

**BOARD OF ADJUSTMENT - NOVEMBER 18, 2025  
COUNCIL CHAMBERS - 6:00 PM**

**Joe Terranova  
Greg Caulder  
Angela Jones  
Jeffery McLean  
Mitchell Prevatte**

**Walter Smith  
Lisa Douglas  
Lee-Pam Odom  
Randy Hammonds  
Ray Britt**

**AGENDA**

**I. Call to Order**

**II. Minutes Approval**

A. Board of Adjustment - Regular Meeting - DATE

**III. Agenda Items**

A. Jimmy McRae (Le Benediction, LLC) Variance for 3125 Wellington Road (parcel # 3201-01-046) - P8

- ArTriel Kirchner, Planning & Neighborhood Services

**IV. Adjournment**

**Lumberton Board of Adjustment**

Item: II.A.

**Lumberton, North Carolina**



**Request for Action**

**Meeting Date:** November 18, 2025

**Originated By:**

**Submission Date:** 11/12/2025

**Subject:** Board of Adjustment - Regular Meeting - DATE

**Summary/Background of Subject Matter:**

**Staff Recommendation:**

**City Manager's Comments:**

**Signature:**

**Department:**

**ATTACHMENTS:**

None

**Lumberton Board of Adjustment**

Item: III.A.

**Lumberton, North Carolina**



**Request for Action**

**Meeting Date:** November 18, 2025

**Originated By:** Planning & Neighborhood  
Services

**Submission Date:** 11/12/2025

**Subject:** Jimmy McRae (Le Benediction, LLC) Variance for 3125 Wellington Road (parcel # 3201-01-046) - P8

**Summary/Background of Subject Matter:**

This Variance is to allow a single-family residence with accessory apartment that does not meet the minimum lot size requirement and the accessory apartment exceeds the maximum square feet of 750.

**Staff Recommendation:**

Hold tonight's public hearing and make a separate vote on each of the four (4) factors stated in the application.

**City Manager's Comments:**

**Signature:**

**Department:** Planning & Neighborhood  
Services

**ATTACHMENTS:**

1. staff Report-VAR - BOA

DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES  
CITY OF LUMBERTON, NORTH CAROLINA  
APPLICATION FOR A VARIANCE

TO: THE BOARD OF ADJUSTMENT OF THE CITY OF LUMBERTON

1. **Applicant:**  
Le Benediction LLC  
(Name)  
11942 Winston Circle  
(Address)  
Cincinnati, OH 45240  
(City/State/Zip)  
513-602-1284  
(Telephone)
- Owner (if different from Applicant):**  
Le Benediction LLC  
(Name)  
11942 Winston Circle  
(Address)  
Cincinnati, OH 45240  
(City/State/Zip)  
513-602-1284  
(Telephone)
2. **Description of Property:**  
3125 Wellington Rd  
(Address)  
#19  
(Map Book)  
88  
(Page)  
02227  
(Deed Book)  
119.49  
(Frontage)  
0844  
(Page)  
0.41  
(Area)
3. **Tax Map Identification:**  
Lumberton  
(Township)  
1  
(Map)  
1  
(Block)  
320101046  
(Parcel)
4. **Proposed Use of Property:** Residential / Multi-Family
5. **Zoning District Designation of Property:** R15
6. **Variance requested to requirement of Section 35-:** 182
7. **Purpose of Variance:** Request Relief/Adjustment against 133% of 15000 sq ft lot rule
8. **Development Site Plan:** See Appendix A of Land Use Ordinance.
9. **Notice of Hearing:** All property owners within 150' of the perimeter of the property subject of this petition must be notified by first class mail. Please attach list of all such property owners as reflected on the current tax Assessor's Roll with current mailing addresses, Taxing Township, Map Number, Block Number, and parcel Number.
10. **Factors Required to Grant a Variance:** When unnecessary hardships would result from carrying out the strict letter of a zoning ordinance, the board of adjustment shall vary any of the provisions of the ordinance upon a showing of all of the following "factors". In the spaces provided below, indicate the facts that you intend to show and the arguments that you intend to make so that the Board may conclude that the factors exist. (No change in permitted uses may be authorized by variance. Appropriate conditions may be imposed on any variance, provided that the conditions are reasonably related to the variance.):
  - a) **Unnecessary hardship would result from the strict application of the ordinance:**  
Please refer to Exhibits A1 - A8 - Business Case for facts that support hardship
  - b) **The hardship results from conditions that are peculiar to the property, such as location, size, or topography. (Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.):**  
The Deed Acres .41 (17859.6 sq ft) is 2090.4 sq ft short of the Sec. 35-182 133% of 15000 sq ft (19950 sq ft) for Single Family w/ Accessory Apartment  
(Over)

File # \_\_\_\_\_ 1

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

The current structure was built between 2005 & 2010, Le Benediction acquired the property May 2020. Thus the hardship existed some 10-12 years prior to current ownership. The structure is 65-70% complete, was allowed to remain in place and the request is to complete it.

d) The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured and substantial justice is achieved:

We are not aware of and/or anticipate any public safety issues with this project

I certify that all of the information presented by me in this Application is accurate to the best of my knowledge, information and belief.

Le Benediction LLC *[Signature]* September 17, 2025  
(Applicant Signature) (Date)

Le Benediction LLC *[Signature]* September 17, 2025  
(Owner Signature) (Date)

*[Signature]*

(Received By)

(Date)

City of



Lumberton

Planning & Neighborhood Services

Authorization to appear before City Council/Planning Board/Board of Adjustment on the behalf of the property owner(s).

