



Rowan County Board of Adjustment

J. Newton Cohen, Sr. Rowan County Administration Building
130 W. Innes Street, Salisbury, NC 28144-4341
J. Newton Cohen, Sr. Meeting Room

MEMORANDUM

TO: Board of Adjustment members
FROM: Planning Staff
RE: BoA 1-25 Case Materials
DATE: August 15, 2025

Included are relevant files for Board of Adjustment (BoA) case, **BoA 01-25**, submitted by Richard and Secily Lunsford appealing Ordinance Enforcement Officer (OEO) Ryan Mickey's determination that a business operation on their property located at 1296 Rock Grove Church Rd (Rowan County Tax Parcel 428-168) requires permitting / location in an appropriate zoning district.

Files provided include:

- **Exhibit 1** – Email correspondence related to zoning permit (included) between Richard Lunsford and Aaron Poplin, Rowan County Planner, dated January 17, 2023 through February 1, 2023.
- **Exhibit 2** – Notice of Violation issued by OEO Mickey on February 7, 2024 for Junked Motor Vehicles on Lunsford's property.
- **Exhibit 3** - Email correspondence between Richard Lunsford and Aaron Poplin, dated March 18, 2024 through April 12, 2024.
- **Exhibit 4** – Notice of Violation sent to Lunsford on June 9, 2025 by OEO Mickey for unpermitted business use on the property.
- **Exhibit 5**– Appeal application submitted on July 10, 2025 by Attorney Andrew T. Cornelius on behalf of the Lunsfords.
- **Exhibit 6** - Annual Report filed with Secretary of State for Twisted Cable Towing.

Exhibit 1

Email correspondence related to
zoning permit between
Richard Lunsford and

Aaron Poplin, Rowan County Planner

Dated January 17, 2023 through
February 1, 2023

NOTE: Correspondence is ordered in reverse



Rowan County Planning & Development Department

402 North Main Street, Suite 204, Salisbury, NC 28144

Phone: (704) 216-8588 Fax: (704) 638-3130

<http://www.rowancountync.gov>

ZONING PERMIT

Plan Case # ZP-019264-2023	Parcel ID 428 168	Project	Application Date 02/01/2023
Proposed Use Accessory Structure	Previous Use Vacant	Sq. Ft. 1,920	Physical Address 1296 ROCK GROVE CHURCH Rd SALISBURY, NC 28146
Applicant ROBERT LUNSFORD	Address 445 L M Overcash Rd SALISBURY, NC 28146	Phone 7042022335	Principle Structure Setbacks Front 30 Side 10 Side Street Rear 10
Owner ROBERT LUNSFORD	Address 445 L M Overcash Rd SALISBURY, NC 28146	Phone 7042022335	Accessory Structure Setbacks Front Side Side Street Rear
Contractor ROBERT LUNSFORD	Address 445 L M Overcash Rd SALISBURY, NC 28146	Phone 7042022335	Issued by: Aaron Poplin
			Updated by & Date:
Zoning District RA	Overlay District	Flood Zone	FIRM Panel 3710565500
Lot Size 10.47	Subdivision	Water Supply Indiv Well	Sewage Disposal Septic System

Additional Requirements / Comments:

Permit for 1200 SQ FT residential storage facility with 720 SQ FT lean-too. Building is for personal storage only. No business activity allowed on site.

I hereby certify that I am aware of and will comply with the conditions indicated on this permit, the approved site plan (if any), an applicable provisions of the Zoning Ordinance. Structures or land authorized by this permit will only be used or occupied in compliance with permit conditions. Furthermore, I understand that any changes made to this project may require additional approvals and that a building permit may also be necessary for project approval. This permit remains valid if the work authorized the permit commences within one (1) year of the issuance date and all other required permits are obtained.

