Commission's vision for this area of Cabarrus County.



CABARRUS COUNTY REZONING APPLICATION

STAFF USE ONLY:

Application/Accela#: _____

Reviewed by: _____

Date: _____

Amount Paid: _____

INSTRUCTIONS/PROCEDURES:

1. Schedule a pre-application meeting with Staff to discuss the procedures and requirements for a zoning map amendment request.
2. Submit a complete application for an amendment to the official zoning map to the Planning Division. All applications must include the following:
 - Cabarrus County Land Records printout of all adjacent property owners. This includes properties located across the right-of-way and all on-site easement holders. The list must include owner name, address, and Parcel Identification Number.
 - A recent survey or legal description of the property or area of the property to be considered for rezoning.
 - Neighborhood meeting documentation (minutes and list of attendees).
 - Any additional documents essential for the application to be considered complete. (Determined as part of the pre-application meeting)
3. Submit cash, check, or money order made payable to Cabarrus County.
 - Fees: Residential rezoning request 1 acre or less = \$400.00
 - Residential rezoning request greater than 1 acre = \$400.00 *plus* \$15 per acre
 - Non-residential rezoning request = \$650.00 *plus* \$15 acre
 - (Plus, cost of advertising and engineering fees if applicable)
 - (if a 3rd submittal is required, an additional review fee will be assessed)

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

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

PROCESS SUMMARY:

1. Hold a pre-application meeting with Staff to discuss your rezoning request and the map amendment process.
2. Submit a complete application with the appropriate fees to the Cabarrus County Planning Division.

Staff will review your complete application, prepare a staff report, schedule a public meeting date and notify adjacent property owners of the public meeting/public hearing date. A sign advertising the public hearing will also be placed on the property being considered for rezoning.

Meeting Information: Meetings are held the second Tuesday of each month at 6:30 PM in the Cabarrus County Governmental Center located in downtown Concord at 65 Church Street, SE.

Expedited Vote: A vote of $\frac{3}{4}$ or more of the members of the Planning and Zoning Commission is considered an Expedited Vote and will constitute a final decision. If approval or denial of a rezoning request is by a vote of less than $\frac{3}{4}$ of the members, or if an appeal of the decision is filed within 15 days

of the date of the decision, the application will automatically be forwarded to the Board of Commissioners for final consideration at a *de novo* hearing.

Questions: Any questions related to rezoning your property or to the rezoning process may be directed to the Planning Division at 704-920-2141, between 8 AM and 5 PM, Monday through Friday.

SUBJECT PROPERTY INFORMATION:

Street Address 4000 US Highway 601 South

PIN(s) (10 digit #) 5548 -- 09 --3803 ; -- --

Deed Reference Book 13618 Page 0078

Township # 11

DESCRIPTION OF SUBJECT PROPERTY:

Size (square feet or acres) 3.729 Acres

Street Frontage (feet) 892 ft

Current Land Use of Property Fire Station

Surrounding Land Use North Auto garage

South Residential

East Residential

West Residential

REQUEST:

Change Zoning From Low Density Residential To Office/Institutional

Purpose for Request:

To be compliant with new zoning regulations.

LAND USE PLAN CONSISTENCY STATEMENT

Describe how the proposed rezoning meets the land use plan(s) for the subject parcel(s):

The property is currently used to operate a fire station that has been here since 1959.

We plan to continue operations as a fire station just trying to become compliant with new zoning regulations.

UTILITY SERVICE:

Water Supply Well or Service Provider City of Concord

Wastewater Treatment Septic Tank(s) or Service Provider _____

Is Applicant the designated Point Of Contact for comments and for billing? Yes No

If no, provide POC name, email, phone and address:

PROPERTY OWNER/AGENT/APPLICANT INFORMATION:

It is understood by all parties hereto including owner, petitioner, and/or agents that while this application will be carefully considered and reviewed, the burden of proving its need rests with the below named petitioner(s).

I do hereby certify that the information that I have provided for this application is, to the best of my knowledge, true and correct.

PROPERTY OWNER

AGENT/APPLICANT

Allen Volunteer Fire Department Inc.
NAME

Matthew Pethel - Fire Chief
NAME

4000 US Highway 601 South
ADDRESS

5501 Cold Springs Road South
ADDRESS

Concord NC, 28025
CITY, STATE, ZIP CODE

Concord NC, 28025
CITY, STATE, ZIP CODE

704-782-5475
PHONE NUMBER

704-791-6934
PHONE NUMBER

704-782-0768
FAX NUMBER

704-782-0768
FAX NUMBER

mpethel11@gmail.com
E-MAIL ADDRESS

mpethel11@gmail.com
E-MAIL ADDRESS

Signature of Property Owner:  Date: 05/31/2023

Signature of Property Agent/Applicant:  Date: 05/31/2023

FILED
CABARRUS COUNTY NC
WAYNE NIXON
REGISTER OF DEEDS

FILED Jul 24, 2019
AT 10:58 am
BOOK 13618
START PAGE 0078
END PAGE 0081
INSTRUMENT # 18627
EXCISE TAX \$370.00
EBV

SCANNED AND RETURNED

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Stamps: \$370.00

Parcel Identifier number: 11-47-19

Prepared by: HOWARD S. IRVIN, P.A., Attorney At Law
Post Office Box 1198
Concord, NC 28026-1198

THIS DEED is made and entered into this the 23rd day of July 2019 by and between

CHRISTIANNE H. COX
746 Harris Street, NW
Concord, NC 28025

And

TONY COX a/k/a
TONY W. COX, JR.
2340 Roberta Road
Concord, NC 28025

Hereinafter GRANTOR

and

ALLEN VOLUNTEER FIRE DEPARTMENT, INC.,
A North Carolina Non-Profit Corporation
4024 U. S. Highway 601 South
Concord, NC 28025

Hereinafter GRANTEE

4/26-

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.

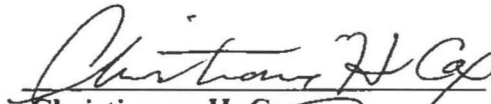
WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee, in fee simple, all that certain lot or parcel of land being more fully described on Legal Description attached hereto. as Exhibit "A".

The property herein conveyed does not include the primary residence of a Grantor.


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 Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions: all easements or right of way, restrictions and covenants, minimum building setbacks, zoning laws and ordinances of record, affecting the property hereby conveyed.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year shown herein.

 (Seal)
Christianne H. Cox

 (Seal)
Tony Cox

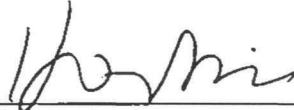
 (Seal)
Tony W. Cox, Jr.

State of North Carolina
Cabarrus County

I, a Notary Public for said County and State do hereby certify that the following persons personally appeared before me this day, and acknowledged to me that they voluntarily signed the foregoing document for the purposes stated therein and in the capacity indicated:

Christianne H. Cox, and
Tony Cox a/k/a Tony W. Cox, Jr.

WITNESS my hand and notary stamp, this the 23rd day of July 2019.



