

**BOARD OF
ADJUSTMENT
JULY 5, 2022
5:00 PM**



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

-
1. Call to Order
 2. Approval of Agenda
 3. Approval of Minutes
 - A. Approval of Minutes from April 5, 2022
 - B. Approval of Minutes from April 12, 2022
 4. 2022-05 (SUP) - Searcy's Automotive & Storage, Brandon Searcy
 - A. 2022-05 (SUP) - Searcy's Automotive & Storage, Brandon Searcy
 5. Other Business
 6. Public Comments
 7. Adjournment

POLK COUNTY BOARD OF ADJUSTMENT

AGENDA ITEM

JULY 5, 2022 REGULAR MEETING

Agenda Item#: A.

ATTACHMENTS:

Description	Type	Upload Date
BOA Minutes 4.5.2022 - DRAFT	Exhibit	6/27/2022

BOARD OF ADJUSTMENT
April 5, 2022 - 5:00 PM
Bryant H. Womack Building
40 Courthouse Street
Columbus, NC 28722
MINUTES

Members Present: Frank Monterisi (Chair), Paul Weidman, Hal Green, Michael Axelrod, Alexander Hagerty
Staff Present: Hannah Lynch (Zoning Administrator), Chelsea Allen (Secretary), Cathy Ruth (County Planner), Jana Berg (County Attorney)

1. Call to Order

Frank Monterisi called the meeting to order at 5:02pm.

2. Approval of Agenda

Paul Weidman made a motion to approve the agenda, seconded by Hal Alcott. A vote was taken and all were in favor. The motion passed unanimously.

3. Approval of Minutes from March 1, 2022

A. Approval of Minutes from March 1, 2022

Paul Weidman made a motion to approve the minutes from March 1, 2022, seconded by Alexander Hagerty. A vote was taken and all were in favor. The motion passed unanimously.

4. 2022-04 (SUP) - Wilderness Cove Campground, Andrew Garcia

Present to testify on behalf of the applicant: Andrew Garcia, Zach Stoltenberg, Ali Thomas

Present to testify in opposition: Brenda Willey

Present to testify: John Grace

Frank Monterisi stated the Board is ready to proceed with an application for the Orchard Lake Campground expansion. He 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 to which there were none.

Frank Monterisi swore in Hannah Lynch (Zoning Administrator), Andrew Garcia (Wilderness Cove Campground), Zach Stoltenberg (Architect, Clockwork), Ali Thomas (Realtor, Beverly Hanks Real Estate), and Brenda Willey (neighbor).

Hannah Lynch presented the staff report to the Board. She went over the packet for the Board:

- EX-A. General Application Form, project information and site plan submitted by Andrew Garcia.
- EX-B. Zoning Permit / Application and receipt of \$100.00
- EX-C. Notice of public hearing and signed and notarized Affidavit of Mailing to adjacent property owners, property owner, and applicant.
- EX-D. Signed and notarized Affidavit of Posting of notice of public hearing.
- EX-E. Recorded deed in the Register of Deeds Office for Tax Parcel P21-56, dated November 22, 2021, Book 465, Page 876-878.
- EX-F. Recorded deed in the Register of Deeds Office for Tax Parcels P21-40 and P21-57, dated November 22, 2021, Book 465, Page 879-881.
- EX-G. Recorded survey in the Register of Deeds Office for Tax Parcels P21-56 and P21-57, dated March 14, 2008, Book E, Page 1973.
- EX-H. Polk County Property Card Tax Record for P21-56.
- EX-I. Polk County Property Card Tax Record for P21-40.
- EX-J. Polk County Property Card Tax Record for P21-57.
- EX-K. Tax Parcel Report for P21-56, P21-40, and P21-57 from the Polk County GIS site with an aerial view.
- EX-L. Aerial view from Google Earth of Tax Parcels P21-56, P21-40, and P21-57.
- EX-M. Aerial view of the surrounding parcels' current uses and zoning around P21-56, P21-40, and P21-57 from the Polk County GIS site.
- EX-N. Sign posting locations and photos taken from the site.
- EX-O. North Carolina Flood Risk Information System maps showing floodplain areas, Limited Detail Flood Hazard Data Chart
- EX-P. Aerial view of property showing NCGS landslide informational layers from Polk County GIS.

Hannah Lynch requested the packet be entered into evidence. Frank Monterisi accepted it as Zoning Administrator #1 (ZA-1).

Frank Monterisi stated there is a lot contained within the packet this Board has no jurisdiction over such as EPA, Environmental Impacts such as floodway and river stream requirements Therefore, the Board should keep their questions focused on what is within the authority of the Board of Adjustment.

Hal Green asked if the park is located relative to coming downhill from Saluda and on the right side of the road before crossing the bridge. Hannah Lynch and Andrew Garcia confirmed that was correct. There were no further questions from the Board.

Andrew Garcia approached the Board and asked that the Wilderness Cove Presentation be entered into evidence. Frank Monterisi accepted the presentation as Applicant #1 (AP-2).

Andrew Garcia introduced himself and his architect Zach Stoltenberg to the Board. They would both be contributing in the presentation at different points.

Andrew Garcia is the managing partner of Outdoor Venture Partners and gave an overview of his background. He had seven years of experience in investment banking serving as previous Vice President of Real Estate, Gaming, Lodging and Homebuilding Investment Banking at J.P. Morgan, has advanced expertise with real estate appraisals and transactions. He is certified and licensed by the SCC and holds Series 7 and Series 63 Licenses.

He explained Outdoor Venture Partners identifies, purchases and operates campgrounds, RV resorts, outdoor arenas, and invests in towns that have strong growth potentials and unique access to outdoor recreational pursuits and natural attractions.

Andrew Garcia stated the third-party operator for Wilderness Cove Campground will be Advanced Outdoor Solutions, the largest non-branded provider of outdoor hospitality in the United States. The management, hiring of skilled employees, accounting, marketing, environmental impact and all other issues related to outdoor recreations on site will be operated by Advanced Outdoor Solutions. Two full time employees will be living on site 24/7 and both are members of US Veteran families. The two employees have been trained by Advanced Outdoor Solutions on day to day campground activities and operations.

Zach Stoltenberg continued the presentation. He is an architect with Clockwork in Kansas City. Clockwork is involved in thirty-plus outdoor resorts across the country. The outdoor recreation resort industry is very expansive right now and so is the investment being put into it. His company is focused on minimizing environmental impact.

Zach Stoltenberg summarized the development plan and location for existing and proposed expansion areas. Phase one will include no expansion/growth or addition of units. Since they purchased the property they have put in a new well water system, due to the existing one failing shortly after the sale. Phase one will focus on getting the 14 existing sites up to par for this coming season and laying the ground work to be able to responsibly expand in the future, not overtaxing the natural resources. They are only proposing to start construction on the expansion when the timing is right, such as in the off-season. Andrew Garcia stated over half of the property has no proposed expansion.

Zach Stoltenberg stated the glamping operation would be separate from the tubing operation. One of the highest needs of the property is onsite parking. Last year, there were 22,000 tubers who frequented the tubing operations and there was inadequate parking to accommodate that need.

Zach Stoltenberg explained phase two would involve increasing the density with some added tents, cabins, and couple of seasonal RV sites. Local excursions will be operating five to six months out of the year. To balance the off season, they have proposed adding the RV sites to the campground, as well as a convenience store so that guests have access to much needed items without having to drive several miles.

After showing some example photos of glamping structures and set ups, he explained during phase 1, the glamping tents will be more primitive with power only, no restrooms or running water inside. These glamping structures will replace the current sites. There will be a mix of sizes, but most will be singles with some larger to accommodate families.

He continued to state phase two will take them from 14 to 24 additional sites. He stated they do not have any proposed new development or structures in the flood plain. All existing cottages are going through rehabilitation as they were not up to code and had limited, if any, permitting paperwork on them. A licensed professional electrician was brought in to examine each of them.

Andrew Garcia stated they have had an initial assessment done of the landslide areas by a geotechnical engineer and their insurance agency to arrive at a solution to preserve the safety of anyone on the site. They have no proposed development in the landslide areas shown on the map.

Andrew Garcia referenced the Polk County Zoning Ordinance, section 6.2.14, and stated some areas of the county have density restrictions for RV parks which are 15 sites per acre. He stated they are only proposing seven sites per acre.

Frank Monterisi asked about the topography of the site. Zach Stoltenberg stated most of the new development is in existing flat areas due to slope grades and to preserve natural buffer areas for privacy. He stated why would be developing less than half of the nine acres.

Zach Stoltenberg shared they would be fixing the existing roads on the property to bring them into compliance for fire and safety. Parking for each new lodging accommodation will include at least one new space and they will be extending the existing parking area, which will help address overflow parking. The RV spaces will be in the main parking area in the off-season. The RV campers will be advised to enter from the east, and they will only be allowing RVs under 25'. Campers will have a maximum stay of ten days. When they book, they will receive directions on how to approach the campground from Silver Creek Road and receive a phone call to verify this information to help mitigate RVs going down the switchbacks on Green River Cove Road.

Michael Axelrod asked about the access to the public game lands on their property. Andrew Garcia stated the entrance to that area is maintained by them and they will keep that open and accessible to the public.

Andrew Garcia introduced Ali Thomas, a realtor from Beverly Hanks Realty. She was present to testify that their expansion proposal would not negatively affect property values. She has some time restrictions and introduced her to testify for the third requirement for the Special Use Permit. She has 17 years of real estate experience and evaluating property values in Western North Carolina, mainly in Polk County.

The proposed use will not be detrimental or injurious to property, property

uses or property values, or to public improvements, in the neighborhood of such proposed use.

Ali Thomas approach the Board to testify and requested her packet be entered into evidence. Frank Monterisi accepted it into evidence as Applicant #2 (AP-2). She stated she looked at comparable properties in a two-mile radius to look at the effect on property values. There was a net increase in sales values of properties once Wilderness Cove Campground was purchased. Two properties were sold before the purchase and closing and one after which had a 171% premium to prior sale value comparisons. Andrew Garcia restated Ali Thomas's expert opinion that there is no data that supports a negative effect on property values in surrounding areas and if anything, there is a positive trend.

Michael Axelrod stated two of the properties presented in evidence were before the applicant closed on Wilderness Cove and one property was from after. The property after closing was valued higher per acre and is improved with septic, water, and is creek front. The other two properties are unimproved and not creek front and therefore not be fair comparisons. Andrew Garcia replied due to limited information on real estate sales around the immediate area, they do not claim a positive effect but do claim it will not be injurious or detrimental to property values. Andrew Garcia asked if there were any questions for Ali Thomas, before she had to leave. There were no questions from the Board.

Andrew Garcia continued the presentation starting with requirement number one.

The proposed use complies with the standard for such use, if any, contained in the Zoning Ordinance.

Andrew Garcia stated the proposed expansion is in the Multiple Use Zoning District and a Special Use Permit is required for RV and campgrounds. The plan is in compliance with requirements, and they will continue to collaborate with Polk County Building Inspections and undergo all permitting processes required. They had difficulty finding historical documents and permits for the property but the use (a campground) for the property has been the same for over a decade and they are just requesting a permit for an expansion of the property.

Andrew Garcia continued to state they are currently installing a new well and pump, having water tested, fixing electric, and in general working on maintenance that was deferred over the years. There is an existing septic system and vault toilet and have no plans to change as they are currently functioning. The roads are being redone and rebuilt to safety codes. The property is currently in compliance with all setbacks as most areas are over 100' from property lines.

The proposed use will not adversely affect the health or safety of persons residing or working in the neighborhood.

Zach Stoltenberg stated the campground has been in operation continually for more than a decade and has not hurt the neighborhood in the past, and it will continue to not affect health or safety of the neighborhood. They are simply requesting a permit to enhance what is existing and expand. They are establishing new rules to promote a family-oriented environment. Before their purchase of the property, the rules were loosely enforced. Under the new owners, the live on-site staff will help enforce the new family-oriented rules and keep the campground safe.

Michael Axelrod asked if the “no alcohol on the river rule” will be enforced and Andrew Garcia replied they have posted rules stating that alcohol is prohibited. They would not be selling beer or wine in their store as Polk County is a dry county.

