

In the Matter of the Appeal of the)
Zoning Administrator Regarding a)
Notice of Violation for Zoning Violations)

ORDER

THIS MATTER came to be heard by the Zoning Board of Adjustment of Henderson County (the "Board") on the appeal by David Keyse from the decision of Henderson County's Zoning Administrator. The matter was heard by the Board on September 30, 2020. From the record in this matter, and from the evidence presented to the Board, the Board makes the following findings:

1. This matter is an appeal of the decision of Henderson County's Zoning Administrator. Pursuant to Henderson County Code §42-379, Table 12.1, appeals from the Zoning Administrator are to the Board.
2. For this hearing, the Board was made up of the following of its members:
Ron Kauffman, Chairman
Jim Hysong
Bill Fishburne
Steve Dozier
3. Notice of this hearing was duly given as required by N.C. Gen. Stat. §160A-388, which is applied to Henderson County pursuant to N.C. Gen. Stat. §153A-345.1(a).
4. Hearing procedures were pursuant to N.C. Gen. Stat. §160A-388(b1).
5. The appeal to the Board was timely filed by the Appellant.
6. Appellant, David Keyse represented himself.
7. This appeal involves violations of the Henderson County Land Development Code located on the premises of the Appellant.
8. Insofar as it involves the County, the history of the violation is as follows:
 - A. On or about August 20, 2020 a complaint was filed concerning the use of a tree house and RV for living space on his property.
 - B. Linville investigated the property issued a Notice of Violation giving 30 days for compliance.
 - C. David Keyse submitted an appeal of that decision on August 22, 2020.
 - D. Linville visited the site and met with the owner September 1, 2020.
9. Keyse stated that the tenant in the treehouse had moved and that he would have the tenant in the RV move. He asked how long he would have to relocate. Linville answered that a standard Notice of Violation is for 30 days. Keyse said he would have the RV removed within the month.

10. Bill Fishburne moved to deny A-20-04. Jim Hysong seconded the motion. All members voted to deny the appeal.

From the foregoing, the Board concludes as a matter of law that it has jurisdiction over the subject of this appeal, and that the decision of the Zoning Administrator of Henderson County should be affirmed.

WHEREFORE, IT IS ORDERED, ADJUDGED and DECREED that the decision of the Zoning Administrator in this matter is upheld.

HENDERSON COUNTY ZONING BOARD OF ADJUSTMENT

By: _____
RON KAUFFMAN, Chairman