Application File No.: \_\_\_\_\_

Property address: 3125 Wellington Rd Parcel #: 320101094

I, Le Benediction, LLC (property owner), give Dr./Mr./Ms.

Attorney Sabrina O. LeShore-Cummins the authority to appear before City Council/Planning Board/Board of Adjustment on my behalf.

Authorized Person (print/type full name): Jimmy P. McRae (Agent/Member)

Signature: Jimmy P. McRae (Agent/Member) (Authorized Person)

Authorized Actions: Appear before City Council/Planning Board/Board of Adjustment on property owner's behalf; Answer questions of the board(s) on property owner's behalf; Appear as the applicant.

1. The North Carolina State Bar has opined on more than one occasion, that non-lawyers representing someone else at a quasi-judicial hearing (such as variances and special use permits) constitutes the unauthorized practice of law (The City Attorney can provide copies of these opinions). Simply providing factual or expert testimony as a witness does not violate this rule.
2. If the applicant is not present and the representative does not have sufficient knowledge regarding the application to satisfy the Planning Board or Board of Adjustment, this may cause the request to the tabled or denied.

I, the undersigned, (owner of the above described property), do hereby acknowledge: (1) that I give authority to the authorized person listed above to appear before City Council/Planning Board/Board of Adjustment on my behalf, (2) that this authorization will not waive my rights as the property owner.

STATE OF North Carolina COUNTY OF Robeson

I, Redean Cotton, a Notary Public in and for said County and

State, do hereby certify that Jimmy McRae personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and Notarial Seal this 19 day of September, 2025

Redean Cotton  
Notary Public



My Commission Expires: 7/7/27

City of



Lumberton

Planning & Neighborhood Services

Authorization to appear before City Council/Planning Board/Board of Adjustment on the behalf of the property owner(s).

Application File No.: \_\_\_\_\_

Property address: 3125 Wellington Rd Parcel #: 320101046

I, L.E. Benedict & Son, LLC (property owner), give Dr./Mr./Ms.

Jimmy L. McKee (Agent) the authority to appear before City Council/Planning Board/Board of Adjustment on my behalf.

Authorized Person (print/type full name): Jimmy L. McKee (Agent / Member)

Signature: Jimmy L. McKee (Agent / Member) (Authorized Person)

Authorized Actions: Appear before City Council/Planning Board/Board of Adjustment on property owner's behalf; Answer questions of the board(s) on property owner's behalf; Appear as the applicant.

1. The North Carolina State Bar has opined on more than one occasion, that non-lawyers representing someone else at a quasi-judicial hearing (such as variances and special use permits) constitutes the unauthorized practice of law (The City Attorney can provide copies of these opinions). Simply providing factual or expert testimony as a witness does not violate this rule.
2. If the applicant is not present and the representative does not have sufficient knowledge regarding the application to satisfy the Planning Board or Board of Adjustment, this may cause the request to the tabled or denied.

I, the undersigned, (owner of the above described property), do hereby acknowledge: (1) that I give authority to the authorized person listed above to appear before City Council/Planning Board/Board of Adjustment on my behalf, (2) that this authorization will not waive my rights as the property owner.

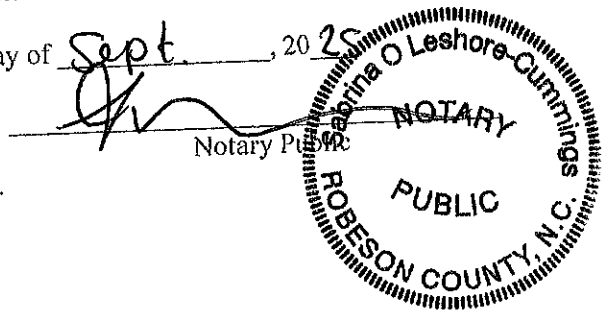
STATE OF North Carolina COUNTY OF Robeson

I, Sabrina O. Leshore-Cummings, a Notary Public in and for said County and agent of L.E. Benedict & Son, LLC

State, do hereby certify that Jimmy L. McKee personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal this 17th day of Sept, 2025

My Commission Expires: 05/02/2028



# *Le Benediction, LLC*

*Business Plan for: 3125 Wellington / 3795 Berkley – Variance*  
*Jimmy L. McRae (Agent) – (513) 602-1284*

## **Exhibit # – 1 Business Objective:**

The objective of Annie L. McRae Foundation for the 3125 Wellington Rd / 3725 Berkley Ln Dwelling Units:

- Provide a family, elderly couple and/or deserving individual(s) displaced by Hurricane Mathew and/or Florence, during the 2016 / 2018 storms with affordable housing they can call HOME.
- Help Rebuild Blighted Properties in Robeson County that will improve the overall beauty and value of the property and neighborhood.

**Business Results Thus Far:** Le Benediction, LLC initiated the noted objectives in Feb. 2017 and has and realized the following:

- Rebuilt 3 properties in the May Fair community
- Rebuilt 2 properties in the Sunset Heights & Turner's Terrace community
- Rebuilt 1 property in the Brittswood community.
- Assisted in the Rebuild / Cleanup of 3 additional properties in Lumberton.

