



**Notice of a Meeting
of the
Town of Stallings
Board of Adjustment**

This meeting will be held at
Stallings Town Hall
321 Stallings Road
Stallings, NC 28104

Please note the following agenda of the Stallings Board of Adjustment:

- **March 18, 2025**
6:00 PM*

** The Board of Adjustment meeting is held directly after the 6 PM Planning Board meeting concludes.*

AGENDA

1. Call the meeting to order
2. Approval of the Minutes from 10-17-2023
3. **V25.02.01** - A variance at 3120 Gribble Rd PID#07129332 to request relief from Article 2.19-1 of the Stallings Development Ordinance.
 - **2.19-1 Sidewalks Required.** Sidewalks shall be required along new and existing streets, in accordance with the provisions of Section 13.2-3, fronting the following new development and expansions of and improvements to existing development. Additionally, sidewalks shall be required in the following circumstances:
 - (A.) All new commercial development.
4. Adjournment

s/Max Hsiang

Max Hsiang, Planning Director

MINUTES OF PLANNING BOARD MEETING
OF THE
TOWN OF STALLINGS, NORTH CAROLINA

The Planning Board of the Town of Stallings met for their scheduled meeting on October 17, 2023, at 7:30 pm. The meeting was held at the Stallings Government Center, 321 Stallings Road, Stallings, NC 28104.

Planning Board members present: Chairman Bob Koehler, David Barnes, Jon Van de Riet and Jacqueline Wilson.

Planning Board members were absent: Vice Chairwoman Laurie Wojtowicz and Ryan Awaltd.

Staff members present: Max Hsiang, Planning Director, Stewart Valzonis and Mary McCall, Deputy Town Clerk.

Attendees: Jeremy Jacob and Doug Marsh.

Call to Order

Chairman Robert Koehler called the meeting to order at 7:40pm, immediately following the Planning Board Meeting. Chairman Koehler advised the purpose of the meeting.

1. Approval of Agenda

Board Member Van de Riet made the motion to approve the agenda to include the addition of item 2b for the Planning Board of Adjustment schedule. The motion was approved unanimously after a second from Chairman Koehler.

2. Approval of Minutes – October 18, 2022 & Future Board of Adjustment’s Schedule

a. Approval of Minutes

Board Member Wilson made a motion to approve the minutes for the meeting of October 18, 2022. The motion was approved unanimously after a second from Board Member Van de Riet.

b. Future Board of Adjustment’s Meetings

Planning Director Hsiang presented to the Board of Adjustments the suggestion of changing their meeting schedule to be on a “as needed” basis from 2024 onwards.

Board Member Wilson made a motion to approve the change to hold Board of Adjustments’ meeting on a “as needed” basis from 2024 onwards. The motion was approved unanimously after a second from Board Member Van de Riet.

Prior to opening the public hearing, Planning Director Hsiang qualified the members of the Board. He advised the applicant of the voting requirements giving the opportunity to defer the meeting in which that applicant declined to defer the meeting.

Chairman Koehler explained the necessary components of the quasi-judicial meeting and gave step by step instruction for the meeting progression.

Planning Director Hsiang gave further instruction on evidence, testimony, exhibits and the Board’s deliberations. He also advised the process for appeal.

Chairman Koehler asked all persons giving testimony to come forward. Planning Director Hsiang and the attendees were all sworn in by the Clerk.

Chairman Koehler opened the public hearing.

3. V23.10.01 – variance requested at 5641 Anglesey Ct, parcel ID#07054936 for relief from Article 9.3-2(4) of the Stallings Development Ordinance that states “Decks shall be constructed only in an established rear yard and are not permitted to encroach into the rear setback”.

Planning Director Hsiang explained that the variance request is for alleviation of the setback requirements section for the purpose of replacing an existing deck on the property located at 5641 Anglesey Ct which was originally built prior to annexation into the Town of Stallings. He advised that at the time of annexation there was no issue with the existing deck because of grandfathering, but now the rebuild would not be permitted due to the rear setback encroachment requirements in the town’s ordinance.

