

AGENDA
THOMASVILLE
BOARD OF PLANNING AND ADJUSTMENT
November 28, 2023
City Council Chambers
20 Stadium Drive
5:30

1. Call to Order and Establishment of Quorum.
2. Approval of Minutes of October 24, 2023
3. Variance Request (BOA-23-08)
Applicant/Owner: R.E.W. Homes, LLC
Location: 9 King Row
Existing Zoning: R-8 Medium Residential
Request: The lot is several feet short of being able to divide into two lots—request for relief of 8 feet, 4 feet per divided lot.
4. Variance Request (BOA-23-09)
Applicant/Owner: Marie A. Buchanan
Location: 311 Church Street
Existing Zoning: R-6 High Density Residential
Request to reduce the rear yard setback from 25 ft. to 19.8 ft. for a new house.
5. Variance Request (BOA-23-10)
Applicant/Owner: Sonja Campbell Hall
Location: 607 Johnson St.
Existing Zoning: R-10 Low Density Residential
Request to reduce the front yard setback from 35 ft. to 10 ft. for a detached open carport.
6. Variance Request (BOA-23-11)
Applicant/Owner: Jeff and Ashli Huntsman
Location: 18 Buck Forest Lane
Existing Zoning: R-10 Low Density Residential
Request to reduce the front yard setback from 35 ft. to 30 ft. for a new extended covered porch.

7. Request for Rezoning (Z-23-09)
Applicant/Owner: R.E.W Homes, LLC
Location: Kendall Mill Rd.
Parcel Number: 1633800000035
Existing Zoning: R-8CZ Medium Density Residential Conditional Zoning
Proposed Zoning: R-6 High Density Residential
8. Request for Rezoning (Z-23-10)
Applicant/Owner: Joseph Dean
Location: 420 Lexington Ave.
Parcel Number: 16098000B0016
Existing Zoning: C-2 Highway Commercial
Proposed Zoning: R-8 Medium Density Residential
9. Request for Rezoning (Z-23-11)
Applicant/Owner: Rafaelle Dipuerto
Location: Taylor/Montlieu Ave.
Parcel Number: 16119000B0009
Existing Zoning: M-1CZ Light Industrial Conditional Zoning
Proposed Zoning: R-6 High Density Residential
10. Other Business
11. Adjournment

MINUTES OF THE
THOMASVILLE BOARD OF PLANNING AND ADJUSTMENT

MEETING – October 24, 2023

The regularly scheduled August meeting of the Thomasville Board of Planning and Adjustment, was called to order at 5:30 P.M. with a quorum present.

Members present: Ms. Jane Hill, Chairperson; Mr. Carl Shatley, Vice-Chairperson; Mr. Brandon Byerly; Mr. Chris Myrick; Mrs. Judy Smith; Mrs. Pat Shelton; and Mr. Oran Jefferies.

Members absent: none

Alternate member present: Mr. Eric Kuppel

The following staff members attended the meeting: Mr. Chuck George, Planning Director; Ms. Tamara Lebow, Recording Secretary; and Mrs. Misti Whitman, City Attorney.

City Council Liaison present: Mr. Doug Hunt

Business taken up was as follows:

- 1) Call to Order and Establishment of Quorum

The meeting was called to order by Chairperson Hill, who declared a quorum to be present.

- 2) Approval of Minutes of September 26, 2023 Meeting

Upon a motion by Mr. Jefferies and a second by Mr. Shatley, the minutes of the September 26, 2023 Regular Meeting, were unanimously approved.

- 3) Variance Request (BOA-23-07)
Applicant/Owner: David E Smith & ET ALS
Location: 509 E. Holly Hill Road
Parcel Number: 16348C0000410
Existing Zoning: R-10 Low Density Residential
Request to reduce the rear yard setback from 25 ft. to 19.5 ft.

Chairperson Hill asked Mr. George to give the staff comments. He stated the subject property is located in an R-10 Zoning, where the setbacks are: 25 from the rear, 35 feet from the front and 10 feet from the sides. He advised there have been several calls by many Board members, with questions. Chairperson Hill advised they needed have a swearing in, prior to his giving of any further information. David Smith, Chuck George, and (later) Don Truell all came forward and to be sworn in by City Attorney, Misti Whitman. Mr. George resumed with his staff comments. He advised one of the biggest questions was how this got missed during the permit submission. He explained the permit submission process in its entirety. He further advised once the building permit has met all requirements during the review process, then most contractors hire a surveyor to come out and pin all points on the property. Whereas, in this case, Mr. Smith pulled and pinned his own measurements. Once pinned, someone is hired to pour the footings. After both the footing and foundation inspections are completed, a surveyor must then complete a foundation survey to verify the setbacks were met. The Planning & Zoning Director (Mr. George) received the survey for a Zoning/Setback review and sign off. It was during this process the encroachment was discovered. Mr. George contacted and informed Mr. Smith of the encroachment. Mr. Smith advised Mr. George that he pulled the measurements himself, and had decided to move the house to avoid some trees on the property and he did not realize that he was too close to the property line. Mr. George did advise Mr. Smith that he needed to bring the house out of the setback. Mr. Smith asked and was advised the only way to move forward with the project would be to bring a request for a variance before the Board and it would be up to the Board to make the determination as to whether they will allow the variance. Mr. George proceeded to address the questions by Board members. Mr. Shatley asked if the owner and builder get a building permit before starting construction on the house. The answer was yes, the builder did get a building permit before starting. The next question asked was how the fact the house was out of compliance discovered. Mr. George advised he requires a foundation survey for each new residential construction, which he included in their materials. It was then asked, if the builder has stopped working on the house. The response to this question was the work was being continued on the portion of the house that is in compliance and the builder was further advised if he continued to work on the non-compliant portion, he may be required to remove that portion. The next question asked was what happens if the variance request is not approved. The answer was the general contractor would be required to remove the non-compliant portion of the house, out of the setback, before the issuance of a Certificate of Occupancy. Another question asked was did the builder know that he was out of compliance before or after the job had begun. He knew after the job had already begun. Mr. George advised he was contacted by Mrs. Shelton, with questions concerning encroachment and why they're continuing on with construction. Mr. George advised he explained to her about the (fore-mentioned) process with the footings, foundation and the zoning survey. He further explained that some of her questions were very similar to Mr. Shatley. He stated Chairperson Hill also reached out to him, in regards to Mr. Worley, who lives at 511 East Holly Hill Road. Mr. Worley thought the house was encroaching in the front yard. Mr. George advised the area in question is technically the side yard setback. He referenced the original Plat Map recorded in 2006 (he provided in the materials for Board members.) The original Plat Map is what the setbacks were based on.

Chairperson Hill asked if any Board members had questions for Mr. George. Mrs. Shelton asked if the original plans met setback requirements. Mr. George advised yes that is correct. She also asked if he had stayed with the original plans would he have stayed in compliance (instead of changing the plans.) That is also correct. Mr. Shatley stated that Mr. George had previously outlined the steps for the process and he wanted to know if the

altered dimension shouldn't have been caught during the footing inspection. Mr. George advised it is not for the inspectors to pay attention to where the footers and foundation are set. Mr. George is responsible for the Zoning/Setback signoff, once he receives the Foundation Survey. Mr. Jefferies asked what the purpose of a Footing inspection is. Mr. George advised it is to make sure the footing is at the appropriate depth. Mr. Shatley stated he feels it is a lot cheaper to catch it when they are scratching through the dirt than after the concrete is poured. Mrs. Shelton stated it is a lot cheaper to hire a surveyor rather than pulling your own measurements also. Chairperson Hill asked if there were any further questions for Mr. George. There was none.

Chairperson Hill asked if anyone would like to come forward to speak for the request. David Smith, general contractor, with a post office box in Thomasville, came forward to speak. He stated he wants to request a continuance of the home. He has been a respectable building for years. When he laid the house off, he pulled the line from the end, and measured over to make sure he was okay. There were two nice virgin trees there that he did not want to cut down, so he told the gentleman, that was helping him, he wanted to move the house over a little bit, to miss those trees. When he did, the corner was beyond the setback. He stated if he made a mistake and did something wrong, he would ask that the Board please accept his statement of apology. He said he would make sure to do better the next time. He further stated the building inspector was very well pleased with the footing inspection. He said he has a good working relationship with the inspectors and he wanted to commend the City of Thomasville for their inspectors and the job they are doing. He stated there is only one property the issue would affect, which is the property behind the house he is building. He said he talked to that gentleman and asked if it would be a problem. He stated he was told no it would not be a problem. He thanked the Board for their time. Chairperson Hill asked the Board if there were any questions for Mr. Smith. Mrs. Shelton asked if he already had footings dug and concrete poured by the time Mr. George notified him he was out of compliance. He advised yes and he also had the foundation laid. He further stated he continued working on the garage-end of the house and the other parts not out of compliance. Chairperson Hill referenced the trees he was trying to avoid from cutting. She asked for clarification of the direction in which he moved the house. He advised he moved the house to the left and not to the back. He said he is not asking for a whole wall, just a corner of the house. She further suggested he could have made the garage a little smaller to allow room for moving the house forward. She stated he could/should have done so upon notification by Mr. George that he was out of compliance. He said he couldn't at the time, because the garage floor had already been poured. She asked if he had already framed everything except the corner in question. He advised yes.

Don Truell of 804 Leach Avenue (and property directly behind subject property) came forward to speak and was first sworn in by City Attorney Misti Whitman. He stated he came to mostly listen because he is a firm believer in that if a man has got a piece of property, he should be able to do about what he wants to do with it, as long as he is within the limits of the Laws. He advised Mr. Smith did come to see him. He stated he understood Mr. Smith to say that he (Mr. Truell) said he was for it. He further stated they didn't even talk about that. He advised Mr. Smith came to see him, on September 18th, at approximately six o'clock in the evening and gave him a card and told him he wanted to buy part of his side yard property. Mr. Truell advised him he was not interested in selling any part of this property. He added after their conversation, they continued to work on the house. He said he has been in Thomasville for sixty some years and he realizes the Board has a job to do and in fact he used to work for the City. He said his issue with the movement of the house

is, he could throw a rock from his bedroom and hit the new house. As well as the fact, the notification of encroachment did not stop Mr. Smith from building and he continued to work. He wants to know what the City of Thomasville could do as a penalty. Mr. Jefferies advised, upon verification from City Attorney Whitman and Mr. George, by Law, the Board could require Mr. Smith to move the wall that is encroaching the setback. Mr. Shatley advised the encroachment is only 5.5 feet. He asked Mr. Truell if he is opposed to the house being left as-is. He stated that he is opposed to it. He said when it had been stated Mr. Smith had talked to him and said he (Mr. Truell) was ok with it, when in fact he did not, was wrong and he wanted to correct it.

Mr. Jefferies asked Mr. Smith to come back to the mic. He asked Mr. Smith what the width of the rear wall is. Mr. Smith advised it is 50 feet across. Mr. Jefferies asked what the size of the area in question is. He advised the area is the dining room and a portion of the living room and is approximately 29 feet on that end of the house. Chairperson Hill asked if the house has an open-floor plan. He advised yes it does.

Chairperson Hill asked if there were any other questions from the Board. Seeing there were none, she asked for a motion. Mr. Myrick had a question for the City attorney. He wanted clarification if the variance does not pass, then what happens. She stated if someone makes a motion to deny and the vote does not pass, then someone could make a motion to approve. If the variance is not granted by the required 4/5 vote, the variance is denied. Mr. Shatley asked if the variance is denied, could it be taken to court. Attorney Whitman advised yes it could. Mr. Shatley reiterated he feels the City should provide the builder a whole system of checks and balances and should be more thorough. Mrs. Shelton stated she had same concerns until she realized the builder was issued the permit to build, by the City, based on the original plans he submitted. The builder decided to change the plans and he did not get a surveyor to pull the measurements, and instead did it himself. She feels like that is where the responsibility should be placed on the builder. Not to mention, the fact when he changed where he was going to place the house, he did not go back to the City to notate the changes. Because of the unnoted changes, when the inspectors went out based on original plans. Also when Mr. Truell spoke, as of 09/18/23 there was nothing done as far as building up, only foundation work had been done at that point. Mr. Smith knew at that time, that he was out of compliance. She feels as though the onus is not on the City, the onus is on the builder. Mr. Shatley stated the bottom line is we have a builder that kept building on the house when he should have stopped when he was told to. Mr. Shelton asked Mr. George, if Mr. Smith has gotten building permits from the City before and if he has changed plans for any of those. Mr. George advised he has pulled several building permits and this is the first issue the City has had with any of his projects. Mr. Smith came back to the mic. Mrs. Shelton asked him if he had ordered any trusses or done any building up, by the time he spoke to Mr. Truell on September 18th. He advised that was incorrect, as he had the deck on, one wall standing and the trusses were on the jobsite. She asked him if he had ordered everything before he knew he was not in compliance and advised that he had. Mr. Jefferies asked Mr. Smith how long he has been a builder. He has been a builder for over 40 years. Mrs. Shelton made a motion to deny the variance for the following reasons: based on the stated Findings of Fact, she moves that the Zoning Officer be upheld. The hardship, of which the applicant complains, does not result from conditions that are peculiar to the property and unique circumstance related to the applicant's property because there was nothing different about the property and it is big enough for the house to have been seated correctly. The hardship is the result of the applicant's own actions because he did not get a surveyor to find the correct property line until after he had already poured the

foundation. Also the house when the original permit was issued, was in compliance and when the builder changed the position of the house, which made it out of compliance. Mr. Shatley seconded the motion. Chairperson Hill asked each Board member for their oral votes one-by-one. Mrs. Shelton voted yes. Mrs. Smith voted yes. Mr. Jefferies abstained to vote (which equals a yes to the motion on the floor). Mr. Myrick voted yes. Mr. Shatley voted yes. Mr. Byerly voted yes. Chairperson Hill voted yes. The Board vote was 7 – 0 in favor of denying the variance. Chairperson Hill advised Mr. Smith his request has been denied. Mr. Smith came back to the mic and asked for what he will need to do now, to bring the house into compliance. Mr. Jefferies advised he will have to remove area that is encroaching the setback.

- 4) Rezoning Request (Z-23-08)
Applicant: Terry Lee Moore, II
Owner: Charles Thrift, Jr.
Location: Johnsontown Road
Parcel Number: 1633900000059
Existing Zoning: R-10 Low Density Residential
Proposed Zoning: C-1 Neighborhood Commercial

Mr. George gave the staff comments. He stated the property is a vacant property, which is approximately 3.13 acres and is located in an R-10 residential community. The applicant is requesting to change the use for personal service for his construction business. The 2035 Land Use Comprehensive Plan encourages uses compatible with the existing development contiguous to the property.

Chairperson Hill asked if anyone would like to come forward to speak for the request. Terry Moore of Pilot School Road came forward to speak. He stated this property is right around the corner from him and he would like to use it for storage of equipment and materials, and for parking dump trucks and skid steers. He and his cousin are buying it contingent upon the rezoning. If the rezoning request is denied, he advised they will look for another piece of property. Chairperson Hill asked how large of a building they are looking to put there. He stated they are not looking to add a building anytime soon. He said they would just mainly like a place to storage equipment. Mrs. Shelton asked if he was going to have an office onsite. He stated no, the property would be strictly for storage. Mr. Shatley asked about a fence around the property. He stated he was planning on using or leaving the small trees at the road-front up as a buffer with a chain-link fence behind.

Chairperson Hill asked if anyone would like to come forward to speak against the request.

Donald Henderson of 1160 Johnsontown Road came forward to speak. He stated his property is directly across from the subject property. He and his mother invested in this property approximately ten years ago and started making improvements to the home, in order to leave it for his son when the time comes. His mother passed away a little over a year ago. He stated he has done what he could to help keep his property value up and to help maintain the look of the neighborhood. He and surrounding neighbors are concerned with their property values. He does not feel like this is a good thing for a neighborhood. He feels like it should stay residential.

Chairperson Hill asked if anyone else would like to come forward to speak against the request. Seeing there was none, she asked for a motion. There were multiple questions asked by several Board members to Mr. George, which were all for clarification on the C-1 zoning. Mrs. Shelton asked if, given the description of the zoning, and according to Mr. Moore not having an office there, he is offering any goods or services to the surrounding community. Mr. George said that is correct, based on Mr. Moore's testimony. Mr. Shatley asked Mr. George if the Board is able to do a conditional use on the property. Mr. George advised the Board would have to come back as a Conditional zoning with a Conditional use on the property. Mr. Jefferies asked if Mr. Moore decides to place a building on the property, if he would need to come back before the Board. Mr. George advised, by law, if the zoning were changed to a C-1, Mr. Moore would simply have to pull a building permit with the Inspections Department. Mr. Shatley asked for clarification, if the Board approves the rezoning request and changes the property to a C-1, anything under the C-1 zoning could go on the property. Mr. George advised that is correct. Chairperson Hill asked if the Board was ready to make a motion. Mr. Shatley made a motion to deny the request, for the following reasons; the proposed development is not appropriate for the property. The residential character of the area must be maintained. The area is not conducive to commercial development at this time. Mrs. Shelton seconded the motion. The Board vote was 6 (for the denial) and 1 (against the denial). Chairperson Hill advised Mr. Moore the request is denied. Mr. Shatley then asked Mr. George if Mr. Moore could appeal the decision. Mr. George advised if the applicant chose to do so he could appeal to City Council by submitting the written request to him, within 10 days.

5) Other Business

Chairperson Hill there was other business to be discussed. Mr. George said the December Planning Board meeting would fall the week of Christmas (he has confirmed Attorney Whitman's availability) and would like to request to move the meeting to Tuesday, December 19th, if the Board is not opposed. Everyone agreed, for the changing of the date.

6) Adjournment

Seeing there was no other business, Chairperson Hill asked for a motion to adjourn. Mr. Jefferies made a motion for adjournment. Mr. Myrick seconded the motion. The vote was unanimous across the Board.

Respectfully submitted,

Chuck George, Director
Board of Planning and Adjustment
City of Thomasville

Tamara Lebow, Recording Secretary
Board of Planning and Adjustment
City of Thomasville

City of Thomasville Planning & Zoning
Rezoning Case # BOA-23-08
Staff Report: Chuck George, Director

Applicant/Owner: R.E.W. Homes, LLC

Location: 9 King Row

Tax Parcel ID Number: 16105C0000009

Request: Variance

Description of Variance Request:

- The request is for a variance from Article V., section 4. - Table of area, yard, and height requirements.
- Request: The lot is several feet short of being able to divide into two lots—request for relief of 8 feet, 4 feet per divided lot.

Site Information:

- The current lot consist of 16,668 SF or .383 acres, more or less.
- Zoning District: R-8 Medium Density Residential
- Vacant Lot

BOA Information:

- The board will identify reasons for the findings of facts based on the evidence given during the hearing. To grant the variance, the applicant shall receive 6 votes which represents 4/5 of the members of this board.

Attachments:

- Application
- Legal description
- Site map
- GIS map
- Zoning map
- Land Development Plan map
- Article V., Section 4. - Table of area, yard, and height requirements
- Finding of Facts form- Approval and Denial

Public Notice

<i>Notification</i>	<i>Planning/Adjustment Board</i>	<i>City Council</i>
Public Hearing Notice	11/16/23 & 11/21/23	N/A
Property Posted	11/15/23	N/A
Notification Letter Sent	11/14/23	N/A

CITY OF THOMASVILLE
P O Box 368 • Thomasville, NC 27360 • (336) 475-4255

Planning & Zoning Department

Date Received 10-5-23 By PA Case # BDA-23-08 Hearing Date _____
BOARD OF ADJUSTMENT VARIANCE APPLICATION

SUBJECT PROPERTY ADDRESS 9 KING ROW THOMASVILLE, NC 27360

APPLICANT / OWNER / REPRESENTATIVE INFORMATION

Applicant Name R.E.W. HOMES, LLC
Address P.O. BOX 182 City WALLBURG State NC Zip 27373
Telephone (O) _____ (C) 336-215-5510
Email ROBERT@WINSLOWS.ORG
Property Owner Name R.E.W. HOMES, LLC
Address PO BOX 182 City WALLBURG State NC Zip 27373
Telephone (O) _____ (C) 336-215-5510
Email ROBERT@WINSLOWS.ORG

If another person will represent the applicant and/or property owner, please complete the information below:

Representative Name ROBERT WINSLOW
Address PO BOX 182 City WALLBURG State NC Zip 27373
Telephone (O) _____ (C) 336-215-5510
Email ROBERT@WINSLOWS.ORG

PROPERTY INFORMATION

Parcel ID # 16105C0000009 Zoning District R-8

Existing Use of Property RESIDENTIAL VACANT LAND

Proposed Use of Property (if different) SAME

RELIEF REQUESTED

By this application, the Board of Adjustment is hereby requested to grant a variance from the literal provisions of the City of Thomasville Zoning Ordinance because, under the interpretation given to me by the Zoning Administrator, I am prohibited from using the parcel of land indicated on this application in the manner shown by the attached site plan.

I am asking for relief in the amount of UP TO 8' feet, 0" inches from the following provision of the Ordinance:
4' PER DIVIDED LOT

R-8 REQUIRES 60' RD. FRONTAGE

(Indicate Section Number and Title from the Zoning Ordinance)

I need this variance in order to (briefly describe the project or reason why the variance is necessary):

THE LOT I OWN IS SEVERAL FEET SHORT OF BEING ABLE TO
DIVIDE INTO TWO LOTS.

REQUIRED FINDINGS

The Board of Adjustment does not have unlimited discretion in deciding whether to grant a variance. The North Carolina General Assembly has enacted law that requires the Board to reach the following four conclusions, or findings, as a prerequisite to an approval of a variance. Please address each of the four conclusions separately.

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in absence of the variance, no reasonable use can be made of the property.

IT APPEARS THAT THIS WAS GOING TO BE TWO LOTS MANY
YEARS AGO BEFORE LAND WAS DONATED BY A PREVIOUS OWNER TO
THE CITY OF THOMASVILLE FOR KING ROW PARK. THE HARDSHIP IS
NEEDING TWO LOTS RATHER THAN ONE TO BUILD AFFORDABLE HOUSING

2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.

THERE ARE TWO 50' FRONTAGE LOTS DIRECTLY ACROSS THE
STREET IN THE R-B ZONING DISTRICT
ALSO SEE "EXHIBIT A"

3. The hardship does not result from actions taken by the applicant or property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as self-created hardship.

I DIDNT INITIALLY DEVELOP THIS SUBDIVISION... IT APPEARS
TO BE AN OVERSIGHT BY THE DEVELOPER

4. The requested variance is consistent with the spirit, purpose and intent of the Ordinance, such that public safety is secured, and substantial justice is achieved.

YES, THERE ARE OTHER 50' LOTS IN THE NEIGHBOURHOOD.
MINE WOULD BE AROUND 56' OF FRONTAGE EACH IF A VARIANCE
IS GRANTED (LARGER THAN TWO ACROSS THE STREET)

SIGNATURES

Please be advised that the issuance of a variance does not excuse the applicant and/or property owner from obtaining all building, trade or other permits as required by law prior to beginning work.

When the applicant is someone other than the current property owner(s), the signatures of both the current property owner(s) and the applicant must be provided unless a power-of-attorney authorization is in effect. If a power-of-attorney is in effect, a properly executed copy is required to be submitted with this application.