Howard S. Irvin
Notary Public

My Commission Expires:
June 17, 2022

Notary Seal/Stamp



EXHIBIT "A"

Lying and Being in Number Eleven (11) Township, Cabarrus County, North Carolina on the Southwest side of U. S. Highway 601 as shown upon a physical survey of 2.239 acres and Being Lot Numbers 47 through 54, inclusive, part of Lot Number 46 and part of Lot Numbers 123 through 138, inclusive, and part of Lot Number 166 of the **GEORGE FAGGERT PROPERTY**, as shown in Map Book 5, Page 21, said survey prepared for Hugh Hinson by Mel G. Thompson, P.L.S., dated July 27, 2007, and being more fully described as follows: **Old Description**

BEGINNING at a point in the Southwest side of U. S. Highway 601 in the front edge of Lot Number 46 of the George Faggert Property, the Southeastern corner of Allen Volunteer Fire Department, Inc. (Deed Book 441, Page 150) and runs thence with the Southwest side of U.S. Highway 601 South 52-25-04 East 210.0 feet to a point, the front common corner of Lot Numbers 55 and 54 of the George Faggert Property, said property being South 41-15-53 East 317.28 feet from an NCGS Monument (Allen), NAD83, said point also being the Northeastern corner of AEHI Property Investments, Inc. (Book 7196, Page 333); thence 2 courses with the line of AEHI Property Investments, Inc. as follows: First, South 38-50-23 West, crossing new iron pin on line at 27.77 feet for a total distance of 200.0 feet to a new iron pin, the common corner of Lot Numbers 55 and 54, in the line of Lot Number 125 of the George Faggert Property; thence Second, South 14-38-43 West 172.17 feet to an existing 1 inch iron pipe; thence Second, South 05-21-23 West 171.69 feet to an existing 1 inch iron pipe, a corner of Michael D. Love Estate (Deed Book 188, Page 252) in the line of Cecil David Marlin; thence North 50-47-08 West 187.70 feet to an existing 2 inch iron pipe in the line of Laurence Oliver, Jr. (Book 7488, Page 305); thence with the line of Oliver North 12-23-57 East 244.18 feet to an existing ½ inch iron rod; thence North 78-28-25 West 51.66 feet to an existing ½ inch iron rod, a corner of Leonard Wayne Newsome (Book 1402, Page 95); thence with the line of Newsome, North 07-09-13 West 37.76 feet to an existing ¾ inch bolt, a corner of Allen Volunteer Fire Department, Inc.; thence with the line of Allen Volunteer Fire Department, Inc. North 37-38-04 East, crossing a new iron pin on line at 263.30 feet, for a total distance of 273.30 feet to the point of BEGINNING.

For informational purposes only, being known as 4024 U. S. Highway 601 South, Concord, NC 28025.



BOOK 441 PAGE 130

04268

STATE OF NORTH CAROLINA

COUNTY OF CABARRUS

THIS INDENTURE, made this the 1st day of April, 1974, between ALLAN MILES COMPANIES, INC., a corporation duly organized and existing under the laws of the State of North Carolina, party of the first part, and ALLEN VOLUNTEER FIRE DEPARTMENT, INC., a corporation duly organized and existing under the laws of the State of North Carolina, party of the second part;

W I T N E S S E T H :

That the said party of the first part, for and in consideration of the sum of Ten Dollars and other valuable considerations to the said party of the first part, in hand paid, the receipt whereof is hereby acknowledged, has bargained, sold and conveyed, and by these presents does bargain, sell and convey unto the said party of the second part, its successors and assigns, the following described real estate, situate, lying and being in the County of Cabarrus and State of North Carolina, bounded as follows, to-wit:

Lying and being in Number 11 Township, Cabarrus County, North Carolina on the South side of U. S. Highway #601 and on the East side of the property of Allen Volunteer Fire Department, Inc. and being more particularly described as follows:

BEGINNING at an iron in U. S. Highway #601, a corner of Allen Volunteer Fire Department, Inc. and runs thence South 43-45 West 273.3 feet to an iron, corner of Ada Love Saunders; thence with her line North 89-29 West 46.4 feet to an iron, a corner of the property of Allen Volunteer Fire Department, Inc.; thence with the line of said fire department property North 50-04 East 307 feet to the beginning.

The foregoing description was taken from map entitled, "Property Being Conveyed to Allen Volunteer Fire Department, Inc., No. 11 Township, Cabarrus County, N. C., Ref: Map Book 5, Page 21 'George E. Faggart Property' Scale: 1"=50', March 7, 1974," survey by Walter L. Furr, Jr., Reg. Land Surveyor.

Prepared by: E. T. Bost, Jr., Atty - Mailed: Harold Paige
41 Flowe Store Rd.
Concord, N.C.

RECORD 366

STATE OF NORTH CAROLINA—CABARRUS COUNTY.

THIS INDENTURE Made this the 1st day of December
in the year of our Lord one thousand nine hundred and Sixty-Six (1966), between
MELIE E. SMITH and husband, RANDOLPH R. SMITH

of the County of Cabarrus and State of North Carolina of the first part, and
ALLEN VOLUNTEER FIRE DEPARTMENT, INC.

of the County of Cabarrus and State of North Carolina, of the second part:

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of
Ten Dollars and other valuable considerations DOLLARS

to the said parties of the first part in hand paid, the receipt whereof is hereby acknowledged, have bargained, sold and conveyed, and by these presents do bargain, sell and convey unto the said party of the second part, his heirs and assigns,

the following described real estate, situate, lying and being in the County of Cabarrus and State of North Carolina, bounded as follows, to wit:

Lying and being in No. 11 Township, Cabarrus County, North Carolina on the Southwest side of U. S. Highway No. 601 and on the Southeast side of Flowe's Store Road, and adjoining the property of Allen Volunteer Fire Department, and others, and is bounded as follows:

BEGINNING at an iron stake on the Southwest side of U. S. Highway No. 601, an old corner of Allen Volunteer Fire Department, and runs thence with their line South 47-47 West 390 feet to a Post Oak tree, an old corner; thence North 75-20 West 49.5 feet to an iron stake in the pavement of Flowe's Store Road; thence with a line in Flowe's Store Road North 20-05 East 164.5 feet to an iron stake in the Flowe's Store Road at its intersection with U. S. Highway No. 601; thence with a line on the Southwest side of U. S. Highway No. 601 South 35-29 East 193.0 feet to the BEGINNING; containing 1.11 acres.

The foregoing description was taken from Deed of Property of Allen Volunteer Fire Department, Inc. dated December 1, 1966 by Walter L. Furr, Jr., registered land surveyor.

RECORD 323

STATE OF NORTH CAROLINA—CABARRUS COUNTY.

THIS INDENTURE Made this the 10th day of August in the year of our Lord one thousand nine hundred and Sixty two (1962) between Warren Howard Vanderburg and wife Elizabeth Henley Vanderburg and T M Schramm, Trustee

of the County of Cabarrus and State of North Carolina of the first part, and Allen School Volunteer Fire Department, Inc.

of the County of Cabarrus and State of North Carolina, of the second part:

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Ten Dollars and other valuable considerations DOLLARS

to the said parties of the first part in hand paid, the receipt whereof is hereby acknowledged, have bargained, sold and conveyed, and by these presents do bargain, sell and convey unto the said party of the second part, successors and assigns, the following described real estate, situate, lying and being in the County of Cabarrus and State of North Carolina, bounded as follows, to wit:

Lying and being in No. 11 Township, Cabarrus County, North Carolina, on the West side of U.S. Highway No. 601 and being a part of Lots Nos. 41, 43, 44, 45, and 46 and all of Lot No. 42 of the George Faggart Property, as surveyed by J D Justice on January 14, 1936 a map of which is filed in the office of the Register of Deeds for Cabarrus County, North Carolina, in Map book no. 5, page 21, and bounded as follows:

Beginning at a point on the West side of U.S. Highway No. 601, said point being the front corner of Lots Nos. 45 and 46, also a corner of Allen Volunteer Fire Department, and runs thence with two lines of Allen Fire Department, First: South 50-33 West 150 feet; Second: North 47-25 West 75 feet to a point in the north line of Lot No. 43; thence with the line of Lot No. 43 and 42 South 50-33 West 240 feet to a Post Oak, a corner of Lots Nos. 41 and 42 in the line of Lot No. 40; thence a line through Lot No. 41 South 89 East 129.1 feet to an iron stake; thence a new line through lots Nos. 41 and 46 North 50-33 East 307 feet to a point on the west side of U S Highway No. 601 and in the front line of Lot No. 46; thence with the West side of said Highway North 47-25 West 15 feet to the Beginning.

