

To: Members of the Board of Adjustment, Applicants &

Neighboring Property Owners

From: Jonathan B. Kanipe, Zoning Administrator

Date: March 9, 2016

Re: Board of Adjustment Meeting – Monday, March 21, 2016 4PM

Applicants:

You or your representative **must** be present at this meeting or your application will not be reviewed.

Members of the Board of Adjustment & the Zoning Administrator may visit the property prior to the meeting.

You or your representative **must** also attend the Design Review Board meeting on the **Thursday, March 24 at 5:30pm** to complete the approval process.

Certificates of Zoning Compliance will be issued after review and approval from the Board of Adjustment & Design Review Board.

Neighbors:

You are receiving this notice because your property is adjacent to an applicant on this month's agenda.

You may review applications & plans for the projects on this agenda at Town Hall M-F 9am-5pm.

You are invited to attend the scheduled meeting and make comment. The following items of business are scheduled to be addressed by the Biltmore Forest Board of Adjustment on Monday, March 21, 2016 at 4:00 pm in the Town Hall Board Room.

- 1) The meeting will be called to order and roll call will be taken.
- 2) The minutes of the February 15, 2016 meeting will be presented for approval.
- 3) Hearing of Cases (Evidentiary Hearings, Deliberations & Determinations):

Case No. 1 – 12 Ridgefield Place

Case No. 2 – 1345 Hendersonville Road (Carolina Day School)

Case No. 3 – 18 Busbee Road

Case No. 4 – 25 Busbee Road

Case No. 5 – 34 Hilltop Road

Case No. 6 – 29 Hilltop Road

Case No. 7 – 12 Hemlock Road

Case No. 8 – 8 Chauncey Circle

Case No. 9 – 57 Forest Road

Full case descriptions are included on the back of this page.

4) Adjourn

Case Number 1: Mrs. Lauren Meyer-Banks, 12 Ridgefield Place, is requesting approval of a conditional use permit and variance to allow the replacement of an existing fence in the rear yard with a new 4' high steel, black powder coated fence and gate. A variance is required for a portion of the replacement fence that will be located within the northern side setback.

Case Number 2: Carolina Day School, 1345 Hendersonville Road, is requesting a conditional use permit to allow the continued use of a modular classroom unit on the eastern end of their soccer field nearest to Hendersonville Road through August 2020. The modular unit is 140'x65' and is approved for use through July 2016.

Case Number 3: Mr. Robert and Mrs. Nicole Ingle, 18 Busbee Road, request permission to renew a previously approved zoning permit from May 2015 which expired in November 2015. The permit included plans for a new residence and associated conditional use permits and variances.

Case Number 4: Dr. Steven and Mrs. Melissa Mendelsohn, 25 Busbee Road, are requesting a conditional use permit and variance to allow the addition of a two-bay automobile parking area to an existing accessory building. The project includes a 405 +/- square foot covered walkway connecting the garage to the main residence.

Case Number 5: Mr. Carl Christian Radinger, 34 Hilltop Road, requests permission to renew a previously approved conditional use permit from September 2012.

Case Number 6: Dr. James Brien, 29 Hilltop Road, is requesting a conditional use permit and variance from the Board to allow the construction of a 12'x16' accessory structure that will serve as a storage building. The building will be constructed on an existing 12'x16' cement foundation.

Case Number 7: Mr. Hubert and Mrs. Pat Wood, 12 Hemlock Road, request a conditional use permit to construct a new, four (4) foot high retaining wall in the rear yard. The proposed wall would be 90 feet long, and include a six (6) foot tall steel fence constructed on 60 feet of the length of the wall.

Case Number 8: Mr. John Miles Smith, 8 Chauncey Circle, is presenting plans for a new residence and requests a conditional use permit for the construction of a rock wall and column located on the side of the home. Additionally, variances are requested for the construction of four (4) rock headwalls within the setbacks of the property.

Case Number 9: Mr. Nathan and Mrs. Erin Renfro, 57 Forest Road, are presenting plans for a new residence and request permission for a conditional use permit for an accessory use to construct an 18" high stacked stone wall in the rear yard.

MINUTES OF THE BOARD OF ADJUSTMENT MEETING HELD MONDAY, FEBRUARY 15, 2016

The Board of Adjustment met at 4:00 p.m. on Monday, February 15, 2016.

Members present: Goosmann, Landau, Kieffer, Groce, Pearlman, and Chandler. Mr. Jonathan Kanipe, Zoning Administrator, was present. Mr. William Clarke, Town Attorney, was also in attendance.

Chairman Goosmann called the meeting to order at 4:00 p.m.

Chairman Goosmann swore in the following:

Mrs. Lauren Meyer-Banks Mr. Thomas Nash Mrs. Marcia Nash

One correction was made to the minutes with Rebecca Rhinehart being present in place of Mr. William Clarke. Motion was made to accept the minutes as amended by Mrs. Lynn Kieffer and to approve the meeting minutes from January 11th, 2016. The motion was seconded by Mrs. Rhoda Groce and unanimously approved.

HEARING (Evidentiary):

Mrs. Lauren Meyer-Banks, 12 Ridgefield Place, was called forward to present her plans for a replacement fence. She requests a Conditional Use Permit and Variance to replace an existing fence in the rear yard. Mrs. Rhoda Groce shepherded the discussion. Mrs. Meyer-Banks stated when they moved to the property in July 2015, there was existing white fencing that is falling apart. Mrs. Meyer-Banks showed where she would like the new fence replaced. She is interested in this fence for her dogs. Mr. Chandler suggested Mrs. Meyer-Banks look into invisible fencing. Mrs. Meyer-Banks had researched invisible fences and was not interested in an invisible fence. Mrs. Meyer-Banks got an estimate for a black chain link fence which she believed would be less visible. Mrs. Kieffer said the current fence looks very visible from the

road. Some of the fences we have approved in the past have not been visible from the road. Mrs. Groce thought chain link fences were not allowed anymore. Mr. Clarke said you can replace an existing chain link fence with a chain link fence but it would have to be black or green. Mrs. Groce said for this particular fence, it would be very visible. Mrs. Meyer-Banks asked what kind of fencing would be acceptable to put up. Dr. Landau said in general, we do not really like fences in Biltmore Forest. He suggested cutting down the bamboo. Mrs. Meyer-Banks said there would be increased road noise if bamboo was cleared out. Dr. Landau said that Mrs. Meyer-Banks could put something other than chain link all the way to the existing wooden fence so there is no fence within a fence. That would be something you would be replacing an existing fence but not adding more fences. Mrs. Meyer-Banks agreed.

Chairman Goosmann discussed a few options for Mrs. Meyer-Banks and asked if she would like to put the application on hold for the moment and research the type of fence to install or go with the suggestion of something other than chain link all the way to the existing fence. Mr. Goosmann encouraged Mrs. Meyer-Banks to table the item if she was not certain. Mrs. Meyer-Banks said she is ok with this second suggestion. Mr. Kanipe said the permit cannot be issued until the Design Review Board signs off on the fence design anyway.

DELIBERATION & DETERMINATION

Mr. Pearlman suggested the motion be tabled for 30 days and the new plans are brought back so we can see what it will look like. Chairman Goosmann asked Mrs. Meyer-Banks if she was comfortable with this suggestion. Mrs. Meyer-Banks agreed to table the matter for 30 days until new plans are shown.

HEARING (Evidentiary):

Mr. Thomas Nash & Mrs. Marcia Nash were called forward to present plans for 29 Hemlock Road. Mr. Chandler shepherded the discussion. They are requesting a Variance to exceed the maximum roof coverage allowance on the property by 100 square feet to accommodate an apartment over the attached garage. Mrs. Kieffer asked to see drawings of the garage. Drawings were shown and explained to the Board. Mr. Nash said the reason for this is to

provide a place for his elderly parents if they decide to move in with them. Mrs. Kieffer asked whether an elevator would work instead of the stairs, and whether this would take up less room than the stairs. Mr. Pearlman said he didn't think Mr. & Mrs. Nash's request was unreasonable given the circumstances. Chairman Goosmann agreed and said he wanted to make sure we visited this thought process of the hardship and how and when it came about. Chairman Goosmann also asked if Mr. Kanipe could recap this.

Chairman Goosmann also added that it is very rare for us to go over the maximum roof coverage on new construction. If it has happened, it has been a minimal amount. Mr. Kanipe said about 3-5 percent of the lot itself, generally. The two that he remembered 414 Vanderbilt and 124 Stuyvesant and those were existing homes and existing lots. Mr. Kanipe was unsure about exceeding maximum amounts for new construction. Chairman Goosmann indicated that this came up as an issue after the Nash's had already broke ground on this project. Mr. Nash agreed and said yes, the ground has already been graded. Mrs. Kieffer referenced the earlier applications and that the Nash's had worked hard to minimize the square footage on this project. Chairman Goosmann said this should not have any impact on the community as a whole since this is such a minuscule amount. Mr. Chandler said from what he understood it appears to be the same as it was. Chairman Goosmann asked if there were any further comments about the facts recited.

DELIBERATION & DETERMINATION

Mr. Chandler summarized the facts and requests for a variance. Mr. Thomas Nash and Mrs. Marcia Nash of 29 Hemlock Road are requesting a variance to exceed the maximum roof coverage allowed by 100 square feet. This is 1.64 percent over their maximum roof allowance. Due to circumstances that have happened after they already started construction, there is a need to have a garage apartment to help care for parents and relatives that may need assistance. With that information, they would need to be 100 square feet over the roof coverage, there is a hardship involved in doing that. There would not be any difference to neighbors in the community except for maybe an additional two feet that be seen from the road.

Chairman Goosmann asked for a motion. Mrs. Lynn Kieffer made a motion to approve the variance as requested be granted to Thomas and Marcia Nash of 29 Hemlock Road for an apartment over the garage and that the facts and findings recited by Robert Chandler and his summation be accepted as findings of fact to support the grant. The Board has inspected the site and no neighboring property owner has objected.

Further, Mrs. Kieffer moved that the Board find that granting this variance, further based upon the foregoing findings of fact, satisfied the applicable Sections of 1005.04 and paragraphs one through four, and would not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this ordinance would, in this case, result in a practical difficulty or unnecessary hardship. She further moved the Board to find that the spirit of the ordinance would be observed, public safety and welfare secured and substantial justice done. The applicant has been informed that he/she is to report to the Zoning Administrator within seven (7) days of completion of the project in order that the Zoning Administrator can determine that the project has been completed in accordance with plans submitted to the Town.

Mrs. Rhoda Groce seconded the motion and Chairman Goosmann asked if there was any further discussion. Chairman Goosmann also clarified that the reason for this was to install the HVAC and internal stairs are the cause for increase of the size to the structure. Mr. Nash agreed. Chairman Goosmann stated the facts as amended are what we would be voting on. The project was approved unanimously.

Chairman Goosmann appreciated the opportunity to discuss fences and roof coverage with the Board members. These two are difficult matters for the Board to discuss. Mr. Clarke said we increased the roof coverage 5 percent three years ago and perhaps we should consider whether to increase that once more. Chairman Goosmann said maybe just a modest increase. If we come within 1-5 percent, which has been brought to us on a couple of different occasions, maybe it would be worthwhile to consider a slight increase on roof coverage that might decrease some of the activity that comes here. Chairman Goosmann thanked Mr. Clarke and Mr. Kanipe for their efforts on this matter.

Mr. Clarke stated the current Zoning Ordinance limits accessory building to one, it does not limit accessory structures. Mr. Clarke noted that he and Mr. Kanipe had presented a new definition of accessory structures. There is no limit on accessory structures, and they cannot be in the side or rear yard setback.

The meeting was adjourned at 4:48 p.m.

The next meeting of the Board of Adjustment was scheduled for Monday, March 21, 2016 at 4:00 p.m.

Jonathan B. Kanipe

Town Administrator

Greg Goosmann

Chairman



MEMORANDUM MARCH 21, 2016

To: Board of Adjustment

From: Jonathan Kanipe, Town Administrator Re: Case Number 1 – 12 Ridgefield Place

Date: March 15, 2016

Case 1

Property Owner: Lauren Meyer-Banks Living Trust

Property Address: 12 Ridgefield Place

Zoning District: R-2

Lot Size: 0.57 +/- acres

Application Request: Conditional Use Permit to Allow Replacement of an Existing Fence and

Variance to Allow Replacement of Fence and Gate in the Side Setback

Mrs. Banks presented her request last month to allow the replacement of a vinyl fence in her rear yard. The initial proposal also included a plan to construct a new fence in the rear of the yard. The Board asked Mrs. Banks to reconsider her proposal and see whether another fence material might work and whether there was a need to fence in the rear portion of the yard when a tall privacy fence already existed on the rear property line.

Mrs. Banks has revised her plan and removed the request to construct a new portion of the fence. She has removed the bamboo that obscured the privacy fence from the rear line and now requests permission from the Board to simply replace the existing vinyl fence that is currently on the site. Mrs. Banks has altered her fence request and now asks the Board for permission to install a 4 foot high black steel fence. This fence would be located in the exact location of the existing white vinyl fence. A variance is required to replace the fence within the northern side setback.

