



Spruce Pine Town Council Meeting  
Town Hall  
11050 S. Highway 226  
Spruce Pine, NC 28777  
**Monday, May 11, 2026**  
**5:30 PM**



**AGENDA**

**I. CALL TO ORDER – MAYOR PRO-TEMPORE: Rocky Buchanan**

- A. Roll Call
- B. Notification and Posting of the Agenda
- C. Pledge of Allegiance (Larry McKinney)
- D. Invocation (Wayne Peight)
- E. Approval of Minutes (April 27 Regular & May 5 Special Called)

**II. PUBLIC COMMENT**

Public comments are limited to 3 minutes. This time is provided to share general thoughts with the Town Council. Individuals who desire to make a public comment must complete the sign-in sheet made available at each meeting and speak at the lecture (unless physically unable).

**III. PRESENTATIONS**

- A. Spruce Pine Planning Board Zoning Recommendations: Daniel Stines

**IV. PUBLIC HEARING(S)**

- A. **Ordinance 2026.001:** Non-Contiguous Annexation Petition and Zoning Map Amendment Application for PIN #0798-00-75-6364 (1.34-acre parcel at the Walmart Shopping Center); requesting initial zoning: M-1.
- B. **Ordinance 2026.002:** Non-Contiguous Annexation Petition and Zoning Map Amendment Application for PIN #0798-00-85-5307 (0.94-acre parcel at Walmart Shopping Center); requesting initial zoning: C-3.
- C. **Ordinance 2026.003:** Non-Contiguous Annexation Petition and Zoning Map Amendment Application for PIN #0798-00-75-6165 (2.11-acre parcel at Walmart Shopping Center); requesting initial zoning: C-3.
- D. **Ordinance 2026.004:** Zoning Map Amendment Application for PIN #0880-16-72-5147 (0.92-acre parcel located off Hwy 19 Between Greenwood Rd & Hwy 226A); requesting rezoning to C-2 from R-1.
- E. **Ordinance 2026.005:** Zoning Map Amendment Application for PIN #0880-20-72-5350 (1.04-acre parcel located off Hwy 19 Between Greenwood Rd & Hwy 226A); requesting rezoning to C-2 from R-1.



Spruce Pine Town Council Meeting  
Town Hall  
11050 S. Highway 226  
Spruce Pine, NC 28777  
**Monday, May 11, 2026**  
**5:30 PM**



**AGENDA**

- F. **Ordinance 2026.006:** Zoning Map Amendment Application for PIN #0880-19-71-7672 (1.32-acre parcel located off Hwy 19 Between Greenwood Rd & Hwy 226A); requesting rezoning to C-2 from R-1.
  - G. **Ordinance 2026.007:** Zoning Map Amendment Application for PIN #0880-19-72-4081 (15.8-acre parcel located off Hwy 19 Between Greenwood Rd & Hwy 226A); requesting rezoning to C-2 from R-1.
  - H. **Ordinance 2026.008:** Contiguous Annexation Petition and Zoning Map Amendment Application for PIN #0789-12-96-9930 (5-acre parcel located off South 226 Hwy); requesting initial zoning: C-3; and requesting rezoning to C-3 from R-1.
- V. **ACTION ITEMS**
- A. **Ordinance 2026-001:** Discuss and consider ordinance regarding Non-Contiguous Annexation Petition and Zoning Map Amendment Application for PIN #0798-00-75-6364 (1.34-acre parcel at the Walmart Shopping Center); requesting initial zoning: M-1.
  - B. **Ordinance 2026-002:** Discuss and consider ordinance regarding Non-Contiguous Annexation Petition and Zoning Map Amendment Application for PIN #0798-00-85-5307 (0.94-acre parcel at Walmart Shopping Center); requesting initial zoning: C-3.
  - C. **Ordinance 2026-003:** Discuss and consider ordinance regarding Non-Contiguous Annexation Petition and Zoning Map Amendment Application for PIN #0798-00-75-6165 (2.11-acre parcel at Walmart Shopping Center); requesting initial zoning: C-3.
  - D. **Ordinance 2026-004:** Discuss and consider ordinance regarding Zoning Map Amendment Application for PIN #0880-16-72-5147 (0.92-acre parcel located off Hwy 19 Between Greenwood Rd & Hwy 226A); requesting rezoning to C-2 from R-1.
  - E. **Ordinance 2026-005:** Discuss and consider ordinance regarding Zoning Map Amendment Application for PIN #0880-20-72-5350 (1.04-acre parcel located off Hwy 19 Between Greenwood Rd & Hwy 226A); requesting rezoning to C-2 from R-1.



Spruce Pine Town Council Meeting  
Town Hall  
11050 S. Highway 226  
Spruce Pine, NC 28777  
**Monday, May 11, 2026**  
**5:30 PM**



**AGENDA**

- F. **Ordinance 2026-006:** Discuss and consider ordinance regarding Zoning Map Amendment Application for PIN #0880-19-71-7672 (1.32-acre parcel located off Hwy 19 Between Greenwood Rd & Hwy 226A); requesting rezoning to C-2 from R-1.
  - G. **Ordinance 2026-007:** Discuss and consider ordinance regarding Zoning Map Amendment Application for PIN #0880-19-72-4081 (15.8-acre parcel located off Hwy 19 Between Greenwood Rd & Hwy 226A); requesting rezoning to C-2 from R-1.
  - H. **Ordinance 2026-008:** Discuss and consider ordinance regarding Contiguous Annexation Petition and Zoning Map Amendment Application for PIN #0789-12-96-9930 (5-acre parcel located off South 226 Hwy); requesting initial zoning: C-3; and requesting rezoning to C-3 from R-1.
  - I. **Budget Amendment:** Discuss and consider approving an amendment to the revenues and expenditures to the Fiscal Year 2025-2026 (FY26) Budget.
  - J. **Resolution 2026.010:** Discuss and consider approving a resolution to accept a FEMA Community Disaster Loan in an amount of \$1,350,777.
- VI. APPOINTMENTS**
- A. Spruce Pine Planning Board: Discussion and consideration to appoint Kenny Riddle to serve on the Spruce Pine Planning Board.
- VII. MANAGER'S REPORT**
- VIII. MAYOR/COUNCIL REQUESTS OR COMMENT**
- IX. ADJOURNMENT**



Spruce Pine Town Council Meeting  
Town Hall  
11050 S. Highway 226  
Spruce Pine, NC 28777  
**Monday, April 27, 2026**



**MINUTES**

**I. CALL TO ORDER:**

Mayor Holmes called the meeting to order at 5:31 pm

A. Roll Call:

Mayor Holmes requested a roll call. Marsha Hoilman, Town Clerk, conducted roll call for council members Peight, Buchanan, McKinney, Taylor and Mayor Holmes. All Council members were present.

B. Notification and Posting of the Agenda:

Proper notification and posting of the agenda were acknowledged by Marsha Hoilman, Town Clerk.

C. Pledge of Allegiance:

Mayor Holmes led the Pledge of Allegiance

D. Invocation:

Councilman Buchanan led the Invocation.

E. Approval of Minutes (4/13 Regular) (4/20 Budget Workshop)

The council reviewed the minutes as presented. Councilwoman Taylor motioned to approve the minutes presented, and Councilman McKinney seconded. Motion approved and passed 5/0.

**II. PUBLIC COMMENT:**

Public comments are limited to 3 minutes. This time is provided to share general thoughts with the Town Council. Individuals who desire to make a public comment must complete the sign-in sheet made available at each meeting and speak at the lecture (unless physically unable).

There were no public comments



Spruce Pine Town Council Meeting  
Town Hall  
11050 S. Highway 226  
Spruce Pine, NC 28777  
**Monday, April 27, 2026**



**MINUTES**

**III. ACTION ITEMS:**

- A. Willis St. Project: Discussion and consider approving a contract in an amount of \$135,455.00 to Phillips Grading Inc. for FEMA funded improvements to Willis Street.

The Town put out an informal bid, solicitations for repairs to Willis Street Culvert due to damage from Helene. This is a FEMA sponsored project, and the Town has received funds for these repairs.

Attached in the packet is a certified bid tab and recommendation to approve a contract with Phillips Grading Inc.

The request is for Council to grant the Town Manager authority to enter into a contract with Phillips Grading for the specified amount.

Councilman Peight motioned to approve a contract in an amount of \$135,455.00 to Phillips Grading Inc. for FEMA funded improvements to Willis Street. Councilwoman Taylor seconded the motion. Motion was approved 5/0.

- B. FY26 Fee Schedule: Discussion and consider adopting an Amendment to the FY26 Fee Schedule to incorporate related fees to the Building, Planning & Zoning Department.

Included in the agenda packet is a proposed amendment to the FY26 Adopted Fee Schedule. All amended fees are in relation to the newly established Building, Planning & Zoning Department.

Staff have canvassed a five (5) County geographic area and used professional experience and market trend to arrive at the recommended fees. Staff will be present with questions.

**PROPOSED INSPECTION FEE SCHEDULE 2026-27**

**Plan Review:**



Spruce Pine Town Council Meeting  
Town Hall  
11050 S. Highway 226  
Spruce Pine, NC 28777  
**Monday, April 27, 2026**



## MINUTES

### Residential:

- Commercial: (0-5,000 sq ft): \$100.00
- Commercial: (5,001-15,000 sq ft): \$200.00
- Commercial: (15,000+ sq ft): \$300.00

### Demolition:

- Residential: \$100.00 + bond + abatement
- Commercial: (0-5,000 sq ft): \$150.00 + bond + abatement
- Commercial: (5,001-15,000 sq ft): \$200.00 + bond+ abatement
- Commercial: (15,000+ sq ft): \$400.00 + bond+ abatement

### Residential & Off Frame modular Single- and Two-Family Dwellings:

- Minimum Charge (up to 1,000 sq ft): \$225.00
- Minimum Charge (over 1,000 sq ft) + All over: \$225.00 + \$0.30 per sq ft
- Unheated space: \$0.15 per sq ft
- Decks & Porches: \$0.15 per sq ft
- Workshops or Unattached Garages: Minimum \$25 **OR** \$0.18 per sq ft
- Homeowners Recovery Fund: \$10.00
- Temporary Electric Service: \$125.00

### Residential Additions or Renovations:

- Minimum Charge (up to 500 sq ft): \$130.00
- Minimum Charge (over 500 sq ft) + per sq ft: \$130.00 + \$0.25 sq ft
- Renovation (over \$0- \$5,000): \$100.00
- Renovation (\$5,000+): \$100.00 + \$3.00 per \$1,000 expenditure

### Commercial Buildings:

- Minimum Charge (up to 1,000 sq ft): \$400.00 + all individual trade permits
- Minimum Charge (over 1,000 sq ft) + per sq ft: \$400.00 + \$0.30 per sq ft + all individual trade permits

### Industrial Buildings:

- Minimum Charge (up to 1,000 sq ft): \$400.00 + all individual trade permits
- Minimum Charge (over 1,000 sq ft) + per sq ft: \$400.00 + \$0.30 per sq ft + all individual trade permits



Spruce Pine Town Council Meeting  
Town Hall  
11050 S. Highway 226  
Spruce Pine, NC 28777  
**Monday, April 27, 2026**



## MINUTES

### **Commercial or Industrial Additions or Renovations:**

- Minimum Charge (up to 500 sq ft): \$250.00
- Minimum Charge (over 500 sq ft) + per sq ft: \$250.00 + \$0.30 sq ft
- Renovation (over \$0- \$5,000): \$250.00
- Renovation (\$5,000+): \$2.50 + \$6.25 per \$1,000 expenditure

### **Mobile Homes and On-Frame Modular Dwellings:**

- Singles Wide: \$150.00
- Double Wide: \$200.00
- On Frame Modular: \$250.00

### **Cell Towers:**

- Minimum Charge for First \$100,000 Expenditure: \$2,500.00
- Minimum Charge Over \$100,000+ Additional Expenditure: \$2,500.00+ 100.00  
Per \$2,000.00 expenditure

### **Service System Permits:**

- Residential: New Electrical or Service Change (200 amp): \$100.00
- Above 200 Amps: \$100.00 + \$10.00 for each 100 amps
- Solar: \$150.00
- Plumbing, Building, Mechanical, gas (Single Trade): \$100.00
- Mechanical Change Out Combo- Mechanical + Electrical: \$150.00
- Combo Permit- 2 Trades: \$150.00
- Combo Permit- 3 Trades: \$200.00
- Commercial- Electrical: \$150.00
- Commercial- Three Phase: \$200.00
- Commercial- Solar: \$250.00
- Commercial- Plumbing, Mechanical (Single Trade): \$150.00
- Commercial- Combo 2 Trades: \$250.00
- Commercial- Combo 3 Trades: \$350.00
- ABC Inspections: \$125.00

**\*\* ALL FOSTER HOME, CHURCH, NON-PROFIT, AND FIRE  
DEPARTMENT PERMITS: NO CHARGE\*\***



Spruce Pine Town Council Meeting  
Town Hall  
11050 S. Highway 226  
Spruce Pine, NC 28777  
**Monday, April 27, 2026**



**MINUTES**

**Sprinkler Permit:**

- New System: \$0.12 per sq ft
- Renovations/ Additions: \$100.00
- Standpipe (Additional): \$75.00

**Swimming Pool:**

- Residential: \$100.00
- Commercial: \$200.00

**Retaining Wall:**

- Residential: \$100.00
- Commercial: \$200.00

**Special Event:**

- \$100.00

**Fireworks:**

- \$100.00

**Reinspection: After 2 Failed Inspections (Any Trade):**

- \$100.00

**Miscellaneous Inspection Fees:**

**Failure to Acquire Permit Before Beginning Construction:**

- Residential: \$250.00
- Commercial: \$1250.00
- Industrial: \$2500.00

**Inspectors Not Called For: Each Offence (Each Trade):**

- Residential: \$250.00
- Commercial: \$1250.00
- Industrial: \$2500.00

**Occupying Without Certificate of Occupancy:**

- Residential: \$250.00
- Commercial: \$1250.00
- Industrial: \$2500.00



Spruce Pine Town Council Meeting  
Town Hall  
11050 S. Highway 226  
Spruce Pine, NC 28777  
**Monday, April 27, 2026**



## MINUTES

### **After Hours Inspections:**

- Residential: \$250.00
- Commercial: \$300.00
- Industrial: \$300.00

These fees will be posted on the new website and are closely aligned with the Counties Fee Schedule. These fees will be for all the new inspections that are needed. The County will finish up with the existing jobs they currently have.

Councilman Buchanan made the motion to approve proposed Fee Schedule. Councilman McKinney seconded the motion to approve. Motion approved 5/0.

- C. Resolution 2026.008: Resolution to accept a Grant in the amount of \$4,999,958 from North Carolina Department of Environmental Quality State Revolving Loan (SRF) Program for Water System Resiliency Improvements for the Town of Spruce Pine

The North Carolina Clean Water Revolving Loan and Grant Act of 1987 authorizes the making of loans and grants to aid eligible units of government in financing the cost of construction of wastewater treatment works, wastewater collection systems, and water supply systems, water conservation projects and the North Carolina Department of Environmental Quality has offered a State Revolving Loan in the amount of \$4,999,958 for the construction of the Water System Resiliency improvements Project, and the Town of Spruce Pine intends to construct said project in accordance with the approved plans and specifications.

Councilman Buchanan made the motion to approve the Resolution to accept The grant in the amount of \$4,999,958 from North Carolina Environmental Quality State Revolving Loan (SRF) Program for Water System Resiliency Improvements for the Town of Spruce Pine. Councilman Peight seconded the motion. Motion was approved 5/0.



Spruce Pine Town Council Meeting  
Town Hall  
11050 S. Highway 226  
Spruce Pine, NC 28777  
**Monday, April 27, 2026**



**MINUTES**

D. Resolution 2026.009: Resolution ordering the advertising of delinquent real estate property tax liens for the Town of Spruce Pine.

Councilman McKinney motioned to approve, and Councilwoman Taylor seconded the motion. The motion was approved 5/0.

**IV. MANAGER'S REPORT:**

The following updates were given by our Town Manager Daniel Stines:

- Staff have completed revisions to the Town Logo. The new logo will slowly be unveiled on all official documents and branding for the Town of Spruce Pine in the coming weeks. We are very grateful to our Customer Services Representative, Ruth Thacker, for her creative and hard work on these revisions. The revisions include Revising the Spruce Tree to resemble the original “Spruce Pine Spruce” that was in front of the Old English Inn, adding the river to embrace being a “River Town” and highlighting the overall illustration to be more realistic.
- Sponsorship packets are out for both; Stars, Stripes & Strings (July 4<sup>th</sup> Celebration held on Friday July 3<sup>rd</sup>) and the North Carolina Hellbender Festival (September 2026).
- The HWY 226 Waterline Project has been fully approved by the EDA, and the project has been bid. Bidding is set to conclude in May with an anticipated award closely following. The 8” waterline project will begin at the Burleson Hill Pump station and end at McDonalds in Grassy Creek.
- Cost estimates and recommendations for funding to FEMA for both Riverside and Riverbend Parks as well as the downtown Pedestrian Bridge are expected mid-May once FEMA has accepted these projects, funding will be released for the design, engineering and bid for construction phase.
- The new Spruce Pine Public Services building is nearing site planning completion, and the Town will be bidding this project for construction late May 2026.
- Wastewater and Water Staff attended compliance and safety training in Florida during the month of April.
- The new website is behind schedule while staff make several changes to include a projects page, new images/headshots and the addition of a couple of new departments.



Spruce Pine Town Council Meeting  
Town Hall  
11050 S. Highway 226  
Spruce Pine, NC 28777  
**Monday, April 27, 2026**



**MINUTES**

- Fire on the Mountain was very successful. Downtown was very busy!

**V. MAYOR/COUNCIL REQUESTS OR COMMENTS:**

Mayor Holmes gave a few important dates to be aware of.

- On Thursday, April 29<sup>th</sup> at 6:30pm at Mountain Heritage High School, there will be a meeting for ideas on Spruce Pine downtown area.
- Prior to the meeting, Inked will be having their Ribbon Cutting at 4pm / Grand Opening from 3-6pm
- May 4<sup>th</sup> Mayor Holmes, Councilman McKinney and Councilwoman Taylor will have Ethics Training at 5pm
- May 7<sup>th</sup> is National Day of Prayer at Riverside Park
- Marion in McDowell County have posted they're in Stage 1 water advisory, we are in a Drou, be more mindful of water usage- it is something to consider.
- Councilman Buchanan has good news to bring from his meeting at the High-Country Council of Government (HCCOG)- Anyone in a flood, Brown Zone, they will work with you no matter who you are. They want to help alleviate the cost.

**VI. CLOSED SESSION:**

A. Pursuant to N.C.G.S. 143-318.11 (a) (2) and (3), I move to go into closed sessions to prevent the premature disclosure or an honorary degree, scholarship, prize, or similar award and to consult with an attorney employed by the public body to preserve the attorney-client privilege.

Councilman Peight motioned to go into Closed Session. Councilman McKinney seconded the motion. The motion was approved 5/0.

Closed Session was ended at 6:43pm Regular Meeting reconvened.

**VII. ADJOURNMENT:**

Mayor Holmes motioned to adjourn @ 6:40pm. Councilman McKinney and Councilman Peight seconded the motion.



Spruce Pine Town Council Meeting  
Town Hall  
11050 S. Highway 226  
Spruce Pine, NC 28777  
**Monday, April 27, 2026**



**MINUTES**

---

ATTEST:

---

---

Marsha Hoilman, Town Clerk

---

Beth Holmes, Mayor

---

Rocky Buchanan, Mayor Pro Tem

---

Larry McKinney, Council Member

---

Wayne Peight, Council Member

---

Tessa Taylor, Council Member



Spruce Pine Town Council Meeting  
**SPECIAL CALLED**  
**BUDGET WORKSHOP**  
11050 South 226 Hwy  
Spruce Pine, NC 28777  
**Tuesday, May 5, 2026**



**MINUTES**

**I. CALL TO ORDER:**

Mayor Holmes called the meeting to order at 4:01 pm

**A. ROLL CALL:**

Mayor Holmes requested a roll call. Marsha Hoilman, Town Clerk, conducted Roll call for council members Peight, Buchanan, McKinney, Taylor and Mayor Holmes. All Council members were present.

**B. NOTIFICATION AND POSTING OF THE AGENDA:**

Proper notification and posting of the agenda were acknowledged by Marsha Hoilman, Town Clerk.

**II. DISCUSSION:**

A. FY27 Draft Budget: 4<sup>th</sup> Discussion and Work Session for the Fiscal Year 2026-2027 (FY27 Budget)

The budget was prepared in accordance with G.S. 159-17, the North Carolina Local Government Budget and Fiscal Control Act. All funds within the proposed budgets are balanced, and all revenues and expenditures are identified for the fiscal year 2026-2027.

For 2026-2027, a conservative approach was used in preparing projections for all state-wide revenue sources: Beer and Wine Tax, Utility Franchise Tax and Sales & Use Tax. The Town has developed a conservative budget that seeks to maintain current service levels, while also addressing infrastructure needs to maintain our current assets to allow for prolonged use and efficiency. Sales taxes revenues are reduced from FY 25-26 levels.

The proposed budget for the General Fund is comparable to the budget for 2025-2026 fiscal year, with a notable change to our Tourism structure. The Downtown Main Street accounting has been absorbed into the existing Parks and Recreation area, creating new Parks, Recreation and Tourism fund. The FY 2026-2027 budget reflects anticipated revenues and expenditures in the General Fund of \$3,377,570. The revenue side of the General Fund budget reflects a tax base of approximately 305



Spruce Pine Town Council Meeting  
**SPECIAL CALLED**  
**BUDGET WORKSHOP**  
 11050 South 226 Hwy  
 Spruce Pine, NC 28777  
**Tuesday, May 5, 2026**



million  
 January 1<sup>st</sup>, and a tax  
 The proposed

**MINUTES**

assessed value as of  
 collection rate of 99%.

ad valorem tax rate for the 2026-2027 fiscal year is \$0.46 cents per \$100 valuation.

The Enterprise Fund is approximately 9% more than the respective budget for 2025-2026 fiscal year. This increase is primarily due to the changes to our billing process and increased efficiency in collection ability, as well as proposed future capital improvements. This budget continues to reflect last year's increases in minimum flat rates and overage rates over the minimum usage to both inside and outside rates. The FY 2026-2027 budget reflects anticipated revenues and expenditures in Enterprise Fund of \$4,076,995.

New Capital Items/Programs have increased over the prior year, mainly due to safety concerns, and the increasing cost of renting machinery for large scale projects. The Capital/New Items for the 2026-2027 budget for the General and Enterprise Funds Include: Mowers for Parks and Recreation, dump trucks, a boom truck and hauling Trailer for Public Works, and flow meters and sealers for Water and Wastewater. The budget also includes matches for an AIA Grant and the Golden Leaf Hwy 226 Project.

The budget includes contributions to outside agencies including TRAC, Mitchell County Chamber of Commerce, Spruce Pine VFD, Mitchell County Animal Rescue and Spruce Pine Library.

Pay adjustments are included in this year's budget. Employee pay is adjusted by a 3% COLA and Merit Pay. Other adjustments include increases in State Retirement Costs for the employer. Insurance costs have also increased considerably over the 2025-2026 budget levels. This budget also takes into consideration rising costs of fuel, Chemicals, and other necessary supplies.

