



City of Marion
Board of Adjustment Meeting
City Hall Annex

194 North Main Street, Marion, NC 28752

Thursday, October 9th, 2025, 6:00PM

AGENDA

- **Call Meeting to Order**
- **Agenda changes and approval**
- **Minutes**
 - a) June 12, 2025
- **Public Comment**
- **New Business**

a) **Item One: Variance Request**

A request by Pilot Travel Centers, LLC for Variance Approval to exceed the maximum size for directional signage, pursuant to the City of Marion UDO 6-2.9(D) Directional Signs, to be located at 3365 Sugar Hill Road, Marion NC 28752 and having the McDowell County Tax Parcel Number 0790.00-72-1555.

b) **Item Two: Special Use Request**

A request by L & T Associates, LLC for Special Use approval to operate an all-terrain vehicle sales establishment, pursuant to the City of Marion UDO 4-3.4 Specific Requirements by Land Use, to be located at 700 East Court Street, Marion NC 28752 and having the McDowell County Tax Parcel Number 1701.08-99-6164 and 1701.08-99-4094

c) **Item Three: Special Use Request**

A request by Mountain Motors, LLC for Special Use approval to operate an automobile sales establishment, pursuant to the City of Marion UDO 4-3.4 Specific Requirements by Land Use, to be located at 1122 North Main Street, Marion NC 28752 and having the McDowell County Tax Parcel Number 1702.17-21-4335

- **Staff Updates**
 - a) None
- **Adjourn Meeting**

Any individual with a disability who needs an interpreter or other auxiliary aids, please contact City Hall at (828) 652-3551. To request services needed, please make the request 3-5 days prior to the meeting. For additional information or assistance, please contact Vance McNees, City Planner at (828) 652-3551 ext. 303. Servicios de intérpretes están disponibles sin costo de acuerdo a la ley del Título VI.

**For Office Use Only**

Fee Paid \$ _____

Cash ____ Check # _____

Application # _____

Date Received _____

CITY OF MARION
194 N. Main Street • P.O. Drawer 700• Marion, NC 28752
Planning & Development Department

VARIANCE APPLICATION
(PLEASE TYPE OR PRINT IN INK)

All applications must be deemed complete prior to the item being scheduled.

Property Owner's Name: Pilot Flying J Phone Number: 1-877-866-7378

Property Owner's Mailing Address: 5508 LONAS RD KNOXVILLE TN 37909

Applicant's Name (if different from above): MICHAEL B EVERETT

Applicant's Mailing Address: 2211 PECH RD HOUSTON TX 77055 Phone Number: 832-865-4662

Note: Applicant must submit a notarized letter authorizing them to act on the property owner's behalf and stating the Applicant's name, address and phone number.

Physical Address of Property: 3365 Sugar Hill Rd. Marion NC. 28752

Parcel ID Number (PIN) 0790-00-72-1555 Zoning District: X Flood zone 5.58 acres

Existing Use: retail fuel and merchandise sales Proposed Use: Same

This is a permitted use/ special exception under Section 6-2.9(D) "Directional signs" of the Marion City Code.

6-2.9(D) Directional signs b.

This involves a request to vary from Article/ Section _____ of the Marion City Code for the following reasons:

Describe the Variance request and exactly what the variance would allow you to do:
See attached

Describe any additional information or evidence that the Applicant feels will further the case:

See attached

Pursuant to Section 21-303.3 *Variances* of the Marion City Code, to authorize upon appeal in specific cases such variance from the terms of this Ordinance as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this Ordinance will in an individual case, result in practical difficulty or unnecessary hardship, so that the spirit of the Ordinance shall be observed, public safety and welfare secured, and substantial justice done. Such variance may be granted in such individual case of unnecessary hardship upon a finding by the Board that the following conditions exist:

- (1) There are extraordinary and exceptional conditions pertaining the particular place or property in question because of its size, shape, or topography that are not applicable to other lands or structures in the same district.
- (2) Granting the variance requested will not confer upon the applicant any special privileges that are denied to other residents of the district in which the property is located.
- (3) A literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other residents of the districts in which the property is located.
- (4) The requested variance will be in harmony with the purpose and intent of this Ordinance and will not be injurious to the neighborhood or to the general welfare.
- (5) The special circumstances are not the result of the actions of the applicant.
- (6) The variance requested is the minimum variance that will make possible the legal use land building and structure.
- (7) The variance is not a request to permit a use of land, building, or structure which is not permitted by right or by special exception the district involved.

The following supporting information must accompany the application for variance:

Site Plan, drawn to a scale of at least one (1) inch to forty (40) feet, showing property lines, setbacks and proposed and existing structures on the property in question as well as neighboring properties.

Photographs of the site, looking N, E, S & W from perimeters of the subject property and from the main adjacent road. A recent aerial photograph with delineated property boundaries may be substituted.

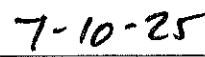
Property Assessor Card of the subject property. (Information can be obtained from the McDowell County Property Assessor's Office 10 East Court Street, Marion NC 28752, (828) 652-7121.

I UNDERSTAND THAT THE BURDEN IS UPON ME, THE APPLICANT, TO PRODUCE COMPETENT, MATERIAL AND SUBSTANTIAL EVIDENCE WHICH TENDS TO ESTABLISH THE EXISTENCE OF FACTS, STANDARDS AND CONDITIONS WHICH THE ORDINANCE REQUIRES UNDER SECTION 1204.3 VARIANCES OF THE MARION CITY CODE.

I CERTIFY THAT ALL OF THE INFORMATION PRESENTED IN AND WITH THIS APPLICATION IS TO THE BEST OF MY KNOWLEDGE, IS TRUE, COMPLETE AND ACCURATE.



SIGNATURE OF APPLICANT

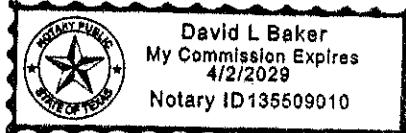


DATE

**STATE OF NORTH CAROLINA
COUNTY OF McDOWELL**

I, DAVID L. BAKER a Notary Public, certify that MICHAEL B. EVERETT personally came before me this day and acknowledged the due execution of the foregoing instrument. IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal, this the 10th day of JULY, 20 25.

SEAL:





Notary Public Signature

My Commission Expires 4-2-29

Description of the Variance Request:

Current Code Restriction: The local zoning or signage code limits directional signs to a maximum of 4 square feet.

Requested Variance: The applicant is seeking approval to install three directional signs, each measuring 16.67 square feet, significantly larger than the code's limit.

Purpose: The larger signs are intended to improve visibility and address traffic issues caused by trucks missing the turn into the truck stop due to inadequate signage.

Supporting Justification:

The 4-square-foot signs are deemed insufficient for visibility at a high-traffic truck stop.

The North Carolina Department of Transportation (NCDOT) contacted the truck stop regarding traffic problems stemming from trucks not knowing where to turn.

NCDOT has provided approval for the proposed larger signs, indicating state-level support for the variance to mitigate traffic safety concerns.

What the Variance Would Allow:

The variance, if approved, would permit the installation of three directional signs, each 16.67 square feet, instead of adhering to the 4-square-foot limit per sign.

These larger signs would enhance visibility for truck drivers, enabling them to locate the truck stop entrance more easily.

The increased sign size would help reduce traffic congestion and safety hazards by ensuring trucks can navigate the turn accurately, addressing the concerns raised by NCDOT.

The variance would provide a legal exception to the local signage code, allowing the truck stop to operate more effectively and safely with state-backed justification.

This variance is specific to the Pilot truck stop's operational and safety needs, supported by evidence of traffic issues and NCDOT's approval.

Request for Three 16.67-Square-Foot Directional Signs

1. Exceptional Conditions Due to Size, Shape, or Topography

- The Pilot truck stop's large size, unique shape, or specific topography creates visibility challenges that standard 4-square-foot directional signs cannot address.
- These conditions are not applicable to other properties in the same zoning district.
- The variance for three 16.67-square-foot signs is necessary to ensure safe navigation for truck traffic.
- **Supporting Evidence:** NCDOT's approval confirms the need for enhanced signage to address site-specific challenges.

2. No Special Privileges Conferred

- Granting the variance will not confer special privileges denied to other residents in the same zoning district.
- The request addresses unique site-specific challenges due to the property's size, shape, or topography.
- Any similarly situated property facing comparable conditions could seek a variance under the same zoning process.
- **Purpose:** The larger signs resolve traffic safety issues, as confirmed by NCDOT.

3. Deprivation of Common Rights

- A literal interpretation of the 4-square-foot sign size limit would deprive the Pilot truck stop of adequate directional signage.
- Other properties in the district can meet visibility needs with standard signs due to less challenging conditions.
- The variance ensures the applicant can exercise the right to safe and effective property access.
- **Supporting Evidence:** NCDOT highlights unique traffic issues necessitating larger signs.

4. Harmony with Ordinance Purpose

- The variance aligns with the zoning ordinance's purpose of promoting public safety and welfare.
- Larger signs improve visibility and reduce traffic hazards, as endorsed by NCDOT.
- The variance will not harm the neighborhood or general welfare, addressing site-specific challenges without negative impacts.
- **Outcome:** Safer access for trucks while preserving the surrounding area's integrity.

5. Circumstances Not Caused by Applicant

- The need for larger signs stems from inherent site conditions—size, shape, or topography—not actions of the applicant.
- Visibility and traffic issues predate the variance request, as identified by NCDOT.
- **Key Point:** These conditions are unique to the site and justify the need for enhanced signage to ensure safety.

6. Minimum Variance for Legal Use

- The requested variance for three 16.67-square-foot signs is the minimum necessary for safe and legal use of the property.
- The 4-square-foot limit is insufficient to address visibility issues caused by the site's unique characteristics.
- Larger signs are essential for effective truck navigation and operational compliance.
- **Supporting Evidence:** NCDOT's concerns validate the need for this specific sign size.

7. No Request for Prohibited Use

- The variance does not seek to permit prohibited use, as directional signage is allowed in the zoning district.
- The request only modifies the sign size limit (from 4 square feet) to address visibility and traffic safety issues.
- **Purpose:** To ensure safe navigation due to the property's unique size, shape, or topography, as supported by NCDOT.



Travel Centers LLC

City of Marion, NC
194 North Main St.
Marion NC 28752

7-10-2025

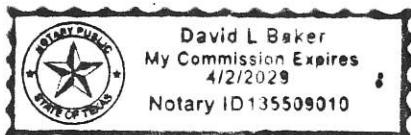
To Whom It May Concern,

Pilot Travel Centers, LLC. ("PFJ") grants Texas Republic Signs, LLC Michael B Everett 2211 Pech Rd Houston TX 77055 @832-865-4622 the authorization to seek a variance and discuss permit matters on Pilot's behalf regarding the on-premises signage @ Pilot # 1063 – 3365 Sugarhill Rd Marion NC 28752

Should you have any questions or need additional information please do not hesitate to contact me at 865-474-3469.