Robert E Winslow, Manager R.E.W. HOMES, LLC BY ROBERT E. WINSLOW

Signature of Applicant

Print Name

Date 10-5-23 MMSBR

Robert E Winslow, Manager R.E.W. HOMES, LLC BY ROBERT E WINSLOW

Signature of Owner

Print Name

Date 10-5-23 MMSBR

2023015824DAVIDSON COUNTY NC FEE \$26.00
STATE OF NC REAL ESTATE EXT
\$185.00

PRESENTED & RECORDED

09/01/2023 02:07:59 PM

MICHAEL E. HORNE

REGISTER OF DEEDS

BY: NATASHA MCKENZIE

DEPUTY

BK: DE 2615

PG: 2478 - 2480

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax:	\$185.00
Parcel ID:	16105C0000006, 16105C0000007, 16105C0000009, 16105C0000011 and 16105C0000012
Mail/Box to:	Black Slaughter & Black, PA d/b/a Law Firm Carolinas, 3623 N Elm St., Suite 200, Greensboro, NC 27455
Prepared by:	THIS INSTRUMENT PREPARED BY JONATHAN S. RAYMER, A LICENSED NORTH CAROLINA ATTORNEY. DELINQUENT TAXES, IF ANY, TO BE PAID BY THE CLOSING ATTORNEY TO THE COUNTY TAX COLLECTOR UPON DISBURSEMENT OF CLOSING PROCEEDS.
Brief description for the index:	Lots 6, 7, 9, 11, 12, King Row Development

THIS GENERAL WARRANTY DEED ("Deed") is made on the 24th day of August, 2023, by and between:

GRANTOR	GRANTEE
Finch Properties, Inc., a NC corporation 2511 Woodbine Road Winston-Salem, NC 27104	R.E.W. Homes, LLC, a NC limited liability company P.O. Box 182 Wallburg, NC 27373

Enter in the appropriate block for each Grantor and Grantee their name, mailing address, and, if appropriate, state of organization and character of entity, e.g. North Carolina or other corporation, LLC, or partnership. Grantor and Grantee includes the above parties and their respective heirs, successors, and assigns, whether singular, plural, masculine, feminine or neuter, as required by context.

FOR VALUABLE CONSIDERATION paid by Grantee, the receipt and legal sufficiency of which is acknowledged, Grantor by this Deed does hereby grant, bargain, sell and convey to Grantee, in fee simple, all that certain lot, parcel of land or condominium unit in the City of Thomasville, Davidson County, North Carolina and more particularly described as follows (the "Property"):

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

All or a portion of the Property was acquired by Grantor by instrument recorded in Book 1628 Page 1447.

All or a portion of the Property ☐ includes or ☒ does not include the primary residence of a Grantor.

A map showing the Property is recorded in Book 21 Page 195.

TO HAVE AND TO HOLD the Property and all privileges and appurtenances thereto belonging to Grantee in fee simple. Grantor covenants with Grantee that Grantor is seized of the Property in fee simple, Grantor has the right to convey the Property in fee simple, title to the Property is marketable and free and clear of all encumbrances, and Grantor shall warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

IN WITNESS WHEREOF, the Grantor has duly executed this North Carolina General Warranty Deed, if an entity by its duly authorized representative.

Finch Properties, Inc., a NC corporation

By: Kathryn Marley Finch Russell
Name: Kathryn Marley Finch Russell
Title: President

STATE OF NC, COUNTY OF Forsyth

I, Christopher West, a Notary of the above state and county, certify that the following person(s) personally appeared before me on the 26th day of August, 20 23 each acknowledging to me that he/she/they signed the foregoing document, in the capacity represented and identified therein (if any):
Kathryn Marley Finch Russell as President of Finch Properties, Inc., a NC corporation

Affix Notary Seal/Stamp

CHRISTOPHER WEST
Notary Public
Forsyth Co., North Carolina
My Commission Expires: Sept. 30, 2023

[Signature]
Notary Public (Official Signature)
My commission expires: 9-30-2023

EXHIBIT "A"

Tract 1:

BEING ALL of Lots 6, 7, and 9 of the KING ROW DEVELOPMENT Property, a map of which is recorded in Plat Book 21, Page 195 in the Office of the Register of Deeds for Davidson County, North Carolina.

Tract 2:

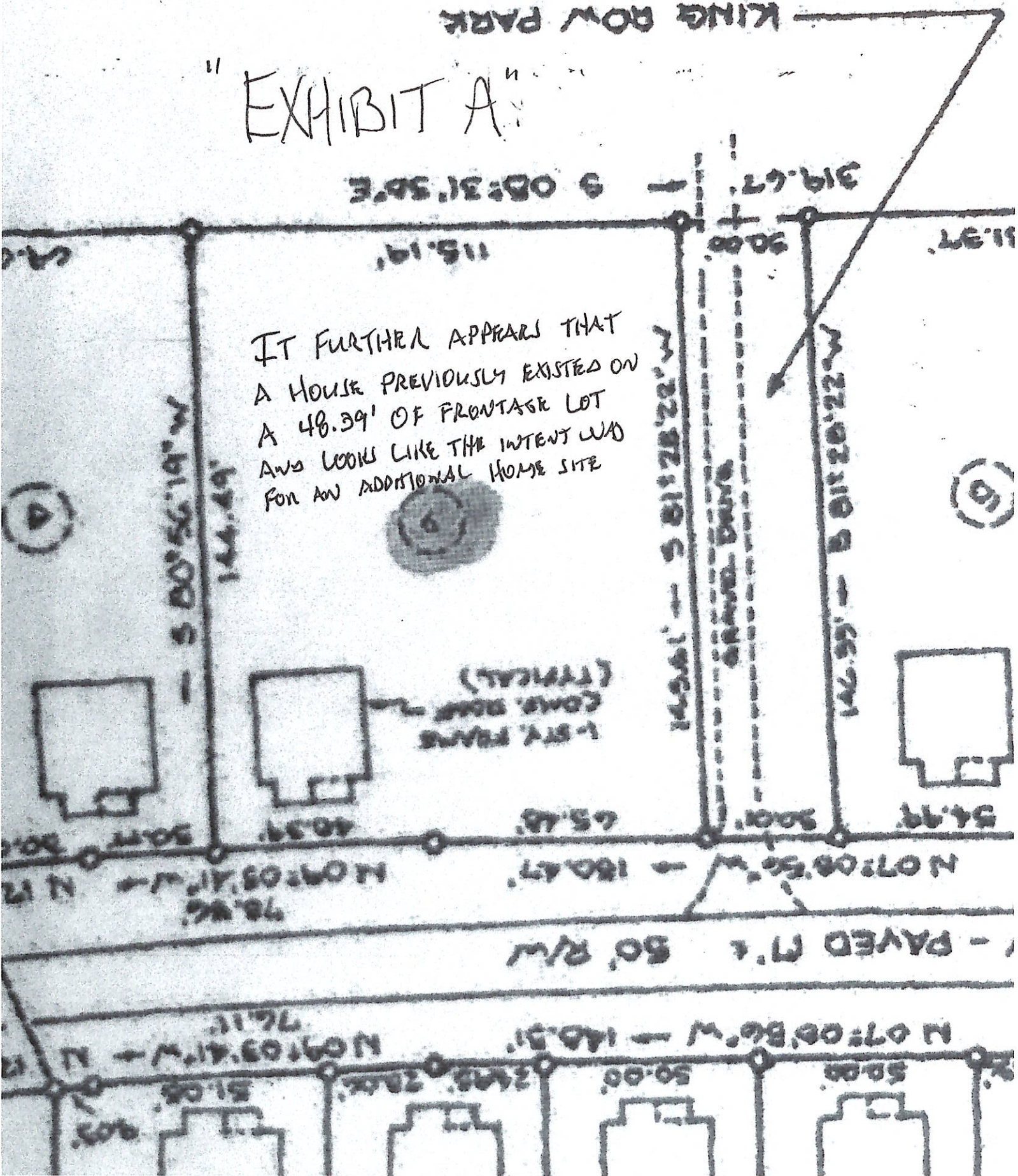
BEING ALL of Lots 11 and 12, as described in the Survey of KING ROW PARK, a map of which is recorded in Plat Book 21, Page 195, in the Office of the Register of Deeds for Davidson County, North Carolina.

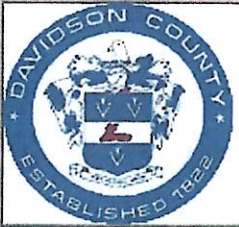
LESS AND EXCEPT Tract B which was conveyed to the City of Thomasville in Deed Book 474, Page 198 of the Davidson County Registry.

KING ROW PARK
CITY OF THOMASVILLE
DB. 474, PG. 148

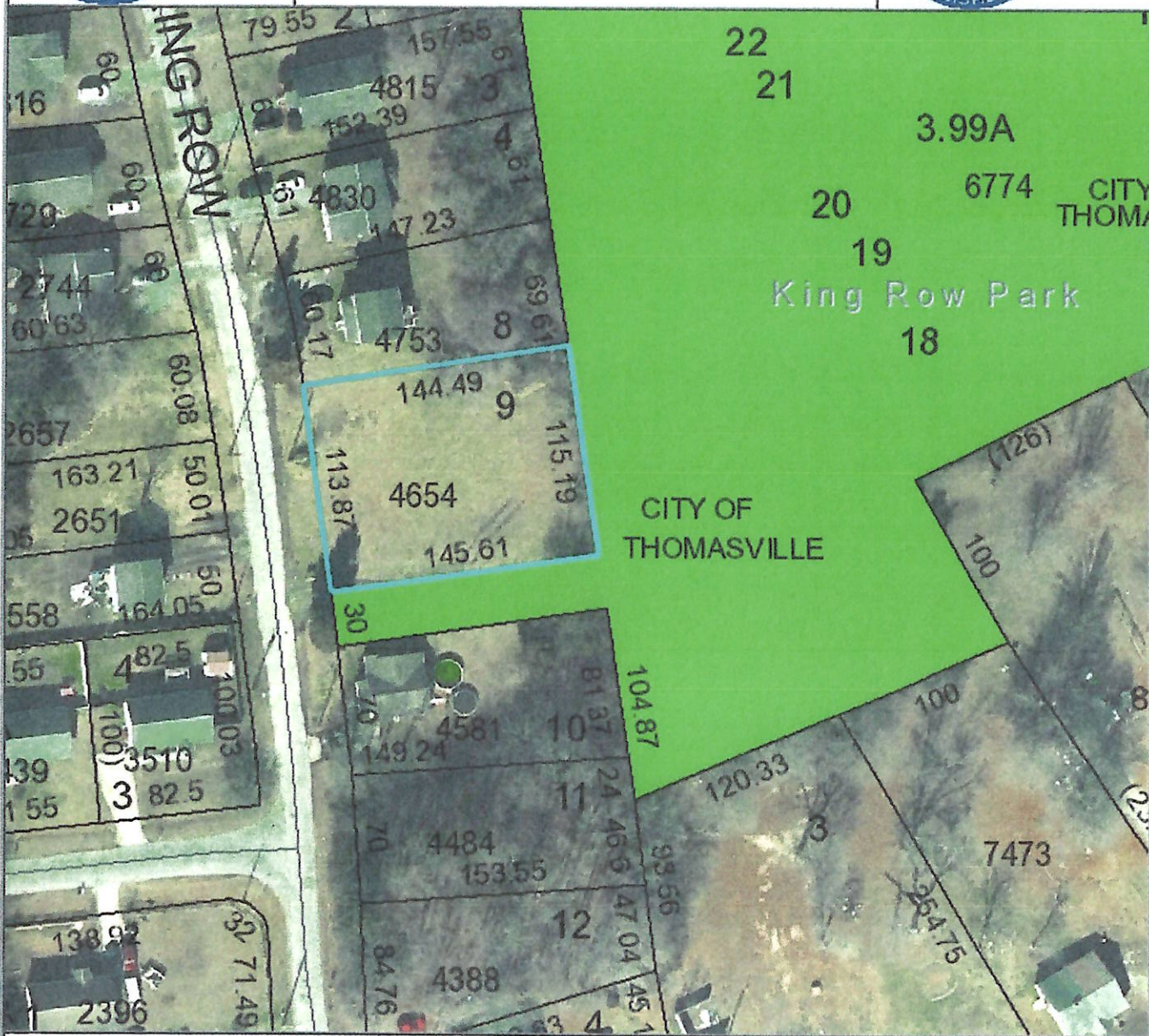
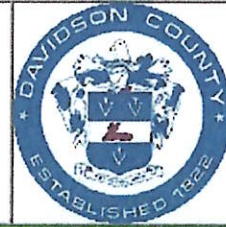
"EXHIBIT A"

IT FURTHER APPEARS THAT
A HOUSE PREVIOUSLY EXISTED ON
A 48.39' OF FRONTAGE LOT
AND LOOKS LIKE THE INTENT WAS
FOR AN ADDITIONAL HOME SITE



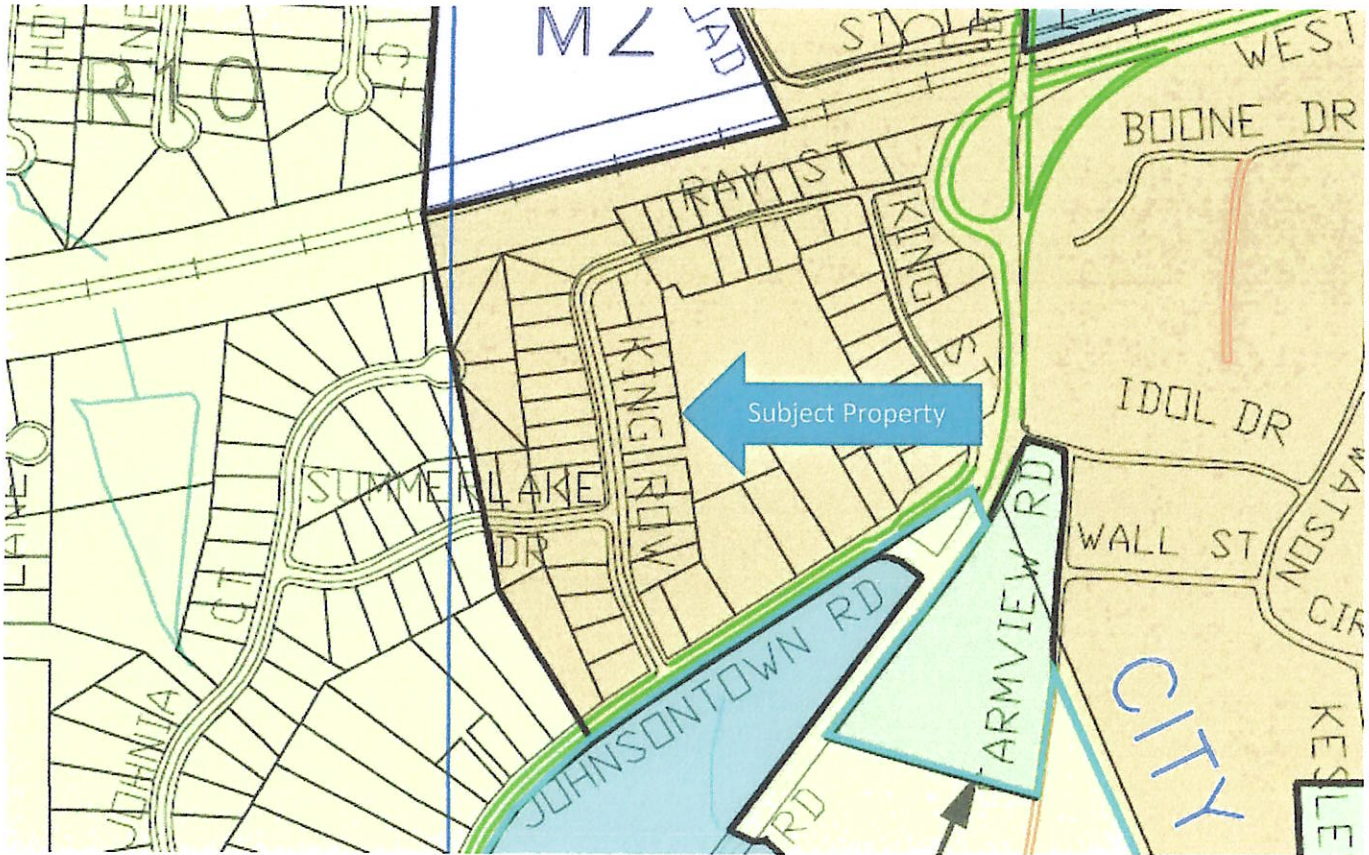


Davidson County GIS



Parcel Number :	16105C0000009	Land Units:	1 LT
Pin Id :	6777-01-35-4654	Deed Book:	2615 Pg: 2478
Owner :	R E W HOMES LLC PO BOX 182 WALLBURG NC 27373-0182	Deed Date:	09/01/2023
Property Address:	9 KING ROW	Account Number:	9231441
Township:	16	Exempt Code:	
Building Value:	\$0	Other Building Value:	\$0
Land Value:	\$24,000	Market Value:	\$24,000
Assessed Value:	\$24,000	Deferred Value:	\$0
Legal Description : P=753-271 L9 BK2615-2478			

9 King Row
Zoning: R-8 Medium Density Residential
Zoning Map



Zoning Map colors index:

Brown – R-6 High Density Residential
Orange – R-8 Medium Density Residential
Yellow – R-10 Low Density Residential
Dark Orange – R-10M Mobile Home Park
Light Green – O-I Office and Institutional
Pink – C-2 Highway Commercial District
Red – C-4 Central Commercial District
Light Blue – M-1 Light Industrial District
Purple – M-2 Heavy Industrial District



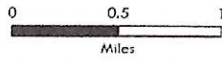
City of Thomasville

Land Development Plan

DEVELOPMENT & RE-DEVELOPMENT AREAS



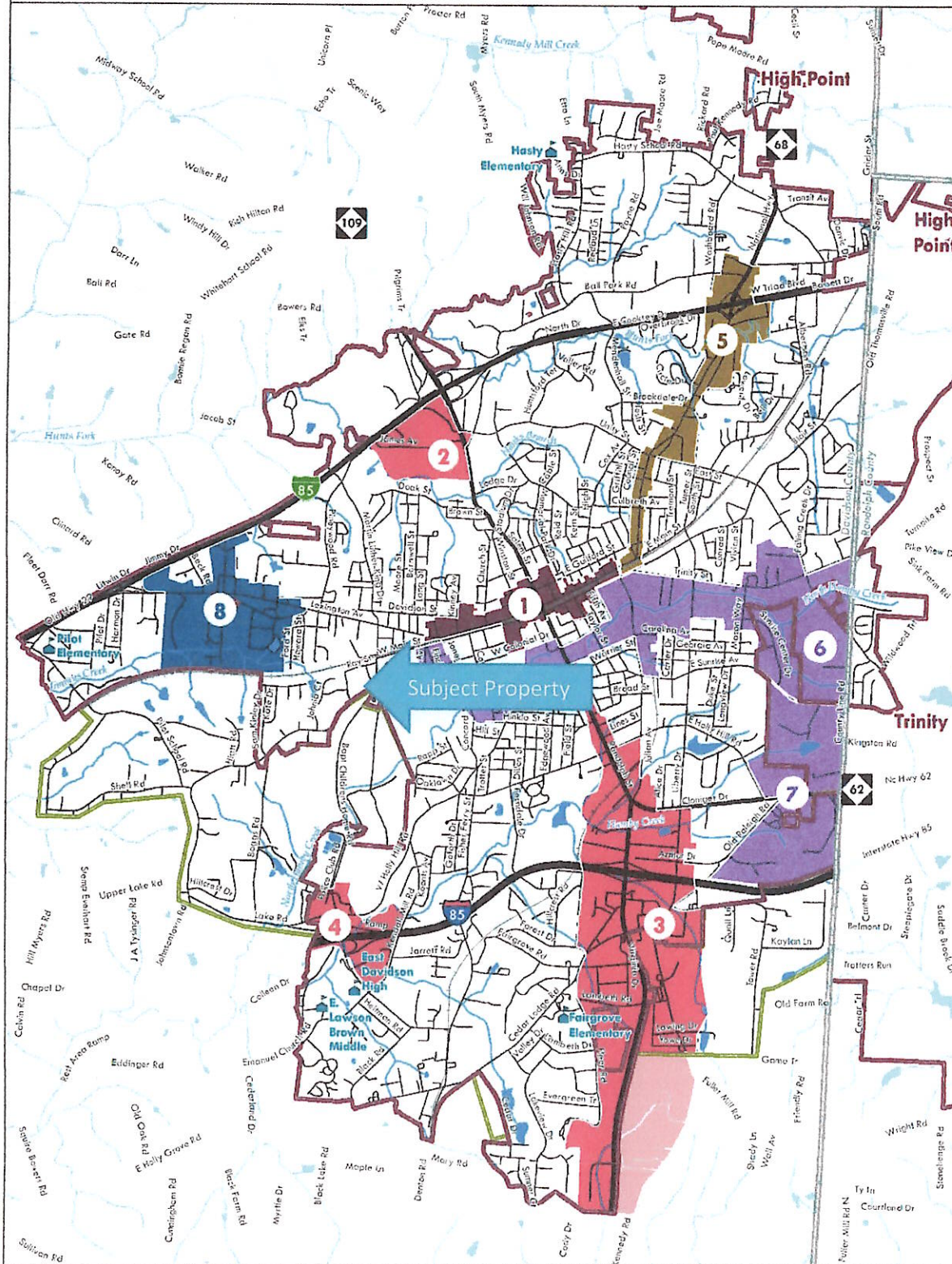
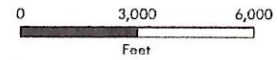
- | | | | |
|----------|------------------|--------------------------------------|---------------------|
| Highway | Municipal Limits | Downtown Business District | Industrial |
| Road | ETJ Boundary | Commercial & Mixed-use | Medical & Mixed-use |
| Railroad | County Boundary | National Highway Commercial Corridor | |
| Stream | | | |



Mapping provided by the
Piedmont Triad Regional Council
Planning Department
Date: May 14, 2018



1 inch = 3,000 feet



Section 4. - Table of area, yard, and height requirements.

Minimum Lot SizeMinimum Yard Regulations			
District	Area (square feet)	Frontage (feet)	Front Yard Setback (feet)	Rear Yard Depth (feet)	Side Yard Width (feet)	Maximum Height of Structure (feet)
R-20 residential:	20,000	100	40	25	15	35
R-15 residential:	15,000	90	40	25	15	35
R-10M and R-10 residential:						
Single unit with no public water or sewer	20,000	100	40	25	10	35
With either public water or public sewer	15,000	100	40	25	10	35
With both public water and sewer	10,000	75	35	25	10	35
R-8 residential:*						
Single unit	8,000	60	30	25	10	35
Double unit	12,000	70	30	25	10	35
Multiunit	12,000 plus 4,000 for each unit over 2	85	30	25	10	35
R-6 residential:*						
Single unit	6,000	50	25	25	10	35
Double unit	9,000	60	25	25	10	35
Multiunit	9,000 plus 2,500 for each unit over 2	75	25	25	10	56
O-I office and institutional:*						
Residential use	Same requirements as R-6					
Institutional use	0	0	25	25	10	56
C-1 commercial	Minimum lot size requirements not applicable in commercial and industrial districts for permitted uses		30	10	10	35
C-2 commercial			50	10	10	50
C-3 commercial			50	10	10	50
C-4 commercial			0	0	0	50
M-1 industrial			35	20	20	50
M-2 industrial			35	20	20	50

*The minimum lot size of any O-I, R-8 or R-6 lot not served by water or sewer shall conform to requirements of the Davidson County Health Department, notwithstanding the requirements in this table.

CITY OF THOMASVILLE

MOTION FOR VARIANCE HEARING*

APPROVAL	Based on the stated Findings of Fact, I move that the Zoning Enforcement Officer be overruled and the Variance granted (with the following conditions) based on the findings listed below: (Must read ALL)	
Variances -	When unnecessary hardships would result from carrying out the strict letter of a zoning ordinance, the board of adjustment shall vary any of the provisions of the ordinance upon a showing of all of the following.	
(1) If the applicant complies with the provisions of the ordinance, unnecessary hardship will result to the property by applying strict application of the ordinance because:	State reason:	
(2) The hardship of which the applicant complains results from conditions that are peculiar to the property and unique circumstances related to the applicant's property because:	State reason:	
(3) The hardship is not the result of the applicant's own actions because:	State reason:	
(4) The variance is in harmony with the general purpose and intent of this ordinance and preserves its spirit and assures public safety, welfare and substantial justice because:	State reason:	

Date

Jane Hill, Chairperson

*Motions should either (1) approve the variance request; (2) approve the variance request with conditions; or (3) deny the variance request. Findings of fact and conclusions must be made for both approvals and denials.

