



TOWN OF BLACK MOUNTAIN

160 Midland Avenue ♦ Black Mountain ♦ N.C. ♦ 28711

Phone: (828) 419-9300 ♦ Fax: (828) 669-2030

MEMORANDUM

To: Town of Black Mountain Zoning Board of Adjustment
From: Jennifer Tipton, Zoning Administrator
Re: Agenda Packet for December 5, 2018
Date: November 26, 2018

The Town of Black Mountain Zoning Board of Adjustment will meet on Wednesday, December 5, 2018 at 6:00 p.m. in Town Hall at 160 Midland Avenue.

Please find the following items for your information and use at the meeting:

1. The proposed agenda;
2. Draft minutes from August 16, 2018; and
3. Variance request for 316 Allen Mountain Drive.

Please let Jennifer Tipton know if you are **unable** to attend this meeting.
jennifer.tipton@townofblackmountain.org or (828) 419-9373.

The Town of Black Mountain is committed to providing accessible facilities, programs and services for all people in compliance with the American with Disabilities Act. Should you need assistance or a particular accommodation for this meeting, please inform Jennifer Tipton at (828) 419-9373 or by email at jennifer.tipton@townofblackmountain.org.

CC: Jessica Trotman, Planning Director
Ron Sneed, Town Attorney
Josh Harrold, Town Manager



PUBLIC NOTICE

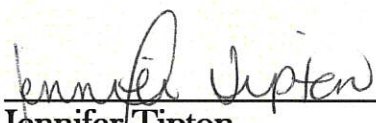
BLACK MOUNTAIN ZONING BOARD OF ADJUSTMENT

SPECIAL CALL MEETING

Wednesday, December 5, 2018, at 6:00 p.m.

The Black Mountain Zoning Board of Adjustment will a special call meeting on **Wednesday, December 5, 2018, at 6:00 p.m.** at Town Hall, 160 Midland Avenue, Black Mountain, N.C. The purpose of this meeting is to consider a variance request for 316 Allen Mountain Drive, further identified as PIN #0609-78-8234.

The meeting is open to the public.



Jennifer Tipton
Zoning Administrator

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Posted to the Town Bulletin Board 11/16/18

www.townofblackmountain.org



**Zoning Board of Adjustment Special Call Meeting
December 5, 2018**

PROPOSED AGENDA

- I. CALL TO ORDER**
 - Welcome
 - Determination of Quorum
- II. ADOPTION OF AGENDA**
 - **Motion:** To adopt the agenda as presented [or as amended]
- III. ADOPTION OF MINUTES**
 - **Motion:** To adopt the minutes of August 16, 2018 as written [or as amended]
- IV. OLD BUSINESS**

None
- V. NEW BUSINESS**
 - 1. Variance Request for 316 Allen Mountain Drive
- VI. COMMUNICATION FROM ZONING BOARD OF ADJUSTMENT**
- VII. COMMUNICATION FROM STAFF**
- VIII. ADJOURNMENT**



Town of Black Mountain

160 Midland Avenue ♦ Black Mountain, North Carolina ♦ 28711

Phone: 828-419-9300 ♦ Fax: 828-669-2030

OFFICE OF THE ZONING ADMINISTRATOR

APPLICATION FOR VARIANCE

Date: 11/13/18

To: ZONING ADMINISTRATOR
TOWN OF BLACK MOUNTAIN

NAME OF OWNER AND ADDRESS OF THE REAL ESTATE AFFECTED BY THE
PROPOSED VARIANCE:

Ann Watcher and Richard Blum
316 Allen Mountain Drive, Black Mt. NC 28711

PROPERTY DESCRIPTION/PIN #: 0609-78-8234

CURRENT ZONING CLASSIFICATION: CR-1

THIS PROPERTY IS CURRENTLY USED FOR THE PURPOSE OF:

Private residence

THE VARIANCE IS REQUESTED TO ALLOW THE PROPERTY OWNER TO:

Resolve a hazardous situation in which the front
entry door opens immediately at the top of stairs
leading down to the basement. We plan to extend only
the foyer out approximately 2.5 feet and add a covered stoop.