The applicant and homeowner, Jeremy Jacob, presented evidence to the clerk (cataloged below) and gave testimony to the Board. Mr. Jacob explained that he was replacing the deck with a slightly

different footprint to be able to cover a portion of the deck. He showed the board, using the exhibits, how the home was angled on the property that alters the rear setback of the house to the property. Mr. Jacob explained that the deck would not be visible to the current adjacent properties and showed the future land use plan for Stinson Farms, which would have a 70-to-100-foot buffer on the property line, therefore preventing visibility as well. Mr. Jacob showed the architectural drawbacks of the home which have limited the deck options.

- Exhibit A – Property Survey of 5641 Anglesey Ct
- Exhibit B – Aerial View with approximate survey/setback (not exact)
- Exhibit C – Stinson Farms Development Plan with property connection highlighted and house architectural photos.
- Exhibit D – Proposed plan and elevations; HOA approval letter dated 9/8/23.

Mr. Jacobs read his statements of justification for alleviation of the hardship caused by the ordinance.

Planning Director Hsiang gave further instruction to the board and read the justification questions one by one for the Board to vote on the findings.

Chairman Koehler closed the public hearing.

Question 1: Board Member Wilson made the motion that there is sufficient evidence necessary to find that an unnecessary hardship would result in the strict application of the regulation. The motion was approved unanimously after a second from Board Member Van de Riet.

Question 2: Board Member Wilson made the motion that there is sufficient evidence necessary to find that the hardship results from conditions that are peculiar to the property. The motion was approved unanimously after a second from Board Member Van de Riet.

Question 3: Chairman Koehler made the motion that there is sufficient evidence that the hardship did not result from actions taken by the Applicant. The motion was approved unanimously after a second from Board Member Wilson.

Question 4: Board Member Wilson made the motion that there is sufficient evidence to support that 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. The motion was approved unanimously after a second from Board Member Van de Riet.

After all questions had been voted on in the affirmative, Board Member Wilson made the motion to approve the variance request. The motion was approved unanimously after a second from Board Member Van de Riet.

4. Adjournment

Board Member Wilson made the motion for adjournment. The motion was approved unanimously after a second from Board Member Van de Riet.

The meeting adjourned at 8:02 pm.