- Conditional use permit request to replace an existing fence
- Variance request to allow construction of the replacement fence within the northern side yard setback

Feb-29, 2016 Lauren Meyer Banks 12 Ridgefield Place Fressed Spear - 3 rail.

with 3 rails > ###### Color-black Ridgefied tence Versai house Pressed Spear 3 rail (see illustration 4ft. height driveway new here HHHHHHHHH back way of This fence is replacing which)

unite plastic fencing which)

is falling apart here > Wooden Privacy (already present)



TOUGH

DURABLE

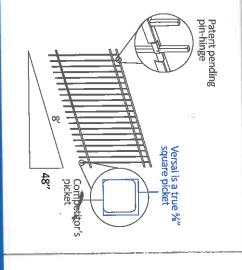
ELEGANT

Smooth rails without sag or rivets
 Matching walk and drive gates
 Variety of styles and custom options

- Rigid welded steel construction
 Adjusts to the most aggressive landscape
 Stronger mil strength & true 3/2" square picket

Virtually maintenance free

 UV inhibitors reduce falling over time E-Coat and Architectural Grade Powder Coat







WWW.FORTRESSFENCE.COM





TOWN OF BILTMORE FOREST BOARD OF ADJUSTMENT APPLICATION FOR A CONDITIONAL USE PERMIT

To: The Biltmore F	orest Board of Adjustment	
1, Lauren	Meyer-Banks, hereby petition the Board of Adjustment to issue a	
Conditional Use P	ermit for: replacement of old fence install backyard fence	
for the property lo		
site plan in a man	ner set forth in that plan, or if not adequately explained there, as more fully described as follows:	
Description of the project.	Courter of our to office to replace of our yell	
	tencing presently on two sides.	
Authority to grant the requested Conditional Use is contained in the Town of Biltmore Forest Zoning Ordinance Section 1005.03 and Article VIII - Conditional Uses.		
2. Explain why the granting of the Conditional Use will not adversely affect the public interest of those living in the neighborhood.	there is the only femces the requirements of sections 801 and 1003 de verse offect to	
3. Additional comments or Statements	The purpose of the fence is for a safe enclosure well within my property boundaries for my two inside dogs to spend some time outside with my supervission.	
I, Lauven	certify that the information presented by the undersigned in this te to the best of my knowledge, information and belief.	
Date 1/3/	2016 Signature Lauren Meger Banks	

Original Application Documents for 3/21/16 BOA Meeting Greetings Board of adjustment, I am requesting permission to replace a poorly installed and incomplete fence around a portion of my back yard. It is important that I get this done as soon as possible, because I cannot let my dog outside off leash. I am a Alnior Citizen, and walking him On leash is dangerous for me on plepping purfaces. as colder weather arrives, I need a safe area for him to be outside periodically. The fence I need to install is at least 20' inside my property borders. I enclosed a diagram with new fence outlined in yellow Thank you; Lauren Meiser Bank



MEMORANDUM MARCH 21, 2016

To: Board of Adjustment

From: Jonathan Kanipe, Town Administrator

Re: Case Number 2 – 1345 Hendersonville Road

Date: March 15, 2016

Case 2

Property Owner: Carolina Day School

Property Address: 1345 Hendersonville Road

Zoning District: R-2

Lot Size: 25.87 +/- acres

Application Request: Conditional Use Permit to Allow Continued Use of Modular Unit

Carolina Day School received permission from the Board of Adjustments in January 2015 to begin construction of a new building on their site. As a part of this process, they received permission to locate two sets of modular units on their existing soccer field. Each modular unit is 140 feet by 65 feet. The construction process will be finished within the next six (6) months and the modular units are scheduled to be removed at that time.

Carolina Day School, however, is requesting an extension of four (4) years to allow one modular unit to continue being housed on the property. This modular unit is located nearest to Hendersonville Road on the eastern side of the property. This request would allow Carolina Day School the ability to have this modular unit in place until August 2020. The request notes that they hope to have Phase 2 of their construction project complete at that time. Please note, as of this writing no plans have been submitted to the Town in regards to Phase 2 of this construction project.

• Conditional use permit request to allow continued placement and use of a modular unit (140'x65') on the eastern end of the Carolina Day School campus through August 2020.

Conditional Use Permit Application

I hereby petition the Board of Adjustment to issue a Conditional Use Permit for:

Name

Carolina Day School Robert McArthur, CFO

Property Address

1345 Hendersonville Rd

Email

rmcarthur@carolinaday.org

Phone

(828) 210-9166

Type of Conditional Use

802.06 Libraries, Schools & Churches

Description of Project

CDS was granted permission to install two sets of temporary classroom modulars (140'x65' each) on our soccer field (which is located in the middle of our campus) back in the winter of 2015. These units were installed May of 2015 with the expectation (and approval) of removing the units July 2016. We are requesting approval to maintain one set of these modular classrooms until August 2020 when we expect to have completed our Phase 2 construction project. The set of modulars to remain are on the east-end of our soccer field (closest to Hendersonville Rd). The second set of modulars will be removed in July 2016 as originally planned.

Explain why the project would not adversely affect the public interest of those living in the neighborhood:

These modular units are located in the center of our campus and we believe there has not been any adverse impact to our community.

I certify that the information presented by the undersigned in this application is accurate to the best of my knowledge, information and belief.

Signature Date 3/4/2016

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MEMORANDUM MARCH 21, 2016

To: Board of Adjustment

From: Jonathan Kanipe, Town Administrator Re: Case Number 3 – 18 Busbee Road

Date: March 15, 2016

Case 3

Property Owner: Mr. Robert and Mrs. Nicole Ingle

Property Address: 18 Busbee Road

Zoning District: R-1

Lot Size: 1.001 +/- acres

Application Request: Renewal of a Previously Approved Zoning Permit from May 2015

Mr. and Mrs. Ingle have requested permission from the Board to renew an expired zoning permit from May 2015. The applicant's original plan and permit remains the same and is submitted to the Board for review and consideration in its original format. The original memo to the Board is included for your review, as well as the home plans, landscape plans, and all associated materials. I have also included a copy of the pertinent minutes from the May 2015 Board meeting for your review as well.

If you have additional questions or concerns regarding the application or their renewal, please do not hesitate to let me know.



MEMORANDUM BOARD OF ADJUSTMENTS MEETING MAY 18, 2015

To: Board of Adjustments

From: Jonathan Kanipe, Town Administrator

Re: Case 10 - 18 Busbee Road

Date: May 14, 2015

Case 10

Property Owner: Mr. and Mrs. Robert Ingle II

Property Address: 18 Busbee Road

Zoning District: R-1

Lot Size: 1.001 +/- acres

Application Request: New House Construction, including Landscape Plan, Conditional Use

Permits, and Variance Application

Mr. and Mrs. Ingle have presented plans for a new home at 18 Busbee Road. The home is 32 feet high, which triggers adjusted setbacks for the side set back lines. The front yard setback, from Busbee Road, is 60 feet and the adjusted setbacks are 42'9" for the western side (along Forest Road) and 37'9" for the eastern side. The rear yard setback is 37'9" for the rear setback.

The application includes the following materials for review.

<u>Landscape Plan</u>: The landscape plan attached shows trees to be removed (marked with triangles on the plan), trees preserved, and the new lawn area to be created. The landscape plan (marked L-200) also shows the planting plan for the parcel.

The landscape architects, Sitework Studios, intend to utilize pervious pavers. Pervious pavers allow water to infiltrate into the ground, and have been utilized on LEED certified projects. The impervious surface calculations for this project fall under the maximum standard based on the utilization of these pervious pavers.

<u>Conditional Use Permits</u>: The application includes conditional use permits to allow construction of a garden wall, retaining wall, swimming pool, spa, fireplace, and fencing. The conditional use permit allows for the placement of these accessory structures on the parcel.

<u>Variance Requests:</u> The application includes six accessory structures, thus a variance is required for more than one accessory structure being allowed by conditional use permit. The applicants propose to construct three of those accessory structures - the garden wall, retaining wall, and fencing - within the adjusted setbacks for the property.

Consideration Requested:

- Landscape plan approval.
- Conditional use permit to allow construction of the following:
 - Swimming pool
 - Garden wall
 - Retaining wall
 - Metal picket fencing
 - Spa
 - Outdoor fireplace
- Variance approval to allow more than one accessory structure.
- Variance approval to allow construction of the following within a setback
 - Garden wall
 - Retaining wall
 - Metal picket fencing



APPLICATION FOR PERMITTED USE

Property Address #18 BUSBUE ROA	PIN		
Property Owner MR. & MRS POBERT			
Applicant (if not owner) GRIFFIN ARC			
Mailing Address ONE VILLAGE LAN			
	Cell		
Email ROGER & GRIFFIN ARCH			
Date(s) of Project			
Requesting What Use:			
Brief Description of Project			
NEW RESIDENCE			
Dac Received	Ву		

Prepared By (Name & Contact Info)



APPLICATION BEFORE THE TOWN OF BILTMORE FOREST BOARD OF ADJUSTMENT & DESIGN REVIEW BOARD

(Please fill out form completely)

Property Address #18 80	SBEE POAR		PIN#	
The state of the s	MRS. ROBBET EN	GLE I	Zoning	
No.	IN ARCHITECTS		Use	
Mailing Address ONE VILLA	CE LANE, ASHOU	UÈ 28803		
Telephone 274.5979	Cell	Email		
NEW RESI	DENCE	•		
Brief Description of Project				
REQUESTING - check all that apply Conditional Use Permit - Both Board of Adjustment & Design Review Board Variance - Both Board of Adjustment & Design Review Board Landscape Plans (inc Tree Removal) - Both Board of Adjustment & Design Review Board				
Estimated Cost $1.7 \mathrm{m} - 2 \mathrm{m}$		stimated Completion Date	iance - Design Review Board Only NOV, ZOI 7	
Signature		Date		
For Official Use Only	·		<u> </u>	
Received By:	Application - Com Conditional Use A	220 7-20 200	ns / Elevation Drawings * ading / Landscaping Plans*	
Date	☐ Variance Application		otos Samples Color Palette *	
BOA Meeting Date	BOA Decision		*	
DRB Meeting Date	DRB Decision			

* Drawings & Elevations may be submitted in PDF format to TownHall@BiltmoreForest.org

Name: ROBERT INGLE	Address: #18 BUSBI	Ë
Date Submitted 5.4.15	a -	
Items Required to Come Before Desig (Applicants please circle the applicab		
Accessory Buildings Additions to Accessory Buildings Additions to Residence Additions to a Commercial Building Commercial Development Detached Garage Planned Unit Development New Residence Driveway Re-design or Re-alignment - I	Residential or Commercial	

DESIGN REVIEW BOARD – SUBMITTAL REQUIREMENTS (Applicants please check the items you are submitting) NOTE: The applicant / representative is required to attend the Design Review Board meeting	Residential	Checked	Commercial	Checked
Site Plans (House, Driveway, HVAC, Other structures on property, Trees -	Yes	/	Yes	
retained or removed) Floor Plans	37			
	Yes	V .	Yes	
Exterior House Elevations, including Grading Plans	Yes	1/	Yes	
Type and Color of Exterior Materials, Awnings, Exterior Lighting	Yes	1/	Yes	75
Fencing	Yes	/	Yes	
Roof Mechanical Equipment, Vents, Chimneys	No		Yes	
Solid Waste Recycling Containment	No		Yes	
Color of Mechanical Screening & Flashing	No		Yes	
Schematic Floor Plans	No		Yes	
Height Location Screening materials for AC Venting	No		Yes	
Colored Exterior Building Elevations, Samples, Palettes	No		Yes	

The Design Review Board of the Town of Biltmore Forest recommends:

IN FAVOR or AGAINST (Circle one)

Date	Channel
Date	Signed
	<u> </u>



TOWN OF BILTMORE FOREST BOARD OF ADJUSTMENT APPLICATION FOR A CONDITIONAL USE PERMIT

ALL LICATION FOR A CONDITIONAL C	JL I LIMVIII
To: The Biltmore Forest Board of Adjustment	
, hereby petition the B	oard of Adjustment to issue a
Conditional Use Permit for: Accessory Structures (Garden Wall, Retaining	Wall, and Fencing) in Setbacks
for the property located at 18 Busbee Road	and described in the attached
site plan in a manner set forth in that plan, or if not adequately explained there	, as more fully described as follows:
In conjuncition with the proposed construction of a new designed a garden wall, fencing and retaining wall along project.	
Authority to grant the requested Conditional Use is contained in the Town of Biltm 1005.03 and Article VIII - Conditional Uses.	ore Forest Zoning Ordinance Section
2. Explain why the granting of the Conditional Use will not adversely affect the public interest of those living in the neighborhood. The accessory structures will assist in visually screening to abatement from the adjacent Public Works activities (the center and equipment storage). The retaining wall will a into the side setback. The request meets the requirements of Sections	s includes dumpsters, recycling ssist in limiting site disturbance
The property owners would like to mitigate the impact of the property. 3. Additional comments or Statements	e adjacent land use on their
Steven Lee Johnson, ASLA Sitework Studios certify that the inform	ation presented by the undersigned in this
application is accurate to the best of my knowledge, information and belief.	/ /

Rev Jan 24 2012

5-4-2015

Date

Signature



TOWN OF BILTMORE FOREST BOARD OF ADJUSTMENT APPLICATION FOR A VARIANCE

To: The Town of Biltmore Forest Board of Adjustment,

•	hereby petition the Board of Adjustment for a variance(s) from the provisions of annce (ZO) for the real property located at :	
Applicable Section Zoning Ordinance Requirement	Encroachment into Setback. "Accessory Structures shall not be erected within any front yard or minimum side yard setback or within 30' of any side street line or within 20' of any rear lot line"	
Variance(s) Requested	Garden Wall, Fencing and Retaining Wall proposed to be located within setbacks.	

STANDARDS FOR GRANTING AN ORDINANCE

In order for the Board of Adjustment to consider your variance request, you must provide answers to the following questions and appear before the Board when your request is considered. These questions are generated from the standards for variances set forth in Section 1005.04 of the Town of Biltmore Forest Zoning Ordinance. You should thoroughly consider your answers, as the Board must find in favor of each of these standards before you can be granted a variance.

1. What are the practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the Zoning Ordinance?

The adjacent land use creates noise and unsightly views. The Garden Wall is needed to screen undesirable views and provide noise abatement. Placing the wall outside of the setback would create limited useable area in the rear and side yard.

2. If you comply strictly with the provisions of the ZO, how does that prevent you from making reasonable use of the property?

In order to maximize mitigation of undesirable elements from adjacent property, the Garden Wall needs to placed near the property line. Complying strictly with the ZO would prevent the owner's ability to effectively mitigate views while still having a usable back and side yard.

NOTE: It is not sufficient that failure to grant the variance simply makes the property less valuable.

3. What special conditions/ circumstances exist which are necessary. peculiar to the subject property, structure or building which are not applicable to other properties, structures or buildings located in the same zoning district?

The adjacent land use creates situations where screening and buffering is

4. Why are the special conditions/circumstances (in #3. above) not a result of your own actions?

Adjacent land use is an existing condition.

5. Describe how the requested variance, if granted, is in harmony with the general purpose and intent of the ZO and preserves the spirit of the ZO.

The ZO provides for buffering between differing land uses. The residential property is providing a buffer against the more intensive land use by proposing walls and fencing. The design of the wall and fencing will compliment the character of the home and overall neighborhood.

the one you've requested, provide you with the needed relief from the requirements of the Zoning Ordinance? Please explain.

6. Will a variance smaller than Due to the geometry of the site, and the fact that this is a corner lot, the Garden Wall location as shown will provide the most effective buffer from the adjacent land use.

