

**BOARD OF
ADJUSTMENT
SEPTEMBER 20, 2022
5:00 PM**



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

-
1. Call to Order
 2. Approval of Agenda
 3. Approval of Minutes
 - A. Draft Minutes - July 5, 2022
 4. 2022-06 (SUP) - Meadowbrook RV Park, Paul Deck
 5. Other Business
 6. Public Comments
 7. Adjournment

POLK COUNTY BOARD OF ADJUSTMENT

AGENDA ITEM

SEPTEMBER 20, 2022 REGULAR MEETING

Agenda Item#: A.

ATTACHMENTS:

Description	Type	Upload Date
BOA Minutes 7.5.2022	Exhibit	8/25/2022

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

Members Present: Frank Monterisi (Chair), Betty Hill, Michael Axelrod, Alexander Hagerty, Lisa Krolak
Staff Present: Hannah Lynch (Zoning Administrator), Chelsea Allen (Secretary), Cathy Ruth (County Planner), Jana Berg (County Attorney), Bobby Arledge (Polk County Fire Marshal)

1. Call to Order

Frank Monterisi called the meeting to order at 4:58pm.

2. Approval of Agenda

A motion was made to change the agenda for July 5, 2022 was made by Betty Hill and seconded by Michael Axelrod. A vote was taken and the motion passed unanimously.

3. Approval of Minutes

A. Approval of Minutes from April 5, 2022

A motion was made to approve the minutes from April 5, 2022 by Michael Axelrod and seconded by Alexander Hagerty. A vote was taken and all were in favor, the motion passed unanimously.

B. Approval of Minutes from April 12, 2022

A motion was made to approve the minutes from April 12, 2022 by Michael Axelrod and seconded by Alexander Hagerty. A vote was taken and all were in favor, the motion passed unanimously.

Hannah Lynch explained the annual requirements for the Board of Adjustment, Chair, Vice Chair and Secretary/Clerk.

- A nomination of Frank Monterisi for Chair was made by Alexander Hagerty, seconded by Michael Axelrod. A vote was taken and all were in favor.
- A nomination of Paul Weidman for Vice-Chair was made by Lisa Krolak, seconded by Alexander Hagerty. A vote was taken and all were in favor.
- A nomination of Chelsea Allen for Secretary/Clerk to the Board was made by Michael Axelrod, seconded by Frank Monterisi. A vote was taken and all were in favor.

4. 2022-05 (SUP) - Searcy's Automotive and Storage, Brandon Searcy

A. 2022-05 (SUP) - Searcy's Automotive & Storage, Brandon Searcy

Due to time constraints it was necessary to receive testimony from Polk County's Fire Marshall, Bobby Arledge before proceeding to the approval of the agenda and minutes. Betty Hill made a motion to hear the testimony preceding its original order on the agenda, seconded by Michael Axelrod. A vote was taken and all were in favor.

- Frank Monterisi swore in Bobby Arledge, Polk County's Fire Marshall, Hannah Lynch (Zoning Administrator), Diane Searcy, and Brandon Searcy.
- Bobby Arledge stated from previous site visits the drive way and parking area around the proposed expansion had the size and capacity needed to provide sufficient access to fire and safety vehicles when necessary.

Present to Testify on Behalf of the Applicant: Bobby Arledge, (Polk County Fire Marshal), Diane Searcy, Brandon Searcy

Present to Testify in Opposition: None

- Frank Monterisi stated the Board is ready to proceed with an application for the Searcy's Automotive and Storage. Frank Monterisi read an overview of the Board of Adjustment's procedures, expectations, and responsibilities for evidentiary hearings.
- Frank Monterisi asked the Board if there were any ex-parte communications or relationships with the applicant to be disclosed. Lisa Krolak disclosed she made a pre-hearing visit and used Searcy's Automotive for her vehicle maintenance. Frank Monterisi asked Lisa Krolak and the other members of the Board if they thought this would effect Lisa's ability to participate in this hearing due to a conflict of interest. Lisa Krolak stated this would not effect her ability to be impartial and objective, the rest of the Board agreed. Betty Hill, Alexander Hagerty, and Frank Monterisi all disclosed they went to visit the site before the hearing date but had no communication with each other or anyone at the site regarding the hearing. There were no other disclosures made by the Board.
- Hannah Lynch presented the staff report to the Board. She requested the packet be entered into evidence. Frank Monterisi accepted it as Zoning Administrator Exhibit #1 (ZA-1). She went over the packet for the Board:
 - EX-A. General Application Form, site plan, and site photos submitted by Brandon Searcy.
 - EX-B. Zoning Permit/ Application and Receipt of \$100.00.
 - EX-C. Notice of public hearing and signed and notarized Affidavit of Mailing to adjacent property owners, property owner, and applicant.
 - EX-D. Signed and notarized Affidavit of Posting of notice of public hearing.
 - EX-E. Recorded deed in the Register of Deeds Office for Tax

- Parcel P72-42, dated January 7, 2015, Book 410, Page, 1801-183.
- EX-F. Recorded plat in the Register of Deeds office for Tax Parcel 72-42, dated August 16, 2012, Book F, Page 99.
- EX-G. Polk County Property Card Tax Record for P72-42.
- EX-H. Tax Parcel Report for P72-42 from the Polk County GIS site with an aerial view.
- EX-I. Aerial view from Google Earth of Tax Parcel P72-42.
- EX-J. Aerial view of the surrounding parcels' current uses and zoning around P72-42 from the Polk County GIS site.
- EX-K. Sign posting locations and photos taken from the site.
- EX-L. Conditional Use Permit for Phases 1 and 2 of existing storage facility, 2019-04 (CU).
- Hannah Lynch informed the Board the application was received on May 18, 2022 for three additional storage buildings on parcel P72-42, which consists of 4.47 acres and is located in the Multiple Use zoning district. She provided images of the sign posting locations, Google Earth Aerial Imagery and photographs taken from ground level for the Board to view. She testified the surrounding property varied and consisted of a convenient store, single family dwellings, vacant land, a high school, and industrial park. Although, surrounded by Industrial and Highway Commercial zoning districts, the majority fell within Multiple Use.
- Diane Searcy approached the Board to go over her presentation and hand out for the Board. She requested the presentation be entered into evidence. Frank Monterisi accepted Diane Searcy's presentation into evidence as Exhibit Applicant #1 (AP-1). She began by showing the location of the three additional building sites and stated they were surrounded on all three sides by the applicant's (Brandon Searcy) land and by Industrial Zoned land on the fourth side. Diane referenced a vegetative buffer of trees that separated the proposed building sites from one neighbor who lives adjacent to the property and disclosed the neighbor resided on land owned by the applicant (Brandon Searcy). She testified there was an automatic gate installed that only opens and closes for customers who have their own specific code which is given to them upon beginning their contract, it is changed once they leave for added security. They upgraded their security camera systems. Diane Searcy testified the updated camera system has motion sensors that send notifications each time someone uses the gate to Brandon Searcy's phone which adds another level of security to the proposed facility. Solar panel lighting with motion detection has been added around the perimeter of each storage building in a downward facing motion to prevent any light pollution on adjacent lots. Diane Searcy explained the property was not level and the adjacent property on which the one neighbor resides was lower than the site of the new storage buildings.
- Lisa Krolak asked for clarification regarding Exhibit ZA-I which showed an aerial view of the site's existing and proposed building locations. Betty Hill asked how far the graveled area extended from the footing of the storage buildings. Brandon Searcy referencing Exhibit (ZA-I)-EX-I an aerial view of parcel P72-42 pointed out the graveled area for the Board and testified

that there was no vegetation disrupted or the tree line when adding gravel to that area.

- Lisa Krolak asked who the neighbor was who resides on the parcel adjacent to P72-42. Diane Searcy testified the neighbor's name was Betty Sellers and the proposed new buildings will be entirely situated on parcel P72-42 which has a tree lined buffer between them and the neighbor Betty Sellers.
- Diane Searcy stated there will be no power/electric installed in the storage buildings therefore the fire risk will be reduced, coupled with solar powered motion detected lighting and upgraded camera system the property will be more secure and safer for existing and future customers. She testified that these upgraded features make the facility not injurious to the neighboring property values. She testified that it is in harmony with the neighborhood due to the varied uses surrounding the property such as industrial on the back side, and the other three adjacent properties belonging to Brandon Searcy, the applicant. In addition, due to the layout and terrain of the property being multi leveled the business/storage buildings will be out of the line of sight for most of the surrounding properties.
- Michael Axelrod asked if any fill dirt was used in the grading of the upper most level where the existing and proposed storage building will be located. Brandon Searcy stated, yes they did use some of the fill dirt from the initial leveling of the property to smooth out the uppermost area.
- Lisa Krolak asked if a Soil and Erosion Permit was required from NCDEQ. Brandon Searcy testified no permit was required from NCDEQ because the disturbance was less than one acre of land.
- Lisa Krolak asked if Brandon Searcy had to put up any silt fencing, culverts, or collection ponds due to the steep layout of the property. Brandon Searcy testified he did not have to put up a silt fence because they were able to get all of the grading done before any rainfall but he did have a small collection pond to collect run off when necessary and pointed out it's location to the Board from the aerial photograph contained in his presentation, exhibit Applicant one (Ap-1).
- Frank Monterisi referenced Michael Axelrod's previous question regarding the fill dirt and stated the applicants had successfully addressed the concerns and questions of the Board from the previous two hearing on the first two phase of the project.
- Michael Axelrod asked where the lighting was located on the buildings. Brandon Searcy stated the lighting was affixed on each mullion on every storage building and would be the same case for the new buildings as well. Michael Axelrod asked if the lighting was downward facing. Diane Searcy testified the lighting was downward facing to avoid light pollution affecting the neighboring properties and also that it only came on when motion was detected in order to keep a low profile which is in harmony with the neighborhood.
- Diane Searcy presented a video tour of the property and area where the proposed storage building would be located to the Board.
- Frank Monterisi asked if there had been any complaints about the establishment filed with the county or police department. Diane Searcy testified they had not received any complaints.

- Betty Hill asked if the storage area was completely enclosed by a fence. Diane Searcy testified the property was not enclosed entirely by fencing but the entrance had an automatic gate that could only be entered by individuals who had their own personal pass code. She testified the steep lay out of the property made most of it virtually inaccessible by vehicle and the gate protected the entrance to the property.
- Alexander Hagerty asked if there were any rules or restrictions regarding what items could be stored there. Diane Searcy Testified there was verbiage in their lease agreement that no illegal, flammable or dangerous items could be stored there nor could any storage unit be resided in. She testified that each customer is required to sign and remain in compliance with the lease agreement or be evicted.
- Michael Axelrod asked if customers had to bring their own lights if they visited their storage units after dark. Diane Searcy testified customers visiting after dark would need to bring flashlights or lanterns in order to have visibility inside of their units as there is only the outside lighting mounted on the storage buildings. She also testified that this deters excess traffic to the property late at night which also denotes harmony within the neighborhood.
- At this time there were no more questions from the Board.
- Jana Berg asked the Board members who visited the proposed site prior to the hearing share any pertinent details they may have observed. Alexander Hagerty stated the site was located where described and had no additional comments to add. Michael Axelrod stated he did not visit the site prior to this hearing. Betty Hill stated she made a pre-hearing visit but had no additional comments. Lisa Krolak stated she had no additional comments to add to her pre-hearing site visit. Frank Monterisi stated no additional comments regarding his visit at this time.
- Jana Berg stated she would like to hear more testimony on how the expansion would not be injurious to surrounding property values. Michael Axelrod stated that the applicant had stated all the reasons as to why it would not be injurious to surrounding property values in their testimony and presentation.
- Diane Searcy approached the Board and asked if she could speak in reply to Jana Berg's request. Frank Monterisi granted her permission to speak and give further testimony in response to Jana Berg's request. Diane Searcy testified to the cleanliness of the establishment and how well it was upkept and maintained. She stated she was a real estate agent for 25 years but not currently involved in selling. She referred to the business and the proposed expansion being surrounded mostly by property owned by the applicant Brandon Searcy. She stated the only adjacent parcels not owned by Brandon Searcy are zoned Industrial (I) or Multiple Use (MU). She testified based on her expert opinion as a real estate agent of 25 years the applicant's proposed expansion would not be injurious to property values.
- Jana Berg gave a summary of the applicant's testimony; the expansion would cause little to no impact on noise, light and traffic levels and would not require any additional public utilities because it would have no electricity with all lighting being solar powered as well as being located at an elevated level it would be mostly out of sight for surrounding

properties. Overall this would be considered a passive use because it is an expansion on an already existing use. Jana Berg asked Diane Searcy if her interpretation and overview of her testimony was accurate. Diane Searcy testified Jana Berg's overview and summarization of her testimony was accurate.

- Frank Monterisi adjourned the evidentiary portion of the hearing and stated no further testimony would be accepted at this time. He reminded the Board of no ex-parte communication and explained the Board generally adjourns the meeting for a week or so but the Board has agreed to reconvene after a brief recess and finalize with the deliberation and final decision.
 - A motion was made by Alexander Hagerty to adjourn for a ten minute recess, seconded by Lisa Krolak. A vote was taken and all were in favor.
 - Frank Monterisi called the meeting back to order after a brief recess to begin Board Deliberation. He explained there would be no public comment taken during this process. The Board went through each requirement of a Special Use Permit.
1. The proposed use complies with the standards for such use, if any, contained in this Zoning Ordinance.
 - Frank Monterisi stated the Zoning Administrator's staff report (ZA-1) showed the requirements have been met and voted in favor.
 - Lisa Krolak stated she agreed and she finds the application meets the Zoning Ordinance requirements. voted in favor.
 - Betty Hill voted in favor.
 - Michael Axelrod voted in favor.
 - Alexander Hagerty voted in favor.
 - Frank Monterisi affirmed the first requirement for the Special Use Permit was met with a vote of 5 members for, 0 against.
 2. The proposed use will not adversely affect the health or safety of persons residing or working in the neighborhood.
 - Frank Monterisi stated due to the proposed additional buildings being an expansion of an already existing use, testimony given by Polk County's Fire Marshal Bobby Arledge stating there is sufficient access for emergency and fire services to access the property, and the majority of the land surrounding the property being owned by Brandon Searcy, he voted in favor.
 - Michael Axelrod state he voted in favor due to the testimony provided by Polk County's Fire Marshal Bobby Arledge, the fact this was an expansion of an existing use, no hazardous materials being allowed to be stored on premises and the installation of the solar lighting in a downward facing position.
 - Alexander Hagerty stated because it was an existing business and no one appeared before the Board in opposition he voted in favor.
 - Betty Hill stated because there had been no complaints on this business she voted in favor.
 - Lisa Krolak stated she agreed with everyone's conclusions and voted in favor.
 3. The proposed use will not be detrimental or injurious to property, property

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

- Frank Monterisi stated in reference to Alexander Hagerty's previous statement regarding no one showing up in opposition of the expansion along with the testimony given by Diane Searcy who has 25 years in the real estate profession that the expansion will not harm surrounding property values and no complaints filed against the business he voted in favor.
 - Alexander Hagerty and Betty Hill agreed with the previous statements and voted in favor.
 - Michael Axelrod stated because it was a diverse mix of uses and zoning districts that surrounded the property on which the expansion would be located and based on the testimony given by Diane Searcy as a real estate professional he voted in favor.
 - Lisa Krolak stated the applicants did a great job with the development of the site and that all previous concerns and questions have been addressed, voted in favor.
 - Frank Monterisi affirmed the third requirement for the Special Use Permit was met with a vote of 5 members for, 0 against.
4. The proposed use is designed and will be operated in such a manner as to be in harmony with the neighborhood in which it is to be located.
- Frank Monterisi stated because there are six existing buildings on the property which have been managed successfully so far, evidenced by their no complaint record, and no evidence was brought before the Board in opposition of the proposed plan, the plan meets the requirements of condition number four.
 - Betty Hill stated she agreed that it was a passive use with low to no impact on the surrounding neighborhood, therefore in harmony and voted in favor.
 - Lisa Krolak stated the proposed expansion was located in the multiple use zoning district, was low impact, the property was elevated and therefore not in line of sight and voted in favor.
 - Michael Axelrod stated the additional storage buildings were just an expansion on an existing use and voted in favor.
 - Alexander Hagerty stated the additional buildings' footprint would only have a minimally disruptive footprint on the surrounding properties and voted in favor.
 - Frank Monterisi affirmed the fourth requirement for the Special Use Permit was met with a vote of 5 members for, 0 against.
 - Frank Monterisi confirmed the application met all four requirements for the Special Use Permit and therefore the permit is approved. He stated the decision will be official when signed by himself.

5. Other Business

Hannah Lynch informed the Board there will not be a Board of Adjustment hearing in the month of August 2022.

6. Public Comments

None.

7. Adjournment

Frank Monterisi adjourned the meeting at 6:11pm.

POLK COUNTY BOARD OF ADJUSTMENT

AGENDA ITEM

SEPTEMBER 20, 2022 REGULAR MEETING

Agenda Item#: 4.

ATTACHMENTS:

Description	Type	Upload Date
Staff Report - 2022-06 SUP	Exhibit	9/13/2022
EX-A	Exhibit	9/13/2022
EX-A 2	Exhibit	9/13/2022
2022 Presentation, Paul Deck	Exhibit	9/13/2022
2020 Presentation	Exhibit	9/13/2022
EX-B	Exhibit	9/13/2022
EX-C	Exhibit	9/13/2022
EX-C 2	Exhibit	9/13/2022
EX-D	Exhibit	9/13/2022
EX-D 2	Exhibit	9/13/2022
EX-E	Exhibit	9/13/2022
EX-F	Exhibit	9/13/2022
EX-G	Exhibit	9/13/2022
EX-H	Exhibit	9/13/2022
EX-I	Exhibit	9/13/2022
EX-J	Exhibit	9/13/2022
EX-K	Exhibit	9/13/2022
EX-L	Exhibit	9/13/2022
EX-M	Exhibit	9/13/2022



To: Zoning Board of Adjustment

From: Hannah Lynch, Zoning Administrator

Date: September 20, 2022

Re: In the Matter of the Application of Meadowbrook Development Inc. for a Special Use Permit, Docket No. 2022-06 (SUP)

A. Action Requested by Board of Adjustment

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

B. Background

Recreational Vehicle (RV) Park and/or Camp Areas. *An establishment primarily engaged in operating sites to accommodate camping (tent and/or cabin), park model homes and/or recreational vehicles. These establishments may provide access to facilities, such as laundry rooms, recreational halls, playgrounds, stores and snack bars. An RV park will generally contain two (2) or more park model homes or recreational vehicles.*

1. On July 29, 2022, Mr. Paul Deck for Meadowbrook Development, Inc. submitted a completed application along with his site plan for a Special Use Permit to update the site plan for a previously approved *Recreational Vehicle (RV) Park and/or Camp Area*. The property is located at 1211 Meadowbrook Road, Rutherfordton, NC 28139.
2. The property is comprised of two parcels, identified as Tax Parcel Number P130-95, 74.76 acres, and Tax Parcel Number P130-40, 142.30 acres, in the tax records of Polk County. The property is located in the Multiple Use (MU) Zoning District.
3. Exhibits include:
 - EX-A. General Application Form, site plan, updated presentation, and 2020 presentation submitted by Paul Deck for Meadowbrook Development, Inc.

- EX-B. Zoning Permit / Application and receipt of \$100.00.
- EX-C. Notice of public hearing and signed and notarized Affidavit of Mailing to adjacent property owners, property owner, and applicant.
- EX-D. Signed and notarized Affidavit of Posting of notice of public hearing.
- EX-E. Recorded deed in the Register of Deeds Office for Tax Parcel P130-95, dated November 16, 2007, Book 360, Page 397-398.
- EX-F. Recorded deed in the Register of Deeds Office for Tax Parcel P130-40, dated December 27, 2012, Book 397, Page 1115-1117.
- EX-G. Recorded plat in the Register of Deeds Office for Tax Parcel P130-95, dated November 16, 2007, Book E, Page 1886.
- EX-H. Aerial view from Google Earth of Tax Parcel P130-95 & P130-40.
- EX-I. Polk County Property Card Tax Record for P130-95.
- EX-J. Polk County Property Card Tax Record for P130-40.
- EX-K. Aerial view of P130-95 & P130-40 with the surrounding parcels' current uses and zoning from the Polk County GIS site.
- EX-L. Sign posting locations and photos taken from the site.
- EX-M. Conditional Use Permit for RV Park and/or Camp Area, 2020-02 (CU).



GENERAL APPLICATION FORM

Docket No: 2022-06(SUP) Date: 7/28/22
 Permit Fee: \$100 Receipt #: 2P 23684 23864
 Permit or Relief Requested: Appeal* Variance: Special Use Permit
 Applicant: Meadowbrook Development Owner: Meadowbrook Development, Inc
 Address: 1211 Meadowbrook Rd Address: 1211 Meadowbrook Rd
Rutherfordton, NC 28139 Rutherfordton, NC 28139
 Telephone: 828 289-2016 Telephone: 828 289-2016
 Legal Relationship of Applicant to Property Owner: Owner
 Purpose of Request: Adjustment of Prior Approval by Planning Board
 Property Location: 1211 Meadowbrook Rd + Poor Ford's Rd
 Street Address: 1211 Meadowbrook Rd Rutherfordton, NC
 Tax Map & Parcel Number: P130-95 Lot Size: 74.76 Zoning District: MU
 Number Of Buildings To Remain: 0 Gross Floor Area To Remain: _____
 Number Of Buildings Proposed: 1 Gross Floor Area Of Proposed Buildings: 4000 sq ft
 Total Square Footage Of Land To Be Disturbed: 1,179,200 Estimated Cost Of Project: 600,000
 Please provide clear directions (with landmarks) to the property: _____

If needed to illustrate the appeal, or to request a variance or a special use permit, please attach a plot plan.

