



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 September 19, 2019
Date: September 6, 2019

The Town of Black Mountain Zoning Board of Adjustment will meet on Thursday, September 19, 2019 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 15, 2019;
3. Variance Request for 58 Old Lafayette Lane; and
4. Training with Town Attorney.

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



PUBLIC NOTICE

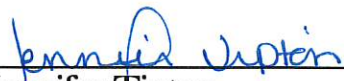
BLACK MOUNTAIN ZONING BOARD OF ADJUSTMENT

REGULAR MEETING

Thursday, September 19, 2019 at 6:00 p.m.

The Black Mountain Zoning Board of Adjustment will meet for their monthly meeting on **Thursday, September 19, 2019 at 6:00 p.m.** at Town Hall, 160 Midland Avenue, Black Mountain, N.C. The purpose of this meeting is to hear a variance request for 58 Old Lafayette Lane, further identified as PIN #0618-46-0820.00000, to allow eaves to overhang the setback and to have training conducted by the Town Attorney.

The meeting is open to the public.



Jennifer Tipton
Zoning Administrator

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Posted to the Town Bulletin Board 08/31/19

www.townofblackmountain.org



LEGAL NOTICE

BLACK MOUNTAIN ZONING BOARD OF ADJUSTMENT

VARIANCE HEARING

Thursday, September 19, 2019, at 6:00 p.m.

The Black Mountain Zoning Board of Adjustment will meet on **Thursday, September 19, 2019, at 6:00 p.m.** in the Board Room in the Town Hall Building, 160 Midland Avenue, Black Mountain, NC. The purpose of this meeting is to hear a variance request for 58 Old Lafayette Lane, further identified as PIN #0618-46-0820.00000, to allow eaves to overhang the setback.

The meeting is open to the public.



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Zoning Administrator

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*Posted to the Town Bulletin Board 08/30/19
Published in the Black Mountain News 09/05/19 and 09/12/19*

www.townofblackmountain.org

Black Mountain News

Classified Ad Receipt
(For Info Only - NOT A BILL)

Customer: TOWN OF BLACK MOUNTAIN
Address: 160 MIDLAND AVE
BLACK MOUNTAIN NC 28711
USA

Ad No.: 0003767064
Pynt Method Invoice
Net Amt: \$122.06

Run Times: 2

No. of Affidavits: 1

Run Dates: 09/05/19, 09/12/19

Text of Ad:



LEGAL NOTICE

**BLACK MOUNTAIN ZONING BOARD OF
ADJUSTMENT**

VARIANCE HEARING

Thursday, September 19, 2019,
at 6:00 p.m.

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The meeting is open to the public.

Jennifer Tipton
Zoning Administrator

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Posted to the Town Bulletin Board
08/30/19

Published in the Black Mountain News
09/05/19 and 09/12/19

www.townofblackmountain.org

September 5, 12, 2019
0003767064



**Zoning Board of Adjustment Regular Meeting
September 19, 2019**

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 15, 2019 as written [or as amended]
- IV. OLD BUSINESS**
- V. NEW BUSINESS**
 - Variance Request for 58 Old Lafayette Lane
 - Training with Town Attorney
- VI. COMMUNICATION FROM ZONING BOARD OF ADJUSTMENT**
- VII. COMMUNICATION FROM STAFF**
- VIII. ADJOURNMENT**

**TOWN OF BLACK MOUNTAIN
ZONING BOARD OF ADJUSTMENT**

The Black Mountain Zoning Board of Adjustment held its regular meeting on Thursday, August 15, 2019 at 6:00 p.m. in Town Hall at 160 Midland Avenue, Black Mountain, North Carolina.

I. CALL TO ORDER

The meeting was called to order with the following members present:

Cheryl Milton, Chair
John DeWitt, Vice Chair
Rebecca Harris
Bob Osmundsen
Ted Mattson
Charlotte McRanie, Alternate
Greg Feightner, Alternate

Absent:

Janet McKimpson, Alternate

Staff:

Jennifer Tipton, Zoning Administrator

The meeting was called to order at 6:05 p.m. and duly constituted and opened for business with a quorum of five (5) regular members and two (2) alternates.

II. ADOPTION OF AGENDA

The agenda was adopted by consensus of the regular members.

III. ADOPTION OF MINUTES

John DeWitt made a motion to adopt the minutes of June 20, 2019 as written. The motion was seconded by Bob Osmundsen and approved by a vote of 5-0.

IV. OLD BUSINESS

None.

V. NEW BUSINESS

1. Election of Officers

John DeWitt made a motion to nominate Cheryl Milton for Chair, John DeWitt for Vice Chair and Rebecca Harris for Secretary. The motion was approved by a vote of 5-0.

2. Review of Code of Ethics and Boards and Commissions Manual

Ms. Tipton briefly went over the Boards and Commissions Manual explaining that the manual provides information about open meetings, public records, meeting guidelines and other topics. Chair Milton spoke about social media and to not talk about cases that may come before the board or cases that are or could be controversial. Ms. Tipton also spoke about not talking bad about the Town, Town staff or the aldermen on social media.

