



Town of Elon

Board of Adjustment Agenda

October 18, 2022

6:00 PM In Person

Elon Town Hall, Town Council Chambers

104. S. Williamson Ave., Elon, NC

Board of Adjustment Agenda Items

A. Call to Order

B. New Business

- i. Approval of Minutes from the February 23, 2021, Board of Adjustment Meeting.
- ii. Petition VA-2022-01 is a variance request by Matthew Stecz, Trustee of the Rottach Trust, for a 10-foot variance to reduce the rear yard setback requirement contained in Section 3.3 of the Town of Elon Land Development Ordinance. This will allow for an existing home to encroach 10 feet into the rear yard setback on 0.20 acres located at 1142 Stone Gables Drive (Tax Map & Parcel 170067) in the NR (Neighborhood Residential) Zoning District with a Traditional Neighborhood Development (TND) overlay.

C. Items from Board Members

D. Other Business

E. Adjournment

TOWN OF ELON BOARD OF ADJUSTMENT MINUTES

Via Zoom

February 23, 2021, at 5:30 PM

Board members present: Jim Beasley, Clark Bennett, Diane Gill, Ralph Harwood, Mark Podolle, and Phil Owens.

Staff Present: Pamela DeSoto

Item A - Chairman Beasley called meeting to order at 5:33 P.M.

Item B – Request for Variance from the Provisions of the Elon Land Development Ordinance Regarding Front Setback Requirements, Submitted by Irwin Properties, LLC.

Chairman Beasley introduced the item and opened the public hearing. He then proceeded to swear in anyone wanting to speak on the matter.

Ms. DeSoto then gave a summary of the project, as follows.

Mr. Chad Huffine, on behalf of Irwin Properties, LLC, has submitted a Variance application to request a variance from the provisions of the Elon Land Development Ordinance (LDO). The specific request is regarding front building setback requirements in the Industrial Planning District. The project, which received approval of a special use permit in June of 2020, proposes to develop a self-storage facility adjacent to the applicant's existing facility, Alamance Storage, on East Haggard Avenue. Mini-warehouse and self-storage facilities are only allowed in Elon's Industrial District, and only with an approved special use permit. The project has received feedback following review by Elon's TRC, during which it was revealed that the proposed plan is complicated by the front and rear setback requirements in the LDO. Mr. Huffine added that the adjacent two properties to the East were built prior to the adoption of the Town of Elon LDO in 2004.

The applicant is requesting a reduction in the front setback requirement for buildings in the Industrial Planning District (Section 3.11.4 of the LDO), from 50' to 25'. No relief is being requested for side and rear setbacks of 30'; however, the building must meet requirements to avoid the RR right-of-way of 100' and will thereby exceed the rear setback requirement by more than three times. Were it not for this site constraint, the building could be pushed back to comply with the 50' front setback requirement. The properties were rezoned to the Industrial Planning District in 2019 in order to allow the self-storage/mini-warehouse use. All other properties in this Industrial zone are either built upon and/or have pre-existing encroachment into the railroad right-of-way.

Ms. Desoto then went through the findings of fact that were detailed in the Board of Adjustment staff report and described the variance procedures. During this time, Mr. Huffine expressed to the Board that the LDO is silent on provisions to allow proposed facilities to match existing facilities as intended at the time of conception. Mr. Huffine also addressed the 3rd hardship, asking the board to refer to the date of purchase as further testimony whether the property was purchased with or

without the knowledge of setback requirements. He pointed out that none of the dimensions for the property have changed.

Mr. Huffine addressed the 4th hardship, stating that during the TRC process, he and the property owners have gone through a lengthy process to take inventory and match buildings are adjacent to them within 500 feet to make sure they are consistent with the atmosphere of that end of Haggard Avenue. The property owner Mr. Brit Irwin also testified that he feels that he greatly improved the aesthetic of Haggard Avenue, and that building anything smaller than the proposed building would not be financially viable.

The Board of Adjustment options were as follows:

1. The Board of Adjustment may:
 - a. Approve the variance request in whole, with or without conditions;
 - b. Approve the variance request in part, with or without conditions;
 - c. Deny the variance request.
 - d. If any of the findings (shown as recommended motions on the following slide) are decided in a manner that does not support the variance request, the request may not be approved.
2. If any of the findings (shown as recommended motions on the following slide) are decided in a manner that does not support the variance request, the request may not be approved.
3. A four-fifths majority is required to approve a variance request.
4. The Board may consider applying conditions to any approval decision limiting the variance to the specific requests, or any other or additional conditions they deem to be appropriate.

Motion #1 – A motion was offered by Mr. Bennett that unnecessary hardship would result from the strict application of the ordinance. The motion was seconded by Mr. Harwood and received a vote in favor by a margin of 6 to 0.

Motion #2 – A motion was offered by Mr. Harwood that the hardship related to the requested variance does result from conditions that are peculiar to the property, such as location, size, or topography. The motion was seconded by Mr. Owens and received a vote in favor by a margin of 6 to 0.

Motion #3 – A motion was offered by Mr. Podolle that the hardship related to the requested variance does not result from actions taken by the applicant or property owner. The motion was seconded by Mr. Bennett and received a vote in favor of 6 to 0.

Motion #4 – A motion was offered by Mr. Owens that the requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is received. The motion was seconded by Mr. Bennett and received a vote in favor of 6 to 0.

Motion #5 – Mr. Podolle offered a motion that, based on the findings of fact and the evidence presented, the Elon Board of Adjustment issue approval of the requested variance, in whole, without conditions. The motion was seconded by Mrs. Gill and received a unanimous vote in favor.

Item C – Approval of Minutes of the July 21, 2020 Meeting. A motion to approve the minutes from the July 21, 2020 meeting was offered by Mr. Bennett and seconded by Mrs. Gill. The motion was approved by unanimous vote.

Item D- Motion to Adjourn

The meeting was called to adjourn by Chairman Beasley at 6:40 PM.

Respectfully Submitted,

Chair Jim Beasley

Recording Secretary, Mary Kathryn Harward
Town of Elon Planning Department – Planner I
(The minutes were based off a recording of the meeting)

VA-2022-01
1142 Stone Gables Drive
Rear Yard Variance

Explanation of the Request

Petition VA-2022-01 is a variance request by Matthew Stecz, Trustee of the Rottach Trust, for a 10-foot variance to reduce the rear yard setback requirement contained in Section 3.3 of the Town of Elon Land Development Ordinance. This will allow for an existing home to encroach 10 feet into the rear yard setback on 0.20 acres located at 1142 Stone Gables Drive (Tax Map & Parcel 170067) in the NR (Neighborhood Residential) Zoning District with a Traditional Neighborhood Development (TND) overlay.