Applicant's Signature

Aaron Poplin

Authorized Zoning Signature

2-1-2023

Date

2/1/2023

Date

AP

Poplin, Aaron M

From: Poplin, Aaron M
Sent: Wednesday, February 1, 2023 12:52 PM
To: rslunsf@yahoo.com
Subject: RE: Duke Parking
Attachments: Lunsford_ResStorage_Zoning_Permit_Sign.pdf

Robbie,

Attached is your zoning permit for the building. Please sign it and email me a copy back. Once you sign the permit you can use it to pull applicable permits from the Building Inspections Department.

Thanks,
Aaron

Aaron Poplin | CFM
Planner



*Be an original.**

Rowan County Planning & Development
402 N. Main St. | Suite 204 | Salisbury, NC 28144
P (704) 216-8600

From: rslunsf@yahoo.com <rslunsf@yahoo.com>
Sent: Tuesday, January 31, 2023 6:03 PM
To: Poplin, Aaron M <Aaron.Poplin@rowancountync.gov>

Subject: RE: Duke Parking

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Report suspicious emails by clicking the **"Report Phish"** button.

Building is 30x40 with a 18x40 lean-to

Sent from Yahoo Mail on Android

On Tue, Jan 31, 2023 at 12:13 PM, Poplin, Aaron M
<Aaron.Poplin@rowancountync.gov> wrote:

Robbie,

You can either come into the office and pull a zoning permit or you can tell me the size of the building and I can issue you a zoning permit via email. You can use the zoning permit to pull applicable building permits.

Thanks,

Aaron



Aaron Poplin | CFM

Planner

Rowan County Planning & Development

402 N. Main St. | Suite 204 | Salisbury, NC 28144

P (704) 216-8600

From: rslunsf@yahoo.com <rslunsf@yahoo.com>
Sent: Tuesday, January 31, 2023 11:40 AM
To: Poplin, Aaron M <Aaron.Poplin@rowancountync.gov>
Subject: RE: Duke Parking

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Report suspicious emails by clicking the "Report Phish" button.

Hey buddy the 2 lot have been combined with the tax people and is also done in rowan gis so now I guess I need the zoning permit from u then go to the inspection department

Sent from Yahoo Mail on Android

On Wed, Jan 25, 2023 at 4:04 PM, Poplin, Aaron M

<Aaron.Poplin@rowancountync.gov> wrote:

You will use the zoning permit I issue to pull building permits for the building. You will need to work with the building inspections department (704-216-8619) to determine what inspections need to be done to the building.



Aaron Poplin | CFM

Planner

Rowan County Planning & Development

402 N. Main St. | Suite 204 | Salisbury, NC 28144

P (704) 216-8600

From: rslunsf@yahoo.com <rslunsf@yahoo.com>
Sent: Wednesday, January 25, 2023 3:54 PM
To: Poplin, Aaron M <Aaron.Poplin@rowancountync.gov>
Subject: RE: Duke Parking

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Report suspicious emails by clicking the **"Report Phish"** button.

Great thank u will I get something from u when it's ready to go to inspectors

Sent from Yahoo Mail on Android

On Wed, Jan 25, 2023 at 3:38 PM, Poplin, Aaron M

<Aaron.Poplin@rowancountync.gov> wrote:

If the deeds are being filed today, it will probably be the first of next week before the combined parcel is created. Once the parcels are combined we can issue a zoning permit on the newly combined parcel. You can check with the tax assessors (704-216-8558) to see when the parcels have been combined.



Aaron Poplin| CFM

Planner

Rowan County Planning & Development

402 N. Main St. | Suite 204 | Salisbury, NC 28144

P (704) 216-8600

From: rslunsf@yahoo.com <rslunsf@yahoo.com>
Sent: Wednesday, January 25, 2023 3:09 PM
To: Poplin, Aaron M <Aaron.Poplin@rowancountync.gov>
Subject: RE: Duke Parking

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Report suspicious emails by clicking the **"Report Phish"** button.

