

**BOARD OF
ADJUSTMENT
JANUARY 9, 2024
5:00 PM**



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

-
1. Call to Order
 2. Approval of Agenda
 3. In the Matter of the Application of Mike Nuckles on behalf of Christy Pond for a Special Use Permit Request
 4. Other Business
 - A. Meeting Scheduled - Training
 5. Public Comments
 6. Adjournment



To: Zoning Board of Adjustment

From: Cathy Ruth, Zoning Administrator

Date: January 9, 2024

Re: In the Matter of the Application of Mike Nuckles on behalf of Christy Pond for a Special Use Permit, Docket No. 2024-01 (SU)

A. Action Requested by Board of Adjustment

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

B. Background

1. In November 2023, Mike Nuckles met with staff regarding an Event Venue at 1261 River Crest Parkway, Rutherfordton, NC 28139, identified as Tax Parcel ID P114-31 in the tax records of Polk County, and consisting of approximately 2.00 acres. The property is located in the Multiple Use (MU) zoning district. Event Venue is defined in the Polk County Zoning Ordinance as *a facility that is leased or operated for special events that are typically private in nature, including but not limited to weddings, reunions, retreats, and organized gatherings.*
2. Mike Nuckles provided a completed application, applied to the Board of Adjustment for a Special use Permit for an Event Venue on December 4, 2023.. The hearing was scheduled for January 9, 2024 at 5:00 p.m.
3. The property, comprised of 2.00 acres, is identified as Tax Parcel P114-31 on the tax records of Polk County. The property is located in the Multiple Use zoning district.
4. Exhibits included:
 - Exhibits XA consists of the General Application Form and site plan.
 - Exhibit XB consists of the zoning permit/application and receipt of \$100.
 - Exhibit XC consists of the recorded deed in the Register of Deeds Office dated August 5, 2022, Book 472, Page 66.

- Exhibit XD consists of the recorded plat in the Register of Deeds Office dated September 4, 2002, Book E, Page 345.
- Exhibit XE consists of the Polk County Property Card tax record for P114-31.
- Exhibit XF consists of Polk County Geographic Information System (GIS) map, P114-31.
- Exhibit XG consists Google Map of parcel area.
- Exhibit XH consists of P114-31 and surrounding parcels' zoning from the Polk County GIS site.
- Exhibit XI consists of P114-31 and surrounding parcels' current uses from the Polk County GIS site, tax record.
- Exhibit XJ consists of the signed and notarized Affidavit of Mailing of notice of public hearing to adjacent property owners, property owner, and applicant; including map of adjacent property parcels and addresses.
- Exhibit XK consists of the signed and notarized Affidavit of Posting.
- Exhibit XL consists of pictures taken by staff of the parcel and sign posting.



GENERAL APPLICATION FORM

Docket No: 2024-01 (SU)

Date: 11-27-23

Permit Fee: \$100.00

Receipt #: LOC0483

Permit or Relief Requested: Appeal* Variance **Special Use Permit**

Applicant MIKE Nuckles Owner: Christy Pond / Mike Nuckles

Address 1261 River Crest Parkway Address 61 Cross Ridge DR
Rutherfordton, N.C. 28139 Rutherfordton, N.C.

Telephone 828-429-9321 Telephone 239-691-5116 / 828-429-9321

Legal Relationship of Applicant to Property Owner: Partner

Purpose of Request: Partner Special use Permit / Event venue

Property Location: special use permit 1261 River Crest Parkway

Street Address: _____

Tax Map & Parcel Number: P114-31 Lot Size: 2 acres Zoning District: _____

Number Of Buildings To Remain: 2 Gross Floor Area To Remain: 280 sq FT

Number Of Buildings Proposed: 1 Gross Floor Area Of Proposed Buildings: 140.59 FT

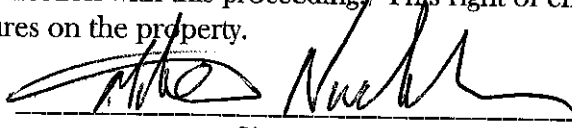
Total Square Footage Of Land To Be Disturbed: 2 Estimated Cost Of Project: 2

Please provide clear directions (with landmarks) to the property: From East on Cox RD - left

on Rivercrest Parkway Property approx 2 miles on left across from
Taskary RD

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

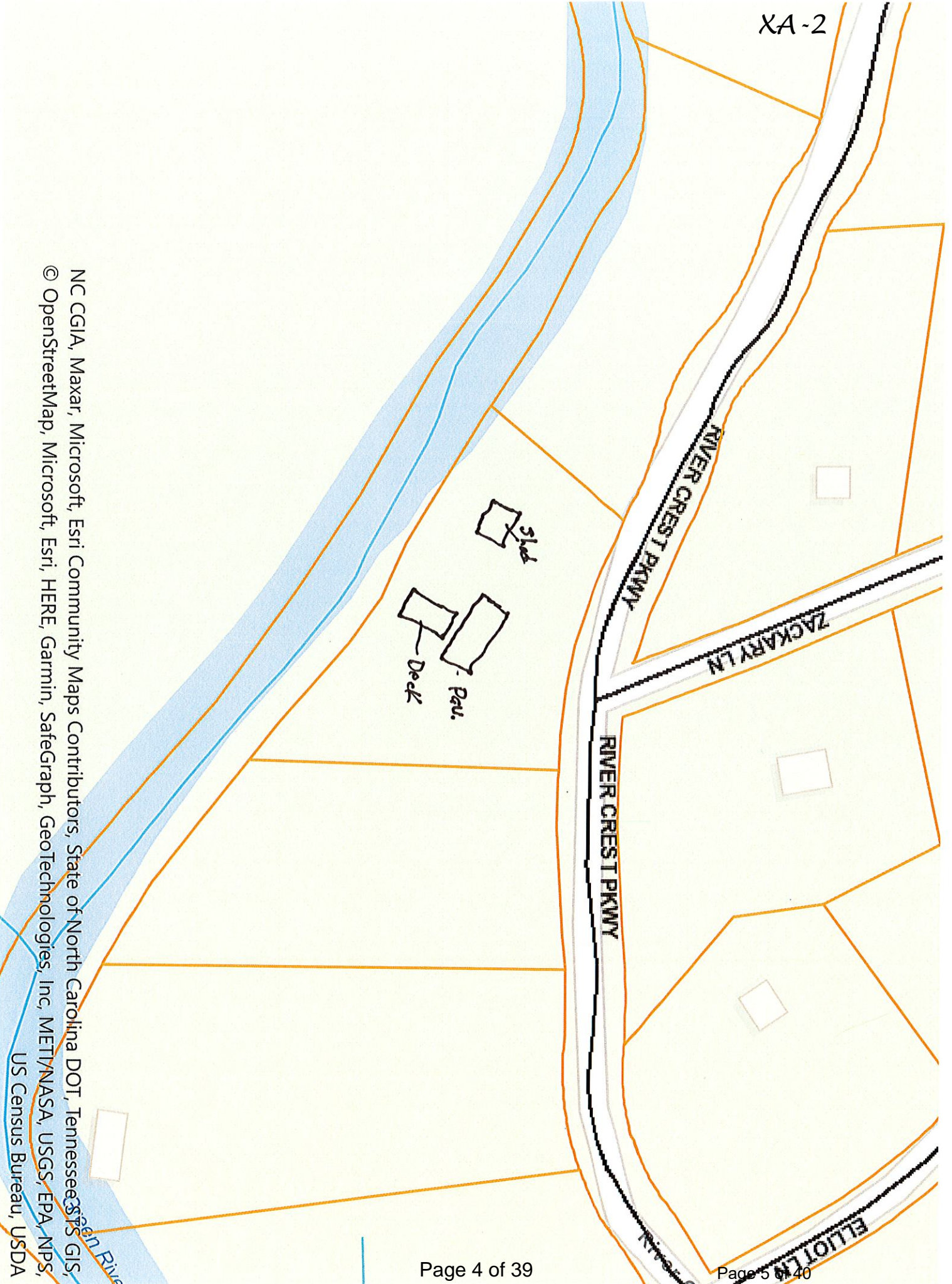
The applicant (if an owner of the property) grants the members and staff of the Polk County Board of Adjustment, and the Polk County Zoning Administrator and members of his staff, the right to enter onto the property for purposes of making a site inspection in connection with this proceeding. This right 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.