Zach Stoltenberg stated as this is a business, the employees will have no hesitation to call authorities, if needed. In most places, resort owners foster a positive relationship with first responders by facilitating police and fire days. Zach Stoltenberg stated the additional parking being proposed will take some of the load off the main road and current parking situation. There will be new signage in the area for wayfinding throughout the site and to the public Game Lands. One of the big concerns is trash along the road, river, and elsewhere, and they plan to install new bins and receptacles that their third-party management staff will handle.

Zach Stoltenberg stated they are very concerned with being environmentally friendly in everything they do. As a part of Multiple Use Zoning, he stated a six-unit condo could be built, but as they prefer a “light touch,” they chose to do glamping which is minimally invasive.

Hal Green asked if the glamping sites are dismantled at the end of the season. Zach Stoltenberg replied the tents are canvas and will be dismantled and cleaned before being stored onsite. He confirmed the wooden platforms they will sit on would remain in place in the off-season.

Zach Stoltenberg presented a letter from Fire Marshal, Bobby Arledge, approving the plans for roads. Frank Monterisi accepted it as Applicant #3 (AP-3).

Andrew Garcia went back to requirement number three, *“the proposed use will not be detrimental or injurious to property, property uses or property values, or to public improvements, in the neighborhood of such proposed use.”*

He stated in his professional opinion, the use will not harm or injure property values in the area, and they are planning to improve the surrounding area and property values by adding benefits to the broader area. The store on site will sell basic staples, such as grocery items, and eventually limited food service. He does believe this will have a net positive benefit to other properties in the area.

Andrew Garcia stated they have looked at the cost of AirBNB and VRBO

rentals in the area and on the Green River. They are at a significant premium. Their presence, in his professional opinion, has not and will not be detrimental to the values of these properties. He reaffirmed that Ali Thomas stated this as a professional real estate agent.

Zach Stoltenberg stated he compiled an economic impact study. He stated figuring a 55% annual occupancy rate, they estimated thirty sites would generate \$3600 per day, around \$100,000 a month in local spending, and over \$1.3 million a year. Camping is a huge industry and even though Covid-19 hurt many businesses, it has had an opposite effect with their industry.

Michael Axelrod asked if they could confirm the glamping tents and other rentals would be subject to the county occupancy tax. Andrew Garcia responded if there is a room, it is taxed like a hotel room. Alexander Hagerty asked them to clarify if it is open year-round. Zach Stoltenberg stated it would not be open year-round to begin, but possibly in the future. Andrew Garcia stated the full-time employees will be there year-round, but the campground would most likely be closed December-February.

The proposed use is designed and will be operated in such a manner as to be in harmony with the neighborhood in which it is to be located.

Zach Stoltenberg stated in regard to harmony, it is their intention to balance the business with maintaining a rustic and natural setting without intensive development on the property. In the past, the business was in harmony and it will continue to be in harmony. The new campground rules will facilitate and promote a family-oriented campground, which would promote harmony with the neighborhood, limit traffic and congestion. The majority of the neighboring properties were unoccupied land. Andrew Garcia stated most neighboring properties to campgrounds are affected by noise and light pollution, but since there are no immediate neighbors, that would not be an issue. He said regardless of that, they are still instituting rules to diminish and prevent those types of concerns.

Michael Axelrod asked how many sites Outdoor Adventure Partners handles and Andrew Garcia replied they have two in progress one in Jacksonville, Florida, and this was the first.

Zach Stoltenberg gave an overview of the lighting for the site with downward pointing lights, lit paths, minimally invasive, and small features.

Michael Axelrod asked about the time frame for development, if approved. Andrew Garcia stated they are currently working on and will continue to work on the existing grandfathered sites in time for main tube season. Phase 1 will contain no expansion just improvement. Phase 1 is important, they do not want construction occurring during the main tubing season. They may start submitting permit applications for the construction of the new structures on the sites, and then do the work during the off-season to prepare for summer 2023. That entails compliance with Polk County Building Inspections, Zoning, Health

Department, Environmental Health, Fire and Safety requirements, engineering, etc. They will see how certain accommodations rent out before deciding on more or less of certain ones, but that this would remain within the proposed density being submitted.

Hal Green asked them to clarify how many people would physically be on site in the summer. Zach Stoltenberg stated they could assume two people per unit, and maybe single occupancy on some of the primitive tent sites, and possibly 25 people at a group site. Hal Green asked how many vehicles that would be. Andrew Garcia stated they will add infrastructure for vehicles to any new sites.

Frank Monterisi asked if the Board had any further questions for the applicants. There were none.

Brenda Willey approached the Board in opposition to the proposal. She is a neighbor across the road and she does not see how having more people on the river would make it safer for her on her property. In the past, she has dealt with a lot of erosion on the creek area on her property which feeds directly into the Green River. She has added security cameras due to trespassers who get off the river early and walk across her property back to the main road. She is also concerned about the risk of fires and concerned about large vehicles and RVs entering from the Saluda entrance with the switchbacks. It sounds like Wilderness Cove is planning to become very large, and she was not sure how they could come to an agreement with a company they have never heard of until tonight and was only notified by the signs on site.

Frank Monterisi asked her to clarify where she lived on the map. The Polk County GIS map was pulled up and she stated she lives at 3473 Green River Cove Road, parcel P21-48. The Board established from the GIS aerial view of the campground and the surrounding properties that her home is approximately one quarter mile away from the entrance of Wilderness Cove Campground.

Andrew Garcia clarified for the Board that there is only one entrance for Wilderness Cove, and it is the existing one.

Frank Monterisi asked Brenda Willey if she had any questions she would like to pose to the applicants. Brenda Willey asked Andrew Garcia how big the campground was going to get after Phases One and Two.

Andrew Garcia stated that Phases One and Two were the total sum of the phases and there are no future plans of expansion beyond those two phases.

Brenda Willey asked Andrew Garcia twice if they were affiliated with Yellow Brick Properties. Andrew Garcia stated there was no association or affiliation between Wilderness Cove and Yellow Brick Properties.

Paul Weidman asked if there was an aspect of their company that affected the erosion on Brenda Willey's property.

Brenda Willey stated people cut through their driveway and land as a short cut

through when they decide to exit the river prematurely and she was afraid there would be more with this new expansion.

Paul Weidman asked what the causes of concern for more erosion were and how that was specifically contributed to by the tubers.

Brenda Willey stated there are two creeks on their property, and one flows directly into the Green River. It continues to get wider and by the excess tubers and other trespassers walking through it was her cause for concern. She was concerned about the current drinking that occurs on the river and with more people there would be more drinking.

Paul Weidman asked what Brenda Willey's concerns were regarding fire. Brenda Willey stated her concerns were related to local weather and wind advisories and where there is camping there is also fires, therefore with more camping there would come more fires.

Frank Monterisi stated that it would be difficult to make this one operation (the camping) address the causes from the other operation (the tubing), but the campground could put in their rules that guests and tubers are to stay off private property. Michael Axelrod stated the river runs from west to east and the tubers go down stream which would already be below Brenda Willey's property. Brenda Willey stated that many of the tubing operations start at Fish Top which is above her property and in fact they do pass by her property when tubing. Zach Stoltenberg stated one tubing operation does go to Fish Top and there are three different tubing excursions. Andrew Garcia stated they would be willing to put that into the rules of their operation to stay off private property.

Zach Stoltenberg stated it would not be fair to put it that as a stipulation on this permit specifically because it is singling them out from the other two tubing operations as this facility is also a campground with glamping not just a tubing operation. He stated they were willing to adhere to this requirement but not as a condition on the Special Use Permit.

Jana Berg advised the Board they were only there to consider the campground not the tubing aspect of the business.

Alexander Hagerty made the point that "glampers" could also trespass. Zach Stoltenberg stated rivers are for public use and that someone in the river cannot be considered trespassing.

Andrew Garcia stated they would be willing to ask their guests to follow the trespassing guidelines and would advise them to stay keep off private property as a part of the campground rules. Brenda Willey stated her concern for the large vehicles entering in from the West and getting stuck in the switchback curves on the Western entrance from Green River Cove Road and asked who would get them out in that case.

Frank Monterisi asked John Grace if he had any concerns. John Grace stated he attended the hearing mostly for informative purposes, but his biggest

concern was excess garbage in the river. He said he has been running the Green River Narrows race for twenty-six years. He cited previous experiences seeing tubers run into rocks and multiple pieces of trash came flying out into the river. Michael Axelrod agreed trash along the river was a problem. Andrew Garcia stated they were willing to and have begun conversations with the other tubing and campground operations on Green River Cove Road to no longer allow tubers to bring alcohol or certain items onto the buses.

Frank Monterisi asked if there was any more evidence to be presented before the Board, to which there was none.

Frank Monterisi explained the next phase of the Special Use Permit decision and voting process. He stated only a simple majority is needed to approve the Special Use Permit and no more evidence or testimony would be heard or accepted at that meeting.

5. Other Business

None.

6. Public Comments

None.

7. Adjournment

Frank Monterisi stated the hearing would reconvene next Tuesday, April 12, 2022 for a final determination. Frank Monterisi adjourned the meeting at 7:33pm.

POLK COUNTY BOARD OF ADJUSTMENT

AGENDA ITEM

JULY 5, 2022 REGULAR MEETING

Agenda Item#: B.

ATTACHMENTS:

Description	Type	Upload Date
BOA Minutes 4.12.2022 - DRAFT	Exhibit	6/27/2022

BOARD OF ADJUSTMENT
Continuation of meeting from April 5, 2022
April 12, 2022 - 4:30 PM
Bryant H. Womack Building
40 Courthouse Street
Columbus, NC 28722
MINUTES

Members Present: Frank Monterisi (Chair), Paul Weidman, Halcott Green, Michael Axelrod, Alexander Hagerty

Staff Present: Hannah Lynch (Zoning Administrator), Chelsea Allen (Secretary), Cathy Ruth (County Planner), Jana Berg (County Attorney)

1. Call to Order

Frank Monterisi called the meeting to order at 5:01pm.

2. 2022-04 (SUP) - Wilderness Cove Campground, Andrew Garcia - Board Deliberation

Frank Monterisi explained there would be no further testimony or evidence accepted in this portion of the hearing and no public comment taken. The Board went through each requirement for a Special Use Permit.

1. The proposed use complies with the standards for such use, if any, contained in this Zoning Ordinance.
 - Frank Monterisi stated the Zoning Administrator's staff report (ZA-1) showed the first requirement was met.
 - Paul Weidman stated there were multiple pieces of affirming evidence that showed compliance with the first requirement, such as it meeting setbacks. He stated the use is existing and has been in continuous compliance. They are working on road restoration which meets fire and safety codes, which was affirmed and attested to by Bobby Arledge, Polk County's Fire Marshal. He continued to state water and septic have been updated and meet current health standards. Paul Weidman voted the proposed use does comply with the first requirement for a Special Use Permit.
 - Alexander Hagerty stated there was no evidence presented that proved it did not meet the first requirement. He voted the proposed use does comply with the first requirement for a Special Use Permit.
 - Halcott Green agreed with Paul Weidman's points of compliance and stated the Zoning Administrator's packet was also in support of the proposed use meeting the first requirement. Halcott Green voted in favor.
 - Michael Axelrod stated the campground was an existing use that has been in operation for more than ten years and that shows it does meet the standards for the use contained in the Zoning Ordinance and voted in favor of it.

- Frank Monterisi stated the campground was a grandfathered use not an existing use, however the other information shown in favor still applies.
- Frank Monterisi affirmed the first requirement for the Special Use Permit was met with a vote of five members for, zero against.

2. The proposed use will not adversely affect the health or safety of persons residing or working in the neighborhood.

- Paul Weidman cited testimonial points presented by the applicant regarding the employment of full-time on-site staff and professional management team of campground operations, new signage, wayfinding plans, the use of online applications such as Google Maps and Waze to address the switch-back concern via Green River Cove Road entrance, additional parking areas to lessen traffic congestion in surrounding areas, and the addition of trash and new recycling receptacles. He referenced the applicants' testimony on their willingness to call law enforcement when necessary to ensure campground rules are followed. Paul Weidman voted the proposed use does comply with the second requirement for a Special Use Permit.
- Alexander Hagerty stated for the same reasons he agreed it does meet the second requirement, in addition to meeting the safety and fire codes and voted in favor of it.
- Frank Monterisi stated there was a great deal of testimony presented by the applicants. They hired several different professional firms to assist and advise them appropriately through the initial stages of the process which supports his belief in the campground being managed in a professional way. He mentioned Paul Weidman's point of full-time staff who will reside on the property 24/7. Frank Monterisi voted in favor of the proposed use.
- Michael Axelrod stated he agreed with all the points mentioned but wanted to add that there was no new proposed development in the flood plain area of the property and voted in favor of the proposed use.
- Hal Green stated he concurred with all the supporting evidence discussed and voted in favor of it.
- Frank Monterisi affirmed the second requirement for the Special Use Permit was met, with a vote of five members for, zero against.