Sincerely,

Jack Rymer,
Project Manager II
Construction Development
Jack.Rymer@Pilottravelcenters.com

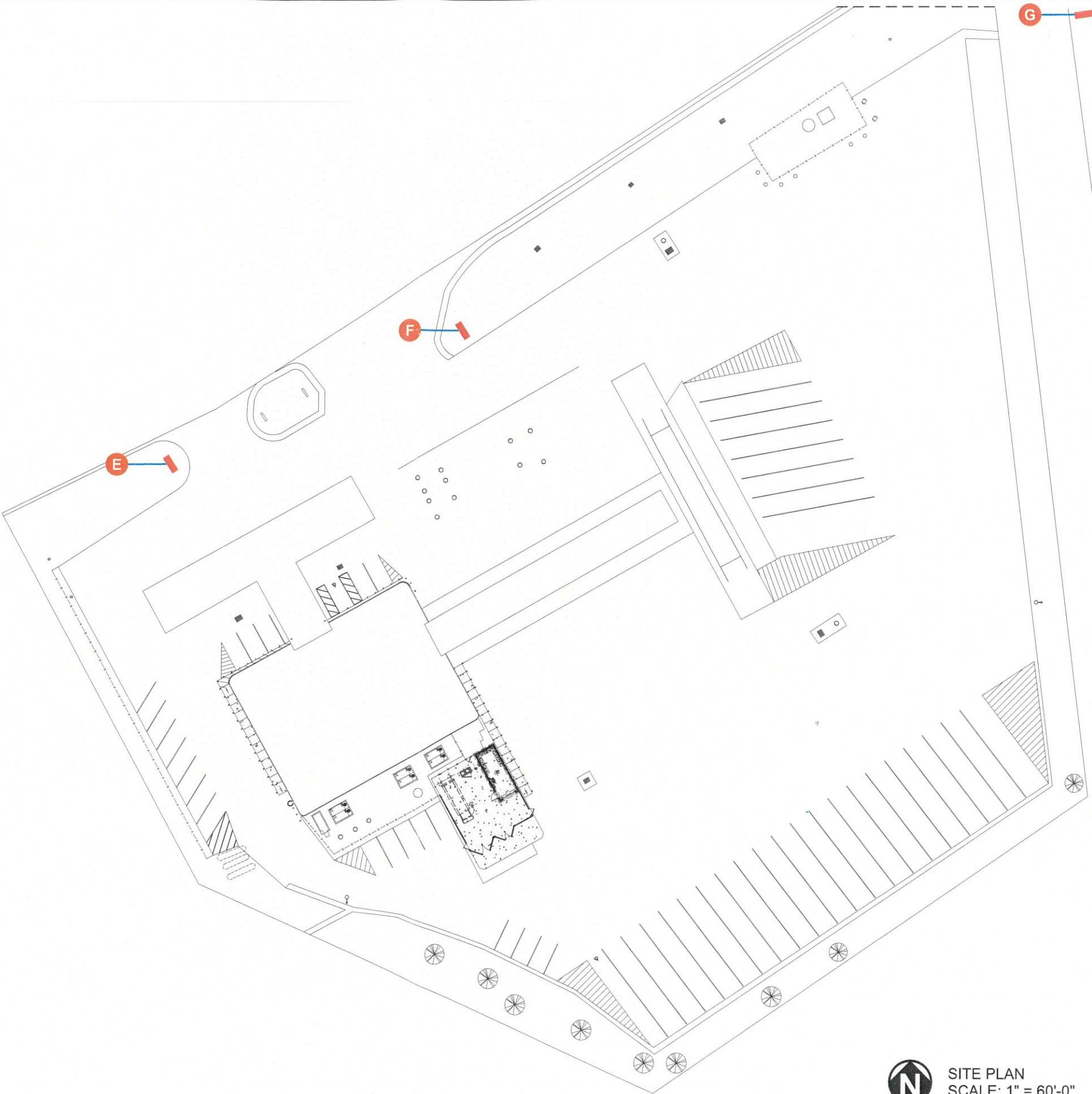


10TH DAY OF JULY 2025

DAVID L. BAKER



I.D	DESCRIPTION	QTY
E	DIRECTIONAL	1
F	DIRECTIONAL	1
G	DIRECTIONAL	1



SITE PLAN
SCALE: 1" = 60'-0"



2211 Pech Rd. Houston, TX 77055
Texasrepublicsigns.com
832-727-5415

CUSTOMER:
PILOT # 1063

ADDRESS:
3365 SUGAR HILL ROAD
MARION, NC 28752

JURISDICTION:
CITY OF MARION, NC

DESIGNER:
GARRETT BAKER

DATE CREATED:
6/18/25

W.O. #:

FILE PATH:
P:\2025 JOBS\P\PILOT\

REVISION LOG

R1:

R2:

R3:

R4:

R5:

FINAL:

CUSTOMER APPROVAL

TODD SIGNATURE:

DATE:

ELECTRICAL REQUIREMENTS

AMPS: VOLTS: CIRCUITS:
0.0 0.0 0 @ 120VAC

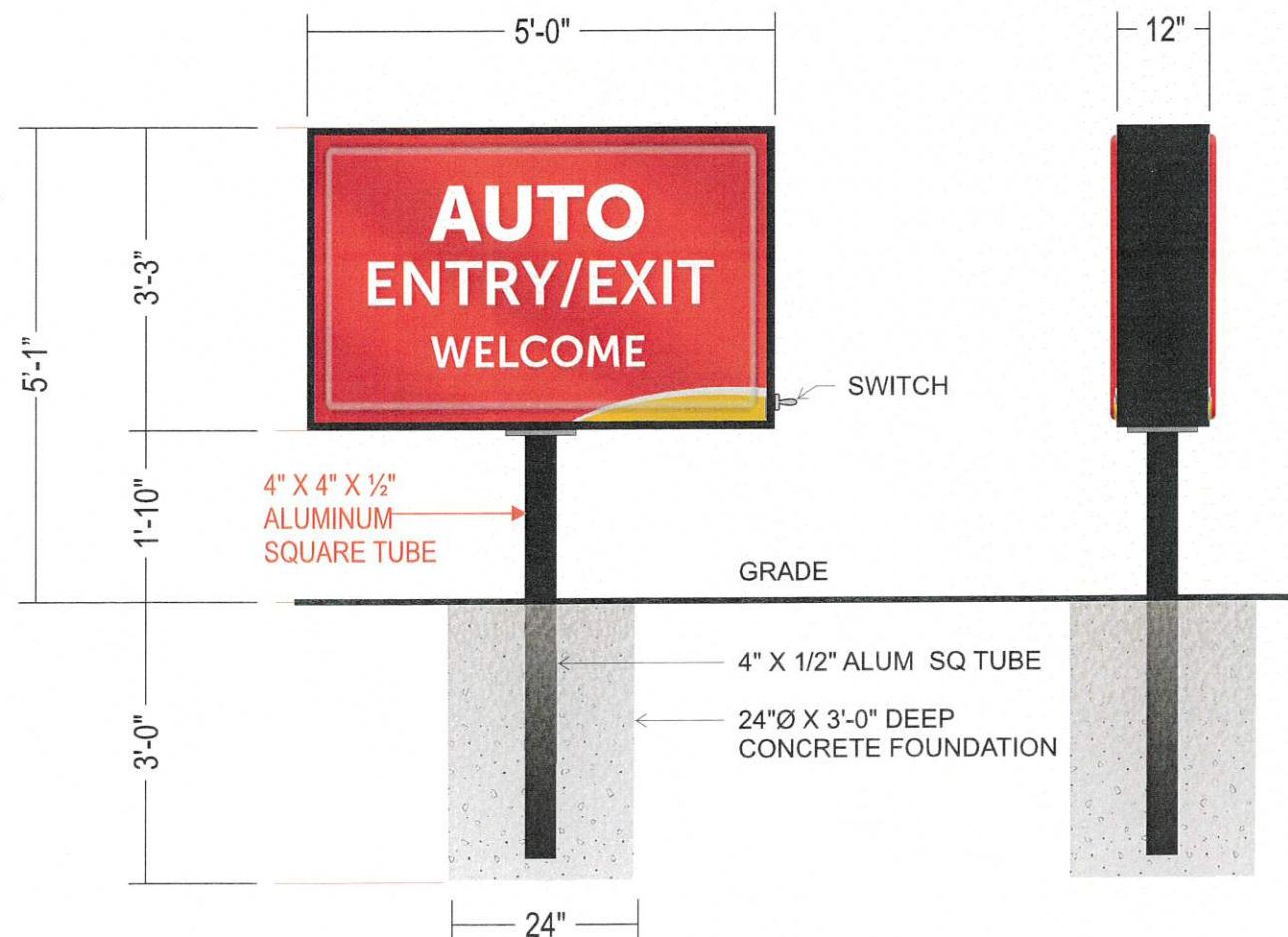
TOTAL LOAD:
0.0A @ 120VAC

THIS SIGN IS INTENDED TO BE INSTALLED
IN ACCORDANCE WITH THE REQUIRE-
MENTS OF ARTICLE 600 OF THE NEC AND/
OR OTHER APPLICABLE LOCAL CODE.
THIS INCLUDES PROPER GROUNDING
AND BONDING OF SIGN.

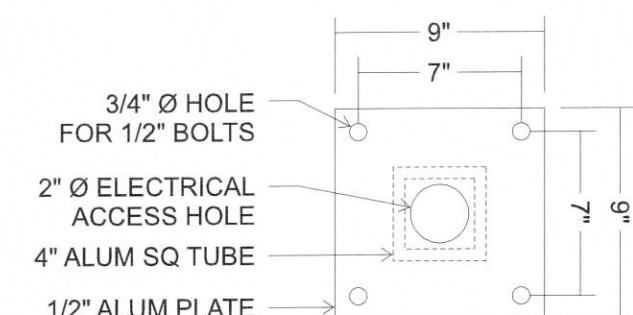
PRINTED:

SCOPE OF WORK			
MANUFACTURE & INSTALL (3) THREE INTERNALLY ILLUMINATED DIRECTIONAL SIGNS			
SPECIFICATIONS: DIRECTIONALS			
<ul style="list-style-type: none"> EXTRUDED ALUM CABINET & RETAINERS FACES: FORMED & EMBOSSED W/ PRINTED GRAPHICS 			

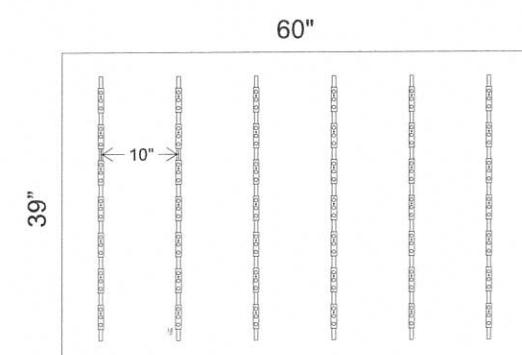
COLOR SCHEDULE			
V1: 3630-33 RED			
V2: 3630-53 CARDINAL RED			
V3: 3630-25 SUNFLOWER YELLOW			
P5: BLACK			



I.D.	DESCRIPTION	SQFT	QTY
E	DIRECTIONAL - AUTO	16.67	1
F	DIRECTIONAL - TRCK EX	16.67	1
G	DIRECTIONAL - TRCK EN	16.67	1



MATCH PLATE DETAIL
SCALE: 1 1/2" = 1'-0"



ELECTRICAL DETAILS

MODULE
(6) TAP OUT STIK DS 36

PART NUMBER
PL-OP2-TO3-P/ST-DS-36-TW

TOTAL WATTS: 110.9

POWER SUPPLY
(2) 12V ENERGIZER SERIES UNIV 60W

POWER SUPPLY PART NUMBER
P-OH060-12-EC

TOTAL LOAD: 2.6A AT 120VAC



2211 Pech Rd. Houston, TX 77055
Texasrepublicsigns.com
832-727-5415

CUSTOMER:
PILOT # 1063

ADDRESS:
3365 SUGAR HILL ROAD
MARION, NC 28752

JURISDICTION:
CITY OF MARION, NC

DESIGNER:
GARRETT BAKER

DATE CREATED:
6/18/25

W.O. #:

FILE PATH:
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REVISION LOG

R1:	
R2:	
R3:	
R4:	
R5:	
FINAL:	

CUSTOMER APPROVAL

TODD SIGNATURE:

DATE:

ELECTRICAL REQUIREMENTS

AMPS: 0.0 **VOLTS:** 0.0 **CIRCUITS:** 0 @ 120VAC
TOTAL LOAD: 0.0A @ 120VAC

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NEC AND/OR OTHER APPLICABLE LOCAL CODE. THIS INCLUDES PROPER GROUNDING AND BONDING OF SIGN.

PRINTED:

ELEVATION

SIDE A

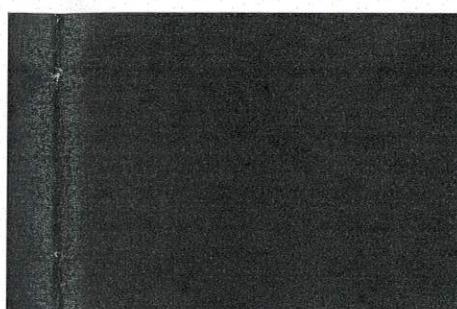
E GRAPHIC LAYOUT - QTY:1



F GRAPHIC LAYOUT - QTY:1



G GRAPHIC LAYOUT - QTY:1

SIDE B

I.D.	DESCRIPTION	SQFT	QTY
E	DIRECTIONAL - AUTO	16.67	1
F	DIRECTIONAL - TRCK EX	16.67	1
G	DIRECTIONAL - TRCK EN	16.67	1



2211 Pech Rd. Houston, TX 77055
 Texasrepublicsigns.com
 832-727-5415

CUSTOMER:
 PILOT # 1063

ADDRESS:
 3365 SUGAR HILL ROAD
 MARION, NC 28752

JURISDICITON:
 CITY OF MARION, NC

DESIGNER:
 GARRETT BAKER

DATE CREATED:
 6/18/25

W.O. #:

FILE PATH:
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REVISION LOG

R1:

R2:

R3:

R4:

R5:

FINAL:

CUSTOMER APPROVAL

TODD SIGNATURE:

DATE:

ELECTRICAL REQUIREMENTS

AMPS: VOLTS: CIRCUITS:
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 0.0A @ 120VAC

THIS SIGN IS INTENDED TO BE INSTALLED
 IN ACCORDANCE WITH THE REQUIRE-
 MENTS OF ARTICLE 600 OF THE NEC AND/
 OR OTHER APPLICABLE LOCAL CODE.
 THIS INCLUDES PROPER GROUNDING
 AND BONDING OF SIGN.