Location & Current Land Use

Currently, the subject property contains a single-family dwelling. The property is zoned Neighborhood Residential (NR) with a Traditional Neighborhood Development (TND) overlay.

- Condition and land use of the surrounding properties are:
 - To the North- A single family (attached) dwelling zoned Neighborhood Residential (NR) with a TND overlay.
 - To the West- A single family dwelling home zoned Neighborhood Residential (NR) with a TND overlay.
 - To the South- A 1.28-acre parcel of land which contains common open space for the Cable Square subdivision zoned NR with a TND overlay.
 - To the East- A 1.28-acre parcel of land which contains common open space for the Cable Square subdivision zoned NR with a TND overlay.

Property History

On January 16th, 2009, the original Developer subdivided the land for Phase 1, Section 1 of the Cable Square subdivision, at which time parcel #170067 was created as Lot #32. Lot #32 was adjacent to land contained in the common open space for the subdivision and was also adjacent to an existing transmission utility easement.

In March of 2010, the Developer submitted a building permit application with the home on lot 32 oriented to meet all setbacks (map#2). However, prior to construction the floor plan was revised. The developer then recorded a map (map#3) to change the configuration of the property and shift the rear property line south so that the house would meet setbacks. The new plat was approved by the Town of Elon planning staff and recorded in the Register of Deeds Office. However, a correlating deed which would have depicted the property line shift (per the revised map) was never submitted.

In June of 2010, Chad and Connie Autrey purchased the home at 1142 Stone Gables Drive. The closing attorney for the buyers later filed a corrective deed referencing the map that was submitted to fix the house encroachment into the required rear setback. At that time, the developer had already deeded the common open space (parcel #170071) to the Cable Square Homeowners Association, so the corrective deed filed was null and void.

In July 2011, the property was then sold to Rottach Trust c/o Matthew Stecz, Trustee. In June 2022, the property was again listed for sale and in August of this year, the realtor contacted the Planning Department staff about applying for a variance.

Land Use Analysis

- The property is zoned NR (Neighborhood Residential) with a Traditional Neighborhood Design (TND) overlay and the applicant is requesting a ten-foot variance to reduce the rear yard setback and bring the existing home into compliance with the Town of Elon Land Development Code requirements. The rear yard setback for the house in the Cable Square subdivision is 25 feet. The current home on the property is located approximately 15 feet off the rear property line.
- This property is not located within a FEMA regulated floodplain and is located within the Jordan Lake watershed.

Comprehensive Plan

The Town of Elon Land Development Ordinance identifies the current property as Neighborhood Residential with a TND overlay.

The intent of the Neighborhood Residential district is defined as:

“The Neighborhood Residential Planning District accommodates existing medium-density single-family residential neighborhoods and provides opportunities for future single-family residential development primarily within the Town’s northwest growth area. This district provides for some higher-density residential development within walking distance of designated Neighborhood and Village Center Districts, as identified on the Land Development Ordinance Map (and as provided for in Sub-Section 3.3.2 below). Streets in the Neighborhood Residential District must be interconnected, as required in Section 5.7 – Street and Greenway Design Regulations. Urban Open Space must be provided according to Section 5.5 – Open space Preservation and Design Regulations. A range of housing types is encouraged. Low-intensity business activity is permitted in mixed-use buildings at a residential scale, in and around designated Town, Neighborhood and Village Center Districts. The intensity to which permitted uses may be built is regulated by the building type corresponding with the intended use and permitted within the planning district.”

The intent of the Traditional Neighborhood Residential district is defined as:

“The traditional neighborhood development overlay (TND-O) district provides an alternative to conventional large-lot, single-use subdivisions. The TND Overlay encourages development of neighborhoods with small blocks, interconnected, pedestrian-oriented streets and sidewalks, and a mixture of buildings, uses, and public spaces. The intent of this overlay district is to minimize traffic congestion, suburban sprawl, infrastructure costs, and environmental degradation. The TND Overlay District calls for neighborhoods with a recognizable center and clearly defined edges. The optimum size is a quarter mile from center to edge – about a fifteen minute walk. TNDs contain a mixture of uses and housing types in close proximity to one another and have a variety of civic buildings and public spaces which are prominently sited, to provide a strong sense of community. The TND Overlay District may be applied in all general planning districts through map adoption for TNDs with completed designs and overlay district approval.”

Planning Staff Analysis

In March of 2010, the developer who owned the Cable Square subdivision submitted their subdivision plat for the proposed subdivision. At that time, the developer was still the owner of the common open space (parcel #170071), which borders the property in question. When the building permits for that lot (lot #32)

were submitted, the site plan including the proposed house, abided by all setback requirements for the NR district with a TND overlay.

In 2010 when the house was built, the house plan layout was modified, resulting in the house not meeting setback requirements. The developer submitted a new survey map that had shifted the property boundaries for parcel #10076 but did not file a deed to match the property boundary adjustment. In 2010 when the property was sold, the closing attorney for the new homeowners filed a corrective deed to match the corrective map that was submitted in 2010. However, at that time the original developer had already deeded the common open space to the Cable Square Homeowners Association, so the corrective deed was void.

Since the house was built and the corrective deed was not correctly filed, the house has remained non-conforming. If the Elon Board of Adjustment approves the 10-foot variance, the house will become conforming to the Town of Elon LDO standards.

Section 8.5.3 of the Town of Elon Land Development Ordinance establishes the findings listed below that the Board of Adjustment must make in granting any variance.

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
2. The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.
3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing the property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
4. The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

*****Please refer to the 4 Findings of Fact listed above when making a decision*****

Suggested Motions

The Board may consider attaching conditions that they may deem appropriate to any approval decision of the request. Please note that all of the motions must result in a vote favorable to the Variance request in order for the Board to issue approval of the request.

The following motion format is recommended:

Motion 1: Unnecessary hardship (*would/would not*) result from the strict application of the ordinance as it relates to the requested Variance.

Motion 2: The hardship(s) related to the requested Variance (*does/does not*) result from conditions that are peculiar to the property, such as location, size, or topography.

Motion 3: The hardship(s) related to the requested Variance (*does/does not*) result from actions taken by the applicant or property owner.

Motion 4: The requested Variance (*is/is not*) consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is received.

Motion 5: The Town of Elon Board of Adjustment (select one option from the following):

- a. Approves the Variance request in whole, with or without conditions as stated for the record.
- b. Approves the Variance request in part, with or without conditions as stated for the record.
- c. Denies the Variance request.

Submitted by: Mary Kathryn Harward, Planner

Enclosures: Application for Variance (including survey plats and building permit site plans)

Site Plan Setback Maps

Aerial Imagery

Zoning Map



Town of Elon Board of Adjustment Variance Application

The Elon Board of Adjustment is a quasi-judicial body responsible for hearing and deciding appeals, variance requests, and interpretations of the Elon Land Development Ordinance. In doing this, the board is charged with upholding the purpose and intent of the development ordinance when there are practical difficulties or unnecessary hardships that result from carrying out the strict letter of the law.