VI. COMMUNICATION FROM ZBA

None.

Zoning Board of Adjustment Regular Meeting
August 15, 2019

VII. COMMUNICATION FROM STAFF

None.

VIII. ADJOURNMENT

John DeWitt made a motion to adjourn at 6:15 p.m. The motion was approved by a vote of 5-0.

Prepared by:

Cheryl Milton, Chair

Jennifer Tipton, Zoning Administrator

Rebecca Harris, Secretary

**Town of Black Mountain Staff Report
Zoning Board of Adjustment**

Case No: V-19-03

Case Name: 58 Old Lafayette Lane

Hearing Date: September 19, 2019

Procedure: Zoning Board of Adjustment

Address of Variance Request:

58 Old Lafayette Lane
Black Mountain, NC 28711
PIN #0618-46-0820.00000

Applicant:

Eileen and Kevin Raywood
58 Old Lafayette Lane
Black Mountain, NC 28711

Request:

The applicant is seeking a variance to extend the eaves beyond the 18" allowable encroachment on two small sections of the home. The request is that the south side be granted an additional 1'-0 3/16" and that the north side be granted an additional 1' 6 3/4".

City Staff:

Jennifer Tipton, Zoning Administrator

Contents of the Report:

Report Detail
Exhibit 1 – Variance Application (10 pages)
Exhibit 2 – Copy of Receipt
Exhibit 3 – Buffer Map of Property Owners within 200'
Exhibit 4 – List of Property Owners within 200'
Exhibit 5 – Notice to Property Owners within 200'
Exhibit 6 – Aerial Map
Exhibit 7 – Picture of Posting of Property

I. SUMMARY OF REQUEST

The applicant is proposing to encroach on the allowable eave encroachments on two small sections of the proposed home.

II. PROCESS – REQUIRED CITY APPROVALS

In addition to this variance, the applicant will need to obtain zoning compliance approval and a building permit that demonstrates compliance with all applicable standards of the Zoning Ordinance and the North Carolina Building Codes.

III. ZONING AND LAND USE

This property is zoned CR-1 (conservation residential) and is located in the Settings of Black Mountain. Section 4.3.3 (k)(1) allows eaves to encroach up to 18” into the required setback.

4.3.3 – Setbacks, corner lots and double frontage lots.

(k) Allowable encroachments into required setbacks. The following may encroach upon required setbacks as set forth below unless specifically prohibited elsewhere in this chapter.

(1) Sills, cornices, and similar ornamental features projecting from the principal building may encroach up to 18 inches into any required setback.

The surrounding properties are zoned and developed for residential use.

	North	South	East	West
Adjacent Zoning Designation	CR-1	CR-1	CR-1	CR-1
Adjacent Land Uses	Residential (single-family)	Residential (single-family)	Residential (single-family)	Residential (single-family)

Existing Conditions

The site is located in the Settings of Black Mountain. The existing grade of the site is 23.16%. There is access to the lot from Old Lafayette Lane. The existing lot is .289 acres and has a stream on the property. A variance from the stream buffer was granted by the Zoning Board of Adjustment on September 20, 2018.

IV. NOTIFICATION

Notice of the variance request and hearing was mailed to 14 property owners within 200 feet of the project site. Public notice was posted on the Town bulletin board on August 31, 2019 and on the Town of Black Mountain website on September 3, 2019. Legal notice appeared in the Black Mountain News the weeks of September 5, 2019 and September 12, 2019. The property was posted with a notice listing the time and date of the hearing.

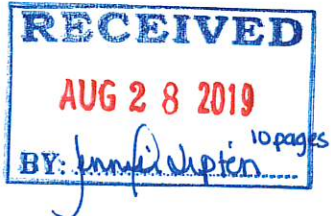
V. ANALYSIS

The applicant owns a vacant lot in the Settings of Black Mountain. The owners have already been granted a variance from the stream buffer and are now looking to get further encroachment on the eaves. The owners are looking to build a single-family residence, which is a permitted use, and is a similar land use of neighboring properties. Due to the small nature of the lot, the stream and the required setbacks, the applicant is seeking to have the eaves on two sides of the house encroach past the allowable amount.

Section 1.7.3(A) of the Town of Black Mountain Land Use Code states that the board of adjustment shall authorize upon application in specific cases such variance from the terms of the town's land use code as will not be contrary to the public interest and where owing to special conditions, a literal enforcement of the provisions of the town ordinances will, in an individual case, result in practical difficulty or unnecessary hardship. Variances are not intended to provide limited relief from regulations in those cases where strict application of a particular requirement will create a practical difficulty or unnecessary hardship prohibiting the use of land in a manner otherwise allowed in the land use code and in a way that the spirit of the town regulations shall be preserved, public safety and welfare secured and substantial justice done.

Town staff has determined that the applicant's request to hear the variance is in accordance with Section 1.7.1(A).

Staff's analysis is that single family residences are a permitted use by right in the CR-1 district, the house will conform to all other setbacks.



