



**Yadkin County Central Permitting
Planning Division**
213 East Elm Street
Yadkinville, NC 27055

**January 12, 2026
YADKIN COUNTY WATERSHED REVIEW BOARD
AGENDA**

- I. Call to Order** Attendance, Quorum, and Note of Alternates
- II. Regular Business**
 - a.* Watershed Special Intensity Allocation for parcel PIN# 4876163409.
 - b.* Watershed Special Intensity Allocation for parcel PIN# 486601084946.
- III. Adjourn**

**January 12, 2026
YADKIN COUNTY BOARD OF ADJUSTMENT
AGENDA**

- I. Call to Order** Attendance, Quorum, and Note of Alternates
- II. Approval of Minutes** October 13th, 2025
- III. Regular Business**
 - a.* VAR25-007: Consideration of a Variance to vacate the rear yard placement requirement for accessory buildings on a parcel addressed 1929 Gospel Way Church Rd (PIN# 581500497382).
 - b.* VAR26-001: Consideration of a Variance to reduce the rear yard setback requirement on a parcel addressed 2418 Chappell Rd (PIN# 486904917101).
- IV. Adjourn**

NOTE: Anyone with disability who needs an accommodation to participate is asked to inform the Planning Office at 336-849-7905 prior to noon before the scheduled meeting.



Yadkin County Central Permitting

213 East Elm Street
 Yadkinville, NC 27055

(336) 849-7905 <https://www.yadkincountync.gov/134/Central-Permitting>

Staff Report – SPECIAL INTENSITY ALLOCATION - Bohan

| | |
|---------------------------------------------------------------------------|-------------------------------------|
| Applicant: | Owner(s): |
| Cory Sloan | Christopher & Diane Bohan |
| Location: | PIN: |
| No Address, ¼ mile E from Asbury Church Rd & Rocky Branch Rd intersection | 4876163409 |
| Parcel Size: | Watershed / Flood Zone: |
| 4.057-acres | WS-III Hunting Creek Protected Area |
| Current Zoning: | Existing Land Use: |
| HB | Undeveloped |

WS-III Protected Area Special Intensity Allocation (Watershed 10/70 Request)

Yadkin County Code of Ordinances, Chapter 109, Article III, Section 109-56 (b)(2) b.: Development shall not exceed 24% Built-Upon rea (BUA) on a project-by-project basis except that up to 10% of the [protected Area] may be developed with new development and expansions to existing development at up to 70% BUA on a project-by project basis. For the purposes of calculating BUA, the total project area shall include total acreage in the tract on which the project is to be developed.

Background:

Staff understand the Bohans are hoping to develop flexible warehouse space and mini-warehousing (self-storage) units. The development’s built-upon area will cover more than 24% of the acreage with impervious surface. They are requesting a Special Intensity Allocation to allow for this parcel to be developed up to 70% built-upon area.

Vicinity Map and Vicinity Zoning Map:

(see next page)



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Percent of Watershed developed to over 24% BUA:

| <u>WS-III Hunting Creek acreage in Yadkin County</u> | <u>Acres exceeding 24% BUA</u> | <u>Percent of WS over 24% BUA</u> |
|----------------------------------------------------------|--------------------------------|---------------------------------------|
| 27,629 acres | 64.396 acres | .23% (10% max) |

Exhibits:

1. Application



Re: Special Intensity Allocation Site Plan

From Kaelan Everhart <keverhart@yadkincountync.gov>

Date Fri 10/24/2025 9:53 AM

To Cory Sloan <cory@sloancivilsolutions.com>

Cc Adam Ledbetter <adam.ledbetter@pmonc.com>; Brittany Anderson <banderson@yadkincountync.gov>

Good morning,

The revision sufficiently addresses the comments from my previous email. We will add in our report to the Board that you are requesting the full 70%. That is good thinking; after our conversation the other day I had the same thought.

We will send you an invoice soon and will place you on the schedule for the December 8th meeting once we receive payment for the fee.

Please let us know if you need anything else in the meantime.

Thank you,

From: Cory Sloan <cory@sloancivilsolutions.com>

Sent: Wednesday, October 22, 2025 10:48 PM

To: Kaelan Everhart <keverhart@yadkincountync.gov>

Cc: Adam Ledbetter <adam.ledbetter@pmonc.com>; Brittany Anderson <banderson@yadkincountync.gov>

Subject: RE: Special Intensity Allocation Site Plan

Kaelan,

Attached is a revised site plan addressing the comments you provided below.

To be clear, we want to request the full 70% Allocation of the site area to allow for future minor changes to the design during final engineering.

Respectfully,

Cory Sloan, PE

cory@sloancivilsolutions.com

704-450-7660

Sloan Civil Solutions

Engineering + Land Development

From: Kaelan Everhart <keverhart@yadkincountync.gov>

Sent: Tuesday, October 21, 2025 4:04 PM

To: Cory Sloan <cory@sloancivilsolutions.com>

Cc: Adam Ledbetter <adam.ledbetter@pmonc.com>; Brittany Anderson <banderson@yadkincountync.gov>

Subject: Re: Special Intensity Allocation Site Plan

Good afternoon,

This email will work as the application for a Special Intensity Allocation. I see that the proposed 67.61%. We will still need to process a fee of \$300 to put this application on the meeting schedule. The deadline for the November meeting has passed. The final day to pay the fee for scheduling on the December 8th meeting is November 7th. The Special Intensity Allocation does not constitute a Development Approval. The developer is not bound by the site plan presented at the board meeting.

We did a quick review of the site plan for zoning purposes. This is what we noticed from glancing over it. We will do a more thorough review whenever you submit the application for it. There may or may not be anything else we will need for zoning once you get to it.

1. As the property is zoned highway business, a staff-approved zoning permit is all this is needed for the industrial flex space. We approve these as warehouse land uses. As stated on the site plan, any tenant wanting to do anything other than warehousing in a unit, will have to obtain another zoning permit for a change of use in that unit.
2. Two loading spaces will be needed for the site. Sec. 111-514 (1) states storage warehouses need two loading spaces if the gross floor area is between 20,001 and 80,000 sq. ft. The design standards for these loading areas is in Sec. 111-513. These loading areas need to be shown on the site plan.
3. A Special Use Permit is required for the mini-warehousing space. There are additional requirements for a mini-warehouse special use permit beyond Sec. 111-197 as mentioned on the site plan. The additional requirements are found in Sec. 111-

475 (c)(5).

- a. Two stipulations from this section that are relevant to this site plan are the double-setback requirement and the buffer/screening requirement. We believe the setbacks mentioned in 111-475 subsection 1, refer to mini-warehouses requiring regular zoning permits in the industrial districts. Mini-warehouses in the HB district requiring Special Use Permits need to meet double the standard HB district setbacks. Additionally, visual buffers must be installed meeting the requirements of article XX.
- b. If the mini-warehouse use is staffed, there must be 1 parking space per staff member on shift. If it is not staffed, there are no required parking spaces.

Please let us know if you have any questions. You can pay for the Special Intensity Allocation over the phone by card if you would like.

Thank you,

From: Cory Sloan <cory@sloancivilsolutions.com>
Sent: Tuesday, October 21, 2025 1:56 PM
To: Kaelan Everhart <keverhart@yadkincountync.gov>
Cc: Adam Ledbetter <adam.ledbetter@pmonc.com>
Subject: Special Intensity Allocation Site Plan

Good Afternoon!

Following up from our phone conversation on 10/12 concerning the attached site. The owner would like to apply for the Special Intensity Allocation to allow the site to be developed up to 70% BUA. Let us know what else you need from the development team to process the application.

