



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 February ~~16~~¹⁵, 2018
Date: February 5, 2018

The Town of Black Mountain Zoning Board of Adjustment will meet on **Thursday, February ~~16~~¹⁵, 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 January 18, 2018;
3. Variance Request for 342 Avena Road; and
4. Variance Request for Lot 190 Crockett Ridge Road.

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, February 15, 2018 at 6:00 p.m.

The Black Mountain Zoning Board of Adjustment will meet for their monthly meeting on **Thursday, February 15, 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 342 Avena Road, further identified as PIN #0619-79-0042.00000, to allow an accessory structure to be in the front yard, and to consider a variance request for Lot 190 Crockett Ridge Road, further identified as PIN #0618-55-9653, to reduce the front and rear setbacks by fifteen feet.



Jennifer Tipton
Zoning Administrator

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, Zoning Administrator at (828) 669-2030 or by email at Jennifer.tipton@townofblackmountain.org

Posted to the Town Bulletin Board 02/01/18

www.townofblackmountain.org



Zoning Board of Adjustment

February ¹⁵~~16~~, 2018

6:00 p.m.

PROPOSED AGENDA

I. CALL TO ORDER

II. ADOPTION OF AGENDA

III. ADOPTION OF MINUTES
January 18, 2018

IV. BUSINESS

1. Variance Request for 342 Avena Road
2. Variance Request for Lot 190 Crockett Ridge Road

V. ZONING BOARD OF ADJUSTMENTS/STAFF COMMENTS – Reports and Communications

VI. PUBLIC COMMENT

VII. ADJOURNMENT



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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: 1 / 12 / 18

To: ZONING ADMINISTRATOR
TOWN OF BLACK MOUNTAIN

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

Matthew and Cheryl R. Gutowski
342 Avena Rd, Black Mountain, NC 28711

PROPERTY DESCRIPTION/PIN #: 0019.79.0042

CURRENT ZONING CLASSIFICATION: URB

THIS PROPERTY IS CURRENTLY USED FOR THE PURPOSE OF:

Residence

THE VARIANCE IS REQUESTED TO ALLOW THE PROPERTY OWNER TO:

To keep the erected garage in the front yard.

