



City of Trinity
CITY COUNCIL MEETING

October 10, 2023 at 6:00 PM

Trinity City Hall Annex

AGENDA

NCGS § 143-318.17 Disruption of official meetings

A person who willfully interrupts, disturbs, or disrupts an official meeting and who, upon being directed to leave the meeting by the presiding officer, willfully refuses to leave the meeting is guilty of a Class 2 misdemeanor.

(1919, c. 655, s 1; 1993, c. 539, s. 1028; 1994, Ex. Sess., c. s. 14 (c).)

Action may be taken on agenda items and other issues discussed during the meeting

- 1. Call to Order; Welcome Guests and Visitors**
- 2. Pledge of Allegiance and Invocation**
- 3. Review, amend if needed, and approve Proposed Regular Agenda**
- 4. Public Comment Period**
- 5. Consent Agenda Items**
 - a.** Approval of Regular Meeting Minutes of September 11, 2023
 - b.** Approval of Special Called Meeting Minutes of September 21, 2023
 - c.** Approval of Closed Session Meeting Minutes of September 21, 2023
 - d.** Finance Director's City of Trinity Financial Statements (Finance Director Crystal Postell)
 - e.** Approval of Generator Bid
 - f.** Annual Budget Amendment
 - g.** Review of City Council Salary
- 6. Public Hearing**

- [a.](#) Request for an Appeal and Request for a Variance - Lots PIN #7717099160 Lake Darr Road and PIN #7718005511 Libby Road (*Interim Planner Jay Dale*)
- [b.](#) Request for Special Use Permit - 5839 Surrett Drive (*Planning Director Jill Wood*)
- [c.](#) Request for a Rezoning - Meadowbrook Drive Pin #7707760032 (*Planning Director Jill Wood*)

7. Action Agenda

8. Closed Session: Legal G.S. 143-318.311(a)(3)

9. Mayor, Council and City Manager Updates

10. Adjournment



**City of Trinity
REGULAR CITY COUNCIL MEETING**

September 11, 2023 at 7:00 PM

Trinity City Hall Annex

MINUTES

NCGS § 143-318.17 Disruption of official meetings

A person who willfully interrupts, disturbs, or disrupts an official meeting and who, upon being directed to leave the meeting by the presiding officer, willfully refuses to leave the meeting is guilty of a Class 2 misdemeanor.

(1919, c. 655, s 1; 1993, c. 539, s. 1028; 1994, Ex. Sess., c. s. 14 (c).)

Action may be taken on agenda items and other issues discussed during the meeting

1. Call to Order; Welcome Guests and Visitors

The meeting started at 7:05 PM.

PRESENT

- Mayor Richard McNabb
- Mayor Pro Tem Bob Hicks
- Councilman Tommy Johnson
- Councilman Robbie Walker
- Councilman Ed Lohr
- Councilman Jack Carico

- City Manager Stevie Cox
- City Clerk Darien Comer
- Public Services Director Rodney Johnson
- Finance Director Crystal Postell
- Planning Director Jill Wood
- Planner Carrie Spencer
- City Attorney Bob Wilhoit
- Sgt. Ric D'Angelo

Guests: Michael Pritt

2. Pledge of Allegiance and Invocation

Mayor Richard McNabb led the Pledge of Allegiance and gave the Invocation.

3. Mayor McNabb entered into the minutes a "Proclamation on Patriot's Day and National Day of Service."
4. Motion made by Councilman Johnson to approve agenda as presented, Seconded by Mayor Pro Tem Hicks.

Voting Yea: Mayor Pro Tem Hicks, Councilman Johnson, Councilman Walker, Councilman Lohr, Councilman Carico

5. Public Comment Period

Councilman Lohr gave an apology for actions in a previous meeting in reference to Trinity Furniture Michael Pritt (6524 Heathwood Dr) - Expressed concerns with the increase in sewer rates.

6. Consent Agenda

- a. Approval of Regular Meeting Minutes of June 26, 2023
- b. Approval of Regular Meeting Minutes of August 14, 2023
- c. Approval of Closed Session Meeting Minutes of August 14, 2023
- d. Approval of Special Called Meeting Minutes of August 17, 2023, City Council Meeting and Planning and Zoning Joint Meeting
- e. Finance Director's City of Trinity Financial Statements (Finance Director Crystal Postell)

Motion made by Councilman Johnson to approve consent agenda, Seconded by Mayor Pro Tem Hicks.

Voting Yea: Mayor Pro Tem Hicks, Councilman Johnson, Councilman Walker, Councilman Lohr, Councilman Carico

7. Public Hearing

- a. Vision Trinity Comprehensive Land Use Plan

Planner Carrie Spencer of Municipal Services and Sarah Sinatra Gould of Inspire Placemaking Collective presented the final draft of the "**VISION TRINITY: Comprehensive Land Use Plan.**"

Mayor McNabb opened the public hearing.

For: None

Against: None

Mayor McNabb closed the public hearing.

Planning Director Jill Wood brought up two items to be amended within the document.

Page 72-Insert "Trinity Middle School" to the list of schools in the last paragraph.

Page 91-In policy "R2.2" change the wording "Friends of Trinity" to "Community and Civic Organizations."

8. Action Agenda

- a. Vision Trinity: Trinity's Comprehensive Land Use Plan

Motion made by Councilman Carico to adopt the "VISION TRINITY: Comprehensive Land Use Plan" with stated amendments, Seconded by Councilman Walker.

Voting Yea: Mayor Pro Tem Hicks, Councilman Johnson, Councilman Walker, Councilman Lohr, Councilman Carico

Planner Carrie Spencer read the Resolution adopting the "**VISION TRINITY: Comprehensive Land Use Plan**" into the minutes.

Motion made by Mayor Pro Tem Hicks to adopt the Resolution, Seconded by Councilman Johnson.

Voting Yea: Mayor Pro Tem Hicks, Councilman Johnson, Councilman Walker, Councilman Lohr, Councilman Carico

9. Mayor, Council and City Manager Updates

City Manager Stevie Cox announced that the Fall 2023 City Haul event would be held on November 2-4. He also announced that the Fall newsletter will be going out soon.

Councilman Carico suggested that the City Council meetings go back to 6:00 PM. Mayor Pro Tem Hicks said that he was okay with that as long as we still started with Pre-Agenda. He suggested the Regular meeting could start at 6:30 PM with Pre-Agenda at 6:00 PM. Councilman Carico agreed.

Motion made by Mayor Pro Tem Hicks to have 6:00 PM Pre-Agenda and 6:30 PM Regular meeting times effective October 10, 2023, Seconded by Councilman Lohr.

Voting Yea: Mayor Pro Tem Hicks, Councilman Johnson, Councilman Walker, Councilman Lohr, Councilman Carico

Mayor Pro Tem Hicks gave information to City Staff on GPS trackers for City vehicles.

10. Adjournment

Motion made by Councilman Walker to adjourn, Seconded by Councilman Carico.

Voting Yea: Mayor Pro Tem Hicks, Councilman Johnson, Councilman Walker, Councilman Lohr, Councilman Carico

ATTEST:

Richard McNabb, Mayor

Darien P. Comer, City Clerk



**SPECIAL CALLED MEETING MINUTES
CITY OF TRINITY
CITY COUNCIL MEETING
SEPTEMBER 21, 2023
TRINITY CITY HALL ANNEX**

Members Present: Mayor Richard McNabb; **Council Members:** Mayor Pro Tem Bob Hicks, Tommy Johnson and Robbie Walker.

Members Absent: Jack Carico and Ed Lohr

Others Present: City Manager Stevie Cox; Finance Director Crystal Postell; City Attorney Bob Wilhoit; City Clerk Darien Comer; Public Service Director Rodney Johnson and members of the audience.

Call to Order, Welcome Guests and Visitors

Mayor Richard McNabb called the meeting to order at 3:00 pm and welcomed everyone.

Pledge of Allegiance and Invocation

Mayor Richard McNabb led the Pledge of Allegiance and gave the Invocation.

Public Meeting

High Point Interlocal Project Cost Expectations/Update

Clark Maness, Project Manager WithersRavenel presented to the Council a presentation on the updates and cost for the Steeplegate project. No action was taken.

Action Agenda

Project Budget Amendment – Steeplegate Lift Station and Force Main

Mayor Pro Tem Hicks made a motion to approve the \$150,000 Budget Amendment Adjustment as proposed. The motion was seconded by Councilman Johnson with a unanimous vote of 3 ayes and 0 nays.

Closed Session – Legal Matters – G.S. 143-318.311(a)(3)

Mayor Pro Tem Hicks made a motion to go into Closed Session for Legal Matters. The motion was seconded by Councilman Johnson with a unanimous vote of 3 ayes and 0 nays.

Mayor Pro Tem Hicks made a motion to close the Closed Session. The motion was seconded by Councilman Walker with a unanimous vote of 3 ayes and 0 nays.

Councilman Walker made a motion to go back into Open Session. The motion was seconded by Mayor Pro Tem Hicks with a unanimous vote of 3 ayes and 0 nays.

Councilman Walker made a motion to precede with the Asset Inventory Assessment Grant Funding. The motion was seconded by Mayor Pro Tem Hicks with a unanimous vote of 3 ayes and 0 nays.

Adjournment

Councilman Walker made a motion at Adjourn. The motion was seconded by Mayor Pro Tem Hicks and approved unanimously with a vote of 3 ayes and 0 nays.

Attest:

Mayor Richard McNabb

Darien P. Comer, City Clerk



Memorandum

TO: Richard McNabb, Mayor
City Council Members

FROM: Crystal Postell, Finance Director

CC: Stevie Cox, City Manager

DATE: 09/29/2023

REF: Finance Director's Financial Position Review

Summary:

The Finance Department would like to present the City's monthly financial position for September 28, 2023. The financial data has been completed through September 28, 2023 due to the deadlines within the City's new Meeting and Agenda software program.

Background:

Staff recommends that the City Council approve the presentation of the City's current financial position for both the General and Sewer Fund.

Recommendation:

No recommendations needed.

Attachments:

Budget verses Actual Statements for both the General and Sewer Fund



Note: After fund balance appropriation adjustment.

**General Fund
Budget vs Actual Statement
Ending on September 30, 2023**

	<u>Budget</u>	<u>Actual</u>
REVENUES		
Powell Bill	\$ 175,600.00	\$ -
Ad Valorem/ Vehicle Tax	\$ 1,019,300.00	\$ 597,768.16
Sales and Use Tax	\$ 1,888,802.00	\$ 246,381.22
Solid Waste	\$ 487,200.00	\$ 121,398.37
Other Taxes	\$ 320,700.00	\$ -
Investment Earnings	\$ 19,000.00	\$ 13,028.84
Other Revenues	\$ 351,253.00	\$ 15,431.26
	<u>\$ 4,261,855.00</u>	<u>\$ 994,007.85</u>
EXPENDITURES		
Governing Board	\$ 58,900.00	\$ 11,123.94
Administration	\$ 485,600.00	\$ 117,653.33
Finance	\$ 279,220.00	\$ 52,538.37
Planning/Zoning	\$ 431,900.00	\$ 79,653.19
Public Buildings	\$ 239,400.00	\$ 11,467.82
Animal Control	\$ 29,200.00	\$ 7,149.22
Public Safety	\$ 469,662.00	\$ 10,120.00
Powell Bill	\$ 120,300.00	\$ 460.00
Street	\$ 148,500.00	\$ 23,279.96
Stormwater	\$ 272,450.00	\$ 39,695.41
Sanitation	\$ 527,200.00	\$ 87,314.12
Economic Development	\$ 10,600.00	\$ 6,679.00
General Fund Transfers-Sale Tax W/S	\$ 1,115,544.00	\$ -
General Fund Transfers-City Hall		\$ -
Reserve		\$ -
Special Appropriation/Allocations	\$ 73,379.00	\$ 12,000.00
<i>Audit Account</i>		<i>\$ (375.00)</i>
	<u>\$ 4,261,855.00</u>	<u>\$ 458,759.36</u>
Surplus / (Deficit)		<u>\$ 535,248.49</u>

Note: The City of Trinity has collected about 23% of it's projected budgeted revenues. However, the City operational departments have only expensed about 11% of their total projected annual budgets.



Sewer Fund
Budget vs Actual Statement
Ending on September 30, 2023

REVENUES	<u>Budget</u>	<u>Actual</u>
Sewer Billing	\$ 1,267,875.00	\$ 277,109.33
Sewer Tap Fees	\$ 44,000.00	\$ 29,000.00
Investment Earnings	\$ 3,750.00	\$ 4,289.71
Sales Tax Transfer In	\$ 1,115,544.00	\$ 1,613.00
Other Revenues	\$ 375,000.00	\$ 274,873.00
	<u>\$ 2,806,169.00</u>	<u>\$ 586,885.04</u>
 EXPENDITURES		
Sewer	\$ 2,806,169.00	\$ 355,290.34
	<u>\$ 2,806,169.00</u>	<u>\$ 355,290.34</u>
Surplus / (Deficit)		<u>\$ 231,594.70</u>

Note: The City of Trinity has collected about 21% of it's projected budgeted revenues. However, the City operational departments have only expensed about 13% of their total projected annual budgets.



MEMORANDUM

TO: Mayor and City Council

FROM: Rodney Johnson, Public Services Director

CC: Stevie Cox, City Manager
Robert Wilhoit, City Attorney

DATE: October 10, 2023

SUBJECT: Approval of Generator Bid

Summary: The Public Services Department was tasked with getting quotes for a new generator at City Hall. 3 contractors were contacted and 2 contractors submitted quotes.

BECO Inc: \$62,300.00

BC Ingram Electric: \$56,000.00

Central Carolina Electric: No Bid

Background: The City of Trinity asked for and received State and Local Funding Allocation for various projects for the 2023-2024 fiscal year. One of the projects that funding was requested for was a Generator for the City Hall property. It was recommended by multiple contractors that a 400 amp automatic transfer switch along with a 60kw Generator would be needed to power the building in emergency power situations.

Recommendation: City Staff recommends that City Council approve BC Ingram Electric to purchase and install a Generator at City Hall.

Attachment:

Beco Inc. Quote

BC Ingram Electric Quote

Beco Inc.