7. Describe how granting your variances secures the public safety and welfare and accomplishes substantial iustice?

This is an unusual property in that it is adjacent to the Public Works building and operations. Operations that involve large, heavy equipment where safety is a concern. Granting this variance will provide substantial justice for this property owner.

NOTE: State facts showing that if the requested variance is denied, then the benefit to the public will be substantially overweighed by the harm to the petitioner.

In granting any variance, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with the Zoning		
Ordinance. Violations of the provisions of the variance granted including and conditions or cafeguards, which are part of the granting of		
the variance, shall be deemed a violation of the Zoning Ordinance. I,		
hereby certify that all the information set forth above is true and accurate to the best of my knowledge.		

Date:



MR. & MRS. ROBERT INGLE II 18 BUSBEE RD., BILTMORE FOREST

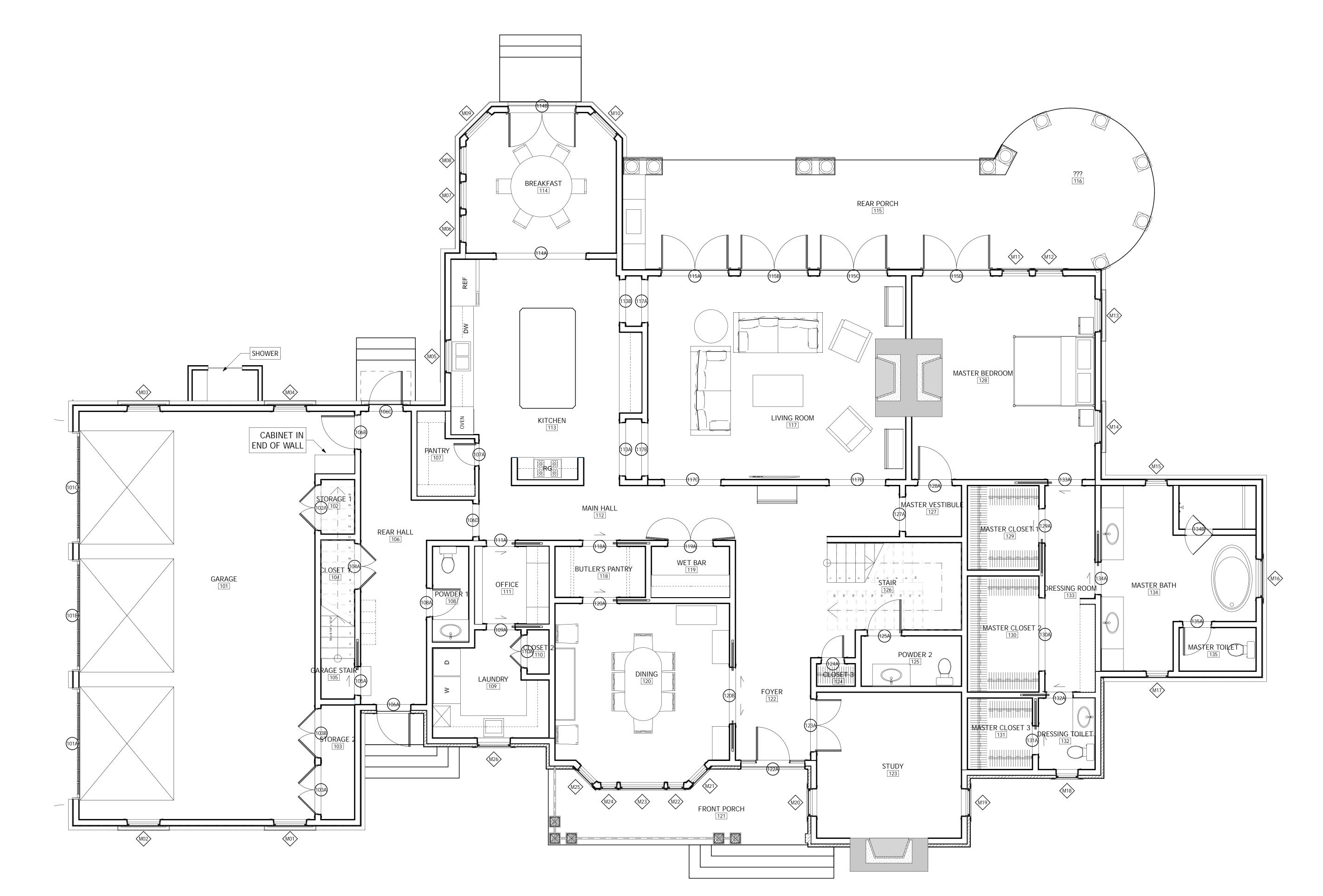
N REVIEW WINGS

ISSUED FOR: SCHEMATIC DESIGN

A-1.1

5/4/15

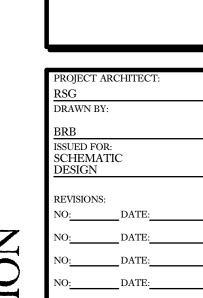
MAIN LEVEL FLOOR PLAN



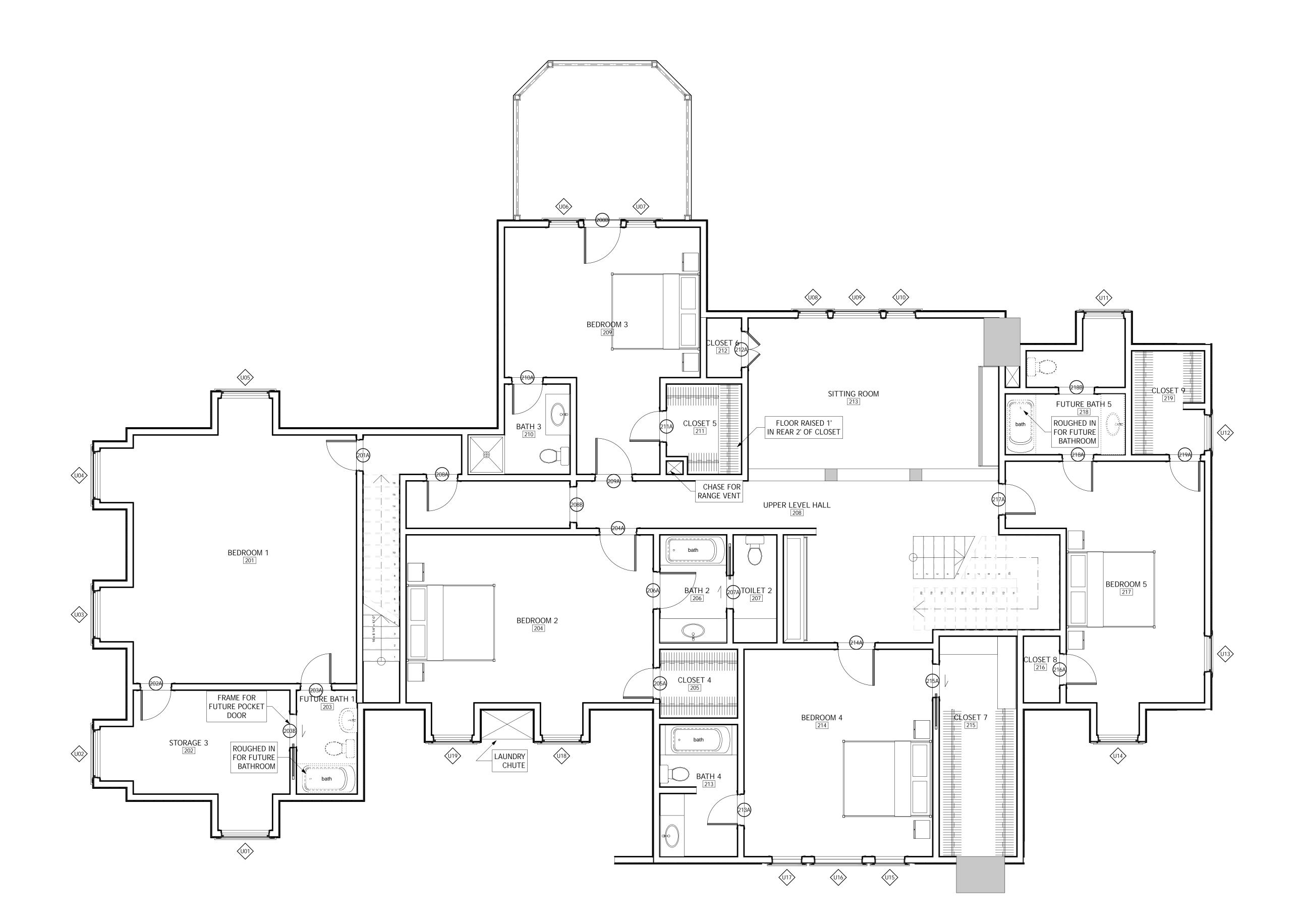


MR. & MRS. ROBERT INGLE II 18 BUSBEE RD., BILTMORE FOREST

N REVIEW WINGS



<u>A-1.2</u> 5/4/15





NORTH ELEVATION

SCALE: 1/4" = 1'-0"

A-2.2



SOUTH ELEVATION 1 SOUTH ELEVAT A-2.2 SCALE: 1/4" = 1'-0"

CONSTRUC

EAST ELEVATION 1 EAST ELEVATION SCALE: 1/4" = 1'-0"



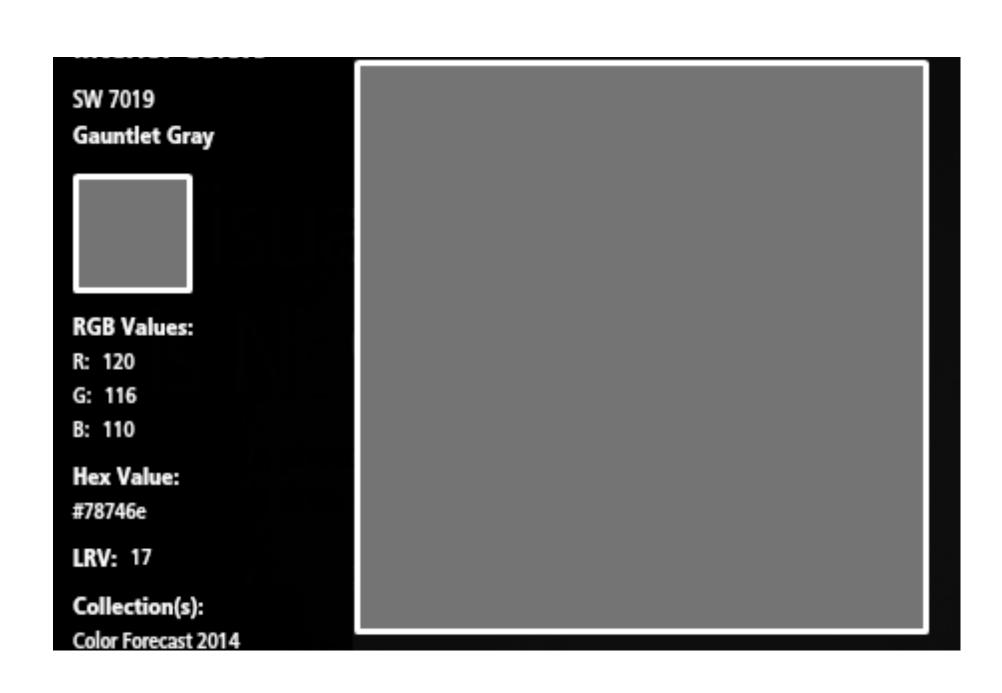
MR. & MRS. ROBERT INGLE II 18 BUSBEE RD., BILTMORE FOREST

N REVIEW WINGS

BRB
ISSUED FOR:
SCHEMATIC
DESIGN

CONSTRUC NOT FOR

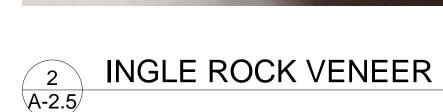
1 WEST ELEVATION A-2.4 SCALE: 1/4" = 1'-0"





WALL SHINGLE PAINT COLOR - SW 7019







INGLE ROOF SHINGLE COLOR - PRESIDENTIAL SHAKE TL LUXURY SHINGLE - AUTUMN BLEND

NIKI INGLE ROAD OREST, NC

REVISIONS

NO. REMARKS DATE

CONSTRUCTION

DATE: 05-04-15

SHEET TITLE:

Site Development

Plan



PROPOSED MASONRY GARDEN WALL

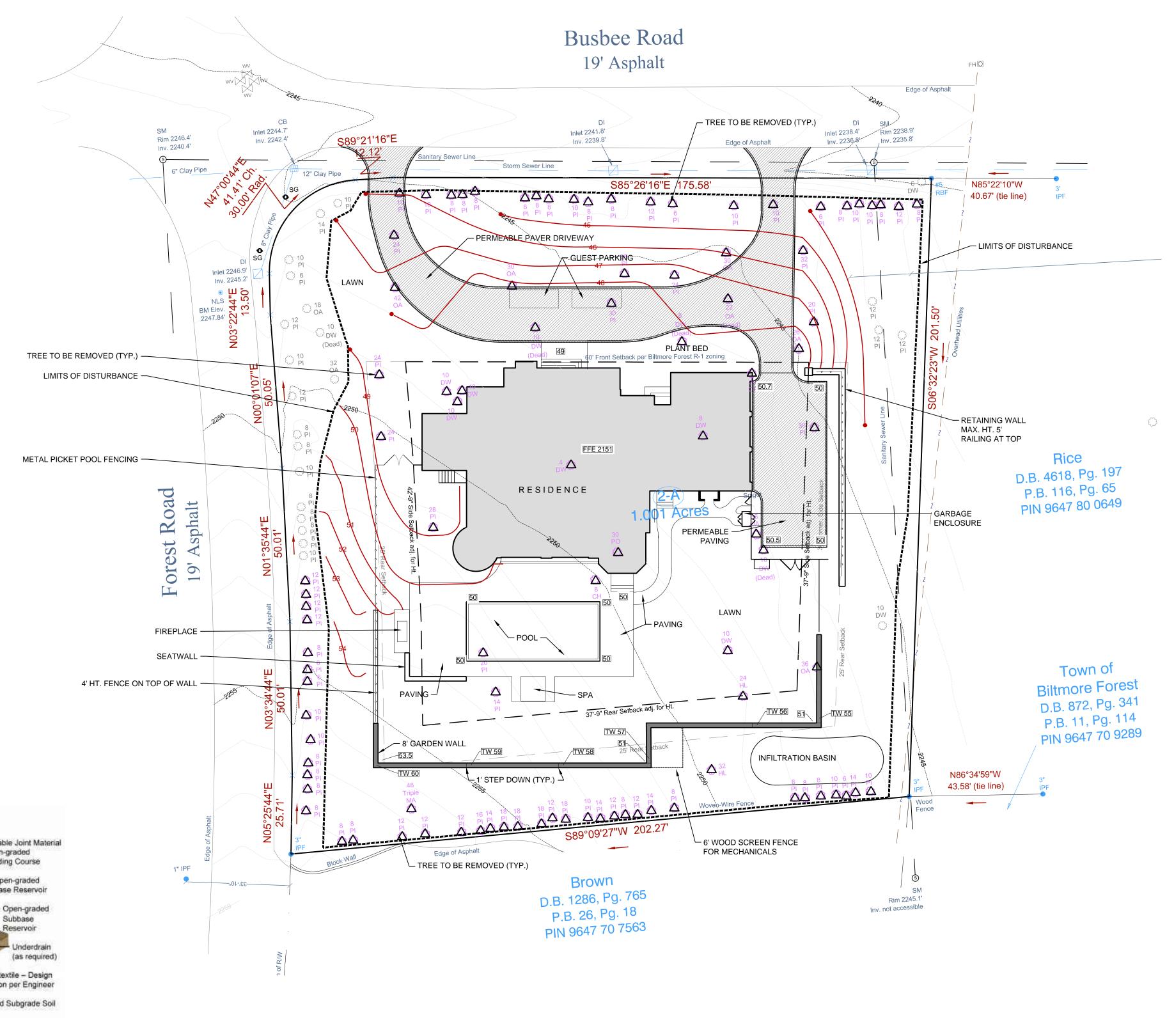


PROPOSED METAL PICKET FENCE (6' HT.)