T M Schramm, Trustee, joins in this conveyance for the purpose of releasing the above described property from Deed of Trust from Warren H Vanderburg and wife Elizabeth Henley Vanderburg, to T M Schramm, Trustee, recorded in Mortgage book 201 page 188.

RECORD 293

STATE OF NORTH CAROLINA—CABARRUS COUNTY.

THIS INDENTURE Made this the 17th day of April, in the year of our Lord one thousand nine hundred and Fifty-Nine, between Warren Howard Vandenburg and wife Elizabeth Henley Vandenburg, and T.M. Schramm, Trustee of the County of Cabarrus and State of North Carolina of the first part, and Allen Volunteer Fire Department, Inc.

of the County of Cabarrus and State of North Carolina, of the second part:

WITNESSETH, That the said part les. of the first part, for and in consideration of the sum of Ten Dollars and other valuable considerations, DOLLARS, to the said part les. of the first part in hand paid, the receipt whereof is hereby acknowledged, ha. ve. bargained, sold and conveyed, and by these presents do bargain, sell and convey unto the said part y. of the second part, its successors and assigns, the following described real estate, situate, lying and being in the County of Cabarrus and State of North Carolina, bounded as follows, to-wit:

Lying and being in No. 11 Township on the West side of the Concord-Monroe Highway, being a part of Lots Nos. 43, 44, and 45 of the Gerge Faggart Property, a map of which is on file in Map Book 5 page 21, in the Cabarrus County Registry, and is bounded as follows:

BEGINNING at an Iron stake on the West side of the Concord-Monroe Highway, a corner of Merle Faggart Smith and runs thence with her line South 50-33 West 150 feet to an Iron stake, a new corner in her line; thence a new line South 47-25 East 75 feet to an Iron stake, a new corner; thence a new line North 50-33 East 150 feet to an Iron stake on the West side of said Highway, a corner of Lot, Nos. 45 and 46; thence with the West side of said Highway North 47-25 West 75 feet to the BEGINNING. X

T.M. Schramm, Trustee, joins in this conveyance for the purpose of releasing the above described property from Deed of Trust from Warren Howard Vandenburg and wife Elizabeth Henley Vandenburg to T.M. Schramm, Trustee, recorded in Mortgage Book 201 page 188.

Allen Volunteer
Fire Department, Inc.

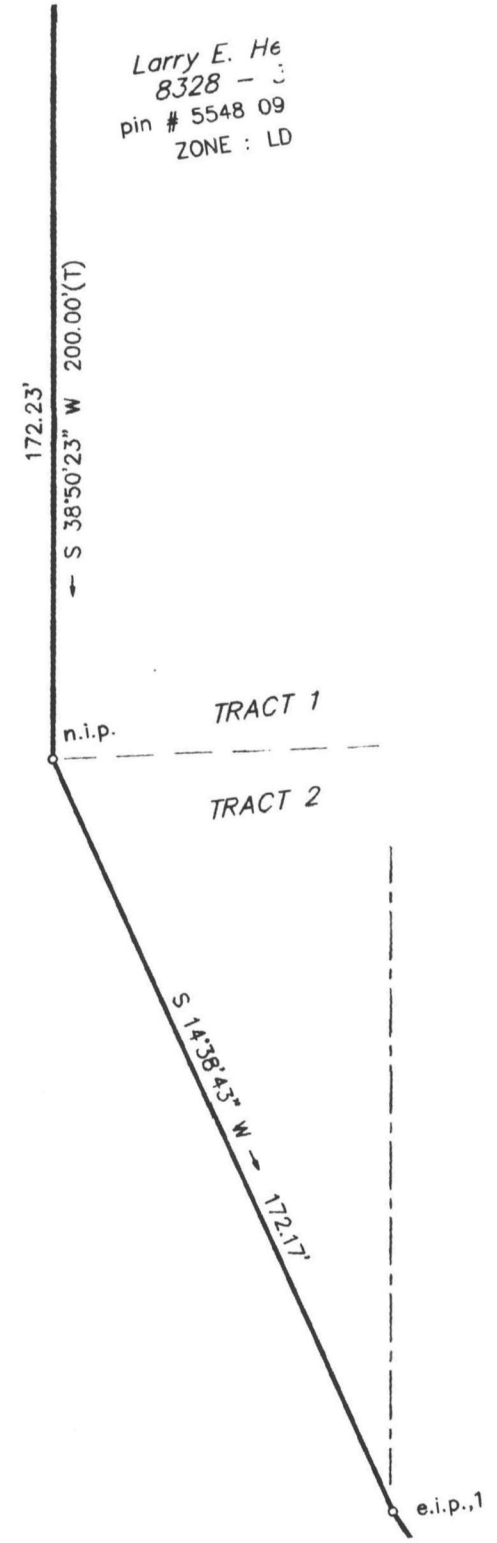
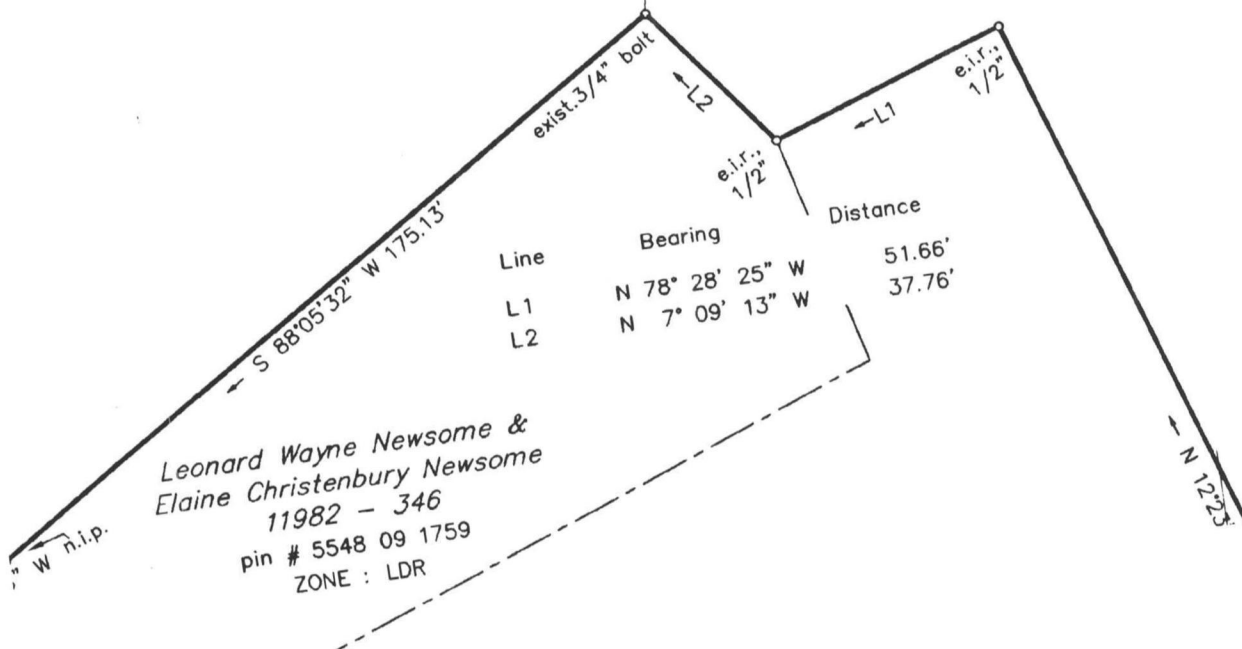
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ZONE : LDR
MGT # 19 03 06