Robert Koehler, Chairman

Mary McCall, Deputy Town Clerk

Exhibit A

5641 Anglesey Court Variance Application Addendum

Figure 1: Property Survey

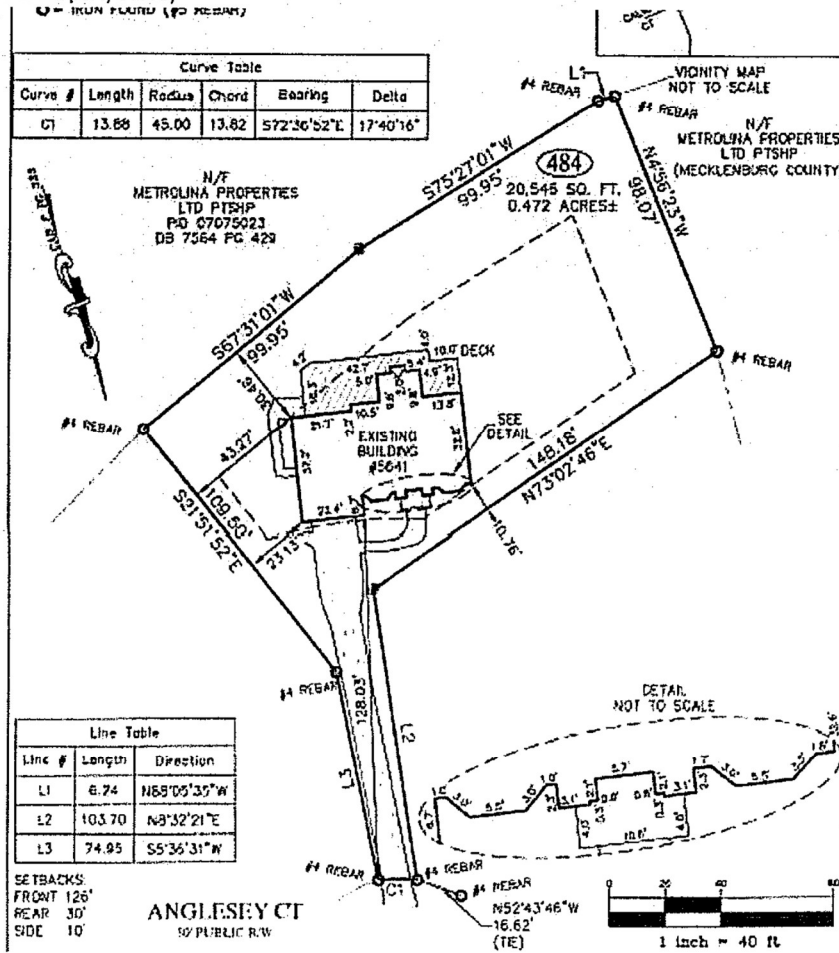


Exhibit B

Figure 2: Aerial View with approximate survey/setback (not exact)



Figure 3: Approximate changes to existing structure

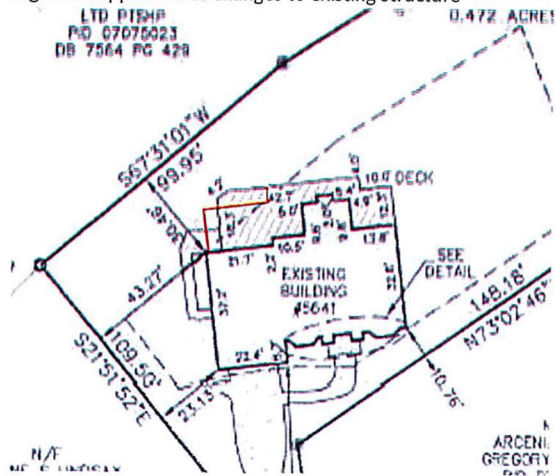


Exhibit C

Figure 4: Stinson Farms Development Plan with our lot highlighted.

11/16/21 Stinson Farms Lawsuit Update: A buffer more than two-times larger than the minimum required "by-right" buffer between the development and the Shannamara neighborhood. A portion of this buffer will now include a 5' brick wall along Anglesey Court and include enhanced landscaping.

2/4/21 Update: The 3 homes in the Shannamara neighborhood that do not have single family residential behind them do have the 100' buffer (or 70' with a fence), a road and the side yard of a town home building behind them. The applicant has agreed to plant additional tall, fast growing evergreens in this area.

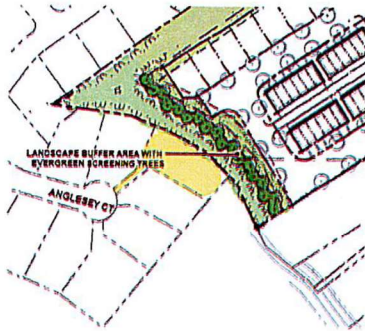


Figure 5: Architecture of house showing inability to put a roof between the two vertically stacked windows on either side of the outset on the rear of the house:

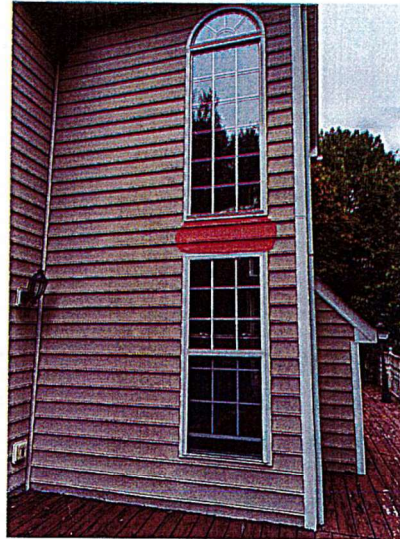
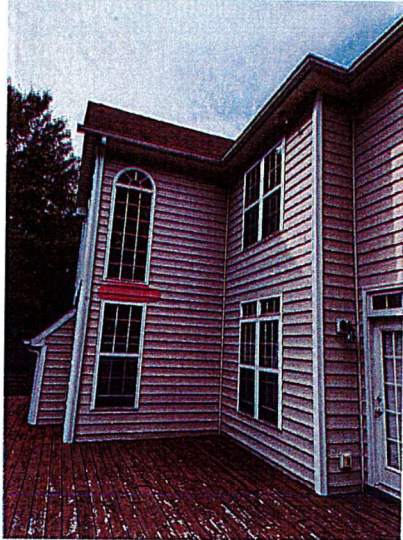