PRINTED:

SHEET: 3.0



2211 Pech Rd. Houston, TX 77055
Texasrepublicsigns.com
832-727-5415

CUSTOMER:
PILOT # 1063

ADDRESS:
3365 SUGAR HILL ROAD
MARION, NC 28752

JURISDICITON:
CITY OF MARION, NC

DESIGNER:
GARRETT BAKER

DATE CREATED:
6/18/25

W.O. #:

FILE PATH:
P:\2025 JOBS\P\PILOT\

REVISION LOG

R1:

R2:

R3:

R4:

R5:

FINAL:

CUSTOMER APPROVAL

TODD SIGNATURE:

DATE:

ELECTRICAL REQUIREMENTS

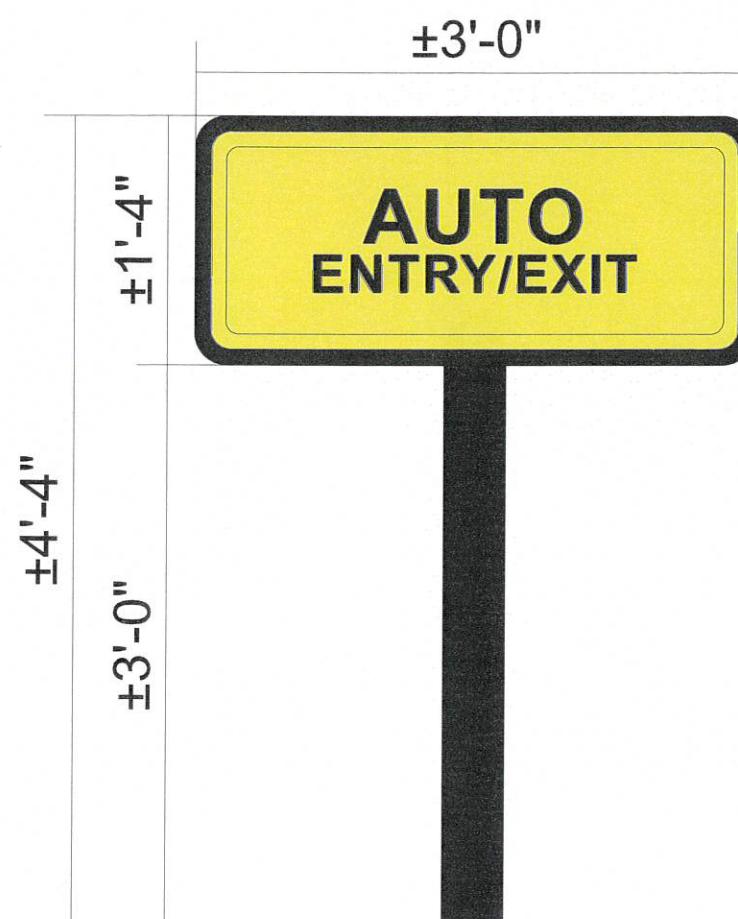
AMPS: VOLTS: CIRCUITS:
0.0 0.0 0 @ 120VAC

TOTAL LOAD:
0.0A @ 120VAC

THIS SIGN IS INTENDED TO BE INSTALLED
IN ACCORDANCE WITH THE REQUIRE-
MENTS OF ARTICLE 600 OF THE NEC AND/
OR OTHER APPLICABLE LOCAL CODE.
THIS INCLUDES PROPER GROUNDING
AND BONDING OF SIGN.

PRINTED:

EXISTING



PROPOSED



DIRECTIONAL DETAILS
SCALE: 1" = 1'-0"

Variance - NCDOT documentation

Butler, Jason <jbutler5@ncdot.gov>

Thu, Sep 4, 2025 at 3:48 PM

To: Vance McNees <vmcnees@marionnc.org>

Cc: Jack Rymer <jack.rymer@pilottravelcenters.com>, Brad Everett <Brad@texasrepublicsigns.com>, "Young, Jonathan C" <jcyoung1@ncdot.gov>

Good afternoon,

The proposed sign request originally came from the City of Marion with concerns to congestion and safety. In addition, we received calls and complaints from residents about trucks blocking the roadway. Trucks were passing by the entrance and unable to maneuver the existing site. Once passing the truck entrance, trucks were traveling several miles down Sugar Hill Road and unable to turn around safely. NCDOT installed signs notifying trucks of "No-Turn-Around" and LOGO signs updated on the exit ramp and new signage on Sugar Hill Road to improve traffic flow and prohibit trucks from using the automobile entrance. In addition, NCDOT recommended for Pilot to replace existing signs and install a new sign at the truck entrance to enhance visibility to the site.

If you have any questions, please feel free to give me a call.

Regards,

Jason Butler

Assistant District Engineer

Division 13

North Carolina Department of Transportation

jbutler5@ncdot.gov

3931 NC 226 S

Marion, NC 28752

828-803-6100



From: Jack Rymer <jack.rymer@pilottravelcenters.com>
Sent: Monday, August 25, 2025 2:15 PM
To: Brad Everett <Brad@texaspublicsigns.com>; Butler, Jason <jbutler5@ncdot.gov>; Young, Jonathan C <jcyoung1@ncdot.gov>
Subject: [External] RE: Variance - NCDOT documentation

CAUTION: External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

Good afternoon Jason and Jonathan,

Can you please provide a letter noting the need for directionals and recognition of the size requested? I attached our original emails for reference.

Thank you,



Jack Rymer

Project Manager II,
Construction Development

Jack.Rymer@pilottravelcenters.com

cell: 8657199181 | office: (865) 474-2470



CONFIDENTIAL

This e-mail message and all corresponding e-mail messages, including all attachments, are intended solely for the individual(s) named above. They contain confidential and/or proprietary information. Do not forward, copy, distribute or otherwise relay the messages or their content to any individual without first contacting the PTC LLC Law Department.

If you have received this e-mail message in error, do not read, forward, copy or distribute it or any of its content to anyone. In addition, please notify the sender that you have received this message immediately by return e-mail and delete it.

From: Brad Everett <Brad@texaspublicsigns.com>
Sent: Friday, August 22, 2025 2:24 PM
To: Jack Rymer <jack.rymer@pilottravelcenters.com>
Subject: FW: Variance - NCDOT documentation

This Message Is From an External Sender This message came from outside your organization. Please use caution when replying with sensitive information, opening attachments, or clicking links. If you are unsure, please report this using the phish alert button.

Jack,

Can you help me with this request?

Thank You,

Brad Everett

Texas Republic Signs, LLC

2211 Pech Rd

Houston TX 77055

832-865-4662

From: Vance McNees <vmcnees@marionnc.org>
Sent: Friday, August 22, 2025 1:23 PM

To: Brad Everett <Brad@texasrepublicsigns.com>

Subject: Variance - NCDOT documentation

Hi Brad,

[Quoted text hidden]

Email correspondence to and from this sender is subject to the N.C. Public Records Law and may be disclosed to third parties.



CITY OF MARION

194 N. Main Street • P.O. Drawer 700 • Marion, NC 28752

Planning & Development Department

SPECIAL USE APPLICATION

(PLEASE TYPE OR PRINT IN INK)

All applications must be deemed complete prior to the item being scheduled.

Property Owner's Name: L&T Associates LLC Phone Number: 828-652-3767

Property Owner's Mailing Address: 2024 Nix Creek Rd. Marion, NC 28752

Applicant's Name (if different from above): _____

Applicant's Mailing Address: _____ Phone Number: _____

Note: Applicant must submit a notarized letter authorizing them to act on the property owner's behalf and stating the Applicant's name, address and phone number.

Physical Address of Property: 700 E. Court St. Marion, NC 28752

Parcel ID Number (PIN) 1701.08-99-6164 and 1701.08-99-4094 Zoning District: C2 Lot Size: 2.3

Existing Use: Commercial Vacant Proposed Use: Commercial ATV Dealership

This is a special exception under Section 3-7.1 of the Marion City Code.

COMPLETENESS OF APPLICATION

The following items shall be submitted with or on the Site Plan and included as an attachment to this application:



Site Plan, indicating:



Location of proposed and existing structures;



Setbacks from current (or proposed) right-of-way and property lines, structures and traveled ways;



Plan drawn to scale (indicating scale);



Current and proposed right-of-ways, easements, streets, walkways, parking lots, spaces, and loading zone, (Insure adequate ingress and egress in reference to automotive as well pedestrian safety.);



Proposed and existing landscape, screening or buffering;



Location of refuse and service areas (dumpsters, loading zones, etc.);



Identify adjacent zoning districts to the property;



Location and specifications for signs and lighting; and



Location of public utilities.



Property Assessor Card of the subject property. (Information can be obtained from the McDowell County Property Assessor's Office 10 East Court Street, Marion NC 28752, (828) 652-7121.

Pursuant to Section 3-7.1 Special Use of the City of Marion Unified Development Ordinance, a special use may be granted by the Board of Adjustment only after it makes the required written findings:

For Office Use Only

Fee Paid \$ _____

Cash _____ Check # _____

Application # _____

Date Received _____

1. The special use request must be granted by the Board of Adjustment when all of the following findings have been made:
 - a. That the proposed use will not be detrimental to the health or safety of persons residing or working in the vicinity or injurious to property or improvements in the vicinity;
 - b. That the proposed use at the particular location provides a service or facility that will contribute to the general well-being of the neighborhood or the community; and
 - c. That the location and character of the proposed use will be in harmony with the area in which it is to be located and in general conformity with the Comprehensive Plan.
2. If the Board of Adjustment does not make these findings, then the special use request may not be granted.
3. Review Factors. The applicant must demonstrate that the review factors listed below have been adequately addressed. If an application is denied, the decision-making body must specify which of these review factors were not adequately addressed.
 - a. Circulation.
Number and location of access points to the property and the proposed structures and uses, are provided with particular reference to automotive, bicycle, and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.
 - b. Parking and Loading.
Location of off-street parking and loading areas are sufficiently provided.
 - c. Service Entrances and Areas.
Locations of refuse and service areas are provided with particular reference to ingress and egress of service vehicles.
 - d. Lighting.
Locations of exterior lighting are provided with reference to glare, traffic safety, economic effect and compatibility with other property in the area.
 - e. Signs.
Appropriateness of signs considering location, height, size, and design within the context of other property in the area.
 - f. Utilities.
Location and availability of utilities is provided.
 - g. Open Spaces.
Location of required yards and other open spaces and preservation of existing trees and other natural features is provided.
 - h. Environmental Protection.
Is in compliance with landscape, floodplain, watershed, wetlands, steep slopes, open space and other natural feature requirements.
 - i. Screening, Buffering and Landscaping.
Installation of screening, buffering, fencing and landscaping where necessary to protect adjacent property is provided.
 - j. Effect on Adjacent Property.
Effects of the proposed use on nearby property, including, but not limited to, the effects of noise and odor is mitigated.
 - k. Compatibility.
The level of general compatibility with nearby properties and the appropriateness of the use in relationship to other properties is provided.

THIS APPLICATION WILL NOT BE CONSIDERED COMPLETE UNTIL ALL PLANS HAVE BEEN SUBMITTED AND REVIEWED BY CITY STAFF. PLEASE BE AWARE THAT IF PLANS ARE INCOMPLETE, A HEARING WILL NOT BE SCHEDULED.