CITY OF THOMASVILLE

MOTION FOR VARIANCE HEARING*

DENIAL	Based on the stated Findings of Fact, I move that the Zoning Enforcement Officer be upheld and the Variance denied based on the findings listed below: <i>(Must read a minimum of one: if more apply, read them as well.)</i>	
Variances -	When there [are not] practical difficulties or unnecessary hardships that result from carrying out the strict letter of this ordinance.	
(1) If the applicant complies with the provisions of the ordinance, unnecessary hardship will not result to the property by applying strict application of the ordinance because:	State reason:	
(2) The hardship of which the applicant complains does not result from conditions that are peculiar to the property and unique circumstances related to the applicant's property because:	State reason:	
(3) The hardship is the result of the applicant's own actions because:	State reason:	
(4) The variance is not in harmony with the general purpose and intent of this ordinance and does not preserve its spirit and does not assure public safety because:	State reason:	

Date

Jane Hill, Chairperson

*Motions should either (1) approve the variance request; (2) approve the variance request with conditions; or (3) deny the variance request. Findings of fact and conclusions must be made for both approvals and denials.

City of Thomasville Planning & Zoning
Rezoning Case # BOA-23-09
Staff Report: Chuck George, Director

Applicant/Owner: Marie Buchanan

Location: 311 Church Street

Tax Parcel ID Number: 16081000A0008

Request: Variance

Description of Variance Request:

- The request is for a variance from Article V., section 4. - Table of area, yard, and height requirements.
- Request to reduce the rear yard setback from 25 ft. to 19.8 ft. for a new house.

Site Information:

- Zoning District: R-6 High Density Residential
- Undeveloped Lot

BOA Information:

- The board will identify reasons for the findings of facts based on the evidence given during the hearing. To grant the variance, the applicant shall receive 6 votes which represents 4/5 of the members of this board.

Attachments:

- Application
- Legal description
- Site map
- GIS map
- Zoning map
- Land Development Plan map
- Article V., Section 4. - Table of area, yard, and height requirements
- Finding of Facts form- Approval and Denial

Public Notice

<i>Notification</i>	<i>Planning/Adjustment Board</i>	<i>City Council</i>
Public Hearing Notice	11/16/23 & 11/21/23	N/A
Property Posted	11/15/23	N/A
Notification Letter Sent	11/14/23	N/A

CITY OF THOMASVILLE

P O Box 368 • Thomasville, NC 27360 • (336) 475-4255

Planning & Zoning Department

BOARD OF ADJUSTMENT VARIANCE APPLICATION

Date Received 10-31-23 By CH Case # BOA-23-09 Hearing Date 11-28-23

SUBJECT PROPERTY ADDRESS 311 CHURCH STREET, THOMASVILLE, N.C. 27360

APPLICANT / OWNER / REPRESENTATIVE INFORMATION

Applicant Name MARIE A. BUCHANAN
Address 309 SNIDER STREET City HIGH POINT State NC Zip 27265
Telephone (O) 336-991-9289 (C) SAME Email idellamariebuchanan@yahoo.com

Property Owner Name MARIE A. BUCHANAN
Address 309 SNIDER STREET City HIGH POINT State NC Zip 27265
Telephone (O) _____ (C) 336-991-9289 Email idellamariebuchanan@yahoo.com

If another person will represent the applicant and/or property owner, please complete the information below:

Representative Name _____
Address _____ City _____ State _____ Zip _____
Telephone (O) _____ (C) _____ Email _____

PROPERTY INFORMATION

Parcel ID # 16081000A0008 Zoning District R-6
Existing Use of Property VACANT LOT
Proposed Use of Property (if different) BUILD AFFORDABLE SINGLE-FAMILY HOME

RELIEF REQUESTED

By this application, the Board of Adjustment is hereby requested to grant a variance from the literal provisions of the City of Thomasville Zoning Ordinance because, under the interpretation given to me by the Zoning Administrator, I am prohibited from using the parcel of land indicated on this application in the manner shown by the attached site plan.

I am asking for relief in the amount of 5 feet, 2 inches from the following provision of the Ordinance:

(Indicate Section Number and Title from the Zoning Ordinance)

I need this variance in order to (briefly describe the project or reason why the variance is necessary):

I had the property survey and the result that the lot is unusual in size and irregular shape that make it difficult
to comply with zoning requirements in order to accommodate the single-family structure we will like to build.

REQUIRED FINDINGS

The Board of Adjustment does not have unlimited discretion in deciding whether to grant a variance. The North Carolina General Assembly has enacted law that requires the Board to reach the following four conclusions, or findings, as a prerequisite to an approval of a variance. Please address each of the four conclusions separately.

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in absence of the variance, no reasonable use can be made of the property.

It will become extremely difficult for the civil engineer/general contractor to meet the necessary requirement to position the new home on the site and meet the required setbacks, in turn it will be difficult to sell the home to the new home owners.

2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.

Some of the properties have pre-existing nonconforming structures or uses that were legal when established but no longer perhaps conform to current zoning codes. There are a number of sites on this street have boundaries issues which cause the structures to have to sit sideways. Thus, very difficult to maximize lot space for new home granting the variance will help alleviate this hardship.

3. The hardship does not result from actions taken by the applicant or property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as self-created hardship.

Unfortunately, I did not purchase the site knowing there needed to be a variance. Thus, the granting of the variance certainly is not a self-control hardship. I seen a need in this community and wanted bring life, revenue and perhaps jobs to this community.

4. The requested variance is consistent with the spirit, purpose and intent of the Ordinance, such that public safety is secured, and substantial justice is achieved.

The request variance is indeed consistent with the spirit and public safety is secure by having the necessary variance for new construction of much needed new affordable workforce housing in an area that is highly distressed with no new residential constructed homes. I believe this will lead to additional new homes being constructed on this street to stimulate economic growth in the area.

SIGNATURES

Please be advised that the issuance of a variance does not excuse the applicant and/or property owner from obtaining all building, trade or other permits as required by law prior to beginning work.

When the applicant is someone other than the current property owner(s), the signatures of both the current property owner(s) and the applicant must be provided unless a power-of-attorney authorization is in effect. If a power-of-attorney is in effect, a properly executed copy is required to be submitted with this application.

Marie A. Buchanan

Signature of Applicant

Marie A. Buchanan

Print Name

10/30/23

Date

Signature of Owner

Print Name

Date

2023017511

DAVIDSON COUNTY NC FEE \$26.00
STATE OF NC REAL ESTATE EXT
\$22.00

PRESENTED & RECORDED
09/27/2023 02:20:38 PM
MICHAEL E. HORNE
REGISTER OF DEEDS
BY: TARA W. WHITMAN
DEPUTY

BK: DE 2619
PG: 1117 - 1119

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$ 22

Parcel Identifier No. _____ Verified by: _____ County on the _____ day of _____ 20__

By: 16-081-0-60A-0008

Mail/Box To: Grantee

This instrument prepared by: KENNETH S. LUCAS, JR., a licensed North Carolina Attorney.

Delinquent taxes, if any, to be paid by the closing attorney to the Tax Collector upon disbursement of the closing proceeds.

Brief description for the Index: 311 CHURCH STREET

THIS DEED made this 19 day of September 2023

Grantor

Grantee

Admirable Adventures, LLC

Marie Buchanan d/b/a I'll Buy
That 1 Inc.
311 Church Street
Thomasville, NC 27360

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 Davidson County, North Carolina and more particularly described as follows:

See Exhibit A

The property hereinabove described was acquired by Grantor by instrument recorded in Book 2564, Page 971.

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

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

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

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

Admirable Adventures, LLC

By: _____

Title: Member

STATE OF NC - COUNTY OF WAKE.

I, the undersigned Notary Public of the County and State aforesaid, certify that ANTHONY ANDERSON personally came before me this day and acknowledged that he is the MEMBER (title) of Admirable Adventures LLC, and that by authority duly given and as the act of each entity, he signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal this 21ST day of September 2023.

My Commission Expires: 6/26/26

Shayla Anderson
NOTARY PUBLIC



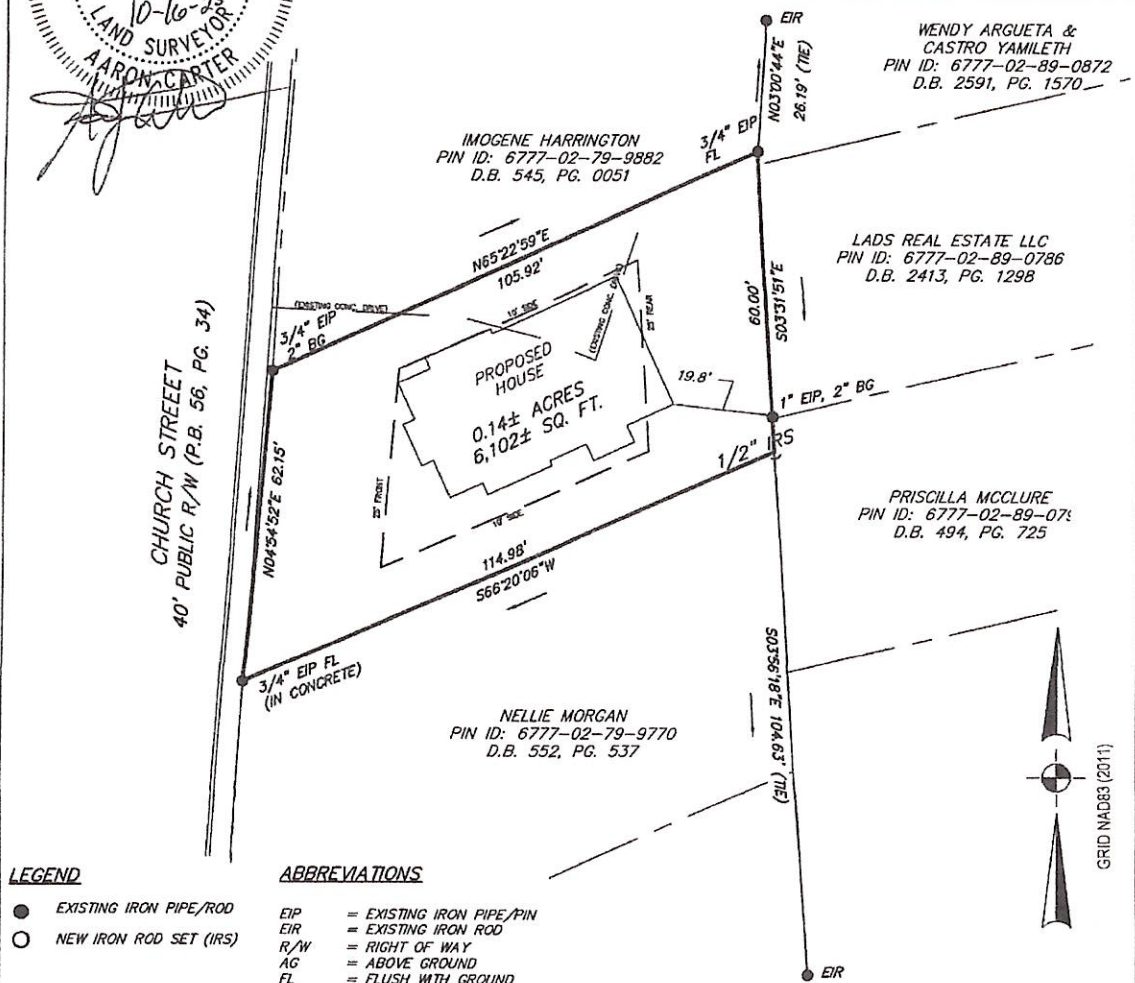
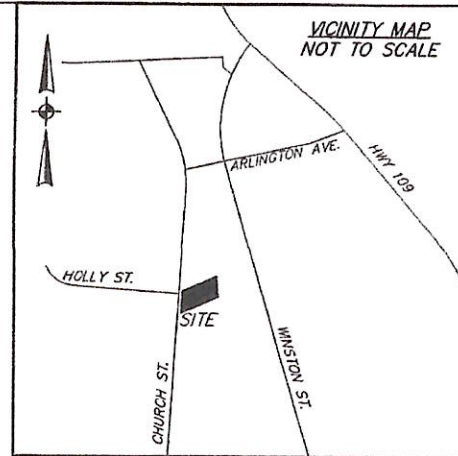
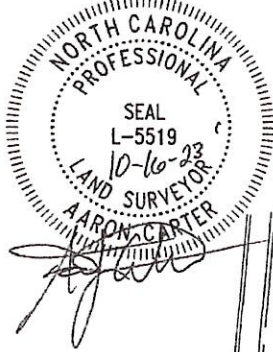
Exhibit "A"
(Parcel #16-081-000A-0008)

BEGINNING at a stone on the East side Church Street, Harris' Corner; thence in an Easterly direction with Harris line One hundred and twenty five (125) feet to a stone; thence in a Northerly direction sixty (60) feet to a stone; thence in a Westerly direction One hundred and Fifteen (115) feet to a stone on the East side of Church Street; thence in a Southerly direction with Church Street, Sixty (60) feet to a stone, Harris' Corner the point of beginning, containing 7080 Square feet, more or less.

GENERAL NOTES

- 1) THE PURPOSE OF THIS SURVEY IS TO SHOW THE EXISTING HOUSE IN RELATION TO THE BOUNDARY LINES ONLY.
- 2) ZONING: R-6 (INSIDE THE CITY CORE). SETBACKS: FRONT - 25'; SIDES - 10'; REAR - 25'.
- 3) ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES UNLESS NOTED OTHERWISE.
- 4) IRON PIPES AT ALL CORNERS UNLESS OTHERWISE NOTED.
- 5) METHOD OF COMPUTATION IS BY COORDINATE CALCULATION.
- 6) THE PROPERTY IS SUBJECT TO ANY EASEMENTS, AGREEMENTS, OR RIGHTS-OF-WAY PRIOR TO THE DATE OF THIS MAP WHICH WERE NOT APPARENT AT THE TIME OF MY INSPECTION AND MIGHT OTHERWISE BE DISCLOSED BY AN ATTORNEY'S TITLE OPINION WHICH AS OF DATE SHOWN HEREON HAS NOT BEEN SUPPLIED TO SUMMEY ENGINEERING ASSOCIATES. THERE MAY BE EASEMENTS OR OTHER MATTERS OF RECORD AFFECTING THIS PROPERTY NOT SHOWN HEREON.

THIS MAP MAY NOT BE A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS AND HAS NOT BEEN REVIEWED FOR COMPLIANCE WITH RECORDING REQUIREMENTS FOR PLAT.



PLOT PLAN FOR
MARIE BUCHANON
CHURCH STREET
THOMASVILLE TOWNSHIP - DAVIDSON COUNTY - NORTH CAROLINA

Summey Engineering Associates, PLLC
Engineering - Consulting - Surveying
PO Box 963, Asheville, NC 28704
Ph: 336-328-0902 Fax: 336-328-0922 www.summyengineering.com
NC ENGINEERING & SURVEYING FIRM CERTIFICATE OF AUTHORIZATION: P-0335

OWNER:
MARIE BUCHANON
311 CHURCH ST.
THOMASVILLE, NC 27360

Scale: 1" = 30'

Date: 10/16/2023

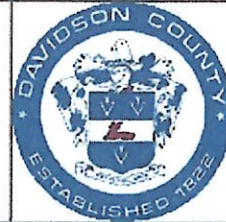
Drawn By: AJC

Checked By: SKM

Job No.: 220600

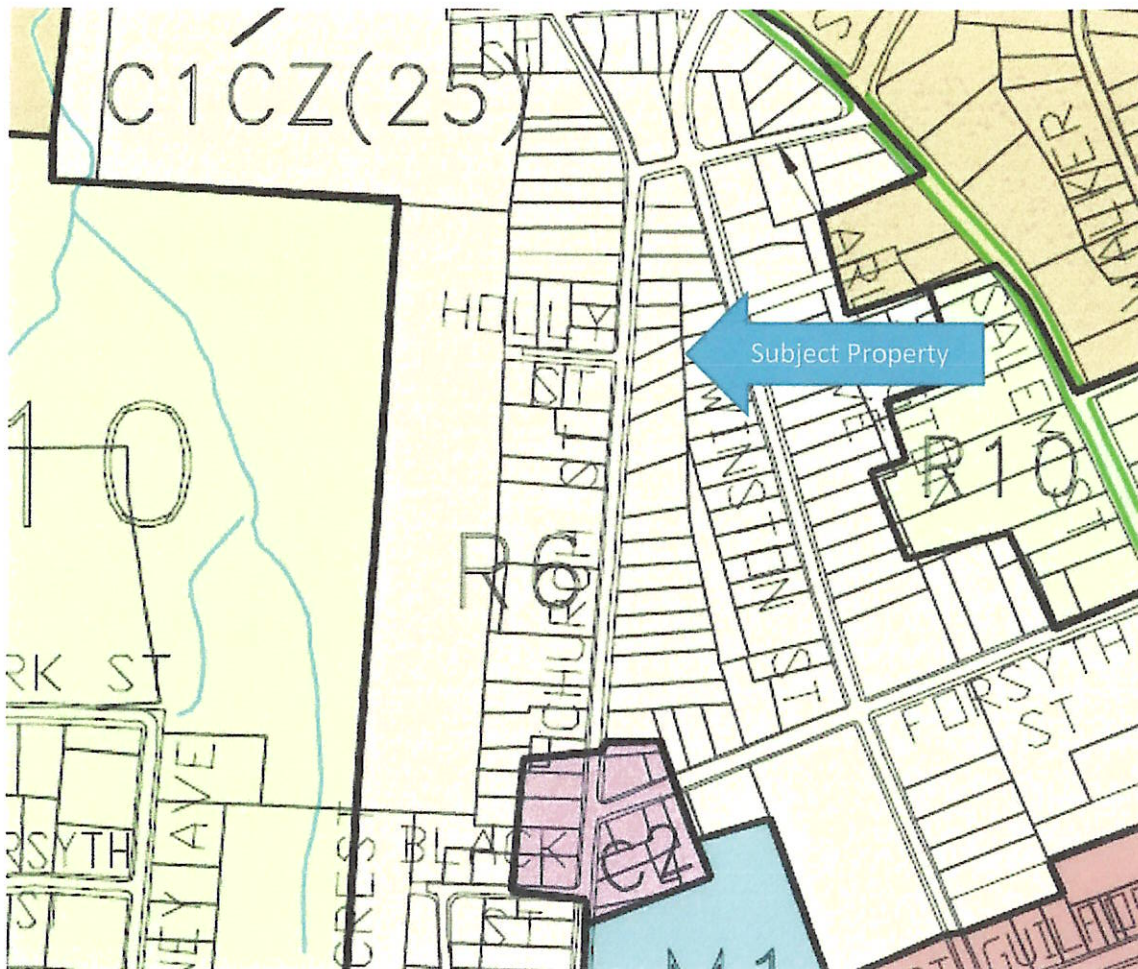


Davidson County GIS



Parcel Number :	16081000A0008	Land Units:	0.14 AC
Pin Id :	6777-02-79-9776	Deed Book:	2619 Pg: 1117
Owner :	BUCHANAN MARIE ILL BUY THAT I INC 311 CHURCH ST THOMASVILLE NC 27360	Deed Date:	09/27/2023
Property Address:	311 CHURCH ST	Account Number:	9272286
Township:	16	Exempt Code:	
Building Value:	\$0	Other Building Value:	\$0
Land Value:	\$7,500	Market Value:	\$7,500
Assessed Value:	\$7,500	Deferred Value:	\$0
Legal Description : PB88-21 BA L8 BK2619-1117 CHU			

311 Church Street
Zoning: R-6 High Density Residential
Zoning Map



Zoning Map colors index:

Brown – R-6 High Density Residential
Orange – R-8 Medium Density Residential
Yellow – R-10 Low Density Residential
Dark Orange – R-10M Mobile Home Park
Light Green – O-I Office and Institutional
Pink – C-2 Highway Commercial District
Red – C-4 Central Commercial District
Light Blue – M-1 Light Industrial District
Purple – M-2 Heavy Industrial District

Section 4. - Table of area, yard, and height requirements.

Minimum Lot SizeMinimum Yard Regulations			
District	Area (square feet)	Frontage (feet)	Front Yard Setback (feet)	Rear Yard Depth (feet)	Side Yard Width (feet)	Maximum Height of Structure (feet)
R-20 residential:	20,000	100	40	25	15	35
R-15 residential:	15,000	90	40	25	15	35
R-10M and R-10 residential:						
Single unit with no public water or sewer	20,000	100	40	25	10	35
With either public water or public sewer	15,000	100	40	25	10	35
With both public water and sewer	10,000	75	35	25	10	35
R-8 residential:*						
Single unit	8,000	60	30	25	10	35
Double unit	12,000	70	30	25	10	35
Multiunit	12,000 plus 4,000 for each unit over 2	85	30	25	10	35
R-6 residential:*						
Single unit	6,000	50	25	25	10	35
Double unit	9,000	60	25	25	10	35
Multiunit	9,000 plus 2,500 for each unit over 2	75	25	25	10	56
O-I office and institutional:*						
Residential use	Same requirements as R-6					
Institutional use	0	0	25	25	10	56
C-1 commercial	Minimum lot size requirements not applicable in commercial and industrial districts for permitted uses		30	10	10	35
C-2 commercial			50	10	10	50
C-3 commercial			50	10	10	50
C-4 commercial			0	0	0	50
M-1 industrial			35	20	20	50
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*The minimum lot size of any O-I, R-8 or R-6 lot not served by water or sewer shall conform to requirements of the Davidson County Health Department, notwithstanding the requirements in this table.

CITY OF THOMASVILLE

MOTION FOR VARIANCE HEARING*

APPROVAL	Based on the stated Findings of Fact, I move that the Zoning Enforcement Officer be overruled and the Variance granted (with the following conditions) based on the findings listed below: (Must read <u>ALL</u>)
Variances -	When unnecessary hardships would result from carrying out the strict letter of a zoning ordinance, the board of adjustment shall vary any of the provisions of the ordinance upon a showing of all of the following.
(1) If the applicant complies with the provisions of the ordinance, unnecessary hardship will result to the property by applying strict application of the ordinance because:	<i>State reason:</i>
(2) The hardship of which the applicant complains results from conditions that are peculiar to the property and unique circumstances related to the applicant's property because:	<i>State reason:</i>
(3) The hardship is not the result of the applicant's own actions because:	<i>State reason:</i>
(4) The variance is in harmony with the general purpose and intent of this ordinance and preserves its spirit and assures public safety, welfare and substantial justice because:	<i>State reason:</i>

Date

Jane Hill, Chairperson

*Motions should either (1) approve the variance request; (2) approve the variance request with conditions; or (3) deny the variance request. Findings of fact and conclusions must be made for both approvals and denials.

CITY OF THOMASVILLE

MOTION FOR VARIANCE HEARING*

DENIAL	Based on the stated Findings of Fact, I move that the Zoning Enforcement Officer be upheld and the Variance denied based on the findings listed below: <i>(Must read a minimum of one; if more apply, read them as well.)</i>	
Variances -	When there [are not] practical difficulties or unnecessary hardships that result from carrying out the strict letter of this ordinance.	
(1) If the applicant complies with the provisions of the ordinance, unnecessary hardship will not result to the property by applying strict application of the ordinance because:	State reason:	
(2) The hardship of which the applicant complains does not result from conditions that are peculiar to the property and unique circumstances related to the applicant's property because:	State reason:	
(3) The hardship is the result of the applicant's own actions because:	State reason:	
(4) The variance is not in harmony with the general purpose and intent of this ordinance and does not preserve its spirit and does not assure public safety because:	State reason:	

Date

Jane Hill, Chairperson

*Motions should either (1) approve the variance request; (2) approve the variance request with conditions; or (3) deny the variance request. Findings of fact and conclusions must be made for both approvals and denials.

