# 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 Board of Adjustment
From: Jennifer Tipton, Senior Admin
Re: Agenda Packet for February 17, 2022
Date: February 10, 2022

The **Town of Black Mountain Board of Adjustment** will meet on **Thursday, February 17, 2022, 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 June September 16, 2021; and

3. Variance Request – 200 Tabernacle Road.

Please let Jennifer Tipton know if you are **unable** to attend this meeting. jennifer.tipton@tobm.org or (828) 419-9371.

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) 419-9371 or by email at jennifer.tipton@tobm.org.

CC: Jessica Trotman, Planning Director
Jake Hair, Planner 1/Zoning Administrator
Ron Sneed, Town Attorney
Anna Stearns, Town Attorney

# PUBLIC NOTICE

## BLACK MOUNTAIN BOARD OF ADJUSTMENT

## REGULAR MEETING

**Thursday, February 17, 2022, at 6:00 p.m.**

The Black Mountain Board of Adjustment will meet for their monthly meeting on **Thursday, February 17, 2022, at 6:00 p.m**. at Town Hall, 160 Midland Avenue, Black Mountain, N.C. The purpose of this meeting is to hear a request for a variance at 200 Tabernacle Road (PIN #0609-55-1146.00000) to allow a reduction in parking spaces.

The meeting is open to the public.

Jennifer Tipton
Jennifer Tipton
Senior Admin

The Town of Black Mountain is committed to providing accessible facilities, programs and services for all people in compliance with the Americans with Disabilities Act (ADA). Should you need assistance or a particular accommodation for this meeting please contact Jennifer Tipton at (828) 419-9371 or by email at Jennifer.tipton@tobm.org.

*Posted to the Town Bulletin Board 01/31/2021*

www.townofblackmountain.org

**Board of Adjustment Regular Meeting**

**PROPOSED AGENDA**

**I. CALL TO ORDER**
- **Welcome**
- **Determination of Quorom**

**II. ADOPTION OF AGENDA**
- **Motion:** To adopt the agenda as presented [or as amended]

**III. ADOPTION OF MINUTES**
- **Motion:** To adopt the minutes of September 16, 2021 as written [or as amended]

**IV. OLD BUSINESS**

**V. NEW BUSINESS**
- Variance Request – 200 Tabernacle Road

**VI. COMMUNICATION FROM ZONING BOARD OF ADJUSTMENT**

**VII. COMMUNICATION FROM STAFF**

**VIII. ADJOURNMENT**

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

---

The Black Mountain Board of Adjustment held its regular meeting on Thursday, September 16, 2021, at 6:00 p.m. electronically via Zoom.

## I. CALL TO ORDER

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

John DeWitt, Chair
Jillian Ballard, Vice Chair
Janet McKimpson
Patrick Prosser
Dave Barley, Alternate

Absent:

Greg Feightner

Staff:

Jennifer Tipton, Senior Admin
Jake Hair, Planner I/Zoning Administrator
Ron Sneed, Town Attorney

Others:

Joshua Pettler Erin Marceno Mark Titus
Hannah Titus Shawn Slome

The meeting was called to order at 6:00 p.m. and duly constituted and opened for business with a quorum of four (4) regular members and one (1) alternate.

## II. ADOPTION OF AGENDA

The agenda was approved by consensus.

## III. ADOPTION OF MINUTES

The minutes of August 19, 2021, were approved as written by consensus.

## IV. OLD BUSINESS

None.

## V. NEW BUSINESS

**1. <u>Variance Request for 99999 Crocket Ridge Road</u>**

Chair John DeWitt read the opening statement and then called for the swearing in of those parties wishing to testify. Patrick Prosser reported that he drove by the property seeking the variance. Jake Hair presented the staff report for the variance request. The variance request is to decrease both the front and rear property lines from thirty feet to twenty-five feet. Currently, the property is zoned CR-1 which requires thirty feet for both front and rear setbacks. The property is not designated steep slope so the property cannot receive the steep slope setback reduction. The surrounding properties are residential and are also zoned CR-1. The property is .26 acres and the slope is 16.4%. Staff has determined that the lot meets all dimensional requirements of the current zoning ordinance.

**<u>Joshua Pettler, 13 ½ Eagle Street, Ste. 1</u>**, is the architect who has been working with Mr. and Mrs. Titus on their project for about a year. Mr. Pettler said that with the lot size and setback

requirements, there is approximately twenty-three hundred square feet of buildable area. The property is unique in that the lot has frontage on both sides which prohibits features of a house such as a garage, outdoor area, length of eaves, patios, and driveway areas. The driveway does have a slope to be able to access the property. All of these issues present a challenge for the type of house that Mr. and Mrs. Titus would like to build and what is expected of them to build in the Settings development. A five-foot increase would give about another seven hundred square feet of room to allow for some of the features that are wanted. The CR-1 zoning is for acre lots but if looking at the dimensions and acreage it does not meet the setback requirements but if the lot were an acre, there would be no need for a variance. The Settings have agreed to the variance through the DRB review and there is an email of the DRB allowing leeway of five feet on the front and the back. Janet McKimpson asked if the Settings DRB had already approved the five-foot variance and Mr. Pettler said that the DRB cannot approve the variance until the Town of Black Mountain approves the variance. Chair John DeWitt said that the DRB and the Board of Adjustment are two independent bodies who have to make a decision based on their own requirements and while it is good information to have the email from the DRB, it should not sway the decision of the Board of Adjustment one way or the other. Mr. Pettler asked that the board consider the request and that considering the conditions of the property, the intention is to build the type of home that is fitting for the community and fits the requirements and would be hard to do with the thirty-foot required setbacks.

Jillian Ballard said that she was confused by the language that was being used in that would it be possible for the house to meet the Settings requirements without the variance. Mr. Pettler said that he cannot said that it would be impossible but when considering the square footage requirements, which he believes is one thousand square feet on the main level, trying to fit that square footage requirement as well as the features normally found on a single-family residence will be very tight with the setbacks. Ms. Ballard asked if patios and outdoor spaces were requirements and Mr. Pettler said that they are features that would be expected but cannot say for sure that they would be required but that the process is subjective and when they are approving the ability to build a home they are looking at certain features and architectural elements that some of these things will provide to meet those requirements. Ms. Ballard asked if the written requirements for the Settings could be met without the setback variance and Mr. Pettler responded that the requirement could possibly be met. Janet McKimpson asked if the Settings DRB could override the Board of Adjustment decision and Town Attorney Ron Sneed explained that no, they could not override the Board of Adjustment decision because they are applying a different set of requirements than the Town. Patrick Prosser said that in driving around the Settings and in the neighborhood, it does not appear to him that there is an actual hardship but a desire to have a certain design built but it wouldn't be a hardship if the design could be adjusted to fit within the boundaries that are required. Ms. Ballard said that was her thinking as well and it does appear that there are desires going on and she is having a hard time understanding where the hardship lies if a house can be built on the lot that is approvable for the Settings, then what exactly is the issue. Ms. McKimpson and Mr. Prosser both agreed with Ms. Ballard and Ms. McKimpson said she didn't get what the hardship would be if the variance were not granted. Mr. Pettler said that the appreciated the comments and that the Settings requirements aren't necessarily prohibit anything but the lot is a smaller lot within the Settings and the hardship is really because they have two roads so they have two frontage setbacks to manage and that if they only had one road then they might not need a variance because they would have room in the back to push the house further back. Mr. Pettler said this is not a square piece of property, rather it is

sort of triangular shaped so they are penned in on the front, which is the only approachable side from Crockett Ridge and there is a steep portion of the property in the rear so the buildable area is very confined and unique to the Settings in this case. Mr. Pettler said that they do require one thousand square feet of living area for a multi-story home and also require a parking area for two cars, which will be a garage that will approximately six hundred square feet so that leaves about seven or eight hundred square feet to add everything else and they will require a patio or a porch within that setback and they will also require a driveway that has a certain slope and in this case takes up room that could have been used for something else. Eaves will also be required within those setbacks and outdoor space, while not required, would be nice to have and would add to the character and uniqueness of the home. The southwestern corner has acute angles that can't be built into because it is not a square property where you can take up the full volume of the buildable area. There are significant features of this property which make it very difficult to build and all of these things combined make it a challenging lot. There is consensus with the Settings in understanding the challenges of this lot and they are willing to offer the ten feet of extra room. Mr. Prosser said he understands the issues of the desired design and could almost consider in the rear setback because it is steep and cannot be accessed and could see granting that variance but not in the front and he just doesn't understand the hardship. The board went into recess to discuss the facts presented. Ms. McKimpson said that she doesn't see the hardship and suggested that maybe they go through the process with the Settings and then come back to the board. Ms. Ballard said that it sounded like they had already gone through that process and the Settings would okay with it if the Town was okay with it. Mr. Prosser said that while that had been said no documentation was provided to confirm any communication from the DRB and Chair DeWitt said that it was hearsay. Chair DeWitt said he also agreed with everyone and that the design should fit within the land and it doesn't make a hardship. Ms. Ballard said she doesn't think compromising on giving them a smaller variance or just the front or the back because there still isn't a hardship and they can't arbitrarily change the rules. Patrick Prosser made a motion to close the public hearing. The motion was approved by consensus with a vote of 5-0.
The board made the following findings of fact:

1. That unnecessary hardships would not result from the strict application of the Ordinance in that the design of the home can be altered to fit the required setbacks as certain wanted design elements are not required by the Settings requirements.

Patrick Prosser made a motion to deny the variance request for 99999 Crockett Ridge Road. The motion was seconded by Jillian Ballard and approved by a vote of 5-0.

**2. <u>Board of Adjustment Brochure</u>**

The board thanked Jennifer Tipton for her work on the brochure. The brochure provides information about the Board of Adjustment and will be posted on the website as well as given to applicants when they apply for variances, special use permits and appeals.