ATTACHED HERETO IS A PLOT PLAN OF THE REAL ESTATE AFFECTED, INDICATING THE SIZE OF
THE LOT, SIZE OF IMPROVEMENTS NOW ERECTED, AND THOSE PROPOSED TO BE ERECTED.

THE APPLICANT BELIEVES THAT THE VARIANCE BE GRANTED FOR THE FOLLOWING
REASONS:

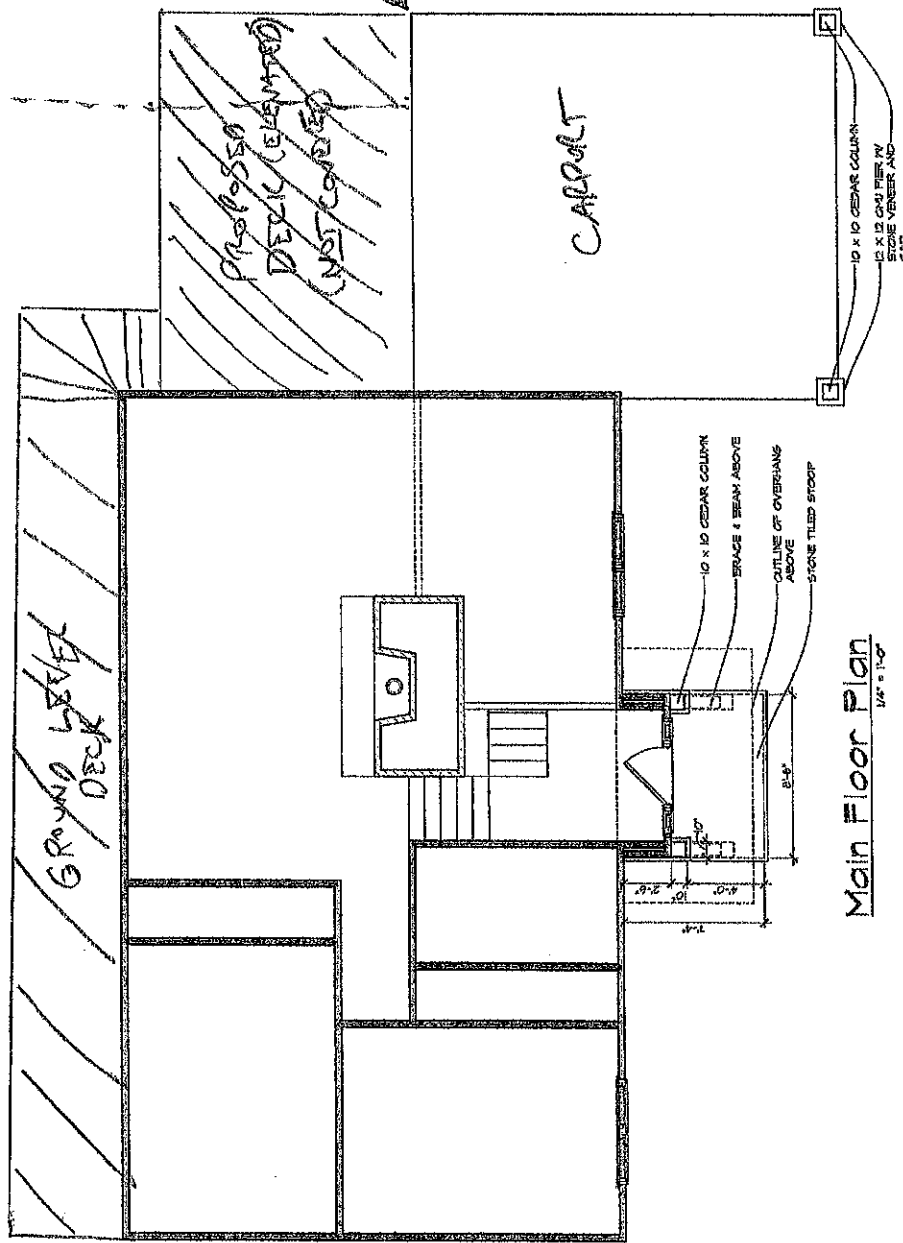
Safety of homeowner and guests entering and
leaving the home, and for deck to be cohesive with
existing carport

→ proposed deck behind carport to extend 2' 3" into setback to be entire width of
carport