Exhibit D

Figure 6: Proposed plan and elevations

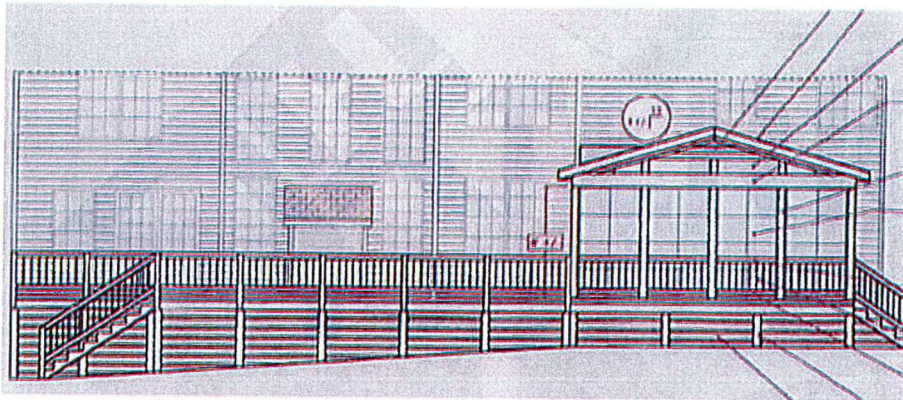
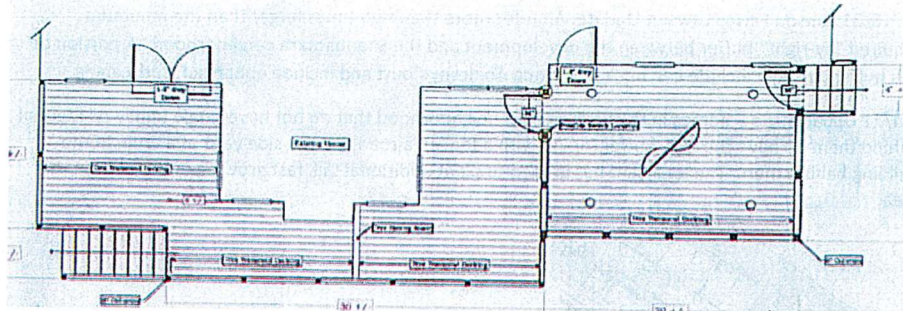


Figure 7: HOA Approval

Sherrington Homeowners Association, Inc.
PO Box 1041
Matthews, NC 28105

September 8, 2023

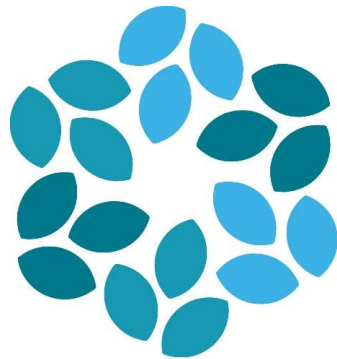
Jeremy & Sarah Jacob
5641 Anglesey Court
Matthews, NC 28104

Re: 5641 Anglesey Court

Dear Homeowner:

Your application for screened porch and deck has been approved by the ACC as submitted. Please note your project must be completed according to the specifics of your submission and must conform to the requirements of the Covenants, Conditions and Restrictions and Architectural and Landscape Guidelines.