The applicant (if an owner of the property) grants the members and staff of the Polk County Board of Adjustment, and the Polk County Zoning Administrator and members of his staff, the right to enter onto the property for purposes of making a site inspection in connection with this proceeding. This right of entry shall not extend to any of the interior of any structures or enclosures on the property.



 Signature of Applicant

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

ISSUE:
2 DRAFT SET

REVISION:

DRAWING:
Site - Phase 2 Materials
Plan

SHEET: L1.01b

DATE: 1/22/2022

MEADOWBROOK
RV PARK
Meadowbrook Road,
Rutherfordton NC 28139

PROJECT CONTACT:
Brian Deck
828.980.5200
bdeckfx@gmail.com

COPYRIGHT:

PHASE 1. 29 UNITS

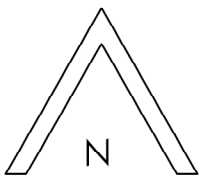
PHASE 2. 43 UNITS

LEGEND

- 1 SIGN
- 2 TURNAROUND LOT
- 3 PARKING
- 4 ENTRY GATE
- 5 RV - PULL THRU 70'
- 6 RV - BACK IN 35'
- 7 RV - BACK IN 48'
- 8 RV - BACK IN 70'
- 9 PLAY LAWN
- 10 BATHHOUSE
- 11 PAVILION
- 12 PLAY GROUND

1 SITE PLAN - LANDSCAPE
Scale: 1:768

0 20 40 60 FT



In October 2020, we presented to the Planning Board and received Approval for three identified Sites beside Meadowbrook Golf Course.

The First Site for our Planned First Phase after learning of the required setbacks required extensive grading and too little area to build the initial First Phase.

We were also delayed over the past two years with other issues including the analysis for the waste water treatment for our proposed site identified as Hilltop.

Does it meet these 4 Criteria was addressed with the Planning Board in 2020 in our Original Presentation.

1) Does the proposed use
complies with the Standards
for such use?

2) Proposed use will not
adversely affect the health or
safety of persons residing or
working in the neighborhood?

3) Proposed use will not be
detrimental or injurious to property,
property uses or property values, or
to public improvements in this
Neighborhood?

4) Is designed and will be operated
in such a manner as to be in
harmony with neighborhood?

The Planning Board agreed we met all Criteria and Approved the Master Plan and Phase One. There were several restrictions in the Approval and all of those are being followed and are leading the design.

We are providing that original Powerpoint Presentation as background material if any Board members wish to review..

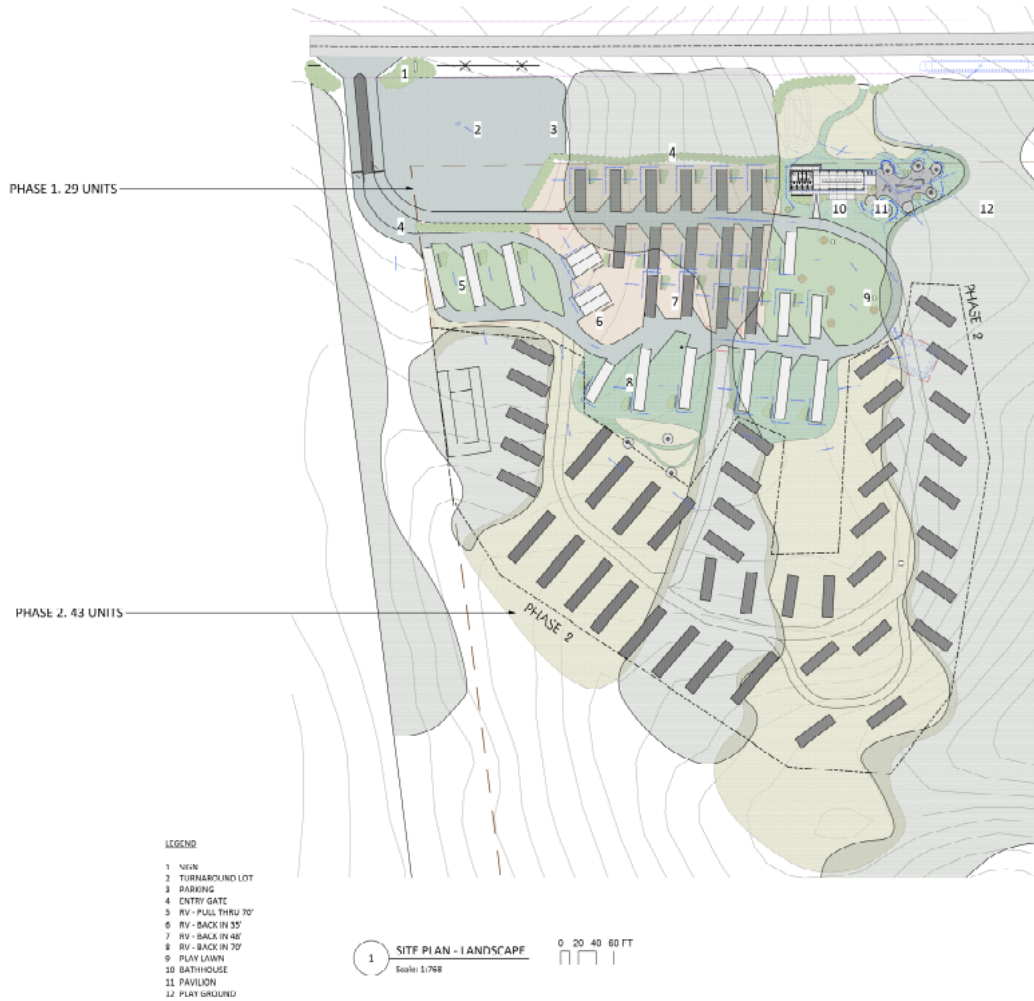
We are not seeking to increase the number of Sites of the Master Plan that was Approved. We seek to have Phase One be on one of our approved sites and be larger at 29 sites.

Original Master Plan from 2020. Approval made with some restrictions to be followed.



Hilltop site is identified on top left section in Original Master Plan.

UPDATED RV MASTER PLAN 2022 Phase 1 and Phase 2





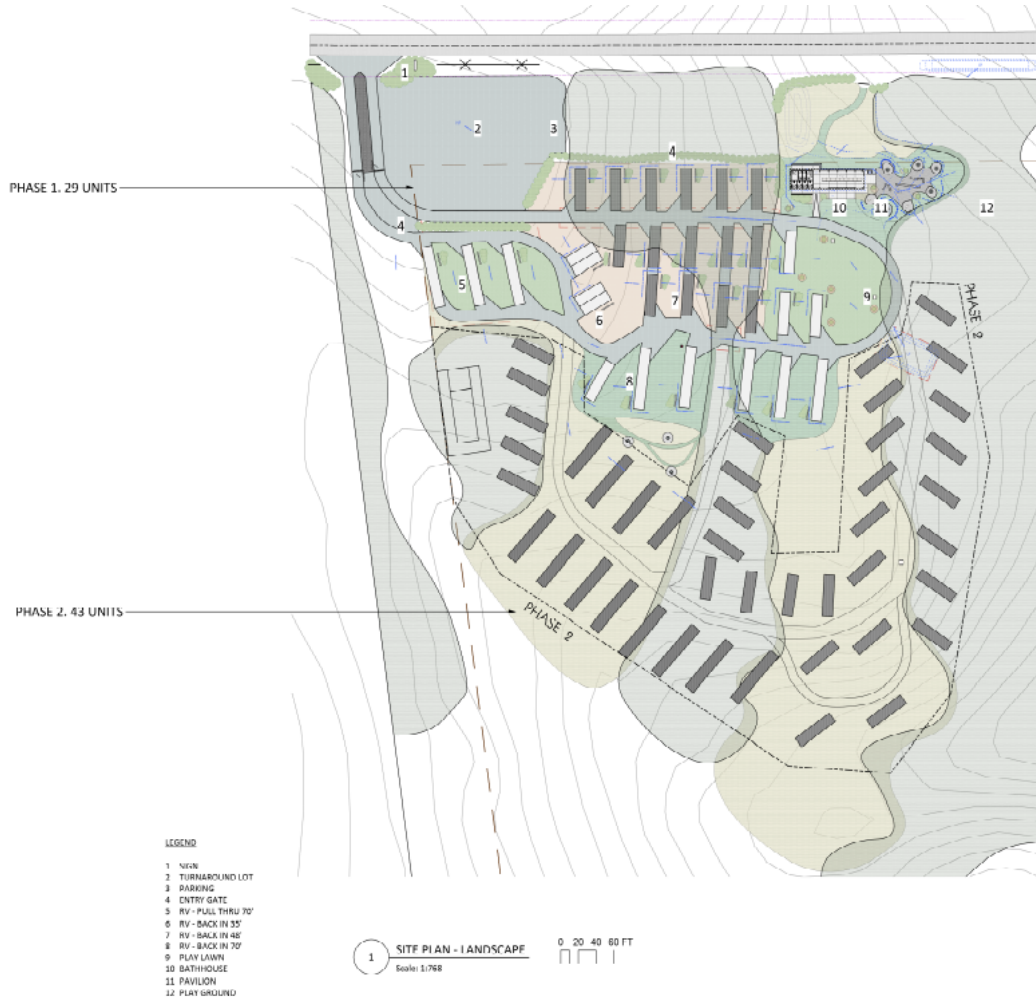
All Setbacks are observed. Entrance is located at the best site for Driving Safety and Visibility.

The size of the RV Park in Phase One occupying the Hilltop site will increase from the original Phase One presentation to 29 sites; the total size of the planned RV Park approved in 2020 will not increase when all Phases are completed.

Once all the sites are built on Hilltop, we would add the remaining RV sites onto the site labeled Ravine as shown on the Original Plan. It is located nearby on Poor Ford Road across from Holes 10 and 11.

We received approval for 96 sites total. Hilltop will build out up to 72 sites and Ravine would have the remainder bringing the total to 96.

All restrictions will be followed under the prior Approval we received.



Meadowbrook RV Park Zoning Proposal

October 6, 2020

Paul Deck

Outline

1. Introduction & Background
2. Compliance and Standards
3. Zoning and Design
4. Community Impact
5. Vision and Community Partnership

Meadowbrook: Past & Present

The Deck family has owned and operated Meadowbrook Golf Course since 1963.

Over the past 12 years public golf courses like ours have faced a challenging environment. We must explore new opportunities in order to continue operating our business.



Existing Golf Setting



Hole #2

Meadowbrook Golf
Course

The desire of many people to find an escape from daily congestion, finding outdoor activities, and reconnect with nature is very important.

Golf provides this. So does RV getaways.

RV Park Setting

We identified the growth of the RV Market as a great opportunity among those seeking many outdoors activities. We seek to provide a destination attraction to RV visitors in the area, while creating the additional revenue stream needed to sustain and improve our operations.



Example of RV Site with Patio.



Phase One site looking toward Clubhouse.

Does it meet these 4 Criteria?

- 1) Does the proposed use complies with the Standards for such use?
- 2) Proposed use will not adversely affect the health or safety of persons residing or working in the neighborhood?
- 3) Proposed use will not be detrimental or injurious to property, property uses or property values, or to public improvements in this neighborhood?
- 4) Is designed and will be operated in such a manner as to be in harmony with neighborhood?

Does it meet Compliance & Operating Standards ?

Designed to meet all standards of Zoning Ordinance

100 Foot Setbacks from Neighbors

Greater than 10% Common Areas

Landscaped entrance and areas inside RV Park

Less than 15 spaces per acre.

Roads, Water, Septic, all meet Standards

Limiting to RV only.

Restricting to RV models less than 12 years old and minimum of 18 feet.

Restricting length of stay in Season to two weeks and during Off Season of one month.

No long term rentals.

Establishing Rules for all Guests.

Will not allow Events, Gatherings, or loud music between 10 pm and 7 am.

Planned Phases



Phase One. 16 sites RV Park beside Meadowbrook Road.

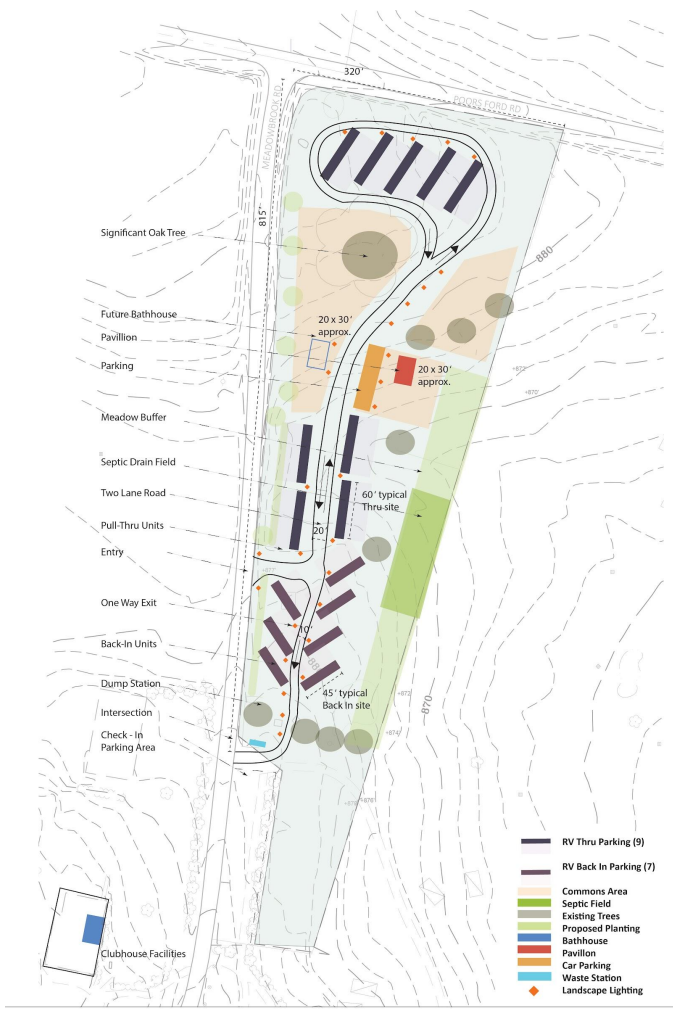
Phase Two. Expansion to additional site. Increase number of sites as needed. Build more Amenities...Pool, Bathhouses,additional Walking Trails, Equestrian Trail.

Phase Three. Expansion of additional RV sites as needed. Additional Community Buildings, Fitness Center and Great Hall. Expansion of Driving Range and Practice Facilities. New #9 golf hole.

RV Park Phase 1



Phase One -- 16 unit RV Park beside Meadowbrook Road. Preliminary design.



RV Park Features



Patio beside site used to improve Guest visit.

Spacing and Common areas used in all 3 Phases.

Spacing between sites to enhance Guest experience and improve overall Park appearance. Designed in harmony with nature.



Restrictions to protect neighbors and enhance our RV Park setting



Lighting inside RV Park.

Quiet period from 10 pm-7 am.

Only RV models less than 12 years old and minimum of 18 Feet Allowed. No Long Term Rentals.

No mobile homes.

Fencing for better definition and landscaping.



RV Park Guest Rules

Restrictions to provide every Guest a very good experience.

Full set of Rules in handout. Limit outside guests, does not allow Events, Parties, or Loud noise from 11 pm-7 am.

Only RV allowed. Will not allow any Mobile Home.

Limits on period of rental for Primary Season and Off Season. (Maximum of one month during Off Season. No Long Term/permanent Rentals.)

Limit on Pets, additional number of vehicles, and parking.

Check in after hours by text allowed if contacted about late arrival. Will assign each site when reservation is booked and deposit received.

Operations and Marketing

Use Clubhouse for Check In, Store, and in Phase One as Restrooms and Showers.

First Year and Early Years marketing ideas

Develop Local attractions and activities brochures and flyers. Become a Destination.

Team up with River tubing, local wineries, equestrians for shuttle pickup.

Host Special Evenings and Events 1-3 times a week once established. Community Farmers Market, local Music, Wine tastings, Craft beer, Pig Pickin are examples.

Join national group to promote our RV Park.

Social Media tracking our build, featuring operations, and guests experiences.

Grand Opening Public Announcement scheduled.

Open House inviting RV dealers and Campers to visit.

Offer Second night free to build visits, positive reviews and returns.

Discount for when a guest returns.

Build an email file of RV owners and email blast offers and information regularly.

Community Impact

Strong history of community impact through:

- Youth Programs
- Senior events
- Golf Clinics
- Golf programs for local schools



Future Impact will allow us to reach further:

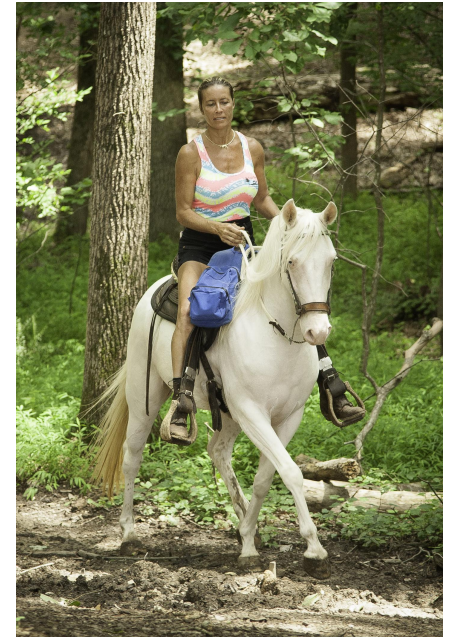
- Reach persons with interests outside of golf.
- Increased exposure of our area and businesses to Guests and Visitors.



New Walking Trails

The vision of what Meadowbrook could become and how it can continue to serve the community, is driven by a focus on our Community, Nature, and Outdoor Living. Reaching other groups to experience Nature and outside activities. Church groups, scouts, and schools.

Further expand equestrian activities, walking trails, and community involvement.

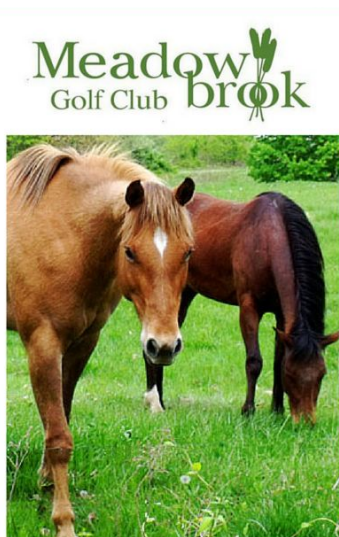


Vision & Community

Successful operations will allow us to improve and update the Golf Course.



Adding other Amenities such as a Pool and Equestrian Trails will occur over time.



More Areas for Expansion:

- More Walking Trails
- Equestrian Trails
- Equestrian Farms
- Community Farmer Market
- Onsite Events with other local businesses
- Potential Housing Community

Future activities

On property Wine tasting by local wineries

On property Farmers Market (seasonal)



An emerging trend Golf with RV Park onsite



www.nwarvresort.com

Found across the country...Arizona, Florida, and emerging in the Southeast.

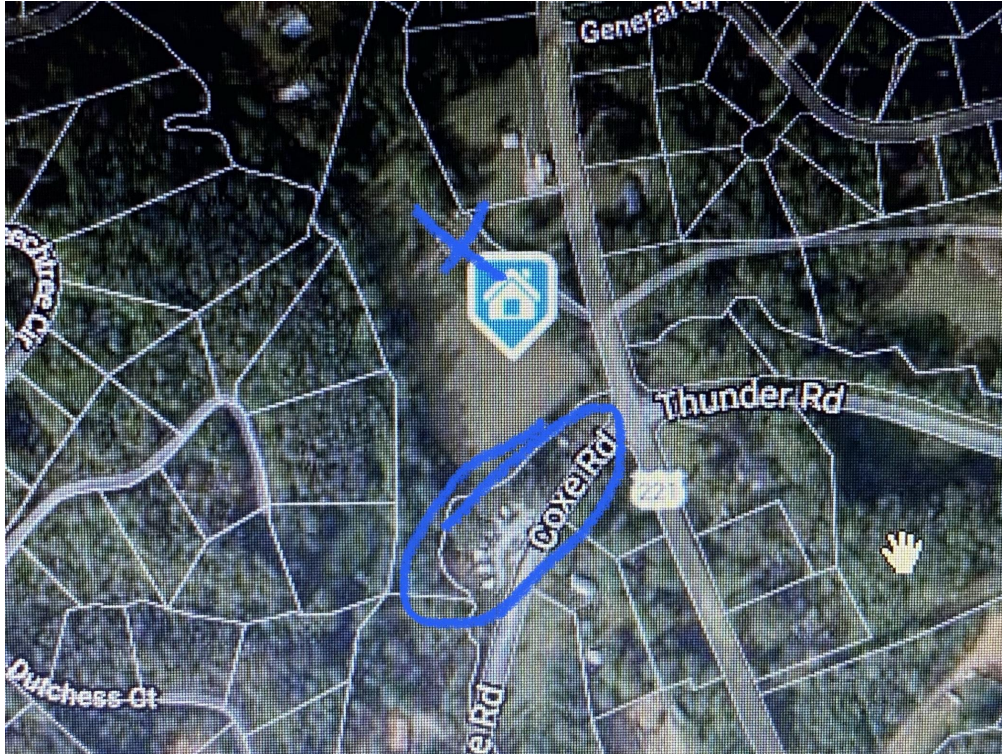
One of the best examples in the South is found at The Creeks Golf and RV Resort in Cave Springs, Arkansas.



The Creeks Golf & RV Resort Cave Springs, Ark.



Does a RV Park Affect Property Values?