**3. <u>Review of Rules of Procedure</u>**

Jennifer Tipton explained that the rules of procedure have not been updated in quite some time and with the changes from 160D, staff felt it was time to update the rules of procedure. The updates include changes to the statute numbers as well as clarifying roles of officers. Town Attorney Ron Sneed also incorporated a few changes that included adding some additional duties to the role of Chair. It was decided to go ahead and elect a secretary so that in the absence of the Chair and Vice-Chair, the Secretary can run the meeting. John DeWitt made a motion to

nominate Patrick Prosser for Secretary. The motion was seconded by Janet McKimpson and approved by a vote of 5-0.
John DeWitt made a motion to adopt the revised rules of procedures as presented. The motion was seconded by Patrick Prosser and approved by a vote of 5-0.

**4. <u>Review of Order of Operations</u>**
Jennifer Tipton explained that the order of operations is used to make it easier to follow along with the meeting. The order of operations details out the process of the quasi-judicial hearing as well as conducting other business. The order of operations has been extremely helpful during the electronic meetings. The order of operations will be posted on the website as well as given to applicants when they apply for variances, special use permits and appeals.

## VI. COMMUNICATION FROM BOARD OF ADJUSTMENT

None.

## VII. COMMUNICATION FROM STAFF

None.

## VIII. ADJOURNMENT

Jillian Ballard made a motion to adjourn the meeting at 6:49 p.m. The motion was approved by consensus with a vote of 5-0.

Prepared by:

_____
John DeWitt, Chair

_____
Jennifer Tipton, Senior Admin

_____
Patrick Prosser, Secretary

**Town of Black Mountain**
**Building, Planning and Zoning**
160 Midland Avenue ⬩ Black Mountain ⬩ North Carolina ⬩ 28711
Phone: 828-419-9300 ⬩ Fax: 828-669-2030 ⬩ TDD: 1-800-735

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

**Case No:** V-22-01
**Case Name:** Highland Farms Parking

**Hearing Date:** January 17, 2022
**Procedure:** Zoning Board of Adjustment

**Address of Variance Request:**
200 Tabernacle Rd
Black Mountain, NC 28711
PIN # 060955114600000

**Applicant:**
Givens Highland Farms LLC
200 Tabernacle Rd
Black Mountain, NC 28711

**Request:**
The applicant is seeking a variance to decrease the required residential parking spaces for two new proposed residential apartments.

**City Staff:**
Jake Hair, Planner
Jennifer Tipton, Clerk to ZBA

Re: Highland Farms Parking Reduction Variance Request

Highland Farm's campus is more than seventy acres and encompasses a variety of residential settings. They are in the process of demolishing and rebuilding some parts of their campus. For the new phase being built there are two residential apartment buildings being constructed. The first is Brookside Apartments and the second is Vista Ridge Apartments.

Both apartments will be required by Town of Black Mountain ordinance section 10.7.1 - off-street parking space requirements to have two spaces per dwelling unit. Currently Highland farms has a 1 parking space to dwelling unit ratio. For the two new buildings they have submitted two different options for the amount of dwelling units each building will have. Here are the parking totals for both options:

Option 1

Brookside Apartments- 30 units, town ordinance requires 60 parking stalls, requesting 33 parking stalls

Vista Ridge Apartments- 36 units, town ordinance requires 72 parking stalls, requesting 40 parking stalls

Option 2

Brookside Apartments- 30 units, town ordinance requires 60 parking stalls, requesting 48 parking stalls

Vista Ridge Apartments- 54 units, town ordinance requires 108 parking stalls, requesting 45 parking stalls

Highland Farm's has requested a reduction in parking spaces per town ordinance *Section 10.8.1.D - Reductions in parking requirements:*

*A project developer may elect to request the town staff to consider a plan for fewer parking spaces than the minimum set forth based on facts, projections, and circumstances submitted as part of technical review for the project. Any such recommendation for a reduction in the parking requirements shall remain subject to review and approval by the zoning board of adjustment.*

Staff Recommendation

Staff conducted a technical review meeting with the developer about reducing the amount of parking spaces for the new phase to Highland Farms. Planning staff is in favor of recommending a parking reduction to a ratio of one space per dwelling unit instead of the required two spaces. Staff sees no negative impacts with this request due to sufficient parking available through the

Highland Farms property. The unique nature of the campus also limits impacts of the parking reduction to the property and does not place a burden or inconvenience to adjoining property owners.

# VARIANCE APPLICATON www.townofblackmountain.org

## PROPERTY OWNER INFORMATION

| | | |
|---|---|---|
| Owner Name<br>Givens Highland Farms, Ken Kramer | | |
| Owner Address (Number, Street, City, State, ZIP)<br>200 Tabernacle Road, Black Mountain, NC 28711 | | |
| Home Phone<br>(828) 357-3606 (office) | Cell Phone | Email Address<br>kkramer@givenshighlandfarms.org |

## APPLICATION FOR VARIANCE

**I request a variance/variances from the following provisions of the ordinance:**

**Section Number(s):** 10.7 **Section Title(s):** Off-Street Parking Space Requirements

**Subsection letter(s) and/or number(s):** 10.7.1 and Table of Uses **Subsection Title(s):** Off-Street Parking Space Requirements

So that the below mentioned property can be used in a manner indicated by the plan attached to this form, or if the plan does not adequately reveal the nature of the variance, as more fully described herein ***(if applying for a variance in dimensional requirements, state the revised setbacks or height limitations desired below)***:

_____

_____

_____

## PROPERTY INFORMATION

| | | |
|---|---|---|
| Parcel Number<br>0609-55-1146 | Current Zoning | Acreage<br>75.73 (full site), 8.52 (project area) |
| Address<br>200 Tabernacle Road, Black Mountain, NC 28711 | | |
| Average Slope % | Use of Property<br>Residential | |

## CERTIFICATION

I hereby certify that all of the information presented by me on this application is accurate to the best of my knowledge, information and belief. I acknowledge that withdrawal of this application after notice has been made will result in forfeiture of any application fees associated with said application. I acknowledge that attendance at the Zoning Board of Adjustment meeting is mandatory for the review of this application.

| | |
|---|---|
| _____<br>Petitioner Signature | 1/25/2022<br>Date |

## OFFICE USE ONLY

| | |
|---|---|
| Date Received: | Fee: $600.00<br>Cash: ☐ Check: ☐ #_____ Credit: ☐ |
| Case Number: | Meeting Date: |

## VARIANCE BURDEN OF PROOF

In the spaces provided below, indicate the facts you intend to demonstrate and the arguments that you intend to make to demonstrate to the ZBA that it can properly grant the variance as provided for in Chapter 1, Section 1.7.3 Variances. The Zoning Board of Adjustment does not have unlimited discretion in deciding whether to grant a variance.

*Please indicate how the proposed project meets the below requirements. If additional space is required, please provide the information on a separate sheet of paper.*

1. Indicate how an unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.

   The existing campus is currently using a parking stall to residence ratio of 1.1:1. The code identifies a parking stall to residence ratio of 2:1. To comply with the 2:1 ratio would take away from the character of the area and increase the amount of impervious pavement of the area. This would have the potential to increase storm water runoff and increased erosion, and would limit the capacity of the facility to care for an aging population by taking away usable open space.

2. Indicate how 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.

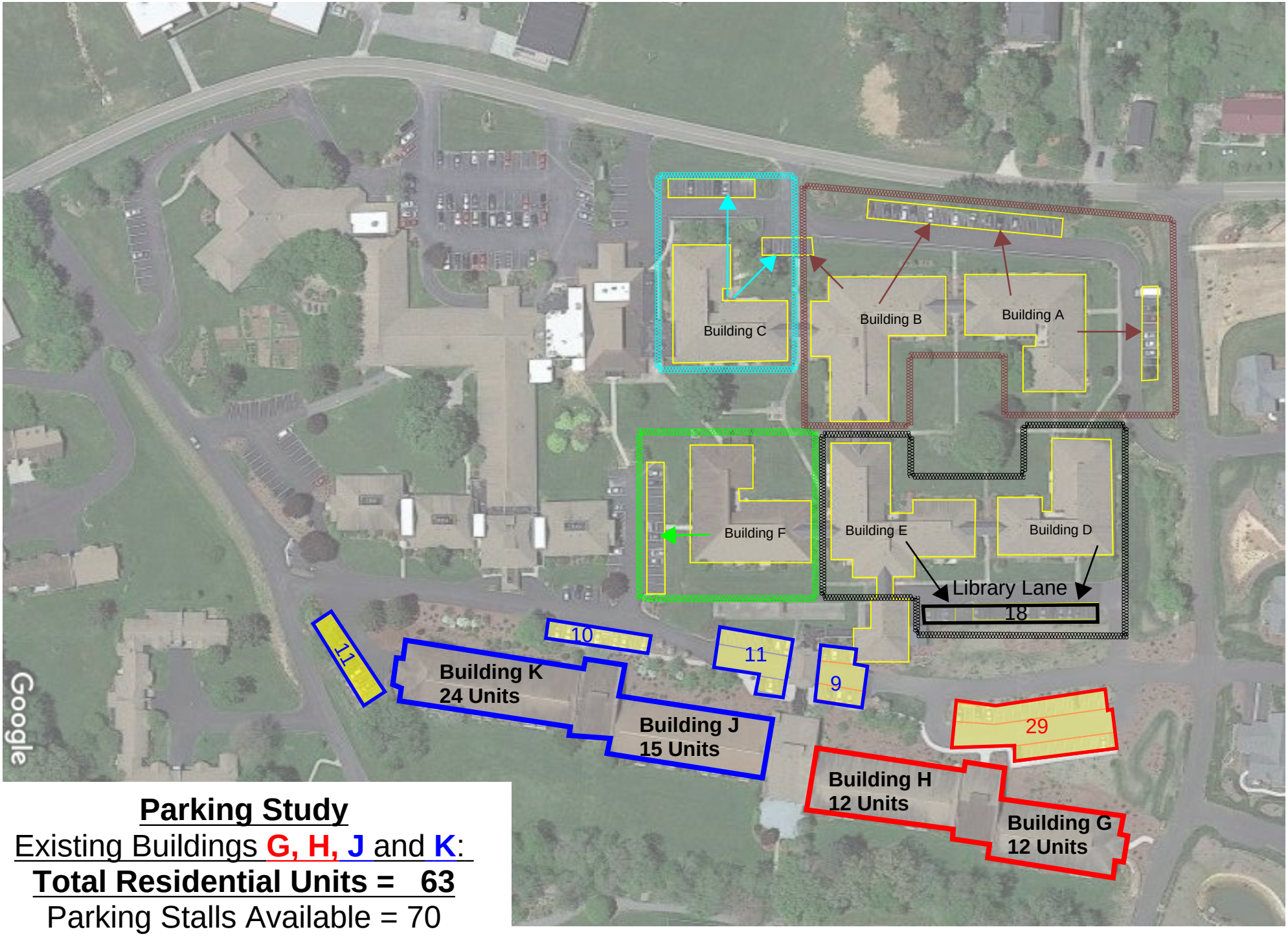
   The available space on the property is limited due to existing buildings and planned areas in the Master Plan. As the site is a senior living community, a requirement of two spaces per apartment (dwelling unit) is unnecessary and does not accurately represent the characterization of driving needs and capacities of the residents. There is a shuttle service on-site and adequate parking areas within the campus to accommodate additional residents and visitors.