Respectfully,

Cory Sloan, PE
cory@sloancivilsolutions.com
704-450-7660

Sloan Civil Solutions

Engineering + Land Development

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Property: Rocky Branch Rd. Parcel ID 117229

From Chris Bohan <cbbohan@yahoo.com>

Date Mon 10/27/2025 6:02 PM

To Kaelan Everhart <keverhart@yadkincountync.gov>

Cc Diane Bohan <dlbohan@yahoo.com>; Adam Ledbetter <adam.ledbetter@pmonc.com>; cory@sloancivilsolutions.com <cory@sloancivilsolutions.com>; Brittany Anderson <banderson@yadkincountync.gov>

Good Afternoon,

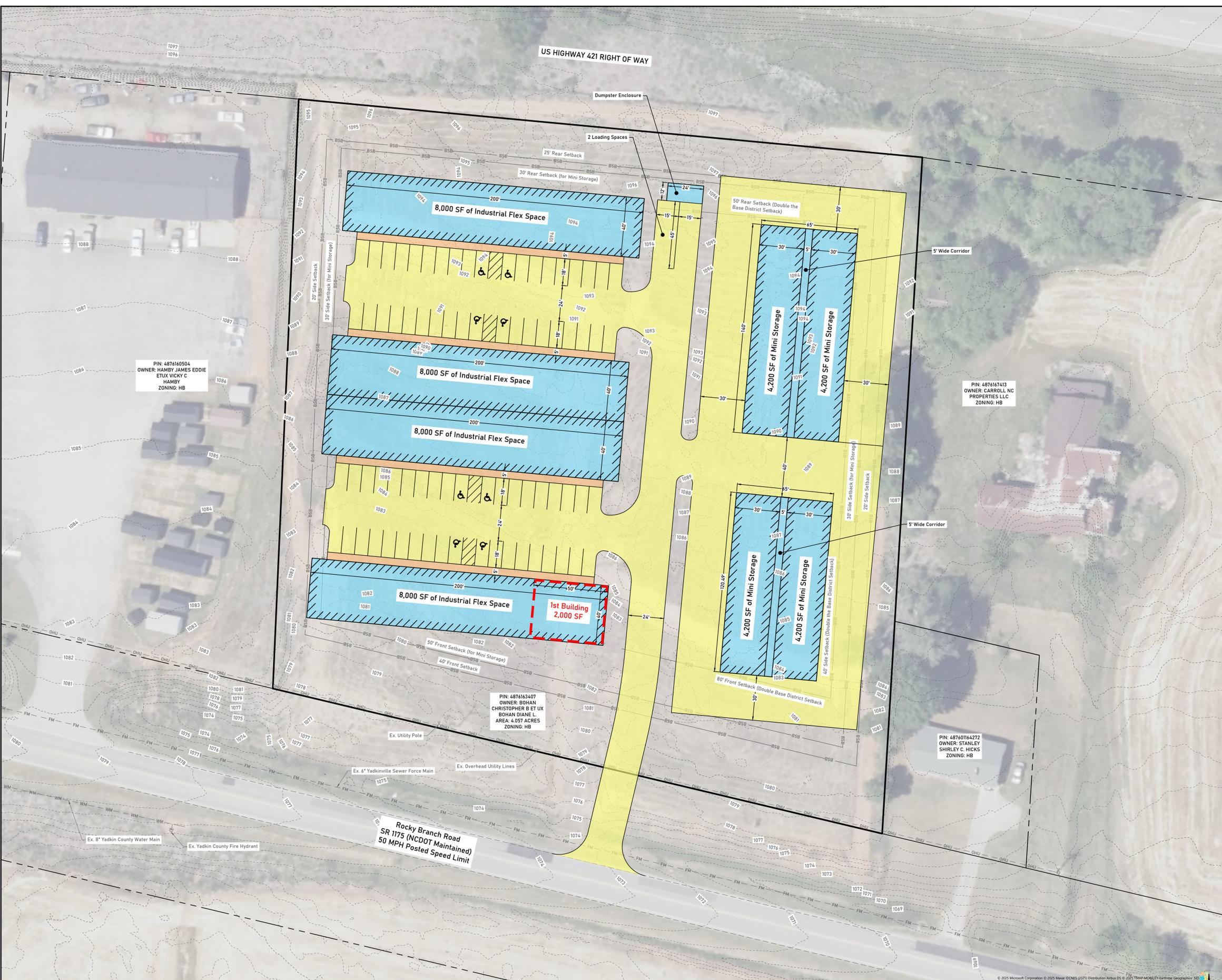
My wife and I Christopher B and Diane L Bohan are giving permission for Cory Sloan and or Adam Ledbetter to apply for the Special Intensity Allocation at the above referenced property on our behalf.

Thank you,

Chris Bohan

Sent from Yahoo Mail for iPhone

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PROJECT DATA TABLE:

| | |
|------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Property Owner: | Chris and Diane Bohan 66 Jameson Road Newland, NC 28657 |
| Project Name: | Bohan Property |
| Site Address: | Rocky Branch Road Hamptonville, NC 27020 |
| PIN: | 4876163409 |
| Parcel Number: | 117229 |
| Total Site Area: | 4.057 Acres (per GIS) (176,722 SF) |
| Existing Zoning: | HB - Highway Business (Yadkin County) |
| Existing Site Use: | Vacant |
| Proposed Site Use: | Industrial Flex & Mini Warehouse |
| Rezoning Required: | No |
| Special Use Permit Required: | Yes - For Mini Warehouse |
| Minimum Lot Area: | 30,000 SF (20,000 SF with Water and Sewer) |
| Minimum Lot Width: | 75' |
| Minimum Lot Depth: | 110' |
| Minimum Front Setback: | 40' (50' for Mini-Warehousing) |
| Minimum Side Setback: | 25' (30' for Mini-Warehousing) |
| Minimum Rear Setback: | 25' (30' for Mini-Warehousing) |
| Maximum Building Height: | 50' |
| Water Supply Watershed: | WS-III-P (Hunting Creek) - See Below for Additional Information |
| Flood Zone: | Zone X |
| Perimeter Buffer: | See Notes Concerning Section III-475 Below for Buffer Requirements |
| Required Parking: | Wholesale Uses: 1 Space per Employee on the Longest Shift* *Parking Requirement is as recommended by Yadkin County Planning. Specific Uses may require a Zoning Permit and additional parking at the time of tenant occupancy. |
| Provided Parking: | 76 Spaces (8 ADA) |
| Minimum Stall Dimension: | 9'x18'D with a 24' Drive Aisle in a 90° Configuration |
| Loading Space Required: | 1 Space (5'x30'L) |
| Parking Lot Landscaping: | 5' Strip between Right of Way/Residential Property Line and Parking Area |
| Water Availability: | Opposite Side of Rocky Branch Road - 8" Water Main |
| Sewer Availability: | Project Side of Rocky Branch Road - 6" Force Main (Town of Yadkinville) - Connection is possible but would need confirmed and approved by the Town based on Flow Demand. |

- Mini-Warehousing Supplemental Regulations (Section III-197):**
- Buildings and accessory structures shall be located a minimum of 50 feet from any street right of way and 30' from any side or rear property lines.
 - Buildings and accessory structures shall be located no closer than 30' from one another, providing adequate and safe access for loading, unloading, ingress, and egress.
 - The total ground cover of all principal buildings and all accessory structures shall not exceed 70 percent of the total site.

