AGENDA
Regular Board of Adjustment Meeting
November 10, 2020 - 6:30 PM

Recreation Center (11836 Verhoeff Drive)

Meeting Information- *This meeting will be held in public at the Huntersville Recreation Center (11836Verhoeff Dr, Huntersville, NC 28078) and will not be streamed online. Due to the current COVID-19pandemic, social distancing and face masks will be required. All who wish to attend will need to be screened prior to entering the center. Please arrive early, space will be limited to accommodate the recommended social distancing measures of being no less than 6 feet apart. The Board, attorneys, staff and essential witnesses will receive priority and members of the public will be allowed to the extent we can adhere to social distancing guidelines. In the event that the number present exceeds the maximum capacity permitted under these guidelines, please be prepared to wait outside and for members of the public to be rotated out to provide all who intend to speak the opportunity.*

1. Roll Call, Determination of Quorum

2. Approval of Minutes

2.A. Consider recommendation to approve the October 13, 2020 Meeting Minutes ()

3. Hearing of Cases

3.A. V20-06 15710 PINE ST HUNTERSVILLE NC 28078
The applicant is requesting a major variance from Article 3.3.3-A, Section E (Built-Upon Area Development Standards). The request is for a variance to increase the impervious maximum built upon limit for the subject property by 1,190 square feet.

4. Other Business

4.A. Consider amendment to Rules of Procedure ()

4.B. Board of Adjustments 2021 Meeting Schedule

5. Adjourn

Meeting Minutes
Regular Board of Adjustment Meeting
October 13, 2020 - 6:30 PM
Recreation Center (11836 Verhoeff Drive)

Meeting Information- *This meeting will be held in public at the Huntersville Recreation Center (11836Verhoeff Dr, Huntersville, NC 28078) and will not be streamed online. Due to the current COVID-19pandemic, social distancing and face masks will be required. All who wish to attend will need to be screened prior to entering the center. Please arrive early, space will be limited to accommodate the recommended social distancing measures of being no less than 6 feet apart. The Board, attorneys, staff and essential witnesses will receive priority and members of the public will be allowed to the extent we can adhere to social distancing guidelines. In the event that the number present exceeds the maximum capacity permitted under these guidelines, please be prepared to wait outside and for members of the public to be rotated out to provide all who intend to speak the opportunity.*

1. Roll Call, Determination of Quorum

Quorum was determined, and Chairman Cecil called the meeting to order.
Regular Members in attendance: E. Cecil, Chairman, B. Welch, Vice-Chairman, J. Kluttz, ,W. Smith, and S. Genenbacher

Alternate Members present: J. Bradshaw and J. Loucks who were called upon to serve as Regular Members, and P. Jacobson.

Regular Members absent: T. Primiano and D. Brewer

2. Approval of Minutes

Prior to testimony, a group attestation was completed for all parties involved or giving testimony to the case. This included the applicants: Shane & Kristi Evatt, 8201 Sandowne Lane; Alba Rothell, 21249 Cold Spring Lane, Cornelius NC 28031; Laurie Martin, 15710 Pine Street; Scott Miskimon 2136 Vicchio Lane, Apex, NC; Steven Brown, 15719 Pine Street; Lauren Speight, Planner 1 and Sierra Saumenig, Senior Planner.

The Chairman read the disclosure statement to the members: The parties to this case are entitled to an impartial board. A board member may not participate in this hearing if she/he has a fixed opinion about the matter, a financial interest in the outcome of the matter, an undisclosed *ex parte* communication with a party, or a close relationship with an affected person. Does any board member have any partialities, *ex parte* communication, financial interest, or a close relationship with affected persons to disclose and recusal to offer? There were none.

2.A. Consider approval of the August 11, 2020 Minutes of the Meeting

J. Bradshaw made a Motion to Approve the August 11, 2020 Regular Meeting Minutes, and S. Genenbacher seconded the Motion. The vote carried unanimously (7-0).

2.B. Consider approval of the September 15, 2020 Minutes of the Meeting

S. Genenbacher made a Motion to Approve the September 15, 2020 Regular Meeting Minutes, and J. Bradshaw seconded the Motion. The vote carried unanimously (7-0).

3. Hearing of Cases

3.A. V20-05 - Consider an impervious request for 8201 Sandowne Lane

Lauren Speight, Planner I (also referred to herein as "staff") presented, and entered the Staff Report into the record through verbal testimony as indicated below, and written documentation, which is attached hereto as Exhibit A, and incorporated herein by reference.

The applicants GREGORY S EVATT and KRISTINA J EVATT are requesting a variance from Article 3.3.2-B, Section E of the Town of Huntersville Zoning Ordinance. The subject property is located within the Mountain Island Lake Protected Area. This request is for a major variance to increase the impervious built upon area for the property by 533 square feet.

Standards for Granting a Variance

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

Relevant findings of fact:

A. For compliance of the existing excess of impervious area, the strict application of the Ordinance (Article 3.3.2-B – Section E) requires: 1) removal of the impervious overage; 2) the subject property obtain an impervious transfer from an eligible lot within the subdivision of the subject property; 3) the subject property obtain a Density Averaging Certificate and plat revision with an eligible property within the Town.

B. The subdivision plat map that includes the subject property recorded the maximum built upon area correctly.

C. The issued permit, B3675430, does not include the property is located within the Mountain Island Lake Protected Area Watershed. However, the issued permit includes the project required a post construction inspection.

D. As a department policy, Staff does not require a survey with impervious detail for the zoning review if a project is not proposing to leave 250 square feet or less of impervious area. Per Mecklenburg County GeoPortal data and the proposed additional impervious area for building permit B3675430, this project proposed a compliant addition and thus received zoning approval for the building permit.

E. During the course of the zoning inspection, after the completion of the project, Staff learned the property is over its impervious maximum.

F. The applicants state, "after the addition [of a handicapped accessible bedroom, bathroom, and screened porch], a stone sidewalk and patio of approx. 560 sq ft were added to the side and back of the property. The changes were made in order to accommodate and allow conveyance of an electric chair for a handicapped person on to and around the property." Additionally, the applicants state the builder nor landscaper were aware of the impervious area limitations. However, the applicants also state, "there was an estimate that the impervious area would not be exceeded by building the addition and that additional impervious area would still be available for the installation [of] the sidewalk and patio."

G. At-grade patios do not require Town approval and thus would not require Town review before installation.

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

Relevant findings of fact:

A. The size and shape of the subject property are comparable with all other lots within Phase 2, Map 2 of the Birkdale neighborhood.

B. All 42 residential single-family lots recorded within Phase 2, Map 2 of the Birkdale neighborhood have the same maximum built upon area.

C. Paver stones are considered an impervious surface by the Mecklenburg County Storm Water Administrator as well as the Town Land Development Engineer.

D. The applicant states, "the [electric wheel] chair cannot be used on mulch, straw, sand, or other soft loose surfaces."

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

Relevant findings of fact:

A. While at-grade patios do not require Town approval and thus would not require Town review before installation, the plot plan for the issued permit does not include the walkway and patio.

B. The applicants state they, "were not made aware of the impact of impervious area limitations prior to the installation of the back patio and sidewalk that resulted in the impervious area overage."

C. The applicants also state, "there was an estimate that the impervious area would not be exceeded by building the addition and that additional impervious area would still be available for installation the sidewalk and patio."

D. The subject property was created May 7, 1997 as a part of Birkdale Phase 2, Map 2 (Map Book 28, Page 316) and per the recorded plat map the property has a maximum built upon area of 3,800 square feet.

4) The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is se cured, and substantial justice is achieved.

Relevant findings of fact:

A. Per Article 3.3.2 of the Town of Huntersville Zoning Ordinance, "The intent of the Mountain Island Lake Watershed Overlay District is to provide for the protection of public water supplies as required by the NC. Water Supply Watershed Classification and Protection Act (G.S 143214.5) and regulations promulgated there under. The Mountain Island Lake Watershed Overlay may be applied in any zoning district. The Mountain Island Lake Watershed Overlay District supplements the regulations of the underlying zoning district within the Mountain Island Lake Watershed Protection Area to ensure protection of public drinking water supplies."

B. Per Article 3.3.2-B of the Zoning Ordinance, "The intent of these regulations is to allow development with fewer restrictions in protected areas 1 and 2 than in the critical areas because the risk of water quality degradation from pollution is less in the protected areas than in the critical areas."

C. Mountain Island Lake Watershed regulations were effective October 1, 1993 and all new subdivisions of land within the Watershed boundary area were thereafter subject to the applicable subdivision regulations unless prior approval was granted.

D. The subdivision plat map established the maximum built upon area for the subject property is 3,800 square feet.

E. A building permit was issued February 7, 2020 for the addition of 200 square feet of heated area, conversion of 265 square feet, and the addition of 200 square feet of deck.

F. Though a permit is not required for at-grade patios, the plot plan for the issued permit does not include the walkway and patio.

G. The 533 square feet increase of impervious area is greater than 10% of the maximum built upon area for the lot, thus this request qualifies as a major variance request.

H. Per Staff correspondence with Rusty Rozzelle, Mecklenburg County Water Quality Program Manager and Storm Water Administrator, any increase beyond the maximum built upon area limit for the property necessitates mitigation to ensure water quality standards are met (Exhibit E).

L. Speight requested to enter an email received from Rusty Rozzelle, Mecklenburg County Water Quality Program Manger and Storm Water Administrator into the record as Town Exhibit 1. The request passed unanimously (9-0).

The email dated October 8, 2020 indicated that the County Storm Water Services, after review of the applicant's request, recommends the variance be denied because an increase of 3.7% Allowed Built Upon Area would result in increased pollutants entering our drinking water supply reservoirs.

The applicant, Shane Evatt, 8201 Sandowne Lane, testified that neither he nor his builder were notified that the Certificate of Occupancy had been revoked at the point that the action was taken and when they did become aware of this they contacted Planning Staff to determine why this had occurred. They were told they exceeded their allowed built-upon-area due to the at-grade patio. However, according to staff's own comment, at-grade patio's do not require Town approval or review prior to installation, therefore it seems that the cause for revoking the certificate of occupancy is unwarranted.

The applicant continued that the purpose of the added metal ramp at the rear of the home, sidewalk around the side of the home and rear patio; all of which have created the impervious area overage, is to create access for his wheelchair confined father-in-law who would not otherwise be able to access their house or backyard. Neither the builder nor landscaper who they employed expressed knowledge of the allowed built-upon maximums.

The applicant stated that they requested mitigation solutions from the Town to resolve the issue and they were provided with only three remedies. The applicant states that they spoke with Mike MacIntyre, Engineering and Public Works Stormwater Plan Reviewer regarding a rain garden or similar drainage option and were informed that this was not an option. The applicant was also told that they could research and identify if another property would be interested in selling their impervious rights that they could purchase. No formal or informal marketplace exists to accomplish this it is simply up to the applicant to attempt to identify a potential seller.

The applicant concluded with the statement that it is their goal to do the right thing and comply but the options for mitigating this have not led to a solution, so they are seeking variance. The applicant then requested that the Board consider that a disability be considered a hardship in their review of the case.

The co-applicant, Kristi Evatt, 8201 Sandowne Lane, testified of their previous inability to be hospitable to her father in their own home due to the limited accessibility. The additions made were to enable the families to be able to enjoy their time together.

The co-applicant then requested that the Board consider not just that a disability is a hardship in their case, but also that this is a reality with an aging population that must be considered for future needs of the residents and how this decision will affect their ability to address accessibility issues to their own homes as the need arises.

Alva Rothwell, 21249 Cold Spring Lane, Cornelius NC 28031 testified that he has been in quarantine since February and Shane and Kristi made the accommodations for him so that they could enjoy time together and not face a situation as they previously dealt with when his car broke down during a visit at their home and he was unable to find a local car company with a wheelchair accessible vehicle to take him home. He urged the Board in their zeal to create a Town that complies not to forget about diversity and the need to adapt to others.

E. Cecil thanked the applicants for their testimony and then stressed that while he was empathetic to their situation the Board must consider that this is a decision regarding a private residence and not a publicly accessible location where ADA requirements could be applied.

P. Jacobson asked the applicants if switching the pavers to a wood deck had been considered since this is a pervious material and would resolve the issue. The applicant responded that they had been advised that a deck would not hold up given its location, drainage and type of soil.

J. Klutz commented that these are state mandates not just local Town ordinances therefore an impervious transfer or density averaging certificate are the two mitigation options that really exist and agreed that they are challenging to accomplish.

J. Bradshaw commented that in his opinion items 2 and 4 of the standards for granting a variance have been met since it does seem that the request is in line with the spirit and purpose of the Ordinance and he does agree with Staff that items 1 and 3 have not been met as there are remedies available to the applicants, although not easy to achieve. While he is sympathetic all four standards would need to be met for the granting of a variance.

J. Loucks asked the applicant if they were aware that an accessibility lift may be an option that could remove the necessity of the ramp and would alleviate some of the impervious overage.

E. Cecil offered that the applicant may want to consider removing the shed from the property which would also reduce some of impervious overage.

The applicant thanked the Board for their suggestions and stated that ADA requires an 8% grade on the ramp, and it was not practical to make this of wood when they investigated it at the time of installing the ramp.

P. Jacobson suggested that a Density Averaging Certificate was the most logical remedy that may be available to the applicant. He recommended that they zoom in on the watershed overlay and prospect locations within that watershed.

W. Smith made a Motion to Deny. This motion was incomplete, so E. Cecil offered to make a complete motion.

E. Cecil made a Motion to Deny in consideration of Staff's position for V20-05, a request by GREGORY S EVATT and KRISTINA J EVATT for a variance from Article 3.3.2-B, Section E of the Town of Huntersville Zoning Ordinance, the Board of Adjustment denies the major variance request based on a finding that the request meets none of the four criteria, outlined in the Zoning Ordinance, for granting a variance. The Board of Adjustment finds the request meets the request does not meet the criteria for granting a variance based on the findings of fact indicated in the Staff Report. J. Loucks seconded the motion.

J. Bradshaw stated that while he agrees the variance must be denied, it was still his opinion that the variance request met 2 of the 4 criteria.

The motion passed (6-1) with J. Bradshaw opposed.

3.B. V20-06 - Consider an impervious request for 15710 Pine Street

Lauren Speight, Planner I (also referred to herein as "staff") presented, and entered the Staff Report into the record through verbal testimony as indicated below, and written documentation, which is attached hereto as Exhibit B, and incorporated herein by reference.

The applicant, LAURIE R MARTIN, requests a variance Article 3.3.3-A, Section E of the Town of

Huntersville Zoning Ordinance. The subject property is located within the Lake Norman Watershed Critical Area. This request is for a major variance to increase the impervious built upon area for the property by 1,279 square feet. See Exhibit A for the variance application.

Standards for Granting a Variance

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

It is Staff's position that:

A. For the compliance of the existing excess of impervious area and the additionally requested impervious area for the pool the strict application of the Ordinance (Article 3.3.3-A, Section E) requires: 1) removal of impervious overage 2) the subject property obtain an impervious transfer from a lot within the subdivision 3) the subject property obtain a density averaging certificate from an eligible lot in the Town 4) the subdivision or subject property install a Best Management Practice (BMP) for water quality.

B. The applicant states removal of the driveway would require a significant reduction of the driveway area. The applicant states an impervious transfer from a lot within the subdivision is unlikely. The applicant states they are actively exploring the option of seeking a density averaging certificate. The applicant states they are not able to add a BMP.

C. The subdivision plat map does not note the property is located within the Lake Norman Critical Area Watershed and also does not record a maximum impervious limit for the property.

D. The subject property received zoning approval for a building permit and did not include the proposed amount of impervious are for the home and driveway. However, the permit notes "BROWNS COVE LOT #3-B-WATERSHED HOLD: LN-CA 24% MBUA," which indicates the property received a hold on the Certificate of Occupancy for the Lake Norman Critical Area Watershed and the property has a 24% maximum built upon (impervious) area restriction.

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

It is Staff's position that:

A. The applicant does not demonstrate the physical conditions of the lot prevent adherence with Watershed regulations for impervious area.

B. The subdivision plat map does not note the property is located within the Lake Norman Critical Area Watershed and also does not record a maximum impervious limit for the property.

C. The subject property received zoning approval for a building permit and received a Certificate of Occupancy.

D. Based on Mecklenburg County GeoPortal estimates of impervious use, among the currently developed lots within Brown's Addition, Lot 3B appears to be the only property that is over its impervious maximum built upon area.

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

A. The plat map “Brown’s Addition Lots 2 & 3, Revised” that created Lot 3B does not note the subject property is located within the LN CA and also does not record the maximum impervious area for the lot.

B. A building permit was issued to Laurie R Martin (property owner and building contractor) January 20, 2006 for the existing home and driveway.

C. The building permit nor plot plan include the total proposed impervious area for the original home and driveway.

D. The permit notes, “BROWNS COVE LOT #3-B-WATERSHED HOLD: LN-CA 24% MBUA,” which indicates the property received a hold on the Certificate of Occupancy for the Lake Norman Critical Area Watershed and the property has a 24% maximum built upon (impervious) area restriction.

E. While the applicant is the property owner and was the building contractor and therefore responsible for the home build, the applicant states they deliberately constructed the home based on information received by zoning authorities at the time.

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.

It is Staff’s position that:

A. Per Article 3.3.3 of the Town of Huntersville Zoning Ordinance, “The intent of the Lake Norman Watershed Overlay District is to provide for the protection of public water supplies as required by the NC. Water Supply Watershed Classification and Protection Act (G.S 143-214.5) and regulations promulgated there under.”

B. Per Article 3.3.3-A, “The intent of these regulations is to require higher standards in the Critical Area of the Lake Norman Watershed because of the greater risk of water quality degradation from pollution.”

C. Lake Norman Watershed regulations were effective June 6, 1994. Thus, when Lot 3B was created June 1, 2000 as a new lot of record, it was immediately subject to Watershed regulations with impervious restrictions.

D. The plat map “Brown’s Addition Lots 2 & 3, Revised” that created Lot 3B does not note the subject property is located within the LN CA and does not record the maximum impervious area for the lot.

E. A building permit was issued to Laurie R Martin (property owner and building contractor) January 20, 2006 for the existing home and driveway.

F. The building permit nor plot plan include the total proposed impervious area for the original home and driveway.

G. The permit notes, “BROWNS COVE LOT #3-B-WATERSHED HOLD: LN-CA 24% MBUA,” which indicates the property received a hold on the Certificate of Occupancy for the Lake Norman Critical Area Watershed and the property has a 24% maximum built upon (impervious) area restriction.

H. The existing excess of impervious area and the requested additional 200 square feet of impervious area for a swimming pool qualify this variance application as a major variance request.

I. The applicant states the requested impervious area of the pool may be mitigated by the removal of some impervious area.

J. Per Staff correspondence with Rusty Rozzelle, Mecklenburg County Water Quality Program Manager and Storm Water Administrator, any increase beyond the maximum built upon area limit for the property necessitates mitigation to ensure water quality standards are met (Exhibit E).

L. Speight requested to enter an email received from Rusty Rozzelle, Mecklenburg County Water Quality Program Manager and Storm Water Administrator into the record as Town Exhibit 1. The request passed unanimously (9-0).

The email dated October 8, 2020 indicated that the County Storm Water Services, after review of the applicant's request, recommends the variance be denied because an increase of 3.7% Allowed Built Upon Area would result in increased pollutants entering our drinking water supply reservoirs.

E. Cecil reviewed Section 5E of the Boards Rules of Procedure Conduct of Hearing. Scott Miskimon, 2136 Vicchio Lane, Apex, NC indicated he is the husband of the applicant. They were not married at the time she purchased the property and as such is not listed as an owner of the property.

S. Miskimon went on to testify that his wife purchased the property in 2005 and acted as General Contractor on the project. The location of the septic on the property required a very long driveway and meeting with Mecklenburg County staff onsite, during which time no mention of impervious was made. His wife subsequently applied for a building permit and it was granted. Both the plot plan and the survey on the home indicate a 24% maximum built-upon-area, with no maximum square footage indicated. This reference did not translate with any County departments as being an issue and all permits and certificate of occupancy were granted. No additional impervious was added to the property in the following 13 years. Now that a request to add a swimming pool has been submitted the applicant has become aware of the impervious overage and is seeking to resolve the issue.

S. Miskimon requested to enter Applicant Exhibits 7-9 into the record. E. Cecil stated that the deadline for the applicant to provide evidence has already passed. He asked if any of the members of the Board had reviewed the contents of the exhibits, all members stated nay. He asked when the evidence became available to the applicant and what the general nature of the evidence consisted of in its relevance to the case. S. Miskimon stated that the evidence became available Sunday, October 11, 2020 and it is relevant in demonstrating the applicants attempt to mitigate the issue through impervious transfer.

J. Klutz recommended that the applicant consider tabling their variance so that the Board could consider their additional evidence. The applicant agreed to that option.

E. Cecil made a Motion to Hold Open the hearing until the November 10, 2020 meeting so that additional evidence as submitted by the applicant could be considered. J. Bradshaw seconded the motion. The motion passed unanimously (7-0).

J. Bradshaw requested that this item be placed first on the November agenda and E. Cecil noted that the alternate members, J. Bradshaw and J. Loucks, sitting as regular members for this hearing will need to be available to hear the continued request at the November meeting.

4. Other Business

5. Adjourn

B. Welch made a Motion to Adjourn. J. Klutz seconded the motion. The motion passed unanimously (7-0).

Town of Huntersville
Board of Adjustment
November 10, 2020

To: Town Board

From: Lauren Speight, Planner 1

Date: November 10, 2020

Subject: V20-06 15710 PINE ST HUNTERSVILLE NC 28078
The applicant is requesting a major variance from Article 3.3.3-A, Section E (Built-Upon Area Development Standards). The request is for a variance to increase the impervious maximum built upon limit for the subject property by 1,190 square feet.

EXPLAIN REQUEST:

ACTION RECOMMENDED:

FINANCIAL IMPLICATIONS:

ATTACHMENTS:
None

Variance 20-06, 15710 PINE ST HUNTERSVILLE NC 28078

Case #:	V 20-06
Address:	15710 PINE ST HUNTERSVILLE NC 28078
Parcel #:	001-452-67
Acreage:	+/- .459
Property Owners/Applicants:	LAURIE R MARTIN
Staff:	Lauren Speight – Planner I

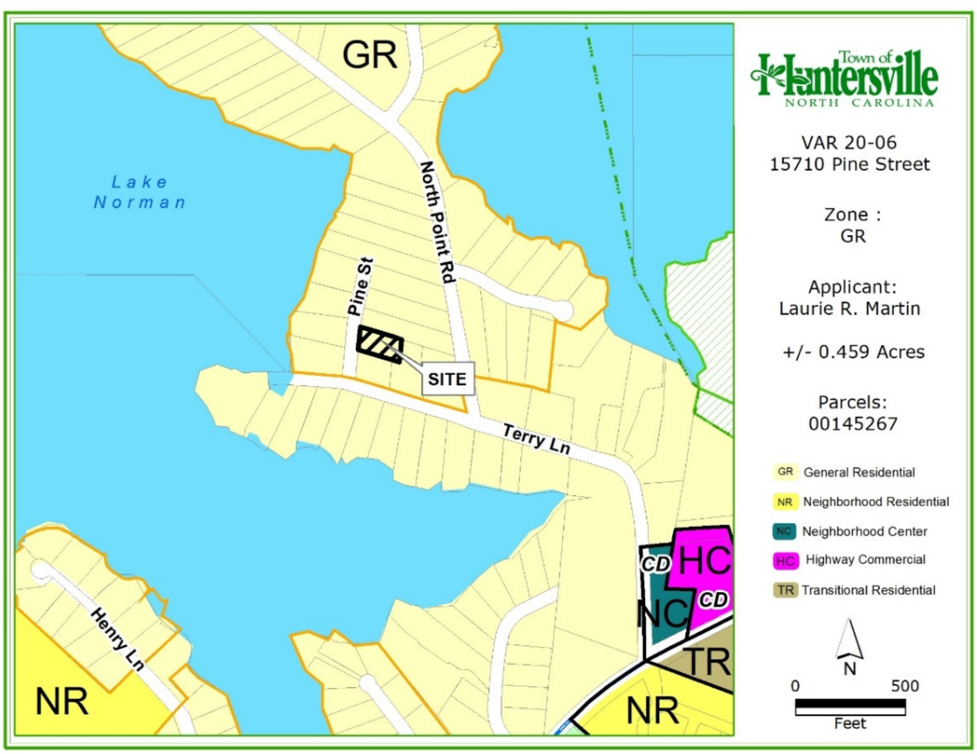
The applicant, **LAURIE R MARTIN**, requests a variance Article 3.3.3-A, Section E of the Town of Huntersville Zoning Ordinance. The subject property is located within the Lake Norman Watershed Critical Area. This request is for a major variance to increase the impervious built upon area for the property by 1,190 square feet. See Exhibit A for the variance application.

e) Built-Upon Area Development Standards

For individual buildings or for development projects within the Lake Norman Critical Area, the following impervious area limitations are established on a building or project basis.

CA, low density option	24% B.U.[1]
CA, high density option	50% B.U. with Structural BMP[1]

[1] **Residential subdivisions approved after 2/17/03 shall reserve, at minimum, 1% of the lot area but not less than 150 sq. ft. impervious area per lot to allow for addition of future impervious areas by homeowner/occupant**



<u>Staff Findings of Fact on Variance 20-06, 15710 PINE ST HUNTERSVILLE NC 28078</u>

Findings of Fact with Staff's Position (Ordinance Standards are in Italics):

Please see Exhibit A for the applicant's responses to the required criteria for granting a variance.

In considering any variance request, the following *Standards for Granting a Variance* (Article 11.3.2.e) must be addressed with findings of fact:

1. The subject property is located at 15710 PINE ST HUNTERSVILLE NC 28078.
2. The subject property, Lot 3B was created June 1, 2000 as a part of the minor subdivision of Brown's Addition Lots 2 & 3 per Map Book 33, Page 287.
3. The subject property is zoned General Residential (GR).
4. The subject property is located within the Lake Norman Critical Area (LN CA).
5. Lake Norman Watershed regulations were effective June 6, 1994. Thus, when Lot 3B was created on June 1, 2000 as a new lot of record, it was immediately subject to Watershed regulations with impervious restrictions.
6. Low Density Development in the Lake Norman Critical Area is subject to a 24% maximum built upon (impervious) area restriction.
7. Map Book 33, Page 287 records Lot 3B has an area of 20,001 square feet and thus a maximum built upon area limit of 4,800.24 square feet.
8. The plat map "Brown's Addition Lots 2 & 3, Revised" (Map Book 33, Page 287) that created Lot 3B does not note the subject property is located within the LN CA and also does not record the maximum impervious area for the lot.
9. Laurie R Martin purchased the subject property June 28, 2005 per Deed Book 18947, Page 160.
10. A building permit was issued to Laurie R Martin (property owner and building contractor) January 20, 2006 for the existing home and driveway.
11. The building permit nor plot plan included the total proposed impervious area for the original home and driveway.
12. The permit notes, "BROWNS COVE LOT #3-B-WATERSHED HOLD: LN-CA 24% MBUA," which indicates the property received a hold on the Certificate of Occupancy for the Lake Norman Critical Area Watershed and the property has a 24% maximum built upon (impervious) area restriction.
13. Mecklenburg County LUESA completed zoning reviews for the issuance of building permits and completed zoning inspections for the issuance of Certificates of Occupancy for properties within the Town of Huntersville at the time this permit was issued.
14. An as-built survey was conducted after the construction of the home of the subject property April 2, 2007. The survey notes the 24% maximum allowable impervious requirement, but does not include the actual maximum square footage of impervious area allowed. The survey includes a breakdown of the built impervious area for the property.
15. The as-built survey is not clearly legible. Thus, Staff compared the data from the 2007 survey with the Mecklenburg County GeoPortal. Impervious details of the April 2007 survey are similar to the Mecklenburg County GeoPortal estimate that the property is using approximately 5,990 square feet of impervious area. The existing impervious area appears to be between 5,800 and 5,990 square feet.
16. No additional impervious area has been added to the property since the April 2007 survey per Mecklenburg County aerial photography.

17. Staff communicated with Laurie R Martin in August 2020 regarding the sale of the property and proposed addition of a pool to the property. Staff initially found the property could accommodate additional impervious due to a misunderstanding about the applicability of Watershed regulations. However, after further review Staff found Lot 3B was a new lot of record in 2000 subject to impervious restrictions and determined, based on the estimate by the Mecklenburg County GeoPortal, the property exceeds its maximum built upon area limitation.
18. Staff offered options for the property to come into compliance with Watershed regulations regarding the excess and proposed impervious area September 10, 2020. (See Exhibit K)
19. On September 15, 2020, Staff received a variance application for a variation from Zoning Ordinance Article 3.3.3-A, Section E for: 1) the impervious area originally permitted for the house and driveway in excess of the impervious limit and 2) an additional 200 square feet of impervious area for a pool.
20. The maximum built upon area for the subject property is 4,800.24 square feet. The Mecklenburg County GeoPortal estimates the property is using 5,990 square feet of impervious area, which is comparable to the April 2007 survey. Thus, this variance application is requesting a total of more than 10% of the maximum built upon area for the property.
21. Per Article 3.3.3-B, major variances mean variance from the minimum statewide water supply watershed protection criteria that result in any one or more of the following: **petitions for the reduction of any numerical standard of the low density option in the overlay district by a factor of more than 10%;** and petitions for variation in the design, maintenance or operation requirements of a wet detention pond or other approved storm water system; and petitions for the reduction of any management requirement that applies to a development proposal intended to qualify under the high-density option.
22. Per Article 3.3.3-B, The Board of Adjustment, acting as the Watershed Review Board, may advise approval of a major variance petition upon satisfying the findings of Section 11.3.2ƒ, or upon the finding that significant community economic or social benefit would be derived from the granting of the variance.
23. Per Article 3.3.3-B, A decision by the Watershed Review Board to approve a major variance shall be advisory only. The Watershed Administrator shall within 30 days forward a record of the Board of Adjustment hearing, findings, and conclusions to the North Carolina Environmental Management Commission for final decision.
24. On October 12, 2020 Staff received communication from the applicant to amend the variance request included in the application submitted September 15, 2020.
25. During the October 13, 2020 Board of Adjustment hearing , the Board approved to continue the case as the applicants sought to amend the variance request included in the application submitted September 15, 2020 and the applicants sought to include evidence not originally included in the variance application.
26. On October 26, 2020, Staff received an amended application and additional exhibits detailed below. The original variance application included a request for the excess impervious area included in the original permit for the home and additional impervious area for a pool. The amended application no longer includes a request for additional impervious area for a pool.
    a. One email dated October 11, 2020 from Laurie Martin including a request for an impervious area transfer.
    b. Three letters by Laurie Martin dated October 20, 2020 confirmed to have been delivered October 21, 2020 including a request for impervious area.

c. Two letters by Laurie Martin dated October 21, 2020 confirmed to have been delivered October 22, 2020 including a request for impervious area.
d. One response email dated October 22, 2020 from Timo and Leena Aittola including a refusal of Laurie Martin's request for the purchase of impervious area.
e. 38 letters by Laurie Martin dated October 23, 2020 including requests for impervious area.
f. "Exhibit 7 – Applicant Laurie R. Martin's List of Undisputed Facts"
g. Polaris 3G Map showing 16318 Terry Lane, owned by Mahmood Abuhanhan

27. Staff's analysis is based upon facts demonstrated by evidence. Staff uses the application submitted and relevant ordinances to evaluate if standards for granting a variance have been met to determine if Staff recommends approval or denial of a variance application.

Standards for Granting a Variance

When unnecessary hardships would result from carrying out the strict letter of a zoning ordinance, the Board of Adjustment shall vary any of the provisions of the ordinance upon a showing of all the following:

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

It is Staff's position that:

A. For the compliance of the existing excess of impervious area, the strict application of the Ordinance (Article 3.3.3-A, Section E) requires: 1) removal of excess impervious area 2) the subject property obtain an impervious transfer from an eligible lot within the subdivision 3) the subject property obtain a density averaging certificate from an eligible lot in the Town 4) the subdivision or subject property install a Best Management Practice (BMP) for water quality.
B. The applicant states removal of the driveway would not be a "feasible or prudent" option. The applicant includes letters sent requesting impervious area from other properties. Per the application, 5 letters were delivered within the past week. According to the applicant, the remaining 38 letters were mailed via United States Postal Service October 23, 2020 (3 days prior to receipt of this amended application.) The applicant states installing a BMP is not an option.
C. The subdivision plat map (Map Book 33, Page 287) does not note the property is located within the Lake Norman Critical Area Watershed and also does not record a maximum impervious limit for the property.
D. The subject property received zoning approval for a building permit and did not include the proposed amount of impervious are for the home and driveway. However, the permit notes "BROWNS COVE LOT #3-B-WATERSHED HOLD: LN-CA 24% MBUA," which indicates the property received a hold on the Certificate of Occupancy for the Lake Norman Critical Area Watershed and the property has a 24% maximum built upon (impervious) area restriction.

It is Staff's position that:

- Though impervious area transfers and Density Averaging Certificates are standard options to mitigate excess impervious, Staff finds that because the existing excess impervious area was included in the original building permit, an unnecessary hardship would be created by the strict application of the Ordinance. In addition, the subdivision plat map that created Lot 3B does not record the subject property is located within the Lake Norman Critical Area Watershed and does not include the maximum built upon area for the properties created. Though the originally issued permit notes the property is located within the Lake Norman Critical Area and subject to a 24% maximum built upon area restriction, the permit does not note the then proposed impervious area. However, the property received zoning approval for the building permit and subsequently received a Certificate of Occupancy. The property has included non-conforming structures for approximately 13 years.

While, Staff determines the documentation of Watershed requirements on the original plat, permit, and zoning inspection were beyond the control of the applicant alternative means of compliance could be achieved by density averaging, impervious transfer, or adding a BMP to the site. During the October 13, 2020 Board hearing the applicant sought to include additional evidence, now included in the exhibits of the amended application, demonstrating efforts were underway to attempt compliance. On October 26, 2020, an updated application was received with the following:

a. One email dated October 11, 2020 from Laurie Martin including a request for an impervious area transfer.
b. Three letters by Laurie Martin dated October 20, 2020 confirmed to have been delivered October 21, 2020 including a request for impervious area.
c. Two letters by Laurie Martin dated October 21, 2020 confirmed to have been delivered October 22, 2020 including a request for impervious area.
d. One response email dated October 22, 2020 from Timo and Leena Aittola including a refusal of Laurie Martin's request for the purchase of impervious area.
e. 38 letters by Laurie Martin dated October 23, 2020 including requests for impervious area.

Five recipients of requests for impervious area received letters 5 days prior to Staff receipt of the amended application. According to the amended application, the remaining 38 letters of request for impervious area were sent 3 days prior to Staff receipt of the amended application via the United States Postal Service. Staff determines efforts to comply with the ordinance have just very recently begun. It may therefore be premature to evaluate if a hardship standard has been met as most efforts for alternative methods to achieve compliance with Watershed regulations have only begun within the past week.

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

It is Staff's position that:

A. The applicant does not demonstrate the physical conditions of the lot prevent adherence with Watershed regulations for impervious area.
B. The subdivision plat map does not note the property is located within the Lake Norman Critical Area Watershed and also does not record a maximum impervious limit for the property.
C. The subject property received zoning approval for a building permit and received a Certificate of Occupancy.

D. Based on Mecklenburg County GeoPortal estimates of impervious use, among the currently developed lots within Brown's Addition, Lot 3B appears to be the only property that is over its impervious maximum built upon area.

It is Staff's position that:

- Staff finds the missing information on the subdivision map, missing information from the zoning review for the building permit, the failure to capture the overage of impervious area during the zoning inspection, and the excess of impervious area permitted for this lot within the Brown's Addition subdivision is unique. And, Staff finds this standard has been met with regard to the variance request for existing excess of impervious area.

