



Rowan County Board of Adjustment
130W. Innes Street Salisbury, NC 28144-4341

STAFF REPORT
BOA 01-23

Request

Richard Shulenburger has submitted a variance application on behalf of property owner OMG Investments LLC requesting a variance to the minimum lot width requirements in section 21-84 of the Rowan County Zoning Ordinance. The requested variance is to allow three lots in a Minor Subdivision to go below the seventy (70) foot minimum lot width requirement on Rowan County Tax Parcel 500-661 located at the 1250 block of Scout Rd, Salisbury, NC.

Background

Tax Parcel 500-661 was originally part of a larger 35 acre tract of land referenced as Tax Parcel 500-002. In 2005 Tax Parcel 500-002 was divided into tracts A1, A2, B, C, and D as shown in plat book 9995 page 5440 in the Rowan County Register of Deeds (see exhibit 1). In 2023 the current owner received approval for a recombination plat to combine the portion of Tract D on the east side of Scout Rd with Tract A2 as shown in plat book 9995 page 10648 (see exhibit 2).

The applicant submitted a five (5) lot Minor Subdivision of Tax Parcel 500-661 for review to the Planning and Development Department on October 17th, 2023 (see exhibit 3). Lots 1-3 of this Minor Subdivision did not meet the seventy (70) foot minimum lot width requirement, while lots 4-5 were conforming lots. After review, Staff informed the applicant that lots 1-3 did not meet the minimum lot width of seventy (70) feet. On November 6th, 2023 the applicant submitted an application for a variance to the minimum lot width requirement.

After the variance was applied for, the applicant submitted a new two (2) lot Minor Subdivision of Tax Parcel 500-661 (see exhibit 4). The two (2) lots in the new Minor Subdivision were the conforming lots from the previous Minor Subdivision. Staff approved the new subdivision on November 15th, 2023, creating lots 4-5 of the original division and

reducing Tax Parcel 500-661 to 1.94 acres. The new configuration of Tax Parcel 500-661 contains the area that lots 1-3 occupied on the original Minor Subdivision. The applicant has since obtained zoning permits to construct houses on lots 4 and 5.

Property Characteristics

Tax Parcel 500-661 currently is a 1.94 acre tract located on Scout Rd in between section 1 and section 2 of Summer Place. The lot has approximately 300' of frontage along Scout Rd and a lot dept of 561' when measured at the northern property line, The property is currently zoned Rural Agricultural (RA). The minimum lot standards are 20,000 Sq Ft of area, lot width of 35' at the road right of way, 70' of lot width at the building setback line, and 150' of depth (see exhibit 5). The lot is currently completely wooded.

Conditions in the Vicinity

The property is bordered to its north by a vacant lot that OMG Development has obtained a zoning permit to build a house on. The properties to the west across Scout Rd are large, wooded lots. The property to the south has two residences on it. The property to the east is a common lot owned by the Summer Place Property Owners association.

Variance Standards

Refer to the BOA 01-23 application submitted by the applicant and his responses to the criteria for consideration of the minimum lot width variance request.

Variance Procedures

A Variance request is heard in a quasi-judicial hearing. The BOA shall determine the contested facts and make its decision based on competent, material, and substantial evidence. Prior to granting a variance, the BOA must vote affirmatively on all six (6) criteria from sec 21-322(2) of the Zoning Ordinance with a four-fifths (4/5) vote. Each motion to make an affirmative finding shall set forth the specific reasons or findings of fact supporting such motion. The BOA may impose appropriate conditions reasonably related to the variance request. A motion to deny the variance request may be made on the basis that one (1) or more of the criteria are not satisfied. Such a motion shall include a statement of the specific reasons or findings of fact that support it.

APPLICATION



Rowan County Department of
Planning & Development
402 N. Main Street Ste 204
Salisbury, NC 28144
Phone (704) 216-8588
Fax (704) 638-3130
www.rowancountync.gov

Case # ZBA 01-23
Date Filed 11/6/23
Received By SAS
Amount Paid \$ 200.00 ck # 15984
Office Use Only

BoA-020546-2023

VARIANCE APPLICATION

OWNERSHIP INFORMATION:

Name: DMG INVESTMENTS LLC
Signature: [Signature]
Phone: 610-805-4448 Email: DMG105GROSS@hotmail.com
Address: 4311 School House Ln #213
Wilmington NC 28405

APPLICANT / AGENT INFORMATION:

Name: RICHARD L. SHULENBURGER
Signature: [Signature]
Phone: 704-637-9623 Email: SHULENBURGER10@GMAIL.COM
Address: 614 N. MAIN ST, SUITE A
SALISBURY N.C. 28144

PROPERTY DETAILS:

Variance Requested on Property Located at: Scout RD
Tax Parcel: 500 661 Zoning District: RA

TO THE ROWAN COUNTY ZONING BOARD OF ADJUSTMENT:

I DAVID GLASS, hereby petition the Board of Adjustment for a
VARIANCE from the provisions of the Rowan County SUBDIVISION Ordinance because,
under the interpretation given to me by the Administrator*, I am prohibited from using the parcel
of land described above in a manner shown by the Plot Plan attached to this form. I request a
variance from the following provisions of the ordinance (cite Section & Code req.):

SECTION 21-04 OF ZONING ORDINANCE - DIMENSIONAL REQUIREMENTS

FACTORS RELEVANT TO THE ISSUANCE OF A VARIANCE:

The Board of Adjustment may grant a variance if it concludes that strict enforcement of this ordinance would result in unnecessary hardships for the applicant. The Zoning Board of Adjustment, in granting, shall ensure that the spirit of this ordinance is maintained, public welfare and safety ensured, and substantial justice done. In the following spaces, indicate the **facts** and **argument** you plan to render, in order to convince the Board, to properly determine that their conclusions or findings of fact are applicable.

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

LOTS 1, 2 & 3 HAVE BEEN TURNED DOWN BY STAFF,
LOSING A LOT WILL MAKE THIS PROJECT NONVIABLE.
THERE IS NO WHERE IN ORDINANCE THAT SAYS LOTS MUST
MAINTAIN 70' WIDTH UNTIL THE MINIMUM LOT SQUARE FOOTAGE IS ACHIEVED.

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

THE SHAPE OF THIS PROPERTY AFFORDS PLENTY OF WIDTH
TO MEET THE REQUIRED 70' WIDTH AT THE REQUIRED 30'
MINIMUM SET BACK LINE. STAFF SAYS THAT LOTS MUST BE
70' WIDE UNTIL IT CAPTURES 20,000 SQ. FT. NOT IN ORDINANCE.