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: 8/28/19

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

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

Eileen and Kevin Raywood
58 Old Lafayette Lane, Black Mountain NC 28711

PROPERTY DESCRIPTION/PIN #: 0618-46-0820-00000

CURRENT ZONING CLASSIFICATION: CR-1 Residential District

THIS PROPERTY IS CURRENTLY USED FOR THE PURPOSE OF:

Vacant lot

THE VARIANCE IS REQUESTED TO ALLOW THE PROPERTY OWNER TO:

Have two very small sections of our home's roof eaves extend beyond the allowed 18 inches outside the setback lines. As shown on Site Plan. South side: Furthest extension of encroachment 1'-0³/₁₆" (0.95 sq. ft.) North side: Furthest extension of encroachment 1'-6³/₄" (5.08 sq. ft.)

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:

See attached explanation

SIGNATURE OF APPLICANT:

[Signature]

Town of Black Mountain Application for Variance

Eileen and Kevin Raywood
58 Old Lafayette Lane
Black Mountain, NC 28711

PIN# 0618-46-0820-00000

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

The requested variance will allow us to meet the specific neighborhood design standards listed below while still being able to create a beautiful and functional home on our lot in The Settings of Black Mountain. This requested variance also allows us to avoid encroaching into the creek buffer along the back of our lot. Only a water permeable deck extends beyond the creek buffer.

Per The Settings of Black Mountain Architectural Design Standards and Construction Guidelines 4/24/19

1. Square Footage Requirements

Our lot (#26) falls within the "Park Setting" category

Minimum floor area for multi-story home: 1,200 sq. ft. on first floor

Our proposed first floor is 1,300 sq. ft.

2. Porches and Decks

Front and side porches are to be a minimum of eight (8) feet in depth.

We were granted a variance of the front setback on the subject lot to be reduced by 6 feet, 1 ¼ inches on 9/20/18. (Attached) This granted front setback (23'- 5 ¾") is shown on the attached site plan.

3. Garages

All houses shall provide parking for at least two automobiles within an enclosed garage.

Meeting this requirement while still meeting the minimum square footage requirement significantly increases the necessary width of our home's footprint.

TREE LEGEND

- OAK TREE
- MAPLE TREE
- POPLAR TREE
- SOURWOOD TREE
- BEECH TREE
- HEMLOCK TREE

SITE BENCHMARK:
DRILLHOLE IN CONCRETE
ELEVATION = 2698.23
NAVD 88

N/F
ALLEN O. ARCAD AND WIFE,
MERLE M. ARCAD
DEED BOOK 4023, PAGE 773
PIN 0618-36-9826
LOT 31
PLAT BOOK 36, PAGE 163

FOUND 5/8" IRON ROD
W/ MCABEE CAP

R=300.00
L=60.97
Ch Brg=N19°21'36"E
Ch Dist=60.87
Δ=11°38'40"

N/F
STEPHEN MURPHY AND
AMY CONNER-MURPHY
DEED BOOK 4024, PAGE 335
PIN 0618-36-8792
LOT 32
PLAT BOOK 36, PAGE 163

N/F
WILLIAM R. GREEN AND WIFE,
ELIZABETH B. GREEN
DEED BOOK 5481, PAGE 1661
PIN 0618-46-0721
LOT 27
PLAT BOOK 36, PAGE 163

N/F
MICHAEL O'CONNOR
DEED BOOK 5145, PAGE 641
PIN 0618-46-0950
LOT 25
PLAT BOOK 36, PAGE 163

FOUND 5/8" IRON ROD
W/ MCABEE CAP

N/F
PHILLIP AND DARBY FARMER
DEED BOOK 4912, PAGE 1231
PIN 0618-36-9826
LOT 35
PLAT BOOK 100, PAGE 5

FOUND 5/8" IRON ROD
W/ MCABEE CAP

FOR REVIEW ONLY
NOT FOR CONSTRUCTION

SITE PLAN
SCALE: 1" = 10'-0"



JERALD A. SNOW
LANDSCAPE ARCHITECT

SITE DESIGN
LAND PLANNING
MASTER PLANNING
FINE GARDEN DESIGN

PROFESSIONAL MEMBER
AMERICAN SOCIETY OF
LANDSCAPE ARCHITECTS

NC LICENSE 486
SC LICENSE 366

50 HATAUGA STREET
ASHEVILLE, NC 28801
TEL 828.712.0484

JERALD.A.SNOW@GMAIL.COM
WWW.JASASLA.COM

SEAL



RAYWOOD RESIDENCE

58 OLD LAFAYETTE
LOT 26 THE SETTINGS
BLACK MOUNTAIN, NORTH CAROLINA

RELEASE DATE
AUGUST 21, 2014

REVISIONS

NO.	REMARKS	DATE

COPYRIGHT © 08/2014
THIS DOCUMENT IS THE
PROPERTY OF JERALD A.
SNOW, LANDSCAPE ARCHITECT.
IT IS TO BE USED ONLY FOR
THIS SPECIFIC PROJECT AND
IS NOT TO BE USED FOR
OTHER PROJECTS, IN WHOLE
OR IN PART, EXCEPT BY
WRITTEN AGREEMENT WITH
JERALD A. SNOW, LANDSCAPE
ARCHITECT.