3. Indicate how the hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.

   The campus has an established parking stall to residence ratio of 1.1:1. To increase the parking stall to residence ratio to 2:1 would cause an undue hardship in the form of loss of open space for enjoyment of the residents, among other uses.

4. Indicate how 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.

   The intention of this variance is to provide adequate parking spaces, adjusted to the needs and usage consistent of the development. By reducing the number of parking stalls to a ratio more consistent with the community needs, the variance will allow a higher amount open space for the residents and increased public safety by upgrading the Fire Department access through redeveloped area to current fire code.



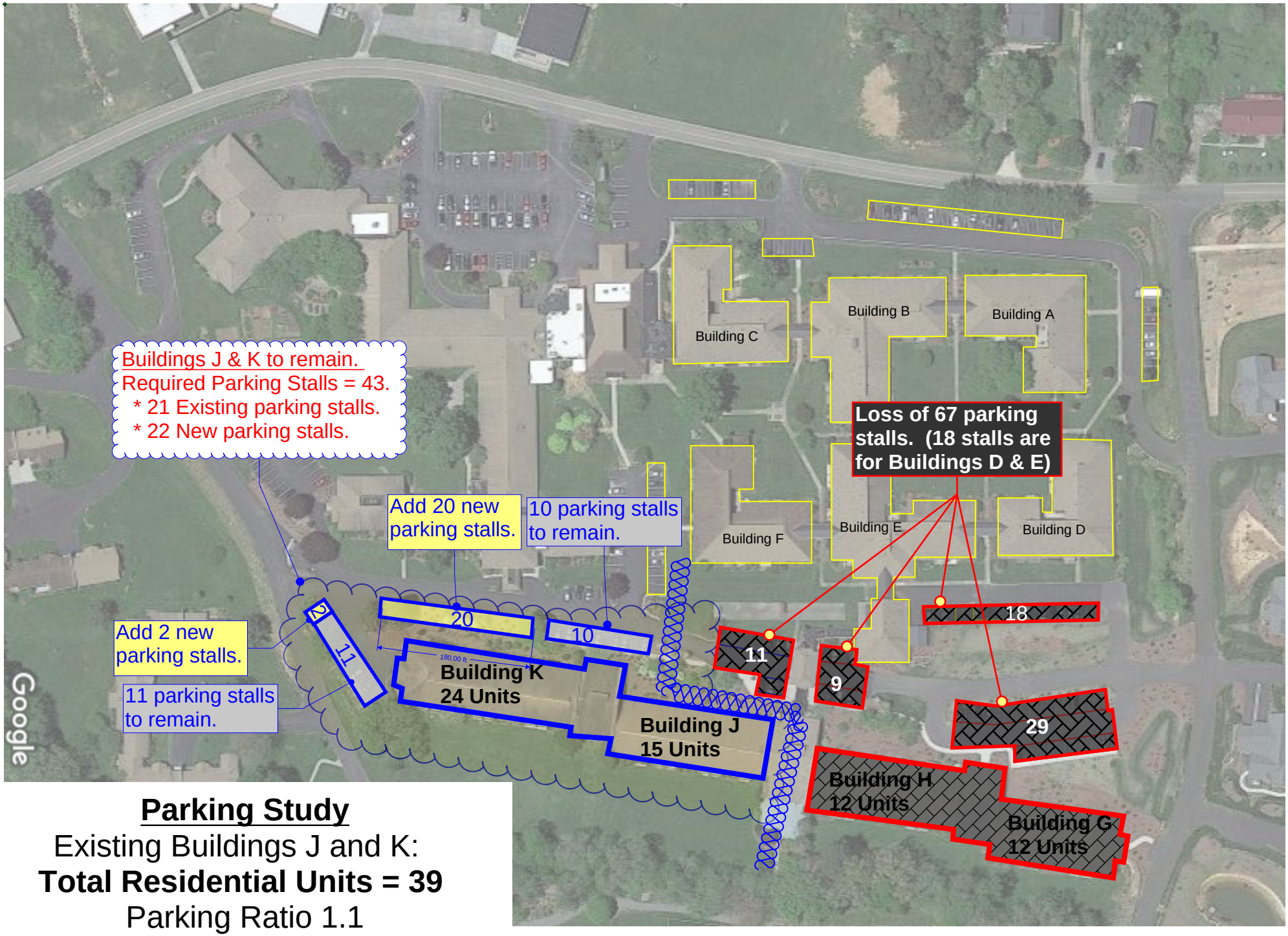

**Parking Study**

Existing Buildings **G, H, J** and **K**:

**Total Residential Units = 63**

Parking Stalls Available = 70

Parking Ratio 1.1




**Parking Study**

Existing Buildings J and K:

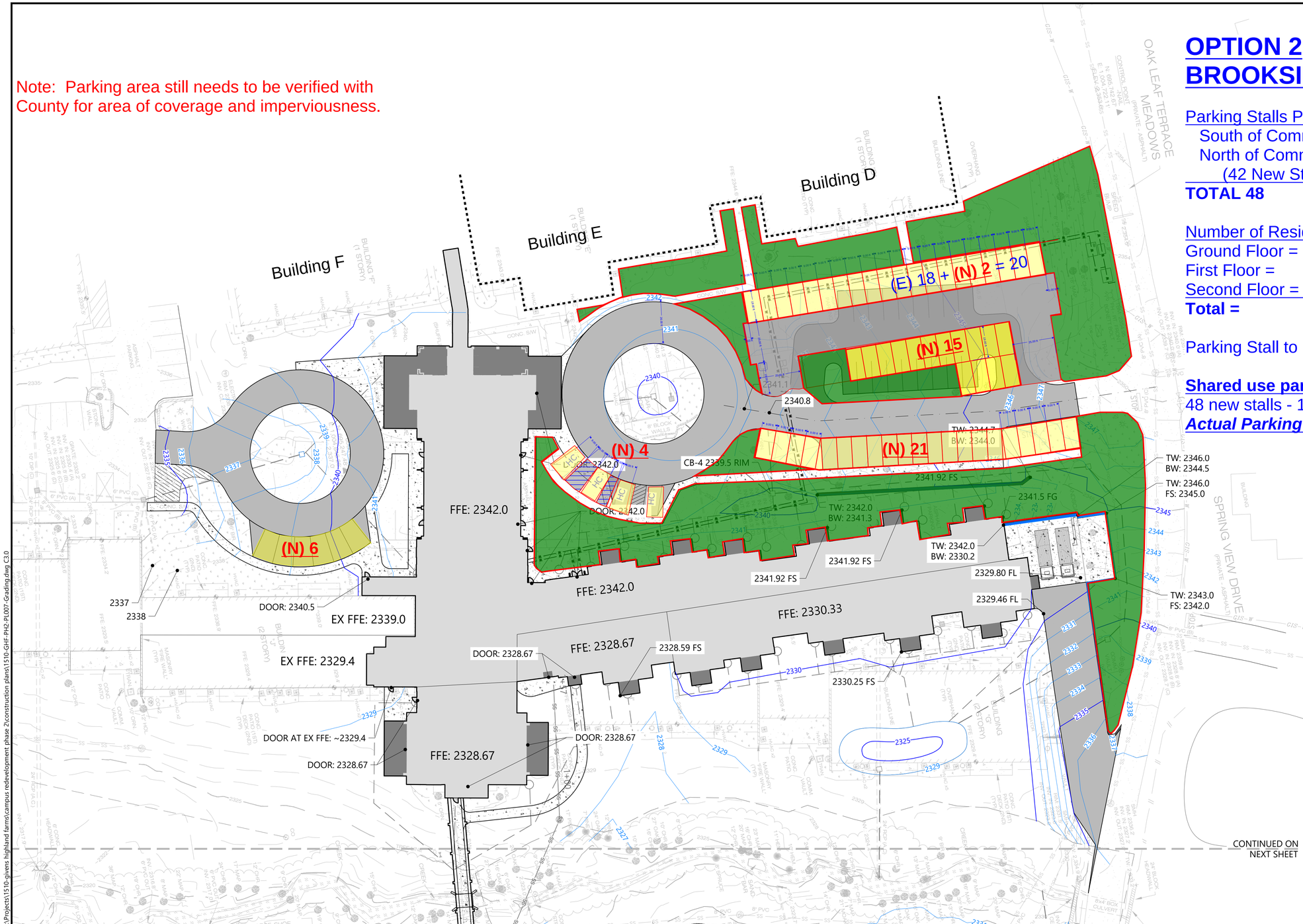
**Total Residential Units = 39**

Parking Ratio 1.1

Parking Stalls required 39 x 1.1 = 43

January 12, 2022

Note: Parking area still needs to be verified with County for area of coverage and imperviousness.