- Mini-Warehousing Supplemental Regulations (Section III-475(c)(5)):**
- Minimum Setbacks shall be twice what is required.
 - A Buffer is required along the portions of the property where Mini Warehousing is proposed. The may be:
 - An eight foot high attractive opaque barrier
 - A buffer that is eight feet wide, which includes two rows, staggered, of eight foot high, dense evergreen planting
 - A 20 foot wide natural wooded or planted strip

- Water Supply Watershed Regulations (Chapter 109 - Watershed Protection):**
- Definition of Built Upon Area - means that portion of a development project that is covered by impervious or partially impervious cover including buildings, pavement, gravel areas (e.g., roads, parking lots, paths), recreation facilities (e.g., tennis courts), etc. (Note: Wooden slatted decks and the water area of a swimming pool are considered pervious.)
 - Maximum Allowable BUA is 24% without a Special Intensity Allocation approved by the Watershed Review Board (Board of Adjustment).
 - Maximum Allowable BUA is 70% with a Special Intensity Allocation approved by the Watershed Review Board (Board of Adjustment). At the time of Site Plan Preparation, no Stormwater Control Measure for Water Quality Treatment is required.
 - The Watershed Review Board meets the 2nd Monday of Every Month at 6 PM. Complete applications must be emailed to keverhart@yadkincountync.gov a minimum of 30 Days ahead of the meeting along with a \$300 application fee.
 - Total Site Area = 4.075 Acres (177,507 SF)
 - Allowable BUA (Assuming 70%) = 124,254.90 SF
 - Proposed BUA = 115,888 SF (65.30%)
 - The Special Intensity Allocation is for the Full 70% of the Total Site Area in the event minor changes to the Site Plan occur during Final Engineering.

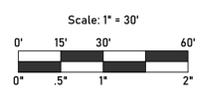
PIN: 4876160504
OWNER: HAMBY JAMES EDDIE
ETUX WICKY C.
HAMBY
ZONING: HB

PIN: 4876167413
OWNER: CARROLL NC
PROPERTIES LLC
ZONING: HB

PIN: 4876163407
OWNER: BOHAN
CHRISTOPHER B ET UX
BOHAN DIANE L
AREA: 4.057 ACRES
ZONING: HB

PIN: 48760164272
OWNER: STANLEY
SHIRLEY C. HICKS
ZONING: HB

Rocky Branch Road
SR 1175 (NCDOT Maintained)
50 MPH Posted Speed Limit



Bohan Property
Rocky Branch Road,
Hamptonville, NC 27020

Sloan Civil Solutions
Engineering + Land Development



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Staff Report – SPECIAL INTENSITY ALLOCATION – Lydall Westex Rd

| | |
|-----------------------------------------------------------------------|-------------------------------------|
| Applicant: | Owner(s): |
| Bryce Weaver, Thomas Gregory | LQ PRIVATE VENTURE 17 LLC |
| Location: | PIN: |
| No Address, ¼ mile W from Lydall Westex Rd & Buck Shoals Intersection | 9486601084946 |
| Parcel Size: | Watershed / Flood Zone: |
| 5.455-acres | WS-III Hunting Creek Protected Area |
| Current Zoning: | Existing Land Use: |
| MI-1 | Undeveloped |

WS-III Protected Area Special Intensity Allocation (Watershed 10/70 Request)

Yadkin County Code of Ordinances, Chapter 109, Article III, Section 109-56 (b)(2) b.: Development shall not exceed 24% Built-Upon rea (BUA) on a project-by-project basis except that up to 10% of the [protected Area] may be developed with new development and expansions to existing development at up to 70% BUA on a project-by project basis. For the purposes of calculating BUA, the total project area shall include total acreage in the tract on which the project is to be developed.

Background:

Staff understand the applicant is hoping to develop a Commercial Truck Parking Lot on the property. The impervious surface area for the parking spaces and drive aisles will exceed 24% and require a Special Intensity Allocation. Commercial Truck Parking is allowed by right in the MI-1 Zoning District and requires a Zoning Permit before construction begins.

Vicinity Map and Vicinity Zoning Map:

(see next page)



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Percent of Watershed developed to over 24% BUA:

| <u>WS-III Hunting Creek acreage in Yadkin County</u> | <u>Acres exceeding 24% BUA</u> | <u>Percent of WS over 24% BUA (10% max)</u> |
|----------------------------------------------------------|--------------------------------|-------------------------------------------------|
| 27,629 acres | 64.396 acres | .23% (less than 1%) |

Exhibits:

1. Application

Re: 000 Lydall Westex Road, Hamptonville, North Carolina 27020

From Kaelan Everhart <keverhart@yadkincountync.gov>

Date Mon 12/8/2025 3:58 PM

To Juan Carlos Gonzalez <jgonzalez@landquire.com>; Central Permitting <permitting@yadkincountync.gov>

Cc Thomas Gregory <thomasg@lakenormanrealty.com>

 1 attachment (120 KB)

Invoice for Watershed Special Intensity Allocation.pdf;

Thank you,

We have received your request for a Watershed Special Intensity Allocation and attached an invoice for the fee. We were unsure of who to list as the billing contact. So, if we need to change it, please let us know.

The next available meeting is on January 12th, 2026. We must receive payment by Friday, December 12th, 2025 in order to get you on this meeting's agenda.

Please let us know if you need anything else in the meantime.

Thank you,

From: Juan Carlos Gonzalez <jgonzalez@landquire.com>

Sent: Friday, December 5, 2025 12:07 PM

To: Central Permitting <permitting@yadkincountync.gov>

Cc: Kaelan Everhart <keverhart@yadkincountync.gov>; Thomas Gregory <thomasg@lakenormanrealty.com>

Subject: Re: 000 Lydall Westex Road, Hamptonville, North Carolina 27020

I hereby provide my consent as the representative to move forward with the process for the special intensity allocation request, allowing the use of 70% of the available acreage on the subject property.

Please consider this email as my official approval to proceed.

If any additional information or documentation is required, feel free to let me know.

Juan G.

From: Thomas Gregory <thomasg@lakenormanrealty.com>

Sent: Friday, December 5, 2025 9:31 AM

To: Juan Carlos Gonzalez <jgonzalez@landquire.com>

Cc: keverhart@yadkincountync.gov <keverhart@yadkincountync.gov>

Subject: 000 Lydall Westex Road, Hamptonville, North Carolina 27020

Good Day Juan,

The interested party is seeking to apply for a "special intensity allocation," which involves utilizing 70% of the available acreage on the subject property. The Watershed Review Board requires consent from the landowner to move forward with this process. They meet on the second Monday of each month, therefore the sooner we comply the better.

The individual who needs this consent is Kaelan Everhart (copied), who has requested the official consent email be sent to permitting@yadkincountync.gov. Let me know if I can provide additional clarification.

--
Thank you,

Thomas W. Gregory
Broker/Realtor
Lake Norman Realty, Inc.
211 S. Center Street Suite 205-A
Statesville, NC 28677

Cell - (704)-880-7156
Office - (704)-881-0771 Ext: 210
thomasg@lakenormanrealty.com

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Planning Staff Report – VARIANCE CASE – VAR25-001 Billings

| | |
|---------------------------|--------------------------------|
| Applicant: | Owner(s): |
| Jonathan Quick | Jonathan Quick |
| Location: | PIN: |
| 1929 Gospel Way Church Rd | 581500497382 |
| Parcel Size: | Watershed / Flood Zone: |
| 1.857-acres | NA |
| Current Zoning: | Existing Land Use: |
| RA | Residential |

Variance Purpose Statement:

When Practical Difficulties or Unnecessary Hardships would result from carrying out the strict letter of the Zoning Ordinance, the Board of Adjustment shall have the power to vary or modify any of the regulations or provisions of the ordinance.