Brad Cummings, Epic Life Realty

Email from Sept 30, 2020 with his professional opinion and Case study showed no negative effects on neighborhood property values.

Choices that affect all of us.

Growth, Stronger Operations. Improvements for us.

Meets Every Criteria of Planning Board.

Achieves Common Objectives of Everyone.

Create greater interest in this part of the community and desirability. This protects property values.

Impact other businesses and our community in a positive way.

Use the Ordinances to operate in harmony and protect neighbors.

Decline in the community as struggles and uncertainty occurs.

Lack of opportunities nearby offer little incentive for young people.

Less quality of life.

DATE 7/29/22
TIME 8:32:14
USER PLBCONNER

POLK COUNTY
APPLICATION AND PERMIT

PAGE 1
PROG# PT2000

PERMIT NUMBER ZP 23864 ZONING PERMIT APPLIED 7/29/2022
WORK ORDER# 44601 TYPE ZONING BOARD OF ADJUSTMENT ISSUED 7/29/2022
LOCATION 1211 MEADOWBROOK RD EXPIRES 1/25/2023
PIN HEALTH
PARCEL ID P130-95 RUTHERFORDTON REFERENCE Z00020973
TOWNSHIP 5 GREEN CREEK ACREAGE 74.760 CENSUS TRACT
WATERSHED BIG BROAD RIVER FLOOD PLAIN? N SBC#
DI RECT IONS PEN I EL; R/ 9S; L/ CHESNEE; L/ POORS FORD; R/ MEADOW BROOK ROAD -
SEE NEW SERVICE NEXT TO ROAD

MEADOWBROOK DEVELOPMENT INC OWNER ID 26055
PHONE 828.289.2016

1211 MEADOWBROOK RD.

RUTHERFORDTON NC 28139

OWNER MEADOWBROOK DEVELOPMENT INC
OCCUPANT MEADOWBROOK DEVELOPMENT INC

SUBDIVISION
W HOME PARK LOT #:
ZONING DISTRICT MU
COND/ SPECIAL USE
SETBACK FRONT: 25 REAR: 25 RIGHT: 15 LEFT: 15
PARKING SPACES
SIGNS/ PAVING
TYPE WATER/ SEWER
DESCRIPTION APPLICATION FOR SPECIAL USE PERMIT FOR RV PARK - 2ND HEARING
- CHANGES TO PLAN PREVIOUSLY APPROVED BY BOA

SURVEYOR
GENERAL

SITE PLAN

*
*
*
*
*
*
*
*
*
*

PERMIT ISSUED: 7/29/2022 BY: PLHLYNCH PERMIT EXPIRES: 1/25/2023 or 12
months from last inspection

I HEREBY CERTIFY THAT THE INFORMATION GIVEN IS TRUE TO THE BEST OF MY
KNOWLEDGE AND THAT ZONING IS SUBJECT TO ALL ADDITIONAL REGULATIONS PERTAINING
TO THE PROPOSED USE. I UNDERSTAND THAT THIS PERMIT IS VOID AND OF NO EFFECT
WITHIN 30 DAYS OF ISSUANCE IF NO BUILDING PERMIT HAS BEEN ISSUED FOR THE
PROPOSED USE.

ON file

July 29, 2022

SIGNATURE OF OWNER/ AGENT

DATE

Hannah B. Lynch
CODE ENFORCEMENT OFFICIAL

DATE 7/29/22
TIME 8:32:14
USER PLBCONNER

POLK COUNTY
BILLING NOTICE

PAGE 2
PROG# PT2000

PERMIT NUMBER ZP 23864 ZONING PERMIT APPLIED 7/29/2022
WORK ORDER# 44601 TYPE ZONING BOARD OF ADJUSTMENT ISSUED 7/29/2022
LOCATION 1211 MEADOWBROOK RD EXPIRES 1/25/2023
PIN HEALTH
PARCEL ID P130-95 RUTHERFORDTON REFERENCE Z00020973
TOWNSHIP 5 GREEN CREEK ACREAGE 74.760 CENSUS TRACT
WATERSHED BIG BROAD RIVER FLOOD PLAIN? N SBC#
DIRECTIONS PENIEL; R/ 9S; L/ CHESNEE; L/ POORS FORD; R/ MEADOW BROOK ROAD -
SEE NEW SERVICE NEXT TO ROAD

MEADOWBROOK DEVELOPMENT INC OWNER ID 26055
PHONE 828.289.2016

1211 MEADOWBROOK RD.

RUTHERFORDTON NC 28139

OWNER MEADOWBROOK DEVELOPMENT INC
OCCUPANT MEADOWBROOK DEVELOPMENT INC

SERVICE	QUANTITY	RATE	FEE AMOUNT	FEE PAID	FEE DUE
ZBA	1	100.00	100.00	100.00	
PAID BY: MEADOWBROOK DEVELOPMENT INC			CK#:	7198	PAID BY CREDIT CARD
TRANSACTION 870588 TOTALS			100.00	100.00	

Building Inspections
Environmental Health
(828) 894-3739



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

Community Development

BOARD OF ADJUSTMENT

IN THE MATTER OF THE
APPLICATION OF MEADOWBROOK
DEVELOPMENT, INC. FOR A
SPECIAL USE PERMIT

DOCKET NO. 2022-06 (SUP)

NOTICE OF BOARD OF ADJUSTMENT HEARING

On July 29, 2022, Mr. Paul Deck applied for a Special Use Permit for a plan update to a previously approved *Recreational Vehicle (RV) & Park and/or Camp Area* located at 1211 Meadowbrook Road, Rutherfordton, NC 28139. A Conditional Use Permit was granted and recorded in the Register of Deeds Office on November 6, 2020. The property is comprised of two parcels identified as Tax Parcel Number P130-95, 74.76 acres, and Tax Parcel Number P130-40, 142.30 acres, in the tax records of Polk County. The property is located in the Multiple Use (MU) zoning district.

A copy of the written application is available for review in the Office of the County Manager in the Womack Building, 40 Courthouse Street, Columbus, NC 28722, and the Planning Office, 35 Walker Street, Columbus, NC 28722.

The Board of Adjustment will hold a public hearing on the request for a Special Use Permit on Tuesday, September 20, 2022 at 5:00 P.M. (local time) in the R. Jay Foster Hall of Justice in the Womack Building, 40 Courthouse Street, Columbus, NC 28722. The Board of Adjustment shall conduct an evidentiary hearing on the request and shall allow any interested party to appear, either in person or by agent or attorney.

September 1, 2022

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

AFFIDAVIT OF MAILING

State of North Carolina

County of Polk

Re: Notice of Board of Adjustment Hearing

Chelsea Allen of Polk County, North Carolina, being duly sworn, states that on the 6th day of September, 2022 she personally mailed, first class the public notice that reads, "Notice of Board of Adjustment Hearing" to the following property owner and adjacent property owners:

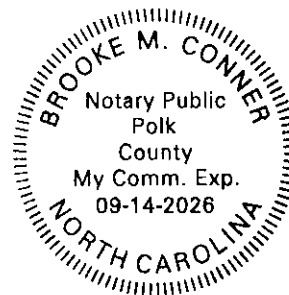
SEE ATTACHED LIST

Chelsea Allen 9/6/2022
Chelsea Allen

Subscribed and sworn to before me this 6th day of September 2022.

Brooke M. Conner
Notary Public

My Commission Expires: 09/14/2026



P130-95

Meadowbrook Development Inc.
1211 Meadowbrook Road
Rutherfordton, NC 28139

P130-40

Fairways of Polk LLC
2026 NC 108 Hwy.
Rutherfordton, NC 28139

Adjacent Property Owners to P130-95, 130-40

P130-46

Johnny Lee Baker
5438 Poors Ford Road
Rutherfordton, NC 28139

P130-67

H. Dupree Calvert & Ruth T. Calvert
186 McCall Drive
Forest City, NC 28043

P130-66

Rutherford Electric Membership
202 Hudlow Road
Forest City, NC 28043

P130-97

Polk County
Planning & Zoning
PO Box 308
Columbus NC, 28722

P129-72

Melvin H. Cox Trustee
Melvin L. Cox and Authorine B. Cox Family Trust
339 Lyles Pond Road
Rutherfordton, NC 28139

P129-69

Timothy Nathan Dill & Jennifer Moore Dill
194 Lyles Pond Road
Rutherfordton, NC 28139

P130-8

Phillip Tyler West & Hannah West
132 Lyles Pond Road
Rutherfordton, NC 28139

P130-61
Wilda Smith Luckadoo
5038 Poors Ford Road
Rutherfordton, NC 28139

P130-6
John Luckadoo & Wilda Luckadoo
5038 Poors Ford Road
Rutherfordton, NC 28139

P130-32
Gary Gene Beheler
5071 Poors Ford Road
Rutherfordton, NC 28139

P130-52
Lisa Smith Cooper & J. Mark Cooper
2025 Lee Cudd Road
Rutherfordton, NC 28139

P130-93
Lisa Smith Cooper & J. Mark Cooper
2025 Lee Cudd Road
Rutherfordton, NC 28139

P130-94
Hayward Smith & Kathie Smith
2040 Lee Cudd Road
Rutherfordton, NC 28139

P130-54
Nelldean S. Westmoreland
Life Estate Heirs
1740 Lee Cudd Road
Rutherfordton, NC 28139

P130-51
Lincoln T. Blankenship & Melanie W. Blankenship
1740 Lee Cudd Road
Rutherfordton, NC 28139

P130-27
Carol Parker
1620 Lee Cudd Road
Rutherfordton, NC 28139

P130-62
Meadowbrook Development Inc.
1211 Meadowbrook Road
Rutherfordton, NC 28139

P130-31
Meadowbrook Development Inc.
1211 Meadowbrook Road
Rutherfordton, NC 28139

P130-38
Wilda Smith Luckadoo
5038 Poors Ford Road
Rutherfordton, NC 28139

P131-65
Meadowbrook Development Inc.
1211 Meadowbrook Road
Rutherfordton, NC 28139

P130-34
Elizabeth Tyson Perkins & Michael Sean Doyle
466 Meadowbrook Road
Rutherfordton, NC 28139

P130-49
Meadowbrook Development Inc.
1211 Meadowbrook Road
Rutherfordton, NC 28139

P130-39
William Henry Deck & Toni Shell Byers
193 Rabbit Ridge
Rutherfordton, NC 28139

P130-102
Gilda I. Deck Trustee
Revocable Trust
882 Meadowbrook Road
Rutherfordton, NC 28139

P130-76
William H. Deck & Audrey M. Deck
882 Meadowbrook Road
Rutherfordton, NC 28139

P130-4
Thomas Paul Horonzy & Myra Westbrook Horonzy
5595 Poors Ford Road
Rutherfordton, NC 28139

P130-5
Phyllis Deyoung & Alice Collins Estate
5494 Poors Ford Road
Rutherfordton, NC 28139

AFFIDAVIT OF POSTING

State of North Carolina
County of Polk

Re: Notice of Public Hearing

Hannah B. Lynch of Polk County, North Carolina, being duly sworn, states that on the 8th day of September 2022, she personally posted the attached photographed notice that reads, "Public Hearing Board of Adjustment Hearing September 20, 2022 5:00 PM 40 Courthouse St. Columbus, NC 28722 Call 828-894-2732."

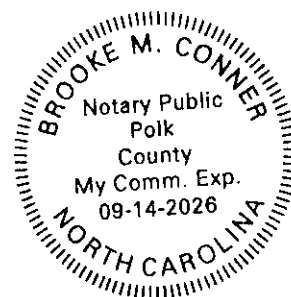
Hannah B. Lynch

Hannah B. Lynch

Subscribed and sworn to before me this 13th day of September 2022.

Brooke M. Conner
Notary Public

My Commission Expires: 09/14/2026





ID. 97060
Issued Nov 16 2007
\$2,000.00
State of POLK
North Carolina County
Real Estate Excise Tax

FILED in POLK County, NC
on Nov 16 2007 at 03:45:16 PM
by: SHEILA W. WHITMIRE
REGISTER OF DEEDS
BOOK 360 PAGE 397

Excise Tax	\$2,000.00	Recording Time, Book and Page
Tax Lot No.	P130-33 and P130-63	Parcel Identifier No.
Verified by Polk County on the	day of November, 2007	
By Tax Administrator	<i>[Signature]</i>	

Mail after recording to
This instrument was prepared by Feagan Law Firm, PLLC, P.O. Box 309, Columbus, North Carolina 28722
Brief description for the Index

75.76 acres, Green Creek Twp.

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 16th day of November, 2007, by and between

GRANTOR	GRANTEE
GRADY V. CALVERT and Wife, SARA F. CALVERT	MEADOWBROOK DEVELOPMENT, INC. a North Carolina Corporation Address: 1211 Meadowbrook Road Rutherfordton, NC 28139

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.q. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in Green Creek Township, Polk County, North Carolina and more particularly described as follows:

TRACT I: BEING all of that certain tract or parcel of land shown and designated as Lots 1,4 and 5, containing 56.26 acres, shown and delineated upon a plat entitled “Boundary Survey for: William Deck”, Green Creek Twp., Polk County, North Carolina, dated October 22, 2007 and prepared by True North Surveying and Mapping, Reg. Land Surveyor, Columbus, NC, which plat is duly recorded in Card File E at Page 1886, Polk County Registry; reference being made to said recorded Plat for a full and complete metes and bounds description of said tract, pursuant to North Carolina General Statutes Section 47-30(g).

TRACT II: BEING all of that certain tract or parcel of land shown and designated as Lot 6, containing 19.50 acres, shown and delineated upon a plat entitled “Boundary Survey for: William Deck”, Green Creek Twp., Polk County, North Carolina, dated October 22, 2007 and prepared by True North Surveying and Mapping, Reg. Land Surveyor, Columbus, NC, which plat is duly recorded in Card File E at Page 1886, Polk County Registry; reference being made to said recorded Plat for a full and complete metes and bounds description of said tract, pursuant to North Carolina General Statutes Section 47-30(g).

The property hereinabove described was acquired by Grantors by instruments recorded in Book 206, Page 71 and Book 276 at Page 2027, of the Polk County Registry.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated. Title to the property hereinabove described is subject to the following exceptions:

- a. Subject to any applicable provisions of Polk County zoning ordinances;
- b. Subject to such road and utility easements as may appear by reference to the public records of the Polk County Registry and/or by reference to a physical inspection of the subject property;

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed In its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

Grady V Calvert (SEAL)
GRADY V. CALVERT
Sara F Calvert (SEAL)
SARA F. CALVERT

SEAL-STAMP NORTH CAROLINA, Polk County.

I, Andrea C. Lown, a Notary Public of the County and State aforesaid, certify that GRADY V. CALVERT and Wife, SARA F. CALVERT, Grantors, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 16th day of November, 2007.

My commission expires: 12/14/07 Andrea C. Lown Notary Public

Doc ID: 004248390003 Type: CRP
Recorded: 12/27/2012 at 12:08:48 PM
Fee Amt: \$1,026.00 Page 1 of 3
Revenue Tax: \$1,000.00
Polk, NC
Sheila Whitmire Register of Deeds
BK **397** PG **1115-1117**

Excise Tax \$1,000.00 Recording Time, Book and Page
Tax Lot No. P130-40 Parcel Identifier No.
Verified by Polk County on the day of , 2012
By Tax Administrator *1/1 (pwp)(12)*

Mail after recording to
This instrument was prepared by *Peagan Law Firm, PLLC*, P.O. Box 309, Columbus, North Carolina 28722
Brief description for the Index

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this *21st* day of December, 2012, by and between

GRANTOR	GRANTEE
PAUL FRANKLIN DECK, Trustee of the Paul Kenneth Deck Family Trust under Will dated September 29, 1994, owner of a 50% undivided interest	FAIRWAYS OF POLK, LLC, a North Carolina Limited Liability Company
Mailing Address: 2026 NC 108 Hwy. Rutherfordton, NC 28139	Mailing Address: 2026 NC 108 Highway Rutherfordton, NC 28139

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.
The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, **all that 50% undivided interest in and to** that certain lot or parcel of land situated in the City of n/a, Green Creek Township, Polk County, North Carolina and more particularly described as follows:

SEE ATTACHED EXHIBIT "A"

The property hereinabove described was acquired by Grantor by instrument recorded in Book 371, Page 1251, Polk County Registry.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated. Title to the property hereinabove described is subject to the following exceptions:

- a. Subject to all rights of way for public streets, roadways and/or easements;
- b. Subject to all rights of way for public utilities;
- c. Subject to applicable Polk County zoning ordinances.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.


_____(SEAL)
PAUL FRANKLIN DECK, Successor Trustee
of the Paul Kenneth Deck Family Trust under
Will dated September 29, 1994

SEAL-STAMP

NORTH CAROLINA, Rutherford County.

I, a Notary Public of the County and State aforesaid, certify that Paul Franklin Deck, Successor Trustee of the Paul Kenneth Deck Family Trust under Will dated September 29, 1994, Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 21st day of December, 2012.

My commission expires: 8-10-2015 Patricia D. Tuttle Notary Public

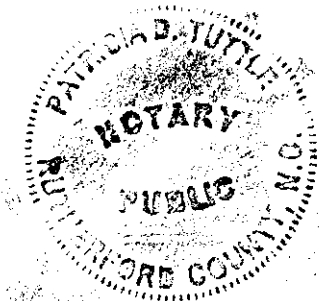


EXHIBIT "A"

Lying and being in Green Creek Township, Polk County, North Carolina and being a portion of those same properties conveyed from Roy L. Deck and wife, Ethel R. Deck; Ibera D. Corbett and husband, E. R. Corbett; Esther D. McMurray and husband, C. H. McMurray; Callie D. Sparks and husband, C. F. Sparks; and Ida D. Pegram and husband, Willis G. Pegram to Kenneth Deck and Carson H. Deck by deed dated July 1, 1959, of record in Deed Book 115, Page 238, Polk County Registry and being more particularly described as follows:

Being commonly known as the W. H. Deck home tract, lying on both sides of the Poors Ford Road about 1½ miles from the Poors Ford bridge and on both sides of Henson Creek, adjoining the lands of V. H. Calvert on the North and East, Clara Owensby on the Southeast, E. L. Cudd on the South, J. Mark Davis on the Southwest and J. Gomer Davis on the Northwest; and BEGINNING on an iron pin offset by an upright stone just north of a small hollow, said iron pin being situate 6.16 chains north of the center of the Poors Ford Road and being witnessed by marks on a 3-inch white oak and a 6-inch short leaf pine, and being a common corner with the lands of J. Gomer Davis and V. H. Calvert, and runs thence South 84 degrees 30 minutes East 3.97 chains to an iron pin just south of a small hollow which is witnessed by marks on a 3-inch poplar, a 3-inch short leaf pine and a 6-inch black gum; thence South 5 degrees 15 minutes West 19.37 chains, crossing the Poors Ford Road at 6.67 chains, to an iron pin by a large oak stump; thence South 84 degrees 45 minutes East 20.88 chains, crossing a road at 13.49 chains, to an iron pin set at the base of an 8-inch apple tree in a fence corner; thence South 8 degrees 05 minutes West 10.53 chains to an iron pin by a stone in a fence corner; thence South 84 degrees 45 minutes East 3.97 chains, crossing Henson Creek at 2.36 chains, to an iron pin by a stone; thence South 7 degrees 15 minutes West 24.02 chains to an iron pin by a large pine stump, said iron pin being a common corner with V. H. Calvert and Clara Owensby and being witnessed by marks on a 3-inch white oak; thence North 84 degrees 15 minutes West 11.06 chains to a point being evidenced by an iron pin offset in the line 20 lengths East of the center of the creek and by marks on a 10-inch sweet gum; thence up the center of Henson Creek as it meanders as follows: South 14 degrees 45 minutes West 1.92 chains, South 17 degrees 20 minutes West 2.0 chains, South 15 degrees 45 minutes West 2.21 chains, South 24 degrees 45 minutes West 1.81 chains, South 16 degrees 15 minutes West 1.72 chains, South 51 degrees 30 minutes West 1.90 chains, South 15 degrees 00 minutes East 1.06 chains, South 63 degrees 30 minutes West 0.68 chains, South 7 degrees 00 minutes East 1.16 chains, South 38 degrees 00 minutes West 1.70 chains, South 56 degrees 45 minutes West 0.70 chains, South 35 degrees 45 minutes West 1.20 chains, South 44 degrees 45 minutes West 1.48 chains, South 36 degrees 30 minutes West 0.62 chains, South 53 degrees 30 minutes West 0.80 chains, South 34 degrees 00 minutes West 0.69 chains, South 45 degrees 00 minutes West 1.01 chains and South 35 degrees 00 minutes West 1.01 chains to a point in the center of Henson Creek, which is evidenced by an iron pin offset in the line 20 lengths West of the center of the creek and by marks on a 6-inch and 4-inch river birch, said point also being a common corner with Clara Owensby and E. L. Cudd; thence North 75 degrees 00 minutes West 17.16 chains to an iron pin in a rock pile, a common corner with J. Mark Davis and E. L. Cudd; thence North 18 degrees 00 minutes East 39.97 chains, crossing a county road at 35.00 chains, to an iron pin, a common corner with J. Mark Davis and J. Gomer Davis, and being witnessed by marks on a 2-inch and a 3-inch Virginia pine; thence North 5 degrees 15 minutes East 31.43 chains, crossing Poors Ford Road at 25.27 chains, to the Beginning, containing 142.3 acres, more or less.

The above described tract contains within one boundary all of the following three tracts of land:

1. A 72 4/7 acre tract which was conveyed to William H. Deck by Henry Calvert by a deed dated December 24, 1932, recorded in Deed Book 70, Page 452, Polk County Registry.
2. A 52 ¾ acre tract which was conveyed to Della Deck by Curtis Smith and others, by a deed dated October 22, 1910, recorded in Deed Book 33, Page 432, Polk County Registry;
3. A 19 acre tract which was conveyed to Della Deck and W. H. Deck by Alda J. Westbrook by a deed dated March 31, 1934, recorded in Deed Book 60, Page 287, Polk County Registry.