**City of Thomasville Planning & Zoning
Rezoning Case # BOA-23-10
Staff Report: Chuck George, Director**

Applicant/Owner: Sonja Hall

Location: 607 Johnson Street

Tax Parcel ID Number: 16134000A0064

Request: Variance

Description of Variance Request:

- The request is for a variance from Article V., section 4. - Table of area, yard, and height requirements.
- Request to reduce the front yard setback from 35 ft. to 10 ft. for a detached open carport.

Site Information:

- Zoning District: R-10 Low Density Residential
- Single family resident

BOA Information:

- The board will identify reasons for the findings of facts based on the evidence given during the hearing. To grant the variance, the applicant shall receive 6 votes which represents 4/5 of the members of this board.

Attachments:

- Application
- Legal description
- Site map
- GIS map
- Zoning map
- Land Development Plan map
- Article V., Section 4. - Table of area, yard, and height requirements
- Finding of Facts form- Approval and Denial

Public Notice

<i>Notification</i>	<i>Planning/Adjustment Board</i>	<i>City Council</i>
Public Hearing Notice	11/16/23 & 11/21/23	N/A
Property Posted	11/15/23	N/A
Notification Letter Sent	11/14/23	N/A

CITY OF THOMASVILLE
P O Box 368 • Thomasville, NC 27360 • (336) 475-4255
Planning & Zoning Department

BOARD OF ADJUSTMENT VARIANCE APPLICATION

Date Received 11-10-23 By CL Case # BOA-23-10 Hearing Date 11/28/23

SUBJECT PROPERTY ADDRESS 607 Johnson St

APPLICANT / OWNER / REPRESENTATIVE INFORMATION

Applicant Name Sonja Campbell Hall

Address 607 Johnson St City Thomasville State NC Zip 27360

Telephone (O) _____ (C) 336 688 6280 Email sonja.campbell@tempursealed.com

Property Owner Name Sonja Hall

Address 607 Johnson St City Thomasville State NC Zip 27360

Telephone (O) _____ (C) 336 688 6280 Email same

If another person will represent the applicant and/or property owner, please complete the information below:

Representative Name _____

Address _____ City _____ State _____ Zip _____

Telephone (O) _____ (C) _____ Email _____

PROPERTY INFORMATION

Parcel ID # 16134000A0064 Zoning District R-10

Existing Use of Property Residential

Proposed Use of Property (if different) _____

RELIEF REQUESTED

By this application, the Board of Adjustment is hereby requested to grant a variance from the literal provisions of the City of Thomasville Zoning Ordinance because, under the interpretation given to me by the Zoning Administrator, I am prohibited from using the parcel of land indicated on this application in the manner shown by the attached site plan.

I am asking for relief in the amount of 24 feet, _____ inches from the following provision of the Ordinance:

(Indicate Section Number and Title from the Zoning Ordinance)

I need this variance in order to (briefly describe the project or reason why the variance is necessary):

Due to neighbor sewer line running on my property we can't locate carport on side of property

REQUIRED FINDINGS

The Board of Adjustment does not have unlimited discretion in deciding whether to grant a variance. The North Carolina General Assembly has enacted law that requires the Board to reach the following four conclusions, or findings, as a prerequisite to an approval of a variance. Please address each of the four conclusions separately.

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in absence of the variance, no reasonable use can be made of the property.

City has stated they would not relocate neighbor sewer line so that we could put the carport on side or behind house.

2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.

Due to this sewer line we also do not have the option to run a French drain

3. The hardship does not result from actions taken by the applicant or property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as self-created hardship.

Unaware of neighbor sewer line preventing carport in the back yard

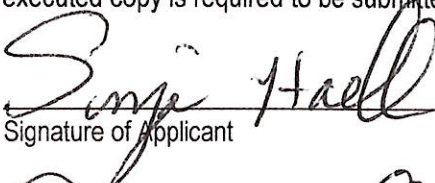
4. The requested variance is consistent with the spirit, purpose and intent of the Ordinance, such that public safety is secured, and substantial justice is achieved.

The request does NOT create a safety issue

SIGNATURES

Please be advised that the issuance of a variance does not excuse the applicant and/or property owner from obtaining all building, trade or other permits as required by law prior to beginning work.

When the applicant is someone other than the current property owner(s), the signatures of both the current property owner(s) and the applicant must be provided unless a power-of-attorney authorization is in effect. If a power-of-attorney is in effect, a properly executed copy is required to be submitted with this application.



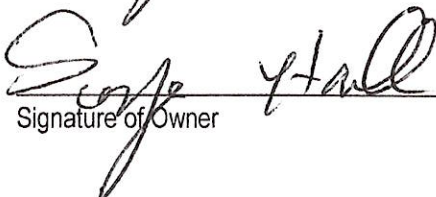
Signature of Applicant

Sonja Hall

Print Name

11-10-23

Date



Signature of Owner

Sonja Hall

Print Name

11-10-23

Date

BK0893P60157

FILED 10-00
105-COST

FEB 26 PM 4:47

DAVIDSON

02-24-94



\$108.00

Real Estate
Excise Tax

Excise Tax

Recording Time, Book and Page

Tax Lot No. 64

Parcel Identifier No. 16134000A0064

Verified by

County on the

day of

, 19

by

Mail after recording to Sonja Campbell, 607 Johnson St., Thomasville,
NC 27360

This instrument was prepared by Pete Bradley, Attorney at Law

Brief description for the Index

Lots 64, 65 & portion of 66
Carter Heights S/D

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 21 day of February, 1994, by and between

GRANTOR

GRANTEE

MOLLIE M. ROYAL (also known as
MOLLIE SMOOT) and husband,
LONNIE A. ROYAL

SONJA CAROL CAMPBELL

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 the City of Thomasville Township, Davidson County, North Carolina and more particularly described as follows:

BEING all of Lots 64, 65 and the westernmost 15 feet of Lot 66 of Carter Heights, as shown on a map recorded in the Office of the Register of Deeds for Davidson County, NC in Plat Book 4, Page 47.

C03825

The property hereinabove described was acquired by Grantor by instrument recorded in
Book 508, Page 577

A map showing the above described property is recorded in Plat Book 4 page 47.

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:

All restrictions, easements and rights of way of record, if any.

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.

.....
(Corporate Name)
By:
..... President
ATTEST:
..... Secretary (Corporate Seal)

USE BLACK INK ONLY

Mollie M. Royal (SEAL)
MOLLIE M. ROYAL
Lonnie A. Royal (SEAL)
LONNIE A. ROYAL
..... (SEAL)
..... (SEAL)

SEAL-STAMP

NORTH CAROLINA, Davidson County.

LEE ANN JONES
NOTARY PUBLIC
DAVIDSON COUNTY, NC
MY COMMISSION EXPIRES 3-4-97

I, a Notary Public of the County and State aforesaid, certify that
Mollie M. Royal and husband Lonnie A. Royal Grantor,
personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my
hand and official stamp or seal, this 21 day of February 1994
My commission expires: 3-4-97
Lee Ann Jones Notary Public

SEAL-STAMP

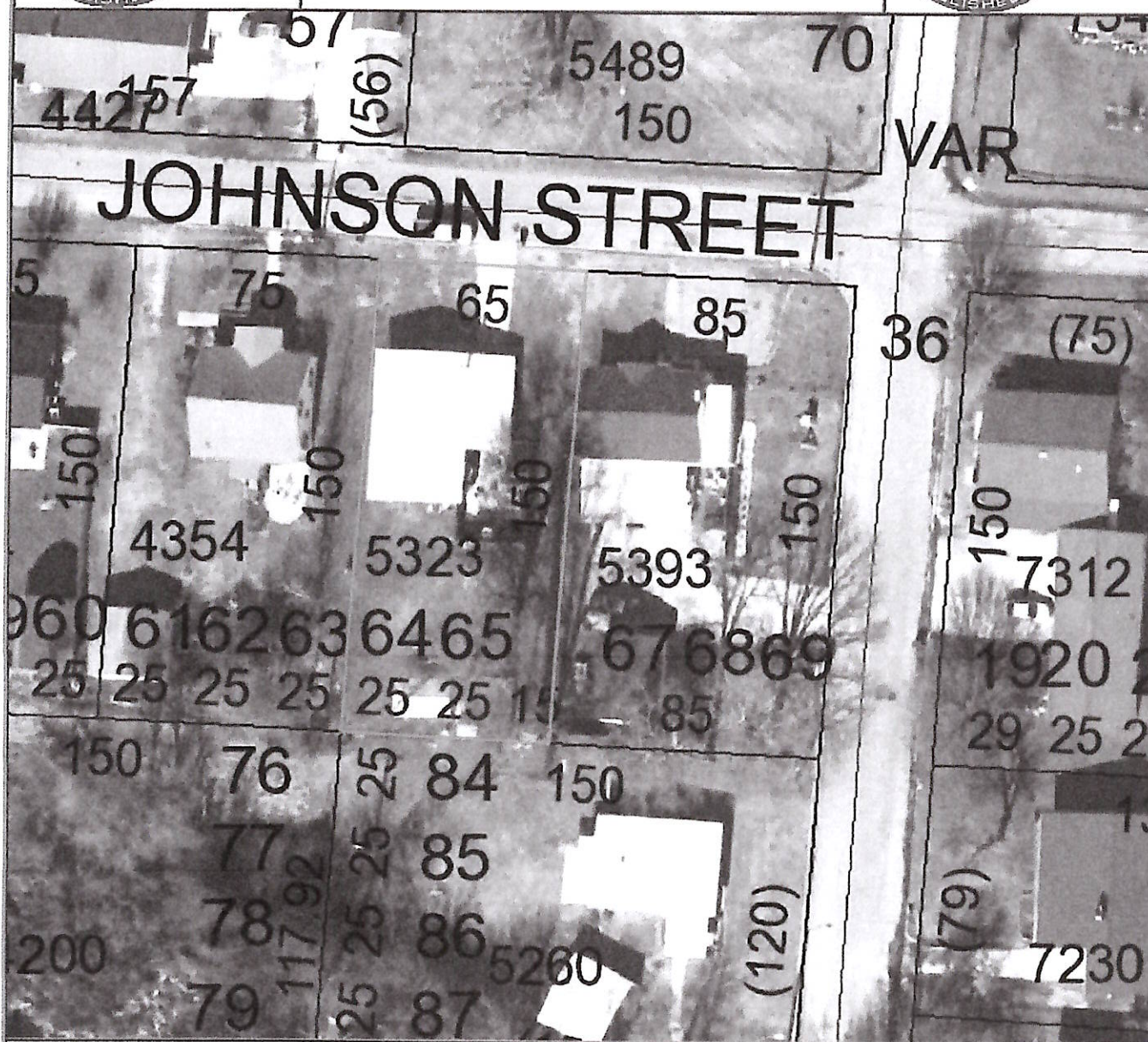
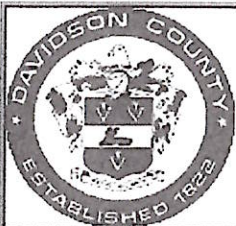
NORTH CAROLINA, Davidson County.

I, a Notary Public of the County and State aforesaid, certify that
personally came before me this day and acknowledged that he is Secretary of
..... a North Carolina corporation, and that by authority duly
given and as the act of the corporation, the foregoing instrument was signed in its name by its
President, sealed with its corporate seal and attested by as its Secretary.
Witness my hand and official stamp or seal, this day of 19.....
My commission expires: Notary Public

The foregoing Certificate(s) of *Lee Ann Jones*
is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

Ronald W. Calhoun

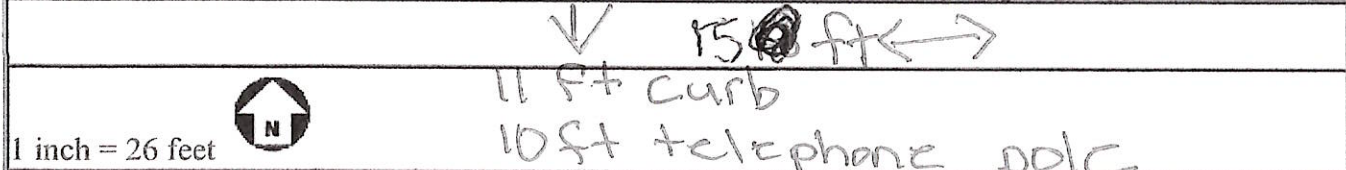
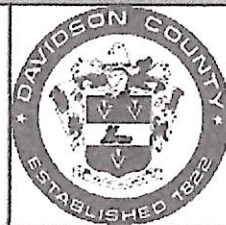
BY *Sammy M. Dickey* REGISTER OF DEEDS FOR Davidson COUNTY
Deputy ~~Assistant~~ - Register of Deeds



Legal Description : P=4-37 BA L64-66A BK893-157 CAR



Davidson County GIS



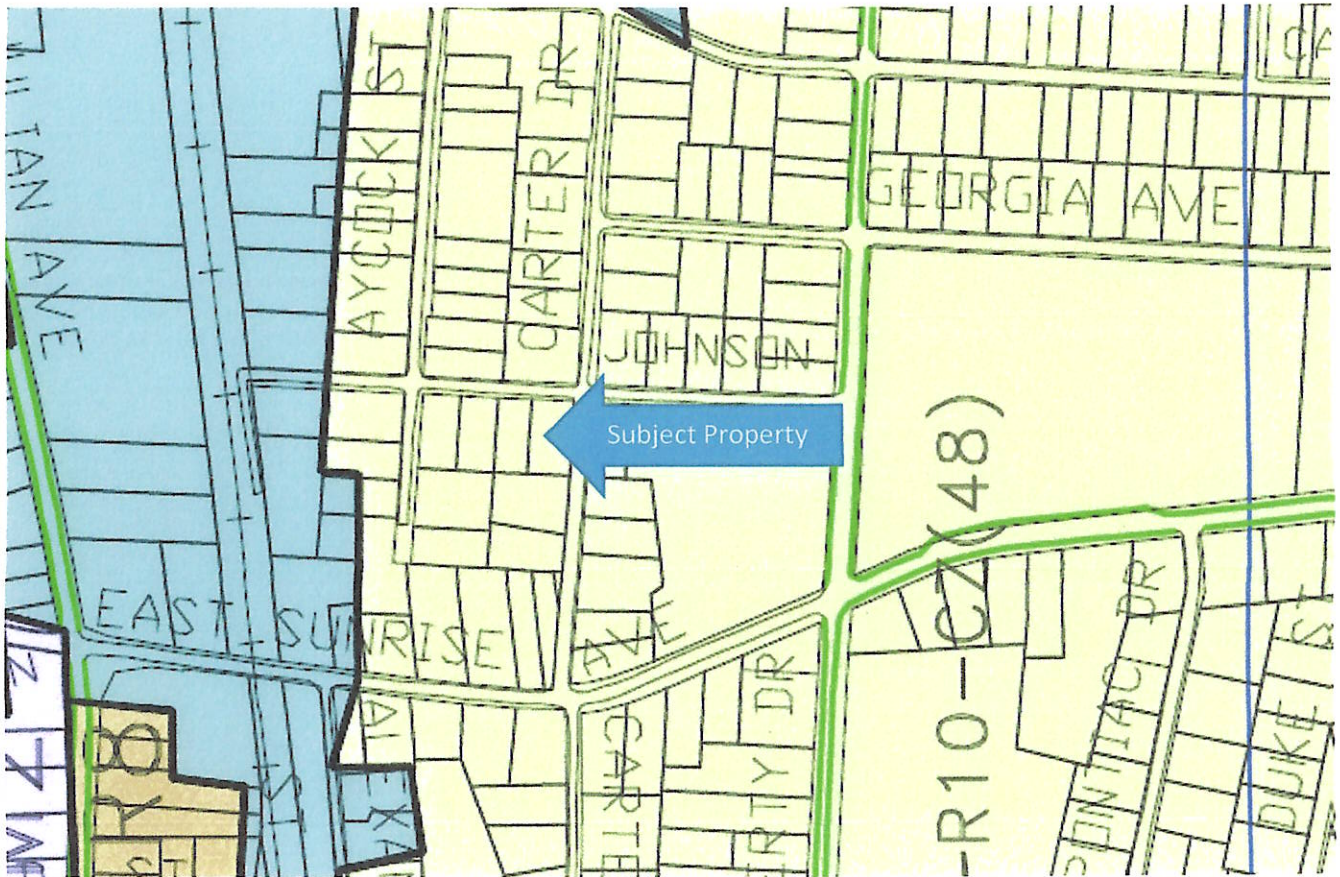
The information contained on this map does not replace information that may be obtained by consulting the official source of the information. In no event shall Davidson County, NC or the consultants of Davidson County, NC be liable for any damages, direct or consequential, from the use of the information contained on this map.

607 Johnson St.
SWO - Josh 11-7-23





607 Johnson Street
Zoning: R-10 High Density Residential
Zoning Map



Zoning Map colors index:

Brown – R-6 High Density Residential
Orange – R-8 Medium Density Residential
Yellow – R-10 Low Density Residential
Dark Orange – R-10M Mobile Home Park
Light Green – O-I Office and Institutional
Pink – C-2 Highway Commercial District
Red – C-4 Central Commercial District
Light Blue – M-1 Light Industrial District
Purple – M-2 Heavy Industrial District

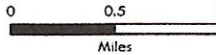


City of Thomasville Land Development Plan

DEVELOPMENT & RE-DEVELOPMENT AREAS



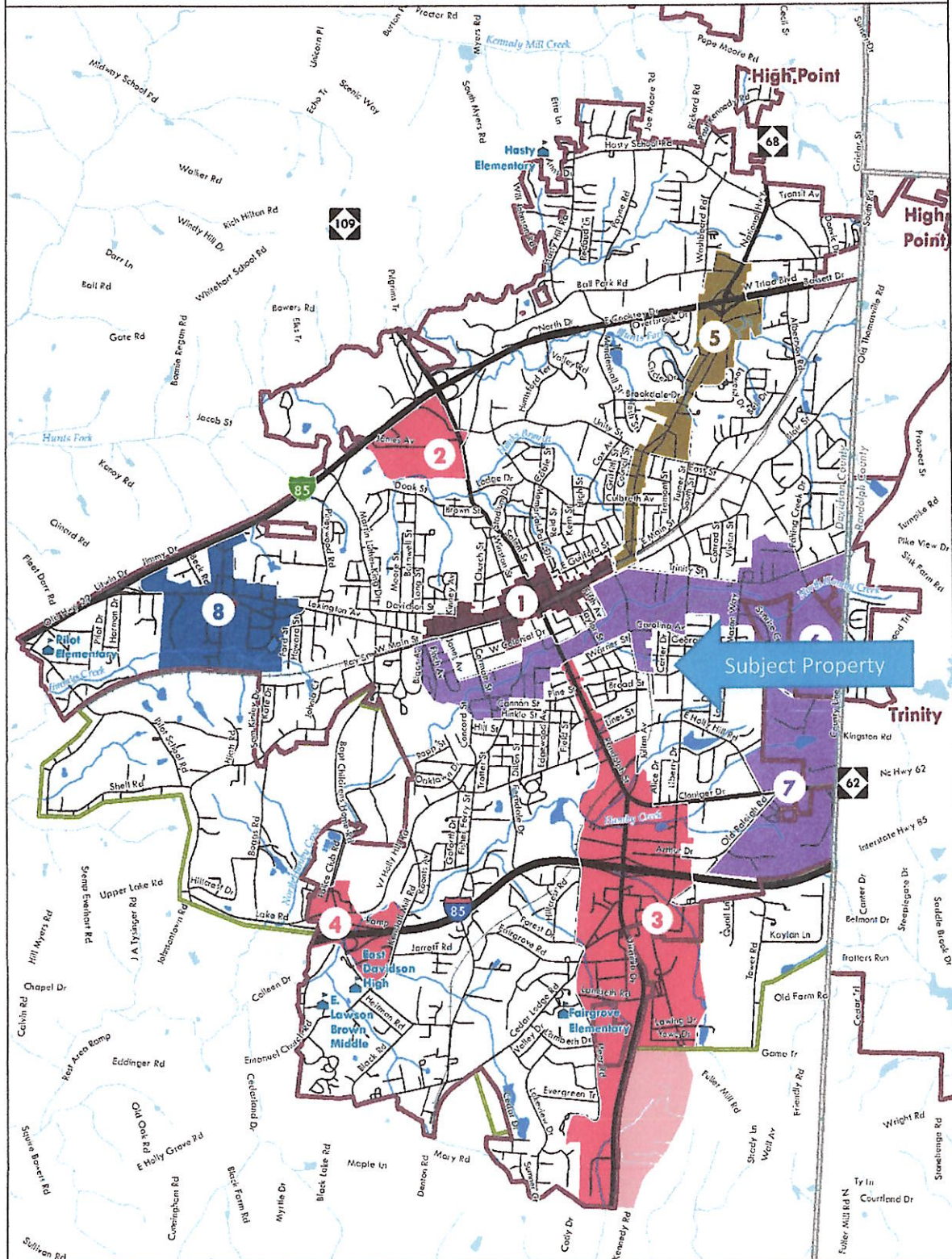
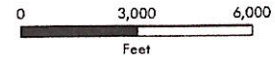
- Highway
- Road
- Railroad
- Stream
- Municipal Limits
- ETJ Boundary
- County Boundary
- Downtown Business District
- Commercial & Mixed-use
- National Highway Commercial Corridor
- Industrial
- Medical & Mixed-use



Mapping provided by the
Piedmont Triad Regional Council
Planning Department
Date: May 14, 2018



1 inch = 3,000 feet



Section 4. - Table of area, yard, and height requirements.

Minimum Lot SizeMinimum Yard Regulations			
District	Area (square feet)	Frontage (feet)	Front Yard Setback (feet)	Rear Yard Depth (feet)	Side Yard Width (feet)	Maximum Height of Structure (feet)
R-20 residential:	20,000	100	40	25	15	35
R-15 residential:	15,000	90	40	25	15	35
R-10M and R-10 residential:						
Single unit with no public water or sewer	20,000	100	40	25	10	35
With either public water or public sewer	15,000	100	40	25	10	35
With both public water and sewer	10,000	75	35	25	10	35
R-8 residential:*						
Single unit	8,000	60	30	25	10	35
Double unit	12,000	70	30	25	10	35
Multiunit	12,000 plus 4,000 for each unit over 2	85	30	25	10	35
R-6 residential:*						
Single unit	6,000	50	25	25	10	35
Double unit	9,000	60	25	25	10	35
Multiunit	9,000 plus 2,500 for each unit over 2	75	25	25	10	56
O-I office and institutional:*						
Residential use	Same requirements as R-6					
Institutional use	0	0	25	25	10	56
C-1 commercial	Minimum lot size requirements not applicable in commercial and industrial districts for permitted uses		30	10	10	35
C-2 commercial			50	10	10	50
C-3 commercial			50	10	10	50
C-4 commercial			0	0	0	50
M-1 industrial			35	20	20	50
M-2 industrial			35	20	20	50

*The minimum lot size of any O-I, R-8 or R-6 lot not served by water or sewer shall conform to requirements of the Davidson County Health Department, notwithstanding the requirements in this table.