The application is a form of written testimony, and used to provide evidence that the required findings for approval can be made. In addition to the application materials, the applicant may provide any other written, drawn or photographed material to support his/her request and as permitted by the Board of Adjustment. Any such additional material submitted will become part of the application, and as such cannot be returned. Attendance at the hearing is required. Applicants may represent themselves or may be represented by someone appropriate for quasi-judicial public hearings. The applicant has the burden of proof and must provide sufficient evidence in order for the required findings to be made. The public hearing will allow the applicant, proponents, opponents and anyone else the opportunity to speak and ask questions in regards to the request. An application may be approved, approved with conditions, continued for more information, or denied. Decisions can be appealed to Superior Court within 30 days

The Board of Adjustment meets the third Tuesday of each month at 7:00 pm at Elon Municipal Building as needed. This application must be completed by the applicant and/or property owner and signed by the property owner. Applications are due no later than 5:00 pm on the first Friday of the month prior to the meeting with a \$200.00 non-refundable filing fee.

Case Number: V-2022-01

Application Date: 9/21/2022 **Meeting Date:** October 18th, 2022

Variance: ☐ **Approved** ☐ **Denied**

Decision Date: _____

Board of Adjustment Chair Signature (print & sign): _____

Address or location for variance request: _____

1142 Stone Gables Dr, Elon, NC 27244, Lot 32

Property Zoning: _____ NR - Neighborhood Residential

Alamance County Tax Parcel Identification Number: _____ #170067

Alamance County GPIN: _____ #8846815219

Variance procedures are outlined in Section 8.5.3 of the Elon Land Development Ordinance. The Board of Adjustment may only grant a variance following a public hearing on the matter and having made the following findings of fact.

1. There are practical difficulties or unnecessary hardships that would result from carrying out the strict letter of this ordinance. The Board of Adjustment may reach this conclusion if it finds that:
 - a) if the applicant complies with the provisions of this ordinance, no reasonable use could be made of the property;
 - b) the hardship of which the applicant complains results from unique circumstances related to the applicant's property;
 - c) the hardship results from the application of this ordinance to the property; and
 - d) the hardship is not the result of the applicant's own actions.
2. The variance is in harmony with the general purpose and intent of this ordinance and preserves its spirit.
3. The granting of the variance assures the public safety

*****An affirmative 4/5 majority of members present vote is required for a variance***

The applicant is required to answer the following questions as part

1) Variance requested from Ordinance Section: _____ Section 3.3.4 Lot and
Building Specifications for Neighborhood Residential - rear set back for
principal structure 25 ft (0 ft if lot is adjacent to common area at least 50 ft in
width) _____

2) Reason(s) for variance: The existing home constructed in 2010 violates
applicable municipal setbacks which prevents the conveyance of good title.
[25 ft setback - 0ft if lot is adjacent to common area at least 50 ft in width]

3) Ordinance provisions require: Section 3.3.4 requires a rear setback
for a principal structure of 25 ft [0 ft if the lot is adjacent to common area at
least 50 ft in width]

Matthew Stecz, Trustee
I, of the Rottach Trust, hereby petition the Town of Elon
Board of Adjustment for a Variance from the literal provisions
cited above to allow use of the property as described on this
form and in material submitted with this request.

Section 8.5.3 of the Elon Land Development Ordinance (LDO) calls out the following "Findings" which the Board of Adjustment must make in granting any variance:

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

Applicant's Response: Violation of the Town of Elon setback requirement
prevents future conveyance of good title. See letter attached from counsel
for Buyer.

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

Applicant's Response: This violation of the minimum setback requirement has been a violation since the home was originally constructed. See Plat recorded in Plat Book 373 at Page 111. The Developer, Mid-Atlantic, discovered this problem in March 2010 and re-recorded a Plat in Plat Book 73 at Page 495, which Plat was approved by the Town of Elon, that enlarged Lot 32 and purported to fix the problem. Unfortunately, the Developer had already conveyed the common area to the HOA on March 12, 2010 and therefore did not have the authority to use the common area to enlarge Lot 32. Chad and Connie Autrey purchased the home and Lot 32 on June 29, 2010 utilizing the legal description on the Plat recorded in Plat Book 73 at Page 111. The closing attorney later filed a corrective deed referencing the Plat recorded in Plat Book 73 at Page 495. In July 2021 Chad and Connie Autrey sold the property to the applicant, again using the Plat recorded in Plat Book 73 at Page 111 for the legal description. The reason the house does not fit on the original Lot 32 is that the Developer flipped the site plan during construction (see attached). As constructed, the primary dwelling does not fit on Lot 32.

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

Applicant's Response: The lot was created in 2008 and the house was built in 2010. Current owner took title in 2021. There has been a prior transfer of title that did not discover the title defect until now. Current owner cannot comply with minimum setbacks and the Plat previously recorded (with the Town of Elon approval) does not remedy the defect because the Developer did not have title to the common area. Current owner took no part in creating the problem and only became aware when it attempted to sell the property and the closing attorney discovered the issue. Current owner played no part in creating the setback issue.

This image shows a single page of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

7) The requested variance is consistent with the spirit, purpose, and intent of the Ordinance, such that public safety is secured, and substantial justice achieved.

Applicant's Response: Request is consistent with the intent of the ordinance.

The area behind original Lot 32 and the development boundary line is undeveloped common area that is more than 25 ft. The rear of the property and adjoining common area contains a 68 ft transmission utility easement. The property adjoins an area identified as a Village Center, Conditional Planning District.

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

Property Owner Information (please print):

Name(s): Rottach Trust

Address: c/o Matthew Stecz, 39 Caven Rd, Ligonier, PA 15658

Telephone: 412-378-9770 **Email:** mattstecz@yahoo.com

Property Owner Signature: Matthew Stecz
DocuSigned by: FFA3D048BFB1404...

Agent Information (please print):

Contact Person(s): F. Paul Koonts; Oertel Koonts & Oertel, PLLC

Address: 3493 Forestdale Dr, Suite 103, Burlington, NC 27215

Telephone: 336-524-0355 ext. 109 **Email:** paulkoonts@okolaw.com

Agent Signature: F. Paul Koonts

Applicant Information (please print):

Applicant Name(s): Matthew Stecz, Trustee of the Rottach Trust

Address: 39 Caven Rd, Ligonier, PA 15658

Telephone: 412-378-9770 **Email:** mattstecz@yahoo.com

Applicant Signature: Matthew Stecz
DocuSigned by: FFA3D048BFB1404...