The General Fund budget is balanced with a fund balance appropriation of \$419,890.16  
 The Enterprise Fund is balanced with a fund balance appropriation of \$311,870.

The Town will continue to move forward addressing the needs and desires of citizens in the most efficient and effective manner possible. We are optimistic about the coming year and look forward to the benefits that our citizens will realize through the improvements the Town will make in FY2026-2027.



Spruce Pine Town Council Meeting  
**SPECIAL CALLED**  
**BUDGET WORKSHOP**  
11050 South 226 Hwy  
Spruce Pine, NC 28777  
**Tuesday, May 5, 2026**



**MINUTES**

Water Tap Fees, Water Meter and Tap Size Fees, Standard and Miscellaneous

Inspection Fees have been included. Sewer Taps will be included for the First Reading of the Budget.

There are now specific line items for Special Events and Fireworks. We aren't sure, where those were allocated from before.

A Full-Time Position for Parks, Recreation and Tourism and a few other requests have been left out for now.

All asks were left in for the Public Works Department. After doing further research, We will look for a Boom Truck that will be a few years older rather than a new one. We feel that we can purchase a thirty-thousand-pound trailer cheaper than the original price that was found.

These requests for Public Works are funded by Enterprise and not by fund balance.

In further discussion about Spruce Pine Library, Discussions led to an adjustment of the amount that was requested. \$118,000 was requested. They received \$104,000 last year's budget and \$108,000 was agreed upon by all Council members for this years budget.

In further discussion about the Spruce Pine Volunteer Fire Department, Town Manager Daniel Stines and Town Attorney Chad Donnahoo will have another sit-down meeting with Fire Chief Josh Boone to discuss their contract and percentage increase and reaching the final 12%. The Spruce Pine Volunteer Fire Department has not requested the \$158,000.00 that was allocated to them in the 2025-2026 Budget cycle. The Town has not seen any financial statements, so we don't know how they are in their funding.

There was also a discussion about back taxes. There is \$77,000 in outstanding taxes. When these taxes are collected, the SPVFD will receive 10% of the tax collected.

Once Town Manager Daniel Stines and Town Attorney Chad Donnahoo meet with Chief Boone, we will all have a better understanding of what is needed.

**Capital Improvement:**

- Department: Parks, Recreation and Tourism:
  - Priority 1: TORO HDX PRO XL 60 in: \$15,584.00
  - TORO Grandstand 48-in: \$13,235.00



Spruce Pine Town Council Meeting  
**SPECIAL CALLED**  
**BUDGET WORKSHOP**  
11050 South 226 Hwy  
Spruce Pine, NC 28777  
**Tuesday, May 5, 2026**



**MINUTES**

- Priority 2: Utility Trailer 6.3ft x 12ft: \$2,998.00
- Priority 3: Bear Proof single trash receptacles; \$ 1,679.00
- TOTAL: \$33,496.00**

• **Department: Water & Wastewater:**

- Priority 1: Miscellaneous Equipment (pumps & pipes): \$60,000
- Priority 2: Beaver Creek raw water flow meter: \$10,233.00
- Priority 3: Idexx sealer plus: \$7,721.00
- TOTAL: \$77,954.00**

• **Department: Police Department:**

- Priority 1: Police Car: GRANT
- Priority 2: Building Expansion: GRANT
- Priority 3: Miscellaneous Equipment: GRANT
- TOTAL: \$0.00**

• Department: Public Works:

- **Priority 1:** Steel Trench Box: \$8,112.00
- **Priority 2:** Boom Truck: \$175,000
- **Priority 3:** F-150: \$38,000
- **Priority 4:** Dump Truck (Small): \$72,000
- Priority 5: Dump Truck (Large): \$95,000
- Priority 6: Trailer: \$40,000
- Priority 7: CAT 315GC Excavator: \$192,500
- TOTAL: \$620,612.00**

**GRAND TOTAL: \$ 732,062.00**

I. **ADJOURNMENT:**

Mayor Holmes motioned to adjourn @ 5:12pm. Councilman McKinney and Councilman Peight seconded the motion.



Spruce Pine Town Council Meeting  
**SPECIAL CALLED**  
**BUDGET WORKSHOP**  
11050 South 226 Hwy  
Spruce Pine, NC 28777  
**Tuesday, May 5, 2026**



**MINUTES**

ATTEST:

\_\_\_\_\_

\_\_\_\_\_  
Marsha Hoilman, Town Clerk

\_\_\_\_\_  
Beth Holmes, Mayor

\_\_\_\_\_  
Rocky Buchanan, Mayor Pro Tem

\_\_\_\_\_  
Larry McKinney, Council Member

\_\_\_\_\_  
Wayne Peight, Council Member

\_\_\_\_\_  
Tessa Taylor, Council Member



Spruce Pine Town Council  
Town Hall  
11050 S. Highway 226  
Spruce Pine, NC 29777



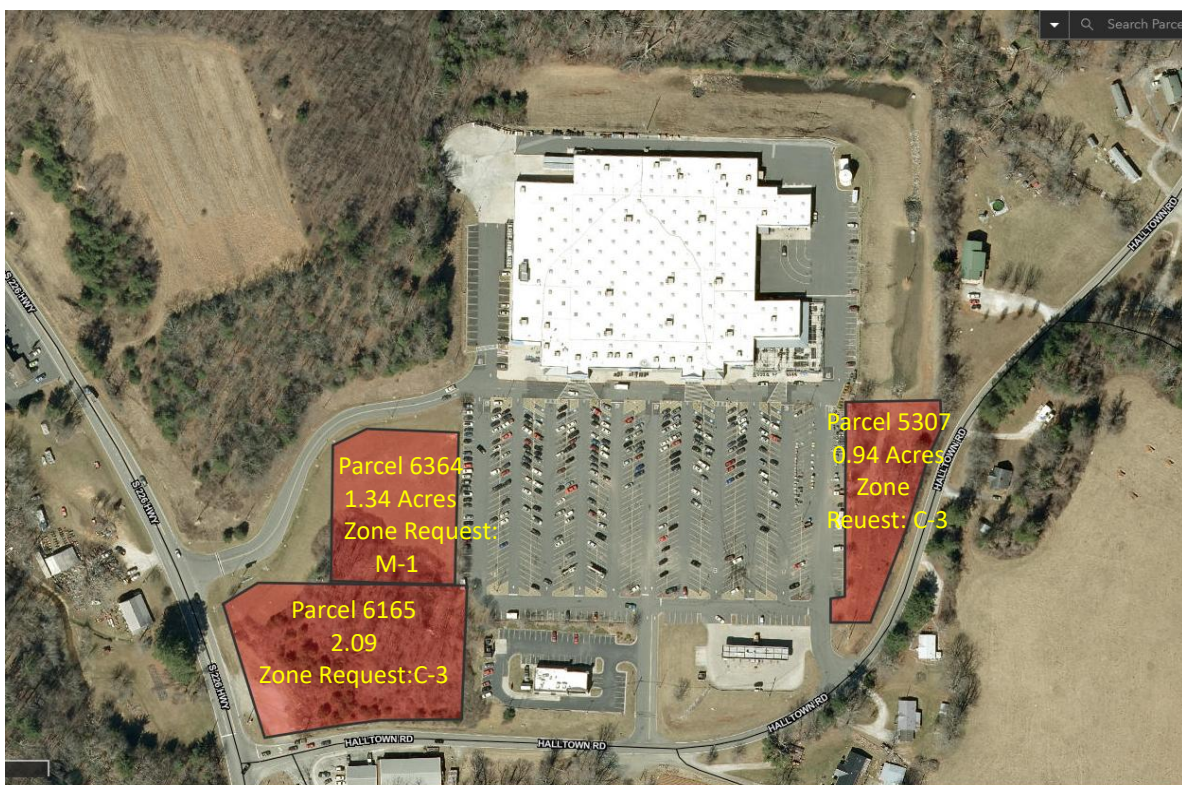
## MEMO

To: Spruce Pine Town Council  
From: Town Manager  
Date: 05/05/2026  
Subject: Walmart Zoning Request (Parcel Number: 0798-00-75-6364 (1.34 Acres); Parcel Number: 0798-00-85-5307 (0.94 Acres); Parcel Number 0798-00-75-6165 (2.11 Acres).

**Request:** To non-contiguously annex and zone 3 separate parcels (parcel numbers referenced in Subject Line). Parcel ending 6364 Zone Request: Medical Arts (M-1), Parcels ending 6165 & 5307 Zone Request: Highway Business Commercial (C-3). There is not an existing zoning classification, parcels are located within the County and is pending voluntary annexation.

**Plan Consistency:** The request is consistent with the Highway Business District along 226 Hwy/Grassy Creek corridor and is consistent with the Land Use Plan, demonstrating growth in an area identified as a focus area for improvements and growth, and an area with focused infrastructure improvements.

**Surrounding Conditions:** All three (3) parcels are part of the Walmart Shopping Center Development. The Development is zoned C-3. This is consistent with the Hwy 226/Grassy Creek Corridor. Properties beyond this are located within the County and are without a zoning classification.





Spruce Pine Town Council  
 Town Hall  
 11050 S. Highway 226  
 Spruce Pine, NC 29777

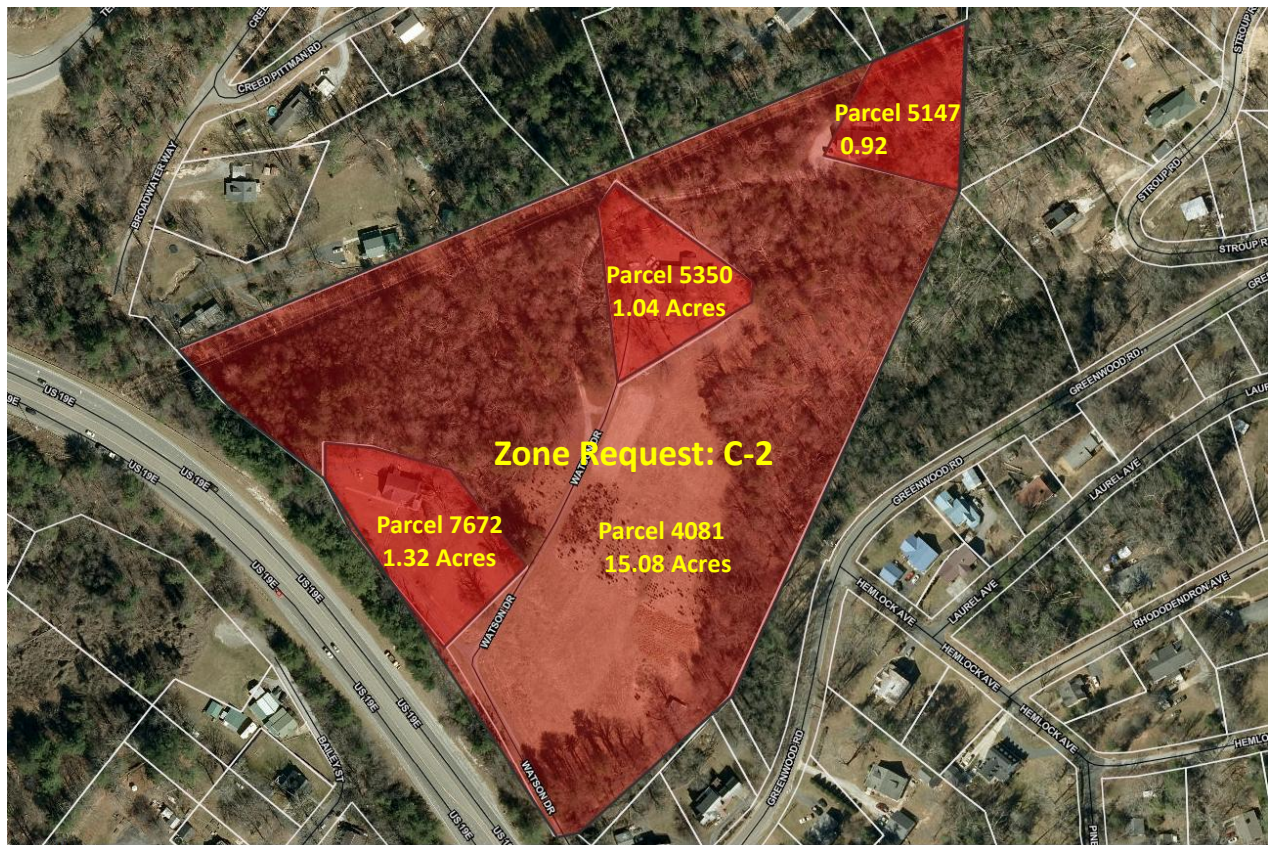


**Subject:** Ingles Rezone Request (Parcel Number: 0880-16-72-5147 (.092 Acres); Parcel Number 0880-20-72-5350 (1.04 Acres); Parcel Number 0880-19-71-7672 (1.32 Acres); Parcel Number 0880-19-72-4081 (15.08 Acres).

**Request:** To Rezone 4 separate parcels (parcel numbers referenced in Subject Line) within the Corporate limits of Spruce Pine from Residential (R-1) to Neighborhood Commercial (C-2).

**Plan Consistency:** The request is consistent with the Land Use Plan and the current zoning ordinance in promoting mixed-commercial and The Neighborhood Commercial District (C-2) is defined as certain commercial areas in Town that are primarily designed to serve nearby residential areas. The district is customarily on major streets and is surrounded by residential areas.

**Surrounding Conditions:** The area is consistently residential, located adjacent to the English Woods Subdivision. The property has over 1000 linear feet of road frontage along Hwy 19 where the entrance to the proposed development will be located (See Preliminary Site Plan Separately Attached) .





Spruce Pine Town Council  
Town Hall  
11050 S. Highway 226  
Spruce Pine, NC 29777



**Subject: GEM Constructors Rezone Request. Parcel Number: 0789-12-96-9930 (5 Acres).**

**Request:** To rezone a portion of parcel 0789-12-96-9930 already located within the Spruce Pine Corporate Limits currently zoned R-1 and to contiguously annex and zone a portion not currently in the Spruce Pine Corporate Limits to Highway Business Commercial (C-3).

**Plan Consistency:** The request is consistent with the Highway Business District along 226 Hwy/Grassy Creek corridor and is consistent with the Land Use Plan, demonstrating growth in an area identified as a focus area for improvements and growth, and an area with focused infrastructure improvements.

**Surrounding Conditions:** The area is a mix of residential along the NE/SW portions of the property and commercial use along the 226 Hwy.





**CERTIFICATE OF SUFFICIENCY  
VOLUNTARY ANNEXATION  
(Satellite Annexation)**

**Property Owner:** The Marc and Sharon Hagle Charitable Operating Foundation, 270  
West New England Ave., Winter Park, FL 32789  
**Deed Reference:** Book 638 Page 398, PIN No.: 0798-00-75-6364  
**Parcel Size:** 1.34 Acres

To the Town Council for the Town of Spruce Pine, North Carolina:

I, MARSHA HOILMAN, pursuant to N.C.G.S. § 160A-58.2, do hereby certify that I have investigated the Petition for Voluntary Annexation ("Petition") from The Marc and Sharon Hagle Charitable Operation Foundation ("Petitioner") for the real property described in the Petition and more specifically described in Book 638 Page 398 of the Mitchell County Registry ("Property"), and hereby certify and make the following findings:

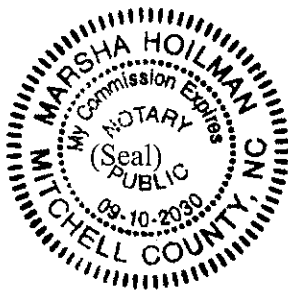
1. The executed Petition is attached as Exhibit A.
2. The Petition includes a deed reference to Book 638 Page 398 of the Mitchell County Registry with the metes and bounds description of the area proposed Property for annexation. Attached to the Petition is an unrecorded survey showing the proposed Property for annexation. The metes and bounds description is attached as Exhibit B and the survey is attached as Exhibit C.
3. The Petition includes Petitioner's name and address, and Petitioner is the sole owner of the proposed Property for annexation.
4. The Petition includes Petitioner's signature.
5. The nearest point on the proposed satellite corporate limits for the proposed Property is no more than three (3) miles from the Town's primary corporate limits.
6. No point on the proposed satellite corporate limits for the proposed Property is closer to the primary corporate limits of any municipality other than the Town.
7. The proposed satellite area for the proposed Property is so situated that the Town will be able to provide the same services as are provided within the Town's primary corporate limits.

8. To the extent that the proposed satellite area for the proposed Property contains any portion of a subdivision, all other tracts within the entire subdivision are included with the satellite corporate limits (or are presently being considered for inclusion within the satellite corporate limits contemporaneously with this Petition).

9. The area within the proposed satellite corporate limits, when added to the area within all other corporate limits of the Town, does not exceed ten percent (10%) of the area within the Town's primary corporate limits.

10. The Petitioner declared that it does not have vested rights in the area proposed for annexation.

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Spruce Pine, this 8<sup>th</sup> day of April 2026.



*Marsha Hoilman*

Marsha Hoilman  
Town of Spruce Pine, Town Clerk

**EXHIBIT A**  
**(Executed Petition)**



**Petition for Voluntary Annexation  
Annexation Data Sheet**

Town of Spruce Pine  
P.O. Box 189  
11050 S. 226 HWY  
Spruce Pine, NC 28777

<b>COMPLETED BY TOWN CLERK</b>	
Submittal Date:	<u>04/08/2026</u>
Fee Paid:	<u>YES</u>
Petition Number:	<u>04-2026-3</u>

<b>PETITION FOR VOLUNTARY ANNEXATION</b>		
<p>1. We, the undersigned owners of real property, respectfully request that the area described herein ("Property") be annexed to the Town of Spruce Pine, North Carolina.</p> <p>2. The Property to be annexed is <input type="checkbox"/> contiguous or <input checked="" type="checkbox"/> non-contiguous to the Town of Spruce Pine. The term "contiguous" means, if, at the time this Petition is submitted, the Property either abuts directly on the municipal boundary or is separated from the municipal boundary by the width of a street or street right-of-way, a creek or river, or the right-of-way of a railroad or other public service corporation, lands owned by the municipality or some other political subdivision, or lands owned by the State of North Carolina. A connecting corridor consisting solely of a street or street right-of-way may not be used to establish contiguity.</p> <p>If the Property is non-contiguous to the Town of Spruce Pine, how many miles is the area from the Town of Spruce Pine's current limits: <u>Approximately 2.44 miles</u></p> <p>3. The Property and Property Owner(s) information is as follows:</p>		
Property Owner(s) and Mailing Address for Property	Phone Number and Email Address	Deed Book and Page and Property PIN
Marc and Sharon Hagle Charitable Operating Foundation 270 W New England Ave. Winter Park, FL 32789	407-629-2040 properties@tricolor.net	BK 638 / PG 398 PIN: 0798-00-75-6364

4. If the metes and bounds description for the Property to the annexed is different than what is described in the Property's deed, attach to this Petition a written metes and bounds description of the area to the annexed.
5. Zoning vested rights  are not claimed,  have been established under G.S. §§ 160D-108 and/or 160D-108.1 as follows [describe and attach the order and approved site plan]:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Note: With my signature, I (we) specifically acknowledge that any zoning vested rights must be identified in this Petition. I (we) further acknowledge that failure to declare such rights on this Petition shall result in termination of vest rights previously acquired for the Property.

Total Acreage to be annexed: 1.34 Acres

Tax Value for Property: 150,800

Population in Property: \_\_\_\_\_

Proposed Zoning District: M-1

Current Use of Property:  Residential  Commercial  Vacant

Reason for Annexation:  Receive Town Services  Other (please specify): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

The applicant must also submit a Zoning Map Amendment Application with this Petition to begin the process in establishing a zoning designation for the Property if annexed.

If the Petition is deemed sufficient, and prior to a public hearing on the annexation, the applicant is required to submit a Plat in a recordable format to the Town Clerk. For more information, see the Petition for Voluntary Annexation General Information form.

If the applicant's deed for the Property has a reference to an existing recorded plat for the Property to be annexed, provide the following information:

Plat Book: \_\_\_\_\_ Page Number: \_\_\_\_\_

**SIGNATURES**

All Property Owners must sign the Petition. For married Property Owners, both spouses must sign the Petition. If the Property is held as a life estate, all life tenants and the remainder interests must sign the Petition. By signing this Petition, I (we) certified that all information provided is true and accurate.

Print: \_\_\_\_\_ Date: \_\_\_\_\_

Print: \_\_\_\_\_ Date: \_\_\_\_\_

Print: _____	Date: _____
Print: _____	Date: _____
Print: _____	Date: _____

If the Property is owned by an LLC:

Name of LLC: \_\_\_\_\_

By: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_

Print: \_\_\_\_\_

If the property is owned by a Corporation:

Name of Corporation: \_\_\_\_\_

By: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_

Print: \_\_\_\_\_

If the property is owned by a Trust:

Name of Trust: Marc and Sharon Charitable Operating Foundation

By: Ed Moss Trustee Date: \_\_\_\_\_

Trustee

Print: Ed Moss, Trustee

If the property is owned by a business association other than an LLC or Corporation or Trust:

Name of Entity: \_\_\_\_\_

By: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_

Print: \_\_\_\_\_

**CERTIFICATE OF SUFFICIENCY (to be completed by Town Clerk)**

I, Maisha Hoilman, Town Clerk, do hereby certify that I have examined this Petition and found it sufficient, pursuant to North Carolina law, for the Spruce Pine Town Council to establish a public hearing regarding this annexation.

Maisha Heilman Date: 04/08/2026  
Town Clerk

**Exhibit B**  
**(Metes and Bounds Description)**

BEING located in Grassy Creek Township, Mitchell County, North Carolina, and being more particularly described as follows:

Commencing at an iron pin at the common intersection of the eastern right-of-way line of North Carolina Highway# 226 and the northern right-of-way line of Halltown Road (State Route 1114) being the True Point of Commencement; thence along the eastern right-of-way of North Carolina Highway # 226 along a curve to the left having a radius of 1960.53 feet, a length of 255.97 feet, and a chord of N 14-44-24 W for 255.78 feet to a point; thence along the common line with Wal-Mart Stores, Inc. and outparcel retained by owner N 71-18-07 E for 69 .62 feet to a point; thence S 86-46-07 E for 117.95 feet to a point being the True Point of Beginning; thence continuing with the common line of Wal-Mart Stores, Inc. N 02-56-53 .E for 240.00 feet to a point; thence N 66-36-35 E for 66.95 feet to a point; thence S 86-46-07 F. for 160.00 feet lo a point; thence S 02-56-53 W for 270.0 feet to a point; thence along the common line with the parcel retained by owner N 86-46-07 W for 220.00 feet to a point being the True Point of Beginning. Said tract contains 1.343 acres (58,501 S.F.).

All as shown on Subdivision Plat for Wal-Mart Stores, Inc., prepared by Freeland & Associates, Inc., dated June 29, 1998, as last revised April 12, 1999.

TOGETHER WITH rights set forth in Declaration of Ingress/ Egress Easement recorded in Book 308, Page 485, Mitchell County Public Registry.

**EXHIBIT C**  
**(Survey)**





## ZONING MAP AMENDMENT APPLICATION

Town of Spruce Pine  
P.O. Box 189  
11050 S. 226 HWY  
Spruce Pine, NC 28777

### GENERAL INFORMATION

#### APPLICANT INFORMATION

Note: Pursuant to Article IV, Section 41 of the Town's Zoning Ordinance, the Applicant must be the Town Council, the Planning Board, the Board of Adjustment or one or more owners of the Property within the area proposed to be changed or affected by the map amendment.