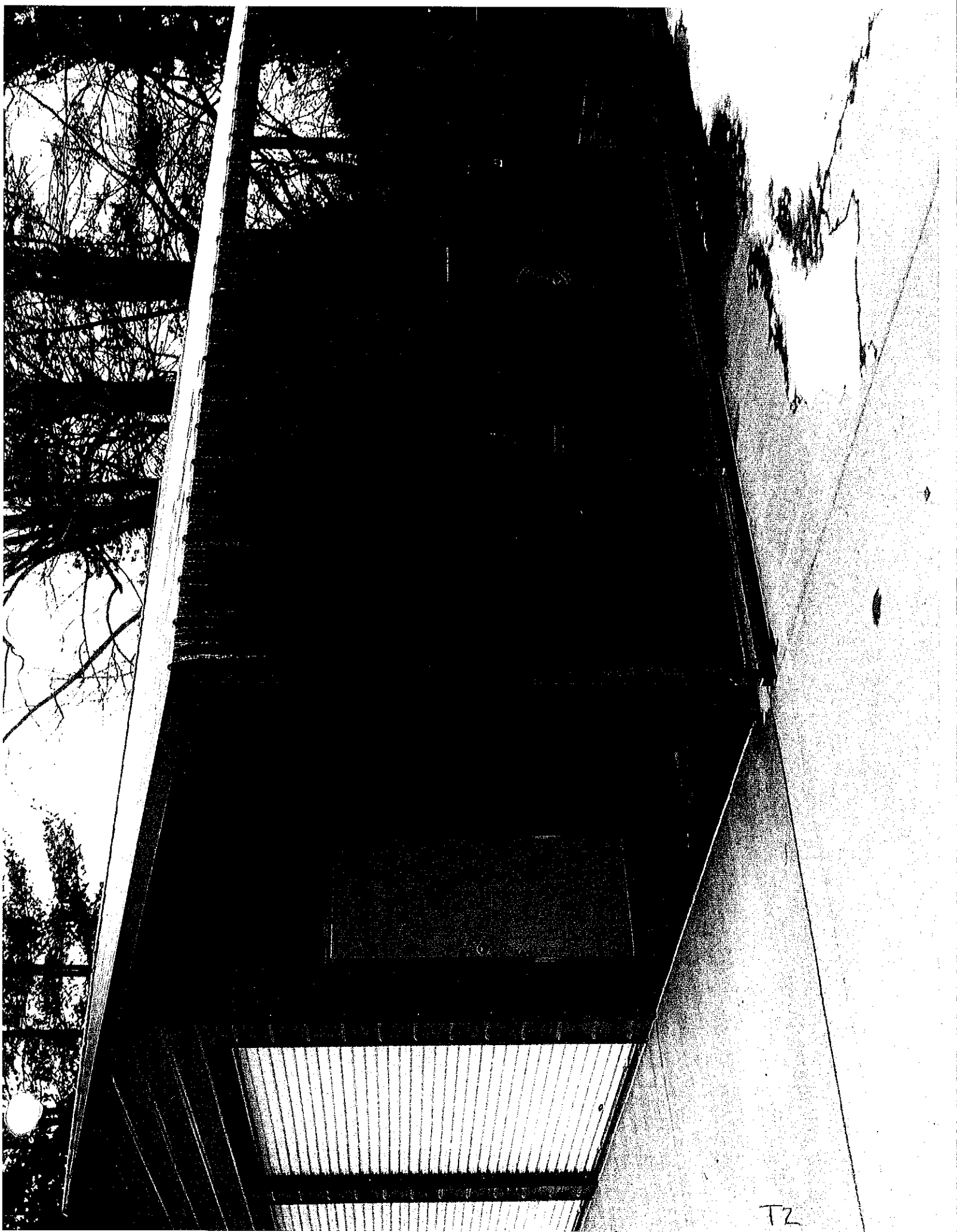
ATTACHED HERETO IS A PLOT PLAN OF THE REAL ESTATE AFFECTED, INDICATING THE SIZE OF
THE LOT, SIZE OF IMPROVEMENTS NOW ERECTED, AND THOSE PROPOSED TO BE ERECTED.

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

The inability to utilize the side or back yard due to an
existing building, electrical lines, location of water well and the
topography of land

SIGNATURE OF APPLICANT:

M/Gutowski









342 Avena Road - 200' Buffer



T-7

N

1 inch = 181 feet

<u>Name</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>	<u>PIN #</u>
Matthew & Cheryl Gutowski	342 Avena Road	Black Mountain	NC	28711	0619-79-0042
Terry & Elaine Dalton	351 Avena Road	Black Mountain	NC	28711	0619-79-0420
Avena Road LLC	35 Hillview Road	Asheville	NC	28805	0619-69-7211
Roger & Annie Gardner	PO Box 451	Black Mountain	NC	28711	0619-68-3916
Lois Fonger & Sharon McMahan	330 Avena Road	Black Mountain	NC	28711	0619-68-7867
Gerald & Jannell Gregg	56 Pearl Street	Black Mountain	NC	28711	0619-68-6732
Randy & Frances Gregg	70 Pearl Street	Black Mountain	NC	28711	0619-68-7612
William Anderson	3555 Ashworth Road	Marion	NC	28752	0619-78-2816
Ralph Anderson	3555 Ashworth Road	Marion	NC	28752	0619-78-2946
Ralph Anderson	3555 Ashworth Road	Marion	NC	28752	0619-79-2046
Miguel & Robyn Gonzalez	3 Cordell Court	Black Mountain	NC	28711	0619-79-6007
Matthew Gutowski	342 Avena Road	Black Mountain	NC	28711	0619-79-2197
Kimberly Kite	378 Avena Road	Black Mountain	NC	28711	0619-79-4312
Kimberly Kite	378 Avena Road	Black Mountain	NC	28711	0619-79-4223



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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, 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:

**Matthew and Cheryl Gutowski
342 Avena Road**

Property Description/PIN #: **0619-79-0042.00000**

Current Zoning Classification: **UR-8 (urban residential)**

This property is currently used for the purpose of: **single-family residence**

The variance is requested to allow the property owner to:

To keep the erected garage in the front yard.