- 3) The hardship is not the result of the property owner or applicant's own actions. (The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self created hardship);

N/A

- 4) The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured and substantial justice is achieved;

LOTS WERE DESIGNED BY SOIL SCIENTIST TO HAVE
PROPER AREA FOR SEPTIC FIELD, REPAIR AREA AND WELL.
SEE ATTACHED SHEETS 4&5

- 5) The variance will not result in a land use otherwise not permitted in the applicable zoning district nor authorize the extension of a nonconforming situation in violation of article VI, or other applicable provisions of this chapter;

IN MY OPINION WE ARE NOT VIOLATING ANY ORDINANCES.

- 6) If applicable, the setback reduction is no more than fifty (50) percent of that required and the resulting setback is no less than five (5) feet from any property line or right-of-way.

NOT ASKING FOR SETBACK REDUCTIONS.

I certify that all the information presented by me in this application is accurate to the best of my knowledge information and belief.


Signature

11/6/23
Date

* Includes administrators and enforcement officers with the Department of Planning and Development.

OFFICIAL USE ONLY

1. Signature of Coordinator: _____ 2. ZBA Hearing: ____/____/____
3. Notifications Mailed: ____/____/____ 4. Property Posted: ____/____/____ 5. ZBA Action: Approved _____
Denied _____ 6. Date Applicant Notified: ____/____/____ 7. Date CMO Notified: ____/____/____
-
-

MAP NOT VALID WITHOUT REPORT















Legend










-  ProposedHouseBox
 SepticTank4601
 RepairArea4601
 DripRepairArea

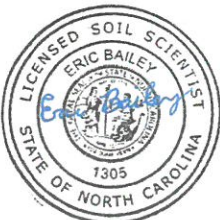
Initial4601

Color

-  blue
 green
 lime
 yellow
 orange
 red
 purple
 pink
 SupplyLine4601
 DBBox4601
 Driveway4601
 Well4601

Detailed Borings

-  20"-24"
 Conv
 ADJOWN
 SYM
 ASPHALT
 LOTS
 SETBACKS
 ASPHALT
 Wellbuffer



LOT 8B
D.B. 1421 PG. 779
ZONED RA
BOOK C

1 inch = 50 feet

0 12.5 25 50 75 100 US Feet

LOTS 1 & 2

(4)



PIEDMONT
ENVIRONMENTAL
ASSOCIATES, P.A.

Site Plan - Lot 2 Scout Rd

216 S. Swing Rd. Suite 1
Greensboro, NC 27409
piedmontsoil.com

Job# 4601
Date: 10-11-2023
Client: Cliff and Amanda Freeman
County: Rowan

MAP NOT VALID WITHOUT REPORT

Legend

- ProposedHouseBox
- SepticTank4601
- RepairArea4601
- DripRepairArea

Initial4601

Color

- blue
- green
- lime
- yellow
- orange
- red
- purple
- pink
- SupplyLine4601
- DBox4601
- Driveway4601
- Well4601

Detailed Borings

- 20"-24"
- Conv
- ADJOWN
- SYM
- ASPHALT
- LOTS
- SETBACKS
- ASPHALT
- Wellbuffer



1 inch = 50 feet
0 12.525 50 75 100 US Feet

Lot 3

(15)

connecting these two (2) lines.

(Ord. of 1-19-98, § V)

Sec. 21-84. Table of dimensional requirements.

DISTRICTS	RA	RR	RS	MHP	MFR	AI	CBI	NB	INST	IND
Minimum zone lot size⁽¹⁾⁽³⁾										
Septic tank and individual or multi-connection well	20,000 sq ft	20,000 sq ft	20,000 sq ft	6 acres	2 acre with 3 du/acre ⁽²⁾	N/A	N/A ⁽²⁾	20,000 sq ft	N/A	N/A
Minimum zone lot size⁽¹⁾⁽³⁾										
Public water or community water or Public sewer or approved package treatment plant	15,000 sq ft	15,000 sq ft	15,000 sq ft	6 acres	2 acre with 8 du/acre ⁽²⁾	N/A	N/A ⁽²⁾	15,000 sq ft	N/A	N/A
Minimum zone lot size⁽¹⁾⁽³⁾										
Public water and sewer	10,000 sq ft	10,000 sq ft	10,000 sq ft	6 acres	2 acre with 12 du/acre ⁽²⁾	N/A	N/A ⁽²⁾	10,000 sq ft	N/A	N/A
Minimum lot width at right-of-way	35 ft	35 ft	35 ft	35 ft	35 ft ⁽⁶⁾	35 ft	35 ft	35 ft	35 ft	35 ft
Minimum lot width at Building setback line	70 ft	70 ft	70 ft	70 ft	70 ft ⁽⁶⁾	70 ft	70 ft	50 ft	70 ft	70 ft
Minimum lot depth										
Without public water & sewer	150 ft	150 ft	150 ft	150 ft	150 ft ⁽⁶⁾	100 ft	100 ft ⁽²⁾	100 ft ⁽²⁾	150 ft	150 ft
Public water and sewer	125 ft	125 ft	125 ft	125 ft	125 ft ⁽⁶⁾	100 ft	100 ft	100 ft	125 ft	150 ft
Principal structure setback										
Front Yard ⁽⁴⁾	30 ft	30 ft	50 ft	50 ft	50 ft ⁽⁶⁾	50 ft	50 ft ⁽²⁾	30 ft	30 ft	50 ft
Side street	20 ft	20 ft	25 ft	50 ft	50 ft ⁽⁶⁾	25 ft	30 ft ⁽²⁾	20 ft	20 ft	30 ft
Side yard ⁽⁴⁾	10 ft	10 ft	10 ft	50 ft	50 ft ⁽⁶⁾	10 ft	10 ft or 0 ft ⁽²⁾	10 ft or 0 ft ⁽⁷⁾	10 ft	10 ft or 0 ft
Rear yard ⁽⁴⁾	10 ft	10 ft	20 ft	50 ft	50 ft ⁽⁶⁾	20 ft	10 ft or 0 ft ⁽²⁾	10 ft or 0 ft ⁽²⁾⁽⁷⁾	10 ft	10 ft or 0 ft
Accessory structure setback⁽⁸⁾										
Front	30 ft	30 ft	50 ft	50 ft ⁽⁵⁾	50 ft ⁽⁶⁾	50 ft	10 ft	10 ft	10 ft	10 ft
Any right-of-way	10 ft	10 ft	10 ft	30 ft ⁽⁵⁾	50 ft ⁽⁶⁾	10 ft	10 ft	10 ft	10 ft	10 ft
Side and rear yard	10 ft	10 ft	10 ft	10 ft ⁽⁵⁾	10 ft ⁽⁶⁾	10 ft	10 ft	10 ft	10 ft	10 ft

(1) May be increased based on location in regulated watershed.

