

MINUTES OF THE HENDERSON COUNTY
ZONING BOARD OF ADJUSTMENT

June 29, 2011
4:00 PM

The Henderson County Zoning Board of Adjustment held its regular meeting on June 29, 2011 at 4:00 p.m. in the King Street Meeting Room, 100 N. King Street, Hendersonville, North Carolina. Those present were: Jim Phelps, Chairman, Jim Crafton, Vice Chairman, Ann Pouch, Tony Engel, Hunter Marks, Alternate JoAnne Telker, Zoning Administrator Toby Linville, Deputy County Attorney Sarah Zambon, and Zoning Board Secretary Karen Ann Wall.

Chairman Phelps called the meeting to order at 4:00 pm. He introduced the board members and County staff.

Chairman Phelps: Old business, review and approve of the minutes and I'll defer to JoAnne and Jim who were here. They look good to me.

JCrafton: Ok. You have the minutes before you of our meeting last time. Which of us were here? Jim's (Clayton) not here today. Hunter, were you here?

HMarks: I was in the audience. Remember I was viewing.

JCrafton: You were in the audience.

Deputy County Attorney SZambon: He came and stayed.

HMarks: I was really bored that day.

JCrafton: Alright, so JoAnne, are you seeing anything?

JTelker: No. I move that the minutes be accepted.

Chairman Phelps: I'll second.

JCrafton: Motion and a second that the minutes be approved. All in favor say aye. Any opposed, same sign.

All board members stated they were in favor of approving the minutes.

JCrafton: And then the next item, did you want me to do the orders?

Chairman Phelps: Go ahead and go over the order again. It looked good to me. I read through it but since of not being here I'd prefer for you and JoAnne-

JCrafton: It was a rather straight-forward case, we felt. It didn't take a long time. You can see the order and conclusion, and the conditions established at the bottom. There are four of them: Comply with the supplemental requirements of the Technical Review Committee, The validity of the permit was condition on the final sale of the property because it was the proposed buyer of the property presenting the application and not the owner of the property. So we made it contingent on his actually acquiring the property. And we tied things to the state and federal law about compliance. Any changes, other than what we addressed would have to come back as part of the conditions. Any comment or question about the order or do we have a motion to approve?

APouch: I motion we approve.

JCrafton: We have a motion. Do we have a second?

JTelker: I second.

Chairman Phelps: JoAnne second.

JCrafton: JoAnne is the second. All in favor say aye. Any opposed, same.

All board members were in favor of approving the order.

JCrafton: The motion passes. Mr. Chairman.

Chairman Phelps: Ok, Thank you very much. There being no real new business. I do have one announcement. I heard from the League of Women Voters, I think some of you answered their questionnaire that of all the 30 some County Boards, Committees, and whatever, we were one of eight who got an A on the grading system, so thanks to, they said primarily to Toby, and Sarah and Karen Ann for making sure our website was up to date and our minutes were complete and our orders were complete, and notice of meetings posted so I thought you might like to know anyway how that came out. The only other question I had, Toby, last year I think for the first time we submitted an annual report, and I forgot, and I wasn't here last meeting for the June 30th fiscal year coming up, do we really need to do that? Are we still doing that every month, on a monthly basis? Will that fulfill the requirement for filing a report?

Zoning Administrator TLinville: Yeah, I think that fulfills it.

Chairman Phelps: Sarah, do you concur with that?

Deputy County Attorney SZambon: I didn't hear Toby.

Chairman Phelps: He said he thought the monthly report would suffice.

Deputy County Attorney SZambon: I think that in a year like this has been where it wasn't that many cases, I think the monthly will suffice. Your by-laws do say yearly and when it picks up again we should probably go back to yearly just so they have a summary.

Zoning Administrator TLinville: We keep an ongoing summary, so if you need to present it we certainly can.

Chairman Phelps: What's the feeling of the board? Can we just skip it this time since there wasn't really that much?

HMarks: As long as Sarah doesn't think it's a problem, that's fine with me.

Deputy County Attorney SZambon: Yeah, and as long as Toby has a running record I think it will be fine.

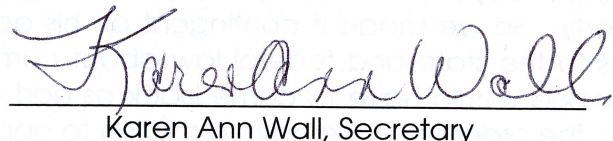
Chairman Phelps: Ok, Ann?

APouch: Yes. Ok.

Chairman Phelps: Ok. There being no further business if there's no objection I declare the meeting adjourned.

Meeting adjourned at 4:04 pm.


Jim Phelps, Chairman


Karen Ann Wall, Secretary