Background:

Staff understands that Mr. Quick is hoping to develop an accessory building on his property. Staff determined that the initial proposed placement of the building has not located in the rear yard of the property as required by Sec. 111-309. In attempting to place the building in the rear yard, there were three difficulties: the location of the septic system, a right-of-way easement, and topography. Mr. Quick is seeking a variance to allow accessory structures outside of the rear yard of his property.

Vicinity Map and Vicinity Zoning Map:

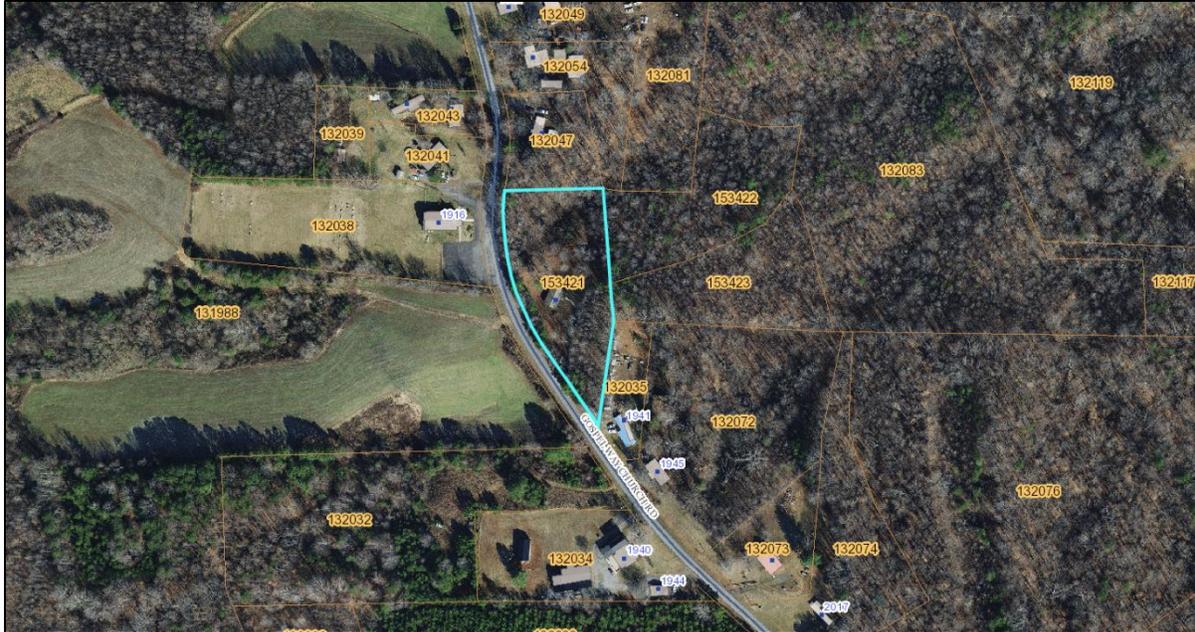
(see next page)



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Approval Requirements:

All Variance requests require a 4/5th majority for approval and must be evaluated by and approved if it meets all of the following four criteria:

1. Unnecessary hardship would result from the strict application of the regulation. It is not necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
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. A variance may be granted when necessary and appropriate to make a reasonable accommodation under the Federal Fair Housing Act for a person with a disability.
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 is not a self-created hardship.
4. The requested variance is consistent with the spirit, purpose, and intent of the regulation, such that public safety is secured and substantial justice is achieved.

Statutory Authority:

N.C.G.S. § 160D-705. *Quasi-judicial zoning decisions. (d) Variances.*

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

- (1) Unnecessary hardship would result from the strict application of the regulation. It is not necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.*
- (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. A variance may be granted when necessary and appropriate to make a reasonable accommodation under the Federal Fair Housing Act for a person with a disability.*



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- (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 is not a self-created hardship.*
- (4) *The requested variance is consistent with the spirit, purpose, and intent of the regulation, such that public safety is secured and substantial justice is achieved.*

No change in permitted uses may be authorized by variance. Appropriate conditions may be imposed on any variance, provided that the conditions are reasonably related to the variance. Any other development regulation that regulates land use or development may provide for variances from the provisions of those ordinances consistent with the provisions of this subsection.

Provisions of the Yadkin County Ordinance:

Article V. Section 111-124. Powers and duties. (b) Zoning Variances

When practical difficulties or unnecessary hardships would result from carrying out the strict letter of a zoning ordinance, the board of adjustment shall have the power to vary or modify any of the regulations or provisions of the ordinance upon a showing of all of the following:

- (1) *Unnecessary hardship would result from the strict application of the regulation. It is not necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.*
- (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. A variance may be granted when necessary and appropriate to make a reasonable accommodation under the Federal Fair Housing Act for a person with a disability.*
- (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 is not a self-created hardship.*
- (4) *The requested variance is consistent with the spirit, purpose, and intent of the regulation, such that public safety is secured and substantial justice is achieved.*

Exhibits:

1. Variance Application
2. Site Plan
3. Zoning Permit Application
4. Building Permit Application
5. Mailing Certification Package



YADKIN COUNTY BOARD OF ADJUSTMENT

VARIANCE APPLICATION FORM

In accordance with the Yadkin County Zoning Ordinance, and NCGS 160D-406 (i), the Yadkin County Board of Adjustment with a four-fifths vote, shall vary any specific provision of the Zoning Ordinance when unnecessary hardships would result from carrying out the strict letter of the ordinance. Under the State-enabling act, no change in permitted uses may be authorized by variance and appropriate conditions may be imposed. Please check all applicable boxes and complete the required documentation.

SUBJECT PARCEL:

Address: 1929 Gospel Way Church Rd., Yadkinville, NC 27055

Parcel Identification Number (PIN): 581500497382

SPECIFIC ORDINANCE SECTION(S) REQUIRING VARIANCE: _____

Sec. 111-309

I, Johnathan S Quick, have standing as described in **Exhibit A** and hereby request a variance from the Ordinance be granted by the Board of Adjustment from the Sections as listed in above. I request a variance as described in **Exhibit B** for the reasons stated in **Exhibit C**. If I intend to present any evidence, that evidence is listed in **Exhibit D**.

STATEMENT BY APPELLANT:

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

Signature of applicant: Johnathan S Quick

Date: 11/6/2025

Official Use Only:

Date Application Filed: _____ Fee Collected: _____

Accepted by: _____ Permit Case Number: _____

Staff Assigned to Review: _____

Date Scheduled for Public Hearing: _____

EXHIBIT A - STATEMENT OF STANDING:

I am the sole owner of the property subject to this application.

I have attached notarized letters authorizing this submittal from all entities or individuals with ownership rights to the property.

Owner Information:

Name: Johnathan Quick Home Phone: _____

Address: 1929 Gospel Way Church Rd. Cell Phone: 704-747-2294

Yadkinville, NC 27055 E-mail: jsquick13@gmail.com

Applicant Information: (same as owner)

Name: _____ Home Phone: _____

Address: _____ Cell Phone: _____

_____ E-mail: _____

Agent Information:

Name: _____ Home Phone: _____

Address: _____ Cell Phone: _____

_____ E-mail: _____

Law Firm Name: _____ Bar Number: _____

** Only attorneys may serve as agents within quasi-judicial hearings such as this appeal. Realtors, surveyors and other professionals may not apply or make arguments on behalf of owners. **

EXHIBIT B – REQUESTED VARIANCE:

I request that the standard be entirely vacated.