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

The inability to utilize the side or back yard due to an existing building, electrical line, location of water well and the topography of the land.

A public hearing will be held on Thursday, February 15, 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.

T10

CERTIFICATE OF MAILING

This is to certify that the foregoing document (NOTICE OF VARIANCE FOR 342 AVENA ROAD) has been duly served by depositing a copy of the same in the United States

Mail, first-class, postage pre-paid, to the following:

Matthew & Cheryl Gutowski
342 Avena Road
Black Mountain, NC 28711

Terry & Elaine Dalton
351 Avena Road
Black Mountain, NC 28711

Avena Road LLC
35 Hillview Road
Asheville, NC 28805

Roger & Annie Gardner
PO Box 451
Black Mountain, NC 28711

Lois Fonger & Sharon McMahan
330 Avena Road
Black Mountain, NC 28711

Gerald & Jannell Gregg
56 Pearl Street
Black Mountain, NC 28711

Randy & Frances Gregg
70 Pearl Street
Black Mountain, NC 28711

William John Anderson
3555 Ashworth Road
Marion, NC 28752

Miquel & Robyn Gonzalez
3 Cordell Court
Black Mountain, NC 28711

Kimberly Kite
378 Avena Road
Black Mountain, NC 28711

Jennifer Tipton
Jennifer Tipton, CZO
Zoning Administrator

2/7/18
Date

Buncombe County, North Carolina

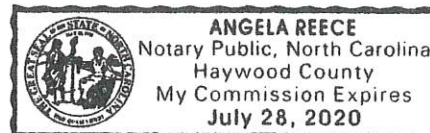
I certify that the following person personally appeared before me this day, acknowledging to me that she signed the foregoing document (NOTICE OF VARIANCE FOR 342 AVENA ROAD): Jennifer Tipton.

Date: February 2, 2018

Notary Signature: Angela Reece

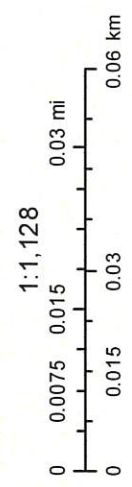
Notary Printed Name: Angela Reece

My Commission Expires: July 28, 2020



(Official Seal)

T.H.



January 31, 2018

VARIANCE

**FEBRUARY 15,
2018
6:00 P.M.**

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



T-1

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: 1/29/18

To: ZONING ADMINISTRATOR
TOWN OF BLACK MOUNTAIN

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

Jeffery Hutchins
Lot 190 Crockett Ridge Rd.; The Settings

PROPERTY DESCRIPTION/PIN #: 0618.55.9653

CURRENT ZONING CLASSIFICATION: CR-1

THIS PROPERTY IS CURRENTLY USED FOR THE PURPOSE OF:

VACANT Residential

THE VARIANCE IS REQUESTED TO ALLOW THE PROPERTY OWNER TO:

Build Home with a 15' front setback & 15' rear setback.