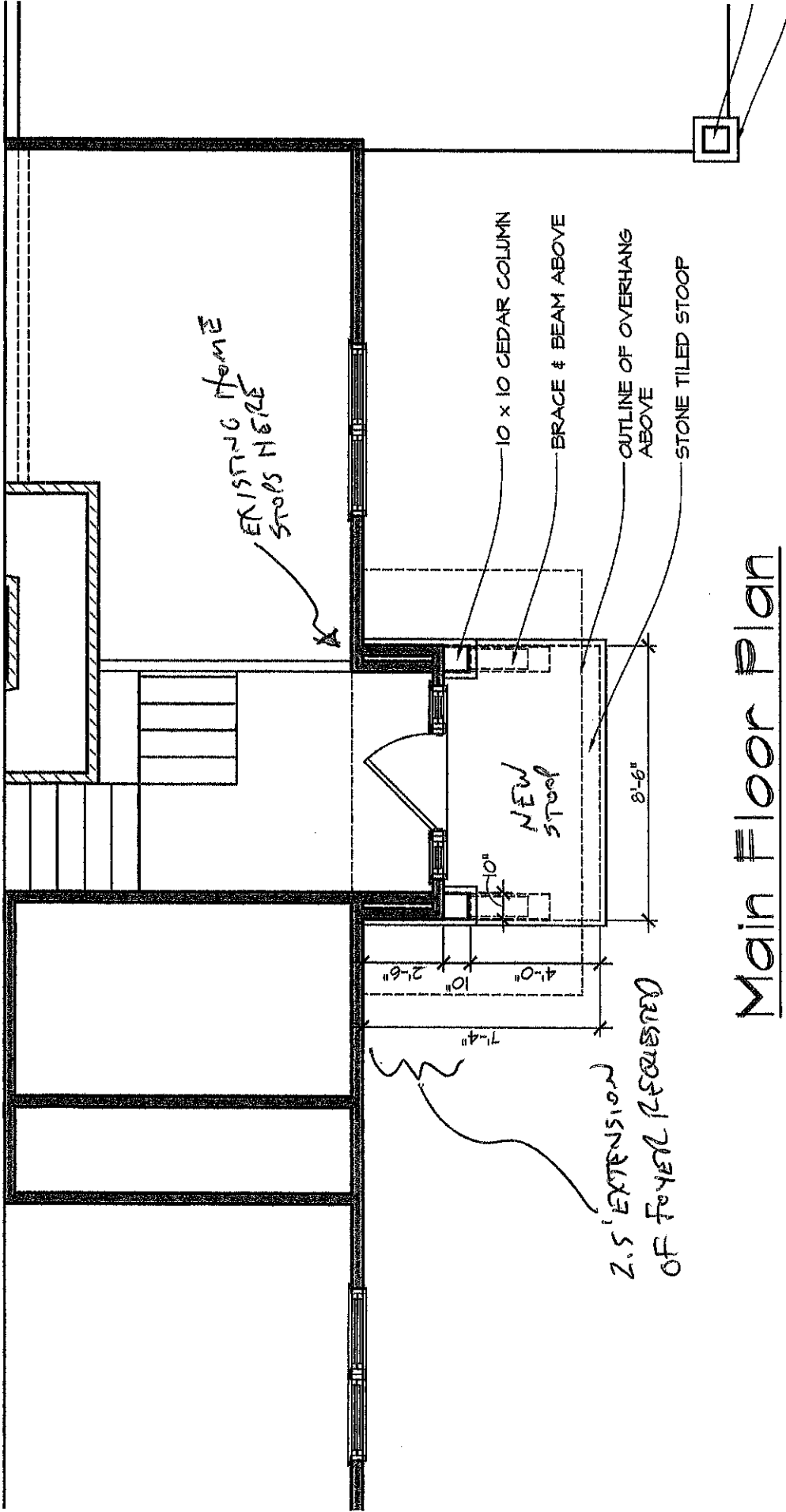
SIGNATURE OF APPLICANT: Ann Watcher

APPROX LOCATION
OF EASEMENT

REQUEST
TO VARIANCE TO
EXTEND DECK
TO CORNER OF
CARPORT STORAGE



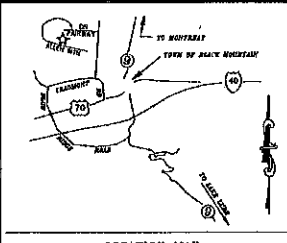
Main Floor Plan
1/4" = 1'-0"