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

A. The plat map "Brown's Addition Lots 2 & 3, Revised" that created Lot 3B does not note the subject property is located within the LN CA and also does not record the maximum impervious area for the lot.
B. A building permit was issued to Laurie R Martin (property owner and building contractor) January 20, 2006 for the existing home and driveway.
C. The building permit nor plot plan include the total proposed impervious area for the original home and driveway.
D. The permit notes, "BROWNS COVE LOT #3-B-WATERSHED HOLD: LN-CA 24% MBUA," which indicates the property received a hold on the Certificate of Occupancy for the Lake Norman Critical Area Watershed and the property has a 24% maximum built upon (impervious) area restriction.
E. While the applicant is the property owner and was the building contractor and therefore responsible for the home build, the applicant states they deliberately constructed the home based on information received by zoning authorities at the time.

It is Staff's position that:

- Staff determines the hardship created by the existing excess of impervious area is the result of the combination of missing information on the subdivision map, missing information from the zoning review for the building permit, and an incomplete zoning inspection. The applicant ultimately constructed the home and driveway, but the existing excess impervious should not have received zoning approval for a building permit nor an approved zoning inspection for the Certificate of Occupancy. As evidence does not include additional impervious area was added in excess of the originally permitted site plan, Staff determines this standard has been met for the variance request for the existing impervious area of the home.

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.

It is Staff's position that:

A. Per Article 3.3.3 of the Town of Huntersville Zoning Ordinance, "The intent of the Lake Norman Watershed Overlay District is to provide for the protection of public water supplies as required by the NC. Water Supply Watershed Classification and Protection Act (G.S 143-214.5) and regulations promulgated there under."
B. Per Article 3.3.3-A, "The intent of these regulations is to require higher standards in the Critical Area of the Lake Norman Watershed because of the greater risk of water quality degradation from pollution."
C. Lake Norman Watershed regulations were effective June 6, 1994. Thus, when Lot 3B was created June 1, 2000 as a new lot of record, it was immediately subject to Watershed regulations with impervious restrictions.
D. The plat map "Brown's Addition Lots 2 & 3, Revised" that created Lot 3B does not note the subject property is located within the LN CA and does not record the maximum impervious area for the lot.
E. A building permit was issued to Laurie R Martin (property owner and building contractor) January 20, 2006 for the existing home and driveway.
F. The building permit nor plot plan include the total proposed impervious area for the original home and driveway.
G. The permit notes, "BROWNS COVE LOT #3-B-WATERSHED HOLD: LN-CA 24% MBUA," which indicates the property received a hold on the Certificate of Occupancy for the Lake Norman Critical Area Watershed and the property has a 24% maximum built upon (impervious) area restriction.
H. The existing excess of impervious area and the requested additional 200 square feet of impervious area for a swimming pool qualify this variance application as a major variance request.
I. The applicant states the requested impervious area of the pool may be mitigated by the removal of some impervious area.
J. Per Staff correspondence with Rusty Rozzelle, Mecklenburg County Water Quality Program Manager and Storm Water Administrator, any increase beyond the maximum built upon area limit for the property necessitates mitigation to ensure water quality standards are met (Exhibit E).

It is Staff's position that:

Staff determines the requested variance is not consistent with the spirit, purpose, and intent of the **ordinance**, such that public safety is secured, and substantial justice is achieved. The intent of the Lake Norman Watershed Overlay District is to provide for the protection of public water supplies for multiple municipalities. While this variance request is for only one individual property, any property that exceeds its maximum built upon area limit contributes to degradation of water quality. As the Critical Area experiences a greater risk of water quality degradation from pollution, Staff determines that mitigation of water quality is paramount.

If the property engaged in an impervious area transfer, Density Averaging Certificate, or otherwise demonstrates water quality standards are met, Staff determines this standard could be met.

Staff Position:

The applicant is seeking a variance from Section E of Article 3.3.3-A of the Huntersville Zoning Ordinance for the existing excess of impervious area permitted in 2006. Staff determines that if the Board of Adjustment does not advise approval for the requests the property owner would be required to: 1) remove the excess impervious area 2) obtain an impervious transfer from an eligible lot within the subdivision 3) obtain a density averaging certificate from an eligible lot in the Town or 4) the subdivision or subject property would be required to install a Best Management Practice (BMP) for water quality.

The application with regard to the variance request for the existing impervious area does not meet standards 1 and 4 of Article 11.3.2, Section E.

Therefore, based on the application and evidence submitted Staff recommends the Board of Adjustment recommend denial of the variance request for the excess impervious area originally permitted and the additional impervious area requested for the pool.

Attachments:

Exhibit A – Amended Variance Application

Exhibit B – Article 3.3.3-A, Section E

Exhibit C – Aerial Map of Subject Property

Exhibit D – Correspondence between Staff and Mecklenburg County

Exhibit E – Zoning Map

Exhibit F - Browns Cove M12 P31 (1964)

Exhibit G - Brown's Addition Pre Map 24 P674 (1991)

Exhibit H - Brown's Addition Lots 2&3, Revised M33 P287 (2000)

Exhibit I - Brown's Addition Lots 1&2 Revised MAP R 37 P315 (2002)

Exhibit J – Topographical Map

Exhibit K – Town Property Owner Correspondence

EXAMPLE MOTION: V20-06, 15710 PINE ST HUNTERSVILLE NC 28078

Planning Department	Board of Adjustment
DENIAL: In considering Staff's position for V20-06, a request by LAURIE R MARTIN for a variance from Article 3.3.3-A, Section E of the Zoning Ordinance, the Planning Department recommends denial of the variance request based on a finding that the application with regard to the major variance request for the existing impervious area does not meet standards 1 and 4 of Article 11.3.2, Section E. The application with regard to the variance request for the additional impervious area does not meet any of the standards of Article 11.3.2, Section E. Findings of fact to support denial are listed on pages 2-4 of this staff report.	APPROVAL: In considering Staff's position for V20-06, a request by LAURIE R MARTIN for a variance from Article 3.3.3-A, Section E of the Zoning Ordinance, the Board of Adjustment recommends approval the major variance request based on a finding that the request meets all of the four criteria, outlined in the Zoning Ordinance, for granting a variance. The Board of Adjustment finds the request meets all of the four criteria for recommending approval for granting a variance based on the following findings of fact: *(explain findings of fact)*
	DENIAL: In considering Staff's position for V20-06, a request by LAURIE R MARTIN for a variance Article 3.3.3-A, Section E of the Zoning Ordinance, the Board of Adjustment denies the major variance request based on a finding that the request meets ___ of the four criteria, outlined in the Zoning Ordinance, for granting a variance. The Board of Adjustment finds the request does not met the criteria for granting a variance based on the following findings of fact: *(explain findings of fact)*

Exhibit A – Amended Variance Application

Town of Huntersville
NORTH CAROLINA

Variance Application

Date of Application: 9-14-20, as amended on 10/26/20

Property/Building Address: 15710 Pine St. Huntersville, NC **Parcel Size (ac):** .459

Tax Parcel ID (PIN) Number(s): #00145267

Text of Ordinance to be varied

Ordinance: Zoning Article: 3.3.3-A Section: E

I am requesting a variance for my house + lot, which has 5,990 square feet of existing impervious surface area that was approved by Mecklenburg County in 2007. I am requesting a variance as to 1,190 square feet of impervious surface area.

Please see all notes, documents and exhibits.

Submittal Requirements and Procedure

The following must be submitted with the completed application (signed and dated by the property owner and/or applicant):

- One (1) hard copy and one (1) electronic copy of any applicable map(s), site plans, exhibits, and applications showing exact location of property with respect to existing streets, adjoining lots and other important features on or contiguous to the property. Also, include any maps and/or illustrations (to scale), which are necessary to show the location, number and size of buildings, signs, etc., on the property.
- A list of names, addresses and tax parcel identification numbers of properties that abut the site, are across the street from the site or are otherwise within one hundred feet (100') of the site.(Electronic format preferred)
- Review Fee (Please check most recent version of Fee Schedule for applicable Variance Review Fee)
- See the current Board of Adjustment Submittal Deadlines and Meeting Schedule for filing deadlines and meeting dates
- Please submit your complete application and fee by noon the day filing deadline

In the following spaces, indicate **FACTS** that demonstrate to the Board of Adjustment you meet all the standards for granting a variance:

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property. The difficulty or hardship would result only from these regulations and from no other cause, including the actions of the owner or previous owners of the property.

   See attached

2. The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance. The difficulty or hardship is peculiar to the property and is not generally shared by other properties classified in the same zoning district and/or use for the same purpose.

   See attached

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

   See attached

4. The public safety and general welfare have been protected and substantial justice done.

   See attached

Town of Huntersville V 20-06
Laurie R. Martin 15710 Pine Street, Huntersville, North Carolina
Answers to questions 1-4 on page 3 of the Variance Application

Please note that all information in response to questions 1-4, and which appears in a section or subsection of one answer, is incorporated by reference into each and every section and subsection of all answers. A summary of some of the undisputed facts is set forth in **Exhibit** 7, which is attached to my application.

Answer to Question 1

The first unnecessary hardship is that I was issued a building permit and certificate of occupancy for the construction of my house even though I have now been informed that it exceeded the 24% impervious surface restriction for houses in the Lake Norman Critical Area watershed. My house exceeds the maximum by 1,080 square feet. Because of this overage, a strict application of the ordinance to my property would include:

1) removing impervious surfaces on my property that exceed the maximum;
2) obtaining an impervious surface transfer from another property in my subdivision;
3) obtaining a density averaging certificate from an eligible lot in Huntersville; and
4) installing a BMP.

All of these are hardships for me or are not options, and this is discussed below in more detail.

<u>Factual background</u>

I built my house in 2006-2007. I was recently divorced and was looking at this new house as a fresh start for me. I acted as my own general contractor and was responsible for building the home. To do that, however, I hired the architect to design it and the subcontractors to build it, and spoke with zoning authorities regarding permits that would be needed. This was the first home where I had done something like this, and I relied on the expertise of others to help build my house, both contractors and employees of Mecklenburg County and the Town of Huntersville.

According to the attached survey that was prepared in 2007, my lot is 20,002 square feet in size. I have very recently come to understand that, with the 24% restriction, the maximum impervious surface area allowed on my lot is 4,800 square feet. Using rounded figures, this survey states that the impervious surface areas are 2,453 square feet for the house; 3,063 square feet for the driveway and sidewalk; 15 square feet for the mechanical area; and 349 square feet for the patio.

According to the survey, this totals 5,880 square feet of impervious surface area, which means that my house exceeds the maximum by 1,080 square feet. Mecklenburg County's records, which the staff for the Town of Huntersville are using, shows that the total impervious area on my property is 5,990 square feet, or 1,190 square feet over the 24% limit. Therefore I am requesting a variance for my property because of this overage of 1,190 square feet.

As discussed above, my house was permitted, a certificate of occupancy was issued, I built my house, moved in it, and I have lived there since 2007. At the time, and in the many years since then, I didn't know that my property exceeded the impervious surface restrictions. I also didn't know that I wouldn't be able to install a swimming pool. In fact, I had always understood that a swimming pool could be installed on my lot, and this ability to install a swimming pool was recently confirmed for me (for a short time) when I spoke with the Town of Huntersville.

In August 2020, I contacted Brian Richards, the Assistant Planning Director for the Town of Huntersville about being able to install a swimming pool on my property. He looked into this and told me over the phone that I would be able to install a swimming pool. He did not tell me that impervious surface restrictions would prevent a swimming pool. I was trying to sell my house, and a real estate agent for a prospective buyer also called Mr. Richards, and he also confirmed for her that a swimming pool could be installed on my property. Because the Town's planning department had confirmed for both me and a real estate agent that a swimming pool could be installed on my property, I went forward with a planned sale of the property to a buyer who made the contract contingent on being able to install a swimming pool. I made repairs to the house requested by this buyer, and I moved furniture and personal belongings out of my house in anticipation of the sale.

Later, someone else in the Planning Department said that a swimming pool would not be allowed. Mr. Richards then sent his email dated September 10, 2020 to me in which he indicated that the building permit for my house was issued in error, and that a swimming pool would not be allowed due to impervious surface restrictions. I'm including this September 10, 2020 email from him as part of my application. After the Town's Planning Department notified me and the prospective buyer of my house that a swimming pool could not be installed, the buyers backed out of the purchase. This happened just days prior to the scheduled closing. In our contract, the purchase price was $660,000. Because of the strict application of the watershed regulations, I lost this sale of my house.

Mitigation options and efforts

I have been making good faith efforts to resolve this matter without obtaining a variance, but to date my efforts have not been successful, or the possible means of mitigating the excess impervious aren't truly options for my property.

1. **Removing impervious surfaces on my property that exceed the maximum.**

I could remove some concrete area but that is not a feasible or prudent option. I have a very long driveway, and removing 1,190 square feet of concrete would require me to tear up a large part of my driveway. I could remove a parking pad near the garage behind the house, which is about 300 square feet. But the parking pad is a valuable safety feature that allows a car to leave my property by first turning around and then heading down the driveway. For some drivers, doing that is safer than backing down the driveway, which is long, narrow, winding, and puts people at risk of hitting large trees, driving off into the swale, or hitting the mailbox. Even if I removed the parking pad, I would fall far short of removing 1,190 square feet of concrete.

2. Obtaining an impervious transfer from another property in my subdivision.

Obtaining an impervious surface transfer from another property in my subdivision is a possibility. I have been making efforts to obtain a transfer but have not yet succeeded. I have contacted each of the owners of the lots identified as Lots 1A, 1B, 2, 3A, and 4 on the 2002 recorded subdivision map that is included in my application. These lots are also shown on the Mecklenburg County/Polaris map that is attached to my application as **Exhibit 8** (with highlighted PIN numbers for my property, Lot 3B, and for my neighbor's Lot 2). Here is the current status of my efforts to obtain an impervious transfer from my neighbors in my subdivision:

Lot 1A/15705 North Point Road: This is a house and lot owned by Camden and Jessica White. I sent them a letter explaining that I was seeking an impervious transfer from their property and proposed that I purchase it from them. A true and accurate copy of my letter to them dated October 20, 2020 is attached to my application as **Exhibit 1**. My letter was delivered to them by FedEx on October 21, as confirmed by the attached FedEx confirmation that is also part of Exhibit 1. As of the date of my submittal of this material to the Board, I have not heard from Mr. and Mrs. White in response to my letter.

Lot 1B/15715 North Point Road: This is a house and lot owned by Karl and Sandra Brooks. I sent them a letter explaining that I was seeking an impervious transfer from their property and proposed that I purchase it from them. A true and accurate copy of my letter to them dated October 21, 2020 is attached to my application as **Exhibit 2**. My letter was delivered to them by FedEx on October 22, 2020 as confirmed by the attached FedEx confirmation that is also part of Exhibit 2. As of the date of my submittal of this material to the Board, I have not heard from Mr. and Mrs. Brooks in response to my letter.

Lot 2/16318 Terry Lane: This is a large vacant parcel of land owned by Mr. Mahmood Abuhanhan. His lot, and Mecklenburg County data regarding it, is shown on the attached **Exhibit 8**. I located Mr. Abuhanhan's phone number, and I called him on Sunday, October 11, 2020. His English wasn't very good and he put his wife on the phone. I explained to her that I was seeking an impervious transfer from his property and proposed to purchase it from him. That night I sent him an email that outlined my proposal. A true and accurate copy of my email to Mr. Abuhanhan dated October 11, 2020 is attached to my application as **Exhibit 3**. I did not hear back from him or his wife in response to our telephone conversation or in response to my email. I followed up by having my husband, Scott Miskimon, send him a letter, in which we provided a fuller explanation of my desire for an impervious transfer and my proposal to purchase it from him. A true and accurate copy of my husband's letter to Mr. Abuhanhan dated October 20, 2020 is also part of Exhibit 3. My letter was delivered to him by FedEx on October 21, 2020 as confirmed by the attached FedEx confirmation that is also part of Exhibit 3. As of the date of my submittal of this material to the Board, I have not heard from Mr. Abuhanhan in response to my call, my email, or my husband's letter.

Lot 3A/15702 Pine Street: This is a house and lot owned by Timo and Leena Aittola. I sent them a letter explaining that I was seeking an impervious transfer from their property and proposed that I purchase it from them. A true and accurate copy of my letter to them dated October 21, 2020 is attached to my application as **Exhibit 4**. My letter was delivered to them by FedEx on

October 22, 2020 as confirmed by the attached FedEx confirmation that is also part of Exhibit 4. Mr. Aittola immediately responded to my letter with an email dated October 22, 2020—the same day he received my letter. In his email, he rejected my proposal for an impervious transfer from his property. A true and accurate copy of Mr. Aittola's email to me dated October 22, 2020 is also part of Exhibit 4.

Lot 4/15719 Pine Street: This is vacant land owned by Steve Brown. I sent him a letter explaining that I was seeking an impervious transfer from his property and proposing that I purchase it from him. A true and accurate copy of my letter to him dated October 20, 2020 is attached to my application as **Exhibit 5**. My letter was delivered to him by FedEx on October 21, 2020 as confirmed by the attached FedEx confirmation that is also part of Exhibit 5. As of the date of my submittal of this material to the Board, I have not heard from Mr. Brown in response to my letter.

3. Obtaining a density averaging certificate from an eligible lot in Huntersville.

This is something that I'm actively exploring as an alternative to a variance. I have directly contacted people who own land in the Lake Norman Critical Area watershed to request an impervious transfer from them for a density averaging certificate. I have sent letters to people who have property on Terry Lane and North Point Road. These are both streets in Huntersville that are near or adjacent to my property and all of the properties are in the Lake Norman Critical Area. On October 23, 2020, I sent thirty-eight (38) letters to landowners with property on either Terry Lane or North Point Road and I sent the letters my regular mail through the United States Postal Service. True and accurate copies of these thirty-eight letters to my neighbors are attached to my application as **Exhibit 6**. As of the date of my submittal of this material to the Board, I have not heard from any of the people who received one of my letters.

A real estate broker at Southern Homes of the Carolinas has also been helping me with this effort and is trying to track down possible properties for a density averaging certificate. As of the date of my submittal of this amended application to the Board, my broker has not yet been able to identify possible properties for a density averaging certificate.

I'm concerned that getting a density averaging certificate is doubtful. I attended the October 13, 2020 Town of Huntersville Board of Adjustment hearing regarding another landowner's request for a variance, and heard the comments made by one of the Board members regarding the difficulty these days of obtaining a density averaging certificate. It would seem to be harder to get it from someone who isn't a neighbor, and I know that I have had difficulty in getting my neighbors to even respond to my requests for an impervious transfer.

4. Installing a BMP.

Installing a BMP (e.g. a pond) as an offset is not an option for me, either because my lot wouldn't accommodate it or I don't believe it could be placed on another lot owned by someone else.

Answer to Question 2

I recognize that the hardship that is prompting my request for a variance regarding my house does not result from conditions that are peculiar to the property, and the conditions of my property didn't prevent the impervious surface restrictions from being met. Nevertheless, there is a hardship because of the overage for my house. This hardship results from the unusual circumstances surrounding the permitting of my house. Therefore, I am requesting a variance regarding my house and the 5,990 square feet of impervious surface on it.

Impervious surface area restrictions were never an issue that anyone – including anyone at the County or the Town – discussed with me when I bought my lot, when I obtained a building permit, when the septic tank was permitted or installed, during construction of the house, or when I obtained a certificate of occupancy.

I purchased the lot in 2005. A plat map recorded on June 1, 2000 at Map Book 33, Page 287 shows my lot as Lot 3B. This plat map is included with my application. The recorded map makes no mention of the Lake Norman watershed or any impervious surface restriction—either for Lot 3B or any other lot. This map was approved by the Town of Huntersville, and recorded in the land records of Mecklenburg County.

A plat map recorded on April 16, 2002 at Map Book 37, Page 315 also shows my lot as Lot 3B. This plat map is included with my application. The recorded map mentions the Lake Norman watershed and an impervious surface restriction. It specifically mentions the impervious surface restriction as to Lots 1A, 1B, and 2—but it does not mention that restriction as to Lot 3B. This map was also approved by the Town of Huntersville, and recorded in the land records of Mecklenburg County.

When I obtained the building permit in January 2006, it was not obvious to me that any impervious restriction applied. On page 3 of the building permit, there is a notation that reads "Browns Cove Lot #3-B-Watershed Hold: LN-CA 24% MBUA." If I saw that notation then I wouldn't have known what it meant. It's only been in connection with submitting a request for a variance that I've come to understand that this notation seems to indicate a 24% impervious surface restriction. This notation is very cryptic for a layman like myself, and I would never have known what this meant if it wasn't for the fact that someone from the Town of Huntersville very recently deciphered this notation for me.

Shortly after obtaining the building permit, the survey company prepared a plot plan for the house (see attached) dated March 1, 2006. It did not indicate my lot exceeded the impervious surface restrictions.

At the time, my lot had no ability to connect to city sewer, and a septic tank would be required for the house I was building. The septic tank was installed in the side yard on the north side, the lines for the primary field were laid out in the front yard, and a repair field was put into the back yard. The positioning of the septic tank, the primary field, and the repair field were done in anticipation of someday installing a swimming pool on the lot in the backyard.

Here is some additional factual information to understand how my property ended up with 5,990 square feet of impervious surface area. The lot I purchased was not then, and is not now, in a standard subdivision. There are no restrictive covenants, and there is no homeowner's association. And with no HOA, there's also no neighborhood swimming pool. Because of those facts, when I bought the lot I bought it with the intention of someday installing my own swimming pool. Many of the decisions made regarding the positioning of the house, septic system, and driveway were made in contemplation of installing a swimming pool in the back yard.

For example, I installed the septic tank in the side yard on the north side, and the primary field for it in the front yard. The repair field was installed in the back yard on the north side of the lot. All of these choices were driven because of the need to accommodate a future swimming pool in the back yard, which would be located more towards the south property line. Because we had to place the septic system's primary field in the front yard, this pushed the house further away from the front property line. It also meant that the 2-car garage would not be in front of the house but behind the house on the north side. For all these reasons, I now had a much longer driveway. Consequently, much more concrete had to be poured to get the driveway from Pine Street to the back of the house and then to the garage on the other side of the property.

Even though it's a single car driveway, it runs a great distance and involves a very large amount of concrete. The driveway is about 146 feet long before it turns to the north to reach the garage. As mentioned above, the concrete for the driveway and sidewalk creates an impervious surface area of 3,063 square feet. By comparison, the concrete for the house itself is 2,453 square feet. In other words, the impervious surface area for the driveway and sidewalk is 25% greater than for the house itself.

Together, the impervious surface areas for the house and the driveway, as shown on the survey, by themselves exceed what I'm now told is the maximum allowable impervious surface area for my lot by 716 square feet, or by 15%. This does not include the other impervious surface areas for the rear patio and the mechanical area.

When I submitted my application to Mecklenburg County for a building permit, I disclosed the square footage for the planned house, and the distance for the driveway. I provided enough information at the time of application that Mecklenburg County and the Town of Huntersville should have immediately recognized that the impervious surface areas were going to be very substantial. For example, I disclosed that the house would be 3,560 square feet, that there would be a 2-car garage behind the house, that a driveway would run from Pine Street to the back of the house that would be approximately 146-feet long, and that there would be a turn in the driveway that would then run to the garage behind the house, and that this portion of the driveway could be as much as 60 feet. I also disclosed that there would be a patio behind the house. All of these would require concrete pours involving very significant square footages of impervious surface areas.

Despite having this information, neither Mecklenburg County nor the Town of Huntersville raised any red flags, notified me of possible violations of impervious surface restrictions, nor suggested a different layout. Instead, my application was granted, a building permit was issued to me, the septic system was permitted, the house was built, concrete was poured, and a certificate of occupancy was issued stating that I was in compliance with all building and zoning regulations.

Mecklenburg County certainly knew that I had plans to install a swimming pool in my backyard, that the layout of the septic system was driven by this plan, and that this plan would require significant concrete pours and large impervious surface areas.

The Mecklenburg County septic inspector was Jeremy Michelone. In late 2005, Mr. Michelone met with me on site and we specifically discussed the need to have the septic system situated so as to accommodate a swimming pool in the back yard. He helped me to develop the septic system design and layout knowing of the plan for the swimming pool, and he signed the paperwork approving the septic system. Nothing was ever said by him about any impervious surface restrictions, that I might be at risk of exceeding them, or that I wouldn't be able to install a swimming pool. In reliance on his expertise, I believed that once he and I had laid out the septic system and he signed off on the septic permit, that I had overcome the last hurdle for installing a swimming pool.

Mecklenburg County issued me a certificate of occupancy on May 9, 2007. A copy of the CO is attached. The CO has a space for "Restrictions/Limitations" and "Remarks." Nothing was filled in regarding either "Restrictions/Limitations" or "Remarks." There was no mention of any impervious surface restrictions. Instead, the CO that Mecklenburg County issued stated "In the opinion of this Department, the premises represented above ***complies with applicable building and zoning regulations***." The CO further states that the "Date of certification is the date on which all permits related to the job were finaled and ***applicable holds were released***."

On its face, the CO states that my property is in compliance with all zoning regulations. If we take the County at its word, then that means my property doesn't violate the Lake Norman watershed rules. And if my property was subject to a hold—such as the "Browns Cove Lot #3-B-Watershed Hold: LN-CA 24% MBUA" stated on the building permit—then the CO indicates that this "applicable hold" was "released." Therefore, Mecklenburg County has apparently taken official action to release my property from a hold related to the 24% impervious surface restriction and has determined that I am in full compliance with all building and zoning regulations.

To sum things up, I built my house – and spend hundreds of thousands of dollars – in reliance on what the zoning authorities told me about the ability to build my house as planned, and with the County's knowledge of my plan to install a swimming pool in the back yard of my lot. The zoning authorities knew the size of the lot, the size of the house's footprint, and the size of the very significant concrete pours for it, for the driveway, and for other areas. A building permit was issued for the house, and nothing was said about an impervious surface restriction that would prevent me from building both the house, the driveway and other concrete areas, and then later on a swimming pool. A certificate of occupancy was issued indicating that I had complied with all building and zoning regulations. Throughout this entire history, I have I relied on information from the zoning authorities, their knowledge of my plans, and their repeated approvals that were granted to me.

In August 2020, I was again told by the Town of Huntersville (through its Assistant Planning Director Brian Richards) that a swimming pool could be built in my backyard. Mr.

Richards also confirmed this to a real estate agent. Weeks later, however, I was told that impervious surface restrictions would prevent a swimming pool from being installed.

Because of the overage dating back to the construction of my house (which was permitted), and my reliance on what the zoning authorities knew and permitted, I am requesting that I be granted a variance regarding the 1,190 square feet of excess impervious surface area.

Answer to Question 3

The hardships regarding the overage on my house did not result from actions that I took, but from information communicated to me by the zoning authorities that I reasonably relied on.

As mentioned above, I built my house in 2006-2007. I was recently divorced and was looking at this new house as a fresh start for me. I acted as my own general contractor and was responsible for building the home. To do that, however, I hired the architect to design it and the subcontractors to build it, and spoke with zoning authorities regarding permits that would be needed. This was the first home where I had done something like this, and I relied on the expertise of others to help build my house, both contractors and employees of Mecklenburg County and the Town of Huntersville.

The plat maps discussed above (one recorded on June 1, 2000 at Map Book 33, Page 287 and another recorded on April 16, 2002 at Map Book 37, Page 315) were both recorded before I purchased my lot. Both plat maps show my lot as Lot 3B. The 2000 recorded map makes no mention of the Lake Norman watershed or any impervious surface restriction—either for Lot 3B or any other lot. This map was approved by the Town of Huntersville, and recorded in the land records of Mecklenburg County. The 2002 plat map mentions the Lake Norman watershed and an impervious surface restriction. It specifically mentions the impervious surface restriction as to Lots 1A, 1B, and 2—but it does not mention that restriction as to Lot 3B. This map was also approved by the Town of Huntersville, and recorded in the land records of Mecklenburg County.

The lot I purchased was not then, and is not now, in a standard subdivision. There are no restrictive covenants, and there is no homeowner's association. And with no HOA, there's also no neighborhood swimming pool. Because of those facts, when I bought the lot I bought it with the intention of someday installing my own swimming pool. Many of the decisions made regarding the positioning of the house, septic system, and driveway were made in contemplation of installing a swimming pool in the back yard.

For example, I installed the septic tank in the side yard, and primary field for it in the front yard. The repair field was installed in the back yard on the north side of the lot. All of these choices were driven because of the need to accommodate a future swimming pool in the back yard, which would be located more towards the south property line. At the time, my lot had no ability to connect to city sewer, and a septic tank would be required for the house I was building. I worked with Jeremy Michelone with Mecklenburg County. He met me on-site at my property and he helped me with the positioning of the septic system. Nothing was ever said by him about any impervious surface restrictions, that I might be at risk of exceeding them, or that I wouldn't be able to install a swimming pool. In reliance on his expertise, I believed that once he and I had laid out the septic system and he signed off on the septic permit, that I had overcome the last hurdle for installing a swimming pool.

Because we had to place the septic system's primary field in the front yard, this pushed the house further away from the front property line. It also meant that the 2-car garage would not be in front of the house but behind the house. For all these reasons, I now had a much longer driveway. Consequently, much more concrete had to be poured to get the driveway from Pine Street to the back of the house and then to the garage on the opposite side of the property.

Even though it's a single car driveway, it runs a great distance and involves a very large amount of concrete. The driveway is about 146 feet long before it turns to the north to reach the garage. As mentioned above, the survey indicates that the concrete for the driveway and sidewalk creates an impervious surface area of 3,063 square feet. By comparison, the concrete for the house itself is 2,453 square feet. In other words, the impervious surface area for the driveway and sidewalk is 25% greater than for the house itself.

When I submitted my application to Mecklenburg County for a building permit, I disclosed the square footage for the planned house, and the distance for the driveway. I provided enough information at the time of application that Mecklenburg County and the Town of Huntersville should have immediately recognized that the impervious surface areas were going to be very substantial. For example, I disclosed that the house would be 3,560 square feet, that there would be a 2-car garage behind the house, that a driveway would run from Pine Street to the back of the house that would be approximately 146-feet long, and that there would be a turn in the driveway that would then run to the garage behind the house, and that this portion of the driveway could be as much as 60 feet. All of these would require concrete pours involving very significant square footages of impervious surface areas.

Despite having this information, neither Mecklenburg County nor the Town of Huntersville raised any red flags, notified me of possible violations of impervious surface restrictions, nor suggested a different layout. Instead, my application was granted, a building permit was issued to me, and the septic system was designed and permitted.

When I obtained the building permit in January 2006, it was not obvious to me that any impervious restriction applied. On page 3 of the building permit, there is a notation that reads "Browns Cove Lot #3-B-Watershed Hold: LN-CA 24% MBUA." If I saw that notation then I wouldn't have known what it meant. It's only been in connection with submitting a request for a variance that I've come to understand that this notation seems to indicate a 24% impervious surface restriction. This notation is very cryptic for a layman like myself, and I would never have known what this meant if it wasn't for the fact that someone from the Town of Huntersville very recently deciphered this notation for me.

After getting the septic permit and the building permit, the house was built, concrete was poured, and a certificate of occupancy was issued stating that I was in compliance with all building and zoning regulations.

On this last point, Mecklenburg County issued me a certificate of occupancy on May 9,

2007. A copy of the CO is attached. The CO has a space for "Restrictions/Limitations" and "Remarks." Nothing was filled in regarding either "Restrictions/Limitations" or "Remarks." There was no mention of any impervious surface restrictions. Instead, the CO that Mecklenburg County issued stated "In the opinion of this Department, the premises represented above ***complies with applicable building and zoning regulations***." The CO further states that the "Date of certification is the date on which all permits related to the job were finaled and ***applicable holds were released***."

On its face, the CO states that my property is in compliance with all building and zoning regulations. If we take the County at its word, then that means my property doesn't violate the Lake Norman watershed rules. And if my property was subject to a hold—such as the "Browns Cove Lot #3-B-Watershed Hold: LN-CA 24% MBUA" stated on the building permit—then the CO indicates that this "applicable hold" was "released." Therefore, Mecklenburg County has apparently taken official action to release my property from a hold related to the 24% impervious surface restriction and has determined that I am in full compliance with all building and zoning regulations.

To summarize, the hardships created by the overage of impervious surface areas was not the result of actions that I took, but instead resulted from relying on the zoning authorities in Mecklenburg County and the Town of Huntersville. Before I purchased my lot, these zoning authorities signed off on not one but two recorded plat maps that showed no restrictions applicable to my lot. After I purchased my lot, the same zoning authorities granted the permits needed to build the house, and one worked with me on-site to lay out a septic system that was designed and installed specifically for the purpose of accommodating the future installation of a swimming pool. Permits were issued with knowledge of what was going to be built, the dimensions of structures, and the significant concrete pours that would result in impervious surface areas. The zoning authorities allowed these structures to be built, and the County issued a CO after they were built that confirmed that my property was in full compliance with all building and zoning regulations. Later, the Town's Planning Department confirmed for me that I could install a swimming pool on my property, and I relied on this information as well.

Answer to Question 4

I understand that a board of adjustment's principal function is to issue variance permits in order to prevent an injustice that would result from a strict application of an ordinance. That is certainly the situation with my property. I moved into my house in October 2007—which was 13 years ago. The same concrete impervious surfaces that were in place 13 years ago remain in place today. At no time since I have owned my property has any neighbor or any other person ever complained about the impervious surfaces on my property. At no time has anyone ever complained that my property poses a risk to public safety.

To my knowledge, there is no expert evidence that proves that the overage of impervious surfaces on my property will harm public safety. No one has ever suggested—let alone proved—that because my house was permitted with the concrete areas which it has that it somehow negatively affects the quality of drinking water drawn from Lake Norman or otherwise affects the public safety. If a variance is granted regarding the overage on my house, the public safety will not be affected.

I relied in good faith on the permits that were issued. I bought a vacant lot, built a new house at great expense, lived there for more than a decade, and at all times reasonably believed that my house complied with all building and zoning regulations. By granting a variance that allows me to continue with the residential use of my property consistent with prior determinations by the zoning authorities, the permits they issued, and on which I have relied, substantial justice will be done.

I have been making good faith efforts to resolve this matter without obtaining a variance, but to date my efforts have not been successful, or the possible means of mitigating the excess impervious aren't truly options for my property. I have tried to obtain impervious transfers from my immediate neighbors, and from neighbors on nearby streets. All of those properties are in the Lake Norman Critical Area watershed. I have sent letters to forty-three (43) different property owners proposing we reach an agreement for either an impervious transfer or a density averaging certificate. So far I have had only one response, and that person rejected the idea of doing an impervious transfer. Copies of correspondence to and from those forty-three neighbors are attached to my application as **Exhibits 1-6**. I have also engaged a real estate broker to help me find a property in the Lake Norman Critical Area that could provide an impervious transfer for a density averaging certificate. So far we have not been able to locate a willing property owner. The discussion above regarding mitigation options and efforts set forth above in response to Question 1 is hereby incorporated by reference into this section.

Laurie R. Martin
15710 Pine Street
Huntersville, North Carolina 28078
(704) 622-6555

Applicant

Printed Name Laurie Martin Phone 704-622-6555

☐ Corporation ☐Limited Liability Company ☐ Trust☐ Partnership ☑ Other: Individual

☑ By signature below, I hereby acknowledge, as/on behalf of (circle one) the applicant my understanding this application will be considered in a quasi-judicial proceeding and that neither I, nor anyone on my behalf, may contact the Board of Commissioners except through sworn testimony at the public hearing. (Applicable if box is checked)

Signature Laurie B. Martin Date 9/14/20, as amended 10/26/20

Title Owner Applicant Phone 704-622-6555

Applicant Email ShlaurieM1@yahoo.com

Address of Applicant 15710 Pine Street Huntersville, NC 28078

Property Owner (if different than applicant)

* Printed Name ____________________ Phone ____________________

☐ Corporation ☐Limited Liability Company ☐ Trust☐ Partnership ☐ Other: ____________________

☐ By signature below, I hereby acknowledge, as/on behalf of (circle one) the owner my understanding this application will be considered in a quasi-judicial proceeding and that neither I, nor anyone on my behalf, may contact the Board of Commissioners except through sworn testimony at the public hearing. (Applicable if box is checked)

Signature ____________________ Date ____________________

Title ____________________ Applicant Phone ____________________

Applicant Email ____________________

Address of Property Owner ____________________

* Property owner hereby grants permission to the Town of Huntersville personnel to enter the subject property for any purpose required in processing this application.