ELECTRICAL CONTRACTOR

PO Box 2023 • High Point, NC 27261
TEL: 336/889-3477 • FAX: 336/889-5433
NC HUB Certified - WBE

PROPOSAL

TO: City of Trinity
ATTN: Rodney Johnson

Project: NN-5224
Generator

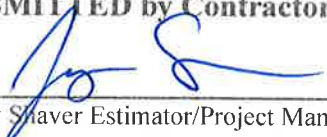
- 1 Contractor proposes to furnish all necessary material, labor, supervision, and tools required to install electrical.
- 2 In accordance with plans and specifications of Beco Inc. Scope of Work. (Attached)
- 3 For the sum of: \$62,300.00
- 4 All work is guaranteed to be installed in accordance with the latest applicable Code Regulations and to be free from mechanical and electrical defects for one year from date of acceptance.
- 5 Payments are to be made to the Contractor with in (30) days of invoice date for all work installed and materials either stored or placed on the jobsite during the preceding month. Final payment will be due within thirty (30) days after completion and acceptance of the work.
- 6 Acceptance of this Proposal within 30 days from the date submitted shall constitute a Contract between the Purchaser and the Contractor.
- 7 A finance charge of 1-1/2% per month may be charged on all invoices not paid within (30) days of invoice date. Purchaser agrees to pay to Contractor all expenses including reasonable attorney's fees as provided by law, paid or incurred by Contractor in endeavoring to enforce this contract or in collecting any indebtedness owed by Purchaser to Contractor.

ACCEPTED by

Purchaser

Date

SUBMITTED by Contractor



Jay Shaver Estimator/Project Manager

August 31, 2023

**Beco Inc. Scope of Work
NN-5224**

Items Included

- Furnish and install (1) 60kw Generac generator with 400-amp automatic transfer switch.

Clarifications

- All work to be done during regular business hours.
- Natural gas line not included in price.



B.C. Ingram Electric, Inc.
PO Box 14430
Archdale, NC 27263 US
(336) 442-3144
Bcingramelectricco@yahoo.com

Estimate 1097

Section 5e.

ADDRESS

Rodney Johnson
Trinity City Hall
5978 NC-62
Trinity, NC 27370

DATE	TOTAL
09/05/2023	\$56,000.00

ACTIVITY

AMOUNT

Service Call	56,000.00
-Install 60 kw Generac generator 3 phase 120/208 with automatic transfer switch.	
Install concrete pad	

TOTAL	\$56,000.00
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THANK YOU.

Accepted By

Accepted Date



Memorandum

TO: Richard McNabb, Mayor
City Council Members

FROM: Crystal Postell, Finance Director

CC: Stevie Cox, City Manager

DATE: 09/29/2023

REF: Budget Amendment

Summary:

The Finance Department has started its annual audit process which is conducted annually. During the Budget Process, the Finance Director discovered that there was an embedded excel link within the City's Budget book that was not computing correctly. According to N.C.G.S 159-8, the City must operate under an annual balanced budget ordinance adopted and administered in accordance with this Article. Due to the excel application not operating appropriately, the budget must be balanced at \$59,400 for the General Fund only. Within the original Annual Budget Ordinance, the City will not be transferring funds to the City Hall Reserve Fund, which the excel document did not compute. This expenditure line item just needs to be removed and is not the factor that caused the unbalanced embedded excel application.

Background:

During the Budget Process for Fiscal Year 2023 – 2024, the Annual Budget has been revised twice on the recommendation of the Trinity City Council for the increase of the sewer rate. This action would affect the General Fund due to the reduction in the Sales and Use Tax transfer. The Annual Budget was approved and adopted on June 26, 2023.

Recommendation:

No recommendations needed.

Attachments:

Budget Ordinance 24 – 0



AMENDMENT TO THE ANNUAL BUDGET FOR FISCAL YEAR ENDING JUNE 30, 2024 TO APPROPRIATE GENERAL FUND BALANCE DUE TO BUDGET DOCUMENT MALFUNCTION FOR EMBEDDED EXCEL APPLICATION

ORDINANCE 24 – 03

BE IT ORDAINED by the City Council of the City of Trinity, North Carolina that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2024:

Section 1. To amend the General Fund, the estimated revenues are to be changed as follows:

	Increase (Decrease)
Fund Balance Appropriations	\$ 59,400.00
	\$ 59,400.00

Section 2. Copies of this Budget Ordinance shall be furnished to the City Clerk and to the City Manager and Finance Director to be kept on file by them for their direction in the disbursement of funds.

Adopted this 10th day of October, 2023.

SEAL

Richard McNabb, Mayor

Darien Comer, City Clerk



Memorandum

TO: Richard McNabb, Mayor
City Council Members

FROM: Crystal Postell, Finance Director

CC: Stevie Cox, City Manager

DATE: 10/02/2023

REF: Review of Trinity City Council Salaries and/or Travel Expenses

Summary:

It has come to the attention of the Finance Department that we should review the salaries of the Mayor and Council Members. Mayor and Council salaries shall be reviewed annually with City personnel salaries. The review is due to mandatory travel of the Mayor and Council involvement within the City, training, and critical informational functions. The trainings could include but not limited to:

1. High Point MPO Transportation Advisory Committee – Monthly
2. Randolph County Economic Development – Monthly
3. Carolina Core – Bi-Annual
4. Archdale – Trinity Chamber of Commerce
5. North Carolina League of Municipalities.

Background:

The North Carolina League of Municipalities (NCLM) annually requests information from their members on the salaries and number of persons employed for a variety of job titles. That information is then collated and made available to the League membership. The survey is typically conducted in the late summer and early fall, and results are generally posted by the end of November. The information presented by the NCLM would include the salaries of both the Mayor and Council Members. The data presented is for informational purposes. We would like to present two ways for the City of Trinity to be fair to our elected officials. The (2) two ways would be the following:

1. Increase Monthly Salaries
2. Offer Travel Reimbursement

Recommendation:

Staff recommends that Trinity City Council review the information given for a future budget addition.

Attachments:

NCLM 2022 Salary Survey Results
Comparison of Savings

City of Trinity
Council Salary Increase

	Current	Increase
Mayor	\$ 275.00	\$ 350.00
Mayor-Pro Temp	\$ 200.00	\$ 300.00
Council Members	\$ 200.00	\$ 250.00

Note: NOT all Council members received a monthly salary; the positions listed above are noted as place holders. It's important to have an assigned salary for all positions rather than individual accepts or denies a salary allocation for their service.

If the City makes the choice for the Mayor and Council salaries to remain the same than there could be consideration for travel and training reimbursement if the individuals chooses to accept the reimbursement. Keep in mind, reimbursement will only be issued with appropriate documentation.

For an Example:

Council Member	John Doe
Travel Date:	10/9/2023
Travel Location:	UNC School of Government - Chapel Hill
Travel Round-Trip Mileage	148.2
Meals:	\$ 16.00 (Breakfast Only)
One-Time Total Reimbursemet:	\$113.07

Note: According to U.S. General Services Administration the 2023 mileage rate is \$.655 while the per diem rates in-state are Breakfast - \$16.00, Lunch - \$17.00, Dinner - \$31.00 or All-day - \$51.00. Reimbursement can only be issued according to the proof submitted to the Finance Department.

Elected Officials (Population Group 5,000 - 9,999)

MAYOR

Code 10010

	Number Budgeted	Minimum Salary	Maximum Salary	Average Salary	See Code
Aberdeen	1			5,400	
Angier	1			6,967	
Archer Lodge	1			3,000	
Bessemer City	1			9,630	
Brevard	1			10,500	
Butner	1			10,000	
Carolina Beach	1			8,397	
Cherryville	1			7,020	
Conover	1			6,000	
Dallas	1			7,200	
Dunn	1			7,167	
Fletcher	1			11,928	
Forest City	1			11,601	
Gibsonville	1			4,100	
Granite Falls	1			4,092	
Hillsborough	1			8,400	
Kill Devil Hills	1			0	
King	1			6,439	
Marion	1			15,129	
Mocksville	1			7,200	
Morehead City	1			4,025	
Nashville	1			6,000	
Oak Island	1			10,200	
Oak Ridge	1			7,200	
Oxford	1			9,489	
Rockingham	1			6,600	
Rolesville	1			12,878	
Roxboro	1			9,977	
Sawmills	1			4,800	
Selma	1			7,200	
Siler City	1			10,794	
St. James	1			0	
Stokesdale	1			7,800	
Washington	1			13,329	
Whispering Pines	1			3,000	
Williamston	1			8,145	
Woodfin	1			3,600	
Zebulon	1			12,663	
Total/Average	38			7,576	

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MAYOR PRO TEM

Code 10020

	Number Budgeted	Minimum Salary	Maximum Salary	Average Salary	See Code
Aberdeen	1			4,200	
Angier	1			5,929	
Archer Lodge	1			2,100	
Bessemer City	1			7,490	
Brevard	1			6,700	
Butner	5			8,700	
Carolina Beach	1			7,800	
Cherryville	1			5,778	
Conover	1			5,700	
Dallas	1			6,000	
Dunn	1			4,840	
Fletcher	1			7,269	
Forest City	1			8,870	
Gibsonville	1			3,700	
Hillsborough	1			7,200	
Kill Devil Hills	1			0	
King	1			4,809	
Marion	1			11,347	
Mocksville	1			5,700	
Morehead City	1			4,025	
Nashville	1			4,800	
Oak Island	1			7,200	
Oak Ridge	1			3,600	
Oxford	1			7,239	
Rockingham	1			4,400	
Rolesville	1			9,174	
Roxboro	1			7,475	
Sawmills	1			1,800	
Selma	1			4,800	
Siler City	1			8,635	
St. James	1			0	
Stokesdale	1			7,200	
Washington	1			8,205	
Whispering Pines	1			2,400	
Williamston	1			6,053	
Woodfin	1			2,400	
Zebulon	1			5,372	
Total/Average	41			5,646	

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Elected Officials (Population Group 5,000 - 9,999)

GOVERNING BOARD MEMBER

Code 10030

	Number Budgeted	Minimum Salary	Maximum Salary	Average Salary	See Code
Aberdeen	4			4,200	
Angier	3			5,929	
Archer Lodge	4			1,800	
Bessemer City	5			7,490	
Brevard	4			6,700	
Butner	5			7,500	
Carolina Beach	3			7,200	
Cherryville	3			5,778	
Conover	4			5,700	
Dallas	4			6,000	
Dunn	5			4,840	
Fletcher	3			7,031	
Forest City	4			8,870	
Gibsonville	4			3,400	
Granite Falls	6			2,727	
Hillsborough	4			7,200	
Kill Devil Hills	3			0	
King	3			4,809	
Marion	4			11,347	

GOVERNING BOARD MEMBER

Code 10030

	Number Budgeted	Minimum Salary	Maximum Salary	Average Salary	See Code
Mocksville	4			5,700	
Morehead City	4			4,025	
Nashville	3			4,800	
Oak Island	4			7,200	
Oak Ridge	3			3,600	
Oxford	6			6,479	
Rockingham	4			4,400	
Rolesville	4			8,942	
Roxboro	4			7,316	
Sawmills	4			1,800	
Selma	4			4,800	
Siler City	6			6,476	
St. James	3			0	
Stokesdale	3			6,600	
Washington	4			8,205	
Whispering Pines	3			2,400	
Williamston	4			6,053	
Woodfin	5			2,400	
Zebulon	4			5,372	
Total/Average	151			5,469	

5,469.00 ÷
 12.00 =
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Memorandum

TO: Richard McNabb, Mayor
City Council Members

FROM: Jay Dale, Planner

CC: Stevie Cox, City Manager

DATE: 10/03/2023

REF: Appeal and Variance Requests.

Summary:

APPEAL

Chad Long of Archdale, North Carolina wishes to place a duplex on a number of lots that he owns in the Lake Darr community. Mr. Long is appealing the determination of the Zoning Official in the interpretation of the City of Trinity Zoning Ordinance **Article IX Section 9-2** (Nonconforming Lots of Record) which states:

When a lot has an area which does not conform to the dimensional requirements of the district where they are located, but such lot was of record at the time of adoption of this Ordinance or any subsequent amendment which renders such lot nonconforming, then such lot may be built upon if compliance is achieved with regard to setback dimensions, width, and pother requirements, regardless of lot area. Lots that cannot meet the setback, width, and/or buffering requirements of the Ordinance may seek a variance from the Board of Adjustment.

The Zoning Official determined that the larger lot size of 50,000 square feet required for a Two-Family home (duplex) in RA (Residential Agricultural) zoned property versus 40,000 square feet for Single-Family laid out in **Section 12-4** of the City of Trinity Zoning Ordinance is a buffer. Therefore, a variance would be necessary to place a duplex on Mr. Long’s lots. The lots in question are PIN 7717088465 (16,117 sq. ft. lot on Warren Lane), 7717194038 (20,473 sq. ft. lot on Lake Darr Rd), 7718005511 (18,295 sq. ft. lot on Libby Rd), 7717088835 (15,681 sq. ft. lot on Lake Darr Rd), 7717197008 (10,454 sq. ft. lot on Lake Darr Rd), and 7717197058 (10,018 sq. ft. lot on Lake Darr Rd). Mr. Long is asking for the same relief determination for lots at PIN 7718006409 (19,166 sq. ft. lot

on Libby Rd), 7717085855 (20,037 sq. ft. lot on Lake Darr Rd) owned by GMPC RP LLC.

VARIANCE

Should the City Council reverse the decision of the Zoning Official, Mr. Long is requesting a variance from the minimum side yard setback regulations for R-40 (Residential Agricultural) laid out in Section **12-4** of the City of Trinity Zoning Ordinance for lots: PIN 7717099160 and 7717088835. The current side setback for RA zoned property is 10 feet. Mr. Long is asking for a variance of .59 feet for lot PIN 7717099160 and .8 feet for lot PIN 7717088835.

Recommendation:

No recommendations needed.

Attachments:

APPEAL

- Request for appeal letter from Mr. Long
- Letter explain the zoning determination to Mr. Long
- Maps of properties owned by Mr. Long
- Article IX
- Section 12-4

VARIANCE

- Copy of Variance Applications.
- Map of lot PIN 7717099160
- Map of lot PIN 7717088835

CHAD LONG APPEAL

July 28th, 2023

Long Properties, LLC
 401 Belgian Dr
 Archdale, NC 27263
 chad@ntouchwireless.net
 336-861-2005

Board of Adjustment
 City of Trinity
 5978 NC-62
 Trinity, NC 27370

Subject: Appeal for Construction of Duplexes on Non-Conforming Lots

Dear Members of the Board of Adjustment,

Please accept this as my appeal on behalf of Long Properties, LLC to allow the construction of duplexes on non-conforming lots within the City of Trinity and described per the following PIN#: (7717088465 & 7717089445), (7717197008 & 7717197058), 7718006409, 7718005511, 7717085855, 7717180676 & 7718007416. While the proposed duplexes will meet ALL setback requirements for R40 Zoning outlined in section 12-4 of the City's Ordinance, they do not comply with the prescribed minimum lot size. However again per the City's Ordinance Sections 9-1 & 9-2 they in fact meet the standard for non-conforming lots that were developed in the 1950's & 1960's.