THERE IS HEREBY EXPRESSLY EXCEPTED from the above described property that certain tract of land containing approximately 2.55 acres, more or less, (P130-46) conveyed by Kenneth Deck and wife, Doris W. Deck, and Carson H. Deck and Wife, Gilda I. Deck, to Bela C. Deck, by deed dated September 28, 1979, and recorded in Deed Book 174, Page 145, Polk County Registry.



SURVEYOR CERTIFICATES:

I, TYRONE D. CANTRELL, CERTIFY THAT THIS MAP WAS DRAWN BY ME FROM AN ACTUAL FIELD SURVEY MADE BY OCTOBER 1, 2007 AND OCTOBER 18, 2007; THAT THE RECORD REFERENCES ARE AS SHOWN ON THE FACE OF THIS PLAT; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY SHOWN AS BROKEN LINES AND WERE PLOTTED FROM RECORD REFERENCES AS SHOWN ON THE FACE OF THIS PLAT; THAT THE ERROR OF CLOSURE IS GREATER THAN 1 : 10,000; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

THAT THIS SURVEY IS OF AN EXISTING PARCEL OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.

WITNESS MY HAND AND SEAL THIS 22ND DAY OF OCTOBER, A.D. 2007.

Tyrone D. Cantrell
TYRONE D. CANTRELL, PLS-4150

10/22/07
DATE

FOUND NCGS STATION
"POORS" NC GRID (NAD 83)
N: 555,277.199 FEET
E: 1,108,397.819 FEET
SCALE FACTOR: 0.9998726

LEGEND

- PROPERTY LINE SURVEYED
- PROPERTY LINE NOT SURVEYED
- RIGHT-OF-WAY LINE
- EASEMENT LINE
- OVERHEAD UTILITIES
- FOUND PROPERTY CORNER
- SET PROPERTY CORNER
- CALCULATED POINT
- UTILITY POLE
- WELL
- RIGHT-OF-WAY

RUTHERFORD ELECTRIC
MEMBERSHIP CORPORATION
TAX PARCEL # P-130-66
DEED BOOK 225 PAGE 687

FLOYD COCHRAN ADN
WIFE, JESSIE D. COCHRAN
TAX PARCEL # P-130-17
DEED BOOK 308 PAGE 1774

JOHN LUCKADOO AND
WIFE, WILDA LUCKADOO
TAX PARCEL # P-130-6
DEED BOOK 118 PAGE 139

ERNESTINE S. BEHLER
TAX PARCEL # P-130-32
DEED BOOK 192 PAGE 1748
DEED BOOK 104 PAGE 136

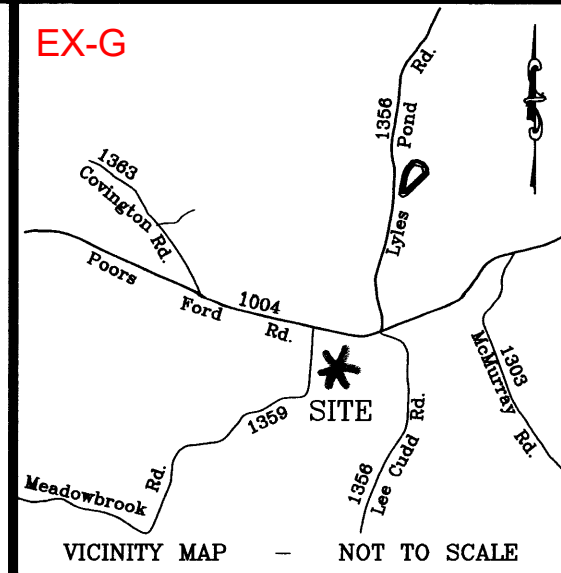
J. MARK COOPER AND
WIFE, LISA S. COOPER
TAX PARCEL # P-130-152
DEED BOOK 193 PAGE 996

ERNESTINE S. BEHLER
TAX PARCEL # P-130-32
DEED BOOK 192 PAGE 1748
DEED BOOK 104 PAGE 136

TAX PARCEL # P-130-63
DEED BOOK 276 PAGE 2027
CARD FILE B PAGE 119
LOT 6
849,530 SQUARE FEET
19.50 ACRES

JOYCE C. WEEKS
TAX PARCEL # P-130-62
DEED BOOK 221 PAGE 1531

EX-G



STATE OF NORTH CAROLINA
COUNTY OF POLK
OFFICE OF REGISTER OF DEEDS

FILED FOR RECORD THIS THE 16TH DAY OF
November 2007 AT 3:41 O'CLOCK P M
AND DULY REGISTERED IN THIS OFFICE.
CARD FILE E PAGE 1886

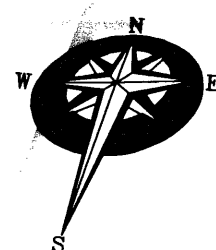
Heidi W. Whitman
REGISTER OF DEEDS
by *Joyce M. Gledhill, Asst.*

LINE TABLE		
LINE	LENGTH	BEARING
L1	129.00'	S 08°12'34" E
L2	170.31'	S 05°09'46" W
L3	124.62'	S 34°20'01" W
L4	42.55'	S 57°10'00" W
L5	46.40'	S 49°37'54" W
L6	47.12'	S 01°33'31" W
L7	62.93'	S 06°04'07" W
L8	47.57'	S 11°32'24" W
L9	55.85'	S 17°17'43" W
L10	75.63'	S 23°57'12" W
L11	87.46'	S 29°27'42" W
L12	123.62'	S 34°18'30" W
L13	140.23'	S 33°06'33" W
L14	179.31'	S 30°25'52" W
L15	70.00'	S 77°51'33" E

GENERAL NOTES:

- ALL DISTANCES ARE HORIZONTAL MEASUREMENTS UNLESS OTHERWISE NOTED.
- ALL AREAS ARE CALCULATED BY THE COORDINATE COMPUTATION METHOD.
- ALL PROPERTY CORNERS ARE MONUMENTED AS SHOWN HEREON.
- BASIS OF BEARINGS FOR THIS SURVEY IS NC GRID (NAD 83), POLK COUNTY PUBLIC REGISTRY.
- NO NCGS MONUMENT WAS FOUND WITHIN 2000' OF SUBJECT PROPERTY.
- THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF A TITLE EXAMINATION. THE SUBJECT PROPERTY MAY BE SUBJECT TO EASEMENTS, SETBACKS, RIGHT-OF-WAYS, COVENANTS, OR RESTRICTIONS THAT THE SURVEYOR HAS NO KNOWLEDGE.

TRUE NORTH
SURVEYING & MAPPING



450 WEBBER LANE
COLUMBUS, NC 28722
828-863-4278/828-817-4009

BOUNDARY SURVEY FOR:
WILLIAM DECK
TAX PARCEL # P-130-33 & 63
GREEN CREEK TOWNSHIP
POLK COUNTY, NORTH CAROLINA

OWNER OF RECORD:
GRADY CALVERT
399 GLADES ROAD
EATONTON, GA 31029

PREPARED FOR:
WILLIAM DECK

SCALE: 1" = 200'
ISSUE DATE: OCTOBER 22, 2007
JOB #: 0710-01
REVISIONS:

DRAWN BY: T. CANTRELL
CHECKED BY: T. CANTRELL
DRAWING FILE: 0710-01.dwg

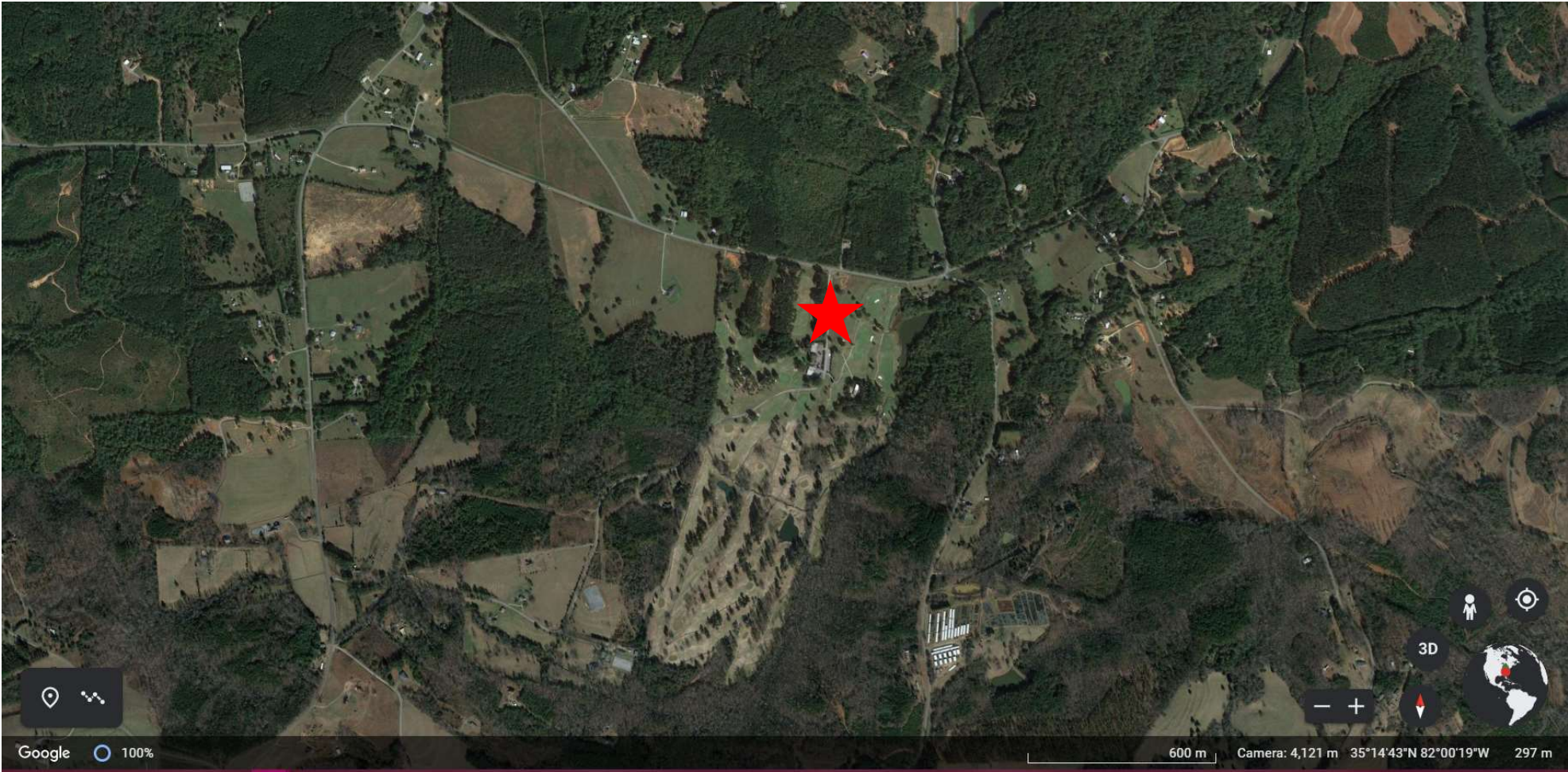
Page 56 of 103

By *Tyrone D. Cantrell*
I, the undersigned, do hereby certify that this survey was made in accordance with the provisions of the North Carolina General Statutes relating to the practice of the profession of land surveying.

GRAPHIC SCALE



(IN FEET)
1 inch = 200 ft.



MEADOWBROOK DEVELOPMENT INC
1004 SR

74.760 AC TWSP: 005

POLK COUNTY
YR 2023 **P130-95**
LOTS 1 & 4-6
PIN:
DISTRICT: 5 GRN CRK TWNSHP- SWF

ACCOUNT#: 26055
NBHD: 610
Plat Bk/Pg E
1.00

GREEN CREEK RURAL
1886 APPR: RV6 APPR DT: 4/22/2019
EXCD: NOTICE:

PAGE 1

Bldg No.					Exempt Code		LAND VALUE	546,320
Imp Desc:		EYB:					MISC VALUE	0
Grade :		AYB:		Finished Area:			BLDG VALUE	0
# of Units	Rms	Bedrms	Bathrms	HBaths			TOTAL VALUE	546,320

TYPE/CODE/DESCRIPTION	PCT	%CMP	UNITS	RATE	STR#	STR%	SIZ%	HGT%	PER%	COST
------------------------------	------------	-------------	--------------	-------------	-------------	-------------	-------------	-------------	-------------	-------------

PROPERTY NOTES:

PERMIT NO	TYPE	DATE	BOOK	PAGE	DT	DATE	QS	SALES PRICE
			360	397	WD	11/16/2007	A	
AMOUNT			360	397	WD	11/16/2007		100,000,000
AMOUNT			360	397	SPL	11/16/2007		
			360	397	WD	11/16/2007		1,000,000

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

#	ZONE	TYPE/CODE	LAND QTY	LAND RATE	DPH	DPT%	TOP%	LOC%	SIZ%	SHP%	OTH%	ADJ	FMV	EXMPT
1		AC BS	1.000	30,000.00		.00	.00	.00	.00	.00	.00	.00	30,000	
2		AC OP	33.260	7,000.00		.00	.00	.00	.00	.00	.00	.00	232,820	
3		AC WD	22.000	7,000.00		.00	.00	.00	.00	.00	.00	.00	154,000	
4		AC WD	18.500	7,000.00		.00	.00	.00	.00	.00	.00	.00	129,500	

P130-95

1004 SR

REQUESTED BY JERRY

RUN 8/23/22 TIME 17:09:55

FAIRWAYS OF POLK LLC
1211 MEADOWBROOK RD

142.300 AC TWSP: 005

YR 2023 **P130-40**
142.3 ACRES
PIN:
DISTRICT: 5 GRN CRK TWNSHP- SWF

POLK COUNTY
ACCOUNT#: 41115
NBHD: 610
Plat Bk/Pg 1.00

GREEN CREEK RURAL
APPR: RV3 APPR DT: 7/19/2016
EXCD: NOTICE:

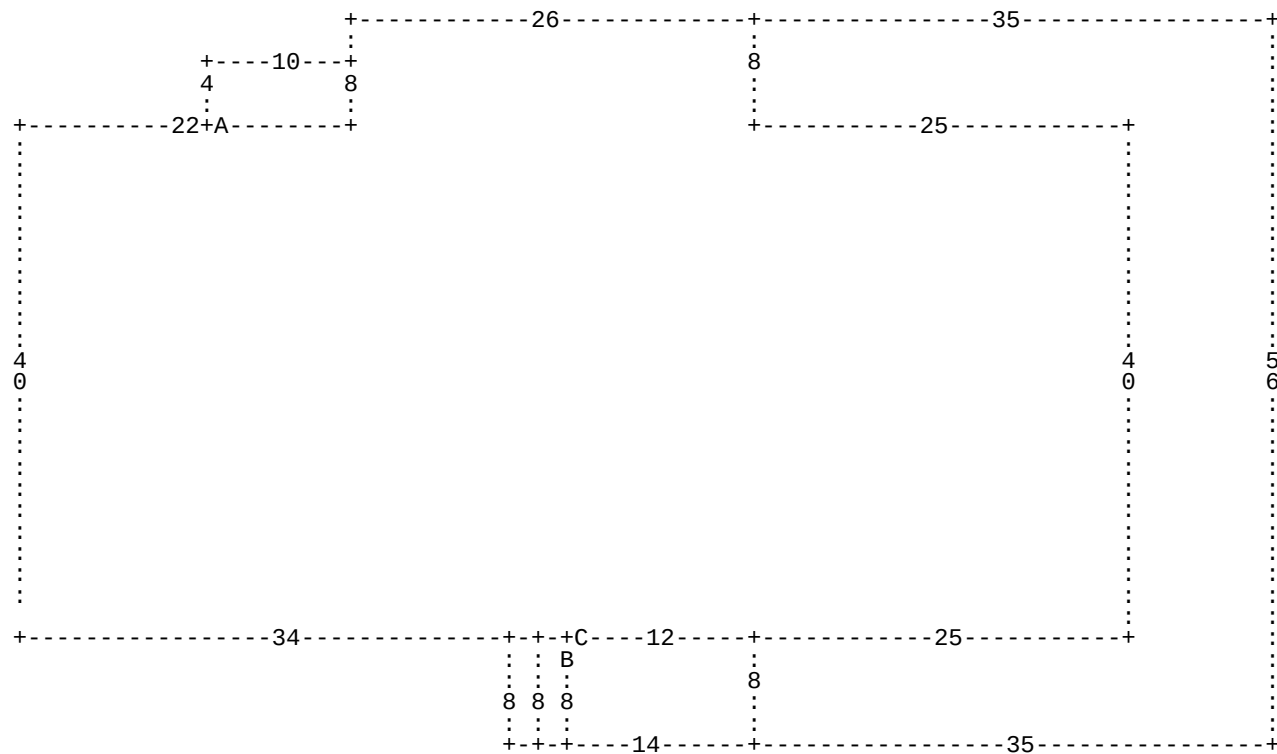
PAGE 1

Bldg No.	1	EYB:	1990	1359 & 1004 SR	Exempt Code	LAND VALUE	569,200			
Imp Desc:	RET07 RETAIL-PRO SHOP	AYB:	1982	Finished Area:	3,240.00	MISC VALUE	22,910			
Grade :	CD CI D GRADE			HBaths		BLDG VALUE	658,292			
# of Units	2 Rms	Bedrms	2.0	Bathrms		TOTAL VALUE	1,250,402			
TYPE/CODE/DESCRIPTION	PCT	%CMP	UNITS	RATE	STR#	STR%	SIZ%	HGT%	PER%	COST
AC 50 PORCH	100		960	30.00						28,800
AC 50 PORCH	100		40	30.00						1,200
AC 50 PORCH	100		32	30.00						960
AC 60 ROOM - STORAGE	100		96	35.00						3,360
MA RET07 RET-PROSHOP(GOLF/TEN	100		3240	55.00	1.00		100.00			178,200
- DS EC05 CONCRETE BLOCK	100		3240	.00						0
- DS FN 02CONCRETE BLOCK	100		3240	.00						0
- DS RM01 ASPHALT SHINGLE	100		3240	.00						0
- DS RT01 FLAT SHED TYPE	100		3240	.00						0
	RCN...		PCT COMPLETE		100	x				212,520
	QUAL..	CD			80.00	x				170,016
	DEPR..	AV			30.00	-		51,004		51,004 T
	--ASV...									119,012

PROPERTY NOTES:	PERMIT NO	TYPE	DATE	BOOK	PAGE	DT	DATE	QS	SALES	PRICE
				397	1115	WD	12/27/2012	F		
	AMOUNT			397	1111	WD	12/27/2012	F		
	AMOUNT			397	1108	WD	12/27/2012	F		
				371	1251	WD	3/12/2009	E		

MISC CODE	DESC	UNITS	RATE	AYB	EYB	DT	PCT	%CMP	ADD.DEPR	PCT	VALUE	EXMPT
4 115	PAVING 80 X 320	25,600.00	2.75	1964	1990	AV1	80.00	100			14,080	
14 026	IMPSHED 30 X 75	2,250.00	10.00	1965	1990	AV1	80.00	100			4,500	
15 022	POLE SHED 30 X 42	1,260.00	11.00	1982		AV1	80.00	100			2,218	
16 022	POLE SHED 24 X 50	1,200.00	11.00	1985		AV1	80.00	100			2,112	

#	ZONE	TYPE/CODE	LAND QTY	LAND RATE	DPTH	DPT%	TOP%	LOC%	SIZ%	SHP%	OTH%	ADJ	FMV	EXMPT
1		AC GC	142.300	4,000.00		.00	.00	.00	.00	.00	.00	.00	569,200	



= AC 50
B= AC 50

960.00 PORCH
32.00 PORCH

= MA RET07
C= AC 60

3,240.00 RET-PROSHOP(G
96.00 ROOM - STORA

A= AC 50

40.00 PORCH

FAIRWAYS OF POLK LLC
 1211 MEADOWBROOK RD
 142.300 AC TWSP: 005

YR 2023 **P130-40**
 142.3 ACRES
 PIN:
DISTRICT: 5 GRN CRK TWNSHP- SWF

POLK COUNTY
ACCOUNT#: 41115
NBHD: 610
 Plat Bk/Pg 1.00

GREEN CREEK RURAL
 APPR: RV3 APPR DT: 7/19/2016
 EXCD: NOTICE:

PAGE 3

Bldg No. 2	Imp Desc: 16	COMMERCIAL GARAGE	01 EYB: 1990	1359 AND 10004 SR	Exempt Code
Grade : CC	CI C GRADE		AYB: 1981	Finished Area:	7,200.00
# of Units	Rms	Bedrms	.9 Bathrms	HBaths	

TYPE/CODE/DESCRIPTION	PCT	%CMP	UNITS	RATE	STR#	STR%	SIZ%	HGT%	PER%	COST
MA 010 COMMERCIAL GARAGE	100		7200	45.00	1.00		90.00			291,600
- DS EC99 OTHER	100		1	.00						0
- DS FN03 SLAB	100		1	2.50-						0
- DS RM02 ENAMELED MT-<1990	100		1	.00						0
- DS RT01 FLAT SHED TYPE	100		1	.00						0

RCN...			PCT COMPLETE		100	X				291,600
QUAL..	CC				100.00	X				291,600
DEPR.. AV					30.00	-		87,480		87,480 T
--ASV...										204,120

PROPERTY NOTES:	PERMIT NO	TYPE	DATE	BOOK	PAGE	DT	DATE	QS	SALES	PRICE
	AMOUNT			115	238	WD	12/31/1997	D		
	AMOUNT			115	238		12/31/1997	#		

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

#	ZONE	TYPE/CODE	LAND QTY	LAND RATE	DPTH	DPT%	TOP%	LOC%	SIZ%	SHP%	OTH%	ADJ	FMV	EXMPT
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FAIRWAYS OF POLK LLC
 1211 MEADOWBROOK RD
 142.300 AC TWSP: 005

POLK COUNTY
 YR 2023 **P130-40**
 142.3 ACRES
 PIN:
DISTRICT: 5 GRN CRK TWNSHP- SWF

ACCOUNT#: 41115
NBHD: 610
 Plat Bk/Pg 1.00

GREEN CREEK RURAL
 APPR: RV3 APPR DT: 7/19/2016
 EXCD: NOTICE:

PAGE 5

Bldg No. 6	Imp Desc: GOLF2 GOLF COURSE - PUBLIC	EYB: 1990	1359 & 1004 SR	Exempt Code
Grade : CC CI C GRADE		AYB: 1964	Finished Area:	18.00
# of Units	Rms	Bedrms	Bathrms	HBaths

TYPE/CODE/DESCRIPTION	PCT	%CMP	UNITS	RATE	STR#	STR%	SIZ%	HGT%	PER%	COST
MA GOLF4 GOLF COURSE-MINIMUN	100		18	26600.00	1.00					478,800
			PCT COMPLETE		100	x				478,800
RCN...		CC			100.00	x				478,800
QUAL..					30.00	-		143,640		143,640
DEPR.. AV										335,160
--ASV...										

