

**BOARD OF
ADJUSTMENT
MARCH 5, 2024
5:00 PM**



**BRYANT H. WOMACK
BUILDING
40 COURTHOUSE ST.
COLUMBUS, NC 28756**

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1. Call to Order
 2. Approval of Agenda
 3. Approval of Minutes from February 6, 2024
 - A. February 6, 2024 Minutes
 4. On the Matter of Cary Littlejohn on behalf of Courtney Littlejohn for a Special Use Permit Request - Docket No. 2024-02 (SU)
 5. Other Business
 6. Public Comments
 7. Adjournment

POLK COUNTY BOARD OF ADJUSTMENT

AGENDA ITEM

MARCH 5, 2024 REGULAR MEETING

Agenda Item#: A.

ATTACHMENTS:

Description	Type	Upload Date
Approval of Minutes - February 6, 2024	Cover Memo	2/27/2024

BOARD OF ADJUSTMENT
February 6, 2024 - 5:00 PM
Bryant H. Womack Building
40 Courthouse Street
Columbus, NC 28722
MINUTES

Members Present: Chris Jones, Lisa Krolak, Frank Monterisi (Chair), Libby Morris, Paul Weidman; Alternate Adrienne Reilly (Present, not participating)

Staff Present: Chelsea Allen, Jana Berg (County Attorney), Cathy Ruth, Sarah Zoellers

1. Call to Order

Frank Monterisi called the meeting to order at 5:00pm.

2. Approval of Agenda

A motion was made to approved the agenda by Paul Weidman and seconded by Lisa Krolak. A vote was taken and the motion carried unanimously.

3. Approval of Minutes

A. Approval of Minutes from October 3, 2023

A motion was made by Chris Jones to approve the minutes from the October 3, 2023 hearing, seconded by Lisa Krolak. A vote was taken and the motion carried unanimously.

B. Approval of Minutes from October 17, 2023

A motion was made by Lisa Krolak to approve the minutes from the October 17, 2023 hearing, seconded by Chris Jones. A vote was taken and the motion carried unanimously.

C. Approval of Minutes from December 5, 2023

A motion was made by Libby Morris to approve the minutes from the December 5, 2023 hearing, seconded by Chris Jones. A vote was taken and the motion carried unanimously.

D. Approval of Minutes from December 12, 2023

A motion was made by Lisa Krolak to approve the minutes from the December 12, 2023 hearing, seconded by Chris Jones. A vote was taken and the motion carried unanimously.

4. On the Matter of Mike Nuckles on behalf of Christy Pond for a Special Use Permit Request- Docket No. 2024-01 (SU)

Frank Monterisi read an overview of the Board of Adjustment's procedures, expectations, and responsibilities for evidentiary hearings. He asked the Board if there were any ex-parte communications or relationships with the applicant to be disclosed. Lisa Krolak and Frank Monterisi disclosed they had visited the site.

Frank Monterisi sworn in:

Chelsea Allen
Ray Wehrs
David Morl
John Eaton
Christy Pond
Denise Noonan
Nikki Sauve
Albert Troutman
Scott Crews
Ellen Cantrell
Mike Nuckles

Frank Monterisi asked Chelsea Allen, Zoning Administrator, to proceed.

Chelsea Allen requested the staff report to be submitted into evidence. The staff report was accepted into evidence as Zoning Administrator One, (ZA-1). Chelsea Allen presented the staff report to the Board.

Exhibit ZA-1 included:

- Exhibit XA consists of the General Application Form and site plan.
- Exhibit XB consists of the zoning permit/application and receipt of \$100.
- Exhibit XC consists of the recorded deed in the Register of Deeds Office dated August 5, 2022, Book 472, Page 66
- Exhibit XD consists of the recorded plat in the Register of Deeds Office dated September 4, 2002, Book E, Page 345.
- Exhibit XE consists of the Polk County Property Card tax record for P114-31.
- Exhibit XF consists of Polk County Geographic Information System (GIS) map, P114-31.
- Exhibit XG consists Google Map of parcel area.
- Exhibit XH consists of P114-31 and surrounding parcels' zoning from the Polk County GIS site.
- Exhibit XI consists of P114-31 and surrounding parcels' current uses from the Polk County GIS site, tax record.
- Exhibit XJ consists of the signed and notarized Affidavit of Mailing of notice of public hearing to adjacent property owners, property owner, and applicant; including map of adjacent property parcels and addresses.
- Exhibit XK consists of the signed and notarized Affidavit of Posting.
- Exhibit XL consists of pictures taken by staff of the parcel and sign posting.

Chelsea Allen explained that she had received an email from a citizen and was asked to read it at the hearing.

Frank Monterisi explained that she could read it, but it could not be considered as part of evidence since the citizen was not present to be cross examined.

Chelsea Allen read the email from Jacob Clue, dated January 6, 2024, Subject 1261 River Crest Parkway.

"Chelsea, I am an owner in the GRH neighborhood. I served on the board as president between 2021-2023. The property listed above is owned by Christy Pond/Mike Knuckles and has a hearing this week for a variance. I will be unable to attend due to my work schedule. They own a home in the neighborhood that is walking distance from this property. They have hosted open invitation neighborhood get togethers with the property. The structure is insignificant in foot print, looks good and has no negative impact on the community. They have added great value with their ownership, as before they owned it, the lot was not well maintained. I hope Polk County can support approving the variance for the structure as I believe it is an extension of their existing home. Thank you for your time and consideration. Jacob Clue."

Frank Monterisi asked the board if there were any questions for Chelsea Allen. There were no questions. He asked the applicant to present.

Christy Pond asked that Mike Nuckles present on her behalf.

Mike Nuckles asked to have his presentation added into evidence.

Frank Monterisi marked the presentation as Applicant Number One (AP-1).

Mike Nuckles stated he is asking for a special use permit. He's lived in the community for 15 years. Christy Pond and Mike Nuckles built a house in the neighborhood eight years ago. They have made a lot of friends in the neighborhood, and love the community. They have a lot of get togethers for the community. They bought the property to build a house in five years, but it seemed like it was insignificant because everyone uses the property. The property has been used for barbecues, 4th of July, Labor Day, and have an annual community event that we invite friends and family of the whole community. The river access is open to the community, we no longer have river access from the community area, because of the floods. We open up access to the river on our property to the community as long as they let us know they are there and follow our rules. We haven't had a single issue with the property. We have a port-a-john, fire extinguisher, and first aid stuff. The property is being maintained and meets the Homeowner Association (HOA) restrictions and by-laws. We have a realtor to give a realtor report. As far as we know, we have not had any complaints. Property has foliage barrier on three sides, the only area without a barrier is the river. The buildings are setback over a 100' feet from the road, and HOA is 45' from road. Any and all events have to be approved, and typically start late morning, and don't run past ten o'clock, no loud music, and most events include children. The majority of the community is over 50 with a few families in the last five years, and that's why we have more children-minded events.

Christy Pond asked to submit rules into evidence.

Frank Monterisi accepted the Rules for Property Use as Applicant Number Two (AP-2).

Mike Nuckles read the rules:

1. No loud music.
2. No amplified instruments or live bands.
3. No fires outside of fire pit
4. No fireworks
5. Be courteous of all neighbors
6. Pick up and dispose of all garbage in bins on site
7. No parking of vehicles on street
8. Curfew is 10:00 p.m.

Paul Weidman asked if there were alligators on the property (referring to the warning sign ZA-1, XL-11).

Christy Pond stated that was for fun. There were gators in Louisiana and they were having a crawfish boil. We had the sign put up with the fake alligator and we named the fake alligator Trooper.

Paul Weidman stated you noted there is a port-a-john on the property. Are you permitted for a septic system on the property?

Mike Nuckles said he had to have it permitted to purchase the property. The septic permit is for a house.

Paul Weidman asked Mr. Nuckles to show on the map where his residence is in relation to the property being discussed.

Mike Nuckles showed the property on the GIS map and stated it is up the road and around the corner. It's probably a sixteenth of a mile, approximately five lots over.

Paul Weidman inquired about the rule of no amplified instruments or live bands, are bluetooth speakers allowed?

Mike Nuckles said they would be allowed, as long as they weren't loud. They don't want to disturb the neighbors.

Lisa Krolak asked if they had the rules for the HOA.

Mike Nuckles stated he did not have them with him.

Frank Monterisi stated the HOA regulations did not pertain to the hearing.

Christy Pond stated John Eaton and Ray Wehr were present and they know the regulations. They should be able to answer any questions.

Chris Jones asked what is driving the request for the special use permit.

Mike Nuckles stated a complaint from a property owner that we had built the deck and here we are trying to make everything right. I did not pull a permit for the structures.

Lisa Krolak stated that the special use permit goes with the land. If you moved away the new property owner would have that same right to have a special use permit.

Chris Jones asked if there was electrical in the shed.

Mike Nuckles stated the shed is not there. That's part of what we are asking for.

Christy Pond stated they use a generator for lights around the pavilion.

Libby Morris asked if the port-a-john was adequate for their events and how frequently was it serviced? And is there a garbage service?

Mike Nuckles stated weekly for the port-a-john. They have a garbage service at their home, and he takes the trash to their home to be picked up.

Libby Morris asked does the curfew at 10:00 mean everyone is gone at 10:00.

Christy Pond said yes, it's cold and we are ready for bed.

Libby Morris asked if you built the deck without permits, how about the pavilion?

Mike Nuckles stated they did not have a permit on that structure either.

Frank Monterisi asked what are the dimension and location of the building being proposed to construct. And will it be a prefab building?

Mike Nuckles stated they haven't decided the exact size yet, but approximately 140 square feet. It's to store the camp chairs and things like that. It will be located west of the pavilion, not far from where the trailer is on the property. Not sure whether it will be a prefab or stick built building. It depends on the cost.

Frank Monterisi stated you mentioned that you lost river access?

Mike Nuckles responded that they lost physical access to the river in the community park back in 2015 due to a flood.

Frank Monterisi asked are there any precautions in place for that not to happen at this location? And how are you addressing erosion issues?