CITY OF THOMASVILLE

MOTION FOR VARIANCE HEARING*

APPROVAL	Based on the stated Findings of Fact, I move that the Zoning Enforcement Officer be overruled and the Variance granted (with the following conditions) based on the findings listed below: (Must read <u>ALL</u>)
Variances -	When unnecessary hardships would result from carrying out the strict letter of a zoning ordinance, the board of adjustment shall vary any of the provisions of the ordinance upon a showing of all of the following.
(1) If the applicant complies with the provisions of the ordinance, unnecessary hardship will result to the property by applying strict application of the ordinance because:	<i>State reason:</i>
(2) The hardship of which the applicant complains results from conditions that are peculiar to the property and unique circumstances related to the applicant's property because:	<i>State reason:</i>
(3) The hardship is not the result of the applicant's own actions because:	<i>State reason:</i>
(4) The variance is in harmony with the general purpose and intent of this ordinance and preserves its spirit and assures public safety, welfare and substantial justice because:	<i>State reason:</i>

Date

Jane Hill, Chairperson

*Motions should either (1) approve the variance request; (2) approve the variance request with conditions; or (3) deny the variance request. Findings of fact and conclusions must be made for both approvals and denials.

CITY OF THOMASVILLE

MOTION FOR VARIANCE HEARING*

DENIAL	<i>Based on the stated Findings of Fact, I move that the Zoning Enforcement Officer be upheld and the Variance denied based on the findings listed below: (Must read a minimum of one: if more apply, read them as well.)</i>	
Variances -	When there [are not] practical difficulties or unnecessary hardships that result from carrying out the strict letter of this ordinance.	
(1) If the applicant complies with the provisions of the ordinance, unnecessary hardship will not result to the property by applying strict application of the ordinance because:	State reason:	
(2) The hardship of which the applicant complains does not result from conditions that are peculiar to the property and unique circumstances related to the applicant's property because:	State reason:	
(3) The hardship is the result of the applicant's own actions because:	State reason:	
(4) The variance is not in harmony with the general purpose and intent of this ordinance and does not preserve its spirit and does not assure public safety because:	State reason:	

Date

Jane Hill, Chairperson

*Motions should either (1) approve the variance request; (2) approve the variance request with conditions; or (3) deny the variance request. Findings of fact and conclusions must be made for both approvals and denials.

City of Thomasville Planning & Zoning
Rezoning Case # BOA-23-11
Staff Report: Chuck George, Director

Applicant/Owner: Jeffery and Ashli Huntsman

Location: 18 Buck Forest Lane

Tax Parcel ID Number: 16314V0000011

Request: Variance

Description of Variance Request:

- The request is for a variance from Article V., section 4. - Table of area, yard, and height requirements.
- Request to reduce the front yard setback from 35 ft. to 30 ft. for a new extended covered porch.

Site Information:

- Zoning District: R-10 Low Density Residential
- Single family resident

BOA Information:

- The board will identify reasons for the findings of facts based on the evidence given during the hearing. To grant the variance, the applicant shall receive 6 votes which represents 4/5 of the members of this board.

Attachments:

- Application
- Legal description
- Site map
- GIS map
- Zoning map
- Land Development Plan map
- Article V., Section 4. - Table of area, yard, and height requirements
- Finding of Facts form- Approval and Denial

Public Notice

<i>Notification</i>	<i>Planning/Adjustment Board</i>	<i>City Council</i>
Public Hearing Notice	11/16/23 & 11/21/23	N/A
Property Posted	11/15/23	N/A
Notification Letter Sent	11/14/23	N/A

CITY OF THOMASVILLE
P O Box 368 • Thomasville, NC 27360 • (336) 475 4255

Planning & Zoning Department

Date Received 9-19-23 By Randall Markham Case # Hearing Date 11-28-23
BOARD OF ADJUSTMENT VARIANCE APPLICATION

SUBJECT PROPERTY
ADDRESS 18 Buck Forest Ln. Thomasville, NC 27360

APPLICANT / OWNER / REPRESENTATIVE INFORMATION

Applicant Name Parker Hughes
Address 6913 Turnpike Rd. City Archdale State NC Zip 27263
Telephone (C) 336-823-0582
Email
Property Owner Name Ashli Huntsman
Address 18 Buck Forest Ln. City Thomasville State NC Zip 27360
Telephone (C) 336-848-0452
Email

If another person will represent the applicant and/or property owner, please complete the information below

Representative Name
Address City State Zip
Telephone (C)
Email

PROPERTY INFORMATION

Parcel ID # 6789-03-10-4961 Zoning District

Existing Use of Property Residence
Proposed Use of Property (if different)

RELIEF REQUESTED

By this application, the Board of Adjustment is hereby requested to grant a variance from the literal provisions of the City of Thomasville Zoning Ordinance because, under the interpretation given to me by the Zoning Administrator, I am prohibited from using the parcel of land indicated on this application in the manner shown by the attached site plan.

I am asking for relief in the amount of 5 feet inches from the following provision of the Ordinance:

(Indicate Section Number and Title from the Zoning Ordinance.)

I need this variance in order to (briefly describe the project or reason why the variance is necessary.)

To expand the size of the front porch to have

adequate room to enter the front door.

REQUIRED FINDINGS

The Board of Adjustment does not have unlimited discretion in deciding whether to grant a variance. The North Carolina General Assembly has enacted law that requires the Board to reach the following four conclusions or Findings as a prerequisite to an approval of a variance. Please address each of the four conclusions separately.

1. If necessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in absence of the variance, no reasonable use can be made of the property.

The unnecessary hardship that would arise if the strict application of the ordinance is applied in the inability to use our front entrance and the decrease in value due to the lack of a front door stoop/stairs. This would also impair the value of the home due to the lack of an aesthetically pleasing front entrance. The cost of removing the existing structure and replacing with a less appealing solution would cause a significant hardship.

2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.

The property sits at the end of a cul-de-sac, on which the city has a street drain running through the property, with no through road.

The property slopes which requires stairs to the front door.

It would be impossible to enter without a front stoop/stairs.

3. The hardship does not result from actions taken by the applicant or property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as self-created hardship.

We hired a contractor to build the front stoop/stairs and relied on his knowledge of the city ordinances.

4. The requested variance is consistent with the spirit, purpose and intent of the Ordinance, such that public safety is secured, and substantial justice is achieved.

As previously stated, the home sits at the end of a cul-de-sac, with no through road. The addition of the current front stoop enhances the value the home without imposing any restrictions on traffic in and out of the cul-de-sac. Ultimately, we were trying to

enhance the value of the home which increases the value of
the homes in our community.

SIGNATURES

Please be advised that the issuance of a variance does not excuse the applicant and/or property owner from obtaining all
building, trade or other permits as required by law prior to beginning work.

When the applicant is someone other than the current property owner(s), the signatures of both the current property
owner(s) and the applicant must be provided unless a power of attorney authorization is in effect. If a power of
attorney is in effect, a properly executed copy is required to be submitted with this application.

Parker Hughes

Signature of Applicant

Parker Hughes 11-13-23

Print Name

Date

Ashli Huntsman

Signature of Owner

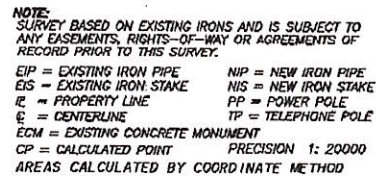
Ashli Huntsman

Print Name

11-13-23

Date

PLAT BOOK 39 PAGE 39

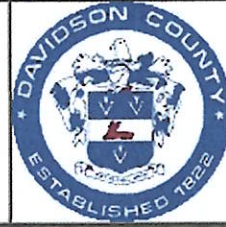


LAND SURVEYING AND ENGINEERING
109 SALEM STREET, THOMASVILLE, NC 27360
PHONE: (336)476-7211 FAX: (336)476-7212

REVISÉ 7-20-06 TITLE



Davidson County GIS

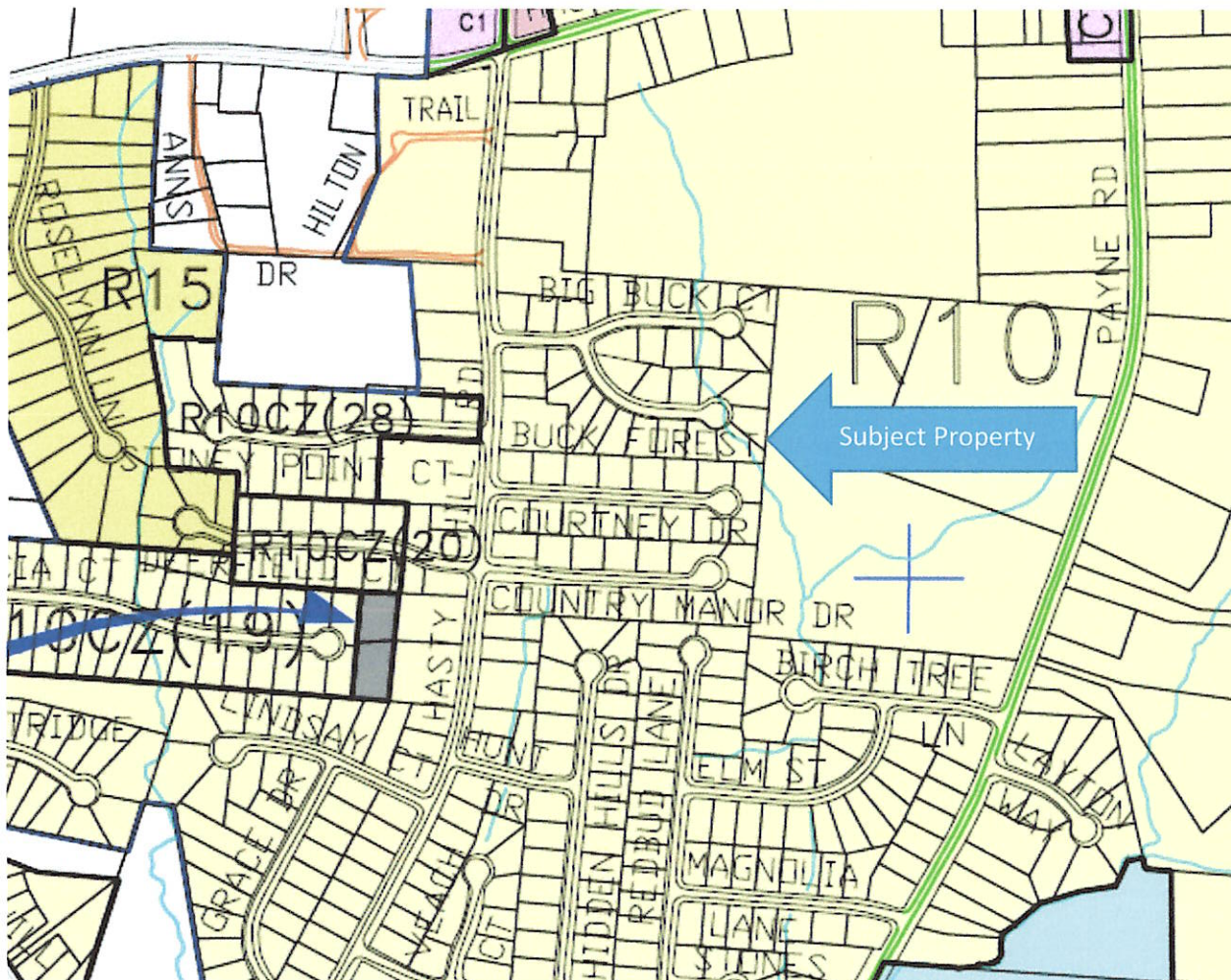


Parcel Number :	16314V0000011	Land Units:	0.27 AC
Pin Id :	6789-03-10-4961	Deed Book:	1811 Pg: 1425
Owner :	HUNTSMAN JEFFREY THOMAS ET AL 18 BUCK FOREST LANE THOMASVILLE NC 27360-0000	Deed Date:	08/24/2007
Property Address:	18 BUCK FOREST LN	Account Number:	9092070
Township:	16	Exempt Code:	
Building Value:	\$90,860	Other Building Value:	\$3,840
Land Value:	\$25,000	Market Value:	\$119,700
Assessed Value:	\$119,700	Deferred Value:	\$0
Legal Description : PB37-91 L11 BK1811-1425 BUCK FOREST			





18 Buck Forest Lane
Parcel Number 16314V0000011
Zoning: R-10 Low Density Residential
Zoning Map



Zoning Map colors index:

Brown – R-6 High Density Residential
Orange – R-8 Medium Density Residential
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Light Green – O-I Office and Institutional
Pink – C-2 Highway Commercial District
Red – C-4 Central Commercial District
Light Blue – M-1 Light Industrial District
Purple – M-2 Heavy Industrial District

Section 4. - Table of area, yard, and height requirements.

Minimum Lot SizeMinimum Yard Regulations			
District	Area (square feet)	Frontage (feet)	Front Yard Setback (feet)	Rear Yard Depth (feet)	Side Yard Width (feet)	Maximum Height of Structure (feet)
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*The minimum lot size of any O-I, R-8 or R-6 lot not served by water or sewer shall conform to requirements of the Davidson County Health Department, notwithstanding the requirements in this table.

CITY OF THOMASVILLE

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Date

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CITY OF THOMASVILLE

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(3) The hardship is the result of the applicant's own actions because:	State reason:	
(4) The variance is not in harmony with the general purpose and intent of this ordinance and does not preserve its spirit and does not assure public safety because:	State reason:	

Date

Jane Hill, Chairperson

*Motions should either (1) approve the variance request; (2) approve the variance request with conditions; or (3) deny the variance request. Findings of fact and conclusions must be made for both approvals and denials.

City of Thomasville
Rezoning Case # Z-23-09
Staff Report: Chuck George, Planning Director

Applicant/ Owner: R.E.W Homes, LLC

Location: Kendall Mill Road

Tax Parcel ID Number: 1633800000035

Request: Rezoning from R-8CZ to R-6

Conditions: N/A

Requested Zoning District Characteristics:

The current zoning is R-8CZ Medium Density Residential Conditional Zoning- This district is identical to the R-8 medium density residential district except that a conditional zoning permit is required as a prerequisite to any use or development, as provided for in this ordinance. This district is defined as medium density residential areas of mostly single-family dwellings and certain open areas where similar residential development will likely occur. The uses permitted in this district are designed to stabilize and protect the essential characteristics of the area and prohibit all activities of a commercial nature except certain home occupations controlled by specific limitations.

The proposed zoning is R-6 High density residential district –This district is defined as medium to high density residential areas where single-family and multifamily dwellings are commingled and certain open areas where similar residential development will likely occur. The uses permitted in this district are designed to stabilize and protect the essential characteristics of the area and prohibit all activities of a commercial nature except certain home occupations controlled by specific limitations.

Site Information

Size of Parcel	+/- .10.24 acres		
Existing Land Use	Medium Density Residential Conditional Use		
Proposed Land Use	High density residential		
Surrounding Property Zoning and Use	Direction	Zoning	Use
	N	R-10	Low density residential
	E	R-10	Low density residential
	S	R-10	Low density residential
	W	M-1CZ	Light Industrial CZ
General Site Information	Undeveloped Land		
Historic Properties	NA		

History of Approved Cases: Z-10-01CU (3-15-2010)

Rezoned from M-1 Light Industrial to R-8 Medium Density Residential Conditional use. The conditional use-only dwellings allowed on this 10+ acres tract will be single-family attached, two-family, and multi-family, including townhouses, patio homes, and other styles.

Compatibility with Adopted Plans

The 2035 Land Development Plan indicates the areas that have not been identified for development or redevelopment are suitable for infill development that is consistent with the existing surrounding land uses. Development or redevelopment in these areas should not be discouraged, and as land development market changes occur, this plan should be updated to reflect the changing conditions.

Staff Comment

The 10.24 acres are currently undeveloped. The applicant requested to change from medium-density residential conditional use to high-density residential for subdivision development. The 2035 land use plan recommends infill development consistent with the surrounding land uses. The surrounding uses are Residential and Industrial.

Attachments

- Application
- Legal description
- Site map
- DC GIS Map
- Zoning map
- 2035 Land use map
- Table of permitted uses
- Consistency statement to approve or deny request

Public Notice

<i>Notification</i>	<i>Zoning Board</i>	<i>City Council</i>
Public Hearing Notice	11/16/23 & 11/21/23	
Property Posted	11/17/23	
Notification Letter Sent	11/14/23	

Zoning Board Recommendation

CITY OF THOMASVILLE

Planning & Zoning Department

PO BOX 368 • THOMASVILLE, NC 27360 • (336) 475-4255

REZONING APPLICATION

File No. Z- 23-09

Date 10-5-23

Applicant R.E.W. HOMES, LLC

Phone 336-215-5510

Applicant's Address PO BOX 182 WALLBURG, NC 27373

Property Owner R.E.W. HOMES, LLC

Phone 336-215-5510

Property Owner's Address PO BOX 182 WALLBURG, NC 27373

Existing Zoning B-8CZ

Requested Zoning R-6

Address or Location of Property to be Rezoned KENDALL MILL RD. ACROSS FROM
MCINTYRE METALS / DESIDE I 85

Description of Property 10.24 +/- ACRES PARTIALLY BORDERED BY A CREEK
ON ONE SIDE, I 85 ON THE OTHER SIDE, INDUSTRIAL USE PROPERTY
ACROSS THE STREET

Fee Received \$ _____ Map No 16-

(PLEASE MAKE CHECK PAYABLE TO "CITY OF THOMASVILLE")

Applicant's
Signature

Robert E. Winslow

Owner's
Signature

Robert E. Winslow

Planning Board Hearing Date 11-28-23

Planning Board Action

☐

Approved

☐

Denied

Vote of: _____

City Council Hearing Date 12-18-23

City Council Action

☐

Approved

☐

Denied

Vote of: _____

Signed _____

Secretary to Planning Board

2021031389

DAVIDSON COUNTY NC FEE \$26
STATE OF NC REAL ESTATE EX1
\$400.00

PRESENTED & RECORDED
12/10/2021 09:31:49 AM

MICHAEL HORNE
REGISTER OF DEEDS
BY: CASEY L. RAINO
DEPUTY

BK: DE 2519

PG: 1801 - 1803

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$400.00

Parcel ID 1633800000035

Verified by _____ County on the ____ day of _____, 2021
By: _____

This Instrument was prepared by: Misti Boles Whitman of Citrin & Whitman, PA, a licensed North Carolina Attorney. Delinquent taxes, if any, to be paid by the closing attorney to the County Tax Collector upon disbursement of closing proceeds.

(No title search or closing requested by parties or performed by Draftsman)

THIS DEED made this 8th day of December, 2021, by and between

GRANTOR: KENDALL MILL PROPERTIES, LLC
A North Carolina Limited Liability Company
369 Cedar Lane Road
Thomasville, NC 27360

GRANTEE: R.E.W. Homes, LLC
P.O. Box 182
Wallburg, NC 27373

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 Thomasville Township, Davidson County, North Carolina and more particularly described as follows:

For a full and complete description, please see Exhibit "A" attached hereto and incorporated by reference as if fully set forth herein.

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

Submitted electronically by "Black, Slaughter & Black, PA"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Davidson County Register of Deeds.

Power, telephone and utility easements found of record or appearing upon ground.

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

Kendall Mill Properties, LLC

Eddie C. Brinkley (Seal)
Eddie C. Brinkley, Managing Member

Steven M. Byerly (Seal)
Steven M. Byerly, Member

STATE OF NORTH CAROLINA
COUNTY OF DAVIDSON

I, Misti Boles Whitman, Notary Public of the County and State aforesaid, certify that Eddie C. Brinkley and Steven M. Byerly, Members of Kendall Mill Properties, LLC, personally appeared before me this day and voluntarily acknowledged the due execution of the foregoing instrument for the purposes therein express.

Witness my hand and Notarial stamp or seal this 8th day of December, 2021.

My Commission Expires: 8/29/2025

[Signature]
NOTARY PUBLIC

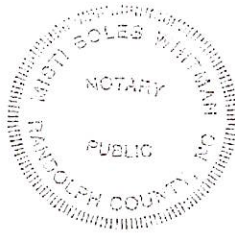
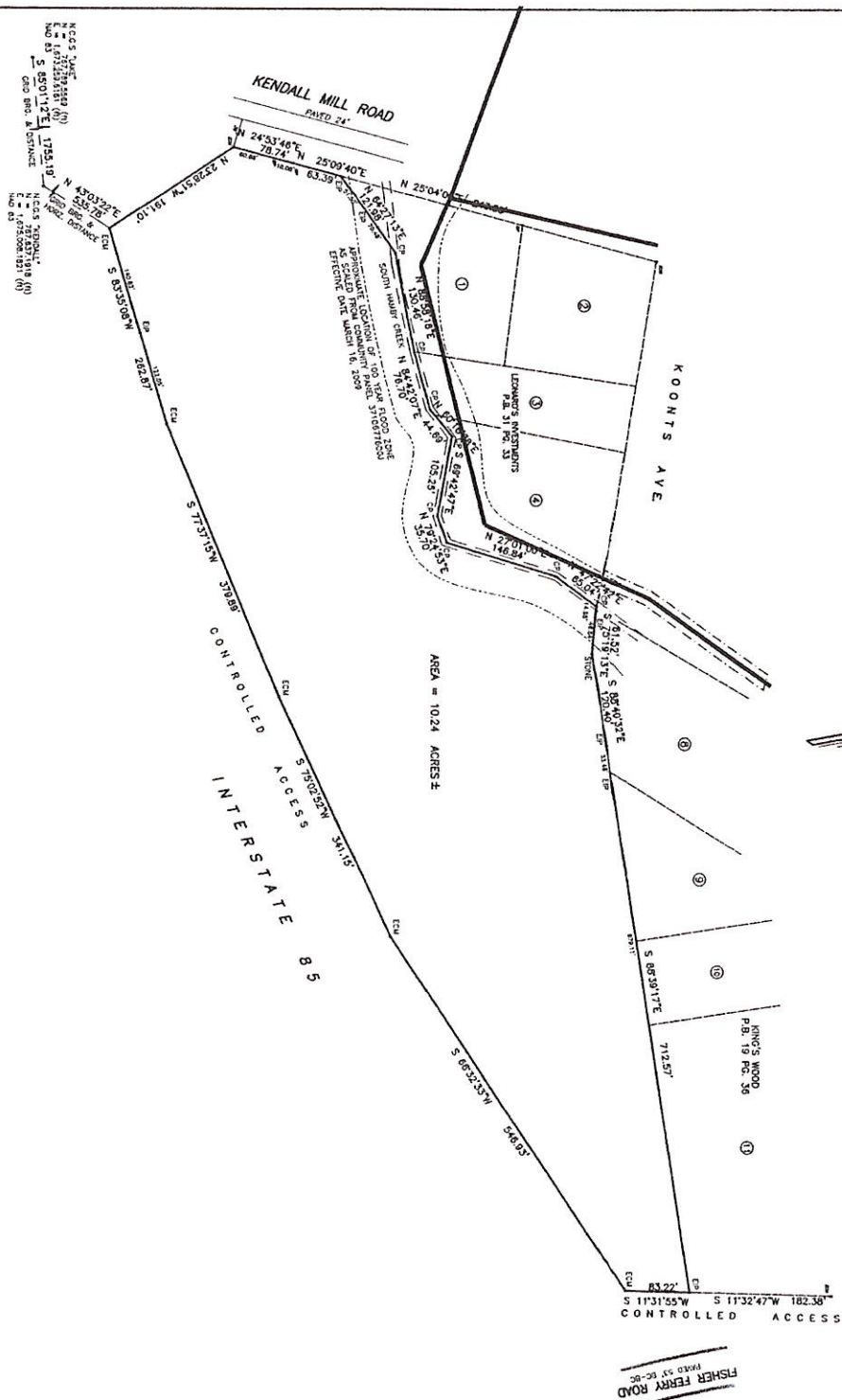
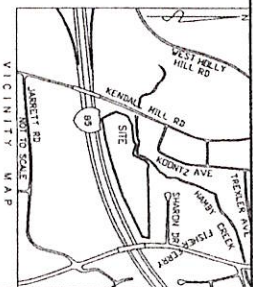