Every owner of each parcel included in this application, or the owner (s) duly authorized agent, must sign this application. If signed by an agent on behalf of the Owner, this petition MUST be accompanied by a Limited Power of Attorney signed by the property owner (s) and notarized, specifically authorizing the agent to act on the owner (s) behalf in signing this application. Failure of each owner, or their duly authorized agent, to sign, or failure to include the authority of the agent signed by the property owner, will result in an INVALID APPLICATION. **If additional space is needed for signatures, attach the Town of Huntersville Signature Addendum Form.**

Contact Information

Town of Huntersville
Planning Department
PO Box 664
Huntersville, NC 28070

Phone: 704-875-7000
Fax: 704-875-6546
Physical Address: 105 Gilead Road, Third Floor, Huntersville, NC 28078
Website: https://www.huntersville.org/228/Planning-Department

Received By Planning Department Staff: ____________

Staff Initials: ____________

APPLICATION FOR BUILDING PERMIT

TYPE PERMIT ☑ Single Family ☐ Two Family ☐ Commercial ☐ Mobile Home ☐ Modular

PERMIT # B1550123

ADDRESS

STREET # 15710 (N,S,E,W) STREET NAME Pine (AV, RD, ST, etc) St.

SUITE/UNIT(S): n/A

TAX JURISDICTION: (Check One) ☐ 0-Mecklenburg ☑ 4-Pineville ☐ 1-Charlotte ☐ 5-Matthews ☐ 2-Davidson ☑ 6-Huntersville ☐ 3-Cornelius ☐ 7-Mint Hill

SITE DATA

PROJECT/SUBDIVISION NAME ~~Martin Project~~ Browns Cove PHASE ____ SECTION ____ PROJECT # 155976

OWNER Laurie R. Martin ADDRESS 12227 Kane Alexander Dr.

CITY Huntersville 3B STATE NC ZIP 28078 PHONE # (704) 622-6555

TAX PARCEL # / CENSUS 001-452-67 LOT # N/A BLOCK # n/A LAND AREA (sq. ft.) n/A

ZONING GR JURIS. ____ MAP # 20 R/W 60

SPECIAL (Circle) C D N P S FLOOD PLAIN ☐ Yes FLOOD ELEV. ____ FIRE DIST. ☐ Yes APR'D

LOT ☐ CORNER ☐ THROUGH FRONT SHEET (if different) ____

MINIMUM SETBACKS: FRONT 40 LEFT SIDE 10 RIGHT SIDE 10 REAR 30 REQ. PARK'G ____

PROJECT

JOB # ____ USDC # 101 PURPOSE ____ OCC. TYPE ____ CONST. ____

TYPE WORK: ☑ New ☐ Addition ☐ Accessory ☐ Upfit ☐ Shell ☐ Demolish ☐ Other

PROJECT DESCRIPTION (Residence, Office, etc.) Mobile Home: Include Yr./Make & Serial # Residence

AREA (sq. ft.): Heated 3560 Unheated 479 Deck(s) none # STORIES 2 BASEMENT ☐ Yes

ONE/TWO FAMILY, MODULAR, OR MOBILE HOME: TOTAL # ROOMS 9 # BEDROOMS 3 # BATHS 3.5

Work includes: ☐ Attached Carport ☑ Attached Garage ☑ ~~Masonry~~ Fireplace(s) Stone (4) Gas direct vent

SPRINKLERS ☐ Yes # UNITS ____ MULTI-FAMILY: # HANDICAP UNITS ____

SERVICES

ELECTRICAL

Power Company Duke Service: ☑ New ☐ Existing Total Amps 200 # Circuits 30

Connections 120 Volts 80 # Connections over 120 Volts 3

MECHANICAL:

Gas Company Piedmont # Gas Conn 6 # Appliances 1 ☑ Heat Only ☑ Central A/C Only ☐ Heat and A/C

☐ 1-Heat Pump ☐ 2-Central A/C ☐ 3-Elect. Baseboard ☐ 4-Elect. Furnace ☐ 5-Elect. Ceiling ☑ 6-Gas/Oil Furnace

☐ 7-Gas/Oil Steam ☐ 8-Gas Pack ☑ 9-Pre-Fab Fireplace ☐ 10-Chimney ☑ 11-Stove

PLUMBING: # of Fixtures (Sink, Water Closet, etc.) 12 # of Appliances (Dishwasher, Water Heater, etc.) 4

UTILITIES: ☑ New ☐ Existing

Public 1-Individual Meter/Connection ☑ Water ☐ Sewer Private 3-Individual ☐ Well ☑ Septic

2-Master Meter/Connection ☐ Water ☐ Sewer 4-Community ☐ Well ☐ Septic

CONTRACTORS

ACCT #	CONTRACTOR(S): (Name/Address as appears on license)			CONTRACT COST Nearest $100	APP'D FEES $
X39687	Bldg. ~~Myself + Building Project~~ Laurie Martin Manager	Phone (704) 622-6555	Lic # -0-	Bldg 30 ~~$ 13,000.~~	~~237,300~~ 223,094
	Add 12227 Kane Alexander Dr.	City/St Huntersville, NC	Zip 28078		
X35747	Elect Watson Electric	Phone 704-393-0220	Lic # 213-U	Elect. $8,000.	
	Add 3825 Corporation Circle	City/St Charlotte, NC	Zip 28216		
10990	Mech Parks	Phone 704-596-8200	Lic # 26985 H3-1	Mech. $ 12,000.	
	Add P.O Box 343	City/St Newell, NC	Zip 28126		
X3261	Plbg Speedway Plumbing	Phone (704) 361-2158	Lic # E005749	Plbg. $ 15,000.	
	Add P.O Box 722	City/St Harrisburg, NC	Zip 28075		
PLANS ☐	Arch./Eng Drafting + Design/Jay	Phone 704-542-8658	Lic # -	Total Const. Cost 258,094	
	Add	City/St Charlotte, NC	Zip -	$ ~~230,000~~	

OTHER

FT ☐ TOTAL ESTIMATED PROJECT COST FOR FAST TRACK OR MODULAR $ n/A FT FEE $

REMARKS: Lot + Construction cost = 300K Total OTHER FEES $

W/S LN-CA ~~220K Building / Lot Value 80K~~ 249 MDIA TOTAL FEES $ 1,701.44

THE UNDERSIGNED HEREBY CERTIFIES THAT HE/SHE IS EITHER THE OWNER OR THE AUTHORIZED AGENT OF THE OWNER AND HEREBY MAKES APPLICATION FOR PERMIT AND INSPECTION OF WORK DESCRIBED AND AGREES TO COMPLY WITH ALL APPLICABLE LAWS REGULATING THE WORK.

Laurie Martin 11-16-05 Laurie R. Martin

APPLICANT'S SIGNATURE DATE PRINT APPLICANT'S NAME

METHOD OF PAYMENT ☑ CASH/CHECK ☐ ACCOUNT

HOLDS	PROCESSED BY	APPROVED BY	VALIDATED BY
EH/On			11/29/05

MECKLENBURG COUNTY LAND USE AND ENVIRONMENTAL SERVICES AGENCY
700 N. TRYON STREET • CHARLOTTE, NC 28202 • 704/336-2831

ORIGINAL

PLOT PLAN FOR PERMIT APPLICATION
ONE/TWO FAMILY, MODULAR, MOBILE HOME OR ZONING USE

LOCATION

STREET # 15710 (N,S,E,W) ____ STREET NAME Pine Street (AV,RD,ST, etc) ____

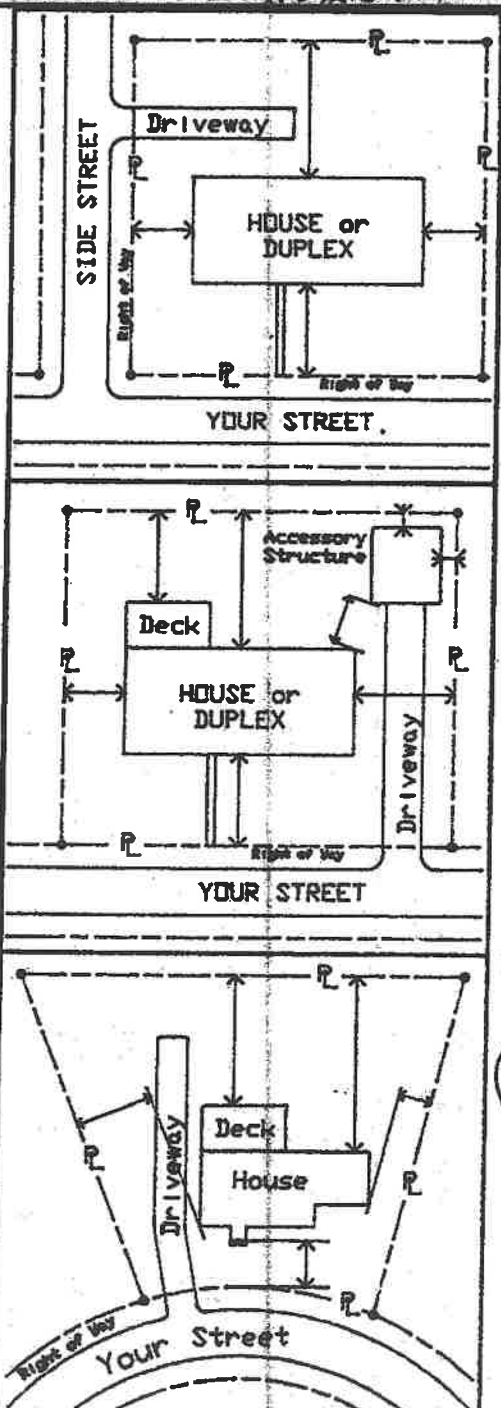
SUITE/UNIT(S): n/A

PERMIT # B1550123

TAX JURISDICTION: (Check One)
- ☑ 0-Mecklenburg
- ☐ 1-Charlotte
- ☐ 2-Davidson
- ☐ 3-Cornelius
- ☐ 4-Pineville
- ☐ 5-Matthews
- ☐ 6-Huntersville
- ☐ 7-Mint Hill

TAX PARCEL # 00145267 JOB #

EXAMPLES/PLOT PLAN

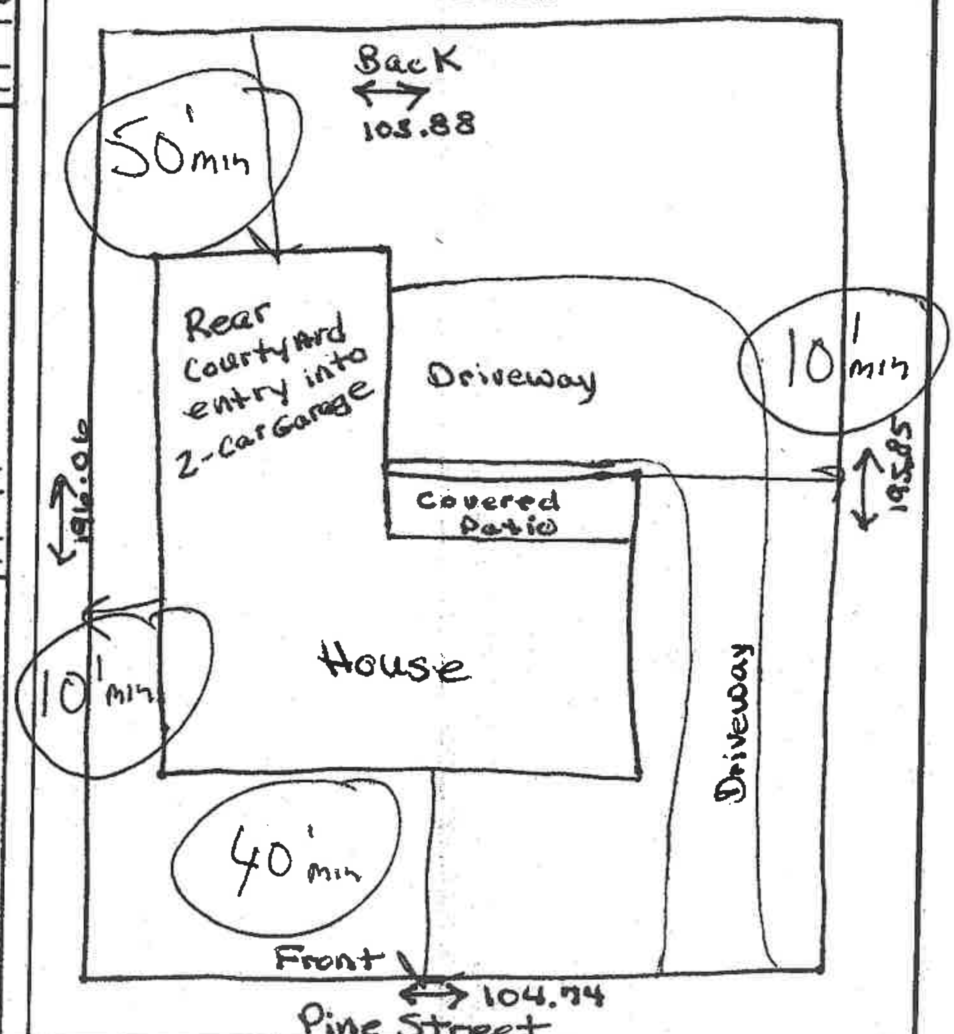


- INSTRUCTIONS -

In the space provided below, draw plot plan as neatly and accurately as possible, from survey if available.

1. Draw street(s) and right-of-way(s).
2. Draw property lines with dimensions.
3. Draw proposed and existing buildings showing any attached porch(es), deck(s), chimney(s), carport(s), or garage(s), etc...
4. Show distances of buildings from property lines or other structures.
5. Separate application and plot plan required for each building.

- PLOT PLAN -



ALL EXISTING AND PROPOSED BUILDING(S) ON LOT ARE SHOWN WITH MEASUREMENTS INDICATED

Laurie R. Martin 11-16-15 Laurie R. Martin
APPLICANT'S SIGNATURE DATE PRINT APPLICANT'S NAME

APPROVED BY

CHARLOTTE-MECKLENBURG BUILDING STANDARDS DEPARTMENT
P.O. BOX 31097 • CHARLOTTE, NC 28231-1097 • 704/336-2831
8-83

ORIGINAL

Mecklenburg County
Land Use and Environmental Services
P.O. Box 31097
700 N Tryon St
Charlotte, NC 28231-1097
'04) 336-3830

Permit: **B1550123**
Issue Date: January 20, 2006

Building Permit
One/Two Family

Property
Address: 15710 PINE ST
Parcel: 00145267 Lot: Block:
Subdivision:
Tax Jurisdiction: HUNTERSVILLE

Site Details
Land Area (sq. ft.): Parking Required: Front Street:

Lot

Corner: N Through: N Irregular: N

Minimum Setbacks (ft.)

Front: 40 Left: 10 Right: 10 Rear: 50

Project
Project Number: 155976
Occupancy Type: R3 * RESIDENTIAL - SINGLE FAM
Project Name: MARTIN/NEW RES-PLAN REV
Contract Cost: $258,094
USDC: 101 - One Family Detached
›bile Home: Year/Make:
Serial Number:
Heated Area: 3560 sq. ft. Unheated Area: 479 sq. ft. Deck Area:

Owner
Name: LAURIE R. MARTIN
Phone: (704) 622-6555
Address: 12227KANE ALEXANDER DR
HUNTERSVILLE, NC 28078

Trade Details
Electrical

Total Amps: 200 Number of Circuits: 30 Connections at 120 Volts: 80 Connections Over 120 Volts: 3
Service Type: New Utility Company: ENERGY UNITED

Mechanical

No. of Gas Connections: 6 No. of Appliances: 1 Utility Company:
Heating/Cooling: Central A/C, Gas/Oil Furnace, Prefabricated Fireplace, Stove

Plumbing

No. of Fixtures: 12 No. of Appliances: 4

Utilities

Type of Service: New

	Public Meter/Connection		Private Service	
	Individual	Master	Individual	Community
Water/Well:	Yes	No	No	No
wer/Septic:	No	No	Yes	No

This permit will expire if work either has not started within 6 months or is discontinued for a period of 12 months.
No credit or refund will be given unless applied for within 120 days after a permit has expired.

Mecklenburg County
Land Use and Environmental Services
P.O. Box 31097
700 N Tryon St
Charlotte, NC 28231-1097
(704) 336-3830

Permit: **B1550123**
Issue Date: January 20, 2006

Building Permit
One/Two Family

Contractors

Building Contractor	MARTIN LAURIE	Contractor ID:	X39081
Phone:	(704) 622-6555	License # :	
Address:	12227 KANE ALEXANDER ROAD HUNTERSVILLE, NC 28078	Contract Cost:	$ 223,094
		Home Owner:	Yes
		Permit Number:	**B1550123**
Electrical Contractor	WATSON ELECTRICAL CONSTRUCTION	Contractor ID:	X35747
Phone:	(704) 393-0220	License # :	0000000213
Address:	P O BOX 3105 WILSON, NC 27895-3105	Contract Cost:	$ 8,000
		Home Owner:	No
		Permit Number:	**E1566693**
Mechanical Contractor	PARKS HEATING & COOLING	Contractor ID:	M10940
Phone:	(704) 596-8200	License # :	26985
Address:	P.O. BOX 343 NEWELL, NC 28126	Contract Cost:	$ 12,000
		Home Owner:	No
		Permit Number:	**M1566692**
Plumbing Contractor	SPEEDWAY PLUMBING INC	Contractor ID:	X33261
Phone:	(704) 720-9593	License # :	0000019871
Address:	P O BOX 722 HARRISBURG, NC 28075	Contract Cost:	$ 15,000
		Home Owner:	No
		Permit Number:	**P1566691**

Fees

Permit Fee:	$1,701.44	Fax Fee:	$0.00	Fast Track Fee:	$0.00
Double Fee:	$0.00	Home Owner Recovery Fund:	$0.00	Fee Adjustment:	$0.00
Fire Damage Fee:	$0.00	NESHAP Fee:	$0.00	Total Fee:	$1,701.44
Permit Fee Type: Construction		Charge To Account: Yes			

Miscellaneous

Entry Date: 11/28/2005 08:25 am

Issue Date: 01/20/2006

Special Inspections: n/a

Entered By: Sweeny, Eileen

Issued By: Sweeny, Eileen

This permit will expire if work either has not started within 6 months or is discontinued for a period of 12 months. No credit or refund will be given unless applied for within 120 days after a permit has expired.

Mecklenburg County
Land Use and Environmental Services
P.O. Box 31097
700 N Tryon St
Charlotte, NC 28231-1097
)4) 336-3830

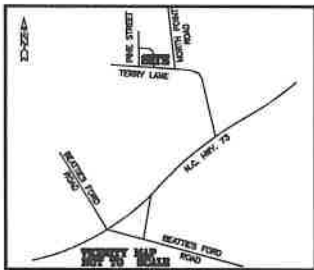
Permit: **B1550123**
Issue Date: January 20, 2006

Building Permit

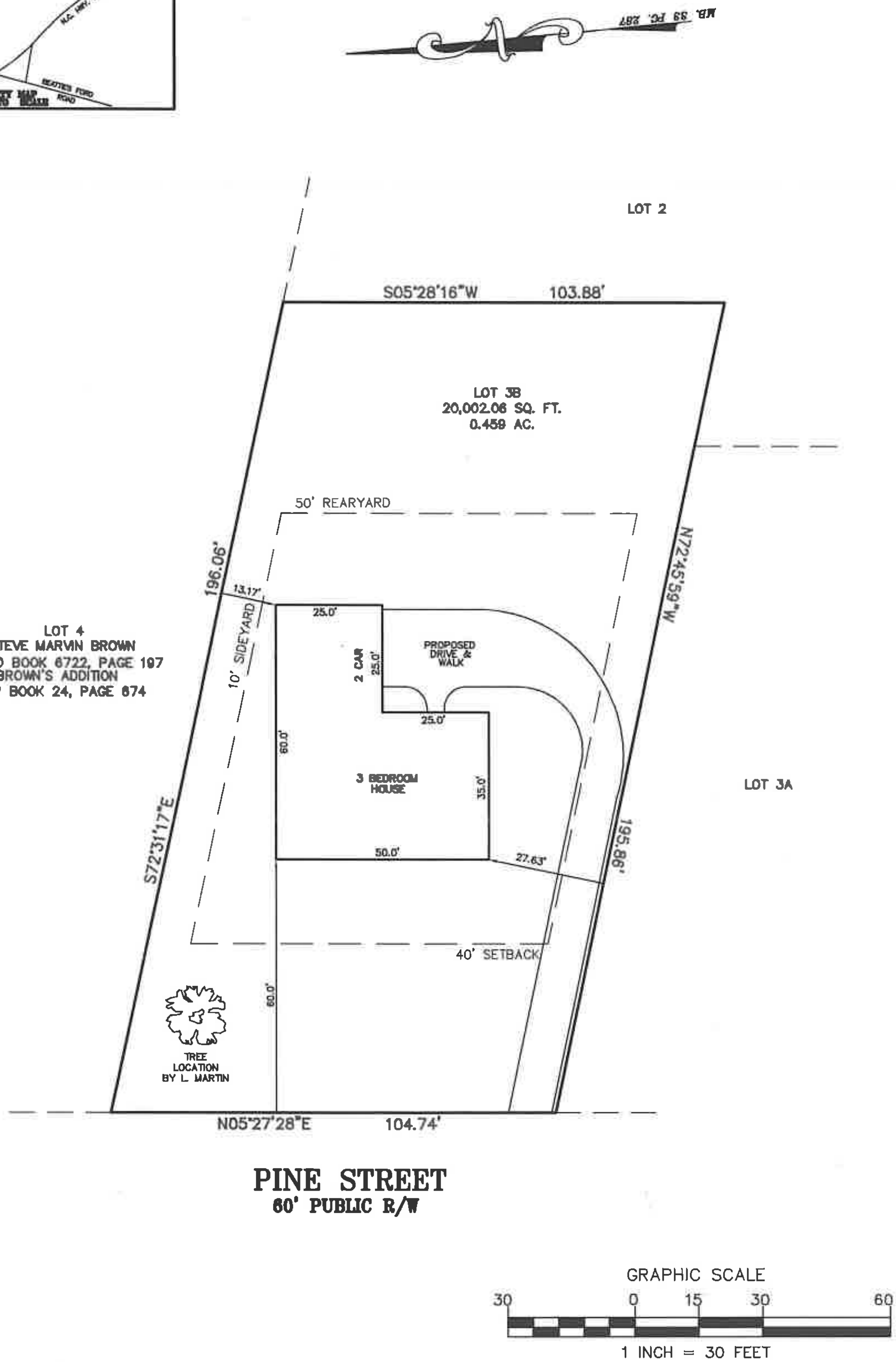
One/Two Family

Remarks

BROWNS COVE LOT #3-B-WATERSHED HOLD: LN-CA 24% MBUA
WAITING ON E.H. AND BOND FOR HOMEOWNER



NOTE:
CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING FIELD VERIFICATION OF FOUNDATION DIMENSIONS PRIOR TO SLAB CONSTRUCTION. THE HOME DIMENSIONS SHOWN ON THIS PLAN & USED FOR FIELD STAKING BY THE ISAACS GROUP ARE BASED UPON THE BUILDING FOUNDATION DESIGN PROVIDED BY THE BUILDER. THE ISAACS GROUP IS NOT RESPONSIBLE FOR DIMENSIONAL ERRORS ON HOME CONSTRUCTION DOCUMENTS.



THE ISAACS GROUP
CIVIL ENGINEERING DESIGN AND CONSULTING
8720 RED OAK BLVD., SUITE 420
CHARLOTTE, N.C. 28217
PH. (704) 527-3440 FAX (704) 527-8335

THIS IS TO CERTIFY THAT THE PROPERTY SHOWN ON THIS PLAT IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION COMMUNITY NUMBER 370478-045-E DATED FEBRUARY 4, 2004.

PLOT PLAN OF

15710 PINE STREET
LOT 3B, BROWN'S ADDITION LOTS 2 & 3, REVISED
TOWN OF HUNTERSVILLE, MECKLENBURG COUNTY
NORTH CAROLINA
OWNER: LAURIE MARTIN
APPROVED ☐ REVISE ☐ MB. 33 PG. 287

Date:	3/1/06
File #:	LOT 3B.dwg
Project Pls:	SSD
Drawn By:	CEC
Surveyed By:	---
Scale:	1"=30'

CONDITIONS OF IMPROVEMENT PERMIT / CONSTRUCTION AUTHORIZATON

Permit Number: 4766B

Tax Number: 00145267

- The IMPROVEMENT PERMIT is subject to revocation if site plans or the intended use change. There is to be **NO** grading, filling, or disturbance of the soil in the area of the septic tank system or repair area.
- CONSTRUCTION AUTHORIZATION must be obtained prior to receiving a Building Permit. The Construction Authorization is **NOT** transferable. Do not clear, grade, fill or disturb soil prior to obtaining a Construction Authorization.
- Domestic-type wastewater only. No industrial process wastewater may be discharged into the system.

Basement: ☐ Yes ☒ No ☐ Partial Basement

Primary Wastewater System

Type: ☐ I ☐ II ☒ III ☐ IV ☐ V ☐ VI

☐ Conventional
☐ Prefabricated, permeable block panel system
☐ Shallow Placed Conventional

☐ Low Pressure Pipe
☐ Large Diameter Pipe
☐ Fill
☐ Other

☒ Innovative or Experimental:

0.3 Long-term acceptance rate (GPD/ft^2)	360 Max gallons/day wastewater flow	900 Absorption Area (ft^2)	9 Trench spacing (min. on centers) (ft)
Serviced by private well: ☐ Yes ☒ No	1500 Gallon septic tank	300 Total trench length (ft)	30 Maximum trench depth (in) (At least 12" of provisionally suitable soil must remain between trench bottom and unsuitable soil conditions.)
3 Bedrooms in residence	NA Gallon pump tank	NA Depth of stone (in)	

Any surface water present: NO Type: Minimum separation distance (ft):

Additional conditions: AGREEMENT FORMS BEFORE CA RELEASE.

Repair Area System

Type: ☐ I ☐ II ☒ III ☐ IV ☐ V ☐ VI

☐ Conventional
☐ Prefabricated, permeable block panel system
☐ Shallow Placed Conventional

☐ Low Pressure Pipe
☐ Large Diameter Pipe
☐ Fill
☐ Other

☒ Innovative or Experimental:

900 Absorption Area (ft^2) 300 Total trench length (ft)	NA Depth of stone (in)	9 Trench spacing (min. on centers) (ft)	30 Maximum trench depth (in)

The undersigned, an authorized agent of the MECKLENBURG COUNTY HEALTH DEPARTMENT, certifies that the Department has approved the Request for the Job Location contained in this document. The approval is granted in accordance with the provisions of Laws and Rules For Sewage Treatment, and Disposal Systems in effect at the time of issuance of the permit and is subject to the following provisions:

*** No work shall be conducted on the septic tank system until an Installation, Construction, Alteration and/or Repair Approval is granted by this Department.

*** This Improvement permit is transferable.

Jimmy Mull R.S. 10/18/05
DENR Authorized Agent Date

Laurie P. Martin 12-2-05
Owner/Agent Signature Date

MECKLENBURG COUNTY HEALTH DEPARTMENT
ENVIRONMENTAL HEALTH DIVISION
700 N. TRYON ST., SUITE 211
CHARLOTTE, NC 28202
PHONE: (704) 336-5103
FAX: (704) 336-6894

NC DENR
DIVISION OF ENVIRONMENTAL HEALTH
ON-SITE WASTEWATER SECTION

FEE: 300.60 chk 1814

DATE: 12/2/05

AUTHORIZATION FOR WASTEWATER SYSTEM CONSTRUCTION

ACS

PERMIT NUMBER: 4766B

PARCEL NUMBER: 00145267

JOB LOCATION ADDRESS: 15710 Pine Street

PROPERTY OWNER: Laurie Martin

BUILDING CONTRACTOR: ____

SUBDIVISION NAME: ____

AUTHORIZATION ISSUED BY: Jeremy Michelone, R.S. DATE: 10/18/05

Jeremy Michelone, R.S.

DENR/DEH AUTHORIZED AGENT

AUTHORIZATION CONDITIONS

1. WASTEWATER SYSTEM CONSTRUCTION AND INSTALLATION MUST MEET ALL CONDITIONS AND SPECIFICATIONS AS SET FORTH IN IMPROVEMENT PERMIT NUMBER 4766B, AND THE ATTACHED SITE PLAN WITH SYSTEM DETAILS. CONSTRUCTION AND INSTALLATION MUST ALSO MEET ALL REQUIREMENTS SET FORTH IN THE RULES GOVERNING SANITARY SEWAGE COLLECTION, TREATMENT, AND DISPOSAL AND ANY OTHER APPLICABLE RULES AND LAWS.

2. AN *INSTALLATION, CONSTRUCTION, ALTERATION AND/OR REPAIR APPROVAL* MUST BE SECURED PRIOR TO INSTALLATION OF THE SEPTIC TANK SYSTEM. THE INSTALLER OF THE SYSTEM SHALL BE A REGISTERED SEPTIC TANK CONTRACTOR WITH THE MECKLENBURG COUNTY HEALTH DEPARTMENT.

3. ANY ALTERATION IN SITE OR SOIL CONDITIONS (INCLUDING LOCATION OF STRUCTURES AND APPURTENANCES) OR MODIFICATION IN USE, DESIGN WASTEWATER FLOW, OR WASTEWATER CHARACTERISTICS AS SPECIFIED IN THE ASSOCIATED IMPROVEMENT PERMIT AND APPLICATION, MAY SUBJECT THIS CONSTRUCTION AUTHORIZATION AND ASSOCIATED PERMIT(S) TO REVOCATION.

4. THIS CONSTRUCTION AUTHORIZATION AS PROVIDED IN G.S. 130A-335(f) AND G.S. 130A-336(b) SHALL BE VALID FOR A PERIOD EQUAL TO THE VALIDITY OF THE IMPROVEMENT PERMIT, NOT TO EXCEED 60 MONTHS.

5. OTHER CONDITIONS: AGREEMENT FORMS

Fax # 283-0798
aprox. 4,400,

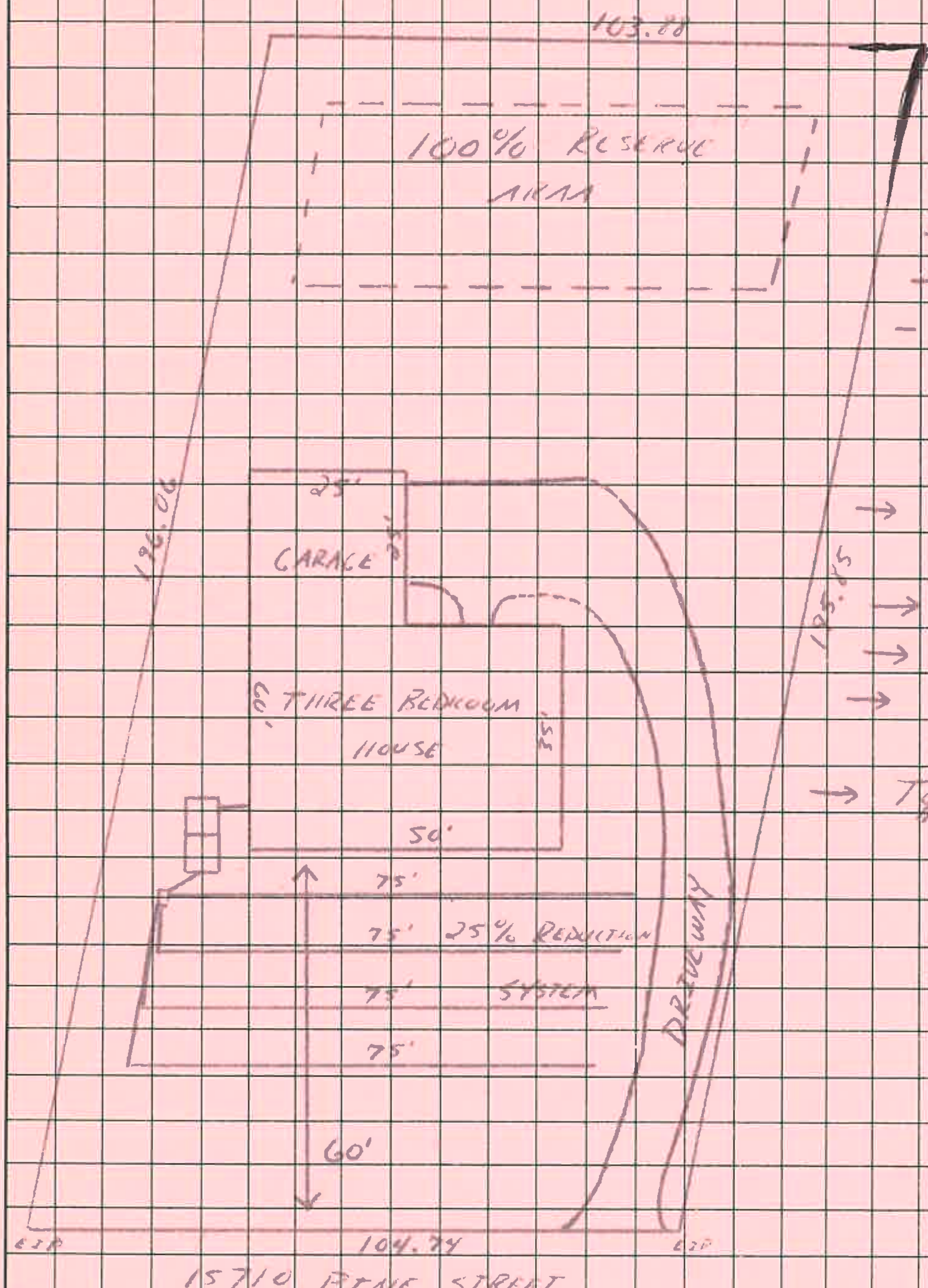
PROPOSED PLOT PLAN

HEALTH DEPARTMENT
ENVIRONMENTAL HEALTH DIVISION
700 NORTH TRYON STREET
CHARLOTTE, NC 28202
PHONE (704) 336-5102

FILE: 4766B

TC: 081-452-67

Draw in and name all roads adjoining the property. Draw in and accurately dimension the lot concerned. Accurately indicate property boundaries proposed and/or existing structures and driveways, underground utilities, and wells and springs within 100 feet of the proposed building or drainfield.



COMMENTS:

- SCALE: 1" = 30'
- THREE BEDROOM HOUSE
- HOUSE LOCATED 60' OFF FRONT PROPERTY LINE and 23' OFF LEFT PROPERTY LINE

→ 1500 GALLON SEPTIC TANK
→ 4 LINES x 75' x 3'
→ 300 TLF
→ TYPE III g INNOVATIVE SYSTEM
→ Type III b Pump to INNOVATIVE REPAIR SYSTEM

15710 PINE STREET

OWNER/AGENT SIGNATURE: Jamie R. Martin

DATE: 12-2-05

APPROVAL DATE: Jimmy Mike, RS 10/18/05

cell #

White - Health Department's Copy | Canary - E.H.S. Copy | Pink - Owner's Copy

MECKLENBURG COUNTY
LAND USE AND ENVIRONMENTAL SERVICES
Payment Receipt

Receipt Information

Date: 12/02/05
Receipt #: 38460
Check / Auth #: CHECK 1814
Received By: CRAIGGY

Amount: 150.00
Tendered: 150.00
Returned: 0.00

Account Information

Account #: 200000
Contractor: MARTIN LAURI R
Attn:
Address: 12227 KANE ALEXANDER DR
Address:
City/State/Zip: HUNTERSVILLE, NC 28078

Item	Description	Permit#	Quantity	Unit Price	Total Price
0734	Auth for Waste Wtr Sys Constr 15710 PINE STREET/FILE 4786B		1	150.00	150.00

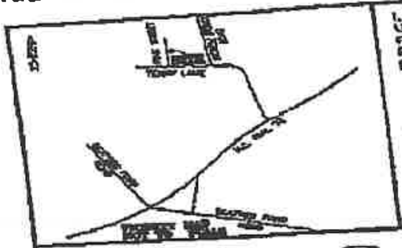
Paid

--Outstanding Balances--

Month-To-Date	Prior Month	30 Days	60 Days	90 Days	Balance
	30.00				

I, STEPHEN S. DYER, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DASHED LINES DRAWN FROM ADJOINING DEED SOURCES AS SHOWN HEREON; THAT THE RATIO OF PRECISION EXCEEDS 1:10,000; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 2nd DAY OF APRIL, 2007.