Mike Nuckles stated it has flooded there and the steps were under water, but have withheld. They were there before we bought the property. There haven't been any issues with erosion over the past few years.

Frank Monterisi asked how critical is the river access to you?

Mike Nuckles stated it was very critical. It's what we love about it. We go out there and sit in the water, and so do the dogs. They love it more than we do. When the water is down, there is a little island, sandbar.

Christy Pond stated they take chairs down there and sit and throw balls to the dogs. We make it a family day. We have hamburgers and hotdogs and have a nice day out there.

Frank Monterisi asked if they have any plans on putting in the septic.

Mike Nuckles explained not until they build the house, maybe five years or it might be twenty-five years. We have a house around the corner.

Christy Pond shared it is an extension of our house. It's where we go because our house isn't very big.

Frank Monterisi wanted to know how big a gathering they have?

Mike Nuckles said sixty to eighty.

Frank Monterisi stated he assumed that the majority of the people coming for these gatherings are within walking distance or use a golf cart? There are no real issues with parking?

Mike Nuckles agreed.

Frank Monterisi stated some of the Board members have concerns about the structures that are already up or might go up, what are the legalities of it.

Jana Berg stated the building inspector is the one that issues the building permits for the structure and they will need to guide them in what they require of them for their building permit.

Paul Weidman asked if the granting or denying of the special use permit would not determine whether the structure is allowed or not allowed, it's a separate process.

Jana Berg stated in order for him to pull a building permit and inspect what is already there, he would need a zoning permit first. This is the first step in getting his building permit.

Mike Nuckles stated he has a realtor to testify.

Frank Monterisi stated he would like to hear from Mr. Wehr or Mr. Eaton about the HOA before the realtor.

Jana Berg said she had a question about the HOA testimony. Why we are looking at the HOA rules for this hearing. The rules should not be considered in

the determination. You could grant the permit and the HOA may not allow it and get an injunction against them and not allow it.

Frank Monterisi said so it is similar to us granting without a septic permit or anything else?

Jana Berg agreed.

Paul Weidman asked would it clarify to say the more restrictive would apply. If we granted the permit and it was against the HOA?

Jana Berg stated that is correct. If the board grants the permit and it doesn't meet the HOA requirements, it's up to them to enforce. And the applicant could request to get their covenants changed to allow it.

Frank Monterisi asked if he could ask the question.

Jana Berg stated you can ask it but it doesn't have any relevance.

Ray Wehrs stated he is the current president of the HOA and has lived there for two years, he's been involved with the board for the last 18 months. John Eaton is his mentor and if he can't answer he will refer to him.

Frank Monterisi asked are you aware of restrictions in the HOA that would prohibit the activity to go on or the structures to be built and used.

Ray Wehrs stated it is not a home owners association, it's a property owners association (POA). Mike and Christy have a piece of property that they are using is in alignment with the community. There are some conflicts within the document, depending how you look at it. As a property owner and the enjoyment of that property, the use falls within the covenants. With his intent to use it as a park, an extension of his home, Mr. Wehrs says it fits within their covenants.

John Eaton stated he built a house in 2009, lived there since 2012, was on the board from 2014 until 2023. The covenants speak to building houses and outbuildings. You can build an outbuilding without building a house, but the requirements state it cannot have a bathroom or kitchen. You can build a building like the pavilion and have electric and water in it. You are not restricted from building anything from your property as long as it meets the building codes and does not violate the covenants.

Frank Monterisi stated, as our attorney instructed, it will be up to your board to address any violations within the HOA. The special use permit addresses the use permitted by the county. The building inspection department will decide if it is built to code or not.

John Eaton stated I thought the reason we were having this meeting is to see if this falls within Polk County's permitting system and see if it is something that would be permitted?

Frank Monterisi clarified it is for the use, not for the construction of the building.

John Eaton said there have been multiple events at the property, some of them rather elaborate. They bring in a generator and have entertaining music. We have had multiple hamburger and hotdog cookouts. The property aesthetically does not bother anybody.

Ray Wehrs said it is a beautiful piece of property. The four points, is the property safe, yes it's safe as any other park. It's kept very clean. There is no noise that interrupts the community. I've been there for two years and I have never had an issue. Mike and Christy are good neighbors to the community. He cleans up fallen trees in the community. I don't believe there will be any issues.

Nikki Sauve asked to put into evidence a real estate packet.

Frank Monterisi put the real estate packet into evidence as Applicant Number Three (AP-3).

Nikki Sauve introduced herself as a realtor with Tryon Horse and Home Realty. She targeted four areas in Polk County that had recreational structures, Harmon Field, Overmountain Vineyards, Mountainbrook Vineyards, and Veteran's Park. The distance from these locations was within 1-2 miles. Following the market and the comps, the market is slower, and only went back a year, things are selling within 11% of asking price, most of them are in the mid-nineties. Some realtors have not acknowledged that the market has shifted, and list price does not always reflect the shift. Some are going for 125% over list price, and the smallest is 89%. These comps clearly show there is no negative affect for recreational properties to neighboring property values. There is a community area in this particular neighborhood when you enter the development, as soon as you come through the gates, it sets the tone. This subdivision is a recreational subdivision. The first comp sheet is Overmountain on Sandy Plains, not too far from the Green River Highlands. There are five properties, within two miles. The one that was on the market the longest, 177 days, was slightly overpriced for the market. Without narrowing any perimeters, the comps show the closing prices were 96%, 102%, 121%, 95% and 89% of asking price. The same scenario for Mountainbrook Vineyard is 102%, 95%, and 89% of the asking price. The 89% one is the same one referred to earlier.

Frank Monterisi asked about the house on the market for 177 days that was overpriced, 2800 Coxe Road. What did that house sell for prior to any of these recreational amenities were built?

Nikki Sauve said that's almost impossible to figure out, because there has been a steady increase in the market. So prior to that there would have to be a ratio of direct impact from that recreational facility, and if that didn't exist and the market was at 15% below where it is now, that is not necessarily relative. What is being shown is there is turn off from these recreational amenities.

Frank Monterisi stated there is nothing showing that. What we are looking at is

the recreational facility actually affecting the value of that house. The only way we can determine that is what did a piece of property sell for before it went up?

Nikki Sauve said I understand your question, but without having a set factor, numeric factor to find that data, and by looking at these properties close to these facilities selling for 102% over list price shows there an obvious demand and values are clearly shown at Harmon Field, which has been there forever in some format.

Frank Monterisi said from the listing that you had of the 102%, it sold in 12/21/2023. When was the last time it was sold? Let's say it was sold five years prior? Did it sell for 450 and now it's selling for 328?

Nikki Sauve said you are looking for a decrease? They can be pulled. I was looking at demand which is usually a direct derivative of value.

Frank Monterisi said we are looking at what affect a recreational facility might have. What about anything that was sold in that neighborhood?

Nikki Sauve said one went under contract today and can pull that information.

Frank Monterisi asked if that was something she could do before this meeting adjourns, just a couple?

Nikki Sauve stated yes she can. Just let me know the specifics of what you want.

Paul Weidman said there are two ways you could determine value on surrounding properties. One would be if you could show the before and after of the trend line of the change in properties before a facility like this was put into the neighborhood, compared to after. The other is a comparison of the trend line change in properties with this type of use, compared to properties without. Because if you're trying to say how does that type of affect property values. We need to have a before and after or a comparison that have that sort of use close to it, compared to properties that do not.

Nikki Sauve stated the only note on that is it is not the same upward incline that was in 2021.

Paul Weidman said there will be a trend.

Frank Monterisi said it is not individual sale, it's the trend. The facilities, Veterans Park and Harmon Field, have all been in place for more than five years. Can you look in Green River Highlands?

Nikki Sauve said the trend line has plateaued or come down this year, probably 15% lower. Houses in Green River Highlands were higher in 2019, 2020, 2021 per square foot because of Covid and the interest rate. It's generally a place where people get loans for 300, 400, and 500,000 dollars. I can look and get back to you with that information in Green River Highlands.

Paul Weidman asked for clarity on the handouts, AP-3.

Nikki Sauve stated first one is Overmountain on Sandy Plains, second is Mountain Brook, Harmon Field and the Veterans Park, Gibson Street, Columbus.

David Morl stated his name and shared that he was the previous treasurer on the board, has lived in Green River Highlands for 2.5 years. He wants to address points 2, 3 and 4 of the criteria for the permit. He has not had one grievance, trash or safety issues in the community. He is in the process of selling his property. Mike and Christie have had a huge positive impact on the community. He is in favor of the facility and supports it.

Frank Monterisi asked how long he has been on the board.

David Morl stated for over a year.

John Eaton stated he has been on the board for 9 or 10 years. He has lived in Green River highlands since 2012. The covenants don't restrict the use. The deck has railings and has safety restrictions. They are controlling access to the property with a gate. As far as property values, he asked if anyone in the room was against this Special Use Permit, there was no reply from the audience. Most of the people here live in Green River Highlands. There are five people in this room that have bought property since this property was used for the river access, Marshall, Wendy, Janet, Capoti, and Darrell. This is not affecting the property values. People come in and ask what that is, and we say it is access to the river. Mike has done a good job at what he built. He has been present for nine or ten floods. During one flood, six feet of water came up into his backyard, and when we went to look at this property, and the water had not gotten up to where the deck is. We know the floods are going to erode the banks, but structures have stayed. We have had floods due to hurricanes. It does not affect the values of the properties in Green River Highlands.

Paul Weidman asked Mr. Morl if this use is having a negative value on his property.

David Morl stated it is a positive value on his property.

Paul Weidman asked if anyone that signed up to speak and were sworn in, if they bought their property while that use was there, would they testify if it affected their property values or decision to purchase?

Ray Wehrs stated he had bought his property in the last two years, he saw the property prior to purchasing, and drives by it to get to his house. He was impressed by the way it was maintained. It was a value plus for him.

Frank Monterisi asked about safety, the U-shaped driveway on the property, and how many gates are on the property?

John Eaton responded that there is one gate on the property near Zachary.

Frank Monterisi asked since there is one gate does that affect the safety, since there is access through the other side?

