

January 9, 2002  
4:00 PM

MINUTES OF THE HENDERSON COUNTY  
ZONING BOARD OF ADJUSTMENT

The Henderson County Zoning Board of Adjustment held its regular December meeting (on Wednesday, January 9, 2002, at 4:00 PM in the Meeting Room of the Henderson County Land Development Building, 101 East Allen Street, Hendersonville, North Carolina. Those present were: Chairman Diane Grant, Janice Brown, John Davis, Anthony Engel, Debra Stierwalt, Zoning Administrator Dan Gurley, and Secretary Joyce Karpowski.

Chairman Grant called the meeting to order at 4:04 PM and introduced the members of the Board.

Chairman Grant said that the first order of business was election of officers for the coming year. The Chairman opened the floor for nominations for Chairman. Debra Stierwalt nominated Diane Grant. John Davis nominated Tamra Crane. There was one vote for Tamra Crane and 3 votes for Diane Grant. Diane Grant was elected Chairman. The Chairman opened the floor for nominations for Vice Chairman. Debra Stierwalt nominated Tamra Crane. There were no further nominations. Tamra Crane is Vice Chairman by acclamation. The Chairman opened the floor for nominations for Secretary. The Chairman opened the floor for nominations for Secretary. Debra Stierwalt nominated Joyce Karpowski. There were no further nominations. Joyce Karpowski is Secretary by acclamation.

Chairman Grant presented the minutes of the meeting held on November 28, 2001. There was 1 change to the minutes. The minutes were approved as amended.

Chairman Grant called forward people who would testify in the case today. Sworn in were: Jerry E. Roark and Zoning Administrator Dan Gurley.

**Case 02-01, Jerry E. Roark**

Chairman Grant called Case A-02-01, Jerry E. Roark, requesting a 10-foot side yard setback variance to construct an accessory structure. The property is located on Ladson Road and is zoned R-30.

Zoning Administrator Dan Gurley gave a summary of the issues. The appellant is seeking a variance of Section 200-14.D, southwestern side yard setback from 30 feet to 20 feet (10 foot variance) for a proposed accessory structure. The approximate size of the property in question is 1.04 acres. The parcel is zoned R-30. Section 200-46.B allows for the placement of accessory buildings in side yards, provided that their placement shall not exceed the minimum side yard setback requirement for that district or use. Section 200-14.D states that side yard setbacks for an accessory building are 30 feet from the property line. The distance between the southwestern side property line and the footprint of the proposed structure is 20 feet. Mr. Gurley said that there was an existing building there, which could be rebuilt the same size under grandfathering, but Mr. Roark wants to enlarge the building, but not go any closer to the property line. Mr. Gurley received a letter from an adjoining property owner that he presented to the Board. The Board discussed how to handle the letter. Mr. Gurley presented the site plan and photographs of the property. Mr. Gurley said that it was approximately 85 feet from the next door neighbor's home to the property line and approximately 105 feet to the proposed building. The building will be located about 136 feet from the centerline of Ladson Road. There was some question about the distance of the building from the centerline, but the building will meet the front yard setback.

Chairman Grant said that the building is well screened by trees from the street. Chairman Grant called Mr. Roark forward. Mr. Roark said the new building is close to where the old building was



Mrs. Stierwalt	Yes
Mrs. Grant	Yes
Ms. Brown	Yes
Mr. Davis	Yes

Motion carried and the variance of 10 feet was granted with the aforementioned condition.

#### COMMITTEE AND STAFF REPORTS - None

#### OLD BUSINESS

**Case A-01-15, Lesene Smith.** Chairman Grant reminded everyone that the draft decision was a part of their packets. Mr. Davis asked if there were any committee or staff reports in regard to the decision. Mr. Gurley said that he was not aware of any to report to the Board. Mr. Gurley said that Jennifer Jackson and Sam Fritschner both received copies of the draft and he has not heard from them. Chairman Grant said that she did not find anything that was not included in the decision. Mrs. Stierwalt agreed. Mr. Davis moved to accept the findings of fact and conclusions as written. There was no further discussion.

The Chairman called for the vote. The following vote was taken by a show of hands:

Mr. Engel	Yes
Mrs. Stierwalt	Yes
Mrs. Grant	Yes
Mr. Davis	Yes

#### NEW BUSINESS

Mrs. Stierwalt said that she had to resign from the Board because of a change in her work schedule. She was sorry to have to resign and had written her resignation to the Board of Commissioners. Chairman Grant said that the Board was sorry to have her leave and thanked her for her many years of devotion to the Board.

The next regular meeting will be on Wednesday, January 30, 2002, at 4:00 PM. There being no further business, Mrs. Stierwalt made a motion to adjourn, Ms. Brown seconded the motion, and all members voted in favor. The meeting was adjourned at 4:37 PM.

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Diane Grant, Chairman

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Joyce Karpowski, Secretary