**The CHANGE we want for Lumberton, NC is possible when we do what we can, with what we have, from where we are, staying focused on WHAT WE LOVE.**

# *Le Benediction, LLC*

*Business Plan for: 3125 Wellington / 3795 Berkley – Variance*  
*Jimmy L. McRae (Agent) – (513) 602-1284*

## **Exhibit # – 2 - Benefits of 3795 Berkley Ln Dwelling**

- The property is planned for a: 3bdrm, 2 bath, 2 car garage and a storage bay. A single or multi family dwelling and receives separate city services (i.e. water, gas, electric, mail, etc).
- Comparable sales in June/July 25 for zip code: 28358 – avg \$205K – 1582 sqft, zip code: 28360 – avg \$229K 1494 sqft.
- Mayfair Community realizes property value preservation per the projects estimated After Repair Value roughly ~\$204K to \$229K.
- Robeson County and City of Lumberton realizes an additional tax base roughly ~\$3049/yr
- The project will help maintain work for local resources (s): carpenter, plumber, electrician, painter, HVAC for a project budgeted at roughly ~\$58K ~\$70K.
- Sam Companies (John E. Kaukola Jr.) completed site survey 6/4/2024, provided Elevation Certificate. Confirms bldg. height, setback, structure, flood risk do not adversely affect the property.
- We believe the project will address all other property owner concerns that may arise in a positive manner. This is a WIN for May Fair property owners, a WIN for the City of Lumberton, a WIN for a deserving family, and a Blessing from the Annie L. McRae Foundation!!!!