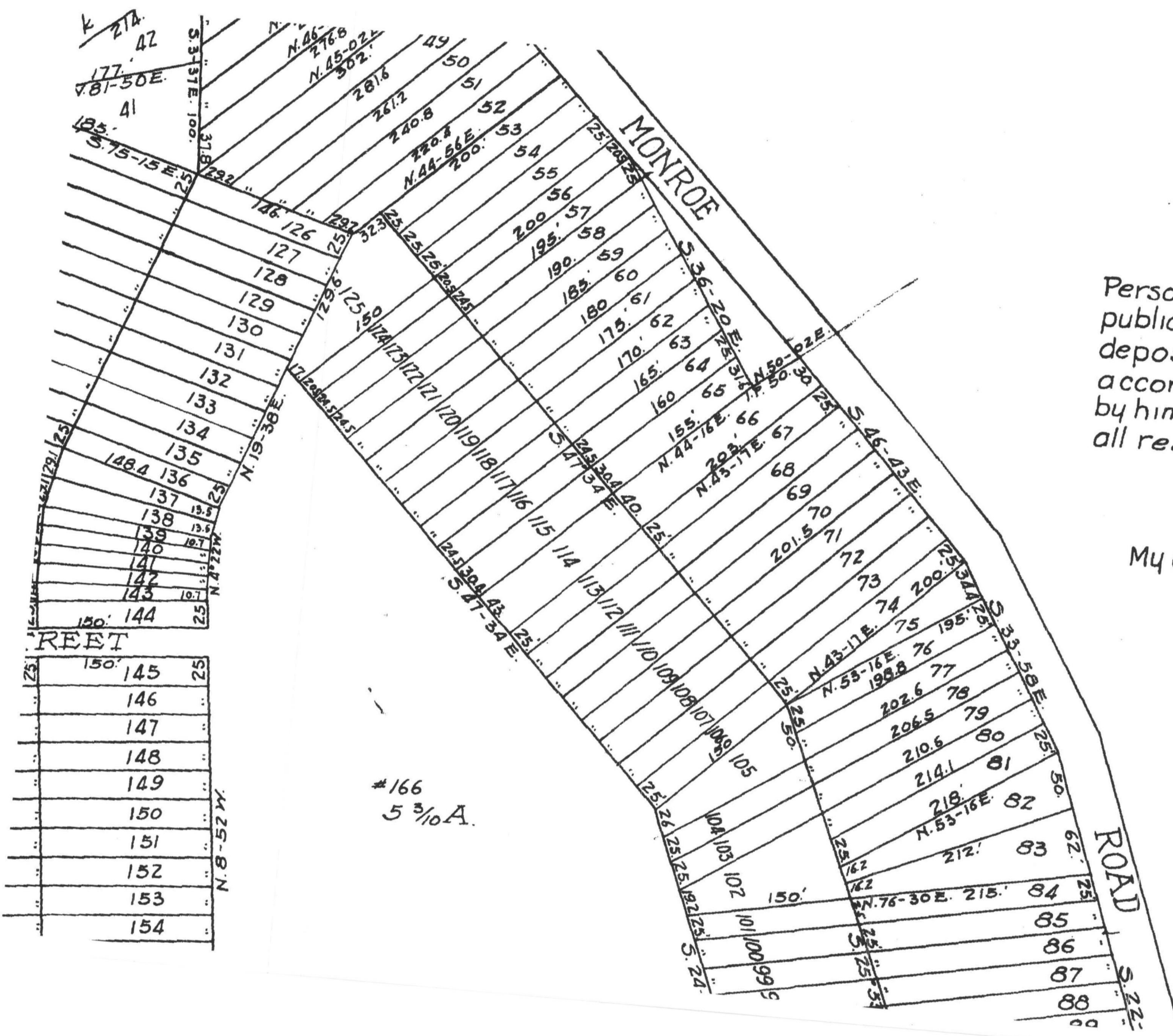
2.239 Acres
Allen Volunteer
Fire Department, Inc.

pin # 5548 09 3850
ZONE : LDR
MGT # 07 07 15

Larry E. He
8328 - 3
pin # 5548 09
ZONE : LD

EXISTING TAX PARCELS
TO BE COMBINED





Personally appeared
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 by him and t
 all respects
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My Comm

#166
 5 3/10 A.

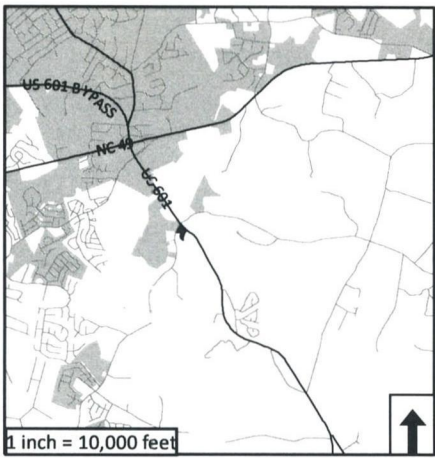
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25	146		
25	147		
25	148		
25	149		
25	150		
25	151		
25	152		
25	153		
25	154		

ROAD
 S. 22'