Section 9-1: *Purpose and Intent If, within the districts established by this ordinance, or by amendments that may later be adopted, there exist lots, structures and use of land and structures which were lawful before this ordinance was passed or amended, but which would be prohibited under the terms of this ordinance, it is the intent of this ordinance to permit these nonconformities to continue until they are removed but not to encourage their continuance. Such nonconformities are declared by this ordinance to be incompatible with permitted uses in the districts in which they are located. It is further the intent of this ordinance that nonconformities shall not be enlarged upon, expanded, or used as grounds for adding other structures or uses prohibited elsewhere in the same district.*

Section 9-2: *Nonconforming Lots of Record Single Lots of Record When a lot has an area which does not conform to the dimensional requirements of the district where they are located, but such lot was of record at the time of adoption of this Ordinance or any subsequent amendment which renders such lot nonconforming, then **such lot may be built upon if compliance is achieved with regard to setback dimensions, width, and other requirements, regardless of lot area.** Lots that cannot meet the setback, width, and/or buffering requirements of this Ordinance may seek a variance from the Board of Adjustments.*

In addition to these lots complying with all city ordinances and contrary to the City Staff's written opinion they are ALL legal lots. Furthermore, they meet ALL watershed requirements and do not require combining of any adjoining lots other than what we have proposed ourselves.

I would like to bring to your attention that the non-conforming lots in question present a unique circumstance that warrants a variance. As per the existing ordinance, the square footage requirement is

one of the criteria for the construction of buildings. However, it is crucial to consider that these lots were developed prior to the current zoning regulations and have pre-existing size that are non-conforming. Which is in line with the above ordinance.

Granting a variance in this situation would serve multiple purposes. Firstly, it would allow for the efficient use of available land and promote responsible development within the City of Trinity. By permitting the construction of duplexes on these non-conforming lots, we can optimize the use of space without compromising the existing structures or their setbacks.

Secondly, the proposed duplexes would contribute to addressing the growing demand for affordable housing in our community. The City of Trinity, like many others, is facing a shortage of affordable housing options, and by allowing the construction of duplexes, we can help alleviate some of the strain on the housing market. This would provide individuals and families with more accessible and cost-effective housing choices, while preserving the character and integrity of the neighborhood, in fact our project will turn this neighborhood around.

Lastly, granting this variance would be consistent with the principles of fairness and equity. It acknowledges the unique circumstances of these non-conforming lots and allows for a reasonable and practical solution that benefits both the property owners and the community at large.

In conclusion, I respectfully request that the Board of Adjustments reconsider the City Staffs decision that we feel was made in error based on the City's own Ordinances where the square footage/lot size is not a requirement in relation to the non-conforming lots in question and grant a variance to allow the construction of duplexes that will meet setbacks and watershed requirements but not the prescribed square footage. Furthermore, it is important to note that the construction of duplexes on these non-conforming lots would not create any adverse impact on the surrounding properties or violate any other existing zoning regulations. The setback requirements will be met, ensuring that the duplexes do not encroach upon neighboring properties or disrupt the established visual appeal of the neighborhood and will promote responsible development, address the need for affordable housing, ensure compliance with setback regulations, and maintain the character of the neighborhood.

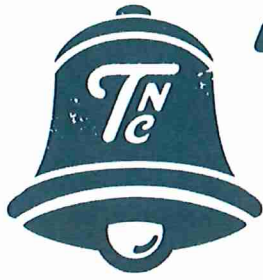
Thank you for your time and consideration. I am available to provide any additional information or answer any questions you may have regarding this variance appeal. I trust in the Board's commitment to fairness and its dedication to fostering a vibrant and inclusive community in the City of Trinity.

H. Chad Long
Long Properties Manager

[Signature]
Signature

H. Chad Long
GMPC RP, LLC Manager

[Signature]
Signature



TRINITY

NORTH CAROLINA

Section 6a.

August 17, 2023

Mr. Chad Long
Long Properties LLC
401 Belgian Drive
Archdale NC 27263

Mr. Long:

Per your request I am providing you with a written explanation of the decision not to allow the construction of duplex apartments on your lots in the Darr Rd. Area. The current zoning of your properties is R-40 and does allow duplex apartments but there are further requirements that have been adopted. For duplex construction you are required to have a 50,000 square foot lot. Please refer to table 12-4 in Section 12-4 of the City of Trinity Zoning Ordinance. I think this is important to note as it shows an intent on the part of the City of Trinity to be more restrictive on duplex development in residential neighborhoods and explains why we have felt we were on more solid footing on single family residential development versus duplex.

We have no record the lots in question were ever approved building lots. I think I need to clarify this point. Early in subdivision development, surveyors would lay out 25-foot-wide strips of land when dividing property. These are still seen on the GIS system today as dotted lines. It was then up to the consumer to decide what he wanted and combine them into a building lot be it a 100 foot wide lot, 125 foot wide lot etc. This often created odd lots out of the leftover strips of land. This did not make them legal building lots once zoning was adopted. I can assure you had Trinity never incorporated the position of Randolph County was the same. Provided setbacks could be met, the septic and repair areas could be accommodated, and the intent of the ordinance honored Randolph County would at times "grandfather" lots but they were not allowed by right. If that were the case there would

have been 25 ft wide lots recorded as building lots. The position of the City of Trinity is the same.

Finally it should be noted if any lot is unable to meet state federal watershed regulations it is not a developable lot and we would not issue a zoning permit. There is a process by which you can ask for a variance but for that information you would need to reach out to the North Carolina Department of Environmental Quality (DEQ). The regional office for our district is in Winston Salem and can be reached at 336-776-9800.

I hope this helps clarify matters and I wish you a good day

Sincerely,

Jay Dale, Planner

§ 160D-705. Quasi-judicial zoning decisions.

(a) Provisions of Ordinance. – The zoning or unified development ordinance may provide that the board of adjustment, planning board, or governing board hear and decide quasi-judicial zoning decisions. The board shall follow quasi-judicial procedures as specified in G.S. 160D-406 when making any quasi-judicial decision.

(b) Appeals. – Except as otherwise provided by this Chapter, the board of adjustment shall hear and decide appeals from administrative decisions regarding administration and enforcement of the zoning regulation or unified development ordinance and may hear appeals arising out of any other ordinance that regulates land use or development. The provisions of G.S. 160D-405 and G.S. 160D-406 are applicable to these appeals.

(c) Special Use Permits. – The regulations may provide that the board of adjustment, planning board, or governing board hear and decide special use permits in accordance with principles, conditions, safeguards, and procedures specified in the regulations. Reasonable and appropriate conditions and safeguards may be imposed upon these permits. Where appropriate, such conditions may include requirements that street and utility rights-of-way be dedicated to the public and that provision be made for recreational space and facilities. Conditions and safeguards imposed under this subsection shall not include requirements for which the local government does not have authority under statute to regulate nor requirements for which the courts have held to be unenforceable if imposed directly by the local government, including, without limitation, taxes, impact fees, building design elements within the scope of G.S. 160D-702(b), driveway-related improvements in excess of those allowed in G.S. 136-18(29) and G.S. 160A-307, or other unauthorized limitations on the development or use of land.

The regulations may provide that defined minor modifications to special use permits that do not involve a change in uses permitted or the density of overall development permitted may be reviewed and approved administratively. Any other modification or revocation of a special use permit shall follow the same process for approval as is applicable to the approval of a special use permit. If multiple parcels of land are subject to a special use permit, the owners of individual parcels may apply for permit modification so long as the modification would not result in other properties failing to meet the terms of the special use permit or regulations. Any modifications approved apply only to those properties whose owners apply for the modification. The regulation may require that special use permits be recorded with the register of deeds.

(d) Variances. – When unnecessary hardships would result from carrying out the strict letter of a zoning regulation, the board of adjustment shall vary any of the provisions of the zoning regulation upon a showing of all of the following:

- (1) Unnecessary hardship would result from the strict application of the regulation. It is not necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
- (2) The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance. A variance may be granted when necessary and appropriate to make a reasonable accommodation under the Federal Fair Housing Act for a person with a disability.
- (3) The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance is not a self-created hardship.
- (4) The requested variance is consistent with the spirit, purpose, and intent of the regulation, such that public safety is secured and substantial justice is achieved.

No change in permitted uses may be authorized by variance. Appropriate conditions may be imposed on any variance, provided that the conditions are reasonably related to the variance. Any other development regulation that regulates land use or development may provide for variances from the provisions of those ordinances consistent with the provisions of this subsection. (2019-111, s. 2.4; 2020-3, s. 4.33(a); 2020-25, ss. 17, 50(b), 51(a), (b), (d).)

§ 160D-405. Appeals of administrative decisions.

(a) Appeals. – Except as provided in G.S. 160D-1403.1, appeals of administrative decisions made by the staff under this Chapter shall be made to the board of adjustment unless a different board is provided or authorized otherwise by statute or an ordinance adopted pursuant to this Chapter. If this function of the board of adjustment is assigned to any other board pursuant to G.S. 160D-302(b), that board shall comply with all of the procedures and processes applicable to a board of adjustment hearing appeals. Appeal of a decision made pursuant to an erosion and sedimentation control regulation, a stormwater control regulation, or a provision of the housing code shall not be made to the board of adjustment unless required by a local government ordinance or code provision. Appeals of administrative decisions on subdivision plats shall be made as provided in G.S. 160D-1403.

(b) Standing. – Any person who has standing under G.S. 160D-1402(c) or the local government may appeal an administrative decision to the board. An appeal is taken by filing a notice of appeal with the local government clerk or a local government official designated by ordinance. The notice of appeal shall state the grounds for the appeal.

(c) Repealed by Session Laws 2020-25, s. 10, effective June 19, 2020.

(d) Time to Appeal. – The owner or other party has 30 days from receipt of the written notice of the determination within which to file an appeal. Any other person with standing to appeal has 30 days from receipt from any source of actual or constructive notice of the determination within which to file an appeal. In the absence of evidence to the contrary, notice given pursuant to G.S. 160D-403(b) by first-class mail is deemed received on the third business day following deposit of the notice for mailing with the United States Postal Service.

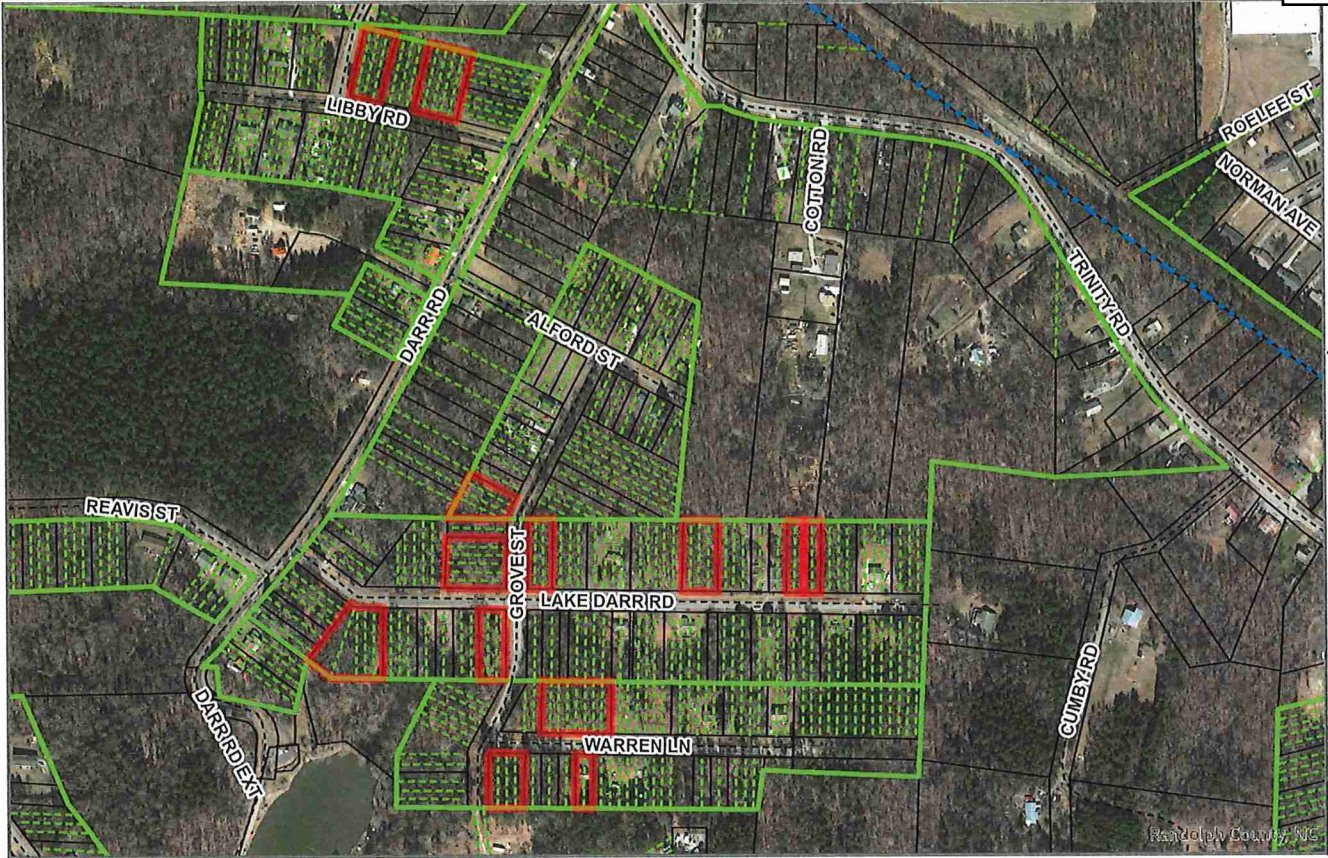
(e) Record of Decision. – The official who made the decision shall transmit to the board all documents and exhibits constituting the record upon which the decision appealed from is taken. The official shall also provide a copy of the record to the appellant and to the owner of the property that is the subject of the appeal if the appellant is not the owner.

(f) Stays. – An appeal of a notice of violation or other enforcement order to the board of adjustment and any subsequent appeal in accordance with G.S. 160D-1402 stays enforcement of the action appealed from and accrual of any fines assessed during the pendency of the appeal or during the pendency of any civil proceeding authorized by law or related appeal. If, however, the official who made the decision certifies to the board after notice of appeal has been filed that, because of the facts stated in an affidavit, a stay would cause imminent peril to life or property or, because the violation is transitory in nature, a stay would seriously interfere with enforcement of the development regulation, then enforcement proceedings are not stayed except by a restraining order, which may be granted by a court. If enforcement proceedings are not stayed, the appellant may file with the official a request for an expedited hearing of the appeal, and the board shall meet to hear the appeal within 15 days after the request is filed.