John Eaton stated there are no trespassing signs on the property.

Christie Pond verified that there are no trespassing signs on the property.

Frank Monterisi explained that since you testified on the gate as safety, we needed to clarify if there was only one gate in terms of the access.

John Eaton stated there is a gate now, and there wasn't a gate before.

Denise Noonan stated she has lived in Green River Highlands for five years. She is a direct neighbor of Mike and Christy. They have been a positive influence on the neighborhood, our relationships, and our community. She drives by at least twice a day. The lot is not an eyesore. It has not affected my property value. Everything they have done has been positive.

Paul Weidman asked when she had bought her property and if it was being used for recreation at that time?

Denise Noonan stated she bought her property in 2019 and it was vacant at that time.

Nikki Sauve stated she did a quick MLS search as asked and found three properties within Green River Highlands that sold in 2023 and their previous sale dates and prices. 69 Ash Creek, sold at a price in September 2017 of \$90,000 of vacant land, in February 2022 sold for \$160,000. 816 Cross Ridge, a residence, sold in December 2020 for \$225,000 and in February 2023 for \$295,000. 138 Elliott Lane, a residence, sold in July 2018 for \$216,000 and in February 2023 for \$358,000.

Frank Monterisi asked how close these were to the property for the Special Use Permit.

Nikki Sauve stated they were all relatively close and on that side of the subdivision, within the subdivision. If there are no more questions, she requested to leave.

Paul Weidman asked Nikki Sauve if she was selling property in the area, would she have to disclose to a prospective buyer that this facility existed.

Nikki Sauve said she would disclose it and say there is this property here and the owners are wonderful and they allow river access to the community, probably until they put a house up and then you will have to knock. She doesn't consider it a negative.

Libby Morris asked if the property on Ash Creek was vacant land, were any

improvements made to that property between the two dates?

Nikki Sauve stated not on the MLS. When they bought in 2022, it was vacant.

John Eaton stated there has been a house built on that property.

Albert Troutman introduced himself. He lives on 34 Zachary Lane, purchased his house three years ago in 2020. He lives across the street from this property and is the most affected by this facility. If he were to put his property on the market today, he would consider the property across the street a positive. He would tell them you can walk across the street and have access to the river. He has improved the property value. His wife decorates with flags and Christy and his wife both enjoy that. The property is always decorated and it looks nice. When he bought the property, the property across the street was run down, but now there is a beautiful facility that they graciously allow us to use on the property.

Scott Crews stated he has lived in the neighborhood for three years. When we moved into the neighborhood, that property was all grown up and now it is taken care of. He worked in that neighborhood prior to purchasing property in there. He bought in the heat of Covid and his place has doubled in value. If anything ever needs be done I just call Mike Nuckles and he is there to help. He was there for me when my son was sick, he let my dog out. If you are going to get into people's business, there is a guy in the neighborhood who complained that created this. Go look at his buildings, he is not doing what he is supposed to.

Frank Monterisi stated we are not enforcement. Mr. Nuckles personal character had never come into question.

Scott Crews stated the values have increased and he has not broken any HOA rules. What they have done to the property has probably doubled or tripled what they paid for it.

Ellen Cantrell testified. This is hard to do because a lot of the people attending are her clients and she suggested to some of them to buy houses in this neighborhood. She owns 360 acres that join the back of the development. She could have stopped the development because she granted them a right of way to the property. She has allowed residential use only, not the pavilion or park to be built. She has a pavilion, a gate house, the main house, and a tea room. It is opened to the public. The house was built over 200 years ago and owned by Miss Coxe. She has owned the house for 36 years. She promised her father when she was twelve years old that she would protect that house. She got a call from Washington, DC that the house was going to be torn down. She said she was going to buy it and bought it over the phone. She has spent over a million dollars on it. The name of the facility is Green River Plantation. She does not want to offend anybody, but she did not give them permission for commercial use across her property. It crosses about seven acres of my property. Commercial use will make me liable, it will cost greater insurance.

Frank Monterisi stated the intent is not for commercial use.

Ellen Cantrell stated she believes it is commercial. She wants a letter from Green River Highlands stating it is not for commercial use. She told them they can put a sign on and look at the sign they put up. She never gave them permission to pave the road into the neighborhood. She does not want a commercial facility that is being rented out.

Frank Monterisi stated no evidence has been brought forth that there is any intent in renting out the facility. It is going to be used for the Green River Highlands residents.

Ellen Cantrell stated she was told they were going to have weddings on the property. She does not want commercial people going up there for weddings and barbecuing. The road is not suitable. They were going to bill me for taking out trees. Thank you for listening. Come to my facility.

Christy Pond stated they are not going into business, they just want to share their property. They are no competition to their business at all.

Ellen Cantrell stated if she see a wedding invitation to the property she will be right back over here.

Paul Weidman asked where is the property of Green River Plantation in relation to Green River Highlands.

Ellen Cantrell stated it is all the way around it. The entrance to it is built on part of her land.

John Eaton stated it was paid for.

Ellen Cantrell stated it was not paid for.

John Eaton stated he found all the documents on it.

Ellen Cantrell stated the entrance from Coxe Road into Green River was paved without permission. She's 87 years old and the house was falling down and would not be there if it wasn't for her. She spent her last dollar and retirement on it.

Frank Monterisi stated from a personal note, he thanked Ms. Cantrell for maintaining Green River Plantation.

Paul Weidman asked Mr. Nuckles when he started using this property for recreational events.

Mike Nuckles stated it was two and a half years ago. They invited the whole neighborhood to the property.

Paul Weidman asked when the structures were built on the property.

Mike Nuckles stated last year.

Paul Weidman asked if there was somebody on the list that can testify on access to the Green River Highlands and to this property and whether it is permitted by right of way through Ms. Cantrell's property or around it.

John Eaton stated he did some research about ten years ago because Verizon built a tower on Ellen's property that comes off the entrance of our property and they damaged the road. So we tried to figure out who could help us pay for the damage. It turns out 20 to 25 year ago Ellen owned the property and was approached by a developer, not Dave Myers who developed Green River Highlands, another guy got an agreement to get a right of way to that property so that Dave Myers could develop it. Once he got the right of way, he ceded that to Dave Myers, and Dave Myers built Green River Highlands. There was no road built there without Ellen's knowledge. The road was built after the right of way was granted.

Paul Weidman asked if the access to the property is on a legal right of way.

John Eaton stated yes, it is. Coming off of Coxe Road, directly north under the 74 underpass, it goes straight north, it is about 3/4 of mile of right of way and when it gets to the gate it is Green River Highlands property.

Paul Weidman asked how wide the right of way is.

John Eaton said the road itself is about 16' wide, so it is probably about 30 feet.

Jana Berg said she could answer that because there is a copy of the deed in the packet, ZA-1, Deed Book 472, Page 66, it states "Mtn. Creek Land Co., Inc. specifically conveys herewith a non-exclusive perpetual easement and right of way over that sixty (60) foot wide easement and right of way, which was acquired by it by the Deeds of record in Book 283, at Pages 1480 & 1483, Polk County Registry, and which right of way is shown on the subdivision plat hereinabove referred to."

Ellen Cantrell said that is not what it says, it was recorded and filed in 279.

Audience member stated it is a different right away that was going around the edge of the property and is not relevant to any of this.

Frank Monterisi stated you were not sworn in and we can't use your testimony.

Jana Berg stated the information to the right of way is in your packet.

Frank Monterisi referred to Paul Weidman's question. Was anyone here to testify that has purchased property in the last two and a half years since the property has been used as a recreational facility for the community that is on our witness list?

Paul Weidman stated Mr. Wehr testified that he bought the property after the

use began. David Morl also. Denise Noonan bought her property about five years ago, so that preceded the use. I think I got the information about the property.

Frank Monterisi stated Mr. Crews was there about three years as well. Frank Monterisi asked Mr. Nuckles if he had the fire marshal inspect the property?

Mike Nuckles stated he did not, but there were firefighters that lived in the neighborhood.

Frank Monterisi asked Mr. Eaton how long he had been on the board.

John Eaton stated he is not currently on the board, but from 2014 until last year, 2023.

Frank Monterisi asked while Mr. Eaton was on the board was the property being used for recreational use?

John Eaton stated it was.

Frank Monterisi asked if there were any complaints to the board about the property.

John Eaton stated there has never been a complaint about the property. The only thing that may have been said was prior to them owning it, the property was kind of ragged.

Frank Monterisi asked if there is anyone that testified that is on the board since the time Mr. Eaton has been off the board.

John Eaton stated Ray and Denise both are on the board.

Denise Noonan said she is the current treasurer.

Frank Monterisi asked Denise Noonan to her knowledge if there have been complaints about this property?

Denise Noonan stated there have not been any to the board.

Chris Jones asked what the width of the gate is.

Mike Nuckles stated it is 16 feet wide on our property.

Jana Berg stated you may want to address the noncommercial uses, whether or not the applicant will accept that as a condition, because the next owner could use it for commercial uses, such as a wedding venue.

Chris Jones asked Mr. Nuckles, do you have any intent to use the property as a commercial use, and would you accept the approval with a limit to noncommercial uses only?

Christy Pond said they would.

Mike Nuckles also agreed.

Jana Berg said you can put those conditions on the permit when you deliberate.

Lisa Krolak said she had some questions about the commercial, and making that for noncommercial use, would that run with the land?

Jana Berg said yes, it would as long as you grant the permit, it runs with the land.

John Eaton stated there are some commercial uses within their development, horse stable and Air BnBs.

Frank Monterisi stated we are only looking at the applicant's property for the Special Use Permit, not the overall subdivision, and this Board has a right to put on certain provisions for approval.

Paul Weidman stated when we come to the deliberation, if the permit is granted, and if conditions are added, we will need to ask our attorney during deliberations if you can place restrictions on this permit against uses that are permitted. That should be held for the deliberations.

Frank Monterisi stated we will adjourn and will reconvene in about a week or so to deliberate, we will come up with a date. We go through the findings of facts and discuss what conclusions. The Chair will typically ask the panelists what he or she thinks and come up with conclusions. There will be no additional testimony at that meeting, and we ask that the applicant be at the hearing if there are any conditions put on the permit, they can agree or disagree on the record.