To be completed by staff only:

Date application received: 9/21/2022 **Time received:** 12:59 PM

Received By: Mary Kathryn Harward

PITTMAN & STEELE

ATTORNEYS AND COUNSELORS AT LAW

JOSEPH J. KALO, IV, ATTORNEY
Licensed in NC, SC and MA
joe.kalo@pittmansteelelaw.com

August 16, 2022

VIA EMAIL (karen.lyon@allentate.com) AND U.S. MAIL

Mr. Matthew A. Stecz, Trustee for
Rottach Trust dated May 30, 2012
c/o Karen Lyon
Allen Tate Real Estate, LLC
3315 Garden Road
Burlington, NC 27215-9790

RE: Offer to Purchase and Contract dated June 21, 2022, by and between Mr. Matthew A. Stecz, Trustee for Rottach Trust dated May 30, 2012, as Seller and David and Vickie C. Felten as Buyer for real property located at 1142 Stone Gables Drive. Elon, NC 27244

Mr. Stecz:

My firm represents David and Vickie Felten in connection with the above-referenced contract ("Contract"). In connection with the purchase contemplated under the Contract, my clients paid a Due Diligence Fee of \$20,000. As a general rule, Due Diligence Fees are not refundable, but there is a clear exception outlined in the Contract. Paragraphs 1(i) and 23(b) of the Contract provide that the Due Diligence Fee is refundable in the event of a material breach of the Contract by the seller. The seller is now in breach of the Contract. Under paragraph 8(g), the seller is obligated to deliver good title at closing and the seller is clearly in breach of this provision. The subject townhome violates applicable municipal setbacks and good title cannot be delivered to my clients. My clients are reasonable people and they provided the seller with additional time to resolve this issue by amending the Contract and extending the date of closing through August 8, 2022, with a grace period of seven (7) days. The grace period expired yesterday.

My client is now entitled to a full refund of the Due Diligence Fee. Paragraph 23(b) provides that my client may also recover their Due Diligence Costs. They are willing to waive their claim for these costs if this matter is resolved by the end of this week. I would also note that in the event it becomes necessary for my clients to file suit to recover their Due Diligence Fee and Due Diligence Costs, Paragraph 23(c) of the Contract provides for the recovery of their reasonable attorneys' fees. I look forward to your prompt response.

Respectfully,

PITTMAN & STEELE, PLLC

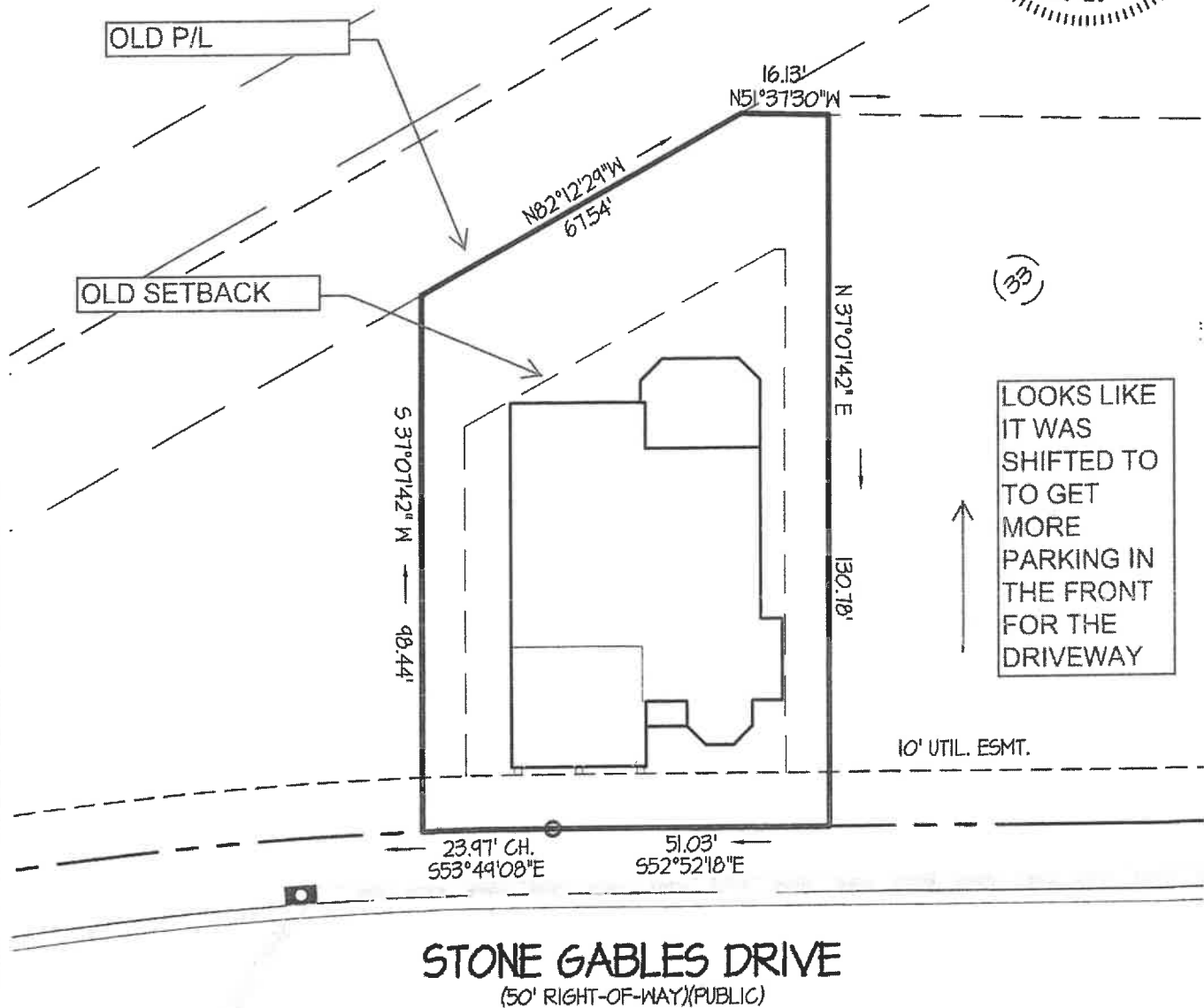
Joseph J. Kalo, IV

cc: David and Vickie Felten
Jane Erwin

4880-9198-6990, v. 1

MINIMUM YARD REQUIREMENTS		
	CITY	COVENANTS
FRONT	(10' MIN)	(25' MAX)
SIDE STREET	10'	
SIDE	8'	
REAR	25'	
ZONING		

***ORIGINAL SITE PLAN
WITH ENGINEER'S NOTES
FROM MARCH 2010***



NOT FOR RECORDING

DEVELOPMENT PLAN FOR
MID-ATLANTIC
STONE GABLES DRIVE
ELON, NORTH CAROLINA
BOONE STATION TOWNSHIP, ALAMANCE COUNTY



Engineers
Planners
Surveyors

Borum, Wade and Associates, P.A.