# OPTION 2
# BROOKSIDE APARTMENTS

Parking Stalls Provided
South of Commons = 6 (New Stalls)
North of Commons = 60
(42 New Stalls. 18 Existing for Bldgs. D&E)
**TOTAL 48**

Number of Residences

| | |
|---|---|
| Ground Floor = | 6 |
| First Floor = | 12 |
| Second Floor = | 12 |
| **Total =** | **30** |

Parking Stall to Residence Ratio = 1.6 : 1

**Shared use parking Vista Ridge (15 stalls.)**
48 new stalls - 15 vista ridge stalls = 33 stalls.
***Actual Parking Stall to Residence Ratio = 1.1 : 1***

NORTH

0 30 60
SCALE IN FEET

NOTES:

1. HORIZONTAL DATUM: NSRS 2011 NORTH CAROLINA STATE PLANE, NORTH AMERICAN DATUM (NAD83), U.S. SURVEY FEET
2. VERTICAL DATUM: NAVD88
3. SEE SHEET 2 FOR SURVEY NOTES, ABBREVIATIONS, AND LEGEND.

PLAN INTENDED TO BE VIEWED IN COLOR, ADJACENT BLOCK IS "BLUE"

ONE INCH
AT FULL SIZE, IF NOT ONE INCH SCALE ACCORDINGLY

***PERMIT SET - NOT FOR CONSTRUCTION***

K:\Projects\1510-givens highland farms\campus redevelopment phase 2\construction plans\1510-GHF-PH2-PL007-Grading.dwg C3.0

Nov 19, 2021 11:02am jbigsby

ANCHOR QEA

Givens HIGHLAND FARMS

NORTH CAROLINA PROFESSIONAL SEAL 044681 ENGINEER WALTER J. DINICOLA

REVISIONS

| REV | DATE | BY | APP'D | DESCRIPTION |
|---|---|---|---|---|
| | | | | |

DESIGNED BY: W. DINICOLA
J. BIGSBY
CHECKED BY: ----
APPROVED BY: ----
AS NOTED
NOVEMBER 19, 2021

**GIVENS HIGHLAND FARMS**
**CAMPUS REDEVELOPMENT PHASE 2**

**PROPOSED GRADING PLAN, WEST**

**C3.0**

SHEET # 13 OF 30

January 12, 2022

# OPTION 2
# VISTA RIDGE APARTMENTS

Parking Stalls Provided
Vista Ridge Apartments = 45 (New Stalls)
**TOTAL 45 new Stalls**

Number of Residences
First Floor = 18
Second Floor = 18
Third Floor = 14
**Total = 50**

**Parking Stall to Residence Ratio = 0.83 : 1**

LEGEND:
- PROPOSED BUILDING FOOTPRINT
- PROPOSED ASPHALT PAVEMENT
- PROPOSED CONCRETE PAVEMENT
- PROPOSED RETAINING WALL
- PROPOSED STORMWATER CATCH BASIN

NORTH

0 30 60
SCALE IN FEET

NOTES:

1. HORIZONTAL DATUM: NSRS 2011 NORTH CAROLINA STATE PLANE, NORTH AMERICAN DATUM (NAD83), U.S. SURVEY FEET
2. VERTICAL DATUM: NAVD88
3. SEE SHEET 2 FOR SURVEY NOTES, ABBREVIATIONS, AND LEGEND.
4. RETAINING WALL MANUFACTURER, MATERIAL, AND COLOR SHALL BE COORDINATED WITH THE OWNER AND ARCHITECT. RETAINING WALL DESIGN TO BE PROVIDED BY THE MANUFACTURER.

Note: Parking area still needs to be verified with County for area of coverage and imperviousness.

PLAN INTENDED TO BE VIEWED IN COLOR, ADJACENT BLOCK IS "BLUE"

ONE INCH
AT FULL SIZE, IF NOT ONE INCH SCALE ACCORDINGLY

***PERMIT SET - NOT FOR CONSTRUCTION***

ANCHOR QEA

Givens HIGHLAND FARMS

NORTH CAROLINA PROFESSIONAL SEAL 044681 ENGINEER WALTER J. DINICOLA

REVISIONS

| REV | DATE | BY | APP'D | DESCRIPTION |
|---|---|---|---|---|
| | | | | |

DESIGNED BY: W. DINICOLA
J. BIGSBY
CHECKED BY: ----
APPROVED BY: ----
AS NOTED
NOVEMBER 19, 2021

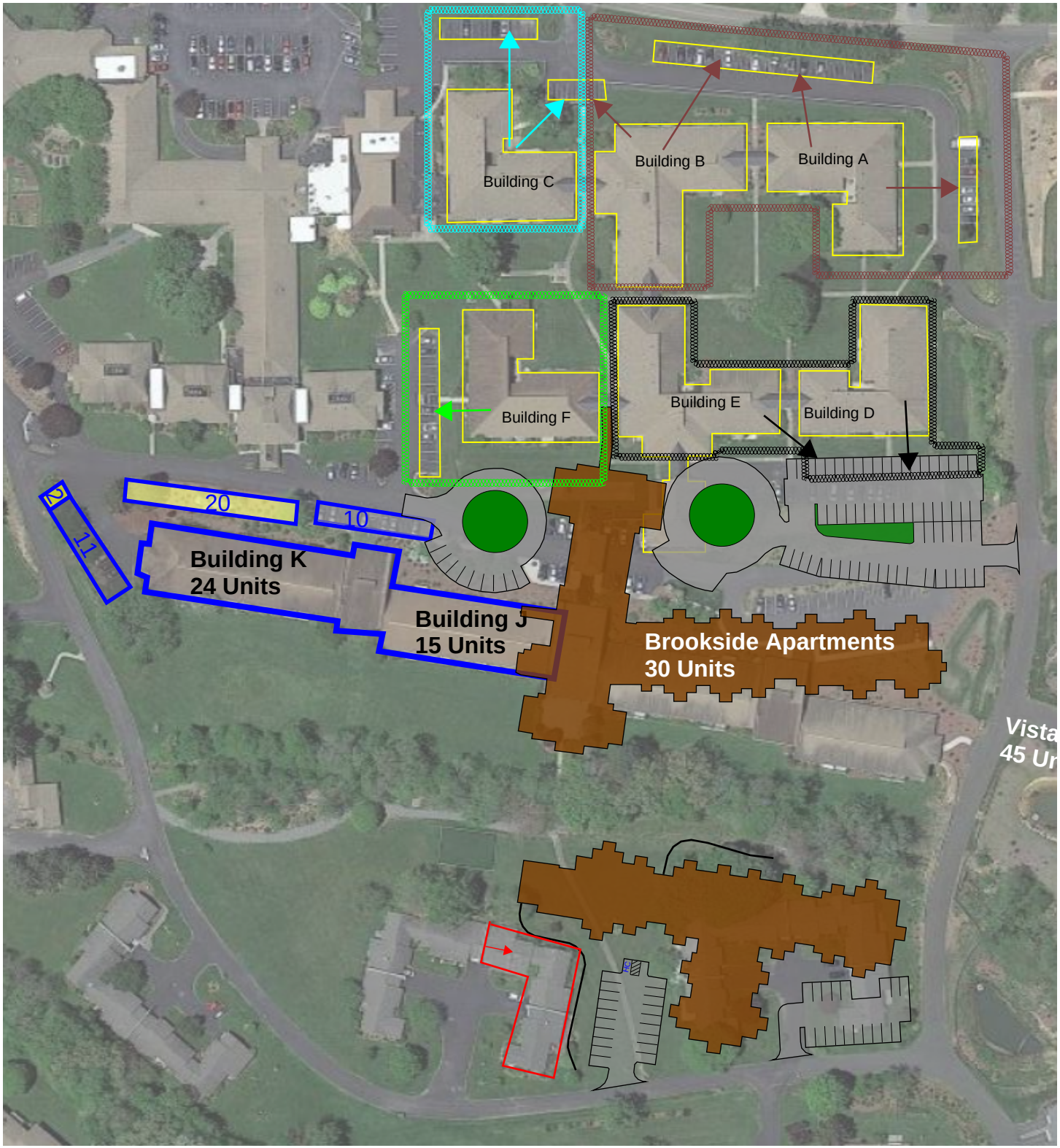
**GIVENS HIGHLAND FARMS**
**CAMPUS REDEVELOPMENT PHASE 2**

**PROPOSED SITE PLAN, EAST**

**C1.1**

SHEET # 7 OF 32

k:\Projects\1510-givens highland farms\campus redevelopment phase 2\construction plans\1510-GHF-PH2-PL003-SitePlan.dwg C1.1
Dec 30, 2021 6:08pm abaratucci