Paul Weidman added that the Board is not permitted to discuss the case until we are back in an open hearing and we are not permitted to have discussions with any of the parties to the hearing.

Audience member wanted to ask a question and referred to a variance.

Frank Monterisi stated there is a difference between a variance and a Special Use Permit.

Cathy Ruth stated she would talk to her after the hearing to explain the differences and processes.

The board discussed dates to reconvene. The date to reconvene the meeting was February 20, 2024 at 5:00 p.m.

5. Other Business

No other business discussed.

6. Public Comments

No public comments.

7. Adjournment

The meeting was recessed.

POLK COUNTY BOARD OF ADJUSTMENT

AGENDA ITEM

MARCH 5, 2024 REGULAR MEETING

Agenda Item#: 4.

ATTACHMENTS:

Description	Type	Upload Date
Staff Report - Littlejohn	Cover Memo	2/27/2024



To: Board of Adjustment

From: Chelsea Allen, Zoning Administrator

Date: March 5, 2024

Re: In the Matter of the Application of Cary Littlejohn for a Special Use Permit, Docket No. 2024-02 (SU)

A. Action Requested by Board of Adjustment

1. Review all currently available information prior to meeting
2. Consider Special Use Request

B. Background

1. On October 18, 2023 Cary and Courtney Littlejohn met with staff regarding a Storage and Warehousing facility at 591 Walker Road, Columbus, NC 28722, identified as Tax Parcel ID P73-188 in the tax records of Polk County, and consisting of approximately 2.00 acres. The property is located in the Multiple Use (MU) zoning district.
2. Cary Littlejohn provided a completed application, applied to the Board of Adjustment for a Special Use Permit for a Storage and Warehousing facility on January 29, 2024. The hearing was scheduled for March 5, 2024 at 5:00pm.
3. The property, comprised of 2.00 acres, is identified as Tax Parcel P73-188 on the tax records of Polk County. The property is located in the Multiple Use zoning district.
4. Exhibits included:
 - Exhibit XA consists of the General Application Form and site plan.
 - Exhibit XB consists of the zoning permit/application and receipt of \$100.00.

- Exhibit XC consists of the recorded deed in the Register of Deeds Office dated September 26, 2023, Book 480, Page 2198.
- Exhibit XD consists of the recorded plat in the Register of Deeds Office dated September 12, 2023, Book G, Page 535.
- Exhibit XE consists of the Polk County Property Card tax record for P73-188.
- Exhibit XF consists of Polk County Geographic Information System (GIS) map, P73-188.
- Exhibit XG consists of a Google Map of parcel area.
- Exhibit XH consists of P73-188 and surrounding parcels' zoning from Polk County GIS site.
- Exhibit XI consists of P73-188 and surrounding parcels' current uses from the Polk County GIS site, tax record.
- Exhibit XJ- consists of the signed and notarized Affidavit of Mailing of notice of public hearing to adjacent property owners, property owner, and applicant; including map of adjacent property parcels and addresses.
- Exhibit XK consists of the signed and notarized Affidavit of Posting of notice of public hearing and photos of posted signs.
- Exhibit XL- consists of pictures taken by staff of the parcel.



GENERAL APPLICATION FORM

Docket No: 2024-02-SU

Date: 1-29-2024

Permit Fee: \$100.00

Receipt #: ZP 26061/029747

Permit or Relief Requested: Appeal*

Variance: Special Use Permit

Applicant: Cary Littlejohn

Owner: Courtney Littlejohn

Address: 155 Chandler Downs Trl Inman SC 29349

Address: 155 Chandler Downs Trl Inman SC 29349

Telephone: 828-755-4828

Telephone: 828-817-9908

Legal Relationship of Applicant to Property Owner: Husband

Purpose of Request: Storage units

Property Location: The corner of Fox mtn rd and Walker rd.

Street Address: 591 Walker Rd, Lot C, Columbus, NC

Tax Map & Parcel Number: P73-188 Lot Size: 2 acres Zoning District: MU

Number Of Buildings To Remain: 1 Gross Floor Area To Remain: 6,000 sq ft

Number Of Buildings Proposed: 5 Gross Floor Area Of Proposed Buildings: 8,000 sq ft

Total Square Footage Of Land To Be Disturbed: 0.98 acres Estimated Cost Of Project: \$250,000

Please provide clear directions (with landmarks) to the property: The corner of Fox mtn and Walker rd. The first large building on the right.

If needed to illustrate the appeal, or to request a variance or a special use permit, please attach a plot plan.

The applicant (if an owner of the property) grants the members and staff of the Polk County Board of Adjustment, and the Polk County Zoning Administrator and members of his staff, the right to enter onto the property for purposes of making a site inspection in connection with this proceeding. This right of entry shall not extend to any of the interior of any structures or enclosures on the property.

Cary Littlejohn

Signature of Applicant

* Please attach a copy of the Zoning Administrator's written decision, if available.

I, Courtney Littlejohn, give my consent and permission as property owner of Parcel P73-188 to my husband, Cary Littlejohn, to represent me in the application before the Board of Adjustment in the matter of the Special Use Permit request.

2/22/2024

A handwritten signature in black ink that reads "Courtney Littlejohn". The signature is written in a cursive style with a large, looping initial 'C'.

XA-3

BENT 5/8"
EIP @ OAK

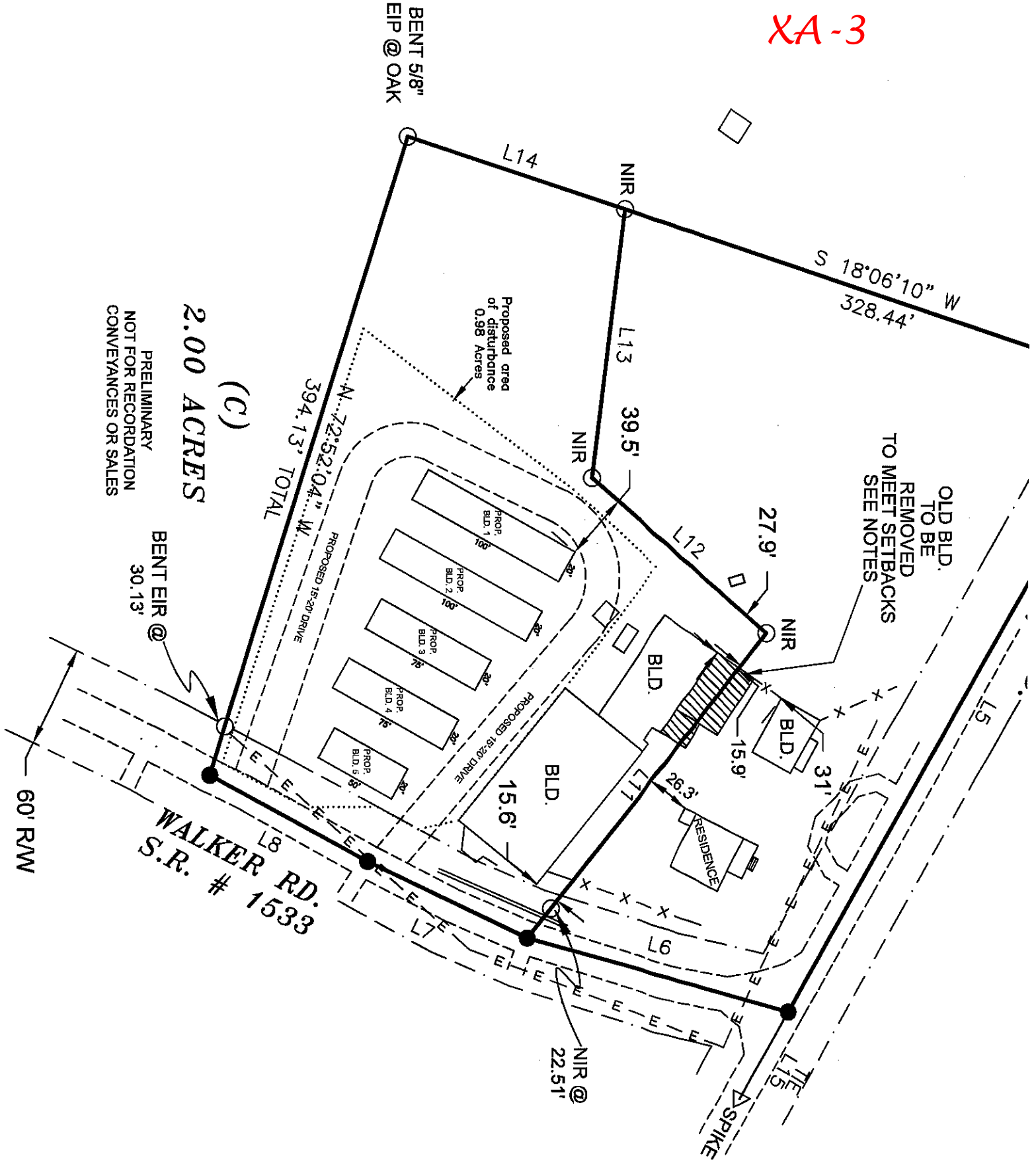
PRELIMINARY
NOT FOR RECORDATION
CONVEYANCES OR SALES
2.00 ACRES

(C)

BENT EIR @
30.13'

WALKER RD.
S.R. # 1533

60' R/W



OLD BLD.
TO BE
REMOVED
TO MEET SETBACKS
SEE NOTES

Proposed area
of disturbance
0.98 Acres

DATE 1/29/24
TIME 15:02:41
USER PLCHELS

POLK COUNTY
APPLICATION AND PERMIT

XB-1

PAGE 1
PROG# PT2000

PERMIT NUMBER ZP 26061 ZONING PERMIT APPLIED 1/26/2024
WORK ORDER# 50578 TYPE ZONING BOARD OF ADJUSTMNT ISSUED 1/26/2024
LOCATION 591 WALKER RD EXPIRES 7/24/2024
PIN HEALTH REFERENCE
PARCEL ID P73-188 COLUMBUS ACREAGE 2.000 CENSUS TRACT
TOWNSHIP 9 COLUMBUS- OUTSIDE ACRES 2.000 CENSUS TRACT
WATERSHED NOT IN WATERSHED FLOOD PLAIN? N SBC#
DIRECTIONS R/ WALKER, R/ 108, R/ FOX MOUNTAIN, R/ WALKER RD ON CORNER OF
BOTH WALKER AND FOX MOUNTAIN- STORAGE BUILDING