3. The proposed use will not be detrimental or injurious to property, property uses or property values, or to public improvements, in the neighborhood of such proposed use.

- Hal Green stated he was impressed with the fact the campground was a continued use that is just being improved upon with only one person testifying in opposition at the initial hearing. It indicates the present use has not been detrimental to property values or neighborhood, and what is being proposed is strictly to improve it. He voted in favor of meeting the third criteria.
- Michael Axelrod stated cabins, tubing, kayaking, and hiking are very prevalent in the surrounding area of this campground. It is currently in a more rustic state and after examining the plan, all proposed improvements

and expansion would be more upscale and beneficial for the site as well as the neighborhood. It will not be detrimental but instead beneficial to property values in the area. Michael Axelrod voted in favor of meeting the third criteria.

- Frank Monterisi stated one professional witness, Ali Thomas, a real estate agent with Beverly Hanks Realty, gave her expert opinion that the campground would not be injurious to surrounding property values.
- Michael Axelrod pointed out no recent transactions had taken place in the immediate area.
- Frank Monterisi stated there was no data brought before the Board that supported a negative impact on the property or property values. He cited Andrew Garcia's previous testimony stating they (the applicants) were not claiming the campground would improve property values, however it would not be detrimental or injurious. Frank Monterisi stated based on Ali Thomas's testimony and the property value/sales comparisons she provided he agreed it met the criteria for requirement number three and voted in favor of it.
- Paul Weidman stated the one property's comparison data suggested an increase in property values after the closing date of Wilderness Cove Campground, but it was a thin case because it was different from the others regarding acreage, creek front, septic and well installation, and those variables would affect the value of the property. He wasn't sure an increase in property values could be projected by the comparisons but the standard of requirement number three states "the proposed use shall not be detrimental or injurious to property values." The testimony presented on behalf of the applicant by Ali Thomas does support that. He referenced testimony given from Brenda Willey stating the expansion will cause her property tax to increase therefore implying a property value increase. Paul Weidman voted in favor of the third criteria being met.
- Alexander Hagerty stated no evidence was presented before the Board that proved it would be injurious to property values and voted in favor of the third criteria.
- Jana Berg advised the Board to state for the record how it would not be injurious to public uses and improvements not just property values.
- Hal Green stated the existing use of the property does not seem to be injurious to public use or improvements, thus the proposed expansion of the campground with the addition of glamping and a small amount of Recreational Vehicle (RV) pads used in the off-season would not be injurious.
- Michael Axelrod stated the expansion of the current use would likely increase the amount of traffic on the road which would impact the neighborhood at least to some extent.
- Hal Green referenced his initial question regarding parking and total capacity of the site, to which Andrew Garcia testified there would be one or more parking spots per site, and the projected RV site capacity of fifty-five percent annually, which could generate twenty to thirty additional cars per day. He stated this would not have a material effect on the neighborhood.
- Michael Axelrod stated with the addition of more on-premise parking this would aid in reducing parking on private properties and lessen congestion

in the area.

- Hal Green stated because they are across from a public access point into the Green River Game lands, their proposed parking plans and should alleviate the issues the previous owners incurred due to inadequate parking space and congestion which did interfere with the public enjoyment of the area.
- Jana Berg advised the Board to state for the record how the proposed campground with respect to the longer RV's will advise potential campers to avoid the sharp switch back curbs along the Green River Cove Road entrance.
- Paul Weidman stated the applicant did introduce testimony under the second requirement for a Special Use Permit that there would be wayfinding and new signage added, a warning would be displayed on the website, as well as other warnings/notifications the applicant would have added to navigate software like Waze and Google Maps. He also stated there would be a twenty five foot size limit for RVs. The prime reason this site was selected was to further expand upon its existing use and public use which is primarily hiking, tubing, camping, and outdoor recreational activities. With additional on premise parking this indicates no detriment to surrounding uses.
- Jana Berg advised the restriction of RV pad usage be specified to the time of year tubing season is not active to reduce traffic and congestion.
- Frank Monterisi suggested June, July, August and the first of September.
- Michael Axelrod asked if the length is a condition or if it was in the campground rules.
- Frank Monterisi stated we haven't gotten to the conditions of the permit, but they did have the ability to list certain conditions the applicant would have to follow.
- Michael Axelrod stated he was unclear on the size limitation of the RVs allowed and what specific months of the year they are allowed. He asked if it was not part of the initial application then should it be considered as part of the conditions.
- Jana Berg stated generally the conditions state the proposed use has to be developed in accordance with the site plan, however the application would not be a limiting factor. If the Board deems it important they could add it as a special condition of the permit. If it is a self-imposed rule made by the applicant to mitigate the impact on the surrounding area the Board could impose it as a condition of the permit to ensure it is followed.
- Paul Weidman asked if an itemization approach would be better or more blanket coverage.
- Jana Berg stated it would be best to put the conditions on the permit for future reference.
- Frank Monterisi reviewed the campground rules to verify the size limitation and time restriction for the proposed RV sites were included.
- Paul Weidman stated the applicant's presentation also stated the proposed RV pads would be opened on a seasonal basis.
- The Board discussed specific dates for the RV pads to be open further.
- Frank Monterisi suggested that the Board continue with the four requirements, then discuss possible conditions.
- Frank Monterisi affirmed the third requirement for the Special Use Permit

was met, with a vote of five members for, zero against.

4. The proposed use is designed and will be operated in such a manner as to be in harmony with the neighborhood in which it is to be located.

- Frank Monterisi stated the surrounding area is rural and predominantly used for outdoor recreation. He stated the proposed expansion will enhance this use for citizens, moreover it is adjacent to state-owned Green River game lands and vacant lots.
- Alexander Hagerty noted the adjacent lots are not vacant but unoccupied.
- Frank Monterisi stated the proposed expansion does not interfere with the overall harmony of the area. It will be designed and operated in such a manner that will improve the existing campground and its overall impact on the neighborhood. He stated the applicants have hired outside firms to make sure it will be operated in accordance to their rules and standards which were presented to this Board during testimony. The applicant testified that the Green River Game Lands access point will be maintained and accessible to the public. Frank Monterisi voted the proposed use does comply with the fourth requirement for a Special Use Permit.
- Michael Axelrod agreed with Frank Monterisi and stated it seemed to be a harmonious use as camping, glamping, fishing, etc. is in harmony with the outdoor recreational use of the adjacent game lands and Green River itself. He stated he did find it to be harmonious with the surrounding neighborhood and voted in favor of the proposed use.
- Halcott Green stated he agreed with the evidence both preceding Board members referenced and voted in favor of the proposed use.
- Paul Weidman recalled evidence applicable to this requirement, such as the frequent outdoor recreation already occurring upon it such as tubing, camping, fishing, hiking, etc. The proposed use is an outdoor recreational use and is harmony with the surrounding neighborhood and voted in favor of the fourth requirement being met.
- Alexander Hagerty agreed it does appear to be in harmony with the neighborhood and existing uses in the area and voted in favor of the fourth requirement being met.
- Frank Monterisi affirmed the fourth requirement for the Special Use Permit was met with a vote of five members for, zero against.

The Board discussed different options regarding special conditions. Jana Berg advised the Board that any conditions imposed should protect public improvement and use as well as property values, to ensure it remains in harmony with the neighborhood and reasonably related to the impact that Wilderness Cove would have on the surrounding area.

Frank Monterisi suggested a condition that the proposed use be operated in such manner with the site plan presented, RV size not to exceed 25', no RVs during June, July, August, and early September, and ensure proper notification is given to RV drivers to come down Silver Creek Road instead of off I-26 in Saluda to Green River Cove Road.

Alexander Hagerty stated that onsite managers should be a condition and the Board discussed this and other conditions.

Halcott Green suggested September 15th instead of early September for the restriction on when RVs are allowed. Frank Monterisi stated he would like to give a little leeway due to seasonal/weather factors and maybe extend the season to end of September. Michael Axelrod stated one of them referred to end of August, and advised to put Labor Day, or September 1st as the defining day. Paul Weidman stated Labor Day is first Monday of September. Jana Berg stated it fluctuates from year to year. Frank Monterisi asked how restrictive the Board wanted to be on their business. Paul Weidman stated the Board should be as restrictive as needed in order to assure the conditions were met. Michael Axelrod mentioned the end of August was stated in the applicant's testimony as the cut off for tubing. He suggested that RVs be prohibited until the end August, as it could be a big weekend for their business. Paul Weidman stated the RV pads will not be available during the summer months of June through August or tubing season, but tubing season does not end neatly at the end of August. Halcott Green stated he did not think if RV's are allowed at the campground through Labor Day Weekend any degradation to the environment would occur. Frank Monterisi stated the applicants testified they weren't having RVs on site during tubing season, so if September 15th is what the Board suggests then he was in favor.

Michael Axelrod stated the tubing season usually winds down at end of summer when children go back to school. Paul Weidman expressed concern that tubing traffic and RV traffic could affect public safety, but if made a condition of the permit it would need to be specific, and there is an obligation for the Board to show why this would be necessary and make sure the requirement is met.

Paul Weidman suggested the date be after the Labor Day weekend, and advised to state it in such a way that allows them to bring campers on site after the peak point of tubing season.

Frank Monterisi stated the applicant referred to the hunting season being the same as what they referred to for their RV season and stated he had no concerns with that.

Frank Monterisi asked if there were any concerns regarding the testimony of Brenda Willey.

Frank Monterisi asked if the Board should require this to be both in the campground rules and the signage. Hal Green stated he thought placing them in the rules would be best.

Paul Weidman suggested that no trespassing signs belong on the property where people would actually trespass, and it would be good to add this to the campground rules, so the guests are reminded to avoid trespassing on private property surrounding the campground.

Cathy Ruth read over the summary of conditions for the Board. This included the site shall be constructed in accordance with the site plan attached to the permit, a size limit of 25' for RVs, the addition of wayfinding signage to help RV guests avoid the switchback curves on the Green River Cove Road entrance, notification for RV guests to take the Silver Creek Road entrance, and to limit the Tubing season to June first through Labor Day.

Halcott Green asked if the site plan provided would need to have more flexibility in order to have more glamping sites verses cottages, based on usage. Jana Berg advised the property is to be constructed substantially in accordance with the proposed site plan which does allow for flexibility to take into account unforeseen conditions. However, if there is a substantial deviation then the applicant would have to apply for another Special Use Permit and come back before the Board.

Jana Berg asked if the applicants agreed to the conditions.

Andrew Garcia thanked the Board for their time and thought regarding his application. He asked that the condition regarding RVs only being allowed on site from June 1st through September have more specific language added to it because they currently have a park model stationed on the site which would make them immediately in violation of the proposed conditions. He suggested the language account for the allowing of RVs related to construction and on-site. He stated there is also a storage unit that is a permanent fixture on site as well as that would be considered an RV by the Polk County Zoning Ordinance.

The Board and Jana Berg discussed how to best word the conditions to make sure that the public use and improvements were protected but also to allow for the usage of non-transient RV's on site through the year.

Zach Stoltenberg explained a park model is a registered RV and under the proposed condition we would be prohibited from having any park models on site unless they are moved off site three months of the year.

Zach Stoltenberg stated all the conditions are agreeable but explained the initial reason for not simultaneously operating their tubing and RV business at the same time was due to logistics on their site, such as needing additional parking for tubers to decongest and help combat the offsite parking problem. He then referred to the other tubing operations located on Green River Cove Road not being under such restrictions during the tubing season and how that would make this condition an undue hardship on their operation. He stated if the RV size restriction is imposed to address the concern of the switch back curves on the Green River Cove Road entrance then it makes sense to have that as a condition, but if all traffic is using the Silver Creek Road entrance he didn't see a need for either seasonal or size restriction. He did not believe any of these restrictions would prohibit them from doing what they wanted to do but asked if there were similar restrictions on the other camping/tubing operations in the same area.