Central Planning Area Existing Zoning

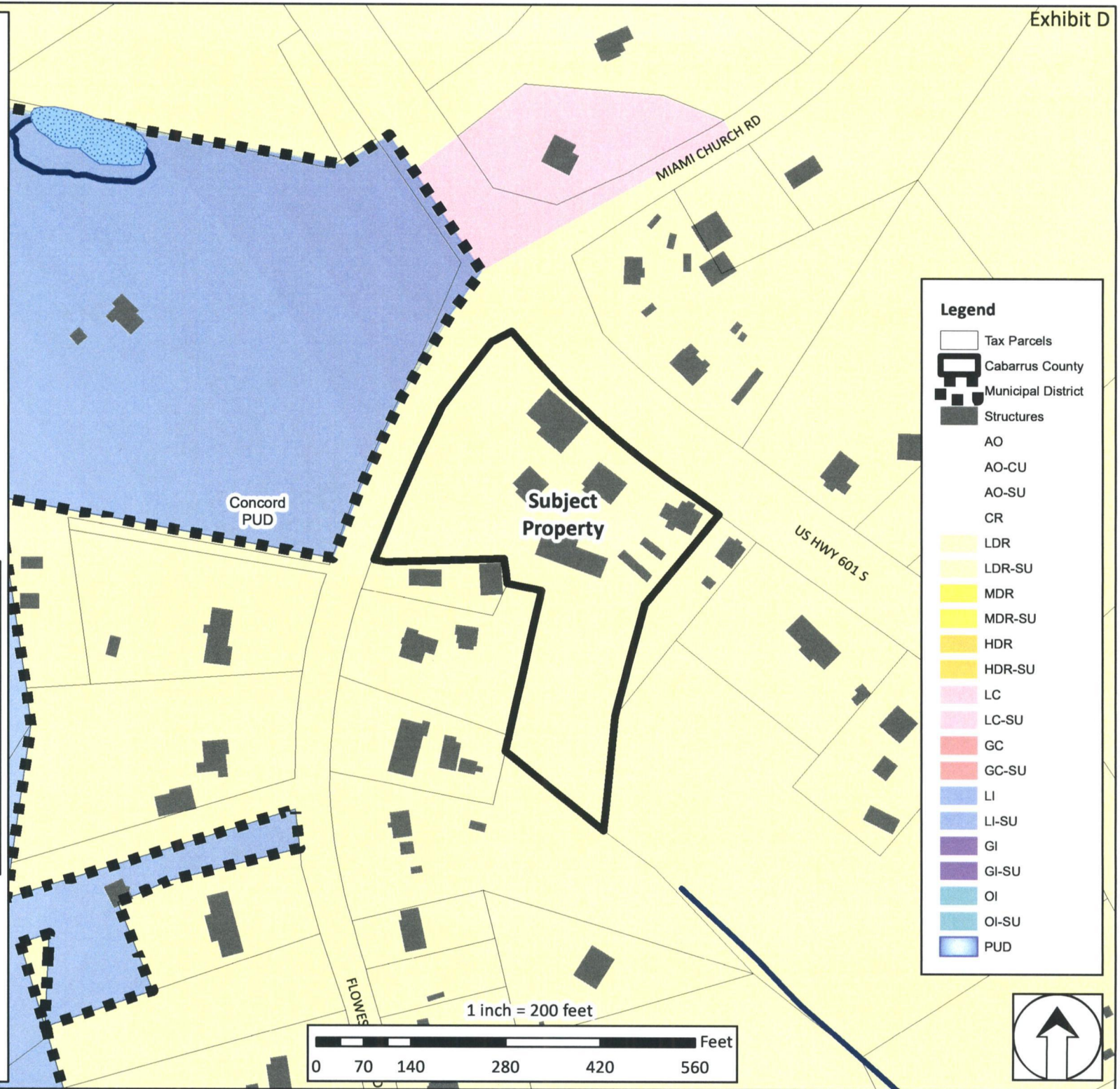


Applicant: Allen V.F.D.
Owner: Allen V.F.D.
Case: RZON2023-00002
Address: 4000, 4010 & 4024 US Hwy
601 S and 4015 Flowes Store Rd
Purpose: Rezone from LDR to OI
PINs: 5548-09-3803



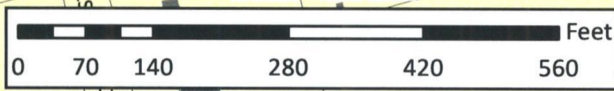
Cabarrus County shall not be held liable for any errors in this data. This includes errors of omission, commission, errors concerning the content of the data, and relative and positional accuracy of the data. These data cannot be construed to be a legal document. Primary sources from which these data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

Map Prepared by Cabarrus County Planning & Development - June 2023



Legend

- Tax Parcels
- Cabarrus County
- Municipal District
- Structures
- AO
- AO-CU
- AO-SU
- CR
- LDR
- LDR-SU
- MDR
- MDR-SU
- HDR
- HDR-SU
- LC
- LC-SU
- GC
- GC-SU
- LI
- LI-SU
- GI
- GI-SU
- OI
- OI-SU
- PUD

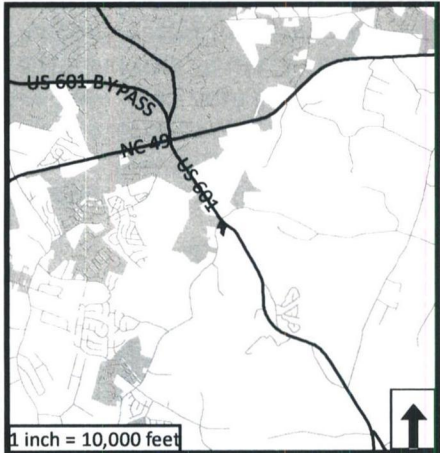


Central Planning Area
Aerial Map



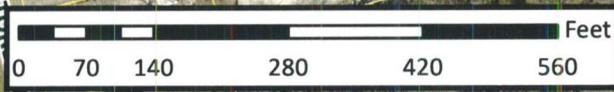
Applicant: Allen V.F.D.
Owner: Allen V.F.D.
Case: RZON2023-00002
Address: 4000, 4010 & 4024 US Hwy
601 S and 4015 Flowes Store Rd
Purpose: Rezone from LDR to OI
PINs: 5548-09-3803

- Cabarrus County
- Municipal District
- Tax Parcels



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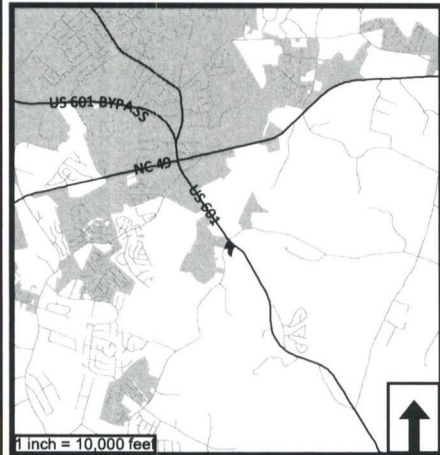
Map Prepared by Cabarrus County Planning & Development - June 2023