Permeable Joint Material
Open-graded
Bedding Course
Open-graded
Base Reservoir
Open-graded
Subbase
Reservoir
Underdrain
(as required)
Geotextile – Design
Option per Engineer
Uncompacted Subgrade Soil

PERMEABLE PAVING (belgard.come/about/permeable)



NOTE:

 GEOTHERMAL SYTEMS WILL BE UTLIZED FOR HEATING AND COOLING. NO EXTERIOR HVAC UNITS WILL BE USED.

PERMEABLE PAVING AREA (NOT IMPERVIOUS):

INCLUDES DRIVEWAYS, TURNAROUND AND PARKING AREAS: 4,838.7 SF

TOTAL LOT SIZE:

1.001 AC (43,612.06 sf)

ALLOWABLE IMP. AREA (25%):
PROPOSED IMP. AREA:

3,053 sf (pool, patios and walks)

ALLOWABLE ROOF AREA:
PROPOSED ROOF AREA:

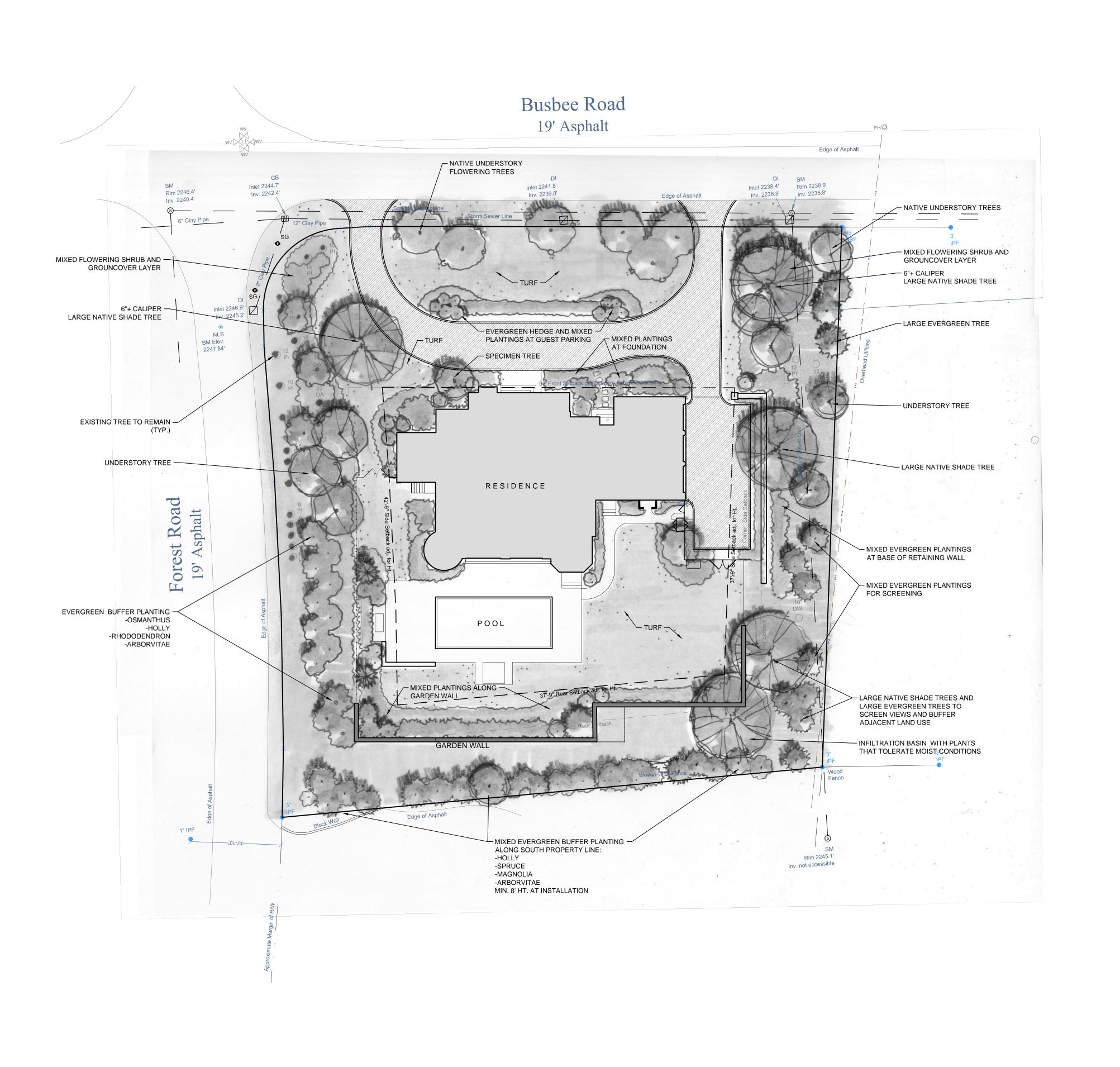
5,060 sf
5,048 sf

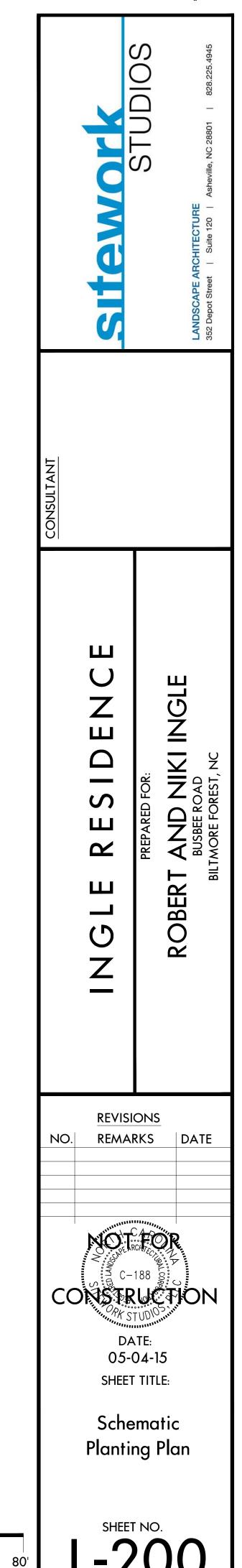
PROPOSED IMP. AREA W/ ROOF:

8,101 sf

IMPERVIOUS AREA CALCULATIONS

SED OTHERWISE WITHOUT OBTAINING WRITTEN CONSENT FROM SITEWORK STUDIOS, PLLC.





Portion of Minutes from May 18, 2015 Board of Adjustments Meeting regarding 18 Busbee Road, Robert and Nicole Ingle

HEARING (Evidentiary):

Mr. Robert and Mrs. Nicole Ingle of 18 Busbee Road presented plans for a Conditional Use Permit and Variance in conjunction with a new single family residence. Mr. Goosmann clarified for the record his relationship with Mr. Ingle, and noted he is his brother-in-law. Mr. Goosmann recused himself from the voting, but said he would still conduct the meeting.

Dr. Landau shepherded the discussion, and asked the applicant to explain the project. Mr. Robert Pollock, for the applicant, specified that the structure itself was within the adjusted setbacks. Mr. Matt Sprouse, of Sitework Studios, went through the necessity for walls separating the property from Town Hall. Mr. Johnson indicated this was an 8 foot garden wall, and that it fell below this height along Forest Road.

Dr. Landau asked about a mesh fence shown on the plan, and the applicant indicated there was not one. The Town Attorney identified an area along the Brown property line on Sheet L-100 that said "woven wire fence". The applicants indicated this was an existing fence.

Mrs. Kieffer asked what the height requirement for a fence around a pool was, and the applicant indicated it was a state minimum of 5 feet. Dr. Landau asked if the wall could be lessened to 6 feet. Mr. Sprouse indicated that the wall was 8 feet in order to mitigate the sound from the Town of Biltmore Forest Public Works Department.

Mrs. Groce asked whether they believed that the fence would protect them from noise, and the applicants said they believed a masonry type wall would do this.

Mrs. Groce asked what safety concerns were posed. Mr. Sprouse indicated that with children and others, safety concerns were present with large equipment being nearby. Mr. Ingle said their primary concern was the sound buffering. He believes the wall is lower than 8 feet at many points. Mrs. Kieffer said we would like to keep the height at a minimum since it is a large house on a one acre lot.

Dr. Landau asked the Town Administrator about the noise level from Town Hall and the Public Works Department. Mr. Kanipe indicated that he could not speak to specific levels, but that he could foresee it being loud or invasive during snow events or when trees have to be removed if Public Works employees come into work late hours. Dr. Landau asked whether the use of the Town Hall facility would also pose noise concerns. Mr. Kanipe indicated he could not speak to this specifically, but that they did rent the Community Room out on weekends and there could be more traffic during this time.

Mrs. Groce said that this was a previous condition, and that the Rices have lived with this for years without an eight foot fence. She was unsure whether this wall on a one acre lot keeps within character of Biltmore Forest.

Mr. Ingle stated he would keep this area buffered.

Mr. Pearlman asked if the issue was the fence or the number of accessory structures. Mrs. Kieffer said it was a combination of both, and noted that the Board has had trouble in the past with people wanting people to put multiple accessory structures in their yard and we have limited that. Mrs. Kieffer indicated the applicants are asking for six accessory structures. It makes it difficult for the Board to allow all these on a one acre lot.

Mr. Ingle asked which accessory structure was in question. Mr. Sprouse asked for feedback as to what was being considered an accessory structure. Dr. Landau referenced those listed on the Administrator's Report. Mr. Sprouse indicated that these were accessory structures previously approved in other places.

Dr. Landau asked if all the accessory structures would be totally buffered. Mr. Sprouse replied they would be completely buffered, and indicated that Forest Road is almost a solid evergreen buffered plant. It is a significant planting of trees and shrubs. Mr. Sprouse believed this was an unusual lot due to it being located on a corner.

Mrs. Groce verified that all trees marked with a "triangle" on the landscape plan were to be removed. Mr. Sprouse verified this was the case, and went into detail on the large pines and hardwood trees that would be removed. Mr. Sprouse said that regardless of any construction on

the lot, some significant forest management needed to be performed. Mr. Ingle indicated that the significant pines along the property line were all planted within the same time frame.

Dr. Landau expressed his belief that the wall, fencing, and accessory structures were all in accompaniment with the property owner's enjoyment of the property. Dr. Landau further believed that it was a large number of accessory structures, but believed the plan was reasonable. Dr. Landau further believed, in his opinion, the plan was acceptable.

Mr. Pearlman indicated his approval with someone being able to utilize accessory structures on their property. Mr. Pearlman asked the Town Attorney if they were setting a precedent by approving a plan with this many accessory structures.

Mr. Clarke stated he did not believe so. I think your Ordinance is an older Ordinance and it was drafted in time when people built houses smaller with less accessory structures. I will read to you what you can do in the state of North Carolina General Statute states for granting a Variance.

It says: "When an unnecessary hardship would result from carrying out the strict letter of a zoning/unified development ordinance, the board of adjustment shall vary any of the provisions of the ordinance upon a showing of all of the following:

- 1.) Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
- 2.) The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.
- 3.) The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a Variance shall not be regarded as a self-created hardship.

4.) The requested variance is consistent with the spirit, purpose, and intent of the Ordinance, such that public safety is secured, and substantial justice is achieved."

Mr. Clarke did not know if that would help the Board, but the implication to him is that if you find those things, you have to grant a variance. These are all uses you have approved for other properties.

Mr. Clarke indicated that the Board had previously approved a new construction with approximately six (6) accessory structures and uses in The Ramble development at 100 Chauncey Circle.

Mrs. Groce said we need to revisit the height of the wall. The inside of the wall would appear to be 8 feet. Looking in from that corner on Forest Road it is 4 feet. Mrs. Groce asked if the height of wall would be 8 feet. Mr. Sprouse replied yes, with the area that joins the Town of Biltmore Forest's property. Mr. Ingle said this area would be buffered.

Mr. Clarke stated previously, a house was approved before with more accessory structures on 1.3 acres.

Mr. Ingle indicated that he spoke to his neighbors, including Mr. Vance Brown, and that they were all fine with the proposal. He was primarily concerned with Mr. Brown, because those existing pines are on their lot line.

DELIBERATION & DETERMINATION

Dr. Landau summarized the facts and reiterated the plans for the project. Mr. and Mrs. Robert Ingle II, 18 Busbee Road are applying for a Conditional Use Permit application for six accessory structures to allow construction of a garden wall for noise reduction, retaining wall, a swimming pool, a small fireplace, and fencing extending from the garden wall to the house with two gates. They are also applying for a Variance because there are six accessory structures. They

are applying for a Variance because three of those accessory structures are within the setback. The retaining wall will be within the side yard setback, the garden wall will be in the rear yard setback, and the fencing will extend along both side wall setbacks. The Ingles have spoken to the neighbors and none have objected. There will be extensive buffering and the garden wall should not be visible. The garden wall is 8 feet within a 30 foot long section. It will mainly be visible within their line and not visible from the road.

