

June 30, 2010
4:00 PM

MINUTES OF THE HENDERSON COUNTY
ZONING BOARD OF ADJUSTMENT

The Henderson County Zoning Board of Adjustment held its regular meeting June 30th 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, Alternate Janice Brown, Zoning Administrator Toby Linville, Zoning Board Secretary, Karen Ann Antonucci. Alternate JoAnne Telker did not attend. Planning Intern, Patrick Rust also attended the meeting.

Chairman Phelps: Called the meeting to order at 4:11 PM. Chairman Phelps introduced the board members, indicating that JoAnne Telker was not yet there.

Chairman Phelps: Let's go and review the minutes. If you've had a chance to read through, I understand they're lengthy. I didn't find any errors in them and they looked ok to me. So does anybody have any comments, changes, or recommendations?

JCrafton: I'm not in a position to speak to it. I wasn't here.

Chairman Phelps: Well then, I move we adopt them, approve them. I'll rephrase, if there are no objections to us adopting and approving them as submitted.

APouch: I so move.

Chairman Phelps: Moved.

JBrown: (nodded yes)

Chairman Phelps: All in favor, aye.

All board members stated aye.

Chairman Phelps: Unanimously approved and accepted. I guess we could go to the order. We only need four votes, is that correct to approve the order?

JA Secretary KAAntonucci: Yeah, because it's not quasi-judicial.

Chairman Phelps: The order was finding of facts in Appeal A-10-03, Henderson County Board of Adjustment and Velma Taylor was the appellant. Basically we found that the conditions as cited by the county and the county's representative, Crystal Lyda, in effect existed and denied her appeal. I read through this and Sarah had done her normal excellent job of summarizing and preparing the order and nothing wrong with it at all so anyone else have any comment on it? If not –

APouch: I wasn't here. Can I vote?

Chairman Phelps: Yeah, anybody because you've had a chance to read it.

JPhelps: Yeah, I read the minutes and then I looked at the order and they seem to match up.

Chairman Phelps: Yeah, if you got through those minutes then you could certainly tailor the order to match. Ok, then shall we come to a vote then and all in favor approving the order as represented say aye.

All board members stated aye.

Chairman Phelps: Opposed, no. Ayes, it's unanimous. All four people present voted for the order. The last thing on our agenda is this summary Annual Report of our activities to be submitted to the Board of Commissioners. Article VIII(a) of our bylaws requires an annual report. Karen Ann submits monthly a summary of our cases to the Board so they've previously seen each and every case that we've heard. But basically what this does is gives them a kind of an executive summary on the front page of the types and number that we've heard in 2009 and so far in 2010. We also included for their edification and education the training that we have done because we've had some good training. And some of us, most of us have attended external training as well. And we thought that is important for them to understand. Other than the correction of the date that Jim pointed out, the 2010, does anybody else have any comments regarding the report?

Zoning Administrator TLinville indicated that report would be given to the Board of Commissioners as an interoffice update.

Chairman Phelps: So do I hear a motion that we approve this report with the one correction as submitted?

JCrafton: So moved.

APouch: Second.

Chairman Phelps: All in favor, aye.

All board members were in favor of approving the Annual Report.

Chairman Phelps: Opposed, no. It's unanimous then I'll request Karen Ann that you submit it to the Board with the correction. Is there any other business to come before the board? If not, our next meeting date will be July 28th.

There was a brief discussion on canceling the July 28th meeting as there were no cases as of the June 30 meeting.

The board decided to cancel the July 28th, 2010 meeting.

Chairman Phelps: So if there being no objection we will pass on the July meeting.

APouch: I so move.

Chairman Phelps: All in favor of omitting the July meeting, aye.

All board members voted to cancel the July meeting.

Chairman Phelps: Opposed? Unanimously approved that we will pass on our July meeting.

Zoning Administrator TLinville stated that if in the next day or two there were no appeals then the meeting may have to be held.

Chairman Phelps: Make the motion subject to there being no appeals but at this point in time it doesn't look like you'll have anything. I'll entertain a motion to adjourn.

Brown: I'll make a motion.

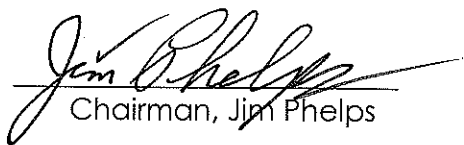
APouch: (nodded yes)

Chairman Phelps: Thank you. All in favor, aye.

All board members indicated they were in favor of adjourning the meeting.

Chairman Phelps: We are adjourned.

Meeting adjourned at 4:11 p.m.


Chairman, Jim Phelps


Karen Ann Antonucci, Secretary