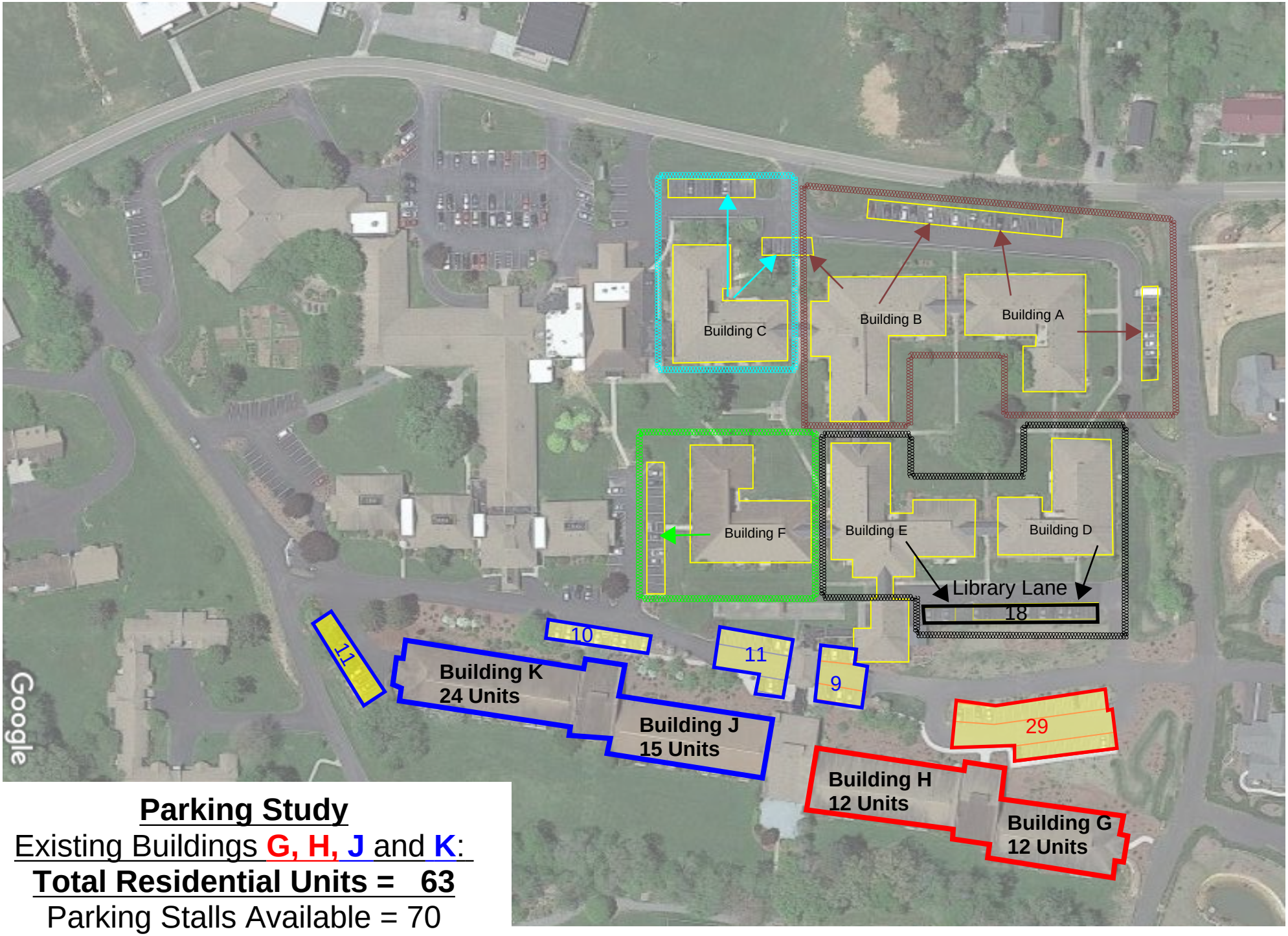

**OPTION 2 - Third Floor for Vista Ridge**

**BROOKSIDE**
Parking Stalls Provided = 48 New
Number of Residences = 30

**VISTA RIDGE**
Parking Stalls Provided = 45
Number of Residences = 50

**Parking Ratio**
Total Number of Parking Stalls = 89
Total Number of Residences = 84
**Parking Ratio = 1.06 : 1**

**Note: Parking at Vista Ridge will be a joint use with Brookside Apartments.**



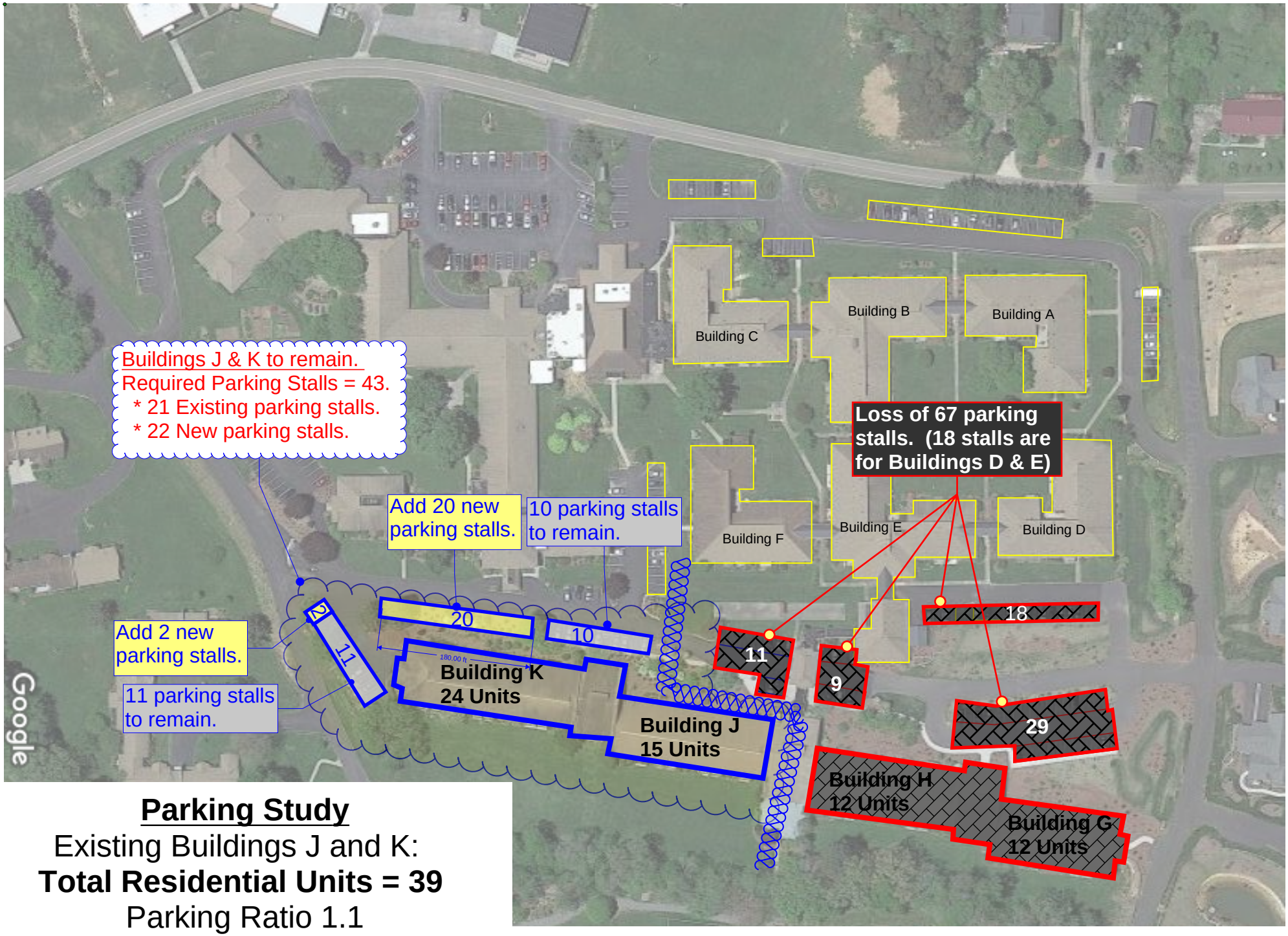

**Parking Study**

Existing Buildings **G, H, J** and **K**:

**Total Residential Units = 63**

Parking Stalls Available = 70

Parking Ratio 1.1




**Parking Study**

Existing Buildings J and K:

**Total Residential Units = 39**

Parking Ratio 1.1

Parking Stalls required 39 x 1.1 = 43

January 12, 2022

Note: Parking area still needs to be verified with County for area of coverage and imperviousness.