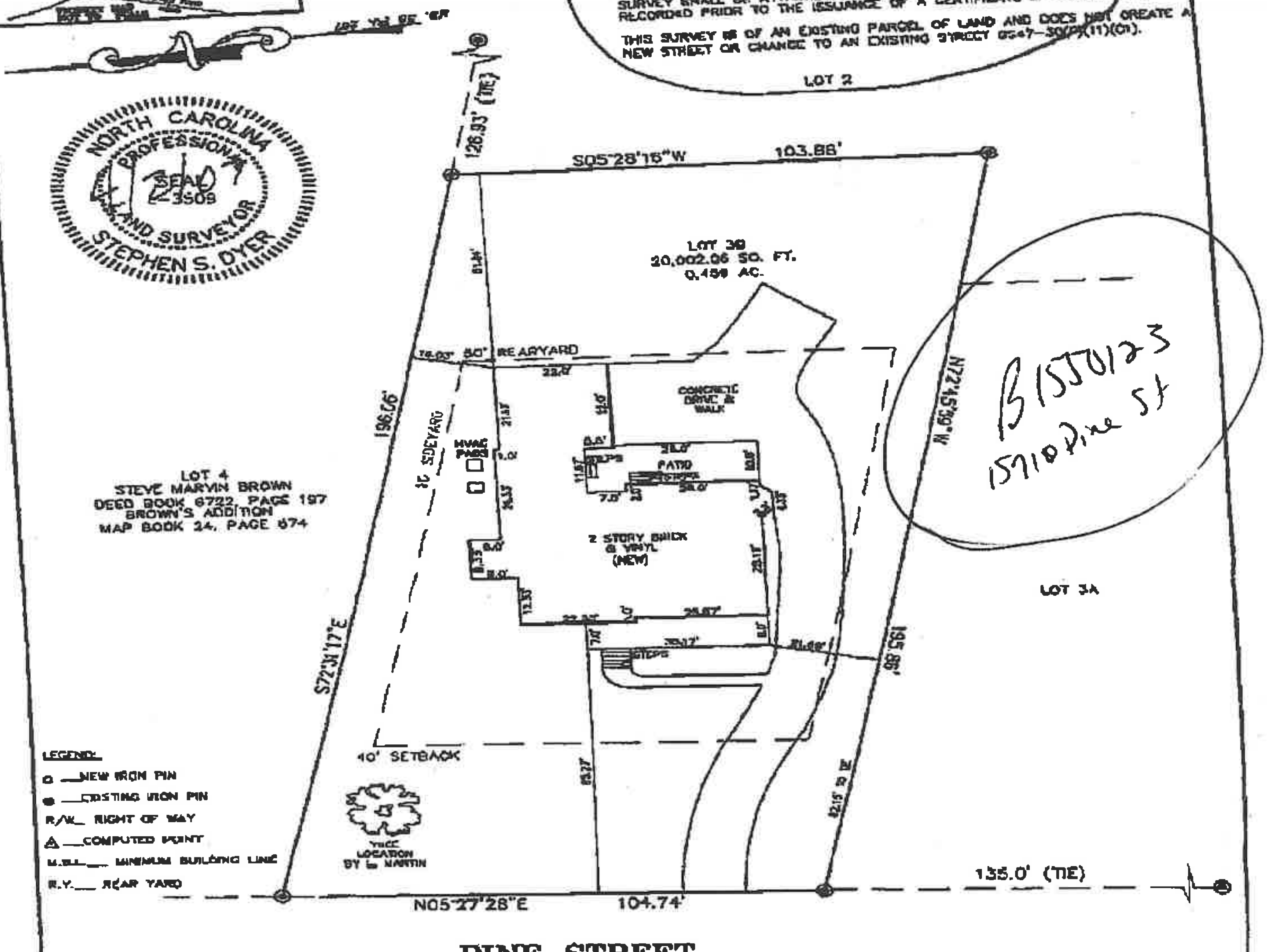
STEPHEN S. DYER N.C.P.L.S. L-3509



THE IMPERVIOUS ARE FOUND TO BE WITHIN THE BOUNDARIES OF THIS LOT IS AS FOLLOWS:
HOUSE: 2,482.88 Sq. Ft.
DRIVEWAY & SIDEWALK: 3,052.38 Sq. Ft.
MECHANICAL: 14.88 SQ. FT.
PATIO: 348.18 Sq. Ft.
TOTAL IMPERVIOUS AREA: 5,900.01 Sq.Ft.

THE MAX ALLOWABLE IMPERVIOUS AREA ESTABLISHED BY THE DEVELOPER OF RECORD FOR THIS LOT IS 342 SQUARE FEET. THIS PHYSICAL SURVEY SHALL BE ATTACHED TO IMPERVIOUS AREA DEED RESTRICTION TO BE RECORDED PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY.

THIS SURVEY IS OF AN EXISTING PARCEL OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE TO AN EXISTING STREET GS47-30(F)(11)(C1).



PINE STREET
60' PUBLIC R/W

NOTES:
1) NO MONUMENT WITHIN 2000'.
2) IRON PINS FOUND OR SET AT ALL CORNERS UNLESS OTHERWISE NOTED.
3) NO NEW LOT LINES HAVING BEEN CREATED OR ESTABLISHED.
4) NO TITLE SEARCH HAS BEEN PERFORMED BY OR SUPPLIED TO THE ISAACS GROUP; ANY PROPERTIES SHOWN ON THIS SURVEY ARE SUBJECT TO ANY AND ALL EASEMENTS, COVENANTS, RIGHTS OF WAY AND ENCUMBRANCES OF RECORD OR IMPLIED A TRUE TITLE SEARCH MAY DISCLOSE.

GRAPHIC SCALE
30 0 15 30 60
1 INCH = 30 FEET

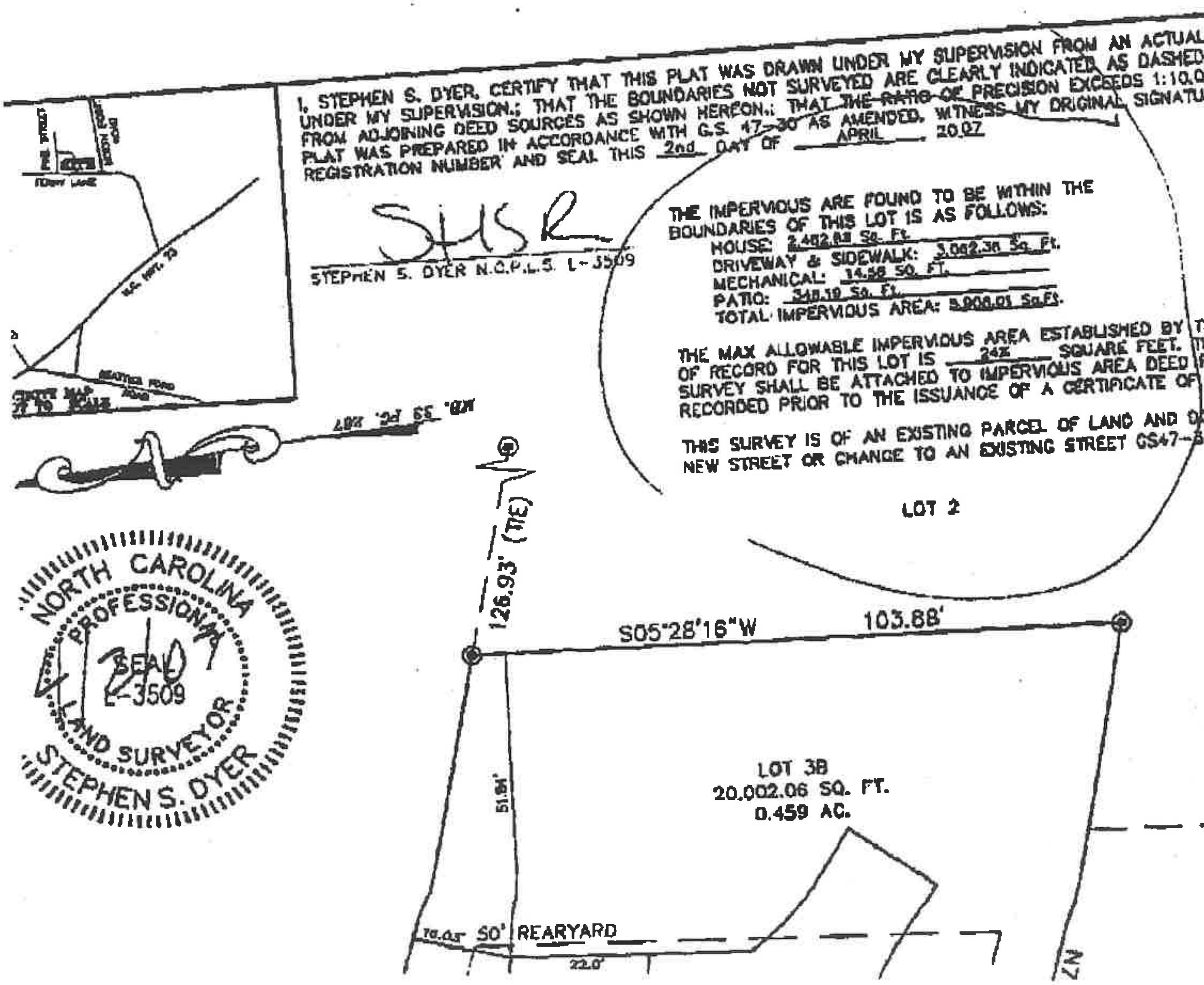
THE ISAACS GROUP
CIVIL ENGINEERING DESIGN AND CONSULTING
8720 RED OAK BLVD., SUITE 420
CHARLOTTE, N.C. 28217
PH. (704) 527-4440 FAX (704) 527-8335

THIS IS TO CERTIFY THAT THE PROPERTY SHOWN ON THIS PLAT IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION COMMUNITY NUMBER 3704/0-045-E DATED FEBRUARY 4, 2004.

PHYSICAL SURVEY OF

15710 PINE STREET
LOT 3B, BROWN'S ADDITION LOTS 2 & 3, REVISED
TOWN OF HUNTERSVILLE, MECKLENBURG COUNTY
NORTH CAROLINA
OWNER: LAURIE MARTIN
APPROVED [ ] REVISE [1] MB. 33 PG. 287

Date:	4-2-07
File #:	LOT 3B dwg
Project File:	560
Drawn By:	IVC
Surveyed By:	TF
Scale:	1"=30'


I, STEPHEN S. DYER, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL
UNDER MY SUPERVISION.; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DASHED
FROM ADJOINING DEED SOURCES AS SHOWN HEREON.; THAT THE RATIO OF PRECISION EXCEEDS 1:10,0
PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATU
REGISTRATION NUMBER AND SEAL THIS 2nd DAY OF APRIL 20 07
STEPHEN S. DYER N.C.P.L.S. L-3509
THE IMPERVIOUS ARE FOUND TO BE WITHIN THE BOUNDARIES OF THIS LOT IS AS FOLLOWS:
HOUSE: 2,482.88 Sq. Ft.
DRIVEWAY & SIDEWALK: 3,062.38 Sq. Ft.
MECHANICAL: 14.58 SQ. FT.
PATIO: 348.19 Sq. Ft.
TOTAL IMPERVIOUS AREA: 5,900.01 Sq.Ft.
THE MAX ALLOWABLE IMPERVIOUS AREA ESTABLISHED BY TH
OF RECORD FOR THIS LOT IS 24% SQUARE FEET. TH
SURVEY SHALL BE ATTACHED TO IMPERVIOUS AREA DEED R
RECORDED PRIOR TO THE ISSUANCE OF A CERTIFICATE OF
THIS SURVEY IS OF AN EXISTING PARCEL OF LAND AND DO
NEW STREET OR CHANGE TO AN EXISTING STREET GS47-3
LOT 2
M.B. 33 PG. 887
NORTH CAROLINA
PROFESSIONAL
SEAL
L-3509
LAND SURVEYOR
STEPHEN S. DYER
126.93' (TIE)
S05°28'16"W
103.88'
LOT 3B
20,002.06 SQ. FT.
0.459 AC.
51.91'
50' REARYARD
22.0'
N7

From
Mecklenburg County
Land Use and Environmental Services
P.O. Box 31097
700 N Tryon St
Charlotte, NC 28231-1097
(704) 336-3830

MARTIN LAURIE
12227 KANE ALEXANDER ROAD
HUNTERSVILLE, NC 28078

X39081 MARTIN LAURIE

CUT ALONG THIS LINE. CERTIFICATE SHOULD BE PROPERLY DISPLAYED.

Mecklenburg County
Certificate of Occupancy

Land Use and Environmental Services Agency
Code Enforcement Division

Property Address: 15710 PINE ST Unit:
Jurisdiction: HUNTERSVILLE
Subdivision/Project:
Job Description: MARTIN/NEW RES-PLAN REV

Property Description
Parcel Number: 00145267 Zoning Code: GR
Lot Number: Block Number:

Building Permit Information
Permit Number: B1550123 Construction Type: 5B * WOOD FRAME/UNPROTECTED
Permit Issue Date: 01/20/2006 Occupancy Type: R3 * RESIDENTIAL - SINGLE FAMILY

Contractor: MARTIN LAURIE X39081 MARTIN LAURIE

Restrictions/Limitations:

Remarks:

BY [signature]
DIRECTOR

IN THE OPINION OF THIS DEPARTMENT, THE PREMISES REPRESENTED ABOVE COMPLIES WITH APPLICABLE BUILDING AND ZONING REGULATIONS. THIS CERTIFICATE IS BASED ON THE STATED USE AND OCCUPANCY. A NEW CERTIFICATE WILL BE REQUIRED PRIOR TO CHANGE OF EITHER.
* DATE OF CERTIFICATION IS THE DATE ON WHICH ALL PERMITS RELATED TO THE JOB WERE FINALED AND APPLICABLE HOLDS WERE RELEASED.

05/09/2007
DATE OF CERTIFICATION *

Scott Miskimon

From: Laurie Martin <shlauriem1@yahoo.com>
Sent: Monday, September 21, 2020 10:04 PM
To: Scott Miskimon
Subject: Fwd: URGENT! 15710 Pine Street Huntersville, NC 28078

Laurie R. Martin

Begin forwarded message:

> **From:** Laurie Martin <shlauriem1@yahoo.com>
> **Date:** September 10, 2020 at 1:41:51 PM EDT
> **To:** Scott Miskimon <smiskimon@smithlaw.com>
> **Subject: Fw: URGENT! 15710 Pine Street Huntersville, NC 28078**
>
> ----- Forwarded Message -----
> **From:** Laurie Martin <shlauriem1@yahoo.com>
> **To:** Brian Richards <brichards@huntersville.org>
> **Sent:** Thursday, September 10, 2020, 01:40:46 PM EDT
> **Subject:** Re: URGENT! 15710 Pine Street Huntersville, NC 28078
>
> Hi Brian, I have some questions. Are you available to talk? I have never been aware of any restriction on my homesite. My purchase of this parcel was always with the intent of a future pool. I intentionally positioned my septic tank on the side of my house which caused me to only pour my driveway 1 car wide and I also deleted a part of my porch on the side of the house to make room for the septic to accommodate the future pool. I also placed the drain field to the front for this reason. It was never conveyed there was any restriction. I even met with a member of the town to confirm the position of the septic prior to construction in which we discussed the future pool. Can the town grant a variance for enough room for a pool, not necessarily 3300 sq ft. Can this be approved through the town. The buyers due diligence period was extended and ends at 5 today and I would like to be able to try to resolve this before 5:00 do we can move to close tomorrow. I already have my house almost 100% packed up and I have spent a lot of money with the expectation of closing tomorrow.
>
> Sincerely,
>
> Laurie Martin
>
> On Thursday, September 10, 2020, 01:02:34 PM EDT, Brian Richards <brichards@huntersville.org> wrote:

Hi Laurie,

I apologize for not being able to call but I am in a meeting currently. You are correct that I offered the information I provided to you on our call. At that time I was unaware that your lot had been subdivided in 2000. This is important as the one time building exemption would not be applicable. A building permit was issued in error by Mecklenburg County in 2005/2006 with home exceeding the 24% impervious allocation. Due to the age of the home we are unable to locate copies of the building permits/applications.

I have spoken to the buyers (I assume for the buyers and provided the email below with potential options):

"Hi Vicki,

Do to the lots being subdivided in 2000 (attachment 200076321.pdf) they are subject to an impervious restriction of 24% due to the properties being located in the Lake Norman Overlay District. The existing home has exceed the 24% allocation and permits for new structures that increase impervious coverage would not be able to be issued.

Options:

Impervious allocation may be redistributed between Lots 1A, 1B, 2, 3A, 3B as long as the total impervious for all combined lots does not exceed 24%

OR

You may apply for a Density Averaging Certificate:

https://www.huntersville.org/558/Density-Averaging-Certificate

This would involve any property in the Town of Huntersville that is also in the Lake Norman Watershed Overlay.

Lastly there is the possibility of installing a structural BMP onsite that would allow for the impervious allocation of up to 50%. This would involve the hiring of an engineer to design a BMP system. Plans would need o be reviewed and there would be annual inspections and maintenance required."

Brian Richards

Assistant Planning Director

Huntersville Planning Dept.

105 Gilead Rd 3rd Floor

Huntersville, NC 28078

Mailing address

PO BOX 664

Huntersville, NC 28070

Ph 704 766 2218

Fx 704 992 5528

brichards@huntersville.org

From: Laurie Martin <shlauriem1@yahoo.com>
Sent: Thursday, September 10, 2020 11:46 AM
To: Brian Richards <brichards@huntersville.org>
Subject: URGENT! 15710 Pine Street Huntersville, NC 28078

Brian, good morning and I hope you are well. We spoke on Aug 17th regarding my home at 15710 Pine Street in Huntersville. We discussed the remaining impervious area on my homesite, and you gave me the following information which I shared with the buyers who then contracted to buy my house. Here is the rough math we reviewed when we talked. I'm in Huntersville now, and have the exact calculations at my new home in Raleigh, but this is very close to what you shared with me:

1. The size of the lot is approximately 20,000 square feet.

2. The home, sidewalks, driveway, and garage totals about 6,000 sf out of that 20,000 sf.

3. That leaves a remaining amount of land at approximately 14,000 square feet.

4. You said that gives me an allowed 24% of the remaining 14,000 square feet, which is about 3,300 square feet to use and which is can be used to build a pool.

The buyers had my property surveyed and their surveyor independently confirmed the impervious figures and that a pool could be constructed on my property.

When the buyers contacted the Town about this they spoke with Lauren. She told the buyers that my home had no impervious space at all, that I was over the allowed impervious amount, and that there would be no chance of ever building a pool.

You had mentioned that if the buyer or surveyor had an issue they could call you directly, and that if the surveyor had any issues to give him your number. Can I have them contact you so you can review what we discussed with them so we can proceed to closing? I am scheduled to close and sign tomorrow at 1:00 and this has caused the buyers to pause the closing.

Laurie R. Martin

704-622-6555

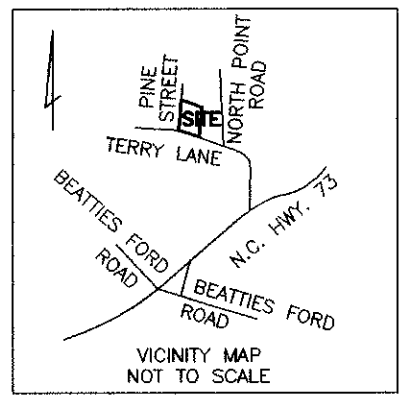
Recap Report

Contractor Name: MARTIN LAURIE ID # X39081
Project Address: 15710 PINE ST
Project Description: 155976 Residence

Trade	# of Inspections	Chargeable Failures	Permit #	Contractor
Building	22	14	B1550123	MARTIN LAURIE
Electrical	13	9	E1566693	METRO ELECTRIC
Electrical	13	9	E1566693	WATSON ELECTRICAL CONSTRUCTIO
Electrical	13	9	E1566693	ELECTRIC CONNECTION INC
Mechanical	16	6	M1566692	PARKS HEATING & COOLING
Mechanical	2	0	M1624328	RESIDENTIAL CONSTR SPEC
Plumbing	7	2	P1566691	ZOCAM PLUMBING INC
SUBTOTAL:	**60**	**31**		
Cancelled permits	0	0		
TOTAL:	**60**	**31**		

Failure Rate	=	53.45 %
Adj. Rate Per Permit	=	53.45 %
Original Permit Fees	$	1,739.44
Defect Rate Charge	$	929.73
SH Task Adjustment	$	0.00
Final Permit Fees	$	2,669.17

#2000016321 MAP BOOK 33 PAGE 287



FILED FOR REGISTRATION
JUN 1 2000
AT 8:47
JUDITH A. GIBSON
MECKLENBURG COUNTY, N. C.
REGISTER OF DEEDS

A PLAT SHOWING

BROWN'S ADDITION LOTS 2 & 3, REVISED

TERRY DEAN BROWN (OWNER)
#15719 PINE STREET HUNTERSVILLE, N.C. 28078-8941
THE TOWN OF HUNTERSVILLE, MECKLENBURG COUNTY, NORTH CAROLINA

SCALE: 1" = 50'
DATE: MAY 19TH, 2000
ACAD FILE: 50871

R.B. PHARR & ASSOCIATES, P.A.
P. O. BOX 1234
#19801 SOUTH MAIN STREET
CORNELIUS, NORTH CAROLINA 28031
TEL: (704) 895-1730

0' 50' 100' 150'
BAR SCALE: 1" = 50'

REFERENCE MAP BOOK 24-674

AREA:
75,249 SQ.FT.
OR 1.7275 ACRES TOTAL

LEGEND
E.I.P. = EXISTING IRON PIN
N.I.P. = NEW IRON PIN
E.C.M. = EXISTING CONCRETE MONUMENT
R/W = RIGHT OF WAY
SQ.FT. = SQUARE FOOT

NOTE:
1. IRON PINS AT ALL PROPERTY CORNERS UNLESS OTHERWISE NOTED.

2. HUNTERSVILLE ZONING: (GENERAL RESIDENTAL DISTRICT) GR

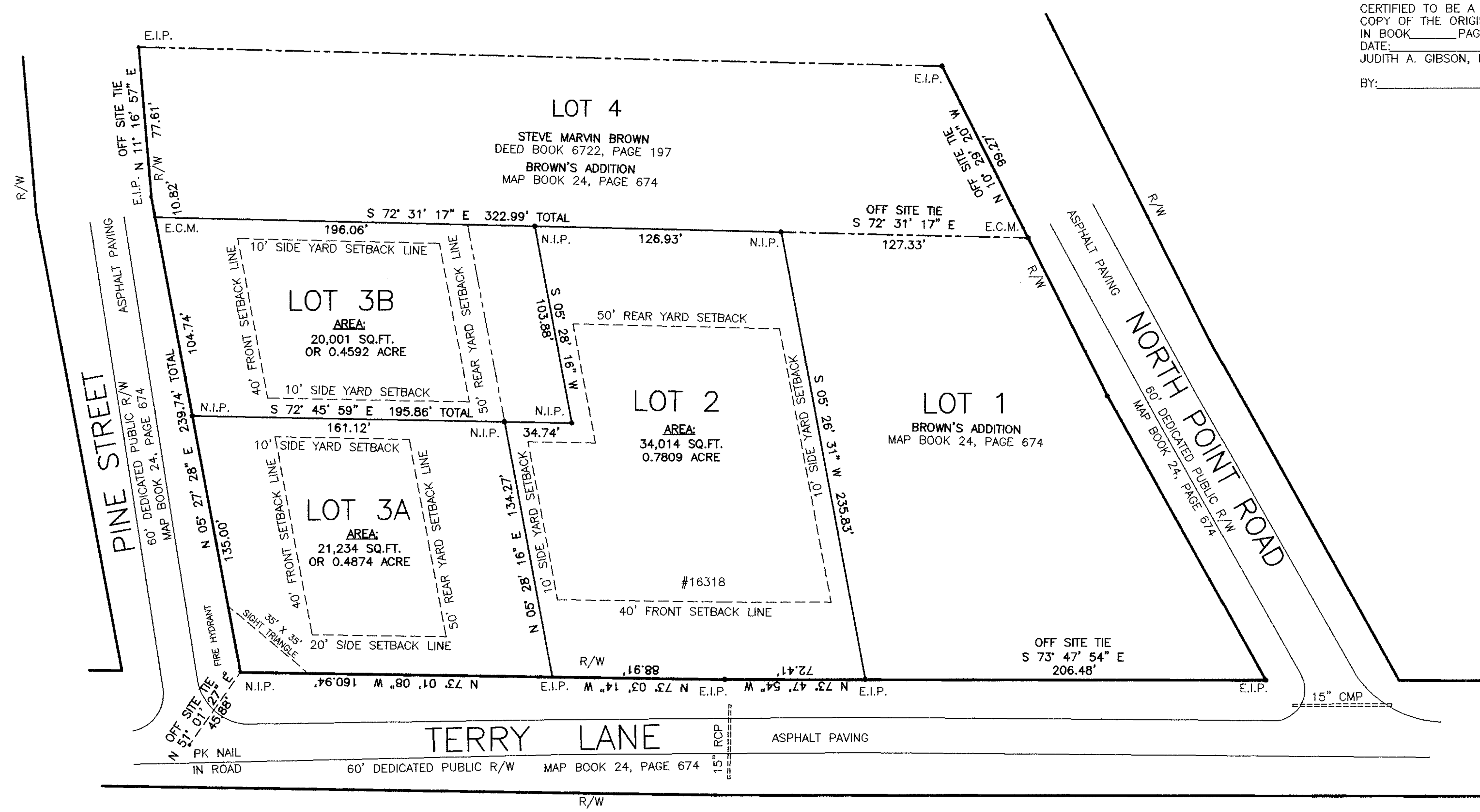
BUILDING SETBACK REQUIREMENTS

MINIMUM LOT SIZE	20,000 SQ.FT.
MINIMUM LOT WIDTH	90 FEET
MINIMUM FRONT SETBACK	40 FEET
MINIMUM REARYARD	50 FEET
MINIMUM SIDEYARD	10 FEET
MINIMUM CORNER LOT SIDEYARD	20 FEET

REFERENCES:
DEED BOOK 6722, PAGE 199
MAP BOOK 24, PAGE 674
TAX NUMBER 001-452-67

NOTE:
THE PURPOSE OF THIS MAP IS TO CREATE (3) THREE LOTS, USING LOTS 2 & 3 BROWN'S ADDITION AS PREVIOUSLY RECORDED IN MAP BOOK 24, PAGE 674.

CERTIFIED TO BE A TRUE AND CORRECT COPY OF THE ORIGINAL MAP RECORDED IN BOOK______PAGE______
DATE:______
JUDITH A. GIBSON, REGISTER OF DEEDS
BY:______________ DEPUTY



FLOOD CERTIFICATION

THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, DATED JANUARY 19, 2000.
F.I.R.M. PANEL #370158 0030 D

THIS IS TO CERTIFY THAT THIS SURVEY IS OF AN EXISTING PARCEL OF LAND

THIS SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.

APPROVED IN ACCORDANCE WITH THE MINOR SUBDIVISION PROVISIONS AS SET FORTH IN THE SUBDIVISION ORDINANCE OF THE TOWN OF HUNTERSVILLE, NORTH CAROLINA. ANY FURTHER SUBDIVISION OF THIS PROPERTY IS SUBJECT TO REVIEW AND MAY CONSTITUTE A MAJOR SUBDIVISION OF LAND.

Kelly C. Case MAY 31, 2000
TOWN PLANNER DATE

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

Kelly C. Case MAY 31, 2000
REVIEW OFFICER DATE

State of North Carolina
County of Mecklenburg
The Undersigned surveyor, Being duly sworn deposes and says that the plat upon which this certificate appears was prepared in accordance with G.S. 47-30 as amended, is in all respects correct according to the best of his knowledge and belief, and was prepared from an actual survey made by him on the 19TH day of MAY, 2000, with a maximum linear error of closure of 1:10,000 and a maximum field error of angular closure of 7.5 sec. per angle

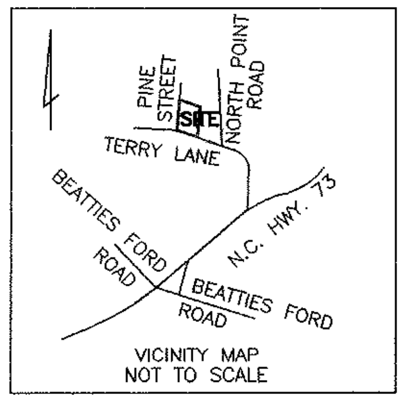
Signed Michael J. Lucas
N.C. Professional Land Surveyor

NORTH CAROLINA PROFESSIONAL SEAL L-3807 LAND SURVEYOR MICHAEL J. LUCAS

CREW:	DRAWN:	REVISED:
SW	TK	

ACAD FILE: 50871
LN - 412

#2002075475 MAP BOOK 37 PAGE 315



FILED FOR REGISTRATION
APR 16 2002
AT 2:49
JUDITH A. GIBSON
MECKLENBURG COUNTY, N. C.
REGISTER OF DEEDS

A PLAT SHOWING

BROWN'S ADDITION LOTS 1 & 2 REVISED

TERRY DEAN BROWN (OWNER)
#15719 PINE STREET HUNTERSVILLE, N.C. 28078-8941
THE TOWN OF HUNTERSVILLE, MECKLENBURG COUNTY, NORTH CAROLINA

SCALE: 1" = 50'
DATE: FEBRUARY 28TH, 2002
ACAD FILE: 55584

R.B. PHARR & ASSOCIATES, P.A.
P. O. BOX 1234
#19801 SOUTH MAIN STREET
CORNELIUS, NORTH CAROLINA 28031
TEL: (704) 895-1730

0' 50' 100' 150'
BAR SCALE: 1" = 50'

AREA:
71,992 SQ.FT.
OR 1.6527 ACRES TOTAL

REFERENCE MAP BOOK 24-674

LEGEND
E.I.P. = EXISTING IRON PIN
N.I.P. = NEW IRON PIN
E.C.M. = EXISTING CONCRETE MONUMENT
R/W = RIGHT OF WAY
SQ.FT. = SQUARE FOOT

NOTE:
1. IRON PINS AT ALL PROPERTY CORNERS UNLESS OTHERWISE NOTED.

2. HUNTERSVILLE ZONING: (GENERAL RESIDENTAL DISTRICT) GR

BUILDING SETBACK REQUIREMENTS

MINIMUM LOT SIZE	20,000 SQ.FT.
MINIMUM LOT WIDTH	90 FEET
MINIMUM FRONT SETBACK	40 FEET
MINIMUM REARYARD	50 FEET
MINIMUM SIDEYARD	10 FEET
MINIMUM CORNER LOT SIDEYARD	20 FEET

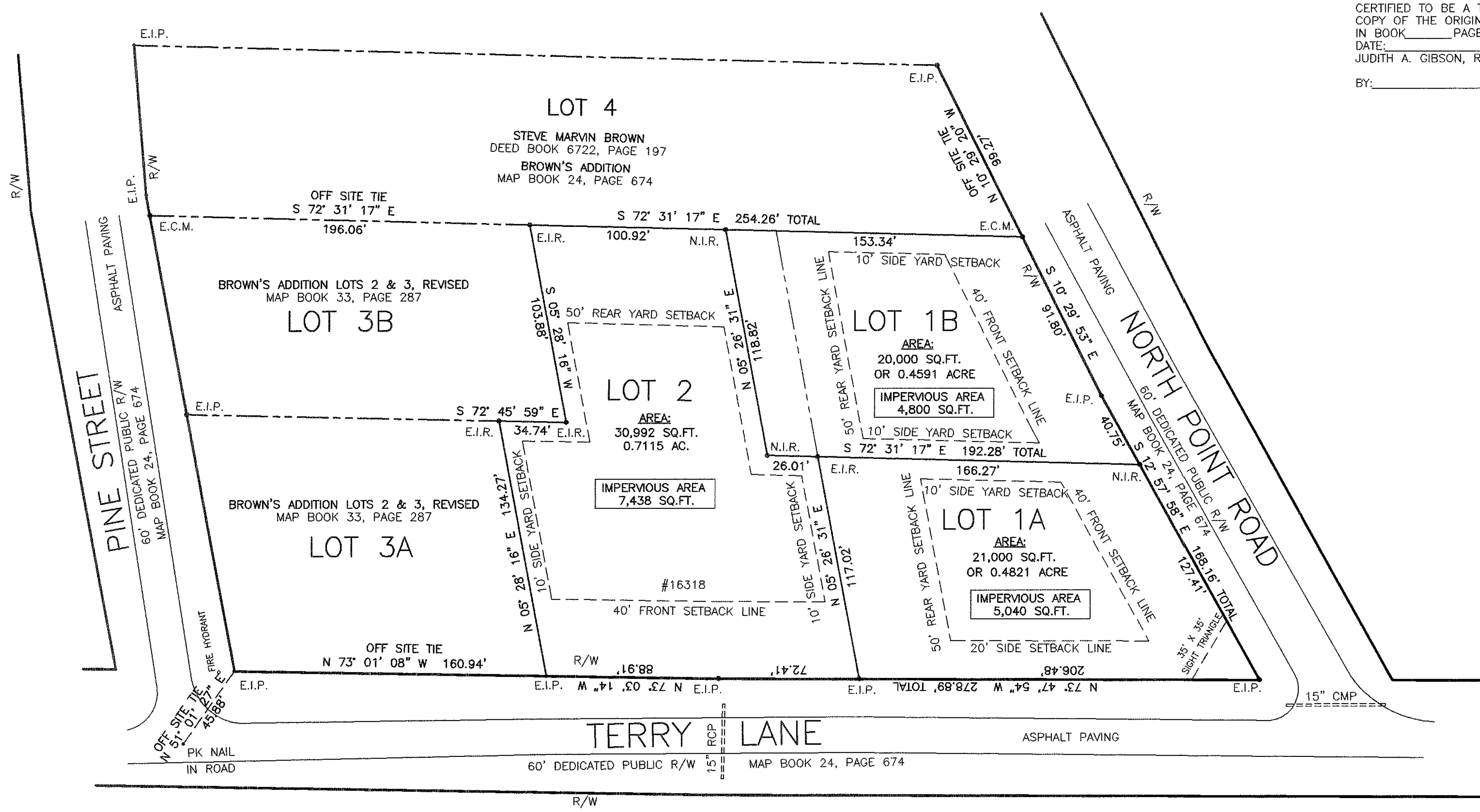
REFERENCES:
DEED BOOK 6722, PAGE 199
MAP BOOK 24, PAGE 674
TAX NUMBER 001-452-67

NOTE:
THE PURPOSE OF THIS MAP IS TO SUBDIVIDE LOTS 1 & 2 PREVIOUSLY RECORDED IN BOOK 24, PAGE 674 AND BOOK 33, PAGE 287.

NOTE:
SUBJECT PROPERTY IS LOCATED IN LAKE NORMAN CRITICAL AREA WATERSHED. MAXIMUM IMPERVIOUS AREA ALLOWED PER LOT IS 24%.

FLOOD CERTIFICATION
THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, DATED JANUARY 19, 2000.
F.I.R.M. PANEL #370158 0030 D

CERTIFIED TO BE A TRUE AND CORRECT COPY OF THE ORIGINAL MAP RECORDED IN BOOK______PAGE______
DATE:______
JUDITH A. GIBSON, REGISTER OF DEEDS
BY:______ DEPUTY



THIS IS TO CERTIFY THAT THIS SURVEY IS OF AN EXISTING PARCEL OF LAND

THIS SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.

APPROVED IN ACCORDANCE WITH THE MINOR SUBDIVISION PROVISIONS AS SET FORTH IN THE SUBDIVISION ORDINANCE OF THE TOWN OF HUNTERSVILLE, NORTH CAROLINA. ANY FURTHER SUBDIVISION OF THIS PROPERTY IS SUBJECT TO REVIEW AND MAY CONSTITUTE A MAJOR SUBDIVISION OF LAND.