LITTLEJOHN COURTNEY H OWNER ID 59274
HALFORD GAIL E PHONE
PO BOX 591

COLUMBUS NC 28722

APPLICANT LITTLEJOHN, COURTNEY & CARY 828.817.9908
OCCUPANT

SUBDIVISION
W HOME PARK LOT #:
ZONING DISTRICT MU
COND/ SPECIAL USE
SETBACK FRONT: 25 REAR: 25 RIGHT: 15 LEFT: 15
PARKING SPACES
SIGNS/ PAVING
TYPE WATER/ SEWER
DESCRIPTION SPECIAL USE PERMIT - STORAGE AND WAREHOUSING

SURVEYOR
GENERAL

SITE PLAN

*
*
*
*
*
*
*
*
*
*

PERMIT ISSUED: 1/26/2024 BY: PLCHELS PERMIT EXPIRES: 7/24/2024 or 12 months from last inspection

I HEREBY CERTIFY THAT THE INFORMATION GIVEN IS TRUE TO THE BEST OF MY KNOWLEDGE AND THAT ZONING IS SUBJECT TO ALL ADDITIONAL REGULATIONS PERTAINING TO THE PROPOSED USE. I UNDERSTAND THAT THIS PERMIT IS VOID AND OF NO EFFECT WITHIN 30 DAYS OF ISSUANCE IF NO BUILDING PERMIT HAS BEEN ISSUED FOR THE PROPOSED USE.

On File
SIGNATURE OF OWNER/ AGENT

1-29-2024
DATE

Cherise Allen
CODE ENFORCEMENT OFFICIAL

DATE 1/29/24
TIME 15:02:41
USER PLCHELS

POLK COUNTY
BILLING NOTICE

XB-2

PAGE 2
PROG# PT2000

PERMIT NUMBER ZP 26061 ZONING PERMIT APPLIED 1/26/2024
WORK ORDER# 50578 TYPE ZONING BOARD OF ADJUSTMNT ISSUED 1/26/2024
LOCATION 591 WALKER RD EXPIRES 7/24/2024
PIN HEALTH
PARCEL ID P73-188 COLUMBUS REFERENCE
TOWNSHIP 9 COLUMBUS- OUTSIDE ACREAGE 2.000 CENSUS TRACT
WATERSHED NOT IN WATERSHED FLOOD PLAIN? N SBC#
DIRECTIONS R/ WALKER, R/ 108, R/ FOX MOUNTAIN, R/ WALKER RD ON CORNER OF
BOTH WALKER AND FOX MOUNTAIN- STORAGE BUILDING

LITTLEJOHN COURTNEY H OWNER ID 59274
HALFORD GAIL E PHONE
PO BOX 591

COLUMBUS NC 28722

APPLICANT LITTLEJOHN, COURTNEY & CARY 828.817.9908
OCCUPANT

SERVICE	QUANTITY	RATE	FEE AMOUNT	FEE PAID	FEE DUE
ZBA	1	100.00	100.00	100.00	
PAID BY: LITTLEJOHN COURTNEY H			CK#:	8719 PAID BY CREDIT CARD	
TRANSACTION	TOTALS		100.00	100.00	

XC-1

BK 480 PG 2198 - 2199

Assessor MO
Collector MO
Land Use MO

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: 00.00

Parcel Identifier No. P73-25 (portion of)

Mail after recording to: The Lyda Law Firm – 308 Martin Luther King Jr. Blvd. Hendersonville, NC 28792

This instrument was prepared by: Jack Lyda – The Lyda Law Firm (NO TITLE EXAMINATION, DEED PREPARATION ONLY)

THIS DEED made this 26th day of September 2023 by and between

GRANTOR

**Gail E. Halford, unmarried
PO Box 591
Columbus, NC 28722**

GRANTEE

**Courtney H. Littlejohn and Gail E. Halford
As joint tenants with the Right of Survivorship
PO Box 591
Columbus, NC 28722**

Submitted electronically by "Jack Lyda PLLC" in compliance with North Carolina statutes governing recordable documents and the terms of the submitter agreement with the Polk County Register of Deeds.

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 Polk County North Carolina and more particularly described as follows:

BEING all of TRACT "C", containing 2.00 acres as more fully shown and delineated on a survey entitled "Survey for Gail E. Halford" prepared by Butler and Associates Land Surveying and recorded in the Office of the Register of Deeds for Polk County at Plat File G Slide 535 and which Plat is incorporated herein by reference and made a part hereof for a more complete description hereof.

SUBJECT to restrictions, easements and rights of way affecting the subject property as will appear by reference to the public records and any amendments thereto in the Polk County, North Carolina Register of Deeds Office.

BEING a portion of the property as conveyed in that Deed to the Grantor herein in Book 231, Page 1332 in the Polk County, North Carolina Register of Deeds Office.

The above-described property does not include the primary residence of the Grantor.

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

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the

same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.

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

Polk County ad valorem taxes for 2023, and subsequent years, which are a lien, but not yet due and payable, easements, rights of way, zoning and use, statutes, regulations and restrictions of record.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officer(s), the day and year first above written.

GAIL E. HALFORD (SEAL)

Gail E. Halford

NORTH CAROLINA - HENDERSON COUNTY

I, Jack A. Lyda, the undersigned Notary Public of the County and State aforesaid, certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she signed the foregoing document for the purposes therein expressed: GAIL E. HALFORD

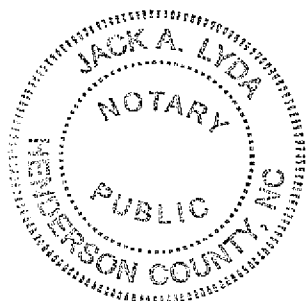
Witness my hand and official stamp or seal, this the 26th day of September, 2023

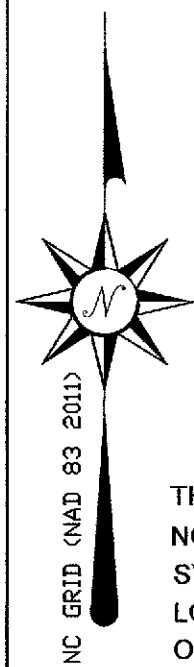
My Commission Expires: 3/14/2026

Notary Public

(NOTARY SEAL)

Print Notary Name: Jack A. Lyda



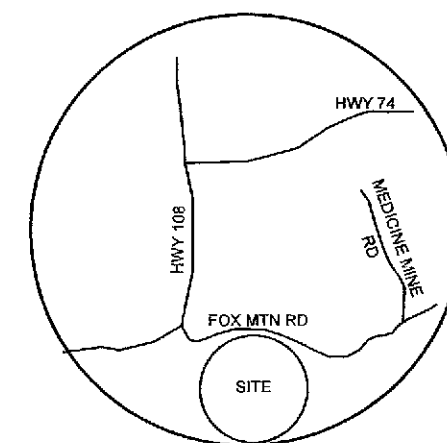


XD

THE POLK COUNTY HEALTH DEPARTMENT HAS EXPRESSED NO OPINION AS TO THE SUITABILITY OF PRIVATE SEPTIC SYSTEMS OR WATER SYSTEMS ON THIS PROPERTY. EACH LOT IS SUBJECT TO INDIVIDUAL INSPECTION AND APPROVAL OF SEPTIC SYSTEMS.

SURVEY FOR GAIL E. HALFORD COLUMBUS TWP., POLK CO., NO. CAR. LEGAL REFERENCE: D.B. 231-1332, W.B. 16E PG. 36 SEPTEMBER 12, 2023 BUTLER ASSOCIATES LAND SURVEYING, PLLC. P.O. BOX 745 COLUMBUS, NC 28722 828-859-5390 NC FIRM NO. P-1922

Doc ID: 00496422001 Type: CRP Recorded: 09/13/2023 at 12:58:40 PM Fee Amt: \$21.00 Page 1 of 1 Polk, NC Sheila Whitmire Register of Deeds BK G PG 535



VICINITY MAP (NOT TO SCALE)