XA-2



NC CGIA, Maxar, Microsoft, Esri Community Maps Contributors, State of North Carolina DOT, Tennessee SRS GIS, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

DATE 12/04/23
TIME 13:59:07
USER PLCHELS

POLK COUNTY
APPLICATION AND PERMIT

PAGE 1
PROG# PT2000

PERMIT NUMBER ZP 25848 ZONING PERMIT APPLIED 12/04/2023
WORK ORDER# 49249 TYPE ZONING BOARD OF ADJUSTMNT ISSUED 12/04/2023
LOCATION 1261 RIVER CREST PKWY EXPIRES 6/01/2024
PIN HEALTH REFERENCE
PARCEL ID P114-31 RUTHERFORDTON ACREAGE 2.000 CENSUS TRACT
TOWNSHIP 5 GREEN CREEK FLOOD PLAIN? Y SBC#
WATERSHED NOT IN WATERSHED
DIRECTIONS US 74 E; UNION RD EX; R/OFF RAMP; R/COXE RD; 2 MI. R/GREEN RIVER HGLDS; STAY ON RIVER CREST PKWY ON LEFT

POND CHRISTY OWNER ID 51831
61 CROSS RIDGE DR PHONE
RUTHERFORDTON NC 28139

APPLICANT NUCKLES, MIKE 828.429.9321
OCCUPANT POND, CHRISTY 239-691-5116

SUBDIVISION GREEN RIVER HIGHLANDS LOT #:
W HOME PARK
ZONING DISTRICT MU
COND/SPECIAL USE
SETBACK FRONT: 25 REAR: 25 RIGHT: 15 LEFT: 15
PARKING SPACES
SIGNS/PAVING
TYPE WATER/SEWER
DESCRIPTION SPECIAL USE PERMIT - EVENT VENUE

SURVEYOR
GENERAL

SITE PLAN

* * * * *
* * * * *
* * * * *
* * * * *
* * * * *
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* * * * *
* * * * *

PERMIT ISSUED: 12/04/2023 BY: PLCHELS PERMIT EXPIRES: 6/01/2024 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
SIGNATURE OF OWNER/AGENT
Chelsea Allen
CODE ENFORCEMENT OFFICIAL

12/4/2023
DATE

DATE 12/04/23
TIME 13:59:07
USER PLCHELS

POLK COUNTY
BILLING NOTICE

PAGE 2
PROG# PT2000

PERMIT NUMBER ZP	25848	ZONING PERMIT	APPLIED	12/04/2023
WORK ORDER#	49249	TYPE ZONING BOARD OF ADJUSTMNT	ISSUED	12/04/2023
LOCATION	1261 RIVER CREST PKWY		EXPIRES	6/01/2024
PIN			HEALTH	
PARCEL ID	P114-31	RUTHERFORDTON	REFERENCE	
TOWNSHIP	5 GREEN CREEK	ACREAGE	2.000	CENSUS TRACT
WATERSHED	NOT IN WATERSHED	FLOOD PLAIN? Y	SBC#	
DIRECTIONS	US 74 E; UNION RD EX; R/OFF RAMP; R/COXE RD; 2 MI. R/GREEN RIVER HGHLDS; STAY ON RIVER CREST PKWY ON LEFT			

POND CHRISTY OWNER ID 51831
PHONE

61 CROSS RIDGE DR

RUTHERFORDTON NC 28139

APPLICANT	NUCKLES, MIKE	828.429.9321
OCCUPANT	POND, CHRIS TY	239-691-5116

SERVICE	QUANTITY	RATE	FEE AMOUNT	FEE PAID	FEE DUE
MISCZ	1	100.00	100.00	100.00	
PAID BY: NUCKLE, MIKE			CK#:	1200 PAID BY CHECK	
TRANSACTION 904438 TOTALS			100.00	100.00	

CASH RECEIPT

XB-3

POLK COUNTY

User ID : PLCHELS
Collected By : PLCHELS
Todays Date : 12/04/2023
Transaction Date 12/04/2023 Number 904438
For : ZONING PERMITS

Received From : NUCKLE, MIKE PMT# ZP00025848 CK# 0000001200

Total Transaction Amt 100.00 CK#: 1200

BK 472 PG 66 - 68

Excise Tax \$60.00 Recording Time, Book and Page Assessor JC
Collector JC
Tax Map No. _____ Parcel Identifier No. #P114-31 Land Use JC
Verified by _____ County on the ____ day of _____, _____
by _____

Mail after recording to _____
This instrument was prepared by **JARALD N. WILLIS**
Brief description for the index: 0 River Crest Parkway, Rutherfordton, NC 28139

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 3rd day of August, 2022 , by and between

GRANTOR	GRANTEE
Walter M. Hughey, single	Christy Pond (single)
615 Laurel Lake Drive Apt #A142 Columbus, NC 28722	61 Cross Ridge Drive Rutherfordton, NC 28139

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:

NO TITLE SEARCH REQUESTED OR RENDERED

Submitted electronically by "Arledge Law Firm, PLLC"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Polk County Register of Deeds.

NO TITLE SEARCH REQUESTED OR RENDERED

Situate, lying and being in Green Creek Township, Polk County, North Carolina, and being the same and identical property described in Deed in Lieu recorded in Deed Book 415, Page 235, Polk County Registry, and being described according to said Deed as follows:

Situate, lying and being in Green Creek Township, Polk County, North Carolina, and being the same and identical property described in Deed recorded in Deed Book 290, Page 876, Polk County Registry and being described according to said Deed as follows:

Situate, lying and being in Green Creek Township, Polk County, North Carolina and being all of the 2.00 acre tract shown as Lot #27 on plat entitled "Green River Highlands, Phase I" as shown on plat of record in Card File E, at Page 345, Polk County Registry.

Being a portion of the property which was conveyed by B.J. Ash, widow, et als to Mtn. Creek Land Co., Inc., a North Carolina Corporation by deed dated April 17, 2002 and of record in Book 283, at Pages 1480 & 1483, Polk County Registry.

SUBJECT TO all notes shown on plat hereinabove referred to and further subject to any restrictions or rights of way of record and SUBJECT FURTHER TO all provisions and restrictions of record as set forth in Declaration of Covenants and Restrictions of Green River Highlands dated August 8, 2002 and of record in Book 287, at Page 503, Polk County Registry.

MTN. CREEK LAND CO., INC. SPECIFICALLY CONVEYS HERewith a non-exclusive perpetual easement and right of way over that sixty (60) foot wide easement and right of way, which was acquired by it by the Deeds of record in Book 283, at Pages 1480 & 1483, Polk County Registry, and which right of way is shown on the subdivision plat hereinabove referred to.

SUBJECT TO the rights of other in and to the use of said sixty (60) foot wide easement and right of way as reserved in the deeds to Mtn. Creek Land Co., Inc. hereinabove referred to.

Being the same and identical property which was conveyed by Billy Gene Johnston and wife, Kathleen Louise Johnston to Walter M. Hughey, by deed dated May 11, 2016, and of record in Deed Book 419, Pages 525-527, Rutherford County Registry.

The grantee is responsible for paying the 2022 taxes.

NO TITLE SEARCH REQUESTED OR RENDERED

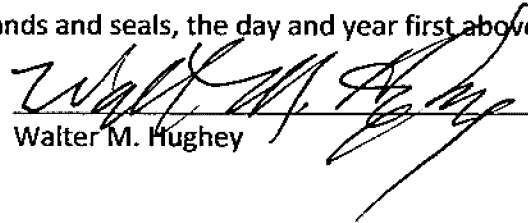
All or a portion of the property herein conveyed ___ includes or __XX__ does not include the primary residence of a Grantor.

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:

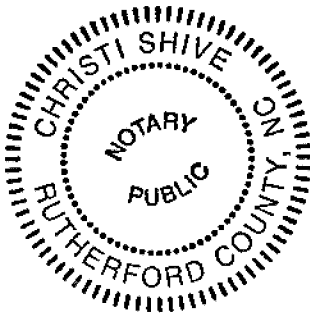
- 1. Any and all easements, rights of way and restrictions of record.
- 2. Any and all zoning and planning ordinances.
- 3. Any discrepancies as an accurate survey of the premises might reveal.
- 4. Any and all other matters of record.

IN WITNESS WHEREOF, the Grantors herein have set their hands and seals, the day and year first above written.

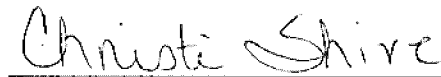

 _____ (SEAL)
 Walter M. Hughey

STATE OF NORTH CAROLINA
COUNTY OF RUTHERFORD

I, Christi Shive, a Notary Public for the State and County aforesaid, do hereby certify that Walter M. Hughey, personally came before me this day and acknowledged the execution of the foregoing instrument.



Witness my hand and notarial seal, this 3rd day of August, 2022.



