

**MEETING SUMMARY OF THE HENDERSON COUNTY
BOARD OF ADJUSTMENT MEETING
August 30, 2023**

The Henderson County Board of Adjustment held its scheduled meeting at 4:00 p.m. in the King Street Meeting Room at 100 N King Street, Hendersonville, North Carolina.

Board Members Present:

Andrew Riddle, Chair
Steve Dozier
William Fishburne
Mark Casoria

Staff Members Present:

Matt Champion
Russ Burrell

Call to Order: Chairman Riddle called the August 30, 2023, ZBA meeting to order at 4:00PM and asked all members to introduce themselves.

Review and Approve July 26, 2023, Meeting Summary Chairman Riddle asked for approval of the meeting summary. William Fishburne made the motion to approve the meeting summary. Steve Dozier seconded the motion. All members voted in favor.

Order for SUP-23-04 Kings Grove Baptist Church Electronic Messaging Sign Chairman Riddle asked for approval of the order for SUP-23-04. Steve Dozier made a motion to approve the order as presented. Mark Casoria seconded the motion. All members voted in favor.

Order for Local Historic Landmark Application – Samuel J. Childs House Chairman Riddle asked for approval of the order for the Local Historic Landmark Application. William Fishburne made a motion to approve the order as presented. Steve Dozier seconded the motion. All members voted in favor.

Chairman Riddle opened the quasi-judicial hearing for variance application V-23-02 Ingles Front Yard Setback. Chairman Riddle swore in John Cox.

V-23-02 Ingles Front Yard Setback:

Matt Champion gave the Zoning Administrator's report for the variance application. V-23-02 was submitted by Preston Kendall on behalf of Ingles Markets, Inc at 5620 Hendersonville Rd. The applicant has requested to reduce the front yard setback for a principal structure off a road classified as a Boulevard in the RC zoning district requirements. The current prescribed front yard setback measured from the edge of right-of-way off a road classified as a Boulevard is 30'. The applicant's request is to reduce the required setback from 30' to 25' for a total of a 5' variance. The applicant has submitted multiple documents to support their variance request. Originally, the applicant received major site plan approval from the TRC on June 21, 2022. After the initial approval, the applicants started working with NCDOT on the required Traffic Impact Analysis (TIA) and any requirement improvements. During the applicant's discussions with NCDOT, a conclusion was made as it pertains to the entrance to the subject area and the signalization of the intersection. NCDOT required an additional 5' of right-of-way to be dedicated to US Hwy 25 that encroaches into the subject area. The new right-of-way line does not allow for the required front yard setbacks as prescribed in the Land Development Code to be met. The application was represented by John Cox, plan preparer.

No one signed up to speak for or against the application.

After further Board discussion, William Fishburne moved to approve V-23-02 as requested. Mark Casoria seconded the motion. All members voted in favor.

Chairman Riddle opened the quasi-judicial hearing for special use permit SUP-23-03 Rosies Backyard Campground. The Board granted standing to two individuals who lived near the subject area, Patricia Garrett and Colby Scroggs. Both individuals cited concerns about safety and lack of current road maintenance. Chairman Riddle swore in Dawn Israel-Castle, Patricia Garrett, and Colby Scroggs.

SUP-23-03 Rosies Backyard Campground:

Matt Champion gave the Zoning Administrator's report for the special use permit application. SUP-23-03 was submitted by the property owner and applicant, Dawn Israel-Castle. The subject area is located at 100 Lovdia Ln and is approximately 4.14 acres. The applicant is proposing to develop the subject area as a campground with a total of 3 sites. As previously mentioned, one site will contain the existing storage/accessory shed that will be converted to a bunk house. The other two sites will be elevated platforms for tent camping. All the sites will be accessed through gravel paths leading from a gravel parking lot below the existing residential structure. A future bathhouse is proposed to serve the campers, but the applicant will utilize portable toilets until the bathhouse is constructed. The applicant will be required to detail and propose a suitable method for solid waste collection. If a dumpster/community collection area is installed on-site to collect the solid waste, the applicant will be required to install the necessary screening around the facility. The remaining property will be utilized as common open space. As indicated by the applicant. The airstream is not included as part of this application and cannot be lived in. The Technical Review Committee reviewed the special use permit application and major site plan during their July 5, 2023, meeting. The TRC forwarded the application to the ZBA with the following conditions: environmental health septic permit, environmental health well permit, confirmation from NC that a public water supply permit is not required, change of use permit for the shed being converted to a bunkhouse, building permit for the elevated platforms, electrical permits for any electrical work to the platforms or bunkhouse, and a building permit for the future bathhouse prior to construction. The applicant has recently indicated that they wish to subdivide the campground off from the rest of the property. This is a possibility, but the applicant would have to hire a surveyor to draw up the plat and establish a 30' private driveway easement running from the existing access to the lot around the campground. Additionally, the campground lot would have to adhere to the 50' perimeter setback for all proposed structures, including the future bathhouse.

After further Board discussion with regards to emergency response access and maintenance of the private road, Steve Dozier motion to table the item until the September 27, 2023, meeting to give all the property owners a chance to address the ongoing maintenance issues with the private road that accesses the subject area. William Fishburne seconded the motion. All voted in favor.

Adjournment: Chairman Riddle asked for a motion to adjourn. Steve Dozier made a motion to adjourn. William Fishburne seconded the motion. All voted in favor and the meeting adjourned at 4:55 pm.

Andrew Riddle, Chairman

Matt Champion, Zoning Administrator