Notwithstanding any other provision of this section, appeals of decisions granting a development approval or otherwise affirming that a proposed use of property is consistent with the development regulation does not stay the further review of an application for development approvals to use the property; in these situations, the appellant or local government may request and the board may grant a stay of a final decision of development approval applications, including building permits affected by the issue being appealed.

(g) Alternative Dispute Resolution. – The parties to an appeal that has been made under this section may agree to mediation or other forms of alternative dispute resolution. The development regulation may set standards and procedures to facilitate and manage voluntary alternative dispute resolution.

(h) No Estoppel. – G.S. 160D-1403.2, limiting a local government's use of the defense of estoppel, applies to proceedings under this section. (2019-111, s. 2.4; 2020-3, s. 4.33(a); 2020-25, ss. 10, 50(b), 51(a), (b), (d); 2022-62, s. 59(a).)

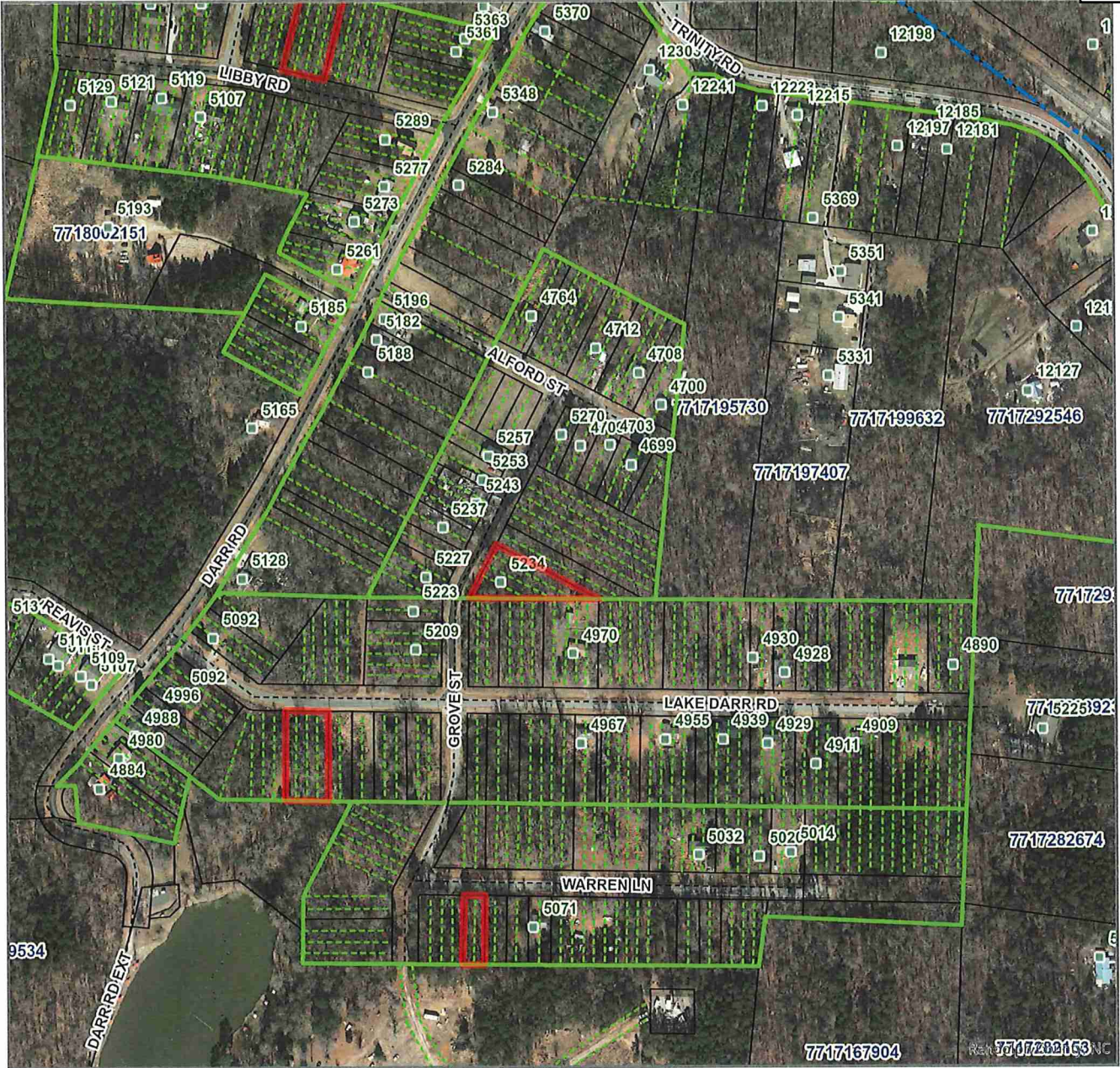


1	7717084835 24040 LONG PROPERTIES LLC No Physical Address	6	7717099160 24074 LONG PROPERTIES LLC No Physical Address
2	7717088465 24048 LONG PROPERTIES LLC No Physical Address	7	7717180485 24131 LONG PROPERTIES LLC 5071 WARREN LN
3	7717088835 24049 LONG PROPERTIES LLC No Physical Address	8	7717180676 24133 LONG PROPERTIES LLC No Physical Address
4	7717097087 24062 LONG PROPERTIES LLC 5209 GROVE ST	9	7717194038 24176 LONG PROPERTIES LLC No Physical Address
5	7717098226 24067 LONG PROPERTIES LLC 5227 GROVE ST	10	7717197008 24182 LONG PROPERTIES LLC No Physical Address



Disclaimer: This map was compiled from recorded deeds, plats, and other public records and data. Users of this data are hereby notified that the aforementioned public information sources should be consulted for verification of the information. Randolph County, its agents and employees make no warranty as to the accuracy of the information on this map.

Map Scale
1 inch = 564 feet
8/31/2023



1	7717085855 24041 GMPC RP LLC No Physical Address	3	7717190244 24160 GMPC RP LLC 5234 GROVE ST
2	7717089445 24050 GMPC RP LLC No Physical Address	4	7718006409 25189 GMPC RP LLC No Physical Address



Disclaimer: This map was compiled from recorded deeds, plats, and other public records and data. Users of this data are hereby notified that the aforementioned public information sources should be consulted for verification of the information. Randolph County, its agents and employees make no warranty as to the accuracy of the information on this map.

Map Scale
1 inch = 376 feet
8/31/2023

ARTICLE IX
NONCONFORMITIES

Section 9-1 Purpose and Intent

If, within the districts established by this ordinance, or by amendments that may later be adopted, there exist lots, structures and use of land and structures which were lawful before this ordinance was passed or amended, but which would be prohibited under the terms of this ordinance, it is the intent of this ordinance to permit these nonconformities to continue until they are removed but not to encourage their continuance. Such nonconformities are declared by this ordinance to be incompatible with permitted uses in the districts in which they are located.

It is further the intent of this ordinance that nonconformities shall not be enlarged upon, expanded or used as grounds for adding other structures or uses prohibited elsewhere in the same district.

Section 9-2 Nonconforming Lots of Record

Single Lots of Record

When a lot has an area which does not conform to the dimensional requirements of the district where they are located, but such lot was of record at the time of adoption of this Ordinance or any subsequent amendment which renders such lot nonconforming, then such lot may be built upon if compliance is achieved with regard to setback dimensions, width, and other requirements, regardless of lot area. Lots that cannot meet the setback, width, and/or buffering requirements of this Ordinance may seek a variance from the Board of Adjustments.

Section 9-3 Nonconforming Uses of Land

- 1) Extensions of Use. Nonconforming uses of land shall not be enlarged or extended in any way unless otherwise stated in this section.
- 2) Change of Use. When a non-conforming use of land has been changed to a conforming use, it shall not thereafter be used for any nonconforming use.
- 3) Nonconforming Residential Uses of Land - In the case of a residence that is a nonconforming use of land in a commercial or industrial zone, such residence may be repaired, rebuilt or added to as long as the dimensional requirements of the district are met. Minor variances in setbacks due to lot size may be presented to the Board of Adjustment for consideration. This policy is adopted in the interest of maintaining an adequate stock of housing in Trinity.
- 4) Manufactured Homes as Nonconforming Residential Uses - Manufactured homes on individual zoning lots, are a nonconforming use in Trinity. However, in the interest of maintaining an adequate housing stock in the community, existing manufactured homes are allowed to continue and in certain instances may be replaced.
 - (a) Continuation of a Manufactured Home on An Individual Lot – A manufactured home on an individual lot may be continued, provided that within six months from the date of adoption of this Ordinance it shall be tied down to resist overturning in the event of high winds. All tie downs shall be in accordance with the State of North Carolina Regulations for Manufactured Homes.

Section 12-4 Yard, Area and Height Requirements

Table 12-4 AREA, YARD & HEIGHT REQUIREMENTS

District	Minimum Lot Size, (Sq. ft.)	Min. Lot Width at Bldg. Line (ft.)	Min. Front Yard Setback (ft.)	Min. Side Yard Setback (ft.)	Min. Rear Yard Setback (ft.)	Max Height (ft.)
<u>RA Residential Agricultural</u>						
Single Family	2.5 acres	100	40	10 ^(a)	25 ^{(e)(g)}	35
Two Family		100	40	10 ^(a)	25 ^{(e)(g)}	35
<u>R-40 Residential</u>						
Single-Family	40,000	100	40	10 ^(a)	25 ^{(e)(g)}	35
Two-Family	50,000	100	40	10 ^(a)	25 ^{(e)(g)}	35
<u>R-20 Residential</u>						
Single-Family	20,000	80	30	10 ^(a)	25 ^{(e)(g)}	35
<u>R-12 Residential (3 units/acre)</u>	12,000	75	30	10 ^(a)	25 ^{(e)(g)}	35
Single-Family						
<u>R-10 Residential (4 units/acre)</u>	10,000	60	30	10 ^(a)	25 ^{(e)(g)}	35
Single-Family						
<u>RM Mixed Residential</u>						
Single Family	10,000 (4 units/acre)	60	30	10 ^(a)	25 ^{(e)(g)}	35
Two Family(1)	20,000	80	30 ^(d)	10 ^(a)	25 ^{(e)(g)}	35
Multi Family (Special use)(1)	12,000+ 3,000 for each unit over 2	N/A	N/A	10 ^(a)	25 ^{(e)(g)}	35
Townhomes	Same as multi-family	N/A	15	10'between buildings	25 ^{(e)(g)}	35
<u>RM-U Mixed Residential Urban</u>						
Single Family	10,000 (4 units/acre)	N/A	10	10 ^(a)	25 ^{(e)(g)}	35
Two Family(1)	20,000			10 ^(a)	25 ^{(e)(g)}	35
Multi Family (Special use)(1)	12,000+ 3,000 for each unit over 2			10 ^(a)	25 ^{(e)(g)}	35
Townhomes	Same as multi-family		15	10'between buildings	25 ^{(e)(g)}	35
Non-Residential	N/A					

CHAD LONG VARIANCE

1. PIN 7717099160
2. PIN 7717088835

§ 160D-705. Quasi-judicial zoning decisions.

(a) Provisions of Ordinance. – The zoning or unified development ordinance may provide that the board of adjustment, planning board, or governing board hear and decide quasi-judicial zoning decisions. The board shall follow quasi-judicial procedures as specified in G.S. 160D-406 when making any quasi-judicial decision.

(b) Appeals. – Except as otherwise provided by this Chapter, the board of adjustment shall hear and decide appeals from administrative decisions regarding administration and enforcement of the zoning regulation or unified development ordinance and may hear appeals arising out of any other ordinance that regulates land use or development. The provisions of G.S. 160D-405 and G.S. 160D-406 are applicable to these appeals.

(c) Special Use Permits. – The regulations may provide that the board of adjustment, planning board, or governing board hear and decide special use permits in accordance with principles, conditions, safeguards, and procedures specified in the regulations. Reasonable and appropriate conditions and safeguards may be imposed upon these permits. Where appropriate, such conditions may include requirements that street and utility rights-of-way be dedicated to the public and that provision be made for recreational space and facilities. Conditions and safeguards imposed under this subsection shall not include requirements for which the local government does not have authority under statute to regulate nor requirements for which the courts have held to be unenforceable if imposed directly by the local government, including, without limitation, taxes, impact fees, building design elements within the scope of G.S. 160D-702(b), driveway-related improvements in excess of those allowed in G.S. 136-18(29) and G.S. 160A-307, or other unauthorized limitations on the development or use of land.

The regulations may provide that defined minor modifications to special use permits that do not involve a change in uses permitted or the density of overall development permitted may be reviewed and approved administratively. Any other modification or revocation of a special use permit shall follow the same process for approval as is applicable to the approval of a special use permit. If multiple parcels of land are subject to a special use permit, the owners of individual parcels may apply for permit modification so long as the modification would not result in other properties failing to meet the terms of the special use permit or regulations. Any modifications approved apply only to those properties whose owners apply for the modification. The regulation may require that special use permits be recorded with the register of deeds.

(d) Variances. – When unnecessary hardships would result from carrying out the strict letter of a zoning regulation, the board of adjustment shall vary any of the provisions of the zoning regulation upon a showing of all of the following:

- (1) Unnecessary hardship would result from the strict application of the regulation. It is not necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
- (2) The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance. A variance may be granted when necessary and appropriate to make a reasonable accommodation under the Federal Fair Housing Act for a person with a disability.
- (3) The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance is not a self-created hardship.
- (4) The requested variance is consistent with the spirit, purpose, and intent of the regulation, such that public safety is secured and substantial justice is achieved.



City of Trinity Variance Application

Date: 7/28/23

Property Owner Information:

Property Owner: Long Properties LLC

Address: 401 Belgian Dr.

City: Archdale State: NC Zip: 27263

Phone: (home/work) _____ (cell) 336 861 2005

E-mail: Chad@nortouchwireless.net

Applicant Information (note: must show proof as to legally representing property owner):

Applicant: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: (home/work) _____ (cell) _____

E-mail: _____

Site Information:

PIN # 7717089835

Property Address: Not yet assigned

Zoning District: R40

Are there any structures currently on the property? _____ yes no

List structures: _____

What is the current land use on the property (i.e., commercial, residential, farming, vacant etc.)?

Residential

Reason for Variance:

Describe situation which prompted the need for a variance, and, if applicable, how much of a variance is needed for from minimum dimensional requirements:

We want to build a duplex and require a total of 100.8' to the front of stoop to back property. We are .8' short.