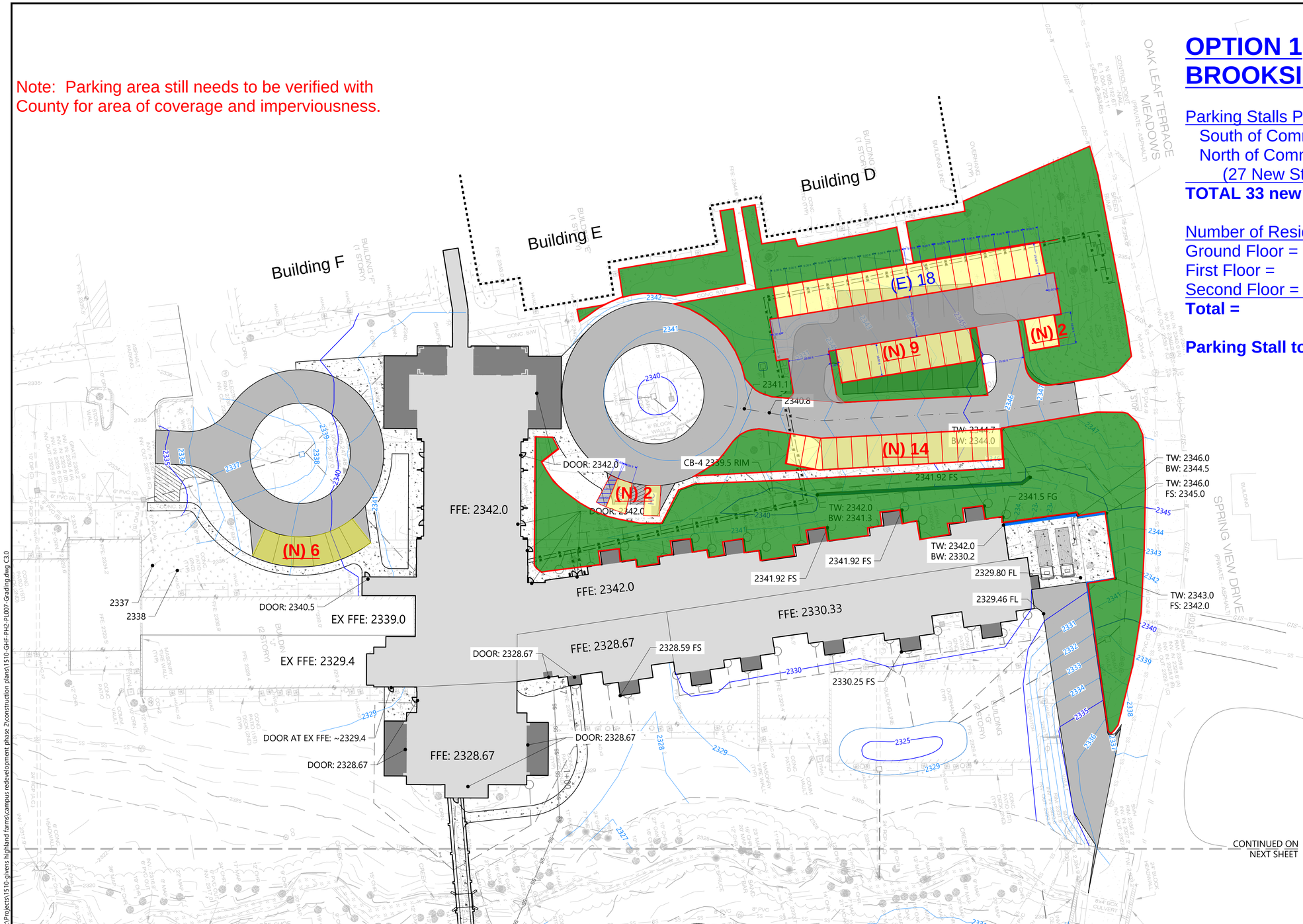
# OPTION 1
# BROOKSIDE APARTMENTS

Parking Stalls Provided
South of Commons = 6 (New Stalls)
North of Commons = 45.
(27 New Stalls. 18 Existing for Bldgs. D&E)
**TOTAL 33 new Stalls**

Number of Residences

| | |
|---|---|
| Ground Floor = | 6 |
| First Floor = | 12 |
| Second Floor = | 12 |
| **Total =** | **30** |

**Parking Stall to Residence Ratio = 1.1 : 1**




NORTH

0 30 60
SCALE IN FEET

NOTES:

1. HORIZONTAL DATUM: NSRS 2011 NORTH CAROLINA STATE PLANE, NORTH AMERICAN DATUM (NAD83), U.S. SURVEY FEET
2. VERTICAL DATUM: NAVD88
3. SEE SHEET 2 FOR SURVEY NOTES, ABBREVIATIONS, AND LEGEND.

PLAN INTENDED TO BE VIEWED IN COLOR, ADJACENT BLOCK IS "BLUE"

ONE INCH
AT FULL SIZE, IF NOT ONE INCH SCALE ACCORDINGLY

***PERMIT SET - NOT FOR CONSTRUCTION***

K:\Projects\1510-givens highland farms\campus redevelopment phase 2\construction plans\1510-GHF-PH2-PL007-Grading.dwg C3.0

Nov 19, 2021 11:02am jbigsby

ANCHOR QEA

Givens HIGHLAND FARMS

NORTH CAROLINA PROFESSIONAL SEAL 044681 ENGINEER WALTER J. DINICOLA

REVISIONS

| REV | DATE | BY | APP'D | DESCRIPTION |
|---|---|---|---|---|
| | | | | |

DESIGNED BY: W. DINICOLA
J. BIGSBY
CHECKED BY: ----
APPROVED BY: ----
AS NOTED
NOVEMBER 19, 2021

**GIVENS HIGHLAND FARMS**
**CAMPUS REDEVELOPMENT PHASE 2**

**PROPOSED GRADING PLAN, WEST**

**C3.0**

SHEET # 13 OF 30

January 12, 2022

# OPTION 1
# VISTA RIDGE APARTMENTS

Parking Stalls Provided
Vista Ridge Apartments = 40 (New Stalls)
**TOTAL 40 new Stalls**

Number of Residences
First Floor = 18
Second Floor = 18
**Total = 36**

**Parking Stall to Residence Ratio = 1.1 : 1**

LEGEND:
- PROPOSED BUILDING FOOTPRINT
- PROPOSED ASPHALT PAVEMENT
- PROPOSED CONCRETE PAVEMENT
- PROPOSED RETAINING WALL
- PROPOSED STORMWATER CATCH BASIN

NORTH

0 30 60
SCALE IN FEET

NOTES:

1. HORIZONTAL DATUM: NSRS 2011 NORTH CAROLINA STATE PLANE, NORTH AMERICAN DATUM (NAD83), U.S. SURVEY FEET
2. VERTICAL DATUM: NAVD88
3. SEE SHEET 2 FOR SURVEY NOTES, ABBREVIATIONS, AND LEGEND.
4. RETAINING WALL MANUFACTURER, MATERIAL, AND COLOR SHALL BE COORDINATED WITH THE OWNER AND ARCHITECT. RETAINING WALL DESIGN TO BE PROVIDED BY THE MANUFACTURER.

Note: Parking area still needs to be verified with County for area of coverage and imperviousness.

PLAN INTENDED TO BE VIEWED IN COLOR, ADJACENT BLOCK IS "BLUE"

ONE INCH
AT FULL SIZE, IF NOT ONE INCH SCALE ACCORDINGLY

***PERMIT SET - NOT FOR CONSTRUCTION***

ANCHOR QEA

Givens HIGHLAND FARMS

NORTH CAROLINA PROFESSIONAL SEAL 044681 ENGINEER WALTER J. DINICOLA

| REVISIONS | | | | |
|---|---|---|---|---|
| REV | DATE | BY | APP'D | DESCRIPTION |
| | | | | |

DESIGNED BY: W. DINICOLA
J. BIGSBY
CHECKED BY: ----
APPROVED BY: ----
AS NOTED
NOVEMBER 19, 2021

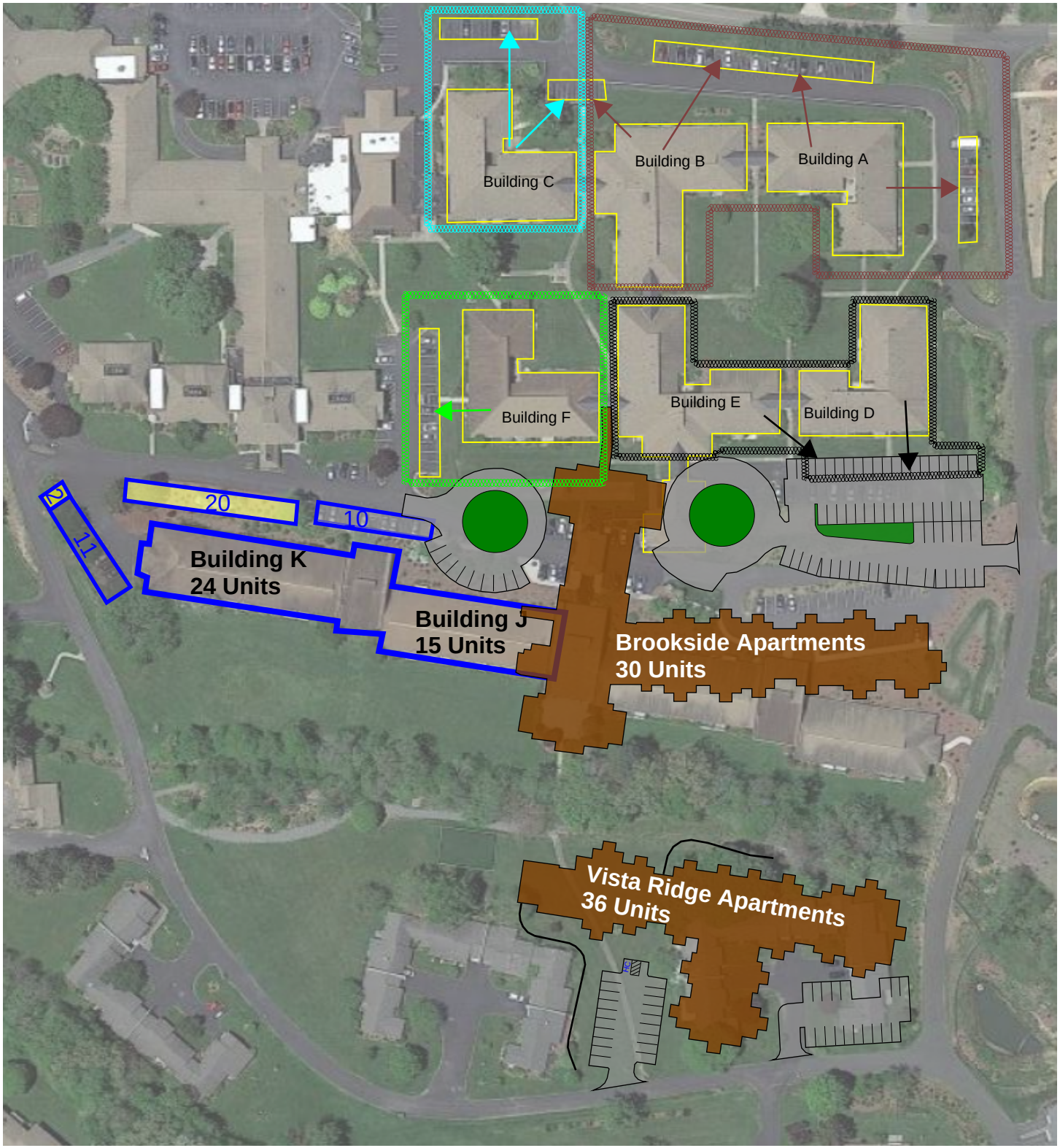
**GIVENS HIGHLAND FARMS**
**CAMPUS REDEVELOPMENT PHASE 2**

**PROPOSED SITE PLAN, EAST**

**C1.1**

SHEET # 7 OF 32

k:\Projects\1510-givens highland farms\campus redevelopment phase 2\construction plans\1510-GHF-PH2-PL003-SitePlan.dwg C1.1
Dec 30, 2021 6:08pm abaratucci