(2) For single family use standards for RA district.

(3) For individual lot size/space standards in an MHP district refer to section 21-60(11)n.

(4) For individual space setbacks in an MHP district refer to section 21-60(11)d.

(5) From exterior property lines.

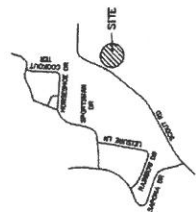
(6) Requirements may be modified or exempted as provided by section 21-60(16). Dimensional criteria for subdivided lots shall be as provided for in the RA district, excluding external boundaries of the development.

(7) See "special requirements" for NB district for setbacks from residential zoning districts.

(8) Refer to section 21-285 for additional standards.

ASSISTANT/DEPUTY

VICINITY MAP NOT TO SCALE

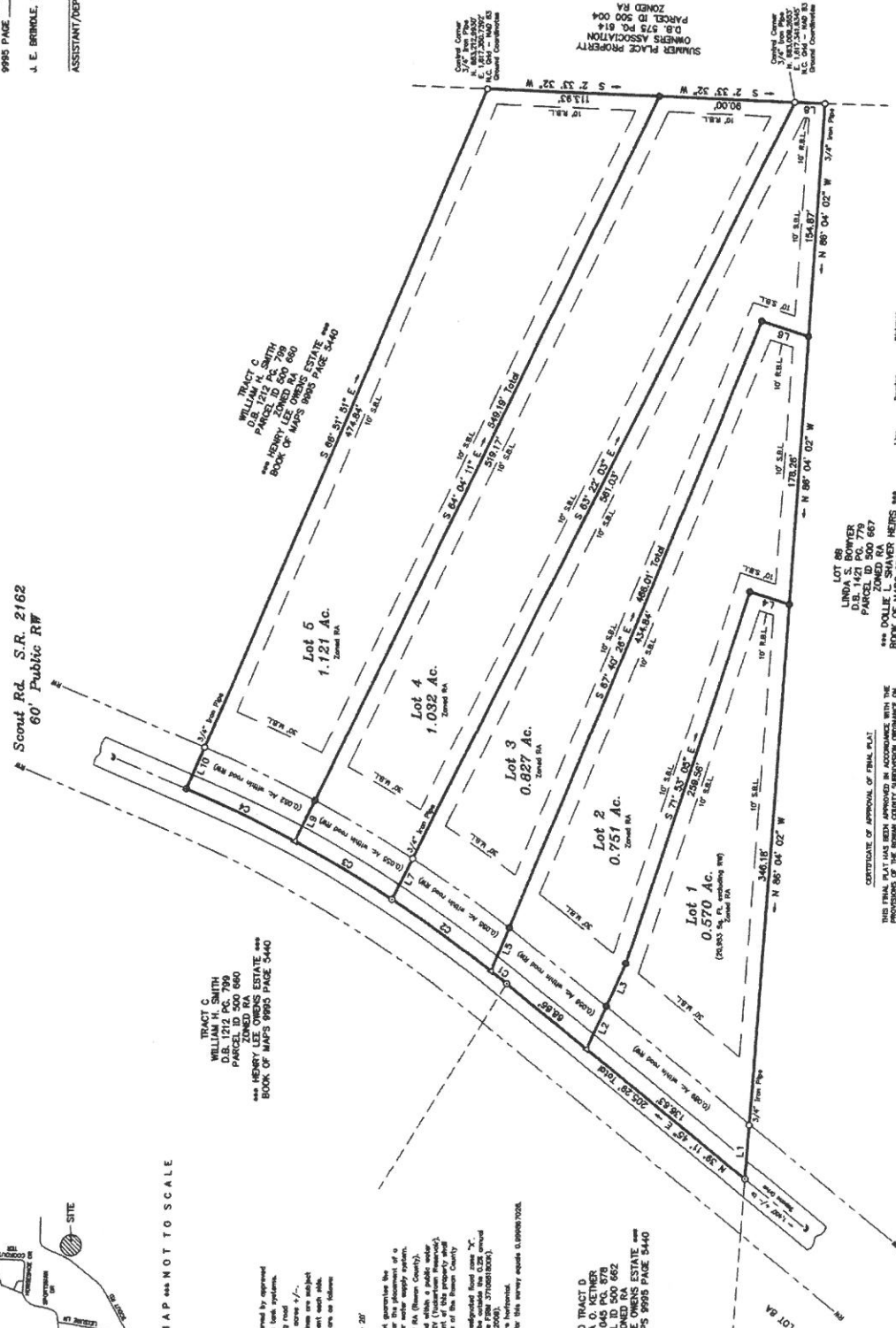


TRACT C
WILLIAM H. SMITH
D.B. 1212 PG. 799
PARCEL ID 500 660
ZONED RA
*** HENRY LEE OWENS ESTATE ***
BOOK OF MAPS 9895 PAGE 5440

TRACT C
WILLIAM A. SMITH
PARCEL ID 600 799
ZONED R1
BOOK OF MAPS 9905 ESTATE
S 06° 31' 51"

N.C. GRID NORTH (NAD 83) FROM
BOOK OF MAPS 9995 PAGE 5440

- [illegible]



CERTIFICATE OF APPROVAL OF FINAL PLAT

L. RICHARD L. SHULENBURGER, PROFESSIONAL LAND SURVEYOR, L-2687 N.C., CERTIFY THAT THIS SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.