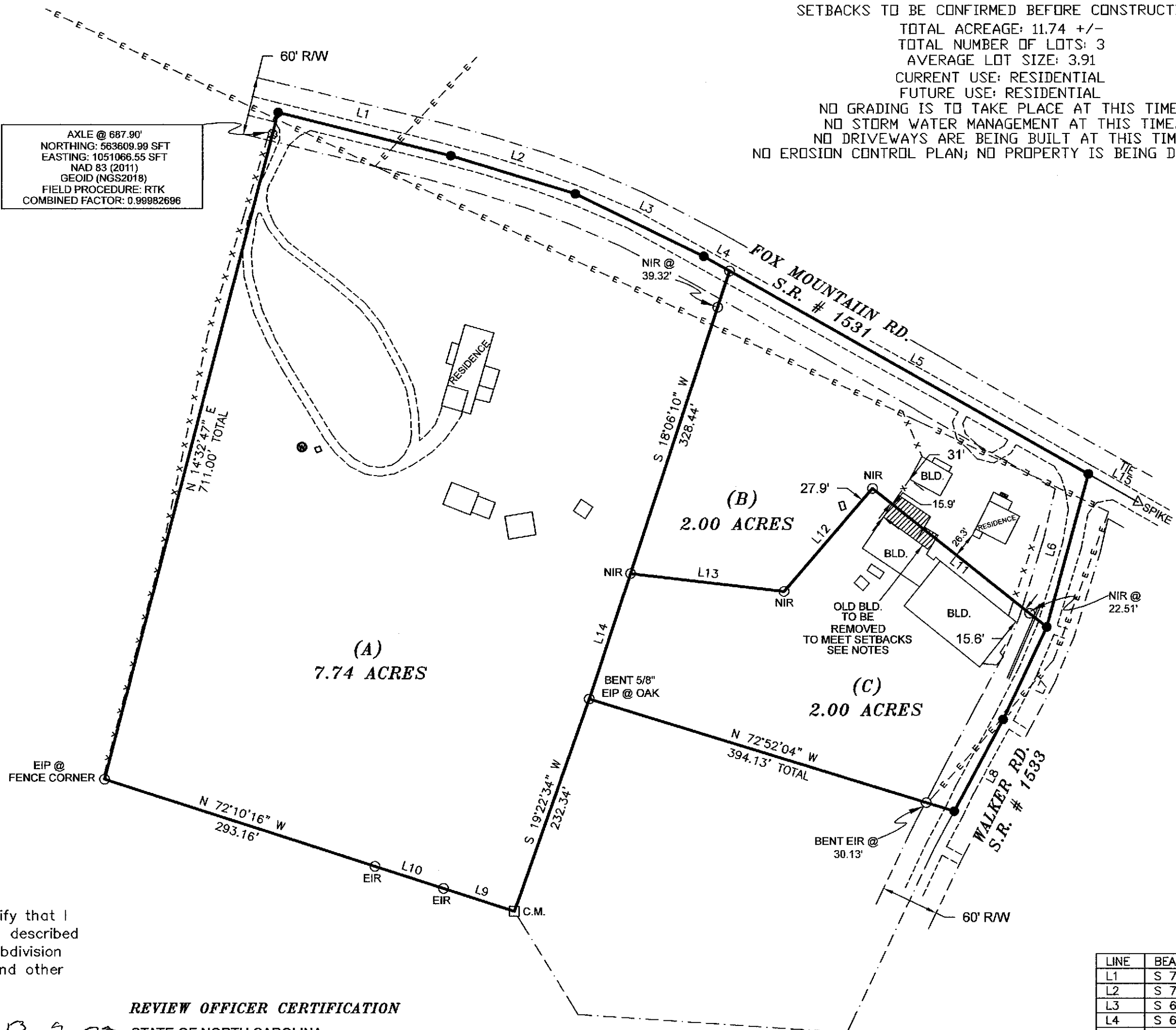
NOTES: THIS PARCEL IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD. NO TITLE SEARCH PERFORMED BY BUTLER ASSOCIATES. ALL DISTANCES ARE GROUND DISTANCES IN U.S. SURVEY FEET UNLESS OTHERWISE NOTED. THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AS DETERMINED BY THE FEDERAL INSURANCE RATE MAP OF NORTH CAROLINA. THE OLD BUILDINGS, SHEDS ETC. THAT ENCR OACH INTO THE SETBACK ARE TO BE REMOVED BY THE OWNER.

SITE DATA CURRENT ZONING: MULTIPLE USE (MU) SETBACKS: FRONT - 25', SIDES- 15' AND REAR - 25' SETBACKS TO BE CONFIRMED BEFORE CONSTRUCTION TOTAL ACREAGE: 11.74 +/- TOTAL NUMBER OF LOTS: 3 AVERAGE LOT SIZE: 3.91 CURRENT USE: RESIDENTIAL FUTURE USE: RESIDENTIAL NO GRADING IS TO TAKE PLACE AT THIS TIME. NO STORM WATER MANAGEMENT AT THIS TIME. NO DRIVEWAYS ARE BEING BUILT AT THIS TIME. NO EROSION CONTROL PLAN; NO PROPERTY IS BEING DISTURBED.

STATE OF NORTH CAROLINA POLK COUNTY OFFICE OF REGISTER OF DEEDS FILED FOR RECORD THIS THE 13 DAY OF Sept. 2023 AT 12:58 O'CLOCK P M AND DULY REGISTERED IN SAID OFFICE CARD FILE 6 PAGE 535

AXLE @ 687.80' NORTHING: 563609.99 SFT EASTING: 1051066.55 SFT NAD 83 (2011) GEOID (NGS2018) FIELD PROCEDURE: RTK COMBINED FACTOR: 0.99982696

- LEGEND: NIR - NEW IRON ROD CM - CONCRETE MONUMENT EIP - EXISTING IRON PIPE EIR - EXISTING IRON ROD MN - MAG NAIL AG - ABOVE GRADE BG - BELOW GRADE (E) - ELECTRICAL (H) - FIRE HYDRANT (A) - AREA LIGHT (W) - WELL/WATER METER (●) - CALCULATED/UNMARKED POINT (Δ) - MAG NAIL (□) - CONCRETE MONUMENT DRIVE/ROAD APPROX. ADJOINING LINE APPARENT R/W OVERHEAD UTILITIES BOUNDARY LINE



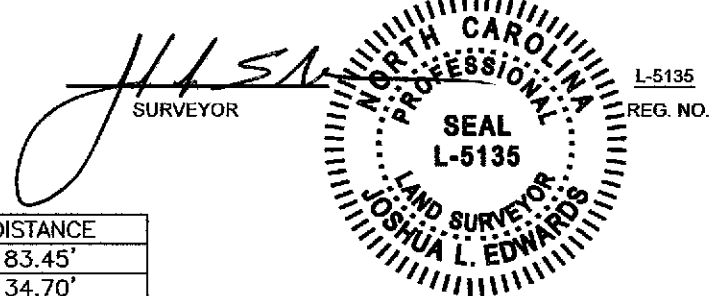
CURRENT OWNER(S): GAIL E. HALFORD P.O. BOX 591 COLUMBUS, NC 28722. Certificate of Ownership and Dedication. I hereby certify that I am (we are) the owner(s) of the property shown and described hereon, and that I (we) hereby adopt this plan of subdivision with my (our) free consent, and dedicate all roads and other easements to public use, where applicable.

Gail E. Halford Owner(s) 9-13-2023 Date

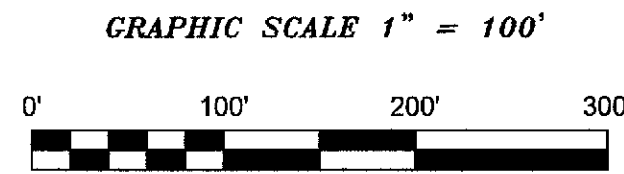
REVIEW OFFICER CERTIFICATION STATE OF NORTH CAROLINA COUNTY OF POLK I, Cathy Ruth, REVIEW OFFICER OF POLK COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING. Cathy Ruth REVIEW OFFICER 9/13/2023 DATE

CERTIFICATE OF APPROVAL FOR RECORDING FINAL PLAT I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HERON HAS BEEN FOUND TO COMPLY WITH THE POLK COUNTY, NORTH CAROLINA SUBDIVISION ORDINANCE AND THAT THIS PLAT HAS BEEN APPROVED FOR RECORDATION WITH THE POLK COUNTY REGISTER OF DEEDS. William Ruth SUBDIVISION ADMINISTRATOR 9/13/2023 DATE

NOTE: THIS SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND. G.S. 47-30(F)(11)(A) STATE OF NORTH CAROLINA, POLK COUNTY, I, JOSHUA L. EDWARDS CERTIFY THAT THIS MAP WAS (DRAWN UNDER MY SUPERVISION) FROM (AN ACTUAL SURVEY MADE UNDER MY SUPERVISION)-DEED DESCRIPTION RECORDED IN BOOK 231 PAGE 1332 BOOK PAGE ,ETC...; THAT THE RATIO OF PRECISION AS CALCULATED BY LATITUDES AND DEPARTURES IS 1/10,000; THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN BOOK N/A PAGE N/A; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S.47-30 AS AMENDED. WITNESS MY HAND AND SEAL THIS 13TH DAY OF SEPTEMBER, 2023.



LINE	BEARING	DISTANCE
L1	S 76°01'08" E	183.45'
L2	S 72°59'03" E	134.70'
L3	S 64°01'26" E	147.30'
L4	S 60°27'41" E	30.71'
L5	S 60°27'41" E	425.70'
L6	S 15°08'31" W	163.49'
L7	S 25°10'00" W	105.55'
L8	S 28°07'02" W	107.20'
L9	N 72°07'37" W	77.01'
L10	N 72°14'17" W	74.23'
L11	N 51°31'27" W	230.09'
L12	S 40°36'47" W	139.92'
L13	N 83°19'01" W	159.59'
L14	S 18°06'10" W	136.24'
L15	S 60°27'41" E	58.83'



TAX PARCEL: P73-25

14620B

6-535

LITTLEJOHN COURTNEY H
591 WALKER RD

N2 FOUND YR 2024 P73-188
LOT C
PIN:
DISTRICT: 9 COLUM TOWNSHIP-

POLK COUNTY

ACCOUNT#: 59274
NBHD: 100C 100C COUNTY RURAL
Plat Bk/Pg G 535 APPR: PJC APPR DT: 9/21/2023
EXCD: NOTICE: TRF 10/04/2023

XE-1

PAGE 1

2.000 AC TWSP: 009

Bldg No. 1	STORAGE/WAREHOUSE	EYB:	591 WALKER RD	Exempt Code	LAND VALUE	33,000
Imp Desc:	RESID D GRADE	AYB: 1957	Finished Area:	6,000.00	MISC VALUE	0
Grade : D	1 Rms	Bedrms	1.0 Bathrms	HBaths	BLDG VALUE	30,874
# of Units					TOTAL VALUE	63,874

TYPE/CODE/DESCRIPTION	PCT	%CMP	UNITS	RATE	STR#	STR%	SIZ%	HGT%	PER%	COST
MA 006 STG. DIST.\WHSE.	100		6000	40.00	1.00		90.00			216,000
- DS EC05 CONCRETE BLOCK	100		6000	.00						0
- DS FN 02CONCRETE BLOCK	100		6000	.00						0
- DS FN03 SLAB	100		6000	2.50-						15,000-
- DS RM02 ENAMELED MT-<1990	100		6000	.00						0
- DS RT01 FLAT SHED TYPE	100		6000	.00						0