Main Floor Plan
1/4" = 1'-0"







LINE	BEARING	DISTANCE
L1	S 70°31'54" W	7.78'

40
P.B. 34, P. 32
John B. Ellery, Jr. & Elizabeth Jones
D.B. 4116, P. 88

Summit Ave., LLC
D.B. 5800, P. 1808
P.B. 112, P. 50

1. JOHN M. STOLLERY, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN D.B. 1042, P. 351.) THAT THE BOUNDARIES NOT SURVEYED ARE INDICATED AS BROKEN LINES AS DRAWN FROM INFORMATION FOUND IN OTHER REFERENCE SOURCES, THAT THE RATIO OF PRECISION IS 1:10,000, AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 36.1000) THIS 8th DAY OF NOVEMBER, 2018.

1. JOHN M. STOLLERY, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL GNSS SURVEY MADE UNDER MY SUPERVISION AND THE FOLLOWING WAS USED TO PERFORM THE SURVEY:

1. CLASS OF SURVEY: CLASS A (HORIZONTAL)
2. POSTERIORAL ACCURACY: NOT TO EXCEED 0.10 FT. H. & V.
3. TYPE OF FIELD PROCEDURES: GPS-H
4. DATES OF SURVEY: 06/28/2017
5. DATUM/EPOCH: NAD 83-2011 EPOCH 2010, V-NAD80 88
6. PUBLISHED/FIELD-CONTROL USED: NO VRS NETWORK
7. GRID MODEL: GEOID 120
8. COMBINED GRID FACTOR: 0.88978556
9. UNITS USED: US SURVEY FOOT

GNSS Observations were used only to tie property to NC GRS.