Jana Berg stated that these conditions had to be looked at from a capacity standpoint and the cumulative effects must be kept in mind. She explained that a campground applying for a Special Use Permit today verses 10 years ago may not have the same restrictions. At that time capacity was low where currently it is much higher. At larger capacity more resources are required such as sewer, fire, and emergency management, which all have to do with public use and safety.

Paul Weidman explained the Board could not automatically say a campsite is okay just because another campsite is already there. The other campsite would also have to meet the four requirements of a Special Use Permit.

Zach Stoltenberg stated from the capacity perspective he agreed, however the traffic generated by the tubing customers would greatly exceed the amount generated by ten RV sites.

Andrew Garcia interceded and stated they were in agreement with the conditions imposed by the Board thus far and none of the restrictions would prevent them from carrying out their plans as proposed.

Frank Monterisi asked for language to be added to the conditions which clarify use of structures based on full time staffing and construction, as well as park models.

Jana Berg asked if the campground intended to have guest owned park models. Andrew Garcia stated that was not their intention.

Jana Berg stated the condition could be worded "prevent from entering and exiting during peak months, with the exception of staff- and owner-occupied RVs".

Frank Monterisi addressed the applicant and asked if the conditions were acceptable.

Andrew Garcia stated he accepted the conditions.

Frank Monterisi stated for the record the applicant has been made aware of the conditions and has agreed to meet them. He stated the permit has been approved. Frank Monterisi stated the deliberation process is now adjourned. He read the appeal rights and stated the applicants or opponents have 30 days after the decision is signed to appeal to superior court. Frank Monterisi asked if there were any further statements before adjournment. He stated the decision will be official when signed by himself.

3. Other Business

None.

4. Public Comments

None.

5. Adjournment

The hearing was adjourned at 5:55pm.

POLK COUNTY BOARD OF ADJUSTMENT

AGENDA ITEM

JULY 5, 2022 REGULAR MEETING

Agenda Item#: A.

ATTACHMENTS:

Description	Type	Upload Date
Staff Report - 2022-05 SUP	Exhibit	6/27/2022
EX-A	Exhibit	6/27/2022
EX-A 2	Exhibit	6/27/2022
EX-A 3	Exhibit	6/27/2022
EX-B	Exhibit	6/27/2022
EX-C	Exhibit	6/27/2022
EX-C 2	Exhibit	6/27/2022
EX-C 3	Exhibit	6/27/2022
EX-D	Exhibit	6/27/2022
EX-D 2	Exhibit	6/27/2022
EX-E	Exhibit	6/27/2022
EX-F	Exhibit	6/27/2022
EX-G	Exhibit	6/27/2022
EX-H	Exhibit	6/27/2022
EX-I	Exhibit	6/27/2022
EX-J, EX-K	Exhibit	6/27/2022
EX-L	Exhibit	6/27/2022



To: Zoning Board of Adjustment

From: Hannah Lynch, Zoning Administrator

Date: July 5, 2022

Re: In the Matter of the Application of Brandon Searcy for a Special Use Permit, Docket No. 2022-05 (SUP)

A. Action Requested by Board of Adjustment

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

B. Background

Storage & Warehouse Facility. Structures or premises in which goods, merchandise or equipment are stored for eventual use or distribution.

1. On May 28, 2022, Mr. Brandon Searcy submitted a completed application along with his site plan for a Special Use Permit to add additional storage buildings in his existing *storage & warehouse facility* on the property located at 1814 NC Hwy 108 E, Columbus, NC 28722.
2. The property is comprised of one parcel, identified as Tax Parcel Number P72-42, 4.47 acres, in the tax records of Polk County. The property is located in the Multiple Use (MU) Zoning District.
3. Exhibits include:
 - EX-A. General Application Form, site plan, and site photos submitted by Brandon Searcy.
 - EX-B. Zoning Permit / Application and receipt of \$100.00.
 - EX-C. Notice of public hearing and signed and notarized Affidavit of Mailing to adjacent property owners, property owner, and applicant.
 - EX-D. Signed and notarized Affidavit of Posting of notice of public hearing.

- EX-E. Recorded deed in the Register of Deeds Office for Tax Parcel P72-42, dated January 7, 2015, Book 410, Page 1801-1803.
- EX-F. Recorded plat in the Register of Deeds Office for Tax Parcel 72-42, dated August 16, 2012, Book F, Page 99.
- EX-G. Polk County Property Card Tax Record for P72-42.
- EX-H. Tax Parcel Report for P72-42 from the Polk County GIS site with an aerial view.
- EX-I. Aerial view from Google Earth of Tax Parcel P72-42.
- EX-J. Aerial view of the surrounding parcels' current uses and zoning around P72-42 from the Polk County GIS site.
- EX-K. Sign posting locations and photos taken from the site.
- EX-L. Conditional Use Permit for Phases 1 and 2 of existing storage facility, 2019-04 (CU).



5/19/2022
606.3495

GENERAL APPLICATION FORM

Docket No: 2022-05(SUP)

Date: 5/18/22

Permit Fee: \$100.00

Receipt #: 2P 23547

Permit or Relief Requested: Appeal* Variance ☒ Special Use Permit

Applicant Searcy's Automotive & Storage Owner: Brandon Searcy

Address 1814 NC Hwy 108E Address 7520 Hwy 108E

Columbus NC 28722 Mill Spring NC 28756

Telephone 828-894-0295 Telephone 828-819-3252

Legal Relationship of Applicant to Property Owner: Owner

Purpose of Request: Build additional self storage units

Property Location: 1814 NC Hwy 108E, Columbus NC 28722

Street Address: Same

Tax Map & Parcel Number: P72-42 Lot Size: 4.47 Zoning District: MU

Number Of Buildings To Remain: All Gross Floor Area To Remain: _____

Number Of Buildings Proposed: 3 Gross Floor Area Of Proposed Buildings: 5400 sqft

Total Square Footage Of Land To Be Disturbed: NONE Estimated Cost Of Project: \$150,000

Please provide clear directions (with landmarks) to the property: Hwy 108 towards Mill Spring - just past Polk Co. High School 1st 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.

Signature of Applicant

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

Planning Department * P.O. Box 308 * Columbus, NC 28722 * 828-894-2732 * 828-894-2913 (fax)
www.polknc.org

Searcysautos@gmail.com







DATE 5/19/22
TIME 13:39:26
USER PLBCONNER

POLK COUNTY
APPLICATION AND PERMIT

PAGE 1
PROG# PT2000

PERMIT NUMBER ZP 23547 ZONING PERMIT APPLIED 5/19/2022
WORK ORDER# 44114 TYPE ZONING BOARD OF ADJUSTMENT ISSUED 5/19/2022
LOCATION 1814 E NC 108 HWY EXPIRES 11/15/2022
PIN HEALTH
PARCEL ID P72-42 COLUMBUS REFERENCE Z00019682
TOWNSHIP 9 COLUMBUS- OUTSIDE ACREAGE 4.470 CENSUS TRACT
WATERSHED NOT IN WATERSHED FLOOD PLAIN? N SBC#
DIRECTIONS EAST ON HWY 108, PAST HIGH SCHOOL ON R/

SEARCY'S AUTOMOTIVE & STORAGE OWNER ID 52838
PHONE 828.894.0295

1814 NC HWY 108 E

COLUMBUS NC 28722

OWNER SEARCY BRANDON T 828-894-6162
OCCUPANT SEARCY, BRANDON 828.817.3252

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 RCC REC COMPLEX COUNTY WTR 25% TYPE III 25% REDUCTION
DESCRIPTION CONDITIONAL USE PERMIT APPLICATION - ADDITIONAL STORAGE
BUILDINGS - DOCKET 2022-05 SUP

SURVEYOR
GENERAL

SITE PLAN

*
*
*
*
*
*
*
*
*

PERMIT ISSUED: 5/19/2022 BY: PLHLYNCH PERMIT EXPIRES: 11/15/2022 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
Dannal B. Lynch
CODE ENFORCEMENT OFFICIAL

5/19/2022
DATE

DATE 5/19/22
TIME 13:39:26
USER PLBCONNER

POLK COUNTY
BILLING NOTICE

PAGE 2
PROG# PT2000

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SEARCY'S AUTOMOTIVE & STORAGE OWNER ID 52838
PHONE 828.894.0295

1814 NC HWY 108 E

COLUMBUS NC 28722

OWNER SEARCY BRANDON T 828-894-6162
OCCUPANT SEARCY, BRANDON 828.817.3252

SERVICE	QUANTITY	RATE	FEE AMOUNT	FEE PAID	FEE DUE
ZBA	1	100.00	100.00	100.00	
PAID BY: SEARCY BRANDON T			CK#:	1072 PAID BY CHECK	
TRANSACTION 861602 TOTALS			100.00	100.00	

CASH RECEIPT

POLK COUNTY

User ID : PLBCONNER
Todays Date : 5/19/2022
For : ZONING PERMITS

Collected By : PLBCONNER
Transaction Date 5/19/2022 Number 861602

Received From : SEARCY BRANDON T PMT# ZP00023547 CK# 0000001072

Total Transaction Amt 100.00 CK#: 1072

Building Inspections
Environmental Health
(828) 894-3739



Economic Development
(828) 894-2895
Planning & Zoning
(828) 894-2732

Community Development

BOARD OF ADJUSTMENT

IN THE MATTER OF THE
APPLICATION OF BRANDON SEARCY
FOR A SPECIAL USE PERMIT

DOCKET NO. 2022-05 (SUP)

NOTICE OF BOARD OF ADJUSTMENT HEARING

On May 18, 2022, Mr. Brandon Searcy applied for a Special Use Permit for an addition of three buildings to an existing *Storage and Warehouse Facility* located at 1814 NC Hwy 108 E, Columbus, NC 28722. The property is comprised of one parcel identified as Tax Parcel Number 72-42, 4.47 acres in the tax records of Polk County. 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 hold a public hearing on the request for a Special Use Permit on Tuesday, July 5, 2022 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.

June 20, 2022

Hannah B. Lynch, Zoning Administrator
Polk County Board of Adjustment

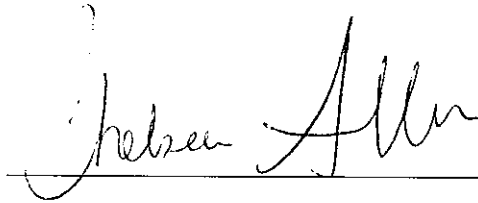
AFFIDAVIT OF MAILING

State of North Carolina
County of Polk

Re: Notice of Board of Adjustment Hearing

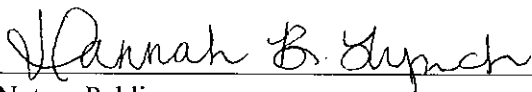
Chelsea Allen of Polk County, North Carolina, being duly sworn, states that on the 20th day of June, 2022 she personally mailed, first class the public notice that reads, "Notice of Board of Adjustment Hearing" to the following property owner and adjacent property owners:

SEE ATTACHED LIST

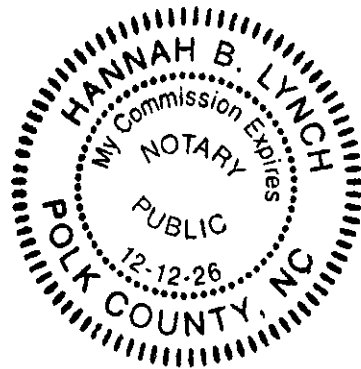


Chelsea Allen

Subscribed and sworn to before me this 21st day of June, 2022.

 Hannah B. Lynch
Notary Public

My Commission Expires: December 12, 2026



P72-42

Brandon T. Searcy
1814 NC 108 Hwy E
Columbus, NC 28722

Adjacent Property Owners to P72-42

P73-75

Polk County Development Group
PO Box 309
Columbus, NC 28722

P72-160

Tammy B. & David S. Anderson
1926 NC 108 Hwy E
Columbus, NC 28722

P72-59

Brandon T. Searcy
1814 NC 108 Hwy E
Columbus, NC 28722

P72-41

Patsy Bunch
1970 NC 108 Hwy E
Columbus, NC 28722

P72-172

Tammie S. & Eric G. Nelon
1959 NC 108 Hwy E
Columbus, NC 28722

P73-107

Teddy Don Agner
1845 NC 108 Hwy E
Columbus, NC 28722

P73-45

Polk County Board of Education
125 E. Mills Street
Columbus, NC 28722

P73-139

William J. & Janet M. Ledford
187 Canoe Drive
Mill Spring, SC 28756

AFFIDAVIT OF POSTING

State of North Carolina
County of Polk

Re: Notice of Public Hearing

Hannah B. Lynch of Polk County, North Carolina, being duly sworn, states that on the 21st day of June 2022, she personally posted the attached photographed notice that reads, "Public Hearing Board of Adjustment Hearing 5PM July 5, 2022 40 Courthouse St. Polk County Call 828-894-2732."