Mr. Ingle indicated that he had not spoken to the Chandlers across the street, but had made attempts to contact them.

Mr. Pearlman made a motion to approve the Conditional Use Permits, Variances, and landscape plan, and specified his motion to approve the Conditional Use Permit and Variances be granted to Mr. and Mrs. Robert Ingle II of 18 Busbee Road as stated in the facts by Rich Landau and his summation be accepted as findings and fact to support this grant. The Board has inspected the site and no neighboring property owner has objected.

Further, Mr. Pearlman moved the Board define that granting this Conditional Use Permit, (a) would not materially endanger the public health or safety if located where proposed and developed according to the plans as submitted and improved, (b) met all required conditions and specifications of the Town of Biltmore Forest Zoning Ordinance, (c) would not substantially injure the value of adjoining or abutting property, and (d) would be in general conformity with the plan of development of the Town of Biltmore Forest and its environs as set forth in Sections 1005.03 (2) and (3) of the above ordinance. The applicant has been informed that he/she is to report to the Zoning Administrator within seven (7) days of completion of the project in order that the Zoning Administrator can determine that the project has been completed in accordance with plans submitted to the Town.

Further, based upon the foregoing findings of fact, Mr. Pearlman moved the Board to find that granting this variance satisfied the applicable Sections of 1005.04 and paragraphs one through four, and would not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this ordinance would, in this case, result in a practical difficulty or unnecessary hardship. He further moved the Board to find that the spirit of the ordinance would be observed, public safety and welfare secured and substantial justice done. The applicant has been

informed that he/she is to report to the Zoning Administrator within seven (7) days of completion of the project in order that the Zoning Administrator can determine that the project has been completed in accordance with plans submitted to the Town.

Dr. Landau seconded the motion. All voted in favor and was unanimously approved.



MEMORANDUM MARCH 21, 2016

To: Board of Adjustment

From: Jonathan Kanipe, Town Administrator Re: Case Number 4 – 25 Busbee Road

Date: March 15, 2016

Case 4

Property Owner: Dr. and Mrs. Steven Mendelsohn

Property Address: 25 Busbee Road

Zoning District: R-1

Lot Size: 2.866 +/- acres

Application Request: Variance Requests to Construct an Addition onto an Existing Accessory

Structure and Request to construct within the Side Setback

Dr. and Mrs. Mendelsohn request permission from the Board to construct an addition to an existing accessory structure. The existing structure is an outdated garage which would be transformed into a modern, usable garage. The new double bay garage would then have a covered walkway extending from it to the main home. The existing accessory structure is built within the setback and was constructed prior to the creation of the zoning ordinance any setback provisions. In order to construct the new addition and the walkway to the main residence, construction would have to occur within the side setback.

Since the addition is to an existing accessory structure, a variance is required. Additionally, the construction within the side yard setback requires variance approval from the Board. George Stowe, architect for the project, has provided calculations detailing that maximum roof coverage and impervious surface requirements are maintained even with the new addition. The new roof coverage totals 6,303 square feet and the impervious surface on the lot is 12,979 square feet. Each is within the allowable limit.

- Conditional use permit request to allow construction of an addition to an existing accessory structure and construction of an attached covered walkway.
- Variance request to allow construction of the addition to an accessory structure and construction within a side yard setback.

Conditional Use Permit Application

I hereby petition the Board of Adjustment to issue a Conditional Use Permit for:

Name

Dr. and Mrs. Steven Mendelsohn

Property Address

25 Busbee Road Biltmore Forest NC 28803

Email

gstowearchitect@bellsouth.net

Email-Submission Verification

Phone

(828) 251-2357

Type of Conditional Use

802.07 Accessory Buildings

gstowearchitect@bellsouth.net

Description of Project

Add a two bay automobile parking area to the existing accessory building. The existing accessory building is two levels with an apartment on the upper and a garage on the lower level. The new two car garage is at an intermediate level approximately 3'6" below the main floor level of the garage. A new paved parking area shall be constructed in the area of an existing playground. The new paved parking shall be accessed from the existing Forest Ross driveway. A covered walkway will connect the new two car garage to the rear porch of the existing main residence. A small area of new roof shall be added to the main house to match the line of the existing upper level parch floor. The walkway and roof addition affords uninterrupted roof coverage for accessing the garage addition during inclement weather.

This project adds a two car garage and a storage area to one of the existing accessory structures. The total additional roof coverage is 1,016 sq ft plus a 405 sq ft covered walkway connecting the garage to the main house. The original accessory structure encroaches into the side yard set back, and the addition, including the covered walkway, will also encroach into the side yard line, however it will continue along the line of the original structure.

The original garage is remote, inconvenient, and provides no protection to the residents from adverse weather conditions. The proposed improvements address and improve the existing conditions. All of the proposed improvements are behind and lower than the main structure, and every effort is made to minimize the visibility of the new structure as well as blend and harmonize with the general landscape plan of the property.

Explain why the project would not adversely affect the public interest of those living in the neighborhood:

All of the proposed improvements are behind and lower than the main structure, and every effort shall be made to minimize the visibility of the new structure as well as blend and harmonize with the general landscape plan of the property.

I certify that the information presented by the undersigned in this application is accurate to the best of my knowledge, information and belief.

Signature

Date 3/7/2016

I Stome

Variance Application

I hereby petition the Board of Adjustment for a variance(s) from the provisions of the Zoning Ordinance for the real property stated below.

Name

Dr. and Mrs. Steven Mendlesohn

Property Address

25 Busbee Road

Email

gstowearchitect@bellsouth.net

Phone

(828) 251-2357

Email-Submission Verification

gstowearchitect@bellsouth.net

Variance to Zoning Ordinance Section(s) (Select all that apply)

1103 Required Yards & Other Spaces1104 Accessory Structures & Accessory Buildings

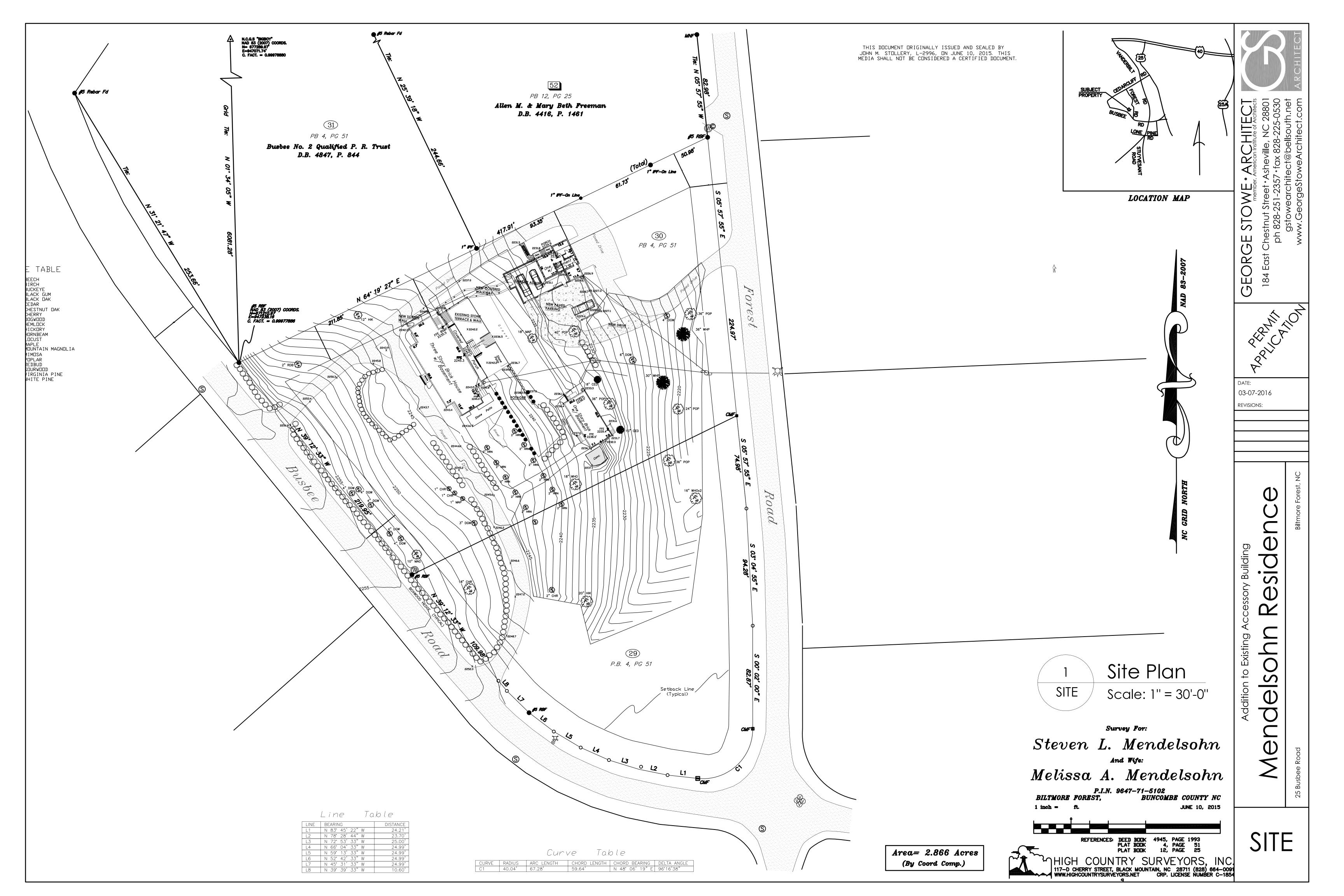
Reason Variance(s) is(are) being requested:

This project adds a two car garage and a storage area to one of the existing accessory structures. The total additional roof coverage is 1,016 sq ft plus a 405 sq ft covered walkway connecting the garage to the main house. The original accessory structure encroaches into the side yard set back, and the addition, including the covered walkway, will also encroach into the side yard line, however it will continue along the line of the original structure.

The original garage is remote, inconvenient, and provides no protection to the residents from adverse weather conditions. The proposed improvements address and improve the existing conditions. All of the proposed improvements are behind and lower than the main structure, and every effort is made to minimize the visibility of the new structure as well as blend and harmonize with the general landscape plan of the property.

In granting any variance, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with the Zoning Ordinance. Violations of the provisions of the variance granted including any conditions or safeguards which are part of the granting of the variance, shall be deemed a violation of the Zoning Ordinance. I hereby certify that the information set forth above is true and accurate to the best of my knowledge.

Signature Date 3/7/2016





03-07-2016

side



MEMORANDUM MARCH 21, 2016

To: Board of Adjustment

From: Jonathan Kanipe, Town Administrator Re: Case Number 5 – 34 Hilltop Road

Date: March 15, 2016

Case 5

Property Owner: Hilltop NG Corporation (Carl Christian Radinger)

Property Address: 34 Hilltop Road

Zoning District: R-1

Lot Size: 2.029 +/- acres

Application Request: Renewal of Expired Conditional Use Permit for Swimming Pool

The applicants have requested a renewal of an expired conditional use permit that allowed the construction of a swimming pool. This permit was issued to the applicant in September 2012. The Town's zoning ordinance requires that construction be completed within two (2) years of construction commencing, and the zoning permit requires that construction begin within six (6) months of permit issuance. Following these guidelines, the permit would have expired, at the latest, by March 2015.

I spoke with the general contractor for the project who indicated that the applicants had experienced significant difficulties with two previous pool contractors. They have since found a third pool contractor who is committed to finish the project. Prior to commencing, however, they must receive permission from the Board and a new conditional use permit to allow for the installation of the pool.

Conditional use permit to allow construction of new swimming pool.

Zoning Application

Property Identification

Name

Carl Christian Radinger

Address

34 Hill Top Road, Biltmore Forest, North Carolina 28803

Phone Email

(828) 274-4081 CCRadinger@putsch.com

Zoning Lot Size (Acres)

R-1 2.028

Scope of Project-Roof Coverage

Does the project include increasing roof coverage?

No

Is the proposed roof coverage greater than the permitted maximum roof coverage?

Nο

Scope of Project-Impervious Surface

Does the project include increasing the impervious surface coverage?

Scope of Project-Setbacks

Does any part of the project fall within the front yard?
No

Does any part of the project fall within the side/rear yard setback(s)s?
No

Scope of Project-Accessory Structures

Does the project include a detached structure or building?

No

Will there be more than the approved number of accessory structures/buildings?
No

Project Description

Brief Description of Project

None of this project touches the house and there are no additions to the house. Landscaping and final sodding, pool completion and minor grading.

Estimated Cost of Project 150,000

Estimated Completion Date 12/31/2016

Please attach any drawings, renderings, photographs or other supporting documentation.

Conditional Use Permit Application

I hereby petition the Board of Adjustment to issue a Conditional Use Permit for:

Name

Carl Christian Radinger

Property Address

34 Hill Top Road

Email CCRadinger@putsch.com

Phone

(828) 274-4081

Type of Conditional Use 802.04 Home Occupations

Description of Project

None of this project touches the house and there are no additions to the house. Landscaping and final sodding, pool completion and minor grading.

Explain why the project would not adversely affect the public interest of those living in the neighborhood:

A fence and wall buried in existing evergreens prevent access and views into the yard and pool area. Tree's surrounding the yard also provide privacy and shading. The yard will retain its "stately" character and the new construction will blend with the character of the home and neighborhood. The addition will help contain entertainment spaces to the terrace, thus reducing neighborhood disturbance. This project was already approved by the board in 2012. Awaiting Landscape Architect designs to finish landscaping, which will revise original plans.

I certify that the information presented by the undersigned in this application is accurate to the best of my knowledge, information and belief.

Signature Date 3/4/2016

Eno MA BC



TOWN OF BILTMORE FOREST

CERTIFICATE OF ZONING COMPLIANCE

Carl Christian Radinger

Permission is hereby granted to:

to use the land located in the R-1

district at

34 Hilltop Road

For the following use:

Renovations to the home including terrace and planting box replacement. Conditional Use permits for lighted entrance columns, replacement fencing, garbage and HVAC surrounds, swimming pool with deck surround and decorative wall. Landscaping plans were also approved.