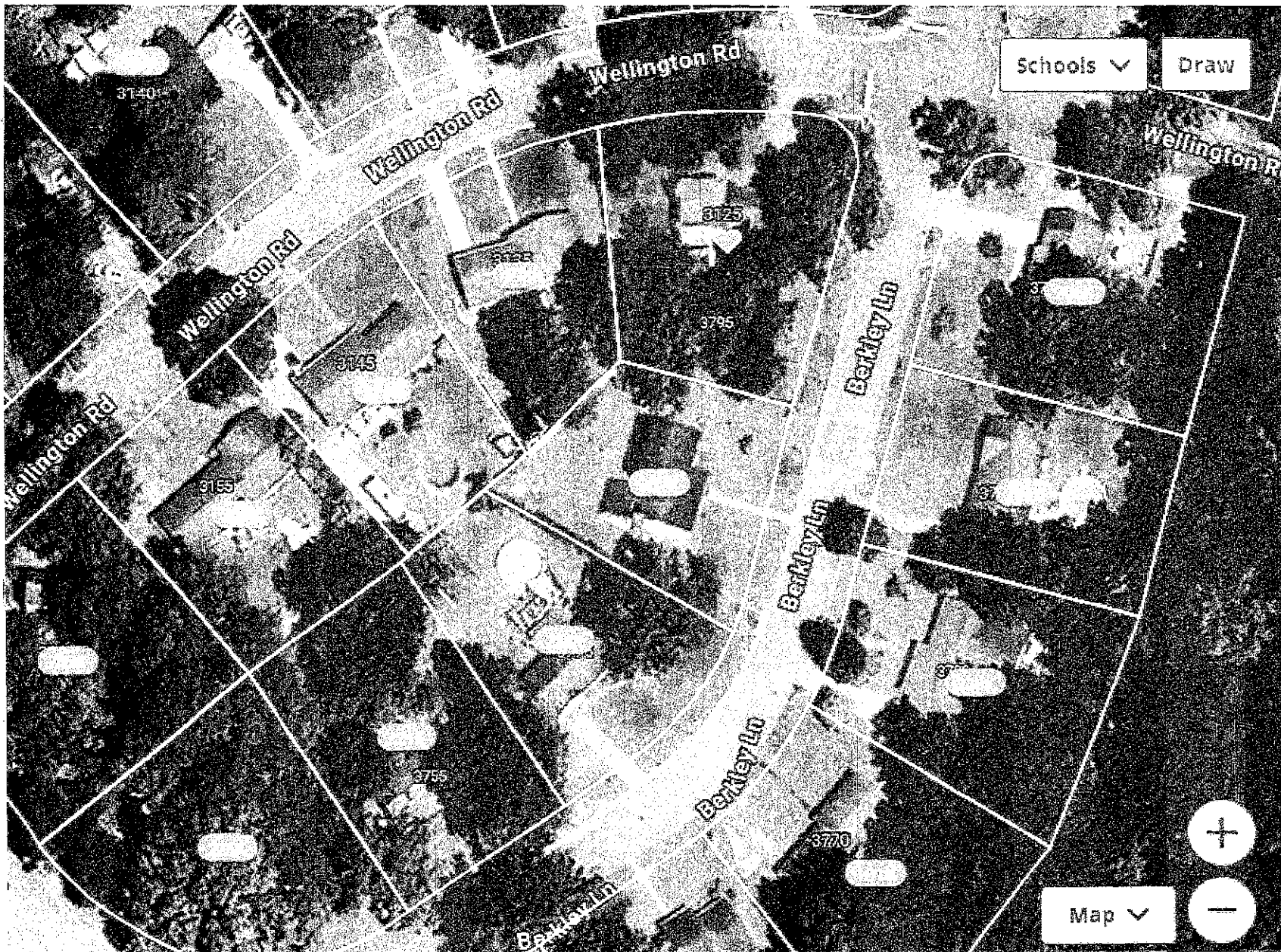
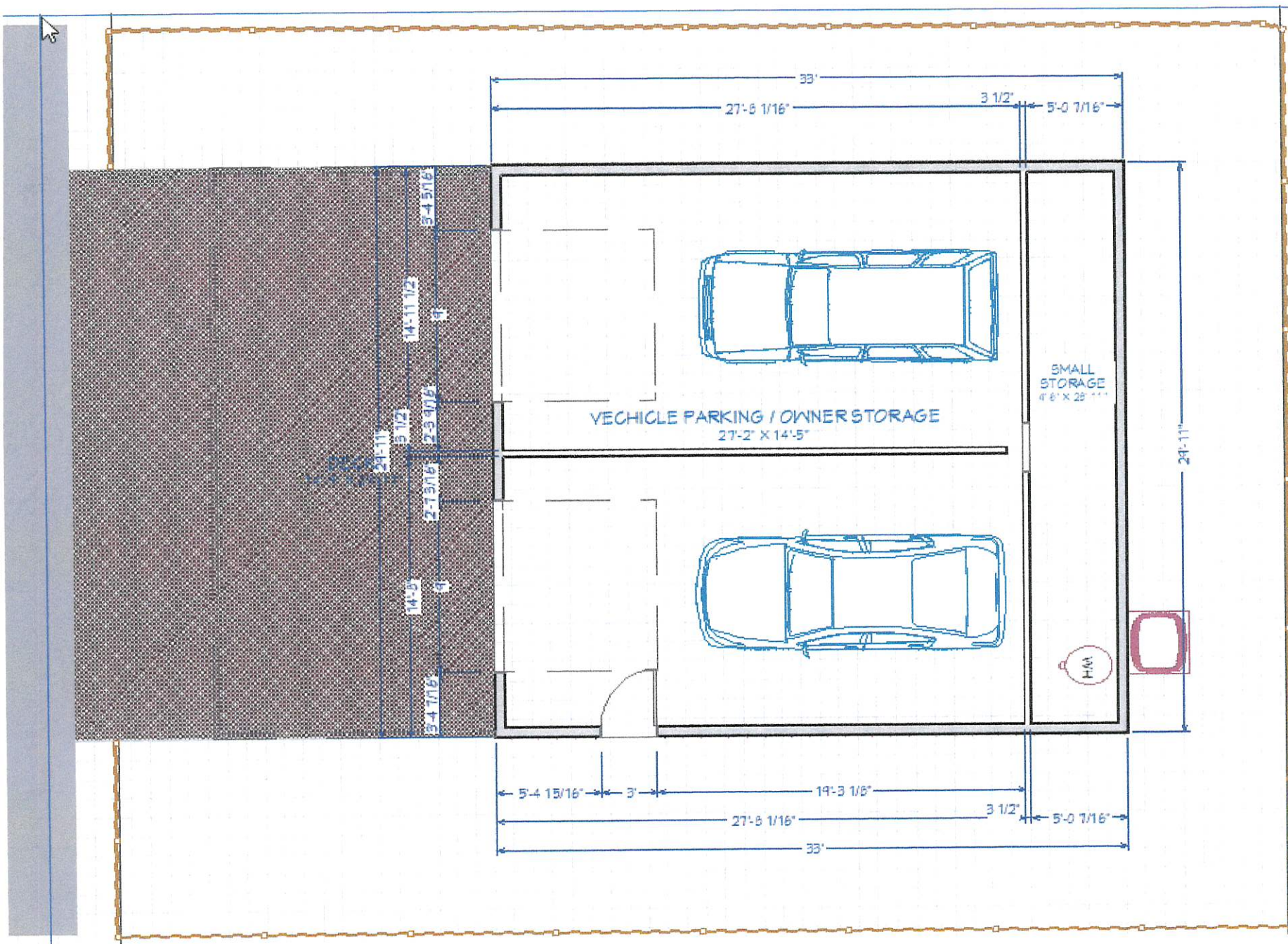
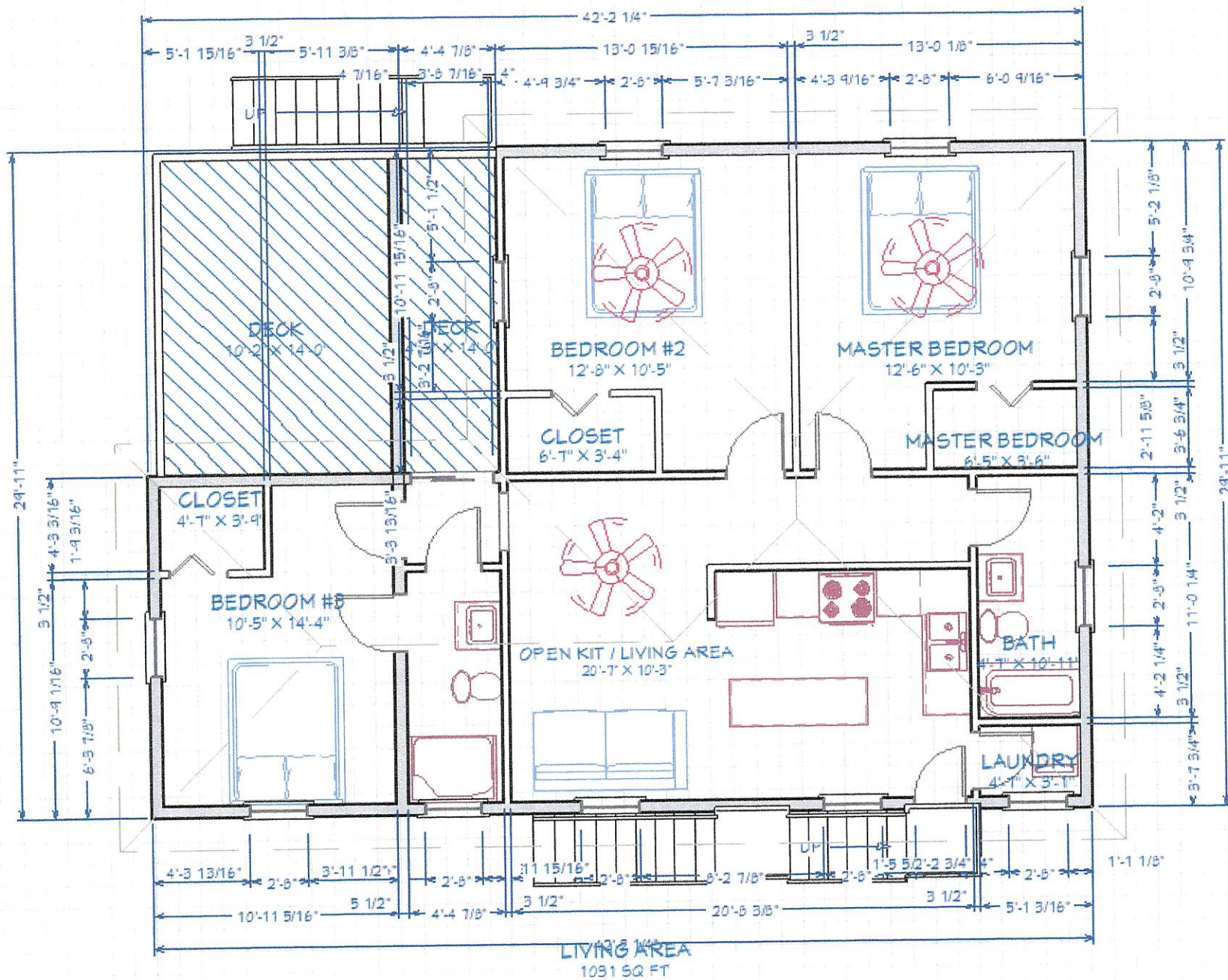