621 Eugene Court, Suite 100, Greensboro, NC 27401-2711

Phone: 336-275-0471 Fax: 336-275-3719

SCALE: 1"=30' DATE: MARCH 25, 2010

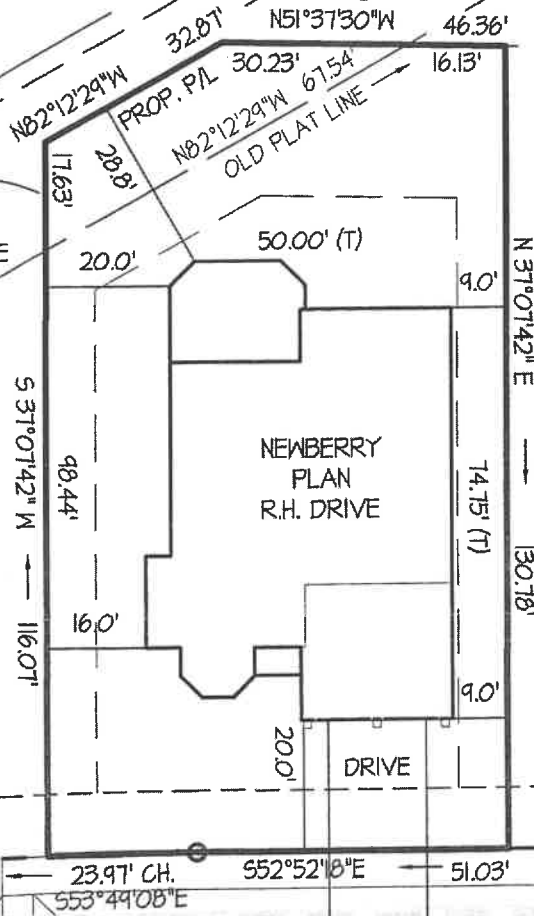
LOT # 32 OF CABLE SQUARE PHASE: I MAP: SEC: I
PLAT BK: 73 PAGE: III

MINIMUM YARD REQUIREMENTS		
	CITY	COVENANTS
FRONT	(10' MIN)	(25' MAX)
SIDE STREET	10'	
SIDE	8'	
REAR	25'	
ZONING		



EX. 68' TRANSMISSION ELECTRIC
UTILITY EASEMENT

PROPERTY LINE
RERECORDED (SEE
P.B. 73, PG. 495)



STONE GABLES DRIVE
(50' RIGHT-OF-WAY)(PUBLIC)

REV. 5-18-10 (ADD NEW RECORDED PLAT REFERENCE)
REV. 3-26-10 (ADJUST P/L - FUT. RECORD - SHIFT HOUSE)

NOT FOR RECORDING

DEVELOPMENT PLAN FOR
MID-ATLANTIC
1142 STONE GABLES DRIVE
ELON, NORTH CAROLINA
BOONE STATION TOWNSHIP, ALAMANCE COUNTY



Engineers
Planners
Surveyors

Borum, Wade and Associates, P.A.

621 Eugene Court, Suite 100, Greensboro, NC 27401-2711

Phone: 336-275-0471 Fax: 336-275-3719

SCALE: 1"=30' DATE: MARCH 25, 2010
LOT # 32 OF CABLE SQUARE PHASE: I MAP: SEC: I
PLAT BK: 73 PAGE: III
PLAT -DEED- BK: 73 PAGE: 445
TAX MAP #

PLAT BOOK PAGE

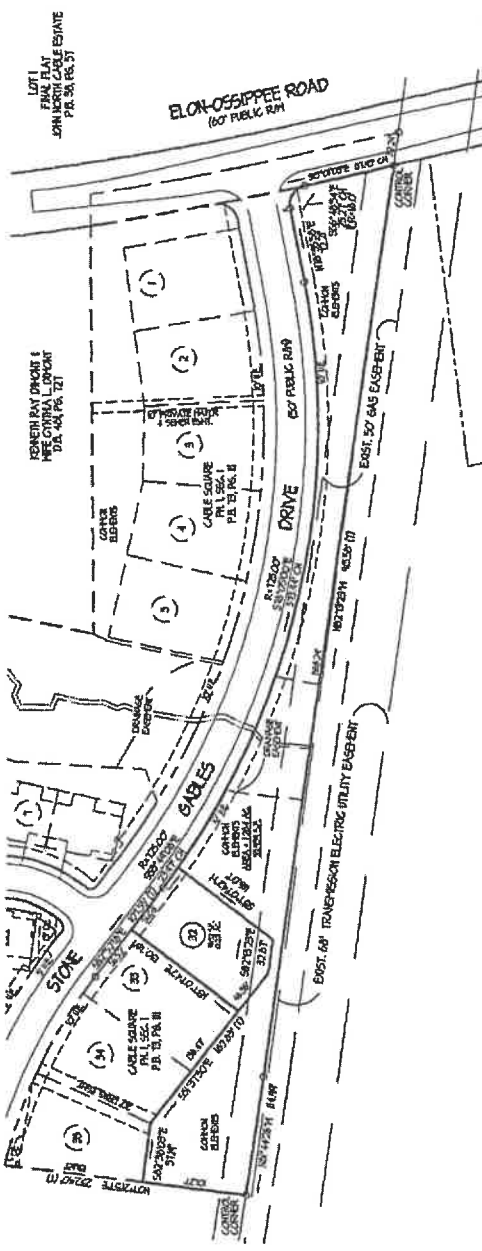


TEXT LEGEND

- CA CENTERLINE
- CD CROWN
- DA DRAINAGE
- EA EASEMENT
- FA FLOOD HAZARD
- GA GROUNDWATER
- HA HIGHWAY
- IA INTERSECTION
- LA LOT
- MA MAP
- NA NORTH
- OA OFFSET
- PA PLAT
- RA ROAD
- SA SETBACK
- TA TIE
- UA UNDERGROUND
- VA VARIATION
- WA WATER
- XA X-SECTION
- YA Y-SECTION
- ZA ZONING

DATE: 01/11/10
BY: [Signature]
73 495
170665

VICINITY MAP
SCALE: 1"=2000'



THIS IS A RE-RECORDING OF CABLE SQUARE PHASE I SECTION I AS PREVIOUSLY RECORDED IN PLAT BOOK 73, PAGE III FOR THE PURPOSE OF SHIFTING THE REAR YARD OF LOT 32