Hannah B. Lynch

Hannah B. Lynch

Subscribed and sworn to before me this 21st day of June 2022.

Chelsea Victoria Allen / Chelsea Victoria Allen

Notary Public

My Commission Expires: September 19, 2026





Doc ID: 004427060003 Type: CRP
Recorded: 01/07/2015 at 04:57:30 PM
Fee Amt: \$26.00 Page 1 of 3
Revenue Tax: \$0.00

Polk, NC
Sheila Whitmire Register of Deeds

BK **410** PG **1801-1803**

NORTH CAROLINA GENERAL WARRANTY DEED

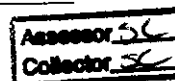
Excise Tax: \$0.00

Parcel Identifier No. P72-42 Verified by Polk County on the ____ day of January, 2015.

Mail/Box to:

This instrument was prepared by: John C. Hovendon, 455 South Trade Street, Tryon, NC 28782

THIS DEED made this 7th day of January, 2015, by and between



GRANTOR

B. Randy Searcy

**1609 Hugh Champion Road
Tryon, NC 28782**

GRANTEE

Brandon T. Searcy

**1609 Hugh Champion Road
Tryon, NC 28782**

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 Town of n/a, Columbus Township, Polk County, North Carolina, and more particularly described as follows:

Please see attached Exhibit A.

The property hereinabove described was acquired by Grantor by instrument recorded in **Book 395 at Page 684**.
A map showing the above described property is recorded in **Card File F at Page ____**.

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

- a. All rights of way for public utilities;
- b. All rights of way for public streets, roadways, and/or easements; and
- c. Applicable zoning ordinances, if any.

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

(Entity Name)

B. Randy Searcy (SEAL)
B. Randy Searcy

By: _____ (SEAL)

_____ (SEAL)

_____ (SEAL)

STATE OF NORTH CAROLINA, COUNTY OF POLK:



I, **John C. Hovendon**, a Notary Public of **Henderson County, North Carolina**, certify that **B. Randy Searcy** came before me this day and acknowledged the due execution of the foregoing instrument for the purpose therein expressed.

Witness my hand and Notarial stamp or seal this the 7th day of **January, 2015**.

John C. Hovendon
Notary Public
My Commission Expires: **12-01-16**

Exhibit A

BEING all of that certain tract or parcel of land containing 4.47 acres, more or less, as shown and delineated upon that certain survey entitled "Brandon T. Searcy, Columbus Twp., Polk Co., No. Car.", dated August 16, 2012, and prepared by Butler Associates, which plat is duly recorded as Card File F at Page 99, in the Office of the Register of Deeds for Polk County, North Carolina; reference being made to said recorded plat for a more full and complete metes and bounds description of said tract, pursuant to North Carolina General Statutes, Section 47-30(g).

The above described property is identical to that conveyed to Brandon T. Searcy and B. Randy Searcy, as Joint Tenants with Rights of Survivorship, by that certain deed from Steve Shehan and wife, Lisha Toney, dated September 5, 2012, and recorded on September 5, 2012, in Book 395 at Page 684, Polk County Registry. This deed is made to dissolve the joint tenancy and vest sole fee simple title in the Grantee, Brandon T. Searcy.

This conveyance does not include the primary residence of the Grantor.



NORTH ARROW BASED ON
CARD FILE B, PAGE 937
POLK COUNTY REGISTRY.

STATE OF NORTH CAROLINA

POLK COUNTY
OFFICE OF REGISTER OF DEEDS
FILED FOR RECORD THIS THE 5th DAY OF
Sept, 2012 AT 12:10 O'CLOCK PM
AND DULY REGISTERED IN SAID OFFICE
CARD FILE F PAGE 99

REGISTER OF DEEDS

By: Leitchpion, ast

REVIEW OFFICER CERTIFICATION

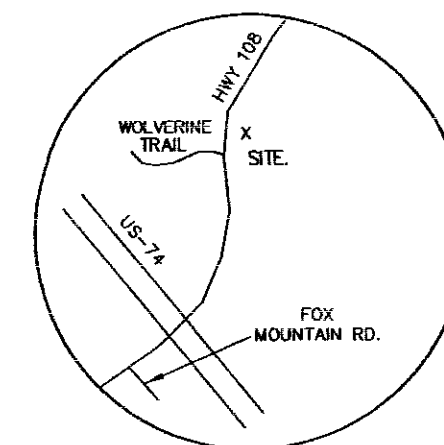
STATE OF NORTH CAROLINA
COUNTY OF POLK

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.

REVIEW OFFICER

8/29/12
DATE

NOTE:
THIS SURVEY REPRESENTS AN
EXISTING TAX LOT PARCEL AND
DOES NOT CREATE A NEW STREET
OR CHANGE ANY EXISTING STREET,
G.S. 47-30 (F)(11)(C)(1).

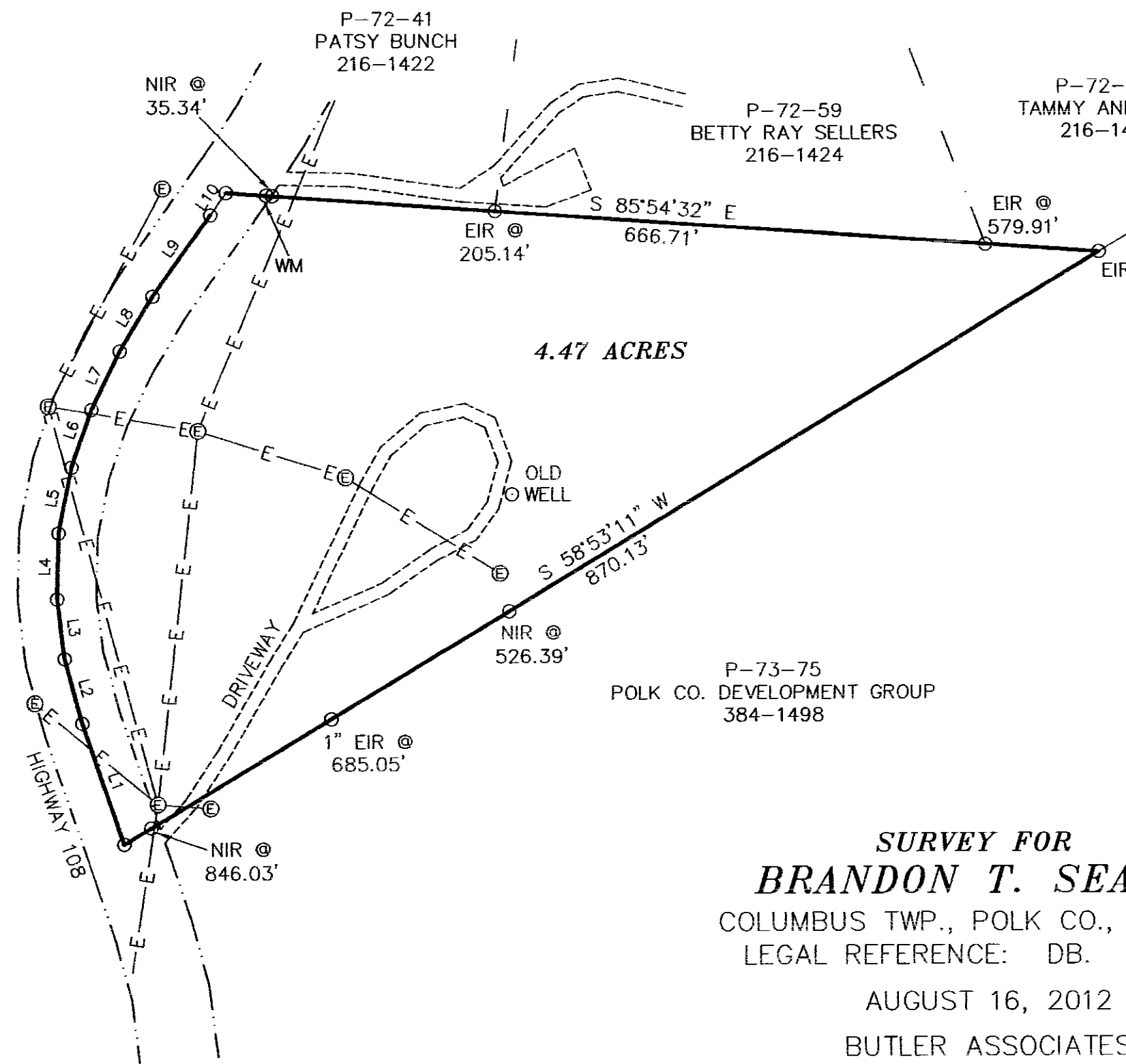


VICINITY MAP
(NOT TO SCALE)

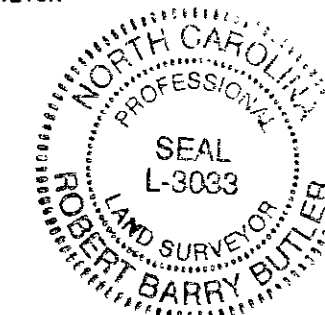
NOTE:
THIS PARCEL IS SUBJECT TO ALL EASEMENTS
AND RESTRICTIONS OF RECORD.

NO TITLE SEARCH PERFORMED BY BUTLER ASSOCIATES.

LINE	BEARING	DISTANCE
L1	N 18°54'51" W	97.94'
L2	N 15°01'38" W	51.15'
L3	N 06°56'43" W	46.07'
L4	N 01°28'09" E	50.42'
L5	N 11°24'43" E	51.02'
L6	N 19°26'02" E	46.39'
L7	N 26°01'36" E	49.91'
L8	N 31°29'14" E	48.45'
L9	N 35°35'36" E	76.44'
L10	N 35°19'34" E	20.75'



STATE OF NORTH CAROLINA, Polk COUNTY, I Robert Barry Butler
CERTIFY THAT THIS MAP WAS ~~(DRAWN BY ME)~~/(DRAWN UNDER MY SUPERVISION)
FROM ~~(AN ACTUAL SURVEY BY ME)~~/(AN ACTUAL SURVEY MADE UNDER MY
SUPERVISION)-DEED DESCRIPTION RECORDED IN BOOK 352 PAGE 10
BOOK _____ PAGE _____; ETC...; THAT THE RATIO OF PRECISION AS CALCULATED
BY LATITUDES AND DEPARTURES IS 1/14,600; THAT THE BOUNDARIES
NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION
FOUND IN BOOK _____ PAGE _____; THAT THIS MAP WAS PREPARED IN
ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY HAND AND SEAL
THIS 17th DAY OF August, 2012
Robert Barry Butler L-3033
SURVEYOR REG. NO.



LEGEND:
NIR - NEW IRON ROD
CM - CONCRETE MONUMENT
EIP - EXISTING IRON PIPE
EIR - EXISTING IRON ROD
⊙ - ELECTRICAL POLE

NOTE:
THIS PROPERTY IS NOT
LOCATED IN A SPECIAL FLOOD
HAZARD AS DETERMINED BY THE
FEDERAL INSURANCE RATE MAP
OF NORTH CAROLINA.