I UNDERSTAND THAT THE BURDEN IS UPON ME, THE APPLICANT, TO PRODUCE COMPETENT MATERIAL AND SUBSTANTIAL EVIDENCE TO ESTABLISH THE EXISTENCE OF FACTS, STANDARDS AND CONDITIONS WHICH THE ORDINANCE REQUIRES UNDER SECTION 3-7.1 *SPECIAL USE OF THE*

CITY OF MARION UNIFIED DEVELOPMENT ORDINANCE.

I CERTIFY THAT ALL OF THE INFORMATION PRESENTED IN AND WITH THIS APPLICATION IS TO THE BEST OF MY KNOWLEDGE, IS TRUE, COMPLETE AND ACCURATE.

Reesun Ahmee
SIGNATURE OF APPLICANT

9/3/2025
DATE

**STATE OF NORTH CAROLINA
COUNTY OF McDOWELL**

I, a Notary Public, certify that personally came before me this day and acknowledged the due execution of the foregoing instrument. IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal, this the 3rd day of September 2025.

SEAL:

Notary Public Signature

My Commission Expires _____

EAST COURT STREET TRACT

MARION, NORTH CAROLINA

SETEMBER 4, 2025

OWNER/APPLICANT:

L & T ASSOCIATES, LLC
2024 NIX CREEK ROAD
MARION, NC 28752
PHONE: (828) 652-3767
EMAIL: todd@gemconstructors.com
CONTACT: TODD MILLER

GENERAL CONTRACTOR:

GEM CONSTRUCTORS, INC.
2024 NIX CREEK ROAD
MARION, NC 28752
PHONE: (828) 652-3767
EMAIL: todd@gemconstructors.com
CONTACT: TODD MILLER

ARCHITECT:

URSA

5 SPRING COVE TERRACE
ASHEVILLE, NC 28804
PHONE: (704) 488-2294
EMAIL: bill@ursarchitecture.com
CONTACT: BILL SINKOVIC, RA

LANDSCAPE ARCHITECT:

LAND PLANNING COLLABORATIVE
98 HORIZON HILL ROAD
ASHEVILLE, NORTH CAROLINA 28804

PHONE: (828) 242-0111
EMAIL: bgriasso@landplancollab.com
CONTACT: ROBERT M. GRASSO, RLA

CIVIL ENGINEER:

DAVIS CIVIL SOLUTIONS PA

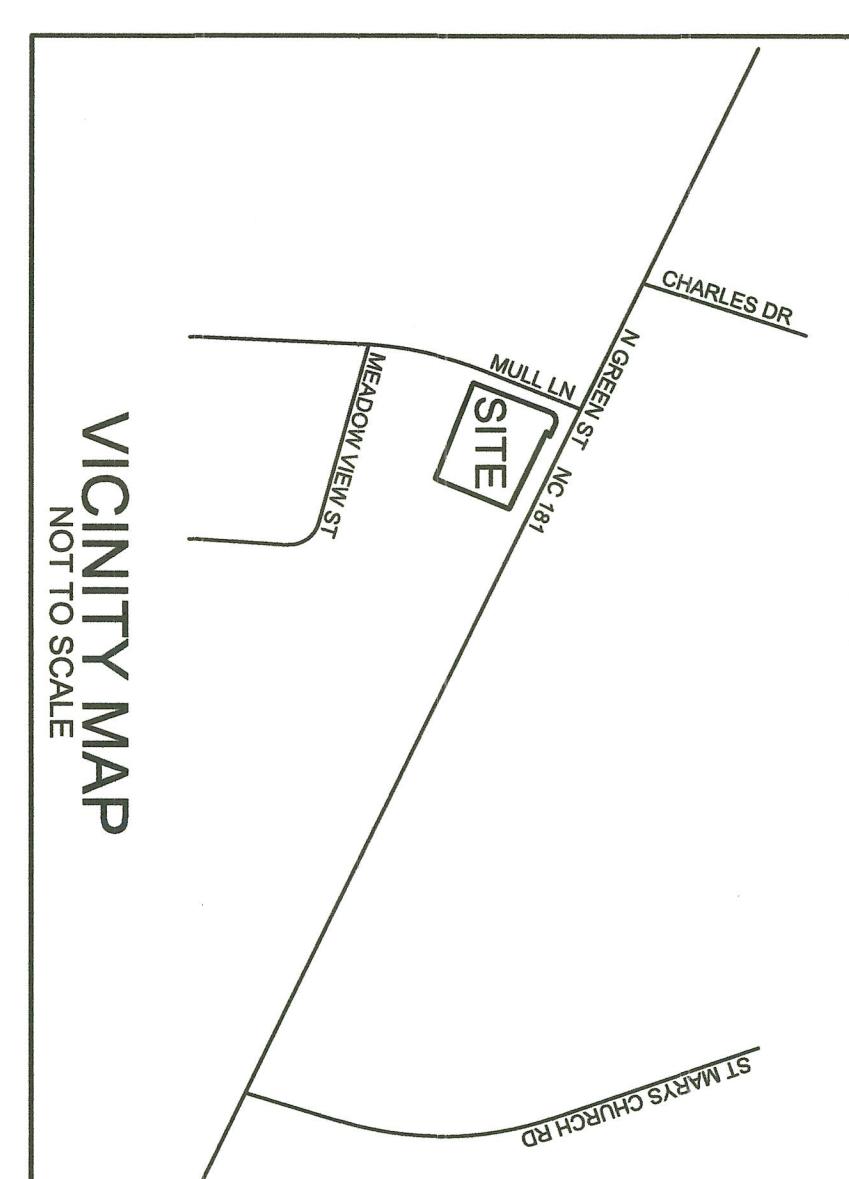
135-A CHARLOTTE HIGHWAY
ASHEVILLE, NORTH CAROLINA 28803

PHONE: (828) 299-9449
EMAIL: gary@cvslsol.com
CONTACT: GARY D. DAVIS, PE

SURVEYOR:

BEN PATTON LAND SURVEYING, PLLC

931 NORTH MAIN STREET, SUITE 5
MARION, NC 28752
PHONE: (828) 559-8004
EMAIL: ben@bpsurveying.com
CONTACT: BEN PATTON, PLS



LIST OF DRAWINGS

- L-1 TITLE SHEET
- L-2 SITE PLAN
- L-3 EXISTING CONDITIONS & SITE DEMOLITION PLAN
- L-4 LAYOUT & MATERIALS PLAN
- L-5 GRADING PLAN
- L-6 LANDSCAPE PLAN
- L-7 SITE CONSTRUCTION DETAILS

EAST COURT STREET TRACT
MARION, NORTH CAROLINA

TITLE SHEET

JOB NO. 202500

DIV. NAME: Court-Relating

DATE: September 4, 2025

REVISIONS:

REV. DATE: BY:

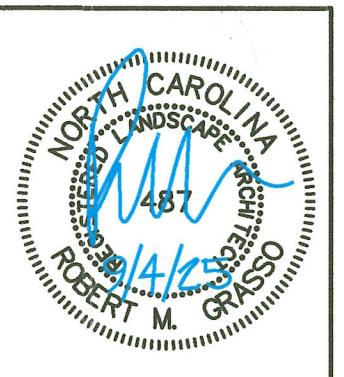
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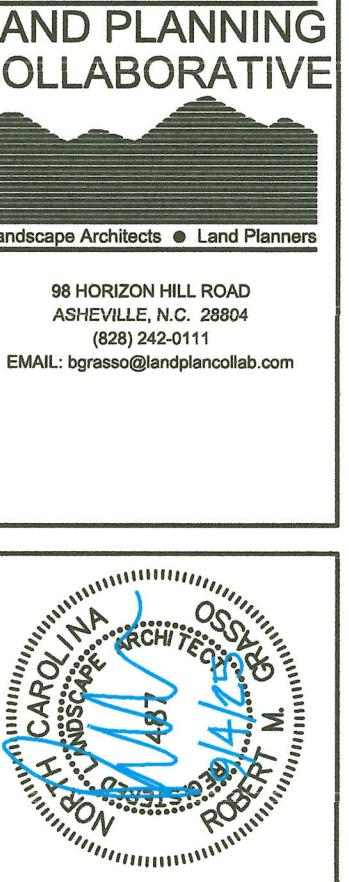
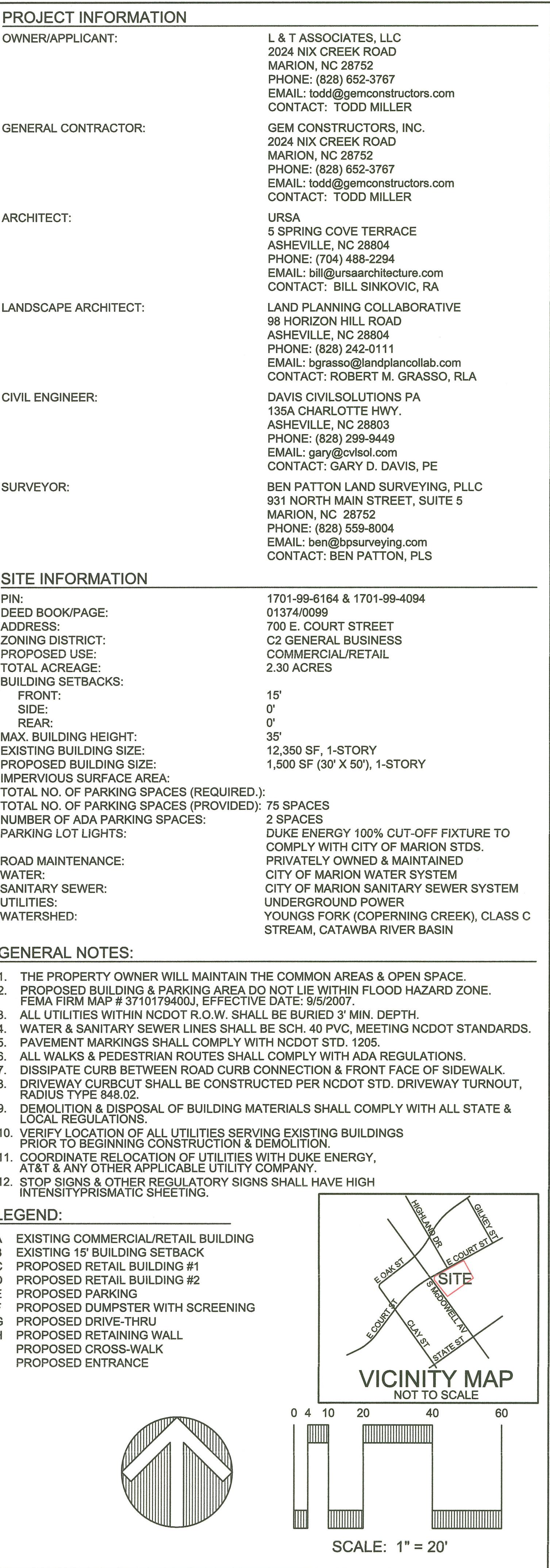
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LAND PLANNING COLLABORATIVE
98 HORIZON HILL ROAD
ASHEVILLE, NC 28804
EMAIL: bgriasso@landplancollab.com



SITE PLAN

EAST COURT STREET TRACT
MARION, NORTH CAROLINA



SITE INFORMATION

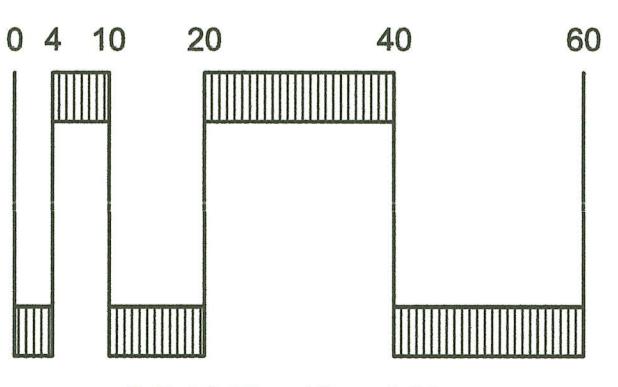
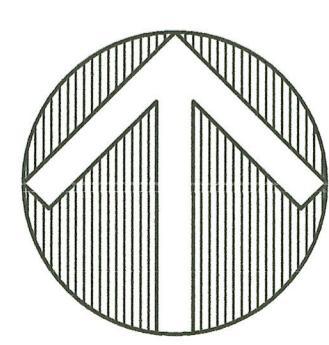
PIN: 1701-99-6164 & 1701-99-4094
 DEED BOOK/PAGE: 01374/0099
 ADDRESS: 700 E. COURT STREET
 ZONING DISTRICT: C2 GENERAL BUSINESS
 PROPOSED USE: COMMERCIAL/RETAIL
 TOTAL ACREAGE: 2.30 ACRES
 BUILDING SETBACKS:
 FRONT: 15'
 SIDE: 0'
 REAR: 0'
 MAX. BUILDING HEIGHT: 35'
 EXISTING BUILDING SIZE: 12,350 SF, 1-STORY
 PROPOSED BUILDING SIZE: 1,500 SF (30' X 50'), 1-STORY
 IMPERVIOUS SURFACE AREA:
 TOTAL NO. OF PARKING SPACES (REQUIRED): 75 SPACES
 TOTAL NO. OF PARKING SPACES (PROVIDED): 2 SPACES
 NUMBER OF ADA PARKING SPACES:
 PARKING LOT LIGHTS:
 ROAD MAINTENANCE:
 WATER: DUKE ENERGY 100% CUT-OFF FIXTURE TO COMPLY WITH CITY OF MARION STDS.
 SANITARY SEWER: PRIVATELY OWNED & MAINTAINED
 UTILITIES: CITY OF MARION SANITARY SEWER SYSTEM
 WATERSHED: UNDERGROUND POWER
 YOUNGS FORK (COPERNING CREEK), CLASS C STREAM, CATAWBA RIVER BASIN