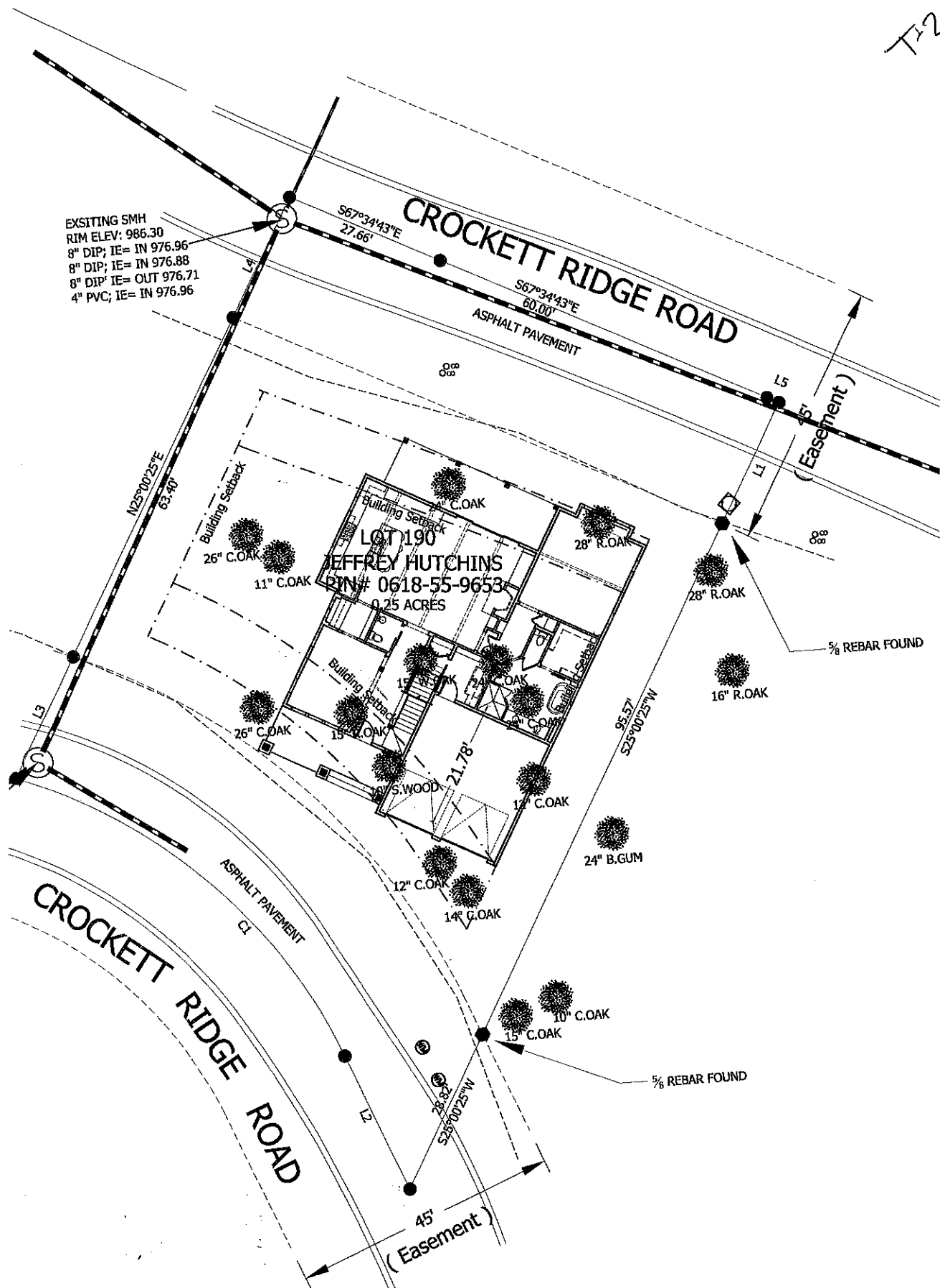
ATTACHED HERETO IS A PLOT PLAN OF THE REAL ESTATE AFFECTED, INDICATING THE SIZE OF THE LOT, SIZE OF IMPROVEMENTS NOW ERECTED, AND THOSE PROPOSED TO BE ERECTED.