Curve	Radius	Chord Bearing and Distance	Area Level	Area Level
1	501.80	N 30° 45' 27" E	13.34	13.34
2	501.80	N 30° 45' 27" E	81.87	82.00
3	501.80	N 30° 45' 27" E	79.87	80.00
4	501.80	N 30° 45' 27" E	79.87	80.00
5	501.80	N 30° 45' 27" E	79.87	80.00
6	501.80	N 30° 45' 27" E	79.87	80.00
7	501.80	N 30° 45' 27" E	79.87	80.00
8	501.80	N 30° 45' 27" E	79.87	80.00
9	501.80	N 30° 45' 27" E	79.87	80.00
10	501.80	N 30° 45' 27" E	79.87	80.00
11	501.80	N 30° 45' 27" E	79.87	80.00
12	501.80	N 30° 45' 27" E	79.87	80.00
13	501.80	N 30° 45' 27" E	79.87	80.00
14	501.80	N 30° 45' 27" E	79.87	80.00
15	501.80	N 30° 45' 27" E	79.87	80.00
16	501.80	N 30° 45' 27" E	79.87	80.00
17	501.80	N 30° 45' 27" E	79.87	80.00
18	501.80	N 30° 45' 27" E	79.87	80.00
19	501.80	N 30° 45' 27" E	79.87	80.00
20	501.80	N 30° 45' 27" E	79.87	80.00
21	501.80	N 30° 45' 27" E	79.87	80.00
22	501.80	N 30° 45' 27" E	79.87	80.00
23	501.80	N 30° 45' 27" E	79.87	80.00
24	501.80	N 30° 45' 27" E	79.87	80.00
25	501.80	N 30° 45' 27" E	79.87	80.00
26	501.80	N 30° 45' 27" E	79.87	80.00
27	501.80	N 30° 45' 27" E	79.87	80.00
28	501.80	N 30° 45' 27" E	79.87	80.00
29	501.80	N 30° 45' 27" E	79.87	80.00
30	501.80	N 30° 45' 27" E	79.87	80.00

DATE 10/17/2023

ORDER - CMO INVESTMENTS, LLC (DAVID GLASS)

Curve	Radius	Chord Bearing and Distance	Arc Length
C1	901.89'	N 30° 45' 22" E	13.34'
C2	901.85'	N 36° 43' 38" E	81.87'
C3	901.89'	N 30° 43' 08" E	75.65'
C4	901.89'	N 29° 48' 20" E	80.00'



PROPERTY SURVEY FOR:
OMC Investments, LLC

I, RICHARD L. SKALLERBURGER, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION, D.E. (SEE REFERENCES) AND THAT THE SAME IS CORRECTLY SHOWN AND EXTENDED AS TRUTHFUL INFORMATION FOR THE PUBLIC. I PROTEST THAT THE RATIO OF PRECISION AS CALCULATED IS 1 : 10,000; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AND AS MENDED, WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL, THIS 10th DAY OF OCTOBER, 2023.



STATE OF NORTH CAROLINA
COUNTY OF ROWAN

I, _____, REVIEW OFFICER OF ROWAN COUNTY,
CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION
IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER _____ DATE _____

SURVEY AND MAP BY SHULENBURGER SURVEYING COMPANY, P.A. (FIRM # C-1838)
614 N. MAIN ST., SUITE A, SALISBURY, N.C. PHONE: 704-637-9823