RCN...			PCT COMPLETE		100	x				201,000
QUAL..	D				80.00	x				160,800
DEPR..	FR2				70.00	-		112,560		
FUNC..					20.00	-		9,648		
ECON..					20.00	-		7,718		129,926 T
--ASV...										30,874

PROPERTY NOTES:

PERMIT NO	TYPE	DATE	BOOK	PAGE	DT	DATE	QS	SALES	PRICE
			480	2198	WD	9/26/2023	E		
AMOUNT			16E	36	SPL	9/13/2023			
AMOUNT									

MISC CODE	DESC	UNITS	RATE	AYB	EYB	DT	PCT	%CMP	ADD.DEPR	PCT	VALUE	EXMPT

#	ZONE	TYPE/CODE	LAND	QTY	LAND RATE	DPTH	DPT%	TOP%	LOC%	SIZ%	SHP%	OTH%	ADJ	FMV	EXMPT
1		AC BS		1.000	25,000.00		.00	.00	.00	.00	.00	.00	.00	25,000	
2		AC OP		1.000	8,000.00		.00	.00	.00	.00	.00	.00	.00	8,000	

P73-188

591 WALKER RD

REQUESTED BY JERRY

RUN 2/21/24 TIME 19:15:26



(1 of 7) [Navigation icons]

Tax Parcels: P73-188

OWNER INFORMATION:
LITTLEJOHN COURTNEY H ,HALFORD GAIL
E , (ID:59274)
PO BOX 591
COLUMBUS ,NC
28722

2.00 ACRES
DEED: 480 /2198 DEED YEAR:2,023
PREVIOUS DEED: /
PLAT REF: G /535

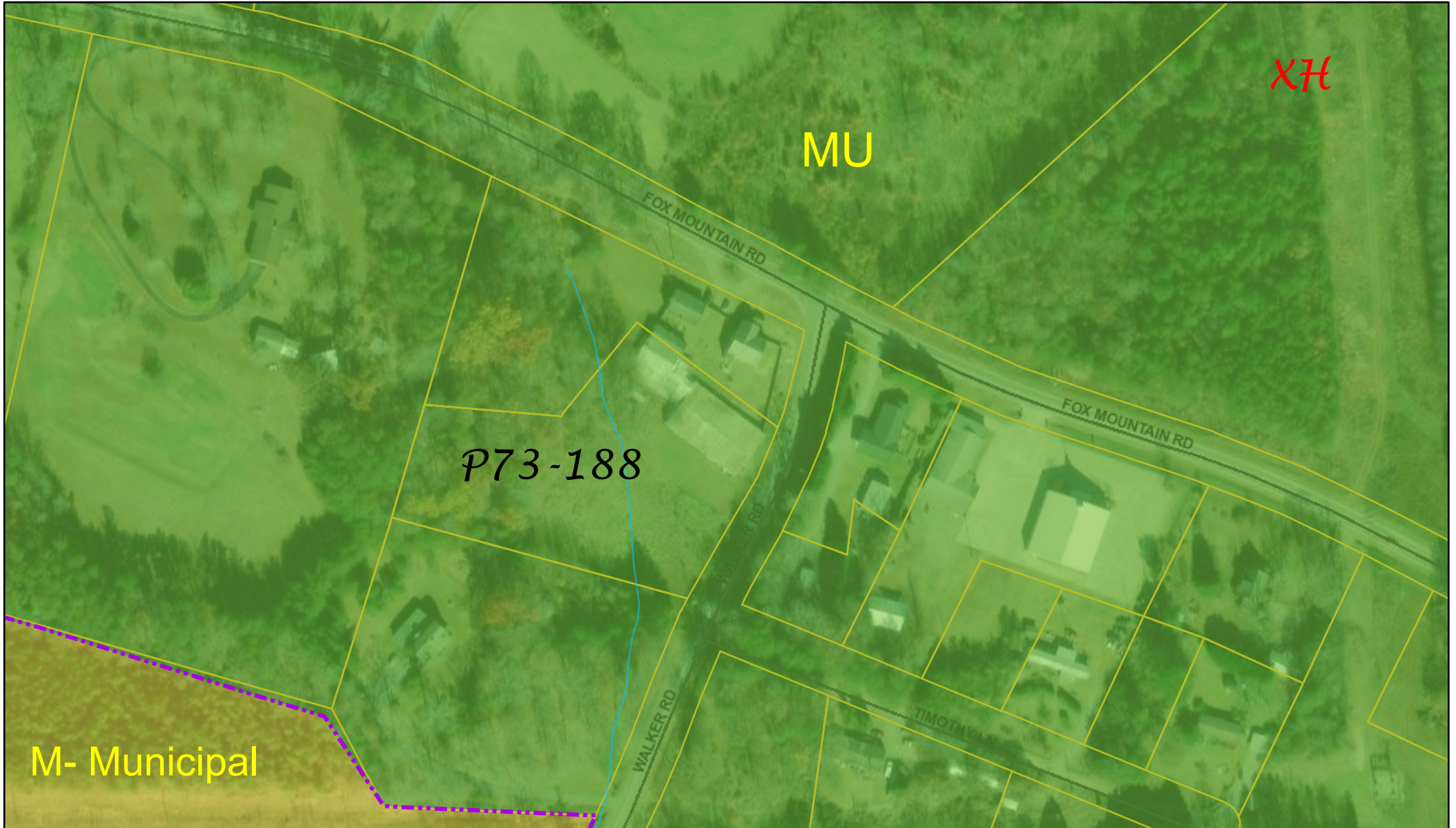
LAND VALUE: \$33,000
BUILDING VALUE: \$30,874
TOTAL VALUE: \$63,874

NEIGHBORHOOD: 100C COUNTY RURAL
SCHOOL CODE: 0
DISTRICT CODE: 9

[Zoom to](#) [More options icon]



ArcGIS Web Map



2/22/2024, 4:07:08 PM

Municipal Zoning

- Traditional Neighborhood District
- Other

Neighborhoods

- 100C COUNTY RURAL

County Zoning

- M
- MU

Townships

- Columbus

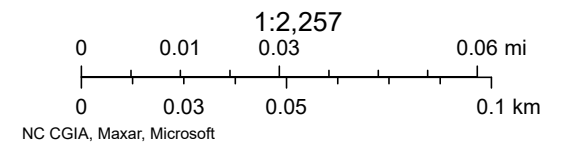
Parcels

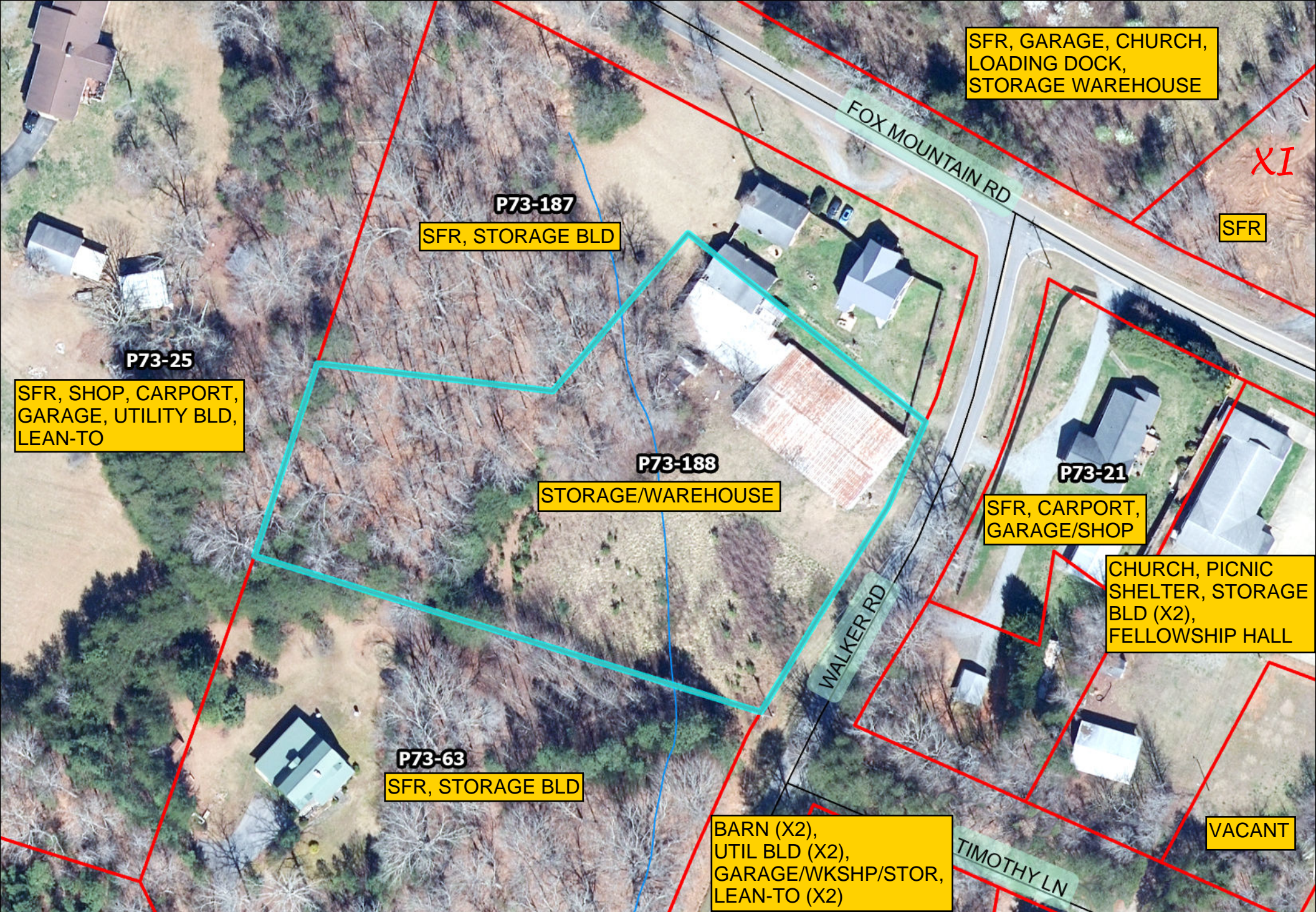
NG_Roads

NG_SiteAddressPoints

Hydrography

CityLimits

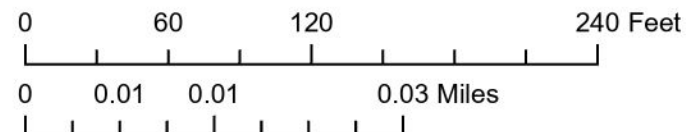




Adjacent Property Uses

Current Time: 2/23/2024 10:03 AM

Page 36 of 52



XJ-1

AFFIDAVIT OF MAILING

State of North Carolina
County of Polk

Re: Notice of Board of Adjustment Hearing

Sarah Zoellers of Polk County, North Carolina, being duly sworn, states that on the 14th day of February 2024, she personally mailed, first class the attached photographed notice that reads, "Board of Adjustment Notice of Adjustment Hearing 5:00 PM February 6, 2024 at 40 Courthouse St. Columbus NC 28722 Call 828-894-2732." to the following property owner and adjacent property owners:

LIST ATTACHED

Sarah Zoellers

Sarah Zoellers

Subscribed and sworn to before me
this 14th day of February, 2024.