John M. Stollery
PROFESSIONAL LAND SURVEYOR
LICENSE NUMBER L-2996



42C
P.B. 34, P. 32
Roger Charles McElroy
D.B. 1864, P. 107

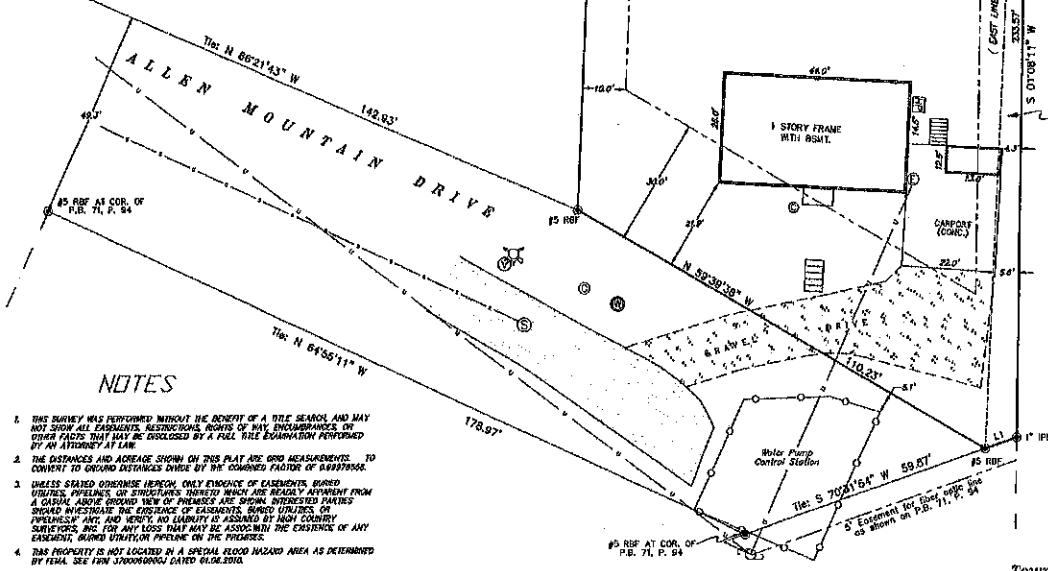
42D
P.B. 34, P. 32

AREA = 0.675 ACRES
By Record Computation

LEGEND

- △ INS. BENCHMARK
- CONCRETE MONUMENT FOUND
- PLANTED STONE FOUND
- IRON PIN FOUND-SIZE AS NOTED
- REBAR FOUND-SIZE AS NOTED
- REBAR 1/2" DIA. CAP SET
- CALCULATED POINT-NOT SET
- FIRE HYDRANT
- SEWER CLEANOUT
- ELECTRIC METER
- GAS METER
- PHONE PEDESTAL
- WATER VALVE
- WATER METER
- HEAT PUMP
- AREA LIGHT
- EXISTING MANHOLE & SEWERLINE
- UTILITY POLE & OVERHEAD LINES

1 1/2" HP SW AT COR.
OF D.B. 1054, P. 107



Summit Ave., LLC
D.B. 5800, P. 1202
P.B. 112, P. 60

NOTES

1. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE SEARCH AND MAY NOT SHOW ALL EASEMENTS, RESTRICTIONS, RIGHTS OF WAY, ENCUMBRANCES, OR OTHER FACTS THAT MAY BE DISCLOSED BY A FULL TITLE EXAMINATION PERFORMED BY AN ATTORNEY AT LAW.
2. THE DISTANCES AND ADMEASURES SHOWN ON THIS PLAT ARE GRID MEASUREMENTS. TO CONVERT TO GROUND DISTANCES DIVIDE BY THE COMBINED FACTOR OF 0.88978556.
3. UNLESS STATED OTHERWISE HEREON, ONLY EVIDENCE OF EXISTING BORED UNITS, PIPES, OR STRUCTURES IDENTIFIED BY THIS SURVEY ARE DEEMED TO BE PART OF THE PROPERTY. ANY AND ALL RIGHTS, NO LIABILITY IS ASSIGNED BY THIS SURVEYOR FOR ANY LOSS THAT MAY BE ASSOCIATED WITH THE EXISTENCE OF ANY EASEMENT, BORED UTILITY PIPELINE ON THE PROPERTY.
4. THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY FEMA. SEE FEMA FLOODING MAPS DATED 04/08/2010.
5. UNDERGROUND UTILITY INFORMATION IS TAKEN FROM BUNCOMBE COUNTY WED GIS INFORMATION, AND HAS NOT BEEN FIELD VERIFIED.
6. THIS PROPERTY IS ZONED CR-1 BY THE TOWN OF BLACK MOUNTAIN. SETBACKS: 30' FRONT, 10' SIDE, 30' REAR. SEE THE BLACK MOUNTAIN ZONING ORDINANCE FOR MORE INFORMATION.

THIS PROPERTY IS ALSO SUBJECT TO RESTRICTIVE COVENANTS AS RECORDED IN, BUT NOT LIMITED TO, D.B. 810, P. 308. INTERESTED PARTIES SHOULD INVESTIGATE ALL EXISTING RESTRICTIONS PRIOR TO DESIGN OF CONSTRUCTION. HIGH COUNTRY SURVEYORS MAKES NO CLAIM TO THE EXISTENCE OF ANY RESTRICTIONS OR COVENANTS.

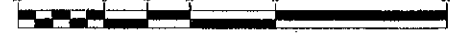
ANY STREAMS, CREEKS, PONDS, LAKES, WETLANDS, ETC. LOCATED ON THIS PROPERTY SHOWN ON THIS SURVEY MAY BE SUBJECT TO WATERSHED AREAS. IT IS THE OWNER'S/DEVELOPER'S RESPONSIBILITY TO HAVE THE AREAS DESIGNATED BY THE APPROPRIATE AGENCIES TO MAKE THESE DETERMINATIONS.

EXISTING HOUSE DOES NOT MEET TOWN OF BLACK MOUNTAIN SETBACK REQUIREMENTS AND IS CONSIDERED AN EXISTING NON-CONFORMING STRUCTURE.