The land Deeds will be filed today

Sent from Yahoo Mail on Android

On Fri, Jan 20, 2023 at 2:03 PM, rslunsf@yahoo.com

<rslunsf@yahoo.com> wrote:

It's a 30x40 building with a 18x40 lean-to I use it to store my equipment mowers skidsteers my extra trucks and so on and don't know what the process for combining the lots together but I guess we would have to do that I have 2 separate loans on it dont know how that would work

Sent from Yahoo Mail on Android

On Fri, Jan 20, 2023 at 1:54 PM, rslunsf@yahoo.com

<rslunsf@yahoo.com> wrote:

That is a equipment storage building I was told by the guys at the office there when I built it that I didn't need a permit to build it if I was just using it for storing my skidsteers and equipment

Sent from Yahoo Mail on Android

On Fri, Jan 20, 2023 at 12:39 PM, Poplin, Aaron M

<Aaron.Poplin@rowancountync.gov> wrote:

Robbie,

After looking into everything. This is a bit more complicated than originally thought. Currently your property appears to be out of compliance with the zoning ordinance due to an unpermitted building placed on the property sometime between 2018 and 2021. Before we can move forward in processing a temporary use permit we will need to ensure the property is in compliance with county ordinances.

To get in compliance with the county zoning ordinance you will need to get a zoning permit. To get a zoning permit we will need to know the size of the building and what the intended use of the building is (storage for a business, storage of household items, hobby shop, etc...). Once a zoning permit is issued you will need to check with building inspections (704-216-8619) to see what applicable building permits and inspections are necessary. We also need to address the issue with the building going through the property line. This can be remedied by moving the building or combining your

two lots together. Given that your site plan has the temporary use crossing the property lines, it would be better to combine the lots together.

Let me know how you want to go about getting the property in compliance. Once the property is compliant we can look into starting the temporary use permit process for the Duke Parking and Trailer.

Thanks,

Aaron



Aaron Poplin | CFM

Planner

Rowan County Planning & Development

402 N. Main St. | Suite 204 | Salisbury, NC 28144

P (704) 216-8600

From: rslunsf@yahoo.com <rslunsf@yahoo.com>
Sent: Tuesday, January 17, 2023 9:13 PM
To: Poplin, Aaron M <Aaron.Poplin@rowancountync.gov>
Subject: RE: Duke Parking

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Report suspicious emails by clicking the "Report Phish" button.

Great thank u

Sent from Yahoo Mail on Android

On Tue, Jan 17, 2023 at 2:10 PM, Poplin, Aaron M

<Aaron.Poplin@rowancountync.gov> wrote:

Robbie,

Likely towards the end of the week. The people I need to talk to about this have full day meetings today and tomorrow.

Thanks,

Aaron



Aaron Poplin | CFM

Planner

Rowan County Planning & Development

402 N. Main St. | Suite 204 | Salisbury, NC 28144

P (704) 216-8600

From: rslunsf@yahoo.com <rslunsf@yahoo.com>
Sent: Tuesday, January 17, 2023 12:15 PM
To: Poplin, Aaron M <Aaron.Poplin@rowancountync.gov>
Subject: RE: Duke Parking

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Report suspicious emails by clicking the **"Report Phish"** button.

Thank u sir do u have a time frame

Sent from Yahoo Mail on Android

On Tue, Jan 17, 2023 at 11:45 AM, Poplin, Aaron M

<Aaron.Poplin@rowancountync.gov> wrote:

Robbie,

I got the email this time. I will get back with you once I have a chance to see what process we will need to go through for the construction trailer.

Thanks,

Aaron



Aaron Poplin | CFM

Planner

Rowan County Planning & Development

402 N. Main St. | Suite 204 | Salisbury, NC 28144

P (704) 216-8600

From: rslunsf@yahoo.com <rslunsf@yahoo.com>

Sent: Tuesday, January 17, 2023 11:43 AM

To: Poplin, Aaron M <Aaron.Poplin@rowancountync.gov>

Subject: Re: Duke Parking

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Report suspicious emails by clicking the **"Report Phish"** button.



Sent from Yahoo Mail on Android

On Tue, Jan 17, 2023 at 11:42 AM, Poplin, Aaron M

<Aaron.Poplin@rowancountync.gov> wrote:

Robbie,

This is Aaron from Rowan County Planning.