David C. Weatherman 4/15/02
TOWN PLANNER DATE

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

David C. Weatherman 4/15/02
REVIEW OFFICER DATE

State of North Carolina
County of Mecklenburg
The Undersigned surveyor, Being duly sworn deposes and says that the plat upon which this certificate appears was prepared in accordance with G.S. 47-30 as amended, is in all respects correct according to the best of his knowledge and belief, and was prepared from an actual survey made by him on the 28TH day of FEBRUARY, 2002, with a maximum linear error of closure of 1:10,000 and a maximum field error of angular closure of 7.5 sec. per angle

Signed: James H. Mauney Jr.
N.C. Professional Land Surveyor

NORTH CAROLINA PROFESSIONAL SEAL L-3885 LAND SURVEYOR JAMES H. MAUNEY, JR.

CREW:	DRAWN:	REVISED:
SW	TK	

ACAD FILE: 55584
LN - 412B

October 20, 2020

Via FedEx, Overnight Delivery

Camden and Jessica White
15705 North Point Road
Huntersville, North Carolina 28078

Dear Camden and Jessica:

Hi, this is your neighbor Laurie Martin. I own the house around the corner from you—I'm at 15710 Pine Street. I know this is totally out of the blue, and unusual, but I'm writing to make an offer to you for an "impervious transfer" from your property to mine. I apologize for the length of this letter, but wanted to give you some background to explain why I'm making the offer and to share some of the information that I recently gathered. This is all new to me, and I've been getting an education about how all this works after talking with people at the Town of Huntersville and doing some research.

As you know, Lake Norman is a water supply for Charlotte, so there are laws and regulations to protect the drinking water from pollution. Some of that pollution can get into Lake Norman through storm water that runs off of impervious surfaces like concrete driveways. That's why there's a law that limits the amount of concrete a property owner can have on his property. For the Lake Norman watershed, the maximum amount of concrete (which is an impervious surface) is 24%. So on my lot, which is 20,000 square feet in size, the maximum amount of concrete/impervious surface is 4,800 square feet.

When my house was built in 2006-2007, I received all building permits and a certificate of occupancy from Mecklenburg County. But just last month I found out that I'm over the maximum amount of impervious surface. If you walk by my house, you'll see that I have a really long driveway because the septic field is in the front yard, pushing the house a very far distance from Pine Street. As a result, I have a lot of concrete areas on my property – there's more than 4,800 square feet of concrete. I can still use my property, but I want it to comply with this regulation.

The rules allow for a very simple fix involving neighboring property in the same subdivision. Basically it's a credit system. A property that has too much concrete can obtain a "credit" from a neighboring property. I would like to propose that I purchase a "concrete credit" from you, and pay you for it. You wouldn't be selling me your property—you would retain ownership of all of your land. Instead, you would be selling me a "concrete credit." That's what I call it – which I think is more helpful than how the regulations call it an "impervious transfer."

I went on-line to look at the Mecklenburg County property records. Your property is .482 acres in size or 20,995 square feet. When multiplied by 24%, that means that as much as 5,038 square feet of it can be covered with concrete. My calculation is that there are approximately 400 square feet that could be transferred as a "concrete credit." I need more than 400 square feet, so I'm contacting other neighbors as well to propose the same thing to them.

Exhibit 1

If you sell me 400 square feet of a "concrete credit" then this would be handled by recording a map with Mecklenburg County that shows the concrete credit being transferred from your property to mine. It's pretty straightforward. I would pay for a surveyor to create the map, and it would be handled just between neighbors without having to go through government agencies. And as I mentioned, you would still own all of your land—the title would not change.

My phone number and email address are below. Please let me know if you're interested in selling me the "concrete credit." I'm happy to discuss further with you, answer any questions you may have, and talk about a price to pay you for the concrete credit. Thank you for taking the time to read my letter, and I look forward to talking with you.

Sincerely,

Laurie Martin

Laurie Martin
(704) 622-6555
shlauriem1@yahoo.com

Debbie J. Smith

From: TrackingUpdates@fedex.com
Sent: Wednesday, October 21, 2020 3:36 PM
To: Debbie J. Smith
Subject: FedEx Shipment 771845884541: Your package has been delivered

FedEx

Hi. Your package was delivered Wed, 10/21/2020 at 3:32pm.

Delivered to 15705 N POINT RD, HUNTERSVILLE, NC 28078

OBTAIN PROOF OF DELIVERY

TRACKING NUMBER	771845884541
FROM	SMITH ANDERSON ET AL LAW FIRM 150 Fayetteville Street Suite 2300 RALEIGH, NC, US, 27601
TO	Camden and Jessica White 15705 North Point Road HUNTERSVILLE, NC, US, 28078

REFERENCE	333333.565 sm1
SHIPPER REFERENCE	333333.565 sm1
SHIP DATE	Tue 10/20/2020 03:08 PM
DELIVERED TO	Residence
PACKAGING TYPE	FedEx Envelope
ORIGIN	RALEIGH, NC, US, 27601
DESTINATION	HUNTERSVILLE, NC, US, 28078
SPECIAL HANDLING	Residential Delivery
NUMBER OF PIECES	1
TOTAL SHIPMENT WEIGHT	0.50 LB
SERVICE TYPE	FedEx Standard Overnight

Please do not respond to this message. This email was sent from an unattended mailbox. This report was generated at approximately 2:35 PM CDT 10/21/2020.

All weights are estimated.

To track the latest status of your shipment, click on the tracking number above.

Standard transit is the date and time the package is scheduled to be delivered by, based on the selected service, destination and ship date. Limitations and exceptions may apply. Please see the FedEx Service Guide for terms and conditions of service, including the FedEx Money-Back Guarantee, or contact your FedEx Customer Support representative.

Thank you for your business.

October 21, 2020

<u>Via FedEx, Overnight Delivery</u>

Karl and Sandra Brooks
15715 North Point Road
Huntersville, North Carolina 28078

Dear Karl and Sandra:

Hi, this is your neighbor Laurie Martin. I own the house right behind you—I'm at 15710 Pine Street. I'm sending this letter by FedEx because I'm working in Raleigh now. I know this letter is totally out of the blue, and unusual, but I'm writing to make an offer to you for an "impervious transfer" from your property to mine. I apologize for the length of this letter, but wanted to give you some background to explain why I'm making the offer and to share some of the information that I recently gathered. This is all new to me, and I've been getting an education about how all this works after talking with people at the Town of Huntersville and doing some research.

As you know, Lake Norman is a water supply for Charlotte, so there are laws and regulations to protect the drinking water from pollution. Some of that pollution can get into Lake Norman through storm water that runs off of impervious surfaces like concrete driveways. That's why there's a law that limits the amount of concrete a property owner can have on his property. For the Lake Norman watershed, the maximum amount of concrete (which is an impervious surface) is 24%. So on my lot, which is 20,000 square feet in size, the maximum amount of concrete/impervious surface is 4,800 square feet.

When my house was built in 2006-2007, I received all building permits and a certificate of occupancy from Mecklenburg County. But just last month I found out that I'm over the maximum amount of impervious surface. If you look at my house, you'll see that I have a really long driveway because the septic field is in the front yard, pushing the house a very far distance from Pine Street. As a result, I have a lot of concrete areas on my property – there's more than 4,800 square feet of concrete. I can still use my property, but I want it to comply with this regulation.

The rules allow for a very simple fix involving neighboring property in the same subdivision. Basically it's a credit system. A property that has too much concrete can obtain a "credit" from a neighboring property. I would like to propose that I purchase a "concrete credit" from you, and pay you for it. You wouldn't be selling me your property—you would retain ownership of all of your land. Instead, you would be selling me a "concrete credit." That's what I call it – which I think is more helpful than how the regulations call it an "impervious transfer."

I went on-line to look at the Mecklenburg County property records. Your property is .459 acres in size or 19,994 square feet. When multiplied by 24%, that means that as much as 4,798 square feet of it can be covered with concrete. Using county records I did a very rough calculation and there may be approximately 1,200 square feet that could be transferred from your property to

Exhibit 2

mine as a "concrete credit." I think I may want a little bit more than that, so I'm contacting other neighbors as well to propose the same thing to them.

If you agree to sell me a "concrete credit" then this would be handled by recording a map with Mecklenburg County that shows the concrete credit being transferred from your property to mine. It's pretty straightforward. I would pay for a surveyor to create the map, and it would be handled just between neighbors without having to go through government agencies. And as I mentioned, you would still own all of your land—the title would not change.

I'm back in Huntersville frequently, but it would be easier to reach me by phone or email, and my contact information is below. Please let me know if you're interested in selling me a "concrete credit." I'm happy to discuss further with you, answer any questions you may have, and talk about a price to pay you for the concrete credit. Thank you for taking the time to read my letter, and I look forward to talking with you.

Sincerely,

Laurie Martin

Laurie Martin
(704) 622-6555
shlauriem1@yahoo.com

Debbie J. Smith

From: TrackingUpdates@fedex.com
Sent: Thursday, October 22, 2020 3:24 PM
To: Debbie J. Smith
Subject: FedEx Shipment 771859632122: Your package has been delivered

Hi. Your package was delivered Thu, 10/22/2020 at 3:22pm.

Delivered to 15715 N POINT RD, HUNTERSVILLE, NC 28078

OBTAIN PROOF OF DELIVERY

TRACKING NUMBER	771859632122
FROM	SMITH ANDERSON ET AL LAW FIRM 150 Fayetteville Street Suite 2300 RALEIGH, NC, US, 27601
TO	Karl and Sandra Brooks 15715 North Point Road HUNTERSVILLE, NC, US, 28078

REFERENCE	333333.565 SM1
SHIPPER REFERENCE	333333.565 SM1
SHIP DATE	Wed 10/21/2020 06:45 PM
DELIVERED TO	Residence
PACKAGING TYPE	FedEx Envelope
ORIGIN	RALEIGH, NC, US, 27601
DESTINATION	HUNTERSVILLE, NC, US, 28078
SPECIAL HANDLING	Residential Delivery
NUMBER OF PIECES	1
TOTAL SHIPMENT WEIGHT	0.50 LB
SERVICE TYPE	FedEx Standard Overnight

Please do not respond to this message. This email was sent from an unattended mailbox. This report was generated at approximately 2:23 PM CDT 10/22/2020.

All weights are estimated.

To track the latest status of your shipment, click on the tracking number above.

Standard transit is the date and time the package is scheduled to be delivered by, based on the selected service, destination and ship date. Limitations and exceptions may apply. Please see the FedEx Service Guide for terms and conditions of service, including the FedEx Money-Back Guarantee, or contact your FedEx Customer Support representative.

Thank you for your business.

From: Laurie Martin <Shlauriem1@yahoo.com>
Date: October 11, 2020 at 11:09:43 PM EDT
To: ranamustafa10@gmail.com
Subject: Purchase offer for the transfer of impervious space

Good evening Mahmood and Ranan, thank you for taking my call this morning. As I mentioned in our conversation this morning I own the home at 15710 Pine Street. My homesite is adjacent to your vacant parcel located on Terry Lane. I am looking to acquire some additional square footage of impervious surface area. I am seeking 1,400 square feet to transfer as a "credit" to my lot. From looking over your land survey it appears your homesite has quite a bit of impervious surface area that is available, Including enough that could be transferred When my home was built my house took up all of the impervious surface area leaving no extra. I would like to offer $1,000.00 for 1,400 square feet that I can transfer as a "credit" to my parcel. This will help me with the variance I have applied for because my driveway and other concrete areas exceed the maximum. Thank you for your consideration.

Sincerely,

Laurie Martin
704-622-6555
Shlauriem1@yahoo.com

Sent from my iPad

Exhibit 3

October 20, 2020

<u>Via FedEx, Overnight Delivery</u>

Mr. Mahmood Abuhanhan
203 Swift Creek Xing
Durham, NC 27713

Dear Mr. Abuhanhan:

I'm writing on behalf of my wife, Laurie Martin. I'm following up on the telephone conversation that she had with you on Sunday of last week and her email that evening about her offer for an impervious transfer from your property to hers. I apologize for the length of this letter, but wanted to give you some background to explain why she's making the offer and to share some of the information that we recently gathered. This is all new to us, and we've been getting an education about how all this works after talking with people at the Town of Huntersville and doing some research. I thought I would pass along some more information, which you might find useful.

As you know, Lake Norman is a water supply for Charlotte, so there are laws and regulations to protect the drinking water from pollution. Some of that pollution can get into Lake Norman through storm water that runs off of impervious surfaces like concrete driveways. That's why there's a law that limits the amount of concrete a property owner can have on his property. For the Lake Norman watershed, the maximum amount of concrete (which is an impervious surface) is 24%. So on her lot, which is 20,000 square feet in size, the maximum amount of concrete/impervious surface is 4,800 square feet.

When her house was built in 2006-2007, she received all building permits and a certificate of occupancy from Mecklenburg County. But just last month we found out that she's over the maximum amount of impervious surface. Her house has a really long driveway because the septic field is in the front yard, pushing the house a very far distance from Pine Street. As a result, there's a lot of concrete on the property – more than 4,800 square feet. She can still use her property, but we want it to comply with this regulation.

The rules allow for a very simple fix involving neighboring property in the same subdivision. Basically it's a credit system. A property that has too much concrete can obtain a "credit" from a neighboring property. The offer made on Sunday involves this approach. You wouldn't be selling her your property—you would retain ownership of all of your land. Instead, you would be selling her a "concrete credit." That's what we call it – which we think is more helpful than how the regulations call it an "impervious transfer."

If we buy a 1,400 square foot "concrete credit" from you she can get her property in compliance with the Town of Huntersville. Your property is .712 acres, or 31,014 square feet. That means that as much as 7,443 square feet of it can be covered with concrete. If you sell 1,400 square feet of a "concrete credit" then you would still be able to have more than 6,040 square feet of your property covered with concrete. That gives you a <u>very</u> large area on which to build a house, driveway, and related areas.

The way this would be handled is with recording a map with Mecklenburg County that shows the concrete credit from your property to hers. It's pretty straightforward. I would pay for a surveyor to create the map, and it would be handled just between neighbors without having to go through government agencies. And as I mentioned, you would still own all of your land—the title would not change.

My phone number and addresses are below, as are Laurie's. Please let me know if you're interested in selling us the "concrete credit." I'm happy to discuss further with you and answer any questions you may have. Thank you for taking the time to read my letter, and I look forward to talking with you.

Sincerely,

Scott A. Miskimon
(919) 935-1781
scottmiskimon@gmail.com
PO Box 2611
Raleigh, NC 27602

cc: Laurie Martin
(704) 622-6555
shlauriem1@yahoo.com

Debbie J. Smith

From: TrackingUpdates@fedex.com
Sent: Wednesday, October 21, 2020 9:42 PM
To: Debbie J. Smith
Subject: FedEx Shipment 771845840623: Your package has been delivered

FedEx

Hi. Your package was delivered Wed, 10/21/2020 at 7:39pm.

Delivered to 203 SWIFT CREEK XING, DURHAM, NC 27713

OBTAIN PROOF OF DELIVERY

TRACKING NUMBER	771845840623
FROM	Smith Anderson Law Firm 150 Fayetteville Street Suite 2300 RALEIGH, NC, US, 27601
TO	Mahmood Abuhanhan 203 Swift Creek Xing DURHAM, NC, US, 27713

REFERENCE	333333.565 sm1
SHIPPER REFERENCE	333333.565 sm1
SHIP DATE	Tue 10/20/2020 03:08 PM
DELIVERED TO	Residence
PACKAGING TYPE	FedEx Envelope
ORIGIN	RALEIGH, NC, US, 27601
DESTINATION	DURHAM, NC, US, 27713
SPECIAL HANDLING	Residential Delivery
NUMBER OF PIECES	1
TOTAL SHIPMENT WEIGHT	0.50 LB
SERVICE TYPE	FedEx Standard Overnight

Please do not respond to this message. This email was sent from an unattended mailbox. This report was generated at approximately 8:42 PM CDT 10/21/2020.

All weights are estimated.

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Thank you for your business.

October 21, 2020

<u>Via FedEx, Overnight Delivery</u>

Timo and Leena Aittola
15702 Pine Street
Huntersville, North Carolina 28078

Dear Timo and Leena:

Hi, this is your neighbor Laurie Martin. I own the house right next door to you—I'm at 15710 Pine Street. Welcome to the neighborhood, and I hope you're getting settled in. I saw Leena the other day, and it was very nice to meet you.

I'm sending this letter by FedEx because I'm working in Raleigh now. I know this letter is totally out of the blue, and unusual, but I'm writing to make an offer to you for an "impervious transfer" from your property to mine. I apologize for the length of this letter, but wanted to give you some background to explain why I'm making the offer and to share some of the information that I recently gathered. This is all new to me, and I've been getting an education about how all this works after talking with people at the Town of Huntersville and doing some research.

As you know, Lake Norman is a water supply for Charlotte, so there are laws and regulations to protect the drinking water from pollution. Some of that pollution can get into Lake Norman through storm water that runs off of impervious surfaces like concrete driveways. That's why there's a law that limits the amount of concrete a property owner can have on his property. For the Lake Norman watershed, the maximum amount of concrete (which is an impervious surface) is 24%. So on my lot, which is 20,000 square feet in size, the maximum amount of concrete/impervious surface is 4,800 square feet.

When my house was built in 2006-2007, I received all building permits and a certificate of occupancy from Mecklenburg County. But just last month I found out that I'm over the maximum amount of impervious surface. If you look at my house, you'll see that I have a really long driveway because the septic field is in the front yard, pushing the house a very far distance from Pine Street. As a result, I have a lot of concrete areas on my property – there's more than 4,800 square feet of concrete. I can still use my property, but I want it to comply with this regulation.

The rules allow for a very simple fix involving neighboring property in the same subdivision. Basically it's a credit system. A property that has too much concrete can obtain a "credit" from a neighboring property. I would like to propose that I purchase a "concrete credit" from you, and pay you for it. You wouldn't be selling me your property—you would retain ownership of all of your land. Instead, you would be selling me a "concrete credit." That's what I call it – which I think is more helpful than how the regulations call it an "impervious transfer."

I went on-line to look at the Mecklenburg County property records. Your property is .487 acres in size or 21,213 square feet. When multiplied by 24%, that means that as much as 5,091 square feet of it can be covered with concrete. Using county records I did a very rough calculation

Exhibit 4

and there may be approximately 800 square feet that could be transferred from your property to mine as a "concrete credit." I need more than 800 square feet, so I'm contacting other neighbors as well to propose the same thing to them.

If you agree to sell me a "concrete credit" then this would be handled by recording a map with Mecklenburg County that shows the concrete credit being transferred from your property to mine. It's pretty straightforward. I would pay for a surveyor to create the map, and it would be handled just between neighbors without having to go through government agencies. And as I mentioned, you would still own all of your land—the title would not change.

I'm back in Huntersville frequently, but it would probably be easier to reach me by phone or email, and my contact information is below. Please let me know if you're interested in selling me the "concrete credit." I'm happy to discuss further with you, answer any questions you may have, and talk about a price to pay you for the concrete credit. Thank you for taking the time to read my letter, and I look forward to talking with you.

Sincerely,

Laurie Martin

Laurie Martin
(704) 622-6555
shlauriem1@yahoo.com

Debbie J. Smith

From: TrackingUpdates@fedex.com
Sent: Thursday, October 22, 2020 3:27 PM
To: Debbie J. Smith
Subject: FedEx Shipment 771859675938: Your package has been delivered

Hi. Your package was delivered Thu, 10/22/2020 at 3:25pm.

Delivered to 15702 PINE ST, HUNTERSVILLE, NC 28078

OBTAIN PROOF OF DELIVERY

TRACKING NUMBER	771859675938
FROM	SMITH ANDERSON ET AL LAW FIRM 150 Fayetteville Street Suite 2300 RALEIGH, NC, US, 27601
TO	Timo and Leena Aittola 15702 Pine Street HUNTERSVILLE, NC, US, 28078

REFERENCE	333333.565 SM1
SHIPPER REFERENCE	333333.565 SM1
SHIP DATE	Wed 10/21/2020 06:45 PM
DELIVERED TO	Residence
PACKAGING TYPE	FedEx Envelope
ORIGIN	RALEIGH, NC, US, 27601
DESTINATION	HUNTERSVILLE, NC, US, 28078
SPECIAL HANDLING	Residential Delivery
NUMBER OF PIECES	1
TOTAL SHIPMENT WEIGHT	0.50 LB
SERVICE TYPE	FedEx Standard Overnight

Please do not respond to this message. This email was sent from an unattended mailbox. This report was generated at approximately 2:26 PM CDT 10/22/2020.

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Thank you for your business.

From: timoaittola@gmail.com
Date: October 22, 2020 at 6:15:24 PM EDT
To: shlauriem1@yahoo.com
Cc: Leena Aittola <aittolal@gmail.com>
Subject: Your interest to purchase imperivious surface rights from our property

Dear Ms. Martin,

We received your letter of October 21, 2020 by FedEx today. We understand your situation, request and proposal. We are however not interested to transfer any of the respective limited rights to anybody simply as we do not know how our own needs for using our not yet used limited rights for a concrete or other impervious surface area on our property may evolve in the future.

We are familiar with similar situations which have occured in New York city relating to neighboring properties transfering ”air rights” from one to the other. Once transferred and consumed, those are gone forever.

Yours sincerely,

Timo and Leena Aittola
15702 Pine Street
Huntersville, NC 28078

timoaittola@gmail.com
+1 (203) 914 4686

October 20, 2020

Via FedEx, Overnight Delivery

Steve M. Brown
15719 Pine Street
Huntersville, North Carolina 28078

Steve, I hope you're doing well. It was good seeing you and Cynthia at the meeting for the Board of Adjustment last week. I'm following up to make an offer to you for an impervious transfer from your property to mine. This is all new to me, and I've been getting an education about how all this works after talking with people at the Town of Huntersville and doing some research. You may be familiar with this process already, but I thought I would pass along some information, which you might find useful.

As you know, Lake Norman is a water supply for Charlotte, so there are laws and regulations to protect the drinking water from pollution. Some of that pollution can get into Lake Norman through storm water that runs off of impervious surfaces like concrete driveways. That's why there's a law that limits the amount of concrete a property owner can have on his property. For the Lake Norman watershed, the maximum amount of concrete (which is an impervious surface) is 24%. So on my lot, which is 20,000 square feet in size, the maximum amount of concrete/impervious surface is 4,800 square feet.

When my house was built in 2006-2007, I received all building permits and a certificate of occupancy from Mecklenburg County. But just last month I found out that I'm over the maximum amount of impervious surface. As you know, I have a really long driveway because the septic field is in the front yard, pushing the house a very far distance from Pine Street. As a result, there's a lot of concrete on my property – more than 4,800 square feet of concrete. I can still use my property, but I want it to comply with this regulation.

The rules allow for a very simple fix involving neighboring property in the same subdivision. Basically it's a credit system. A property that has too much concrete can obtain a "credit" from a neighboring property. I would like to propose that I purchase a "concrete credit" from you, and pay you $1,000 for it. You wouldn't be selling me your property—you would retain ownership of all of your land. Instead, you would be selling me a "concrete credit." That's what I call it – which I think is more helpful than how the regulations call it an "impervious transfer."

If I buy a 1,400 square foot "concrete credit" from you I can get my property in compliance with the Town of Huntersville. Your property right next to mine is Lot 4 in the subdivision, and is .876 acres in size or 38,158 square feet. That means that as much as 9,158 square feet of it can be covered with concrete. If you sell me 1,400 square feet of a "concrete credit" then you would still be able to have more than 7,750 square feet of your property covered with concrete. That gives you a very large area on which to build a house, driveway, and related areas.

Exhibit 5

The way this would be handled is with recording a map with Mecklenburg County that shows the concrete credit from your property to mine. It's pretty straightforward. I would pay for a surveyor to create the map, and it would be handled just between neighbors without having to go through government agencies. And as I mentioned, you would still own all of your land—the title would not change.

My phone number and email address are below—please let me know if you're interested in selling me the "concrete credit." I'm happy to discuss further with you and answer any questions you may have. Thank you for taking the time to read my letter, and I look forward to talking with you.

Sincerely,

Laurie Martin

Laurie Martin
(704) 622-6555
shlauriem1@yahoo.com

Debbie J. Smith

From: TrackingUpdates@fedex.com
Sent: Wednesday, October 21, 2020 3:38 PM
To: Debbie J. Smith
Subject: FedEx Shipment 771845924825: Your package has been delivered

Hi. Your package was delivered Wed, 10/21/2020 at 3:34pm.

Delivered to 15719 PINE ST, HUNTERSVILLE, NC 28078

OBTAIN PROOF OF DELIVERY

TRACKING NUMBER	771845924825
FROM	SMITH ANDERSON ET AL LAW FIRM 150 Fayetteville Street Suite 2300 RALEIGH, NC, US, 27601
TO	Steve M. Brown 15719 Pine Street HUNTERSVILLE, NC, US, 28078

REFERENCE	333333.565 sm1
SHIPPER REFERENCE	333333.565 sm1
SHIP DATE	Tue 10/20/2020 03:08 PM
DELIVERED TO	Residence
PACKAGING TYPE	FedEx Envelope
ORIGIN	RALEIGH, NC, US, 27601
DESTINATION	HUNTERSVILLE, NC, US, 28078
SPECIAL HANDLING	Residential Delivery
NUMBER OF PIECES	1
TOTAL SHIPMENT WEIGHT	0.50 LB
SERVICE TYPE	FedEx Standard Overnight

Please do not respond to this message. This email was sent from an unattended mailbox. This report was generated at approximately 2:37 PM CDT 10/21/2020.

All weights are estimated.

To track the latest status of your shipment, click on the tracking number above.

Standard transit is the date and time the package is scheduled to be delivered by, based on the selected service, destination and ship date. Limitations and exceptions may apply. Please see the FedEx Service Guide for terms and conditions of service, including the FedEx Money-Back Guarantee, or contact your FedEx Customer Support representative.

Thank you for your business.

October 23, 2020

James R. and Margaret B. McDonald
P.O. Box 707
Marshville, NC 28103

Dear James and Margaret:

Hi, this is your neighbor Laurie Martin. I own a house close to your property in Huntersville—I'm at 15710 Pine Street. I know this letter is totally out of the blue, and unusual, but I'm writing to make an offer to you for an "impervious transfer" from your property to mine. I apologize for the length of this letter, but wanted to give you some background to explain why I'm making the offer and to share some of the information that I recently gathered. This is all new to me, and I've been getting an education about how all this works after talking with people at the Town of Huntersville and doing some research.

As you know, Lake Norman is a water supply for Charlotte, so there are laws and regulations to protect the drinking water from pollution. Some of that pollution can get into Lake Norman through storm water that runs off of impervious surfaces like concrete driveways. That's why there's a law that limits the amount of concrete a property owner can have on his property. Your property and mine are both in the Lake Norman watershed, and for properties in the watershed the maximum amount of concrete (which is an impervious surface) is 24%. So on my lot, which is 20,000 square feet in size, the maximum amount of concrete/impervious surface is 4,800 square feet.

When my house was built in 2006-2007, I received all building permits and a certificate of occupancy from Mecklenburg County. But just last month I found out that I'm over the maximum amount of impervious surface. If you look at my house, you'll see that I have a really long driveway because the septic field is in the front yard, pushing the house a very far distance from Pine Street. As a result, I have a lot of concrete areas on my property – there's more than 4,800 square feet of concrete. I can still use my property, but I want it to comply with this regulation.

The rules allow for a solution involving one property transferring impervious rights to a neighboring property. Basically it's a credit system. A property that has too much concrete can obtain a "credit" from a neighboring property. I would like to propose that I purchase a "concrete credit" from you, and pay you for it. You wouldn't be selling me your property—you would retain ownership of all of your land. Instead, you would be selling me a "concrete credit." That's what I call it – which I think is more helpful than how the regulations call it an "impervious transfer."

If you agree to sell me a "concrete credit" then this would be handled by first confirming how many square feet of unused impervious area you have that could be transferred. Once we calculate the square footage and a price to pay you for it, then I would apply to the Town of Huntersville for approval and obtaining what's called a density averaging certificate. I would apply for the approval and provide the Town with the information it needs to consider granting the

Exhibit 6

density averaging certificate. If the certificate is approved then I would pay you for the "concrete credit." And as I mentioned, you would still own all of your land—the title would not change.

My contact information is below. Please let me know if you're interested in selling me a "concrete credit" as part of a density averaging certificate. I'm happy to discuss further with you, answer any questions you may have, and talk about a price to pay you for the concrete credit. Thank you for taking the time to read my letter, and I look forward to talking with you.

Sincerely,

Laurie Martin

Laurie Martin
(704) 622-6555
shlauriem1@yahoo.com

October 23, 2020

Kevin Wayne Hefner Trust
16409 Terry Lane
Huntersville, NC 28078

Hi, this is your neighbor Laurie Martin. I own a house close to you—I'm at 15710 Pine Street. I'm mailing a letter, rather than coming by to talk, because I'm working in Raleigh now. I know this letter is totally out of the blue, and unusual, but I'm writing to make an offer to you for an "impervious transfer" from your property to mine. I apologize for the length of this letter, but wanted to give you some background to explain why I'm making the offer and to share some of the information that I recently gathered. This is all new to me, and I've been getting an education about how all this works after talking with people at the Town of Huntersville and doing some research.

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If you agree to sell me a "concrete credit" then this would be handled by first confirming how many square feet of unused impervious area you have that could be transferred. Once we calculate the square footage and a price to pay you for it, then I would apply to the Town of Huntersville for approval and obtaining what's called a density averaging certificate. I would apply for the approval and provide the Town with the information it needs to consider granting the density averaging certificate. If the certificate is approved then I would pay you for the "concrete credit." And as I mentioned, you would still own all of your land—the title would not change.

I'm back in Huntersville frequently, but it would be easier to reach me by phone or email, and my contact information is below. Please let me know if you're interested in selling me a "concrete credit" as part of a density averaging certificate. I'm happy to discuss further with you, answer any questions you may have, and talk about a price to pay you for the concrete credit. Thank you for taking the time to read my letter, and I look forward to talking with you.

Sincerely,

Laurie Martin
(704) 622-6555
shlauriem1@yahoo.com

October 23, 2020

Robert J. and Kathryn L. Mullen
16407 Terry Lane
Huntersville, NC 28078

Dear Robert and Kathryn:

Hi, this is your neighbor Laurie Martin. I own a house close to you—I'm at 15710 Pine Street. I'm mailing a letter, rather than coming by to talk, because I'm working in Raleigh now. I know this letter is totally out of the blue, and unusual, but I'm writing to make an offer to you for an "impervious transfer" from your property to mine. I apologize for the length of this letter, but wanted to give you some background to explain why I'm making the offer and to share some of the information that I recently gathered. This is all new to me, and I've been getting an education about how all this works after talking with people at the Town of Huntersville and doing some research.

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Sincerely,

Laurie Martin
(704) 622-6555
shlauriem1@yahoo.com

October 23, 2020

Thomas Michael and Jackie Garrison Almond
P.O. Box 2525
Shallotte, NC 28459

Dear Thomas and Jackie:

Hi, this is your neighbor Laurie Martin. I own a house close to your property in Huntersville—I'm at 15710 Pine Street. I know this letter is totally out of the blue, and unusual, but I'm writing to make an offer to you for an "impervious transfer" from your property to mine. I apologize for the length of this letter, but wanted to give you some background to explain why I'm making the offer and to share some of the information that I recently gathered. This is all new to me, and I've been getting an education about how all this works after talking with people at the Town of Huntersville and doing some research.

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My contact information is below. Please let me know if you're interested in selling me a "concrete credit" as part of a density averaging certificate. I'm happy to discuss further with you, answer any questions you may have, and talk about a price to pay you for the concrete credit. Thank you for taking the time to read my letter, and I look forward to talking with you.

Sincerely,

Laurie Martin
(704) 622-6555
shlauriem1@yahoo.com

October 23, 2020

Michael D. and Jo Ellen Herndon
16333 Terry Lane
Huntersville, NC 28078

Dear Michael and Jo Ellen:

Hi, this is your neighbor Laurie Martin. I own a house close to your lots on Terry Lane—I'm at 15710 Pine Street. I'm mailing a letter, rather than coming by to talk, because I'm working in Raleigh now. I know this letter is totally out of the blue, and unusual, but I'm writing to make an offer to you for an "impervious transfer" from your property to mine. I apologize for the length of this letter, but wanted to give you some background to explain why I'm making the offer and to share some of the information that I recently gathered. This is all new to me, and I've been getting an education about how all this works after talking with people at the Town of Huntersville and doing some research.

As you know, Lake Norman is a water supply for Charlotte, so there are laws and regulations to protect the drinking water from pollution. Some of that pollution can get into Lake Norman through storm water that runs off of impervious surfaces like concrete driveways. That's why there's a law that limits the amount of concrete a property owner can have on his property. Your property and mine are both in the Lake Norman watershed, and for properties in the watershed the maximum amount of concrete (which is an impervious surface) is 24%. So on my lot, which is 20,000 square feet in size, the maximum amount of concrete/impervious surface is 4,800 square feet.

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density averaging certificate. If the certificate is approved then I would pay you for the "concrete credit." And as I mentioned, you would still own all of your land—the title would not change.

I'm back in Huntersville frequently, but it would be easier to reach me by phone or email, and my contact information is below. Please let me know if you're interested in selling me a "concrete credit" as part of a density averaging certificate. I'm happy to discuss further with you, answer any questions you may have, and talk about a price to pay you for the concrete credit. Thank you for taking the time to read my letter, and I look forward to talking with you.

Sincerely,

Laurie Martin

Laurie Martin
(704) 622-6555
shlauriem1@yahoo.com

October 23, 2020

Gayle S. Smith
16317 Terry Lane
Huntersville, NC 28078

Dear Gayle:

Hi, this is your neighbor Laurie Martin. I own a house close to you—I'm at 15710 Pine Street. I'm mailing a letter, rather than coming by to talk, because I'm working in Raleigh now. I know this letter is totally out of the blue, and unusual, but I'm writing to make an offer to you for an "impervious transfer" from your property to mine. I apologize for the length of this letter, but wanted to give you some background to explain why I'm making the offer and to share some of the information that I recently gathered. This is all new to me, and I've been getting an education about how all this works after talking with people at the Town of Huntersville and doing some research.

As you know, Lake Norman is a water supply for Charlotte, so there are laws and regulations to protect the drinking water from pollution. Some of that pollution can get into Lake Norman through storm water that runs off of impervious surfaces like concrete driveways. That's why there's a law that limits the amount of concrete a property owner can have on his property. Your property and mine are both in the Lake Norman watershed, and for properties in the watershed the maximum amount of concrete (which is an impervious surface) is 24%. So on my lot, which is 20,000 square feet in size, the maximum amount of concrete/impervious surface is 4,800 square feet.

When my house was built in 2006-2007, I received all building permits and a certificate of occupancy from Mecklenburg County. But just last month I found out that I'm over the maximum amount of impervious surface. If you look at my house, you'll see that I have a really long driveway because the septic field is in the front yard, pushing the house a very far distance from Pine Street. As a result, I have a lot of concrete areas on my property – there's more than 4,800 square feet of concrete. I can still use my property, but I want it to comply with this regulation.

The rules allow for a solution involving one property transferring impervious rights to a neighboring property. Basically it's a credit system. A property that has too much concrete can obtain a "credit" from a neighboring property. I would like to propose that I purchase a "concrete credit" from you, and pay you for it. You wouldn't be selling me your property—you would retain ownership of all of your land. Instead, you would be selling me a "concrete credit." That's what I call it – which I think is more helpful than how the regulations call it an "impervious transfer."

If you agree to sell me a "concrete credit" then this would be handled by first confirming how many square feet of unused impervious area you have that could be transferred. Once we calculate the square footage and a price to pay you for it, then I would apply to the Town of Huntersville for approval and obtaining what's called a density averaging certificate. I would apply for the approval and provide the Town with the information it needs to consider granting the

density averaging certificate. If the certificate is approved then I would pay you for the "concrete credit." And as I mentioned, you would still own all of your land—the title would not change.