Thomas R. & Katherine W. Cannon
D.B. 2000, P. 30
P.B. 71, P. 84

Survey for:
Richard A. Blum
and
Ann M. Watcher

P.I.N. 0809-78-8234
Town of Black Mountain, Buncombe County, NC
1 inch = 20' PL
November 8, 2018

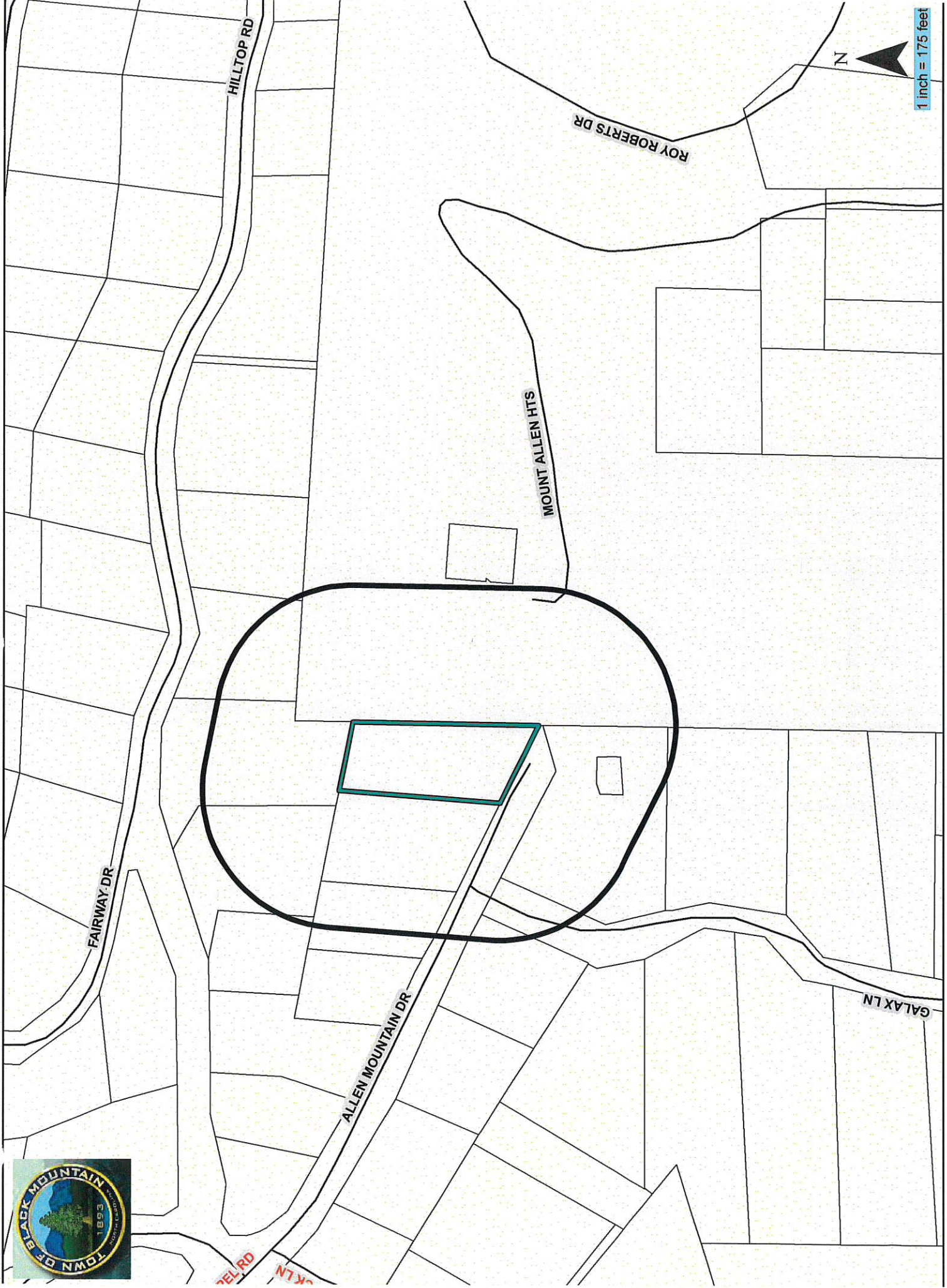


REFERENCES:	DEED BOOK	1042,	PAGE	351
	DEED BOOK	1160,	PAGE	571
	PLAT BOOK	84,	PAGE	32
	PLAT BOOK	71,	PAGE	94
	PLAT BOOK	112,	PAGE	60