Exhibit 1

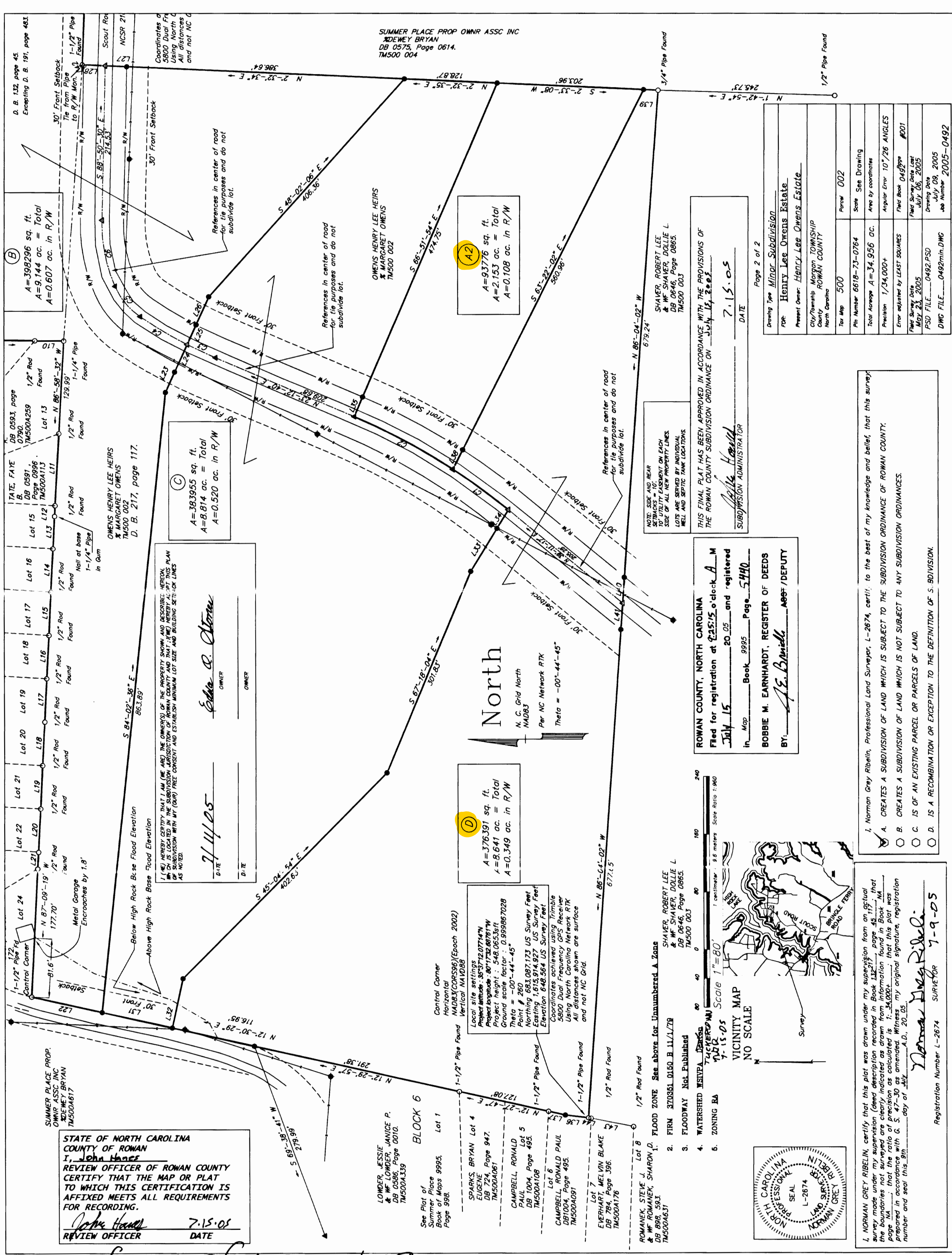


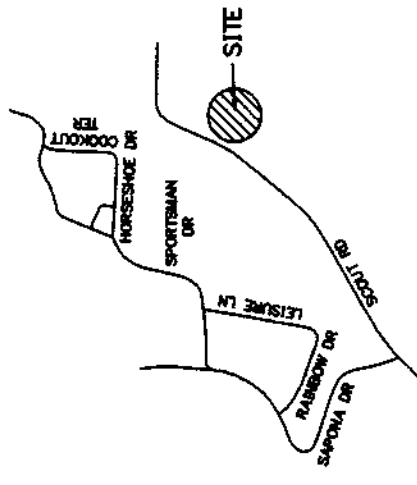
Exhibit 2

ROWAN COUNTY
FILED FOR REGISTRATION AT 11:41:39 AM
JUL 29 2023 AND REGISTERED IN MAP BOOK
9995 PAGE 10648

J. E. BRINDLE, REGISTER OF DEEDS
Assistant/Secretary

Doc ID: 01650890003
Recorded: 2023-07-29 14:39 AM
Fee Amt: \$21.00 Page 1 of 1
Rowan, NC
J. E. Brindle Register of Deeds
BK 9995 PG 10648

VICINITY MAP *** NOT TO SCALE



TRACT C
WILLIAM H. SMITH
D.B. 1212 PG. 799
PARCEL ID 500 660
ZONED RA
*** HENRY LEE OWENS ESTATE ***
BOOK OF MAPS 9995 PAGE 5440

TRACT C
WILLIAM H. SMITH
D.B. 1212 PG. 799
PARCEL ID 500 660
ZONED RA
*** HENRY LEE OWENS ESTATE ***
BOOK OF MAPS 9995 PAGE 5440

TRACT A2
OMG INVESTMENTS, LLC
D.B. 1429 PG. 942
PARCEL ID 500 661
ZONED RA
*** HENRY LEE OWENS ESTATE ***
BOOK OF MAPS 9995 PAGE 5440

P/O TRACT D
LINDA S. BOWYER
D.B. 1045 PG. 878
PARCEL ID 500 662
ZONED RA
*** HENRY LEE OWENS ESTATE ***
BOOK OF MAPS 9995 PAGE 5440

P/O TRACT D
OMG INVESTMENTS, LLC
D.B. 1429 PG. 941
PARCEL ID 500 673
ZONED RA
*** HENRY LEE OWENS ESTATE ***
BOOK OF MAPS 9995 PAGE 5440

LOT 88
LINDA S. BOWYER
D.B. 1421 PG. 779
PARCEL ID 500 667
ZONED RA
*** DOLLIE L. SHAVER HEIRS ***
BOOK OF MAPS 9995 PAGE 9958

Total Area
4.302 Acres
Parcel ID 500 661 (2.153 Ac.)
& Parcel ID 500 673 (2.149 Ac.)
Zoned RA

- NOTES:
1. This property to be served by private well and septic tank systems.
 2. Total coverage excluding road right of way is 3.993 acres.
 3. All side and rear lot lines are subject to a 10' utility easement each side.
 4. Building setback lines are as follows:
Front setback = 30'
Side setback = 10'
Rear setback = 20'
 5. Rowan County does not guarantee the suitability of any lot for the placement of a sewage disposal and/or water supply system.
 6. This property is zoned RA (Rowan County).
 7. This property is located within a public water supply watershed WS-IV (Tuckertown Reservoir). Any further development of this property shall meet the requirements of the Rowan County Subdivision Ordinance.
 8. This property lies within designated flood zone "X". (See FEMA 3710691800K).
Effective date (6-16-2009).
 9. All distances shown are horizontal.
 10. The combined factor for this survey equals 0.999987028.
 11. Parcel ID 500 661 (2.153 Ac.) & Parcel ID 500 673 (2.149 Ac.) are to be recombined by deed to form one parcel containing a total of 4.302 Acres.

Note:
This combination will only become effective after the recording of a document of title representing the owners intent to combine the noted parcels in the Office of Rowan County Register of Deeds.

I, RICHARD L. SHULENBURGER, PROFESSIONAL LAND SURVEYOR, L-2667 N.C., CERTIFY THAT THIS SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.

RICHARD L. SHULENBURGER, P.L.S.
DATE 9-26-23

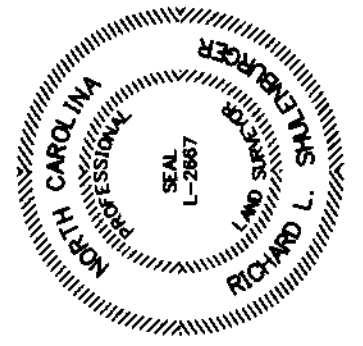
LEGEND
○ Existing Spike
● Utility Pole
○ Ex. Iron (as described)
● New Iron (as described)
△ Point (not set)
● Existing P.K. Nail
○ Centerline
RW Right-of-Way

STATE OF NORTH CAROLINA
COUNTY OF ROWAN
I, Adam BOWYER, REVIEW OFFICER OF ROWAN COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.
DATE 9/26/23

I HEREBY CERTIFY THAT THIS SUBDIVISION PLAT FOR RECORDATION IS AN EXCEPTION TO THE SUBDIVISION ORDINANCE OF ROWAN COUNTY, NORTH CAROLINA AS DEFINED IN SECTION 22-6.

RICHARD L. SHULENBURGER, P.L.S.
SUBDIVISION ADMINISTRATOR
ROWAN COUNTY, NORTH CAROLINA
DATE 9/26/23

I, RICHARD L. SHULENBURGER, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION, D.B. (see references); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN D.B. (N/A) PG. (N/A); THAT THE RATIO OF PRECISION AS CALCULATED IS 1: 10,000+; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED, WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 26th DAY OF SEPTEMBER, 2023.



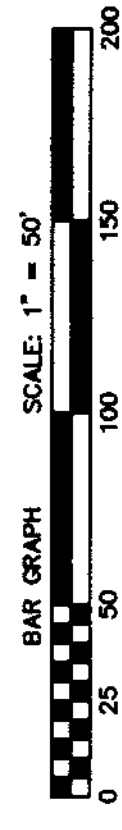
PROPERTY SURVEY FOR:
OMG Investments, LLC

SCALE: 1" = 50'
Tract A2 of the Henry Lee Owens Estate
MORGAN TOWNSHIP, ROWAN COUNTY, NORTH CAROLINA
REFERENCES: Parcel ID 500 661 & Parcel ID 500 673.
Deed Book 1429 Pages 941 & 942.
Book of Maps 9995 Page 5440.