Thanks,

Aaron



Aaron Poplin| CFM

Planner

Rowan County Planning & Development

402 N. Main St. | Suite 204 | Salisbury, NC 28144

P (704) 216-8600

Exhibit 2

Notice of Violation issued

February 7, 2024

by

Ordinance Enforcement Officer

Ryan Mickey



Rowan County Planning and Development Department

402 North Main Street • Salisbury, N.C. 28144-4341

Building Inspections: 704-216-8619

Planning: 704-216-8588

Fax: 704-216-7986

Notice Of Violation

February 7th, 2024

Certified and 1st Class

Robert & Secily Lundsford
445 LM Overcash Rd
Salisbury, NC 28146

Re: 1296 Rock Grove Church Rd (Tax Map 428 168)

Dear Sir/Madam

On February 7th, 2024, this office conducted an inspection of the subject property located at Tax Map 428 168. The findings of today's inspection are enclosed within.

The following provisions of the Rowan County Zoning Ordinance have been violated:

Article X. Nuisances

Section 21-244. Junked Motor Vehicles.

a. General Requirements.

1. The junked motor vehicles shall not be stored or located within thirty (30) feet of adjoining property lines; within eighty (80) feet of a centerline of a public road or fifty (50) feet from a private road right-of-way.
2. The junked motor vehicles and motor vehicle parts are not a health or safety nuisance.
3. The junked motor vehicles shall be entirely concealed during all seasons of the year from public view from a public street and from adjoining properties. The vehicles may be concealed by an automobile cover or tarpaulin, with the covering adequately secured to prevent removal by wind. The automobile cover or tarpaulin must remain in good repair and not be allowed to deteriorate.

- 4. The junked motor vehicles shall not be in the front yard of the primary building lot.**
- 5. Only five (5) junked motor vehicles shall be permitted outside any enclosed building.**

In order to achieve compliance with the ordinance, you are hereby instructed to remove the junked vehicles and motor vehicle parts or otherwise move the vehicles/parts to comply with the ordinance. This violation must be corrected, or significant progress must be achieved within seven (7) days. Failure to achieve compliance will result in other enforcement measures as prescribed in the ordinance and there is no appeal to the Zoning Board of Adjustment.

The ordinance allows a maximum of five (5) junked motor vehicles and five (5) classic vehicles to the rear yard provided they are screened from adjacent properties with a six (6) foot high opaque fence. Additionally, the Zoning Board of Adjustment is empowered to rule on the interpretation of the zoning ordinance and to grant variances when a difficulty or hardship exists. Appeals will not be heard by the Board unless application is properly filed in the Rowan County Planning Department Office within thirty (30) days of the date on this Notice of Violation. Once the deadline has passed, your right of appeal is forfeited.

If you have any questions or need clarification in this matter, call me at (704) 680-7296.

Ryan Mickey
Ordinance Enforcement Officer

Exhibit 3

Email correspondence between
Richard Lunsford and
Aaron Poplin, Rowan County Planner
Dated March 18, 2024 through
April 12, 2024

NOTE: Correspondence is ordered in reverse

Poplin, Aaron M

From: Poplin, Aaron M
Sent: Friday, April 12, 2024 12:51 PM
To: rslunsf@yahoo.com
Subject: RE: 1296 rockgrove ch rd

Robert,

You need to decide what route you want to take to get back into compliance with the zoning ordinance. The easiest route would be to return the property to personal use storage and cease any business activities on the property. Dividing off a portion of the property to attempt a commercial rezoning will not work due to the watershed limitations. Rezoning will need to involve the entire property and approval of such rezoning would be unlikely due to the factors laid out in the last email.