V25.02.01 – Harris Auto



**PLANNING
& ZONING**
TOWN of STALLINGS

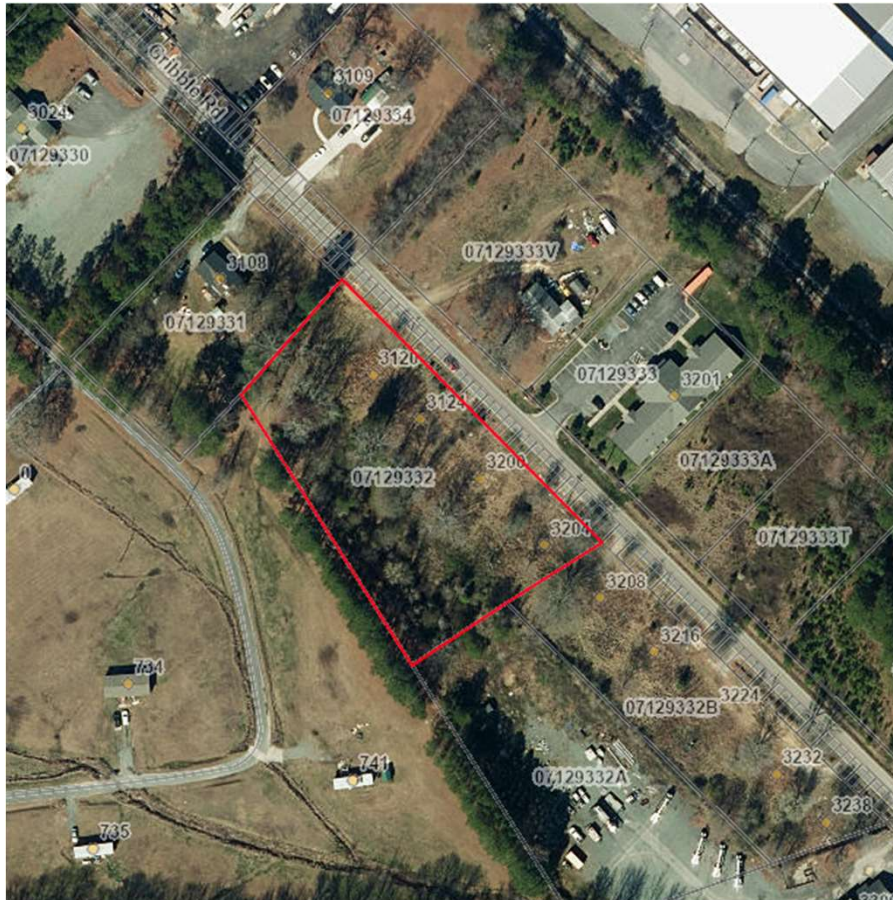
Request



The applicant, The Moser Group Inc, requests a variance at 3120 Gribble Rd PID#07129332 to request relief from Article 2.19-1 of the Stallings Development Ordinance.

- 2.19-1 Sidewalks Required. Sidewalks shall be required along new and existing streets, in accordance with the provisions of Section 13.2-3, fronting the following new development and expansions of and improvements to existing development. Additionally, sidewalks shall be required in the following circumstances:
 - (A.) All new commercial development.

Current Conditions



Additional Perspectives



Site Information



- The property currently has an approved Site Development Plan (Concept Plan) for an Auto Repair business.
- They are currently awaiting NCDOT, NCDEQ, and UCPW approval prior to the approval of the Construction Documents.
- They would have to revise their plans if the Variance is granted.
- The zoning is Industrial (IND).

PLANNING & ZONING TOWN of STALLINGS APPROVED

APPROVED
By Board Action on 08/21/2018, Page 02 of 02

DIMENSION CONTROL NOTES:

1. SEE DIMENSION CONTROL NOTES FOR ALL DIMENSIONS.
2. SEE DIMENSION CONTROL NOTES FOR ALL DIMENSIONS.
3. SEE DIMENSION CONTROL NOTES FOR ALL DIMENSIONS.
4. SEE DIMENSION CONTROL NOTES FOR ALL DIMENSIONS.
5. SEE DIMENSION CONTROL NOTES FOR ALL DIMENSIONS.
6. SEE DIMENSION CONTROL NOTES FOR ALL DIMENSIONS.
7. SEE DIMENSION CONTROL NOTES FOR ALL DIMENSIONS.
8. SEE DIMENSION CONTROL NOTES FOR ALL DIMENSIONS.
9. SEE DIMENSION CONTROL NOTES FOR ALL DIMENSIONS.
10. SEE DIMENSION CONTROL NOTES FOR ALL DIMENSIONS.
11. SEE DIMENSION CONTROL NOTES FOR ALL DIMENSIONS.
12. SEE DIMENSION CONTROL NOTES FOR ALL DIMENSIONS.
13. SEE DIMENSION CONTROL NOTES FOR ALL DIMENSIONS.
14. SEE DIMENSION CONTROL NOTES FOR ALL DIMENSIONS.
15. SEE DIMENSION CONTROL NOTES FOR ALL DIMENSIONS.
16. SEE DIMENSION CONTROL NOTES FOR ALL DIMENSIONS.
17. SEE DIMENSION CONTROL NOTES FOR ALL DIMENSIONS.
18. SEE DIMENSION CONTROL NOTES FOR ALL DIMENSIONS.
19. SEE DIMENSION CONTROL NOTES FOR ALL DIMENSIONS.
20. SEE DIMENSION CONTROL NOTES FOR ALL DIMENSIONS.