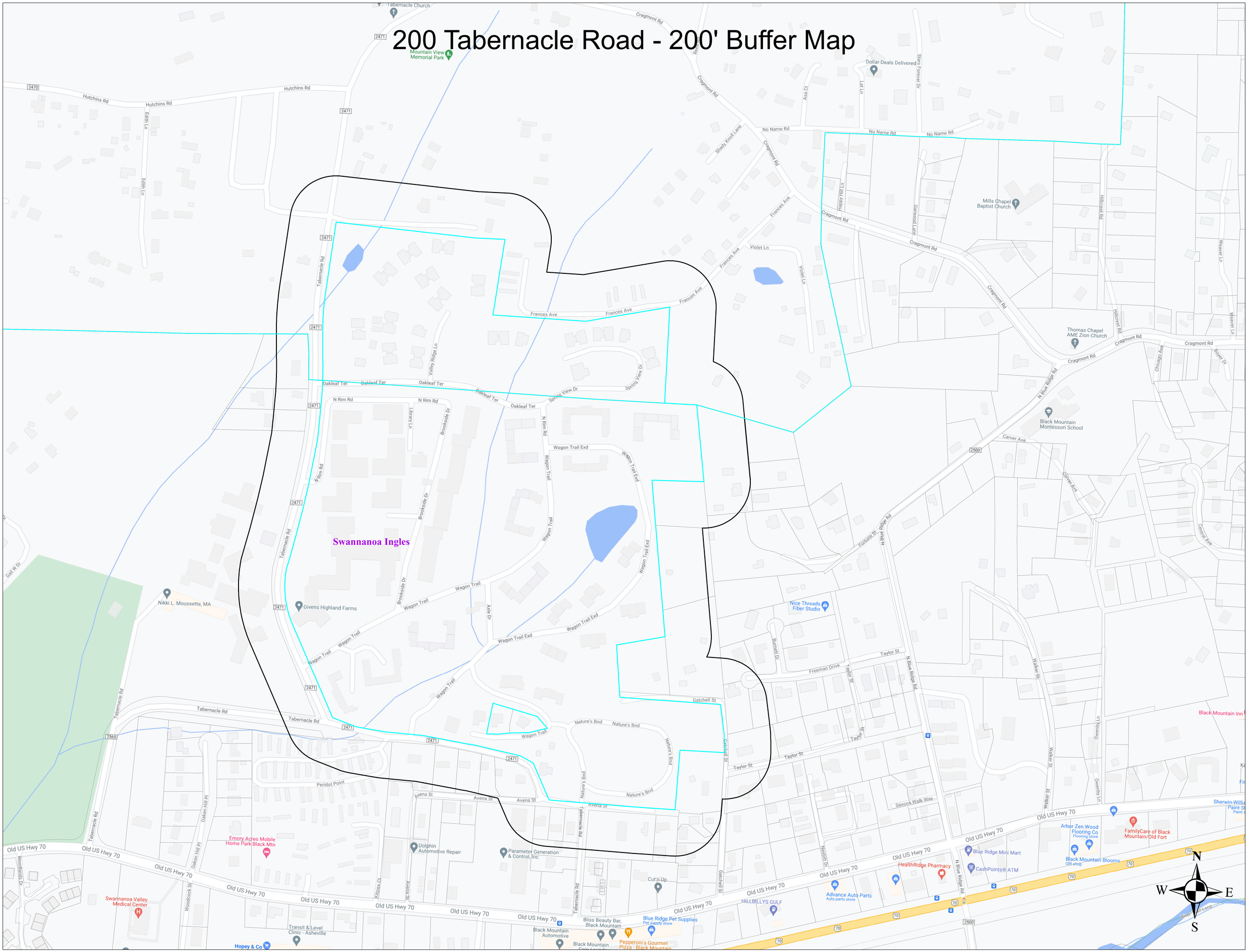

**OPTION 1**

**BROOKSIDE**
Parking Stalls Provided = 33
Number of Residences = 30

**VISTA RIDGE**
Parking Stalls Provided = 40
Number of Residences = 36

**Parking Ratio**
Total Number of Parking Stalls = 73
Total Number of Residences = 66
**Parking Ratio = 1.1 : 1**

# 200 Tabernacle Road - 200' Buffer Map



| PIN | OWNER | ADDRESS | CITYNAME | STATE | ZIPCODE |
|---|---|---|---|---|---|
| '060924886800000' | STATE OF NORTH CAROLINA | 20301 MAIL SERVICE CTR | RALEIGH | NC | 27699 |
| '060943389800000' | EMORY LAND COMPANY | PO BOX 2887 | WEAVERVILLE | NC | 28787 |
| '060944800900000' | CANTRELL LE AGNES W | 155 TABERNACLE RD | BLACK MOUNTAIN | NC | 28711 |
| '060944904700000' | CANTRELL CHARLES R;CANTRELL DEBRA G | 149 TABERNACLE RD | BLACK MTN | NC | 28711 |
| '060945154800000' | HALE DANIEL A;HALE YVONNE M | 301 TABERNACLE RD | BLACK MTN | NC | 28711 |
| '060945267600000' | DURKIN MICHAEL | 307 TABERNACLE RD | BLACK MTN | NC | 28711 |
| '060945280300000' | MARTIN LOUIS C;MARTIN ROSEMARY G | 309 TABERNACLE RD | BLACK MTN | NC | 28711 |
| '060946009700000' | SYBIL J FOX LIVING TRUST | 24 REYNOLDA DR | ASHEVILLE | NC | 28803 |
| '060946164500000' | MOUNTAIN VIEW MEMORIAL PARK | 208 W STATE ST | BLACK MTN | NC | 28711 |
| '060946217400000' | EDWARDS GREGORY NOLAND;EDWARDS CHRISTY M | 315 TABERNACLE RD | BLACK MTN | NC | 28711 |
| '060946228800000' | PROVOST ELIZABETH A;DRUMMOND PAUL W | 126 CHURCH ST | BLACK MTN | NC | 28711 |
| '060946668600000' | WHEELER JEFFREY SCOTT;WHEELER STACY | 324 TABERNACLE RD | BLACK MTN | NC | 28711 |

| | | | | | |
|---|---|---|---|---|---|
| '060946749800000' | WHEELER MICHAEL;WHEELER JACKIE RAY;WHEELER VICKEY BRYANT;WHEELER JEFFREY SCOTT | 320 TABERNACLE RD | BLACK MTN | NC | 28711 |
| '060946879300000' | MCNAIR RUTH;HARGRAVE ELBERT | 340 TABERNACLE RD | BLACK MOUNTAIN | NC | 28711 |
| '060953175000000' | PARAMETER GENERATION & CONTROL INC | PO BOX 129 | BLACK MTN | NC | 28711 |
| '060953385400000' | PARKER SCOTT R;PARKER SANDRA H | 127 TABERNACLE RD | BLACK MTN | NC | 28711 |
| '060953471300000' | JONES RANDALL PAUL | 113 TABERNACLE RD | BLACK MTN | NC | 28711 |
| '060953482300000' | LEDFORD JAMES DANIEL | 123 TABERNACLE RD | BLACK MTN | NC | 28711 |
| '060953489200000' | CLAYTON FRED;CLAYTON CAROLYN | 115 TABERNACLE RD | BLACK MTN | NC | 28711 |
| '060953679800000' | MARLENE M JONES ET AL | PO BOX 1052 | BLACK MTN | NC | 28711 |
| '060953879700000' | JARZYNA DAVID A;JARZYNA DEBRA | 203 TABERNACLE ROAD EXT | BLACK MTN | NC | 28711 |
| '060954004500000' | PADGETT ALEX E | 143 TABERNACLE RD | BLACK MTN | NC | 28711 |
| '060954103400000' | DOHY AARON | 139 TABERNACLE RD | BLACK MTN | NC | 28711 |
| '060954127800000' | DEJONG ARTHUR J;DEJONG JOYCE A | 355 NATURES BND | BLACK MTN | NC | 28711 |

| | | | | | |
|---|---|---|---|---|---|
| '060954204200000' | BROWN LILLIAN HOLMES;BROWN MATTHEW DAVID;HOLMES CAROLE MORGAN;HOLMES ROBERT III | 135 TABERNACLE RD | BLACK MTN | NC | 28711 |
| '060954320700000' | JIVIDEN CECIL M;JIVIDEN SANDRA S | 353 NATURES BND | BLACK MTN | NC | 28711 |
| '060954759100000' | TAZE HOLDINGS LLC | 1540 HEALING SPRINGS DR | DENTON | NC | 27239 |
| '060954997500000' | GIVENS ESTATES INC | 2360 SWEETEN CREEK RD | ASHEVILLE | NC | 28803 |
| '060955114600000' | GIVENS HIGHLAND FARMS LLC | 2360 SWEETEN CREEK RD | ASHEVILLE | NC | 28803 |
| '0609551146C0001' | SMITH IRA E;SMITH ALICE W | 1 WAGON TRL | BLACK MTN | NC | 28711 |
| '0609551146C0006' | CAUTHEN CAMPBELL JR;CAUTHEN CAROL B | 6 WAGON TRL | BLACK MTN | NC | 28711 |
| '0609551146C0007' | ARTHUR H FRICKE TRUSTEE | 7 WAGON TRL | BLACK MTN | NC | 28711 |
| '0609551146C0011' | KRAMER ATOSSA F | 11 WAGON TRL | BLACK MTN | NC | 28711 |
| '0609551146C0013' | WALKER JOHN M III;WALKER BETTY K | 13 WAGON TRL | BLACK MTN | NC | 28711 |
| '0609551146C0016' | FINEGAN ROBERT F;FINEGAN MARY J | 16 WAGON TRL | BLACK MTN | NC | 28711 |
| '0609551146C0017' | BROWN JOAN | 17 WAGON TRL | BLACK MTN | NC | 28711 |
| '0609551146C0022' | HIGGINS NANCY K | 22 WAGON TRL | BLACK MTN | NC | 28711 |
| '0609551146C0024' | WALKER JOSEPH W | 24 WAGON TRL | BLACK MTN | NC | 28711 |
| '0609551146C0026' | SPENCER THOMAS DARRELL;SPENCER MARY FRAN | 26 WAGON TRL | BLACK MTN | NC | 28711 |