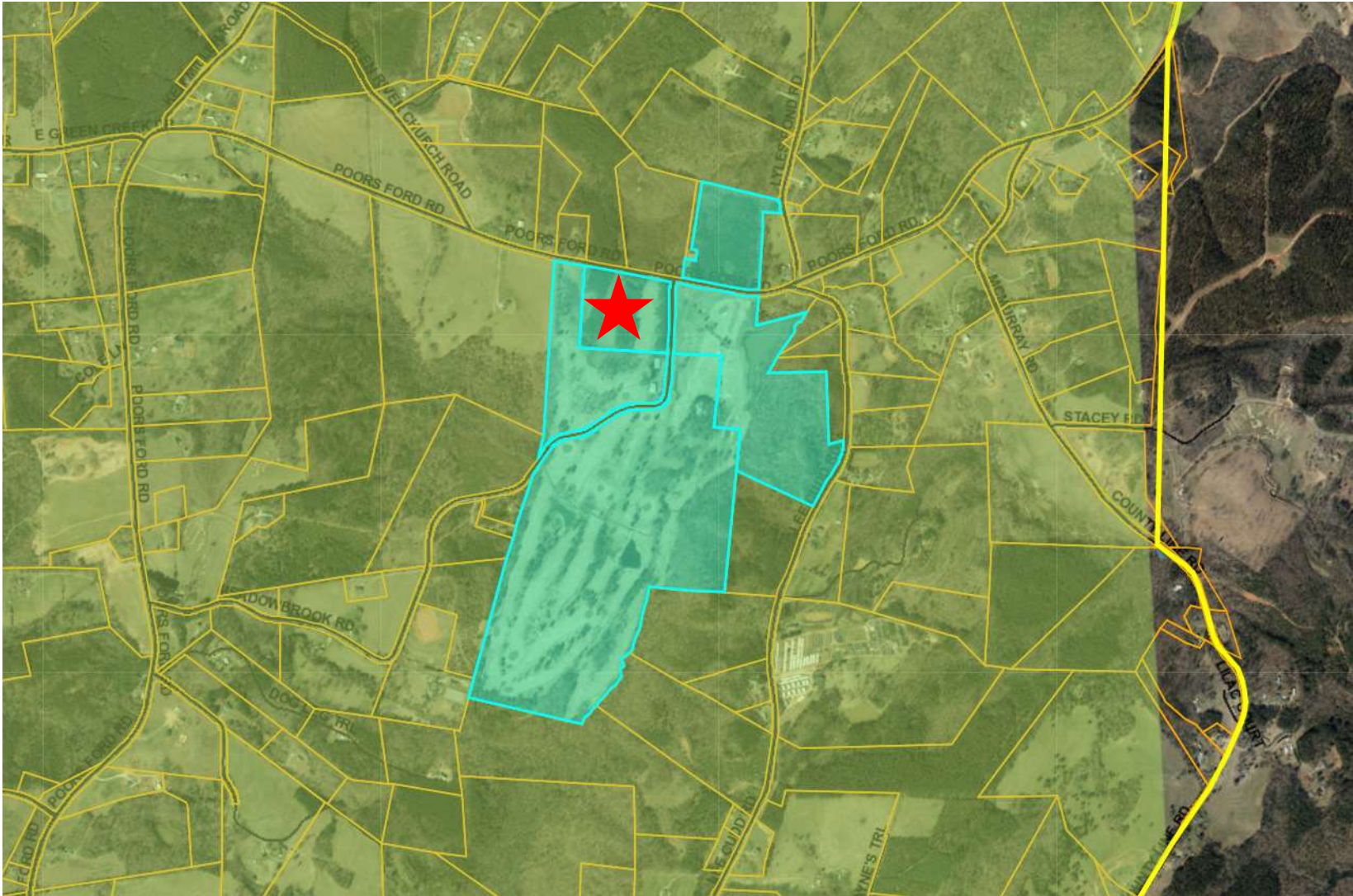
PROPERTY NOTES:	PERMIT NO	TYPE	DATE	BOOK	PAGE	DT	DATE	QS	SALES	PRICE
	AMOUNT									
	AMOUNT									

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

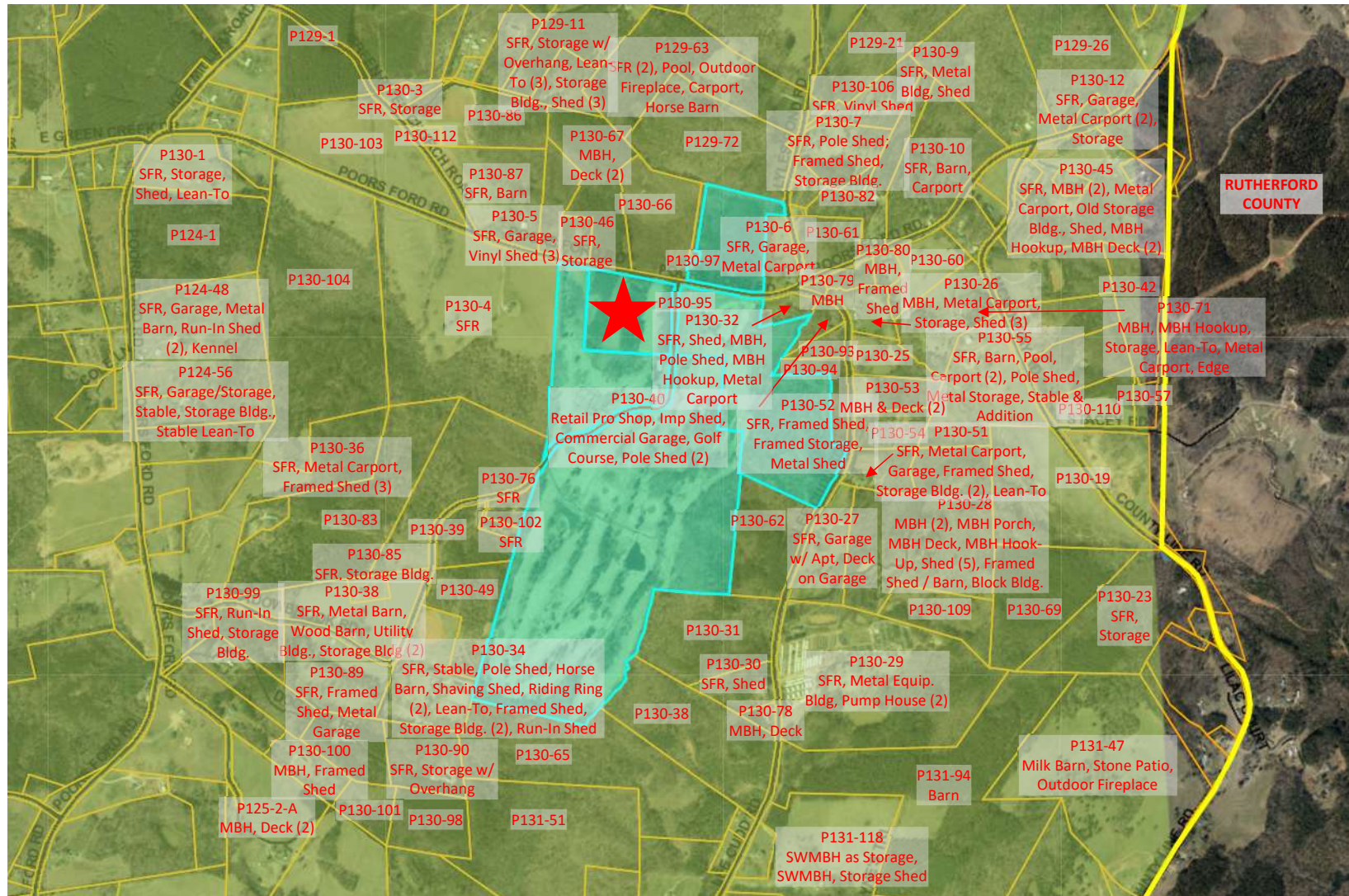
#	ZONE	TYPE/CODE	LAND QTY	LAND RATE	DPTH	DPT%	TOP%	LOC%	SIZ%	SHP%	OTH%	ADJ	FMV	EXMPT
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GIS Overview

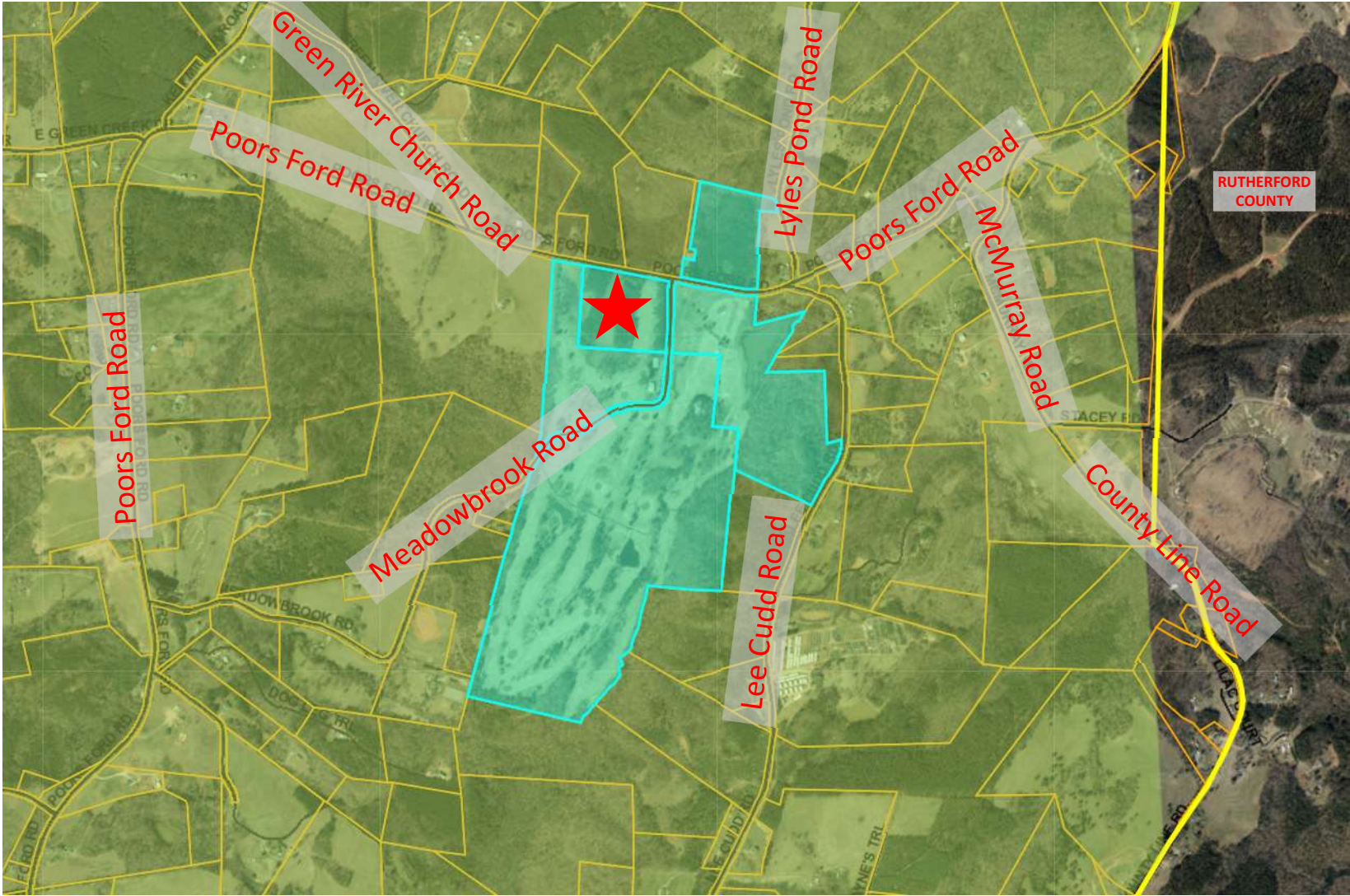
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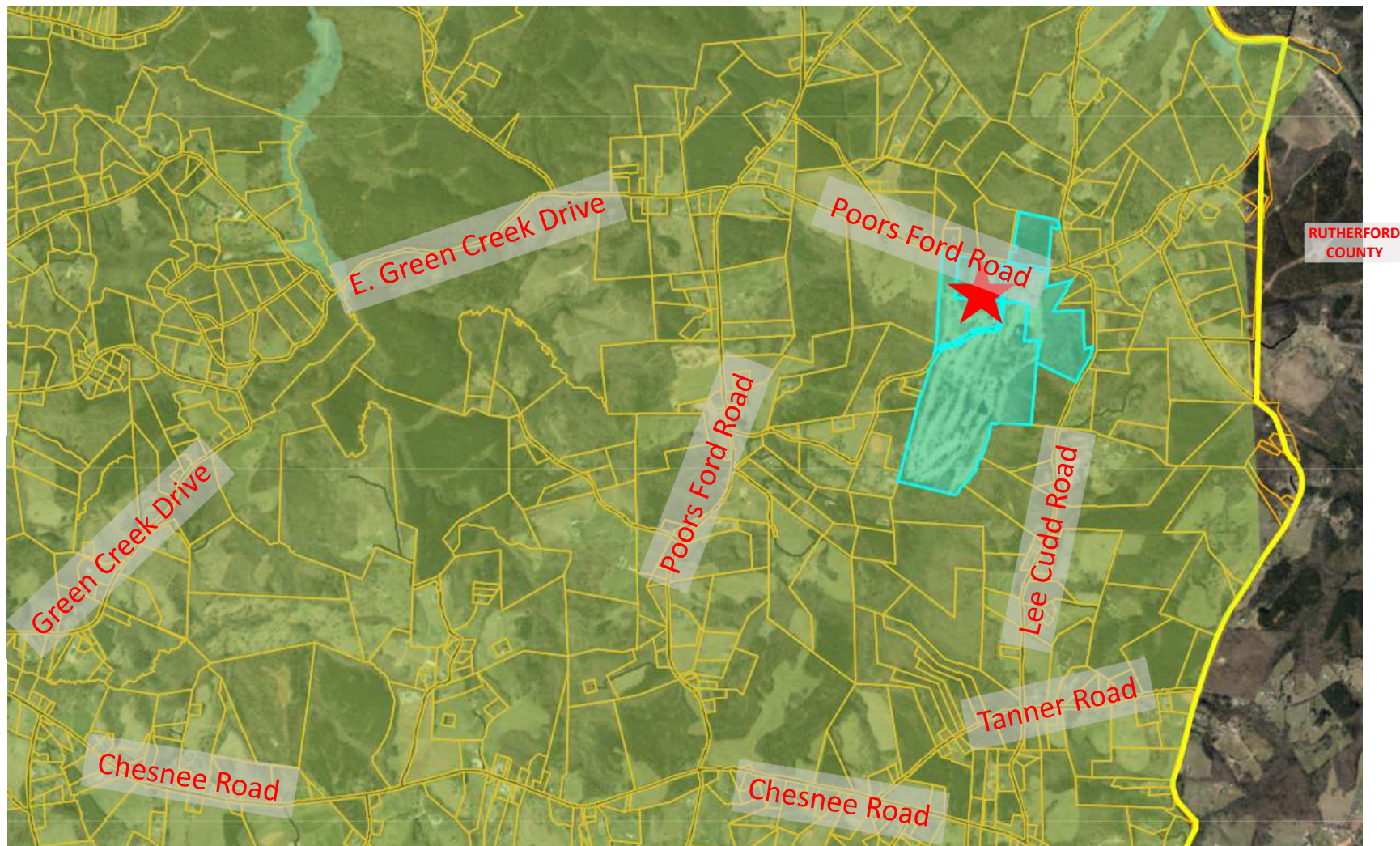
Surrounding Property Uses: *If no use listed, property is vacant.*



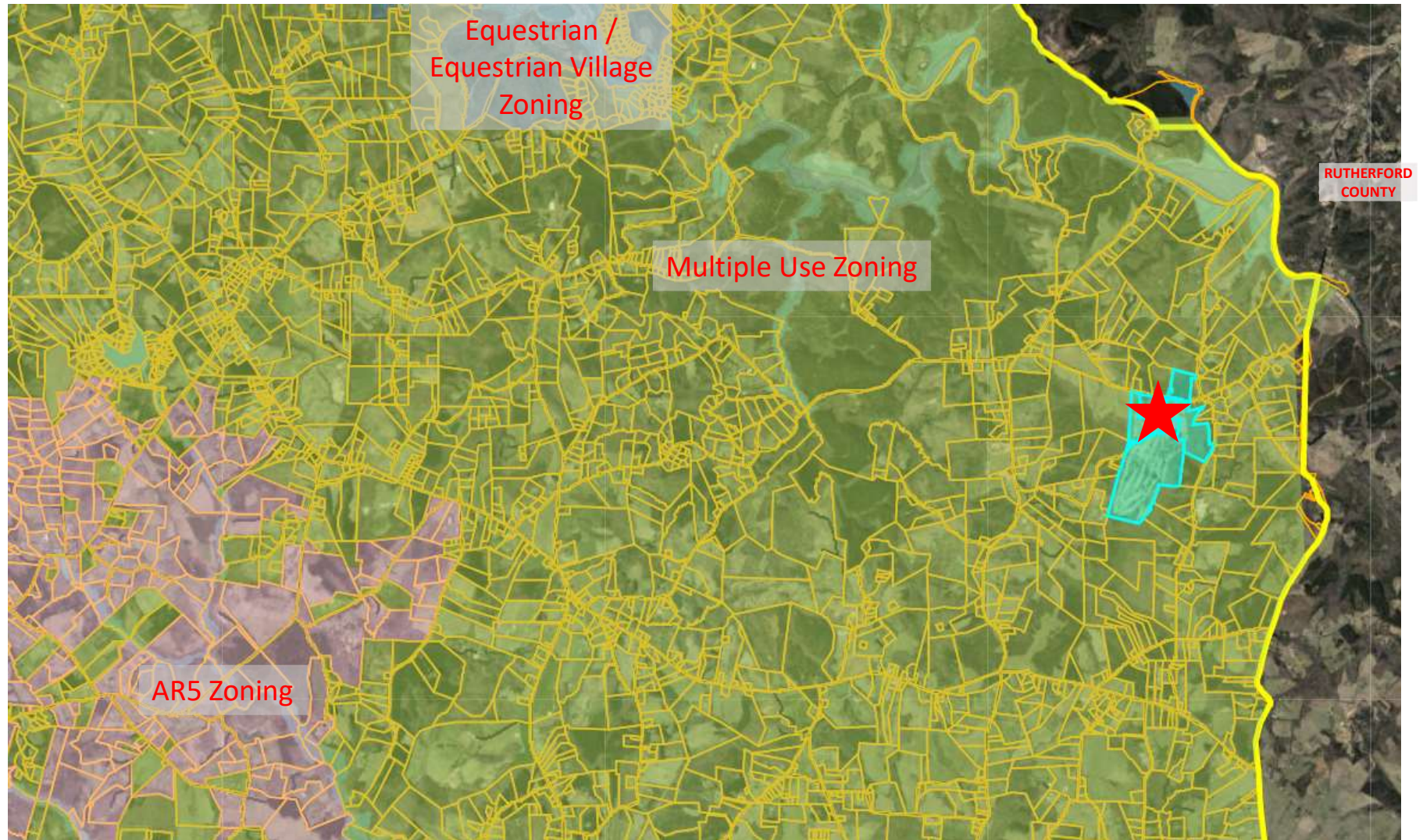
Surrounding Roads / All Multiple Use Zoning