SHEET NUMBER

L1

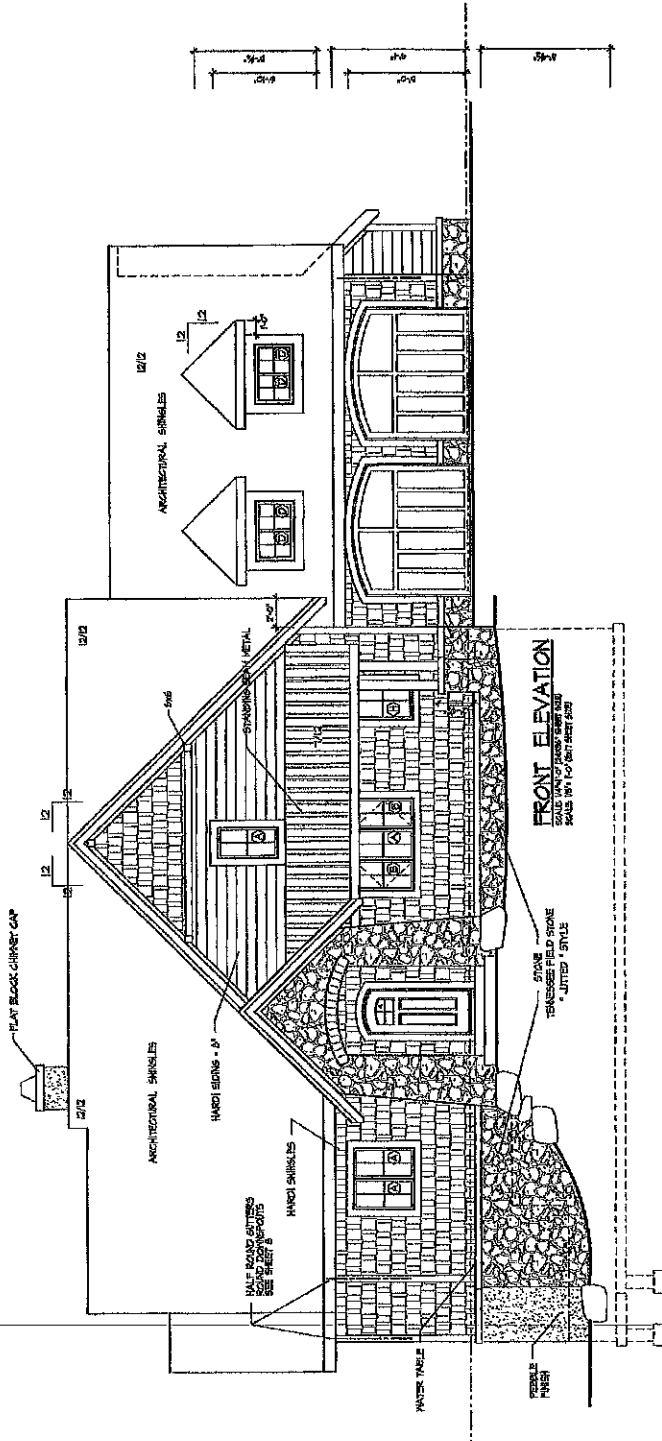
REV.	DATE
1/2	02/22/12



RAYWOOD RESIDENCE OLD LAFAYETTE LANE

BRS SMITH
INC.
Architects

4



WINDOW SCHEDULE			
TAG	TYPE	OPER	NOMINAL SIZE
(A)	CASEMENT	FIX	2'-0" x 4'-0"
(B)	CASEMENT	OPER	2'-0" x 4'-0"
(C)	CASEMENT	FIX	2'-0" x 3'-0"
(D)	CASEMENT	FIX	2'-0" x 2'-6"
(E)	CASEMENT	OPER	2'-6" x 5'-0"
(F)	TRANSOM	FIX	2'-6" x 2'-0"
(G)	CASEMENT	FIX	2'-6" x 4'-0"
(H)	CASEMENT	OPER	2'-6" x 4'-0"
(I)	BI-OPEN 4 PAIN	OPER	12'-0" x 8'-0"