Exhibit #3



Enhancement #4



2011-12-11

Exhibit 5A



Exhibit 5B







# Le Benediction, LLC

Business Plan for: 3125 Wellington / 3795 Berkley – Variance  
Jimmy L. McRae (Agent) – (513) 602-1284

## Exhibit # 6 – 3795 Berkley Ln - Discovery



To get an address for a building in North Carolina, you'll need to contact the local government office that has authority over the land and provide the required documentation: such as a land deed, mortgage paperwork, floor plan, and site plan. You'll also need to provide multiple forms of personal identification and submit an application for an address assignment.

### **This property is zoned R-15 – Multifamily use is not allowed?**

The current ordinance states only one single-family structure is allowed on this property. Two or more single family dwelling units located in separate buildings on the same lot are considered multifamily. Le Benediction, LLC is seeking a Variance to divide the lot to create 2 separate lots or multifamily lot. Construct 3795 Berkley Ln – would be dwelling that comprises roughly 1031 square feet of living space and 960 square feet of garage & storage space.

**Design Plan** - The property is planned for a: 3bdrm, 2 bath, 2 car garage and a storage bay. The building is currently 65-70% complete and per initial inspection adheres to standard building codes. It was built sometime between 2008 & 2010 and wasn't required to be removed.

The primary unit 3125 Wellington Rd renovations were completed about June 11, 2021. All required permits were issued, complied with, inspected and approved by the City of Lumberton Inspections Department. The main unit has been occupied since June/July 2021.

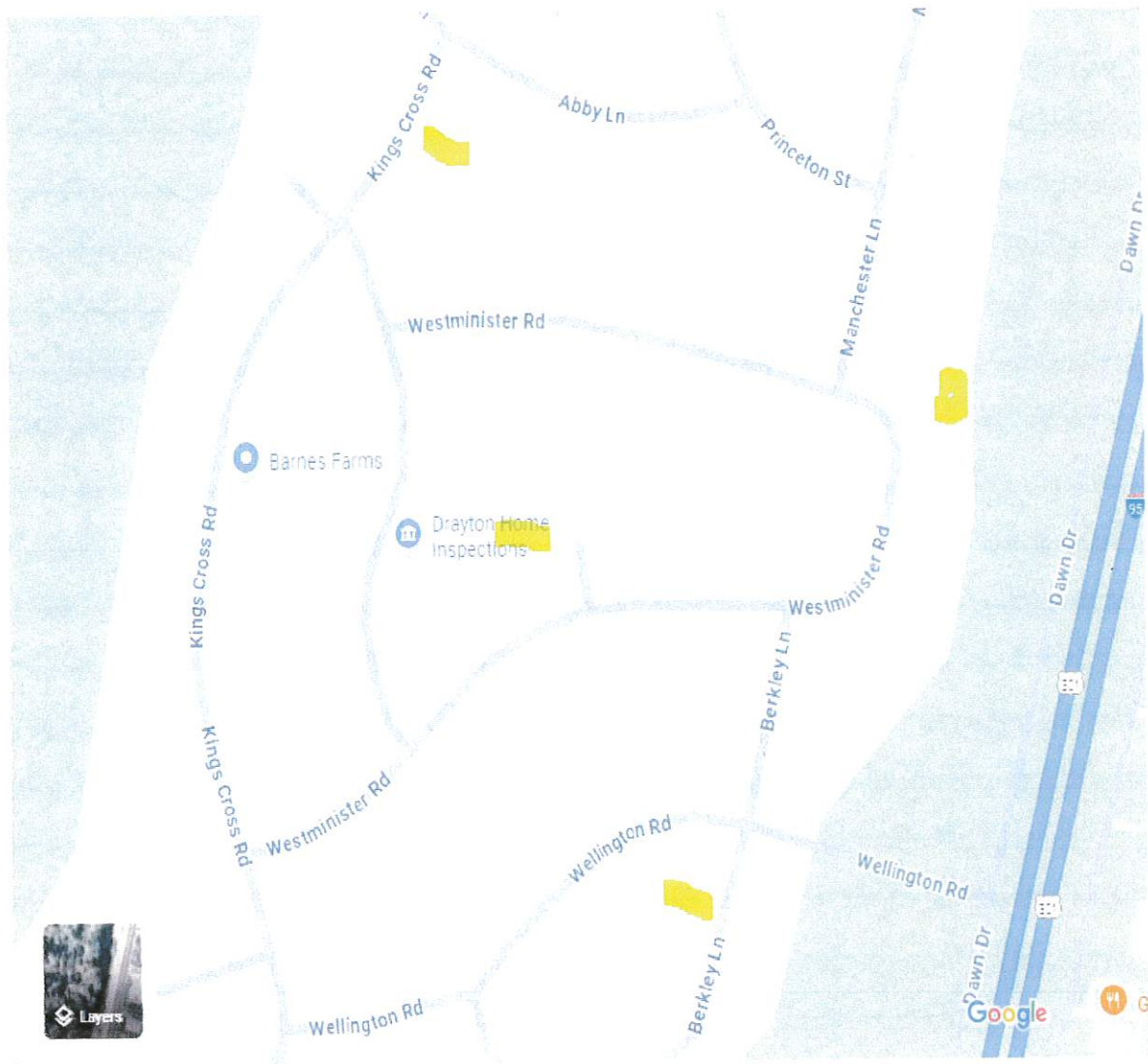
**City of Lumberton USPS** indicates 3795 Berkley Ln address shows in their system as a building. Once designated as a dwelling then mail delivery can be setup within 4-5 business days.