ORDINANCE PROVISIONS FOR GRANTING A VARIANCE:

The Board of Adjustment (City Council) does not have unlimited discretion in deciding when to grant a variance. Article XIV, Section 16-8 of the City's Zoning Ordinance states:

"When practical difficulties or unnecessary hardships would result from carrying out the strict letter of the zoning ordinance, the Board of Adjustments shall have the power to vary or modify any of the regulations or provisions of the ordinance so that the spirit of the ordinance shall be observed, public safety and welfare secured, and substantial justice done. No change in permitted uses may be authorized by variance. Appropriate conditions, which must be reasonably related to the condition or circumstance that gives rise to the need for a variance, may be imposed on any approval issued by the Board.

These regulations may provide that the Board of Adjustments may determine and vary their application in harmony with the general purpose and intent and in accordance with general or specific rules therein contained; provided no change is permitted uses may be authorized by variance.

- (1) Determination that Variance Will Not Violate Other Ordinance Provisions. In considering all proposed variances to this ordinance, the Board shall, before making any finding in a specific case, first determine that the proposed variance will not allow the establishment of a use not otherwise permitted in a district by this ordinance; extend in area or expand a non-conforming use of land; change the district boundaries shown on the zoning map; impair any adequate supply of light and air to adjacent property; materially increase the public danger of fire; materially diminish or impair established property values within the surrounding area; or in any other respect impair the public health, safety, morals, and general welfare.
- (2) Findings. A variance may be granted in an individual case of unnecessary hardship upon a finding by the Board of Adjustment that the following conditions exist:

- (a). There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography that are not applicable to other lands or structures in the same district.
- (b). Granting the variance requested will not confer upon the applicant any special privileges that are denied to other residents in the district in which the property is located.
- (c). A literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other residents of the district in which the property is located.

Reason for Variance:

Describe situation which prompted the need for a variance, and, if applicable, how much of a variance is needed for from minimum dimensional requirements:

R40 Requires 40' off front 25' off back of structure is 35.8' for a total needed of .8'

ORDINANCE PROVISIONS FOR GRANTING A VARIANCE:

The Board of Adjustment (City Council) does not have unlimited discretion in deciding when to grant a variance. Article XIV, Section 16-8 of the City's Zoning Ordinance states:

"When practical difficulties or unnecessary hardships would result from carrying out the strict letter of the zoning ordinance, the Board of Adjustments shall have the power to vary or modify any of the regulations or provisions of the ordinance so that the spirit of the ordinance shall be observed, public safety and welfare secured, and substantial justice done. No change in permitted uses may be authorized by variance. Appropriate conditions, which must be reasonably related to the condition or circumstance that gives rise to the need for a variance, may be imposed on any approval issued by the Board.

These regulations may provide that the Board of Adjustments may determine and vary their application in harmony with the general purpose and intent and in accordance with general or specific rules therein contained; provided no change is permitted uses may be authorized by variance.

- (1) Determination that Variance Will Not Violate Other Ordinance Provisions. In considering all proposed variances to this ordinance, the Board shall, before making any finding in a specific case, first determine that the proposed variance will not allow the establishment of a use not otherwise permitted in a district by this ordinance; extend in area or expand a non-conforming use of land; change the district boundaries shown on the zoning map; impair any adequate supply of light and air to adjacent property; materially increase the public danger of fire; materially diminish or impair established property values within the surrounding area; or in any other respect impair the public health, safety, morals, and general welfare.
- (2) Findings. A variance may be granted in an individual case of unnecessary hardship upon a finding by the Board of Adjustment that the following conditions exist:
 - (a). There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography that are not applicable to other lands or structures in the same district.
 - (b). Granting the variance requested will not confer upon the applicant any special privileges that are denied to other residents in the district in which the property is located.
 - (c). A literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other residents of the district in which the property is located.

- (d). The requested variance will be in harmony with purpose and intent of this ordinance and will not be injurious to the neighborhood or to the general welfare.
- (e). The special circumstances are not the result of the applicant.
- (f). The variance requested is the minimum variance that will make possible the legal use of the land, building or structure.
- (g). The variance is not a request to permit a use of land, building or structure which is not permitted by right or by conditional use in the district involved.

(3) Conditions. In granting a variance, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with this ordinance. Violations of the conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this ordinance punishable under Section 18-3 of this ordinance."

In the space provided below (or on attached sheet), provided a statement(s) addressing each of the required findings of fact. This information and along with your site plan, will be presented to the Board to help support your request for a variance:

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

Yes we could not build a quadplex and would have to build a duplex leaving two families that we could not provide housing for

(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. A variance may be granted when necessary and appropriate to make reasonable accommodation under the Federal Fair Housing Act for a person with a disability.

Yes

(3) The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance is not a self-created hardship.

No

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

Y/C.S.

Submittal Requirements:

- Complete Variance Application
- If seeking a variance from a minimum dimensional requirement, a site plan, prepared by a NC Licensed Engineer, Architect or Surveyor. See Exhibit A
- \$600 Application Fee

The below authorize: (1) Submission of the variance application to the City of Trinity's City Council for consideration; and (2) the Zoning Administrator or designee to entry upon the property to verify application/site plan submittal information.

_____ <i>Applicant Name (PRINTED)</i>	_____ <i>Signature of Applicant</i>	_____ <i>Date</i>
<i>H. Chard Long</i> _____ <i>Property Owner Name (PRINTED)</i>	<i>H. Chard Long</i> _____ <i>Signature of Property Owner</i>	<i>7/28/23</i> _____ <i>Date</i>
_____ <i>Zoning Administrator Signature</i>	_____ <i>Date Complete Application Received</i>	

<u>Office Use</u>	
Date Received:	_____
Fees Paid:	_____
BOA Hearing Date:	_____
Result of BOA Hearing:	_____

- NOTES:**
- This project is not located within a special flood hazard area per NCRFS. Map # 17107717001 Effective Date: 1/2/2018
 - Area calculated by coordinate geometry.
 - All lines surveyed by Survey Carolina, PLLC are indicated by bold lines. All lines not surveyed by Survey Carolina, PLLC are indicated by dashed lines.
 - No attempt was made by this survey to locate all underground utilities nor any other easements that would be revealed by a title search.
 - Tax PIN: 771768853

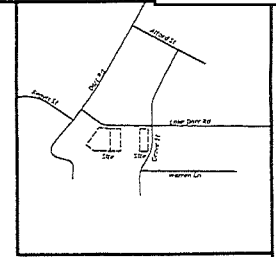
STATE OF NORTH CAROLINA

I, _____ Review Officer of Randolph County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

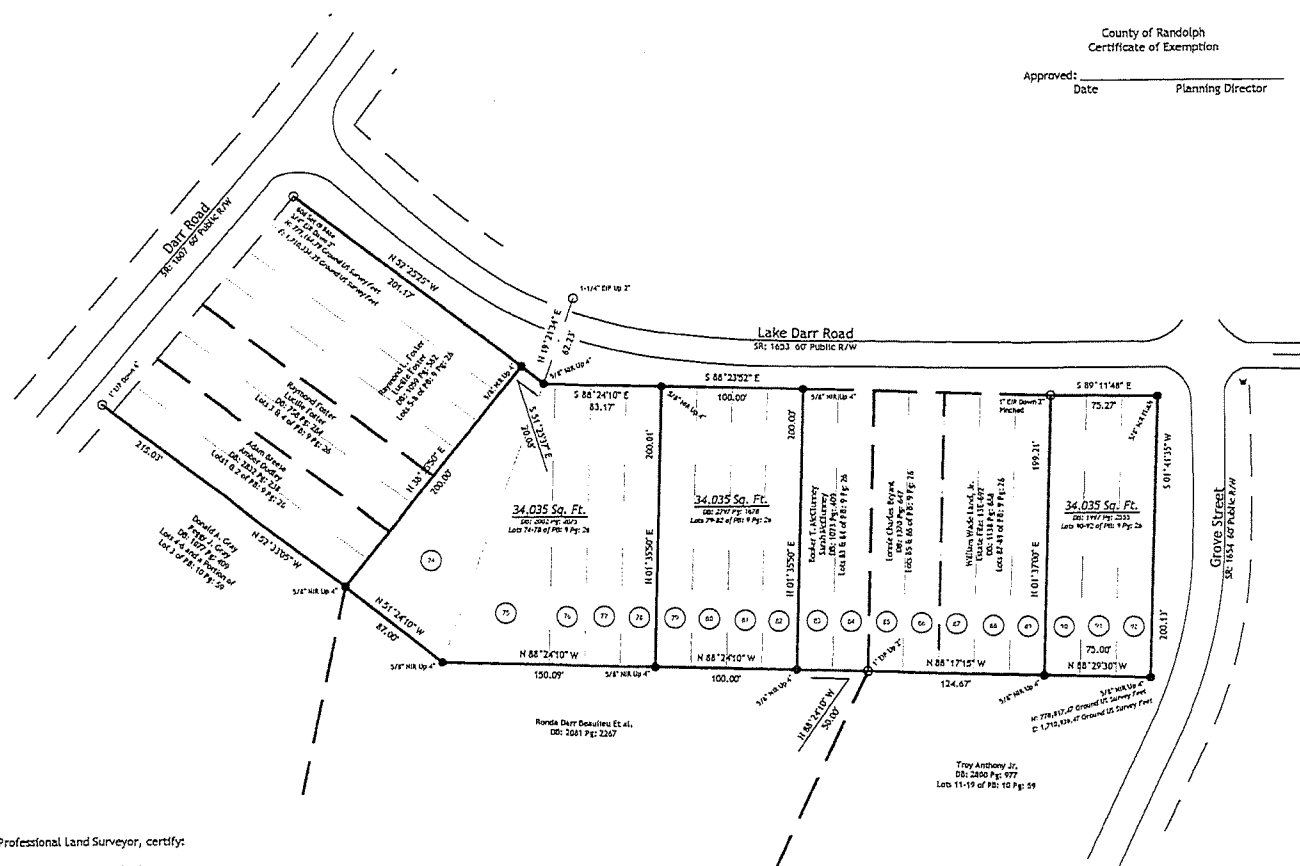
Date _____ Review Officer _____

County of Randolph
Certificate of Exemption

Approved: _____
Date _____ Planning Director _____



Location Map
(Not to Scale)



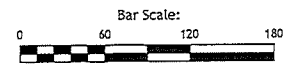
- | | |
|--------------------------------|-------------------------|
| Hardwood Tree | Catch Basin |
| Evergreen Tree | Yard Inlet |
| Stone | Storm Sewer Manhole |
| R/W - Right of Way Monument | Junction Box |
| R/S - Railroad Spike | Drop Inlet |
| XIR - New Iron Rod | Inletion Control Valve |
| NIP - New Iron Pipe | Back Flow Preventer |
| MSS - Monument | Water Valve |
| DI - Existing Inlet | Water Manhole |
| EIP - Existing Iron Pipe | Water Meter |
| Existing Concrete Monument | Fire Dept. Connection |
| Survey Mark | Hydrant |
| Computed Point / Post. Not Set | Utility Pole |
| Well | Telephone Post-and-Rail |
| Property Line | Transformer |
| Computed Property Line | Communications Manhole |
| Easement Line | SS - Sanitary Sewer |
| Tie Lines | SS - Gas/Water |
| Setback Lines | U/G Power Pole |
| Gas Line | Power Pole |
| Sanitary Sewer Line | Light Pole |
| Storm Sewer Line | Cup Pole |
| Water Line | Gas Valve |
| Fence | Guy Wire |
| Overhead Utility Line | Gas Manhole |
| Underground Electric Line | Gas Meter |
| Underground Comm. Line | Electric Meter |
| 100-Year Flood Hazard Line | Electric Manhole |
| Roadway | X 2x20 Soot Elevation |
| C/L Railroad | |

Owners:
Long Properties, LLC
401 Belgian Drive
Archdale, NC 27263

Survey For:
Chad Long

City of Trinity
Trinity Township
North Carolina
Randolph County
July 3, 2023

Deed Book:2002 Pg:2075
Deed Book:2797 Pg:1678
Deed Book:1997 Pg:2555
Plat Book:9 Pg:26
Scale: 1" = 60 US Survey Feet



SURVEY CAROLINA, PLLC
154 S. Fayetteville St, Suite B, Asheboro, NC 27203
Phone Number: 336 625-8000
Email: mail@surveycarolina.com

Firm #: P-1110
Dan W Tanner II L-4787
© 2023 Survey Carolina, PLLC

Job #: 15022

I, Dan W Tanner II, Professional Land Surveyor, certify:

In accordance with NC General Statute 47-30(f)11c.1. That the survey is of an existing parcel or parcels of land or one or more existing easements and does not create a new street or change an existing street. For the purpose of this subsection, an "existing parcel" or "existing easement" is an area of land described in a single, legal description or legally recorded subdivision that has been or may be legally conveyed to a new owner by deed in its existing configuration.

I, Dan W Tanner II, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in:

Book 2002, page 2075 ; Book 2797, page 1678 ;
Book 1997, page 2555 ;

that the boundaries not surveyed are clearly indicated as drawn from Information found in Book See, page Notes; that the ratio of precision or positional accuracy as calculated is 1:10000+; that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, license number and seal this the 3rd day of July, A.D., 2023.

PRELIMINARY PLAT - NOT FOR RECORDATION, CONVEYANCES, OR SALES

Professional Land Surveyor L-4787



- I, Dan W Tanner II, certify that this map was drawn under my supervision from an actual GPS/ GNSS survey made under my supervision and the following information was used to perform the survey:
- Class of survey: Class A
 - Positional accuracy: $4.0''$
 - Type of GNSS field procedure: Real-Time Kinematic Networks
 - Dates of survey: June 14, 2023
 - Datum/Epoch: NAD83(2011) / 2010.00
 - Published/Fixed-control use: North Carolina Real Time Network
 - Geoid model: Geoid 12A
 - Combined grid factor(s): 0.99989942
 - GPS/GNSS Scale Point: N:778,643.91 E:1,711,200.95 Z:829.12
 - Units: US Survey Feet

Randolph County, NC



REID	24049	OWNER ADDRESS2	
PIN	7717088835	OWNER CITY	ARCHDALE
TAXED ACREAGE	0.36	OWNER STATE	NC
PROPERTY DESCRIPTION	LAKECREST HGTS;L90-92	OWNER ZIP	27263
DEED BOOK & PAGE	001997/02555	LOCATION ADDRESS	No Physical Address
PLAT BOOK & PAGE	9-26	LOCATION ZIP	No ZIP
OWNER	LONG PROPERTIES LLC	DATA REFRESHED	10/1/2023
OWNER ADDRESS	401 BELGIAN DR		



Disclaimer: This map was compiled from recorded deeds, plats, and other public records and data. Users of this data are hereby notified that the aforementioned public information sources should be consulted for verification of the information. Randolph County, its agents and employees make no warranty as to the accuracy of the information on this map.