GENERAL NOTES:

1. THE PROPERTY OWNER WILL MAINTAIN THE COMMON AREAS & OPEN SPACE.
2. PROPOSED BUILDING & PARKING AREA DO NOT LIE WITHIN FLOOD HAZARD ZONE.
3. ALL UTILITIES WITHIN NCDOT R.O.W. SHALL BE BURIED 3' MIN. DEPTH.
4. WATER & SANITARY SEWER LINES SHALL BE SCH. 40 PVC, MEETING NCDOT STANDARDS.
5. PAVEMENT MARKINGS SHALL COMPLY WITH NCDOT STD. 1205.
6. ALL WALKS & PEDESTRIAN ROUTES SHALL COMPLY WITH ADA REGULATIONS.
7. DISSIPATE CURB BETWEEN ROAD CURB CONNECTION & FRONT FACE OF SIDEWALK.
8. DRIVEWAY CURBCUT SHALL BE CONSTRUCTED PER NCDOT STD. DRIVEWAY TURNOUT, RADIUS TYPE 848.02.
9. DEMOLITION & DISPOSAL OF BUILDING MATERIALS SHALL COMPLY WITH ALL STATE & LOCAL REGULATIONS.
10. VERIFY LOCATION OF ALL UTILITIES SERVING EXISTING BUILDINGS PRIOR TO BEGINNING CONSTRUCTION & DEMOLITION.
11. COORDINATE RELOCATION OF UTILITIES WITH DUKE ENERGY, AT&T & ANY OTHER APPLICABLE UTILITY COMPANY.
12. STOP SIGNS & OTHER REGULATORY SIGNS SHALL HAVE HIGH INTENSITY PRISMATIC SHEETING.

DEMOLITION NOTES:

1. SAWCUT ASPHALT EDGE OF PAVEMENT.
2. REMOVE ASPHALT PAVEMENT & ABC STONE BASE.
3. REMOVE CONCRETE PAVEMENT
4. REMOVE POWER POLE
5. REMOVE OVERHEAD POWER & TELEPHONE LINES



JOB NO.: 2025500
 DWG. NAME: court-site.dwg
 DATE: September 4, 2025
 REVISIONS:
 REV.: DATE: BY:
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SHEET L-3

EXISTING CONDITIONS / SITE DEMOLITION PLAN

EAST COURT STREET TRACT
MARION, NORTH CAROLINA

LAND PLANNING
COLLABORATIVE
 Landscape Architects • Land Planners
 98 HORIZON HILL ROAD
ASHEVILLE, N.C. 28804
(828) 242-0111
EMAIL: bignose@landplancollab.com



GENERAL SITE CONSTRUCTION NOTES

1. FINISH GRADE TOLERANCES SHALL BE AS NOTED IN THE SPECIFICATIONS. THE ENGINEER MAY MAKE GRADE CHANGES, AS REQUIRED, IN THE FIELD WITHOUT EFFECTING THE UNIT PRICE BID FOR UNCLASSIFIED EXCAVATION.
2. UNLESS OTHERWISE NOTED, ALL FILL AREAS SHALL BE CONSTRUCTED IN LAYERS OF 8", MAX., THICKNESS, WITH WATER ADDED OR SOIL CONDITIONED TO THE OPTIMUM MOISTURE CONTENT AS DETERMINED THE GEOTECHNICAL ENGINEER & COMPAKTED WITH A SHEEP'S FOOT ROLLER TO A COMPACTION EQUAL TO OR GREATER THAN 95% (100% IN THE TOP 2' OF THE SUBGRADE BELOW ROADWAYS, PARKING LOTS & BUILDING SLABS) OF THE DENSITY OBTAINED BY COMPAKTING A SAMPLE OF THE MATERIAL IN ACCORDANCE WITH THE STANDARD PROCTOR METHOD OF MOISTURE-DENSITY RELATIONSHIP TEXT, ASTM D698 OR AASHTO-99, UNLESS SPECIFIED IN OTHER SPECIFICATIONS. COPIES OF COMPACTION REPORTS SHALL BE PROVIDED TO THE LOCAL REGULATORY AGENCY, WHERE REQUIRED.
3. ENTIRE AREA TO BE GRADED SHALL BE CLEARED & GRUBBED. NO FILL SHALL BE PLACED ON ANY AREA NOT CLEARED & GRUBBED.
4. ALL SOIL EROSION CONTROL MEASURES REQUIRED BY THE GRADING PLAN SHALL BE PERFORMED PRIOR TO GRADING, CLEARING OR GRUBBING. ALL EROSION CONTROL MEASURES SUCH AS SILT FENCE, ETC., SHALL BE MAINTAINED IN WORKABLE CONDITION FOR THE LIFE OF THE PROJECT BY THE CONTRACTOR AT HIS EXPENSE. EROSION CONTROL MEASURES SHALL BE REMOVED AT THE COMPLETION OF THE PROJECT ONLY ON THE LANDSCAPE ARCHITECT'S APPROVAL. PAYMENT SHALL BE CONSIDERED INCIDENTAL TO CLEARING & GRUBBING UNLESS OTHERWISE SPECIFIED. IF DURING THE LIFE OF THE PROJECT, A RAINFALL EVENT CAUSES SOIL EROSION WHICH CHANGES FINISH GRADES OR CREATES "GULLIES" & "WASHED AREAS", THESE CONDITIONS SHALL BE REPAIRED & ALL OFF-SITE SEDIMENTATION SHALL BE REMOVED AS DIRECTED BY THE LANDSCAPE ARCHITECT AT NO ADDITIONAL COST. THE CONTRACTOR SHALL ADHERE TO ANY APPROVED EROSION CONTROL PLANS WHETHER INDICATED IN THE CONSTRUCTION PLANS OR UNDER SEPARATE COVER.
5. EROSION CONTROL IS FIELD PERFORMANCE BASED & ADDITIONAL EROSION CONTROL MEASURES MAY NEED TO BE INSTALLED IN ADDITION TO THE APPROVED PLANS AS NECESSARY. MEASURES INDICATED ON THE DRAWINGS CAN & SHOULD BE ADJUSTED TO ASSURE MAXIMUM PROTECTION OF THE SITE.
6. DISPOSABLE MATERIAL:
 - A. CLEARING & GRUBBING WASTES SHALL BE REMOVED FROM THE SITE & PROPERLY DISPOSED OF BY THE CONTRACTOR AT HIS EXPENSE, UNLESS NOTED OTHERWISE.
 - B. SOLID WASTES TO BE REMOVED, SUCH AS CONCRETE WALKS, CURBS & ASPHALT PAVEMENT, SHALL BE PLACED IN SPECIFIC DISPOSAL AREAS DELINEATED ON THE PLANS WITH PRIOR APPROVAL OF THE LANDSCAPE ARCHITECT OR SHALL BE REMOVED FROM THE SITE AS REQUIRED BY THE SPECIFICATIONS. THIS MATERIAL SHALL HAVE A MINIMUM COVER OF 2'. THE CONTRACTOR SHALL MAINTAIN SPECIFIED COMPACTION REQUIREMENTS IN THESE AREAS. WHEN DISPOSAL SITES ARE NOT PROVIDED, THE CONTRACTOR SHALL REMOVE THIS WASTE FROM THE SITE & PROPERLY DISPOSE OF IT AT HIS EXPENSE.
 - C. ABANDONED UTILITIES, SUCH AS CULVERTS, WATER PIPE, HYDRANTS, CASTINGS & UTILITY POLES SHALL BE THE PROPERTY OF THE SPECIFIC UTILITY AGENCY OR COMPANY HAVING JURISDICTION; BEFORE THE CONTRACTOR CAN REMOVE, DESTROY, SLAUGHTER, REUSE, SELL OR STORE FOR HIS OWN USE, ANY ABANDONED UTILITY, THE CONTRACTOR SHALL PRESENT TO THE OWNER WRITTEN PERMISSION FROM THE UTILITY INVOLVED.
 - D. ON-SITE BURNING IS AN ACCEPTABLE METHOD OF DISPOSING OF FLAMMABLE WASTES WHERE ALLOWED BY LOCAL CODES. WHEN BURNING IS ANTICIPATED, THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS & MEETING GOVERNING CODES. THE CONTRACTOR SHALL NOTIFY THE OWNER & LANDSCAPE ARCHITECT AS TO THE SPECIFIC LOCATION OF BURNING & SHALL PROVIDE COPIES OF SECURED PERMITS. AFTER BURNING IS COMPLETED, PURE ASH MAY BE DISPOSED OF BY MIXING WITH FILL SOIL UPON THE APPROVAL OF THE LANDSCAPE ARCHITECT. ALL MATERIAL NOT TOTALLY BURNED SHALL BE DISPOSED OF AS SPECIFIED IN "B" ABOVE. THE CONTRACTOR SHALL NOT HOLD UP WORK PROGRESS FOR THE PURPOSE OF WAITING FOR A "BURNING DAY".
7. IN THE EVENT EXCESSIVE GROUNDWATER OR SPRINGS ARE ENCOUNTERED WITHIN THE LIMITS OF CONSTRUCTION, THE CONTRACTOR SHALL INSTALL NECESSARY UNDER DRAINS & STONE AS DIRECTED THE GEOTECHNICAL ENGINEER & AS APPROVED BY PERMITTING FROM THE REGULATORY AGENCIES. ALL WORK SHALL BE PAID BASED UPON UNIT PRICE BIDS, UNLESS SPECIFIED OTHERWISE REGULATORY AGENCIES. ALL WORK SHALL BE PAID BASED UPON UNIT PRICE BIDS, UNLESS SPECIFIED OTHERWISE.
8. THE CONTRACTOR IS RESPONSIBLE FOR THE COORDINATION OR ADJUSTMENT OF ALL UTILITY SURFACE ACCESS WHETHER THE CONTRACTOR OR UTILITY COMPANY PERFORMS THE WORK.
9. THE CONTRACTOR SHALL CONTROL ALL "DUTS" BY PERIODIC WATERING & SHALL PROVIDE ACCESS AT ALL TIMES FOR PROPERTY OWNER WITHIN THE PROJECT AREA & FOR EMERGENCY VEHICLES. SURFACE ACCESS WHETHER THE CONTRACTOR OR UTILITY COMPANY PERFORMS THE WORK. ALL OPEN DITCHES & HAZARDOUS AREAS SHALL BE CLEARLY MARKED IN ACCORDANCE WITH THE SPECIFICATIONS.
10. ALL AREAS WHERE THERE IS EXPOSED SOIL SHALL BE SEEDED, FERTILIZED & MULCHED ACCORDING TO THE SPECIFICATIONS. THE FINISHED SURFACE SHALL BE TO GRADE & SMOOTH, FREE OF ALL ROCKS LARGER THAN 3", EQUIPMENT TRACKS, DIRT CLODS, BUMPS, RIDGES & GOUGES PRIOR TO SEEDING. THE SURFACE SHALL BE LOOSENEO TO A DEPTH OF 4" TO ACCEPT SEED. THE CONTRACTOR SHALL NOT PROCEED WITH SEEDING OPERATIONS WITHOUT FIRST OBTAINING THE LANDSCAPE ARCHITECT'S APPROVAL OF THE GRADED SURFACE. ALL SEEDING SHALL BE PERFORMED BY A MECHANICAL "HYDRO-SEEDER". HAND SEEDING SHALL BE AUTHORIZED ON AN AREA BY AREA APPROVAL BY THE LANDSCAPE ARCHITECT. ALL FILL & CUT SLOPES WITH 2:1 OR GREATER HORIZONTAL TO VERTICAL SLOPE, SHALL BE COVERED, AFTER SEEDING, WITH AN EROSION CONTROL MATTING CONSISTING OF BIODEGRADABLE STRAW WITH NATURAL FIBER OR BIODEGRADABLE NETTING, APPROVED BY THE LANDSCAPE ARCHITECT.
11. WHERE SPECIFIED, STORM DRAIN PIPE SHALL BE CORRUGATED METAL PIPE (CMP) CONFORMING TO AASHTO M-36, WITH PREROLLED ENDS TO ACCOMMODATE CORRUGATED COUPLING BANDS. 18" PIPE SHALL BE 16 GA., 24" & 30" PIPE SHALL BE 14 GA. & 36" & GREATER PIPE SHALL BE 12 GA., AS SPECIFIED ON THE PLANS. PIPE & COUPLING BANDS SHALL CONFORM NCDOT 1032-3 FOR PLAIN PIPE OR 1032-4(A) FOR BITUMINOUS COATED & PARTIALLY PAVED PIPE. DIMPLE BANDS SHALL NOT BE USED.
12. WHERE SPECIFIED, STORM DRAIN PIPE SHALL BE REINFORCED CONCRETE PIPE (RCP), CONFORMING TO AASHTO M-170, AS CONTAINED IN NCDOT STANDARD SPECIFICATION 1032-9 FOR WALL "B" TYPE.