Central Planning Area Future Land Use

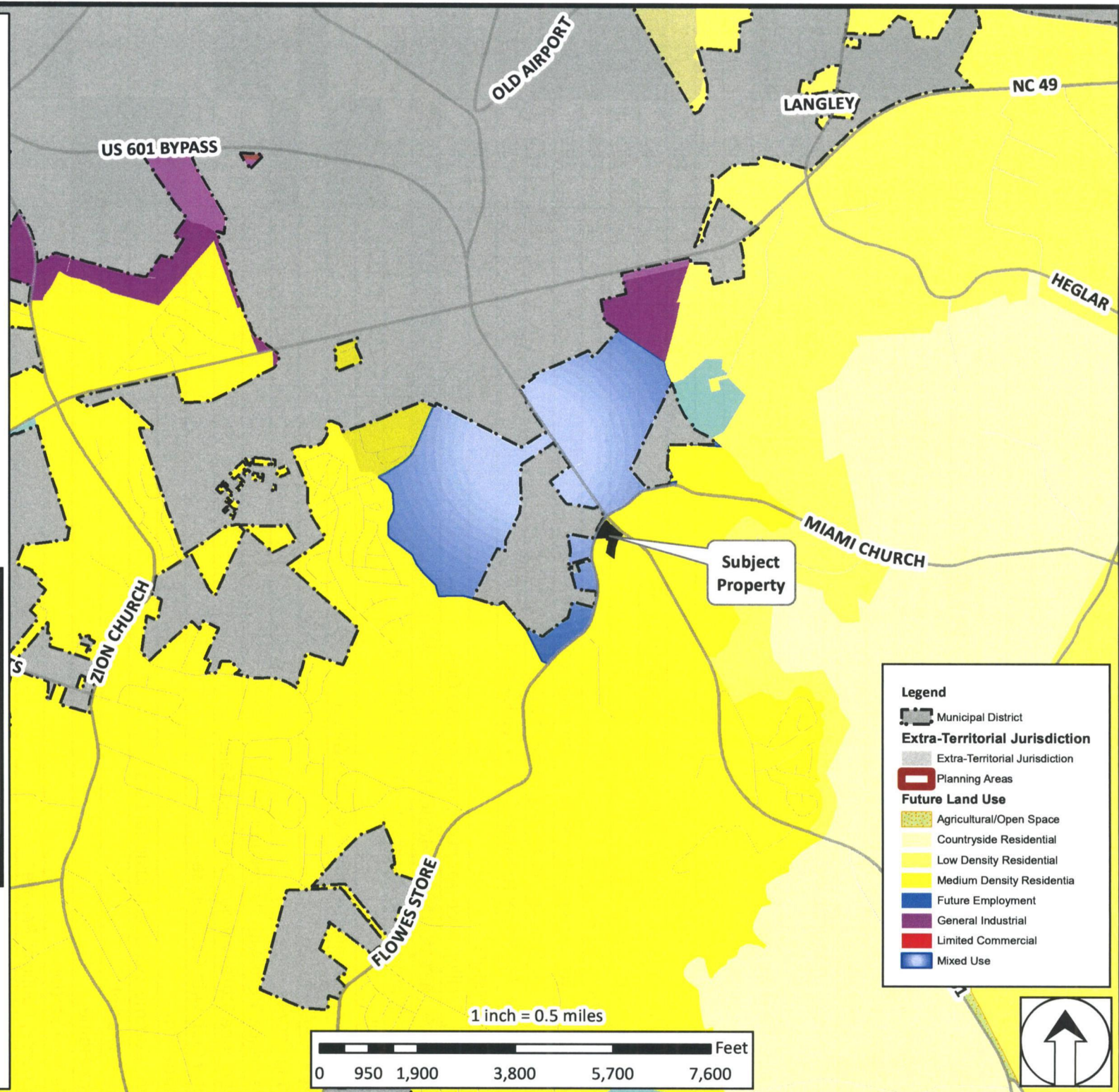


Applicant: Allen V.F.D.
 Owner: Allen V.F.D.
 Case: RZON2023-00002
 Address: 4000, 4010 & 4024 US Hwy
 601 S and 4015 Flows Store Rd
 Purpose: Rezone from LDR to OI
 PINs: 5548-09-3803



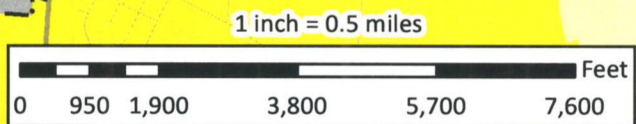
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Map Prepared by Cabarrus County Planning & Development - June 2023



Legend

- Municipal District
- Extra-Territorial Jurisdiction**
- Extra-Territorial Jurisdiction
- Planning Areas
- Future Land Use**
- Agricultural/Open Space
- Countryside Residential
- Low Density Residential
- Medium Density Residential
- Future Employment
- General Industrial
- Limited Commercial
- Mixed Use



ip Care Facility		P
i-Attached House	P	
e Family Detached Residential	P	
ICULTURAL USES	LDR 	OI
ulture, Including Livestock	PBS	
ulture, Female Chickens, Limited Number, Less Than 5 Acres	PBS	
ulture Excluding Livestock	P	
ourism, Accessory to Agriculture	P	
, Greenhouse, as Primary Structure	PBS	
ery, Greenhouse	P	
ntific Research and Development, Accessory to Agriculture	PBS	
CESSORY USES	LDR 	OI
ssory Dwelling Unit	PBS	
ssory Building	PBS	PBS
imated Teller Machine	PBS	PBS
munity Garden, as Accessory Use	PBS	PBS
mol Fuel Production, Residential District, Private Use Only	PBS	
e Occupation, General	PBS	
e Occupation, Rural	PBS	
roduction, Dispensing, Accessory to Convenience Store	PBS	
roduction, Dispensing, Accessory to Gas Station	PBS	
aming Pool, Accessory to Single Family Residential	PBS	
Head, Accessory	PBS	PBS
Energy Facility, Accessory Use, On-Site Use Only	PBS	
IMERCIAL, RETAIL AND OFFICE USES	LDR 	OI
, Financial Institution, Automated Teller Machine	PBS	PBS
quet Hall		P
er, Beauty, Tanning, Nail or Skin Care Salon		P
and Breakfast	PBS	
ring Service		PBS
venience Store with Petroleum Sales	PBS	
venience Store without Petroleum Sales	PBS	
try Club with Golf Course	PBS	PBS
atorium		P
ex, Commercial Use, Individual Lots		PBS
er's Market		P
ral Home		P
Service Station	PBS	
Course, Public or Private	PBS	PBS
ery, Daycare Center	PBS	PBS
e professional, 30,000 Square Feet or Less		P
ing Lot, Parking Garage, Commercial or Private		P
ing and Reprographic Facility		P
eational Facility, Indoor		PBS
eational Facility, Outdoor	SU	SU
clable Materials Drop Off		PBS
aurant, Excluding Drive-thru	PBS	
ntific Research and Development		PBS
les, Commercial	PBS	
an Club, Tennis Club, Country Club	PBS	PBS
less Telecommunications Services	SU	SU

College, University	SU	P
Communications Tower, 911 Communications Tower	SU	SU
Convention Center Facility		SU
Elementary, Middle and High Schools	SU	SU
Hospital, Ambulatory Surgical Care Facility		P
Museum Cultural Facility	PBS	P
Police Service Facility	SU	SU
Public Use Facility	SU	P
Recreational Trail, Greenway or Blueway, Connector	PBS	PBS
Religious Institution with Total Seating Capacity 351 or More	SU	SU
Religious Institution with Total Seating Capacity 350 or Less	PBS	PBS
Religious Institution with School	SU	SU
Residential Home, Convalescent Home, Nursing Home with 10 Beds or Less	PBS	PBS
Residential Home, Convalescent Home, Nursing Home with More Than 10 Beds	SU	SU
Technical and Vocational Schools		SU
Trailer Head, Primary Use Site	PBS	PBS
INDUSTRIAL	LDR	OI
Landfill, Demolition, Less Than One Acre	PBS	
TEMPORARY USES	LDR	OI
Auto Auction, Estate or Asset Liquidation	PBS	PBS
Auto Wash, Livestock	PBS	
Auto Wash, Commercial Waste Containers	PBS	PBS
Auto Wash Trailers, Natural Disaster or Significant Weather Event	PBS	PBS
Auto Wash Merchants at Existing Business	PBS	
Mobile Personal Storage Unit, Vacate or Occupy Premise	PBS	PBS
Mobile Personal Storage Unit, Renovation	PBS	PBS
Seasonal Sale of Agriculture Products, Includes Christmas Trees and Pumpkins		PBS
Temporary Health Care Structure	PBS	
Temporary Residence in Mobile Home During Construction of New Home, Same Site	PBS	
Temporary Tent or Temporary Structure, Including Cell on Wheels		PBS



Cabarrus County Government – Planning and Development Department

March 22, 2023

Dear Property Owner:

A Zoning Map Amendment Petition has been filed in our office for your property. The specifics of the request are listed below. The Cabarrus County Planning and Zoning Board will consider this petition on Tuesday, June 13, 2023 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 the rezoning request, I encourage you to attend this meeting.

• Petitioner	Allen Volunteer Fire Department
• Petition Number	RZON2023-00002
• Property Location	4000 US Hwy 601, S
• Parcel ID Number	5548-09-3803
• Existing Zoning	Low Density Residential (LDR)
• Proposed Zoning Map Change	Office / Institutional (OI)

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,

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



Cabarrus County Government – Planning and Development Department

May 22, 2023

Dear Property Owner:

A Zoning Map Amendment Petition has been filed in our office for property **adjacent** to yours. The property and specifics of the rezoning are listed below. The Cabarrus County Planning and Zoning Board will consider this petition on Tuesday, June 13, 2023 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 the rezoning, I encourage you to attend this meeting.