Thanks,
Aaron

Aaron Poplin | CFM
Planner



Rowan County Planning & Development
402 N. Main St. | Suite 204 | Salisbury, NC 28144
P (704) 216-8600

From: rslunsf@yahoo.com <rslunsf@yahoo.com>
Sent: Friday, April 12, 2024 11:45 AM
To: Poplin, Aaron M <Aaron.Poplin@rowancountync.gov>

Subject: RE: 1296 rockgrove ch rd

Hey buddy sorry I ah e been out of town so what's do I need to do now can I cut a part of this property off to make it commercial like just cut off a part right there were the lot is or what do I need to do from this point

Yahoo Mail: Search, Organize, Conquer

On Tue, Apr 2, 2024 at 4:00 PM, Poplin, Aaron M
<Aaron.Poplin@rowancountync.gov> wrote:

Robert,

Sorry it has taken a while to get back to you. I have discussed with the office on what type of zoning is required for the towing operation that you have on your property at 1296 Rock Grove Church Rd. We determined that the use, as described in your emails, falls under SIC 7521 as a Tow-in lot. This use is not permitted by right in your current Rural Agricultural (RA) zoning district. For a Tow In lot to be permitted by right it would need to be on property that is zoned Commercial Business Industrial (CBI) or Industrial (IND).

To rezone the property to a commercial zoning district would be a difficult request. The Eastern Area Land Use plan does not recommend stand-alone commercial uses off Rock Grove Church Rd. as it is not a thoroughfare road. Along those lines there are no commercially zoned property near by to use as a basis to make this lot a commercial zone. Furthermore, the property is in the Dutch Buffalo Creek watershed area which limits the built-up area to 12% of the lot size. All this put together will make it hard for the Board to justify a spot rezoning.

You may also want to consider the implications of rezoning the property to a commercial zoning district. Between all the parking areas and buildings, you've almost maxed out the 12% build upon area allowed for non-residential uses. If you're zoned commercially, you would not be able to do things such as subdivide the property or build a house on the property.

Think this over and let me know how you want to proceed.

Thanks,

Aaron



Aaron Poplin| CFM

Planner

Rowan County Planning & Development

402 N. Main St. | Suite 204 | Salisbury, NC 28144

P (704) 216-8600

From: rslunsf@yahoo.com <rslunsf@yahoo.com>

Sent: Thursday, March 21, 2024 11:13 AM

To: Poplin, Aaron M <Aaron.Poplin@rowancountync.gov>

Subject: RE: 1296 rockgrove ch rd

So the cars that are in the fence is the ones that go to the auctions that I was referring to

The other cars are mine and or friends cars that we work on they are not related to any business

If u are asking about cars on the hole property prob around 30-40 at any point in time

The cars in the lot they sit there for a few weeks for whenever the next auction date is they have them every week or so depending on what auction they go to

I work on all kinda stuff in the building I have skidsteers excavators bucket trucks lawn mowers pick up trucks tractors whatever I have that needs work done

My friends work on some of there stuff there to

Yahoo Mail: Search, Organize, Conquer

On Wed, Mar 20, 2024 at 3:43 PM, Poplin, Aaron M

<Aaron.Poplin@rowancountync.gov> wrote:

Robert,

I have some follow up questions.

- There appears to be a fenced in lot under the power lines. Are they limiting the storage of the cars to just that location?
- It looks like there is 20+ cars in the lot by the building. Are they related to this business or another business?
- What is the maximum amount of cars that will be stored on site?
- Do they move the cars anywhere else if they sit too long?
- Is there any other security other than a fence?
- What kind of equipment are you working on in the building?

Thanks,

Aaron



Aaron Poplin | CFM

Planner

Rowan County Planning & Development

402 N. Main St. | Suite 204 | Salisbury, NC 28144

From: rslunsf@yahoo.com <rslunsf@yahoo.com>
Sent: Wednesday, March 20, 2024 9:46 AM
To: Poplin, Aaron M <Aaron.Poplin@rowancountync.gov>
Subject: RE: 1296 rockgrove ch rd

So they do pick ups on Tuesday and Thursday

There are 2 guys here when they do pick ups the

There pick ups are from 9-5

The cars are sold at auctions all over the state

The cars are repossessed and the are bank owned cars

The bank determines how long they are on site it determines what auction they are going to