Zoning Administrator

nelson E. Smith

Water & Sewer Connections are not available

Director of Public Works

Date:

September 20, 2012

Value of construction:

\$350,000.00

Sewer & Water Tapping fee

Certificate Fee:

\$708.00 gold

Substantial construction progress must be made within six months of the issuance of this certificate or it becomes invalid. If this certificate is issued by directions of the Board of Adjustment, it shall be subject to any and all conditions specified by that Board. If any conditions specified here or any part thereof shall be held void or invalid, or if any conditions are not complied with, this certificate shall be void and have no effect.

Conditions:

- Applicant is to construct in accordance with plans submitted to the Town.
- Applicant is to report to the Zoning Administrator within seven (7) days of completion of the project in order that the Zoning Administrator can determine that the project has been completed in accordance with plans submitted to the Town.
- The Board of Adjustment may request additional buffering once the project is complete.

Applicant	Carl Christian Radinger				
Address	34 Hilltop Road				
Meeting Date	17-Sep-12				
	<u></u>				
	Project #1				
Conditional Use	Swimming pool, terrace				
	and walls]			
Variance	n/a]			
		,			
Buffering:	A landscaping plan is				
	being submitted.				
Location	Rear Yard]			
		1			
Setback	n/a				
Encroachment	11/4				
		,			
	The pool is approximately 14- feet wide by 27-feet				
	long, with 10-foot wide				
Dimensions	pool deck. The wall /				
Dimensions	equipment enclosure	ľ			
	would be 30-ft long and				
	approximately 8-ft in height.				
Materials	Brick and stone				
Permitted Roof		1			
Cov					
Brananad Basi		1			
Proposed Roof Cov					
		l			
Permitted Imp					
Surf	17,424				
]			
Proposed Imp Surf	17,282				

Additional Comments or Facts

This project came before the BOA in Aug 2011. (The minutes are attached) Conditional Use permits were approved for lighted entrance columns, replacement fencing, garbage and hvac enclosures. The request for additions to the house and the swimming pool, which required variances, were withdrawn at that time. Since then, Mr. Radinger has purchased a section of property from a neighbor and the lot is now 2-acres. The proposed swimming pool is to replace an existing pond located in the rear yard and will not encroach any setbacks. The entire project is within the roof coverage and impervious surface requirements for the property. Landscaping and grading plans are also submitted.



TOWN OF BILTMORE FOREST BOARD OF ADJUSTMENT APPLICATION FOR A CONDITIONAL USE PERMIT

To: The Biltmore	orest Board	d of Adjustment				
l, [Carl Christ	ard of Adjustment to issue a				
Conditional Use P	ermit for:	Accessory Structures				
for the property le	ocated at	34 Hillto	pp Rd.	and described in the attached		
site plan in a man	ner set fort	h in that plan, or if not adeq	uately explained there, a	s more fully described as follows:		
project.	Replace ex Add lighte Replace tr Add enclo	xisting chain link fence wi ed entrance columns. ash enclosure. sure around HVAC.	th wrought iron fence a			
Authority to gra	nt the reque	sted Conditional Use is contai 1005.03 and Article	ned in the Town of Biltmore VIII - Conditional Uses.	e Forest Zoning Ordinance Section		
2. Explain why the granting of the Conditional Use will not adversely affect the public interest of those living in the neighborhood.	views into and privac enhance t	the yard and pool. Trees by separation between pro he "stately" character of the ntertainment spaces to the	will be protected and no operties. Maintaining the he lot and the neighbor	greens will prevent access and naintained to provide shade he open yard and pool will hood. The addition will help neighborhood disturbance. I and 1005.03		
3. Additional comments or Statements	The existing layout on the lot is organized in such a way that the back yard faces the front street and the entrance to the front of the house faces another lot. The drive and entry sequence is a linear path from the side street, past the garage, and into the auto court.					
	e to the best	tian Radinger of my knowledge, information ar	certify that the information belief.	on presented by the undersigned in this		
Date 8/30/2012	<u> </u>	Signature				



APPLICATION BEFORE THE TOWN OF BILTMORE FOREST BOARD OF ADJUSTMENT & DESIGN REVIEW BOARD

(Please fill out form completely)

Property Address	S	34 Hilltop	Rd	-			PIN#	
Property Owner		Carl Christ	ian and [Dominique Radinger			Zoning	R-1 District
Applicant (if not	owner)						Use	Residential
Mailing Address	34 Hillt	op Rd.		ZASSUL.				
Telephone	(828)27	4-4081	Cell	(828)301-7881	Email	CCRadinger@puts	sch.com	
The existing kitchen, conservatory, garage and accessory spaces will be renovated to improve teh entry sequence for personal and business guests. The office will be enlarged. Backyard terraces and planters will be replaced. The chain link fence will be replaced by a wrought iron fence with additional privacy vegetation and the driveway entrance will be marked with columns. The pond will be replaced with a pool. The trash enclosure will be replaced. Lastly, an enclosure around the HVAC will be added.								
REQUESTING - ch	eck all th	nat apply		Conditional Use Pern Variance - Both Board Landscape Plans (inc Certificate of Zoning	d of Adjustme Tree Remova	ent & Design Revie	w Board Adjustment &	Design Review Board
Estimated Cost	\$350,00	00			Estimated	Completion Date	June 2013	
Signature						Date	Aug 30, 20	12
For Official Use O				☐ Application - (☐ Conditional U ☐ Variance Appl ☐ Site Plan - sho	se Application	n 🔲 Gra	ding / Landso tos Samples	Drawings (7 sets) * caping Plans (7 sets) * Color Palette (7 sets) * ny location (7sets) *
DRB Meeting Dat	te			DRB Decision				
				*Or one set of Drawing	s & Flevations	may be		

*Or one set of Drawings & Elevations may be submitted in PDF format to Biltmore Forest@Charter.net

ZONING COMPLIANCE ROOF COVERAGE & IMPERVIOUS SURFACE CALCULATIONS

Property Owner Radinger	A	Address 34 Hilltop F	Rd.		-	
Lot Size Acres 2.028		Chart #1 - Max	imum Roof Cover	age Requireme	nts	
Lot Area Sq. Ft. (x 43,560)	88,340	Lot Size	Max Roof Coverage	Lot Size	Max Roof Coverage	
• • • •	A SALL CONTRACTOR OF THE PARTY	Up to 0.5 acre	2,613 Sq. Ft.	Up to 2.5 acres	6,200 Sq. Ft	
Permitted Roof Coverage		Up to 0.75 acre	3,200 Sq. Ft.	Up to 3.0 acres	7,000 Sq. Ft	
See Chart #1	6,200	Up to 1.0 acre	4,356 Sq. Ft.	Up to 3.5 acres	7,700 Sq. Ft	
		Up to 1.2 acres	4,600 Sq. Ft.	Up to 4.0 acres	8,200 Sq. Ft	
Permitted Impervious Surface See Chart #(#2)	ce 17,668	Up to 1.5 acres	5,000 Sq. Ft.	Up to 4.5 acres	8,400 Sq. Ft	
		Up to 2.0 acres	5,600 Sq. Ft.	Up to 6.0 acres	9,147 Sq. Ft	
For Information Only		Chart #2 - Imp	ervious Surface Co	overage Require	ements	
Interior Square Footage	of Residence	Lot	Size	Impervious	Surface %	
Heated Interior	6,847	Up to 1	l.0 acre	25% x lot area		
Unheated Interior 504 Total Interior Sq. Ft 7,351		1 to 3 acres			20% x lot area	
		More than 3 acres			15% x lot area	
	5,501 Craf Ma	Turi Parl	reways n-Around dng Area	140	00	
Detached Garage	Building Height N/A	Pati	os & Walkways	418	30	
Existing	Total Det Gara		mming Pools	154	10	
Proposed Addition			al Proposed Roof Cove	erage* 57	70	
Accessory Structure	Building Height N/A	тот	TAL IMPERVIOUS SU	RFACE 172	232	
Existing						
Proposed Addition	TOTAL Accessional	1		Ye	es or No	
		Roof Cove	rage in Compliar	ice?	'es 🗌 No	
TOTAL PROPOSED ROOF	COVERAGE* 5,770	Imperviou	ıs Surface In Com	pliance? 🖂 Y	es No	

Prepared By (Name & Contact Info) Historical Concepts, LLC (770) 487-8041



<u>Conditional Use:</u> New swimming pool, terrace, and wall to replace existing pond.



MEMORANDUM MARCH 21, 2016

To: Board of Adjustment

From: Jonathan Kanipe, Town Administrator Re: Case Number 6 – 29 Hilltop Road

Date: March 15, 2016

Case 6

Property Owner: Dr. James and Mrs. Stephanie Brien

Property Address: 29 Hilltop Road

Zoning District: R-1

Lot Size: 1.39 +/- acres

Application Request: Conditional Use Permit and Variance Request for Accessory Structure

The applicants request permission from the Board to construct a 12'x16' accessory structure on an existing concrete slab in their rear yard. The purpose of this structure is to serve as a storage shed so that outdoor maintenance equipment (lawnmowers, leaf blowers, etc.) can be kept out of the open and in a safe environment.

The proposed location of the accessory structure is on an existing concrete slab where a previous accessory structure was located. It is screened from all properties by existing vegetation and will be designed in conformity with the main residence. The applicants have provided a drawing of the proposed location, as well as a depiction of the storage building itself. The proposed structure would not be constructed within any setbacks. The applicants did receive from the permission from the Board approximately two years ago to install a play structure.

- Conditional use permit to allow construction of accessory building on existing 12'x16' concrete slab
- Variance to allow construction of more than one accessory structure

Zoning Application

Property Identification

Name

James Brien

Address

29 Hilltop Road, Asheville, North Carolina 28803

(828) 505-1362

jamesbrien@hotmail.com

Zoning

Lot Size (Acres) R-1

1.3

Scope of Project-Roof Coverage

Does the project include increasing roof coverage?

Yes

What is the proposed roof coverage?

192

Is the proposed roof coverage greater than the permitted maximum roof coverage?

No

Scope of Project-Impervious Surface

Does the project include increasing the impervious surface coverage? Nο

Scope of Project-Setbacks

Does any part of the project fall within the front yard? No

Does any part of the project fall within the side/rear yard setback(s)s?

No

Scope of Project-Accessory Structures

Does the project include a detached structure or An application for a conditional use permit will bre building?

required in addition to this zoning application.

Yes

Will there be more than the approved number of accessory structures/buildings?

No

Project Description

Brief Description of Project

Storage shed built to match period and character of the house. 12 ft X 16 ft. The structure will be built on an EXISTING cement foundation that is 12 ft X 16 ft. (therefore no change to impervious surface). Structure 20 ft from closest side neighbor property line and 45 ft from closest back neighbor property line.

Estimated Cost of Project 7,500

Estimated Completion Date 6/1/2016

Please attach any drawings, renderings, photographs or other supporting documentation.

Conditional Use Permit Application

I hereby petition the Board of Adjustment to issue a Conditional Use Permit for:

Name

James Brien

Property Address

29 Hilltop Road

Email

jamesbrien@hotmail.com

Phone

(828) 505-1362

Type of Conditional Use

802.07 Accessory Buildings

Description of Project

Storage shed, 12 ft by 16 ft built on EXISTING cement slab foundation 20 ft from closest side neighbor, 45 ft from closest back neighbor property line. Built to match house.

Explain why the project would not adversely affect the public interest of those living in the neighborhood:

Structure is in the back yard, not visible from front yard. It is 20 ft from closest side neighbor property line, 45 ft from back property line and is hidden from the back neighbors by existing landscaping, trees and brush. This is built on a foundation which already exists and likely had a similar structure in the past.

I certify that the information presented by the undersigned in this application is accurate to the best of my knowledge, information and belief.

Signature

emos tour

Date

3/3/2016

Variance Application

I hereby petition the Board of Adjustment for a variance(s) from the provisions of the Zoning Ordinance for the real property stated below.

Name

James Brien

Property Address

29 Hilltop Road

Email

brien.james@gmail.com

Phone

(215) 801-4925

Variance to Zoning Ordinance Section(s) (Select all that apply)

1104 Accessory Structures & Accessory Buildings

Reason Variance(s) is(are) being requested:

I request a variance for a 12 ft by 16 ft accessory structure. The structure would be designed and built to be period specific and consistent with the main house. The structure would resemble a small garage and would be completely enclosed. The structure would be built on an *existing* 12 ft by 16 ft cement foundation which supported a similar structure in the past and is greater than 20ft from the nearest property line. The purpose of the structure is to accommodate storage of outdoor lawn equipment, a backup generator, power washer and other gas driven equipment which can not be stored indoors for obvious health reasons.

Our home has no garage or accessory structure appropriate for this purpose. In addition to addition to adding value to the property it would allow for more significant improvements and upkeep to the landscaping of the property as well as housing lawn equipment out of view.

Additional information available upon request by email, phone or in person.

Thank you.

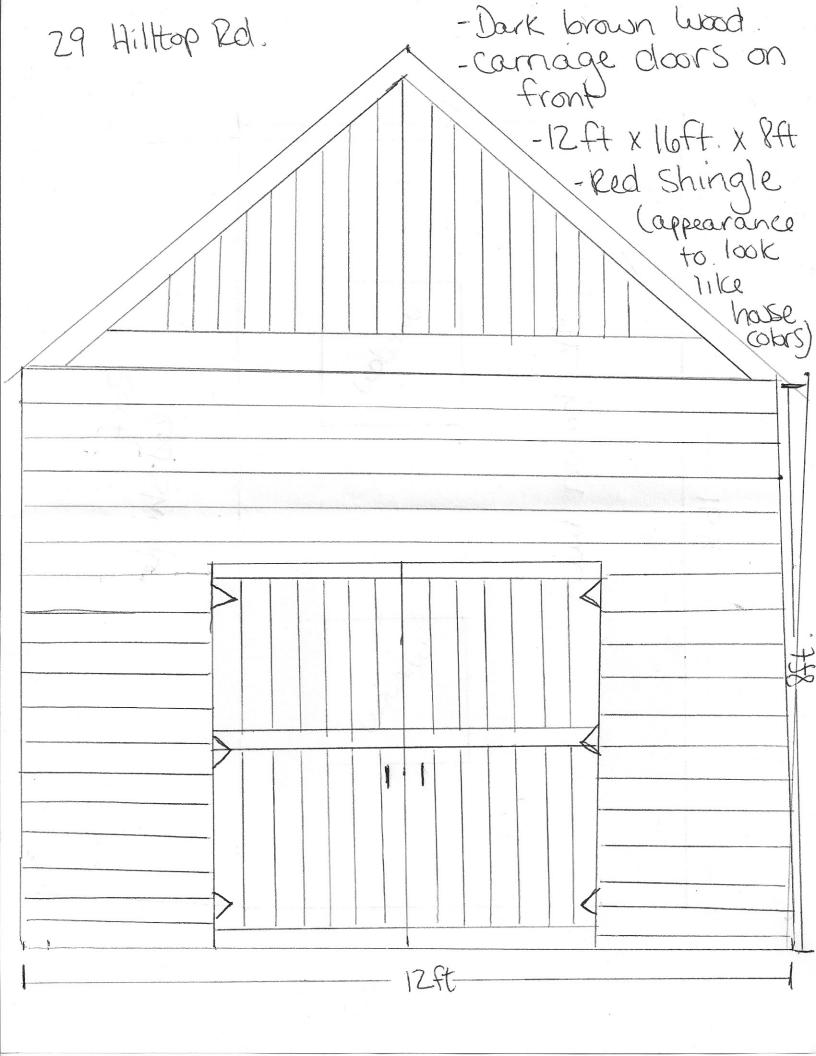
In granting any variance, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with the Zoning Ordinance. Violations of the provisions of the variance granted including any conditions or safeguards which are part of the granting of the variance, shall be deemed a violation of the Zoning Ordinance. I hereby certify that the information set forth above is true and accurate to the best of my knowledge.