| | | | | | |
|---|---|---|---|---|---|
| '0609551146C0027' | BESS M PERRYMAN REVOCABLE LIV TRUST BESS MACOMSON PERRYMAN (TRUSTEE) | 27 WAGON TRL | BLACK MTN | NC | 28711 |
| '0609551146C0029' | GOLD HARVEY J;GOLD SHIRLEY E | 29 WAGON TRL | BLACK MTN | NC | 28711 |
| '0609551146C0034' | INGRAM JAMES;INGRAM GERI | 34 WAGON TRL | BLACK MTN | NC | 28711 |
| '0609551146C0035' | FRELICK FAMILY TRUST JOHN PAUL FRELICK(TRUSTEE)(ETAL) | 35 WAGON TRL | BLACK MTN | NC | 28711 |
| '0609551146C0036' | BOYER KENNETH E;BOYER SYLVIA H | 36 WAGON TRL | BLACK MTN | NC | 28711 |
| '0609551146C0038' | JERDEE LIVING TRUST THOMAS H JERDEE TRUSTEE | 38 WAGON TRL | BLACK MTN | NC | 28711 |
| '0609551146C0042' | HETZEL (LE) ALAN D | 42 WAGON TRL | BLACK MTN | NC | 28711 |
| '0609551146C0045' | SMITH EDWARD M;SMITH SUE B | 45 WAGON TRL | BLACK MTN | NC | 28711 |
| '0609551146C1052' | ELAM JAMES F JR;ELAM CAREY M | 52 WAGON TRL | BLACK MTN | NC | 28711 |
| '0609551146C1154' | BUNDESEN HARRO | 54 WAGON TRL | BLACK MTN | NC | 28711 |
| '0609551146C1155' | EDWARDS FAMILY TRUST HERBERT & BRENDA EDWARDS TRUSTEES | 55 WAGON TRL | BLACK MTN | NC | 28711 |
| '0609551146C1157' | CAROLYN R ZIELINSKI TRUSTEE | 57 WAGON TRL | BLACK MTN | NC | 28711 |
| '0609551146C1158' | HILL SARA P | 58 WAGON TRL | BLACK MTN | NC | 28711 |
| '0609551146C1259' | HEID JAMES K;HEID CARYL M | 59 WAGON TRL | BLACK MTN | NC | 28711 |

| | | | | | |
|---|---|---|---|---|---|
| '0609551146C1675' | BROWN G ALLAN;BROWN JEAN L | 75 WAGON TRL | BLACK MTN | NC | 28711 |
| '0609551146C1676' | ELLIS JAMES T;ELLIS PEGGY L | 76 WAGON TRL | BLACK MTN | NC | 28711 |
| '060955925100000' | SLADOVNIK DEBORAH;SLADOVNIK CRAIG | 54825 EMERALD LN | GLENWOOD | IA | 51534 |
| '060956146400000' | WHEELER MICHAEL;WHEELER WENDY | 320 TABERNACLE RD | BLACK MTN | NC | 28711 |
| '060956374300000' | MY RETREAT LLC | 207 E STATE ST | BLACK MTN | NC | 28711 |
| '060956448900000' | WHEELER MICHAEL;WHEELER JACKIE RAY;WHEELER VICKEY BRYANT;WHEELER JEFFREY SCOTT | 320 TABERNACLE RD | BLACK MTN | NC | 28711 |
| '060956610800000' | BARTLETT MICHAEL A;BARTLETT KRISTINA H | 49 FRANCES AVE | BLACK MTN | NC | 28711 |
| '060963073000000' | CATHERINE COLE FERANDELLI LIVING TRUST | PO BOX 590 | WINNEMUCCA | NV | 89446 |
| '060963073700000' | CATHERINE COLE FERANDELLI LIVING TRUST | PO BOX 590 | WINNEMUCCA | NV | 89446 |
| '060963082400000' | CATHERINE COLE FERANDELLI LIVING TRUST | PO BOX 590 | WINNEMUCCA | NV | 89446 |
| '060963089400000' | CATHERINE COLE FERANDELLI LIVING TRUST | PO BOX 590 | WINNEMUCCA | NV | 89446 |

| | | | | | |
|---|---|---|---|---|---|
| '060963293700000' | HAMMOND CHARLES B;HAMMOND KATHY F | 209 GATCHELL ST | BLACK MTN | NC | 28711 |
| '060964004100000' | SCHMITZ JOHN R;SCHMITZ JANET E | 212 GATCHELL ST | BLACK MTN | NC | 28711 |
| '060964051800000' | VERTEFEUILLE LEONARD GEORGE;VERTEFEUILLE LIZZIE FOX | 219 GATCHELL ST | BLACK MTN | NC | 28711 |
| '060964217700000' | DAY JOSHUA CALEB;DAY KELSEY L | 120 TAYLOR ST | BLACK MOUNTAIN | NC | 28711 |
| '060964230400000' | GRAY WILLIAM I;GRAY PATRICIA | 9 FREEMAN DR | BLACK MTN | NC | 28711 |
| '060964250300000' | JORGENSEN DARREL;JORGENSEN DREW | 11 FREEMAN DR | BLACK MTN | NC | 28711 |
| '060964308100000' | BALLARD SUSAN F;BALLARD PAUL J | 115 TAYLOR ST | BLACK MOUNTAIN | NC | 28711 |
| '060964331500000' | BROWN CHARLES DAVID;BROWN THOMAS ANGUS | PO BOX 821 | MONTREAT | NC | 28757 |
| '060964390600000' | GIVENS HIGHLAND FARMS LLC | 200 TABERNACLE RD | BLACK MTN | NC | 28711 |
| '060965098600000' | MCKINNEY WALTER C;MCKINNEY GLADYS | 48 FRANCES AVE | BLACK MTN | NC | 28711 |
| '060965134900000' | BURR JULIA C;KLARP JESSICA M | 71 FORTUNE ST | BLACK MTN | NC | 28711 |
| '060965175300000' | BLOZAN WILLIAM F;BLOZAN HEIDI E ERICKSON | 23 VIOLET LN | BLACK MTN | NC | 28711 |
| '060965328300000' | FORTUNE COMMONS TOWNHOMES ASSOCIATION | 53A FORTUNE ST | BLACK MTN | NC | 28711 |

| | | | | | |
|---|---|---|---|---|---|
| '060965337400000' | BROWN STEVEN BENNETT | 57 FORTUNE ST | BLACK MTN | NC | 28711 |
| '060965345700000' | BROWN STEVEN BENNETT | 57 FORTUNE ST | BLACK MTN | NC | 28711 |
| '060965375700000' | BLOZAN WILLIAM F;BLOZAN HEIDI E ERICKSON | 23 VIOLET LN | BLACK MTN | NC | 28711 |
| '060966037200000' | BARTLETT MICHAEL A;BARTLETT KRISTINA H | 49 FRANCES AVE | BLACK MTN | NC | 28711 |

# 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: **February 1, 2022**

TO: **Property Owner**

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

ADDRESS OF PROPOSED VARIANCE:

**200 Tabernacle Road**

PIN #: **0609-55-1146.00000**

CURRENT ZONING CLASSIFICATION: **OI-6**

THIS PROPERTY IS CURRENLTY USED FOR THE PURPOSE OF:

**Residential**

THE VARIANCE IS REQUESTED FROM THE FOLLOWING PROVISIONS OF THE ORDINANCE:

**Chapter 10.7, Section 10.7.1 and Table of Uses, Off-Street Parking Space Requirements**

THE VARIANCE IS REQUESTED SO THAT THE PROPERTY CAN BE USED INA MANNER INDICATED HEREIN:

**To reduce the parking area ratio from two parking stalls per residence to one parking stall per residence.**

***An evidentiary hearing will be held on Thursday, February 17, 2022 @ 6:00 p.m. in the Council Room of Town Hall, 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.

# Buncombe County

February 3, 2022

1:9,028

0 0.075 0.15 0.3 mi

# LEGAL NOTICE

## BLACK MOUNTAIN BOARD OF ADJUSTMENT

## EVIDENTIARY HEARING

### Thursday, February 17, 2022, at 6:00 p.m.

The Black Mountain Board of Adjustment will meet on **Thursday, February 17, 2022, 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 200 Tabernacle Road, further identified as PIN #0609-55-1146.00000, to allow a reduction in required parking spaces.

The meeting is open to the public.

_____
Jennifer Tipton
Senior Admin

The Town of Black Mountain is committed to providing accessible facilities, programs and services for all people in compliance with the Americans with Disabilities Act (ADA). Should you need assistance or a particular accommodation for this meeting please contact, Jennifer Tipton at 419-9371 or by email at Jennifer.tipton@tobm.org.

*Posted to the Town Bulletin Board 01/31/22*
*Published in the Black Mountain News 02/03/22 and 02/10/22*

www.townofblackmountain.org