 Notary Public

My Commission Expires: 10-28-2023

XD

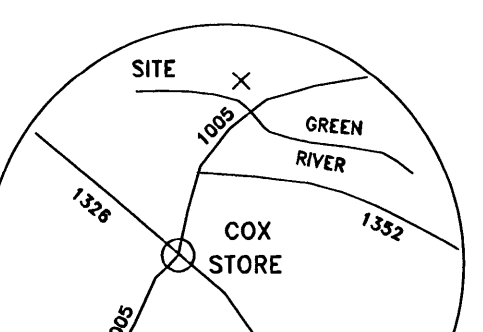
GREEN RIVER HIGHLANDS PHASE I

REMAINING LANDS OF
MTN. CREEK LAND CO., INC.

STATE OF NORTH CAROLINA
COUNTY OF POLK

North Carolina, Polk County
FILED FOR REGISTRATION IN THE OFFICE OF THE REGISTER
DEEDS FOR POLK COUNTY, NORTH CAROLINA ON
24th DAY OF September 2002 AT 11:07 O'CLOCK
M. AND RECORDED IN SAID OFFICE AT 11:07 O'CLOCK A.M.
ON THE DAY OF September 2002 IN PLAT BOOK
PAGE 345 AND VERIFIED.
Paul W. Whitmore REGISTER OF DEEDS
Shirley Ford DEPUTY REGISTER OF DEEDS

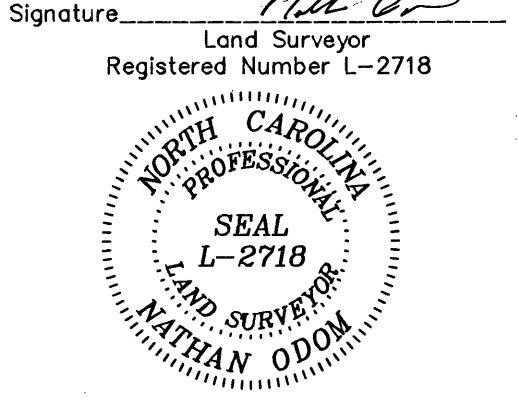
I, Nathan Odom, certify that this plat was made under my supervision from an actual survey made under my supervision (deed description recorded in Deed Book _____, Page _____); that the boundaries not surveyed are clearly indicated as drawn from information found in Book _____, Page _____; that the ratio of precision as calculated is 1:10000; that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my hand and seal this 24th day of September, A.D. 2002.



I, *Ann Thomas*, the County Clerk of Polk County, North Carolina, do hereby certify that on the 24th day of September, 2002, the Board of Commissioners of Polk County approved this plat for recording.
Date: *9/24/02*
Ann Thomas
County Clerk

Joe E. Cabaniss Jr., Review Officer of Polk County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.
Joe E. Cabaniss Jr.
Review Officer
Date: *August 12, 2002*

I hereby certify that I am (we are) the owner(s) of the property shown and described hereon, and that I (we) hereby adopt this plan of subdivision with my (our) free consent, and dedicate all roads and other sites and easements to public use as noted in the Disclosure of Private Roadways, where applicable.
Date: *8/12/02*
Owner(s): *Nathan Odom*



MEANDER CALLS ALONG CENTER OF GREEN RIVER, CENTER OF RIVER THE LINE.

LINE	DIRECTION	DISTANCE
R21A	N00°09'53"W	92.59'
R21B	N52°23'57"W	63.57'
R21	N56°28'04"W	75.17'
R22	N79°02'52"W	90.95'
R23	S88°36'26"W	144.46'
R24	S88°36'26"W	67.31'
R25	S76°19'47"W	114.37'
R26	S65°59'25"W	69.62'
R27	S65°59'25"W	268.44'
R28	S65°59'25"W	40.71'
R29	S09°30'03"W	65.16'
R30	S09°30'03"W	131.75'
R32	S23°04'24"W	74.85'
R34	S14°04'48"W	93.60'
R36	S14°04'48"W	42.65'
R37	S17°07'23"W	125.77'
R37A	S18°12'27"W	62.91'
R38	S18°12'27"W	144.68'
R39	S38°40'37"W	145.29'
R40	S38°40'37"W	63.07'
R41	S55°59'42"W	221.48'
R42	S55°59'42"W	305.54'
R43	S55°59'42"W	51.88'
R44	S55°59'42"W	356.24'
R45	S55°59'42"W	129.60'
R46	S89°25'25"W	104.24'
R47	S56°59'27"W	128.44'
R48	S56°59'27"W	115.30'
R49	N49°37'54"W	129.60'
R50	N49°37'54"W	95.02'
R51	N56°55'51"W	339.40'
R52	N56°55'51"W	70.95'
R53	N57°07'23"W	125.77'
R54	S73°30'50"W	100.19'
R55	S73°30'50"W	327.35'
R56	S73°30'50"W	150.63'
R57	S65°44'48"W	229.98'
R58	N74°11'50"W	107.94'

I, Nathan Odom, Registered Land Surveyor No. L-2718, certify to one or more of the following as indicated thus, or :

A. That this plat is of a survey that creates a subdivision of land within the area of a county or municipality that has an ordinance that regulates parcels of land.

NATHAN ODOM, REGISTERED LAND SURVEYOR NO. L-2718

CALLS ALONG CENTER OF MILE END. CALLS ARE CENTER LINE OF A 45 FEET WIDE RIGHT OF WAY, 22.5 FEET EITHER SIDE OF LINE. MILE END IS A PRIVATE ROAD.

R166	N39°27'10"W	79.04'
R167	N33°40'52"W	230.23'
R168	N42°14'59"W	65.04'
R169	N50°59'02"W	75.22'

CALLS ALONG CENTER OF MILE END. CALLS ARE CENTER LINE OF A RIGHT OF WAY AND A COMMON BOUNDARY WITH MOHR. 22.5 FEET IS RESERVED FOR RIGHT OF WAY SOUTH OF THE CENTER LINE. MILE END IS A PRIVATE ROAD.

R170	N56°40'11"W	134.97'
R171	N47°29'24"W	59.50'
R172	N35°23'44"W	56.45'
R173	N27°34'35"W	107.22'
R174	N50°10'23"W	33.78'

CALLS ALONG CENTER OF BEECH TREE CIRCLE. CALLS ARE THE CENTER OF A 45 FEET WIDE RIGHT OF WAY, 22.5 FEET EITHER SIDE OF LINE. BEECH TREE CIRCLE IS A PRIVATE ROAD.

R175	S73°16'06"W	65.11'
R176	S77°43'17"W	158.61'
R177	S85°59'05"W	54.86'
R178	N85°44'31"W	57.15'
R179	N60°52'04"W	43.72'
R180	N72°15'23"W	120.31'
R181	N07°15'04"W	57.55'
R182	N18°45'32"W	80.41'
R183	N18°45'32"W	59.51'
R184	N17°49'40"W	69.31'
R185	N10°50'28"W	44.53'
R186	N07°24'47"W	46.27'
R187	N05°19'20"W	54.71'
R188	N11°00'54"W	63.82'
R189	N15°58'54"W	58.56'
R190	N04°07'21"W	57.69'
R191	N08°24'18"E	47.89'

CALLS ALONG CENTER OF RIVER CREST PARKWAY, 45 FEET WIDE RIGHT OF WAY, 22.5 FEET EITHER SIDE OF CENTER LINE. RIVER CREST PARKWAY IS A PRIVATE ROAD.

LINE	DIRECTION	DISTANCE
R59	N46°30'13"W	172.70'
R60	N39°59'32"W	74.31'
R61	N31°22'58"W	118.58'
R62	N31°46'47"W	87.61'
R63	N36°35'55"W	229.55'
R64	N37°10'09"W	325.27'
R65	N34°53'58"W	96.17'
R66	N29°35'23"W	47.62'
R67	N31°50'39"W	72.03'
R68	N34°42'44"W	51.20'
R69	N51°15'10"W	33.74'
R70	N36°46'49"W	139.23'
R71	N34°09'46"W	72.46'
R72	N29°00'33"W	109.66'
R73	N21°57'34"W	81.64'
R74	N25°07'54"W	89.90'
R75	N22°23'20"W	65.30'
R76	N18°16'06"W	118.72'
R77	N15°05'08"W	46.87'
R78	N07°00'19"W	52.94'
R79	N04°39'11"E	57.25'
R80	N08°06'20"E	43.37'
R81	N04°48'45"W	98.99'
R82	S45°58'58"W	16.23'
R83	S56°16'15"W	19.97'
R84	S65°45'47"W	38.77'
R85	S84°03'33"W	37.43'
R86	N86°13'42"W	58.07'
R87	S09°02'06"E	21.66'
R88	S03°24'32"E	61.94'
R89	S01°21'28"E	43.95'
R90	S01°21'28"E	28.08'
R91	S09°14'24"E	58.24'
R92	S12°53'46"W	65.49'
R93	S22°39'28"W	47.93'
R94	S24°57'04"W	38.19'
R95	S24°57'04"W	83.42'
R96	S44°46'30"W	43.25'
R97	S81°59'18"W	52.49'
R98	S85°59'04"W	93.75'
R99	S79°15'15"W	59.66'
R100	S50°34'14"W	32.18'
R101	S60°34'14"W	32.02'
R102	S45°18'09"W	47.20'
R103	S36°59'29"W	66.33'
R104	S40°53'07"W	59.17'
R105	S48°09'43"W	49.36'
R106	S59°43'47"W	74.16'
R107	S58°30'20"W	62.67'
R108	S74°24'48"W	67.32'
R109	N83°47'10"W	14.95'
R110	N83°47'10"W	60.11'
R111	S88°36'26"W	48.05'
R112	S84°57'04"W	102.76'
R113	N88°41'16"W	88.59'
R114	N84°41'10"W	54.22'
R115	N78°05'26"W	101.68'
R116	N75°15'52"W	118.45'
R117	N64°33'50"W	72.39'
R118	N63°14'30"W	72.47'
R119	N73°45'07"W	80.30'
R120	N52°39'30"W	116.98'
R121	N72°39'16"W	62.67'
R122	S84°20'05"W	37.10'
R123	N75°15'52"W	118.45'
R124	N64°33'50"W	59.66'
R125	N54°27'50"W	61.58'
R126	N46°31'56"W	86.70'
R127	N41°26'09"W	40.96'