Name: Marc & Sharon Hagle Charitable Operating Foundation

Address: 270 W New England Ave, Winter Park, FL 32789

Has anyone previously submitted an Application to rezone this Property in the last twelve months?

No

Yes (if so, date of previously submitted application: \_\_\_\_\_)

#### PROPERTY INFORMATION

PIN: 0798-00-75-6364

Deed Book/Page: 638/398

Size of Property (Acres): 1.34 Acres

#### REZONING REQUEST

What is the current Zoning District for the Property? Mitchell County

What is the requested Zoning District for the Property? M-1

#### PROPERTY OWNERS

Provide the following information for all owner(s) for the Property to be changed or affected.

Name: Marc Hagle, CEO

Phone: 407-629-2040

Address: 270 W New England Ave., Winter Park, FL 32789

Name: \_\_\_\_\_

Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Name: \_\_\_\_\_

Phone: \_\_\_\_\_

Address: \_\_\_\_\_

\*Additional space on Page 2.

Have all Property owners been notified of this rezoning request?  Yes  No

**CERTIFICATION AND SIGNATURE**

I certify that the information shown above is true and accurate.

Ed Moss Trustee Date: \_\_\_\_\_  
Applicant's Signature  
Print: Ed Moss, Trustee

**Completing the Application does not entitle a rezoning. The Town will timely review the Application pursuant to its zoning ordinances and North Carolina law.**

**\*Additional Property Owner(s):**

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

**TOWN OF SPRUCE PINE  
ORDINANCE #2026.001**

**ORDINANCE TO VOLUNTARILY ANNEX NON-CONTIGUOUS PROPERTY INTO  
THE TOWN OF SPRUCE PINE AND AMEND  
THE ZONING MAP FOR INITIAL ZONING DESIGNATION**

**NOW COMES** the Town of Spruce Pine (“Town”), at a duly called meeting of its Council on May 11, 2026 with a quorum established, and hereby considers this Ordinance to Voluntarily Annex Non-Contiguous Property into the Town of Spruce Pine and Amend the Zoning Map for Initial Zoning Designation.

**WHEREAS**, on or about April 1, 2026, the Property’s owner, Marc and Sharon Hagle Charitable Operating Foundation (“Owner”), presented a signed Petition for Voluntary Annexation (“Petition”) and a Zoning Map Amendment Application (“Application”) to the Town for the real property described in Book 638 Page 398, PIN #0798-00-75-6364 (the “Property”);

**WHEREAS**, the metes and bounds description of the Property is attached as Exhibit A and an unrecord plat showing the Property is attached as Exhibit B;

**WHEREAS**, on review, the Town Clerk certified the following:

- A. The nearest point on the proposed satellite corporate limits for the Property is no more than three (3) miles from the Town’s primary corporate limits;
- B. No point on the proposed satellite corporate limits for the Property is closer to the primary corporate limits of any municipality other than the Town;
- C. The proposed satellite area for the Property is so situated that the Town will be able to provide the same services as are provided within the Town’s primary corporate limits;
- D. To the extent that the proposed satellite area for the Property contains any portion of a subdivision, all other tracts within the entire subdivision are included with the satellite corporate limits (or are presently being considered for inclusion within the satellite corporate limits contemporaneously with this Petition); and
- E. The Property within the proposed satellite corporate limits, when added to the area within all other corporate limits of the Town, does not exceed ten percent (10%) of the area within the Town’s primary corporate limits;

**WHEREAS**, in the Application, the Owner requested the initial zoning designation for the Property to be M-1 – Medical Arts District;

**WHEREAS**, pursuant to N.C.G.S. § 160D-604(b) and Article IV, Section 41 of the Town’s Zoning Ordinance, the Town’s Planning Board (“Board”) met on April 28, 2026 and

reviewed and discussed the Owner's Application. The Board voted unanimously to recommend approving the Application to initially zone the Property as M-1 – Medical Arts District and prepared its written recommendation for the Council;

**WHEREAS**, pursuant to N.C.G.S. §§ 160A-58.2, -160D-601(a) and Article IV, Section 42 of the Town's Zoning Ordinance, on April 29, 2026 and May 6, 2026, the Town caused to be posted the notice of the legislative hearing concerning the Petition and Application in the Mitchell News-Journal;

**WHEREAS**, pursuant to N.C.G.S. § 160D-602(a), on April 23, 2026, the Town caused to be mail, by certified mail, a notice of the legislative hearing concerning the Property's proposed initial zoning, said notice being mailed to the Owner of the Property and the owners of all parcels of land abutting the Property;

**WHEREAS**, pursuant to N.C.G.S. § 160D-602(c), on April 24, 2026, the Town prominently posted a notice of the legislative hearing concerning the Property's proposed initial zoning on the Property or on an adjacent public street or highway right-of-way;

**WHEREAS**, pursuant to N.C.G.S. §§ 160A-58.2, -81, -160D-601(a) and Article IV, Section 42 of the Town's Zoning Ordinance, on May 11, 2026, the Town held a legislative hearing with respect to the Petition and Application; and

**WHEREAS**, prior to its decision, the Council was presented a copy of the Town's 2023 Comprehensive Land Use Plan ("Plan") for its review and consideration.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS AS TO THE PETITON:**

1. That the Council hereby finds and determines:
  - A. That the Property described in the Petition meets all the standards set forth in N.C.G.S. § 160A-58.1;
  - B. That the Petition bears the signature of all the owners of the Property proposed for annexation;
  - C. The Petition is otherwise valid; and
  - D. The public health, safety and welfare of the inhabitants of the Town and of the area proposed for annexation will be best served by the annexation;
2. That, having made its findings and determinations, the Petition is hereby approved by a vote of the Council of \_\_\_\_\_, and the Property is hereby annexed into the Town and shall be effective as of the date when this Ordinance is executed by the Mayor Pro Tempore;
3. That, from and after the effective date of this Ordinance, the Property and its owners shall be subject to all the Town's debts, laws, ordinances and regulations in force

and shall be entitled to the same privileges and benefits as other parts of the Town. Real and personal property in the newly annexed Property shall be subject to municipal taxes as provided in N.C.G.S. § 160A-58.10; and

4. That this Ordinance shall be recorded in the Mitchell County Registry and shall be filed with the North Carolina Secretary of State and the Boundary and Annexation Survey of the United States Bureau of the Census.

**BE IT FURTHER RESOLVED AS FOLLOWS AS TO THE APPLICATION:**

1. Plan Consistency Statement. Pursuant to N.C.G.S. § 160D-602(a), having reviewed the Board's written recommendation and the Plan, the Application for the Property [is] [is not] inconsistent with the Plan;
2. Statement of Reasonableness. Pursuant to N.C.G.S. § 160D-602(a), \_\_\_\_\_;
3. That the Application is hereby approved and the Town of Spruce Pine Zoning Map is hereby amended to initially zone the Property M-1 – Medical Arts District.

**BE IT FURTHER RESOLVED** that the Mayor Pro Tempore is authorized to execute this Ordinance, subject to revision by Legal Counsel, and this Ordinance shall be effective as of the date of the Mayor Pro Tempore's signature.

THIS the 11<sup>th</sup> day of May 2026.

**TOWN OF SPRUCE PINE**

\_\_\_\_\_  
Rocky Buchanan  
Mayor Pro Tempore  
Effective Date: \_\_\_\_\_

Attest:

\_\_\_\_\_  
Martha Hoilman  
Town Clerk

## EXHIBIT A

BEING located in Grassy Creek Township, Mitchell County, North Carolina, and being more particularly described as follows:

Commencing at an iron pin at the common intersection of the eastern right-of-way line of North Carolina Highway# 226 and the northern right-of-way line of Halltown Road (State Route 1114) being the True Point of Commencement; thence along the eastern right-of-way of North Carolina Highway # 226 along a curve to the left having a radius of 1960.53 feet, a length of 255.97 feet, and a chord of N 14-44-24 W for 255.78 feet to a point; thence along the common line with WalMart Stores, Inc. and outparcel retained by owner N 71-18-07 E for 69 .62 feet to a point; thence S 86-46-07 E for 117.95 feet to a point being the True Point of Beginning; thence continuing with the common line of Wal-Mart Stores, Inc. N 02-56-53 .E for 240.00 feet to a point; thence N 66-36-35 E for 66.95 feet to a point; thence S 86-46-07 F. for 160.00 feet lo a point; thence S 02-56-53 W for 270.0 feet to a point; thence along the common line with the parcel retained by owner N 86-46-07 W for 220.00 feet to a point being the True Point of Beginning. Said tract contains 1.343 acres (58,501 S.F.).

All as shown on Subdivision Plat for Wal-Mart Stores, Inc., prepared by Freeland & Associates, Inc., dated June 29, 1998, as last revised April 12, 1999.

TOGETHER WITH rights set forth in Declaration of Ingress/ Egress Easement recorded in Book 308, Page 485, Mitchell County Public Registry.

**EXHIBIT B**

DRAFT



**CERTIFICATE OF SUFFICIENCY  
VOLUNTARY ANNEXATION  
(Satellite Annexation)**

**Property Owner:** The Marc and Sharon Hagle Charitable Operating Foundation, 270  
West New England Ave., Winter Park, FL 32789  
**Deed Reference:** Book 638 Page 398, PIN No.: 0798-00-85-5307  
**Parcel Size:** 0.94 Acres

To the Town Council for the Town of Spruce Pine, North Carolina:

I, MARSHA HOILMAN, pursuant to N.C.G.S. § 160A-58.2, do hereby certify that I have investigated the Petition for Voluntary Annexation (“Petition”) from The Marc and Sharon Hagle Charitable Operation Foundation (“Petitioner”) for the real property described in the Petition and more specifically described in Book 638 Page 398 of the Mitchell County Registry (“Property”), and hereby certify and make the following findings:

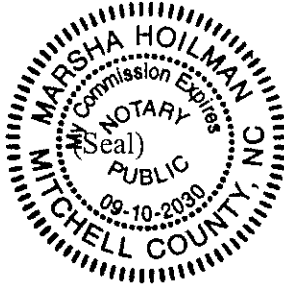
1. The executed Petition is attached as Exhibit A.
2. The Petition includes a deed reference to Book 638 Page 398 of the Mitchell County Registry with the metes and bounds description of the area proposed Property for annexation. Attached to the Petition is an unrecorded survey showing the proposed Property for annexation. The metes and bounds description is attached as Exhibit B and the survey is attached as Exhibit C.
3. The Petition includes Petitioner’s name and address, and Petitioner is the sole owner of the proposed Property for annexation.
4. The Petition includes Petitioner’s signature.
5. The nearest point on the proposed satellite corporate limits for the proposed Property is no more than three (3) miles from the Town’s primary corporate limits.
6. No point on the proposed satellite corporate limits for the proposed Property is closer to the primary corporate limits of any municipality other than the Town.
7. The proposed satellite area for the proposed Property is so situated that the Town will be able to provide the same services as are provided within the Town’s primary corporate limits.

8. To the extent that the proposed satellite area for the proposed Property contains any portion of a subdivision, all other tracts within the entire subdivision are included with the satellite corporate limits (or are presently being considered for inclusion within the satellite corporate limits contemporaneously with this Petition).

9. The area within the proposed satellite corporate limits, when added to the area within all other corporate limits of the Town, does not exceed ten percent (10%) of the area within the Town's primary corporate limits.

10. The Petitioner declared that it does not have vested rights in the area proposed for annexation.

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Spruce Pine, this 8<sup>TH</sup> day of April 2026.



*Marsha Hoilman*

Marsha Hoilman  
Town of Spruce Pine, Town Clerk

**EXHIBIT A**  
**(Executed Petition)**



**Petition for Voluntary Annexation  
Annexation Data Sheet**

Town of Spruce Pine  
P.O. Box 189  
11050 S. 226 HWY  
Spruce Pine, NC 28777

<b>COMPLETED BY TOWN CLERK</b>
Submittal Date: <u>04/08/2026</u>
Fee Paid: <u>yes</u>
Petition Number: <u>04-2026-2</u>

**PETITION FOR VOLUNTARY ANNEXATION**

1. We, the undersigned owners of real property, respectfully request that the area described herein ("Property") be annexed to the Town of Spruce Pine, North Carolina.
2. The Property to be annexed is  contiguous or  non-contiguous to the Town of Spruce Pine. The term "contiguous" means, if, at the time this Petition is submitted, the Property either abuts directly on the municipal boundary or is separated from the municipal boundary by the width of a street or street right-of-way, a creek or river, or the right-of-way of a railroad or other public service corporation, lands owned by the municipality or some other political subdivision, or lands owned by the State of North Carolina. A connecting corridor consisting solely of a street or street right-of-way may not be used to establish contiguity.

If the Property is non-contiguous to the Town of Spruce Pine, how many miles is the area from the Town of Spruce Pine's current limits: Approximately 2.44 miles

3. The Property and Property Owner(s) information is as follows:

Property Owner(s) and Mailing Address for Property	Phone Number and Email Address	Deed Book and Page and Property PIN
Marc and Sharon Hagle Charitable Operating Foundation 270 W New England Ave. Winter Park, FL 32789	407-629-2040 properties@tricolor.net	BK 638 / PG 398 PIN: 0798-00-85-5307

4. If the metes and bounds description for the Property to the annexed is different than what is described in the Property's deed, attach to this Petition a written metes and bounds description of the area to the annexed.
5. Zoning vested rights  are not claimed,  have been established under G.S. §§ 160D-108 and/or 160D-108.1 as follows [describe and attach the order and approved site plan]:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Note: With my signature, I (we) specifically acknowledge that any zoning vested rights must be identified in this Petition. I (we) further acknowledge that failure to declare such rights on this Petition shall result in termination of vest rights previously acquired for the Property.

Total Acreage to be annexed: 0.94 Acres

Tax Value for Property: 117,500

Population in Property: \_\_\_\_\_

Proposed Zoning District: C-3

Current Use of Property:  Residential  Commercial  Vacant

Reason for Annexation:  Receive Town Services  Other (please specify): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

The applicant must also submit a Zoning Map Amendment Application with this Petition to begin the process in establishing a zoning designation for the Property if annexed.

If the Petition is deemed sufficient, and prior to a public hearing on the annexation, the applicant is required to submit a Plat in a recordable format to the Town Clerk. For more information, see the Petition for Voluntary Annexation General Information form.

If the applicant's deed for the Property has a reference to an existing recorded plat for the Property to be annexed, provide the following information:

Plat Book: \_\_\_\_\_ Page Number: \_\_\_\_\_

**SIGNATURES**

All Property Owners must sign the Petition. For married Property Owners, both spouses must sign the Petition. If the Property is held as a life estate, all life tenants and the remainder interests must sign the Petition. By signing this Petition, I (we) certified that all information provided is true and accurate.

Print: \_\_\_\_\_ Date: \_\_\_\_\_

Print: \_\_\_\_\_ Date: \_\_\_\_\_

Print: _____	Date: _____
Print: _____	Date: _____
Print: _____	Date: _____

If the Property is owned by an LLC:

Name of LLC: \_\_\_\_\_

By: \_\_\_\_\_ Date: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Print: \_\_\_\_\_

If the property is owned by a Corporation:

Name of Corporation: \_\_\_\_\_

By: \_\_\_\_\_ Date: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Print: \_\_\_\_\_

If the property is owned by a Trust:

Name of Trust: Marc and Sharon Charitable Operating Foundation

By: Ed Mon Trustee Date: \_\_\_\_\_  
 Trustee  
 Print: \_\_\_\_\_

If the property is owned by a business association other than an LLC or Corporation or Trust:

Name of Entity: \_\_\_\_\_

By: \_\_\_\_\_ Date: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Print: \_\_\_\_\_

**CERTIFICATE OF SUFFICIENCY (to be completed by Town Clerk)**

I, Marsha Hollman, Town Clerk, do hereby certify that I have examined this Petition and found it sufficient, pursuant to North Carolina law, for the Spruce Pine Town Council to establish a public hearing regarding this annexation.

Shauna Heilman Date: 04/08/2026  
Town Clerk

**Exhibit B**  
**(Metes and Bounds Description)**

BEING located in Grassy Creek Township, Mitchell County, North Carolina, and being more particularly described as follows:

Commencing at an iron pin at the common intersection of the eastern right-of-way of North Carolina Highway # 226 and the northern right-of-way line of Halltown Road (State Route # 1114) being the True Point of Commencement; thence along the Northern right-of-way of Halltown Road the following five (5) courses and distances: ( 1) N 79-48-49 E for 91.08 feet to an iron pin; (2) along a curve to the right having a radius of 693.92 feet, a length of 177.14 feet, and a chord of N 87-07-36 E for 176.65 feet to an iron pin; (3) S 85-33-38 E for 405.09 feet to an iron pin; (4) along a curve to the left having a radius of 383.52 feet a length of 412.24 feet and a chord of N 63-38-46 E for 392.68 feet to a point being the True Point of Beginning; thence along the common line with Wal-Mart Stores. Inc. N 87-03-07 W for 61.89 feet to a point; thence N 02-56-53 E for 40.00 feet to a point; thence S 87-03-07 E for 18.00 feet to a point; thence N 02- 56-53 E for 330.00 feet to a point; thence S 87-03-07 E for 165.35 feet to a point; thence along the common line with Lillie Mae Mitchell S 01-12-42 W for 19.44 feet to an iron pin on the northern right-of-way of Halltown Road; thence along said right-of-way the following three (3) courses and distances: ( 1) along a curve to the left having a radius of 578.08 feet, a length of 108.63 feet, and a chord of S 24-10-53 W for 108.47 feet to an iron pin: (2) S 18-47-52 W for 169.44 feet to an iron pin; and (3) along a curve to the right having a radius of 383.52 feet, a length of 94.08 feet, and a chord of S 25-49-31 W for 93.84 feet to a point being the True Point of Beginning. Said tract contains 0.941 acres (40.971 S.F.).

All as shown on Subdivision Plat for Wal-Mart Stores. Inc., prepared by Freeland & Associates, Inc., dated June 29, 1998, as last revised April 12, 1999.

**EXHIBIT C**  
**(Survey)**





## ZONING MAP AMENDMENT APPLICATION

Town of Spruce Pine  
P.O. Box 189  
11050 S. 226 HWY  
Spruce Pine, NC 28777

### GENERAL INFORMATION

#### APPLICANT INFORMATION

Note: Pursuant to Article IV, Section 41 of the Town's Zoning Ordinance, the Applicant must be the Town Council, the Planning Board, the Board of Adjustment or one or more owners of the Property within the area proposed to be changed or affected by the map amendment.

Name: Marc & Sharon Hagle Charitable Operating Foundation

Address: 270 W New England Ave, Winter Park, FL 32789

Has anyone previously submitted an Application to rezone this Property in the last twelve months?

No

Yes (if so, date of previously submitted application: \_\_\_\_\_)

#### PROPERTY INFORMATION

PIN: 0798-00-85-5307

Deed Book/Page: 638/398

Size of Property (Acres): 0.94 Acres

#### REZONING REQUEST

What is the current Zoning District for the Property? Mitchell County

What is the requested Zoning District for the Property? C-3

#### PROPERTY OWNERS

Provide the following information for all owner(s) for the Property to be changed or affected.

Name: Marc Hagle, CEO

Phone: 407-629-2040

Address: 270 W New England Ave., Winter Park, FL 32789

Name: \_\_\_\_\_

Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Name: \_\_\_\_\_

Phone: \_\_\_\_\_

Address: \_\_\_\_\_

\*Additional space on Page 2.

Have all Property owners been notified of this rezoning request?  Yes  No

**CERTIFICATION AND SIGNATURE**

I certify that the information shown above is true and accurate.

Ed Moss Trustee  
Applicant's Signature  
Print: Ed Moss, Trustee

Date: \_\_\_\_\_

**Completing the Application does not entitle a rezoning. The Town will timely review the Application pursuant to its zoning ordinances and North Carolina law.**

**\*Additional Property Owner(s):**

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

**TOWN OF SPRUCE PINE  
ORDINANCE #2026.002**

**ORDINANCE TO VOLUNTARILY ANNEX NON-CONTIGUOUS PROPERTY INTO  
THE TOWN OF SPRUCE PINE AND AMEND  
THE ZONING MAP FOR INITIAL ZONING DESIGNATION**

**NOW COMES** the Town of Spruce Pine (“Town”), at a duly called meeting of its Council on May 11, 2026 with a quorum established, and hereby considers this Ordinance to Voluntarily Annex Non-Contiguous Property into the Town of Spruce Pine and Amend the Zoning Map for Initial Zoning Designation.

**WHEREAS**, on or about April 1, 2026, the Property’s owner, North Carolina Limited Partnership (“Owner”), presented a signed Petition for Voluntary Annexation (“Petition”) and a Zoning Map Amendment Application (“Application”) to the Town for the real property described in Book 638 Page 398, PIN #0798-00-85-5307 (the “Property”);

**WHEREAS**, the metes and bounds description of the Property is attached as Exhibit A and an unrecord plat showing the Property is attached as Exhibit B;

**WHEREAS**, on review, the Town Clerk certified the following:

- A. The nearest point on the proposed satellite corporate limits for the Property is no more than three (3) miles from the Town’s primary corporate limits;
- B. No point on the proposed satellite corporate limits for the Property is closer to the primary corporate limits of any municipality other than the Town;
- C. The proposed satellite area for the Property is so situated that the Town will be able to provide the same services as are provided within the Town’s primary corporate limits;
- D. To the extent that the proposed satellite area for the Property contains any portion of a subdivision, all other tracts within the entire subdivision are included with the satellite corporate limits (or are presently being considered for inclusion within the satellite corporate limits contemporaneously with this Petition); and
- E. The Property within the proposed satellite corporate limits, when added to the area within all other corporate limits of the Town, does not exceed ten percent (10%) of the area within the Town’s primary corporate limits;

**WHEREAS**, in the Application, the Owner requested the initial zoning designation for the Property to be C-3 – Highway Business District;

**WHEREAS**, pursuant to N.C.G.S. § 160D-604(b) and Article IV, Section 41 of the Town’s Zoning Ordinance, the Town’s Planning Board (“Board”) met on April 28, 2026 and

reviewed and discussed the Owner's Application. The Board voted unanimously to recommend approving the Application to initially zone the Property as C-3 – Business Highway District and prepared its written recommendation for the Council;

**WHEREAS**, pursuant to N.C.G.S. §§ 160A-58.2, -160D-601(a) and Article IV, Section 42 of the Town's Zoning Ordinance, on April 29, 2026 and May 6, 2026, the Town caused to be posted the notice of the legislative hearing concerning the Petition and Application in the Mitchell News-Journal;

**WHEREAS**, pursuant to N.C.G.S. § 160D-602(a), on April 23, 2026, the Town caused to be mail, by certified mail, a notice of the legislative hearing concerning the Property's proposed initial zoning, said notice being mailed to the Owner of the Property and the owners of all parcels of land abutting the Property;

**WHEREAS**, pursuant to N.C.G.S. § 160D-602(c), on April 24, 2026, the Town prominently posted a notice of the legislative hearing concerning the Property's proposed initial zoning on the Property or on an adjacent public street or highway right-of-way;

**WHEREAS**, pursuant to N.C.G.S. §§ 160A-58.2, -81, -160D-601(a) and Article IV, Section 42 of the Town's Zoning Ordinance, on May 11, 2026, the Town held a legislative hearing with respect to the Petition and Application; and

**WHEREAS**, prior to its decision, the Council was presented a copy of the Town's 2023 Comprehensive Land Use Plan ("Plan") for its review and consideration.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS AS TO THE PETITON:**

1. That the Council hereby finds and determines:
  - A. That the Property described in the Petition meets all the standards set forth in N.C.G.S. § 160A-58.1;
  - B. That the Petition bears the signature of all the owners of the Property proposed for annexation;
  - C. The Petition is otherwise valid; and
  - D. The public health, safety and welfare of the inhabitants of the Town and of the area proposed for annexation will be best served by the annexation;
2. That, having made its findings and determinations, the Petition is hereby approved by a vote of the Council of \_\_\_\_\_, and the Property is hereby annexed into the Town and shall be effective as of the date when this Ordinance is executed by the Mayor Pro Tempore;
3. That, from and after the effective date of this Ordinance, the Property and its owners shall be subject to all the Town's debts, laws, ordinances and regulations in force

and shall be entitled to the same privileges and benefits as other parts of the Town. Real and personal property in the newly annexed Property shall be subject to municipal taxes as provided in N.C.G.S. § 160A-58.10; and

4. That this Ordinance shall be recorded in the Mitchell County Registry and shall be filed with the North Carolina Secretary of State and the Boundary and Annexation Survey of the United States Bureau of the Census.