# Le Benediction, LLC

Business Plan for: 3125 Wellington / 3795 Berkley – Variance

Jimmy L. McRae (Agent) – (513) 602-1284

## Exhibit # 7 – Similar Structures in Mayfair Community



### Similar Structures in Mayfair Community?

Le Benediction was able to identify at least 3 other locations of building designs that inherit characteristics (ex. Size, Design, Separate Bldg on same lot) as that of the 3795 Berkley Ln building in the Mayfair Community.

# *Le Benediction, LLC*

*Business Plan for: 3125 Wellington / 3795 Berkley – Variance*  
*Jimmy L. McRae (Agent) – (513) 602-1284*

## **Exhibit # 8 – Similar Structures in the Mayfair Community**

### *SIMILAR STRUCTURES IN THE MAYFAIR COMMUNITY*

3952 BUCKINGHAM



3795 BERKLEY LN



3069 WESTMINSTER RD

3755 ABBY LN



- The 3795 Berkley Ln building is the subject property of Le Benediction, LLC's Variance Application.
- Property 3952 Buckingham buildings design nearly replicates the purposed modifications of the 3795 Berkley Ln building design.
- Le Benediction, LLC believes a precedent has been set per these structures that support the variance request. The 3795 Berkley Ln building is currently 65-70% complete, funding and developers are in place to complete the development work.
- The project will ultimately improve the overall beauty & value of the property and neighborhood.

# *City of* *Lumberton*

## *Planning & Neighborhood Services*

**Variance**  
3125 Wellington Rd.

**Date of Application Submittal:**

| <b>PETITIONER(S):</b>                                                                                                                | <b>OWNER(S):</b>                                                                                                                     |
|--------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| Le Benediction, LLC<br>Attn: Jimmy McRae<br>PO Box 40391<br>Cincinnati, OH 45240<br><br>11942 Winston Circle<br>Cincinnati, OH 45240 | Le Benediction, LLC<br>Attn: Jimmy McRae<br>PO Box 40391<br>Cincinnati, OH 45240<br><br>11942 Winston Circle<br>Cincinnati, OH 45240 |

**Variance Request:** Jimmy McRae (Le Benediction, LLC) is requesting a Variance for property located at 3125 Wellington Road (parcel # 3201-01-046).

**LOCATION:**



# City of Lumberton

Planning & Neighborhood Services



## PARCEL INFORMATION

| Owner                                    | Parcel #(s) | Zoning                          | Area    | Limits of Construction |
|------------------------------------------|-------------|---------------------------------|---------|------------------------|
| Le Benediction, LLC<br>Attn: Jimmy McRae | 320101046   | R-15, Residential single-family | 0.41 ac | 0.41 ac                |

*Planning & Neighborhood Services*

**ADJACENT PROPERTY SITE DATA**

|                         | <b>Zoning</b>                   | <b>Land Use</b>                                           |
|-------------------------|---------------------------------|-----------------------------------------------------------|
| <b>Subject Property</b> | R-15, Residential single-family | Proposed Single family residence with accessory apartment |
| <b>North</b>            | R-15, Residential single-family | Single Family Residence                                   |
| <b>South</b>            | R-15, Residential single-family | Single Family Residence                                   |
| <b>East</b>             | R-15, Residential single-family | Single Family Residence                                   |
| <b>West</b>             | R-15, Residential single-family | Single Family Residence                                   |

**STAFF ANALYSIS**

**PROJECT OVERVIEW**

**Analysis:** This Variance is to allow a single-family residence with accessory apartment that does not meet the minimum lot size requirement and the accessory apartment exceeds the maximum square feet of 750.