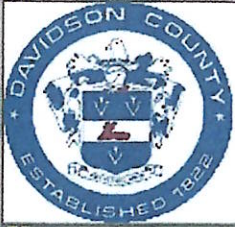
Exhibit A

BEGINNING at an existing iron pin in the eastern right of way line of Kendall Mill Road, which said point marks the southwesternmost corner of Tract 1 of the Leonard's Investments Properties per Plat Book 31, Page 33 in the Office of the Davidson County, North Carolina Register of Deeds; running thence from said beginning point with the line of said Leonard's Investment lands eight (8) calls as follows: (1) North 64° 27' 13" East crossing an existing iron pin at 51.50 feet and continuing for a total distance of 121.98 feet to a calculated point in the South Hamby Creek bed; (2) running thence with the approximate center of said creek bed as it meanders in a generally northeastern direction, North 88° 58' 18" East 130.46 feet to a calculated point; (3) running thence North 84° 42' 07" East 76.70 feet to a calculated point; (4) running thence North 60° 16' 38" East 44.69 feet to a calculated point; (5) running thence South 69° 42' 47" East 105.25 feet to a calculated point; (6) running thence North 79° 24' 53" East 35.70 feet to a calculated point; (7) running thence North 27° 01' 00" East 146.84 feet to a calculated point; and (8) running thence North 47° 22' 42" East 65.04 feet to a calculated point in said creek; running thence South 75° 19' 13" East crossing an existing iron pin at 14.98 feet and continuing for a total distance of 61.52 feet to a stone; running thence South 88° 40' 32" East 120.40 feet to an existing iron pin; running thence South 88° 39' 17" East crossing an existing iron pin at 33.46 feet and continuing for a total distance of 712.57 feet to an existing iron pin in the controlled access western right of way line of Fisher Ferry Road (which said point is located South 11° 32' 47" West 182.38 feet from an existing concrete monument); running thence with a controlled access right of way line, South 11° 31' 55" West 83.22 feet to an existing concrete monument which marks a corner to Interstate 85; running thence with the right of way line of said highway four (4) calls as follows: (1) South 66° 32' 33" West 546.93 feet to an existing concrete monument; (2) running thence South 75° 02' 52" West 341.15 feet to an existing concrete monument; (3) running thence South 77° 37' 15" West 379.89 feet to an existing concrete monument; and (4) running thence South 83° 35' 08" West crossing an existing iron pin at 122.05 feet and continuing for a total distance of 262.87 feet to the center of an existing concrete monument (which point has N.C.G.S. "Lake" NAD 83 Coordinates of N = 767,789.5569 feet and E = 1,673,259.6161 feet a Grid BRG and distance of South 85° 01' 12" East 1,755.19 feet to a point, and thence N.C.G.S. "Kendall" NAD 83 Coordinates of N = 767,637.1918 feet and E = 1,675,008.1821 feet a Grid BRG and Horiz. Distance of North 43° 03' 22" East 535.78 feet to said existing concrete monument); running thence with the connecting right of way line between Interstate 85 and the eastern right of way line of Kendall Mill Road, North 23° 28' 51" West 191.10 feet to a point in the eastern right of way line of Kendall Mill Road; running thence with said right of way line North 24° 53' 46" East 78.74 feet to an existing iron pin in said right of way line, and running thence again with said right of way line North 25° 09' 40" East 63.39 feet to the point and place of BEGINNING, containing 10.24 acres, more or less, according to a plat of the same prepared by Stewart W. Gloor, RLS, dated 5/28/02 entitled "Survey for Kendall Mill Properties" and designated as Job No. 270 1.

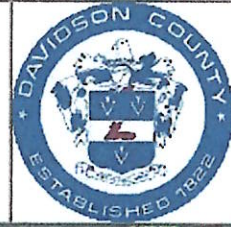
[illegible]

MT ASSOCIATES, PA
SURVEYING AND LAND PLANNING
109 SALEM STREET, THOMASVILLE, NC 27360
PHONE: (336)476-7211 FAX: (336)476-7212
*PRELIMINARY MAP
NOT FOR CONVEYANCES
SALES OR RECORDATION*

GRAPHIC SCALE - FEET 1" = 100'

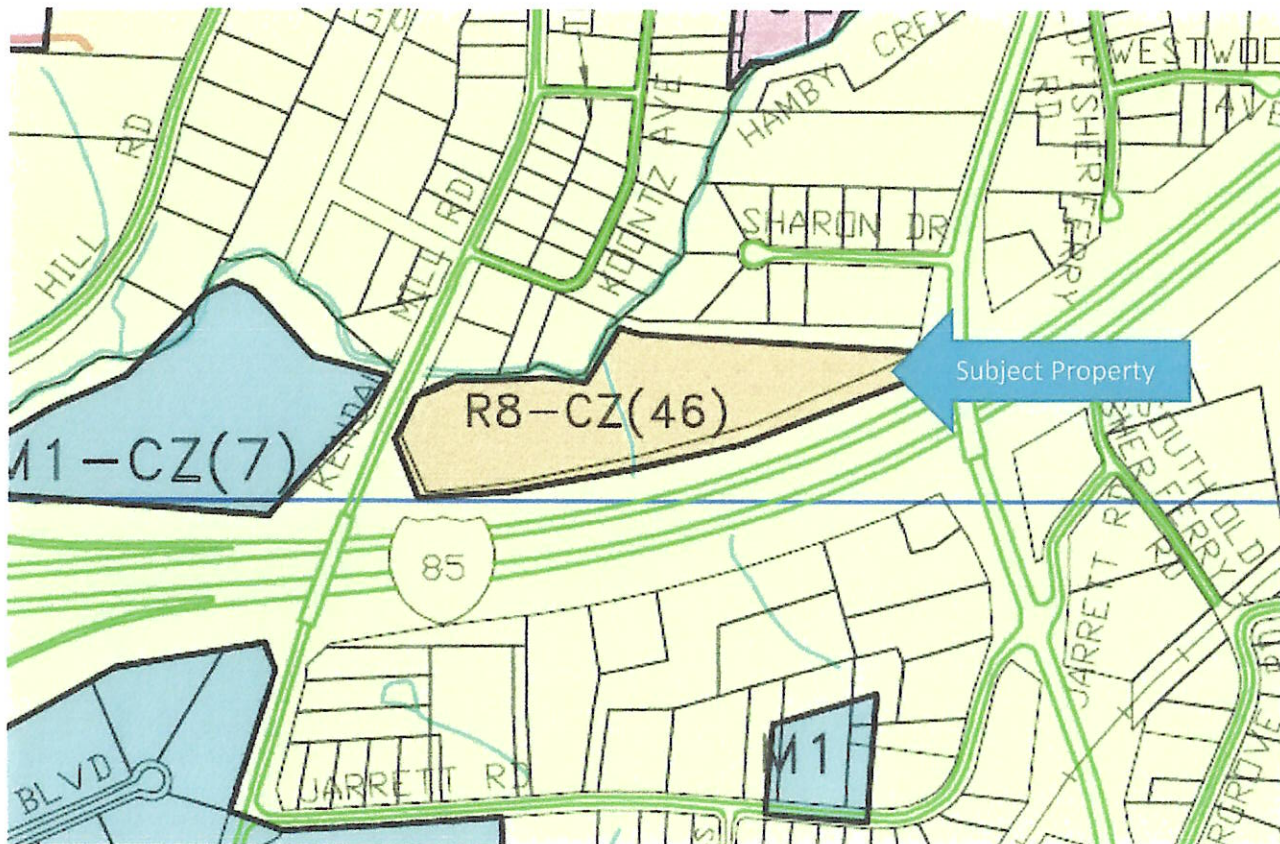


Davidson County GIS



Parcel Number :	1633800000035	Land Units:	10.24 AC
Pin Id :	6776-02-68-0300	Deed Book:	2519 Pg: 1801
Owner :	R E W HOMES LLC PO BOX 182 WALLBURG NC 27373-0182		
Property Address:	KENDALL MILL RD	Deed Date:	12/10/2021
Township:	16	Account Number:	9231441
Building Value:	\$0	Exempt Code:	
	Other Building Value:		\$0
Land Value:	\$105,320	Market Value:	\$105,320
Assessed Value:	\$105,320	Deferred Value:	\$0
Legal Description : L35 BK2519-1801			

Kendall Mill Road
Parcel Number 1633800000035
Zoning: R-8CZ Medium Density Residential Conditional Zoning
Zoning Map



Zoning Map colors index:

Brown – R-6 High Density Residential
Orange – R-8 Medium Density Residential
Yellow – R-10 Low Density Residential
Dark Orange – R-10M Mobile Home Park
Light Green – O-I Office and Institutional
Pink – C-2 Highway Commercial District
Red – C-4 Central Commercial District
Light Blue – M-1 Light Industrial District
Purple – M-2 Heavy Industrial District



City of Thomasville Land Development Plan

DEVELOPMENT & RE-DEVELOPMENT AREAS



- Highway
- Road
- Railroad
- Stream
- Municipal Limits
- ETJ Boundary
- County Boundary
- Downtown Business District
- Commercial & Mixed-use
- National Highway Commercial Corridor
- Industrial
- Medical & Mixed-use

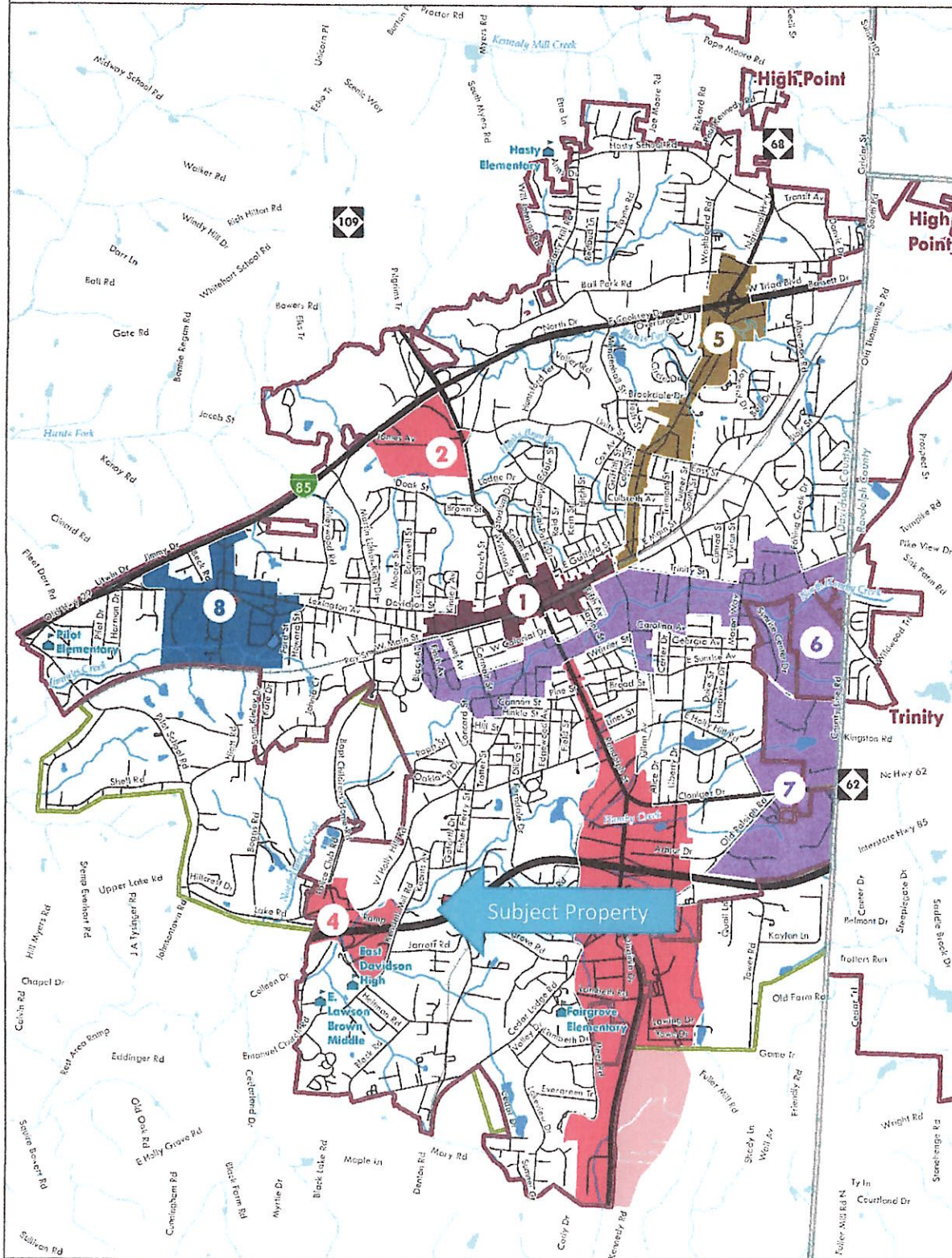
0 0.5 1
Miles

Mapping provided by the
Piedmont Triad Regional Council
Planning Department
Date: May 14, 2018



1 inch = 3,000 feet

0 3,000 6,000
Feet



MOTION TO REZONE INCLUDING NCGS 160-383 LANGUAGE

I move to rezone the property from _____ to _____
for the following reasons:

1. _____

2. _____
_____ and
3. _____

Further, I move that the City Council find that this rezoning is reasonable and in the public interest due to its consistency with the comprehensive plan and, as a result, its furtherance of the goals and objectives of the comprehensive plan.

MOTION TO DENY THE REZONING INCLUDING NCGS 160-383 LANGUAGE

I move to deny the rezoning of the property from _____ to _____
_____ for the following reasons:

1. _____

2. _____
_____ and
3. _____

Further, I move that the City Council find that this rezoning is unreasonable and not in the public interest due to its inconsistency with the comprehensive plan and, as a result, is a hindrance to the goals and objectives of the comprehensive plan.

City of Thomasville
Rezoning Case # Z-23-10
Staff Report: Chuck George, Planning Director

Applicant/Owner: Joseph Dean

Location: 420 Lexington Avenue

Tax Parcel ID Number: 16098000B0016

Request: Rezoning from C-2 to R-8

Conditions: NA

Requested Zoning District Characteristics:

The current zoning is C-2 highway commercial - This district defined as certain areas that primarily designed for citizens using the major highways that run through or around the city. The district customarily located along the major arterial highways. This district may also provide retailing and personal services for the benefit of residents in nearby areas and nonresidents. Included also are certain functions, such as warehousing, that are compatible with the primary uses.

The proposed zoning is R-8 medium density residential – This district defined as medium density residential areas of mostly single-family dwellings and certain open areas where similar residential development will likely occur. The uses permitted in this district are designed to stabilize and protect the essential characteristics of the area and prohibit all activities of a commercial nature except certain home occupations controlled by specific limitations.

Site Information

Size of Parcel	.491 Acres		
Existing Land Use	Highway Commercial		
Proposed Land Use	Medium Density Residential		
Surrounding Property Zoning and Use	Direction	Zoning	Use
	N	R-8	Residential
	E	C-2	Commercial
	S	R-8	Residential
	W	R-8	Residential
General Site Information	Single-family residence with accessory building		
Historic Properties	NA		

History of Denied Cases:

NA

Compatibility with Adopted Plans

The 2035 Land Development Plan indicates the areas that have not been identified for development or redevelopment are suitable for infill development that is consistent with the existing surrounding land uses. Development or redevelopment in these areas should not be discouraged, and as land development market changes occur, this plan should be updated to reflect the changing conditions.

Staff Comment

The subject property currently contains a single-family house with an accessory building. The applicant requests to rezone the property to residential use to be consistent with its use and taxed at a residential rate, not commercial. The request is consistent with the 2035 Comprehensive Plan and compatible with the surrounding area's existing development.

Attachments

- Application
- Legal description
- Site map
- DC GIS Map
- Zoning map
- 2035 Land use map
- Table of permitted uses
- Consistency statement to approve or deny request

Public Notice

<i>Notification</i>	<i>Zoning Board</i>	<i>City Council</i>
Public Hearing Notice	11/16/23 & 11/21/23	
Property Posted	11/17/2023	
Notification Letter Sent	11-14-23	

Zoning Board Recommendation

CITY OF THOMASVILLE

Planning & Zoning Department

PO BOX 368 • THOMASVILLE, NC 27360 • (336) 475-4255

REZONING APPLICATION

File No. Z- 23-10

Date 10-24-2023

Applicant Joseph Dean Phone _____

Applicant's Address 420 Lexington Ave

Property Owner Joseph Dean Phone _____

Property Owner's Address 420 Lexington Ave

Existing Zoning C-2 Requested Zoning R-8

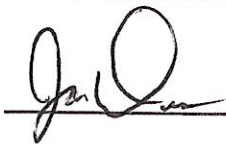
Address or Location of Property to be Rezoned 420 Lexington Ave

Description of Property Single family residential with accessory building

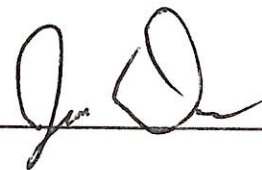
Fee Received \$ 500 Map No 16-098000 B0016

(PLEASE MAKE CHECK PAYABLE TO "CITY OF THOMASVILLE")

Applicant's
Signature



Owner's
Signature



Planning Board Hearing Date November 28, 2023

Planning Board Action ☐ Approved ☐ Denied Vote of: _____

City Council Hearing Date December 18, 2023

City Council Action ☐ Approved ☐ Denied Vote of: _____

Signed _____

Secretary to Planning Board

DAVIDSON COUNTY NC 07/31/2007
\$144.00



Real Estate
Excise Tax

DAVIDSON COUNTY NC
Book 1805
Pages 1934-1936
FILED 3 PAGE(S)
07/31/2007 2:03 PM
DAVID T RICKARD
Register Of Deeds

**NORTH CAROLINA
GENERAL WARRANTY DEED**

Excise Tax: \$144.00

Recording Time, Book and Page:

Tax Map No.

Parcel Identifier No:

Mail after recording to: **GRANTEE:** 420 Lexington Ave., Thomasville, NC 27360

This instrument was prepared by: **PLYLER LAW FIRM, THOMASVILLE, NC 27360**

THIS DEED made this 23rd day of July, 2007 by and between

GRANTOR

KENNETH L. WINGFIELD and wife, BRENDA WINGFIELD

GRANTEE

JOSEPH R. DEAN

Property Address: **420 LEXINGTON AVENUE, THOMASVILLE, NC 27360**

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 and more particularly described as follows:

Thomasville Township, Davidson County: BEGINNING on the north side of Lexington Dirt Road and running Northward two hundred (200) feet to a stone planted; thence at right angles Westward one hundred (100) feet to a stone planted; thence at right angles Southward two hundred (200) feet to a stone planted on road side; thence Eastward with the said road one hundred (100) feet to the beginning, containing twenty thousand (20,000) square feet, more or less.

All or a portion of the property hereinabove described was acquired by Grantor by instrument recorded in Book 1060, Page 1648, DAVIDSON County Registry.

A map showing the above described property is recorded in Plat Book __, Page __, and referenced within this instrument.

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.

0021599

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

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 officer(s), the day and year first above written.

(Entity Name) _____ (SEAL)

By: _____ Brenda Wingfield (SEAL)
Title: _____
BRENDA WINGFIELD

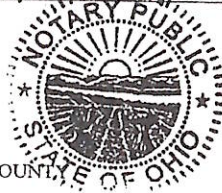
By: _____ (SEAL)
Title: _____

_____ (SEAL)

OHIO Franklin
~~NORTH CAROLINA~~ _____ COUNTY

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: name(s) of principal(s). BRENDA WINGFIELD
Grantor(s). Witness my hand and official stamp or seal, this the 27th day of July, 2007.

My Commission Expires: September 3, 2008



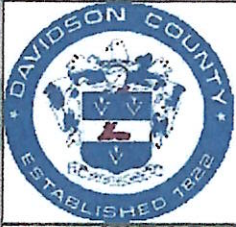
Anthony M. Enright
Notary Public
Name: Anthony M. Enright
Notary Public, State of Ohio
My Commission Expires
September 3, 2008

NORTH CAROLINA _____ COUNTY

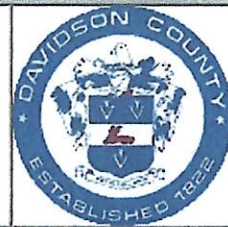
I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she signed the foregoing document: name(s) of principal(s). _____, Grantor(s). Witness my hand and official stamp or seal, this the _____ day of _____, _____.