FINAL PLAT
PHASE I, SECTION I
CABLE SQUARE
OWNER AND DEVELOPER
MID-ATLANTIC TOWNHOMES, LLC

1142 STONE GABLES DRIVE
ELON, NORTH CAROLINA 27244

BOONE STATION TOWNSHIP, ALAMANCE COUNTY
SCALE: 1"=30' DATE: APRIL 7, 2010

BOBBI MADE AND ASSOCIATES, P.A.
ENGINEERS - ARCHITECTS - SURVEYORS
7100 S. MAIN STREET, SUITE 200
GREENSBORO, NC 27409
PHONE: (336) 733-1100
FAX: (336) 733-1101
WWW.BOBBI-MADE.COM

OWNER/DEVELOPER

MID-ATLANTIC TOWNHOMES, LLC
350 SOUTH ELI STREET
GREENSBORO, NORTH CAROLINA 27401
P.O. BOX 4506
GREENSBORO, NORTH CAROLINA 27404
PHONE: (336) 854-1750
CONTACT: MARK SCHWAB

BUILDING SETBACKS

- MAX FRONT SETBACK: 10 FT.
- MAX REAR SETBACK: 25 FT.
- SIDE SETBACK FOR PRINCIPAL STRUCTURES: 0 FT.
- SIDE & REAR SETBACK FOR ACCESSORY BUILDINGS: 3 FT.
- CORNER LOT SIDE YARD SETBACK ALONG LOCAL STREET: 10 FT.
- REAR SETBACK FOR PRINCIPAL STRUCTURES: 25 FT.
- REAR SETBACK FOR ACCESSORY BUILDING ALONG ALLEY: 5 FT. FROM CL
- REAR SETBACK FOR GARAGE ALONG ALLEY: 20 FT. FROM ALLEY

SITE DATA

- MAP 6PM # (STATE ID): 80468052H
- PARCEL ACCT. # (PARCEL ID): 10067
- OLD PARCEL NUMBER: 3-30-20H
- DEED REFERENCE: * D.B. 2638, PG. 501
- PLAT REFERENCE: P.B. 70, PG. 120
- STREET ADDRESS: P.B. 71, PG. 111
- TOTAL AREA: 1142 STONE GABLES DRIVE
- 1500 AC. / 66571 SF.



NOTES:
AREA DETERMINED BY DINO RETINO
ALL DIMENSIONS ARE HORIZONTAL UNLESS OTHERWISE NOTED
LINES SHOWN ARE NOT A PART OF THIS PLAT
THE SURVEY WAS PERFORMED IN ACCORDANCE WITH THE SURVEYING ACT OF 1971
THIS PLAT IS A PART OF A LARGER PLAT
THIS PLAT IS A PART OF A LARGER PLAT
THIS PLAT IS A PART OF A LARGER PLAT

RECORDING INFORMATION
DATE: 01/11/10
BY: [Signature]
73 495
170665

JOHN LEE MORRIS
REGISTERED PROFESSIONAL SURVEYOR
NO. 10124

DATE: 01/11/10
BY: [Signature]
73 495
170665

DATE: 01/11/10
BY: [Signature]
73 495
170665

THIS PLAT IS A RE-RECORDING OF CABLE SQUARE PHASE I SECTION I AS PREVIOUSLY RECORDED IN PLAT BOOK 73, PAGE III FOR THE PURPOSE OF SHIFTING THE REAR YARD OF LOT 32

Original building permit
site plan submitted
by developer in 2010.

MINIMUM YARD REQUIREMENTS

	CITY	COVENANTS
FRONT	(10' MIN)	(25' MAX)
SIDE STREET	10'	
SIDE	8'	
REAR	25'	
ZONING		

***ORIGINAL SITE PLAN
WITH ENGINEER'S NOTES
FROM MARCH 2010***



OLD P/L

OLD SETBACK

16.13'
N51°37'30"W

N82°12'29"W
67.54'

S37°07'42"W
48.44'

N37°07'42"E
130.18'

LOOKS LIKE
IT WAS
SHIFTED TO
TO GET
MORE
PARKING IN
THE FRONT
FOR THE
DRIVEWAY

10' UTIL. ESMT.

23.97' CH.
S53°44'08"E

51.03'
S52°52'18"E

STONE GABLES DRIVE
(50' RIGHT-OF-WAY)(PUBLIC)

NOT FOR RECORDING

DEVELOPMENT PLAN FOR
MID-ATLANTIC
STONE GABLES DRIVE
ELON, NORTH CAROLINA
BOONE STATION TOWNSHIP, ALAMANCE COUNTY



Engineers
Planners
Surveyors

Borum, Wade and Associates, P.A.

621 Eugene Court, Suite 100, Greensboro, NC 27401-2711

Phone: 336-275-0471 Fax: 336-275-3719

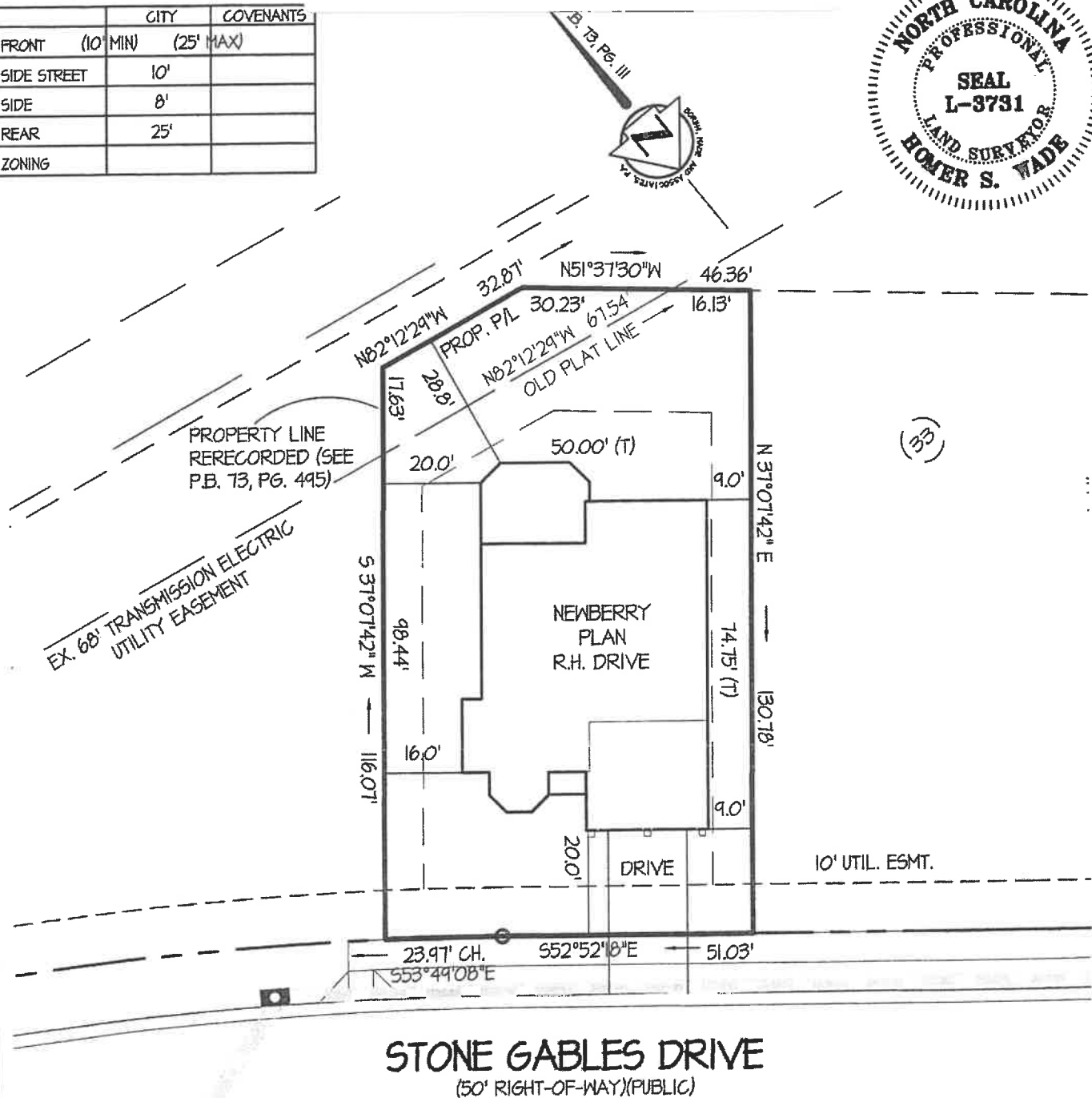
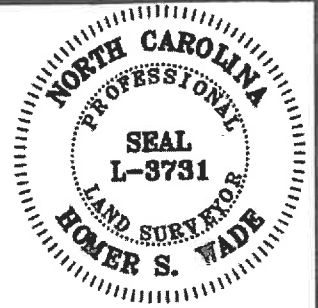
SCALE: 1"=30' DATE: MARCH 25, 2010