SURVEY AND MAP BY SHULENBURGER SURVEYING COMPANY, P.A. (FIRM # C-1856)
614 N. MAIN ST., SUITE A, SALISBURY, N.C. PHONE: 704-637-9623

Line	Bearing	Distance
L1	S 2° 35' 50" W	20.11'
L2	S 86° 51' 10" W	35.93'
L3	S 86° 51' 57" E	28.67'

Curve	Radius	Chord Bearing and Distance	Arc Length
C1	901.85'	N 36° 08' 05" E	85.34'
C2	901.85'	N 28° 10' 51" E	130.46'



N.C. GRID NORTH (NAD 83) FROM
BOOK OF MAPS 9995 PAGE 5440

Exhibit 3

ROWAN COUNTY
FILED FOR REGISTRATION AT o'clock M.
2023 AND REGISTERED IN MAP BOOK
9995 PAGE _____
J. E. BRINDLE, REGISTER OF DEEDS
ASSISTANT/DEPUTY

N.C. GRID NORTH (NAD 83) FROM
BOOK OF MAPS 9995 PAGE 5440

Scout Rd. S.R. 2162
60' Public RW

TRACT C
WILLIAM H. SMITH
D.B. 1212 PG. 799
PARCEL ID 500 660
ZONED RA
*** HENRY LEE OWENS ESTATE ***
BOOK OF MAPS 9995 PAGE 5440

TRACT C
WILLIAM H. SMITH
D.B. 1212 PG. 799
PARCEL ID 500 660
ZONED RA
*** HENRY LEE OWENS ESTATE ***
BOOK OF MAPS 9995 PAGE 5440

P/O TRACT D
LINDA O. KETNER
D.B. 1045 PG. 878
PARCEL ID 500 662
ZONED RA
*** HENRY LEE OWENS ESTATE ***
BOOK OF MAPS 9995 PAGE 5440

LOT 88
LINDA S. BOWYER
D.B. 1421 PG. 779
PARCEL ID 500 667
ZONED RA
*** DOLLIE L. SHAVER HEIRS ***
BOOK OF MAPS 9995 PAGE 9958

CERTIFICATE OF APPROVAL OF FINAL PLAT
THIS FINAL PLAT HAS BEEN APPROVED IN ACCORDANCE WITH THE
PROVISIONS OF THE ROWAN COUNTY SUBDIVISION ORDINANCE OR

SUBDIVISION ADMINISTRATOR

Certificate of Ownership and Dedication
I hereby certify that I am the owner of the property shown and
described herein, which is located in the subdivision jurisdiction of Rowan
County and that I hereby adopt this plan of subdivision with my free
consent and establish minimum lot size and building setback lines as noted.
10/11/2023
DATE

OWNER - OMC INVESTMENTS, LLC (DAVID GLASS)

DATE

STATE OF NORTH CAROLINA
COUNTY OF ROWAN

I, _____, REVIEW OFFICER OF ROWAN COUNTY,
CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION
IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

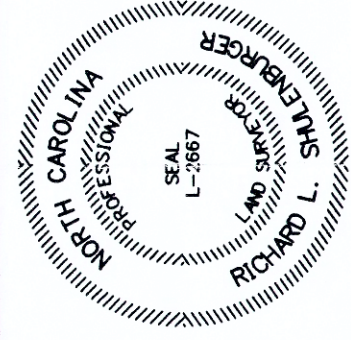
REVIEW OFFICER

DATE

LEGEND

- Existing Spike
Utility Pole
Ex. Iron (as described)
New Iron (#6 rebar)
Point (not set)
Existing P.K. Nail
Centerline
Right-of-Way

I, RICHARD L. SHULENBURGER, CERTIFY THAT THIS PLAT
WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL
SURVEY MADE UNDER MY SUPERVISION, D.B. (see references):
THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED
AS DRAWN FROM INFORMATION FOUND IN D.B. (N/A) PG. (N/A);
THAT THE RATIO OF PRECISION AS CALCULATED IS 1 : 10,000+;
THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30
AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER
AND SEAL THIS 10th DAY OF OCTOBER, 2023.

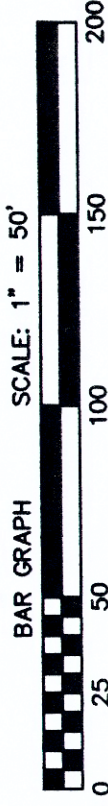


PROPERTY SURVEY FOR:

OMC Investments, LLC

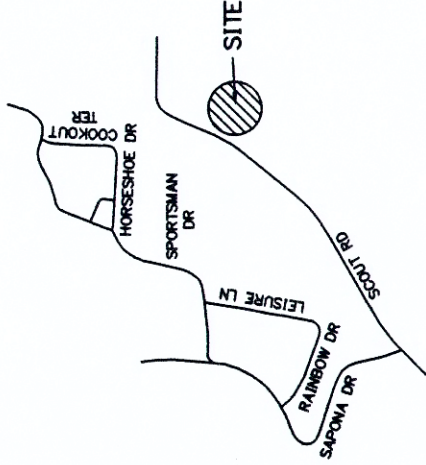
SCALE: 1" = 50'
DATE: 10-10-2023
Division of Tract A2 & P/O Tract D
of the Henry Lee Owens Estate
MORGAN TOWNSHIP, ROWAN COUNTY, NORTH CAROLINA
REFERENCES: Parcel ID 500 661
Deed Book 1429 Pages 941 & 942
Book of Maps 9995 Pages 5440 & 10648.