LEGEND

ZONING SUMMARY

Zone	Description
IND	Industrial

SITE AND DEVELOPMENT DATA

OWNER: THE HOMES INDIAN TRAIL, L.L.C.
PROJECT: THE HOMES INDIAN TRAIL, L.L.C. (INDUSTRIAL ZONING)
DATE: 08/21/2018

OPEN SPACE AREA CALCULATION:

Area	Area (sq. ft.)
Open Space	10,000
Other	5,000
Total	15,000

CP-101

Statements of Justification



Unnecessary hardship would result from the strict application of the ordinance (Expense is NOT a valid hardship):

Response:

Given the type of materials we have onsite thief is a big concern. We have lots of thief at our other locations. The surrounding properties do not have any sidewalks so there is nothing to connect to and the grade surrounding the property prevents future connections easily.

Statements of Justification



The hardship results from conditions that are peculiar to the property such as location, size, or topography:

Response:

The location of this site does not have any sidewalks along the entire length of Gribble Rd.

Statements of Justification



The hardship did not result from actions taken by the applicant or the property owner:

Response:

True

Statements of Justification



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:

Response:

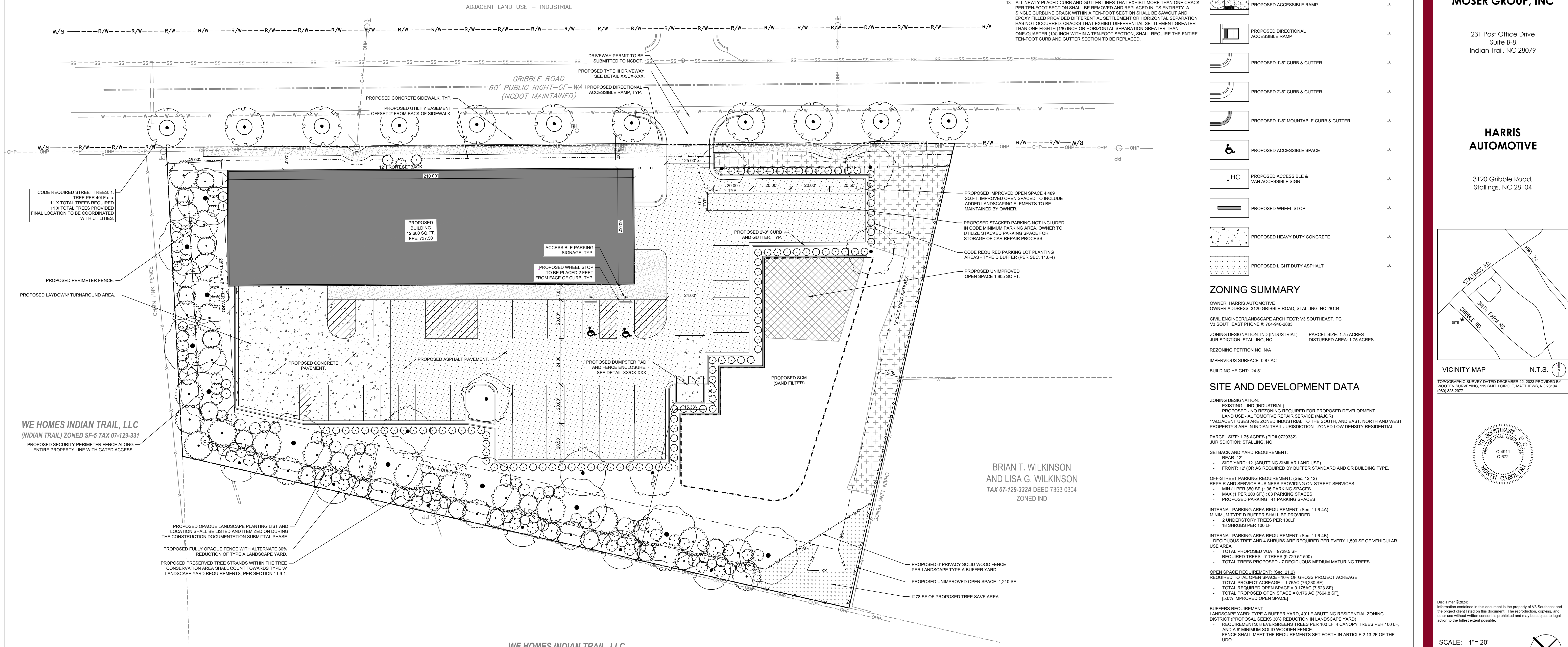
Yes, removing the sidewalk would prevent people from walking along Gribble Rd. where there's no sidewalk.