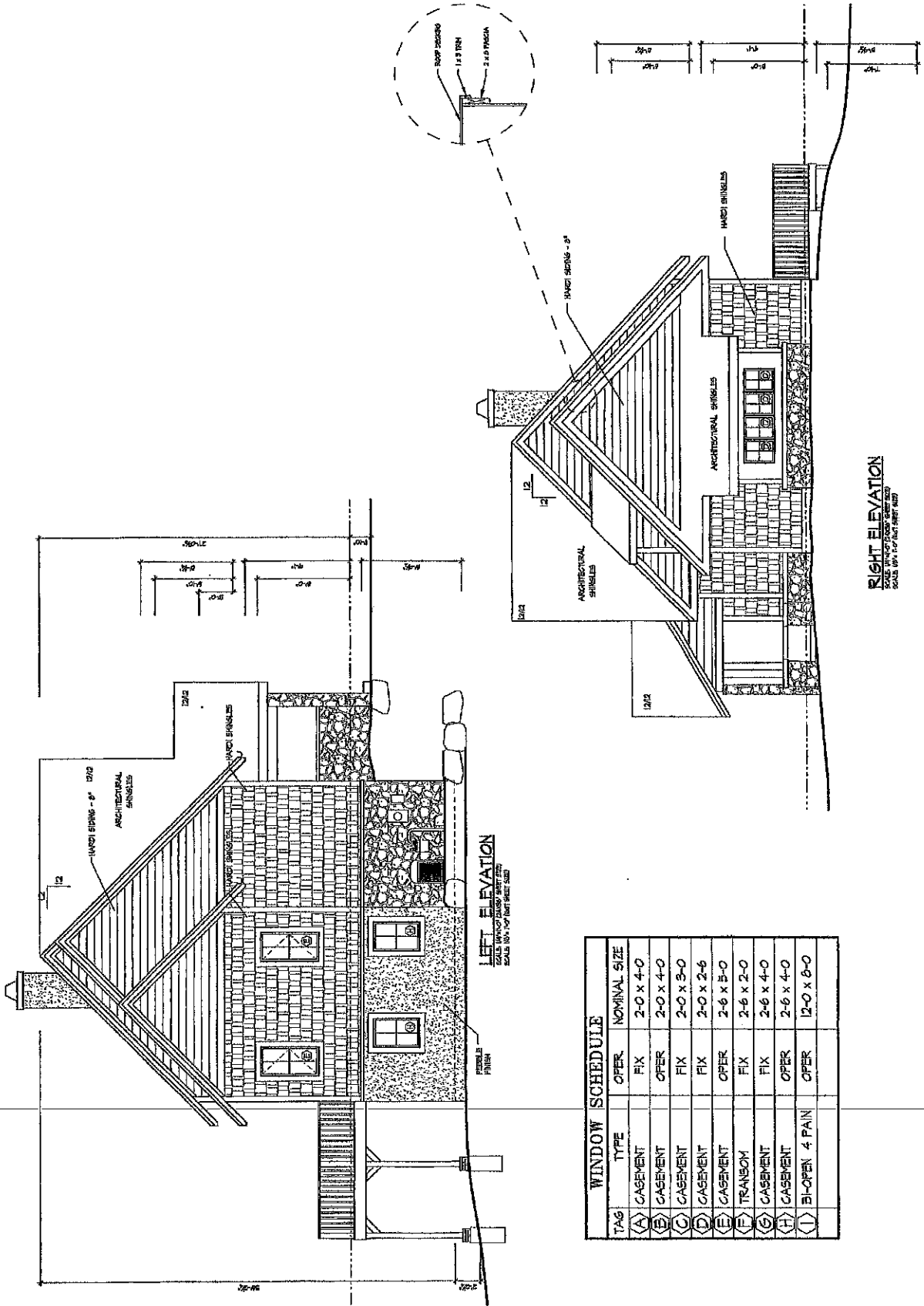
REV.	DATE
1	09.20.12
2	
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RAYWOOD RESIDENCE OLD LAFAYETTE LANE

BESMITH
INC.
ARCHITECTS

5



RIGHT ELEVATION
SCALE: 1/4" = 1'-0" (NOT TO SCALE)

LEFT ELEVATION
SCALE: 1/4" = 1'-0" (NOT TO SCALE)

WINDOW SCHEDULE			
TAG	TYPE	OPER	NOMINAL SIZE
(A)	CASEMENT	FIX	2'-0" x 4'-0"
(B)	CASEMENT	OPER	2'-0" x 4'-0"
(C)	CASEMENT	FIX	2'-0" x 3'-0"
(D)	CASEMENT	FIX	2'-0" x 2'-6"
(E)	CASEMENT	OPER	2'-6" x 5'-0"
(F)	TRANSOM	FIX	2'-6" x 2'-0"
(G)	CASEMENT	FIX	2'-6" x 4'-0"
(H)	CASEMENT	OPER	2'-6" x 4'-0"
(I)	BI-OPEN 4 PAN	OPER	12'-0" x 8'-0"