**BE IT FURTHER RESOLVED AS FOLLOWS AS TO THE APPLICATION:**

1. Plan Consistency Statement. Pursuant to N.C.G.S. § 160D-602(a), having reviewed the Board's written recommendation and the Plan, the Application for the Property [is] [is not] inconsistent with the Plan;
2. Statement of Reasonableness. Pursuant to N.C.G.S. § 160D-602(a), \_\_\_\_\_;
3. That the Application is hereby approved and the Town of Spruce Pine Zoning Map is hereby amended to initially zone the Property C-3 – Highway Business District.

**BE IT FURTHER RESOLVED** that the Mayor Pro Tempore is authorized to execute this Ordinance, subject to revision by Legal Counsel, and this Ordinance shall be effective as of the date of the Mayor Pro Tempore's signature.

THIS the 11<sup>th</sup> day of May 2026.

**TOWN OF SPRUCE PINE**

\_\_\_\_\_  
Rocky Buchanan  
Mayor Pro Tempore  
Effective Date: \_\_\_\_\_

Attest:

\_\_\_\_\_  
Martha Hoilman  
Town Clerk

## EXHIBIT A

BEING located in Grassy Creek Township, Mitchell County, North Carolina, and being more particularly described as follows:

Commencing at an iron pin at the common intersection of the eastern right-of-way of North Carolina Highway # 226 and the northern right-of-way line of Halltown Road (State Route # 1114) being the True Point of Commencement; thence along the Northern right-of-way of Halltown Road the following five (5) courses and distances: ( 1) N 79-48-49 E for 91.08 feet to an iron pin; (2) along a curve to the right having a radius of 693.92 feet, a length of 177.14 feet, and a chord of N 87-07-36 E for 176.65 feet to an iron pin; (3) S 85-33-38 E for 405.09 feet to an iron pin; (4) along a curve to the left having a radius of 383.52 feet a length of 412.24 feet and a chord of N 63-38-46 E for 392.68 feet to a point being the True Point of Beginning; thence along the common line with Wal-Mart Stores, Inc. N 87-03-07 W for 61.89 feet to a point; thence N 02-56-53 E for 40.00 feet to a point; thence S 87-03-07 E for 18.00 feet to a point; thence N 02- 56-53 E for 330.00 feet to a point; thence S 87-03-07 E for 165.35 feet to a point; thence along the common line with Lillie Mae Mitchell S 01-12-42 W for 19.44 feet to an iron pin on the northern right-of-way of Halltown Road; thence along said right-of-way the following three (3) courses and distances: ( 1) along a curve to the left having a radius of 578.08 feet, a length of 108.63 feet, and a chord of S 24-10-53 W for 108.47 feet to an iron pin: (2) S 18-47-52 W for 169.44 feet to an iron pin; and (3) along a curve to the right having a radius of 383.52 feet, a length of 94.08 feet, and a chord of S 25-49-31 W for 93.84 feet to a point being the True Point of Beginning. Said tract contains 0.941 acres (40.971 S.F.).

All as shown on Subdivision Plat for Wal-Mart Stores, Inc., prepared by Freeland & Associates, Inc., dated June 29, 1998, as last revised April 12, 1999.

**EXHIBIT B**

DRAFT



**CERTIFICATE OF SUFFICIENCY  
VOLUNTARY ANNEXATION  
(Satellite Annexation)**

**Property Owner:** NC Land Limited Partnership  
270 West New England Ave., Winter Park, FL 32789  
**Deed Reference:** Book 308 Page 473, PIN No.: 0798-00-75-6165  
**Parcel Size:** 2.11 Acres

To the Town Council for the Town of Spruce Pine, North Carolina:

I, MARSHA HOILMAN, pursuant to N.C.G.S. § 160A-58.2, do hereby certify that I have investigated the Petition for Voluntary Annexation ("Petition") from The Marc and Sharon Hagle Charitable Operation Foundation ("Petitioner") for the real property described in the Petition and more specifically described in Book 308 Page 473 of the Mitchell County Registry ("Property"), and hereby certify and make the following findings:

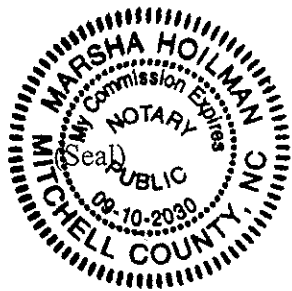
1. The executed Petition is attached as Exhibit A.
2. The Petition includes a deed reference to Book 308 Page 473 of the Mitchell County Registry with the metes and bounds description of the area proposed Property for annexation. Attached to the Petition is an unrecorded survey showing the proposed Property for annexation. The metes and bounds description is attached as Exhibit B and the survey is attached as Exhibit C.
3. The Petition includes Petitioner's name and address, and Petitioner is the sole owner of the proposed Property for annexation.
4. The Petition includes Petitioner's signature.
5. The nearest point on the proposed satellite corporate limits for the proposed Property is no more than three (3) miles from the Town's primary corporate limits.
6. No point on the proposed satellite corporate limits for the proposed Property is closer to the primary corporate limits of any municipality other than the Town.
7. The proposed satellite area for the proposed Property is so situated that the Town will be able to provide the same services as are provided within the Town's primary corporate limits.

8. To the extent that the proposed satellite area for the proposed Property contains any portion of a subdivision, all other tracts within the entire subdivision are included with the satellite corporate limits (or are presently being considered for inclusion within the satellite corporate limits contemporaneously with this Petition).

9. The area within the proposed satellite corporate limits, when added to the area within all other corporate limits of the Town, does not exceed ten percent (10%) of the area within the Town's primary corporate limits.

10. The Petitioner declared that it does not have vested rights in the area proposed for annexation.

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Spruce Pine, this 8<sup>TH</sup> day of April 2026.



*Marsha Hoilman*

Marsha Hoilman  
Town of Spruce Pine, Town Clerk

**EXHIBIT A**  
**(Executed Petition)**

[Faint, illegible text or signature]



**Petition for Voluntary Annexation  
Annexation Data Sheet**

Town of Spruce Pine  
P.O. Box 189  
11050 S. 226 HWY  
Spruce Pine, NC 28777

<b>COMPLETED BY TOWN CLERK</b>
Submittal Date: <u>04/08/2026</u>
Fee Paid: <u>Yes</u>
Petition Number: <u>04-2026-1</u>

<b>PETITION FOR VOLUNTARY ANNEXATION</b>		
<p>1. We, the undersigned owners of real property, respectfully request that the area described herein ("Property") be annexed to the Town of Spruce Pine, North Carolina.</p> <p>2. The Property to be annexed is <input type="checkbox"/> contiguous or <input checked="" type="checkbox"/> non-contiguous to the Town of Spruce Pine. The term "contiguous" means, if, at the time this Petition is submitted, the Property either abuts directly on the municipal boundary or is separated from the municipal boundary by the width of a street or street right-of-way, a creek or river, or the right-of-way of a railroad or other public service corporation, lands owned by the municipality or some other political subdivision, or lands owned by the State of North Carolina. A connecting corridor consisting solely of a street or street right-of-way may not be used to establish contiguity.</p> <p>If the Property is non-contiguous to the Town of Spruce Pine, how many miles is the area from the Town of Spruce Pine's current limits: <u>Approximately 2.44 miles</u></p> <p>3. The Property and Property Owner(s) information is as follows:</p>		
Property Owner(s) and Mailing Address for Property	Phone Number and Email Address	Deed Book and Page and Property PIN
NC Land Limited Partnership 270 W New England Ave. Winter Park, FL 32789	407-629-2040 properties@tricolor.net	BK 308 / PB 473 PIN: 0798-00-75-6165

4. If the metes and bounds description for the Property to the annexed is different than what is described in the Property's deed, attach to this Petition a written metes and bounds description of the area to the annexed.
5. Zoning vested rights  are not claimed,  have been established under G.S. §§ 160D-108 and/or 160D-108.1 as follows [describe and attach the order and approved site plan]:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Note: With my signature, I (we) specifically acknowledge that any zoning vested rights must be identified in this Petition. I (we) further acknowledge that failure to declare such rights on this Petition shall result in termination of vest rights previously acquired for the Property.

Total Acreage to be annexed: 2.11 Acres  
 Tax Value for Property: 237,400  
 Population in Property: \_\_\_\_\_  
 Proposed Zoning District: C-3  
 Current Use of Property:  Residential  Commercial  Vacant  
 Reason for Annexation:  Receive Town Services  Other (please specify): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

The applicant must also submit a Zoning Map Amendment Application with this Petition to begin the process in establishing a zoning designation for the Property if annexed.

If the Petition is deemed sufficient, and prior to a public hearing on the annexation, the applicant is required to submit a Plat in a recordable format to the Town Clerk. For more information, see the Petition for Voluntary Annexation General Information form.

If the applicant's deed for the Property has a reference to an existing recorded plat for the Property to be annexed, provide the following information:

Plat Book: \_\_\_\_\_ Page Number: \_\_\_\_\_

**SIGNATURES**

All Property Owners must sign the Petition. For married Property Owners, both spouses must sign the Petition. If the Property is held as a life estate, all life tenants and the remainder interests must sign the Petition. By signing this Petition, I (we) certified that all information provided is true and accurate.

Print: \_\_\_\_\_ Date: \_\_\_\_\_

Print: \_\_\_\_\_ Date: \_\_\_\_\_

Print: \_\_\_\_\_ Date: \_\_\_\_\_

Print: \_\_\_\_\_ Date: \_\_\_\_\_

Print: \_\_\_\_\_ Date: \_\_\_\_\_

If the Property is owned by an LLC:

Name of LLC: \_\_\_\_\_

By: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_

Print: \_\_\_\_\_

If the property is owned by a Corporation:

Name of Corporation: \_\_\_\_\_

By: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_

Print: \_\_\_\_\_

If the property is owned by a Trust:

Name of Trust: \_\_\_\_\_

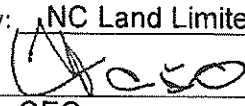
By: \_\_\_\_\_ Date: \_\_\_\_\_

Trustee

Print: \_\_\_\_\_

If the property is owned by a business association other than an LLC or Corporation or Trust:

Name of Entity: NC Land Limited Partnership

By:  Date: 4/1/06

Title: CEO

Print: Marc Hagle

**CERTIFICATE OF SUFFICIENCY (to be completed by Town Clerk)**

I, Marshtailman, Town Clerk, do hereby certify that I have examined this Petition and found it sufficient, pursuant to North Carolina law, for the Spruce Pine Town Council to establish a public hearing regarding this annexation.

Shauna Spelman  
Town Clerk

Date: 04/08/2026

**Exhibit B**  
**(Metes and Bounds Description)**

BEING located in Grassy Creek Township, Mitchell County, North Carolina, and being more particularly described as follows:

Beginning at an iron pin at the common intersection of North Carolina Highway 226 and Halltown Road (State Route 1114); thence along the Eastern right-of-way of North Carolina 226 along a curve to the left having a radius of 1960.53 feet, a length of 255.97 feet, and a chord of N 14-44-24 W for 255.78 feet to a point being the common corner with Walmart; thence leaving said right-of-way N 71-18-07 E for 69.62 feet to a point; thence S 86-48-07 E for 353.45 feet to a point; thence S 02-56-53 W for 230.99 feet to a point on the Northern right-of-way of Halltown Road (State Route 1114); thence along said right-of-way N 85-33-38 W for 76.02 feet to an iron pin; thence along a curve to the left having a radius of 693.92 feet, a length of 177.14 feet, and a chord of S 87-07-36 W for 176.65 feet to a point; Highway 226 and Halltown Road (State Route 1114) being the True Point of Beginning. Said tract contains 2.104 acres or 91,663 square feet more or less.

All as shown on Subdivision Plat for Wal-Mart Stores, Inc., prepared by Freeland & Associates, Inc., dated June 29, 1998, as last revised April 12, 1999.

**EXHIBIT C**  
**(Survey)**





## ZONING MAP AMENDMENT APPLICATION

Town of Spruce Pine  
P.O. Box 189  
11050 S. 226 HWY  
Spruce Pine, NC 28777

### GENERAL INFORMATION

#### APPLICANT INFORMATION

Note: Pursuant to Article IV, Section 41 of the Town's Zoning Ordinance, the Applicant must be the Town Council, the Planning Board, the Board of Adjustment or one or more owners of the Property within the area proposed to be changed or affected by the map amendment.

Name: NC Land Limited Partnership  
Address: 270 W New England Ave, Winter Park, FL 32789

Has anyone previously submitted an Application to rezone this Property in the last twelve months?

No

Yes (if so, date of previously submitted application: \_\_\_\_\_)

#### PROPERTY INFORMATION

PIN: 0798-00-75-6165 Deed Book/Page: 308/473  
Size of Property (Acres): 2.11

#### REZONING REQUEST

What is the current Zoning District for the Property? Mitchell County  
What is the requested Zoning District for the Property? C-3

#### PROPERTY OWNERS

Provide the following information for all owner(s) for the Property to be changed or affected.

Name: Marc Hagle, CEO Phone: 407-629-2040  
Address: 270 W New England Ave., Winter Park, FL 32789

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_

\*Additional space on Page 2.

Have all Property owners been notified of this rezoning request?  Yes  No

**CERTIFICATION AND SIGNATURE**

I certify that the information shown above is true and accurate.

 CEO

Date: 4/1/20

Applicant's Signature

Print: Marc Hagle, CEO

**Completing the Application does not entitle a rezoning. The Town will timely review the Application pursuant to its zoning ordinances and North Carolina law.**

**\*Additional Property Owner(s):**

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

THIS MAP MAY NOT BE A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS AND HAS NOT BEEN REVIEWED FOR COMPLIANCE WITH RECORDING REQUIREMENTS FOR PLATS

NOTE: This property is not located within 2000 feet of a NCGS horizontal control monument, as shown on geodetic control index map. Therefore, said property is not tied to a NCGS monument as required by G.S. 47-30.

I, James R. Freeland, certify that this plat was drawn under my supervision from (an actual survey made under my supervision) that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, registration number and seal this 12th day of April, 1999.  
*James R. Freeland*  
 James R. Freeland #2836  
 South Carolina, Greenville County

I, Phillip Lee Stoller, a Notary Public of the County and State aforesaid, certify that James R. Freeland, a registered land surveyor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp and seal, this 13th day of April, 1999.  
*Phillip Lee Stoller*  
 Phillip Lee Stoller  
 My Commission Expires: February 2nd., 2006

The foregoing certification of Phillip Lee Stoller, a notary public in and for the State and County designated, is certified to be correct. This \_\_\_\_\_ day of \_\_\_\_\_, A.D., 1998.

Register of Deeds  
 By: \_\_\_\_\_ Deputy  
 Filed for registration of the \_\_\_\_\_ day of \_\_\_\_\_, 1997, at \_\_\_\_\_, and recorded in plat cabinet \_\_\_\_\_ slide \_\_\_\_\_

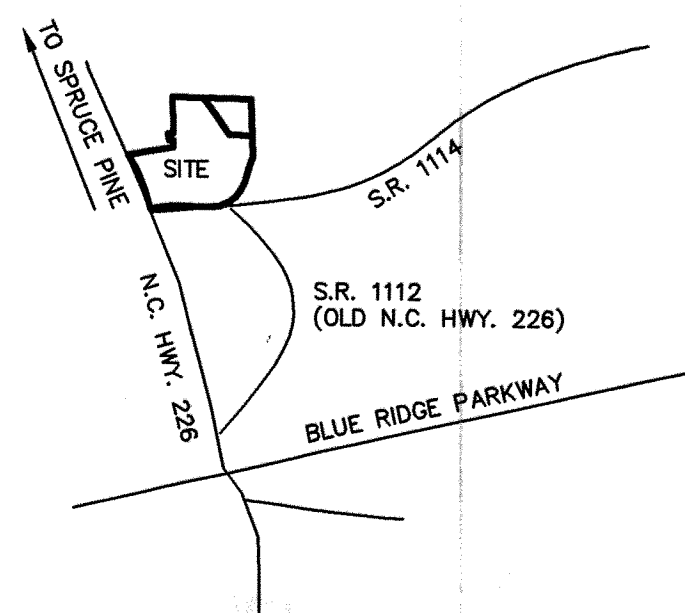
Register of Deeds  
 By: \_\_\_\_\_ Deputy

I, \_\_\_\_\_ Review Officer of \_\_\_\_\_ County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

Review Officer  
 Date \_\_\_\_\_

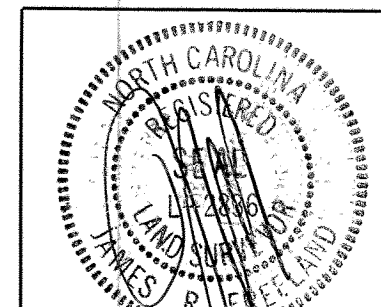
I certify that the survey creates a subdivision of land within the area of a county or municipality that has an ordinance that regulates parcels of land.

Owners Certification:  
 By: \_\_\_\_\_  
 Title: \_\_\_\_\_



LOCATION MAP

TOTAL ACRES  
 1,089,254 SQ.FT.  
 25.006 ACRES



RLS: JAMES R. FREELAND  
 NO: L2836

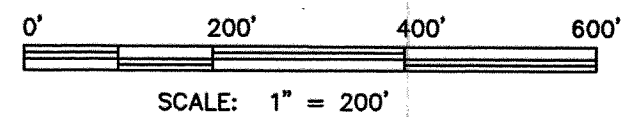
DATE OF LAST REVISION: 4-12-99

STATE OF NORTH CAROLINA  
 MITCHELL COUNTY  
 GRASSY CREEK TOWNSHIP  
 SPRUCE PINE, N.C.

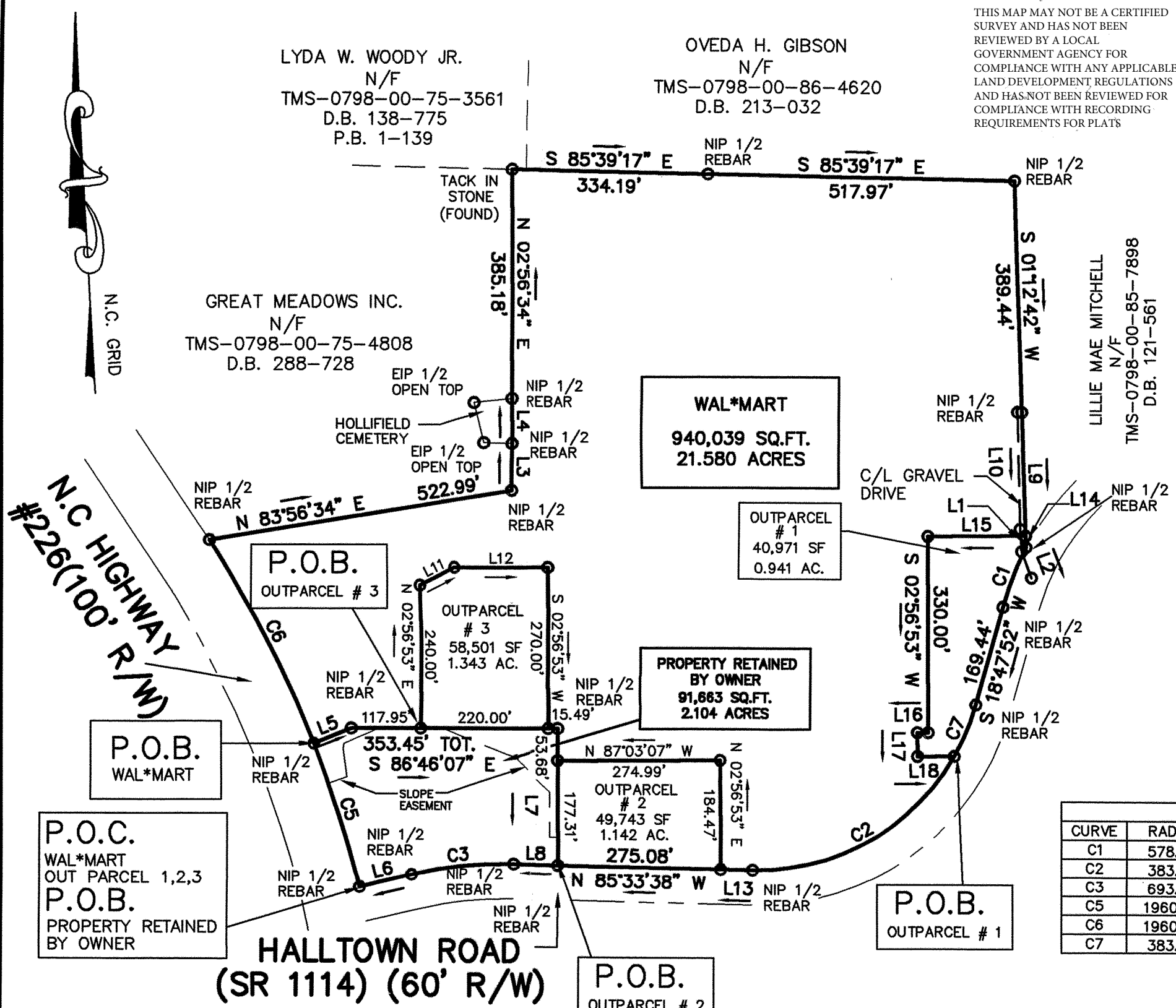
SUBDIVISION PLAT  
 FOR  
 WAL\*MART STORES, INC.