My Commission Expires: _____

Notary Public
Print Notary Name: _____



Davidson County GIS



Parcel Number : 16098000B0016
 Pin Id : 6777-02-57-5354
 Owner : DEAN JOSEPH R
 420 LEXINGTON AVENUE
 THOMASVILLE NC 27360-0000

Land Units: LT
 Deed Book: 1805 Pg: 1934
 Deed Date: 07/31/2007

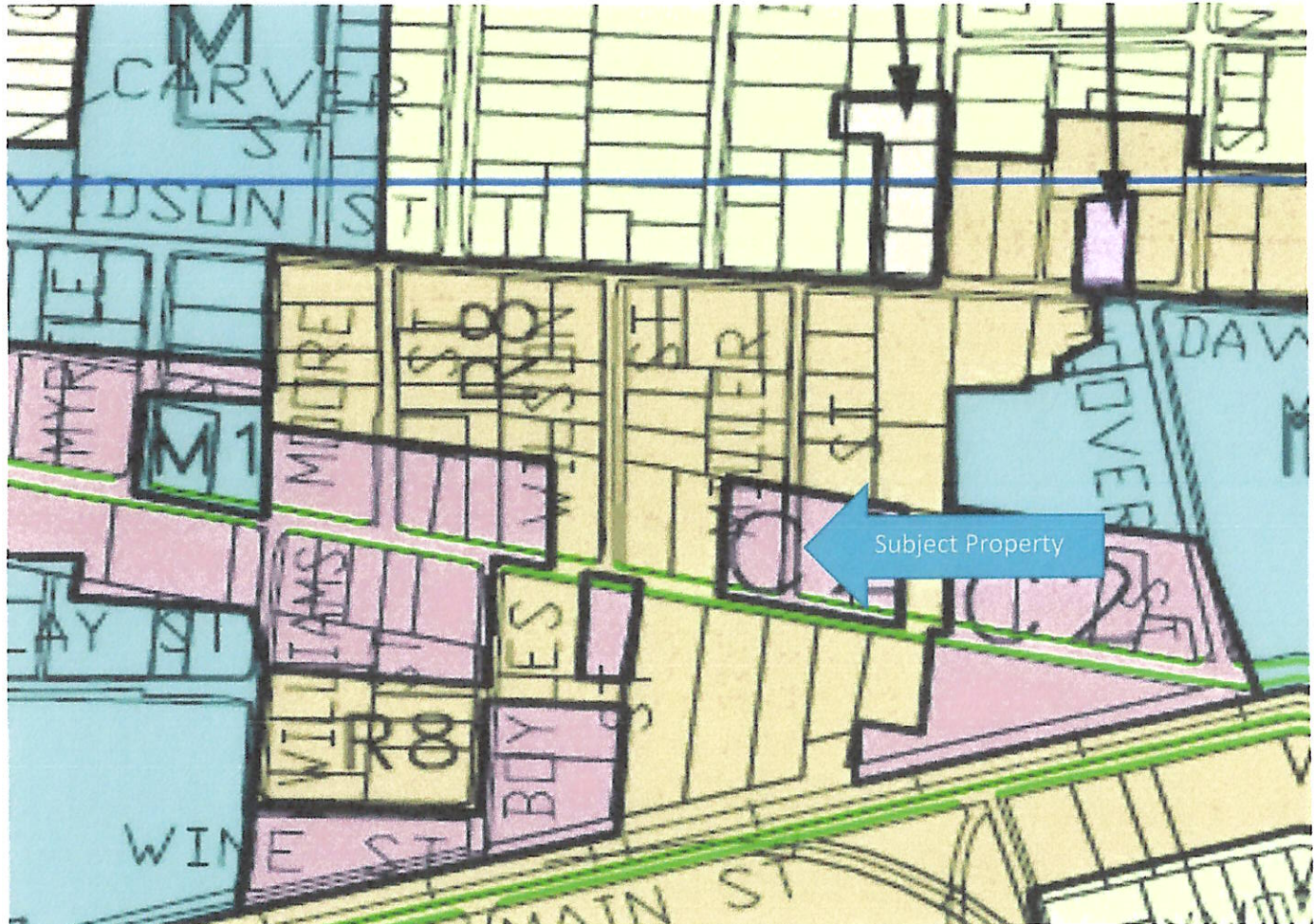
Property Address: 420 LEXINGTON AVE
 Township: 16

Account Number: 9091663
 Exempt Code:

Building Value: \$93,010 Other Building Value: \$0
 Land Value: \$36,450 Market Value: \$129,460
 Assessed Value: \$129,460 Deferred Value: \$0

Legal Description : P=1-29 BB L16 BK1805-1934JULIA E MO

420 Lexington Ave.
Parcel Number 16098000B0016
Zoning: C-2 Highway Commercial
Zoning Map



Zoning Map colors index:

Brown – R-6 High Density Residential
Orange – R-8 Medium Density Residential
Yellow – R-10 Low Density Residential
Dark Orange – R-10M Mobile Home Park
Light Green – O-I Office and Institutional
Pink – C-2 Highway Commercial District
Red – C-4 Central Commercial District
Light Blue – M-1 Light Industrial District
Purple – M-2 Heavy Industrial District



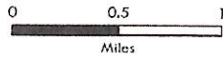
City of Thomasville

Land Development Plan

DEVELOPMENT & RE-DEVELOPMENT AREAS



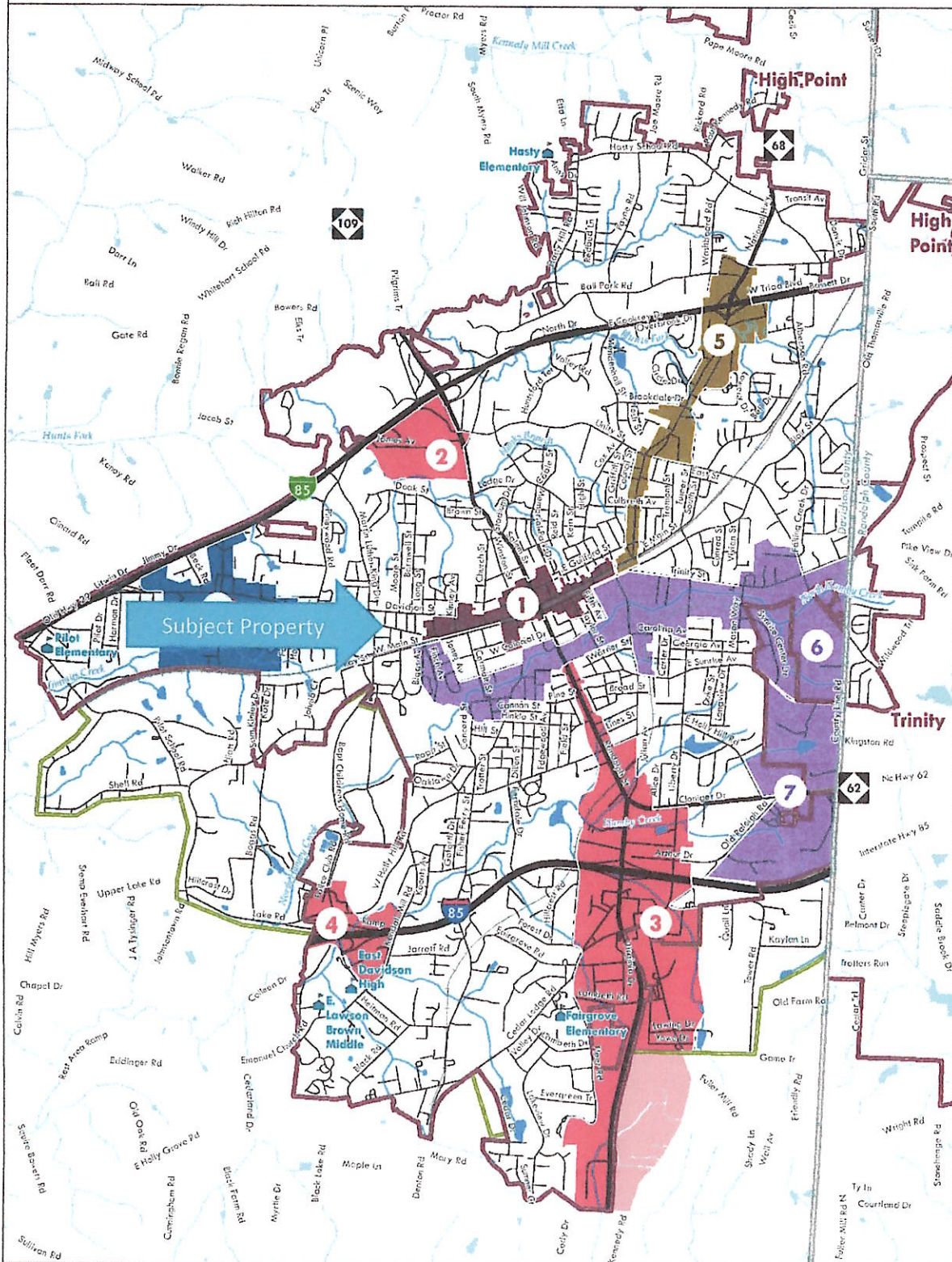
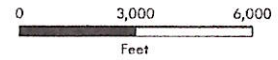
- | | | | |
|----------|------------------|--------------------------------------|---------------------|
| Highway | Municipal Limits | Downtown Business District | Industrial |
| Road | ETJ Boundary | Commercial & Mixed-use | Medical & Mixed-use |
| Railroad | County Boundary | National Highway Commercial Corridor | |
| Stream | | | |



Mapping provided by the
Piedmont Triad Regional Council
Planning Department
Date: May 14, 2018



1 inch = 3,000 feet



MOTION TO REZONE INCLUDING NCGS 160-383 LANGUAGE

I move to rezone the property from _____ to _____
for the following reasons:

1. _____

2. _____
_____ and
3. _____

Further, I move that the City Council find that this rezoning is reasonable and in the public interest due to its consistency with the comprehensive plan and, as a result, its furtherance of the goals and objectives of the comprehensive plan.

MOTION TO DENY THE REZONING INCLUDING NCGS 160-383 LANGUAGE

I move to deny the rezoning of the property from _____ to _____
_____ for the following reasons:

1. _____

2. _____
_____ and
3. _____

Further, I move that the City Council find that this rezoning is unreasonable and not in the public interest due to its inconsistency with the comprehensive plan and, as a result, is a hindrance to the goals and objectives of the comprehensive plan.

City of Thomasville
Rezoning Case # Z-23-11
Staff Report: Chuck George, Planning Director

Applicant/ Owner: Rafaelle Dipuorto

Location: Taylor St. and Montlieu Ave.

Tax Parcel ID Number: 16119000B0009

Request: Rezoning from M-1CZ to R-6

Conditions: N/A

Requested Zoning District Characteristics:

The current zoning is M-1CZ Light Industrial Conditional Zoning - This district is identical to the M-1 light industrial district except that a conditional zoning permit is required as a prerequisite to any use or development, as provided for in this ordinance. This district is defined as certain areas more suited for industrial use than residential use, but situated where residential development, or prospective development, is in close proximity on one or more sides of the district. The uses which are permitted in this district are those characterized by low traffic density, low land coverage, and absence of objectionable external effects. Large setbacks are required in this district and landscaping in keeping with residential areas encouraged.

The proposed zoning is R-6 High density residential district –This district is defined as medium to high density residential areas where single-family and multifamily dwellings are commingled and certain open areas where similar residential development will likely occur. The uses permitted in this district are designed to stabilize and protect the essential characteristics of the area and prohibit all activities of a commercial nature except certain home occupations controlled by specific limitations.

Site Information

Size of Parcel	+/- .427 acre		
Existing Land Use	Light Industrial Condition Zoning		
Proposed Land Use	High density residential		
Surrounding Property Zoning and Use	Direction	Zoning	Use
	N	M-1CZ	Light Industrial CZ
	E	R-6	High density residential
	S	R-6	High density residential
	W	R-6	High density residential
General Site Information	Vacant land undeveloped		
Historic Properties	NA		

History of Cases: P&A 95-1 (2-20-1995)

Thomasville Furniture Industries had the parcel and adjacent property rezoned from R-6 High-Density Residential to M-1 CU Restricted Manufacturing, Conditional Use for personnel/medical center and parking lot.

Compatibility with Adopted Plans

The 2035 Land Development Plan indicates the areas as Development and Re-development. (#1)
The downtown business district has a mix of business, institutional, residential, and industrial land uses.

Staff Comment

The .427-acre lot is currently undeveloped south of the Parks and Recreation parking lot. The applicant requested high-density residential to be consistent with the adjacent residential properties in the community and consistent with the 2035 land use plan. The surrounding uses are Thomasville Parks and Recreation, Residential, Industrial, and Offices.

Attachments

- Application
- Legal description
- Site map
- DC GIS Map
- Zoning map
- 2035 Land use map
- Table of permitted uses
- Table of area, yard, and height requirements
- Development & Re-Development Report (#3)
- Consistency statement to approve or deny request

Public Notice

<i>Notification</i>	<i>Zoning Board</i>	<i>City Council</i>
Public Hearing Notice	11/16/23 & 11/21/23	
Property Posted	11/17/23	
Notification Letter Sent	11/14/23	

Zoning Board Recommendation

CITY OF THOMASVILLE

Planning & Zoning Department

PO BOX 368 • THOMASVILLE, NC 27360 • (336) 475-4255

REZONING APPLICATION

File No. Z- 23-11

Date 10/30/23

Applicant RAShelle Dipuorto

Phone 336-991-8440

Applicant's Address 4246 Bordeaux Dr. Trinity NC 27370

Property Owner TASANTIELLO JWC

Phone 336-991-8440

Property Owner's Address 1587 Liberty Dr ^{State} Thomasville NC 27360

Existing Zoning M-1 CZ

Requested Zoning R-6

Address or Location of Property to be Rezoned Taylor St Thomasville NC 27360

Description of Property Vacant Land

Fee Received \$ 500⁰⁰

Map No 16-119000B0009

(PLEASE MAKE CHECK PAYABLE TO "CITY OF THOMASVILLE")

Applicant's
Signature

Owner's
Signature

Planning Board Hearing Date November 28, 2023

Planning Board Action

☐

Approved

☐

Denied

Vote of: _____

City Council Hearing Date

December 18, 2023

City Council Action

☐

Approved

☐

Denied

Vote of: _____

Signed _____

Secretary to Planning Board

2023018746

DAVIDSON COUNTY NC FEE \$26.00
STATE OF NC REAL ESTATE EXT
\$61.00

PRESENTED & RECORDED
10/17/2023 03:18:47 PM
MICHAEL E. HORNE
REGISTER OF DEEDS
BY: SHERRY KEPLEY
DEPUTY

BK: DE 2622
PG: 178 - 181

**NORTH CAROLINA
GENERAL WARRANTY DEED**

Excise Tax: \$61.00 Recording Time, Book and Page
Parcel Identifier No. 16-119-0-00B-0009
Mail after recording to: McGuire & McGuire, P.O. Box 67, Thomasville, NC 27361
This instrument was prepared by: Mark L. McGuire, Attorney at Law, a licensed
North Carolina attorney. Delinquent taxes, if any, to be paid by the closing
attorney to the county tax collector upon disbursement of closing proceeds.

THIS DEED made this the 16th day of October, 2023, by and between

GRANTOR

Staunton Capital, Inc.
A North Carolina Corporation

Mailing Address: 3406 W Wendover Ave, Ste E, Greensboro, NC 27407

GRANTEE

Tarantiello, Inc.
A North Carolina Corporation

Mailing Address: 1587 Liberty Drive, Ste 11, Thomasville, NC 27360
Property Address: 0 Taylor Street, Thomasville, NC 27360

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

Submitted electronically by "Mark L. McGuire, P.A."
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Davidson County Register of Deeds.

or parcel of land situated in the City of Thomasville, Thomasville Township, Davidson County, North Carolina and more particularly described as follows:

See Exhibit "A" attached hereto

The property hereinabove described was acquired by instrument recorded in Book 2206, Page 755, Davidson County Registry.

All or a portion of the property herein conveyed ___includes or _xx_ 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 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:

Power, telephone and utility, and drainage easements of record or those visible upon the ground, if any; Restrictions of record

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

Staunton Capital, Inc

By: *Robert M. Jordan* (SEAL)
Robert M. Jordan, President

State of North Carolina
County of Davidson

I, the undersigned Notary Public of the County and State aforesaid, certify that the following person(s) appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

Robert M. Jordan, President of Staunton Capital, Inc.

Witness my hand and Notarial stamp or seal this 16th day of October, 2023.

Mark L. McGuire
Notary Public

Mark L. McGuire
Typed or Printed Name of Notary Public

My Commission Expires:
12/09/2027

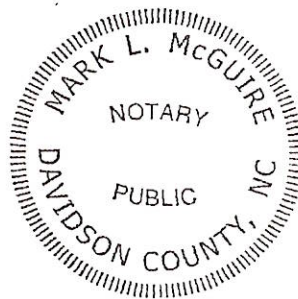


EXHIBIT "A"

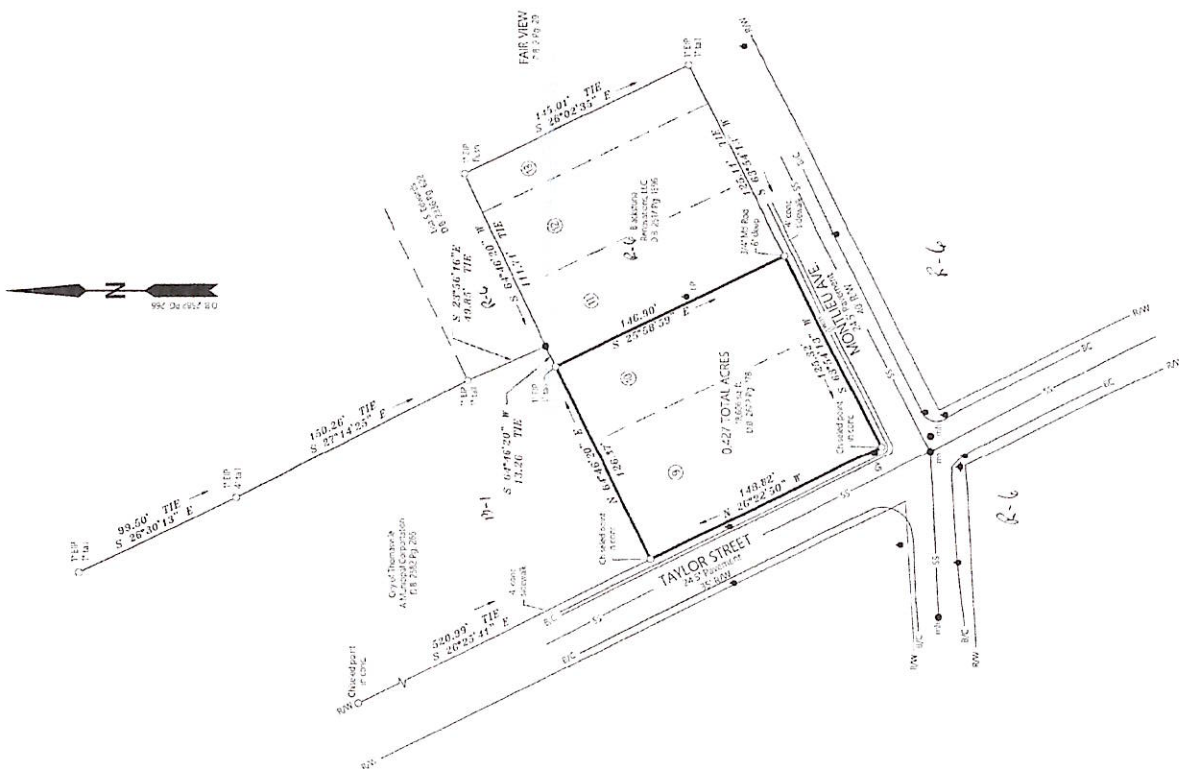
BEING: Lots Nos. 9 and 10, as shown on Map of Fairview, a plat of which is recorded in Plat Book 2 at page 29 in the Office of the Register of Deeds for Davidson County, North Carolina.

**SURVEYOR CERTIFICATION
FOR CLOSURE**

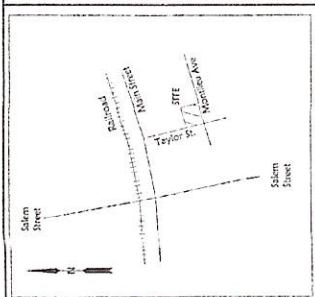
1. Michael L. McGregor. Certify that this plat was drawn under my supervision from an actual survey made under my direction (as described in Deed Book SEE Page 1410), that the ratio of precision is calculated as 1:10000, that this plat was prepared in accordance with GS 47-30 as amended. Witness my official signature, registration number and seal:

Signature: Michael McDermott Surveyor: _____
Registration Number: L-3877

This was 27th day of October, 2023.



COUNTY		TOWNSHIP	STATE	DATE
DAVIDSON		THOMASVILLE	NC	10-21-2023
TAX I.D.				
PIN: 6373-21-077422				
PARCEL: 161050600059				
JOB NAME: 2106185				
10/21/23				
SCALE				
1" = 30'				
DB.	PC	P.B	PC.	
2022	178	2	29	



UNITY 1220

51-014

1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

Index 101

to underground utilities were located or mapped at the time of this map.

Original Ways were taken from Flat Book 2 Page 29

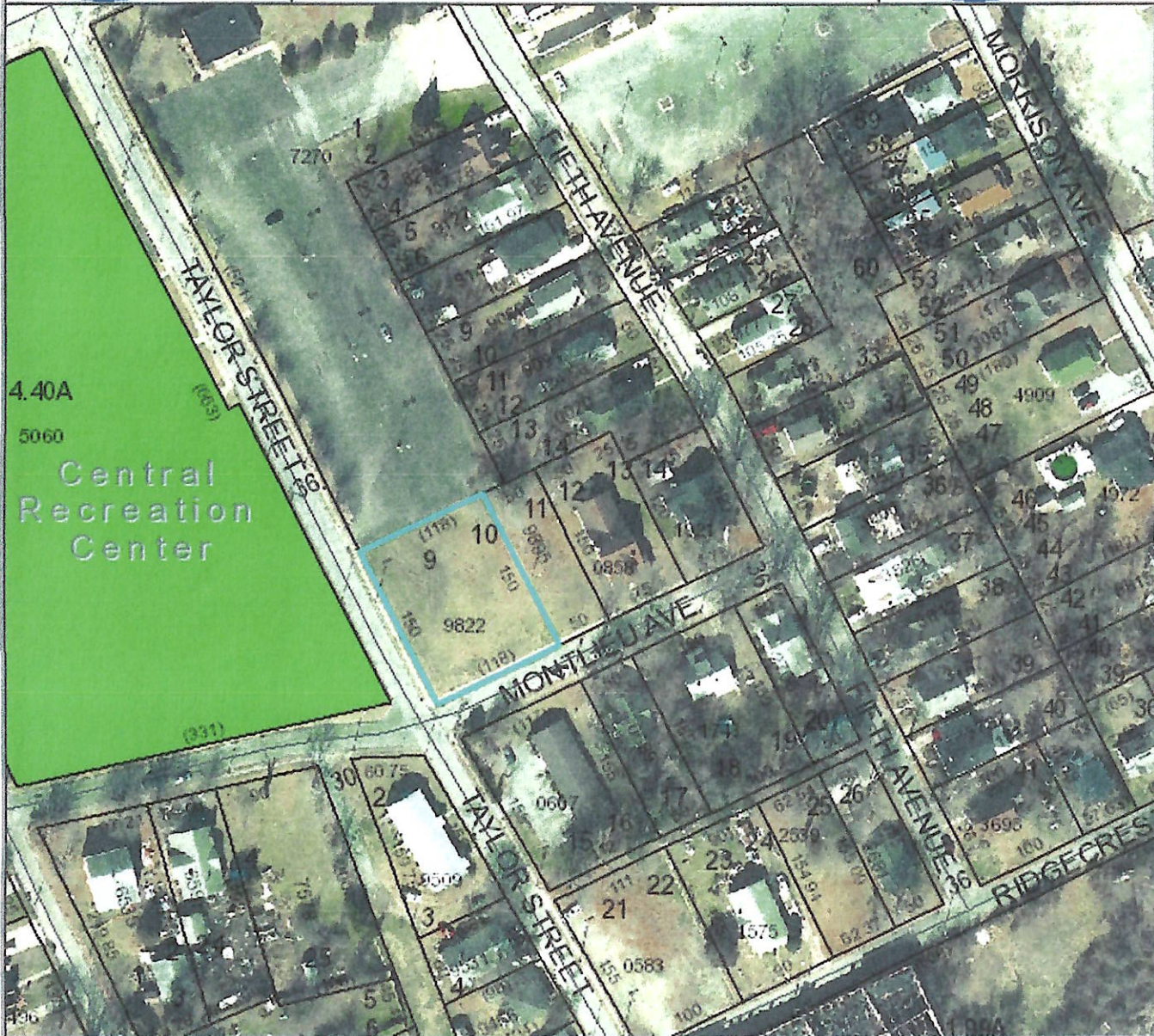
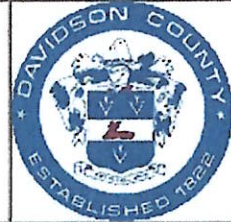
98 ci pakupin en ci buzon, put ayonoz kyano hudoz di'q's

and

- DUSTING BOSS PIPE
 PLANT GROWTH CENTER
 PLANT GROWTH
 BACK OF C-03
 DUST BOSS
 FACE
 FLAT ROCK
 CONCRETE
 FRIE DRUM
 UTILITY POLE
 POINT
 1st Floor
 VANNUKE
 SANITARY SEWER
 WATER METER
 GAS VALVE



Davidson County GIS



Parcel Number : 16119000B0009
Pin Id : 6787-01-07-9822
Owner : TARANTIELLO INC
 1587 LIBERTY DR
 STE 11
 THOMASVILLE NC 27360-6342

Property Address: TAYLOR ST
Township: 16

Building Value:

Land Value:

Assessed Value:

Legal Description : PB2-29 BB L9 & 10 BK2206-755 TAYLOR ST

Land Units: 0 LT
Deed Book: 2622 Pg: 0178

Deed Date: 10/17/2023

Account Number: 9249889

Exempt Code:

\$0 Other Building Value: \$0

\$12,500 Market Value: \$12,500

\$12,500 Deferred Value: \$0

Taylor Street/Montlieu Ave.
Parcel Number 16119000B0009
Zoning: M-1CZ Light Industrial Conditional Zoning
Zoning Map



Zoning Map colors index:

Brown – R-6 High Density Residential
Orange – R-8 Medium Density Residential
Yellow – R-10 Low Density Residential
Dark Orange – R-10M Mobile Home Park
Light Green – O-I Office and Institutional
Pink – C-2 Highway Commercial District
Red – C-4 Central Commercial District
Light Blue – M-1 Light Industrial District
Purple – M-2 Heavy Industrial District

DOWNTOWN BUSINESS DISTRICT (#1)

Summary: The downtown business district currently has a mix of business, institutional, residential and industrial land uses. The 4 general categories of land use do not tell the story of how varied and mixed the land uses are in this downtown area. The map on the opposite page shows how many different types of land uses exist in the downtown area. Most of the small area is encompassed by a municipal service district, a special incentive based tax district.