Map Scale
1 inch = 71 feet
 10/2/2023



City of Trinity Variance Application

Date: 7/28/23

Property Owner Information:

Property Owner: Long Properties, LLC
Address: 401 Belgem Dr.
City: Archdale State: NC Zip: 27268
Phone: (home/work) _____ (cell) 336 861 2005
E-mail: Chad@ntouchwireless.net

Applicant Information (note: must show proof as to legally representing property owner):

Applicant: _____
Address: _____
City: _____ State: _____ Zip: _____
Phone: (home/work) _____ (cell) _____
E-mail: _____

Site Information:

PIN # 7717099160
Property Address: Not yet assigned
Zoning District: R40

Are there any structures currently on the property? ____ yes no

List structures: _____

What is the current land use on the property (i.e., commercial, residential, farming, vacant etc.)?

Residential

Reason for Variance:

Describe situation which prompted the need for a variance, and, if applicable, how much of a variance is needed for from minimum dimensional requirements:

Our lot size is 73.41 w our proposed duplex +
set backs on the side = 74'. We are asking for .59
feet in variance.

ORDINANCE PROVISIONS FOR GRANTING A VARIANCE:

The Board of Adjustment (City Council) does not have unlimited discretion in deciding when to grant a variance. Article XIV, Section 16-8 of the City's Zoning Ordinance states:

"When practical difficulties or unnecessary hardships would result from carrying out the strict letter of the zoning ordinance, the Board of Adjustments shall have the power to vary or modify any of the regulations or provisions of the ordinance so that the spirit of the ordinance shall be observed, public safety and welfare secured, and substantial justice done. No change in permitted uses may be authorized by variance. Appropriate conditions, which must be reasonably related to the condition or circumstance that gives rise to the need for a variance, may be imposed on any approval issued by the Board.

These regulations may provide that the Board of Adjustments may determine and vary their application in harmony with the general purpose and intent and in accordance with general or specific rules therein contained; provided no change in permitted uses may be authorized by variance.

- (1) Determination that Variance Will Not Violate Other Ordinance Provisions. In considering all proposed variances to this ordinance, the Board shall, before making any finding in a specific case, first determine that the proposed variance will not allow the establishment of a use not otherwise permitted in a district by this ordinance; extend in area or expand a non-conforming use of land; change the district boundaries shown on the zoning map; impair any adequate supply of light and air to adjacent property; materially increase the public danger of fire; materially diminish or impair established property values within the surrounding area; or in any other respect impair the public health, safety, morals, and general welfare.
- (2) Findings. A variance may be granted in an individual case of unnecessary hardship upon a finding by the Board of Adjustment that the following conditions exist:
 - (a). There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography that are not applicable to other lands or structures in the same district.
 - (b). Granting the variance requested will not confer upon the applicant any special privileges that are denied to other residents in the district in which the property is located.
 - (c). A literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other residents of the district in which the property is located.

- (d). The requested variance will be in harmony with purpose and intent of this ordinance and will not be injurious to the neighborhood or to the general welfare.
- (e). The special circumstances are not the result of the applicant.
- (f). The variance requested is the minimum variance that will make possible the legal use of the land, building or structure.
- (g). The variance is not a request to permit a use of land, building or structure which is not permitted by right or by conditional use in the district involved.

(3) Conditions. In granting a variance, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with this ordinance. Violations of the conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this ordinance punishable under Section 18-3 of this ordinance."

In the space provided below (or on attached sheet), provided a statement(s) addressing each of the required findings of fact. This information and along with your site plan, will be presented to the Board to help support your request for a variance:

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

We could provide affordable housing to two Trinity families instead of one with the approval.

(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. A variance may be granted when necessary and appropriate to make reasonable accommodation under the Federal Fair Housing Act for a person with a disability.

The hardship is that the lots were developed in the 1960's and have narrow fronts.

(3) The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance is not a self-created hardship.

No we did not create this hardship.

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

Yes

Submittal Requirements:

- Complete Variance Application
- If seeking a variance from a minimum dimensional requirement, a site plan, prepared by a NC Licensed Engineer, Architect or Surveyor. See Exhibit A
- \$600 Application Fee

The below authorize: (1) Submission of the variance application to the City of Trinity's City Council for consideration; and (2) the Zoning Administrator or designee to entry upon the property to verify application/site plan submittal information.

Applicant Name (PRINTED)

Signature of Applicant

Date

H. Chad Long

Property Owner Name (PRINTED)

H. Chad Long

Signature of Property Owner

7/28/23

Date

Zoning Administrator Signature

Date Complete Application Received

Office Use

Date Received: _____

Fees Paid: _____

BOA Hearing Date: _____

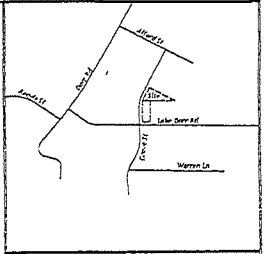
Result of BOA Hearing: _____

- Notes:**
- This project is not located within a special flood hazard area per NCFR15. Map #: 3710771700. Effective date: 1/2/2008
 - Area calculated by coordinate geometry.
 - All lines surveyed by Survey Carolina, PLLC are indicated by bold lines. All lines not surveyed by Survey Carolina, PLLC are indicated by dashed lines.
 - No attempt was made by this survey to locate all underground utilities nor any other easements that would be revealed by a title search.
 - Tax IDs: 771719244, 7717899160, 7717194038, 7717197003, 7717197050

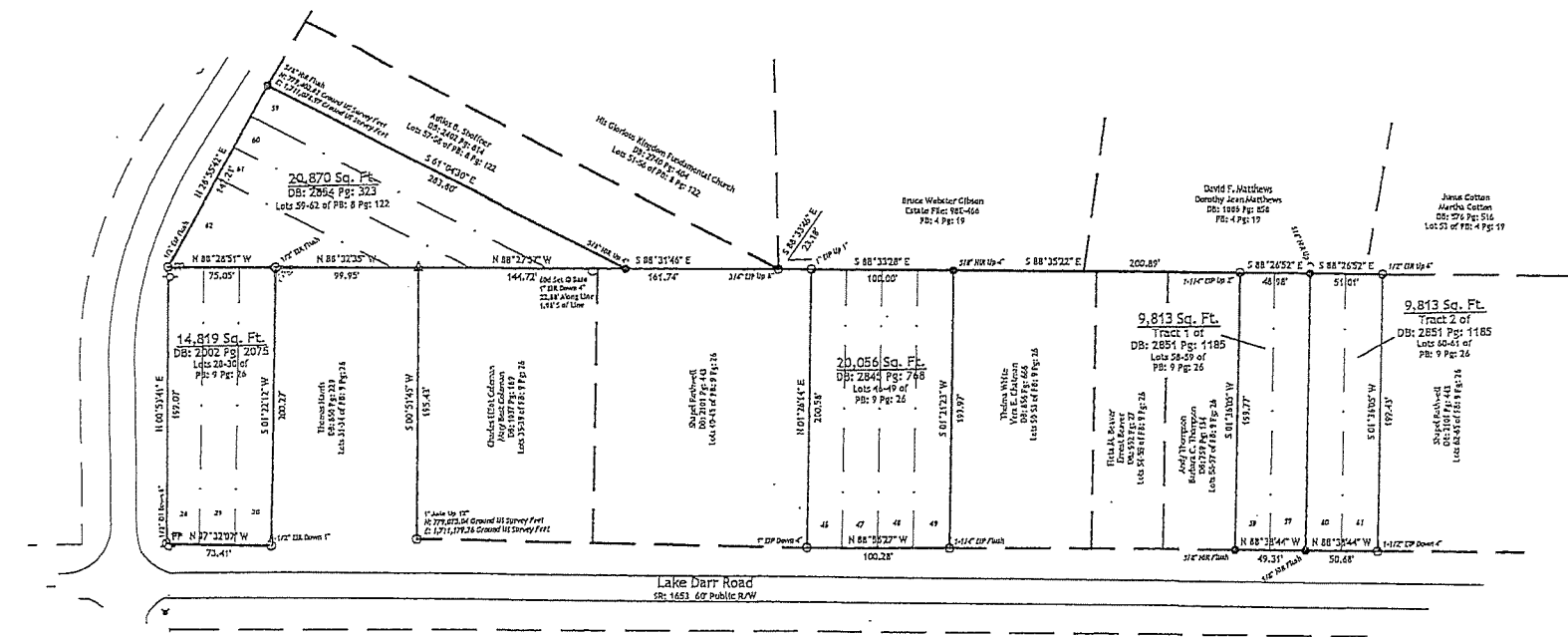
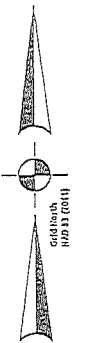
STATE OF NORTH CAROLINA

I, _____ Review Officer of Randolph County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

Date _____ Review Officer _____



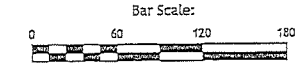
Location Map
(Not to Scale)



Owners:
Long Properties, LLC
3501 Longview Drive
Archdale, NC 27263

GMPC RP, LLC
2285-103 Trindale Road
Archdale, NC 27263

Survey For:
Chad Long
City of Trinity
Trinity Township
North Carolina
Deed Book:2002 Pg:2075
Deed Book:2854 Pg:323
Deed Book:2851 Pg:1185
Deed Book:2845 Pg:768
Plat Book:8 Pg:122
Plat Book:9 Pg:26
Scale: 1" = 60 US Survey Feet



SURVEY CAROLINA, PLLC
154 S. Fayetteville St., Suite B, Asheboro, NC 27203
Phone Number: 336 625-8000
Email: mail@surveycarolina.com

Firm #: P-1110
Dan W Tanner II L-4787
© 2023 Survey Carolina, PLLC

Job #: 15022.1

I, Dan W Tanner II, Professional Land Surveyor, certify:

In accordance with NC General Statute 47-30(f)(1)c.1. That the survey is of an existing parcel or parcels of land or one or more existing easements and does not create a new street or change an existing street. For the purpose of this subsection, an "existing easement" is an area of land described in a single, legal description or legally recorded subdivision that has been or may be legally conveyed to a new owner by deed in its existing configuration.

I, Dan W Tanner II, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in:

Book 2002, page 2075; Book 2854, page 323;

that the boundaries not surveyed are clearly indicated as drawn from information found in Book See, page Notes; that the ratio of precision or positional accuracy as calculated is 1:10000; that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, license number and seal this 5th day of July, A.D., 2023.

PRELIMINARY PLAT - NOT FOR RECORDATION, CONVEYANCES, OR SALES

Professional Land Surveyor

L-4787



- I, Dan W Tanner II, certify that this map was drawn under my supervision from an actual GPS/GNSS survey made under my supervision and the following information was used to perform the survey:
- (1) Class of survey: Class A
 - (2) Positional accuracy: $\pm 0.10''$
 - (3) Type of GNSS field procedure: Real-Time Kinematic Network
 - (4) Dates of survey: June 14, 2023
 - (5) Datum/Epoch: NAD83(2011) / 2010.00
 - (6) Published/Field-control used: North Carolina Real Time Network
 - (7) Used/Issued: Geoid 12A
 - (8) Combined grid factor(s): 0.99989942
 - (9) GPS/GNSS Scale Point: N77m, 6-0.91 E1,711; 200.95 2,029.72
 - (10) Units: US Survey Feet

- Hardwood Tree
- Evergreen Tree
- Stone
- R/W - Right of Way Monument
- IRS - Railroad Spike
- UR - New Iron Rod
- NIP - New Iron Pipe
- NCES Monument
- EN - Existing Nail
- ER - Existing Iron Rod
- EP - Existing Concrete Monument
- Extending Concrete Monument
- Bench Mark
- Computed Point / Point Not Set
- Well
- Property Line
- Computed Property Line
- Right of Way Line
- Easement Line
- Tie Lines
- Setback Lines
- Gas Line
- Sanitary Sewer Line
- Storm Sewer Line
- Water Line
- Fence
- Overhead Utility Line
- Overhead Power Line
- Underground Electric Line
- Underground Comm. Line
- 100-Year Flood Hazard Line
- Roadway
- C/L Railroad
- Catch Basin
- Yard Inlet
- Storm Sewer Manhole
- Junction Box
- Drain Inlet
- Hydrolic Control Valve
- Back Flow Preventer
- Water Valve
- Water Manhole
- Water Meter
- Fire Dept. Connection
- Fire Hydrant
- Utility Pole
- Telephone Pedestal
- Telephone Pole
- Transformer
- Communications Manhole
- SS - Sanitary Sewer
- SS Manhole
- SS Cleanout
- W/G Power Box
- PP
- Power Pole
- Light Pole
- Sign Pole
- Gas Valve
- City Valve
- Gas Manhole
- Gas Meter
- Electric Meter
- Electric Manhole
- Spot Elevation

Randolph County, NC



REID	24074	OWNER ADDRESS2	
PIN	7717099160	OWNER CITY	ARCHDALE
TAXED ACREAGE	0.33	OWNER STATE	NC
PROPERTY DESCRIPTION	LAKECREST HGTS;L28-30	OWNER ZIP	27263
DEED BOOK & PAGE	002002/02075	LOCATION ADDRESS	No Physical Address
PLAT BOOK & PAGE	9-26	LOCATION ZIP	No ZIP
OWNER	LONG PROPERTIES LLC	DATA REFRESHED	10/1/2023
OWNER ADDRESS	401 BELGIAN DR		



Disclaimer: This map was compiled from recorded deeds, plats, and other public records and data. Users of this data are hereby notified that the aforementioned public information sources should be consulted for verification of the information. Randolph County, its agents and employees make no warranty as to the accuracy of the information on this map.

Map Scale
1 inch = 71 feet
 10/2/2023



Memorandum

TO: Mayor and City Council

FROM: Jill Wood, Interim Planning Director

CC: Stevie Cox, City Manager
Robert Wilhoit, City Attorney

DATE: October 10, 2023

REF: Request for a Special Use Permit – 5839 Surrett Dr

Summary:

- 1. BC INGRAM INVESTMENTS LLC**, Archdale, North Carolina, is requesting a Special Use Permit to develop and operate a mini-warehouse storage facility with outside storage of boats, RVs, and vehicles (no junk vehicles) as per site plan. Property Location: 5839 Surrett Dr, 8.60 acres, PIN#7708331973, Zoning District HC.

The City Council decision shall be done by applying the land-use impact facts of the proposed special use to the following standards:

- a) that the use or development is located, designed, and proposed to be operated to maintain or promote public health, safety, and general welfare.
- b) that the use or development complies with all required regulations and standards of this ordinance and with all other applicable regulations.
- c) that the use or development is located, designed, and proposed to be operated so as not to substantially injure the value adjoining or abutting property, or that the use or development is a public necessity; and
- d) that the use or development will be in harmony with the area in which it is to be located and conforms with the general plans for the land use and development of the City of Trinity and its environment.