Chelsea Victoria Allen

Notary Public Chelsea Victoria Allen



My Commission Expires: 9/19/2026

XJ-2

ANNA M GIBBS
500 FOX MOUNTAIN RD
COLUMBUS, NC 28722

CHAYLN AND WARREN KERR
464 FOX MOUNTAIN RD
COLUMBUS NC 28722

GAIL AND MITCHELL HALFORD
300 FOX MOUNTAIN RD
COLUMBUS, NC 28722

DONNA MONTGOMERY
511 WALKER RD
COLUMBUS, NC 28722

COURTNEY LITTLEJOHN
PO BOX 591
COLUMBUS, NC 28722

CARY AND COURTNEY LITTLEJOHN
155 CHANDLER DOWNS TRAIL
INMAN, SC 29379

XJ-3

Building Inspections
Environmental Health
(828) 894-3739



Planning & Zoning
(828) 894-2732
Fax (828)894-2913

Community Development

BOARD OF ADJUSTMENT

IN THE MATTER OF THE APPLICATION
OF CARY AND COURTNEY LITTLEJOHN
FOR A SPECIAL USE PERMIT

DOCKET NO. 2024-02 (SU)

NOTICE OF BOARD OF ADJUSTMENT HEARING

On January 29, 2024, Cary and Courtney Littlejohn applied for a Special Use Permit for the use of Storage & Warehousing on the property located at 591 Walker Road, Columbus, NC 28722, identified as Tax Parcel ID P73-188 in the tax records of Polk County, and consisting of approximately 2.00 acres. The property is located in the Multiple Use (MU) zoning district.

A copy of the written application is available for review in the Office of the County Manager in the Womack Building, 40 Courthouse Street, Columbus, NC 28722, and the Planning Office, 35 Walker Street, Columbus, NC 28722.

The Board of Adjustment will open a public hearing on the request for a Special Use Permit on Tuesday, March 5, 2024, at 5:00 P.M. (local time) in the R. Jay Foster Hall of Justice in the Womack Building, 40 Courthouse Street, Columbus, NC 28722. The Board of Adjustment shall conduct an evidentiary hearing on the request and shall allow any interested party to appear, either in person or by agent or attorney.

February 13, 2024

Cathy Ruth, County Planner
Polk County Board of Adjustment

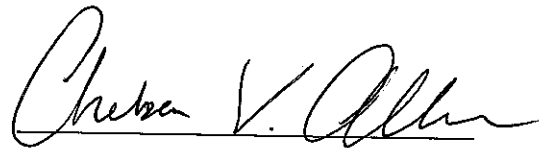
AFFIDAVIT OF POSTING

State of North Carolina

County of Polk

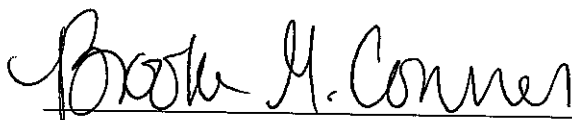
Re: Notice of Public Hearing

Chelsea Allen of Polk County, North Carolina, being duly sworn, says that on the 15th day of February, 2024, she personally posted the attached photographed notice that reads, "Public Hearing Board of Adjustment Hearing 5PM March 5, 2024, 40 Courthouse St. Polk County Call 828-894-2732."



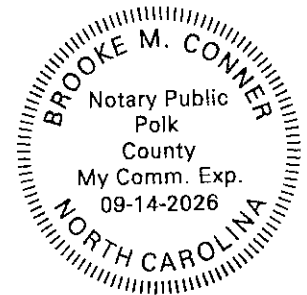
Chelsea V. Allen

Subscribed and sworn to before me
this 21st day of February, 2024.



Notary Public

My Commission Expires: 09/14/2026





Walker Road

Public Hearing
BOARD OF ADJUSTMENT HEARING
TUESDAY MARCH 5, 2024 5:00 PM
40 COURTHOUSE ST.
COLUMBUS, NC 28722
Polk County
Call 828-894-2732

Sign 2 of 2 facing corner of Walker/Fox Mountain Road.

XK-3



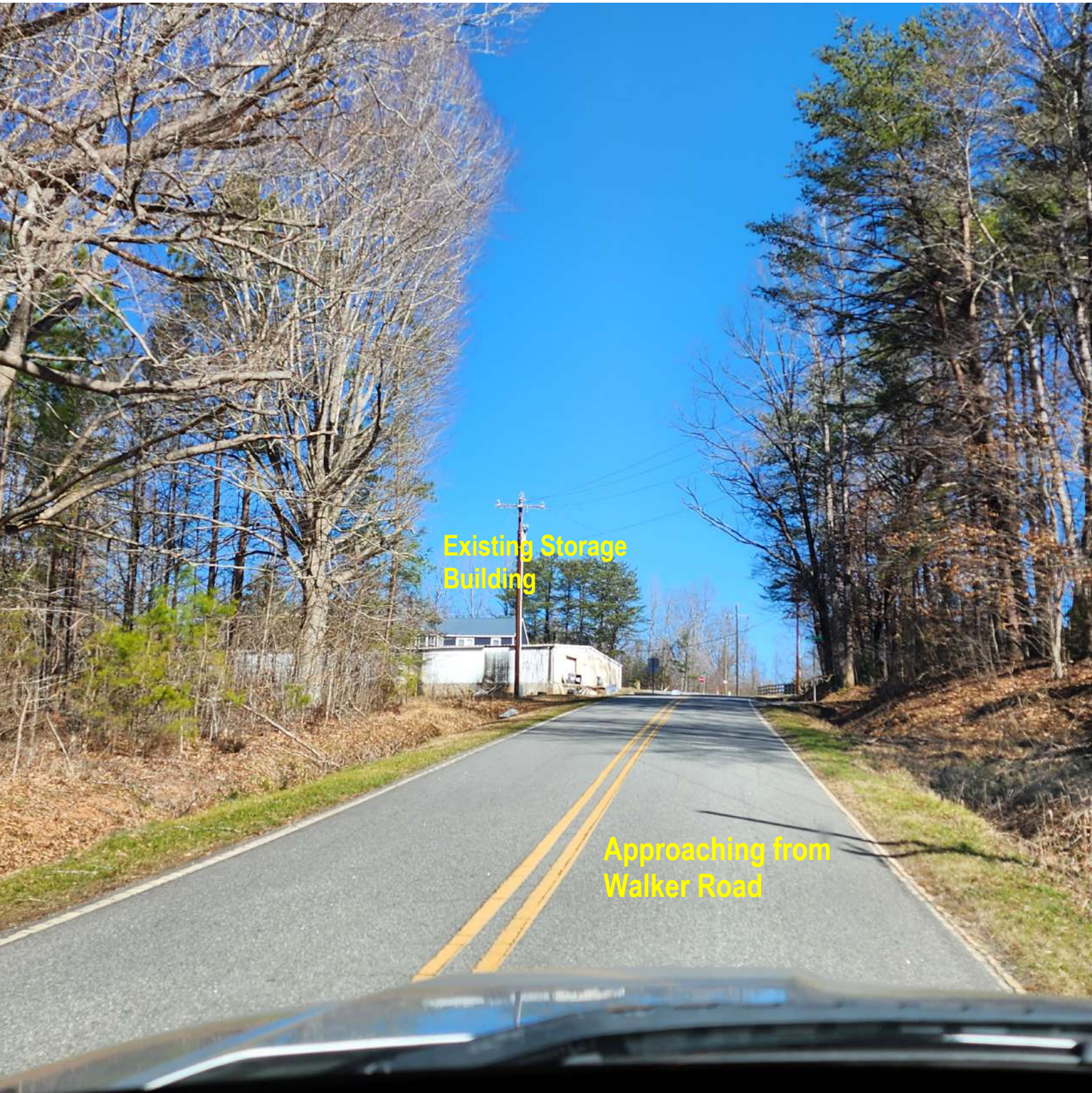
Approaching Property from Intersection of Fox Mountain Road and Walker Road.

XL-1



Approaching from Walker Road. Existing storage building, (P73-188), on left.

XL-2



Existing storage building located on P73-188. Located on right side of Walker Road after turning right off Fox Mountain Road.

XL-3



View from center of property facing west, showing the tree line that buffers both the left and back side of parcel P73-188.

XL-4



View facing south, showing the tree lines located on the left side of parcel (P73-188) and on the adjacent parcel across Walker Road.

XL-5



View shown from back left corner facing northeast toward the existing storage building.

XL-6



View shown from center portion of property facing northeast toward Walker Road.

XL-7



Closest adjacent residence, P73-187, located on the corner of Walker/ Fox Mountain Road.

XL-8



Adjacent residence, P73-21, located across Walker Road from existing storage building on P73-188.

XL-9



Walker Road

Natural tree line located between P73-188 and adjacent residence, P73-63.
Photo taken from back left corner of property facing southeast.

XL-10