Photo 11: Main Street Downtown during Everybody's Day

Encourage: Commercial retail shops, restaurants, tasting rooms, breweries, grocery, vertical mixed-use with living quarters on the upper floors.

Discourage: Flea markets, high density of bars, warehouse/storage, used car lots.

Lot Sizes: No minimum lot size for commercial or mixed-use projects, continue existing minimum lot size for residential.

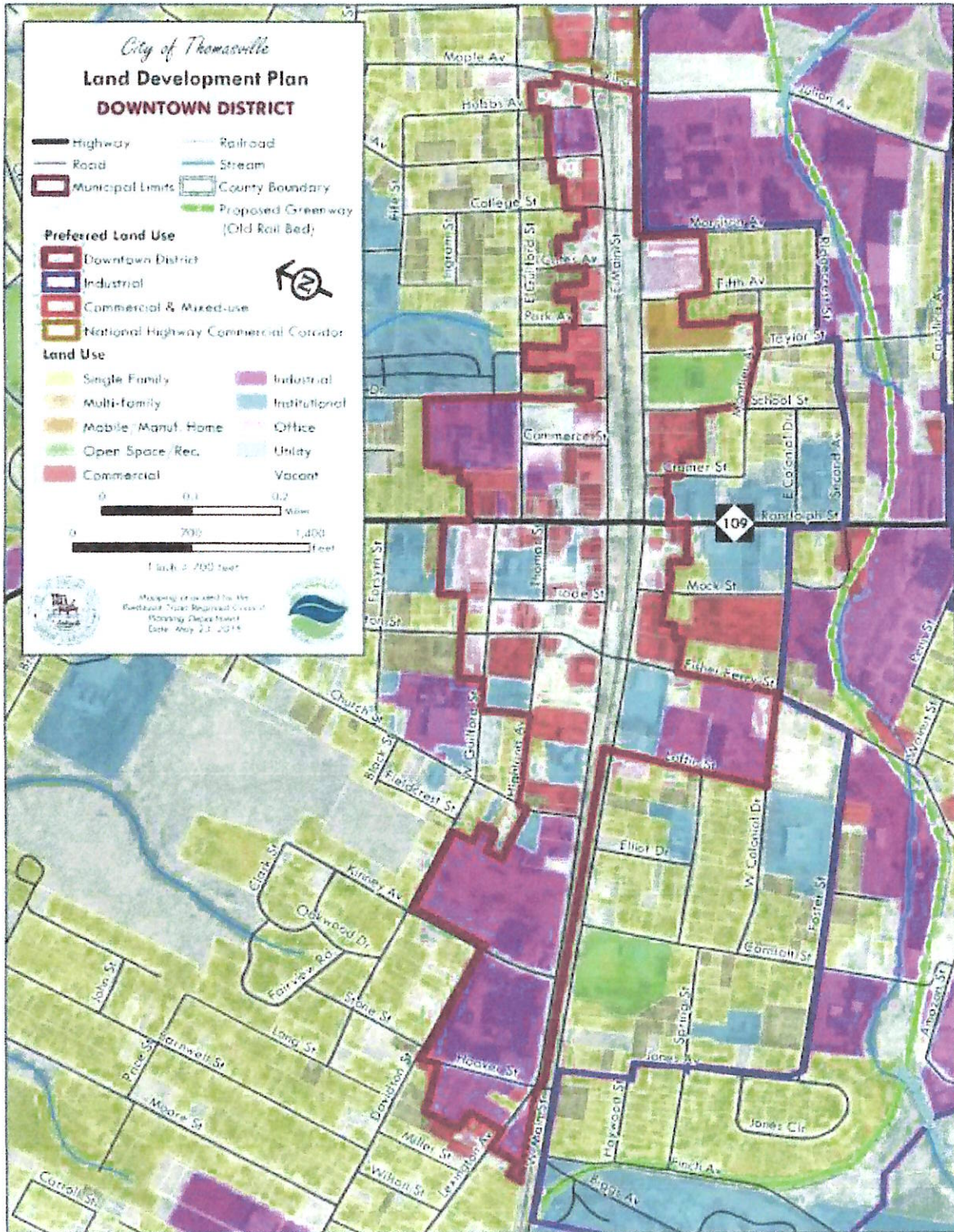
Pedestrian and Bicycling Friendliness:

Implement bicycle transportation plan improvements to build the bicycle network and provide bicycle parking at key locations downtown. Provide accessible and safe pedestrian crossings at key intersections insuring curb ramps, crosswalks and pedestrian refuge islands are constructed in areas of high pedestrian activity.

Other Criteria:

- Establish design and appearance standards for downtown, including a maintenance plan
- Conduct proactive code enforcement for appearance and maintenance violations
- Continue to market and promote** the municipal service district incentives program to encourage investment in downtown properties.

Area	11	14.71
	Acres	275.16
Parcel and Size	# of Parcels	96.99
	Parcel Acres	29.25
	ROW Acres	840.36
	Mean Parcel Size	58.67
	Median Parcel Size	134.02
	Range	13.78
	Top Third Mean Size	796.39
	Top Third Range	0.28 to 21.89
	Top Third Sum	88.63
	Mid Third Mean Size	0.16
	Mid Third Range	0.09 to 0.28
	Mid Third Sum	9.76
	Bottom Third Mean Size	0.06
	Bottom Third Range	0.02 to 0.09
	Bottom Third Sum	3.42
Zoning	C2	17.84
	C4	29.25
	M1	41.34
	OI	5.37
	R6	7.17
	R8	0.56
	Unknown	0.28
	TOTAL	101.81
Land Use	Commercial	20.54
	Industrial	38.86
	Institutional	9.26
	MF	0.23
	MH	2.40
	Office	9.47
	OS	4.42
	SF	1.12
	Utility	0.34
	Vacant	15.17
	TOTAL	101.81



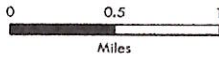


City of Thomasville Land Development Plan

DEVELOPMENT & RE-DEVELOPMENT AREAS



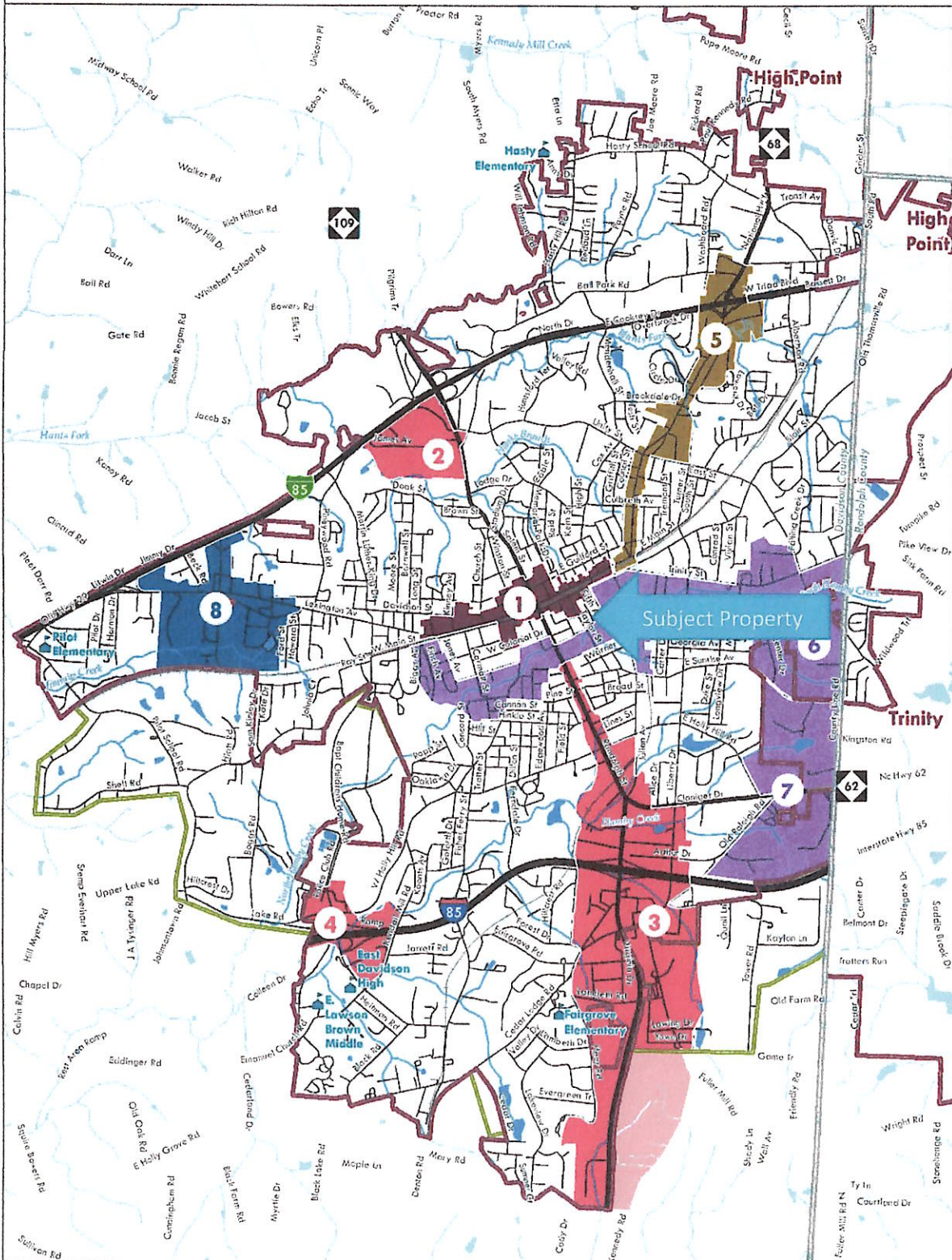
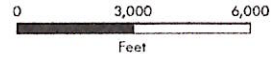
- Highway
- Road
- Railroad
- Stream
- Municipal Limits
- ETJ Boundary
- County Boundary
- Downtown Business District
- Commercial & Mixed-use
- National Highway Commercial Corridor
- Industrial
- Medical & Mixed-use



Mapping provided by the
Piedmont Triad Regional Council
Planning Department
Date: May 14, 2018



1 inch = 3,000 feet



Section 2. Table of permitted uses.

Districts in which particular uses are permitted as a use by right are indicated by "X." Districts in which particular uses are permitted as a use by right with certain conditions are indicated by "X" with a reference to a footnote to this table [see section 3]. Districts in which particular uses are prohibited are indicated by a blank.

Permitted Uses	R-20	R-15	R-10	R-10M	R-8	R-6	O-I	C-1	C-2	C-3	C-4	M-1	M-2	Special Requirements
Accessory building, including but not limited to fallout shelters, garages, guesthouses, toolsheds, swimming pools	X	X	X	X	X	X	X	X	X	X	X	X	X	See note 1.
Agencies, including but not limited to travel, brokers, insurance, loan, employment							X	X	X	X	X	X	X	
Agricultural uses, nurseries, truck farms, greenhouses, etc.								X	X	X	X	X	X	
Antiques and gift retail sales								X	X	X	X			
Any industrial use not otherwise prohibited by law or by this ordinance which would not create a nuisance or a hazard													X	See notes 5 and 7.
Amusements, commercial, including but not limited to bowling alleys, roller skating rinks; not including drive-in theaters, commercial stables, roller coasters, carousels, fairgrounds, automobile racetracks, circuses or the like									X	X	X	X	X	
Appliance distributors for wholesale									X	X	X	X	X	
Arts and crafts supply and retail sales								X	X	X	X	X	X	
Assembling of electrical appliances, electronic instruments and devices, radios and phonographs, including electroplating; and the manufacturing of small parts only such as coils, capacitors, transformers, crystal holders and the like												X	X	
Athletic fields, recreational buildings, playgrounds, no commercial gain, no automobile or motorcycle racing	X	X	X	X	X	X	X	X	X	X	X	X	X	
Auditoriums, indoor theaters, assembly halls									X	X	X	X	X	
Automobile accessories sales								X	X	X	X	X	X	
Automobile assembling, painting, upholstering, rebuilding, reconditioning, body and fender works, truck repairing or overhauling, tire retreading or recapping, and similar uses													X	See note 9.
Automobile repair shops including body and fender work conducted within a completely enclosed building									X		X	X	X	See note 9.
Automobile sales, new and used									X		X	X	X	See note 9.
Automobile laundry								X	X	X	X	X	X	
Automobile parking lots serving uses permitted in district in which lot is located	X	X	X	X	X	X	X	X	X	X	X	X	X	See note 10.
Automobile parking lots, serving uses in another district							X	X	X	X	X	X	X	
Automobile parking lots, commercial, may be for monetary gain							X	X	X	X	X	X	X	

Permitted Uses	R-20	R-15	R-10	R-10M	R-8	R-6	O-I	C-1	C-2	C-3	C-4	M-1	M-2	Special Requirements
Automobile service station, not including outside storage of used, wrecked, inoperable or dismantled automobiles								X	X	X	X	X	X	See note 3.
Bakeries selling at retail products produced on premises								X	X	X	X	X	X	
Banks, savings and loan and similar financial institutions							X	X	X	X	X	X	X	
Bed and breakfast inns	X	X	X	X	X	X	X	X	X	X	X	X	X	See note 21.
Bicycle and motorbike sales and repair								X	X	X	X	X	X	
Blacksmith and horseshoeing shop												X	X	
Book and stationary stores								X	X	X	X	X	X	
Broadcasting studios, radio, TV								X	X	X	X	X	X	
Boardinghouse, rooming house					X	X	X	X	X					
Carpet, rug, bag [rag] cleaning establishments									X		X	X	X	
Catering establishments								X	X	X	X	X		
Cemetery or mausoleum	X	X	X	X	X	X	X	X	X			X		See note 11.
Churches, synagogues, temples, and other places of worship, rectories, Sunday schools	X	X	X	X	X	X	X	X	X	X	X	X		
Cleaners and dyers								X	X	X	X	X	X	See note 4.
Cleaners, self-service								X	X	X	X	X		See note 4.
Clothing sales								X	X	X	X			
Clubs, lodges, community buildings, public or private nonprofit	X	X	X	X	X	X	X	X	X	X	X	X	X	See note 12.
Coal, coke, wood lots												X	X	
Colleges, universities, including fraternity, sorority houses, dormitories, and incidental uses when on the same unit of property							X	X	X	X	X	X		
Compartmentalized storage for individual storage of residential and commercial goods									X			X	X	
Construction storage yards, lumberyards												X	X	
Correctional, penal institutions, jails											X	X	X	
Day care accessory use, child	X	X	X	X	X	X	X	X	X	X	X	X	X	See note 20.
Day care, adult as a home occupation (for not more than five persons)			X	X	X	X	X	X	X	X	X	X		See note 2.
Day care, child (small home)	X	X	X	X	X	X								See note 20.
Day care, child (large home)				X	X	X	X							See note 20.
Day care center, child							X	X	X	X		X	X	See note 20.
Day care facility, adult, (for six or more persons)							X	X	X	X	X	X		
Drive-in restaurants								X	X	X	X	X	X	
Drive-in theaters													X	
Dwellings, single-family detached	X	X	X	X	X	X	X				X			See note 18.
Dwellings, single-family attached, two-family, and multifamily including townhouses, patio homes and other styles					X	X	X				X			See notes 13 and 18.

Permitted Uses	R-20	R-15	R-10	R-10M	R-8	R-6	O-I	C-1	C-2	C-3	C-4	M-1	M-2	Special Requirements
Dwellings for caretaker or domestic employee on premises where employed	X	X	X	X	X	X	X							See note 14.
Electrical shops									X	X	X	X	X	
Exhibition buildings, galleries or showrooms									X	X	X	X	X	
Facilities within a physician's or dentist's office building or within a convalescent home or hospital, not to exceed 50 percent of the ground floor area of such office or building, for the dispensing, and sale, on and within the premises, of prescription medicines and medical appliances customarily prescribed by licensed physicians and dentists and dispensed upon such prescription by licensed pharmacists under the laws of the state							X							
Family care home	X	X	X	X	X	X								
Fairgrounds, carousels, roller coaster, Ferris wheels, super slides and the like of a permanent nature									X			X	X	
Fences and walls	X	X	X	X	X	X	X	X	X	X	X	X	X	
Flammable liquids or gases, bulk storage in quantities less than 100,000 gallons									X			X	X	
Flea markets, open air sales not incidental to the operation of an otherwise permitted use, farmers' markets, antique fairs, craft fairs, used or new merchandise promotion									X	X		X	X	
Flower, plant sales, not enclosed								X	X	X	X	X	X	
Foundry casting, lightweight, nonferrous metal not causing noxious fumes, noise or odors												X	X	
Frozen food lockers									X			X	X	
Funeral homes							X		X		X	X	X	
Furniture, retail sales								X	X	X	X	X		
Golf courses, except par three or miniature courses	X	X	X	X	X	X						X	X	
Golf courses, par three or miniature courses									X			X	X	
Golf driving range									X			X	X	
Hardware and building materials sales								X	X	X	X	X	X	See note 1.
Home occupations	X	X	X	X	X	X	X							See note 2.
Hospitals, sanatoria, homes for aged, nursing homes							X	X	X		X			
Hotels, motels									X	X	X	X		
Junkyards													X	See note 15.
Laboratories, experimental photo or motion picture, film or testing												X	X	
Laboratories, medical, research							X		X		X	X	X	
Laundries								X	X	X	X	X	X	See note 4.
Laundries, self-service								X	X	X	X	X	X	See note 4.
Lock and gunsmiths								X	X	X	X	X	X	

Permitted Uses	R-20	R-15	R-10	R-10M	R-8	R-6	O-I	C-1	C-2	C-3	C-4	M-1	M-2	Special Requirements
Machine shop, excluding: punch press over 20 tons' rates [rated] capacity, drop hammers and automatic screw machines												X	X	
Manufacturing, compounding, assembling or treatment of articles or merchandise from the following previously prepared materials: bone, cellophane, canvas, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, precious or semiprecious metals or stones, shell, textiles, wood (excluding planning mills), tars and paint not employing a boiling process												X	X	See note 5.
Manufacturing, compounding, processing, packaging or treatment of such products as baking goods, candy, cosmetics, dairy products, drugs, perfumes, pharmaceuticals, toilet soap, toiletries, and food products												X	X	
Manufacturing and maintenance of electric and neon signs, billboards and commercial advertising structures and light sheet metal products, including heating and ventilating ducts and equipment, cornices, eaves and the like												X	X	
Manufacturing of musical instruments, toys, novelties and rubber and metal stamps												X	X	
Manufacturing of pottery and figurines or similar ceramic products, using only previously pulverized clay and kilns fired only by electricity or gas												X	X	
Medical, dental, paramedical, chiropractor offices							X	X	X	X	X	X		
Metal shops involving fabrication of sheet metal only												X	X	
Mobile home parks				X										See note 16.
Mobile homes, agricultural implements, heavy machinery sale, repair, rental or storage									X			X	X	
Monument works, stone works												X	X	
Motels, hotels									X	X	X	X		
Nightclubs									X	X	X	X		
Offices							X	X	X	X	X	X	X	
Orphanages and similar philanthropic institutions	X	X	X	X	X	X	X							
Outdoor Flea Markets/Open Air Sales									X	X		X	X	
Photographic developing, processing and finishing								X	X	X	X	X	X	
Physical culture establishments							X	X	X	X	X	X		
Planning or sawmills													X	
Pool halls, game rooms									X	X	X			
Public parks, recreational facilities	X	X	X	X	X	X	X	X	X	X	X	X	X	
Public buildings, libraries, museums, art galleries and similar public nonprofit facilities	X	X	X	X	X	X	X	X	X	X	X	X	X	

Permitted Uses	R-20	R-15	R-10	R-10M	R-8	R-6	O-I	C-1	C-2	C-3	C-4	M-1	M-2	Special Requirements
Public utilities, static transformer stations, transmission lines and towers and telephone exchanges, not including service and storage	X	X	X	X	X	X	X	X	X	X	X	X	X	See note 17.
Printing or binding shop									X		X	X	X	
Quarries or other extractive industries													X	
Repair and servicing of office and household equipment								X	X	X	X	X	X	
Restaurants, including all eating places except: drive-ins, nightclubs, clubs, lodges								X	X	X	X	X	X	
Retail business, but not car sales, not otherwise listed								X	X	X	X	X	X	See note 1.
Schools (academic), kindergarten, elementary, secondary, public or private	X	X	X	X	X	X	X	X	X	X	X	X	X	
Schools (nonacademic), commercial, vocational, public or private to include music and dance studios							X	X	X	X	X	X	X	
Service establishments, including but not limited to barbershops, small item repair shops, rental shops, custom fabrication, tailor shops, beauty parlors								X	X	X	X	X	X	
Sheet metal, roofing shops									X			X	X	
Shoe repair								X	X	X	X	X	X	
Signs	X	X	X	X	X	X	X	X	X	X	X	X	X	See article VI.
Stables, commercial												X	X	
Storage, outdoor, not including junkyards or storage of petroleum products in quantities over 100,000 gallons, not otherwise listed herein									X			X	X	See note 6.
Stores or shops, retail, but not automobile sales or repair and not otherwise listed herein								X	X	X	X	X	X	
Telephone exchanges, radio and television towers, cell towers									X	X	X	X	X	
Temporary buildings incidental to a construction project, a temporary permit for which has been issued concurrent with the permit for the permanent building(s) or construction	X	X	X	X	X	X	X	X	X	X	X	X	X	
Temporary events, uses and structures including but not limited to: circuses, carnivals, fairs, rides, sideshows, open air exhibits, musicals, dramas, religious events, stage shows, art and craft shows, sales and displays, all of a nonpermanent nature, whether held in conjunction with permanent or temporary buildings, in the open air or any combination thereof								X	X	X	X	X	X	See note 8.
Tobacco processing and storage												X	X	
Tourist homes							X	X						
Transportation terminals, freight									X			X	X	
Transportation terminals, passengers									X	X	X	X	X	

Permitted Uses	R-20	R-15	R-10	R-10M	R-8	R-6	O-I	C-1	C-2	C-3	C-4	M-1	M-2	Special Requirements
Travel trailer parks									X	X	X	X		
Upholstery, paper hanging, and decorator shops									X	X	X	X		
Veterinary establishments									X	X	X	X	X	
Wholesale establishments									X	X	X	X	X	
Warehouses, sales or service									X			X	X	
Woodworking shops												X	X	

(Ord. of 11-18-96, § II; Ord. of 9-20-05, § 1; Ord. of 5-19-08, § 1; Ord. No. 11-30-ORD40, 11-30-09; Ord. No. 06-2015-ORD13, § 2, 6-15-15; Ord. No. 12-2017-ORD-21, 12-19-17)

MOTION TO REZONE INCLUDING NCGS 160-383 LANGUAGE

I move to rezone the property from _____ to _____
for the following reasons:

1. _____

2. _____
_____ and
3. _____

Further, I move that the City Council find that this rezoning is reasonable and in the public interest due to its consistency with the comprehensive plan and, as a result, its furtherance of the goals and objectives of the comprehensive plan.

MOTION TO DENY THE REZONING INCLUDING NCGS 160-383 LANGUAGE

I move to deny the rezoning of the property from _____ to _____
_____ for the following reasons:

1. _____

2. _____
_____ and
3. _____

Further, I move that the City Council find that this rezoning is unreasonable and not in the public interest due to its inconsistency with the comprehensive plan and, as a result, is a hindrance to the goals and objectives of the comprehensive plan.