I request that the standard be modified as follows:

I am seeking approval to place a storage shed in my front yard since this is the only viable option. The setback is ~40 feet from the right of way (give or take a foot or two). From Gospel Way Church Rd, there is 11 feet of grass, ~10 foot of thick and tall topography, and the shed will be 30 feet from that.

I propose that the following conditions be imposed: _____

Allow the placement of a shed in what is considered our front yard but is the right-hand side of the house.

EXHIBIT C - EXPLANATION OF HARDSHIP

To qualify for a variance, the applicant must make four showings. Please describe below how these will be made.

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

The strict enforcement of the zoning ordinance creates an unnecessary hardship because the location of the septic system and future land use for septic repair covers the entire right side of my cleared property, and the remainder is comprised of mature trees, steep topography, and natural drainage runways/gullies. This eliminates all practical and legal locations for a necessary storage shed, making the front yard the only viable area to reasonably site the structure.

(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 conditions stated above in section 1 limit the usable space on the lot and are unique to this property. These conditions are not shared by neighboring properties and are not the result of personal circumstances. The layout and environmental features of this property, as well as the 45' wide easement make it physically impractical to place the shed in the rear or side yards.

(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.)

The previously mentioned conditions are not self-created, existed prior to my request for a permit, and were established prior to the need for a storage shed and in accordance with county and environmental health requirements. Due to the peculiar site conditions, none of which are or were created by myself, I am simply seeking approval for the reasonable accommodation to place a storage shed on my property.

(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.

Granting this variance allows for reasonable property use despite unique, unalterable physical constraints. The proposed location is ~40 feet from the right-of-way, we have no direct or close neighbors to the proposed location and ~10 feet of a tree line buffer exists between the yard where the shed will be and the road, thus maintaining an unaltered view from the roadway and not impacting the visual character of the area. Substantial justice is achieved by preventing an undue burden caused by these peculiar site conditions.
(attach additional sheets as necessary)

EXHIBIT D - INTENDED EVIDENCE

I intend to only make arguments and no further evidence is expected to be necessary.

I intend to offer the following evidence:

I intend to introduce the following document and have attached it follows:

Exhibit #1 entitled: " _____ "

This is relevant to standards from UDO Sections _____.

It demonstrates that:

_____.

I intend to call the following as a lay witness:

Lay Witness #1, _____. Their intended testimony has been included in an affidavit attached as Exhibit _____. This witness has personal knowledge of and will testify about:

_____.

This testimony is relevant to standards from UDO Sections _____. The testimony will demonstrate that _____

_____.

I intend to call the following as an expert witness:

Expert Witness #1, _____, is being offered as an expert in

_____.

They possess specialized knowledge in this field through the following training and/or experience: _____

They reviewed or examined the following data: _____

They used the following method of analysis when reviewing that data: _____

This expert opinion is relevant the standard at UDO Section _____. It demonstrates that _____

Their intended testimony has been included in an affidavit attached as Exhibit _____.

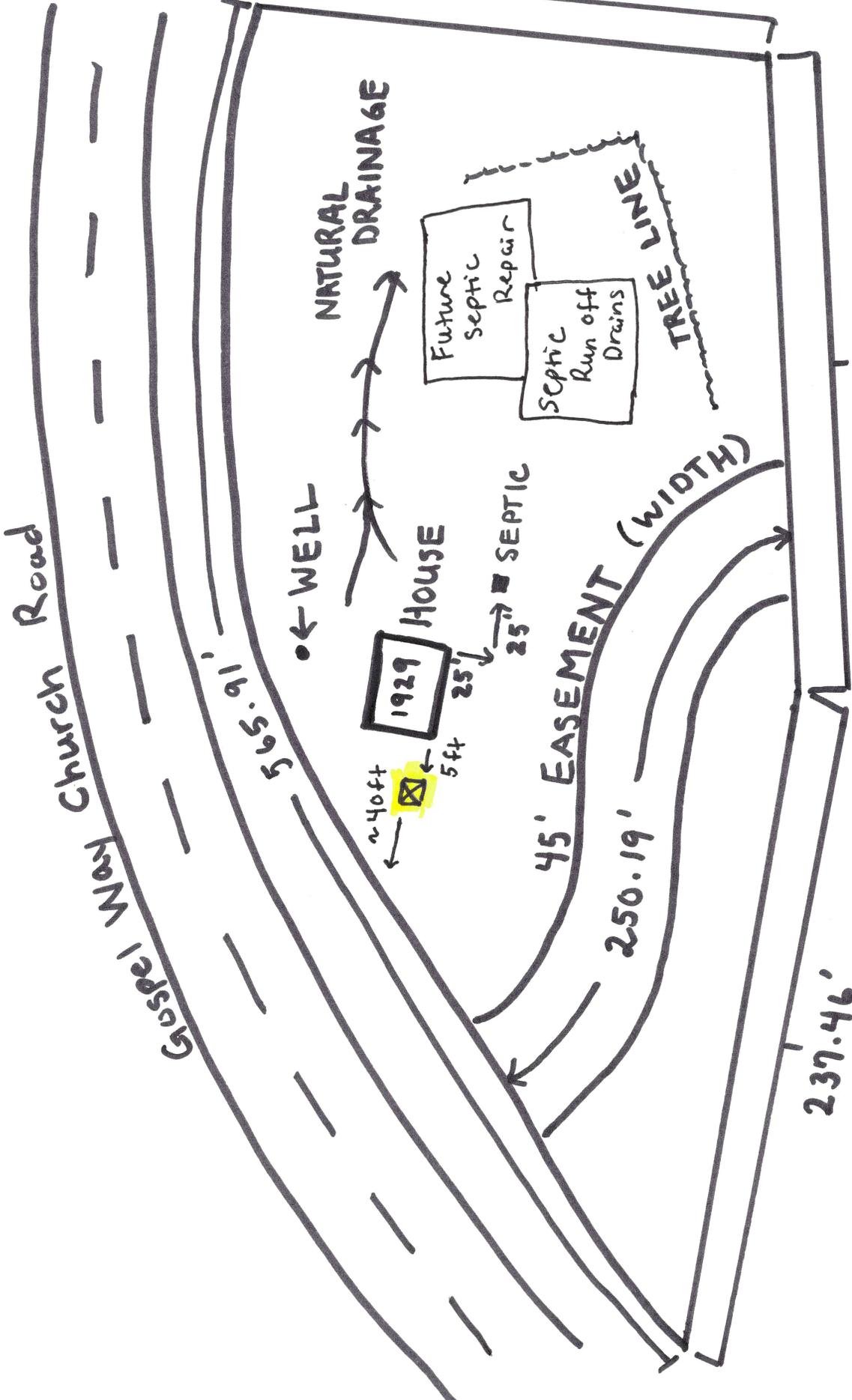
(attach additional sheets as necessary)

NOTES: There are additional review criteria and/or submittal requirements for variance requests from the following:

- a. Special Flood Hazard Area (SFHA) regulations;
- b. Watershed Protection Overlay Districts; and
- c. Stream Buffers (stream buffer regulations enforced by the State of North Carolina).

Please see staff for more information.

197.59'



☒ Proposed Shed placement

1929 HOUSE



~40ft

5ft

25'

25'

SEPTIC

Future septic Repair

SEPTIC Run off Drains

45' EASEMENT (WIDTH)

250.19'

237.46'

285.88'

NATURAL DRAINAGE

TREE LINE

Gaspe / West Church Road

565.91'



Yadkin County Central Permitting

213 East Elm Street
Yadkinville, NC 27055

(336) 849-7905 www.yadkincountync.gov/134/Central-Permitting

Zoning Compliance Permit Application – Residential

Please check all applicable boxes and include all required documentation.
If completing by hand, black or blue ink required.