**PLANNING & ZONING**

**Setback and Lot Size (General to R-15 Zoning District):**

| <b>Zoning District</b> | <b>Min. Lot Size</b> | <b>Min. Lot Width</b> | <b>Min. Front Setback (right of way)</b> | <b>Min. Side &amp; Rear Setbacks</b>                                                        | <b>Minimum Height</b> |
|------------------------|----------------------|-----------------------|------------------------------------------|---------------------------------------------------------------------------------------------|-----------------------|
| R-15                   | 15,000               | 100'                  | 30'                                      | 10'<br>(unless its bordered by a right of way. Then right of way min setbacks are observed) | 35'                   |

**Minimum Lot Size and Accessory Structure Maximums for Single-family Residence with Accessory Apartment (Use #1.130)**



*Planning & Neighborhood Services*

| Zoning District | Min. Lot Size                     | Existing Lot Size     | Min. Lot Width | Min. Front Setback (right of way) | Min. Side & Rear Setbacks                                                                   | Maximum Height |
|-----------------|-----------------------------------|-----------------------|----------------|-----------------------------------|---------------------------------------------------------------------------------------------|----------------|
| R-15            | 19,950<br>(133 percent of 15,000) | 0.41 acre<br>17,859.6 | 100'           | 30'                               | 10'<br>(unless its bordered by a right of way. Then right of way min setbacks are observed) | 35'            |

**Accessory Structure Maximums**

Accessory Structure – 789.21 sq. ft. living space + 420.44 sq.ft. deck = 1,209.65 total square feet (plans provided by applicant says 1,246 square feet).

**Planning & Zoning Analysis**

The property currently has a single-family residence and an unpermitted accessory structure. From my research, the accessory structure was constructed between 2008 & 2010 without permits from the City.

**\*\*\*The request does not meet the minimum lot size requirement for a single-family residence with accessory apartment (Sec. 35-182. Residential density) and exceeds the maximum square feet of 750.\*\*\***

**Definition:**

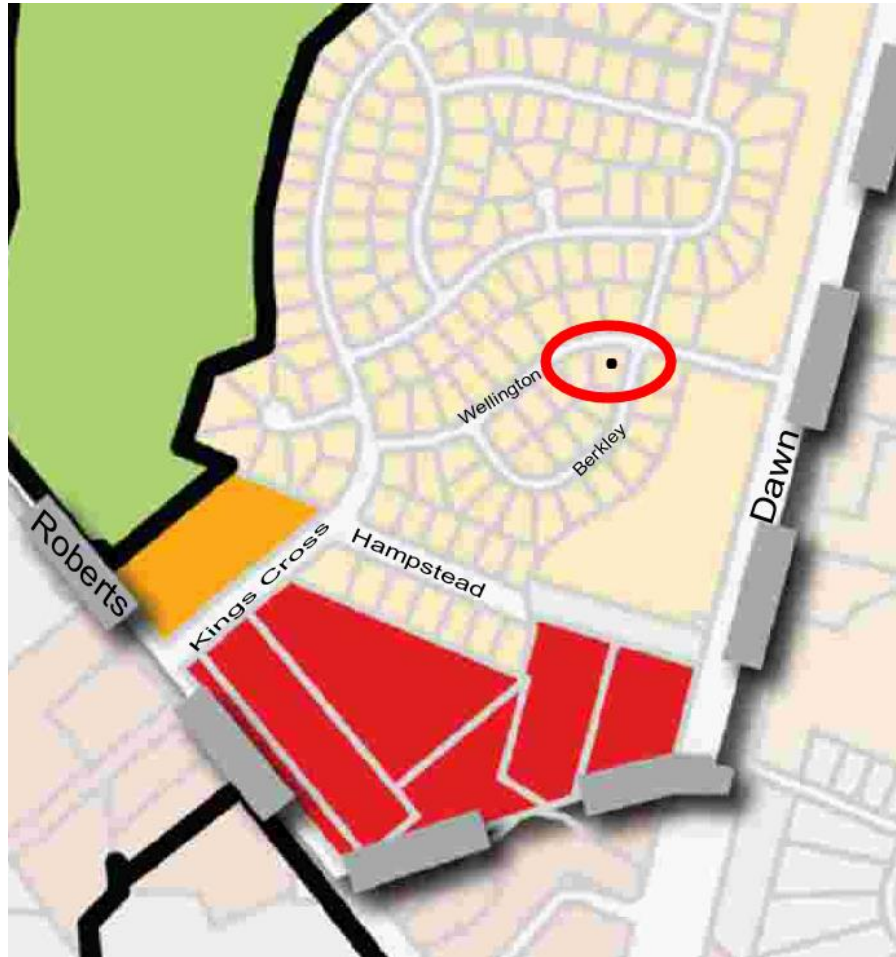
***Residence, single-family with accessory apartment.*** A residential use having the external appearance of a single-family residence but in which there is located a second dwelling unit that comprises not more than twenty-five (25) percent of the gross floor area of the building nor more than a total of seven hundred fifty (750) square feet.

**Sec. 35-182. Residential density.**

(a) ... Every lot developed as a single-family residence with accessory apartment shall have the number of square feet equal to one hundred thirty-three (133) percent of the minimum required for single-family residences in that district.

*Planning & Neighborhood Services*

**Land Use Plan:** The Land Use Plan designates the future use of this parcel as Low Intensity, furthermore, this property is located within precinct 8.