I'm back in Huntersville frequently, but it would be easier to reach me by phone or email, and my contact information is below. Please let me know if you're interested in selling me a "concrete credit" as part of a density averaging certificate. I'm happy to discuss further with you, answer any questions you may have, and talk about a price to pay you for the concrete credit. Thank you for taking the time to read my letter, and I look forward to talking with you.

Sincerely,

Laurie Martin
(704) 622-6555
shlauriem1@yahoo.com

October 23, 2020

Kenneth R. and Lisa V. Hawkins
16309 Terry Lane
Huntersville, NC 28078

Dear Kenneth and Lisa:

Hi, this is your neighbor Laurie Martin. I own a house close to you—I'm at 15710 Pine Street. I'm mailing a letter, rather than coming by to talk, because I'm working in Raleigh now. I know this letter is totally out of the blue, and unusual, but I'm writing to make an offer to you for an "impervious transfer" from your property to mine. I apologize for the length of this letter, but wanted to give you some background to explain why I'm making the offer and to share some of the information that I recently gathered. This is all new to me, and I've been getting an education about how all this works after talking with people at the Town of Huntersville and doing some research.

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Sincerely,

Laurie Martin
(704) 622-6555
shlauriem1@yahoo.com

October 23, 2020

Kristin A. Laprise
Barbara M. Lom
16301 Terry Lane
Huntersville, NC 28078

Dear Kristin and Barbara:

Hi, this is your neighbor Laurie Martin. I own a house close to you—I'm at 15710 Pine Street. I'm mailing a letter, rather than coming by to talk, because I'm working in Raleigh now. I know this letter is totally out of the blue, and unusual, but I'm writing to make an offer to you for an "impervious transfer" from your property to mine. I apologize for the length of this letter, but wanted to give you some background to explain why I'm making the offer and to share some of the information that I recently gathered. This is all new to me, and I've been getting an education about how all this works after talking with people at the Town of Huntersville and doing some research.

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Sincerely,

Laurie Martin
(704) 622-6555
shlauriem1@yahoo.com

October 23, 2020

Robert C. Matsey, Jr.
16211 Terry Lane
Huntersville, NC 28078

Dear Robert:

Hi, this is your neighbor Laurie Martin. I own a house close to you—I'm at 15710 Pine Street. I'm mailing a letter, rather than coming by to talk, because I'm working in Raleigh now. I know this letter is totally out of the blue, and unusual, but I'm writing to make an offer to you for an "impervious transfer" from your property to mine. I apologize for the length of this letter, but wanted to give you some background to explain why I'm making the offer and to share some of the information that I recently gathered. This is all new to me, and I've been getting an education about how all this works after talking with people at the Town of Huntersville and doing some research.

As you know, Lake Norman is a water supply for Charlotte, so there are laws and regulations to protect the drinking water from pollution. Some of that pollution can get into Lake Norman through storm water that runs off of impervious surfaces like concrete driveways. That's why there's a law that limits the amount of concrete a property owner can have on his property. Your property and mine are both in the Lake Norman watershed, and for properties in the watershed the maximum amount of concrete (which is an impervious surface) is 24%. So on my lot, which is 20,000 square feet in size, the maximum amount of concrete/impervious surface is 4,800 square feet.

When my house was built in 2006-2007, I received all building permits and a certificate of occupancy from Mecklenburg County. But just last month I found out that I'm over the maximum amount of impervious surface. If you look at my house, you'll see that I have a really long driveway because the septic field is in the front yard, pushing the house a very far distance from Pine Street. As a result, I have a lot of concrete areas on my property – there's more than 4,800 square feet of concrete. I can still use my property, but I want it to comply with this regulation.

The rules allow for a solution involving one property transferring impervious rights to a neighboring property. Basically it's a credit system. A property that has too much concrete can obtain a "credit" from a neighboring property. I would like to propose that I purchase a "concrete credit" from you, and pay you for it. You wouldn't be selling me your property—you would retain ownership of all of your land. Instead, you would be selling me a "concrete credit." That's what I call it – which I think is more helpful than how the regulations call it an "impervious transfer."

If you agree to sell me a "concrete credit" then this would be handled by first confirming how many square feet of unused impervious area you have that could be transferred. Once we calculate the square footage and a price to pay you for it, then I would apply to the Town of Huntersville for approval and obtaining what's called a density averaging certificate. I would apply for the approval and provide the Town with the information it needs to consider granting the

density averaging certificate. If the certificate is approved then I would pay you for the "concrete credit." And as I mentioned, you would still own all of your land—the title would not change.

I'm back in Huntersville frequently, but it would be easier to reach me by phone or email, and my contact information is below. Please let me know if you're interested in selling me a "concrete credit" as part of a density averaging certificate. I'm happy to discuss further with you, answer any questions you may have, and talk about a price to pay you for the concrete credit. Thank you for taking the time to read my letter, and I look forward to talking with you.

Sincerely,

Laurie Martin
(704) 622-6555
shlauriem1@yahoo.com

October 23, 2020

Timothy and Annette Dugan
P.O. Box 10826
Greenville, SC 29603

Dear Timothy and Annette:

Hi, this is your neighbor Laurie Martin. I own a house close to your property —I'm at 15710 Pine Street. I know this letter is totally out of the blue, and unusual, but I'm writing to make an offer to you for an "impervious transfer" from your property to mine. I apologize for the length of this letter, but wanted to give you some background to explain why I'm making the offer and to share some of the information that I recently gathered. This is all new to me, and I've been getting an education about how all this works after talking with people at the Town of Huntersville and doing some research.

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Sincerely,

Laurie Martin
(704) 622-6555
shlauriem1@yahoo.com

October 23, 2020

John B. Williams
15809 North Point Road
Huntersville, NC 28078

Dear John:

Hi, this is your neighbor Laurie Martin. I own a house close to you—I'm at 15710 Pine Street. I'm mailing a letter, rather than coming by to talk, because I'm working in Raleigh now. I know this letter is totally out of the blue, and unusual, but I'm writing to make an offer to you for an "impervious transfer" from your property to mine. I apologize for the length of this letter, but wanted to give you some background to explain why I'm making the offer and to share some of the information that I recently gathered. This is all new to me, and I've been getting an education about how all this works after talking with people at the Town of Huntersville and doing some research.

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Sincerely,

Laurie Martin
(704) 622-6555
shlauriem1@yahoo.com

October 23, 2020

Trust Blackhorse Real Estate
15817 North Point Road
Huntersville, NC 28078

Hi, this is your neighbor Laurie Martin. I own a house close to your property—I'm at 15710 Pine Street. I'm mailing a letter, rather than coming by to talk, because I'm working in Raleigh now. I know this letter is totally out of the blue, and unusual, but I'm writing to make an offer to you for an "impervious transfer" from your property to mine. I apologize for the length of this letter, but wanted to give you some background to explain why I'm making the offer and to share some of the information that I recently gathered. This is all new to me, and I've been getting an education about how all this works after talking with people at the Town of Huntersville and doing some research.

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Sincerely,

Laurie Martin

Laurie Martin
(704) 622-6555
shlauriem1@yahoo.com

October 23, 2020

David S. and Amanda Stophel
15825 North Point Road
Huntersville, NC 28078

Dear David and Amanda:

Hi, this is your neighbor Laurie Martin. I own a house close to you—I'm at 15710 Pine Street. I'm mailing a letter, rather than coming by to talk, because I'm working in Raleigh now. I know this letter is totally out of the blue, and unusual, but I'm writing to make an offer to you for an "impervious transfer" from your property to mine. I apologize for the length of this letter, but wanted to give you some background to explain why I'm making the offer and to share some of the information that I recently gathered. This is all new to me, and I've been getting an education about how all this works after talking with people at the Town of Huntersville and doing some research.

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Sincerely,

Laurie Martin
(704) 622-6555
shlauriem1@yahoo.com

October 23, 2020

Michael and Linda Bonasso
1427 Summit Lane
Charleston, WV 25302

Dear Michael and Linda:

Hi, this is your neighbor Laurie Martin. I own a house close to your property —I'm at 15710 Pine Street in Huntersville. I know this letter is totally out of the blue, and unusual, but I'm writing to make an offer to you for an "impervious transfer" from your property to mine. I apologize for the length of this letter, but wanted to give you some background to explain why I'm making the offer and to share some of the information that I recently gathered. This is all new to me, and I've been getting an education about how all this works after talking with people at the Town of Huntersville and doing some research.

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Sincerely,

Laurie Martin
(704) 622-6555
shlauriem1@yahoo.com

October 23, 2020

Jeffrey H. and Amy Greene
16007 North Point Road
Huntersville, NC 28078

Dear Jeffrey and Amy:

Hi, this is your neighbor Laurie Martin. I own a house close to you—I'm at 15710 Pine Street. I'm mailing a letter, rather than coming by to talk, because I'm working in Raleigh now. I know this letter is totally out of the blue, and unusual, but I'm writing to make an offer to you for an "impervious transfer" from your property to mine. I apologize for the length of this letter, but wanted to give you some background to explain why I'm making the offer and to share some of the information that I recently gathered. This is all new to me, and I've been getting an education about how all this works after talking with people at the Town of Huntersville and doing some research.

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Sincerely,

Laurie Martin
(704) 622-6555
shlauriem1@yahoo.com

October 23, 2020

D. Michael and Lucinda M. Chreitzberg
16015 North Point Road
Huntersville, NC 28078

Dear Michael and Lucinda:

Hi, this is your neighbor Laurie Martin. I own a house close to you—I'm at 15710 Pine Street. I'm mailing a letter, rather than coming by to talk, because I'm working in Raleigh now. I know this letter is totally out of the blue, and unusual, but I'm writing to make an offer to you for an "impervious transfer" from your property to mine. I apologize for the length of this letter, but wanted to give you some background to explain why I'm making the offer and to share some of the information that I recently gathered. This is all new to me, and I've been getting an education about how all this works after talking with people at the Town of Huntersville and doing some research.

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Sincerely,

Laurie Martin
(704) 622-6555
shlauriem1@yahoo.com

October 23, 2020

Raymond E. Renshaw
Lori Bennett
16023 North Point Road
Huntersville, NC 28078

Dear Raymond and Lori:

Hi, this is your neighbor Laurie Martin. I own a house close to you—I'm at 15710 Pine Street. I'm mailing a letter, rather than coming by to talk, because I'm working in Raleigh now. I know this letter is totally out of the blue, and unusual, but I'm writing to make an offer to you for an "impervious transfer" from your property to mine. I apologize for the length of this letter, but wanted to give you some background to explain why I'm making the offer and to share some of the information that I recently gathered. This is all new to me, and I've been getting an education about how all this works after talking with people at the Town of Huntersville and doing some research.

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Sincerely,

Laurie Martin
(704) 622-6555
shlauriem1@yahoo.com

October 23, 2020

Christopher F. and Laura E. Berger
16031 North Point Road
Huntersville, NC 28078

Dear Christopher and Laura:

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If you agree to sell me a "concrete credit" then this would be handled by first confirming how many square feet of unused impervious area you have that could be transferred. Once we calculate the square footage and a price to pay you for it, then I would apply to the Town of Huntersville for approval and obtaining what's called a density averaging certificate. I would apply for the approval and provide the Town with the information it needs to consider granting the

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Sincerely,

Laurie Martin
(704) 622-6555
shlauriem1@yahoo.com

October 23, 2020

Paula C. Votaw
1321 Oak Forest Drive
Ormond Beach, FL 32174

Dear Paula:

Hi, this is your neighbor Laurie Martin. I own a house close to your property in Huntersville—I'm at 15710 Pine Street. I know this letter is totally out of the blue, and unusual, but I'm writing to make an offer to you for an "impervious transfer" from your property to mine. I apologize for the length of this letter, but wanted to give you some background to explain why I'm making the offer and to share some of the information that I recently gathered. This is all new to me, and I've been getting an education about how all this works after talking with people at the Town of Huntersville and doing some research.

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Sincerely,

Laurie Martin
(704) 622-6555
shlauriem1@yahoo.com

October 23, 2020

Stophel Residential LLC
1921 Freedom Drive
Charlotte, NC 28208

Hi, this is your neighbor Laurie Martin. I own a house close to your property in Huntersville—I'm at 15710 Pine Street. I know this letter is totally out of the blue, and unusual, but I'm writing to make an offer to you for an "impervious transfer" from your property to mine. I apologize for the length of this letter, but wanted to give you some background to explain why I'm making the offer and to share some of the information that I recently gathered. This is all new to me, and I've been getting an education about how all this works after talking with people at the Town of Huntersville and doing some research.

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Sincerely,

Laurie Martin
(704) 622-6555
shlauriem1@yahoo.com

October 23, 2020

Lisa J. Leitert
Michael P. Leitert
701 East Bluff St. Unit 4405
Fort Worth, TX 76102

Dear Lisa and Michael:

Hi, this is your neighbor Laurie Martin. I own a house close to your property in Huntersville—I'm at 15710 Pine Street. I know this letter is totally out of the blue, and unusual, but I'm writing to make an offer to you for an "impervious transfer" from your property to mine. I apologize for the length of this letter, but wanted to give you some background to explain why I'm making the offer and to share some of the information that I recently gathered. This is all new to me, and I've been getting an education about how all this works after talking with people at the Town of Huntersville and doing some research.

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Sincerely,

Laurie Martin
(704) 622-6555
shlauriem1@yahoo.com

October 23, 2020

Victor Anthony Rente
Terri Lynn Rente
16125 North Point Road
Huntersville, NC 28078

Dear Victor and Terri Lynn:

Hi, this is your neighbor Laurie Martin. I own a house close to you—I'm at 15710 Pine Street. I'm mailing a letter, rather than coming by to talk, because I'm working in Raleigh now. I know this letter is totally out of the blue, and unusual, but I'm writing to make an offer to you for an "impervious transfer" from your property to mine. I apologize for the length of this letter, but wanted to give you some background to explain why I'm making the offer and to share some of the information that I recently gathered. This is all new to me, and I've been getting an education about how all this works after talking with people at the Town of Huntersville and doing some research.

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Sincerely,

Laurie Martin
(704) 622-6555
shlauriem1@yahoo.com

October 23, 2020

John Christopher Billesdon
Carol N. Gordon
16133 North Point Road
Huntersville, NC 28078

Dear John and Carol:

Hi, this is your neighbor Laurie Martin. I own a house close to you—I'm at 15710 Pine Street. I'm mailing a letter, rather than coming by to talk, because I'm working in Raleigh now. I know this letter is totally out of the blue, and unusual, but I'm writing to make an offer to you for an "impervious transfer" from your property to mine. I apologize for the length of this letter, but wanted to give you some background to explain why I'm making the offer and to share some of the information that I recently gathered. This is all new to me, and I've been getting an education about how all this works after talking with people at the Town of Huntersville and doing some research.

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Sincerely,

Laurie Martin
(704) 622-6555
shlauriem1@yahoo.com

October 23, 2020

Richard M. Jacoby
Maria T. Pelucio
16201 North Point Road
Huntersville, NC 28078

Dear Richard and Maria:

Hi, this is your neighbor Laurie Martin. I own a house close to you—I'm at 15710 Pine Street. I'm mailing a letter, rather than coming by to talk, because I'm working in Raleigh now. I know this letter is totally out of the blue, and unusual, but I'm writing to make an offer to you for an "impervious transfer" from your property to mine. I apologize for the length of this letter, but wanted to give you some background to explain why I'm making the offer and to share some of the information that I recently gathered. This is all new to me, and I've been getting an education about how all this works after talking with people at the Town of Huntersville and doing some research.

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Sincerely,

Laurie Martin
(704) 622-6555
shlauriem1@yahoo.com

October 23, 2020

Hans Peter Betz
Monika S. Betz
16217 North Point Road
Huntersville, NC 28078

Dear Hans and Monika:

Hi, this is your neighbor Laurie Martin. I own a house close to you—I'm at 15710 Pine Street. I'm mailing a letter, rather than coming by to talk, because I'm working in Raleigh now. I know this letter is totally out of the blue, and unusual, but I'm writing to make an offer to you for an "impervious transfer" from your property to mine. I apologize for the length of this letter, but wanted to give you some background to explain why I'm making the offer and to share some of the information that I recently gathered. This is all new to me, and I've been getting an education about how all this works after talking with people at the Town of Huntersville and doing some research.

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Sincerely,

Laurie Martin
(704) 622-6555
shlauriem1@yahoo.com

October 23, 2020

Harrell McDonald Junker
16231 North Point Road
Huntersville, NC 28078

Dear Harrell:

Hi, this is your neighbor Laurie Martin. I own a house close to you—I'm at 15710 Pine Street. I'm mailing a letter, rather than coming by to talk, because I'm working in Raleigh now. I know this letter is totally out of the blue, and unusual, but I'm writing to make an offer to you for an "impervious transfer" from your property to mine. I apologize for the length of this letter, but wanted to give you some background to explain why I'm making the offer and to share some of the information that I recently gathered. This is all new to me, and I've been getting an education about how all this works after talking with people at the Town of Huntersville and doing some research.

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Sincerely,

Laurie Martin
(704) 622-6555
shlauriem1@yahoo.com

October 23, 2020

Waters Construction Co., Inc.
7620 Baltusrol Lane
Charlotte, NC 28210

Hi, this is your neighbor Laurie Martin. I own a house close to your property in Huntersville—I'm at 15710 Pine Street. I'm mailing a letter, rather than coming by to talk, because I'm working in Raleigh now. I know this letter is totally out of the blue, and unusual, but I'm writing to make an offer to you for an "impervious transfer" from your property to mine. I apologize for the length of this letter, but wanted to give you some background to explain why I'm making the offer and to share some of the information that I recently gathered. This is all new to me, and I've been getting an education about how all this works after talking with people at the Town of Huntersville and doing some research.

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If you agree to sell me a "concrete credit" then this would be handled by first confirming how many square feet of unused impervious area you have that could be transferred. Once we calculate the square footage and a price to pay you for it, then I would apply to the Town of Huntersville for approval and obtaining what's called a density averaging certificate. I would apply for the approval and provide the Town with the information it needs to consider granting the density averaging certificate. If the certificate is approved then I would pay you for the "concrete credit." And as I mentioned, you would still own all of your land—the title would not change.

My contact information is below. Please let me know if you're interested in selling me a "concrete credit" as part of a density averaging certificate. I'm happy to discuss further with you, answer any questions you may have, and talk about a price to pay you for the concrete credit. Thank you for taking the time to read my letter, and I look forward to talking with you.

Sincerely,

Laurie Martin

Laurie Martin
(704) 622-6555
shlauriem1@yahoo.com

October 23, 2020

Ryan Londry
Julieanna Seantel Londry
16240 North Point Road
Huntersville, NC 28078

Dear Ryan and Julieanna:

Hi, this is your neighbor Laurie Martin. I own a house close to you—I'm at 15710 Pine Street. I'm mailing a letter, rather than coming by to talk, because I'm working in Raleigh now. I know this letter is totally out of the blue, and unusual, but I'm writing to make an offer to you for an "impervious transfer" from your property to mine. I apologize for the length of this letter, but wanted to give you some background to explain why I'm making the offer and to share some of the information that I recently gathered. This is all new to me, and I've been getting an education about how all this works after talking with people at the Town of Huntersville and doing some research.

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Sincerely,

Laurie Martin
(704) 622-6555
shlauriem1@yahoo.com

October 23, 2020

Diane W. Strong Treister
1001 Edgewood Drive
Charleston, WV 25302

Dear Diane:

Hi, this is your neighbor Laurie Martin. I own a house close to your property in Huntersville—I'm at 15710 Pine Street. I know this letter is totally out of the blue, and unusual, but I'm writing to make an offer to you for an "impervious transfer" from your property to mine. I apologize for the length of this letter, but wanted to give you some background to explain why I'm making the offer and to share some of the information that I recently gathered. This is all new to me, and I've been getting an education about how all this works after talking with people at the Town of Huntersville and doing some research.

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Sincerely,

Laurie Martin
(704) 622-6555
shlauriem1@yahoo.com

October 23, 2020

C. Livio Piccinin
Coleen Piccinin
16224 North Point Road
Huntersville, NC 28078

Dear Livio and Coleen:

Hi, this is your neighbor Laurie Martin. I own a house close to you—I'm at 15710 Pine Street. I'm mailing a letter, rather than coming by to talk, because I'm working in Raleigh now. I know this letter is totally out of the blue, and unusual, but I'm writing to make an offer to you for an "impervious transfer" from your property to mine. I apologize for the length of this letter, but wanted to give you some background to explain why I'm making the offer and to share some of the information that I recently gathered. This is all new to me, and I've been getting an education about how all this works after talking with people at the Town of Huntersville and doing some research.

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Sincerely,

Laurie Martin
(704) 622-6555
shlauriem1@yahoo.com

October 23, 2020

Mona Kay Depew
16216 North Point Road
Huntersville, NC 28078

Dear Mona:

Hi, this is your neighbor Laurie Martin. I own a house close to you—I'm at 15710 Pine Street. I'm mailing a letter, rather than coming by to talk, because I'm working in Raleigh now. I know this letter is totally out of the blue, and unusual, but I'm writing to make an offer to you for an "impervious transfer" from your property to mine. I apologize for the length of this letter, but wanted to give you some background to explain why I'm making the offer and to share some of the information that I recently gathered. This is all new to me, and I've been getting an education about how all this works after talking with people at the Town of Huntersville and doing some research.

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Sincerely,

Laurie Martin
(704) 622-6555
shlauriem1@yahoo.com

October 23, 2020

John A. Williams
Gloria F. Williams
16208 North Point Road
Huntersville, NC 28078

Dear John and Gloria:

Hi, this is your neighbor Laurie Martin. I own a house close to you—I'm at 15710 Pine Street. I'm mailing a letter, rather than coming by to talk, because I'm working in Raleigh now. I know this letter is totally out of the blue, and unusual, but I'm writing to make an offer to you for an "impervious transfer" from your property to mine. I apologize for the length of this letter, but wanted to give you some background to explain why I'm making the offer and to share some of the information that I recently gathered. This is all new to me, and I've been getting an education about how all this works after talking with people at the Town of Huntersville and doing some research.

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Sincerely,

Laurie Martin
(704) 622-6555
shlauriem1@yahoo.com

October 23, 2020

J. Stephen McLeon
Portia B. McLeod
Holiday Investments LLC
217 Avinger Lane
Davidson, NC 28036

Dear Stephen and Portia:

Hi, this is your neighbor Laurie Martin. I own a house close to your property in Huntersville —I'm at 15710 Pine Street. I know this letter is totally out of the blue, and unusual, but I'm writing to make an offer to you for an "impervious transfer" from your property to mine. I apologize for the length of this letter, but wanted to give you some background to explain why I'm making the offer and to share some of the information that I recently gathered. This is all new to me, and I've been getting an education about how all this works after talking with people at the Town of Huntersville and doing some research.

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Sincerely,

Laurie Martin
(704) 622-6555
shlauriem1@yahoo.com

October 23, 2020

Kenneth J. Renfrew
Ann K. Renfrew
16132 North Point Road
Huntersville, NC 28078

Dear Ken and Ann:

Hi, this is your neighbor Laurie Martin. I own a house close to you—I'm at 15710 Pine Street. I'm mailing a letter, rather than coming by to talk, because I'm working in Raleigh now. I know this letter is totally out of the blue, and unusual, but I'm writing to make an offer to you for an "impervious transfer" from your property to mine. I apologize for the length of this letter, but wanted to give you some background to explain why I'm making the offer and to share some of the information that I recently gathered. This is all new to me, and I've been getting an education about how all this works after talking with people at the Town of Huntersville and doing some research.

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Sincerely,

Laurie Martin
(704) 622-6555
shlauriem1@yahoo.com

October 23, 2020

Sean A. Beatty
Judith R. Beatty
16124 North Point Road
Huntersville, NC 28078

Dear Sean and Judith:

Hi, this is your neighbor Laurie Martin. I own a house close to you—I'm at 15710 Pine Street. I'm mailing a letter, rather than coming by to talk, because I'm working in Raleigh now. I know this letter is totally out of the blue, and unusual, but I'm writing to make an offer to you for an "impervious transfer" from your property to mine. I apologize for the length of this letter, but wanted to give you some background to explain why I'm making the offer and to share some of the information that I recently gathered. This is all new to me, and I've been getting an education about how all this works after talking with people at the Town of Huntersville and doing some research.

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Sincerely,

Laurie Martin
(704) 622-6555
shlauriem1@yahoo.com

October 23, 2020

Senator Thom Tillis
Susan M. Tillis
16116 North Point Road
Huntersville, NC 28078

Dear Senator Tillis and Mrs. Tillis:

Hi, this is your neighbor Laurie Martin. I own a house close to you—I'm at 15710 Pine Street. I'm mailing a letter, rather than coming by to talk, because I'm working in Raleigh now, and of course you are both very busy with the election. I know this letter is totally out of the blue, and unusual, but I'm writing to make an offer to you for an "impervious transfer" from your property to mine. I apologize for the length of this letter, but wanted to give you some background to explain why I'm making the offer and to share some of the information that I recently gathered. This is all new to me, and I've been getting an education about how all this works after talking with people at the Town of Huntersville and doing some research.

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If you agree to sell me a "concrete credit" then this would be handled by first confirming how many square feet of unused impervious area you have that could be transferred. Once we calculate the square footage and a price to pay you for it, then I would apply to the Town of Huntersville for approval and obtaining what's called a density averaging certificate. I would

apply for the approval and provide the Town with the information it needs to consider granting the density averaging certificate. If the certificate is approved then I would pay you for the "concrete credit." And as I mentioned, you would still own all of your land—the title would not change.

My contact information is below. Please let me know if you're interested in selling me a "concrete credit" as part of a density averaging certificate. I'm happy to discuss further with you, answer any questions you may have, and talk about a price to pay you for the concrete credit. Thank you for taking the time to read my letter, and I look forward to talking with you.

Sincerely,

Laurie Martin
(704) 622-6555
shlauriem1@yahoo.com

October 23, 2020

Suha Awad
Mashoor Awad
16108 North Point Road
Huntersville, NC 28078

Dear Suha and Mashoor:

Hi, this is your neighbor Laurie Martin. I own a house close to you—I'm at 15710 Pine Street. I'm mailing a letter, rather than coming by to talk, because I'm working in Raleigh now. I know this letter is totally out of the blue, and unusual, but I'm writing to make an offer to you for an "impervious transfer" from your property to mine. I apologize for the length of this letter, but wanted to give you some background to explain why I'm making the offer and to share some of the information that I recently gathered. This is all new to me, and I've been getting an education about how all this works after talking with people at the Town of Huntersville and doing some research.

As you know, Lake Norman is a water supply for Charlotte, so there are laws and regulations to protect the drinking water from pollution. Some of that pollution can get into Lake Norman through storm water that runs off of impervious surfaces like concrete driveways. That's why there's a law that limits the amount of concrete a property owner can have on his property. Your property and mine are both in the Lake Norman watershed, and for properties in the watershed the maximum amount of concrete (which is an impervious surface) is 24%. So on my lot, which is 20,000 square feet in size, the maximum amount of concrete/impervious surface is 4,800 square feet.

When my house was built in 2006-2007, I received all building permits and a certificate of occupancy from Mecklenburg County. But just last month I found out that I'm over the maximum amount of impervious surface. If you look at my house, you'll see that I have a really long driveway because the septic field is in the front yard, pushing the house a very far distance from Pine Street. As a result, I have a lot of concrete areas on my property – there's more than 4,800 square feet of concrete. I can still use my property, but I want it to comply with this regulation.

The rules allow for a solution involving one property transferring impervious rights to a neighboring property. Basically it's a credit system. A property that has too much concrete can obtain a "credit" from a neighboring property. I would like to propose that I purchase a "concrete credit" from you, and pay you for it. You wouldn't be selling me your property—you would retain ownership of all of your land. Instead, you would be selling me a "concrete credit." That's what I call it – which I think is more helpful than how the regulations call it an "impervious transfer."

If you agree to sell me a "concrete credit" then this would be handled by first confirming how many square feet of unused impervious area you have that could be transferred. Once we calculate the square footage and a price to pay you for it, then I would apply to the Town of Huntersville for approval and obtaining what's called a density averaging certificate. I would

apply for the approval and provide the Town with the information it needs to consider granting the density averaging certificate. If the certificate is approved then I would pay you for the "concrete credit." And as I mentioned, you would still own all of your land—the title would not change.

I'm back in Huntersville frequently, but it would be easier to reach me by phone or email, and my contact information is below. Please let me know if you're interested in selling me a "concrete credit" as part of a density averaging certificate. I'm happy to discuss further with you, answer any questions you may have, and talk about a price to pay you for the concrete credit. Thank you for taking the time to read my letter, and I look forward to talking with you.

Sincerely,

Laurie Martin
(704) 622-6555
shlauriem1@yahoo.com

October 23, 2020

Cool Breeze Realty LLC
3107 Springs Farm Lane
Charlotte, NC 27226

Hi, this is your neighbor Laurie Martin. I own a house close to you—I'm at 15710 Pine Street. I know this letter is totally out of the blue, and unusual, but I'm writing to make an offer to you for an "impervious transfer" from your property to mine. I apologize for the length of this letter, but wanted to give you some background to explain why I'm making the offer and to share some of the information that I recently gathered. This is all new to me, and I've been getting an education about how all this works after talking with people at the Town of Huntersville and doing some research.

As you know, Lake Norman is a water supply for Charlotte, so there are laws and regulations to protect the drinking water from pollution. Some of that pollution can get into Lake Norman through storm water that runs off of impervious surfaces like concrete driveways. That's why there's a law that limits the amount of concrete a property owner can have on his property. Your property and mine are both in the Lake Norman watershed, and for properties in the watershed the maximum amount of concrete (which is an impervious surface) is 24%. So on my lot, which is 20,000 square feet in size, the maximum amount of concrete/impervious surface is 4,800 square feet.

When my house was built in 2006-2007, I received all building permits and a certificate of occupancy from Mecklenburg County. But just last month I found out that I'm over the maximum amount of impervious surface. If you look at my house, you'll see that I have a really long driveway because the septic field is in the front yard, pushing the house a very far distance from Pine Street. As a result, I have a lot of concrete areas on my property – there's more than 4,800 square feet of concrete. I can still use my property, but I want it to comply with this regulation.

The rules allow for a solution involving one property transferring impervious rights to a neighboring property. Basically it's a credit system. A property that has too much concrete can obtain a "credit" from a neighboring property. I would like to propose that I purchase a "concrete credit" from you, and pay you for it. You wouldn't be selling me your property—you would retain ownership of all of your land. Instead, you would be selling me a "concrete credit." That's what I call it – which I think is more helpful than how the regulations call it an "impervious transfer."

If you agree to sell me a "concrete credit" then this would be handled by first confirming how many square feet of unused impervious area you have that could be transferred. Once we calculate the square footage and a price to pay you for it, then I would apply to the Town of Huntersville for approval and obtaining what's called a density averaging certificate. I would apply for the approval and provide the Town with the information it needs to consider granting the density averaging certificate. If the certificate is approved then I would pay you for the "concrete credit." And as I mentioned, you would still own all of your land—the title would not change.

My contact information is below. Please let me know if you're interested in selling me a "concrete credit" as part of a density averaging certificate. I'm happy to discuss further with you, answer any questions you may have, and talk about a price to pay you for the concrete credit. Thank you for taking the time to read my letter, and I look forward to talking with you.

Sincerely,

Laurie Martin
(704) 622-6555
shlauriem1@yahoo.com

Exhibit 7 – Applicant Laurie R. Martin's List of Undisputed Facts
Variance Request to the Town of Huntersville V 20-06

1. Ms. Martin was not aware of the 24% impervious surface restriction at the time she purchased her lot in 2005, during construction of the house, or during the nearly 13 years since the house was constructed.

2. Ms. Martin learned of the impervious surface restrictions in September 2020.

3. The recorded subdivision maps from 2000 and 2002 that depict Ms. Martin's lot as Lot 3B do not indicate the Lot 3B is subject to an impervious surface restriction.

4. The property is not in a subdivision with a homeowner's association or a neighborhood swimming pool. When buying the property, this lack of amenities prompted Ms. Martin to decide that she would someday install her own swimming pool. She laid out the house, garage, driveway, and septic system lay to accommodate a planned swimming pool in the back yard.

5. At the time the house was constructed, city sewer was not available for this property, and a septic system was required. When the property's septic system was laid out with the input from an official from Mecklenburg County, it was clear that the property would have a significant amount of impervious surface because the house would have to be set back a great distance from the road to allow the primary field to be installed in the front yard, the garage would be placed in the back of the house, and a very long driveway with a significant concrete area would be required.

6. The Mecklenburg County official who designed and approved the septic system knew of the plan to install a swimming pool in the future. He never said anything about any impervious surface restrictions, that Ms. Martin might be at risk of exceeding them, or that she would not be able to install a swimming pool on her property.

7. Ms. Martin relied on his expertise, and believed that once he and she had laid out the septic system and he signed off on the septic permit, that she had overcome the last hurdle for installing a swimming pool.

8. When Ms. Martin submitted her application to Mecklenburg County for a building permit, she disclosed:
   a. the house would be 3,560 square feet
   b. there would be a patio behind the house
   c. there would be a 2-car garage behind the house
   d. a driveway would run from Pine Street to the back of the house that would be approximately 146-feet long
   e. there would be a turn in the driveway that would then run to the garage behind the house, and that this portion of the driveway could be as much as 60 feet.

EXHIBIT
tabbies
7

9. Ms. Martin provided enough information at the time of application that Mecklenburg County and the Town of Huntersville should have immediately recognized that the impervious surface areas were going to be very substantial.

10. Neither Mecklenburg County nor the Town of Huntersville raised any red flags, notified Ms. Martin of possible violations of impervious surface restrictions, nor suggested a different layout.

11. Instead, the application was granted, a building permit was issued, the septic system was permitted, the house was built, concrete was poured, and a certificate of occupancy was issued stating that she was in compliance with all building and zoning regulations.

12. The notation on the building permit regarding a "hold" related to an impervious surface restriction was cryptic and not obvious to a layman.

13. The Certificate of Occupancy for Ms. Martin's house was issued after Mecklenburg County inspected the property following the completion of the house, driveway, and other impervious surfaces.

14. The Certificate of Occupancy does not mention any impervious surface restrictions.

15. The Certificate of Occupancy states that Ms. Martin's property "***complies with applicable building and zoning regulations***."

16. The Certificate of Occupancy states that the "Date of certification is the date on which all permits related to the job were finaled and ***applicable holds were released***."

17. Ms. Martin relied on the Certificate of Occupancy stating that she had complied with all building and zoning regulations.

18. A survey of Ms. Martin's property that was prepared in 2007 shows the following:

a. The lot is 20,002 square feet in size.
b. There are 2,453 square feet of impervious surface area for the house.
c. There are 3,063 square feet of impervious surface area for the driveway and sidewalk.
d. There are 15 square feet of impervious surface area for the mechanical area; and
e. There are 349 square feet of impervious surface area for the patio.
f. There is a total of 5,880 square feet of impervious surface area.
g. No impervious surface restriction is mentioned on the survey.
h. If a 24% restriction is applied to 20,002 square feet, the maximum impervious surface area allowed on the lot is 4,800 square feet, meaning the existing impervious area exceeds the maximum by 1,080 square feet.

19. Mecklenburg County's records show that there are 5,990 square feet of impervious surface area on Ms.Martin's property, which would mean an excess impervious area of 1,190 square feet.

20. Ms. Martin has made good faith efforts to mitigate the excess impervious area on her property. These efforts include:

a. Communicating in writing with five (5) neighboring property owners in her subdivision to request an impervious transfer. She also spoke by phone with one of her neighbors to make the request.
b. Communicating in writing with thirty-eight (38) property owners on Terry Lane and North Point Road, both of which are in the Lake Norman Critical Area, and requesting an impervious transfer as part of a density averaging certificate.
c. Having a real estate broker assist her in locating properties that could provide an impervious transfer for a density averaging certificate.