SURVEY FOR
BRANDON T. SEARCY
COLUMBUS TWP., POLK CO., NO. CAR.
LEGAL REFERENCE: DB. 352-10

AUGUST 16, 2012
BUTLER ASSOCIATES
10 MAPLE STREET
TRYON, NC 28782
828-859-5390

Doc ID: 004235510001 Type: CRP
Recorded: 09/05/2012 at 12:10:54 PM
Fee Amt: \$21.00 Page 1 of 1
Polk, NC
Sheila Whitmire Register of Deeds
BK **F** Pg **99**

TAX PARCEL:
P-72-42

12287B

SEARCY BRANDON T
1814 E NC 108 HWY

4.470 AC TWSP: 009

YR 2022 P72-42

4.47 ACRES

PIN:

DISTRICT: 9 COLUM TOWNSHIP- SWF

POLK COUNTY

ACCOUNT#: 52838

NBHD: 100B

Plat Bk/Pg F 99

1.00 EXCD:

100B COUTY RURAL

99

EXCD:

APPR: CBH APPR DT: 8/04/2021

NOTICE: CHG 8/31/2021

PAGE 1

Bldg No. 1	Exempt Code	LAND VALUE	133,110
Imp Desc: COMMERCIAL GARAGE W/OFF. EYB:		MISC VALUE	1,447
Grade : CC CI C GRADE AYB: 2012 Finished Area: 1,600.00		BLDG VALUE	234,832
# of Units 4 Rms Bedrms 1.0 Bathrms 1 HBaths		TOTAL VALUE	369,389

TYPE/CODE/DESCRIPTION	PCT	%CMP	UNITS	RATE	STR#	STR%	SIZ%	HGT%	PER%	COST
MA GARG4 GARAGE-AUTO REPAIR	100		1600	40.00	1.00					64,000
- AR 05 C/I AIR	29		464	1.90						881
- AR 06 C/I HEAT ADJUSTMENT	29		464	1.60						742
- DS EC10 SIDING	100		1600	.00						0
- DS FN03 SLAB	100		1600	2.50-						4,000-
- DS HT03 HEAT TYPE-ELECTRIC	100		1600	.00						0
- DS HT03 HEAT TYPE-ELECTRIC	100		1600	.00						0
- DS RM03 ENAMELED MT->1990	100		1600	6.25						10,000
- PL 02 1.5 BATH	100		1	8438.00						8,438

RCN...		PCT COMPLETE	100	x						80,062
QUAL..	CC		100.00	x						80,062
DEPR..	AVC		8.00	-				6,404		6,404 T
--ASV...										73,658

PROPERTY NOTES:

PERMIT NO	TYPE	DATE	BOOK	PAGE	DT	DATE	QS	SALES	PRICE
			410	1801	WD	1/07/2015	E		
AMOUNT			395	684	WD	9/06/2012			64,000
			352	10	QC	3/27/2007	E		
AMOUNT			174	110		12/31/1997	#		

MISC CODE	DESC	UNITS	RATE	AYB	EYB	DT	PCT	%CMP	ADD.DEPR	PCT	VALUE	EXMPT
4 060	FENCE-CHAIN LINK	106.00	15.00	2017		GD1	9.00	100			1,447	
							.00					
							.00					
							.00					

#	ZONE	TYPE/CODE	LAND	QTY	LAND RATE	DPTH	DPT%	TOP%	LOC%	SIZ%	SHP%	OTH%	ADJ	FMV	EXMPT
2		AC OP		1.170	8,000.00		.00	.00	.00	.00	.00	.00	.00	9,360	
3		AC COM		3.300	25,000.00		.00	.00	150.00	.00	.00	.00	150.00	123,750	

SEARCY BRANDON T
1814 E NC 108 HWY

4.470 AC TWSP: 009

YR 2022 P72-42

4.47 ACRES

PIN:

DISTRICT: 9 COLUM TOWNSHIP- SWF

POLK COUNTY

ACCOUNT#: 52838

NBHD: 100B

Plat Bk/Pg F 99

1.00 EXCD:

100B COUTY RURAL

99

EXCD:

APPR: CBH APPR DT: 8/04/2021

NOTICE: CHG 8/31/2021

PAGE 3

Bldg No. 2	SELF STORAGE	EYB: 1814 E NC 108 HWY	Exempt Code
Imp Desc: CD	CI D GRADE	AYB: 2017	Finished Area: 2,000.00
# of Units	Rms	Bedrms	Bathrms
HBaths			
TYPE/CODE/DESCRIPTION	PCT %CMP	UNITS	RATE
MA STOR4 WH-SELF STORAGE	100	2000	20.00
			STR# 1.00
			STR% 100
			SIZ% 80.00
			HGT% 3.80
			PER% 1,216
			COST 40,000
			40,000
			32,000
			1,216
			30,784

PROPERTY NOTES:

PERMIT NO	TYPE	DATE	BOOK	PAGE	DT	DATE	QS	SALES	PRICE
AMOUNT									
AMOUNT									

MISC CODE	DESC	UNITS	RATE	AYB	EYB	DT	PCT	%CMP	ADD.DEPR	PCT	VALUE	EXMPT
							.00					
							.00					
							.00					
							.00					

#	ZONE	TYPE/CODE	LAND QTY	LAND RATE	DPTH	DPT%	TOP%	LOC%	SIZ%	SHP%	OTH%	ADJ	FMV	EXMPT
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P72-42

1814 E NC 108 HWY

REQUESTED BY JERRY

RUN 6/21/22 TIME 19:22:14

ACCOUNT#:	52838	PAGE	5
NBHD:	100B	100B COUTY RURAL	
Plat Bk/Pg	F 99	APPR: CBH APPR DT:	8/04/2021
1.00	EXCD:	NOTICE: CHG	8/31/2021

[illegible]

PROPERTY NOTES:	PERMIT NO	TYPE	DATE	BOOK	PAGE	DT	DATE	QS	SALES PRICE
		AMOUNT							
		AMOUNT							

MISC	CODE	DESC	UNITS	RATE	AYB	EYB	DT	PCT	%CMP	ADD.DEPR	PCT	VALUE	EXMPT
								.00					
								.00					
								.00					
								.00					

#	ZONE	TYPE/CODE	LAND QTY	LAND RATE	DPTH	DPT%	TOP%	LOC%	SIZ%	SHF%	OTH%	ADJ	FMV	EXMPT
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SEARCY BRANDON T
1814 E NC 108 HWY

4.470 AC TWSP: 009

YR 2022 P72-42

4.47 ACRES

PIN:

DISTRICT: 9 COLUM TOWNSHIP- SWF

POLK COUNTY

ACCOUNT#: 52838

NBHD: 100B

Plat Bk/Pg F 99

1.00 EXCD:

100B COUTY RURAL

99

EXCD:

APPR: CBH APPR DT: 8/04/2021

NOTICE: CHG 8/31/2021

PAGE 7

Bldg No. 5	SELF STORAGE	EYB:	1814 E NC 108 HWY	Exempt Code					
Imp Desc: CD	CI D GRADE	AYB: 2019	Finished Area:	1,200.00					
# of Units	Rms	Bedrms	Bathrms	HBaths					
TYPE/CODE/DESCRIPTION	PCT %CMP	UNITS	RATE	STR#	STR%	SIZ%	HGT%	PER%	COST
MA STOR4 WH-SELF STORAGE	100	1200	20.00	1.00					24,000
RCN...		PCT COMPLETE		100	x				24,000
QUAL..	CD			80.00	x				19,200
DEPR..	MGD			1.90	-		364		364 T
--ASV...									18,836

PROPERTY NOTES:

PERMIT NO	TYPE	DATE	BOOK	PAGE	DT	DATE	QS	SALES	PRICE
AMOUNT									
AMOUNT									

MISC CODE	DESC	UNITS	RATE	AYB	EYB	DT	PCT	%CMP	ADD.DEPR	PCT	VALUE	EXMPT
							.00					
							.00					
							.00					
							.00					

#	ZONE	TYPE/CODE	LAND QTY	LAND RATE	DPTH	DPT%	TOP%	LOC%	SIZ%	SHP%	OTH%	ADJ	FMV	EXMPT
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P72-42

1814 E NC 108 HWY

REQUESTED BY JERRY

RUN 6/21/22 TIME 19:22:14

SEARCY BRANDON T
1814 E NC 108 HWY

4.470 AC TWSP: 009

YR 2022 P72-42

4.47 ACRES

PIN:

DISTRICT: 9 COLUM TOWNSHIP- SWF

POLK COUNTY

ACCOUNT#: 52838

NBHD: 100B

Plat Bk/Pg F 99

1.00 EXCD:

100B COUTY RURAL

APPR: CBH APPR DT: 8/04/2021

NOTICE: CHG 8/31/2021

PAGE 9

Bldg No. 6	SELF STORAGE	EYB: 1814 E NC 108 HWY	Exempt Code
Imp Desc: CD	CI D GRADE	AYB: 2019	Finished Area: 800.00
# of Units	Rms	Bedrms	Bathrms
HBaths			
TYPE/CODE/DESCRIPTION	PCT %CMP	UNITS	RATE
MA STOR4 WH-SELF STORAGE	100	800	20.00
			STR# 1.00
			STR% 100
			SIZ% 80.00
			HGT% 1.90
			PER% 243
			COST 16,000
			12,800
			243
			12,557

PROPERTY NOTES:

PERMIT NO	TYPE	DATE	BOOK	PAGE	DT	DATE	QS	SALES	PRICE
AMOUNT									
AMOUNT									

MISC CODE	DESC	UNITS	RATE	AYB	EYB	DT	PCT	%CMP	ADD.DEPR	PCT	VALUE	EXMPT
							.00					
							.00					
							.00					
							.00					

#	ZONE	TYPE/CODE	LAND QTY	LAND RATE	DPTH	DPT%	TOP%	LOC%	SIZ%	SHP%	OTH%	ADJ	FMV	EXMPT
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P72-42

1814 E NC 108 HWY

REQUESTED BY JERRY

RUN 6/21/22 TIME 19:22:14

SEARCY BRANDON T
1814 E NC 108 HWY

4.470 AC TWSP: 009

YR 2022 P72-42

4.47 ACRES

PIN:

DISTRICT: 9 COLUM TOWNSHIP- SWF

POLK COUNTY

ACCOUNT#: 52838

NBHD: 100B

Plat Bk/Pg F 99

1.00 EXCD:

100B COUTY RURAL

APPR: CBH APPR DT: 8/04/2021

NOTICE: CHG 8/31/2021

PAGE 11

Bldg No. 7
Imp Desc: SELF STORAGE
Grade : CD CI D GRADE
of Units Rms Bedrms Bathrms HBaths
EYB: 1814 E NC 108 HWY
AYB: 2017 Finished Area: 1,200.00
Exempt Code

TYPE/CODE/DESCRIPTION	PCT	%CMP	UNITS	RATE	STR#	STR%	SIZ%	HGT%	PER%	COST
MA STOR4 WH-SELF STORAGE	100		1200	20.00	1.00					24,000
RCN...			PCT COMPLETE		100	x				24,000
QUAL..		CD			80.00	x				19,200
DEPR..		MGD			3.80	-		729		729 T
--ASV...										18,471

PROPERTY NOTES:

PERMIT NO	TYPE	DATE	BOOK	PAGE	DT	DATE	QS	SALES	PRICE
AMOUNT									
AMOUNT									

MISC CODE	DESC	UNITS	RATE	AYB	EYB	DT	PCT	%CMP	ADD.DEPR	PCT	VALUE	EXMPT
							.00					
							.00					
							.00					
							.00					

#	ZONE	TYPE/CODE	LAND QTY	LAND RATE	DPTH	DPT%	TOP%	LOC%	SIZ%	SHP%	OTH%	ADJ	FMV	EXMPT
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P72-42

1814 E NC 108 HWY

REQUESTED BY JERRY

RUN 6/21/22 TIME 19:22:14

SEARCY BRANDON T
1814 E NC 108 HWY

4.470 AC TWSP: 009

YR 2022 P72-42

4.47 ACRES

PIN:

DISTRICT: 9 COLUM TOWNSHIP- SWF

POLK COUNTY

ACCOUNT#: 52838

NBHD: 100B

Plat Bk/Pg F 99

1.00 EXCD:

100B COUTY RURAL

99

EXCD:

APPR: CBH APPR DT: 8/04/2021

NOTICE: CHG 8/31/2021

PAGE 13

Bldg No. 8	SELF STORAGE	EYB: 1814 E NC 108 HWY	Exempt Code
Imp Desc: CD	CI D GRADE	AYB: 2017	Finished Area: 2,000.00
# of Units	Rms	Bedrms	Bathrms
HBaths			
TYPE/CODE/DESCRIPTION	PCT %CMP	UNITS	RATE
MA STOR4 WH-SELF STORAGE	100	2000	20.00
			STR# 1.00
			STR% 100
			SIZ% 80.00
			HGT% 3.80
			PER% 1,216
			COST 40,000
			40,000
			32,000
			1,216
			30,784

PROPERTY NOTES:

PERMIT NO	TYPE	DATE	BOOK	PAGE	DT	DATE	QS	SALES	PRICE
AMOUNT									
AMOUNT									

MISC CODE	DESC	UNITS	RATE	AYB	EYB	DT	PCT	%CMP	ADD.DEPR	PCT	VALUE	EXMPT
							.00					
							.00					
							.00					
							.00					

#	ZONE	TYPE/CODE	LAND QTY	LAND RATE	DPTH	DPT%	TOP%	LOC%	SIZ%	SHP%	OTH%	ADJ	FMV	EXMPT
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P72-42

1814 E NC 108 HWY

REQUESTED BY JERRY

RUN 6/21/22 TIME 19:22:14

SEARCY BRANDON T
1814 E NC 108 HWY

4.470 AC TWSP: 009

YR 2022 P72-42

4.47 ACRES

PIN:

DISTRICT: 9 COLUM TOWNSHIP- SWF

POLK COUNTY

ACCOUNT#: 52838

NBHD: 100B

Plat Bk/Pg F 99

1.00 EXCD:

100B COUTY RURAL

APPR: CBH APPR DT: 8/04/2021

NOTICE: CHG 8/31/2021

PAGE 15

Bldg No. 9	SELF STORAGE	EYB:	1814 E NC 108 HWY	Exempt Code					
Imp Desc: CD	CI D GRADE	AYB: 2021	Finished Area:	1,600.00					
# of Units	Rms	Bedrms	Bathrms	HBaths					
TYPE/CODE/DESCRIPTION	PCT %CMP	UNITS	RATE	STR#	STR%	SIZ%	HGT%	PER%	COST
MA STOR4 WH-SELF STORAGE	100	1600	20.00	1.00					32,000
RCN...		PCT COMPLETE		100	x				32,000
QUAL..	CD			80.00	x				25,600
DEPR..	MGD			1.90	-		486		486 T
--ASV...									25,114

PROPERTY NOTES:

PERMIT NO	TYPE	DATE	BOOK	PAGE	DT	DATE	QS	SALES	PRICE
AMOUNT									
AMOUNT									

MISC CODE	DESC	UNITS	RATE	AYB	EYB	DT	PCT	%CMP	ADD.DEPR	PCT	VALUE	EXMPT
							.00					
							.00					
							.00					
							.00					

#	ZONE	TYPE/CODE	LAND QTY	LAND RATE	DPTH	DPT%	TOP%	LOC%	SIZ%	SHP%	OTH%	ADJ	FMV	EXMPT
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P72-42