LOT # 32 OF CABLE SQUARE PHASE: I MAP: SEC: I
PLAT BK: T3 PAGE: III

Revised building permit site plan
to adjust rear property line
(corresponding deed not recorded).

MINIMUM YARD REQUIREMENTS

	CITY	COVENANTS
FRONT	(10' MIN)	(25' MAX)
SIDE STREET	10'	
SIDE	8'	
REAR	25'	
ZONING		



REV. 5-18-10 (ADD NEW RECORDED PLAT REFERENCE)
REV. 3-26-10 (ADJUST P/L - FUT. RECORD - SHIFT HOUSE)

NOT FOR RECORDING

DEVELOPMENT PLAN FOR
MID-ATLANTIC
1142 STONE GABLES DRIVE
ELON, NORTH CAROLINA
BOONE STATION TOWNSHIP, ALAMANCE COUNTY



Engineers
Planners
Surveyors

Borum, Wade and Associates, P.A.

621 Eugene Court, Suite 100, Greensboro, NC 27401-2711
Phone: 336-275-0471 Fax: 336-275-3719

SCALE: 1"=30'

DATE: MARCH 25, 2010

LOT # 32 OF CABLE SQUARE

PHASE: I MAP: SEC: I

PLAT BK: 73

PAGE: III

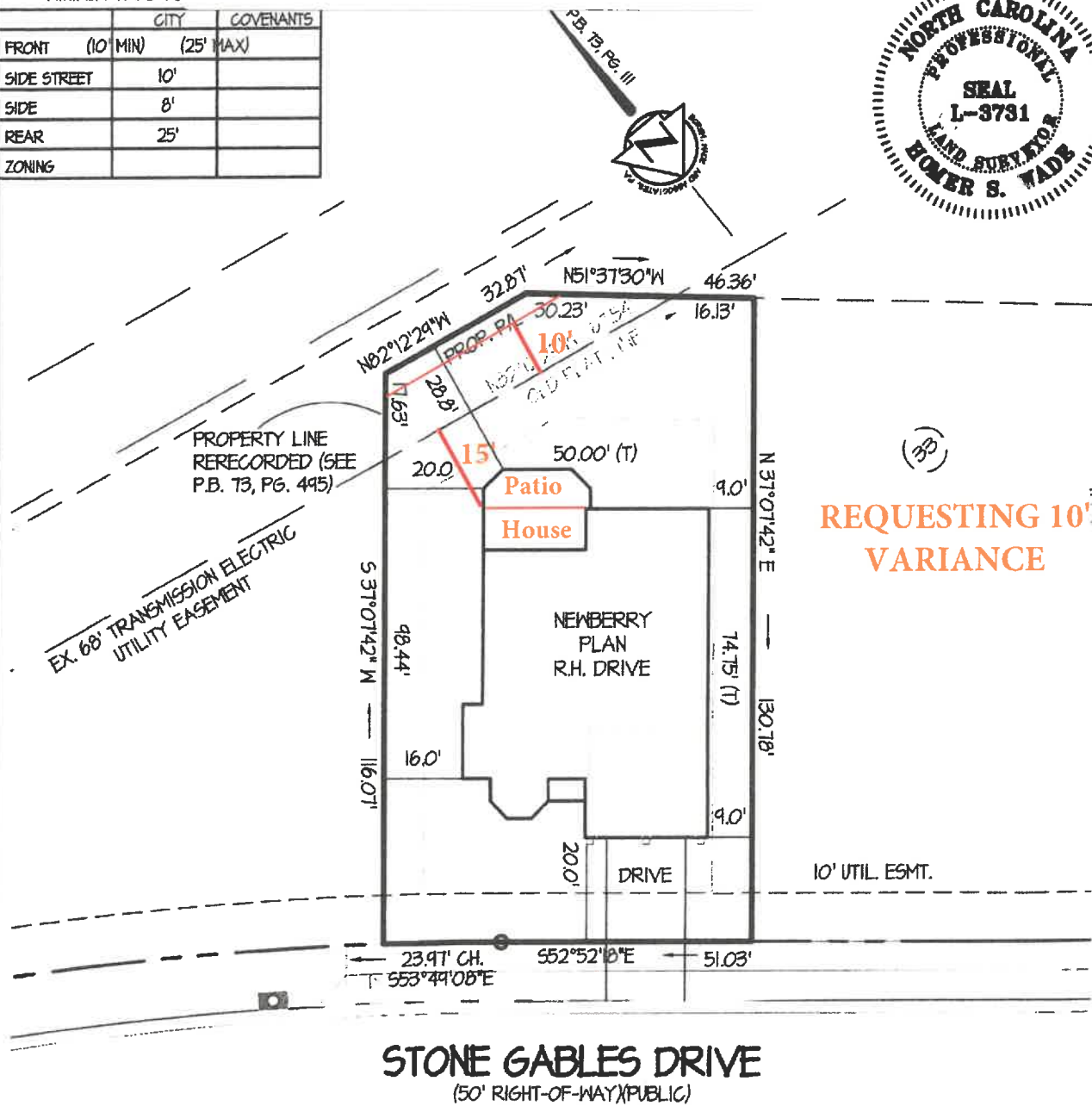
TAX MAP #

PLAT -DEED- BK: 73

PAGE: 445

2022 Variance application site plan.

MINIMUM YARD R		
	CITY	COVENANTS
FRONT	(10' MIN)	(25' MAX)
SIDE STREET	10'	
SIDE	8'	
REAR	25'	
ZONING		



REV. 5-18-10 (ADD NEW RECORDED PLAT REFERENCE)
REV. 3-26-10 (ADJUST P/L - FUT. RECORD - SHIFT HOUSE)