SURVEY AND MAP BY SHULENBURGER SURVEYING COMPANY, P.A. (FIRM # C-1859)
614 N. MAIN ST., SUITE A, SALISBURY, N.C. PHONE: 704-637-9623



Line	Bearing	Distance	Curve	Radius	Chord Bearing and Distance	Arc Length
L1	N 86° 01' 10" W	35.93'	C1	901.85'	N 38° 45' 22" E	13.34'
L2	S 65° 48' 15" E	31.06'	C2	901.85'	N 35° 43' 39" E	25.60'
L3	S 65° 48' 15" W	31.06'	C3	901.85'	N 35° 43' 39" E	25.60'
L4	S 67° 40' 26" W	31.17'	C4	901.85'	N 25° 46' 20" E	79.97'
L5	S 67° 40' 26" E	31.17'				
L6	S 18° 06' 55" W	32.55'				
L7	S 18° 06' 55" E	32.55'				
L8	S 64° 04' 11" W	30.02'				
L9	S 64° 04' 11" E	30.02'				
L10	S 66° 51' 37" E	29.97'				

- NOTES:
- This property to be served by approved private well and septic tank systems.
 - Total acreage excluding road right of way is 3.984 acres +/-.
 - All side and rear lot lines are subject to a 10' utility easement each side.
 - Building setback lines are as follows:
Front setback = 30'
Side setback = 10'
Rear setback = 20'
Side street setback = 10'
 - Rowan County does not guarantee the suitability of any lot for the placement of a sewage disposal and/or water supply system.
 - This property is zoned RA (Rowan County).
 - This property is located within a public water supply watershed district (Rowan County). Any further development of this property shall meet the requirements of the Rowan County Subdivision Ordinance.
 - This property lies in designated flood zone "X". (Area determined to be outside the 0.2% annual chance floodplain) (See FIRM 371061800K). Effective date (6-6-2009).
 - All distances shown are horizontal.
 - The combined factor for this survey equals 0.999967020.



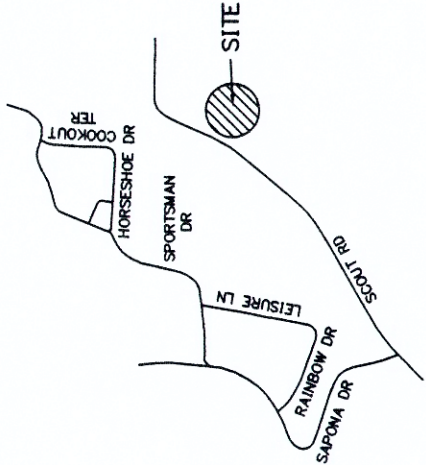
VICINITY MAP *** NOT TO SCALE

Exhibit 4

ROWAN COUNTY
FILED FOR REGISTRATION AT _____ O'CLOCK _____ M.
2023 AND REGISTERED IN MAP BOOK
9995 PAGE _____

J. E. BRINDLE, REGISTER OF DEEDS

ASSISTANT/DEPUTY



VICINITY MAP *** NOT TO SCALE

TRACT C
WILLIAM H. SMITH
D.B. 1212 PG. 799
PARCEL ID 500 660
ZONED RA
*** HENRY LEE OWENS ESTATE ***
BOOK OF MAPS 9995 PAGE 5440

NOTES:

1. This property to be served by approved private well and septic tank systems.
2. Total acreage excluding road right of way is 3.993 acres +/-.
3. All side and rear lot lines are subject to a 10' utility easement each side.
4. Building setback lines are as follows:
Front setback = 30'
Side setback = 10'
Rear setback = 10'
5. Rowan County does not guarantee the suitability of any lot for the placement of a sewage disposal and/or water supply system.
6. This property is zoned RA (Rowan County).
7. This property is located within a public water supply watershed WS-IV (Tuckertown Reservoir). Any further development of this property shall meet the requirements of the Rowan County Subdivision Ordinance.
8. This property lies in designated flood zone "X". (Areas determined to be subject to 1% annual flood hazard by FEMA (Se-1904-3710661800K). Effective date (8-16-2009).
9. All distances shown are horizontal.
10. The combined factor for this survey equals 0.999867028.

P/O TRACT D
LINDA O. KEINER
D.B. 1045 PG. 878
PARCEL ID 500 662
ZONED RA
*** HENRY LEE OWENS ESTATE ***
BOOK OF MAPS 9995 PAGE 5440

2.149 AC.
RESIDUAL TRACT
P/O TRACT D
OMG INVESTMENTS, LLC
D.B. 1429 PGS. 941 & 942
REMAINDER OF
PARCEL ID 500 661
ZONED RA
*** HENRY LEE OWENS ESTATE ***
BOOK OF MAPS 9995 PAGE 5440
*** OMG INVESTMENTS, LLC ***
BOOK OF MAPS 9995 PAGE 10648

LOT 8B
LINDA S. BOWYER
D.B. 1421 PG. 779
PARCEL ID 500 667
ZONED RA
*** DOLLIE L. SHAVER HEIRS ***
BOOK OF MAPS 9995 PAGE 9958

CERTIFICATE OF APPROVAL OF FINAL PLAT

THIS FINAL PLAT HAS BEEN APPROVED IN ACCORDANCE WITH THE PROVISIONS OF THE ROWAN COUNTY SUBDIVISION ORDINANCE ON

[Signature]
SUBDIVISION ADMINISTRATOR

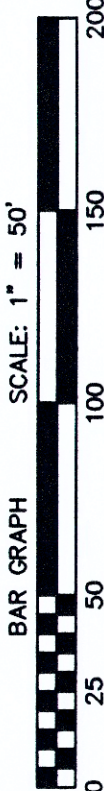
Certificate of Ownership and Dedication
I hereby certify that I am the owner of the property shown and described hereon, which is located in the subdivision jurisdiction of Rowan County and that I hereby adopt this plan of subdivision with my free consent and establish minimum lot size and building setback lines as noted.

DATE 11/4/23 OWNER OMG INVESTMENTS, LLC (DAVID GLASS)

I, RICHARD L. SHULENBURGER, PROFESSIONAL LAND SURVEYOR, L-2667 N.C., CERTIFY THAT THIS SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.

[Signature]
RICHARD L. SHULENBURGER, P.L.S. DATE 11-5-23

Line	Bearing	Distance	Curve	Radius	Chord Bearing and Distance	Arc Length
L1	N 86° 01' 10" W	35.93'	C1	901.85'	N 30° 43' 00" E	75.63'
L2	S 63° 21' 27" E	30.21'	C2	901.85'	N 25° 46' 20" E	79.97'
L3	S 64° 04' 11" E	30.00'	C3	901.85'	N 36° 09' 05" E	95.29'
L3	S 66° 51' 37" E	29.97'				



N.C. GRID NORTH (NAD 83) FROM
BOOK OF MAPS 9995 PAGE 5440

Control Corner
3/4" Iron Pipe
N. 1817.341 63.945'
E. 1617.350 7.392'
N.C. Grid - NAD 83
Ground Coordinates

SUMMER PLACE PROPERTY
OWNERS ASSOCIATION
D.B. 575 PG. 614
PARCEL ID 500 004
ZONED RA

Control Corner
3/4" Iron Pipe
N. 1817.341 63.945'
E. 1617.350 7.392'
N.C. Grid - NAD 83
Ground Coordinates