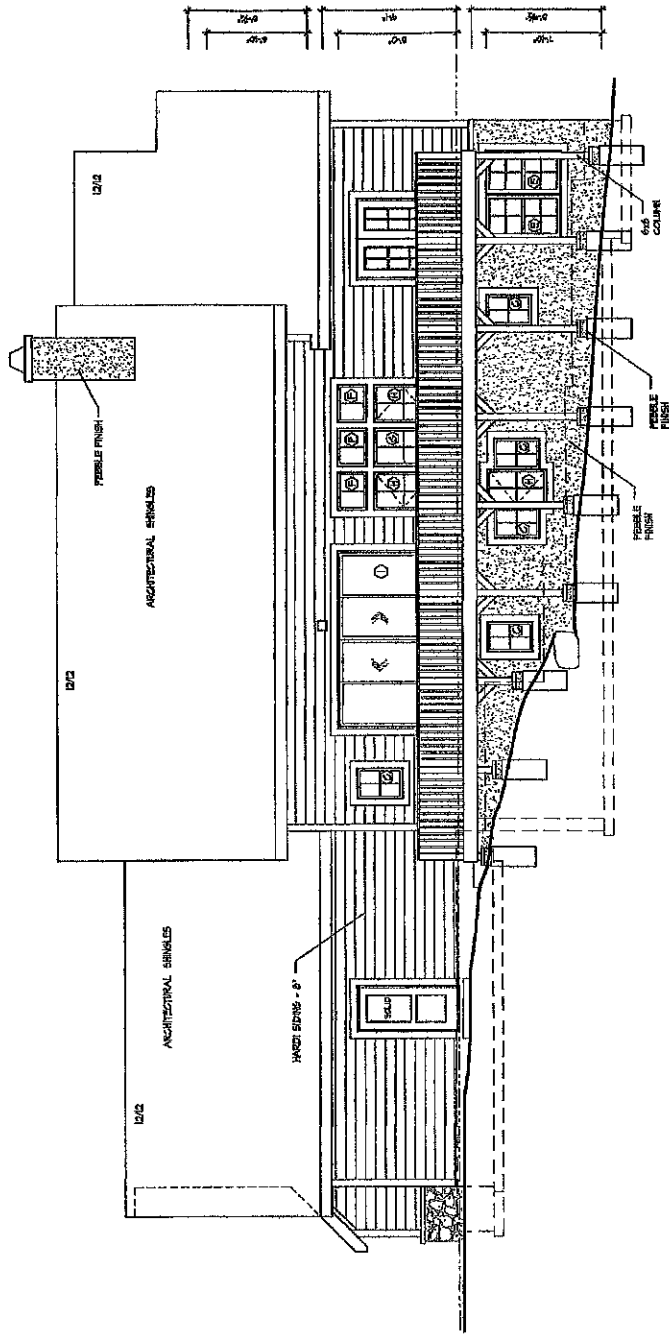
REV.	DATE	BY	CHKD.
1/2	08-20-11		



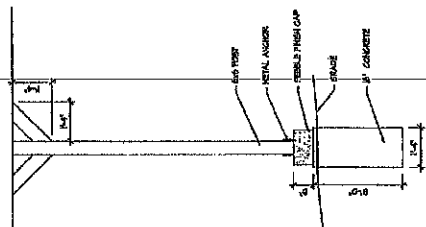
RAYWOOD RESIDENCE OLD LAFAYETTE LANE

BRISSMITH
JUL
ARCHITECT

6



REAR ELEVATION
SCALE 1/4" = 1'-0" (SEE SHEET 502)



DECK BOARD
SCALE 1/4" = 1'-0" (SEE SHEET 502)

2018 Granted Variance of Front Setback Requirement
Reduced by 6 feet, 1 1/4 inches

TOWN OF BLACK MOUNTAIN
COUNTY OF BUNCOMBE

BEFORE THE BLACK MOUNTAIN
ZONING BOARD OF ADJUSTMENT

In the Matter of the Application of)
Eileen and Kevin Raywood)
for a Variance for Property at 58 Old)
Lafayette Lane, being)
Lot 26, Plat Book 96, Page 163)

ORDER

THIS CAUSE, coming on before the Zoning Board of Adjustment for the Town of Black Mountain on August 16, 2018, which said hearing was continued to and completed on August 28, 2018, upon the application of Eileen and Kevin Raywood for a variance to allow a reduction of the front setback and the stream buffer setback on Lot 26, Phase 1, Plat Book 96 at Page 163, Buncombe County Registry.

The Zoning Board of Adjustment, having heard and considered the testimony of town staff and all witnesses, and having considered all the evidence presented by the town staff and the Applicant and the statements and arguments for the Applicant, makes the following

FINDINGS OF FACT

1. The Zoning Board of Adjustment has jurisdiction over this matter pursuant to Section 1.7.3 of the Land Use Code.
2. Proper notice of this meeting and hearing of the Zoning Board of Adjustment was provided as required by the Town ordinances and the state law.
3. Applicants own a lot in The Settings development located at 58 Old Lafayette Lane described as Lot 26, Phase 1, Plat Book 96 at Page 163, Buncombe County Registry, in the Town of Black Mountain having the current PIN number of 0618-46-0820-00000 as shown on the Buncombe County tax maps.
4. The property is zoned CR-1, and the front building setback requirement in that zoning district is 30 feet and there is a stream buffer setback requirement of 30 feet.
5. The property at 58 Old Lafayette Lane has a stream that crosses the property at the rear lot line that reduces the buildable area, and Applicant requested that the Board of Adjustment grant a variance from the front setback of 7' 8" to allow room for a front porch to shelter the entryway, and a variance of the stream buffer setback at the rear of the lot of up to

five feet where the proposed chimney and downspouts would encroach into the stream buffer.