Surrounding Area / All Multiple Use Zoning

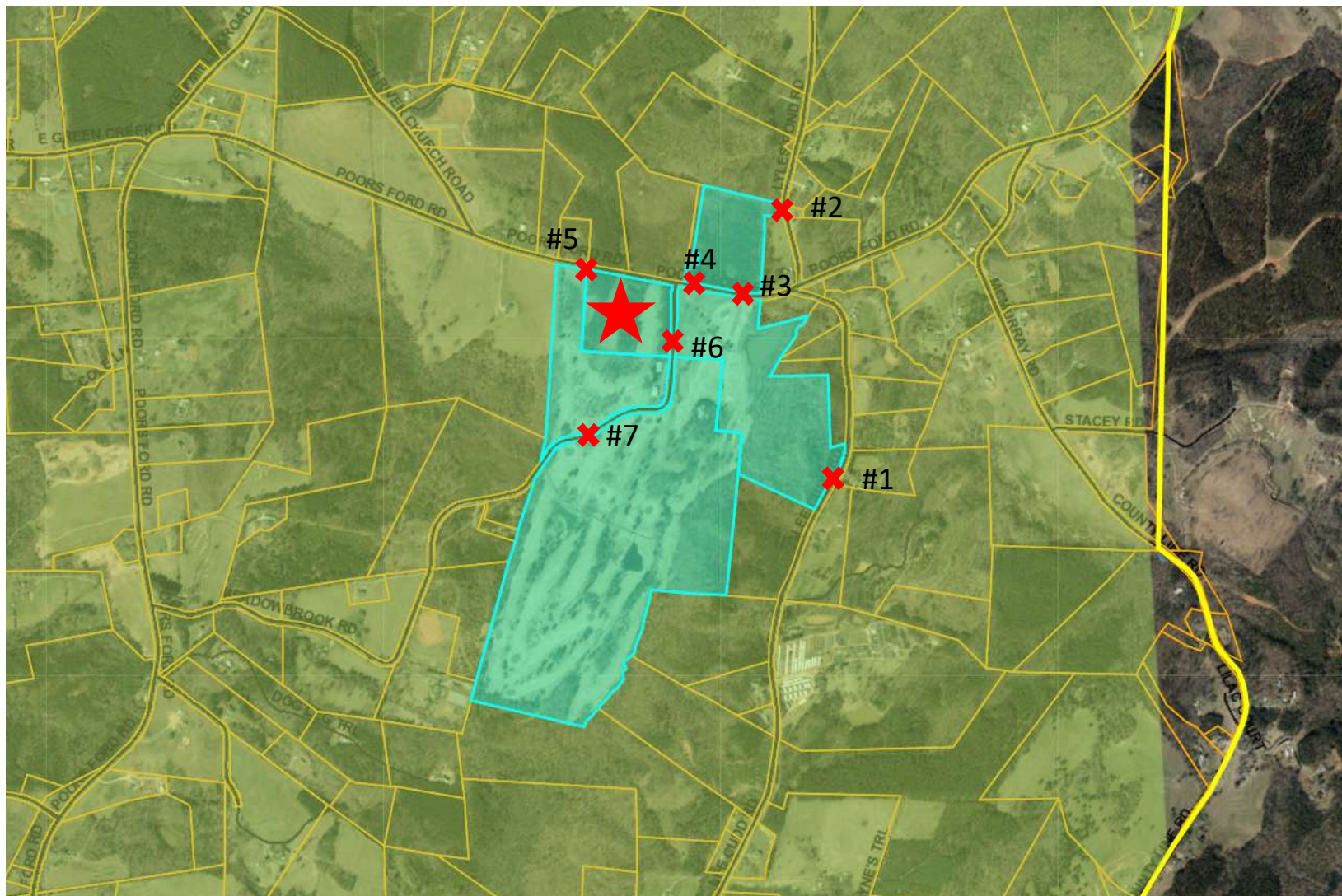


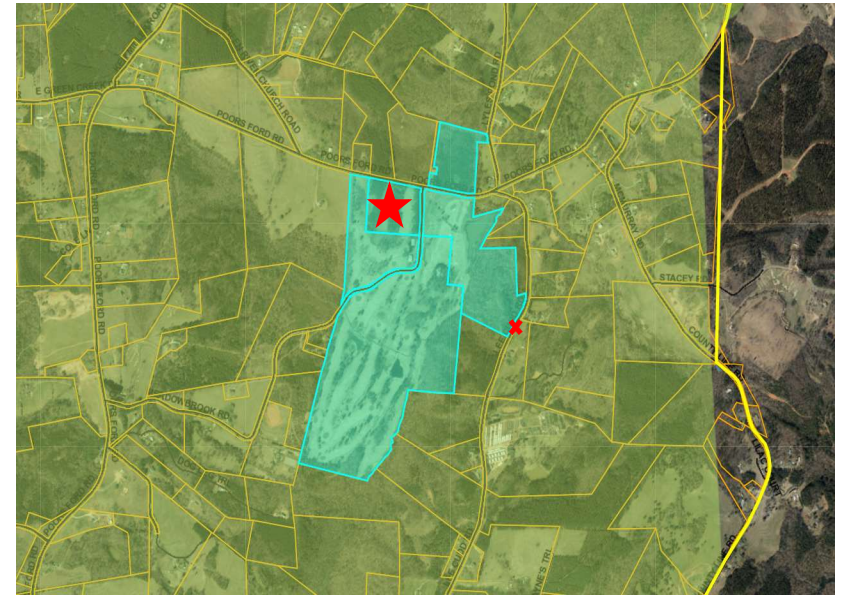
Surrounding Area (Zoomed Out)



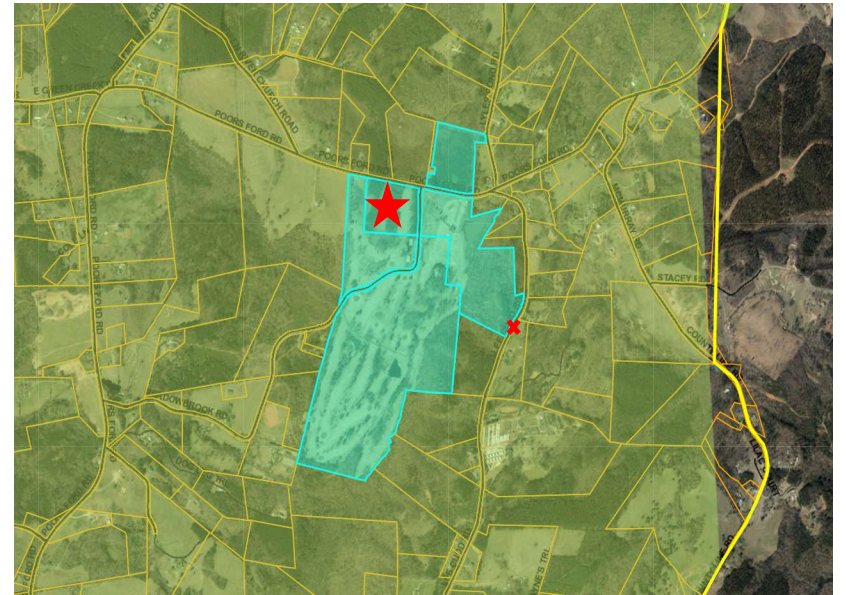
Sign Posting Locations

EX-L

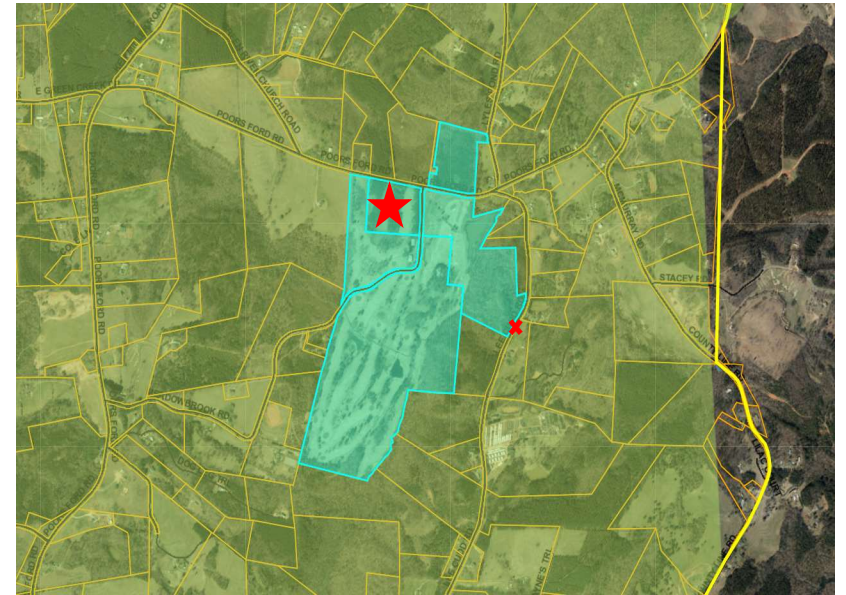




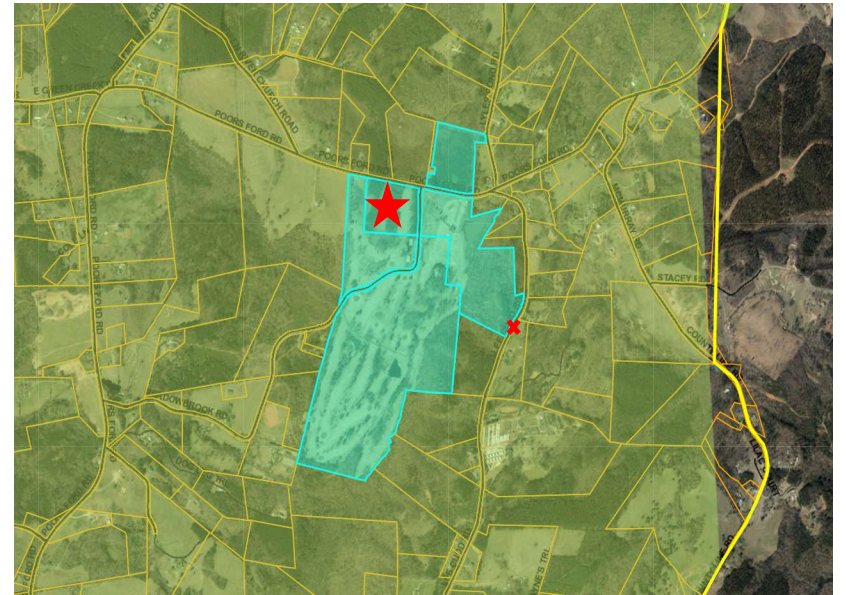
Posting Location #1 – Lee Cudd Road, looking north



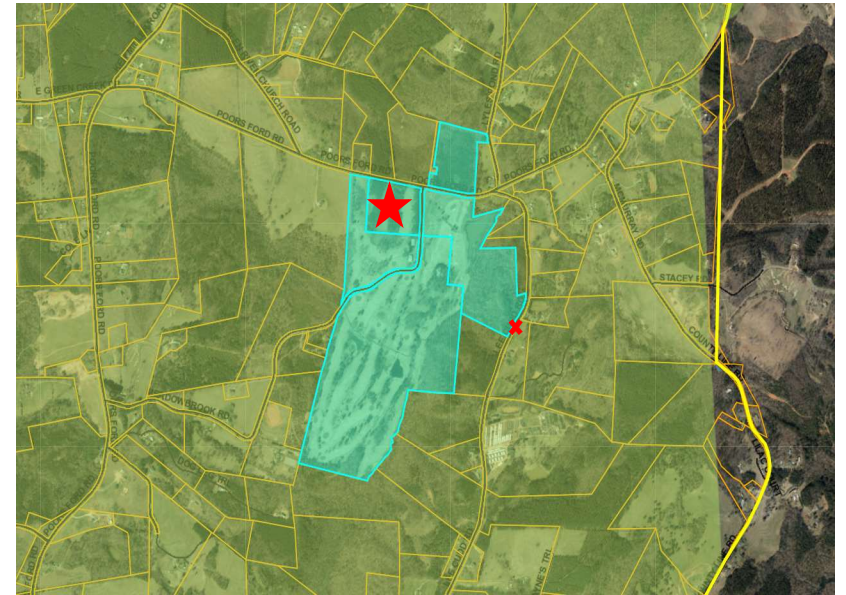
Posting Location #1 – Lee Cudd Road, looking north



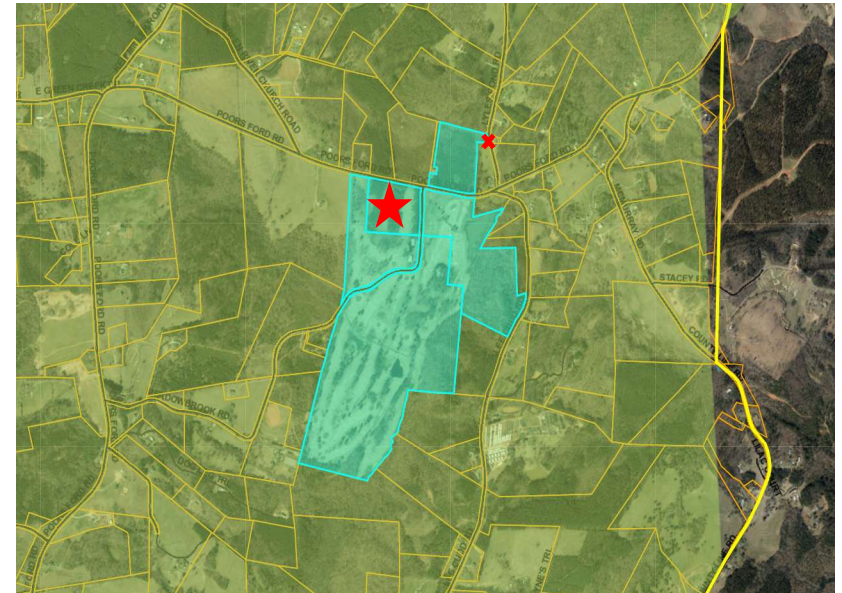
Posting Location #1 – Lee Cudd Road, looking across road



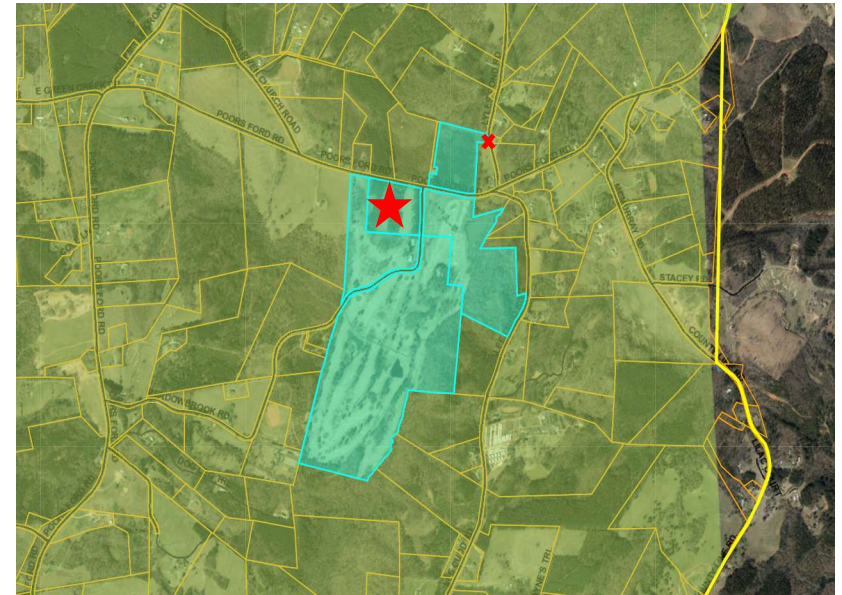
Posting Location #1 – Lee Cudd Road, looking across road



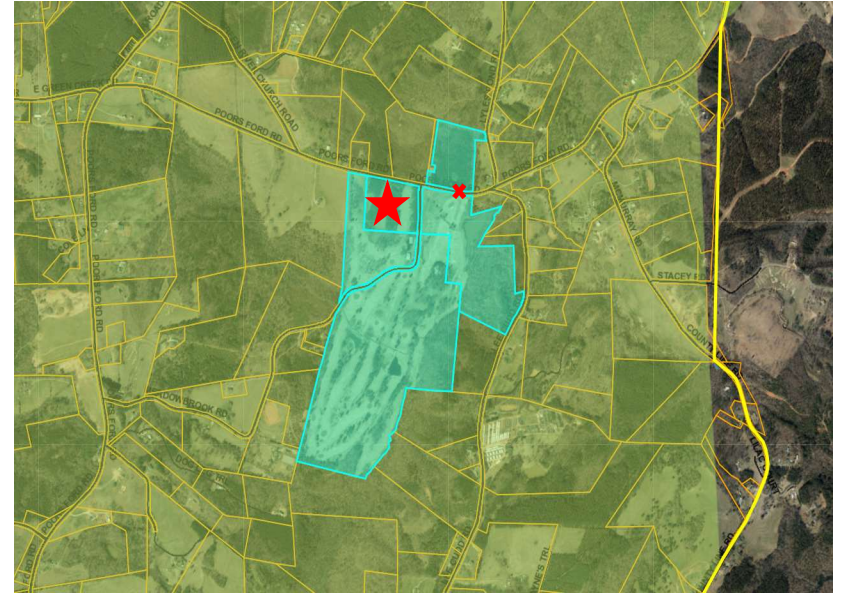
Posting Location #1 – Lee Cudd Road, looking south



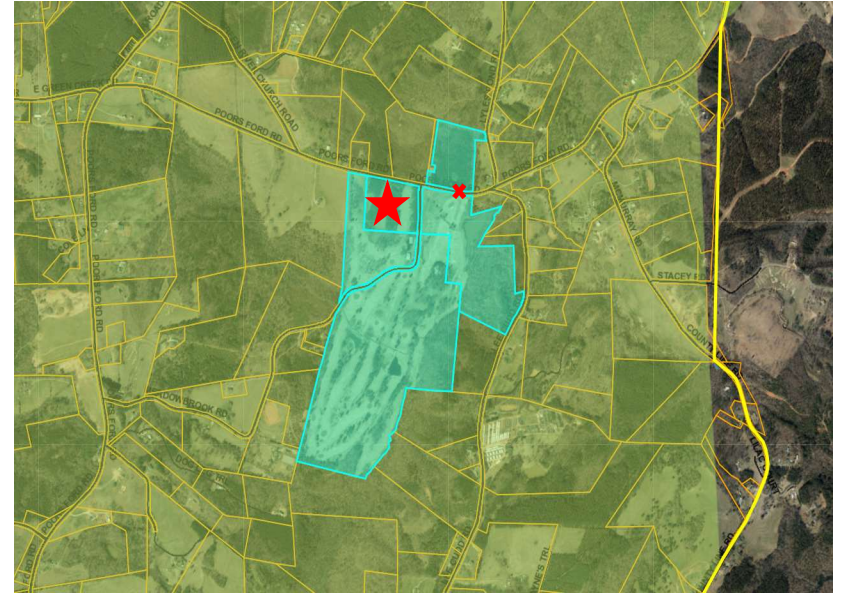
Posting Location #2 – Lyles Pond Road, looking south



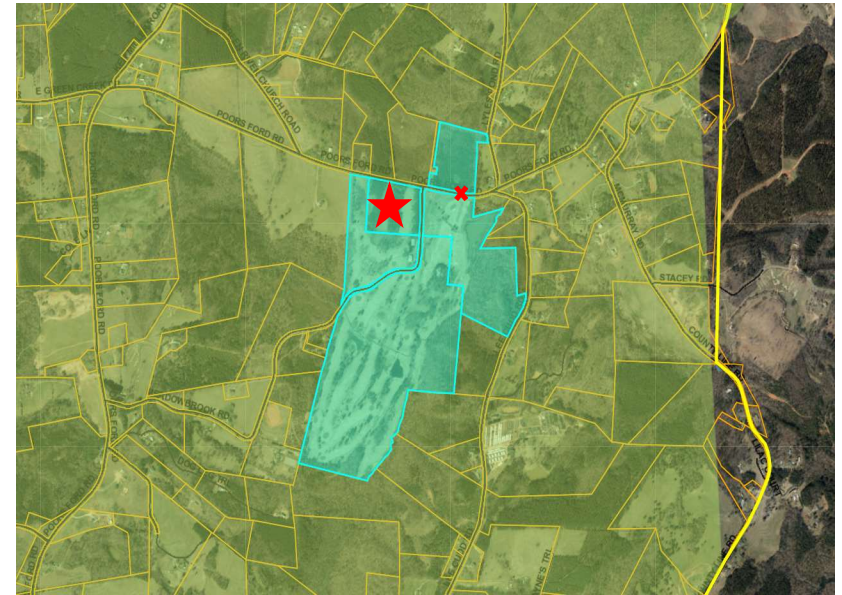
Posting Location #2 – Lyles Pond Road, looking across road



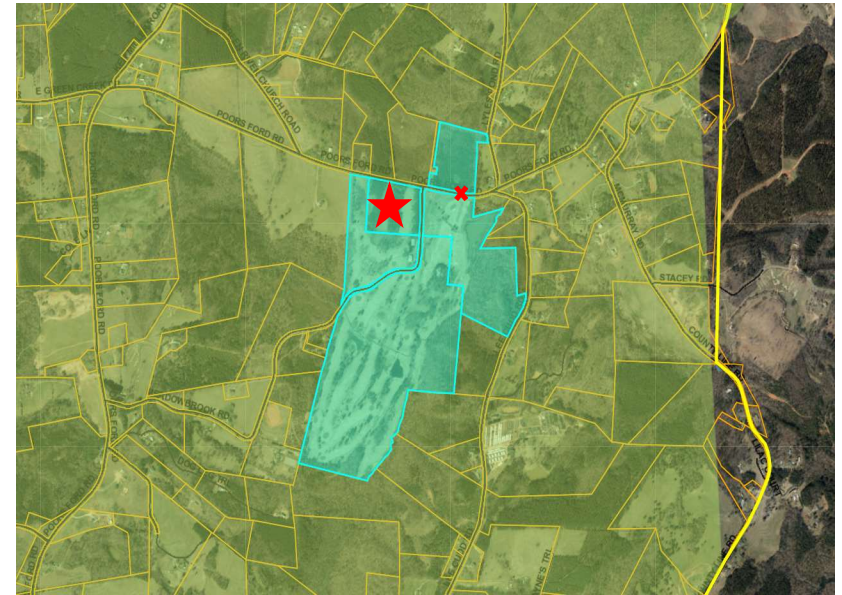
Posting Location #3 – Poors Ford Road, looking west toward Meadowbrook Golf Course entrance