FREELAND & ASSOCIATES, INC.  
 323 WEST STONE AVE.  
 GREENVILLE S.C. 29609  
 TEL. (864) 271-4924 FAX: (864) 233-0315  
 EMAIL: jfreeland@worldnet.att.net



REF. PLAT BOOK:	NONE
REF. DEED BOOK:	174 / 437-439
TAX MAP :	798-00-85-1594; 798-00-75-5352, 6088
DATE OF SURVEY:	6-29-98
DRAWN: BEC	
PARTY CHIEF: RAJ	DRAWING NO. 39491-SU2
CHECKED: RAJ/JCC	1 OF 1



CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	578.08'	108.63'	54.48'	108.47'	S 24°10'53" W	10°46'01"
C2	383.52'	412.24'	228.56'	392.68'	N 63°38'46" E	61°35'12"
C3	693.92'	177.14'	89.05'	176.65'	S 87°07'36" W	14°37'33"
C5	1960.53'	255.97'	128.17'	255.78'	N 14°44'24" W	07°28'50"
C6	1960.53'	386.33'	193.79'	385.70'	N 24°07'32" W	11°17'25"
C7	383.52'	94.08'	47.28'	93.84'	N 25°49'31" E	14°03'17"

LINE	LENGTH	BEARING
L1	38.14'	S 01°13'06" E
L2	47.71'	S 17°32'08" E
L3	79.65'	N 02°56'53" E
L4	76.31'	N 02°56'05" E
L5	69.62'	N 71°18'07" E
L6	91.08'	S 79°48'49" W
L7	230.99'	S 02°56'53" W
L8	76.02'	N 85°33'38" W
L9	209.93'	S 01°12'42" W
L10	198.43'	S 01°46'53" W
L11	66.95'	N 66°36'35" E
L12	160.00'	S 86°46'07" E
L13	53.99'	N 85°33'38" W
L14	19.44'	S 01°12'42" W
L15	165.35'	N 87°03'07" W
L16	18.00'	N 87°03'07" W
L17	40.00'	S 02°56'53" W
L18	61.89'	S 87°03'07" E

PROPERTY RETAINED BY OWNER

Beginning at an iron pin at the common intersection of North Carolina Highway 226 and Halltown Road (State Route 1114); thence along the Eastern right-of-way of North Carolina Highway 226 along a curve to the left having a radius of 1960.53 feet, a length of 255.97 feet, and a chord of N 14-44-24 W for 255.78 feet to a point being the common corner with Wal\*Mart; thence leaving said right-of-way N 71-18-07 E for 69.62 feet to a point; thence S 86-46-07 E for 353.45 feet to a point; thence S 02-56-53 W for 230.99 feet to a point on the Northern right-of-way of Halltown Road (State Route 1114); thence along said right-of-way N 85-33-38 W for 76.02 feet to an iron pin; thence along a curve to the left having a radius of 693.92 feet, a length of 177.14 feet, and a chord of S 87-07-36 W for 176.65 feet to a point; thence S 79-48-49 W for 91.08 feet to an iron pin at the common intersection of North Carolina Highway 226 and Halltown Road (State Route 1114) being the True Point of Beginning. Said tract contains 2.104 acres or 91,663 square feet more or less.

Outparcel # 1

Commencing at an iron pin at the common intersection of North Carolina Highway # 226 and Halltown Road (State Route # 1114) being the True Point of Commencement; thence along the Northern right-of-way of Halltown Road N 79-48-49 E for 90.90 feet to an iron pin; thence along a curve to the right having a radius of 693.92 feet, a length of 177.32 feet, and a chord of N 87-07-08 E for 176.84 feet to an iron pin; thence S 85-33-38 E for 405.09 feet to an iron pin; thence along a curve to the left having a radius of 383.52 feet, a length of 412.24 feet and a chord of N 63-38-46 E for 392.68 feet to a point being the True Point of Beginning; thence along the common line with Wal\*Mart Stores, Inc. N 87-03-07 W for 61.89 feet to a point; thence N 02-56-53 E for 40.00 feet to a point; thence S 87-03-07 E for 18.00 feet to a point; thence along the common line with Lillie Mae Mitchell (Deed Book 121-561) S 01-12-42 W for 19.44 feet to an iron pin on the northern right-of-way of Halltown Road; thence along said right-of-way along a curve to the left having a radius of 578.08 feet, a length of 108.63 feet, and a chord of S 24-10-53 W for 108.47 feet to an iron pin; thence S 18-47-52 W for 169.44 feet to an iron pin; thence along a curve to the right having a radius of 383.52 feet, a length of 94.08 feet, and a chord of S 25-49-31 W for 93.84 feet to a point being the True Point of Beginning. Said tract contains 0.941 acres (40,971 S.F.).

Outparcel # 2

Commencing at an iron pin at the common intersection of North Carolina Highway # 226 and Halltown Road (State Route 1114) being the True Point of Commencement; thence along the northern right-of-way of Halltown Road N 79-48-49 E for 90.90 feet to an iron pin; thence along a curve to the right having a radius of 693.92 feet a length of 177.32 feet, and a chord of N 87-07-08 E for 176.84 feet to an iron pin; thence S 85-33-38 E for 76.02 feet to a point being the True Point of Beginning; thence along the common line with the outparcel retained by owner N 02-56-53 E for 177.31 feet to a point; thence along the common line with Wal\*Mart Stores, Inc. S 87-03-07 E for 274.99 feet to a point; thence S 02-56-53 W for 184.47 feet to a point on the Northern right-of-way of Halltown Road; thence along said right-of-way N 85-33-38 W for 275.08 feet to a point being the True Point of Beginning. Said tract contains 1.142 acres (49,743 S.F.).

Outparcel # 3

Commencing at an iron pin at the common intersection of North Carolina Highway # 226 and Halltown Road (State Route 1114) being the True Point of Commencement; thence along the eastern right-of-way of North Carolina Highway # 226 along a curve to the left having a radius of 1960.53 feet, a length of 255.97 feet, and a chord of N 14-44-24 W for 255.78 feet to a point; thence along the common line with Wal\*Mart Stores, Inc. and outparcel retained by owner N 71-18-07 E for 69.62 feet to a point; thence S 86-46-07 E for 117.95 feet to a point being the True Point of Beginning; thence continuing with the common line of Wal\*Mart Stores, Inc. N 02-56-53 E for 240.00 feet to a point; thence N 86-36-35 E for 66.95 feet to a point; thence S 86-46-07 E for 160.00 feet to a point; thence S 02-56-53 W for 270.00 feet to a point; thence along the common line with the parcel retained by owner N 86-46-07 W for 220.00 feet to a point being the True Point of Beginning. Said tract contains 1.343 acres (58,501 S.F.).

TOTAL TRACT

Commencing at an iron pin at the common intersection of North Carolina Highway 226 and Halltown Road (State Route 1114) being the True Point of Commencement; thence along the Eastern right-of-way of North Carolina Highway 226 along a curve to the left having a radius of 1960.53 feet, a length of 255.97 feet, and a chord of N 14-44-24 W for 255.78 feet to a point being the True Point of Beginning; thence along a curve to the left having a radius of 1960.53 feet, a length of 386.33 feet, and a chord of N 24-07-32 W for 385.70 feet to an iron pin; thence leaving said right-of-way along the common line with Great Meadows Inc. (Deed Book 288-728) N 83-56-34 E for 522.99 feet to an iron pin; thence N 02-56-53 E for 79.65 feet to an iron pin being the common corner with Hollifield Cemetery; thence N 02-56-05 E for 76.31 feet to an iron pin being the common corner with Great Meadows Inc. (Deed Book 288-728); thence N 02-56-34 E for 385.18 feet to a tack in a stone being the common corner with Lyda W. Woody Jr. (Deed Book 138-775); thence along the common line with Oveda H. Gibson (Deed Book 213-032) and Lyda W. Woody Jr. (Deed Book 138-775) S 85-39-17 E for 852.16 feet to an iron pin being the common corner with Lillie Mae Mitchell (Deed Book 121-561) S 01-12-42 W for 618.81 feet to an iron pin on the Northern right-of-way of Halltown Road (State Route 1114); thence along said right-of-way along a curve to the left having a radius of 578.08 feet, a length of 108.63 feet, and a chord of S 24-10-53 W for 108.47 feet to an iron pin; thence S 18-47-52 W for 169.44 feet to an iron pin; thence along a curve to the right having a radius of 383.52 feet, a length of 506.32 feet, and a chord of S 56-37-07 W for 470.35 feet to an iron pin; thence N 85-33-38 W for 329.07 feet to a point being the common corner with the property retained by owner; thence leaving said right-of-way N 02-56-53 E for 230.99 feet to a point; thence N 86-46-07 W for 353.45 feet to a point; thence S 71-18-07 W for 69.62 feet to a point on the Eastern right-of-way of North Carolina Highway 226 being the True Point of Beginning. Said tract contains 25.006 acres or 1,089,254 square feet more or less.

WAL\*MART TRACT

Commencing at an iron pin located at the intersection of the eastern right-of-way of NC Hwy. 226 and the northern right-of-way of Halltown Road; thence along the eastern right-of-way of NC Hwy. 226, along a curve to the left having a radius of 1960.53 feet an arc length of 255.97 feet and a chord bearing and distance of N 14-44-24 W for 255.78 feet to an iron pin, said pin being the True Point of Beginning. Thence continuing along said right-of-way, along a curve to the left having a radius of 1960.53 feet, an arc length of 386.33 feet and a chord bearing and distance of N 24-07-32 W for 385.70 feet to an iron pin; thence along the common line of Great Meadows, Inc., N 83-56-34 E for 522.99 feet to an iron pin; thence N 02-56-53 E for 79.65 feet to an iron pin; thence along the common line with Hollifield Cemetery, N 02-56-05 E for 76.31 feet to an iron pin; thence along the common line of Great Meadows Inc., N 02-56-34 E for 385.18 feet to an iron pin; thence along the common line of Woody and Gibson, S 85-39-17 E for 334.19 feet to an iron pin; thence S 85-39-17 E for 517.97 feet to an iron pin; thence along the common line of Mitchell, S 01-12-42 W for 599.37 feet to an iron pin; thence along the common line of Outparcel 1, N 87-03-07 W for 165.35 feet to a point; thence S 02-56-53 W for 330.00 feet to a point; thence N 87-03-07 W for 18.00 feet to a point; thence S 02-56-53 W for 40.00 feet to a point; thence S 87-03-07 E for 61.89 feet to a point located on the southeastern right-of-way of Halltown Road; thence along said right-of-way along a curve to the right, having a radius of 383.52 feet, an arc length of 412.24 feet and a chord bearing and distance of S 63-38-46 W for 392.68 feet to an iron pin; thence N 85-33-38 W for 53.99 feet to a point; thence along the common line of Outparcel 2, N 02-56-53 E for 184.47 feet to a point; thence N 87-03-07 W for 274.99 feet to a point; thence along the common line of the property retained by owner N 02-56-53 E for 53.68 feet to an iron pin; thence N 86-46-07 W for 15.49 feet to a point; thence along the common line of Outparcel 3, N 02-56-53 E for 270.00 feet to a point; thence N 86-46-07 W for 160.00 feet to a point; thence S 66-36-35 W for 66.95 feet to a point; thence S 02-56-53 W for 240.00 feet to a point; thence along the common line of the property retained by owner; N 86-46-07 W for 117.95 feet to an iron pin; thence S 71-18-07 W for 69.62 feet to the Point of Beginning. Said tract contains 21.580 Acres, or 940,039 Sq. Ft., more or less.

**TOWN OF SPRUCE PINE  
ORDINANCE #2026.003**

**ORDINANCE TO VOLUNTARILY ANNEX NON-CONTIGUOUS PROPERTY INTO  
THE TOWN OF SPRUCE PINE AND AMEND  
THE ZONING MAP FOR INITIAL ZONING DESIGNATION**

**NOW COMES** the Town of Spruce Pine (“Town”), at a duly called meeting of its Council on May 11, 2026 with a quorum established, and hereby considers this Ordinance to Voluntarily Annex Non-Contiguous Property into the Town of Spruce Pine and Amend the Zoning Map for Initial Zoning Designation.

**WHEREAS**, on or about April 1, 2026, the Property’s owner, North Carolina Limited Partnership (“Owner”), presented a signed Petition for Voluntary Annexation (“Petition”) and a Zoning Map Amendment Application (“Application”) to the Town for the real property described in Book 308 Page 473, PIN #0798-00-75-6165 (the “Property”);

**WHEREAS**, the metes and bounds description of the Property is attached as Exhibit A and an unrecord plat showing the Property is attached as Exhibit B;

**WHEREAS**, on review, the Town Clerk certified the following:

- A. The nearest point on the proposed satellite corporate limits for the Property is no more than three (3) miles from the Town’s primary corporate limits;
- B. No point on the proposed satellite corporate limits for the Property is closer to the primary corporate limits of any municipality other than the Town;
- C. The proposed satellite area for the Property is so situated that the Town will be able to provide the same services as are provided within the Town’s primary corporate limits;
- D. To the extent that the proposed satellite area for the Property contains any portion of a subdivision, all other tracts within the entire subdivision are included with the satellite corporate limits (or are presently being considered for inclusion within the satellite corporate limits contemporaneously with this Petition); and
- E. The Property within the proposed satellite corporate limits, when added to the area within all other corporate limits of the Town, does not exceed ten percent (10%) of the area within the Town’s primary corporate limits;

**WHEREAS**, in the Application, the Owner requested the initial zoning designation for the Property to be C-3 – Highway Business District;

**WHEREAS**, pursuant to N.C.G.S. § 160D-604(b) and Article IV, Section 41 of the Town’s Zoning Ordinance, the Town’s Planning Board (“Board”) met on April 28, 2026 and

reviewed and discussed the Owner's Application. The Board voted unanimously to recommend approving the Application to initially zone the Property as C-3 – Business Highway District and prepared its written recommendation for the Council;

**WHEREAS**, pursuant to N.C.G.S. §§ 160A-58.2, -160D-601(a) and Article IV, Section 42 of the Town's Zoning Ordinance, on April 29, 2026 and May 6, 2026, the Town caused to be posted the notice of the legislative hearing concerning the Petition and Application in the Mitchell News-Journal;

**WHEREAS**, pursuant to N.C.G.S. § 160D-602(a), on April 23, 2026, the Town caused to be mail, by certified mail, a notice of the legislative hearing concerning the Property's proposed initial zoning, said notice being mailed to the Owner of the Property and the owners of all parcels of land abutting the Property;

**WHEREAS**, pursuant to N.C.G.S. § 160D-602(c), on April 24, 2026, the Town prominently posted a notice of the legislative hearing concerning the Property's proposed initial zoning on the Property or on an adjacent public street or highway right-of-way;

**WHEREAS**, pursuant to N.C.G.S. §§ 160A-58.2, -81, -160D-601(a) and Article IV, Section 42 of the Town's Zoning Ordinance, on May 11, 2026, the Town held a legislative hearing with respect to the Petition and Application; and

**WHEREAS**, prior to its decision, the Council was presented a copy of the Town's 2023 Comprehensive Land Use Plan ("Plan") for its review and consideration.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS AS TO THE PETITON:**

1. That the Council hereby finds and determines:
  - A. That the Property described in the Petition meets all the standards set forth in N.C.G.S. § 160A-58.1;
  - B. That the Petition bears the signature of all the owners of the Property proposed for annexation;
  - C. The Petition is otherwise valid; and
  - D. The public health, safety and welfare of the inhabitants of the Town and of the area proposed for annexation will be best served by the annexation;
2. That, having made its findings and determinations, the Petition is hereby approved by a vote of the Council of \_\_\_\_\_, and the Property is hereby annexed into the Town and shall be effective as of the date when this Ordinance is executed by the Mayor Pro Tempore;
3. That, from and after the effective date of this Ordinance, the Property and its owners shall be subject to all the Town's debts, laws, ordinances and regulations in force

and shall be entitled to the same privileges and benefits as other parts of the Town. Real and personal property in the newly annexed Property shall be subject to municipal taxes as provided in N.C.G.S. § 160A-58.10; and

4. That this Ordinance shall be recorded in the Mitchell County Registry and shall be filed with the North Carolina Secretary of State and the Boundary and Annexation Survey of the United States Bureau of the Census.

**BE IT FURTHER RESOLVED AS FOLLOWS AS TO THE APPLICATION:**

1. Plan Consistency Statement. Pursuant to N.C.G.S. § 160D-602(a), having reviewed the Board's written recommendation and the Plan, the Application for the Property [is] [is not] inconsistent with the Plan;
2. Statement of Reasonableness. Pursuant to N.C.G.S. § 160D-602(a), \_\_\_\_\_;
3. That the Application is hereby approved and the Town of Spruce Pine Zoning Map is hereby amended to initially zone the Property C-3 – Highway Business District.

**BE IT FURTHER RESOLVED** that the Mayor Pro Tempore is authorized to execute this Ordinance, subject to revision by Legal Counsel, and this Ordinance shall be effective as of the date of the Mayor Pro Tempore's signature.

THIS the 11<sup>th</sup> day of May 2026.

**TOWN OF SPRUCE PINE**

\_\_\_\_\_  
Rocky Buchanan  
Mayor Pro Tempore  
Effective Date: \_\_\_\_\_

Attest: \_\_\_\_\_  
Martha Hoilman  
Town Clerk

## EXHIBIT A

BEING located in Grassy Creek Township, Mitchell County, North Carolina, and being more particularly described as follows:

Beginning at an iron pin at the common intersection of North Carolina Highway 226 and Halltown Road (State Route 1114); thence along the Eastern right-of-way of North Carolina 226 along a curve to the left having a radius of 1960.53 feet, a length of 255.97 feet, and a chord of N 14-44-24 W for 255.78 feet to a point being the common corner with Walmart; thence leaving said right-of-way N 71-18-07 E for 69.62 feet to a point; thence S 86-48-07 E for 353.45 feet to a point; thence S 02-56-53 W for 230.99 feet to a point on the Northern right-of-way of Halltown Road (State Route 1114); thence along said right-of-way N 85-33-38 W for 76.02 feet to an iron pin; thence along a curve to the left having a radius of 693.92 feet, a length of 177.14 feet, and a chord of S 87-07-36 W for 176.65 feet to a point; Highway 226 and Halltown Road (State Route 1114) being the True Point of Beginning. Said tract contains 2.104 acres or 91,663 square feet more or less.

All as shown on Subdivision Plat for Wal-Mart Stores. Inc., prepared by Freeland & Associates, Inc., dated June 29, 1998, as last revised April 12, 1999.

**EXHIBIT B**

DRAFT



## ZONING MAP AMENDMENT APPLICATION

Town of Spruce Pine  
P.O. Box 189  
11050 S. 226 HWY  
Spruce Pine, NC 28777

### GENERAL INFORMATION

#### APPLICANT INFORMATION

Note: Pursuant to Article IV, Section 41 of the Town's Zoning Ordinance, the Applicant must be the Town Council, the Planning Board, the Board of Adjustment or one or more owners of the Property within the area proposed to be changed or affected by the map amendment.

Name: Roger & Nancy Burluson  
Address: 600 Greenwood Dr, Spruce Pine, NC 28777

Has anyone previously submitted an Application to rezone this Property in the last twelve months?

No

Yes (if so, date of previously submitted application: \_\_\_\_\_)

#### PROPERTY INFORMATION

PIN: 0880-19-72-4081 Deed Book/Page: 422 601  
Size of Property (Acres): 15.02

#### REZONING REQUEST

What is the current Zoning District for the Property? R-1  
What is the requested Zoning District for the Property? C-2

#### PROPERTY OWNERS

Provide the following information for all owner(s) for the Property to be changed or affected.

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_

\*Additional space on Page 2.

Have all Property owners been notified of this rezoning request?  Yes  No

**CERTIFICATION AND SIGNATURE**

I certify that the information shown above is true and accurate.

*Nancy W. Burleson*  
Applicant's Signature

Date: 4/20/2026

Print: NANCY W. BURLESON

*Roger Burleson*

**Completing the Application does not entitle a rezoning. The Town will timely review the Application pursuant to its zoning ordinances and North Carolina law.**

**\*Additional Property Owner(s):**

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_



## ZONING MAP AMENDMENT APPLICATION

Town of Spruce Pine  
P.O. Box 189  
11050 S. 226 HWY  
Spruce Pine, NC 28777

### GENERAL INFORMATION

#### APPLICANT INFORMATION

Note: Pursuant to Article IV, Section 41 of the Town's Zoning Ordinance, the Applicant must be the Town Council, the Planning Board, the Board of Adjustment or one or more owners of the Property within the area proposed to be changed or affected by the map amendment.

Name: Roger & Nancy Burleson  
Address: 598 Watson Dr Road, Spruce Pine, NC 28777

Has anyone previously submitted an Application to rezone this Property in the last twelve months?

No

Yes (if so, date of previously submitted application: \_\_\_\_\_)

#### PROPERTY INFORMATION

PIN: 0880-20-72-5350 Deed Book/Page: 150 462  
Size of Property (Acres): 1.0

#### REZONING REQUEST

What is the current Zoning District for the Property? R-1  
What is the requested Zoning District for the Property? C-2

#### PROPERTY OWNERS

Provide the following information for all owner(s) for the Property to be changed or affected.

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_

\*Additional space on Page 2.

Have all Property owners been notified of this rezoning request?  Yes  No

**CERTIFICATION AND SIGNATURE**

I certify that the information shown above is true and accurate.

*Roger Burlington*  
*Nancy W. Burlington*  
Applicant's Signature  
Print: *NANCY W. BURLINSON*  
*Roger Burlington*

Date: *4/20/2026*

Completing the Application does not entitle a rezoning. The Town will timely review the Application pursuant to its zoning ordinances and North Carolina law.

**\*Additional Property Owner(s):**

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_



## ZONING MAP AMENDMENT APPLICATION

Town of Spruce Pine  
P.O. Box 189  
11050 S. 226 HWY  
Spruce Pine, NC 28777

### GENERAL INFORMATION

#### APPLICANT INFORMATION

Note: Pursuant to Article IV, Section 41 of the Town's Zoning Ordinance, the Applicant must be the Town Council, the Planning Board, the Board of Adjustment or one or more owners of the Property within the area proposed to be changed or affected by the map amendment.

Name: Gregory & Meredith Hoilman  
Address: 175 Watson Dr, Spruce Pine, NC 28777

Has anyone previously submitted an Application to rezone this Property in the last twelve months?

No

Yes (if so, date of previously submitted application: \_\_\_\_\_)

#### PROPERTY INFORMATION

PIN: 0880-16-72-5147 Deed Book/Page: 431 245  
Size of Property (Acres): 0.95

#### REZONING REQUEST

What is the current Zoning District for the Property? R-1  
What is the requested Zoning District for the Property? C-2

#### PROPERTY OWNERS

Provide the following information for all owner(s) for the Property to be changed or affected.

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_

\*Additional space on Page 2.

Have all Property owners been notified of this rezoning request?  Yes  No

**CERTIFICATION AND SIGNATURE**

I certify that the information shown above is true and accurate.

*G. W. Hoffman* *Meredith B. Wilman* Date: 4/20/20  
Applicant's Signature  
Print: GREGORY W. HOFFMAN Meredith B. Wilman

**Completing the Application does not entitle a rezoning. The Town will timely review the Application pursuant to its zoning ordinances and North Carolina law.**

**\*Additional Property Owner(s):**

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_



## ZONING MAP AMENDMENT APPLICATION

Town of Spruce Pine  
P.O. Box 189  
11050 S. 226 HWY  
Spruce Pine, NC 28777

### GENERAL INFORMATION

#### APPLICANT INFORMATION

Note: Pursuant to Article IV, Section 41 of the Town's Zoning Ordinance, the Applicant must be the Town Council, the Planning Board, the Board of Adjustment or one or more owners of the Property within the area proposed to be changed or affected by the map amendment.

Name: Jennifer Gregory  
Address: 101 Watson Dr, Spruce Pine, NC 28777

Has anyone previously submitted an Application to rezone this Property in the last twelve months?