8. There are exceptional conditions and circumstances pertaining to this piece of property because of the stream that is not applicable to other lands or structures in the same district, as there is a stream along the back of the Applicants' property.

9. This stream which crosses the property creates an unnecessary hardship if the land use regulations and specific requirements of the zoning district are strictly applied, as the reduced building envelope resulting from all the setback requirements make it difficult if not impossible to build a home meeting the minimum house size required by the restrictive covenants.

10. If the variance requested is granted it will be in harmony with the purpose and intent of the Land Use Code and not be injurious to the neighborhood or to the general welfare as the variance will not interfere with the use of adjoining lots and due to the terrain will be generally unnoticeable.

11. The hardship did not result from actions taken by the applicant or the property owner, as the stream was always there and the stream setback requirements were put in place after the subject property was approved as a lot.

12. 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, as a variance will allow the owner to have the same use of his property as other property owners in the neighborhood.

13. The variance request was not for a use of land not permitted in the district involved as the proposed use is for a residential development which is a permitted use in that zoning district.

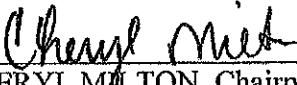
14. That a variance of the front setback requirement rather than a reduction of the stream setback requirement will better protect water quality for others and will be consistent with the spirit, purpose and intent while the reduction of the front setback requirement will have no detrimental effect on other properties in the vicinity as the general topography has already required other variances to make lots useable with no adverse effects.

BASED UPON THE FOREGOING FINDINGS OF FACT, THIS BOARD by a vote of 5 to 0 concludes that the Applicants are entitled to a variance reducing the front setback line and allowing encroachment into the stream buffer.

IT IS NOW, THEREFORE, ORDERED, that the Applicants are granted a variance of the front setback requirement and that the front setback on the subject lot is hereby reduced by 6 feet, 1 1/4 inches, and a variance is granted allowing encroachment into the stream buffer of as

much as 6 feet for the proposed chimney and downspouts only.

This the 20 day of September, 2018.



CHERYL MILTON, Chairperson

If you are dissatisfied with the decision of this Board, an appeal may be taken to the Superior Court of Buncombe County within 30 days after the date this order is served on you. See Section 1.7.5 of the Land Use Code., Appeals from Decisions of the Zoning Board of Adjustment, in the Town of Black Mountain Code of Ordinances.