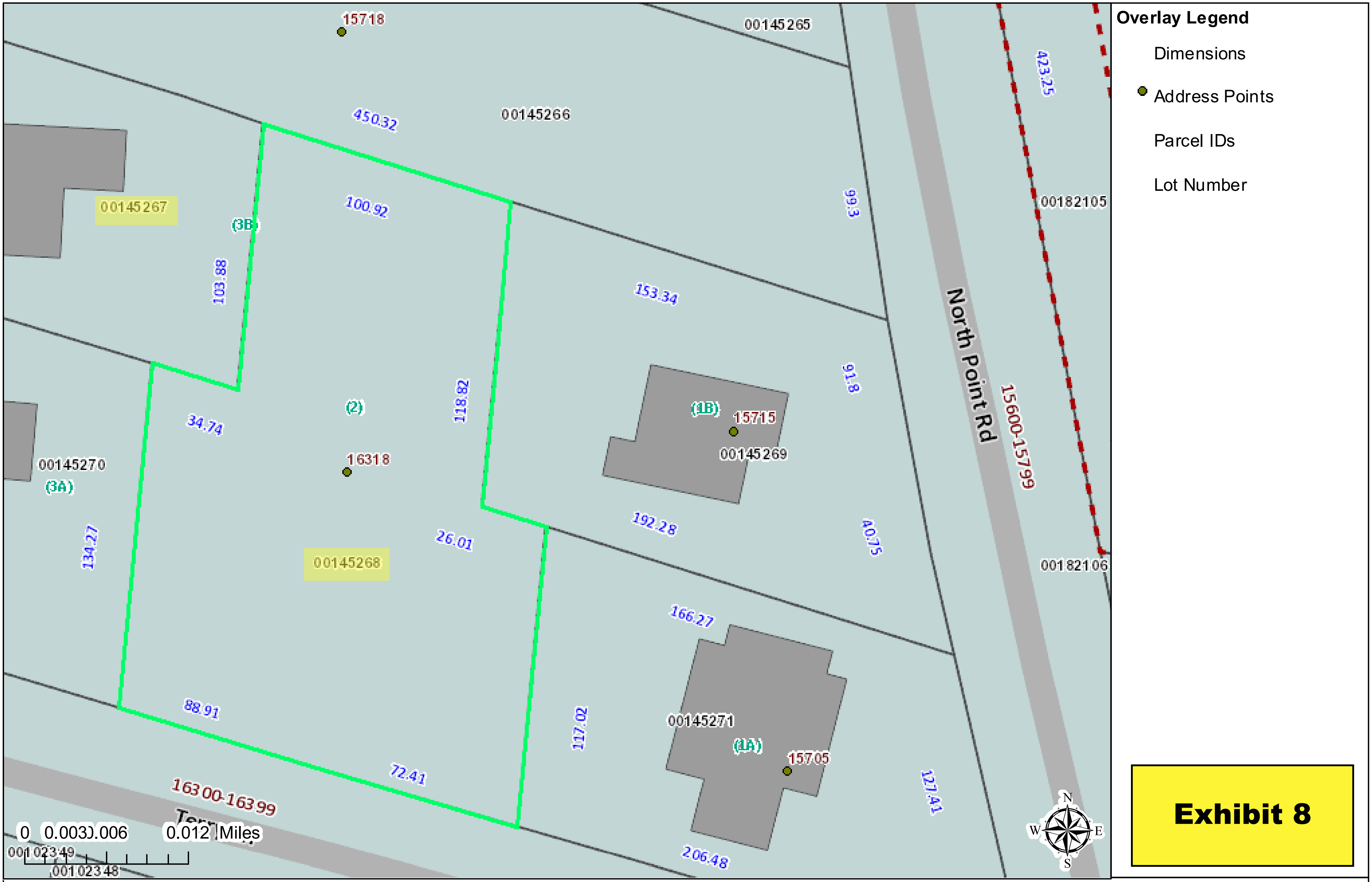
21. Despite her good faith efforts, Ms. Martin has not yet obtained the agreement of any landowner for an impervious transfer or to participate in a density averaging certificate. Only one of the 43 property owners who she wrote to responded to her written requests, and the one response was to decline to provide an impervious transfer.

22. Ms. Martin has considered mitigating impervious area by removing the 300 square foot parking pad on her property, but this area would fall far short of eliminating the excess area. Removing the parking pad would also not be prudent because it provides the ability for cars to turn around and drive down the driveway instead of backing down her long, narrow, winding driveway, which creates a safety hazard.

Polaris 3G Map – Mecklenburg County, North Carolina

16318 Terry Lane - owned by Mahmood Abuhanhan

Date Printed: 10/12/2020 10:55:07 AM



This map or report is prepared for the inventory of real property within Mecklenburg County and is compiled from recorded deeds, plats, tax maps, surveys, planimetric maps, and other public records and data. Users of this map or report are hereby notified that the aforementioned public primary information sources should be consulted for verification. Mecklenburg County and its mapping contractors assume no legal responsibility for the information contained herein.

Tutorials Quick Tips Report Issues More Map Apps

Search Results Layers/Labels Property Report Zoom To

Property Key

Parcel ID	GIS ID
00145268	00145268

Address located on Property (Postal City)

16318 TERRY LN HUNTERSVILLE NC 28078

Owner Name	Mailing Address
MAHMOOD MOHAMMAD ABUHANHAN	128 TURVEY CT CHAPEL HILL NC 27514

Is ownership or parcel boundary wrong? Request Change

Is the mailing address wrong? Request Change

Link To

Google Street View

Birdseye View maintained by Mecklenburg County

Unselect Property

Associated Information

Legal Desc	L2 M37-315
Land Area	0.712 AC
Fire District	Huntersville
Special District	Fire Service D
Account Type	Individual
Municipality	Huntersville
Land Use	Single Family Residential

Tax Information

Link To

Tax Values & Building Information

Tax Bill Information

Tax Foreclosure Properties

Deed Reference(s) and Sales Price

Deed	Sale Date	Sale Price
32552-153	03/26/2018	$0.00

Enter address / parcel# / owner / landmark

Advanced Search Market Analysis Search Help

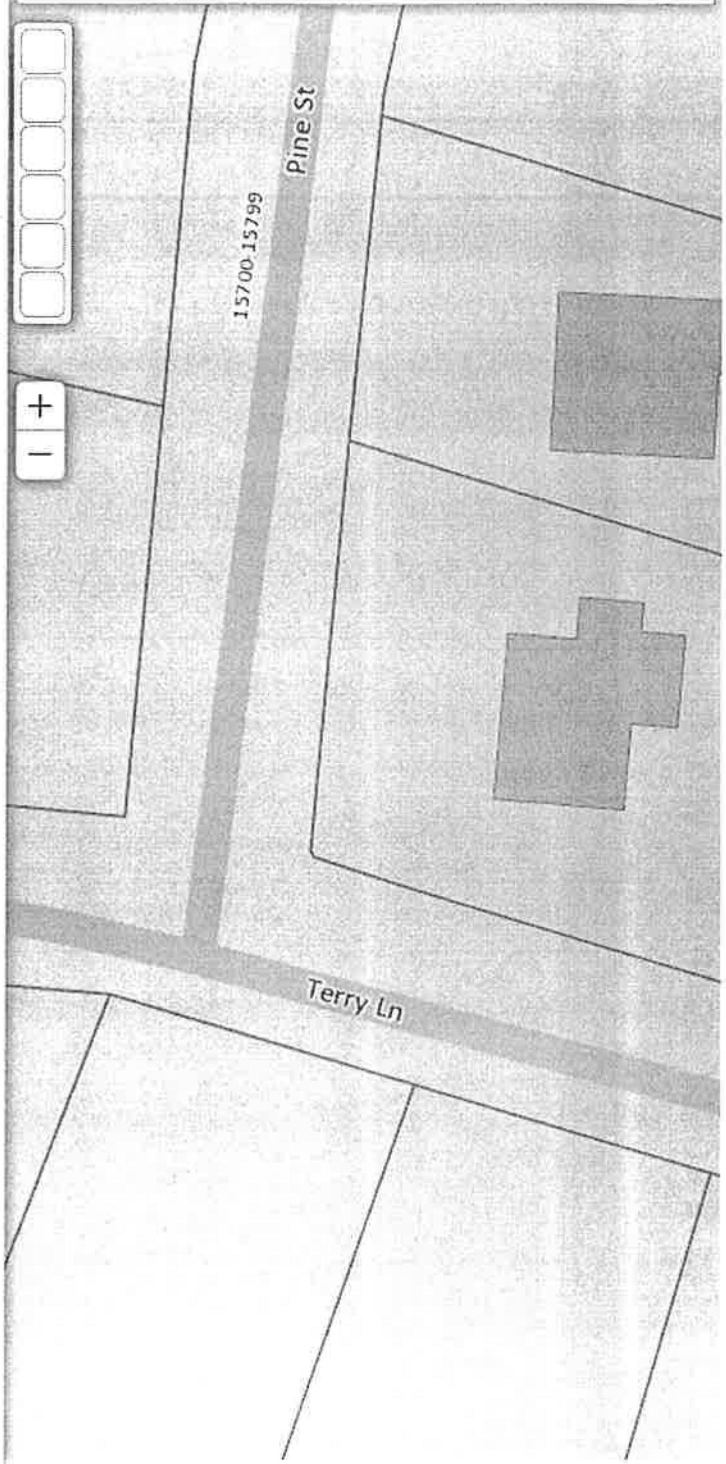


Exhibit B – Article 3.3.3-A, Section E

e) Built-Upon Area Development Standards

For individual buildings or for development projects within the Lake Norman Critical Area, the following impervious area limitations are established on a building or project basis.

CA, low density option	24% B.U.[1]
CA, high density option	50% B.U. with Structural BMP[1]

[1] **Residential subdivisions approved after 2/17/03 shall reserve, at minimum, 1% of the lot area but not less than 150 sq. ft. impervious area per lot to allow for addition of future impervious areas by homeowner/occupant**

Exhibit C – Aerial Map of Subject Property

Polaris 3G Map – Mecklenburg County, North Carolina
15710 PINE ST HUNTERSVILLE NC 28078

Date Printed: 10/1/2020 1:32:51 AM

Exhibit D – Correspondence between Staff and Mecklenburg County

From:	Rozzelle, Rusty
To:	Lauren Speight
Cc:	Mike MacIntyre
Subject:	RE: [External]Impervious Area Variance Requests
Date:	Friday, September 18, 2020 5:01:49 PM
Attachments:	image001.png

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.

I agree with your conclusion that because both these variances result in an increase in impervious area, they would result in negative impacts to water quality unless those impacts were mitigated. Have they pursued Density Averaging as an option? Also, there are a lot of BMPs in Birkdale. With regard to the Watershed Administrator, for the Town of Huntersville that is the Zoning Administrator or Jack. He is responsible for the watershed ordinances. It is a little confusing, but I am the Storm Water Administrator and responsible for the post-construction ordinance.

From: Lauren Speight <lspeight@huntersville.org>
Sent: Friday, September 18, 2020 1:59 PM
To: Rozzelle, Rusty <Rusty.Rozzelle@mecklenburgcountync.gov>
Cc: Mike MacIntyre <mmacintyre@huntersville.org>
Subject: [External]Impervious Area Variance Requests

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.

Good afternoon,

Town of Huntersville Staff has received two major variance application requests; one for a property in the LN Watershed and another for a property in the MIL PA-2.

15710 PINE ST HUNTERSVILLE NC 28078 (LN CA) – As far as Staff can tell from the application and public data, the home was originally built over its impervious max. It was created as a new lot of record in 2000, thus subject to the Watershed regulation for the LN-O. The property is about 1000 sf over its max and based on a rather blurry survey from 2007 it appears the home and driveway were built as permitted. The plat map that created this new lot does not note the LN-O, but the issued permit does not the LN-O 24% MBUA. But, they property received the permit and the CO.

8201 SANDOWNE LN HUNTERSVILLE NC 28078 (MIL PA-2) – This variance stems from a building permit received this years for the conversion of about 265 sf of the home and an additional 200 sf. As far as staff can tell from the application and public data the property was approximately 800 sf under its MBUA, which is how they got zoning approval for the building permit. However, according a currently property survey the property is over by about 1000 mostly as the result of pavers that were added to the property. The permit has not received a CO because of the impervious issue.

I am seeking guidance, though I believe I know the answer this time, about these requests with regard to the 4th variance standard be the General Statutes (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.) The intent of the Watershed Overlays is to protect the drinking water supply for various municipalities. I believe that Staff must assert that without mitigation to ensure water quality, administrative approval of a variance effectively increasing the impervious maximum for these properties is not in the interest of public safety. Am I incorrect?

- The Pine Street property was not developed with storm water infrastructure.
- The Sandowne Lane property is in Birkdale and was subdivided in 1997. I believe there is planned SW infrastructure here, correct?

I am also seeking guidance about the process for a major variance – Are you or Mike MacIntyre the Watershed Administrator that would forward an advisory approval to the NCDEQ Environmental Management Commission for final decision? Is there any other role the Watershed Administrator plays in the processing of a major variance for properties in Watershed Overlays? Is there any way for me to learn of major variances for the MIL or LN overlays that have been previously forwarded?

Lauren Speight
Planner I | Town of Huntersville
105 Gilead Road | Third Floor
P.O. Box 664 | Huntersville, North Carolina 28070
PH: 704-766-2254 | FX: 704-992-5528
Email: lspeight@huntersville.org
Web: www.huntersville.org

h

Exhibit E – Zoning Map

Town of Huntersville
NORTH CAROLINA

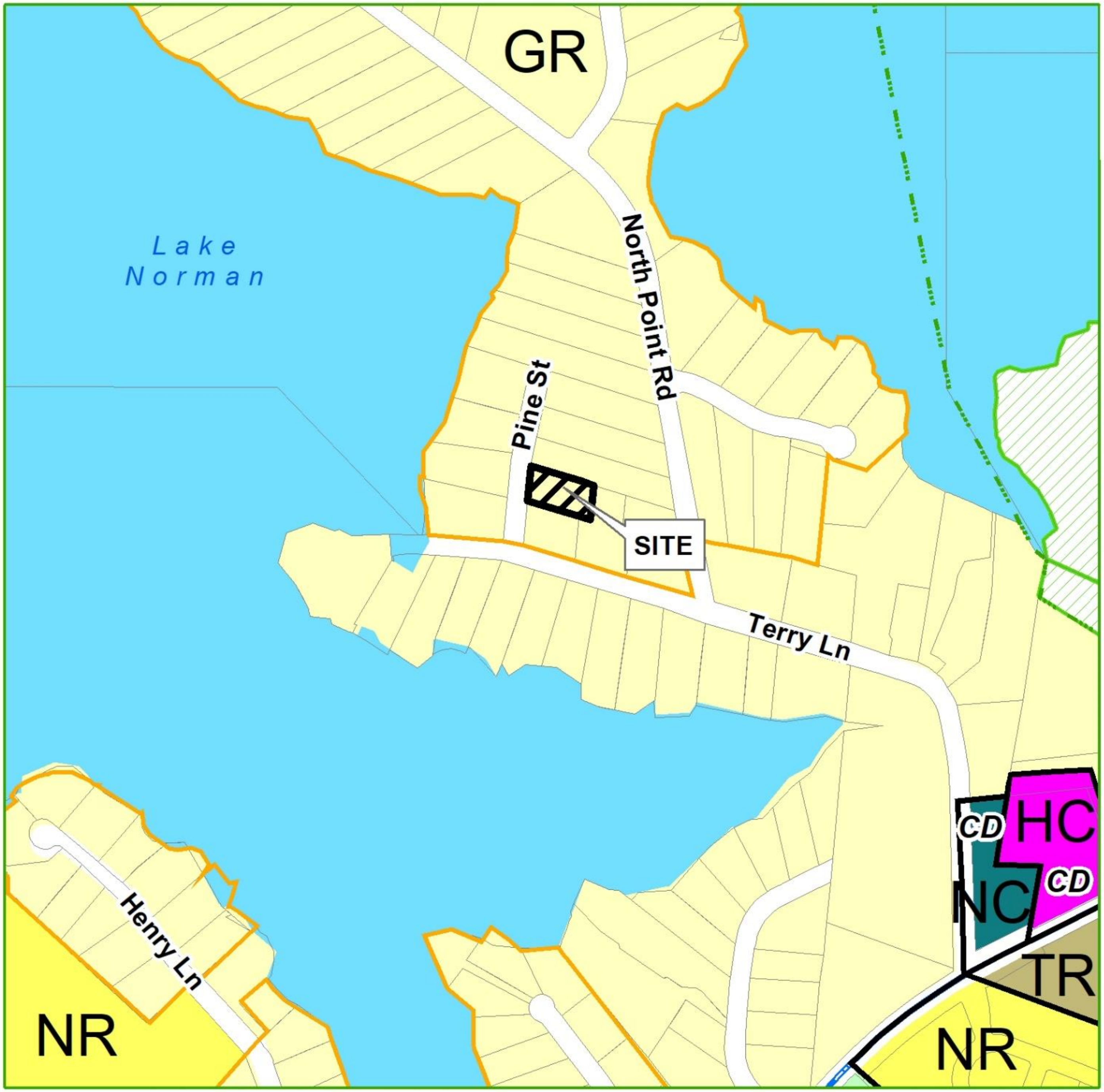
VAR 20-06
15710 Pine Street

Zone :
GR

Applicant:
Laurie R. Martin

+/- 0.459 Acres

Parcels:
00145267

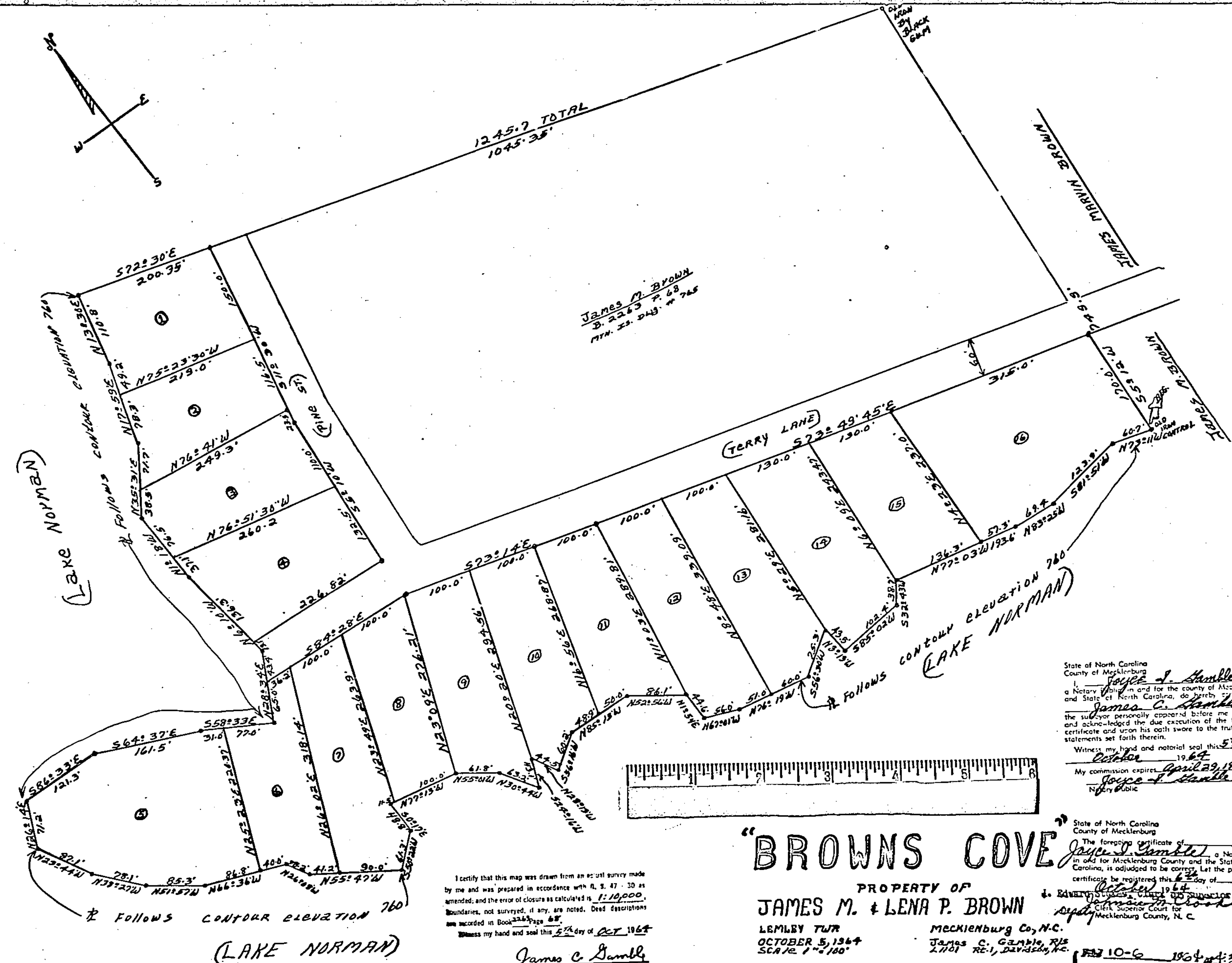


GR General Residential
NR Neighborhood Residential
NC Neighborhood Center
HC Highway Commercial
TR Transitional Residential

N

0 500
Feet

Exhibit F - Browns Cove M12 P31 (1964)



"BROWNS COVE"

PROPERTY OF

JAMES M. & LENA P. BROWN

LEMLEY TWP
OCTOBER 5, 1964
SCAle 1" = 100'

Mecklenburg Co., N.C.
James C. Gamble, R/S
L1101 Rt. 1, Davidson, N.C.

0' 100' 150' 200' 300'

Note: IRONS AT ALL CORNERS. ALL STREETS 60'

I certify that this map was drawn from an actual survey made by me and was prepared in accordance with G. S. 47 - 30 as amended; and the error of closure as calculated is 1:10,000. Boundaries, not surveyed, if any, are noted. Deed descriptions are recorded in Book 2263 Page 68.

Witness my hand and seal this 5th day of OCT 1964

James C Gamble
Registered Surveyor

This property is outside the Charlotte Perimeter zoning area.

James C Gamble
Surveyor

State of North Carolina
County of Mecklenburg

I, Joyce S. Gamble a Notary Public in and for the county of Mecklenburg and State of North Carolina, do hereby certify that James C. Gamble the surveyor personally appeared before me this day and acknowledged the due execution of the foregoing certificate and upon his oath swore to the truth of the statements set forth therein.

Witness my hand and notarial seal this 5th day of October 1964

My commission expires April 29, 1965.

Joyce S. Gamble
Notary Public

State of North Carolina
County of Mecklenburg

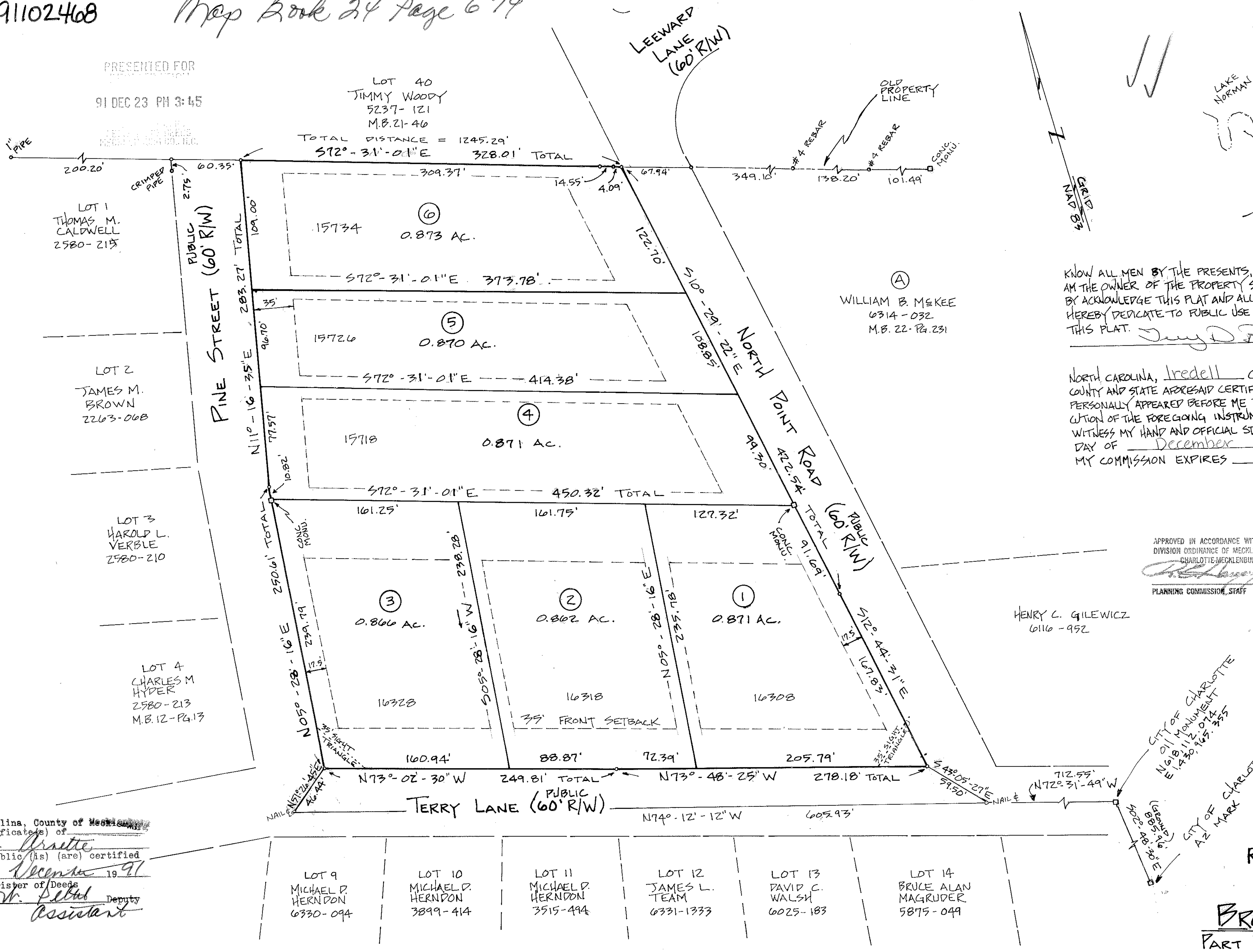
The foregoing certificate of Joyce S. Gamble a Notary Public in and for Mecklenburg County and the State of North Carolina, is adjudged to be correct. Let the plat and the certificate be registered this 6th day of October 1964

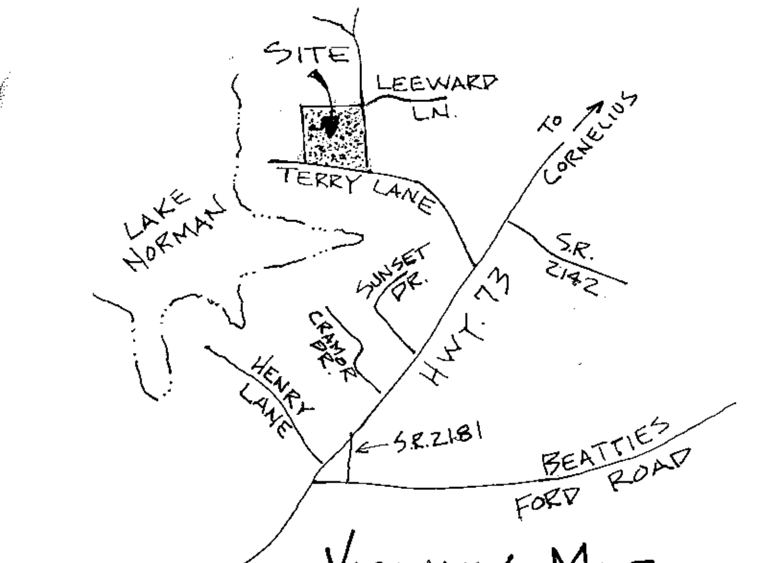
J. Edward Stukes, Clerk of Superior Court, by
Johnsie M. Crook
Deputy Clerk Superior Court for
Mecklenburg County, N. C.

Filed 10-6 1964 at 4:30 PM
EDGAR SMITH, Register of Deeds

Exhibit G - Brown's Addition Pre Map 24 P674 (1991)

#91102468 Map Book 24 Page 674





VICINITY MAP
NO SCALE

KNOW ALL MEN BY THE PRESENTS, THAT I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN ON THIS PLAT, THAT I HEREBY ACKNOWLEDGE THIS PLAT AND ALLOTMENT TO BE OUR FREE ACT AND DO HEREBY DEDICATE TO PUBLIC USE AS STREETS AND ALL AREAS SHOWN ON THIS PLAT. Terry D Brown, Agent

NORTH CAROLINA, Iredell COUNTY, I, A NOTARY PUBLIC OF THE COUNTY AND STATE AFORESAID CERTIFY THAT Terry D. Brown, Agent PERSONALLY APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT.
WITNESS MY HAND AND OFFICIAL STAMP OR SEAL THIS 20th DAY OF December, 1991
MY COMMISSION EXPIRES June 28, 1994
Kay H Arnette, Notary Public

APPROVED IN ACCORDANCE WITH THE PROVISIONS OF THE SUBDIVISION ORDINANCE OF MECKLENBURG COUNTY, NORTH CAROLINA
CHARLOTTE-MECKLENBURG PLANNING COMMISSION
PLANNING COMMISSION STAFF 12/23/91 DATE
RBH

State of North Carolina, County of Mecklenburg
The foregoing certificate(s) of Kay H. Arnette
a Notar(y) (ies) Public (is) (are) certified to be correct.
This 23 day of December 1991
Anne A. Powers, Register of Deeds
By: Charlotte W. Pettus Deputy
Assistant

RECORD PLAT OF BROWN'S ADDITION

PART DEED BOOK 2263, PG. 068
PROPERTY OF (OWNER:)
JAMES M. BROWN
TAX CODE: 001-026-01
LEMLEY TOWNSHIP, MECKLENBURG CO., N.C.
SCALE: 1" = 60' 0 30' 60 120' 180
DATE: DECEMBER 20, 1991

I, RUFUS JACKSON LOVE, CERTIFY THAT THIS MAP WAS DRAWN FROM AN ACTUAL SURVEY MADE UNDER MY DIRECT SUPERVISION, THAT THE ERROR OF CLOSURE AS CALCULATED BY LATITUDES AND DEPARTURES IS 1:10,000+; THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN D.B. AS, PG. SHOWN; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-30, AS AMENDED; AND THAT THE ANGULAR ERROR WAS < 7.5 SEC. PER TURN.
WITNESS MY HAND AND OFFICIAL SEAL THIS 20th DAY OF December 1991.
N.C.R.L.S. L-2844 LICENSE NO.
Rufus J. Love REGISTERED LAND SURVEYOR

STATE OF NORTH CAROLINA, IREDELL COUNTY
I, NOTARY PUBLIC OF THE COUNTY AND STATE AFORESAID CERTIFY THAT Rufus J. Love A REGISTERED LAND SURVEYOR, PERSONALLY APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT
WITNESS MY HAND OR OFFICIAL STAMP OR SEAL THIS 20th DAY OF December, 1991.
Kay H Arnette NOTARY PUBLIC
MY COMMISSION EXPIRES June 28, 1994

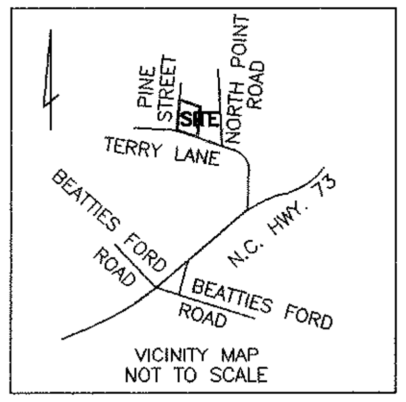
NOTES:
1. PROPERTY DOES NOT LIE IN A DESIGNATED FLOOD ZONE.
2. ALL CORNERS ARE MARKED BY #5 REBAR UNLESS NOTED.
3. ZONED R-15 - SETBACKS: FRONT 35'; REAR 50'; STREET SIDE 17.5, SIDE 10'.
4. ROAD'S DEDICATED IN M.B. 21, PG. 31.

APPROVED IN ACCORDANCE WITH THE ENGINEERING REQUIREMENTS OF THE SUBDIVISION ORDINANCE OF MECKLENBURG COUNTY, NORTH CAROLINA.
MECKLENBURG COUNTY ENGINEERING DEPT.
ENGINEER 12/23/91 DATE

PYRAMID LAND SURVEYING
BOX 11
DAVIDSON, N.C. 28036

Exhibit H - Brown's Addition Lots 2&3, Revised M33 P287 (2000)

#2002075475 MAP BOOK 37 PAGE 315



FILED FOR REGISTRATION
APR 16 2002
AT 2:49
JUDITH A. GIBSON
MECKLENBURG COUNTY, N. C.
REGISTER OF DEEDS

A PLAT SHOWING

BROWN'S ADDITION LOTS 1 & 2 REVISED

TERRY DEAN BROWN (OWNER)
#15719 PINE STREET HUNTERSVILLE, N.C. 28078-8941
THE TOWN OF HUNTERSVILLE, MECKLENBURG COUNTY, NORTH CAROLINA

SCALE: 1" = 50'
DATE: FEBRUARY 28TH, 2002
ACAD FILE: 55584

0' 50' 100' 150'
BAR SCALE: 1" = 50'

AREA:
71,992 SQ.FT.
OR 1.6527 ACRES TOTAL

R.B. PHARR & ASSOCIATES, P.A.
P. O. BOX 1234
#19801 SOUTH MAIN STREET
CORNELIUS, NORTH CAROLINA 28031
TEL: (704) 895-1730

REFERENCE MAP BOOK 24-674

LEGEND
E.I.P. = EXISTING IRON PIN
N.I.P. = NEW IRON PIN
E.C.M. = EXISTING CONCRETE MONUMENT
R/W = RIGHT OF WAY
SQ.FT. = SQUARE FOOT

NOTE:
1. IRON PINS AT ALL PROPERTY CORNERS UNLESS OTHERWISE NOTED.
2. HUNTERSVILLE ZONING: (GENERAL RESIDENTAL DISTRICT) GR

BUILDING SETBACK REQUIREMENTS

MINIMUM LOT SIZE	20,000 SQ.FT.
MINIMUM LOT WIDTH	90 FEET
MINIMUM FRONT SETBACK	40 FEET
MINIMUM REARYARD	50 FEET
MINIMUM SIDEYARD	10 FEET
MINIMUM CORNER LOT SIDEYARD	20 FEET

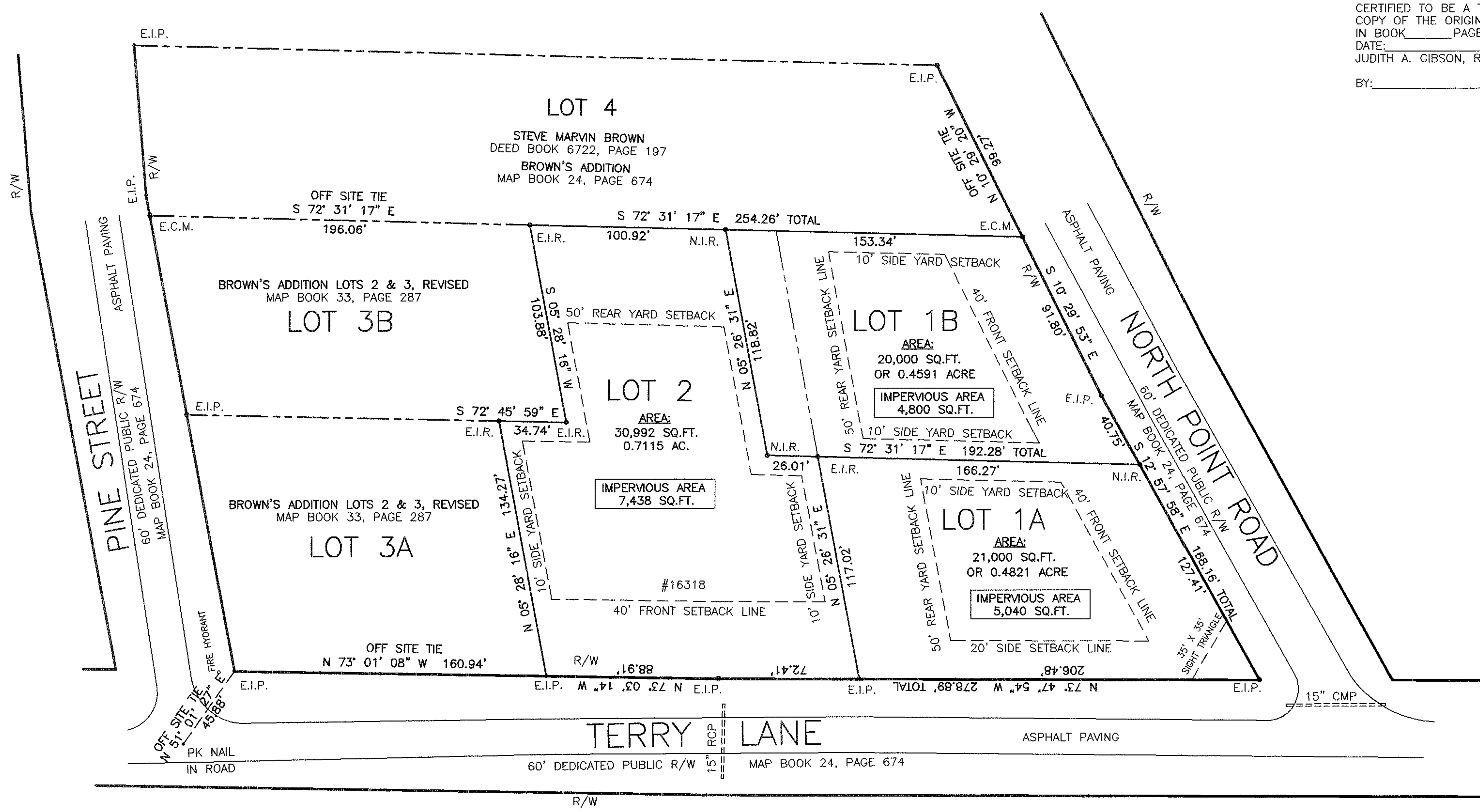
REFERENCES:
DEED BOOK 6722, PAGE 199
MAP BOOK 24, PAGE 674
TAX NUMBER 001-452-67

NOTE:
THE PURPOSE OF THIS MAP IS TO SUBDIVIDE LOTS 1 & 2 PREVIOUSLY RECORDED IN BOOK 24, PAGE 674 AND BOOK 33, PAGE 287.