ALL CORRUGATED METAL STORM DRAIN PIPE (CMP) SHALL BE ALUMINIZED TYPE 2 CORRUGATED STEEL MANUFACTURED IN ACCORDANCE WITH THE REQUIREMENTS OF AASHTO M-36. THE PIPE SHALL BE MANUFACTURED FROM ALUMINIZED STEEL, TYPE 2 MATERIAL, CONFORMING TO THE REQUIREMENTS OF AASHTO M-274. ALL PIPE SHALL BE FURNISHED WITH PREROLLED ENDS & SHALL BE JOINED WITH HUGGER BANDS. THE USE OF DIMPLE BANDS WILL NOT BE ALLOWED. PIPE THROUGH 24" DIAMETER SHALL BE 16 GA., PIPE THROUGH 42" DIAMETER SHALL BE 14 GA. & PIPE THROUGH 54" DIAMETER SHALL BE 12 GA.

11. CONTRACTOR SHALL VERIFY THE APPROPRIATENESS OF ALL ELEVATIONS BEFORE INSTALLATION OF FACILITIES & THAT THOSE ELEVATIONS CONTRIBUTE TO THE PROPER INTENDED PERFORMANCE OF THE INSTALLED FACILITIES.

12. CATCHBASINS CAST-IN-PLACE SHALL CONFORM TO THE REQUIREMENTS OF NCDOT STANDARD SPECIFICATIONS FOR ROADS & STRUCTURES (LATEST EDITION) ARTICLES 840-1 THROUGH 840-3. CURB INLET CATCHBASINS SHALL CONFORM TO NCDOT STARD DETAILS 840.02 THROUGH 840.04. DROP INLETS SHALL CONFORM TO STANDARD DETAIL 840.14, OPENING FACING UPSTREAM.

13. CURB INLET FRAME, GRATE & HOOD SHALL BE NEENAH R-32330, DEWEY BROS., U.S. FOUNDRY OR EQUAL. DROP INLET FRAME & GRATE SHALL BE NEENAH R-3339A OR EQUAL. FIELD INLET COVER SHALL CONFORM TO NCDOT STANDARD DETAIL 840.04, OPENING FACING UPSTREAM.

14. CONCRETE & MASONRY SHALL MEET THE REUIREMENTS OF THE APPROPRIATE SECTION OF THE NCDOT STANDARD SPECIFICATIONS FOR ROAD & STRUCTURES (LATEST EDITION). CONCRETE SHALL BE CLASS A OR B, 4,000 PSI, MIN., MEETING THE REQUIREMENTS OF SECTION 1000, CONSTRUCTED IN ACCORDANCE WITH SECTION 825. MASONRY SHALL MEET THE REQUIREMENTS OF SECTION 1040, CONSTRUCTED IN ACCORDANCE WITH SECTION 830 AND/OR 834.

15. TOPS OF PROPOSED FRAMES & GRATES SHALL BE FLUSH WITH FINISHED GRADE. ALL STORM DRAIN BOXES & MANHOLES OVER 4' IN DEPTH SHALL HAVE STEPS DIRECTLY BENEATH THE OPENING.

16. TINDALL PRE-CAST CONCRETE BOXES ARE ACCEPTABLE ALTERNATIVES FOR PROPOSED CATCHBASINS WHERE APPROVED BY THE LANDSCAPE ARCHITECT.

17. THE CONTRACTOR SHALL PROVIDE THE OWNER & LOCAL REGULATORY AGENCY WITH PROOF OF ACTIVE GRADING PERMITS FOR ANY BORROW OR WASTE SITES TO BE USED, PRIOR TO CONSTRUCTION.

18. THE CONTRACTOR SHALL ASSUE MAINTENANCE OF ALL EROSION CONTROL MEASURES LEFT ON SITE BY PREVIOUS CONTRACTORS IN THE CASE OF PHASED PROJECTS WHEN SPECIFIED BY THE CONTRACT DOCUMENTS. THE CONTRACTOR SHALL MAINTAIN, ADD TO AND/OR ADJUST ALL MEASURES TO ASSURE MAXIMUM PROTECTION OF THE SITE.

19. SEED & MULCH DENUDED AREA WITH 14 DAYS ON DISTURBED FLAT AREAS & 7 DAYS ON ALL PERIMETER DIKES, SWALES, DITCHES, PERIMETER SLOPES & ALL SLOPES STEEPER THAN 3:1 HORIZONTAL TO VERTICAL. GROUND COVER SHALL BE REQUIRED AS SOON AS PRACTICAL BUT IN ANY EVENT WITHIN 14 (OR 7) CALENDAR DAYS FROM THE LAST LAND DISTURBING ACTIVITY.

20. THE LOCATIONS OF ALL UTILITIES SHOWN ON THESE PLANS ARE BASED ON THE AVAILABLE INFORMATION THE CONTRACTOR SHALL VERIFY THEEXACT LOCATION OF UTILITES WITH THE UTILITY COMPANIES PRIOR TO CONSTRUCTION.

21. ACCESS TO UTILITIES, FIRE HYDRANTS, STREET LIGHTING, ETC., SHALL REMAIN UNDISTURBED, UNLESS COORDINATED WITH RESPECTIVE UTILITY.

22. THE CONTRACTOR IS REPOSNSIBLE FOR DAMAGE TO ANY EXISTING ITEM AND/OR MATERIAL INSIDE OR OUTSIDE THE CONTRACT LIMITS DUE TO CONSTRUCTION OPERATIONS.

23. THE CONTRACTOR SHALL REMOVE ALL TRASH & DEBRIS FROM THE SITE UPON COMPLETION OF THE PROJECT & AT LEAST ONCE A WEEK DURING CONSTRUCTION.

24. DO NOT SCALE FROM THESE DRAWINGS AS THEY ARE REPRODUCTIONS & SUBJECT TO DISTORTION.

25. THE CONTRACTOR SHALL VERIFY ALL LOCATIONS & ELEVATIONS OF ALL UNDERGROUND UTILITIES. THE LOCATION OF ALL EXISTING UTILITES ARE NOT NECESSARILY SHOWN ON THE PLANS & WHERE SHOWN ARE ONLY APPROXIMATE. THE CONTRACTOR SHALL ON HIS INITIATIVE & AT NO EXTRA COST HAVE LOCATED ALL UNDERGROUND LINES & STRUCTURES AS NECESSARY. NO CLAIMS FOR DAMAGES OR EXTRA COMPENSATIONS SHALL ACCRUE TO THE CONTRACTOR FROM THE PRESENCE OF SUCH PIPE, OTHER OBSTRUCTIONS OR FROM ANY ELAY DUE TO REMOVAL OR REARRANGEMENT OF THER SAME. THE CONTRACTOR SHALL BE REPOSNSIBLE FOR ANY DAMAGE TO UNDERGROUND STRUCTURES. THE CONTRACTOR IS REPOSNSIBLE FOR CONTACTING ALL NON-SUBSCRIBING UTILITIES. THE CONTRACTOR(S) SHALL CONTACT NC "ONE CALL" AT (800) 632-4949 FOR ASSISTANCE IN LOCATING EXISTING UTILITIES. CALL AT LEAST 48 HOURS PRIOR TO ANY EXCAVATION.

26. THE CONTRACTOR SHALL MAINTAIN AN "AS-BUILT" SET OF DRAWINGS TO RECORED THE EXACT LOCATION OF ALL PIPING PRIOR TO CONCEALMENT. DRAWINGS SHALL E GIVEN TO THE OWNER UPON COMPLETION OF THE PROJECT WITH A COPY OF THE TRANSMITTAL LETTER TO THE LANDSCAPE ARCHITECT.

27. PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL REVIEW ALL PLANS & SPECIFICATIONS & THE JOB SITE. THE CONTRACTOR SHALL NOTIFY THE OWNER & THE LANDSCAPE ARCHITECT OF ANY DISCREPANCIES THE PROJECT WITH A COPY OF THE TRANSMITTAL LETTER TO THE LANDSCAPE ARCHITECT THAT MAY REQUIRE MODIFICATIONS TO THESE PLANS OR OF ANY FIELD CONFLICTS.

28. ALL PERMITS RELATIVE TO THE PROJECT MUST BE OBTAINED, PRIOR TO CONSTRUCTION. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH PERMITS ISSUED & APPLICABLE STATE, COUNTY & LOCAL CODES.

29. THE CONTRACTOR SHALL REFER TO THE ARCHITECTURAL DRAWINGS FOR ALL BUILDING DIMENSIONS.

30. THE CONTRACTOR AGREES THAT IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES. THE CONTRACTRO SHALL BE REQUIRED TO ASSUME SOLE & COMPLETE RESPONSIBILITY OF R JOB SITE CONDITIONS DURING THE COURSE OF CONSTUCTION OF THE PROJECT, INCLUDING SAFETY OF ALL PERSONS & PROPERTY. THE REQUIREMENT SHALL BE MADE TO APPLY CONTINUOUSLY & NOT BE LIMITED TO NORMAL WORKING HOURS. THE CONTRACTOR FURTHER AGREES TO DEFEND, INDEMNIFY & HOLD THE OWNER & DESIGN PROFESSIONALS HARMLESS OF ANY & ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, ACCEPTING LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE OWNER OR DESIGN PROFESSIONALS.

RECOMMENDATIONS/REQUIREMENTS OUTLINED IN THE SOILS REPORT & ADDENDA TO THE PORT CONTAINED IN THE CONTRACT DOCUMENTS SHALL BE INCORPORATED INTO THE ORK & RELATED SPECIFICATIONS FOR THIS PROJECT.

OWED OR WASTE FILL MATERIAL IS GENERATED, AN APPROVED GRADING PERMIT SHALL RED FOR THE BORROW OR WASTE MATERIAL SITE PRIOR TO INITIATION OF ANY LAND NG ACTIVITY.

A PERMIT FROM NCDEQ - DIVISION OF WASTE MANAGEMENT TO OPERATE A LANDFILL E FOR THE OFFICIAL SITE, ACCEPTABLE FILL MATERIAL SHALL BE FREE OF ORGANIC R DEGRADABLE MATERIALS, MASONRY, CONCRETE & BRICK IN SIZES EXCEEDING 12" & MATERIALS WHICH WOULD CAUSE THE SITE TO BE REGULATED AS A LANDFILL BY THE F NORTH CAROLINA.

STRUCTURED SEVERE SLOPES GREATER THAN 2:1 & GREATER THAN 5' IN HEIGHT REQUIRE TIONS & STABILITY CERTIFICATION BY A NORTH CAROLINA REGISTERED GEOTECHNICAL R. PERIODIC INSPECTIONS & COMPACTION REPORTS ARE REQUIRED BY CONDUCTED BY CAROLINA REGISTERED GEOTECHNICAL ENGINEER.