Background:

Mr. Ingram came to Council on August 14, 2023, and requested this property be rezoned from R40 to HC. At that meeting, he stated that if his request was approved, he would be back to request a Special Use Permit to develop a mini-warehouse facility. The Council unanimously approved that request.

Attachments:

- Application for Special Use Permit
- Site Plans
- Deed to Property
- County GIS Map of Property



City of Trinity Special Use Application

PIN # 7708331973

Date: September 12, 2023

Note: Permitted special uses add flexibility to the zoning ordinance. Subject to high standards of design, certain property uses that would otherwise be undesirable in certain districts can be developed to minimize any harmful effects they may have on surrounding properties.

Property Owner Information:

Property Owner: B C Ingram Investments LLC
Address: P O Box 14430
City: Archdale State: N.C. Zip: 27263
Phone: (home/work) 336-442-8615 (cell) 336-442-3144

Applicant Information (note: must show proof as to legally representing property owner):

Applicant: Jeremy Ingram Bradley Ingram
Address: 2889 Kinley Trail
City: Archdale State: NC Zip: 27263
Phone: (home/work) 336-442-8615 (cell): 336-442-3144

Site Information:

Property Address: 5839 Surrett Dr
Zoning District: HC (Highway Commercial)
Overlay District: NA
Special Use Requested: Mini Warehouse Storage facility with outside storage of boats, RVs, and vehicles (no junk vehicles). _____

Are there any structures currently on the property? yes **X** no

List structures: NA

What is the current land use on the property (i.e. commercial, residential, farming, vacant etc.)?

Vacant

What current land uses and zoning districts are adjacent to the property?

North: Zoning HC	Land Use: Body Shop
South: Zoning R-40	Land Use: Church
East: Zoning R-40	Land Use: Vacant
West: Zoning R-40	Land Use: Residential

Findings of Fact (provide a statement for each of the following):

1. Will the requested special use be located, designed, and proposed to be operated so as to maintain or promote the health, safety and general welfare of the community? Any development within the City of Trinity is required to meet the regulations set forth in the City of Trinity Zoning Ordinance. These regulations are in place to ensure the health, safety and general welfare of the community.
2. Does the application meet all required regulations and standards of sound land use planning and in keeping with all other land use regulations? The plan and application as submitted do meet land use planning regulations.
3. Explain how approval of this application will not substantially injure the value of adjoining property or that the use is a public necessity. The property is in an area where commercial uses are already established. With the number of homes under construction that have HOA regulations as well as the fact that watershed regulations make the placement of accessory use buildings on small lots challenging, the mini warehouses would serve a public necessity.
4. Explain how the use will be in harmony with the area in which it is to be located and conforms to the general plans for land use and development of the City.: The City of Trinity Comprehensive Land Use Plan, adopted September 11, 2023, Goal ED 1 states that the city should: *“Support the development of commercial uses to provide needed services for residents and add to the City’s tax base.”* As stated above in the answer to number 3 there is a need for storage units in the City of Trinity. The use is in harmony with existing land use patterns in the area and zoning regulations will serve to ensure that harmony through development standards.

If the special use is approved, it is understood by all, that development must conform to the minimum requirements of the City of Trinity Zoning and Subdivision Ordinances and all other development ordinances of the City. Deadline for special use applications is the first Monday of each month. Incomplete applications will be scheduled for hearing the following month.

Fee: \$500.00

You must attach a site plan with this application showing all structures, property lines, buffers, driveways, setbacks, appearance and operational characteristics. Three copies of the site plan must be developed by a registered engineer, landscape architect or draftsman

to a scale of 1" = "50 and submitted on sheets no larger than 36" x 24." A site survey may be required.

Conditions of Approval & Notes:

Bradley Ingram
(name of applicant)

Bing
(signature of applicant)

Jim Wood
(signature of Zoning Administrator)

9.12.2023
(date)

Office Use

Date Received: _____

Fees Paid: _____

Planning Board Hearing Date: _____

Planning Board Action: _____

City Council Hearing Date: _____

City Council Action: _____

BK 2834 PG 1735 - 1738 (4)
This Document eRecorded:
Fee: \$26.00 DocType: DEED
Randolph County, North Carolina
Krista M. Lowe, Register of Deeds

DOC# 20156490
12/02/2022 03:00:44 PM
Tax: \$340.00

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax:	\$340.00
Parcel ID:	7708-33-1973
Mail/Box to:	Grantee
Prepared by:	Kim W. Gallimore, Attorney
Brief description for the Index:	0 Surrett Dr., Trinity, Randolph Co., NC

THIS GENERAL WARRANTY DEED ("Deed") is made on the 2nd day of December 2022, by and between:

GRANTOR	GRANTEE
Thomas W. Bouldin, Trustee of the Bouldin Family Generation-Skipping Trust under Article V of the Will of Ora Mae W. Bouldin, Deceased	BC Ingram Investments LLC and Jeremy Ingram
Thomas W. Bouldin and wife, Betty T. Bouldin	P.O. Box 14430 Archdale, NC 27263
Thomas W. Bouldin, Executor of the Estate of Ora Mae W. Bouldin	
203 Huntington Drive Chapel Hill, NC 27514	

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 Randolph County, North Carolina and more particularly described as follows (the "Property"):

Beginning at a dogwood Banner Leache's corner in Spencer's line, thence North 21 rods to a stake in Spencer's line, thence West 96 rods and 6 inches to a stake in A.F. Yount's line, thence South 25 rods and 10 feet to a stone Banner Leache's corner in Yount's line, thence East 85 rods and 1 1/2 feet to the beginning corner, containing 16 acres more or less.

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 Randolph County Register of Deeds.

62071-00001

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

Thomas W. Bouldin, Trustee
Thomas W. Bouldin, Trustee of the Bouldin Family Generation-Skipping Trust under Article V of the Will of Ora Mae W. Bouldin, Deceased

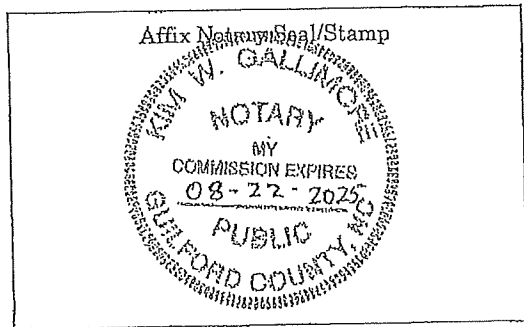
Thomas W. Bouldin
Thomas W. Bouldin

Betty T. Bouldin
Betty T. Bouldin

Thomas W. Bouldin, Executor
Thomas W. Bouldin, Executor of the Estate of Ora Mae W. Bouldin

STATE OF NORTH CAROLINA, COUNTY OF GUILFORD

I, Kim W. Gallimore, a Notary of the above state and county, certify that the following person(s) personally appeared before me on the 1st day of December, 2022 acknowledging to me that he or she signed the foregoing document, in the capacity represented and identified therein (if any): Thomas W. Bouldin, Trustee of the Bouldin Family Generation-Skipping Trust under Article V of the Will of Ora Mae W. Bouldin, Deceased; Thomas W. Bouldin and wife, Betty T. Bouldin and Thomas W. Bouldin, Executor of the Estate of Ora Mae W. Bouldin

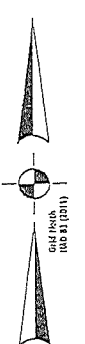
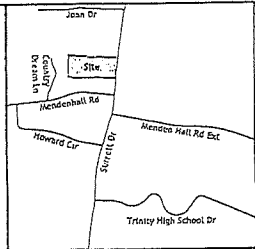
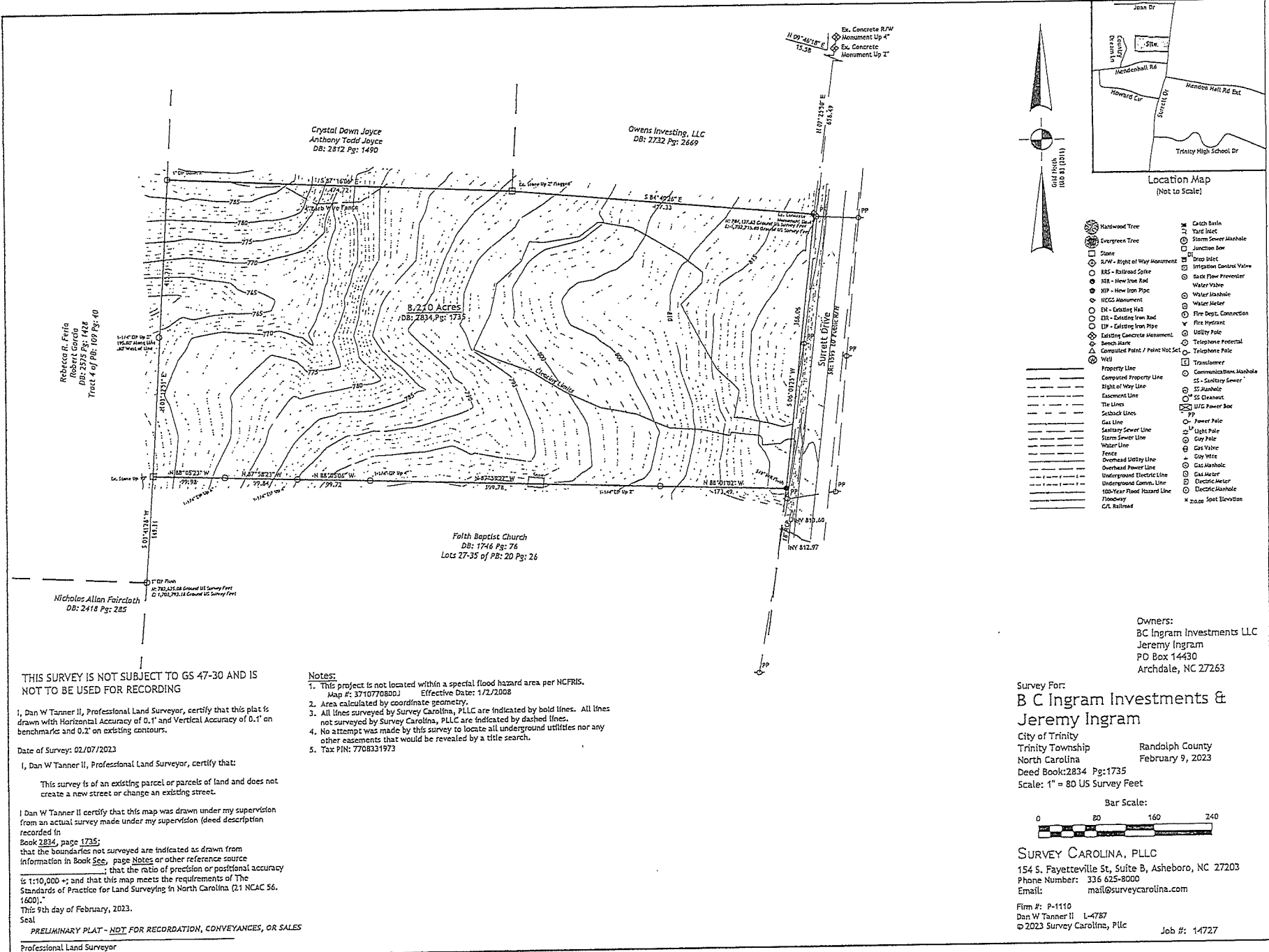


Kim W. Gallimore
Notary Public (Official Signature)

My commission expires: 08.22.2025

Exhibit A

62071-00001



Hardwood Tree	Well
Evergreen Tree	Property Line
Zone	Compared Property Line
R/W - Right of Way Monument	Right of Way Line
RRS - Railroad Spike	Easement Line
NR - New Iron Rod	Tie Lines
XIP - New Iron Pipe	Subsock Lines
ICSS - Iron Cap	Gas Line
ER - Existing Road	Sewary Sewer Line
ER - Existing Iron Rod	Storm Sewer Line
IP - Existing Iron Pipe	Water Line
Existing Concrete Monument	Fence
Survey Stake	Overhead Utility Line
Computed Point / Point Not Set	Overhead Power Line
Well	Underground Electric Line
Transformer	Underground Comm. Line
Communication Manhole	100-Year Flood Hazard Line
Sanitary Sewer	Utility Pole
SS Manhole	Telephone Pole
SS Cleanout	Telephone Pole
UGC Power Box	Telephone Pole
Power Pole	Telephone Pole
Light Pole	Telephone Pole
Gas Pole	Telephone Pole
Gas Valve	Telephone Pole
Gas Meter	Telephone Pole
Electric Manhole	Telephone Pole
Electric Meter	Telephone Pole
Electric Hazard Line	Telephone Pole
Spot Elevation	Telephone Pole

THIS SURVEY IS NOT SUBJECT TO GS 47-30 AND IS NOT TO BE USED FOR RECORDING

I, Dan W Tanner II, Professional Land Surveyor, certify that this plat is drawn with Horizontal Accuracy of 0.1' and Vertical Accuracy of 0.1' on benchmarks and 0.2' on existing contours.

Date of Survey: 02/07/2023
I, Dan W Tanner II, Professional Land Surveyor, certify that:

This survey is of an existing parcel or parcels of land and does not create a new street or change an existing street.

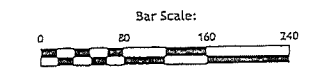
I, Dan W Tanner II certify that this map was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Book 2834, page 1735; that the boundaries not surveyed are indicated as drawn from information in Book 2834, page 1735; that the ratio of precision or positional accuracy is 1:10,000; and that this map meets the requirements of The Standards of Practice for Land Surveying in North Carolina (21 NCAC 56.1600).
This 9th day of February, 2023.