Date: _____

Contact Information

Property Owner(s): Johnathan Scott Quick

Mailing Address: 1929 Gospel Way Rd

Phone: (704) 747-2294 Email: jsquick13@gmail.com

Applicant (if different from property owner): _____

Mailing Address: _____

Phone: _____ Email: _____

Property Information

Parcel ID Number (PIN): PIN 581500497382 Parcel No. 15342

Property Address: 1929 Gospel Way Church Rd

Water Supply: Well Community Public Wastewater: Septic Community Public

| | |
|----------------------------------------------------|--------------------------------------------------------------------|
| If Public, Who Provides Service: _____ _____ | Name of Subdivision (if applicable): _____ Lot Number: _____ |
|----------------------------------------------------|--------------------------------------------------------------------|

Permit Information

Type of Permit: Construction Expansion Demolition

Type of Structure: Single-family Duplex Accessory Dwelling

Manufactured Home [Double-Wide] Manufactured Home [Single-Wide]

Accessory Structure/Use Other _____

Project Description / Additional Information:

| |
|------------------|
| <u>16' x 12'</u> |
|------------------|

X **Existing Structures and Conditions**

If there are more than five (5) existing structures/buildings, please attach additional information.

| Type/Use | Ground Coverage (square feet) | Total Living Area (sq. ft.) |
|----------|-------------------------------|-----------------------------|
| | | |
| | | |
| | | |
| | | |
| | | |

Are there streams/water bodies on the property: Yes No

If Yes, indicate distance of structures and driveway from water (in feet): _____

Are there plants/trees along property lines that front major roadways: Yes No

If Yes, indicate buffer width: _____

X **Watershed (if applicable)**

Total Impervious Surface/Built-Upon Area – sq. ft. of each structure including driveways/sidewalks:

Existing: _____ Proposed: _____ Total: _____

o **Additional Submittal Requirements**

Every Zoning Compliance Permit requires an accompanying sketched site plan **drawn to scale** and showing the following in sufficient detail to determine whether the proposed development conforms with the Zoning Ordinance.

- (1) The actual location, shape, and dimensions of the lot.
- (2) The location, shape, and dimensions of all buildings or other structures to be erected, altered, or moved and any other buildings or structures already existing on the lot.
- (3) The Distance of the proposed structure from each property line
- (4) The existing and intended use of all such buildings or other structures.
- (5) Any other information concerning the lot or adjoining lots as may be essential for determining whether the provisions of this article are being observed.

The required Minimum Yard Setbacks for all Residential Zoning Districts are:

Principal Structures: Front – 40 feet
 Side – 15 feet
 Rear – 25 feet

Accessory Structures: Side – 12 feet
 Rear – 15 feet

Accessory structures must be located in the rear yard and do not include walls or fences. Detached carports and garages may additionally be located in the side yard and must meet all setbacks for the principal structure.

Double-wide Manufactured Homes must have a continuous, permanent masonry foundation or masonry curtain wall, and

Single-wide Manufactured Homes may have a masonry, vinyl, metal, or comparable durable material without openings other than for ventilation and access, installed under the perimeter of the manufactured home.

Certification and Signatures

I certify that, to the best of my knowledge, the information contained above, and in the supporting documents, is a factual representation of the proposed development. I understand that a Zoning Compliance Permit shall be issued authorizing the activities contained herein and that each new development project requires a new Zoning Compliance Application.

By signing this application, I acknowledge and agree that inspectors, zoning officers, and other staff of the Yadkin County Central Permitting department have a right, upon presentation of proper credentials, to enter the subject property at any reasonable hour for the purposes of inspection to ensure that development activities outlined in this application are consistent with the provisions of all applicable State and local laws, ordinances and regulations and the terms of the permit.

For all residential construction on bona fide farm property, no NC Building Code exemptions apply. All construction permits are required, to include any accessory building and structures for the residential occupancy.

Adrian Scott Quinn
Owner Signature(s)

Applicant Signature (if different than owner)

10/13/2025
Date

Date

Section Completed by Staff

Zoning: _____ Watershed: _____ Overlay District: _____

Maximum Impervious Surface Allowed: _____% _____sq. ft. Acceptable: Yes No

Fire District: _____

Approved Denied Staff Name: _____ Date: _____



Watershed Permit Issued by: _____ Date: _____

Watershed Occupancy Permit Issued by: _____ Date: _____

Yadkin County BUILDING Permit Application
1 & 2 Family Dwelling Homes, Modulares, Accessory Buildings

PO Box 1278, Yadkinville, NC 27055
Phone: 336-849-7905 Fax: 336-849-7925

Applicants Name: Johnathan Scott Quick
Current Address: 1929 Gospel Way Church Rd
Contact Phone Number: (704) 747-2294
Project Address: 1929 Gospel Way Church Rd
Property Owner Name: Johnathan Scott Quick
Contact Phone Number: (704) 747-2294
Parcel ID Number: _____
Description of Project: 16'x12' Crestone Shed

FILL IN FIELDS THAT APPLY TO YOUR PROJECT **TOTAL PROJECT COST \$** 8,541.07

New House Addition Remodel Modular Roof Deck Garage Detached Attached
 Other: 16'x12' Shed

Number of Stories _____ Square Footage 1st Floor _____ 2nd Floor _____ Fireplace _____

Building Size: 16' x 12' Garage: _____ x _____ = _____ Total Sq. Ft.

Basement (Finished _____ or Unfinished _____) Basement size: _____ x _____ = _____ Total Sq. Ft.

Total number of Bedrooms: _____ Number of Bathrooms: _____ 1st Floor _____ 2nd Floor _____

Exterior Finish _____ Roof System: Truss? Yes No Stick Built? _____ Size _____

Of Fixtures: _____ (Example: water heater, dishwasher, sinks, tubs, separate tub/showers, commodes)

Private Well _____ Private Septic _____ Will this project be insulated? _____

***Power Company** _____ What amp size electrical service _____

Power ran overhead or underground: _____ Will you need Temporary Saw Service? _____

How many mechanical systems will be installed: _____ Electric _____ Gas _____ Oil _____

Backyard Storage Solutions

CONTRACTOR INFORMATION (INCLUDE NC LICENSE AND PHONE NUMBER)

Building: Lowe's / Heartland Industries Phone: (734) 242-6900 NC License # _____
Electrical: _____ Phone: _____ NC License # _____
Plumbing: _____ Phone: _____ NC License # _____
Mechanical: _____ Phone: _____ NC License # _____
Other: _____

***NOTE:** Building plans and a completed application must be submitted for approval before permit can be issued and plans must be kept on job site at all times. These plans must comply with NC building codes.

****NOTE:** Address must be posted on residence in not less than four (4) inch numbers on final inspection.

I understand that I must secure a permit from the environmental protection agency if I grade more than one acre. I understand that if no permit is required from EPA I must provide erosion control as needed.

I hereby certify that all information in this application is correct to the best of my knowledge and that all work will comply with the state building code and all other state and local laws and ordinances and regulations. I will notify the Yadkin county inspections department of any changes in the approved plans and specifications for the project permitted herein.