The cars are not junk and are fully operational

The owner is Jason Leonard Diliello

Him and his son are the operator's of the company

There shouldn't be any tow trucks stationed over night

And there will be my personal stuff stored back at the shop

The building in the back is used to work on all my equipment and trucks

[Yahoo Mail: Search, Organize, Conquer](#)

On Tue, Mar 19, 2024 at 4:14 PM, Poplin, Aaron M

<Aaron.Poplin@rowancountync.gov> wrote:

Robert,

Before I can give you what your options are I'd like some more clarification on the proposed use.

- How often are people in and out of the site?
- How many employees are typically on site?

- What are the operational hours?
- Where are the cars sold?
- Where do the cars come from?
- What determines how long the cars are parked on the property?
- Are the cars junked cars or fully operational?
- Are there any tow trucks stationed on site?
- Who is the owner of the business?
- Who is the operator of the business?
- Is there anything else being stored on the property?
- What is the building being used for?

Please email me a response to these questions.

Thanks,

Aaron



Aaron Poplin| CFM

Planner

Rowan County Planning & Development

402 N. Main St. | Suite 204 | Salisbury, NC 28144

P (704) 216-8600

From: rslunsf@yahoo.com <rslunsf@yahoo.com>
Sent: Monday, March 18, 2024 9:42 AM
To: Poplin, Aaron M <Aaron.Poplin@rowancountync.gov>
Subject: 1296 rockgrove ch rd

This email we talked about parking the cars on a lot there is 15 to 25 cars parked for about a 2-3 week period the cars are awaiting to go to auction

[Yahoo Mail: Search, Organize, Conquer](#)

Exhibit 4

Notice of Violation issued

June 9, 2025

by

Ordinance Enforcement Officer

Ryan Mickey

Rowan County Planning and Development Department
402 North Main Street • Salisbury, N.C. 28144-4341
Planning: 704-216-8588

NOTICE OF VIOLATION

June 9th, 2025,

Certified and 1st Class

Robert & Secily Lundsford
445 LM Overcash Rd
Salisbury, NC 28146

Re: 1296 Rock Grove Church Rd (Tax Map 428 168)

On June 6th, 2025, I, Ordinance Enforcement Officer Ryan Mickey, conducted an investigation in response to a complaint regarding business operations occurring at 1296 Rock Grove Church Rd. I have determined the following provisions of the Rowan County Zoning Ordinance are in violation.

**ARTICLE XI. - GENERAL DEVELOPMENT STANDARDS, EXCEPTIONS
AND MODIFICATIONS**

Sec. 21-271. - Generally.

(b) Uses permitted as of right and uses permitted with special requirements shall require a zoning permit, a building permit and a certificate of occupancy.

(c) In addition to the requirements listed in subsection (b) above, special uses and special uses shall require approval as described in article III.

In order to achieve compliance with the ordinance, you are hereby instructed to cease any business activity on the property and contact this office to discuss obtaining compliance for all potential or existing uses if possible. This violation must be corrected, or significant progress must be achieved within thirty (30) days after which a follow up inspection will occur. Failure to achieve compliance will result in other enforcement measures as prescribed in the ordinance.

In accordance with Section 21-331 of the Zoning Ordinance, this decision may be appealed to the Rowan County Board of Adjustment (BOA) by filing written notice within thirty (30) days of receipt of this Notice of Violation.

If you have any questions, call me at (704) 680-7296

Ryan Mickey
Ordinance Enforcement Officer

Exhibit 5

Appeal 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 BoA 01.25
Date Filed 7.10.25
Received By R. Mickey
Amount Paid \$200.00 cash

Office Use Only
Energov # BoA-023269-
2025

APPEAL APPLICATION

APPLICANT INFORMATION:

Name: Robert Lunsford and Secily Lunsford

Signature: Adh J Ch in permission

Phone: 704-202-3335 Email: rslunsf@yahoo.com

Address: 445 LM Overcash Road, Salisbury, NC 28146

AGENT INFORMATION:

Name: Andrew T. Cornelius, Hartsell & Williams, P.A.