CALLS ALONG CENTER OF RIVER CREST PARKWAY, 60 FEET WIDE RIGHT OF WAY, 30 FEET EITHER SIDE OF CENTER LINE. RIVER CREST PARKWAY IS A PRIVATE ROAD.

LINE	DIRECTION	DISTANCE
R84A	N01°52'44"E	10.78'
R84	N01°52'44"E	50.98'
R85	N12°39'56"W	72.30'
R86	N26°52'01"W	73.29'
R86	N38°17'50"W	150.88'
R87	N46°47'50"W	140.24'
R88	N52°09'57"W	124.35'
R89	N36°35'55"W	32.52'
R90	N61°11'43"W	69.43'
R91	N76°22'20"W	38.35'
R92	N29°35'23"W	47.62'
R93	N89°52'03"W	79.40'
R94	N82°09'53"W	46.88'
R95	N67°56'02"W	40.11'
R96	N78°25'31"W	53.19'
R97	N34°09'46"W	51.11'
R98	N71°39'16"W	60.92'
R99	N78°48'45"W	67.15'
R100	N78°25'31"W	53.19'
R101	N86°03'02"W	59.82'
R102	N81°06'09"W	47.25'
R103	S71°24'38"W	54.73'
R104	S61°08'12"W	6.94'
R105	S61°08'12"W	48.32'
R106	S57°07'57"W	101.92'
R107	S53°20'10"W	116.30'
R108	S45°58'58"W	16.23'
R109	S56°16'15"W	19.97'
R110	S65°45'47"W	38.77'
R111	S84°03'33"W	37.43'
R112	N86°13'42"W	58.07'
R113	S09°02'06"E	21.66'
R114	S03°24'32"E	61.94'
R115	S47°37'13"W	41.29'
R116	S34°22'56"W	46.49'
R117	S09°14'24"E	58.24'
R118	S05°00'46"W	71.55'
R119	S05°00'23"E	52.29'
R120	S14°04'21"E	172.22'
R121	S14°04'21"E	40.82'
R122	S16°24'48"E	156.31'
R123	S09°02'06"E	31.57'
R123A	S09°02'06"E	19.23'
R124	S09°02'06"E	25.77'
R125	S09°02'06"E	21.66'
R126	S03°24'32"E	61.94'
R127	S01°21'28"E	43.95'
R128	S01°21'28"E	28.08'
R129	S09°14'24"E	58.24'
R130	S12°53'46"W	65.49'
R131	S22°39'28"W	47.93'
R132	S24°57'04"W	38.19'
R133	S24°57'04"W	83.42'
R134	S44°46'30"W	43.25'
R135	S81°59'18"W	52.49'
R136	S85°59'04"W	93.75'
R137	S79°15'15"W	59.66'
R138	S50°34'14"W	32.18'
R139	S60°34'14"W	32.02'
R140	S45°18'09"W	47.20'
R141	S36°59'29"W	66.33'
R142	S40°53'07"W	59.17'
R143	S48°09'43"W	49.36'
R144	S59°43'47"W	74.16'
R145	S58°30'20"W	62.67'
R146	S74°24'48"W	67.32'
R147	N83°47'10"W	14.95'
R148	N83°47'10"W	60.11'
R149	S88°36'26"W	48.05'
R150	S84°57'04"W	102.76'
R151	N88°41'16"W	88.59'
R152	N84°41'10"W	54.22'
R153	N78°05'26"W	101.68'
R154	N64°33'50"W	72.39'
R155	N63°14'30"W	72.47'
R156	N73°45'07"W	80.30'
R157	N52°39'30"W	116.98'
R158	N72°39'16"W	62.67'
R159	S84°20'05"W	74.67'
R160	N66°26'05"W	37.10'
R161	N75°15'52"W	118.45'
R162	N64°33'50"W	59.66'
R163	N54°27'50"W	61.58'
R164	N46°31'56"W	86.70'
R165	N41°26'09"W	40.96'

*** PLAT NOTES ***
1. There is a 45 feet right of way along all roads except as noted. The cul de sac rights of way shown have a 50 feet radius.
2. There are 52 total lots. Lot 40 is the smallest lot with 1.22 acres. The subdivision has 125.20 total acres. The common area is 1.56 acres.
3. The linear feet of new road is 17,850 feet.
4. Minimum setbacks are as follows:
20' from road right of way lines
20' from rear lot lines
20' from outside boundary lines
15' from side lot lines
30' from creek and river boundary lines
5. The average lot size is 2.36 acres.
6. References: Deed Book 283, page 1480; Deed Book 283, page 1483; Deed Book 285, page 1664; Deed Book 285, page 1609; and Card File E, page 206 all of the Polk County Registry.

Subdivision Streets Disclosure Statement
Under and pursuant of Section 136-102.6(f) of the North Carolina General Statutes, prospective purchasers of lots in this Subdivision are hereby advised that:
1) the roads and streets in the subdivision are private roads and streets and have not been and will not be constructed to minimum standards sufficient to allow their inclusion on the State Highway System for maintenance.
2) responsibility for the construction and maintenance of said private roads and streets rests with the owners of lots within the subdivision;
3) any subsequent inclusion of the subdivision roads and streets in the State Highway System may be upon the condition that lot owners participate in the cost of initial improvement of the roads and streets sufficient to meet minimum State standards.

I, *Joseph E. Adams*, Chairman of the Planning Commission hereby certify that the said Commission has conditionally approved the final plat and has delegated the County Planner or Chief Building Inspector to review successful completion of these conditions and to sign the final approval.
Joseph E. Adams
Chairman

OWNER OF SUBDIVISION
MTN. CREEK LAND CO., INC.
DAVE MYERS
131 HERITAGE DRIVE
RUTHERFORD, NC 28139
PHONE: 828-286-1636

MTN. CREEK LAND CO., INC.
GREEN CREEK TOWNSHIP POLK COUNTY NORTH CAROLINA
FIELD: N. ODOM MAP: N. ODOM
DATE: JULY 5, 2002 MAP NUMBER: 20812 B

GRAPHIC SCALE
1 INCH = 200 FEET
PROFESSIONAL SURVEYING SERVICES
206 N. MAIN STREET
P.O. BOX 1161
RUTHERFORD, NC 28139
PHONE: (828) 287-7059

PROPERTY CORNER LEGEND
● EXISTING IRON PIN (EIP)
○ NEW IRON PIN (NIP)
• POINT
▲ NAIL OR RAILROAD SPIKE
■ CONCRETE MONUMENT
⊠ RIGHT OF WAY MONUMENT
● STONE

CALLS ALONG CENTER OF BRANCH OR BRANCH BED. THE CENTER OF THE BRANCH IS THE LINE.

LINE	DIRECTION	DISTANCE
B1	S11°35'28"E	34.90'
B2	S09°47'55"E	16.08'
B3	S02°52'59"E	27.87'
B4	S07°24'56"W	44.06'
B5	S21°42'57"W	75.60'
B6	S10°51'34"W	17.99'
B7	S11°57'12"E	66.38'
B8	S49°50'16"E	64.03'
B9	S48°16'46"E	79.19'
B10	S58°27'04"E	142.78'
B11	S36°01'05"E	67.41'
B12	N73°32'30"E	53.96'
B13	S84°08'25"E	32.25'
B14	S05°20'00"W	41.04'
B15	S42°35'28"E	16.42'
B16	N75°57'16"E	44.44'
B17	S04°30'24"E	39.83'
B18	S32°06'51"W	49.32'
B19	S61°12'11"E	41.85'
B20	S24°09'37"E	133.84'

CALLS ALONG CENTER OF ZACHARY LANE. CALLS ARE THE CENTER OF A 45-FEET WIDE RIGHT OF WAY, 22.5 FEET EITHER SIDE OF LINE. THE CUL DE SAC RIGHT OF WAY RADIUS IS 50 FEET. ZACHARY LANE IS A PRIVATE STREET.