TRACT C
WILLIAM H. SMITH
D.B. 1212 PG. 799
PARCEL ID 500 660
ZONED RA
*** HENRY LEE OWENS ESTATE ***
BOOK OF MAPS 9995 PAGE 5440

Lot 5
1.121 AC.
Zoned RA

Lot 4
1.032 AC.
Zoned RA

LEGEND

- Existing Spike
- Utility Pole
- Ex. Iron (as described)
- New Iron (4" rebar)
- Point (not set)
- Existing P.K. Nail
- Centerline
- Right-of-Way

STATE OF NORTH CAROLINA
COUNTY OF ROWAN

I, _____, REVIEW OFFICER OF ROWAN COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER _____ DATE _____



I, RICHARD L. SHULENBURGER, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION, D.B. (see references); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN D.B. (N/A) PG. (N/A); THAT THE RATIO OF PRECISION AS CALCULATED IS 1 : 10,000+ ; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 3rd DAY OF NOVEMBER, 2023.

[Signature] 11-3-23

PROPERTY SURVEY FOR:

OMG Investments, LLC

SCALE: 1" = 50'

DATE: 11-3-2023

Division of Land of the Harry Lee Owens Estate

MORGAN TOWNSHIP, ROWAN COUNTY, NORTH CAROLINA

Parcel ID 500 660

Deed Book 1429 Pages 941 & 942

Book of Maps 9995 Pages 5440 & 10648.

SURVEY AND MAP BY SHULENBURGER SURVEYING COMPANY, P.A. (FIRM # C-1858)

614 N. MAIN ST., SUITE A, SALISBURY, N.C. PHONE: 704-637-9623

Exhibit 5

Sec. 21-84. Table of dimensional requirements.

DISTRICTS	RA	RR	RS	MHP	MFR	AI	CBI	NB	INST	IND
Minimum zone lot size:⁽¹⁾⁽³⁾										
Septic tank and individual or multi-connection well	20,000 sq. ft.	20,000 sq. ft.	20,000 sq. ft.	6 acres	2 acres with 3 du/acre ⁽²⁾	N/A	N/A ⁽²⁾	20,000 sq. ft.	N/A	N/A
Minimum zone lot size:⁽¹⁾⁽³⁾										
Public water or community water or Public sewer or approved package treatment plant	15,000 sq. ft.	15,000 sq. ft.	15,000 sq. ft.	6 acres	2 acres with 8 du/acre ⁽²⁾	N/A	N/A ⁽²⁾	15,000 sq. ft.	N/A	N/A
Minimum zone lot size:⁽¹⁾⁽³⁾										
Public water and sewer	10,000 sq. ft.	10,000 sq. ft.	10,000 sq. ft.	6 acres	2 acres with 12 du/acre ⁽²⁾	N/A	N/A ⁽²⁾	10,000 sq. ft.	N/A	N/A
Minimum lot width at rights-of-way	35 ft.	35 ft.	35 ft.	35 ft.	35 ft. ⁽⁶⁾	35 ft.	35 ft.	35 ft.	35 ft.	35 ft.
Minimum lot width at building setback line	70 ft.	70 ft.	70 ft.	70 ft.	70 ft. ⁽⁶⁾	70 ft.	70 ft.	50 ft.	70 ft.	70 ft.
Minimum lot depth:										
Without public water and sewer	150 ft.	150 ft.	150 ft.	150 ft.	150 ft. ⁽⁶⁾	100 ft.	100 ft. ⁽²⁾	100 ft. ⁽²⁾	150 ft.	150 ft.
Public water and sewer	125 ft.	125 ft.	125 ft.	125 ft.	125 ft. ⁽⁶⁾	100 ft.	100 ft.	100 ft.	125 ft.	150 ft.
Principal structure setback:										
Front yard ⁽⁴⁾	30 ft.	30 ft.	50 ft.	50 ft.	50 ft. ⁽⁶⁾	50 ft.	50 ft. ⁽²⁾	30 ft.	30 ft.	50 ft.
Side street	20 ft.	20 ft.	25 ft.	50 ft.	50 ft. ⁽⁶⁾	30 ft.	30 ft. ⁽²⁾	20 ft.	20 ft.	30 ft.
Side yard ⁽⁴⁾	10 ft.	10 ft.	10 ft.	50 ft.	50 ft. ⁽⁶⁾	10 ft.	10 ft. or 0 ft. ⁽²⁾	10 ft. or 0 ft. ⁽⁷⁾	10 ft.	10 ft. or 0 ft.
Rear yard ⁽⁴⁾	10 ft.	10 ft.	20 ft.	50 ft.	50 ft. ⁽⁶⁾	10 ft.	10 ft. or	10 ft. or	10 ft.	10 ft. or

							0 ft. ⁽²⁾	0 ft. ⁽²⁾⁽⁷⁾		0 ft.
Accessory structure setback:⁽⁸⁾										
Front	30 ft.	30 ft.	50 ft.	50 ft. ⁽⁵⁾	50 ft. ⁽⁶⁾	50 ft.	10 ft.	10 ft.	10 ft.	10 ft.
Any right-of-way	10 ft.	10 ft.	10 ft.	30 ft. ⁽⁵⁾	50 ft. ⁽⁶⁾	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.
Side and rear yard	10 ft.	10 ft.	10 ft.	10 ft. ⁽⁵⁾	10 ft. ⁽⁶⁾	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.

⁽¹⁾ May be increased based on location in regulated watershed.

⁽²⁾ For single-family use standards for RA district.

⁽³⁾ For individual lot size/space standards in an MHP district refer to subsection 21-60(11)n.

⁽⁴⁾ For individual space setbacks in an MHP district refer to subsection 21-60(11)d.

⁽⁵⁾ From exterior property lines.

⁽⁶⁾ Requirements may be modified or exempted as provided by section 21-60(16). Dimensional criteria for subdivided lots shall be as provided for in the RA district, excluding external boundaries of the development.

⁽⁷⁾ See "special requirements" for NB district for setbacks from residential zoning districts.

⁽⁸⁾ Refer to section 21-285 for additional standards.

(Ord. of 1-19-98, § V; Ord. of 2-1-99(1), § 12; Ord. of 10-18-99(1); Ord. of 6-17-02; Amend. of 3-7-05; Amend. of 11-2-09; Amend. of 3-5-12; Amend. of 1-22-13; Amend. of 4-21-14; Amend. of 9-19-22)

GIS MAP