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

Setbacks are prohibited for construction of home; Variance presents
No problem or issues for adjoining property owner

SIGNATURE OF APPLICANT: _____

EXSITING SMH
RIM ELEV: 986.30
8" DIP; IE= IN 976.96
8" DIP; IE= IN 976.88
8" DIP IE= OUT 976.71
4" PVC; IE= IN 976.96



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Name	Address	City	State	Zip	PIN #	
Jeffrey & Diane Hutchins	6 Red Plum Lane	Black Mountain	NC	28711	0618-55-9653	
Matthew & Helen Kraus	29 Crockett Ridge Rd	Black Mountain	NC	28711	0618-55-8898	
Emigidia De Gouveia & Carlos Rodriguez	2686 Edgewater Ct	Weston	FL	33332	0618-55-9810	
Brenda Bowman	145 Wisdom Path	Chesapeake	VA	23322	0618-55-9756	
Blantain LLC	830 Yorkshire Road	Winston Salem	NC	27106	0618-65-0715	
Edward & Wava Vigen	413 Heartwood Xing	Blacksburg	VA	24063	0618-65-0773	
Monte Hutchins	PO Box 435	Hubert	NC	28539	0618-65-1730	
Wells Fargo Bank NA	3476 Stateview Blvd	Fort Mill	SC	29715	0618-65-2606	
David & Almee Zaas	3201 Churchill Rd	Raleigh	NC	27607	0618-65-2536	
Thomas & Patrice Goedlen	2747 Stonecreek Dr	Richland	WA	99354	0618-65-2416	
Charles & Elizabeth Steineger	809 The Village Circle	Raleigh	NC	27615	0618-65-1451	
Kontogiorgis Family Trust	14021 Marblestone Dr	Clifton	VA	20124	0618-65-0450	
James & Cathy Schorr	1779 Oakview Drive	Ann Arbor	MI	48108	0618-65-0203	
David & Christine Andersen	8810 Cotton Press Rd	Charlotte	NC	28277	0618-55-8312	
William Grubbs & Susan Ryan	440 West Minnesota Ave	Deland	FL	32720	0618-55-8470	
Kevin & Jennifer Tootle	12274 Orange Blvd	West Palm Beach	FL	33412	0618-55-9446	
Michael & Jean McNamara	299 N B Harrison Ln	Henderson	NC	27537	0618-55-8585	
David & Rhonda Gramley	102 Setlings Blvd	Black Mountain	NC	28711	0618-55-6476	
SBM Realty LLC	64 W 48th St, Ste. 510	New York	NY	10036	0618-55-5692	c/o JWG Co. Attn: J Wohlstein
Joyce Stahl & George Ackerman	2 Colony Dr E	West Orange	NJ	7052	0618-55-7740	
Raymond Cuiotta	85 Rock Garden Rd	Black Mountain	NC	28711	0618-55-7851	
Elizabeth Schweikhardt	5778 McCandish Rd	Grand Blanc	MI	48439	0618-55-8656	
Robert & Patricia Marks	1416 Woodsong Dr	Hendersonville	NC	28791	0618-65-0610	
Gretchen Naff	26 Wordsworth Rd	Black Mountain	NC	28711	0618-65-0580	
Whitney Williams	78 Riddle Road	Swannanoa	NC	28778	0618-65-1509	

Lot 190 Crockett Ridge - 200' Buffer



SETTINGS BLVD

CROCKETT RIDGE RD

T4

N



1 inch = 85 feet



TL

Town of Black Mountain

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

DATE: **February 1, 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:

**Jeffrey & Diane Hutchins
Lot 190 Crockett Ridge Road**

Property Description/PIN #: **0618-55-9653.00000**

Current Zoning Classification: **Cr-1**

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

The variance is requested to allow the property owner to:

To build a home with a 15' front setback and a 15' rear setback.

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

Setbacks are prohibitive for construction of home. The variance presents no problem or issues for adjoining property owners.

A public hearing will be held on Thursday, February 15, 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.