R213	N19°37'17"W	156.82'
R214	N22°13'30"W	153.25'
R215	N22°13'30"W	88.96'
R216	N22°23'08"W	159.03'
R217	N23°00'34"W	121.87'
R218	N23°00'34"W	53.66'
R219	N16°31'07"W	41.04'
R220	N01°51'59"W	66.80'
R221	N00°12'29"E	54.69'
R222	N00°12'29"E	60.85'
R223	N03°13'37"E	54.08'
R224	N03°13'37"E	35.93'
R225	N12°40'31"W	65.54'

CALLS ALONG CENTER OF ELLIOTT LANE. CALLS ARE THE CENTER OF A 45 FEET RIGHT OF WAY, 22.5 FEET EITHER SIDE OF LINE. ELLIOTT LANE IS A PRIVATE STREET.

R192	N32°33'05"W	82.71'
R193	N27°16'06"W	98.15'
R194	N33°32'58"W	43.80'
R195	N40°02'47"W	62.38'
R196	N47°09'30"W	46.19'
R197	N49°14'34"W	78.12'
R198	N45°29'00"W	48.92'
R199	N38°52'37"W	64.04'
R200	N20°29'1	

XE

POND CHRISTY
1261 RIVER CREST RD
PHASE I
2.000 AC TWSP: 005

POLK COUNTY
YR 2024 P114-31
LOT #27
PIN:
DISTRICT: 5 GRN CRK TWNSHP-

ACCOUNT#: 51831
NBHD: 0G05 GREEN RIVER HIGHLANDS
Plat Bk/Pg E 345 APPR: RV5 APPR DT: 5/13/2019
EXCD: NOTICE:

PAGE 1

Bldg No.					Exempt Code					LAND VALUE	68,000
Imp Desc:		EYB:								MISC VALUE	0
Grade :		AYB:		Finished Area:						BLDG VALUE	0
# of Units	Rms	Bedrms	Bathrms	HBaths						TOTAL VALUE	68,000

-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----
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
				472	66	WD	8/05/2022			30,000
	AMOUNT			419	525	WD	5/11/2016			80,000
				415	235	FORE	9/18/2015	P		
	AMOUNT			409	1614	WD	11/10/2014			75,000

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

#	ZONE	TYPE/CODE	LAND	QTY	LAND RATE	DPTH	DPT%	TOP%	LOC%	SIZ%	SHP%	OTH%	ADJ	FMV	EXMPT
1		AC BS1		1.000	60,000.00		.00	.00	.00	.00	.00	.00	.00	60,000	
2		AC RES		1.000	8,000.00		.00	.00	.00	.00	.00	.00	.00	8,000	

Map navigation controls including zoom in (+), zoom out (-), home, and refresh buttons. A search bar contains the text "POND CHRISTY" and "Show search results for POND ...".

XF



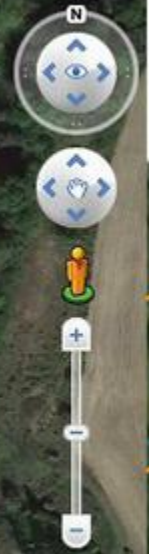


Greene River Retreat

Tryon Equestrian Cabin | Vacation Rentals

1261 River Crest Pkwy

XG



+ p114-31 X Q

Show search results for p114-31

X76

Multiple Use Zoning District



US HWY 74W

US HWY 74E

300ft

-82.043 35.291 Degrees



XI

P114-45
SFR

P114-31
SFR, Storage Bldg,
Lean-to, Patio

P114-32
Vacant

★
P114-31
Vacant

P114-30
Vacant

P115-34
Vacant

US

AFFIDAVIT OF MAILING

State of North Carolina
County of Polk

Re: Notice of Board of Adjustment Hearing

Sarah Zoellers of Polk County, North Carolina, being duly sworn, states that on the 21st day of December 2023 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:

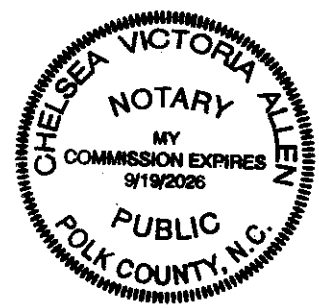
SEE ATTACHED LIST

Sarah Zoellers
Sarah Zoellers

Subscribed and sworn to before me this 21st day of December 2023.

Chelsea Victoria Allen
Notary Public

My Commission Expires: 9/19/2026



XJ-2

ROBERT HARDWICK
KENDELL HARDWICK
16 MAGNOLIA DUNES CIRCLE
ST AUGUSTINE, FL 32080

ALBERT TROUTMAN
GINA TROUTMAN
34 ZACHARY LANE
RUTHERORDTON, NC 28139

GARY CHARLES ALERTE SR
13261 SW 99TH ST
MIAMI, FL 33186

TODD ALLEN WISEGARVER
PO BOX 1838
DAVIDSON, NC 28036

EVE L MCCRAW TRUSTEE
700 ISLAND WAY
#103
CLEARWATER, FL 33767

CHRISTY POND
61 CROSS RIDGE DR
RUTHERFORDTON, NC 28139



XJ-3

P114-45
ALERTE GARY CHARLES SR
13261 SW 99TH ST
MIAMI , FL 33186

P114-46
TROUTMAN ALBERT R
34 ZACHARY LANE
RUTHERFORDTON , NC 28139

P114-32
WISEGARVER TODD ALLEN
PO BOX 1838
DAVIDSON , NC 28036

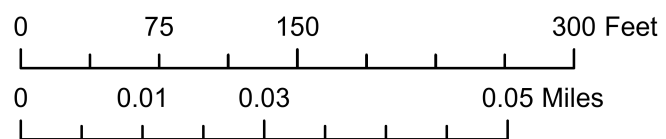
P114-31
POND/CHRISTY
61 CROSS RIDGE DR
RUTHERFORDTON , NC 28139

P114-30
HARDWICK ROBERT A ET UX
16 MAGNOLIA DUNES CIRCLE
ST AUGUSTINE , FL 32080

P115-34
MCCRAW EVE L TRUSTEE
700 ISLAND WAY
CLEARWATER , FL 33767



Adjacent Property Owners



AFFIDAVIT OF POSTING

State of North Carolina
County of Polk

Re: Notice of Public Hearing

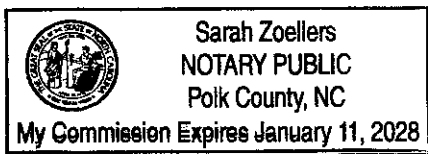
Chelsea Allen of Polk County, North Carolina, being duly sworn, states that on the 21st day of December 2023, she personally posted the attached photographed notice that reads, "Public Hearing Board of Adjustment Hearing January 9th 2024 5:00 PM 40 Courthouse St. Columbus, NC 28722 Call 828-894-2732."

Chelsea Allen
Chelsea Allen

Subscribed and sworn to before me this 21st day of December 2023.

