

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

The Black Mountain Zoning Board of Adjustment held its regular meeting on Thursday, August 16, 2018 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
Jillian Ballard, Secretary
Rebecca Harris
Bob Osmundsen
Ted Mattson, Alternate
Janet McKimpson, Alternate
Charlotte McRanie, Alternate

Staff:

Jennifer Tipton, Zoning Administrator
Dan Cordell, Building Inspector

The meeting was called to order at 6:01 p.m. and duly constituted and opened for business with a quorum of five (5) regular members.

II. ADOPTION OF AGENDA

John DeWitt made a motion to adopt the agenda as presented. The motion was seconded by Bob Osmundsen and approved by a vote of 5-0.

III. ADOPTION OF MINUTES

John DeWitt made a motion to adopt the minutes of July 19, 2018 as written. The motion was seconded by Rebecca Harris and approved by a vote of 5-0.

IV. OLD BUSINESS

None.

V. NEW BUSINESS

1. Variance Request for 58 Old Lafayette Lane

Ms. Tipton gave a brief summary of the request. The owners of 58 Old Lafayette Lane are seeking a variance from the front setback in the amount of 7' 8" for a front porch/entryway and a variance from the stream buffer setback in the amount of 1' to 5' for a water permeable open deck. The lot is zoned CR-1 and has a front setback of 30' and a stream buffer setback in the rear of 30' due to the stream that runs through the rear of the lot.

Randy Hughes, 24 Lauria Bell Lane, is the projected contractor for the project and said that the front variance request is from a 20' front setback because that is what the architect thought was the setback. Mr. Hughes explained that for the rear variance, the deck will be open and will be water permeable and will have some type of natural material below the deck to help slow and filter the water before it enters the stream.

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Dan Cordell, 160 Midland Avenue, said that the rear setback was very minimal to the stream buffer and as the floodplain administrator he did not have any issues with the request. Ms. Tipton could not find anything that spoke to a 20' front setback and rather than try and guess what the measurement might actually be from the drawing, the board recommended the meeting be continued and Mr. Hughes have the surveyor mark the 30' setback and come back with that drawing and variance request. Mr. Hughes agreed and will let Ms. Tipton know when he has that information ready. Jillian Ballard made a motion to continue the meeting to a date and time certain. The motion was seconded by Bob Osmundsen and approved by a vote of 5-0.

The Black Mountain Zoning Board of Adjustment reconvened on Tuesday, August 28, 2018 at 6:00 p.m. The following board members were present:

Cheryl Milton, Chair
John DeWitt, Vice Chair
Bob Osmundsen
Ted Mattson, Alternate
Janet McKimpson, Alternate
Charlotte McRanie, Alternate

Board members Rebecca Harris and Jillian Ballard were absent.

Chair Milton reminded all witnesses that they were still under oath and asked for a brief summary from the Zoning Administrator.

Ms. Tipton reported that nothing had changed with the variance request for 58 Old Lafayette Lane but that Mr. Hughes had brought in a new site plan with the correct setback measurement so the new variance request for the front is for six feet and six and one-quarter inches. Ms. Tipton reiterated that Dan Cordell was fine with the stream buffer variance request.

Randy Hughes, 24 Lauria Bell Lane, restated that the permeable deck is exempt so all they are asking for in the rear is four to six square feet for the fireplace and will place downspouts and additional measures to not let anything run off into the creek and they will be addressed in the site plan.

John DeWitt made a motion to grant the front variance request of six feet and six and one-quarter inches and grant the rear variance of four to six feet with the downspouts. The motion was seconded by Janet McKimpson and approved by a vote of 5-0.

VI. COMMUNICATION FROM ZBA

None.

VII. COMMUNICATION FROM STAFF

None.

VIII. ADJOURNMENT

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John DeWitt made a motion to adjourn at 6:04 p.m. The motion was seconded by Cheryl Milton and approved by a vote of 5-0.

Prepared by:

Cheryl Milton, Chair

Jennifer Tipton, Zoning Administrator

Jillian Ballard, Secretary

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