 Signature
 Date

 2/4/2016

E free / Sue

Brien 29 Hillop Ry ~150/4. BACK 45 ft Block "GCS" Lot 17 150.3 x 407.25 x 150.0 x 399.25 "Shed" is to be Svilt on pre-existing
(ement
forddetion - ta ap-James Brien 215-801-4925 FRONT ~ 150.3 + Hilltp Rd.



332 GINDE dk. brown wood Roof Red Shingle H011 Carbon Carbon



MEMORANDUM MARCH 21, 2016

To: Board of Adjustment

From: Jonathan Kanipe, Town Administrator Re: Case Number 7 – 12 Hemlock Road

Date: March 15, 2016

Case 7

Property Owner: Mr. Hubert and Mrs. Pat Wood

Property Address: 12 Hemlock Road

Zoning District: R-1

Lot Size: 1.591 +/- acres

Application Request: Conditional Use Permit to Construct a Masonry Wall and Fence in the

Rear Yard

The applicants request permission from the Board to construct a four (4) foot high masonry wall in their rear yard. The wall will be 90 feet long, and the applicants propose to construct a six (6) foot tall painted steel fence on a segment of the wall. The fence would be constructed on sixty feet of the total ninety feet length of the fence.

This request is in conjunction with another project to the home that includes turning an existing screened in porch into a new media room. This will result in an increase of 567 square feet, and modifications will also be made to the existing breezeway that leads to the garage. These items are attached to the home and will be presented to review for the Design Review Board at their March 24th meeting. The wall and fence are the only matters that require approval by the Board of Adjustments.

Mr. and Mrs. Wood intend to relocate approximately twelve (12) existing boxwoods from the front of the home to plant and buffer the new fence. The wall and fence are both below grade from the main portion of the rear yard, and the wall will act as a retaining wall for the slope upward to the rest of the back of the property.

 Conditional use permit to allow construction of a masonry wall and fence in the rear yard.

Zoning Application

Property Identification

Name

Pat and Hubert Wood

Address

12 Hemlock Road, Biltmore Forest, North Carolina 28803

(828) 274-1364

pat.wood@budofasheville.com

Zoning

Lot Size (Acres)

R-1

1.591

Scope of Project-Roof Coverage

Does the project include increasing roof coverage?

Yes

What is the proposed roof coverage?

3.650

Is the proposed roof coverage greater than the permitted maximum roof coverage?

No

Scope of Project-Impervious Surface

Does the project include increasing the impervious surface coverage?

Yes

What is the proposed impervious surface coverage?

4,630

Is the proposed impervious surface coverage greater than the permitted maximum impervious surface coverage?

No

Scope of Project-Setbacks

Does any part of the project fall within the front yard?

No

Does any part of the project fall within the side/rear yard setback(s)s? No

Scope of Project-Accessory Structures

building?

Does the project include a detached structure or An application for a conditional use permit will bre required in addition to this zoning application.

Yes

Will there be more than the approved number of accessory structures/buildings?
No

Project Description

Brief Description of Project

Replace an existing attached screen porch with a new media room addition that will include 567 sq. ft. of new conditioned floor area. Modify the existing covered breezeway leading to the garage. The modifications will improve surface drainage and appearance.

New site work shall include a 4' high masonry retaining wall approximately 90' long. Along approximately 60' of this wall a 6' high painted steel fence is planned to exclude deer from a garden area on the rear, northwest side of the main house. Additional brick paving shall be added to the garden area. Interior work includes remodeled kitchen and master bath areas.

Estimated Cost of Project

175,000

Estimated Completion Date 9/30/2016

Please attach any drawings, renderings, photographs or other supporting documentation.

WOOD RESIDENCE A-1.pdf

WOOD RESIDENCE SITE.pdf

Conditional Use Permit Application

I hereby petition the Board of Adjustment to issue a Conditional Use Permit for:

Name

Pat and Hubert Wood

Property Address 12 Hemlock Road

Email pat.wood@budofasheville.com

Phone (828) 274-1364

Type of Conditional Use 802.07 Accessory Buildings

Description of Project

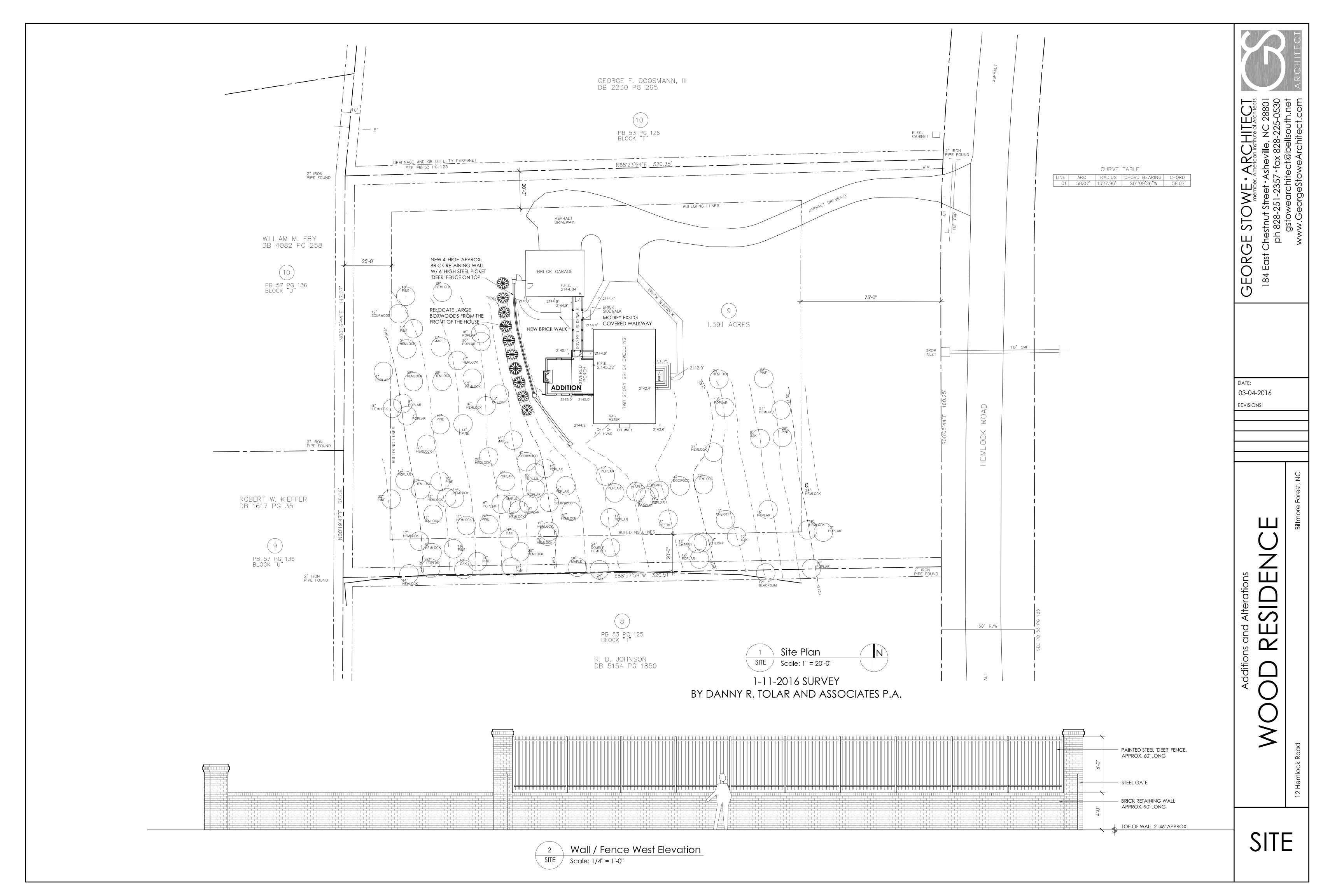
New site work shall include a 4' high retaining wall approximately 90' long. On top of approximately 60' of this wall a 6' high painted steel fence is planned to exclude deer from a garden area on the rear, northwest side of the main house.

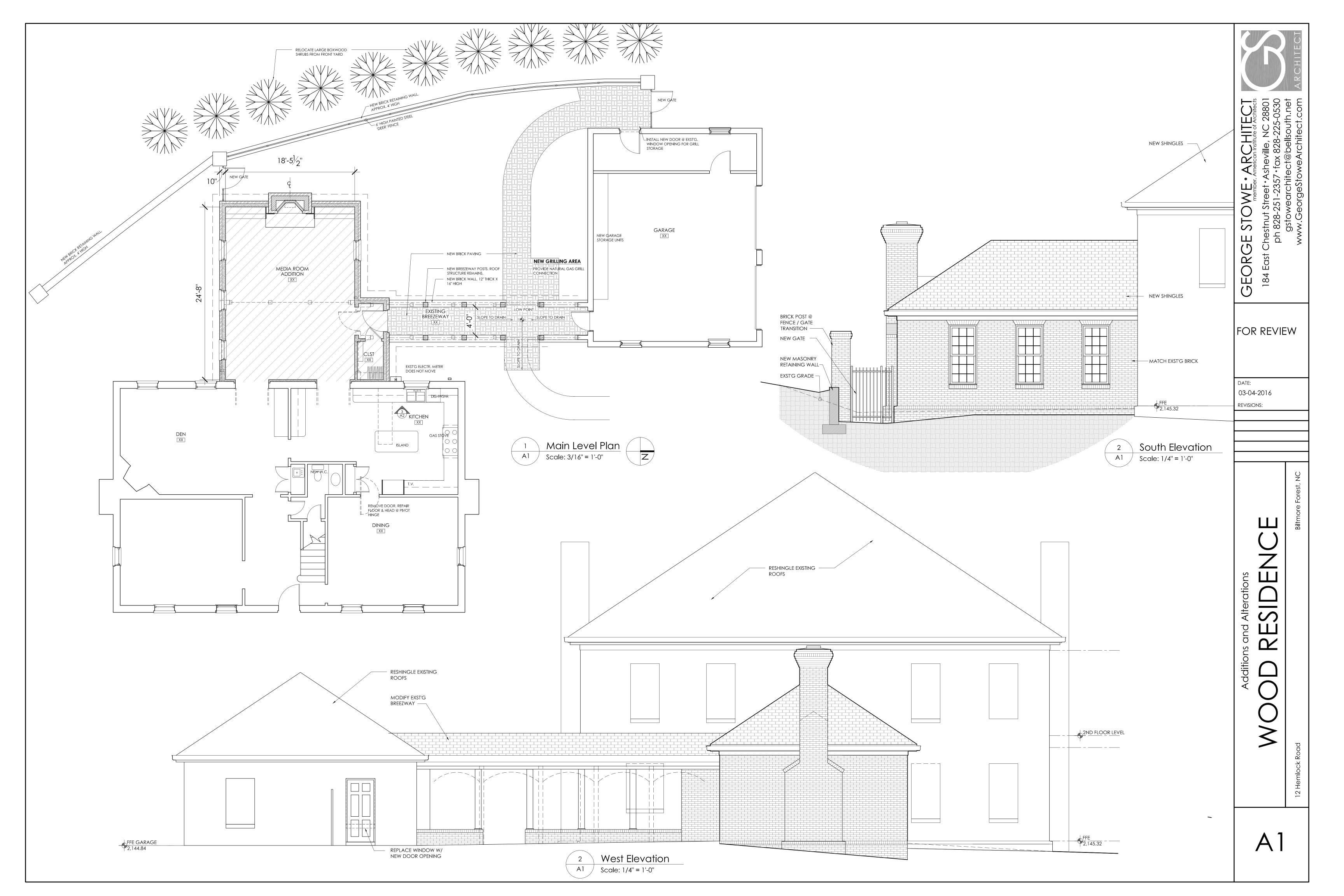
Explain why the project would not adversely affect the public interest of those living in the neighborhood:

The project is in the rear yard and will be screened by re-located large, mature boxwood's. Visibility of the addition will be very limited from adjoining properties. The addition will provide protection from destructive deer herds and will allow the owner to grow vegetables and flowers in a pest protected area.

I certify that the information presented by the undersigned in this application is accurate to the best of my knowledge, information and belief.

Signature Date 3/4/2016







MEMORANDUM MARCH 21, 2016

To: Board of Adjustment

From: Jonathan Kanipe, Town Administrator Re: Case Number 8 – 8 Chauncey Circle

Date: March 15, 2016

Case 8

Property Owner: Mr. John Miles Smith Property Address: 8 Chauncey Circle

Zoning District: R-3

Lot Size: 1.39 +/- acres

Application Request: Construction of a New Residence and presentation of

Landscape and Site Plan, including conditional use permits for construction of a rock wall and columns on the side of the home

Mr. Smith has presented plans for a new residence at 8 Chauncey Circle. The plans include is for a story and a half English cottage with a 3-car garage. The garage is side-loading and does not face the road. The landscape plan that is attached for review indicates the proposed trees for removal, the grading plan, and the proposed trees and plants which will be replanted in conjunction with the project.

The home does have a stone wall with lighted columns that are attached to the home but extend outside of the residence and create a dog run on the eastern side of the home. This should be reviewed by the Board as a conditional use. The wall and lighted columns are in the side yard.