CONTROL NOTES

ALL EROSION CONTROL MEASURES SHALL BE PERFORMED IN STRICT ACCORDANCE REQUIREMENTS OF N.C. EROSION & SEDIMENT CONTROL PLANNING & DESIGN MANUAL, 2013. OWING CONSTRUCTION SITELWORK SEQUENCE SHALL BE COMPLIED WITH FOR ALL WORK. IN LAND DISTURBING PERMIT.

ALL ALL EROSION CONTROL MEASURES AS REQUIRED BY NCDEQ.

AIN GRADING PERMIT THROUGH ON-SITE INSPECTION BY NCDEQ REPRESENTATIVE.

CEED WITH CLEARING & GRUBBING & GRADING.

9 & MULCH DENUDED AREA WITH 14 DAYS ON DISTURBED FLAT AREAS & 7 DAYS ON ALL METER DIKES, SWALES, DITCHES PERIMETER SLOPES & ALL SLOPES STEEPER THAN 3:1, ZONTAL TO VERTICAL SLOPE. GROUND COVER SHALL BE REQUIRED AS SOON AS PRACTICAL IN ANY EVENT WITHIN 4 (OR 7) CALENDAR DAYS FOM THE LAST LAND DISTURBING ACTIVITY. R TO TEMPORARY & PERMANENT SEEDING SPECIFICATIONS. ALL SLOPES 2:1 OR GREATER L BE SEDED WITH SERICEA LESPEDEZA (KOREAN) AT A RAGE OF 50 LBS./AC. & SHALL BE ERED WITH EROSION CONTROL MATTING.

TAIN SOIL EROSION CONTROL MEASURES UNTIL PERMANENT GROUND COVER IS ESTABLISHED. OVE EROSION CONTROL MEASURES & STABILIZE THESE AREAS AFTER PERMANENT GROUND ER HAS BEEN ESTABLISHED.

UEST FINAL APPROVAL BY NCDEQ REPRESENTATIVE.

SION CONTROL IS FIELD PERFORMANCE BASED & ADDITIONAL EROSION CONTROL MEASURES NEED TO BE ADDED IN ADDITION TO THE APPROVED PLAN AS NECESSARY. MEASURES VN CAN & SHOULD BE ADJUSTED TO ASSURE MAXIMUM PROTECTION OF SITE.

STORMWATER PHASE II REQUIREMENTS FOR CONSTRUCTION SITES

NPDES STORMWATER PHASE II REQUIREMENTS SHALL BE MET BY THE CONTRACTOR FOR ALL SCTION SITES LARGER THAN 1 ACRE EFFECTIVE AUGUST 3, 2011. THESE REQUIREMENTS ARE ZED AS FOLLOW:

EMENT THE APPROVED EROSION & SEDIMENTATION CONTROL PLAN & KEEP A COPY OF THE ON SITE. DEVIATION FROM THE APPROVED EROSION & SEDIMENTATION CONTROL PLAN BE CONSIDERED A VIOLATION OF THE FEDERAL DPDDES GENERAL PERMIT.

ENT SPILLING OF FUELS, LUBRICANTS, COOLANTS, HYDRAULIC FLUIDS & ANY OTHER PETROLEUM DUCTS ONTO THE GROUND OR INTO SURFACE WATERS. DISPOSE OF SPENT FUELS APPROPRIATELY.

HERBICIDES, PESTICIDES & FERTILIZER IN A MANNER CONSISTENT WITH THE FEDERAL INSECTICIDE, CIDE & RODENTICIDE ACT & IN ACCORDANCE WITH LABEL RESTRICTIONS.

TRL MANAGEMENT & DISPOSAL OF LITTER & SANITARY WASTE FROM THE SITE SO THAT NO RSE IMPACTS TO WATER QUALITY OCCUR.

ECT ALL EROSION & SEDIMENTATION CONTROL MEASURES EVERY 7 CALENDAR DAYS (TWICE IN CALENDAR DAYS FOR STORMWATER DISCHARGES TO STREAMS ON THE LATEST EPA-APPROVED O) LIST) & WITHIN 24 HOURS OF ANY STORM EVENT OF MORE THAN 0.5" OF RAIN IN A 24-HOUR DD. MAINTAIN A RAIN GAUGE ON SITE & KEEP A RECORD OF THE RAINFALL AMOUNTS & DATES. R TO TEMPORARY & PERMANENT SEEDING SPECIFICATIONS.

ERVE STORMWATER RUNOFF DISCHARGES & LOOK FOR CLARITY, FLOATING SOLIDS, SUSPENDED OILS, HEEN & OTHER OBVIOUS INDICATORS OF POLLUTION & EVALUATE THE EFFECTIVENESS OF THE SION & SEDIMENTATION CONTROL MEASURES. IF SEDIMENTATION IS LEAVING THE DISTURBED AREA, IMMEDIATE ACTION TO CONTROL THE DISCHARGE.

KE A RECORD OF INSPECTIONS. RECORD ANY VISIBLE SEDIMENTATION FOUND OUTSIDE THE DISTURBED & RECORD MEASURES TAKEN TO CLEAN UP THE SEDIMENT. MAKE THESE RECORDS AVAILABLE TO EQ OR ITS AUTHORIZED AGENT UPON REQUEST.

ORDS SHALL BE KEPT FOR 3 YEARS & AVAILABLE UPON REQUEST.

TAIN EROSION & SEDIMENT CONTROL MEASURES TO KEEP THEM OPERATING AT OPTIMUM EFFICIENCY.

ACT THE LANDSCAPE ARCHITECT FOR A COPY OF THE GENERAL PERMIT TO DISCHARGE STORMWATER ER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM.

ATIONS OF THE NPDES STORMWATER RULES CONSTITUTE A VIOLATION OF THE FEDERAL CLEAN WATER & ARE SUBJECT TO CIVIL PENALTIES OF UPU TO \$27,000 PER DAY. UNDER STATE LAW, A DAILY PENALTY OF \$10,000 PER VIOLATION CAN BE ASSESSED FOR VIOLATION OF TERMS OF THE PERMIT.

GETATION OF SLOPES 3:1 OR GREATER, INCLUDING PERIMETER AREAS, ARE REQUIRED WITHIN 7 NDAR DAYS.

Permanent Seeding	Lawn Seeding Mixture
Species	Rate (lb/acre)
Kentucky Bluegrass (20%)	260 lbs.
Rebel Fescue (80%)	
Seeding Dates	
Mountains	March 15 - May 15 August 15 - October 15
Soil Amendments	
Follow recommendations of soil tests or apply 2,000 lb/acre ground agricultural limestone and 750 lb/acre 10-10-10 fertilizer.	
Mulch	
Apply 4,000 lb/acre straw. Anchor straw by tacking with asphalt, netting or a mulch anchoring tool. A disk with blades set nearly straight can be used as a mulch anchoring tool.	
Maintenance	
Refertilize if growth is not fully adequate. Reseed, refertilize and mulch immediately following erosion or other damage.	
Slope Seeding Mixture	
Species	Rate (lb/acre)
Valda Hard Fescue	20 lbs.
Astro Tall Fescue	8 lbs.
Penlawn Red Fescue	25 lbs.
Perennial Rye	25 lbs.
Ken-Blue Kentucky Bluegrass	1.5 lbs.
Seeding Dates	
Mountains	March 15 - May 15 August 15 - October 15
Soil Amendments	
Follow recommendations of soil tests or apply 2,000 lb/acre ground agricultural limestone and 400 lb/acre 18-46-50 fertilizer.	
Mulch	
Apply 4,000 lb/acre straw. Anchor straw by tacking with asphalt.	
Maintenance	
Refertilize if growth is not fully adequate. Reseed, refertilize and mulch immediately following erosion or other damage.	
Temporary Seeding for Summer	Seeding Mixture
Species	Rate (lb/acre)
German Millet	40 lbs.
Seeding Dates	
Mountains	May 15 - August 15
Piedmont	May 1 - August 15
Coastal Plain	April 15 - August 15
Soil Amendments	
Follow recommendations of soil tests or apply 2,000 lb/acre ground agricultural limestone and 750 lb/acre 10-10-10 fertilizer.	
Mulch	
Apply 4,000 lb/acre straw. Anchor straw by tacking with asphalt, netting or a mulch anchoring tool. A disk with blades set nearly straight can be used as a mulch anchoring tool.	
Maintenance	
Refertilize if growth is not fully adequate. Reseed, refertilize and mulch immediately following erosion or other damage.	

Temporary Seeding for Fall	Seeding Mixture	
	Species	Rate (lb/acre)
	Rye (grain)	260 lbs.
	Seeding Dates	
	Mountains	August 15 — December 15
	Piedmont	August 15 — December 15
	Coastal Plain	August 15 — December 30
	Soil Amendments	
	Follow recommendations of soil tests or apply 2,000 lb/acre ground agricultural limestone and 1,000 lb/acre 10-10-10 fertilizer.	
	Mulch	
	Apply 4,000 lb/acre straw. Anchor straw by tacking with asphalt, netting or a mulch anchoring tool. A disk with blades set nearly straight can be used as a mulch anchoring tool.	
	Maintenance	
	Repair and refertilize damaged areas immediately. Topdress with 50 lb/acre of nitrogen in March. If it is necessary to extend temporary cover beyond June 15, overseed with 50 lb/acre Kobe (Piedmont and Coastal Plain) or Korean (Mountains) Lespedeza in late February or early March.	
Temporary Seeding for Winter & Early Spring	Seeding Mixture	
	Species	Rate (lb/acre)
	Rye (grain)	120 lbs.
	Annual Lespedeza (Kobe in Piedmont & Coastal Plain, Korean in Mountains)	50 lbs.
	Seeding Dates	
	Mountains (Above 2,500')	February 15 — May 15
	Mountains (Below 2,500')	February 1 — May 1
	Piedmont	January 1 — May 1
	Coastal Plain	December 1 — April 15
	Soil Amendments	
	Follow recommendations of soil tests or apply 2,000 lb/acre ground agricultural limestone and 750 lb/acre 10-10-10 fertilizer.	
	Mulch	
	Apply 4,000 lb/acre straw. Anchor straw by tacking with asphalt, netting or a mulch anchoring tool. A disk with blades set nearly straight can be used as a mulch anchoring tool.	
	Maintenance	
	Refertilize if growth is not fully adequate. Reseed, refertilize and mulch immediately following erosion or other damage.	

- INSTALL EXPANSION JOINT 20' O.C.
- INSTALL EXPANSION JOINT WHERE CURB JOINS TO WALK, WALL OR BUILDING
- EXPANSION JOINT MATERIAL SHALL COMPLY WITH NCDOT SPEC. 420-12C

The diagram illustrates a curb and gutter cross-section. At the top, a concrete walk or compacted earth fill is shown with a 1/2" expansion joint. Below it is a 2" NCDOT S 9.5B asphalt pavement layer. A 4,000 PSI concrete curb and gutter assembly is shown, with dimensions of 6" for the curb height and 12" for the total curb and gutter width. The curb sits on an 8" NCDOT ABC STONE BASE, COMPACTED 100% MODIFIED PROCTOR, ASTM D1557 layer. The base is supported by a COMPACTED SUBGRADE, COMPACTED layer. The finished grade is indicated at the top of the curb. A note specifies 2' MIN. COMPACTED BACKFILL BEFORE TRANSITION TO FILL SLOPE.

- INSTALL EXPANSION JOINT 20' O.C.
- INSTALL EXPANSION JOINT WHERE CURB JOINS TO WALK, WALL OR BUILDING
- EXPANSION JOINT MATERIAL SHALL COMPLY WITH NCDOT SPEC. 420-12C

The diagram illustrates a cross-section of a concrete curb and gutter. The curb is 2" thick and 8" high. The gutter is 4" deep. The base layer is a woven geotextile. The subgrade is compacted 98% standard Proctor, ASTM D698. The stone base is NCDOT ABC STONE BASE, compacted 100% modified Proctor, ASTM D1557. The curb and gutter are built in two sections. A list of construction requirements is provided on the right:

- INSTALL CONTROL JOINTS 5' O.C.
- INSTALL EXPANSION JOINT WHERE JOINS TO CURB, WALL OR BUILDING
- INSTALL EXPANSION JOINT 20' 0"
- EXPANSION JOINT MATERIAL SHOWN WITH NCDOT SPEC. 420-12C
- CROSS SLOPE WALK AT 2.0% MAX

This technical diagram illustrates a cross-section of a concrete walkway. The walkway is 6'0" wide and features a 2.0% slope. A detectable warning detail is shown, consisting of a 6'0" long, 6'0" wide rectangular area made of NCDOT ABC STONE. The diagram also shows a 2.0% slope for the walkway's edge. The overall cross-slope of the walkway is 8.33%. The diagram includes labels for CONCRETE WALK, TAPER CONCRETE CULVERT, DETECTABLE WARNING PER CITY OF MARION DETAIL, and NCDOT ABC STONE. A legend at the bottom left shows symbols for a concrete slab, a crushed aggregate base, and a compacted subgrade.