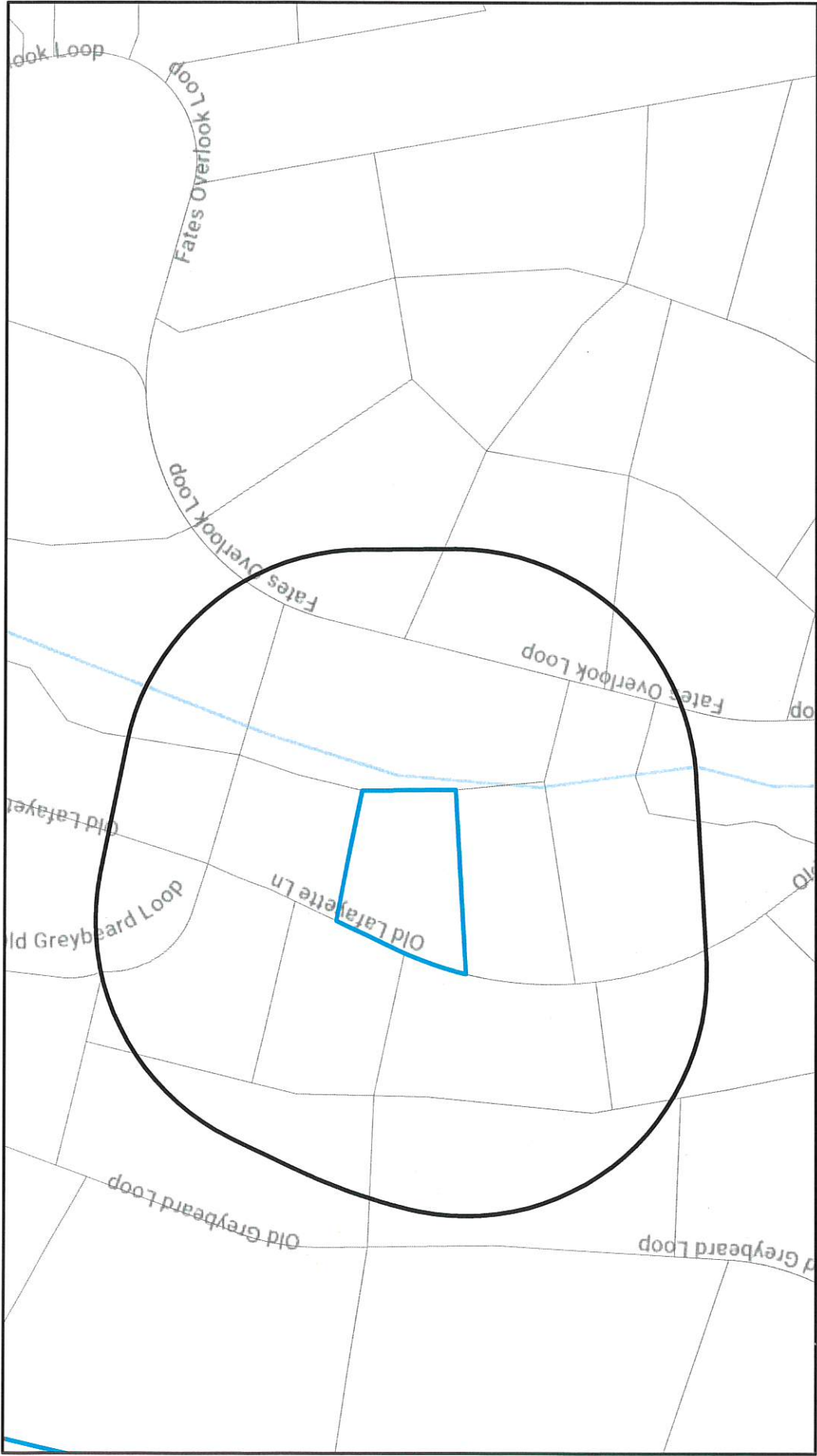
RECEIPT

Date: 8/28/19 Amount Paid: 350-
Customer: Kevin Raywood
For: variance application
Balance: 0
check # 3698
Received by: J. J. Jeter



TOWN OF BLACK MOUNTAIN
Building, Planning & Zoning
160 MIDLAND AVE.
BLACK MOUNTAIN, NC 28711
(828) 419-9300

200' Buffer for 58 Old Lafayette Lane



Town of Black Mountain
Zoning Board of Adjustment
September 19, 2019

Legend

BMPParcels_August_2019_Buffer1



<u>Name</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>	<u>PIN #</u>	
Kevin & Eileen Raywood	9374 Promontory Circle	Indianapolis	IN	46236	0618-46-0820	
Michael Kevin O'Conner	4193 Barnes Meadow Rd SW	Smyrna	GA	30082	0618-46-0950	
Setings of Black Mountain Association	PO Box 580	Arden	NC	28704	0618-47-1130	c/o IPM Corp of Brevard Inc
SBM Realty LLC	64 W 48th St Ste 510	New York	NY	10036	0618-47-0132	c/o JW/G Co Attn J Wohlstein
SBM Realty LLC	64 W 48th St Ste 510	New York	NY	10036	0618-37-8273	c/o JW/G Co Attn J Wohlstein
SBM Realty LLC	64 W 48th St Ste 510	New York	NY	10036	0618-36-8905	c/o JW/G Co Attn J Wohlstein
Really Windy LLC	241 Holland Drive	Black Mountain	NC	28711	0618-36-9948	
Allen O & Merle M Arcand	304 Ninth Street	Black Mountain	NC	28711	0618-36-9826	
SBM Realty LLC	64 W 48th St Ste 510	New York	NY	10036	0618-36-7770	c/o JW/G Co Attn J Wohlstein
Stephen H & Amy Conner-Murphy	214 Amblewood Trl	Hendersonville	NC	28739	0618-36-8792	
Arnold Graham & Linda C Buckner	1477 Via Del Sol	Jupiter	FL	33477	0618-36-9512	
William R & Elizabeth B Green	19523 Schooner Drive	Cornelius	NC	28031	0618-46-0721	
William R & Elizabeth B Green	19523 Schooner Drive	Cornelius	NC	28031	0618-46-0568	
Setings of Black Mountain Association	PO Box 580	Arden	NC	28704	0618-46-1406	c/o IPM Corp of Brevard Inc
Roddy M & Cynthia B Jordan	200 Genessee Valley Road	Columbia	SC	29223	0618-46-2555	
Steve Nespoli Revocable Trust	1140 SE 14th Ter	Deerfield Beh	FL	33441	0618-46-2780	
Kelly Elaine & Robert Peter Conrad	300 District Dr Apt 407	Asheville	NC	28803	0618-46-3835	
Jason & Darby Farmer Revocable Trust	61 Saint Albans Fwy	Memphis	TN	38111	0618-46-1779	
Tom R Chapman Jr	1901 Ulmerton Rd Ste 475	Clearwater	FL	33762	0618-47-2025	



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: **September 6, 2019**

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:

**Eileen and Kevin Raywood
58 Old Lafayette Lane
Black Mountain, NC 28711**

Property Description/PIN #: **0618-46-0820.00000**

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

This property is currently used for the purpose of: **vacant lot**

The variance is requested to allow the property owner to:

Have two very small sections of our home's roof eaves extend beyond the allowed 18 inches outside the setback lines. South side: furthest extension of encroachment is 1'-0 3/16" (0.95 sq. ft.). North side: furthest extension of encroachment is 1'-6 3/4" (5.08 sq. ft.).

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

See attached explanation.

A public hearing will be held on Thursday, September 19, 2019 @ 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 - 58 Old Lafayette Lane
Buncombe County GIS

VARIANCE HEARING

September 19,
2019

6:00 p.m.

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