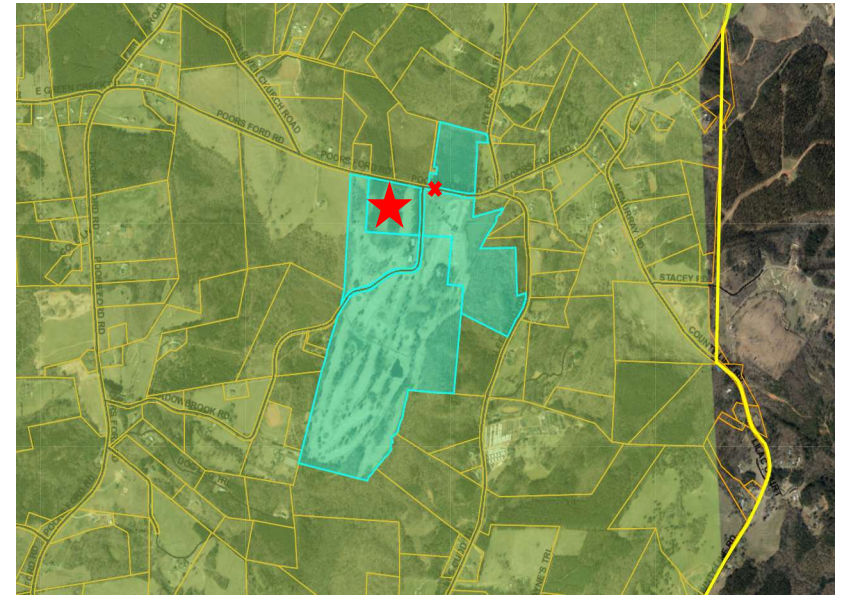
Posting Location #3 – Poors Ford Road, looking east toward Lyles Pond Road & Lee Cudd Road



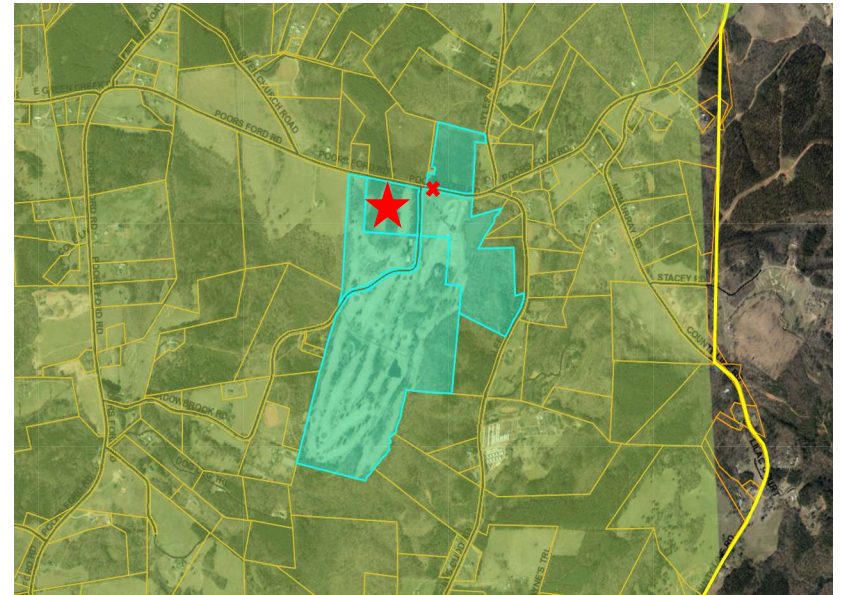
Posting Location #3 – Poors Ford Road, looking south onto Meadowbrook Golf Course property



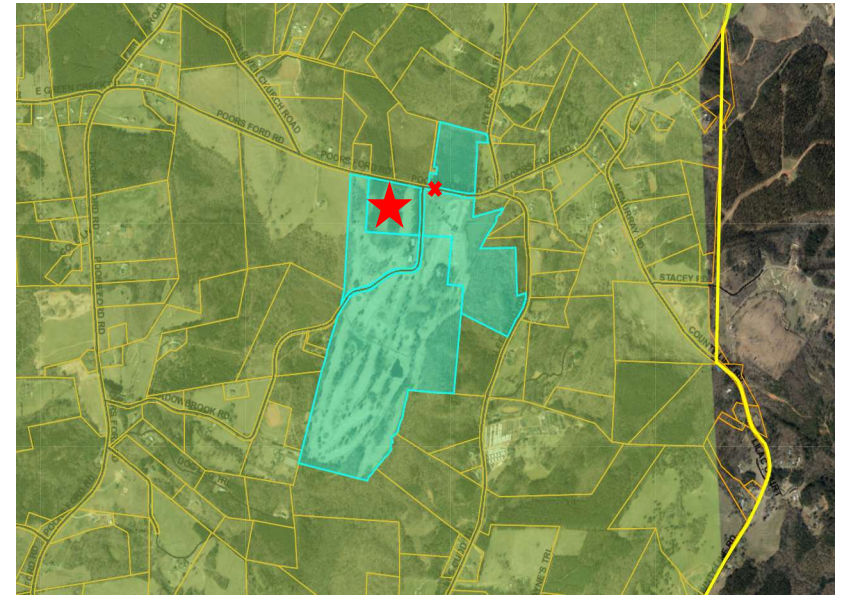
Posting Location #3 – Poors Ford Road, looking north across road



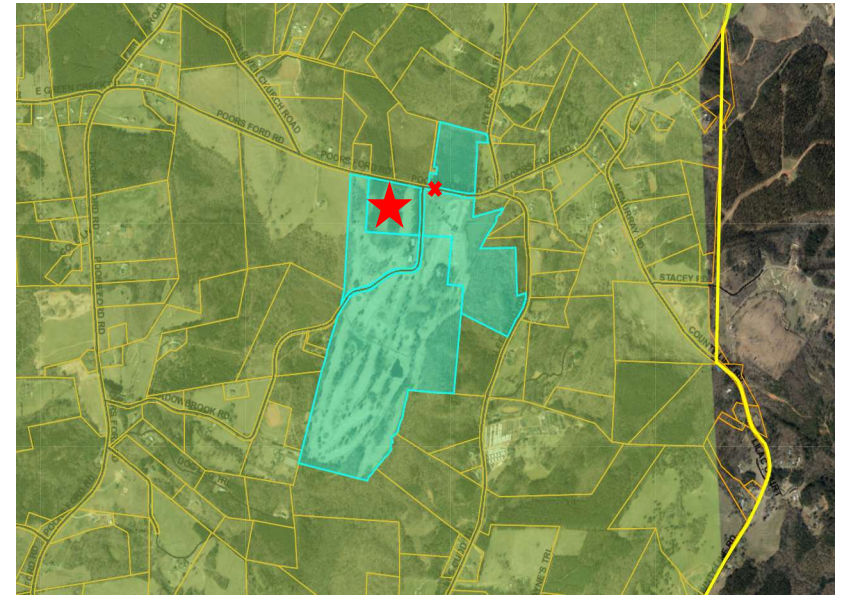
Posting Location #4 – Poors Ford Road, looking west toward Meadowbrook Golf Course entrance



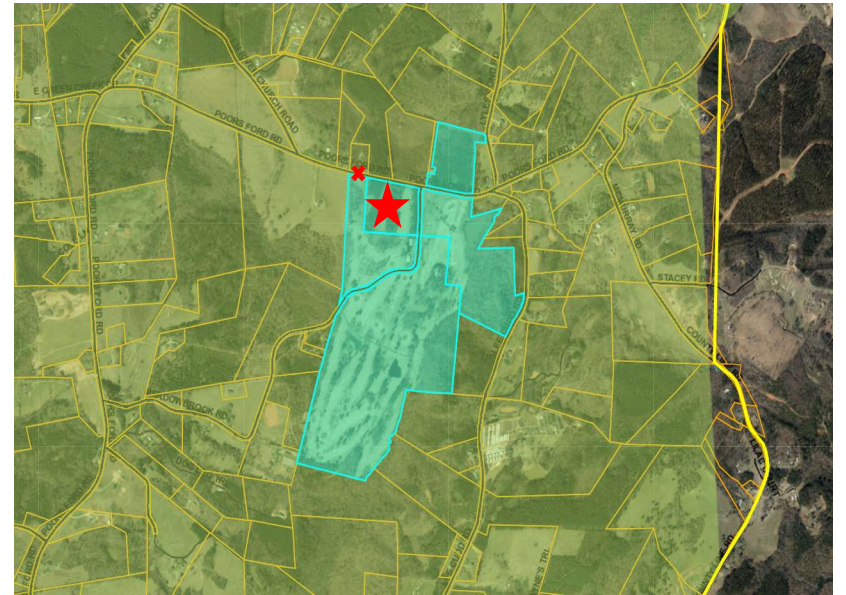
Posting Location #4 – Poors Ford Road, looking west down road



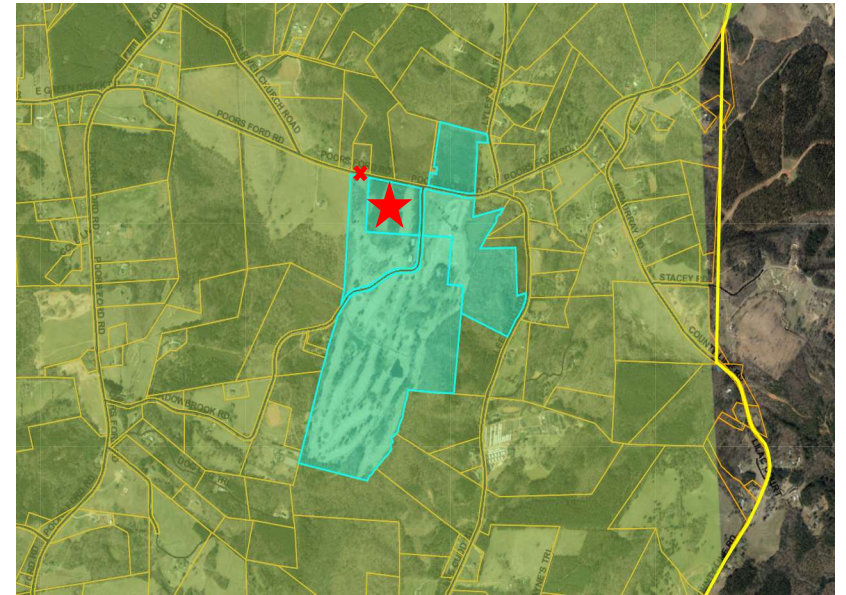
Posting Location #4 – Poors Ford Road, looking north across road



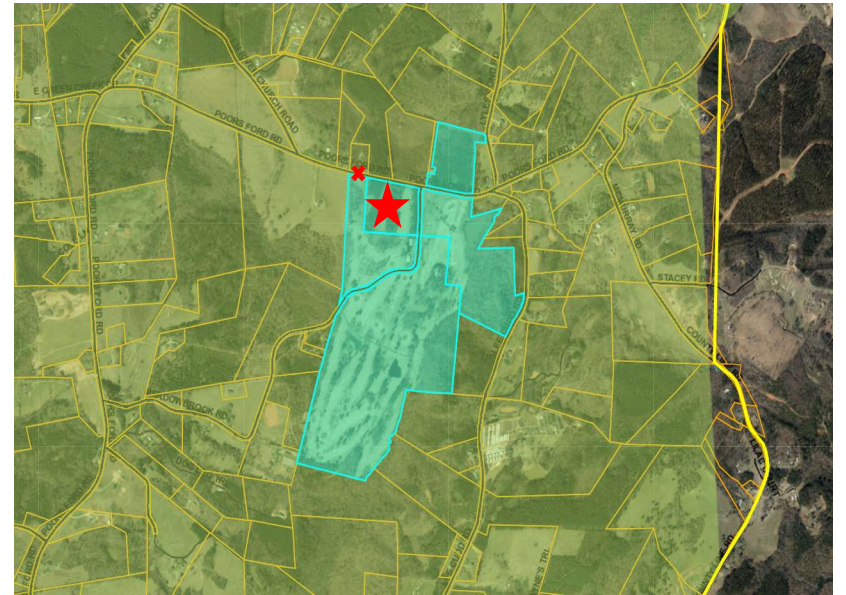
Posting Location #4 – Poors Ford Road, looking south onto Meadowbrook Golf Course property



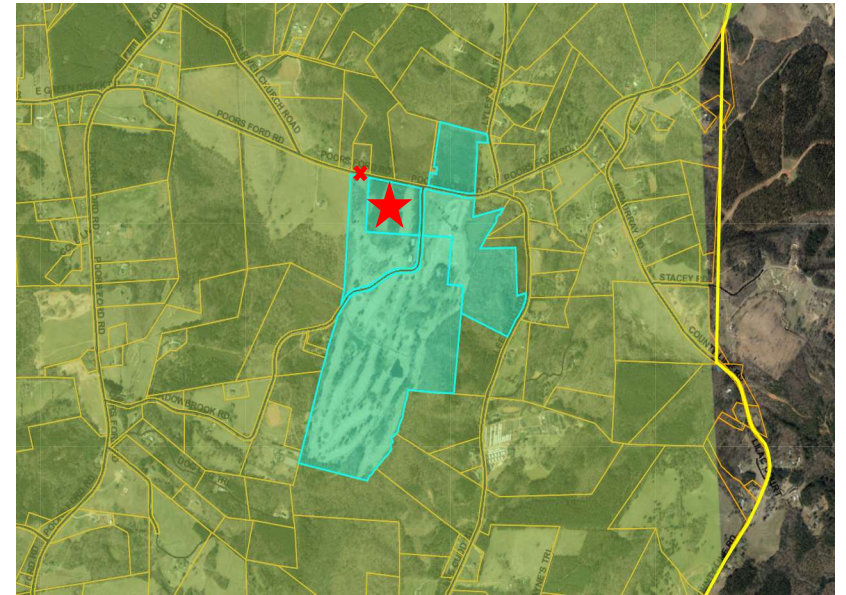
Posting Location #5 – Poors Ford Road, looking east toward Meadowbrook Golf Course entrance



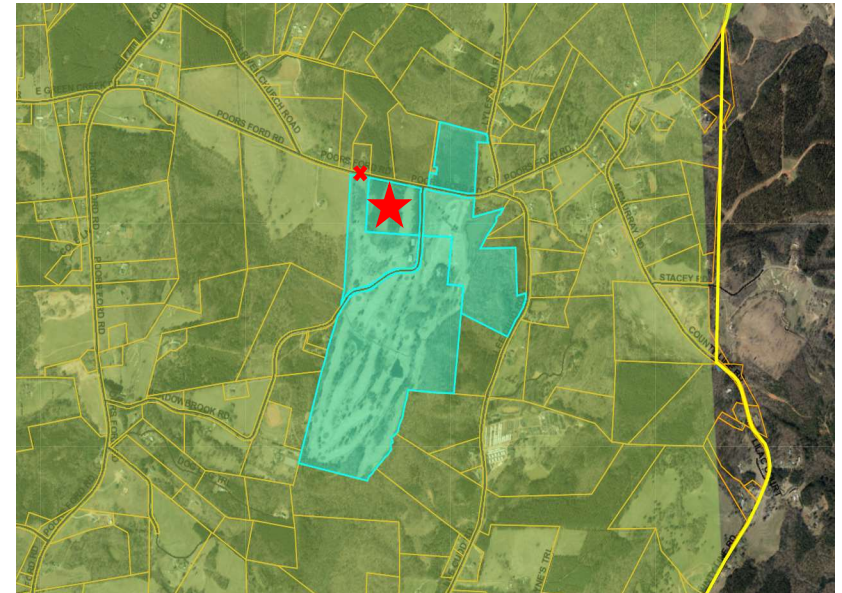
Posting Location #5 – Poors Ford Road, looking north across road



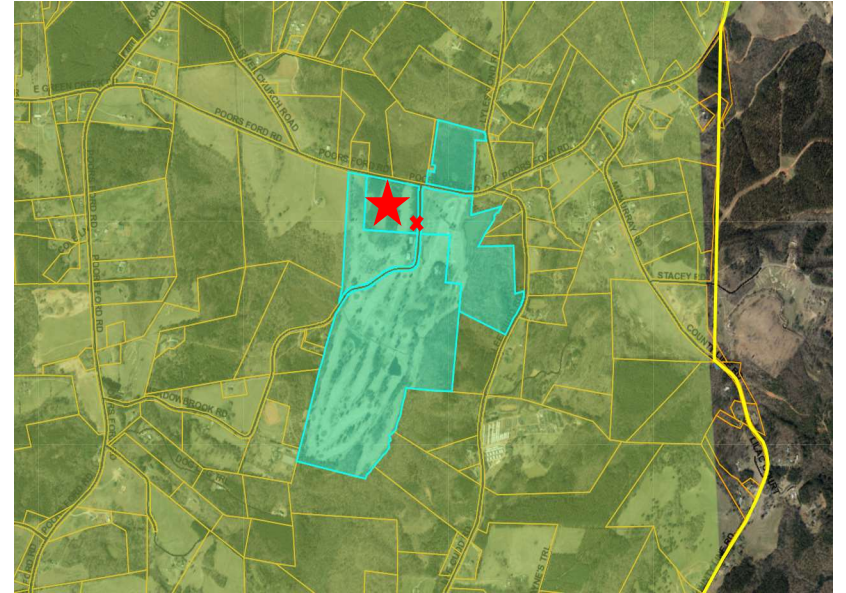
Posting Location #5 – Poors Ford Road, looking north across road



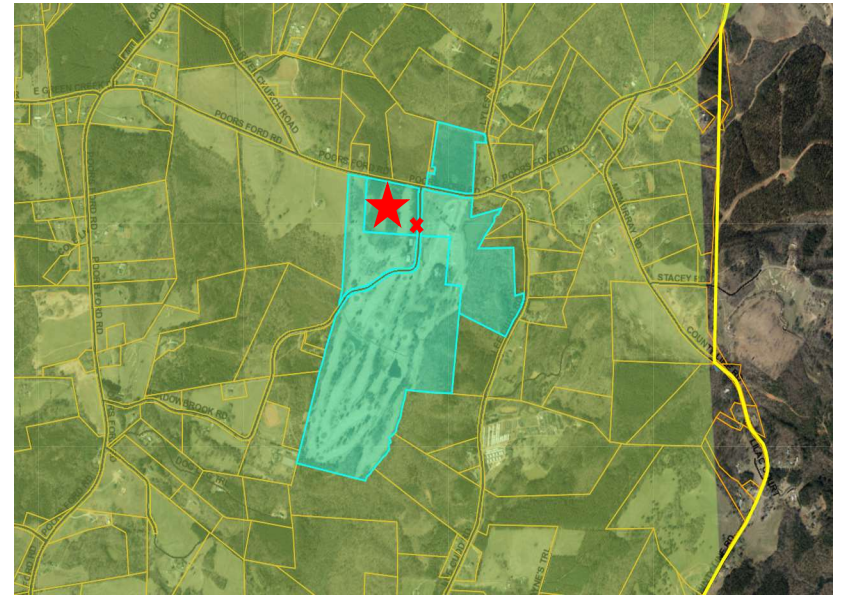
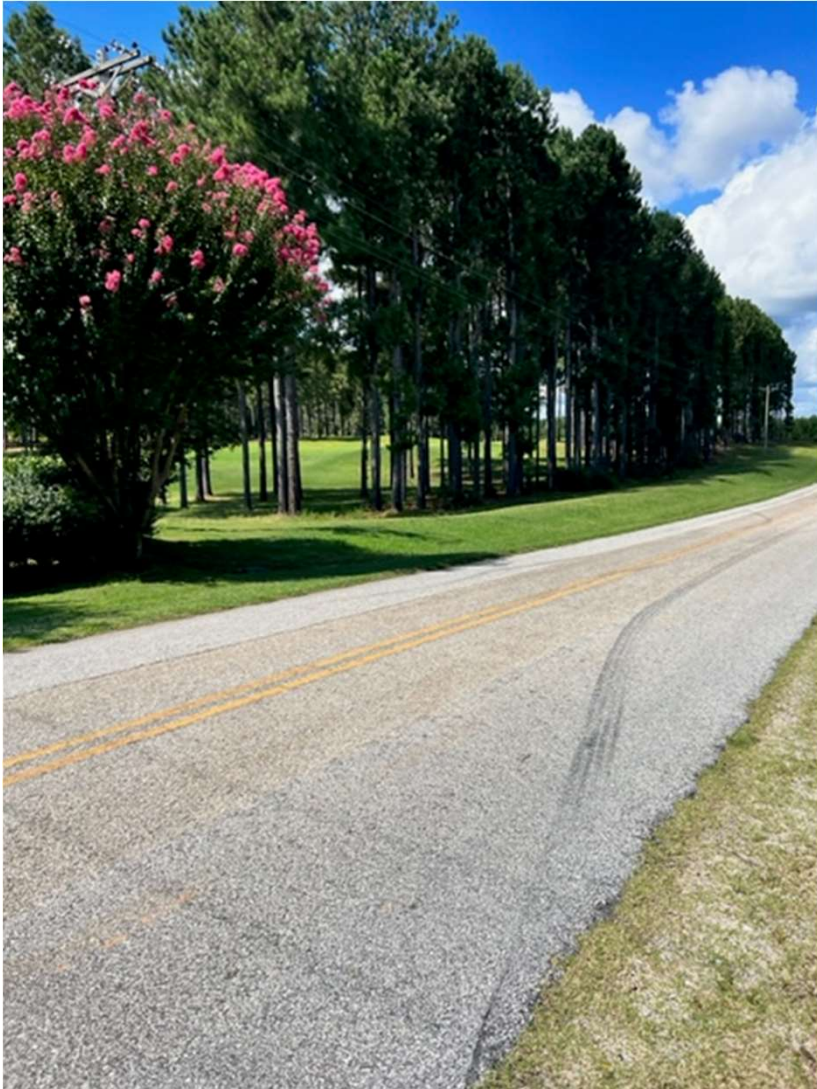
Posting Location #5 – Poors Ford Road, looking west down road