Max Hising

08/07/2024

APPROVED By Kevin Parker at 10:11 am, Aug 07, 2024



WE HOMES INDIAN TRAIL, LLC (INDIAN TRAIL) TAX 07-129-322 ZONED SF-5 DEED 7270-107

BRIAN T. WILKINSON AND LISA G. WILKINSON TAX 07-129-332A DEED 7353-0304 ZONED IND

DIMENSION CONTROL NOTES:

- 1. SEE ARCHITECTURAL PLANS FOR BUILDING DIMENSIONS. 2. ALL DIMENSIONS ARE AT 90 DEGREES UNLESS OTHERWISE NOTED ON THE CONSTRUCTION DOCUMENTS. 3. CONTRACTOR SHALL STAKE SITE AS INDICATED ON THE CONSTRUCTION DOCUMENTS...

LEGEND

Table with 2 columns: SYMBOL and DESCRIPTION. Includes symbols for proposed tree save, fencing, open space, sidewalk, ramp, curb, and various pavement types.

ZONING SUMMARY

OWNER: HARRIS AUTOMOTIVE. ADDRESS: 3120 GRIBBLE ROAD, STALLING, NC 28104. ZONING DESIGNATION: IND (INDUSTRIAL). PARCEL SIZE: 1.75 ACRES.

SITE AND DEVELOPMENT DATA

ZONING DESIGNATION: EXISTING - IND (INDUSTRIAL). PROPOSED - NO REZONING REQUIRED FOR PROPOSED DEVELOPMENT. SETBACK AND YARD REQUIREMENT: REAR: 12', SIDE YARD: 12' (ABUTTING SIMILAR LAND USE)...

OPEN SPACE AREA CALCULATION:

TOTAL PARCEL AREA: 76,230 SF (1.75 AC). TOTAL REQUIRED OPEN SPACE AREA: 7,623 SF x 10% = 762.3 SF (0.17 AC). TOTAL PROPOSED OPEN SPACE AREA: 7,623 SF (0.17 AC).

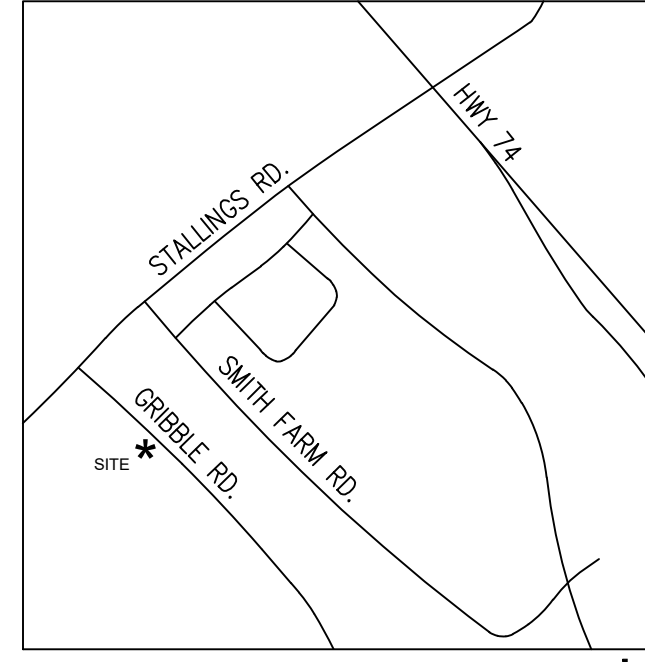
V3 Southeast logo and contact information: 3700 South Blvd., Suite 200, Charlotte, NC 28209. Includes a QR code.