Sarah Zoellers
Notary Public

My Commission Expires: January 11, 2028

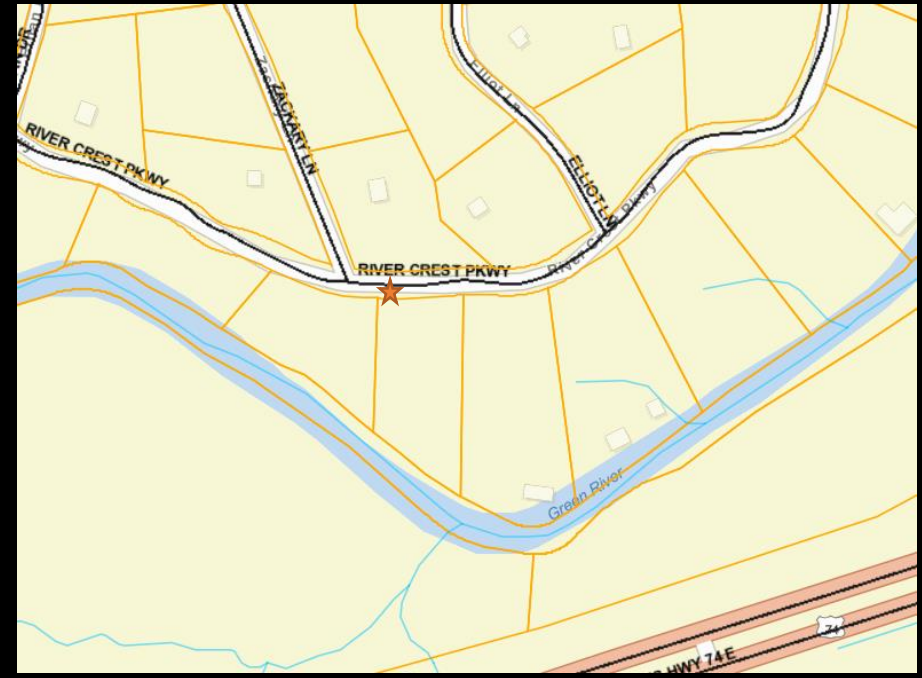




XL-1



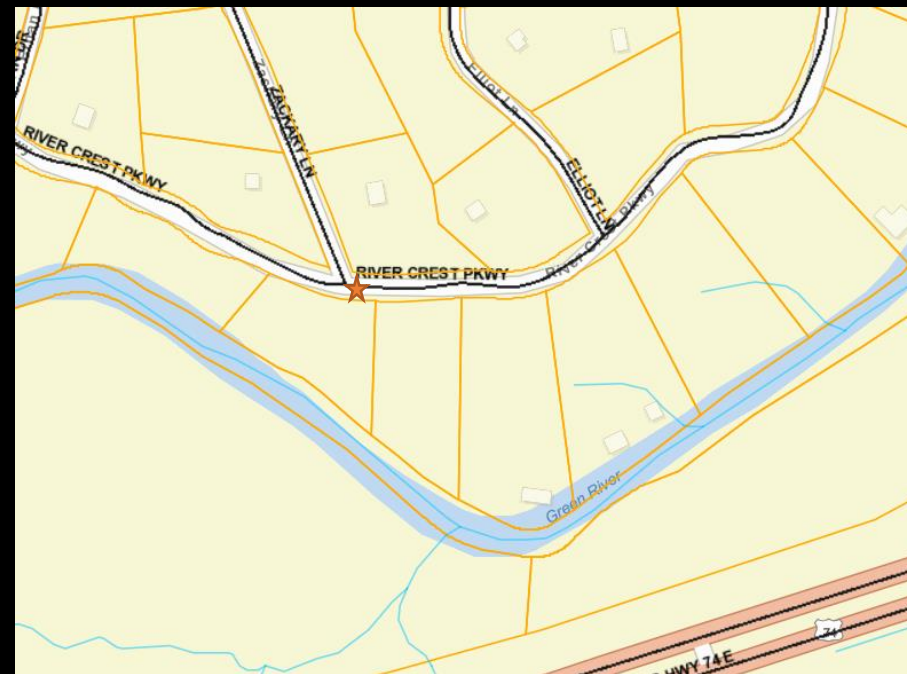
Neighborhood Entrance
River Crest Parkway and Coxe Road



On River Crest Parkway
Approaching Property on Left
Zackary Lane on Right



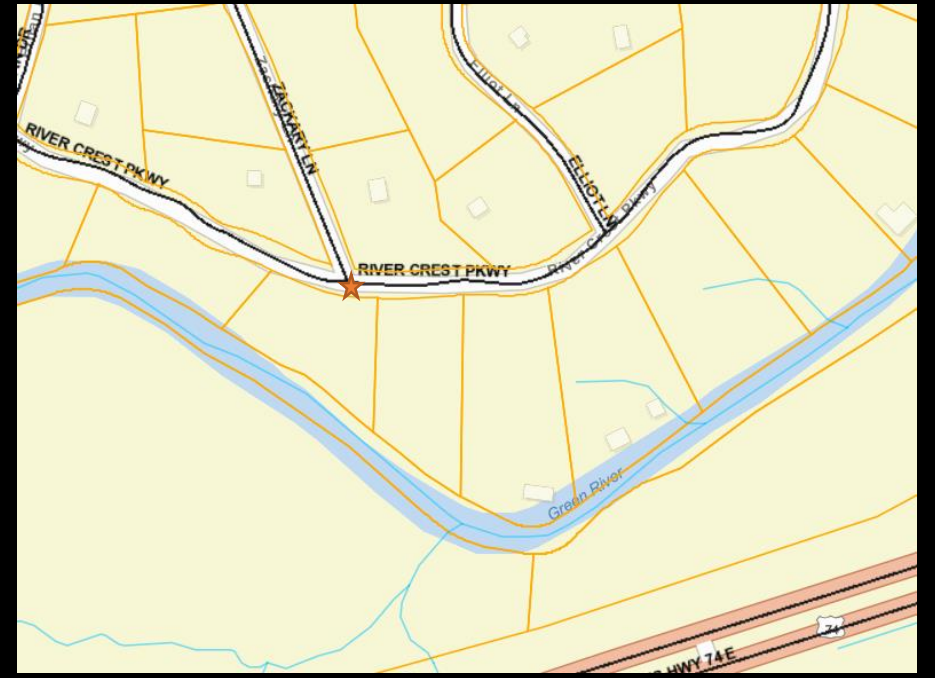
XL-3



On River Crest Parkway
Approaching Property on Left



XL-4



On River Crest Parkway
Zackary Lane to Right
Property on Left

Sign Posted



At Intersection of Zackary Lane
and River Crest Parkway
Looking up River Crest Parkway
Facing Property on Left

Sign Posted



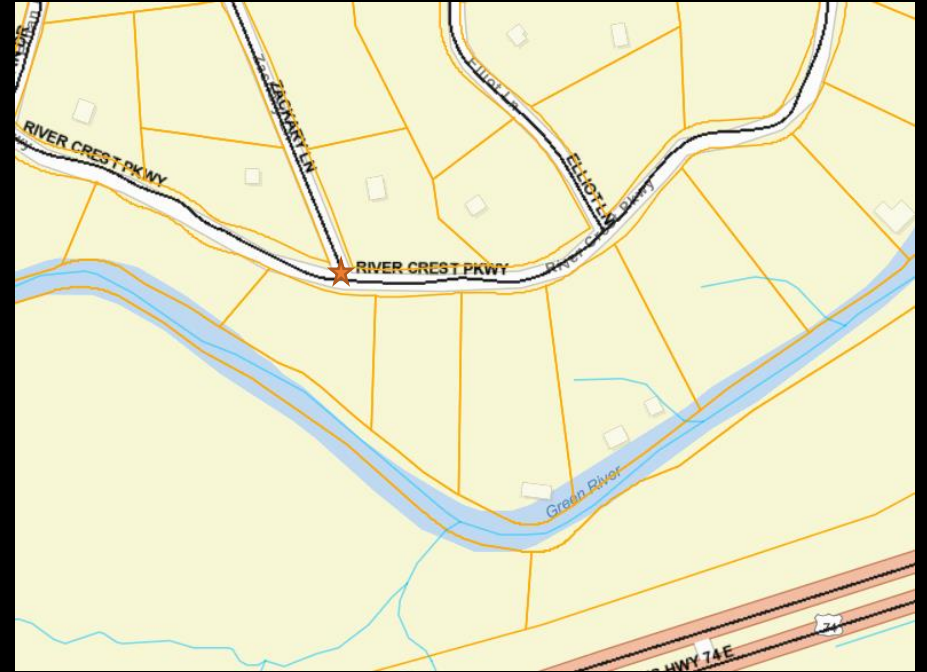
XL-6



On River Crest Parkway
NE Driveway
Facing Property



XL-7



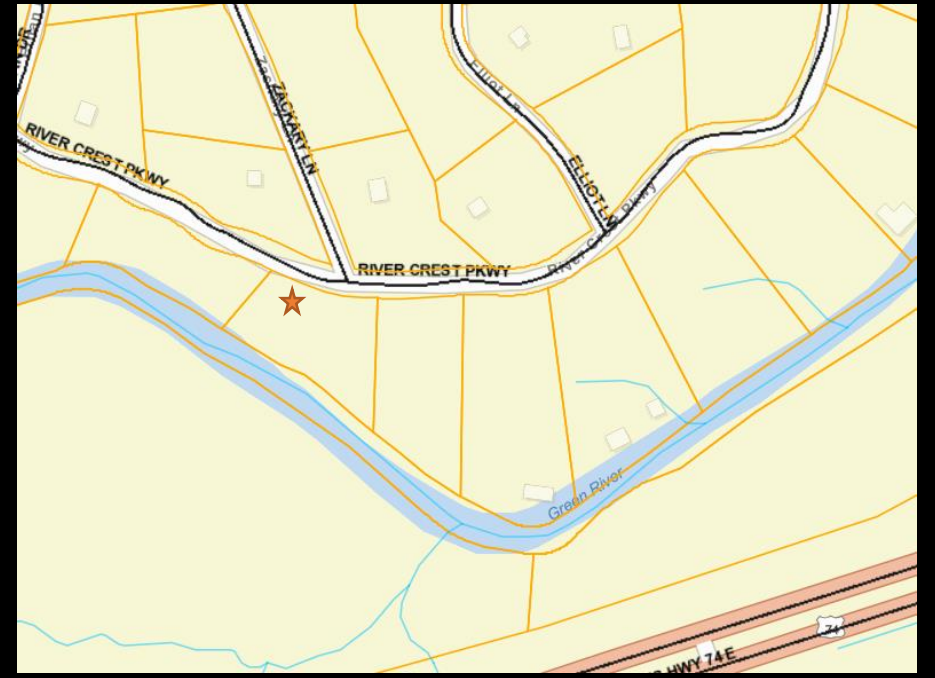
Intersection of Zackary Lane
and River Crest Parkway
Facing Property