As contractor I certify that I have paid all license tax required by revenue act of the State of North Carolina now in force so as to be qualified to bid upon or contract for the work for which the permit will be issued, and that I have in effect workers' compensation insurance as required by chapter 97 of the general statutes. If applicable, attach a copy of workmen's compensation certificate and bidders license to this application. In modular home cases, if an unlicensed contractor will be contracting the job a bond will be required. The bond must be presented at the time the permit is issued and must have a "raised seal". **Please note: a set of plans will be required for modular homes and footing at the time of obtaining the permit. The plan submitted need to be approved by North Carolina Modular Construction Program and must include footings and foundations.**

Applicant/Contractor: Johnathan Scott Quick **Date:** 10/13/2025

Permit # _____

Call Yadkin County Inspections Department at 679-4233 to schedule inspections

I AGREE TO CALL FOR THE FOLLOWING INSPECTIONS:

Matthew Scott Quirk
(owner, agent or contractor)

ASR 1. **FOOTINGS:**

- A. Open ditches only. NO CONCRETE POURED.
- B. Grade stakes to be set for proper depth of pour.
- C. All stepped footings to be dammed according to NC State Bldg. Code.
- D. Square up ditches and form where necessary
- E. Soft spots to be dug out and filled with concrete as footings are poured
- F. Footings requiring reinforcing shall have bars tied and in place.
- G. Depth of footing is 12" below finished grade to bottom minimum.
- H. Footings to be poured 10" deep for a 2-story house with basement or a 3-story house. Footings for chimney to be poured 12" deep
- I. Modular footings per plans and code.

ASR 2. **TEMPORARY POWER POLE:** This will be inspected at same time as footing.
PORT-A-JOHN MUST BE ON SITE AT TIME OF THIS INSPECTION.

ASR 3. **FOUNDATION:**

- A. NO BACKFILL should be done at this time.
- B. All block work or other masonry should be in place up to the first floor framing level.
- C. Masonry should have the required waterproofing treatment applied (required if any unbalanced fill).
- D. Approved drainage pipe should be in proper place, near footing level at base of foundation & covered with required amount of gravel and filter cloth over gravel.
- E. Any foundation wall reinforcement requires inspection prior to pouring concrete.
- F. Unexcavated areas under building shall be clear of stumps, roots or other debris. Areas shall be graded to prevent standing water accumulation. Grade can be to a low point & piped away or to an outside gravel pit.
- G. Excavated areas should be free of all debris.
- H. Any foundation wall over 10' high to be engineered.

ASR 4. **FRAMING, ROUGH-IN ELECTRICAL, ROUGH-IN PLUMBING & ROUGH-IN MECHANICAL.**

- A. No electrical, plumbing or mechanical shall be covered up in wall or under concrete slab before inspected & approved. All exhaust fans to be vented out at time of rough-in inspection. All plumbing and vent systems to be water or air tested in the presence of the plumbing inspector.
- B. STAIRS: Openings and clearances must be checked and approved. Clearance on stairs: 80".
- C. GARAGES on main floor shall have a 20 minute fire separation from house and its attic by using 1/2" sheetrock on garage side. If finished/unfinished room is above garage, ceiling needs to have 5/8" sheetrock. Doors into house shall be 1-3/8" solid wood flush door or 20 minute rated metal door with no glass. No windows in wall between house and garage. Attic access requires same rating as doors.
- D. GARAGE IN BASEMENT shall have 20 minute fire separation using 1/2" sheetrock on garage side. Ceiling in basement garage should be 5/8" sheetrock. Doors must be 1-3/8" solid wood flush door or 20 minute metal door. Ceiling must be 1/2" sheetrock attached to floor joist. Rough-in and insulation must be done before ceiling is put in place and access to plumbing cleanouts.

ASR 5. **FIREPLACE:** At smoke chamber before any flue liner is laid. Pre-fab fireplaces and chimneys need to be in place at rough-in inspection.

ASR 6. **INSULATION:** In walls and vaulted ceilings. Min.R-15 in walls, Min. R-19 in Floor, Min. R-38 in ceiling (Floor & ceiling can be checked on final) if accessible

ASR 7. **SLABS:** 6-mil. Poly down, termite pre-treatment done and posted, compaction and gravel fill in place, re-bar in place where required and called for BEFORE concrete is poured.

ASR 8. **SEWER LINE:** From house to tank.

ASR 9. **FINAL:** Must be done before house is occupied. The septic and well permits (if new) must be signed off by Environment Health before this is done. House numbers must be on house using 4" numbers.

APPENDIX D
AFFIDAVIT OF WORKERS' COMPENSATION COVERAGE
N.C.G.S. §87-14

The undersigned applicant for Building Permit # _____ being the

Heartland Industries Contractor

_____ Owner

_____ Officer/Agent of the Contractor or Owner

Do hereby aver under penalties of perjury that the person(s), firm(s) or corporation(s) performing the work set forth in the permit:

_____ has/have three (3) or more employees and have obtained workers' compensation insurance to cover them,

has/have one or more subcontractor(s) and have obtained workers' compensation insurance to cover them,

_____ has/have one or more subcontractor(s) who has/have their own policy of workers' compensation covering themselves,

_____ has/have not more than two (2) employees and no subcontractors,

while working on the project for which this permit is sought. It is understood that the Inspection Department issuing the permit may require certificates of coverage of workers' compensation insurance prior to issuance of the permit and at any time during the permitted work from any person, firm or corporation carrying out the work.

Firm name: _____

By: Johnathon Scott Guish

Title: Property Owner

Date: 10/8/2025



Yadkin County Central Permitting

213 East Elm Street
 Yadkinville, NC 27055

(336) 849-7905 <https://www.yadkincountync.gov/134/Central-Permitting>

Planning Staff Report – VARIANCE CASE – VAR26-001 Trejo

| | |
|------------------------|--------------------------------|
| Applicant: | Owner(s): |
| Andrew G Brown | Alberto Trejo |
| Location: | PIN: |
| 2418 Chappell Rd | 486904917101 |
| Parcel Size: | Watershed / Flood Zone: |
| .612 | WS-III South Deep Creek |
| Current Zoning: | Existing Land Use: |
| RA | Residential |

Variance Purpose Statement:

When Practical Difficulties or Unnecessary Hardships would result from carrying out the strict letter of the Zoning Ordinance, the Board of Adjustment shall have the power to vary or modify any of the regulations or provisions of the ordinance.

Background:

Staff Understand Mr. Trejo is hoping to develop additions to the home currently on the property. There is not enough space between the rear of the home and the rear property line to fit the proposed size of the addition. Mr. Trejo is seeking a variance to reduce the rear set back requirement to 15 feet.

Vicinity Map and Vicinity Zoning Map:

(see next page)



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213 East Elm Street
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.....

Approval Requirements:

All Variance requests require a 4/5th majority for approval and must be evaluated by and approved if it meets all of the following four criteria:

1. Unnecessary hardship would result from the strict application of the regulation. It is not necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
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. A variance may be granted when necessary and appropriate to make a reasonable accommodation under the Federal Fair Housing Act for a person with a disability.
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 is not a self-created hardship.
4. The requested variance is consistent with the spirit, purpose, and intent of the regulation, such that public safety is secured and substantial justice is achieved.

Statutory Authority:

N.C.G.S. § 160D-705. *Quasi-judicial zoning decisions. (d) Variances.*

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

- (1) Unnecessary hardship would result from the strict application of the regulation. It is not necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.*
- (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. A variance may be granted when necessary and appropriate to make a reasonable accommodation under the Federal Fair Housing Act for a person with a disability.*



Yadkin County Central Permitting

213 East Elm Street
Yadkinville, NC 27055

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.....

- (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 is not a self-created hardship.*
- (4) *The requested variance is consistent with the spirit, purpose, and intent of the regulation, such that public safety is secured and substantial justice is achieved.*

No change in permitted uses may be authorized by variance. Appropriate conditions may be imposed on any variance, provided that the conditions are reasonably related to the variance. Any other development regulation that regulates land use or development may provide for variances from the provisions of those ordinances consistent with the provisions of this subsection.