NOT FOR RECORDING

DEVELOPMENT PLAN FOR
MID-ATLANTIC
1142 STONE GABLES DRIVE
ELON, NORTH CAROLINA
BOONE STATION TOWNSHIP, ALAMANCE COUNTY



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Surveyors

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621 Eugene Court, Suite 100, Greensboro, NC 27401 2711
Phone: 336 275 0471 Fax: 336 275 3719

SCALE: 1"=30' DATE: MARCH 25, 2010
LOT # 32 OF CABLE SQUARE PHASE: 1 MAP: SEC: 1
PLAT BK: T3 PAGE: III
TAX MAP # PLAT -BEED BK: T3 PAGE: 445

P:\MID ATLANTIC\ELON 055\FEED\LOT-032

V-2022-01 Aerial Map



August 12, 2022

Address Points

- Address
- Tax Address

Streets

- Roads



Preliminary Address

— Preliminary Roads

— Private Roads

— 390 - TRAIL

— 391 - TRAIL

— 392 - TRAIL

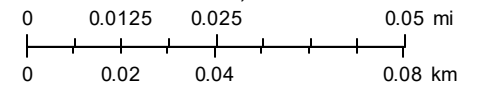
— 393 - TRAIL

— 394 - TRAIL

— 395 - TRAIL

+ Railroads

1:1,608



Alamance County GIS
Alamance County Tax Department

Town of Elon Planning District Information



ReGIS Partnership

Legend

Planning Districts

RR	RR-CPD
SR	SR-CPD
NR	NR-CPD
UR	UR-CPD
NC	NC-CPD
VC	VC-CPD
TC	TC-CPD
TC-1	TC-1-CPD
C	C-CPD
IND	IND-CPD
O&I	O&I-CPD
PI	PI-CPD

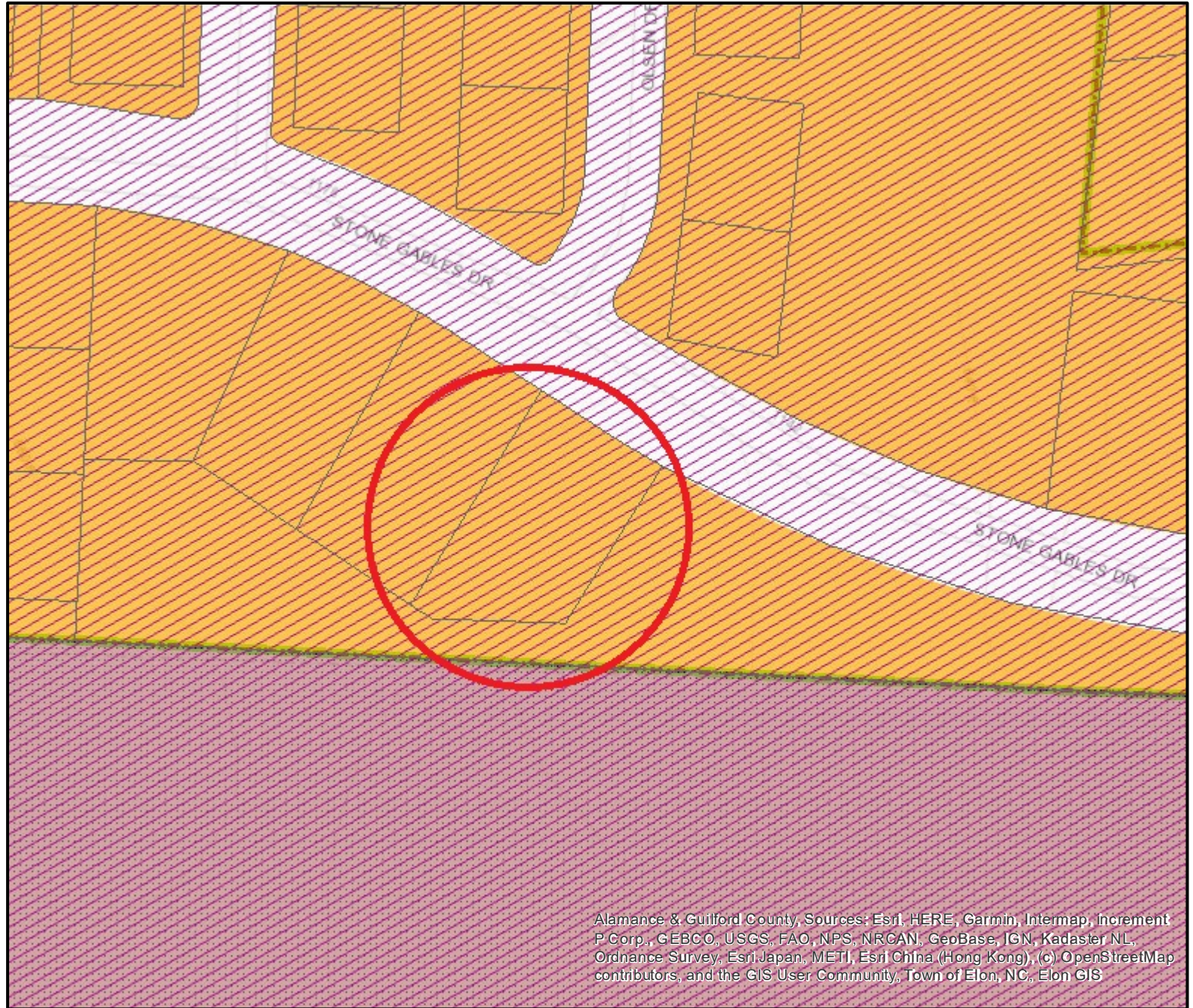
Overlays

TND
MH
SP



1 inch = 94 feet

Print Date: 10/6/2022



Alamance & Guilford County, Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, Town of Elon, NC, Elon GIS

Disclaimer:

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