No

Yes (if so, date of previously submitted application: \_\_\_\_\_)

#### PROPERTY INFORMATION

PIN: 0880-19-71-7672 Deed Book/Page: 605 745  
Size of Property (Acres): 1.34

#### REZONING REQUEST

What is the current Zoning District for the Property? R-1  
What is the requested Zoning District for the Property? C-2

#### PROPERTY OWNERS

Provide the following information for all owner(s) for the Property to be changed or affected.

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_

\*Additional space on Page 2.

Have all Property owners been notified of this rezoning request?  Yes  No

CERTIFICATION AND SIGNATURE	
I certify that the information shown above is true and accurate.	
<i>Jennifer B. Gregory</i> Applicant's Signature	Date: <u>4/20/2026</u>
Print: <u>Jennifer B. Gregory</u>	

**Completing the Application does not entitle a rezoning. The Town will timely review the Application pursuant to its zoning ordinances and North Carolina law.**

**\*Additional Property Owner(s):**

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

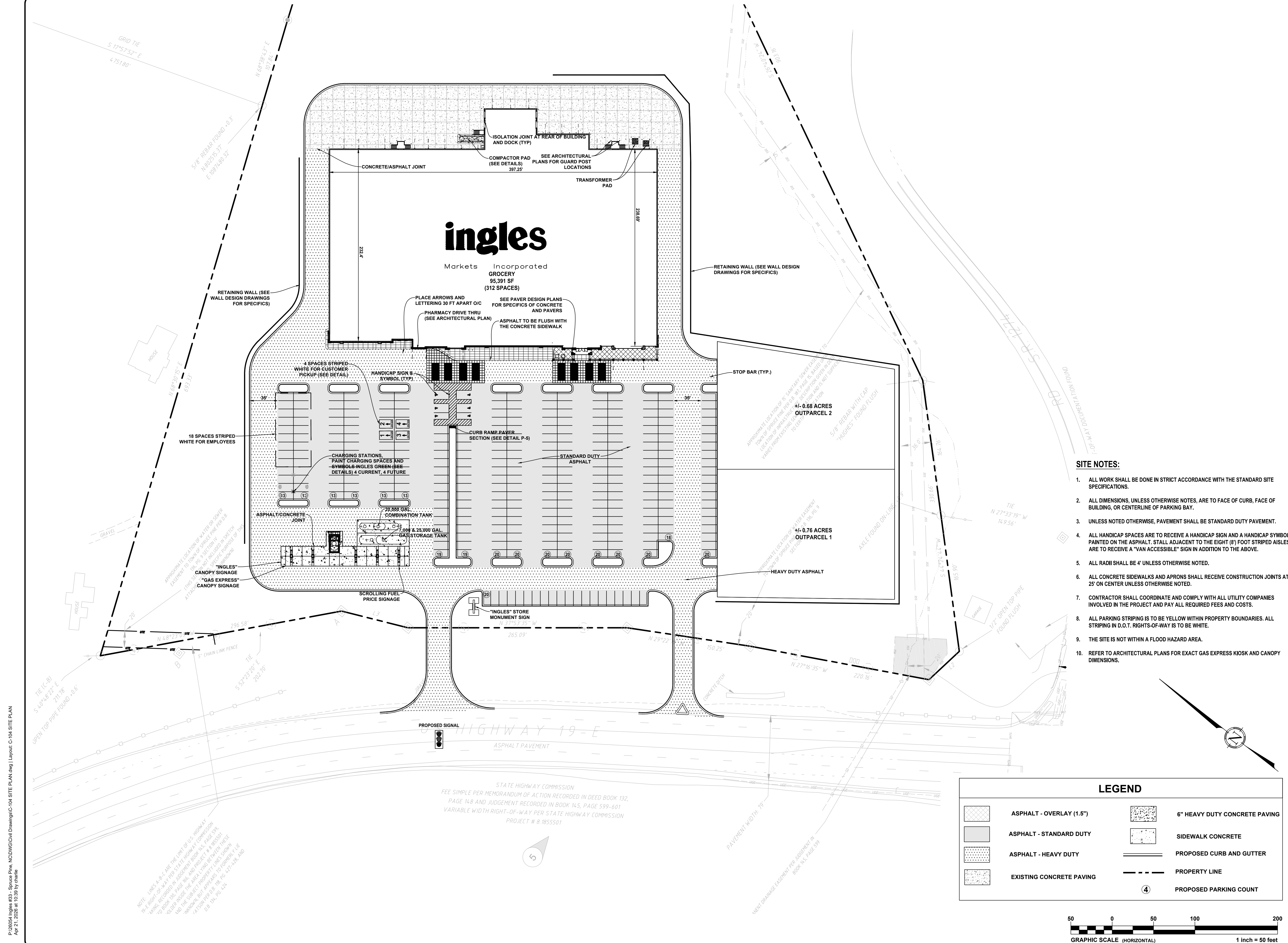
Address: \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_



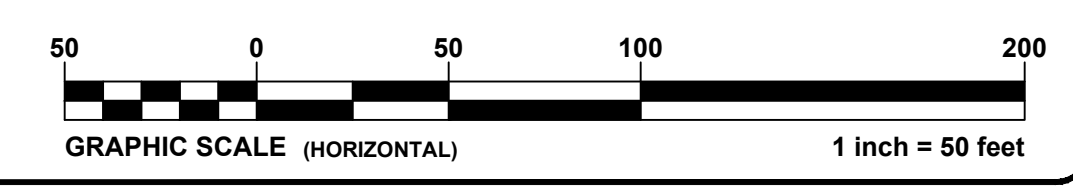
P:\05064\Hydra\_#33\_Spruce Pine, NCDWG\Civil Drawings\C-104 SITE PLAN.dwg | Layout: C-104 SITE PLAN  
 Apr 21, 2025 at 10:39 by aballe

NOTE: LINES A & B-C ARE THE LIMIT OF U.S. HIGHWAY  
 R-4 RIGHT-OF-WAY PER STATE HIGHWAY COMMISSION  
 RECORD DRAWING NO. 100 PAGE 86A AND PROJECT # 8185501  
 TO BE MAINTAINED BY THE STATE OF NORTH CAROLINA  
 AND THE SUBJECT PROPERTY LINES SHOWN  
 HEREON ARE NOT TO BE CONSIDERED AS A  
 BASIS FOR A CLAIM OF EASEMENT OR  
 EJECTMENT PER U.S. HIGHWAY ACT, 23 U.S.C. 101, 102

STATE HIGHWAY COMMISSION  
 FEE SIMPLE PER MEMORANDUM OF ACTION RECORDED IN DEED BOOK 132,  
 PAGE 148 AND JUDGEMENT RECORDED IN BOOK 145, PAGE 599-601  
 VARIABLE WIDTH RIGHT-OF-WAY PER STATE HIGHWAY COMMISSION  
 PROJECT # 8185501

- SITE NOTES:**
1. ALL WORK SHALL BE DONE IN STRICT ACCORDANCE WITH THE STANDARD SITE SPECIFICATIONS.
  2. ALL DIMENSIONS, UNLESS OTHERWISE NOTES, ARE TO FACE OF CURB, FACE OF BUILDING, OR CENTERLINE OF PARKING BAY.
  3. UNLESS NOTED OTHERWISE, PAVEMENT SHALL BE STANDARD DUTY PAVEMENT.
  4. ALL HANDICAP SPACES ARE TO RECEIVE A HANDICAP SIGN AND A HANDICAP SYMBOL PAINTED ON THE ASPHALT. STALL ADJACENT TO THE EIGHT (8) FOOT STRIPED AISLES ARE TO RECEIVE A "VAN ACCESSIBLE" SIGN IN ADDITION TO THE ABOVE.
  5. ALL RADII SHALL BE 4' UNLESS OTHERWISE NOTED.
  6. ALL CONCRETE SIDEWALKS AND APRONS SHALL RECEIVE CONSTRUCTION JOINTS AT 25' ON CENTER UNLESS OTHERWISE NOTED.
  7. CONTRACTOR SHALL COORDINATE AND COMPLY WITH ALL UTILITY COMPANIES INVOLVED IN THE PROJECT AND PAY ALL REQUIRED FEES AND COSTS.
  8. ALL PARKING STRIPING IS TO BE YELLOW WITHIN PROPERTY BOUNDARIES. ALL STRIPING IN D.O.T. RIGHTS-OF-WAY IS TO BE WHITE.
  9. THE SITE IS NOT WITHIN A FLOOD HAZARD AREA.
  10. REFER TO ARCHITECTURAL PLANS FOR EXACT GAS EXPRESS KIOSK AND CANOPY DIMENSIONS.

LEGEND			
	ASPHALT - OVERLAY (1.5")		6" HEAVY DUTY CONCRETE PAVING
	ASPHALT - STANDARD DUTY		SIDEWALK CONCRETE
	ASPHALT - HEAVY DUTY		PROPOSED CURB AND GUTTER
	EXISTING CONCRETE PAVING		PROPERTY LINE
			PROPOSED PARKING COUNT



REVISIONS:			
NO.	DATE	DESCRIPTION	BY

SEAL:

CORPORATE SEAL:



LAND PLANNING ASSOCIATES  
 A Division of Civil Design Concepts, P.A.  
 110 WEST 1ST AVENUE - SUITE A  
 EASLEY, SC 29640  
 864.242.6072

**ingles**  
Markets Incorporated

**STORE #33**  
SPRUCE PINE  
NORTH CAROLINA

**PROPERTY INFORMATION:**

TAX MAP NUMBER:

REFERENCE D.B. & PG:

ADDITIONAL INFO:

**ISSUE FOR CONSTRUCTION:**

PERMIT DATE:

BID DATE:

DRAWN BY: PCB  
 DESIGN BY: SLC  
 CHECKED BY: PMR  
 DATE: 4/30/26  
 SCALE: HORIZ. 1"=50' VERT.  
 JOB NUMBER: 26054

**SITE PLAN**

**C-104**

INGLES #33  
SPRUCE PINE  
NORTH CAROLINA

PRELIMINARY  
 NOT FOR CONSTRUCTION

**TOWN OF SPRUCE PINE  
ORDINANCE #2026.004**

**ORDINANCE TO AMEND THE TOWN OF SPRUCE PINE’S ZONING  
MAP REGARDING THE REAL PROPERTY LOCATED AT DB 431  
P 245 MITCHELL COUNTY REGISTRY**

**NOW COMES** the Town of Spruce Pine (“Town”), at a duly called meeting of its Council on May 11, 2026, with a quorum established, and hereby considers this Ordinance to Amend the Town of Spruce Pine’s Zoning Map regarding the real property located at DB 431 P 245, Mitchell County Registry, PIN #0880-16-72-5147 (“Property”), and being more specifically described in Exhibit A.

**WHEREAS**, on April 20, 2026, the Property’s owners, Gregory and Meredith Hoilman (“Owner”), presented a signed Zoning Map Amendment Application (“Application”) to the Town

**WHEREAS**, the Property is currently zoned as R-1 Residential and the Owner desires that the Property be rezoned as C-2 Neighborhood Shopping District;

**WHEREAS**, pursuant to N.C.G.S. § 160D-604(b) and Article IV, Section 41 of the Town’s Zoning Ordinance, the Town’s Planning Board (“Board”) met on April 28, 2026 and reviewed and discussed the Owner’s request. The Board voted unanimously to recommend approving the Application to rezone the Property from R-1 Residential to C-2 Neighborhood Shopping District and prepared its written recommendation for the Council’s consideration;

**WHEREAS**, pursuant to N.C.G.S. § 160D-601(a) and Article IV, Section 42 of the Town’s Zoning Ordinance, on April 29, 2026 and May 6, 2026, the Town caused to be posted the notice of the legislative hearing concerning the Property’s proposed rezoning in the Mitchell News-Journal;

**WHEREAS**, pursuant to N.C.G.S. § 160D-602(a), on April 23, 2026, the Town caused to be mail, by certified mail, a notice of the legislative hearing concerning the Property’s proposed rezoning, said notice being mailed to the Owner of the Property and the owners of all parcels of land abutting the Property;

**WHEREAS**, pursuant to N.C.G.S. § 160D-602(c), on April 24, 2026, the Town prominently posted a notice of the legislative hearing concerning the Property’s proposed rezoning on the Property or on an adjacent public street or highway right-of-way;

**WHEREAS**, pursuant to N.C.G.S. §§ 160A-81, -160D-601(a) and Article IV, Section 42 of the Town’s Zoning Ordinance, on May 11, 2026, the Town held a legislative hearing with respect to the Property’s proposed rezoning; and

**WHEREAS**, prior to its decision, the Council was presented a copy of the Town’s 2023 Comprehensive Land Use Plan (“Plan”) for its review and consideration.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. Plan Consistency Statement. Pursuant to N.C.G.S. § 160D-602(a), having reviewed the Board's written recommendation and the Plan, the Application for the Property [is] [is not] inconsistent with the Plan;
2. Statement of Reasonableness. Pursuant to N.C.G.S. § 160D-602(a), \_\_\_\_\_;

Option 3(A)

3. That the Application is hereby approved and the Town of Spruce Pine Zoning Map is hereby amended to change the zoning classification of the Property from R-1 Residential to C-2 Neighborhood Shopping District; and

OR

Option 3(B)

3. That the Application is hereby denied.
4. That the Mayor Pro Tempore is authorized to execute this Ordinance, subject to revision by Legal Counsel, and this Ordinance shall be effective as of the date of the Mayor Pro Tempore's signature.

THIS the 11<sup>th</sup> day of May 2026.

**TOWN OF SPRUCE PINE**

\_\_\_\_\_  
Rocky Buchanan  
Mayor Pro Tempore  
Effective Date: \_\_\_\_\_

Attest:

\_\_\_\_\_  
Martha Hoilman  
Town Clerk

## EXHIBIT A

BEGINNING on a 30" White Oak snag, the Northern comer of the Robert Stroup tract ( see Deed Book 131, Page 61 7, Mitchell County Registry) and a comer to another tract of Robert P. Stroup (see Deed Book 158, Page 48, Mitchell County Registry); thence run-ning North 73° 04' 18" West 228.52 feet to an iron pin set in the Northern margin of a 20 foot wide right of way; thence leaving said right of way and running North 28° 16' 55" East 172.05 feet to an existing iron pin, the Southwest comer of the David Greene tract (see Deed Book 141, Page 615, Mitchell County Registry); thence running with the Southern boundary of the David Greene tract, North 71 ° 00' 00" East 25.00 feet to an iron pin, the Southwest comer of those lands of John and Brenda Pitman (see Deed Book 156, Page 274, Mitchell County Registry); thence running with the Southern boundary of the Pitman tract, North 69° 53' 30" East 149.21 feet to an iron pin in the Western bound-ary of the Robert P. Stroup tract (see Deed Book 158, Page 48, Mitchell County Regis-try); thence running with the Western boundary of said Stroup tract, South 05° 29' 11" West 278.76 feet to the point of BEGINNING, containing 0.95 acres as shown on a sur-vey plat prepared by William E. Arrowood, PLS, L-1510 on 17 January 2006 with draw-ing number 06-M-01-106.

THERE IS ALSO CONVEYED HEREWITH a perpetual, non-exclusive, appurtenant easement and right of way approximately 20 feet in width along the existing private road leading from the lands described hereinabove to the paved driveway of the Grantors and along said paved driveway out to Greenwood Road (old US Hwy. 19-E) for purposes of ingress, egress and regress to and from the above described tract.

**TOWN OF SPRUCE PINE  
ORDINANCE #2026.005**

**ORDINANCE TO AMEND THE TOWN OF SPRUCE PINE'S ZONING  
MAP REGARDING THE REAL PROPERTY LOCATED AT DB 150  
P 462 MITCHELL COUNTY REGISTRY**

**NOW COMES** the Town of Spruce Pine ("Town"), at a duly called meeting of its Council on May 11, 2026 with a quorum established, hereby considers this Ordinance to Amend the Town of Spruce Pine's Zoning Map regarding the real property located at DB 150 P 462, Mitchell County Registry, PIN #0880-20-72-5350 ("Property"), and being more specifically described in Exhibit A.

**WHEREAS**, on April 20, 2026, the Property's owners, Roger and Nancy Burleson ("Owner"), presented a signed Zoning Map Amendment Application ("Application") to the Town

**WHEREAS**, the Property is currently zoned as R-1 Residential and the Owner desires that the Property be rezoned as C-2 Neighborhood Shopping District;

**WHEREAS**, pursuant to N.C.G.S. § 160D-604(b) and Article IV, Section 41 of the Town's Zoning Ordinance, the Town's Planning Board ("Board") met on April 28, 2026 and reviewed and discussed the Owner's request. The Board voted unanimously to recommend approving the Application to rezone the Property from R-1 Residential to C-2 Neighborhood Shopping District and prepared its written recommendation for the Council's consideration;

**WHEREAS**, pursuant to N.C.G.S. § 160D-601(a) and Article IV, Section 42 of the Town's Zoning Ordinance, on April 29, 2026 and May 6, 2026, the Town caused to be posted the notice of the legislative hearing concerning the Property's proposed rezoning in the Mitchell News-Journal;

**WHEREAS**, pursuant to N.C.G.S. § 160D-602(a), on April 23, 2026, the Town caused to be mail, by certified mail, a notice of the legislative hearing concerning the Property's proposed rezoning, said notice being mailed to the Owner of the Property and the owners of all parcels of land abutting the Property;

**WHEREAS**, pursuant to N.C.G.S. § 160D-602(c), on April 24, 2026, the Town prominently posted a notice of the legislative hearing concerning the Property's proposed rezoning on the Property or on an adjacent public street or highway right-of-way;

**WHEREAS**, pursuant to N.C.G.S. §§ 160A-81, -160D-601(a) and Article IV, Section 42 of the Town's Zoning Ordinance, on May 11, 2026, the Town held a legislative hearing with respect to the Property's proposed rezoning; and

**WHEREAS**, prior to its decision, the Council was presented a copy of the Town's 2023 Comprehensive Land Use Plan ("Plan") for its review and consideration.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. Plan Consistency Statement. Pursuant to N.C.G.S. § 160D-602(a), having reviewed the Board's written recommendation and the Plan, the Application for the Property [is] [is not] inconsistent with the Plan;
2. Statement of Reasonableness. Pursuant to N.C.G.S. § 160D-602(a), \_\_\_\_\_;

Option 3(A)

3. That the Application is hereby approved and the Town of Spruce Pine Zoning Map is hereby amended to change the zoning classification of the Property from R-1 Residential to C-2 Neighborhood Shopping District; and

OR

Option 3(B)

3. That the Application is hereby denied.
4. That the Mayor Pro Tempore is authorized to execute this Ordinance, subject to revision by Legal Counsel as noted in the May 11, 2026 meeting, and this Ordinance shall be effective as of the date of the Mayor Pro Tempore's signature.

THIS the 11<sup>th</sup> day of May 2026.

**TOWN OF SPRUCE PINE**

\_\_\_\_\_  
Rocky Buchanan  
Mayor Pro Tempore  
Effective Date: \_\_\_\_\_

Attest:

\_\_\_\_\_  
Martha Hoilman  
Town Clerk

## EXHIBIT A

BEGINNING on a stake at a power pole, no. AWW17, of the Carolina Power and Light Company right-of-way, said stake being located North 35° 53 Min. East 49.31 feet from a stake at a 14 inch White Pine; thence establishing the following new lines through the property of Frank H. Watson and wife, Jane S. Watson: South 54° 00 Min. East 263.53 feet to a stake at two small White Pines; South 12° 36 Min. East 36.42 feet to a stake; South 48° 31 Min. West 51.88 feet to a stake; South 59° 29 Min. West 208.44 feet to a stake at an 8 inch Locust on the Eastern margin of a gravel drive; North 6° 12 Min. West 292.39 feet to a stake at a 14 inch White Pine and North 35° 53 Min. East 49.31 feet to the beginning, containing 1.04 acres, as shown on a map by Robert E. Grindstaff, R. L. S., dated April 9, 1976, and No. 476053-1.

Grantors also convey a perpetual easement for the joint use of a driveway now located on the property of Grantors and leading to the property hereby conveyed, or as the same might be relocated due to the construction of a bypass for U. S. Highway 19-E. The said right-of-way to be 20 feet in width.

Grantors also convey the right to the joint use of the water and sewer lines now crossing the property of Grantors and leading to the property hereby conveyed.

This conveyance is made subject to easements for utilities.

**TOWN OF SPRUCE PINE  
ORDINANCE #2026.006**

**ORDINANCE TO AMEND THE TOWN OF SPRUCE PINE'S ZONING  
MAP REGARDING THE REAL PROPERTY LOCATED AT DB 605  
P 745 MITCHELL COUNTY REGISTRY**

**NOW COMES** the Town of Spruce Pine ("Town"), at a duly called meeting of its Council on May 11, 2026 with a quorum established, hereby considers this Ordinance to Amend the Town of Spruce Pine's Zoning Map regarding the real property located at DB 605 P 745, Mitchell County Registry, PIN #0880-19-71-7672 ("Property") and being more specifically described in Exhibit A.

**WHEREAS**, on April 20, 2026, the Property's owner, Jennifer Gregory ("Owner"), presented a signed Zoning Map Amendment Application ("Application") to the Town

**WHEREAS**, the Property is currently zoned as R-1 Residential and the Owner desires that the Property be rezoned as C-2 Neighborhood Shopping District;

**WHEREAS**, pursuant to N.C.G.S. § 160D-604(b) and Article IV, Section 41 of the Town's Zoning Ordinance, the Town's Planning Board ("Board") met on April 28, 2026 and reviewed and discussed the Owner's request. The Board voted unanimously to recommend approving the Application and rezone the Property from R-1 Residential to C-2 Neighborhood Shopping District and prepared its written recommendation for the Council's consideration;

**WHEREAS**, pursuant to N.C.G.S. § 160D-601(a) and Article IV, Section 42 of the Town's Zoning Ordinance, on April 29, 2026 and May 6, 2026, the Town caused to be posted the notice of the legislative hearing concerning the Property's proposed rezoning in the Mitchell News-Journal;

**WHEREAS**, pursuant to N.C.G.S. § 160D-602(a), on April 23, 2026, the Town caused to be mail, by certified mail, a notice of the legislative hearing concerning the Property's proposed rezoning, said notice being mailed to the Owner of the Property and the owners of all parcels of land abutting the Property;

**WHEREAS**, pursuant to N.C.G.S. § 160D-602(c), on April 24, 2026, the Town prominently posted a notice of the legislative hearing concerning the Property's proposed rezoning on the Property or on an adjacent public street or highway right-of-way;

**WHEREAS**, pursuant to N.C.G.S. §§ 160A-81, -160D-601(a) and Article IV, Section 42 of the Town's Zoning Ordinance, on May 11, 2026, the Town held a legislative hearing with respect to the Property's proposed rezoning; and

**WHEREAS**, prior to its decision, the Council was presented a copy of the Town's 2023 Comprehensive Land Use Plan ("Plan") for its review and consideration.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. Plan Consistency Statement. Pursuant to N.C.G.S. § 160D-602(a), having reviewed the Board's written recommendation and the Plan, the Application for the Property [is] [is not] inconsistent with the Plan;
2. Statement of Reasonableness. Pursuant to N.C.G.S. § 160D-602(a), \_\_\_\_\_;

Option 3(A)

3. That the Application is hereby approved and the Town of Spruce Pine Zoning Map is hereby amended to change the zoning classification of the Property from R-1 Residential to C-2 Neighborhood Shopping District; and

OR

Option 3(B)

3. That the Application is hereby denied.
4. That the Mayor Pro Tempore is authorized to execute this Ordinance, subject to revision by Legal Counsel as noted in the May 11, 2026 meeting, and this Ordinance shall be effective as of the date of the Mayor Pro Tempore's signature.