MOSER GROUP, INC

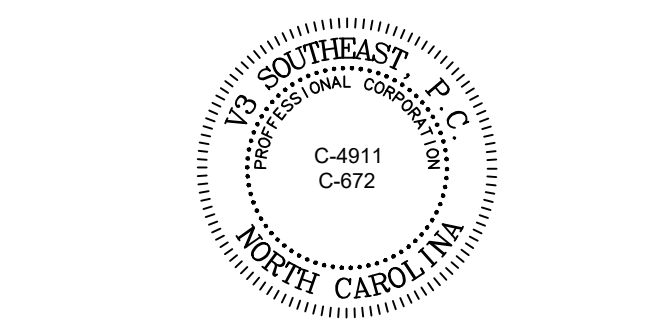
231 Post Office Drive Suite B-8, Indian Trail, NC 28079

HARRIS AUTOMOTIVE

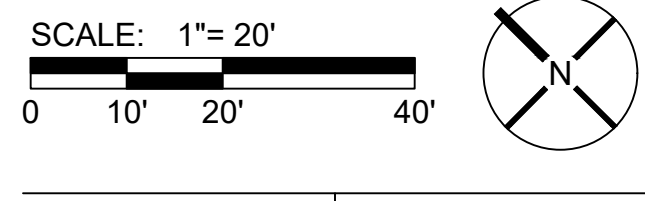
3120 Gribble Road, Stallings, NC 28104



VICINITY MAP N.T.S. TOPOGRAPHIC SURVEY DATED 08/08/2023 BY WOOTEN SURVEYING, 119 SMITH CIRCLE, MATTHEWS, NC 28104.



Disclaimer: Information contained in this document is the property of V3 Southeast and the project client listed on this document.



DATE: 07-21-24 PM:MDM. DRAWN BY: TFF. REVIEWED BY: DSK.

CONCEPT PLAN

Table with columns for REVISIONS, including fields for date, description, and initials.

CP-101 CONSTRUCTION DOCUMENTS



- 1. CONTRACTOR IS RESPONSIBLE FOR PLACEMENT OF ALL BARRICADES, SIGNAGE, FLAGGERS, SHORING, ETC. TO ENSURE THE SAFETY OF WORKERS AND THE PUBLIC. 2. ALL PAVEMENT CUTS SHALL BE REPLACED ACCORDING TO NORTH CAROLINA DEPARTMENT OF TRANSPORTATION AND LINCOLN COUNTY WATER.



PLANNING & ZONING DEPARTMENT
 TOWN OF STALLINGS
 315 STALLINGS ROAD
 STALLINGS, NC 28104
 704-821-8557

APPLICATION INFORMATION	
Date Filed:	
Application #:	
Fee Paid:	

VARIANCE APPLICATION

*Please reference the Fee Schedule for cost.

Property Information			
Property Owner(s):	Harris Land Group LLC		
Address/Location:	3120 Gribble Rd		
Parcel #:	07129332		
Applicant Name (if different from owner):	Tom Crouch		
Phone:	980-333-9019	Email:	tcrouch@themosergroupinc.com

*Disclaimer: All zoning applications are public records and by providing the above information, you agree that said information can be released to the public by request.

Variance Request Description

Section(s) of Ordinance requesting relief from:

Sidewalk requirements in front of the building.

Owner/Applicant Statement:

I hereby certify that all information provided in this application is accurate to the best of my knowledge, and I acknowledge compliance with all requirements of the Town of Stallings Ordinances.

Signature of Owner: *[Signature]* Date: 3-3-25

Signature of Applicant: *[Signature]* Date: 3/3/25

Signature of Zoning Official: _____ Date: _____

Statement of Justification

Unnecessary hardship would result from the strict application of the ordinance [Expense is NOT a valid hardship]:

Given the type of materials we have onsite theft is a big concern. We have lots of theft at our other locations. The surrounding properties do not have any sidewalks so there is nothing to connect to and the grade surrounding the property prevents future connections easily.

The hardship results from conditions that are peculiar to the property such as location, size, or topography:

The location of this site does not have any sidewalks along the entire length of Gribble Rd.

The hardship did not result from actions taken by the applicant or the property owner:

True

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:

Yes, removing the sidewalk would prevent people from walking along Gribble Rd where there's no sidewalk