NOTE:
SUBJECT PROPERTY IS LOCATED IN LAKE NORMAN CRITICAL AREA WATERSHED. MAXIMUM IMPERVIOUS AREA ALLOWED PER LOT IS 24%.

FLOOD CERTIFICATION
THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION. DATED JANUARY 19, 2000.
F.I.R.M. PANEL #370158 0030 D

CERTIFIED TO BE A TRUE AND CORRECT COPY OF THE ORIGINAL MAP RECORDED IN BOOK______PAGE________
DATE:________
JUDITH A. GIBSON, REGISTER OF DEEDS
BY:____________________ DEPUTY



THIS IS TO CERTIFY THAT THIS SURVEY IS OF AN EXISTING PARCEL OF LAND

THIS SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.

APPROVED IN ACCORDANCE WITH THE MINOR SUBDIVISION PROVISIONS AS SET FORTH IN THE SUBDIVISION ORDINANCE OF THE TOWN OF HUNTERSVILLE, NORTH CAROLINA. ANY FURTHER SUBDIVISION OF THIS PROPERTY IS SUBJECT TO REVIEW AND MAY CONSTITUTE A MAJOR SUBDIVISION OF LAND.

David C. Weatherman 4/15/02
TOWN PLANNER DATE

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

David C. Weatherman 4/15/02
REVIEW OFFICER DATE

State of North Carolina
County of Mecklenburg
The Undersigned surveyor, Being duly sworn deposes and says that the plat upon which this certificate appears was prepared in accordance with G.S. 47-30 as amended, is in all respects correct according to the best of his knowledge and belief, and was prepared from an actual survey made by him on the 28TH day of FEBRUARY, 2002, with a maximum linear error of closure of 1:10,000 and a maximum field error of angular closure of 7.5 sec. per angle

Signed: James H. Mauney Jr.
N.C. Professional Land Surveyor

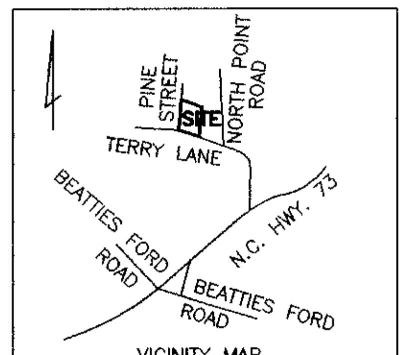
NORTH CAROLINA PROFESSIONAL SEAL L-3885 LAND SURVEYOR JAMES H. MAUNEY, JR.

CREW:	DRAWN:	REVISED:
SW	TK	

ACAD FILE: 55584
LN - 412B

Exhibit I - Brown's Addition Lots 1&2 Revised MAP R 37 P315 (2002)

#2000016321 MAP BOOK 33 PAGE 287



VICINITY MAP
NOT TO SCALE

FILED FOR REGISTRATION
JUN 1 2000
AT 8:47
JUDITH A. GIBSON
MECKLENBURG COUNTY, N. C.
REGISTER OF DEEDS

A PLAT SHOWING

BROWN'S ADDITION LOTS 2 & 3, REVISED

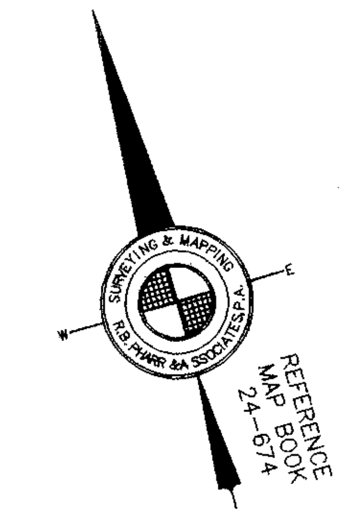
TERRY DEAN BROWN (OWNER)
#15719 PINE STREET HUNTERSVILLE, N.C. 28078-8941
THE TOWN OF HUNTERSVILLE, MECKLENBURG COUNTY, NORTH CAROLINA

SCALE: 1" = 50'
DATE: MAY 19TH, 2000
ACAD FILE: 50871

R.B. PHARR & ASSOCIATES, P.A.
P. O. BOX 1234
#19801 SOUTH MAIN STREET
CORNELIUS, NORTH CAROLINA 28031
TEL: (704) 895-1730

0' 50' 100' 150'
BAR SCALE: 1" = 50'

AREA:
75,249 SQ.FT.
OR 1.7275 ACRES TOTAL



LEGEND
E.I.P. = EXISTING IRON PIN
N.I.P. = NEW IRON PIN
E.C.M. = EXISTING CONCRETE MONUMENT
R/W = RIGHT OF WAY
SQ.FT. = SQUARE FOOT

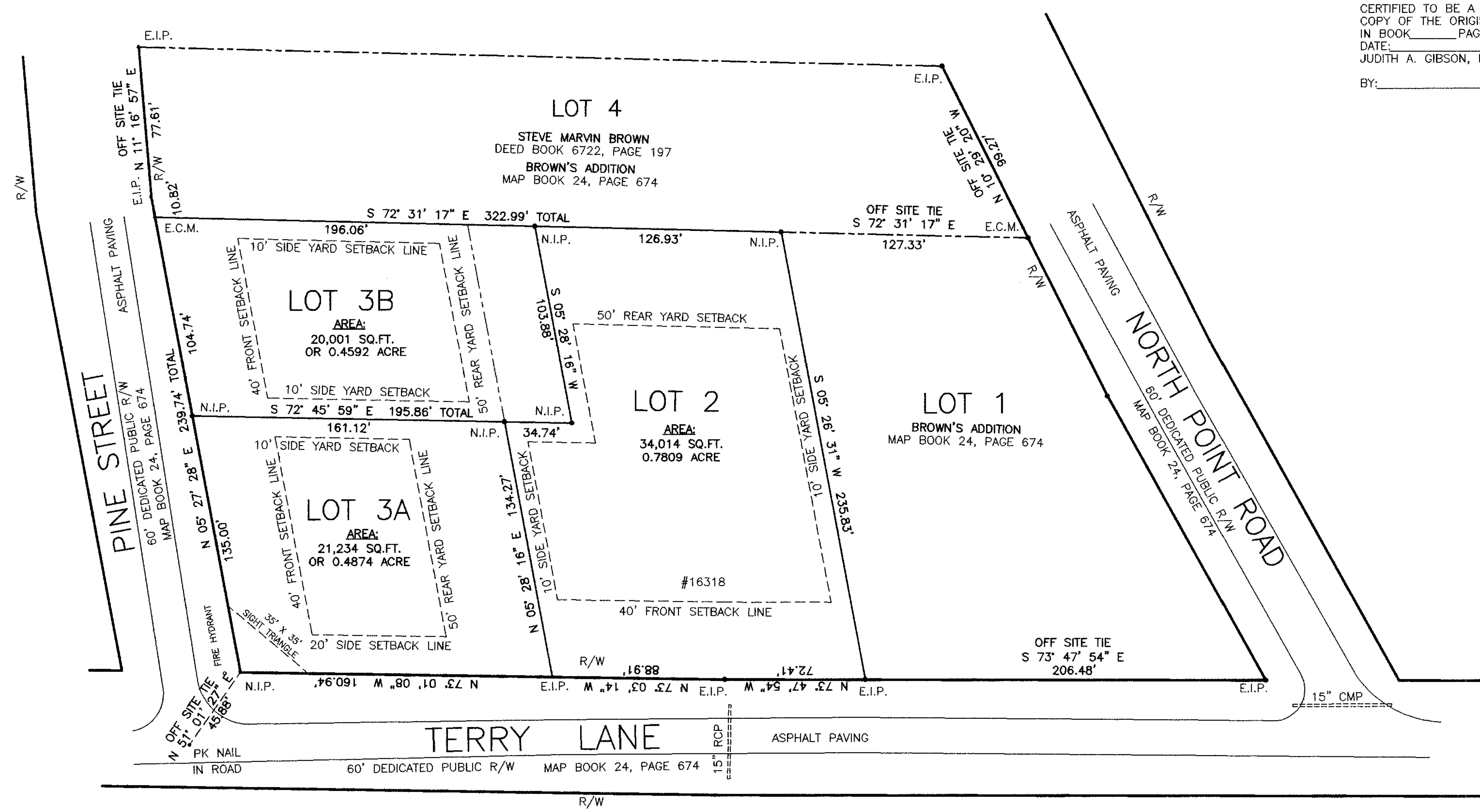
NOTE:
1. IRON PINS AT ALL PROPERTY CORNERS UNLESS OTHERWISE NOTED.
2. HUNTERSVILLE ZONING: (GENERAL RESIDENTAL DISTRICT) GR

BUILDING SETBACK REQUIREMENTS	
MINIMUM LOT SIZE	20,000 SQ.FT.
MINIMUM LOT WIDTH	90 FEET
MINIMUM FRONT SETBACK	40 FEET
MINIMUM REARYARD	50 FEET
MINIMUM SIDEYARD	10 FEET
MINIMUM CORNER LOT SIDEYARD	20 FEET

REFERENCES:
DEED BOOK 6722, PAGE 199
MAP BOOK 24, PAGE 674
TAX NUMBER 001-452-67

NOTE:
THE PURPOSE OF THIS MAP IS TO CREATE (3) THREE LOTS, USING LOTS 2 & 3 BROWN'S ADDITION AS PREVIOUSLY RECORDED IN MAP BOOK 24, PAGE 674.

FLOOD CERTIFICATION
THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, DATED JANUARY 19, 2000.
F.I.R.M. PANEL #370158 0030 D



CERTIFIED TO BE A TRUE AND CORRECT COPY OF THE ORIGINAL MAP RECORDED IN BOOK______ PAGE______
DATE:______
JUDITH A. GIBSON, REGISTER OF DEEDS
BY:______ DEPUTY

THIS IS TO CERTIFY THAT THIS SURVEY IS OF AN EXISTING PARCEL OF LAND

THIS SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.

APPROVED IN ACCORDANCE WITH THE MINOR SUBDIVISION PROVISIONS AS SET FORTH IN THE SUBDIVISION ORDINANCE OF THE TOWN OF HUNTERSVILLE, NORTH CAROLINA. ANY FURTHER SUBDIVISION OF THIS PROPERTY IS SUBJECT TO REVIEW AND MAY CONSTITUTE A MAJOR SUBDIVISION OF LAND.

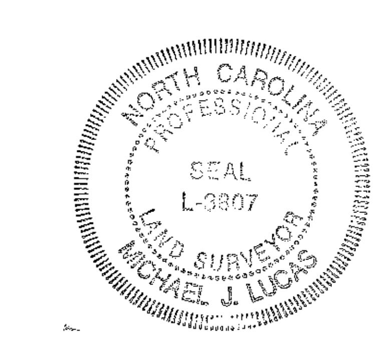
Kelly C. Case — MAY 31, 2000
TOWN PLANNER — DATE

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

Kelly C. Case — MAY 31, 2000
REVIEW OFFICER — DATE

State of North Carolina
County of Mecklenburg
The Undersigned surveyor, Being duly sworn deposes and says that the plat upon which this certificate appears was prepared in accordance with G.S. 47-30 as amended, is in all respects correct according to the best of his knowledge and belief, and was prepared from an actual survey made by him on the 19TH day of MAY, 2000, with a maximum linear error of closure of 1:10,000 and a maximum field error of angular closure of 7.5 sec. per angle

Signed Michael J. Lucas
N.C. Professional Land Surveyor



CREW:	DRAWN:	REVISED:
SW	TK	

ACAD FILE: 50871
LN - 412

Exhibit J – Topographical Map

Polaris 3G Map – Mecklenburg County, North Carolina

15710 PINE ST HUNTERSVILLE NC 28078

Date Printed: 10/4/2020 9:46:49 PM

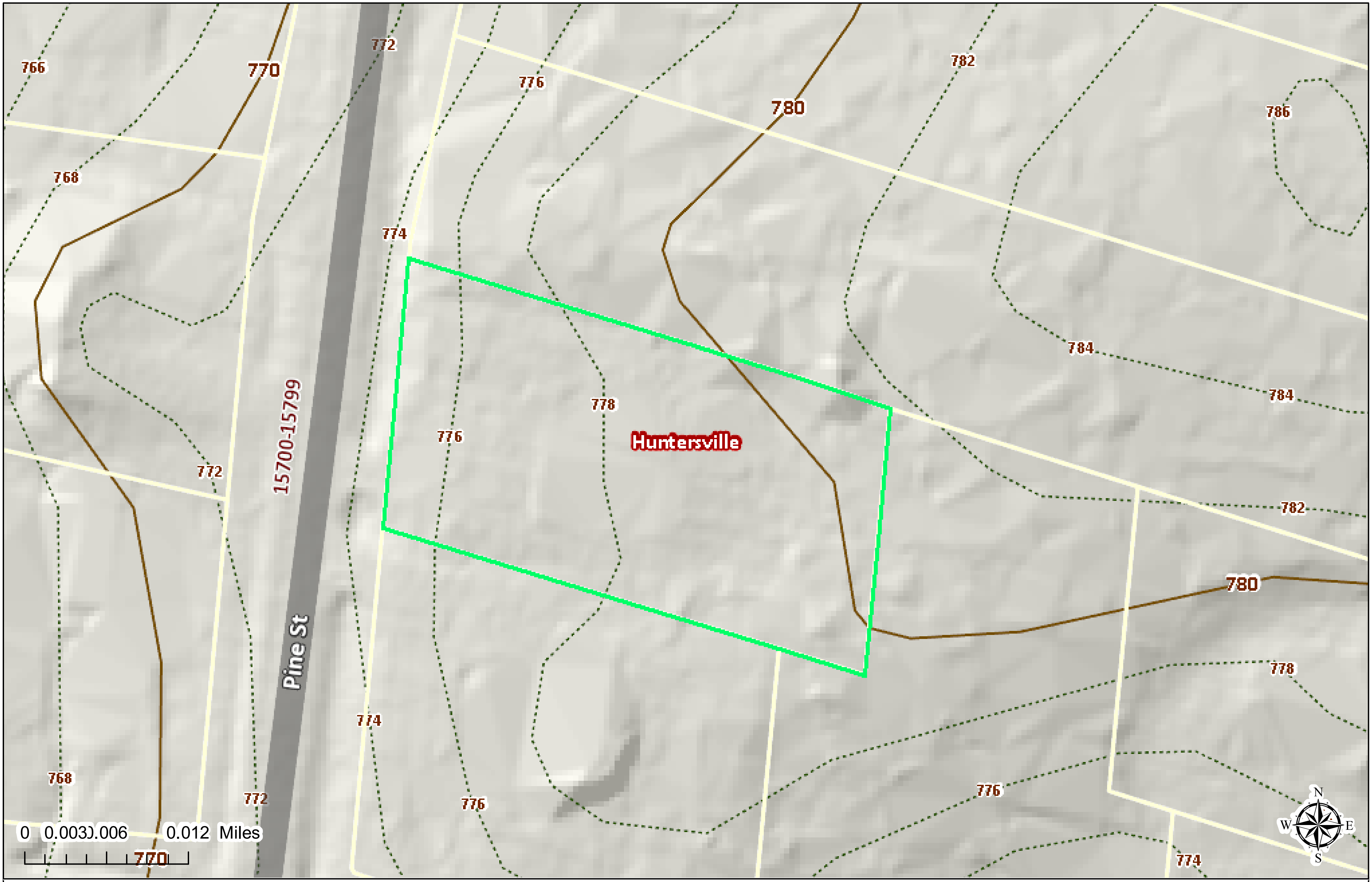


Exhibit K – Town Property Owner Correspondence

From:	Brian Richards
To:	Laurie Martin
Cc:	Lauren Speight
Subject:	RE: URGENT! 15710 Pine Street Huntersville, NC 28078
Date:	Thursday, September 10, 2020 1:02:34 PM
Attachments:	2000076321.pdf 2002075475.pdf

Hi Laurie,

I apologize for not being able to call but I am in a meeting currently. You are correct that I offered the information I provided to you on our call. At that time I was unaware that your lot had been subdivided in 2000. This is important as the one time building exemption would not be applicable. A building permit was issued in error by Mecklenburg County in 2005/2006 with home exceeding the 24% impervious allocation. Due to the age of the home we are unable to locate copies of the building permits/applications.

I have spoken to the buyers (I assume for the buyers and provided the email below with potential options):

"Hi Vicki,

Do to the lots being subdivided in 2000 (attachment 200076321.pdf) they are subject to an impervious restriction of 24% due to the properties being located in the Lake Norman Overlay District. The existing home has exceed the 24% allocation and permits for new structures that increase impervious coverage would not be able to be issued.

Options:

Impervious allocation may be redistributed between Lots 1A, 1B, 2, 3A, 3B as long as the total impervious for all combined lots does not exceed 24%

OR

You may apply for a Density Averaging Certificate:

https://www.huntersville.org/558/Density-Averaging-Certificate

This would involve any property in the Town of Huntersville that is also in the Lake Norman Watershed Overlay.

Lastly there is the possibility of installing a structural BMP onsite that would allow for the impervious allocation of up to 50%. This would involve the hiring of an engineer to design a BMP system. Plans would need o be reviewed and there would be annual inspections and maintenance required."

Brian Richards
Assistant Planning Director
Huntersville Planning Dept.
105 Gilead Rd 3rd Floor
Huntersville, NC 28078

Mailing address
PO BOX 664
Huntersville, NC 28070
Ph 704 766 2218
Fx 704 992 5528
brichards@huntersville.org

From: Laurie Martin <shlauriem1@yahoo.com>
Sent: Thursday, September 10, 2020 11:46 AM
To: Brian Richards <brichards@huntersville.org>
Subject: URGENT! 15710 Pine Street Huntersville, NC 28078

Brian, good morning and I hope you are well. We spoke on Aug 17th regarding my home at 15710 Pine Street in Huntersville. We discussed the remaining impervious area on my homesite, and you gave me the following information which I shared with the buyers who then contracted to buy my house. Here is the rough math we reviewed when we talked. I'm in Huntersville now, and have the exact calculations at my new home in Raleigh, but this is very close to what you shared with me:

1. The size of the lot is approximately 20,000 square feet.
2. The home, sidewalks, driveway, and garage totals about 6,000 sf out of that 20,000 sf.
3. That leaves a remaining amount of land at approximately 14,000 square feet.
4. You said that gives me an allowed 24% of the remaining 14,000 square feet, which is about 3,300 square feet to use and which is can be used to build a pool.

The buyers had my property surveyed and their surveyor independently confirmed the impervious figures and that a pool could be constructed on my property.

When the buyers contacted the Town about this they spoke with Lauren. She told the buyers that my home had no impervious space at all, that I was over the allowed impervious amount, and that there would be no chance of ever building a pool.

You had mentioned that if the buyer or surveyor had an issue they could call you directly, and that if the surveyor had any issues to give him your number. Can I have them contact you so you can review what we discussed with them so we can proceed to closing? I am scheduled to close and sign tomorrow at 1:00 and this has caused the buyers to pause the closing.

Laurie R. Martin
704-622-6555

Town of Huntersville
Board of Adjustment
November 10, 2020

To: Town Board

From: Tracy Barron, Exec Asst

Date: November 10, 2020

Subject: Consider amendment to Rules of Procedure

EXPLAIN REQUEST:

ACTION RECOMMENDED:

FINANCIAL IMPLICATIONS:

ATTACHMENTS:
1. BOA ROP Change Nov 2020

RULES OF PROCEDURE
BOARD OF ADJUSTMENT
TOWN OF HUNTERSVILLE, NORTH CAROLINA

I. GENERAL RULES

The Board of Adjustment (hereinafter referred to as the "Board") shall be governed by the terms of Chapter 160A, Article 19, Part 3 of the North Carolina General Statutes and by the Town of Huntersville Zoning Ordinance and Code of Ordinances. All members of the Board shall thoroughly familiarize themselves with these laws. The Board, being a public body, shall at all times conduct meetings in conformity with the applicable Open Meetings Law statutes. The members of the Board shall also act as the Watershed Review Board.

II. OFFICERS AND DUTIES

A. Appointments

The Board shall consist of seven (7) Regular members and three (3) Alternate members. The Regular membership shall consist of six (6) members who reside within the corporate limits, and one (1) extraterritorial member. The number of Regular members appointed who reside in the extraterritorial zoning jurisdiction ("ETJ") shall at a minimum meet the requirement of NCGS §160A-362 for proportional representation, but shall in no instance be less than one (1). The Alternate membership shall consist of at least two (2) members who reside within the corporate limits, with the remaining Alternate member residing in either the corporate limits or the ETJ.

Regular and Alternate members shall be appointed by the Town of Huntersville Board of Commissioners (hereinafter referred to as "Town Board") to terms of office of three (3) years. Members of the Board shall be limited to three (3) consecutive terms, unless waived; however, may be reappointed after remaining off the Board for at least one (1) year.

If vacancy on the Board occurs by reason of death, resignation, change of residence, Town Board removal, or any other reason, the seat shall be filled by the Town Board in an expeditious manner for the duration of the unexpired term. The Town Board may appoint certain members for less than three (3) years so that the terms of all members shall not expire at the same time.

The Town of Huntersville Planning Department shall be responsible for maintaining a current list of Board members, including the effective date of their appointment and expiration date of their term. The Planning Department shall keep the Town Board informed, at least sixty (60) days prior to the expiration date, as to when any term is to expire.

At the regular Board meeting held in the month of January, or at the first regular meeting held each calendar year, the Board shall elect a Chairman and Vice Chairman from their Regular membership. All Regular and Alternate members shall be allowed to vote. Office holders, however, shall be limited to Regular members. Terms of office shall be one (1) year. Persons may be reelected to the same office for successive terms.

B. Duties

The Chairman shall decide upon all points of order and procedure subject to these Rules unless directed otherwise by a majority of the Board in session at the time. The Vice Chairman shall serve as acting Chairman in the absence of the Chairman, and at such times, he shall have the same powers and duties as the Chairman. In the event of the absence of both the Chairman and the Vice Chairman from a Board of Adjustment meeting, the Regular members present may elect a temporary Chairman for that meeting and proceed with the order of the business. The Chairman, or any member acting as Chairman is authorized to administer oaths to witnesses **(who may either swear or affirm)** in any matter coming before the Board.

C. Secretary

A staff member of the Town of Huntersville Planning Department shall be the recording Secretary to keep Minutes of Regular and Special Board meetings. The Secretary shall keep in a permanent volume the Minutes of every meeting of the Board. The Minutes shall show the record of all important facts pertaining to each meeting and hearing, every resolution acted upon by the Board, and all votes of the Board upon a resolution of upon the final determination of any question, indicating the names of members absent or failing to vote. The Minutes of the Board of Adjustment shall be kept at the office of the Town of Huntersville Planning Department. The Secretary is authorized to administer oaths to witnesses **(who may either swear or affirm)** in any matter coming before the Board.

III. RULES OF CONDUCT FOR MEMBERS

A. Removal

Members of the Board may be removed by the Town Board for cause, including violation of the Rules stated herein.

B. Attendance

In order for the Board to carry out its duties and responsibilities, it is necessary for all members to attend the meetings. If any Regular member is absent for three (3) consecutive regular meetings within any twelve (12) month period such member may be removed by the Town Board, and a replacement made for the unexpired portion of the term. Alternate members may be removed by the Town Board for repeated failure to attend or participate in meetings when requested as set forth herein. The Board may make a recommendation to the Town Board regarding removal of a member for duly cited causes and the request must be in writing, and signed by the Chairman of the Board.

The Regular members, on receiving notice of a meeting they cannot attend or upon learning that they will be unable to participate in a meeting, shall promptly notify the Secretary that they are unable to attend or participate. The Alternates, when called upon to participate because of a Regular member's absence or recusal shall alternate their participation. The order in which they are called to sit shall be determined through a pre-arranged schedule prepared by the Secretary. Alternate members shall have the same powers and duties as Regular members.

The Alternate members are encouraged to attend all meetings regardless if they are voting. When an Alternate member attends a meeting and is called on to participate because of a Regular member's absence, that Alternate member shall retain their "Regular" status should the absent Regular member enter the meeting after the public hearing has been opened. The Regular member who appears after the opening of the hearing will take on "Alternate" status for the duration of that meeting. If an Alternate member is called on to participate in the Board's consideration of an item from which a Regular Board member shall be excused due to conflict or otherwise, the Alternate shall relinquish their seat upon conclusion of that matter.

C. Conflicts of Interest

No member shall participate in or vote in any matter in which he or she has an impermissible conflict, which includes the member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed *ex parte* communications, a close familial business, other relationship with an affected person, or a financial interest in the outcome of the matter. If a member or Alternate member has a conflict of interest they must disclose the conflict **to the Board and** remove themselves from the dais prior to the item being heard. They may return to the dais after the hearing is concluded. **The Chairman may request disclosure of conflicts at the beginning of any hearing.**

D. Discussion of Board Cases

Board members shall refrain from discussing upcoming matters of business with any parties, including other Board members, prior to the meeting at which such items are to be publicly discussed; however, members may receive and/or seek general technical information pertaining to the case from the Secretary, Town Manager, Town Attorney or Planning staff prior to the Board meeting at which the case is to be heard.

IV. MEETINGS

A. Regular Meetings

Regular meetings of the Board shall be held on the second Tuesday of each month at a reasonable time at the Town Hall (typically 6:30 p.m.), provided that meeting may be held at any other conveniently located place in Huntersville if directed by the Chairman at least forty-eight (48) hours in advance of the meeting. Each member (including the Alternate members) shall be notified of each meeting by the Secretary.

B. Special Meetings

Special meetings of the Board may be called at any time by the Chairman provided that at least forty-eight (48) hours written notice of the time and place of the special meeting be given by the

Secretary to each member of the Board including the Alternate members, and as may be required by the Open Meeting Law of North Carolina.

C. Cancellation of Meetings

Whenever there are no appeals, interpretations, applications for variances, or other business for the Board, or whenever so many Regular and Alternate members notify the Secretary of their inability to attend that a quorum will not be available, the Chairman may dispense with a regular meeting by having the Secretary give written or oral notice to all members prior to the time set for the meeting.

D. Quorum

A quorum consisting of six (6) members of the Board shall be required before any vote is taken for a variance. A quorum consisting of four (4) members shall be required before any vote is taken for any other quasi-judicial matter including acting as the Watershed Review Board.

E. Voting

The concurring vote of fourth-fifths (six voting members) of the Board shall be necessary to grant a variance, including a variance as the Watershed Review Board. A majority of the members shall be required to decide any other quasi-judicial matter, or to determine an appeal, or to enter a decision, other than a decision involving a variance, as the Watershed Review Board. Vacant positions on the Board and members who are disqualified from voting on a quasi-judicial matter shall not be considered members of the Board for calculation of the requisite majority if there are no qualified Alternates available to take the place of such members. No more than seven (7) Regular and Alternate members may vote on any matter for which a public hearing was held. The Chairman shall be able to vote on any matter, including making and seconding a motion. No Board members shall vote on any matter deciding an application or appeal unless he shall have attended the public hearing on that application. Every quasi-judicial decision shall be signed by the Chairman, or other duly authorized member of the Board, and is effective upon filing the written decision with the Secretary of the Board.

F. Conduct of Meeting

All meetings shall be open to the public. The order of business at regular meetings shall be as follows:

(A) Roll Call, Determination of Quorum

(B) Approval of Minutes of Previous Meetings

(C) Hearing of Cases

(D) Other Business

(E) Adjourn

G. Continuation of Meeting

Meetings may be continued from one date to another upon majority vote provided that the reconvened meeting occurs at least forty-eight (48) hours thereafter, and such meeting is held in a conveniently located meeting site in Huntersville.

V. APPEALS, APPLICATIONS, PUBLIC HEARINGS

A. Types of Appeals

The Board shall hear and decide appeal decisions of administrative officials charged with enforcement of the Zoning Ordinance, and may hear appeals arising out of any other Ordinance that regulates land use or development.

B. Procedures for Filing Appeals

No appeal shall be heard by the Board unless a completed Notice of Appeal is filed with the Town Clerk within thirty (30) days from the date of the order, decision, determination, or interpretation is made or rendered by an administrative officer, and any such fees shall be paid upon filing the Notice of Appeal. All notices shall be made upon the form furnished by the Town for that purpose, and all information required thereon shall be completed, including a statement for the grounds for appeal, before an appeal shall be considered as having been filed.

C. Public Hearing Mandate

A public hearing conducted by the Board shall be required to:

(1) Decide all appeals and interpretation

(2) Grant any variance to the terms of the Ordinance and,

(3) Hear and decide all other matters referred to it or upon which it is required to pass by the Zoning Ordinance.

D. Public Hearing Date

After receipt of a completed application for an interpretation or variances, **or Notice of Appeal,** the Board shall hear the case on **the first regular meeting which is at least 31 days following the date of such submittal of a completed application or Notice of Appeal,** unless postponed by planning staff with the consent of the applicant **prior to notice of hearing being mailed as provided in the Town of Huntersville Zoning Ordinance, as amended.**

E. Conduct of Hearing

Any public hearing shall be conducted in a *quasi*-judicial manner. Any party may appear in person, by agent, or by attorney at the hearing. All persons presenting evidence before the Board shall be placed under oath by the Chairman or acting Chairman, or Secretary, and the opposing party may cross examine them. The Chairman may rule on the admissibility of evidence. The order of business for public hearing shall be as follows:

(1) Persons giving testimony shall be placed under oath;

(2) The Chairman, or such person acting as Chairman shall direct planning staff to give a preliminary statement of the case;

(3) The applicant shall present the argument in support of their application;

(4) Persons opposed to granting the application shall present the evidence against the application;

(5) Other persons in favor of granting the application shall present the evidence for the application;

(6) Both sides will be permitted to present rebuttals to opposing testimony;

(7) The Chairman, or their designee, shall summarize the evidence which has been presented giving parties the opportunity to make objections or corrections;

(8) The Chairman shall close the period for public discussion. The Board shall publicly discuss the case without further input from the public. Board members, however, may seek input, clarification, etc. from persons eligible to give evidence who are seated in the audience on any piece of evidence heretofore presented. Cross examination and rebuttals may be made only on any such new evidence presented;

(9) The Board shall render a decision on the matter or, if it so chooses, continue the public hearing to a publicly stated date, time and location at least forty-eight (48) hours thereafter. No further notice of a continued hearing need be made unless a period of six (6) weeks or more elapses between hearing dates.

F. Rehearings

An application for a rehearing may be made in the same manner as provided for in the original hearing. All applications for rehearing shall be made within thirty (30) days after the decision of the Board has been filed in its office. Evidence in support of the application shall initially be limited to that which is necessary to enable the Board to determine whether there has been a substantial change in the facts, evidence, or conditions in the case. The application for hearing shall be denied by the Board if, from the record it finds that there has been no substantial change in facts, evidence, or conditions. If the Board finds that there has been a change it shall there upon treat the request in the same manner as any other application. The Board of Adjustment shall not be required to hold a public hearing to determine whether a rehearing of the case shall be conducted. Said determination shall, however, require a four-~~-~~fifths (4/5) vote of the Board of Adjustment.

G. Decisions

(1) Time

Decisions by the Board of Adjustment shall be made within thirty-one (31) days from the date the hearing was officially closed.

(2) Form

Written notice of the decision in a case shall be sent by first class mail to the applicant and to every aggrieved party who has filed a written request for such a notice with the Secretary or the Chairman when the hearing is held within five (5) working days after the case is decided. The final decision shown in the record of the case shall be entered in the Minutes of the Board. Such record shall show the reasons for the determination with a summary of the evidence introduced, and the findings of fact made by the Board.

VI. ADOPTION OF BY-LAWS AND AMENDMENTS

These Rules shall at all times be consistent with all Ordinances of the Town of Huntersville and laws of the State of North Carolina. Should any provisions of these Rules be inconsistent with such Ordinances or laws of the State of North Carolina, said Ordinances and laws shall control.

These rules may, within the limits allowed by law, be amended at any time by an affirmative vote of not less than four (4) members of the Board, provided that such amendment be presented in writing at a regular or special meeting before the meeting at which the vote is taken.

Adopted, as amended, this _____ day of XXX~~August~~ 2020~~16~~.

____
Joseph R. Kluttz, III, Chairman

Commented [ES1]: Update

ATTEST:

____
Michelle V. Haines, Secretary

Commented [ES2]: Update

Town of Huntersville
Board of Adjustment
November 10, 2020

To: Town Board

From: Tracy Barron, Exec Asst

Date: November 10, 2020

Subject: Board of Adjustments 2021 Meeting Schedule

EXPLAIN REQUEST:

ACTION RECOMMENDED:

FINANCIAL IMPLICATIONS:

ATTACHMENTS:

1. BOA Schedule 2021

Town of Huntersville
NORTH CAROLINA

Board of Adjustment
Submittal Deadlines and Meeting Schedule

The Board of Adjustment meets the second Tuesday of each month at 6:30 p.m., at the Town Hall, 101 Huntersville-Concord Road, Huntersville, North Carolina, unless otherwise noticed.

All applications to be reviewed by the Board of Adjustment are due **in complete form by the deadline date.** At that time, each application will be placed on the next available Board of Adjustment Agenda. Requests submitted after the deadline date will not be placed on the next immediate Agenda but on the Agenda that follows.

All filing fees are due and payable at the time the application is submitted. The filing fee is non-refundable.

DEADLINE FILING DATE	**BOARD OF ADJUSTMENT MEETING DATE**
December 8, 2020	January 12, 2021
January 12, 2021	February 9, 2021
February 9, 2021	March 9, 2021
March 9, 2021	April 13, 2021
April 13, 2021	May 11, 2021
May 11, 2021	June 8, 2021
June 8, 2021	July 13, 2021
July 13, 2021	August 10, 2021
August 10, 2021	September 14, 2021
September 14, 2021	October 12, 2021
October 12, 2021	November 9, 2021
November 9, 2021	December 14, 2021
December 14, 2021	January 11, 2022

DATES SUBJECT TO CHANGE
QUESTIONS SHOULD BE DIRECTED TO THE PLANNING DEPT. AT 704-875-7000