CONCRETE WALK

TAPER CONCRETE CULVERT

DETECTABLE WARNING PER CITY OF MARION DETAIL

NCDOT ABC STONE

6'-0"

2.0%

6'-0"

6'-0"

8.33%

2.0%

6'-0"

8.33%

2.0%

6'-0"

6'-0"

2.0%

CONTROL JOINT, 5' O.C.

MEDIUM BROOM FINISH

6,000 PSI CONCRETE

NCDOT ABC STONE BASE

COMPACTED SUBGRADE,

- INSTALL CONTROL JOINTS 5' O.C.
- INSTALL EXPANSION JOINT WHERE WALK JOINS TO CURB, WALL OR BUILDING
- INSTALL EXPANSION JOINT 20' O.C.
- EXPANSION JOINT MATERIAL SHALL COMPLY WITH NCDOT SPEC. 420-12C
- CROSS SLOPE WALK AT 2.0% MAX.

The technical drawing illustrates a Dumpster Screening Fence. The **PLAN** view shows a horizontal fence with a height of 5'-0" +/- O.C. and a thickness of 3/4". The **ELEVATION** view shows the fence standing on a base with a height of 3'-0". The **SECTION** view provides a detailed look at the fence's construction, showing vertical panels and a top rail. Labels indicate the **INSIDE FACE** and **OUTSIDE FACE** of the fence panels. A scale bar is also present in the section view.

The diagram illustrates the layout of a concrete pad for a dumpster. The pad is 15'-0" wide by 10'-0" high. A central rectangular opening is 11'-0" wide by 7'-0" high, representing the dimensions of a 10' x 10' dumpster. The pad is surrounded by a 4'-0" wide concrete border. The diagram includes several callout lines with labels:

- GATE HARDWARE TO INCLUDE HINGE POSTS, HINGES & CANE BOLT.
- DRILL HOLES IN CONCRETE TO RECEIVE CANE BOLT.
- INSTALL PVC SLEEVE AT EACH HOLE.
- DRILLED HOLES TO RECEIVE CANE BOLT
- SWING GATE PER CITY OF MARION REQUIREMENTS
- 6"Ø GATE POST PER CITY OF MARION REQUIREMENTS
- DUMPSTER
- SCREENING PER CITY OF MARION REQUIREMENTS
- HEAVY-DUTY CONCRETE, DETAIL 6/L-7
- BOLLARD PER DETAIL 3/L-7

Dimensions shown in the diagram include:

- Width: 15'-0"
- Height: 10'-0"
- Central opening width: 11'-0"
- Central opening height: 7'-0"
- Border width: 4'-0"
- Post spacing: 2'-0" (from the center of the gate post to the center of the bollard post)
- Post height: 10'-0" (from the top of the gate post to the top of the bollard post)

Text on the left side of the diagram:

- 2 X 6 RAIL
ATTACH WITH (2) 30d NAILS
AT EACH POST.
- 1 X 6 BOARDS
ATTACH WITH (2) 6d NAILS
TOP & BOTTOM.
- 6 X 6 POST,
PRESSURE TREATED, LP-22
- 2 X 6 RAIL
ATTACH WITH (2) 30d NAILS
AT EACH POST.
- FINISHED GRADE
- CONCRETE, 3000 PSI
- ES:
- WOOD SHALL BE PRESSURE
TREATED SOUTHERN YELLOW
PINE, LP-2.
- AILS SHALL BE GALVANIZED.

DUMPSTER BOLLARD

Technical drawing of a Dumpster Bollard. It consists of a vertical 6"Ø steel pipe, painted yellow, which is partially buried in a concrete base. The base is built on a compacted subgrade and sits on heavy-duty concrete. The pipe is surrounded by a 3'-0" high concrete wall. The entire structure is 6" wide at the base and 1'-6" wide at the top. The pipe is filled with concrete.

ADA PARKING

Technical drawing of an ADA parking sign assembly. It includes a vertical post 60" high, a sign structure with three rectangular panels, and a base plate. The panels are labeled: R7-8A SIGN, R7-8 SIGN, and R7-8D SIGN. The sign structure is 60" high.

NOTE:

1. ADA PARKING SPACES & LOCATIONS SHALL COMPLY WITH NC BUILDING CODE 1106.6.

The diagram illustrates an ADA accessible parking space. It features a standard parking space of 8'0" width and 18'0" depth. To the left of the standard space is a 6'0" wide accessible space, which includes a 3'0" wide clear zone and a 3'0" wide maneuvering area. A 6'0" wide aisle is positioned between the accessible and standard spaces. The total depth of the accessible space is 18'0". The diagram also shows a 6'6" high counter and a 6'0" high counter. A wheelchair symbol is shown within the accessible space. The diagram is annotated with arrows and text to indicate dimensions and requirements.

This technical diagram illustrates a cross-section of a curb and gutter assembly. On the left, a vertical line represents a concrete wall, with dimensions for a 2% grade and a 2-inch height. The curb and gutter slope down towards the right. Labels on the left side identify components from top to bottom: CONCRETE WALK, ADA PARKING SIGN, TAPER CONCRETE CURB & GUTTER, DETECTABLE WARNING PLATE PER BUNCOMBE COUNTY STD. DETAIL, ADA PARKING SPACE, and VAN AISLE SPACE. On the right side, the curb and gutter slope down, with labels identifying the materials: 3"-6" RIVER COBBLE STONE, MRIFI 140N FABR, and COMPACTED SUB. A dimension of 8" is shown between the top of the curb and the top of the cobble stones. The bottom of the diagram shows a woven fabric layer and a base layer.

JOB NO.: 2025500
DWG. NAME: court-site.dwg
DATE: September 4, 2025
REVISIONS:

REV.:	DATE:	BY:
1	-	-
2	-	-
3	-	-
4	-	-
5	-	-

SHEET
L-7



CITY OF MARION
194 N. Main Street • P.O. Drawer 700• Marion, NC 28752
Planning & Development Department

For Office Use Only

Fee Paid \$ _____

Cash _____ Check # _____

Application # _____

Date Received _____

SPECIAL USE APPLICATION
(PLEASE TYPE OR PRINT IN INK)

All applications must be deemed complete prior to the item being scheduled.

Property Owner's Name: Dean Buff Phone Number: 828-925-7067

Property Owner's Mailing Address: PO Box 186 Nebo NC 28761

Applicant's Name (if different from above): Mountain Motors, NC, LLC.

Applicant's Mailing Address: 17 East Glenview St Marion NC 28752 Phone Number: 828-442-7331

Note: Applicant must submit a notarized letter authorizing them to act on the property owner's behalf and stating the Applicant's name, address and phone number.

Physical Address of Property: 1122 North Main St Marion NC 28752

Parcel ID Number (PIN) 170217214335 Zoning District: C2 Lot Size: .96 acres

Existing Use: Selling Storage Sheds Proposed Use: Used car Dealership

This is a special exception under Section 3-7.1 of the Marion City Code.

Email: joeyrabon@gmail.com

COMPLETENESS OF APPLICATION

The following items shall be submitted with or on the Site Plan and included as an attachment to this application:

- Site Plan, indicating:
 - Location of proposed and existing structures;
 - Setbacks from current (or proposed) right-of-way and property lines, structures and traveled ways;
 - Plan drawn to scale (indicating scale);
 - Current and proposed right-of-ways, easements, streets, walkways, parking lots, spaces, and loading zone, (Insure adequate ingress and egress in reference to automotive as well pedestrian safety.);
 - Proposed and existing landscape, screening or buffering;
 - Location of refuse and service areas (dumpsters, loading zones, etc.);
 - Identify adjacent zoning districts to the property;
 - Location and specifications for signs and lighting; and
 - Location of public utilities.
- Property Assessor Card of the subject property. (Information can be obtained from the McDowell County Property Assessor's Office 10 East Court Street, Marion NC 28752, (828) 652-7121.

Pursuant to Section 3-7.1 Special Use of the City of Marion Unified Development Ordinance, a special use may be granted by the Board of Adjustment only after it makes the required written findings:

1. The special use request must be granted by the Board of Adjustment when all of the following findings have been made:
 - a. That the proposed use will not be detrimental to the health or safety of persons residing or working in the vicinity or injurious to property or improvements in the vicinity;
 - b. That the proposed use at the particular location provides a service or facility that will contribute to the general well-being of the neighborhood or the community; and
 - c. That the location and character of the proposed use will be in harmony with the area in which it is to be located and in general conformity with the Comprehensive Plan.
2. If the Board of Adjustment does not make these findings, then the special use request may not be granted.
3. Review Factors. The applicant must demonstrate that the review factors listed below have been adequately addressed. If an application is denied, the decision-making body must specify which of these review factors were not adequately addressed.
 - a. Circulation.
Number and location of access points to the property and the proposed structures and uses, are provided with particular reference to automotive, bicycle, and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.
 - b. Parking and Loading.
Location of off-street parking and loading areas are sufficiently provided.
 - c. Service Entrances and Areas.
Locations of refuse and service areas are provided with particular reference to ingress and egress of service vehicles.
 - d. Lighting.
Locations of exterior lighting are provided with reference to glare, traffic safety, economic effect and compatibility with other property in the area.
 - e. Signs.
Appropriateness of signs considering location, height, size, and design within the context of other property in the area.
 - f. Utilities.
Location and availability of utilities is provided.
 - g. Open Spaces.
Location of required yards and other open spaces and preservation of existing trees and other natural features is provided.
 - h. Environmental Protection.
Is in compliance with landscape, floodplain, watershed, wetlands, steep slopes, open space and other natural feature requirements.
 - i. Screening, Buffering and Landscaping.
Installation of screening, buffering, fencing and landscaping where necessary to protect adjacent property is provided.
 - j. Effect on Adjacent Property.
Effects of the proposed use on nearby property, including, but not limited to, the effects of noise and odor is mitigated.
 - k. Compatibility.
The level of general compatibility with nearby properties and the appropriateness of the use in relationship to other properties is provided.

THIS APPLICATION WILL NOT BE CONSIDERED COMPLETE UNTIL ALL PLANS HAVE BEEN SUBMITTED AND REVIEWED BY CITY STAFF. PLEASE BE AWARE THAT IF PLANS ARE INCOMPLETE, A HEARING WILL NOT BE SCHEDULED.

I UNDERSTAND THAT THE BURDEN IS UPON ME, THE APPLICANT, TO PRODUCE COMPETENT MATERIAL AND SUBSTANTIAL EVIDENCE TO ESTABLISH THE EXISTENCE OF FACTS, STANDARDS AND CONDITIONS WHICH THE ORDINANCE REQUIRES UNDER SECTION 3-7.1 *SPECIAL USE OF THE*

CITY OF MARION UNIFIED DEVELOPMENT ORDINANCE.

I CERTIFY THAT ALL OF THE INFORMATION PRESENTED IN AND WITH THIS APPLICATION IS TO THE BEST OF MY KNOWLEDGE, IS TRUE, COMPLETE AND ACCURATE.

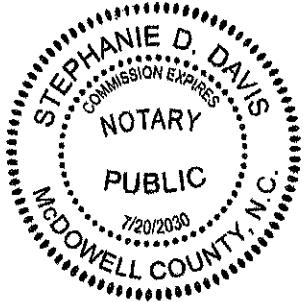
Joseph A. Rabon
SIGNATURE OF APPLICANT

9-4-25
DATE

STATE OF NORTH CAROLINA
COUNTY OF McDOWELL

I, Stephanie D. Davis, a Notary Public, certify that Joseph Rabon personally came before me this day and acknowledged the due execution of the foregoing instrument. IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal, this the 4th day of Sept, 20 25.

SEAL:



Stephanie D. Davis
Notary Public Signature

My Commission Expires 7/20/2030