HIGH COUNTRY SURVEYORS, INC.
403-D WEST STATE ST., BLACK MOUNTAIN, NC 28711 (828) 664-0091
HIGHCOUNtrysurveyors.NET CORPORATE LICENSE NUMBER C-1854

316 Allen Mountain Drive - 200' Buffer



<u>Name</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>	<u>PIN #</u>
Summit Avenue LLC	2359 US Hwy 70 Rd. #292	Hickory	NC	28602	0609-87-6922
Andrea and John DeWitt	169 Hilltop Road	Black Mountain	NC	28711	0609-88-0501
John Ellery and Elizabeth Jones	189 Hilltop Road	Black Mountain	NC	28711	0609-78-8511
John Ellery and Elizabeth Jones	189 Hilltop Road	Black Mountain	NC	28711	0609-78-6555
Thomas and Elizabeth Tracy	564 N Fork Road	Black Mountain	NC	28711	0609-78-5459
Carole Hile	1 Lynx Drive #E	Black Mountain	NC	28711	0609-78-6302
Charles McElroy	117 Ross Lake Lane	Sanford	FL	32771	0609-78-7218
John and Jean Newton	PO Box 145	Montreat	NC	28757	0609-78-8234
Thomas and Katharine Cannon	4 Galax Lane	Black Mountain	NC	28711	0609-78-7040
Kathy and Rebecca Reynolds	300 Allen Mountain Drive	Black Mountain	NC	28711	0609-77-8918
Thomas and Katharine Cannon	4 Galax Lane	Black Mountain	NC	28711	0609-77-7841
William and Deborah Hile	309 Allen Mountain Drive	Black Mountain	NC	28711	0609-78-5112
Charles and Jimmie Linkston	PO Box 746	Black Mountain	NC	28711	0609-88-1542



Town of Black Mountain

160 Midland Avenue ♦ Black Mountain, North Carolina, 28711
Phone: 828-419-9300 ♦ Fax: 828-669-2030 ♦ TDD: 1-800-735-5962

NOTICE OF VARIANCE REQUEST (REGARDING NEIGHBORS WITHIN 200 FEET OF PROPERTY)

DATE: **November 19, 2018**

TO: Name
Address
City, State, Zip

FROM: **TOWN OF BLACK MOUNTAIN
ZONING ADMINISTRATOR**

Name of owner and address of the real estate affected by the proposed variance:

**Ann Watcher and Richard Blum
316 Allen Mountain Drive, Black Mountain, NC 28711**

Property Description/PIN #: **0609-78-8234**

Current Zoning Classification: **CR-1 (conservation residential)**

This property is currently used for the purpose of: **private residence**

The variance is requested to allow the property owner to:

Resolve a hazardous situation in which the front entry door opens immediately at the top of stairs leading down to the basement. We plan to extend only the foyer out approximately 2' 5" and add a covered stoop. We would also like to place a deck the entire width of the existing carport so we would request 2' 3" on the side as well.

The applicant believes that the variance be granted for the following reasons:

Safety of homeowner and guests entering and leaving the home and for the deck to be cohesive with the existing carport.

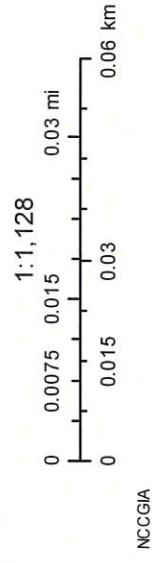
A public hearing will be held on Wednesday, December 5, 2018 @ 6:00 p.m. in the Board Room of Town Hall at 160 Midland Avenue.

This is your notification for this request specified under 1.7 of the Land Use Code for the Town of Black Mountain. Section 1.7.1 (d) (3) indicates that notice be provided to all property owners within 200 feet of the site's property lines. Notice of the time, date, and place of the hearing will be published in the Black Mountain News in accordance with the Land Use Code of the Town of Black Mountain.

2015 Aerial Map - 310 Allen Mountain Drive



November 15, 2018



VARIANCE

WEDNESDAY
DECEMBER 5,
2018
6:00 P.M.

*Town Hall
160 Midland Avenue
Black Mountain, NC 28711
828-419-9373 for more information*