Provisions of the Yadkin County Ordinance:

Article V. Section 111-124. Powers and duties. (b) Zoning Variances

When practical difficulties or unnecessary hardships would result from carrying out the strict letter of a zoning ordinance, the board of adjustment shall have the power to vary or modify any of the regulations or provisions of the ordinance upon a showing of all of the following:

- (1) *Unnecessary hardship would result from the strict application of the regulation. It is not necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.*
- (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. A variance may be granted when necessary and appropriate to make a reasonable accommodation under the Federal Fair Housing Act for a person with a disability.*
- (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 is not a self-created hardship.*
- (4) *The requested variance is consistent with the spirit, purpose, and intent of the regulation, such that public safety is secured and substantial justice is achieved.*

Exhibits:

1. Variance Application
2. Mailing Certification Package



YADKIN COUNTY BOARD OF ADJUSTMENT

VARIANCE APPLICATION FORM

In accordance with the Yadkin County Zoning Ordinance, and NCGS 160D-406 (i), the Yadkin County Board of Adjustment with a four-fifths vote, shall vary any specific provision of the Zoning Ordinance when unnecessary hardships would result from carrying out the strict letter of the ordinance. Under the State-enabling act, no change in permitted uses may be authorized by variance and appropriate conditions may be imposed. Please check all applicable boxes and complete the required documentation.

SUBJECT PARCEL:

Address: 2418 Chappel Rd., Hamptonville NC 27020

Parcel Identification Number (PIN): 4869-04-91-7101

SPECIFIC ORDINANCE SECTION(S) REQUIRING VARIANCE: Article XIII
Section 111-309

I, Alberto Trejo, have standing as described in **Exhibit A** and hereby request a variance from the Ordinance be granted by the Board of Adjustment from the Sections as listed in above. I request a variance as described in **Exhibit B** for the reasons stated in **Exhibit C**. If I intend to present any evidence, that evidence is listed in **Exhibit D**.

STATEMENT BY APPELLANT:

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

Signature of applicant: *Alberto Trejo*

Date: 10-30-2025

| | |
|-----------------------------------------------------|-------------------------------------|
| Official Use Only: | |
| Date Application Filed: <u>11/19/25</u> | Fee Collected: <u>\$500</u> |
| Accepted by: <u>Brittany Anderson</u> | Permit Case Number: <u>VAR-3982</u> |
| Staff Assigned to Review: _____ | |
| Date Scheduled for Public Hearing: <u>11/2/2024</u> | |

EXHIBIT A - STATEMENT OF STANDING:

I am the sole owner of the property subject to this application.

I have attached notarized letters authorizing this submittal from all entities or individuals with ownership rights to the property.

Owner Information:

Name: Alberto Trejo Home Phone: _____
Address: 2418 Chappel Road Cell Phone: 336-428-3085
Hamptonville NC 27020 E-mail: _____

Applicant Information: (same as owner)

Name: _____ Home Phone: _____
Address: _____ Cell Phone: _____
_____ E-mail: _____

Agent Information:

Name: Andrew G. Brown ^{Office} Home Phone: 336-835-4000
Address: P.O. Drawer 8 Cell Phone: _____
Jonesville NC 28642 E-mail: Brown@FRBMLaw.com
Law Firm Name: Finger, Roemer, Brown & Merwin Bar Number: 28449

** Only attorneys may serve as agents within quasi-judicial hearings such as this appeal. Realtors, surveyors and other professionals may not apply or make arguments on behalf of owners. **

EXHIBIT B – REQUESTED VARIANCE:

I request that the standard be entirely vacated.

I request that the standard be modified as follows:

rear set back reduced to fifteen feet

I propose that the following conditions be imposed: _____

EXHIBIT C - EXPLANATION OF HARDSHIP

To qualify for a variance, the applicant must make four showings. Please describe below how these will be made.

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

strict adherence to the ordinance would prohibit petitioner from making any addition to the existing structure which is necessary to accommodate petitioner's family.

(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 size of the property along with the location of the existing septic system and driveway prohibit the addition to the existing structure from being located anywhere other than in the rear of the property

(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.)

the hardship is unique to the size of the property and the location of the existing septic system, driveway, and structure.

(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.

requested variance would be consistent with side setbacks that would be applicable to this property line if the existing structure had been rotated.

(attach additional sheets as necessary)

EXHIBIT D - INTENDED EVIDENCE

I intend to only make arguments and no further evidence is expected to be necessary.

I intend to offer the following evidence:

I intend to introduce the following document and have attached it follows:

Exhibit #1 entitled: " _____ "

This is relevant to standards from UDO Sections _____.

It demonstrates that:

_____.

I intend to call the following as a lay witness:

Lay Witness #1, _____ . Their intended testimony has been included in an affidavit attached as Exhibit _____. This witness has personal knowledge of and will testify about:

_____.

This testimony is relevant to standards from UDO Sections _____. The testimony will demonstrate that _____

_____.

I intend to call the following as an expert witness:

Expert Witness #1, _____ , is being offered as an expert in

_____.

They possess specialized knowledge in this field through the following training and/or experience: _____

They reviewed or examined the following data: _____

They used the following method of analysis when reviewing that data: _____

This expert opinion is relevant the standard at UDO Section _____. It demonstrates that _____

Their intended testimony has been included in an affidavit attached as Exhibit _____.

(attach additional sheets as necessary)

NOTES: There are additional review criteria and/or submittal requirements for variance requests from the following:

- a. Special Flood Hazard Area (SFHA) regulations;
- b. Watershed Protection Overlay Districts; and
- c. Stream Buffers (stream buffer regulations enforced by the State of North Carolina).

Please see staff for more information.



Yadkin County Central Permitting

213 East Elm Street
Yadkinville, NC 27055

(336) 849-7905 <https://www.yadkincountync.gov/134/Central-Permitting>

.....

CERTIFICATION OF EVIDENTIARY HEARING NOTIFICATION CASE VAR26-001 Trejo Date of Evidentiary Hearing: Monday, January 12th, 2026

I, **Kaelan Everhart**, with the Central Permitting Department of Yadkin County, North Carolina, DO HEREBY CERTIFY that in accordance with the provisions of the Yadkin County Zoning Ordinance and NC General Statute 160D inclusive, I have or cause notice of an EVIDENTIARY HEARING for a Special Use Permit as follows:

1. **MAILED NOTICES:** Notices giving specifics on the review of the holding of a Legislative Hearing by the Board of County Commissioners, including the type of request under review and the date, time, and location of the meeting.

Consistent with the Yadkin County Zoning Ordinance and the provisions of NCGS 160D-406 (b), First Class Mail was sent to all adjacent property owners as identified by Yadkin County tax records on December 22nd, 2025, **21 days before the Evidentiary Hearing.**

2. **SIGNS:** Staff posted the subject parcel with a sign indicating the date, time, location, and nature of the Legislative Hearing involving the property on December 23rd, 2025, **20 days before the Evidentiary Hearing.**

3. **LEGAL ADVERTISEMENT:** As required by the Yadkin County Zoning Ordinance, a legal notice was advertised in a newspaper of local circulation, specifically the Yadkin Ripple, on December 4th, 2025, advertising the date, time, location, and subject of the Evidentiary Hearing by the Board of Adjustment. The request was submitted on January 1st, 2026, **11 days before the Evidentiary Hearing.**

WITNESS by my hand, this 5th day of January, 2026,

Kaelan Everhart

Kaelan Everhart
Planning and Zoning Officer