1814 E NC 108 HWY

REQUESTED BY JERRY

RUN 6/21/22 TIME 19:22:14










1814
Columbu

1814 NC-108
1814 NC-108, Columbu...
35.27°N, 82.18°W

✕

1814 NC-108

— +



**Surrounding
Property Uses**

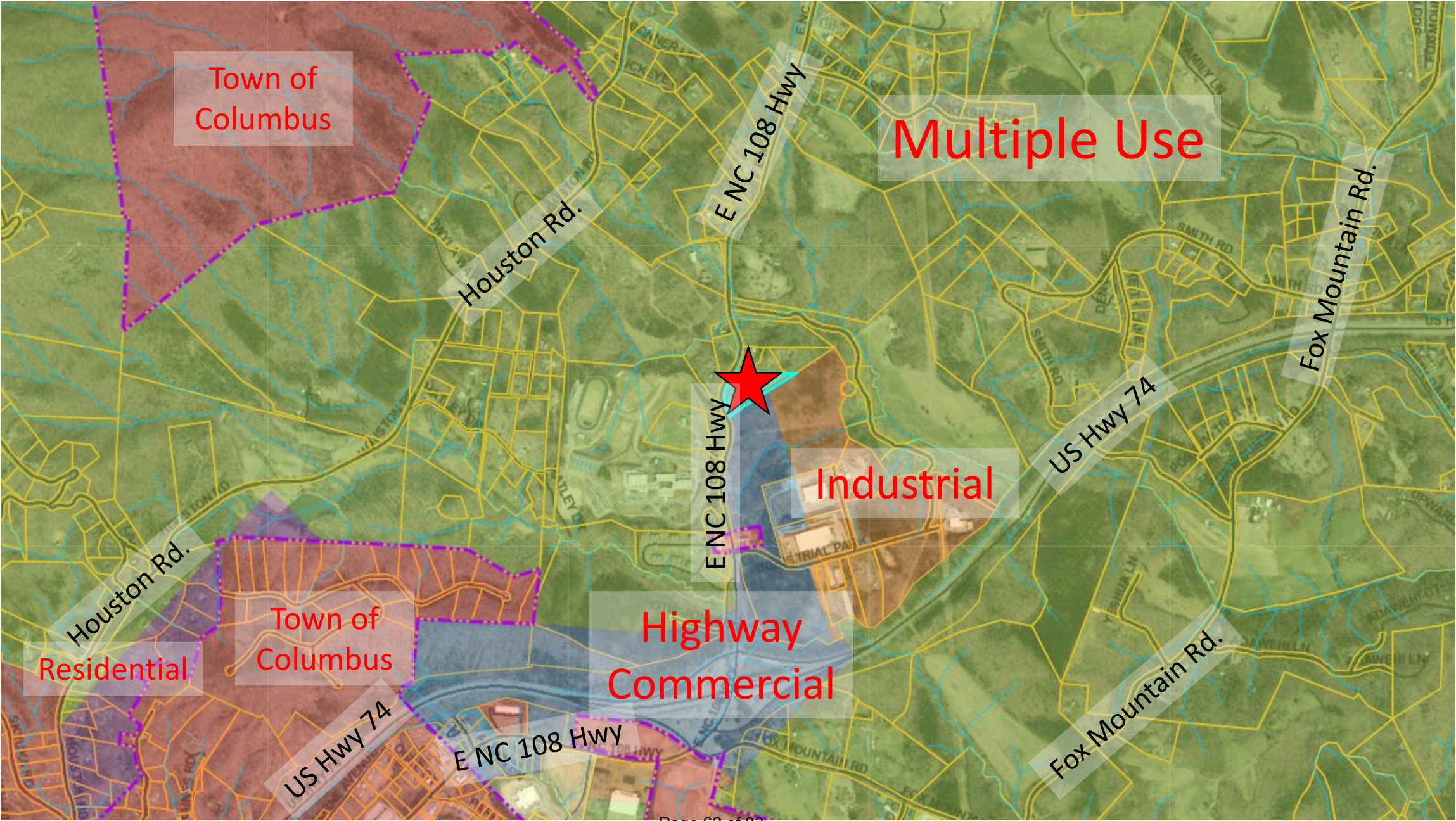
*If no use listed,
property is
vacant.*



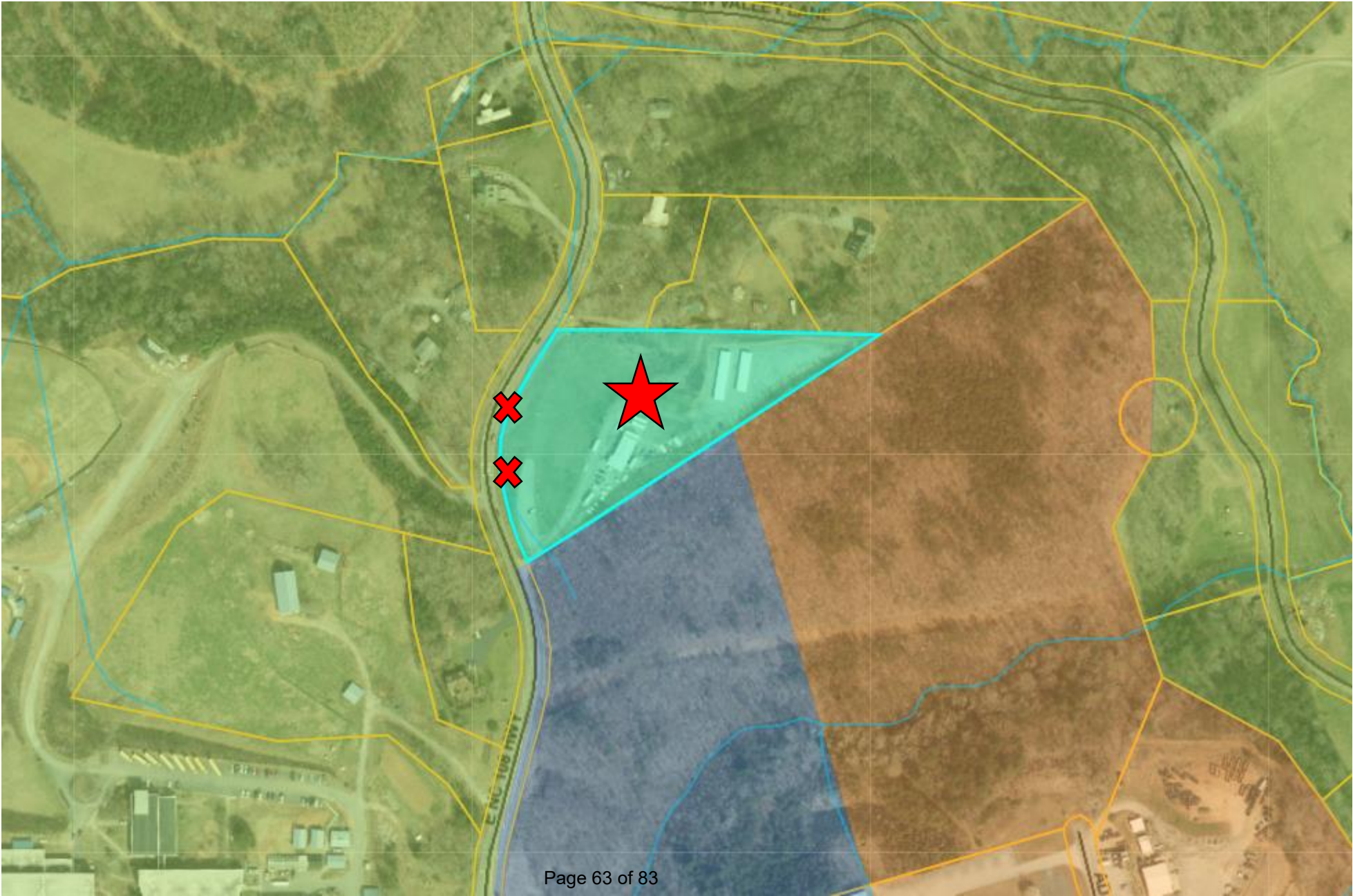
Surrounding Roads



Surrounding Area and Zoning



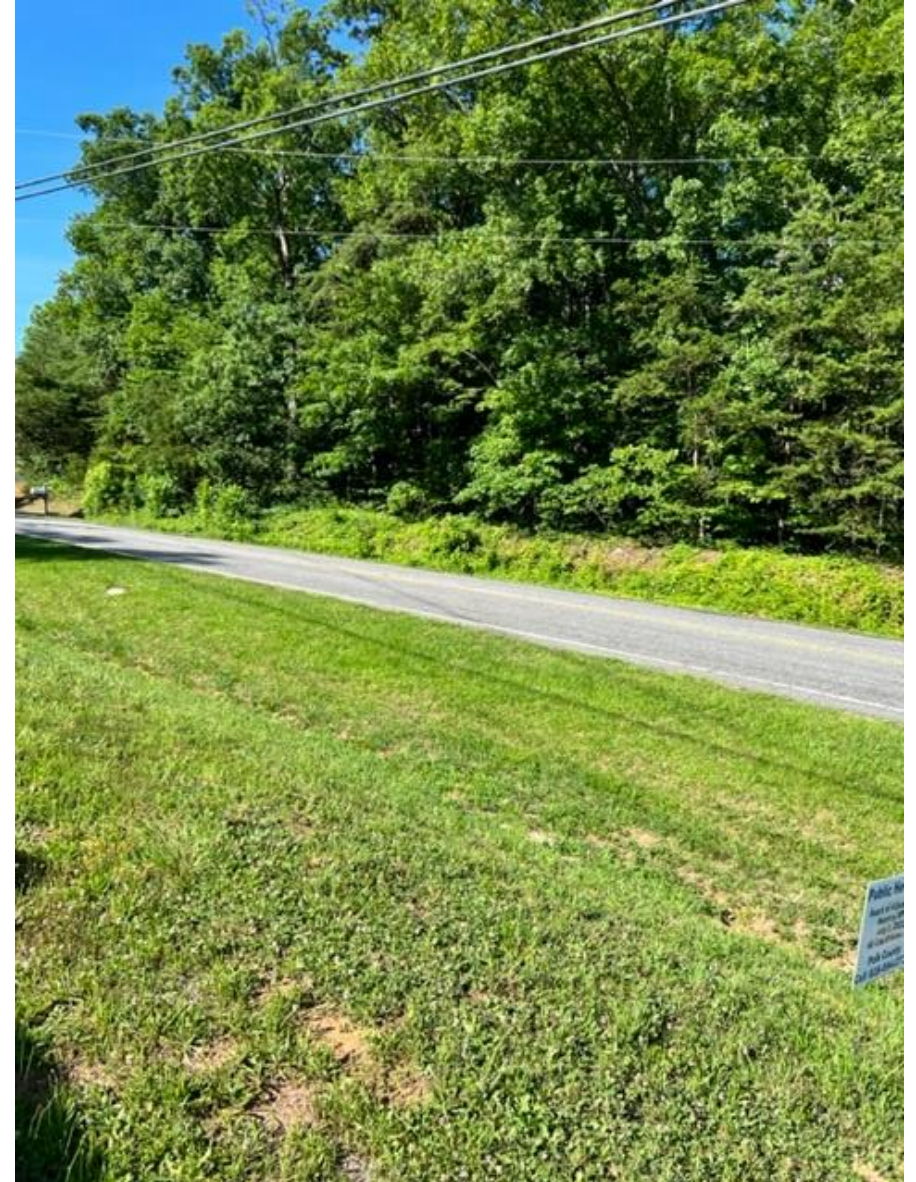
**Sign Posting
Locations**



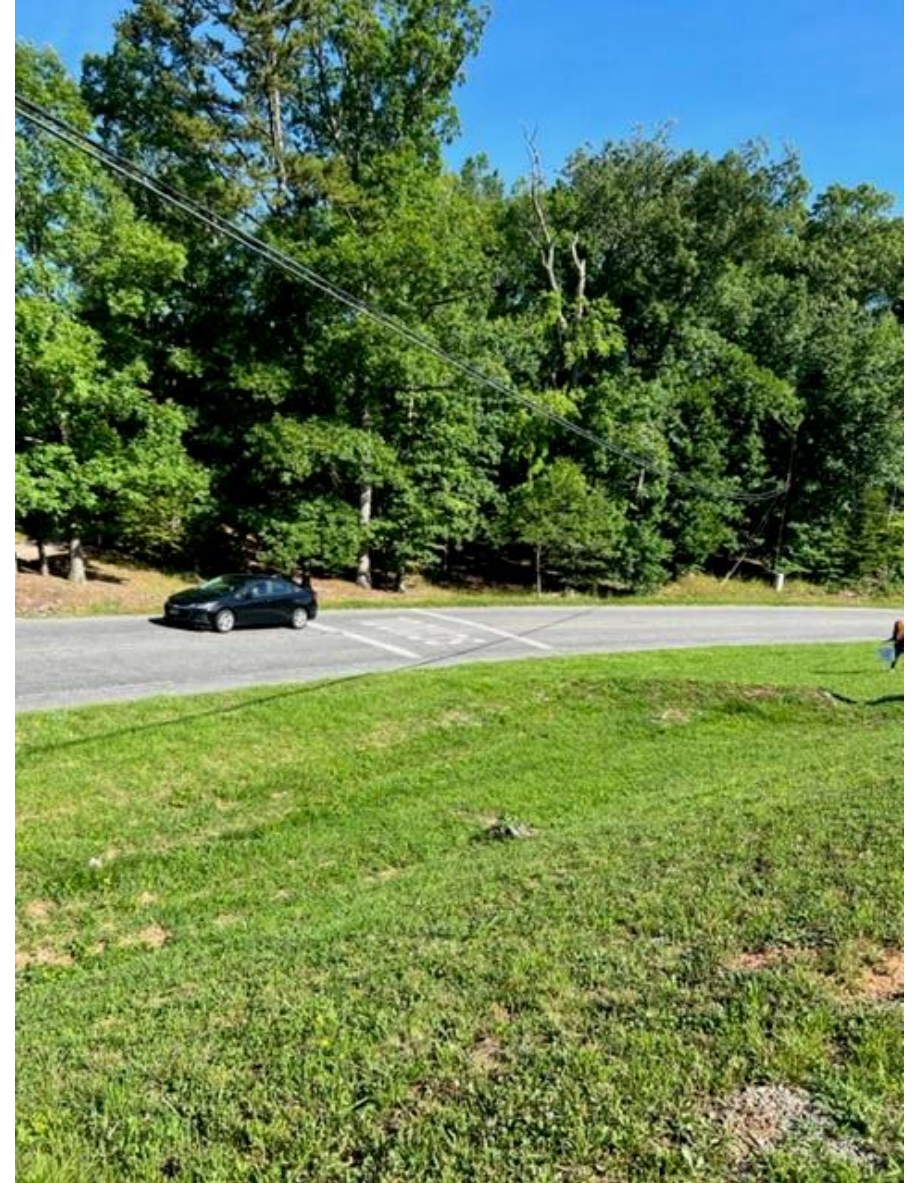




































Doc ID: 004771160003 Type: CRP
Recorded: 12/11/2019 at 02:39:35 PM
Fee Amt: \$0.00 Page 1 of 3
Polk, NC
Sheila Whitmire Register of Deeds

BK **445** PG **340-342**

**STATE OF NORTH CAROLINA
COUNTY OF POLK**

**BEFORE THE BOARD OF ADJUSTMENT
CASE NUMBER: 2019-04 (CU)**

In Re: Application of Brandon Searcy
Conditional Use Permit

DECISION

BACKGROUND

This matter came on for hearing before the Polk County Board of Adjustment on October 1, 2019 to consider the application of Brandon Searcy and Searcy Automotive and Storage for a Conditional Use Permit to expand a self-storage business being operated on tax parcel P72-42. Having received evidence and testimony on the application and proposed use, the Board of Adjustment continued the matter to October 8, 2019 to consider and enter a decision on the matter as developed from the October 1, 2019 hearing. Having considered the matter as presented at the October 1, 2019 hearing, the Board of Adjustment hereby makes the following:

FINDINGS OF FACT

The applicant, Brandon Searcy and Searcy Automotive and Storage, submitted an application to the Board of Adjustment on August 29, 2019 seeking a Conditional Use Permit to expand their existing self-storage business located at 1814 NC Highway 108 E, Columbus, Polk County.

The property consists of approximately 4.47 acres. It is currently being used to operate a commercial automotive garage, a self-storage warehouse and a (U-Haul) truck/trailer equipment rental business. The automotive garage business is located within a 2100 square foot building. The existing self-storage warehouse business was permitted pursuant to a Conditional Use Permit in 2017 (2017-02(CU)). The existing self-storage business consists of four (4) warehouses buildings (A-D):

- A. a 20' by 100' warehouse with 24 units (16 each 10' by 10' and 8 each 5' by 10'),
- B. a 20' by 80' warehouse with 18 units (14 each 10' by 10' and 4 each 5' by 10'),
- C. a 20' by 60' warehouse with 14 units (10 each 10' by 10' and 4 each 5' by 10'), and
- D. a 40' by 40' warehouse with 10 units (6 each 10' by 10' and 4 each 5' by 10').

The applicant proposes to add eleven (11) additional warehouse storage buildings (E-O) to the property pursuant to a ten (10) phase, phased development plan:

- E. Proposed Phase 1 will be a 10'x120' storage building, located toward the back of the property. No excavation will be necessary.
- F. Proposed Phase 2 will be a 40'x40' storage building located adjacent to existing garage, but not attached. No excavation will be necessary.
- G. Proposed Phase 3 will be a 20'x60' storage building located below the existing four storage buildings. Substantial fill and engineering will be required prior to construction.

- H. Proposed Phase 4 will be a 20'x60' storage building located below the existing four storage buildings. Substantial fill and engineering will be required prior to construction.
- I. Proposed Phase 5 will be a 20'x60' storage building located below the existing four storage buildings. Substantial fill and engineering will be required prior to construction.
- J. Proposed Phases 6 through 10 will be six 20'x100' storage buildings located near the road in the area the U-Hauls are currently stored. Excavation and engineering will be required prior to construction.

The property is zoned Multiple Use (MU). The MU district is intended to provide locations for most types of land uses allowed in the other zoning districts. Uses in this district should not endanger the public health and safety, not substantially injure the surrounding property values, and be in harmony with the surrounding area. Storage and Warehouse Facilities are permitted in the MU district with a Conditional Use Permit ("CUP"). Adjacent properties to the north and west are likewise zoned MU. The property to the east is zoned Industrial and the property to the south is zoned Highway Commercial.

The Board may approve an application for a Conditional Use Permit if it makes each of the following findings of fact:

- a) the proposed use complies with the standards for such use, if any, contained in the Zoning Ordinance;
- b) the proposed use will not adversely affect the health or safety of persons residing or working in the neighborhood of such proposed use;
- c) the proposed use will not be detrimental or injurious to property, property uses or property values, or to public improvements in the neighborhood of such proposed use; and
- d) the proposed use is designed and will be operated in such a manner as to be in harmony with the neighborhood in which it is to be located.

On the issue of whether the proposed use complies with the standards for such use contained in the Zoning Ordinance, the Board finds as follows:

The property upon which the proposed storage and warehouse facilities would be located is zoned MU. The surrounding property is currently used for industrial purposes. The applicant proposes to expand the number warehouse storage buildings existing on the property. The Polk County Zoning Ordinance allows storage and warehouse facilities in the MU zoning district with a CUP. The Zoning Administrator submitted a detailed staff report and testified that the application was complete in all respects and met all the standards of the Zoning Ordinance. However, since the proposed development would involve more than one primary use of the property (garage, warehouse and storage facilities and a truck and equipment rental business), the applicant must also submit and be granted a group development permit.

On the issue of whether the proposed use will not adversely affect the health or safety of persons residing or working in the neighborhood of such proposed use, the Board finds as follows:

Having reviewed the application and supporting documentation submitted by the applicant, and hearing testimony from the Columbus Fire Chief Tony Priester that he examined the property and the site plan and he found no issues for access by the fire apparatuses and trucks to navigate the

proposed buildings and that there are two fire hydrants in close proximity to the property, the Board finds that the proposed use would not adversely affect the health or safety of persons residing or working in the neighborhood of the proposed use.

On the issue of whether the proposed use will not be detrimental or injurious to property, property uses or property values, or to public improvements, in the neighborhood of such proposed use, the Board finds as follows:

The Board finds that there was no testimony presented that the proposed use would be incompatible with neighboring land uses and the character of the community and would be detrimental or injurious to property, property uses or property values in the neighborhood of the proposed site. In the absence of such testimony, the Board finds the proposed use would not be detrimental or injurious to property, property uses or property values, or to public improvements, in the neighborhood of such proposed use.


On the issue of whether the proposed use is designed and will be operated in such a manner as to be in harmony with the neighborhood in which it is to be located, the Board considered the finds as follows:

The neighborhood surrounding the parcel is industrial in character and as such, the Board finds Phases 1-2 will be operated in such a manner as to be in harmony with the industrial character of the neighborhood. The Board further finds Phase 3-10 will require additional information to be approved and will need to be brought back before the Board for approval.

CONCLUSIONS OF LAW

BASED UPON THE FOREGOING FINDINGS OF FACT, the Board concludes as a matter of law the applicant produced substantial, material and competent evidence that Phase 1-2 of the application has satisfied the standards of the zoning ordinance and concludes as a matter of law that the permit should be granted, and conditioned upon approval of a group development permit, the permit is hereby granted subject to the applicable provisions of the Polk County Zoning Ordinance, and the following special conditions which the Board of Adjustment finds to be in the public interest:

- A. The development of the parcel shall comply with all regulations as specified in the Polk County Zoning Ordinance,
- B. Access to be evaluated by NCDOT as to the expansion of the buildings,
- C. Conditions for Conditional Use Permit 2017-02(CU) shall be applicable to this permit,
- D. If the conditions addressed in this special exception are violated, the permit shall be revoked, and the use will no longer be allowed. Only by reapplying to the Board of Adjustment for another Conditional Use Permit and receiving their approval can the use be again permitted.

This the 10 day of December 2019.

Chair