Signature: Adh J Ch

Phone: 704-786-5161 Email: acornelius@hwpalaw.com

Address: P.O. Box 368, Concord, NC 28026-0368

Date filed within thirty (30) days of the Notice of Violation to cease alleged illegal activity?

Yes ☒ No ☐ N/A ☐

TO THE ROWAN COUNTY ZONING BOARD OF ADJUSTMENT:

I Robert Lunsford and Secily Lunsford, hereby appeal to the Zoning Board of Adjustment to reverse the decision of the Administrator as stated in:

Notice of Violation dated June 9, 2025 from Rowan County Planning and Development Department.

(Attach copies of Notice of Violation, or state decision being appealed)


STATE WHAT FACTS OR EVIDENCE YOU ARE PREPARED TO PROVE TO THE
ZONING BOARD OF ADJUSTMENT THAT SHOULD LEAD THE BOARD TO
CONCLUDE THAT THE DECISION OF THE ADMINISTRATOR IS ERRONEOUS:

Please see attachment.

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



Signature



Date

OFFICIAL USE ONLY

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



J. MERRITT WHITE, III
H. JAY WHITE, SR.
K. TODD PHILLIPS
MICHAEL R. BURGNER
ANDREW T. CORNELIUS
AUSTIN "DUTCH" ENTWISTLE, III
JAMES M. WHITE, IV
HOWARD S. IRVIN
EMILY J. ARNOLD
KIMBERLY B. KISNER

71 MCCACHERN BOULEVARD, S.E.
POST OFFICE BOX 368 (28026)
CONCORD, NORTH CAROLINA 28025
TELEPHONE (704) 786-5161
TELECOPIER (704) 788-2215

THOMAS M. GRADY
JOHN R. BOGER, JR.
(OF COUNSEL)

ESTABLISHED 1896

LUTHER T. HARTSELL
(1870-1961)
LUTHER T. HARTSELL JR.
(1902-1961)
JOHN HUGH WILLIAMS
(1913-1995)

July 9, 2025

Sender's Email: acornelius@hwpalaw.com

Rowan County Planning and Development
Department
402 North Main Street
Salisbury, NC 28144-4341

RE: Appeal Application – Notice of Violation Letter dated June 9, 2025
Robert and Secily Lunsford
1296 Rock Grove Church Road (Tax Map 428 168)


To Whom It May Concern:

Please consider this as the formal appeal to the Notice of Violation Letter dated June 9, 2025 related to the property 1296 Rock Grove Church Road, Salisbury, NC, sent to Robert and Secily Lunsford (hereinafter referred to as "our Clients"). A copy of the Notice to Violate Letter is enclosed.

It is our position that the way in which our Clients are using the property conforms with the Rowan County Code of Ordinance (the "Ordinance"). The property is currently zoned as Rural Agricultural and we contend that our Clients do not need to obtain a special use permit or rezone the property in order to comply with the Ordinance because the cited issues with the property amount to "some nonresidential uses intermingled," as contemplated by the Ordinance, Section 21-32(a).

We appreciate your time. Should you have any questions or concerns, any such correspondence should be directed at our office rather than our Client.

Sincerely,
HARTSELL & WILLIAMS, P.A.



Andrew T. Cornelius

Encl: Notice of Violation Letter dated June 9, 2025

Rowan County Planning and Development Department
402 North Main Street • Salisbury, N.C. 28144-4341
Planning: 704-216-8588

NOTICE OF VIOLATION

June 9th, 2025,

Certified and 1st Class

Robert & Secily Lundsford
445 LM Overcash Rd
Salisbury, NC 28146

Re: 1296 Rock Grove Church Rd (Tax Map 428 168)

On June 6th, 2025, I, Ordinance Enforcement Officer Ryan Mickey, conducted an investigation in response to a complaint regarding business operations occurring at 1296 Rock Grove Church Rd. I have determined the following provisions of the Rowan County Zoning Ordinance are in violation.