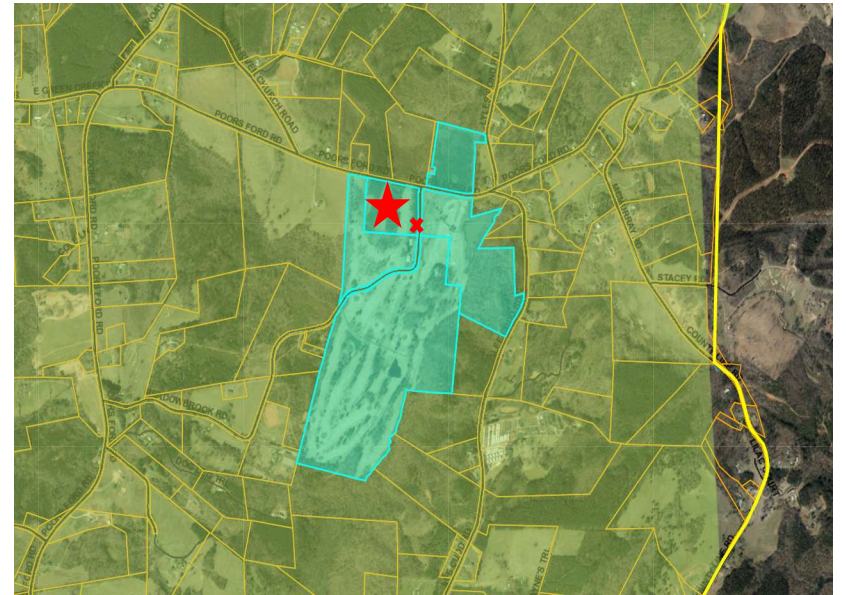
Posting Location #5 – Poors Ford Road, looking south onto Meadowbrook Golf Course property



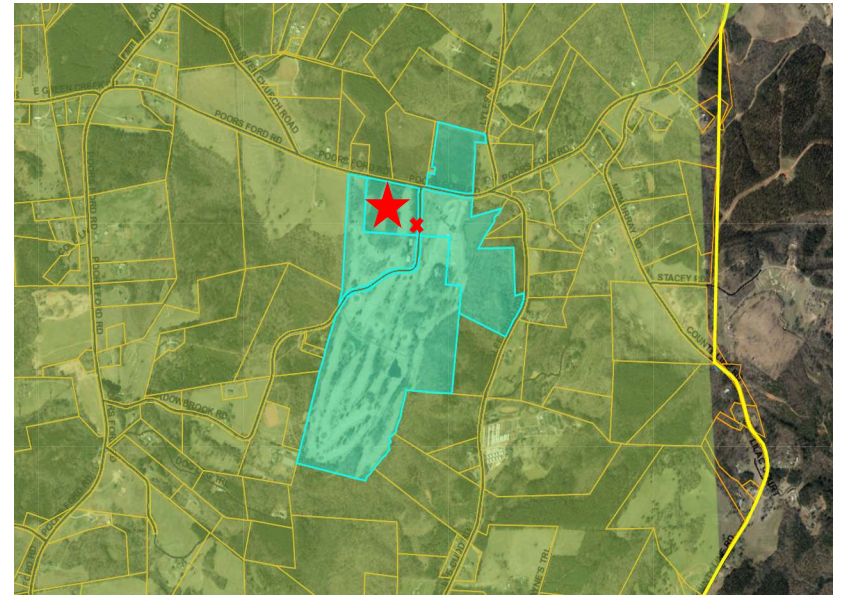
Posting Location #6 – Meadowbrook Road,
looking south



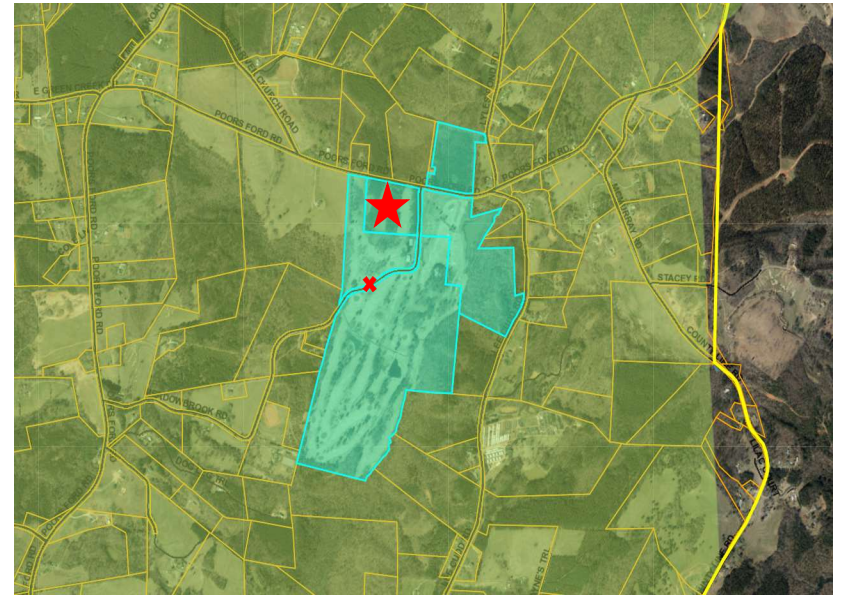
Posting Location #6 – Meadowbrook Road, looking northwest onto Meadowbrook Golf Course property



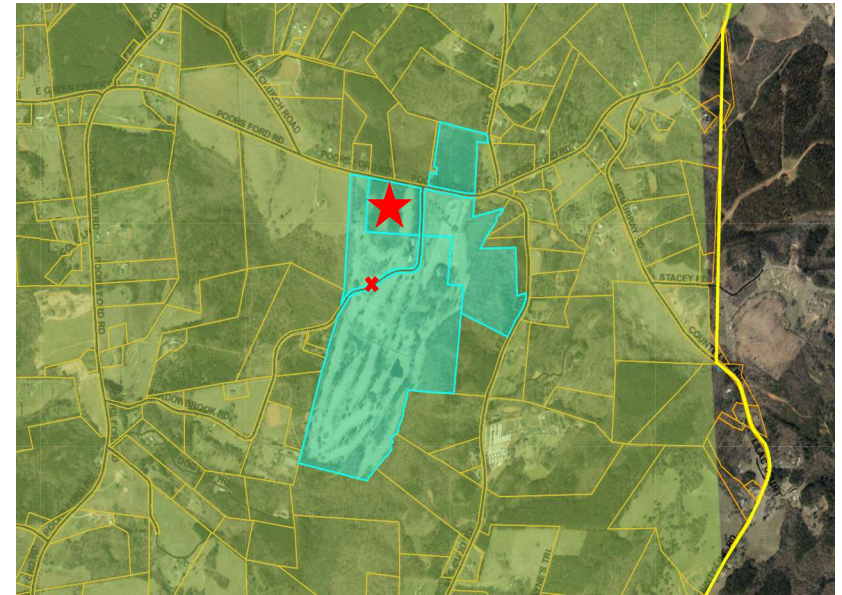
Posting Location #6 – Meadowbrook Road,
looking southwest onto Meadowbrook Golf
Course property



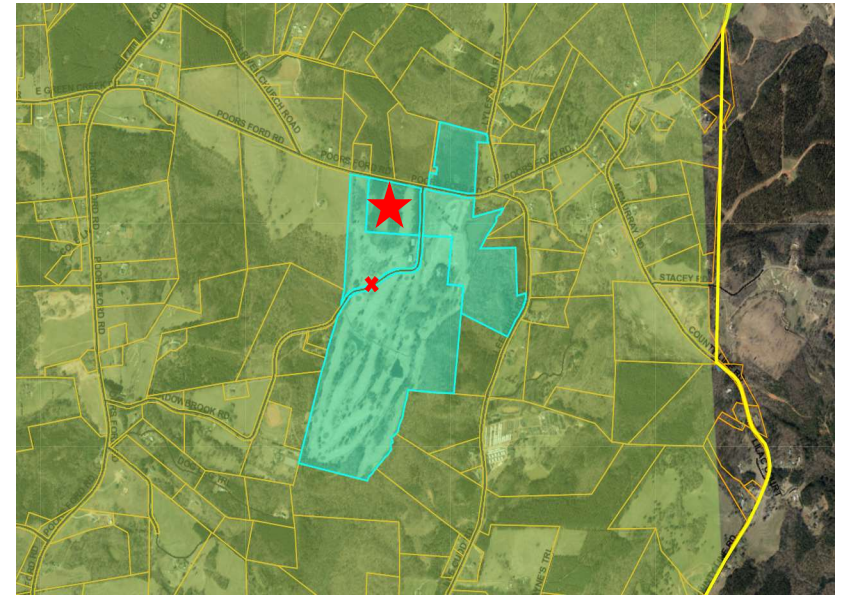
Posting Location #6 – Meadowbrook Road,
looking south down road



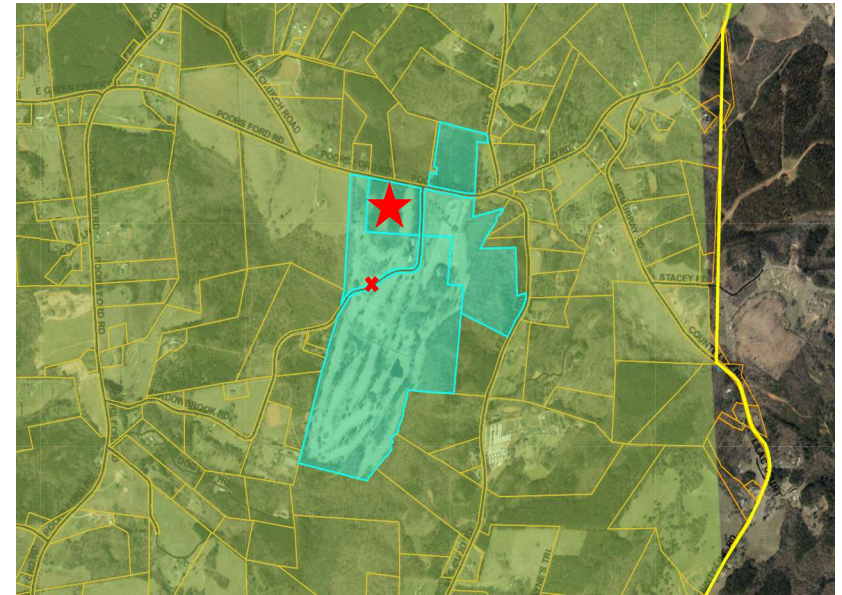
Posting Location #7 – Meadowbrook Road,
looking south down road



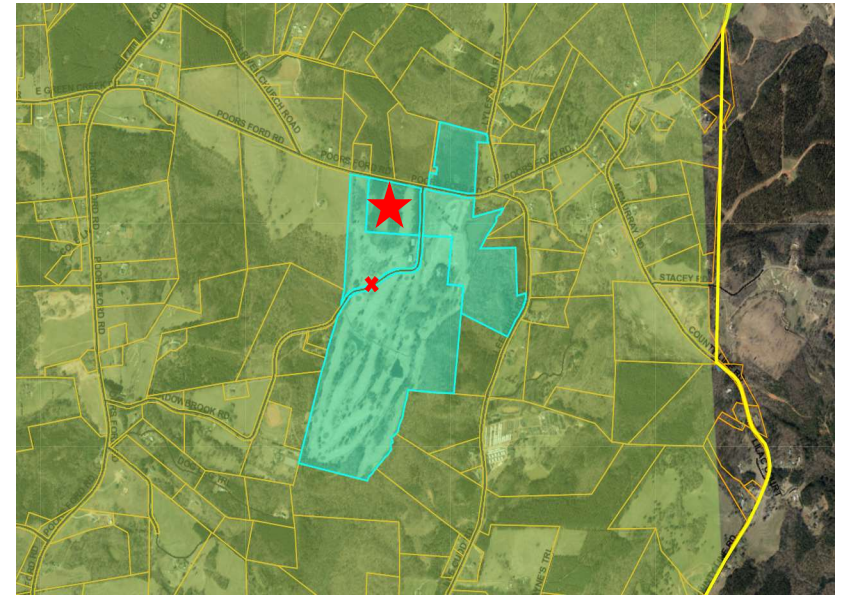
Posting Location #7 – Meadowbrook Road, looking south onto existing golf course



Posting Location #7 – Meadowbrook Road,
looking east onto existing golf course



Posting Location #7 – Meadowbrook Road,
looking northwest onto existing golf course



Posting Location #7 – Meadowbrook Road,
looking southwest across road



Doc ID: 004817110004 Type: CRP
 Recorded: 11/06/2020 at 08:36:38 AM
 Fee Amt: \$0.00 Page 1 of 4

Polk, NC
 Sheila Whitmire Register of Deeds

BK 453 PG 1766-1769

STATE OF NORTH CAROLINA

BEFORE THE BOARD OF ADJUSTMENT

COUNTY OF POLK

CASE NUMBER: 2020-02 (CU)

In Re: Application of Meadowbrook
 Development, Inc. & Fairways of Polk, LLC
 Conditional Use Permit

DECISION

BACKGROUND

The applicants' agent, Paul Deck, submitted an application to the Board of Adjustment on September 4, 2020 seeking a Conditional Use Permit to develop and operate a recreational vehicle park and/or camp area on two parcels of land totaling approximately 217.06 acres, located on Lyles Pond Road, Meadowbrook Road, Lee Cudd Road and Poors Ford Road in Green Creek Township, Columbus, Polk County, North Carolina. The two parcels of land are Polk County Tax Parcel P130-95, which consists of 74.76 acres, and Tax Parcel P130-40, which consists of 142.30 acres.

PROCEDURAL HISTORY

The matter came on for hearing before the Polk County Board of Adjustment on October 6, 2020 to consider the application of Meadowbrook Development, Inc. and Fairways of Polk LLC for a Conditional Use Permit to develop and operate a recreational vehicle park and/or camp area business on the subject property consisting of tax parcels P130-95 and P130-40. Board of Adjustment members present for the hearing were Neal Barton, Joshua Collier, Hal Green, Betty Hill, Frank Monterisi (who recused himself from hearing), and Paul Weidman (Acting Chair)

The hearing notice was properly posted and mailed. The subject properties were properly posted with required signage and surrounding property owners were sent notice of the hearing as required. Present and sworn for the hearing were the following witnesses for the applicant: applicants' agent, Paul Deck, Bobby Arledge, Polk County Fire Marshal, Scott Roach, PE, Odom Engineering, Brad Cummings, Real Estate professional, and neighboring property owner, Tom Horonzy. The Zoning Administrator for Polk County, Cathy Ruth was present and was also sworn for the hearing. No witnesses opposed to the issuance of the permit were present for the hearing.

Having received evidence and testimony on the application and proposed use, the Board of Adjustment continued the hearing and the Board reconvened on October 15, 2020 to consider and enter a decision on the matter as developed from the October 6, 2020 hearing.

STANDARD FOR APPROVAL

The Polk County Zoning Ordinance defines a *Recreational Vehicle (RV) Park and/or Camp Areas* as an establishment primarily engaged in operating sites to accommodate camping (tent and/or cabin), park model homes and/or recreational vehicles. These establishments may provide access to facilities, such as laundry rooms, recreational halls, playgrounds, stores and snack bars. An RV park will generally contain two (2) or more park model homes or recreational vehicles.

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

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

NOW THEREFORE, after all the testimony and evidence presented, the Board considered the matter as presented at the October 6, 2020 hearing, and hereby makes the following:

FINDINGS OF FACT

1. On the issue of whether the proposed use complies with the standards for such use contained in the Zoning Ordinance, the Board finds the proposed use, *Recreational Vehicle (RV) Park and/or Camp Areas* complies with the standards of the Zoning Ordinance.

Evidence and testimony in support of this finding of fact includes the following:

- A. The testimony of the Zoning Administrator, staff report and exhibits submitted into evidence including maps and tax records show the subject property is zoned Multiple Use (MU), which is intended to provide locations for most types of land uses allowed in the other zoning districts. Recreational vehicle parks and/or camp areas are permitted in the MU district with a Conditional Use Permit ("CUP"). The application is complete and the site plan and other materials submitted by the applicant show that the proposed use, if developed in accordance with the submitted site plan, will meet all Zoning Ordinance requirements.
- B. The expert testimony of Scott Roach, PE, Odom Engineering that he has been commissioned by the applicant to develop an on-site wastewater disposal system for the proposed use, that the on-site system will require the approval of the State of North Carolina and must meet all applicable state standards.
- C. The testimony of the applicant's agent, Paul Deck, that he submitted an application to the NC Department of Transportation (NCDOT) and that he will meet all required standards.
- D. Testimony of the Fire Marshal, Bobby Arledge that he reviewed the application and site plan and found the ingress and egress meets all applicable requirements of the fire code.

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

Evidence in support of this finding of fact includes the following:

- A. Expert testimony of Scott Roach, PE, Odom Engineering that he has been commissioned by the applicant to develop an on-site wastewater disposal system for the proposed use, that the on-site system will require the approval of the State of North Carolina and must meet all applicable state standards.
 - B. The testimony of the applicant's agent, Paul Deck, that he submitted an application to the NCDOT and that he will meet all required standards.
 - C. The testimony of the Fire Marshal, Bobby Arledge that he reviewed the application and site plan and found that it meets all applicable requirements of the fire code.
3. On the issue of whether the proposed use will not be detrimental or injurious to property, property uses or property values, or to public improvements, in the neighborhood of such proposed use, the Board finds by a vote of 5-0 the proposed use will not be detrimental or injurious to property, property uses or property values, or to public improvements, in the neighborhood of such proposed use.

Evidence in support of this finding of fact includes the following:

- A. The testimony of expert witness Brad Cummings, Realtor, for the applicant that there would be no negative impact on the neighborhood as well as documentation produced by Mr. Cummings and admitted into evidence in support of his expert conclusion that there would be no negative impact on property values as a result of the proposed use.
 - B. Expert testimony of Scott Roach, PE, Odom Engineering that he has been commissioned by the applicant to develop an on-site wastewater disposal system for the proposed use, that the on-site system will require the approval of the State of North Carolina and must meet all applicable state standards.
 - C. The testimony of the applicant's agent, Paul Deck, that they would observe quiet hours from 10 p.m. to 7 a.m., there would be 100' buffers between the onsite development and property boundaries and the street lighting would be bright enough to see when walking down the road at night, but not so bright as to keep guests up at night.
4. On the issue of whether the proposed use is designed and will be operated in such a manner as to be in harmony with the neighborhood in which it is to be located, the Board considered and finds the proposed use is designed and will be operated in such a manner as to be in harmony with the neighborhood in which it is to be located.

Evidence in support of this finding of fact includes the following:

- A. The neighborhood of the proposed RV Park is characterized by mixed uses including single-family residences, agriculture, and commercial uses consisting of a golf course and clubhouse located on the property.
- B. The testimony of the applicant's agent that mobile homes would not be allowed in the park.
- C. The testimony of the applicant's agent that the traffic impacts would not be significantly different from what they experience currently with approximately 150 golfers per day on the weekend coming to the site.
- D. The testimony of the applicant's agent, Paul Deck, that they would observe quiet hours from 10 p.m. to 7 a.m., there would be 100' buffers between the onsite development and property boundaries and the street lighting would be bright enough to see when walking down the road at

night, but not so bright as to keep guests up at night.

CONCLUSION OF LAW

BASED UPON THE FOREGOING FINDINGS OF FACT, the Board concludes as a matter of law the applicant produced substantial, material and competent evidence that the proposed use satisfies the standards of the zoning ordinance and concludes as a matter of law that the permit should be granted. The permit is hereby granted subject to the applicable provisions of the Polk County Zoning Ordinance, and the following special conditions, which the Board of Adjustment finds to be in the public interest:

- A. The development of the parcels shall comply with all regulations as specified in the Polk County Zoning Ordinance.
- B. Quiet hours shall be observed from 10 p.m. to 7 a.m.
- C. All outdoor lighting installed in the RV Park shall be directed inward and downward towards the park premises to minimize off premise impacts.
- D. A 100-foot setback shall be required along property lines where the RV/Camp area meets or adjoins a public right-of-way or properties not owned by the Developer. The setback established shall contain an earthen berm at least 2 feet high, with a minimum crown of 2 feet and a width to height ratio of no greater than 2:1, shrubs shall be planted on top of the berm that will attain a height of at least 72" within 4 years of installation and shall be planted 30" apart. In lieu of installing an earthen berm, Developer may utilize any natural berms, provided that any such natural berm meets or exceeds the criteria of this condition.
- E. No mobile homes/manufactured homes, as defined by the State of North Carolina, shall be allowed upon the premises of the RV Park, except to provide housing for a full-time caretaker.
- F. If the conditions addressed in this conditional use permit are violated, the permit shall be revoked and the use will no longer be allowed. Only by reapplying to the Board of Adjustment for another Conditional Use Permit and receiving their approval can the use be again permitted.

This the 5th day of November 2020.

Paul Weidman
Chair, Board of Adjustment