THIS the 11<sup>th</sup> day of May 2026.

**TOWN OF SPRUCE PINE**

\_\_\_\_\_  
Rocky Buchanan  
Mayor Pro Tempore  
Effective Date: \_\_\_\_\_

Attest:

\_\_\_\_\_  
Martha Hoilman  
Town Clerk

## EXHIBIT A

BEGINNING at an iron pin at a 14" Poplar, said iron pin being located N 62 00 44 E 46. 79 feet from the Northeast corner of a 2 story rock and frame dwelling house on the herein described tract; thence S 35 34 57 E 202.42 feet to an iron pin set near the Northern edge of a private paved drive; thence S 4 7 11 57 W 185.99 feet to a right of way monument in the Eastern margin of the right of way for US Highway 19-E; thence running with the Eastern margin of the right of way for US Highway 19-E, N 36 10 56 W 265. 10 feet to a right of way monument; thence N 22 03 39 W 82.63 feet to a right of way monument; thence leaving the right of way and running N 03 19 48 E 57. 72 feet to an iron at a pine stump; thence S 82 18 45 E 79.35 feet to an iron pin at a 8" Poplar; thence S 69 27 00 E 132.67 feet to the point of BEGINNING, containing 1.34 acres and shown on a survey plat prepared by David A. Wiseman, PLS, L-3890, on 22 September, 2000 with drawing number MM261.

AND BEING those same lands as conveyed by a deed dated 06 January, 2006 from Nancy Burleson and husband, Roger Burleson to Blane Fitzgerald Gregory and wife, Jennifer Burleson Gregory as recorded in Mitchell County Deed Book 430, Page 21.

**TOWN OF SPRUCE PINE  
ORDINANCE #2026.006**

**ORDINANCE TO AMEND THE TOWN OF SPRUCE PINE'S ZONING  
MAP REGARDING THE REAL PROPERTY LOCATED AT DB 422  
P 601 MITCHELL COUNTY REGISTRY**

**NOW COMES** the Town of Spruce Pine ("Town"), at a duly called meeting of its Council on May 11, 2026 with a quorum established, hereby considers this Ordinance to Amend the Town of Spruce Pine's Zoning Map regarding the real property located at DB 422 P 601, Mitchell County Registry, PIN #0880-19-72-4081 ("Property") and more specifically described in Exhibit A.

**WHEREAS**, on April 20, 2026, the Property's owners, Roger and Nancy Burleson ("Owner"), presented a signed Zoning Map Amendment Application ("Application") to the Town

**WHEREAS**, the Property is currently zoned as R-1 Residential and the Owner desires that the Property be rezoned as C-2 Neighborhood Shopping District;

**WHEREAS**, pursuant to N.C.G.S. § 160D-604(b) and Article IV, Section 41 of the Town's Zoning Ordinance, the Town's Planning Board ("Board") met on April 28, 2026 and reviewed and discussed the Owner's request. The Board voted unanimously to recommend approving the Application to rezone the Property from R-1 Residential to C-2 Neighborhood Shopping District and prepared its written recommendation for the Council's consideration;

**WHEREAS**, pursuant to N.C.G.S. § 160D-601(a) and Article IV, Section 42 of the Town's Zoning Ordinance, on April 29, 2026 and May 6, 2026, the Town caused to be posted the notice of the legislative hearing concerning the Property's proposed rezoning in the Mitchell News-Journal;

**WHEREAS**, pursuant to N.C.G.S. § 160D-602(a), on April 23, 2026, the Town caused to be mail, by certified mail, a notice of the legislative hearing concerning the Property's proposed rezoning, said notice being mailed to the Owner of the Property and the owners of all parcels of land abutting the Property;

**WHEREAS**, pursuant to N.C.G.S. § 160D-602(c), on April 24, 2026, the Town prominently posted a notice of the legislative hearing concerning the Property's proposed rezoning on the Property or on an adjacent public street or highway right-of-way;

**WHEREAS**, pursuant to N.C.G.S. §§ 160A-81, -160D-601(a) and Article IV, Section 42 of the Town's Zoning Ordinance, on May 11, 2026, the Town held a legislative hearing with respect to the Property's proposed rezoning; and

**WHEREAS**, prior to its decision, the Council was presented a copy of the Town's 2023 Comprehensive Land Use Plan ("Plan") for its review and consideration.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. Plan Consistency Statement. Pursuant to N.C.G.S. § 160D-602(a), having reviewed the Board's written recommendation and the Plan, the Application for the Property [is] [is not] inconsistent with the Plan;
2. Statement of Reasonableness. Pursuant to N.C.G.S. § 160D-602(a), \_\_\_\_\_;

Option 3(A)

3. That the Application is hereby approved and the Town of Spruce Pine Zoning Map is hereby amended to change the zoning classification of the Property from R-1 Residential to C-2 Neighborhood Shopping District; and

OR

Option 3(B)

3. That the Application is hereby denied.
4. That the Mayor Pro Tempore is authorized to execute this Ordinance, subject to revision by Legal Counsel as noted in the May 11, 2026 meeting, and this Ordinance shall be effective as of the date of the Mayor Pro Tempore's signature.

THIS the 11<sup>th</sup> day of May 2026.

**TOWN OF SPRUCE PINE**

\_\_\_\_\_  
Rocky Buchanan  
Mayor Pro Tempore  
Effective Date: \_\_\_\_\_

Attest:

\_\_\_\_\_  
Martha Hoilman  
Town Clerk

## EXHIBIT A

**BEGINNING** on a 30" White Oak Snag, a comer to those lands of Robert P. Stroup (see Deed Book 131, Page 48) and another tract of Robert Stroup (see Deed Book 131, Page 617, Mitchell County Registry); thence running with the Stroup boundary, South 28° 22' 54" West 903.29 feet to an iron pin set at the Northern comer of a tract owned by Ray Howell; thence running with the Ray Howell boundary, South 46° 04' 48" West 40.00 feet to an iron pin, the Northeast comer of another tract owned by Ray Howell; thence running with the Howell line, South 46° 04' 48" West 125.00 feet to an iron pin, the Northern comer of the Mary J. Roberts tract (see Deed Book 290, Page 689); thence running with the boundary of the Roberts tract, South 46° 04' 48" West 165.97 feet to an iron pin; thence crossing a private drive and running North 78° 52' 06" West 50.33 feet to a right of way monument in Eastern margin of the right of way for U.S. Highway 19- E; thence running with the Eastern boundary of the right of way for U.S. Highway 19-E, North 25° 34' 54" West 220.25 feet to a right of way monument; thence North 27° 37' 39" West 150.24 feet to a right of way monument and the Southwest comer of a 1.34 acre tract conveyed to Nancy Burleson and husband, Roger Burleson; thence running with the Southern boundary of said Burleson tract, North 47° 11' 58" East 185.99 feet to an iron pin near the edge of a private paved driveway; thence leaving the driveway and running with the boundary of the said 1.34 acre tract, North 35° 34' 57" West 202.42 feet to an iron pin at a 14" Poplar; thence North 69° 27' 00" West 132.67 feet to an iron pin at an 8" Poplar; thence North 82° 18' 45" West 79.35 feet to an iron pin at a pine stump; thence South 03° 19' 48" West 57.72 feet to a right of way monument in the Eastern margin of the right of way for U.S. Highway 19-E; thence leaving the boundary of the 1.34 acre tract and running with the Eastern margin of the right of way for U.S. Highway 19-E, North 46° 40' 08" West 296.59 feet to an existing iron pin in the Southeastern boundary of those lands owned now or formerly by Robert Broadwater (see Deed Book 275, Page I 64); thence leaving the right of way for U.S. Highway 19-E and running with the Southern boundary of the Broadwater tract, North 70° 12' 41" East 693.32 feet to an existing iron pin; thence North 70° 19' 08" East 107.69 feet to an existing iron pin, the Southwest comer of those lands owned now or formerly by John Keith Wall; thence running with the Wall line, North 71 ° 00' 00" East 417 .05 feet to an existing iron pin, a corner to the David Greene property (see Deed Book 141, Page 615); thence North 71 °00' 00" East 25.00 feet to an iron pin, the Southwest comer of those lands owned now or formerly by John and Brenda Pitman (see Deed Book 156, Page 274); thence running with the boundary of the Pitman tract, North 69° 53' 30" East 149.21 feet to an existing iron pin, said iron pin being located North 44° 52' 11" East 540.05 feet from an iron pin set in the Eastern boundary of a 1.04 acre tract owned by Roger Burleson and wife, Nancy Burleson (see Deed Book 150, Page 462); thence running with the Robert Stroup line, South 05° 29' 11" West 278.76 feet to the point of **BEGINNING**, containing a total of 17.01 acres as shown on a survey plat prepared by William E. Arrowood, PLS, L-1510 on 1 April 2004 with drawing number 04-M-01-117.

**THERE IS EXCEPTED AND RESERVED FROM THIS DESCRIPTION** a certain 1.04 acre tract or parcel of land shown as Tract 1 on the aforementioned survey plat now owned by Roger Burleson and wife, Nancy Burleson, more particularly described as fol-lows: **BEGINNING** on an iron pin, set iron pin being located South 44° 52' 11" West 540.05 feet from the last comer in the above described 17.01 acre tract of land; thence running South 12° 36' 00" East 36.42 feet to an iron pin; thence South 48° 31' 00" West 51.88 feet to an iron pin; thence South 59° 29' 00" West 208.44 feet to an iron pin; thence North 06° 12' 00" West 292.39 feet to an iron pin; thence North

06° 12' 00" West 292.39 feet to an iron pin; thence North 35° 50' 08" East 49.30 feet to a power pole; thence South 54° 00' 00" East 263.53 feet to the point of **BEGINNING**, containing 1.04 acres.

This deed is made for the purpose of creating tenancies by the entireties in the Grantees.

DRAFT



**CERTIFICATE OF SUFFICIENCY  
VOLUNTARY ANNEXATION  
(Contiguous Annexation)**

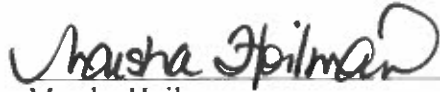
**Property Owner:** S&B Honeymill, LLC  
**Deed Reference:** Book 678 Page 229, PIN No.: 0789-12-98-9930  
**Parcel Size:** 5 Acres

To the Town Council for the Town of Spruce Pine, North Carolina:

I, MARSHA HOILMAN, pursuant to N.C.G.S. § 160A-31(c), do hereby certify that I have investigated the Petition for Voluntary Annexation ("Petition") from S&B Honeymill, LLC ("Petitioner") for the real property described in the Petition and more specifically described in Book 678 Page 229 of the Mitchell County Registry ("Property"), and hereby certify and make the following findings:

1. The executed Petition is attached as Exhibit A.
2. The Petition includes a deed reference to Book 678 Page 229 of the Mitchell County Registry with the metes and bounds description of the area proposed Property for annexation. The metes and bounds description is attached as Exhibit B.
3. The proposed Property for annexation is contiguous to the Town's primary corporate limits (to wit, a portion of the Property is already part of the Town's primary corporate limits).
4. The Petition is not being submitted for the annexation of property pursuant to N.C.G.S. § 160A-31(b1) or (j).
5. The Petition includes Petitioner's name and address, and Petitioner is the sole owner of the proposed Property for annexation.
6. The Petition includes Petitioner's signature.
7. The Petitioner declared that it does not have vested rights in the area proposed for annexation.

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Spruce Pine, this 7<sup>th</sup> day of May 2026.



Marsha Hoilman  
Town of Spruce Pine, Town Clerk



**EXHIBIT A**  
**(Executed Petition)**

**Exhibit B**  
**(Metes and Bounds Description)**

**FIRST TRACT:**

BEING Lot Nos. 15, 16, 17 and 18 as shown on the plat of Revision of Robbin's Subdivision prepared by L.P. Shaffer from survey of September 17, 1958, and reference to which map as so recorded [in Plat Book 1, Page 75] in the Office of Register of Deeds for Mitchell County, North Carolina, is hereby made for a more particular description.

Being the same and identical lands conveyed by deed dated 20 November 1958 from Sellers Manufacturing Company to L.G. Ellis and wife, Daisy Mae Ellis, which deed is of record in Book 128 of Deeds at Page 386, Mitchell County Registry.

**SECOND TRACT:**

Adjoining the lands of Martha Holleman Robbins, Mrs. Carrie Dale, N.C. State Highway #26 and BEGINNING at a stake at N.C. State Highway No. 26 and runs up and with said highway in a northerly direction 788 feet to a stake at said highway, the same being Martha Holleman Robbin's corner; thence South 74 [degrees] East with Martha Holleman Robbins' line 881 feet to a stake in the outside line, the same being Mrs. Carie Dale's line; thence with said outside line and Mrs. Carrie Dale's line South 39 degrees and 30 minutes west 330 feet to the BEGINNING, containing five (5) acres, more or less, being the same identical property conveyed to Annie Robbins Mendenhall by C.C. Robbins, Jr., et ux, Irene C. Robbins by deed dated July 8, 1941, recorded in Book #98 of Deeds, page 498, Mitchell County Registry.

Being the same and identical lands conveyed by deed dated 9 April 1943 by E.E. Mendenhall, Jr. And wife, Annie Robbins Mendenhall to Lonnie G. Ellis and wife Daisy Mae Long Ellis, which deed is of record in Book 101 of Deeds at page 589, Mitchell County Registry.

AND BEING A PORTION OF THE PROPERTY conveyed and described in that certain Deed dated December 1, 2020 from Dennis Lee Howell and wife, Marilyn R. Howell to Brenda Howell Sparks, recorded in Mitchell Deed Book 621, Page 159, to which deed reference is hereby made for greater certainty of description.



**Petition for Voluntary Annexation  
Annexation Data Sheet**

Town of Spruce Pine  
P.O. Box 189  
11050 S. 226 HWY  
Spruce Pine, NC 28777

<b>COMPLETED BY TOWN CLERK</b>	
Submittal Date:	<u>11/14/2026</u>
Fee Paid:	<u>Yes</u>
Petition Number:	<u>04-2026-4</u>

**PETITION FOR VOLUNTARY ANNEXATION**

1. We, the undersigned owners of real property, respectfully request that the area described herein ("Property") be annexed to the Town of Spruce Pine, North Carolina.
2. The Property to be annexed is  contiguous or  non-contiguous to the Town of Spruce Pine. The term "contiguous" means, if, at the time this Petition is submitted, the Property either abuts directly on the municipal boundary or is separated from the municipal boundary by the width of a street or street right-of-way, a creek or river, or the right-of-way of a railroad or other public service corporation, lands owned by the municipality or some other political subdivision, or lands owned by the State of North Carolina. A connecting corridor consisting solely of a street or street right-of-way may not be used to establish contiguity.

If the Property is non-contiguous to the Town of Spruce Pine, how many miles is the area from the Town of Spruce Pine's current limits: \_\_\_\_\_

3. The Property and Property Owner(s) information is as follows:

Property Owner(s) and Mailing Address for Property	Phone Number and Email Address	Deed Book and Page and Property PIN
S+B Homes:ll LLC	828-652-3767 Todd@gemconstructors.com	678/229 0784-12-96-9930

4. If the metes and bounds description for the Property to the annexed is different than what is described in the Property's deed, attach to this Petition a written metes and bounds description of the area to the annexed.
5. Zoning vested rights  are not claimed,  have been established under G.S. §§ 160D-108 and/or 160D-108.1 as follows [describe and attach the order and approved site plan]:

Note: With my signature, I (we) specifically acknowledge that any zoning vested rights must be identified in this Petition. I (we) further acknowledge that failure to declare such rights on this Petition shall result in termination of vest rights previously acquired for the Property.

Total Acreage to be annexed: 5

Tax Value for Property: \_\_\_\_\_

Population in Property: 0

Proposed Zoning District: Commercial

Current Use of Property:  Residential  Commercial  Vacant

Reason for Annexation:  Receive Town Services  Other (please specify): Have entire property in city limits

The applicant must also submit a Zoning Map Amendment Application with this Petition to begin the process in establishing a zoning designation for the Property if annexed.

If the Petition is deemed sufficient, and prior to a public hearing on the annexation, the applicant is required to submit a Plat in a recordable format to the Town Clerk. For more information, see the Petition for Voluntary Annexation General Information form.

If the applicant's deed for the Property has a reference to an existing recorded plat for the Property to be annexed, provide the following information:

Plat Book: \_\_\_\_\_ Page Number: \_\_\_\_\_

### SIGNATURES

All Property Owners must sign the Petition. For married Property Owners, both spouses must sign the Petition. If the Property is held as a life estate, all life tenants and the remainder interests must sign the Petition. By signing this Petition, I (we) certified that all information provided is true and accurate.

Print: \_\_\_\_\_ Date: \_\_\_\_\_

Print: \_\_\_\_\_ Date: \_\_\_\_\_

Print: \_\_\_\_\_ Date: \_\_\_\_\_  
Print: \_\_\_\_\_ Date: \_\_\_\_\_  
Print: \_\_\_\_\_ Date: \_\_\_\_\_

If the Property is owned by an LLC:

Name of LLC: S & B Honey Mill LLC  
By: M. Todd Miller Date: 4/14/26  
Title: Member  
Print: M. TODD Miller

If the property is owned by a Corporation:

Name of Corporation: \_\_\_\_\_  
By: \_\_\_\_\_ Date: \_\_\_\_\_  
Title: \_\_\_\_\_  
Print: \_\_\_\_\_

If the property is owned by a Trust:

Name of Trust: \_\_\_\_\_  
By: \_\_\_\_\_ Date: \_\_\_\_\_  
Trustee  
Print: \_\_\_\_\_

If the property is owned by a business association other than an LLC or Corporation or Trust:

Name of Entity: \_\_\_\_\_  
By: \_\_\_\_\_ Date: \_\_\_\_\_  
Title: \_\_\_\_\_  
Print: \_\_\_\_\_

**CERTIFICATE OF SUFFICIENCY (to be completed by Town Clerk)**

Nasha Spilner, Town Clerk, do hereby certify that I have examined this Petition and found it sufficient, pursuant to North Carolina law, for the Spruce Pine Town Council to establish a public hearing regarding this annexation.



## ZONING MAP AMENDMENT APPLICATION

Town of Spruce Pine  
P.O. Box 189  
11050 S. 226 HWY  
Spruce Pine, NC 28777

### GENERAL INFORMATION

#### APPLICANT INFORMATION

Note: Pursuant to Article IV, Section 41 of the Town's Zoning Ordinance, the Applicant must be the Town Council, the Planning Board, the Board of Adjustment or one or more owners of the Property within the area proposed to be changed or affected by the map amendment.

Name: Todd Miller

Address: 2024 Nix Creek Rd. Marion, NC

Has anyone previously submitted an Application to rezone this Property in the last twelve months?

No

Yes (if so, date of previously submitted application: \_\_\_\_\_)

#### PROPERTY INFORMATION

PIN: 0784-12-96-9430

Deed Book/Page: 678/229

Size of Property (Acres): 5

#### REZONING REQUEST

What is the current Zoning District for the Property? ~~Commercial~~ Residential

What is the requested Zoning District for the Property? Commercial C-3

#### PROPERTY OWNERS

Provide the following information for all owner(s) for the Property to be changed or affected.

Name: S+B Honey Mill LLC

Phone: 828-652-3767

Address: 2024 Nix Creek Rd. Marion, NC

Name: \_\_\_\_\_

Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Name: \_\_\_\_\_

Phone: \_\_\_\_\_


Address: \_\_\_\_\_

\*Additional space on Page 2.

Have all Property owners been notified of this rezoning request?  Yes  No

**CERTIFICATION AND SIGNATURE**

I certify that the information shown above is true and accurate.

  
Applicant's Signature \_\_\_\_\_  
Print: \_\_\_\_\_

Date: 4/13/26

**Completing the Application does not entitle a rezoning. The Town will timely review the Application pursuant to its zoning ordinances and North Carolina law.**

**\*Additional Property Owner(s):**

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_



**PROJECT INFORMATION**

OWNER/APPLICANT: S & B HONEYMILL, 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

LANDSCAPE ARCHITECT: LAND PLANNING COLLABORATIVE  
 98 HORIZON HILL ROAD  
 ASHEVILLE, NC 28804  
 PHONE: (828) 242-0111  
 EMAIL: bgrasso@landplancollab.com  
 CONTACT: ROBERT M. GRASSO, RLA

CIVIL ENGINEER: DAVIS CIVILSOLUTIONS PA  
 135A CHARLOTTE HWY.  
 ASHEVILLE, NC 28803  
 PHONE: (828) 299-9449  
 EMAIL: gary@civsol.com  
 CONTACT: GARY D. DAVIS, PE

SURVEYOR: MOUNTAINEER LAND SURVEYING, PA  
 29 SUMMITT AVE.  
 SPRUCE PINE, NC 28777  
 PHONE: (828) 765-5646  
 EMAIL: mlsmrn@yahoo.com  
 CONTACT: MARVIN J. NUNLEY, PLS

**SITE INFORMATION**

PIN: 0789-12-96-9930  
 DEED BOOK/PAGE: 678/229  
 ADDRESS: 47 SOUTH 226 HWY  
 ZONING DISTRICT: R-1 & NO ZONING DISTRICT  
 PROPOSED USE: FUNERAL HOME & RESTAURANTS  
 SITE ACREAGE: 6.026 ACRES

BUILDING SETBACKS:  
 FRONT: N/A  
 SIDE: N/A  
 REAR: N/A  
 BUILDING SIZE: N/A  
 MAX. BUILDING HEIGHT: N/A  
 BUILDING HEIGHT: N/A  
 NO. OF PARKING SPACES (REQUIRED.): N/A  
 NO. OF PARKING SPACES (PROVIDED): 223 SPACES  
 COUNTRYSIDE RESTAURANT: 80 SPACES  
 BEAM FUNERAL HOME: 118 SPACES  
 DUNKIN DONUT: 25 SPACES  
 NUMBER OF ADA PARKING SPACES: 6 SPACES  
 PARKING LOT LIGHTS: DUKE ENERGY 100% CUT-OFF  
 FIXTURE TO COMPLY WITH  
 McDOWELL COUNTY STDS.