Petitioner	Allen Volunteer Fire Department
Petition Number	RZON2023-00002
Property Location	4000 US Hwy 601, S
Parcel ID Number	5548-09-3803
Existing Zoning	Low Density Residential (LDR)
Proposed Zoning Map Change	Office / Institutional (OI)

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

PROPERTY OWNER

5548-09-3803

Allen Volunteer Fire Department Inc
 4000 US Highway 601, South
 Concord, NC 28025

5549-00-8158 Christie & Donald Eagle 4031 US Hwy 601 S Concord, NC 28025	5549-00-3445 David & Nancy Spurrier 3965 US Hwy 601, S Concord, NC 28025	5548-09-1759 Elaine & Leonard Newsome Lf Est 1791 Simplicity Rd Concord, NC 28025
5548-09-7337 Julio & Deyfilia Gallo 4080 US Hwy 601, S Concord, NC 28025	5548-09-7508 Larry Helms 438 Burrage Rd NE Concord, NC 28025	5538-99-5766 Marvin & Robin Kimbrell 11013 Catawba Ave Midland, NC 28107
5549-00-5148 Smith Carl F Mrs (Betty B) 519 Claramont Dr SW CONCORD, NC 28027	5539-90-2295 Smith J L Mrs Estate c/o Jeff Harris 13422 Scanlan Way Davidson, NC 28036	5548-09-0565 Steven & Mary Claus 7740 Village Pkwy Locust, NC 28097
5548-09-2470 Tammy Hammond 4143 Flowes Store Rd Concord, NC 28025	5548-09-2608 Tyson Claus 2312 Applegate Dr Concord, NC 28027	

CABARRUS COUNTY
ZONING

NOTICE

RZON2023-00002
FOR DETAILS CALL
704-920-2141



Public Hearing Notice

Cabarrus County Planning and Zoning Commission

Tuesday June 13, 2023 @ 6:30 p.m.

Board of Commissioner's Meeting Room

65 Church Street S, Concord, NC 28025

RZON2023-00002 - Rezone property from Low Density Residential (LDR) to Office / Institutional (OI). Owner/applicant is Allen Volunteer Fire Department, Inc. Address is 4000 US Highway 601, South (PIN: 5548-09-3803).

PUBLISH: Wednesday, May 31st, and Wednesday, June 7th, 2023

Allen V.F.D.			
PIN	Addresses	Acreage	Square Footage
5548-09-3803	4015 Flowes Store Rd and 4000, 4010 & 4024 US Hwy 601 S	3.73	162,478.80

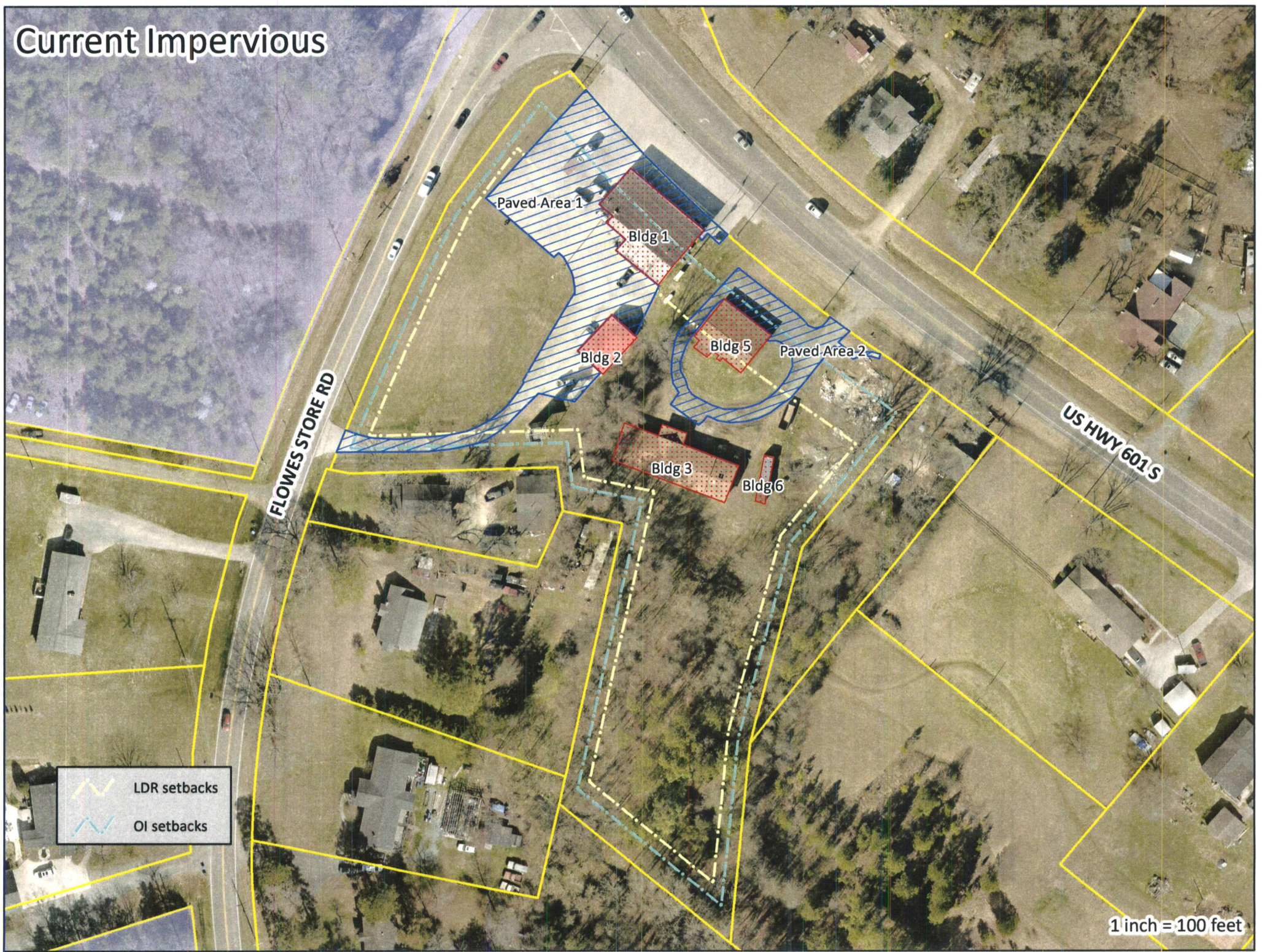
Existing Conditions (Pre-Zoning)	
Impervious Coverage	14,609.00
Building 1 (minus FOP)	3,328.00
Building 2	1,000.00
Building 3 (from GIS)	827.48
Building 4	1,523.00
Paved/Graveled Area	13,511.34

Existing Conditions	Current Total	Minus Pre-Zoning Conditions
Impervious Coverage	38,593.63	18,611.91
Building 1	4,208.00	880.00
Building 2	1,000.00	0.00
Building 3	3,120.00	2,292.52
Building 4	0.00	0.00
Building 5	1,920.00	1,920.00
Building 6 (from GIS)	331.69	331.69
Paved Area 1	20,511.78	7,000.44
Paved Area 2	6,187.26	6,187.26

Total Permitted Impervious Coverage		
Current Zoning - LDR	20%	32,495.76
Potential Zoning - OI	75%	121,859.10