ARTICLE XI. - GENERAL DEVELOPMENT STANDARDS, EXCEPTIONS AND MODIFICATIONS

Sec. 21-271. - Generally.

(b) Uses permitted as of right and uses permitted with special requirements shall require a zoning permit, a building permit and a certificate of occupancy.

(c) In addition to the requirements listed in subsection (b) above, special uses and special uses shall require approval as described in article III.

In order to achieve compliance with the ordinance, you are hereby instructed to cease any business activity on the property and contact this office to discuss obtaining compliance for all potential or existing uses if possible. This violation must be corrected, or significant progress must be achieved within thirty (30) days after which a follow up inspection will occur. Failure to achieve compliance will result in other enforcement measures as prescribed in the ordinance.

In accordance with Section 21-331 of the Zoning Ordinance, this decision may be appealed to the Rowan County Board of Adjustment (BOA) by filing written notice within thirty (30) days of receipt of this Notice of Violation.

If you have any questions, call me at (704) 680-7296

Ryan Mickey
Ordinance Enforcement Officer

Exhibit 6

Annual Report Filing
with NC Secretary of State for
Twisted Cable Towing



LIMITED LIABILITY COMPANY ANNUAL REPORT

1/6/2022

NAME OF LIMITED LIABILITY COMPANY: Twisted Cable Towing LLC

SECRETARY OF STATE ID NUMBER: 2901827

STATE OF FORMATION: NC

REPORT FOR THE CALENDAR YEAR: 2025

Filing Office Use Only
E - Filed Annual Report
2901827
CA202510605629
4/17/2025 12:10

SECTION A: REGISTERED AGENT'S INFORMATION

☐ Changes

1. NAME OF REGISTERED AGENT: Jason Leonard Diliello

2. SIGNATURE OF THE NEW REGISTERED AGENT: _____

SIGNATURE CONSTITUTES CONSENT TO THE APPOINTMENT

3. REGISTERED AGENT OFFICE STREET ADDRESS & COUNTY 4. REGISTERED AGENT OFFICE MAILING ADDRESS

5365 Woodleaf Rd

5365 Woodleaf Rd

Salisbury, NC, NC 28147-6431 Rowan County

Salisbury, NC, NC 28147-6431

SECTION B: PRINCIPAL OFFICE INFORMATION

1. DESCRIPTION OF NATURE OF BUSINESS: towing

2. PRINCIPAL OFFICE PHONE NUMBER: (704) 267-4002

3. PRINCIPAL OFFICE EMAIL: Privacy Redaction

4. PRINCIPAL OFFICE STREET ADDRESS

5. PRINCIPAL OFFICE MAILING ADDRESS

5365 Woodleaf Rd

5365 Woodleaf Rd

Salisbury, NC, NC 28147-6431

Salisbury, NC, NC 28147-6431

6. Select one of the following if applicable. (Optional see instructions)

☐

The company is a veteran-owned small business

☐

The company is a service-disabled veteran-owned small business

SECTION C: COMPANY OFFICIALS (Enter additional company officials in Section E.)

NAME: Jason Leonard Diliello

NAME: _____

NAME: _____

TITLE: Manager

TITLE: _____

TITLE: _____

ADDRESS: _____

ADDRESS: _____

ADDRESS: _____

5365 Woodleaf Rd

Salisbury, NC 28147-6431

SECTION D: CERTIFICATION OF ANNUAL REPORT. Section D must be completed in its entirety by a person/business entity.

Jason Leonard Diliello

4/17/2025

SIGNATURE

DATE

Form must be signed by a Company Official listed under Section C of This form.

Jason Leonard Diliello

Manager

Print or Type Name of Company Official

Print or Type Title of Company Official

This Annual Report has been filed electronically.

MAIL TO: Secretary of State, Business Registration Division, Post Office Box 29525, Raleigh, NC 27626-0525