NW Driveway into Property



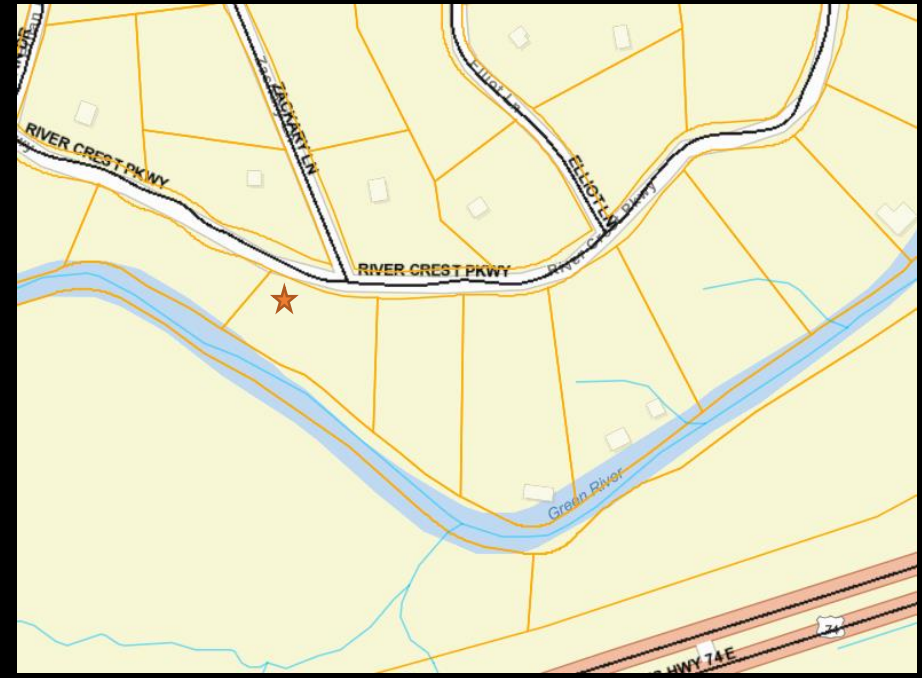
XL-9



On Property
Facing West



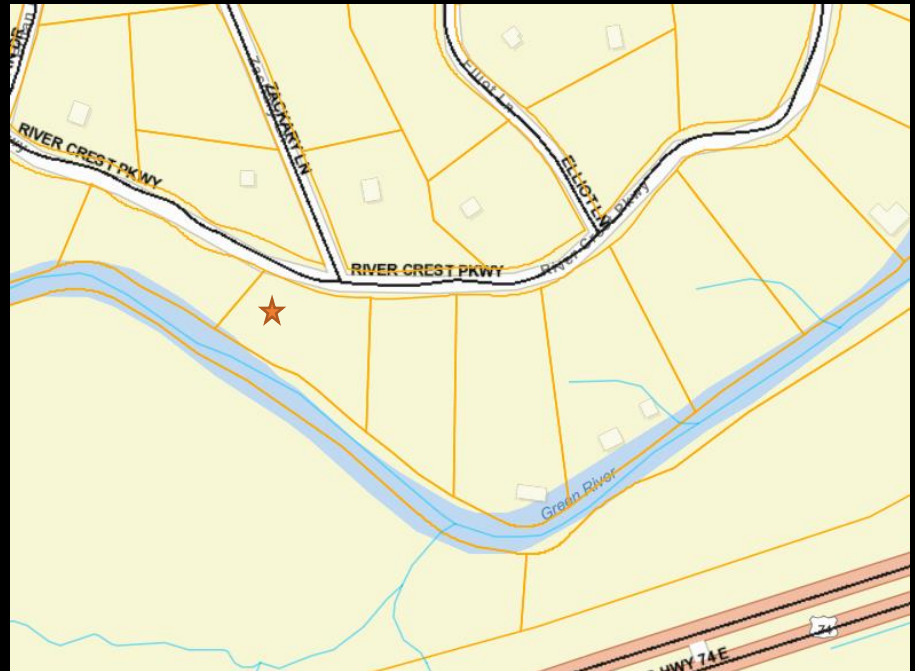
XL-10



On Property
Facing Pavilion and Deck



XL-11



On Property
Steps to Green River



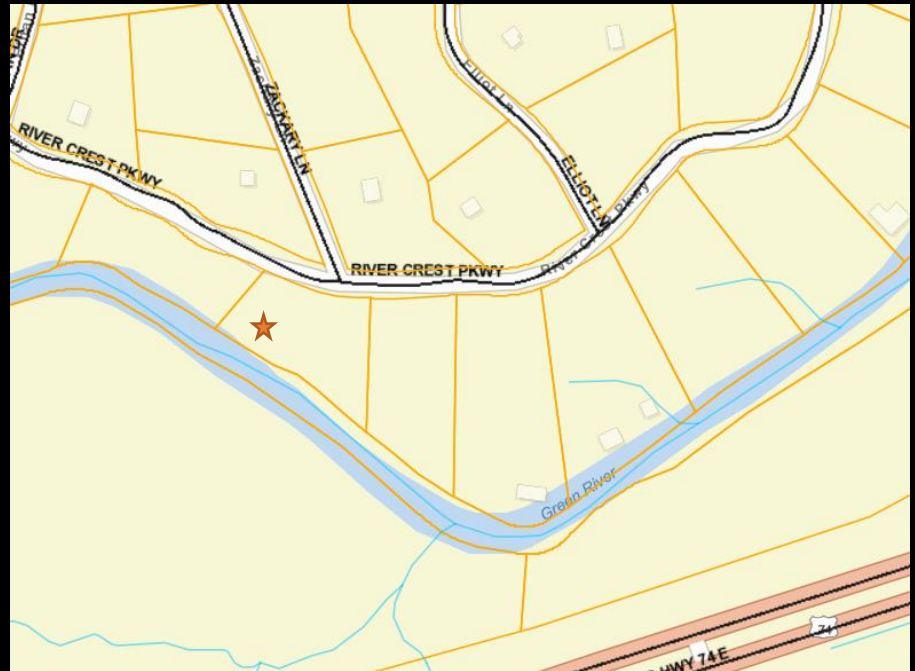
XL-12



On Property
Steps to Green River



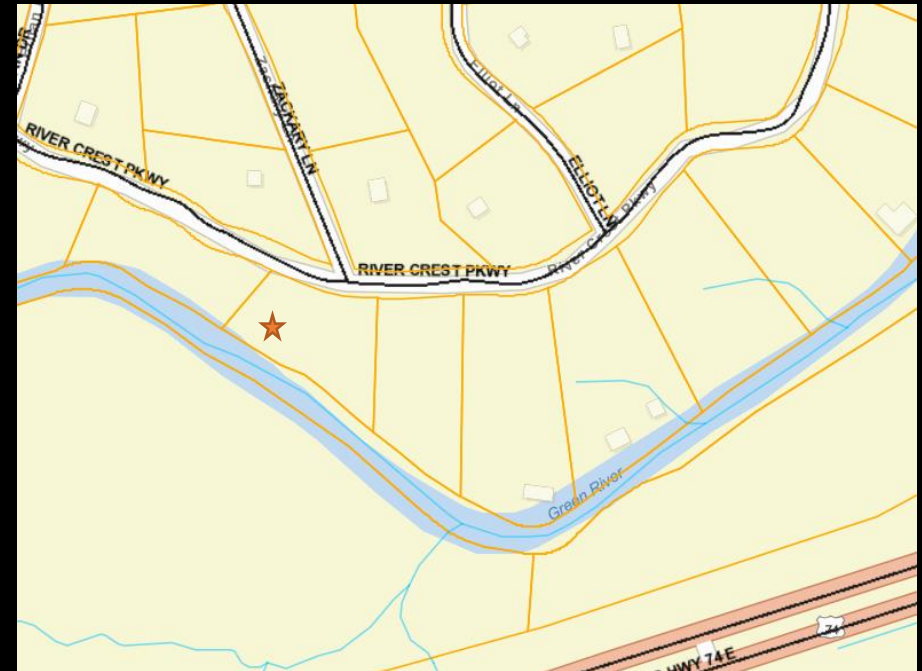
XL-13



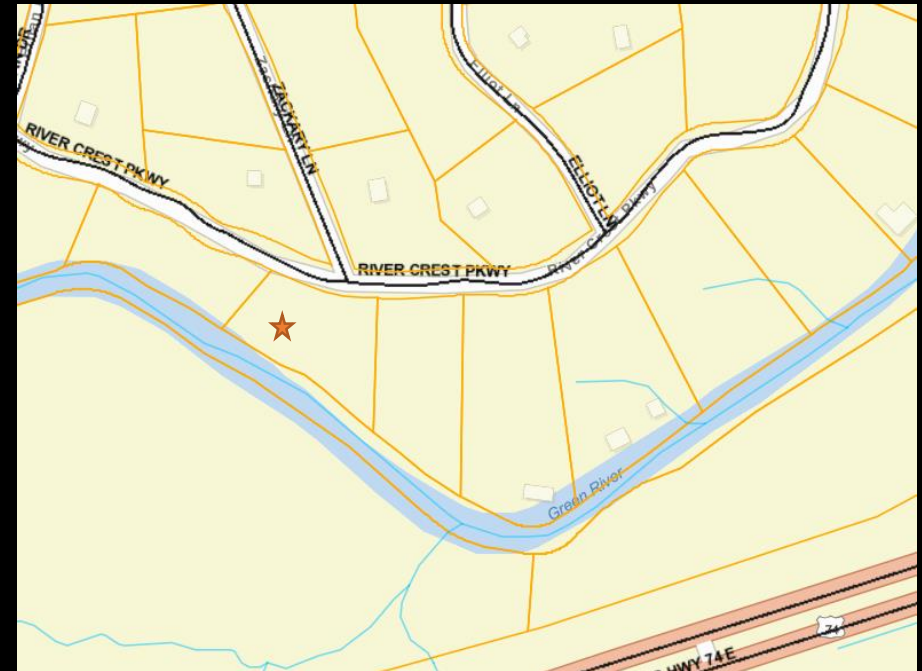
On Property
Steps to Green River



XL-14



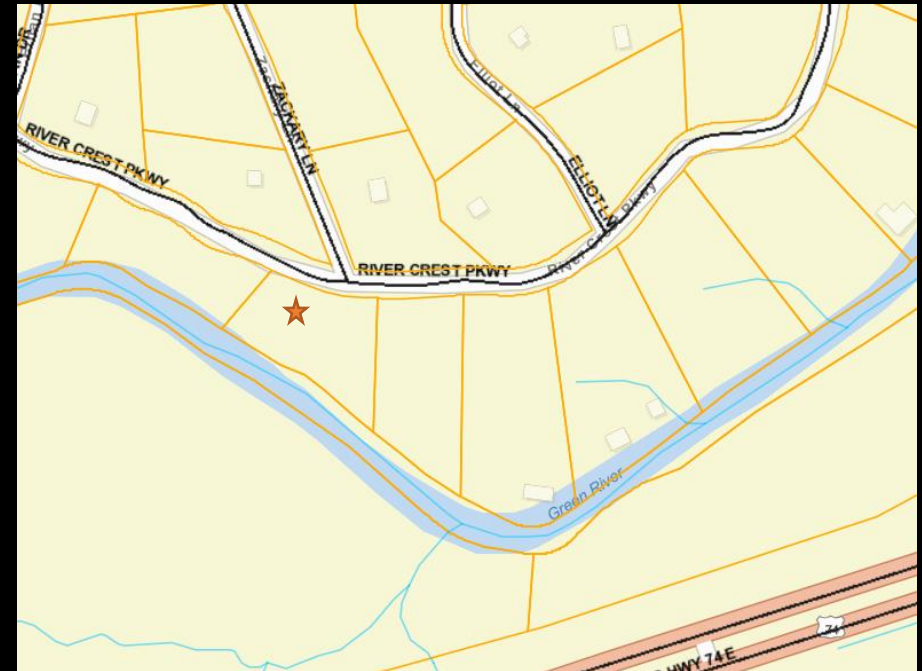