Seal
PRELIMINARY PLAT - NOT FOR RECORDATION, CONVEYANCES, OR SALES
Professional Land Surveyor

- Notes:
- This project is not located within a special flood hazard area per NCFRIS. Map #: 37107708001 Effective Date: 1/2/2008
 - Area calculated by coordinate geometry.
 - All lines surveyed by Survey Carolina, PLLC are indicated by bold lines. All lines not surveyed by Survey Carolina, PLLC are indicated by dashed lines.
 - No attempt was made by this survey to locate all underground utilities nor any other easements that would be revealed by a title search.
 - Tax PIN: 7708331973

Owners:
BC Ingram Investments LLC
Jeremy Ingram
PO Box 14430
Archdale, NC 27263

Survey For:
BC Ingram Investments & Jeremy Ingram
City of Trinity
Trinity Township
North Carolina
Deed Book: 2834 Pg: 1735
Scale: 1" = 80 US Survey Feet



SURVEY CAROLINA, PLLC
154 S. Fayetteville St., Suite B, Asheboro, NC 27203
Phone Number: 336 625-8000
Email: mail@surveycarolina.com
Firm #: P-1110
Dan W Tanner II L-4787
© 2023 Survey Carolina, PLLC
Job #: 14727



REID	20934	OWNER ADDRESS2	
PIN	7708331973	OWNER CITY	ARCHDALE
TAXED ACREAGE	8.6	OWNER STATE	NC
PROPERTY DESCRIPTION	R1595;W	OWNER ZIP	27263
DEED BOOK & PAGE	002834/01735	LOCATION ADDRESS	5839 SURRETT DR
PLAT BOOK & PAGE		LOCATION ZIP	ARCHDALE,27263
OWNER	BC INGRAM INVESTMENTS LLC	DATA REFRESHED	9/10/2023
OWNER ADDRESS	P O BOX 14430		



Disclaimer: This map was compiled from recorded deeds, plats, and other public records and data. Users of this data are hereby notified that the aforementioned public information sources should be consulted for verification of the information. Randolph County, its agents and employees make no warranty as to the accuracy of the information on this map.

Map Scale
1 inch = 188 feet
 9/12/2023



Memorandum

TO: Mayor and City Council

FROM: Jill Wood, Interim Planning Director

CC: Stevie Cox, City Manager
Robert Wilhoit, City Attorney

DATE: October 10, 2023

REF: Request for Property Rezoning – Meadowbrook Dr

Summary:

RYAN & CALE LOHR, Trinity, North Carolina, are requesting that 1.56 acres located on Meadowbrook Dr. PIN#7707760032 be rezoned from R-40 to M2-CZ. The Conditional Zoning District would be strictly limited to an auto repair business within the existing building with a 36' X36' addition for storage with a 200 ft setback from the street. It would also require the property owner to maintain the existing foliage within a setback of 100' from the road and a privacy fence along the rear property line for 30'.

Background:

On September 25, 2023, the Trinity Planning Board considered the above referenced request. Debbie Jacky made the motion, seconded by Keith Aikens, and the motion passed unanimously to recommend the request be approved as consistent with the 2021 Trinity Land Development Plan.

Attachments:

- Rezoning Request Summary
- Application for Rezoning
- Property Deed
- Property Map from GIS

REZONING REQUEST SUMMARY

The Trinity Planning Board met on Monday, September 25, 2023, to consider this request. Debbie Jacky made the motion, seconded by Keith Aikens, to recommend that the City Council **approve** this request for rezoning. The motion passed unanimously.

RYAN & CALE LOHR, Trinity, North Carolina, are requesting that 1.56 acres located on Meadowbrook Dr. PIN#7707760032 be rezoned from R-40 to M2-CZ. The Conditional Zoning District would be strictly limited to an auto repair business within the existing building with a 36' X36' addition for storage with a 200 ft setback from the street. It would also require the property owner to maintain the existing foliage within a setback of 100' from the street and a privacy fence along the rear property line for 30'.

Application/Site plan issues to consider:

- **This is a request for Conditional Zoning. This will strictly limit the property to the requested use of an auto repair with a 36'X36' addition to the existing structure along with the 100' buffer the property owner has placed on the application. The Board can also place additional Conditions on the property as long as the property owner agrees to them in writing.**
- **Any new or expanded outside storage would NOT be covered by the current "grandfather" clause that currently applies to the property. New outside storage would be required to meet the fencing/buffering requirements of the Zoning Ordinance.**
- **The currently existing auto repair business predates the incorporation of the City of Trinity and is a pre-existing, non-conforming use that has maintained an uninterrupted business.**
- **The proposed 36'X36' addition would allow for inside storage of autos and parts.**
- **HC Zoning District located 1000 ft south of this site on Meadowbrook Dr.**

Land Use Area: RESIDENTIAL

Description:

Areas is a mix of residential use types with some highway commercial and other O&I type uses

Appropriate Uses include:

- *Property is to be conditionally zoned for the operation of an auto repair business.*

Zoning Districts expected in Land Use Area:

Zoning Districts expected in Land Use Area:

- *R-40 (Residential 40,000 sq. ft. lot)*
- *R-20 (Residential 20,000 sq. ft. lot)*
- *RM (Mixed Residential)*
- *O&I (Office & Institutional)*
- *HC (Highway Commercial)*

Adjoining Zoning:

This site is located on Meadowbrook Dr at property PIN#7707760032. The property to the north is zoned (R-40), the property to the east is zoned (R-20), and the property to the south and west is zoned by (R-40).

Transportation:

Meadowbrook Dr is maintained by NCDOT.

REZONING CRITERIA

Article XVII, Amendments and Changes of the Zoning Ordinance states:

Section 17-1 Motion to Amend.

- (1) Council Authority to Amend - The City Council may, on its own motion or upon the recommendation of the Planning Board, staff or upon petition by any person within the zoning jurisdiction, after public notice and hearing, amend, or repeal the regulations or the maps which are a part of this ordinance. No regulation or maps shall be amended, supplemented, changed, modified, or repealed until after a public hearing in relation thereto, at which all parties in interest and citizens shall have an opportunity to be heard. Third-party down-zonings shall be prohibited.
- (2) Notice and Public hearing on Amendment Planning and Zoning Board Review
 - a. Posting of Property – When a zoning map amendment is proposed, the local government shall prominently post a notice of the hearing on the site proposed for the amendment or on an adjacent public street or highway right-of-way. The notice shall be posted within the same time period specified for mailed notices of the hearing. When multiple parcels are included within a proposed zoning map amendment, a posting on each individual parcel is not required but the local government shall post sufficient notices to provide reasonable notice to interested persons.
 - b. Mailed Notice – Notice to abutting property owners shall be sent no less than ten (10) days prior to the public hearing but not more than twenty (25) days. For the purpose of this section, properties are "abutting" even if separated by a street, railroad, or other transportation corridor (NCGS 160D-602).
 - c. City Council Public Hearing
 - c. Hearing with Published Notice. - Before adopting, amending, or repealing any

ordinance or development regulation authorized by 160D-601(a), the governing board shall hold a legislative hearing. A notice of the hearing shall be given once a week for two successive calendar weeks in a newspaper having general circulation in the area. The notice shall be published the first time not less than 10 days nor more than 25 days before the date scheduled for the hearing. In computing such period, the day of publication is not to be included but the day of the hearing shall be included.

- d. Mailed Notice – Notice to abutting property owners shall be sent no less than ten (10) days prior to the public hearing but not more than twenty (25) days.

(3) Information and Fee Required from Applicant and Processing of Information - Applicants must present the following information:

1. a completed rezoning application.
2. an accurate survey of the property to be rezoned,
3. a deed or legal description which establishes ownership, and.
4. if the proposed zoning boundary splits an existing parcel, a metes and bounds description shall be required in addition to the survey.

A rezoning fee established by the City Council shall be required. Processing of zoning amendment applications shall begin within ninety (90) days from submission to the City Clerk. However, this requirement is not intended to prevent the Planning Board or City Council from delaying action after review by either body. If more than one tract or parcel is being sought for rezoning at the same time by a single applicant, each parcel having a different zone shall constitute a separate rezoning request.

- (4) Planning Board Review – Subsequent to initial adoption of a zoning ordinance, all proposed amendments to the zoning ordinance or zoning map shall be submitted to the Planning Board for review and comments. Any development regulation other than a zoning regulation that is proposed to be adopted pursuant to 160D-604 may be referred to the planning board for review and comment. If no written report is received from the Planning and Zoning Board within thirty (30) days of referral of the amendments to the Board, the City Council may proceed in its consideration of the amendment without the Planning Board report. The Council is not bound by the recommendation, if any, of the Board.

- (5) Plan Consistency - The Planning Board shall advise and comment on whether the proposed amendment is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable.

The Planning Board shall provide a written recommendation to the governing board that addresses plan consistency and other matters as deemed appropriate by the planning board, but a comment by the planning board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing board. If a zoning map amendment qualifies as a "large-scale rezoning" under G.S. 160D-602(b), the planning board statement describing plan consistency may address the overall rezoning and describe how the analysis and policies in the relevant adopted plans were considered in the recommendation made.

- (6) Council Statement – Prior to adopting or rejecting any zoning amendment, City Council must adopt a statement describing whether its action is consistent with an adopted comprehensive plan and explaining why the Council considers the action taken to be reasonable and in the public interest. When adopting or rejecting any petition for a zoning map amendment, a statement analyzing the reasonableness of the proposed rezoning shall be approved by the governing board (NCGS 160D-605).

- (7) Withdrawal of Request - Any applicant for rezoning may withdraw his/her petition any time prior to consideration by the Planning Board. If the applicant should choose to withdraw his/her petition after being reviewed by the Planning Board but before it is to be considered by the City Council, he/she must do so in writing no

later than 5 p.m. on the first Friday following the last Planning Board meeting where the item was dispensed. Failure to withdraw the rezoning petition by that time, shall cause it to advance automatically to the City Council for consideration at their next regular session, provided however that City Council may in its discretion, allow the withdrawal of a rezoning petition at any time for cause upon request by an applicant.

- (8) Resubmission of Application - Should a petition for the amendment of these regulations and/or maps be denied by action of the City Council, the applicant may resubmit an application for rezoning for the same tract or parcel within the same calendar year so long as the request for rezoning is dissimilar to the original request denied by the City Council. Should the second request be denied by the City Council, the applicant must withhold all petitions for rezoning said tract or parcel for a period of twelve (12) months from the date of the second denial by the City Council.



City of Trinity Rezoning Request Application

The undersigned does hereby respectfully make an application and request that the City of Trinity to amend the Official Zoning Map as hereinafter requested, and in support of this application the following facts are shown:

Zoning: Current Zoning _R-40 Requested zoning _M2CZ
Conditional: X

Property Owner Information

Property Owner: Ryan and Cale Lohr
Address: 5366 Meadowbrook Dr
City: Trinity State: NC Zip: 27370
Phone: 336-870-1737

Site Information

PIN # 7707760032
Property Address: 5350 Meadowbrook Dr
Deed Book: _____ Page: _____
Area: 1.56 acres
Parcel Map: _____ Site Plan: _____

Applicant Information

Applicant: owner
Address: _____
City: _____ State: _____ Zip: _____
Phone: _____

Statement of Conditions:

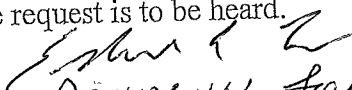
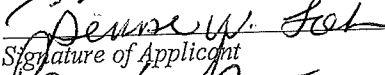
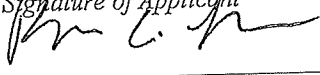
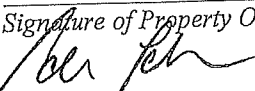
Strictly limited to an auto repair within the existing building with a 36'X36' addition to the existing structure for storage, along with 200 ft. setback from street – maintain existing foliage in 100 ft setback – 36' x 36' addition to existing garage – privacy fence along rear property line for 30 ft _____

Rezoning Request: #RZ
Form#11714

Note: Information and Fee Required from Applicant and Processing of Information:
Applicants must present the following information as required by Article XVII, Section 17-1(3) of the Zoning Ordinance:

1. _____ Completed rezoning application;
2. _____ An accurate survey of the property to be rezoned,
and;
3. _____ A deed or legal description which establishes
ownership;
4. _____ If the proposed zoning boundary splits an existing
parcel a meets and bounds description shall be required in addition to the survey,

Please submit application material and fee (\$600, six hundred dollars) 20 days before the Planning and Zoning meeting the request is to be heard.

EDWARD E. LOHR		
DENISE W. LOHR		
<i>Name of Applicant*</i>	<i>Signature of Applicant</i>	<i>Date</i>
Ryan C Lohr		9.8.2023
<i>Name of Property Owner</i>	<i>Signature of Property Owner/Authorized Agent</i>	<i>Date</i>
Calc E. Lohr		

**" Article XVII, Section 17-1: The City Council may, on its own motion or upon the recommendation of the Planning Board, staff or upon petition by any person within the zoning jurisdiction, after public notice and hearing, amend, or repeal the regulations or the maps which are part of this ordinance. No regulation or maps shall be amended, supplement, changed, modified or repealed until after a public hearing in relation thereto, at which all parties in interest and citizens shall have an opportunity to be heard."*

<u>Office Use</u>	
Date Received:	_____
Application #:	_____
Staff Review:	_____ Comments
Planning Board Review:	_____
City Council Review:	_____

BK 2796 PG 1969 (3)

This document presented and filed:

03/11/2022 02:58:35 PM

DEED

Fee \$26.00 Excise Tax: \$0.00



Randolph County North Carolina
Krista M. Lowe, Register of Deeds

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: NTC

Parcel Identifier No. 7707-76-0032

✓ Mail/Box to: ~~Grantee~~ Edward & Denise Lohr 5366 Meadowbrook Dr. Trinity NC 27203

This instrument was prepared by: B. Peter Jarvis, Attorney, PO Box 4585, Archdale, NC 27263 (No Title Examination Requested or Performed)

Brief description for the Index: MEADOWBROOK;E

THIS DEED made this 8 day of march, 2022, by and between

GRANTOR(S)

GRANTEE(S)

EDWARD E. LOHR, and wife
DENISE W. LOHR

CALE E. LOHR, and
RYAN C. LOHR

Property Address:
0 Meadowbrook Dr
Trinity, NC 27370

Mailing Address:
5207 Farlow St
Archdale, NC 27263

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 , Trinity Township, Randolph County, North Carolina and more particularly described as follows:

See Attached Exhibit A

EXPRESSLY RESERVING a Life Estate in the above described property unto Grantors and their assigns. Grantors shall have full ownership, possession and use of the property, as well as the rents, revenues and profits generated by the property during the term of her natural life. Upon the expiration of Grantor's natural life, the ownership, possession, use, rents, revenues and profits of the above described property shall revert to the Grantee.

NC Bar Association Form No. 3 © 1976, Revised © 1977, 2002
Printed by Agreement with the NC Bar Association – 1981 - Chicago Title Insurance Company

EXHIBIT A

BEGINNING at Cook's North corner; thence East 410 feet to a stake in Albertson's line; thence North 277 feet to Collins' corner in Albertson's line; thence West with Collins' line 415 feet to a stake at the public road; thence South with said road 290 feet to the Beginning. Containing 2 3/4 acres be the same more or less.

RYAN & CALE LOHR REZONING REQUEST

Section 6c.



Disclaimer: This map was compiled from recorded deeds, plats, and other public records and data. Users of this data are hereby notified that the aforementioned public information sources should be consulted for verification of the information. Randolph County, its agents and employees make no warranty as to the accuracy of the information on this map.

Map Scale
1 inch = 94 feet
9/13/2023