Required Setbacks	LDR	OI
Front	75	30
Side Street	20	10
Side	20	10
Rear	30	20

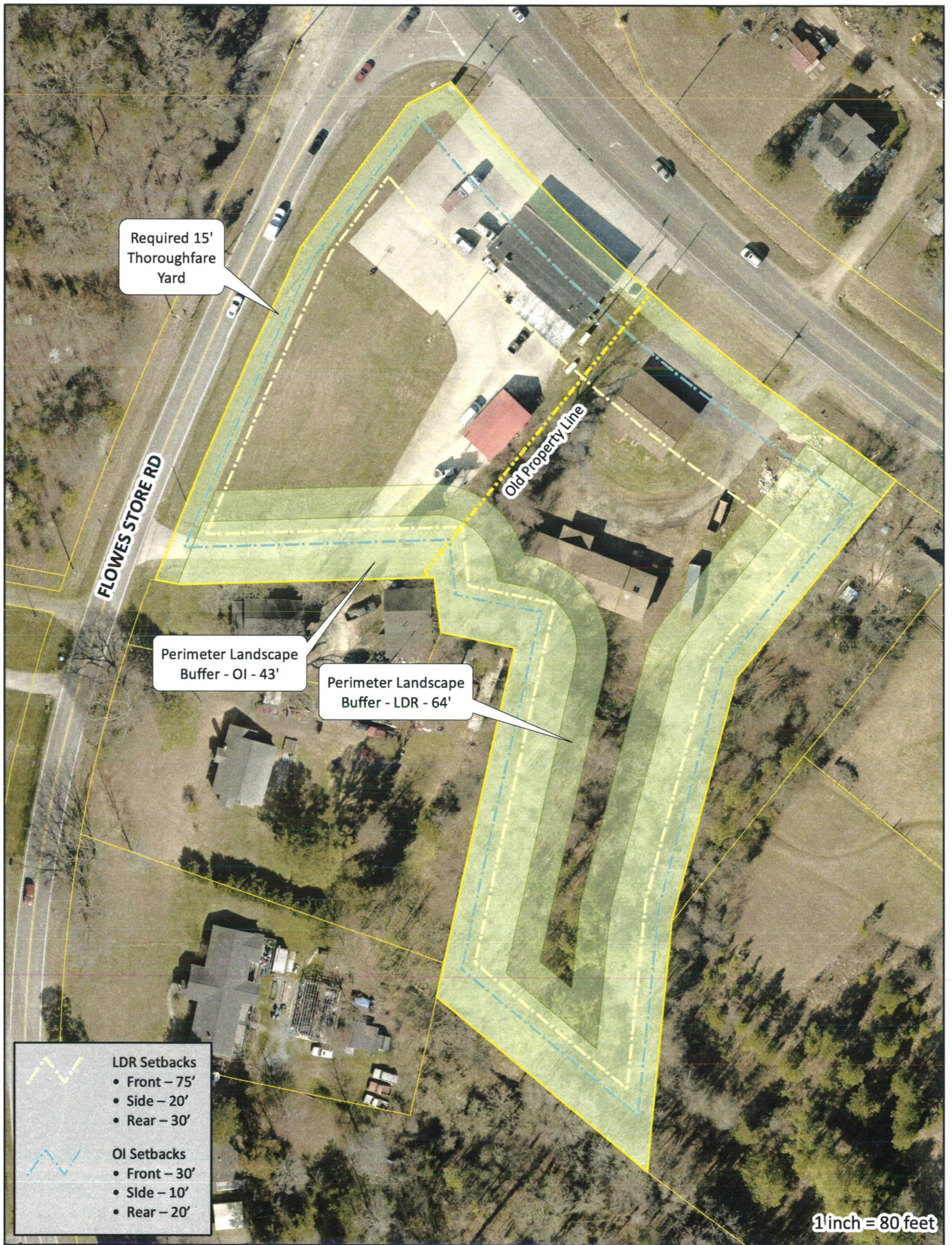
Current Impervious



Impervious Area - Pre-Zoning



1 inch = 100 feet





Required 15'
Thoroughfare
Yard

FLOWES STORE RD

Old Property Line

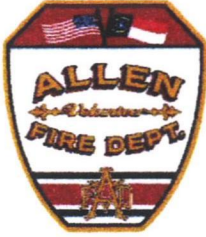
Perimeter Landscape
Buffer - OI - 43'

Perimeter Landscape
Buffer - LDR - 64'

-  LDR Setbacks
 - Front – 75'
 - Side – 20'
 - Rear – 30'
-  OI Setbacks
 - Front – 30'
 - Side – 10'
 - Rear – 20'

1 inch = 80 feet

SENT Out 10/5/2022 by M. Pethel



**ALLEN VOLUNTEER FIRE DEPARTMENT,
Inc.**

4000 U.S. Hwy. 601 S. ~ Concord, N.C. 28025

Neighbors,

My name is Matthew Pethel, and I am the Fire Chief of Allen Volunteer Fire Department. As most of you know, Allen VFD has been operating since 1959, and the zoning rules and regulations have changed. The fire station is currently zoned as Residential, and we are being required to shift to an I/O Zoning designation. This designation will make us a commercial property. The use of the property will not change; we will continue to operate as a fire station just as we are now. We must make this change to be compliant with new regulations. State law determines we must notify all our adjoining neighbors of this change. If anyone has any questions or discussions about this change, please feel free to reach out. As I stated, we are not changing our operation or selling the property. The new zoning regulations and Cabarrus County require us to change our designation.

Thank you all for your time, consideration, and support over the years.

Matthew Pethel

A handwritten signature in black ink that reads "Matthew Pethel". The signature is written in a cursive style.

Fire Chief
Allen Volunteer Fire Department
704-782-5475

Proudly Serving Since 1959

The Annual Meeting of the Allen Volunteer Fire Department was held on March 2, 2023 at 7:30pm.

The following Board Members were in attendance: David Drake, Brandy Porter, Deputy Chief Whiting, Jake Barbee, Mike Faggart and Jennifer Dozier.

Board President, Mike Faggart thanked everyone for coming and called the meeting to order.

Invocation was given by Jerry Helms.

Deputy Chief Whiting introduced himself and reported the following:

- Total Calls for 2022=1,115
- Currently have 46 members on roster, 38 volunteer/part time and 8 strictly Part-time
- Total of 895 hours of In-house training
- 6 people became certified in 2022 and it takes 428 hours now to be certified
- 89.98% of calls less than a 60 second out the door time
- Average response time of 4:48
- We are currently zoned residential, they are requiring us to change to commercial to become compliant with new zoning regulations. It will not affect any day-to-day operations just trying to become compliant with new zoning regulations.
- Ashley Pethel is currently teaching a EMR class at the station.
- A new fire truck has been ordered and should arrive in March of 2024.

Other:

The minutes of last year's meeting were read. A motion was made to accept the minutes as read. Motion was seconded, vote taken and passed.

Financials:

Operating Account at F&M	-	\$111,996.76
Money Market at F & M	-	\$275,124.06
Money Market at Civic CU	-	\$34,099.76
Savings Account at Civic CU	-	\$29.62
Fireman's Relief Fund at Civic CU	-	\$56,220.78

A motion was made to accept the balances on hand. Motion was seconded, vote taken and passed.

Other:

Mike asked if there was any old or new business that needed to be discussed.

There was none.

Board Elections:

With no further business the floor was opened for nominations. There are three, three year terms.

The following people were nominated: Mike Faggart, Jennifer Dozier, Zack Almond After 2 minutes a motion was made to close the floor to nominations. Motion was seconded, vote taken and passed. Ballots were not handed out for voting since there were only three people nominated for the three open positions. Mike Faggart, Jennifer Dozier, Zack Almond will each serve a three year term.

With no further business a motion was made to adjourn. Motion was seconded, vote taken and passed.

Respectfully Submitted,

Jennifer Dozier
Secretary / Treasurer