On Property
Facing Deck and Pavilion
Green River Behind (not shown)



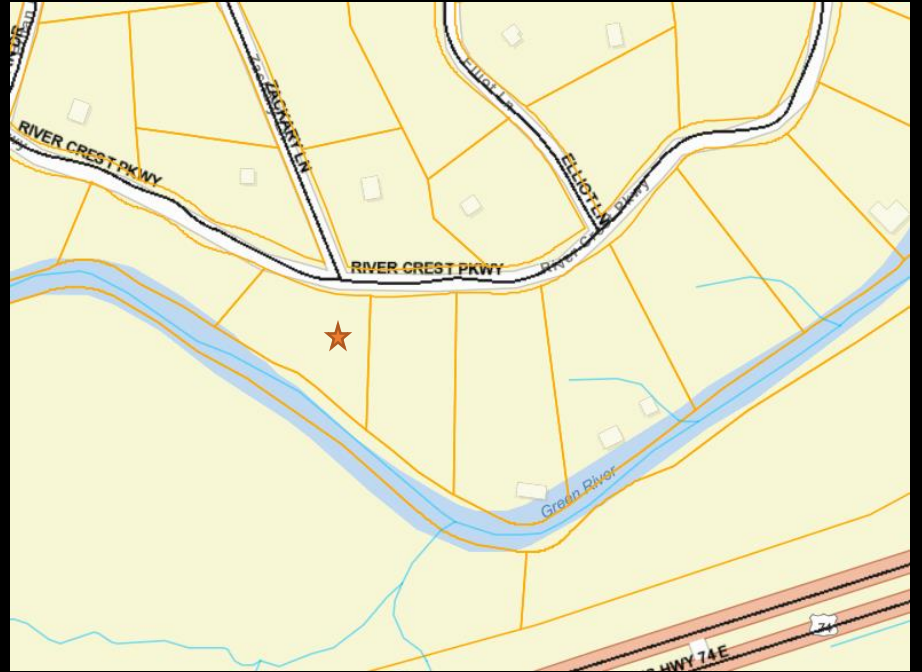
On Property
Facing Deck and Pavilion
Green River Behind (not shown)



XL-16



On Property
Facing Pavilion, Deck, and Green River



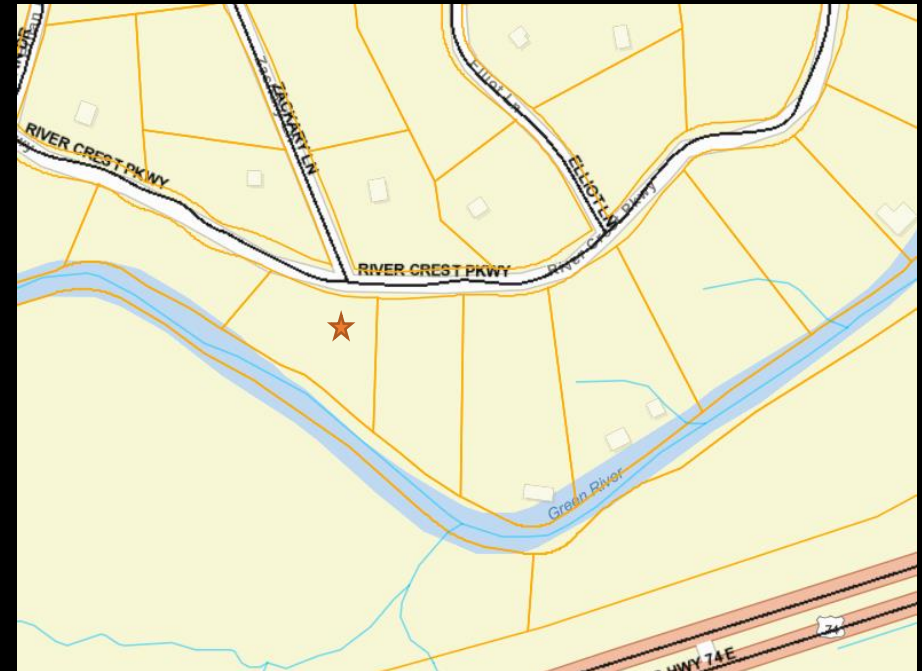
On Property
Facing River Crest Parkway
Pavilion on Left



XL-18



On Property
Facing East
Pavilion Behind (not shown)
Green River to Right (not shown)



On Property
Facing East
Green River on Right
Pavilion Behind (not shown)