T-7

CERTIFICATE OF MAILING

This is to certify that the foregoing document (NOTICE OF VARIANCE FOR LOT 190 CROCKETT RIDGE ROAD) has been duly served by depositing a copy of the same in the United States Mail, first-class, postage pre-paid, to the following:

Jeffrey & Diane Hutchins
6 Red Plum Lane
Black Mountain, NC 28711

Matthew & Helen Kraus
29 Crockett Ridge Road
Black Mountain, NC 28711

Emigidia De Gouveia & Carlos Rodriguez
2686 Edgewater Court
Weston, FL 33332

Brenda Bowman
145 Wisdom Path
Chesapeake, VA 23322

Blantain LLC
830 Yorkshire Road
Winston Salem, NC 27106

Edward & Wava Vigen
413 Heartwood Xing
Blacksburg, VA 24603

Monte Hutchins
PO Box 435
Hubert, NC 28539

Wells Fargo Bank NA
3476 Stateview Blvd
Fort Mill, SC 29715

David & Aimee Zaas
3201 Churchill Road
Raleigh, NC 27607

Thomas & Patrice Goedjen
2747 Stonecreek Drive
Richland, WA 99354

Charles & Elizabeth Steineger
809 The Village Circle
Raleigh, NC 27615

Kontogiorgis Family Trust
14021 Marblestone Drive
Clifton, VA 20124

James & Cathy Schorr
1779 Oakview Drive
Ann Arbor, MI 48108

David & Christine Andersen
8810 Cotton Press Road
Charlotte, NC 28277

William Grubbs & Susan Ryan
440 West Minnesota Ave.
Deland, FL 32720

Kevin & Jennifer Tootle
12274 Orange Blvd.
West Palm Beach, FL 33412

Michael & Jean McNamara
299 N B Harrison Ln
Henderson, NC 27537

David & Rhonda Gram
102 Settings Blvd
Black Mountain, NC 28711

SBM Realty LLC
c/o JWG Co. Attn: J Wohlstein
64 W 48th St., Ste. 510
New York, NY 10036

Joyce Stahl & George Ackerman
2 Colony Drive E
West Orange, NJ 07052

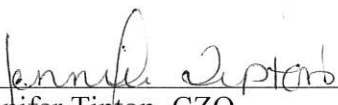
Raymond Culotta
85 Rock Garden Road
Black Mountain, NC 28711

Elizabeth Schweikhardt
5778 McCandish Road
Grand Blanc, MI 48439

Robert & Patricia Marks
1416 Woodsong Drive
Hendersonville, NC 28791

Gretchen Naff
26 Wordsworth Road
Black Mountain, NC 28711

Whitney Williams
78 Riddle Road
Swannanoa, NC 28778



Jennifer Tipton, CZO
Zoning Administrator

2/1/18

Date

Buncombe County, North Carolina

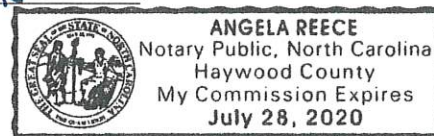
I certify that the following person personally appeared before me this day,
acknowledging to me that she signed the foregoing document (NOTICE OF VARIANCE FOR
LOT 190 CROCKETT RIDGE ROAD): Jennifer Tipton

Date: February 2, 2018

Notary Signature: 

Notary Printed Name: Angela Reece

My Commission Expires: July 28, 2020



(Official Seal)

An aerial photograph of a residential development. The map shows several large houses with dark roofs and light-colored roofs. A network of roads and paths is visible. Numerous lot numbers are printed in red text across the map, including 7851, 9310, 9750, 0715, 0770, 1750, 2000, 2600, 2630, 2330, 2410, 1509, 0580, 0610, 9653, 8650, 8585, 9440, 8470, 8450, 1451, 1302, 137.85, 7740, and 3470. A specific lot, located near the center-left of the map, is outlined in a thick blue line. This lot is situated between lot 0770 to its north, lot 0610 to its east, and lot 9653 to its south. The lot number for this highlighted area is not explicitly labeled but is the subject of the map.

1:1,128



AVAILABLE

LOT #190

4 CROCKETT RIDGE

Carolyn Knight

828-230-4440

VARIANCE

**FEBRUARY 15,
2018
6:00 P.M.**

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