**LOW INTENSITY**

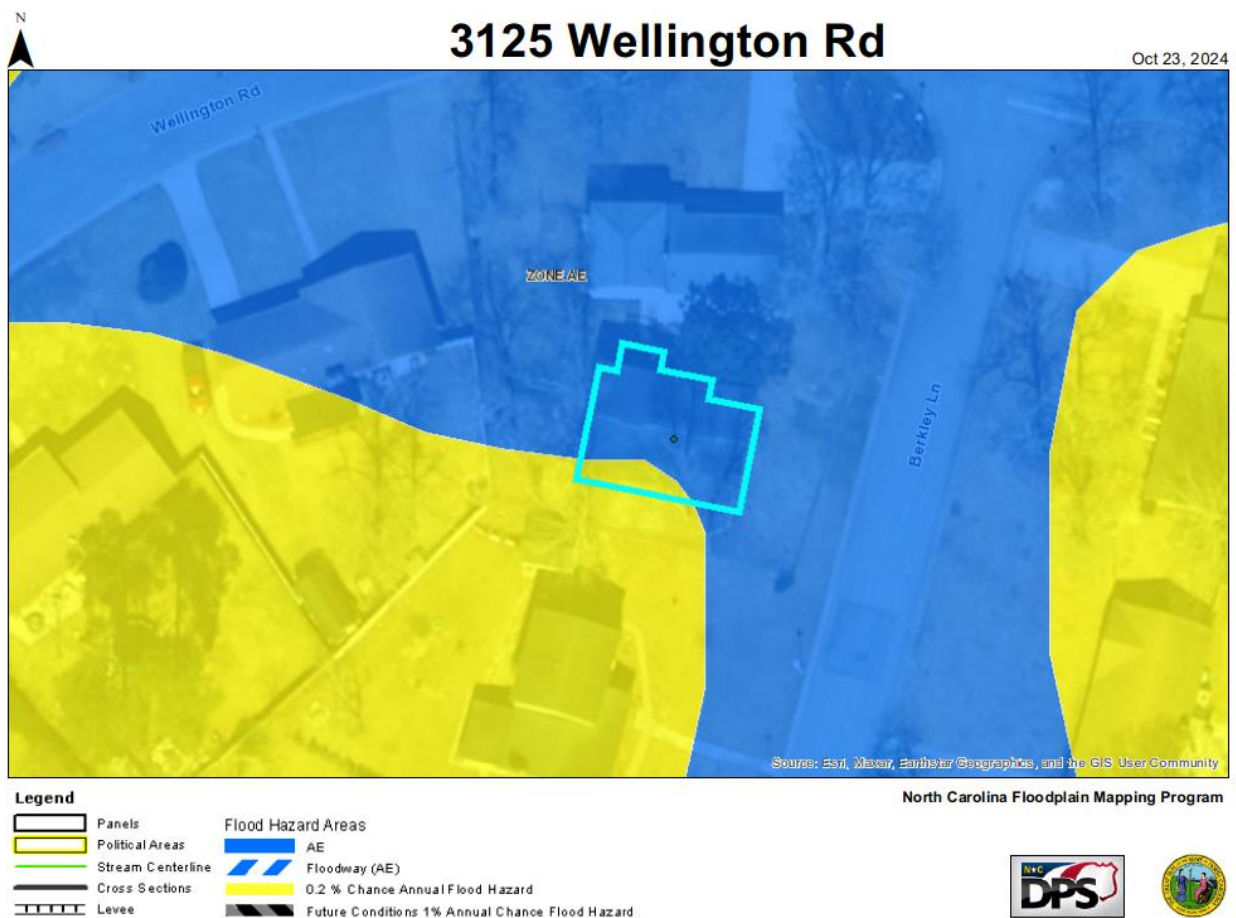
The Low Intensity land use category is intended to accommodate both the preservation and growth of low to medium density neighborhoods (4 to 6 dwelling units / acre) consisting primarily of single family residences, as well as small scale multi-family residential development, such as two and three family dwellings. While primarily residential in character, certain low impact nonresidential uses are appropriate for development within these areas, such as small churches, daycare centers, traditional home occupations and similar uses which will not conflict with the character of these areas when they are situated and developed in a manner that is consistent with an overall low intensity land use pattern.

## FLOOD RISK INFORMATION SYSTEM (FRIS) INFORMATION

**Flood Zone ‘AE’ 100-YR Flood Zone:** Zones AE and A1-A30 are the flood insurance rate zones used for the 1-percent-annual-chance floodplains that are determined for the FIS by detailed methods of analysis. In most instances, BFEs derived from the detailed hydraulic analyses are shown at selected intervals in this zone. Mandatory flood insurance purchase requirements apply.

**Shaded Zone X (yellow), not in 100-year floodplain:** Shaded Zone X (500-yr floodplain) 0.2 Percent Annual Chance Flood: The flood that has a 0.2% chance of being equaled or exceeded in any given year.

**Map Number:** 3 3710939200K **Panel Effective Date:** 12/6/2019





## *Planning & Neighborhood Services*

### **DEVELOPMENT UPON APPROVAL**

If this Special Use Permit is granted the applicant must submit site development plans to the City of Lumberton, and other Federal and State Departments, if applicable, for review and approval prior to development. All conditions of the Special Use Permit must be addressed prior to the issuance of a Land Use Permit and/or Certificate of Occupancy (CO).

### **PLANNING STAFF RECOMMENDATION TO THE BOARD OF ADJUSTMENT**

Hold tonight's public hearing and make a separate vote on each of the four (4) factors stated in the application.