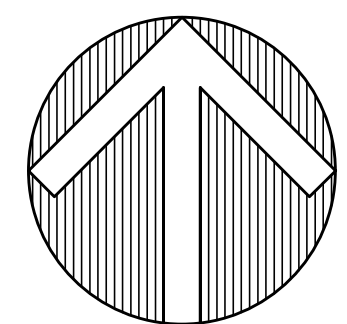
WATER: TOWN OF SPRUCE PINE WATER SYSTEM

SANITARY SEWER: TOWN OF SPRUCE PINE SANITARY SEWER SYSTEM

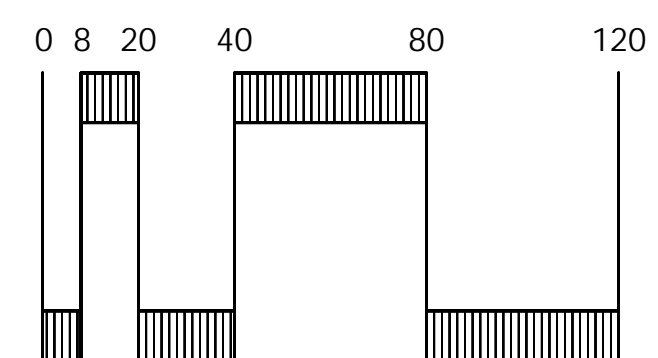
UTILITIES: UNDERGROUND POWER

**LEGEND:**

- A ENTRANCE
- B BEAM FUNERAL HOME PARCEL (2.376 AC.)
- C COUNTRYSIDE RESTAURANT PARCEL (1.439 AC.)
- D DUNKIN DONUT PARCEL (0.975 AC.)
- E OUTPARCEL (1.236 AC.)
- F DUMPSTERS
- G DRIVE-THRU
- H WETLANDS

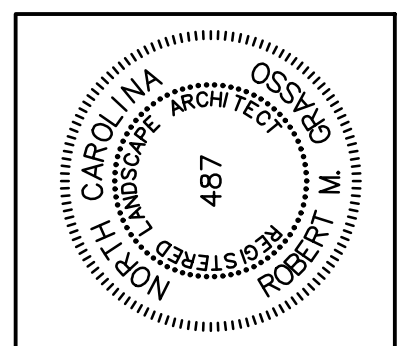


NORTH



SCALE: 1" = 40'

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



**SITE PLAN**

**COMMERCIAL SITE**  
 SPRUCE PINE, NORTH CAROLINA

JOB NO.: 2024860  
 DWG. NAME: spruce-pine-site.dwg  
 DATE: January 17, 2026

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

SHEET  
L-2

**TOWN OF SPRUCE PINE  
ORDINANCE #2026.008**

**ORDINANCE TO VOLUNTARILY ANNEX CONTIGUOUS PROPERTY INTO THE  
TOWN OF SPRUCE PINE AND AMEND THE ZONING MAP  
FOR INITIAL ZONING AND REZONING**

**NOW COMES** the Town of Spruce Pine (“Town”), at a duly called meeting of its Council on May 11, 2026, with a quorum established, and hereby considers this Ordinance to Voluntarily Annex Contiguous Property into the Town of Spruce Pine and Amend the Zoning Map for Initial Zoning and Rezoning.

**WHEREAS**, on or about April 14, 2026, the Property’s owner, S&B Honey Mill, LLC (“Owner”), presented a signed Petition for Voluntary Annexation (“Petition”) and a Zoning Map Amendment Application (“Application”) to the Town for the real property described in Book 678 Page 229, PIN #0789-12-98-9930 (the “Property”);

**WHEREAS**, the metes and bounds description of the Property is attached as Exhibit A;

**WHEREAS**, on review, the Town Clerk certified the Petition, and said Petition was not received pursuant to the conditions described in N.C.G.S. § 160A-31(b1) or (j).

**WHEREAS**, in the Application, the Owner requested the initial zoning designation for the Property to be C-3 – Highway Business District and, for that portion of the Property already in the Town’s corporate limits, to be rezoned from R-1 Low Density Residential District to C-3 Highway Business District;

**WHEREAS**, pursuant to N.C.G.S. § 160D-604(b) and Article IV, Section 41 of the Town’s Zoning Ordinance, the Town’s Planning Board (“Board”) met on April 28, 2026 and reviewed and discussed the Owner’s Application. The Board voted unanimously to recommend that the Application be approved to initially zone the Property to C-3 – Business Highway District and rezone the portion of the Property already in the Town’s corporate limits from R-1 Low Density Residential District to C-3 Highway Business District and prepared its written recommendation for the Council’s consideration;

**WHEREAS**, pursuant to N.C.G.S. §§ 160A-58.2, -160D-601(a) and Article IV, Section 42 of the Town’s Zoning Ordinance, on April 29, 2026 and May 6, 2026, the Town caused to be posted the notice of the legislative hearing concerning the Petition and Application in the Mitchell News-Journal;

**WHEREAS**, pursuant to N.C.G.S. § 160D-602(a), on April 23, 2026, the Town caused to be mail, by certified mail, a notice of the legislative hearing concerning the Property’s proposed initial zoning and rezoning, said notice being mailed to the Owner of the Property and the owners of all parcels of land abutting the Property;

**WHEREAS**, pursuant to N.C.G.S. § 160D-602(c), on April 24, 2026, the Town prominently posted a notice of the legislative hearing concerning the Property’s proposed initial zoning and rezoning on the Property or on an adjacent public street or highway right-of-way;

**WHEREAS**, pursuant to N.C.G.S. §§ 160A-58.2, -81, -160D-601(a) and Article IV, Section 42 of the Town’s Zoning Ordinance, on May 11, 2026, the Town held a legislative hearing with respect to the Petition and Application; and

**WHEREAS**, prior to its decision, the Council was presented a copy of the Town’s 2023 Comprehensive Land Use Plan (“Plan”) for its review and consideration.

**NOW, THEREFORE, BE IT RESOLVED AS TO THE PETITION:**

1. That the Council hereby finds and determines:
  - A. That the Petition bears the signature of all the owners of the Property proposed for annexation;
  - B. The Petition is otherwise valid; and
  - C. The public health, safety and welfare of the inhabitants of the Town and of the area proposed for annexation will be best served by the annexation;
2. That, having made its findings and determinations, the Petition is hereby approved by a vote of the Council of \_\_\_\_\_, and the Property is hereby annexed into the Town and shall be effective as of the date when this Ordinance is executed by the Mayor Pro Tempore;
3. That, from and after the effective date of this Ordinance, the Property and its owners shall be subject to all the Town’s debts, laws, ordinances and regulations in force and shall be entitled to the same privileges and benefits as other parts of the Town. Real and personal property in the newly annexed Property shall be subject to municipal taxes as provided in N.C.G.S. § 160A-58.10; and
4. That this Ordinance shall be recorded in the Mitchell County Registry and shall be filed with the North Carolina Secretary of State and the Boundary and Annexation Survey of the United States Bureau of the Census.

**BE IT FURTHER RESOLVED AS TO THE APPLICATION:**

1. Plan Consistency Statement. Pursuant to N.C.G.S. § 160D-602(a), having reviewed the Board’s written recommendation and the Plan, the Application for the Property [is] [is not] inconsistent with the Plan;
2. Statement of Reasonableness. Pursuant to N.C.G.S. § 160D-602(a), \_\_\_\_\_;

3. That the Application is hereby approved and the Town of Spruce Pine Zoning Map is hereby amended to initially zone the Property to C-3 Highway Business District and for that portion of the Property already in the Town's corporate limits, to be rezoned from R-1 Low Density Residential District to C-3 Highway Business District.

**BE IT FURTHER RESOLVED** that the Mayor Pro Tempore is authorized to execute this Ordinance, subject to revision by Legal Counsel, and this Ordinance shall be effective as of the date of the Mayor Pro Tempore's signature.

THIS the 11<sup>th</sup> day of May 2026.

**TOWN OF SPRUCE PINE**

\_\_\_\_\_  
Rocky Buchanan  
Mayor Pro Tempore  
Effective Date: \_\_\_\_\_

Attest:

\_\_\_\_\_  
Martha Hoilman  
Town Clerk

## EXHIBIT A

### FIRST TRACT:

BEING Lot Nos. 15, 16, 17 and 18 as shown on the plat of Revision of Robbin's Subdivision prepared by L.P. Shaffer from survey of September 17, 1958, and reference to which map as so recorded [in Plat Book 1, Page 75] in the Office of Register of Deeds for Mitchell County, North Carolina, is hereby made for a more particular description.

Being the same and identical lands conveyed by deed dated 20 November 1958 from Sellers Manufacturing Company to L.G. Ellis and wife, Daisy Mae Ellis, which deed is of record in Book 128 of Deeds at Page 386, Mitchell County Registry.

### SECOND TRACT:

Adjoining the lands of Martha Holleman Robbins, Mrs. Carrie Dale, N.C. State Highway #26 and BEGINNING at a stake at N.C. State Highway No. 26 and runs up and with said highway in a northerly direction 788 feet to a stake at said highway, the same being Martha Holleman Robbin's corner; thence South 74 [degrees] East with Martha Holleman Robbins' line 881 feet to a stake in the outside line, the same being Mrs. Carie Dale's line; thence with said outside line and Mrs. Carrie Dale's line South 39 degrees and 30 minutes west 330 feet to the BEGINNING, containing five (5) acres, more or less, being the same identical property conveyed to Annie Robbins Mendenhall by C.C. Robbins, Jr., et ux, Irene C. Robbins by deed dated July 8, 1941, recorded in Book #98 of Deeds, page 498, Mitchell County Registry.

Being the same and identical lands conveyed by deed dated 9 April 1943 by E.E. Mendenhall, Jr. And wife, Annie Robbins Mendenhall to Lonnie G. Ellis and wife Daisy Mae Long Ellis, which deed is of record in Book 101 of Deeds at page 5 89, Mitchell County Registry.

AND BEING A PORTION OF THE PROPERTY conveyed and described in that certain Deed dated December 1, 2020 from Dennis Lee Howell and wife, Marilyn R. Howell to Brenda Howell Sparks, recorded in Mitchell Deed Book 621, Page 159, to which deed reference is hereby made for greater certainty of description.



Spruce Pine Planning Board  
Town Hall  
11050 S. Highway 226  
Spruce Pine, NC 29777



**To:** Spruce Pine Town Council

**From:** Spruce Pine Planning Board

**Date:** May 6, 2026

**Re:** Written Recommendation Related to Action Items Presented at the April 28, 2026 Planning Board Meeting.

Mayor and Members of Town Council;

This is formal notice that the Spruce Pine Planning Board conducted an Advisory Meeting where the following zoning requests were made:

- Parcel Number 0798-00-75-6364 (1.3 acres)(initial zoning request conditioned upon annexation approval); initial zoning designation request: Medical Arts (M-1).
- Parcel Number 0798-00-85-5307 (.94 acres)(initial zoning request conditioned upon annexation approval); initial zoning designation request: Highway Business Commercial (C-3).
- Parcel Number 0798-00-75-6165 (2.11 acres)(initial zoning request conditioned upon annexation approval); initial zoning designation request: Highway Business Commercial (C-3).
- Parcel Number 0880-16-72-5147 (.92 acres)(current zoning: Residential R-1); requested rezoning: Neighborhood Commercial (C-2).
- Parcel Number 0880-20-72-5350 (1.04 acres)(current zoning: Residential R-1); requested rezoning: Neighborhood Commercial (C-2).
- Parcel Number 0880-19-71-7672 (1.32 acres)(current zoning: Residential R-1); requested rezoning: Neighborhood Commercial (C-2).
- Parcel Number 0880-19-72-4081 (15.08 acres)(current zoning: Residential R-1); requested rezoning: Neighborhood Commercial (C-2).
- Parcel Number 0789-12-96-9930 (5 acres)(initial zoning request conditioned upon annexation approval)(partially in Town's corporate limit with current zoning R-1); initial zoning designation request and requested rezoning: Highway Business Commercial (C-3).

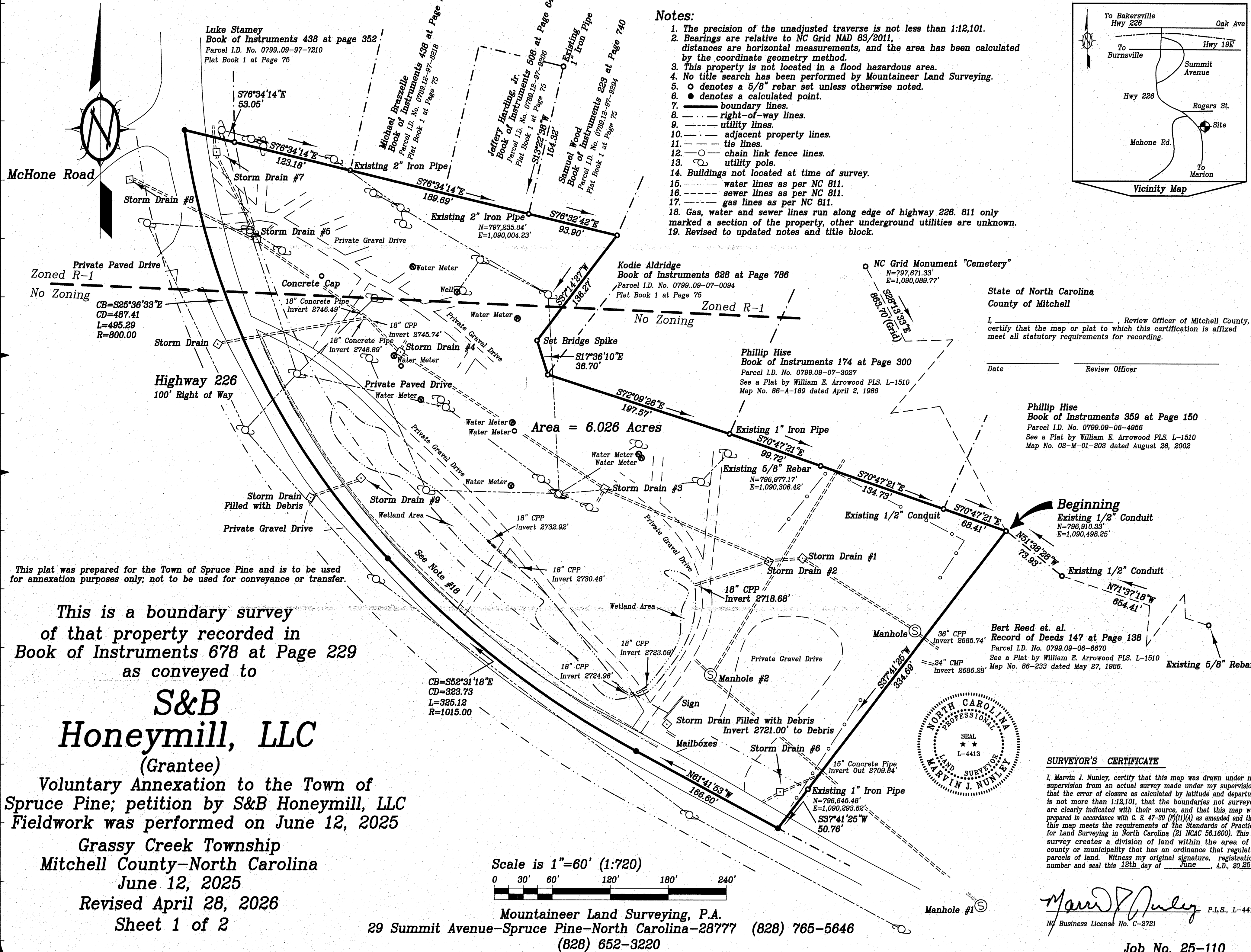
Pursuant to NCGS 160D-604, members of the Planning Board took into consideration the information presented and provided by staff and the applicant and plan consistency with the 2023 Comprehensive Land Use Plan ("Plan"). The Planning Board found the requests to be consistent with the Plan and existing land uses. Votes were taken for each individual parcel. The recommendation was unanimous to zone (conditioned upon annexation approval) or rezone each respective parcel to the requested zone districts as presented.

Respectfully,

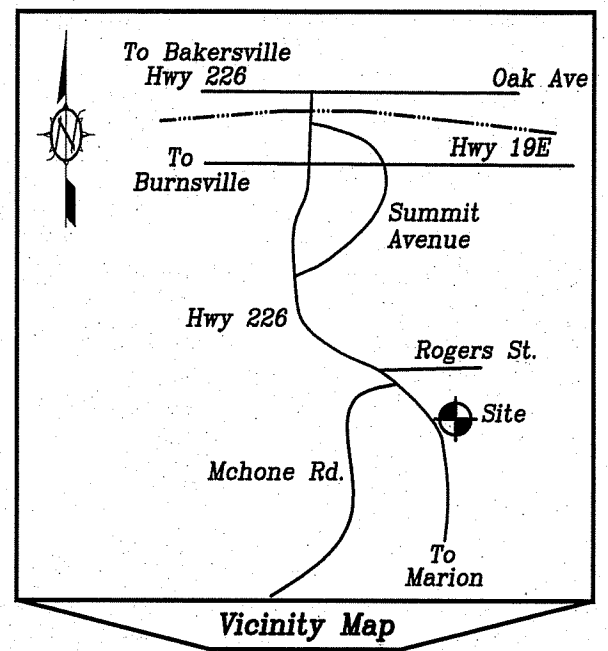
A handwritten signature in black ink that reads "Ken Borders".

MAY 6, 2026

Ken Borders, Spruce Pine Planning Board Chair



- Notes:**
1. The precision of the unadjusted traverse is not less than 1:12,101.
  2. Bearings are relative to NC Grid NAD 83/2011, distances are horizontal measurements, and the area has been calculated by the coordinate geometry method.
  3. This property is not located in a flood hazardous area.
  4. No title search has been performed by Mountaineer Land Surveying.
  5. ● denotes a 5/8" rebar set unless otherwise noted.
  6. ● denotes a calculated point.
  7. ——— boundary lines.
  8. - - - - - right-of-way lines.
  9. - - - - - utility lines.
  10. - - - - - adjacent property lines.
  11. - - - - - tie lines.
  12. ○ chain link fence lines.
  13. ○ utility pole.
  14. Buildings not located at time of survey.
  15. - - - - - water lines as per NC 811.
  16. - - - - - sewer lines as per NC 811.
  17. - - - - - gas lines as per NC 811.
  18. Gas, water and sewer lines run along edge of highway 226. 811 only marked a section of the property, other underground utilities are unknown.
  19. Revised to updated notes and title block.



State of North Carolina  
County of Mitchell

I, \_\_\_\_\_, Review Officer of Mitchell County, certify that the map or plat to which this certification is affixed meet all statutory requirements for recording.

Date \_\_\_\_\_ Review Officer \_\_\_\_\_

Phillip Hise  
Book of Instruments 359 at Page 150  
Parcel I.D. No. 0799.09-08-4956  
See a Plat by William E. Arrowood PLS. L-1510  
Map No. 02-M-01-203 dated August 28, 2002

Bert Reed et. al.  
Record of Deeds 147 at Page 138  
Parcel I.D. No. 0799.09-06-6670  
See a Plat by William E. Arrowood PLS. L-1510  
Map No. 86-233 dated May 27, 1986.



**SURVEYOR'S CERTIFICATE**

I, Marvin J. Nunley, certify that this map was drawn under my supervision from an actual survey made under my supervision, that the error of closure as calculated by latitude and departure is not more than 1:12,101, that the boundaries not surveyed are clearly indicated with their source, and that this map was prepared in accordance with G. S. 47-30 (f)(1)(A) as amended and that this map meets the requirements of The Standards of Practice for Land Surveying in North Carolina (21 NCAC 56.1600). This survey creates a division of land within the area of a county or municipality that has an ordinance that regulates parcels of land. Witness my original signature, registration number and seal this 12th day of June, A.D., 2025.

*Marvin J. Nunley* P.L.S., L-4413  
No Business License No. C-2721

This plat was prepared for the Town of Spruce Pine and is to be used for annexation purposes only; not to be used for conveyance or transfer.

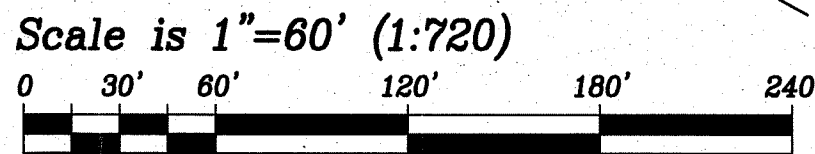
This is a boundary survey of that property recorded in Book of Instruments 678 at Page 229 as conveyed to

**S&B  
Honeymill, LLC**

(Grantee)  
Voluntary Annexation to the Town of Spruce Pine; petition by S&B Honeymill, LLC  
Fieldwork was performed on June 12, 2025

Grassy Creek Township  
Mitchell County-North Carolina  
June 12, 2025

Revised April 28, 2026  
Sheet 1 of 2



Mountaineer Land Surveying, P.A.  
29 Summit Avenue-Spruce Pine-North Carolina-28777 (828) 765-5646  
(828) 652-3220



Spruce Pine Town Council Meeting  
Town Hall  
11050 S. Highway 226  
Spruce Pine, NC 28777



**MEMOS**

To: Mayor & Town Council  
From: Town Manager  
Date: 05/11/2026  
Subject: Budget Amendment #2 (Ord. 2026.009)

---

BE IT ORDAINED: By the Town Council of the Town of Spruce Pine, North Carolina that the Estimated Appropriations and Revenues of the General Fund and Enterprise Fund is hereby Amended by Increasing Revenues and Appropriations in the Amounts Indicated.

**Fund 10 (General Fund) – Expenses**

Account Number	Description	FY26 Adopted Budget	Increase	Amended FY26 Budget
<b>Parks &amp; Rec</b>				
10-620-45	Contracted Services (Pool Repair)	\$5,500	\$139,100	\$144,600
	<b>TOTALS</b>	<b>\$5,500</b>	<b>\$139,100</b>	<b>\$144,600</b>
Account Number	Description	FY26 Adopted Budget	Decrease	Amended FY26 Budget
10-410-57	Miscellaneous	\$3,500	\$3,500	\$0.00
10-420-06	Group Insurance	\$110,000	\$25,000	\$85,000
10-510-04	Professional Services	\$12,000	\$10,600	\$1,400
10-510-06	Group Insurance	\$159,000	\$25,000	\$134,000
10-560-06	Group Insurance	\$127,000	\$10,000	\$117,000
10-620-03	Salaries – Part Time	\$95,000	\$15,000	\$80,000
10-640-15	Building & Ground Maintenance	\$35,000	\$5,000	\$30,000
10-650-99	Contingency	\$45,000	\$45,000	\$0.00
	<b>TOTALS</b>	<b>\$586,500</b>	<b>(\$139,100)</b>	<b>\$447,400</b>



Spruce Pine Town Council Meeting  
Town Hall  
11050 S. Highway 226  
Spruce Pine, NC 28777



The following is an explanation of expense justification or source:

- Contracted Services (Pool Repair): Complete chip out and replaster of 45x85 pool with brand new water tile line added. Commercial finish is diamond brite blue quartz with 15-year commercial warranty. Swim lanes to be done in black tile to keep long term maintenance low without having to repaint the pool itself and the swim lanes. All skimmers will be done in matching tile and step tile will be matching as well. The \$139,100 will come from overages in budgeted areas from different departments.
- This will not result in a net increase in appropriations of the General Fund.

**Summary:**

Of the \$139,100 expense increase, \$139,100 has been approved in the FY26 Adopted Budget and would be redirected as proposed.



Spruce Pine Town Council Meeting  
Town Hall  
11050 S. Highway 226  
Spruce Pine, NC 29777



## MEMOS

To: Mayor & Town Council  
From: Town Manager  
Date: 05/11/2026  
Subject: **FEMA Resolution – Community Disaster Loan (CDL) – Helene**

---

Staff is evaluating a FEMA loan offered through a program referred to as Community Disaster Loan (CDL) for an amount of \$1,350,777. The purpose of the loan is to cover lost revenues as a result of Helene, post-Helene.

Staff will provide an update and formal recommendation to Council, during the Monday 11, 2026 Council meeting.

Respectfully,

Daniel Stines  
Town Manager