Additionally, there are several stone headwalls located on the property to serve assist with drainage improvements and to ensure that storm drains on the property remain accessible and open.

- Zoning Permit for new residence, including landscape plan approval.
- Conditional use permit to allow for construction of stone wall and lighted columns on wall.

Zoning Application

Property Identification

Name

Tom Dillard

Address

8 Chauncey Circle, Biltmore Forest, North Carolina 28803

Phone Email

(864) 527-0463 richie@dillardjones.com

Zoning Lot Size (Acres)

R-1 1.39

Scope of Project-Roof Coverage

Does the project include increasing roof coverage?

No

Is the proposed roof coverage greater than the permitted maximum roof coverage?

Scope of Project-Impervious Surface

Does the project include increasing the impervious surface coverage?

Scope of Project-Setbacks

Does any part of the project fall within the front yard?
No

Does any part of the project fall within the side/rear yard setback(s)s?
No

Scope of Project-Accessory Structures

Does the project include a detached structure or building?

No

Will there be more than the approved number of accessory structures/buildings?

No

Project Description

Brief Description of Project

Story and a half English Cottage with 3 car garage.

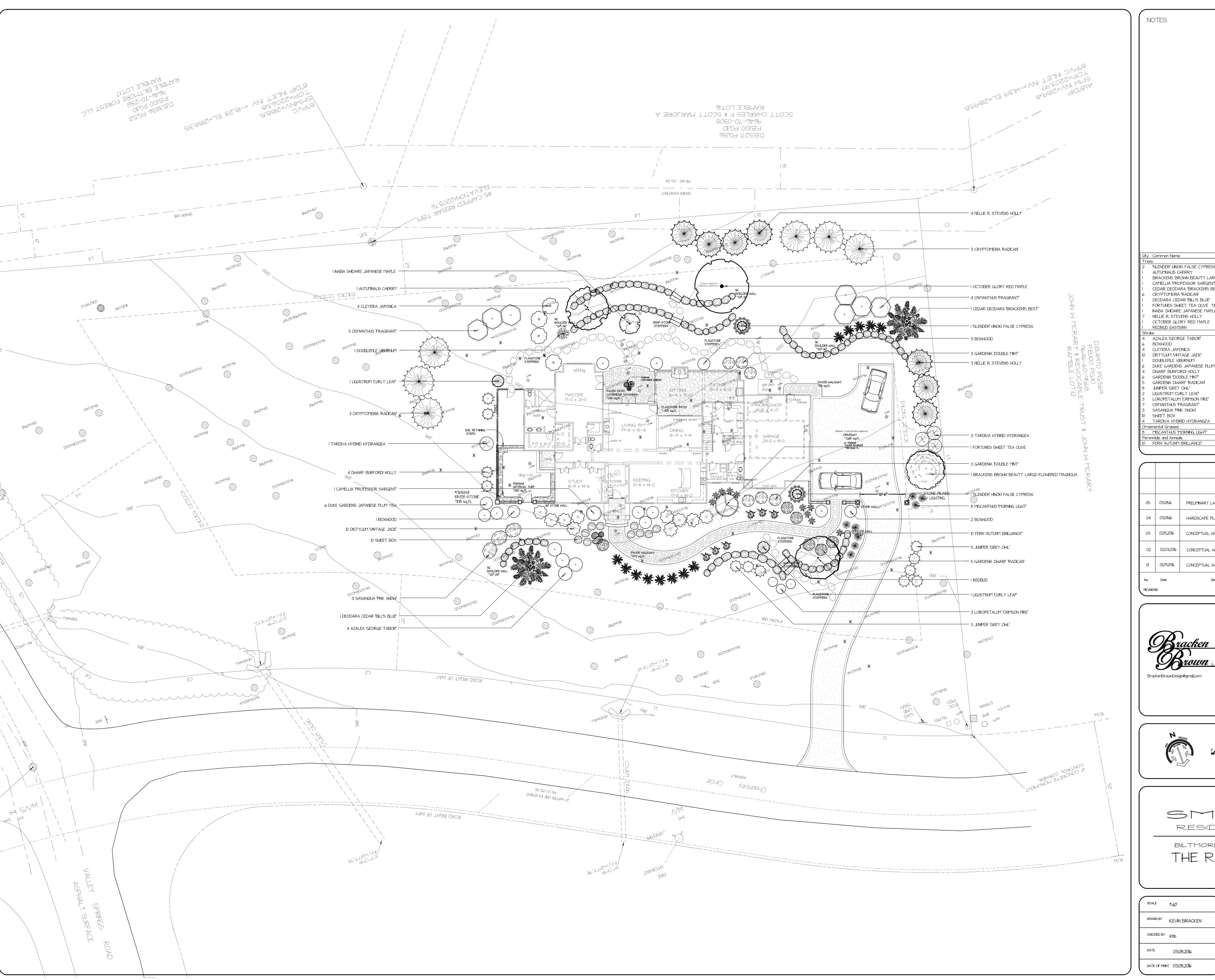
Estimated Cost of Project

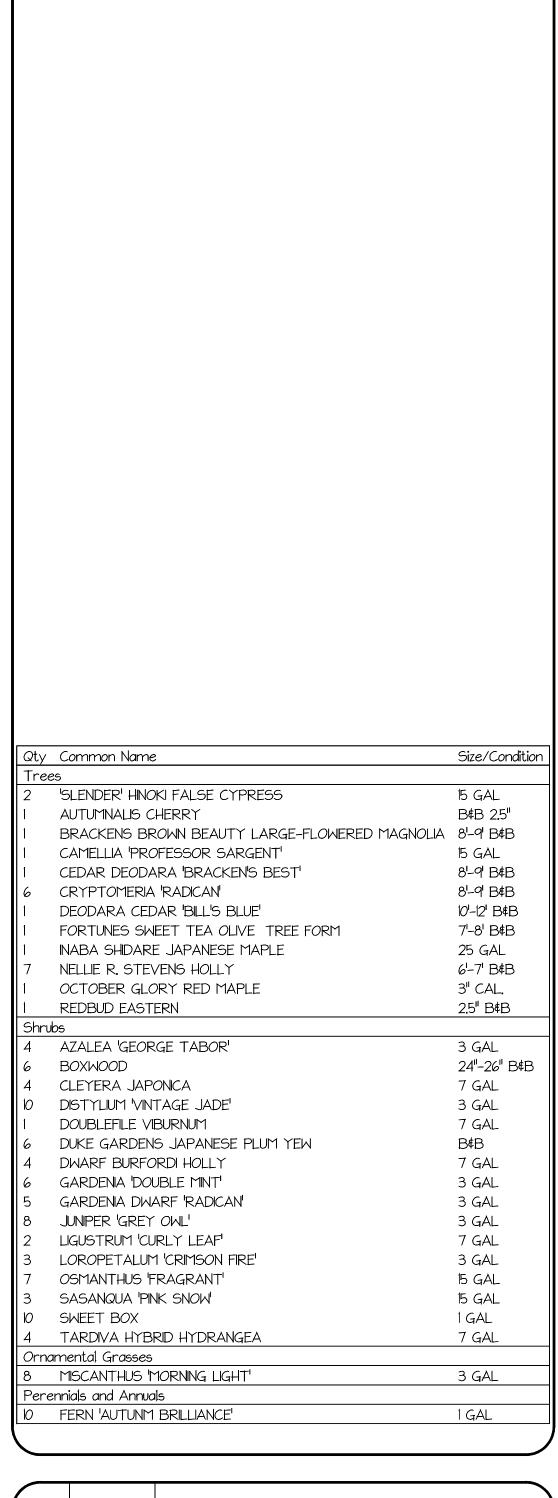
1,081,003

Estimated Completion Date

4/1/2017

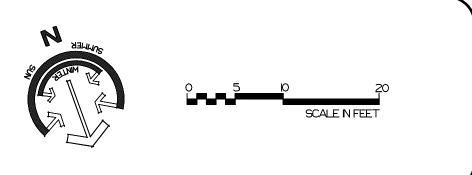
Please attach any drawings, renderings, photographs or other supporting documentation. 2016-2-1 Preliminary design review.pdf





<i>0</i> 5	03.08,16	PRELIMINARY LANDSCAPE PLAN
04	03,08,16	HARDSCAPE PLAN
<i>0</i> 3	02.15.2016	CONCEPTUAL HARDSCAPE PLAN (REVISED)
02	02,03,2016	CONCEPTUAL HARDSCAPE PLAN (REVISED)
Ol	01.29.2016	CONCEPTUAL HARDSCAPE PLAN
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A Member of the Southern Living Custom Builder Program

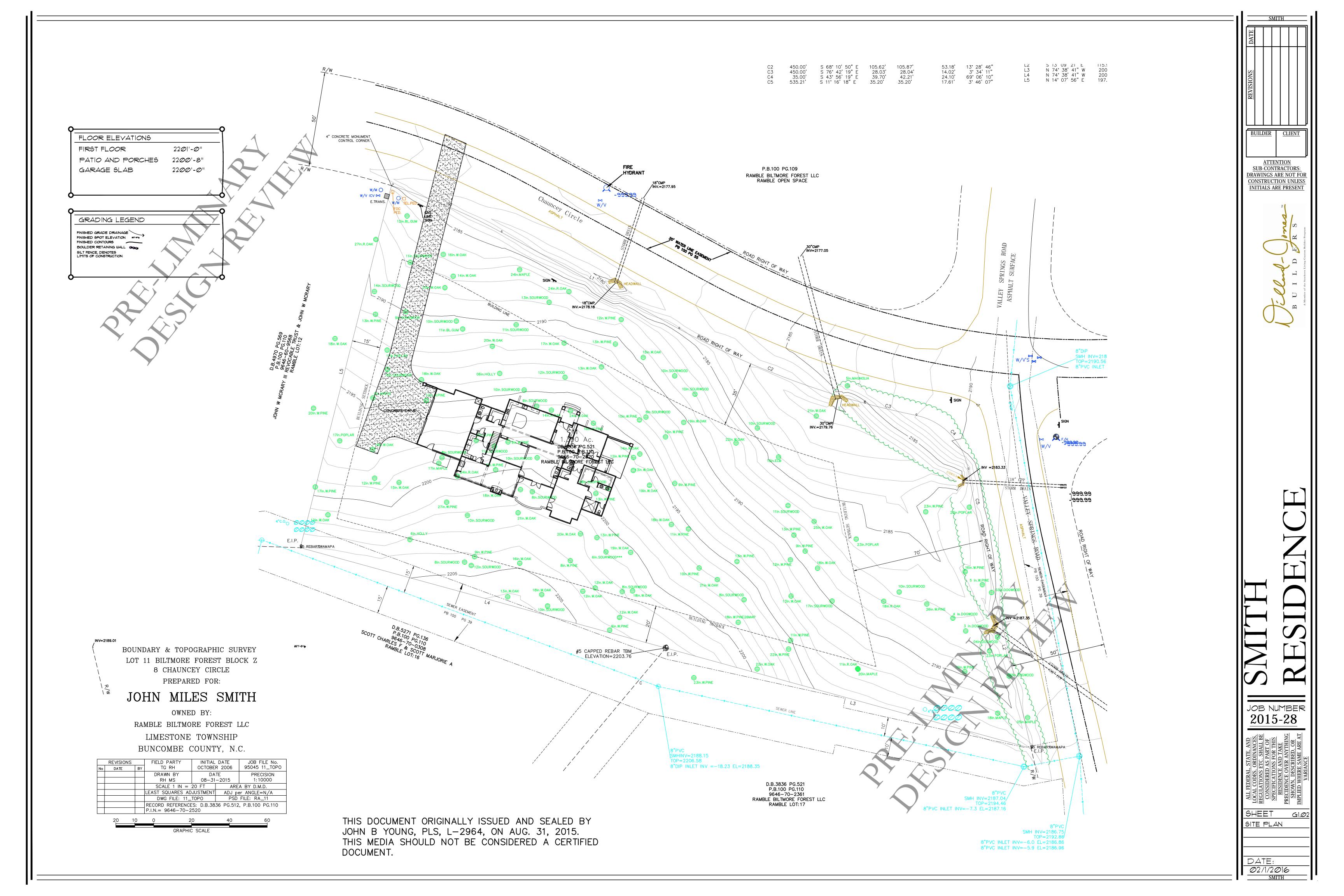
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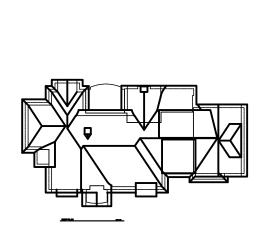
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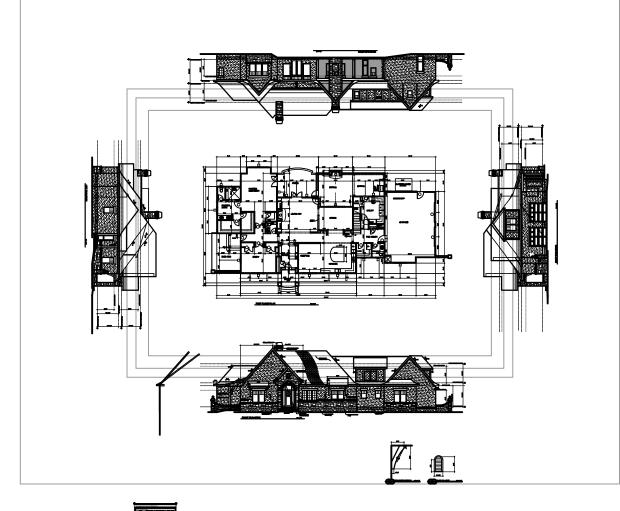
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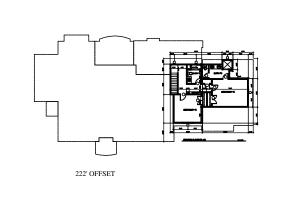
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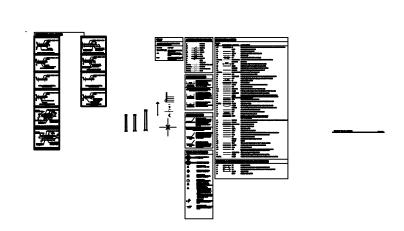
DATE: 02/1/2016 SMITH

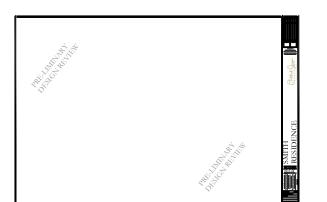








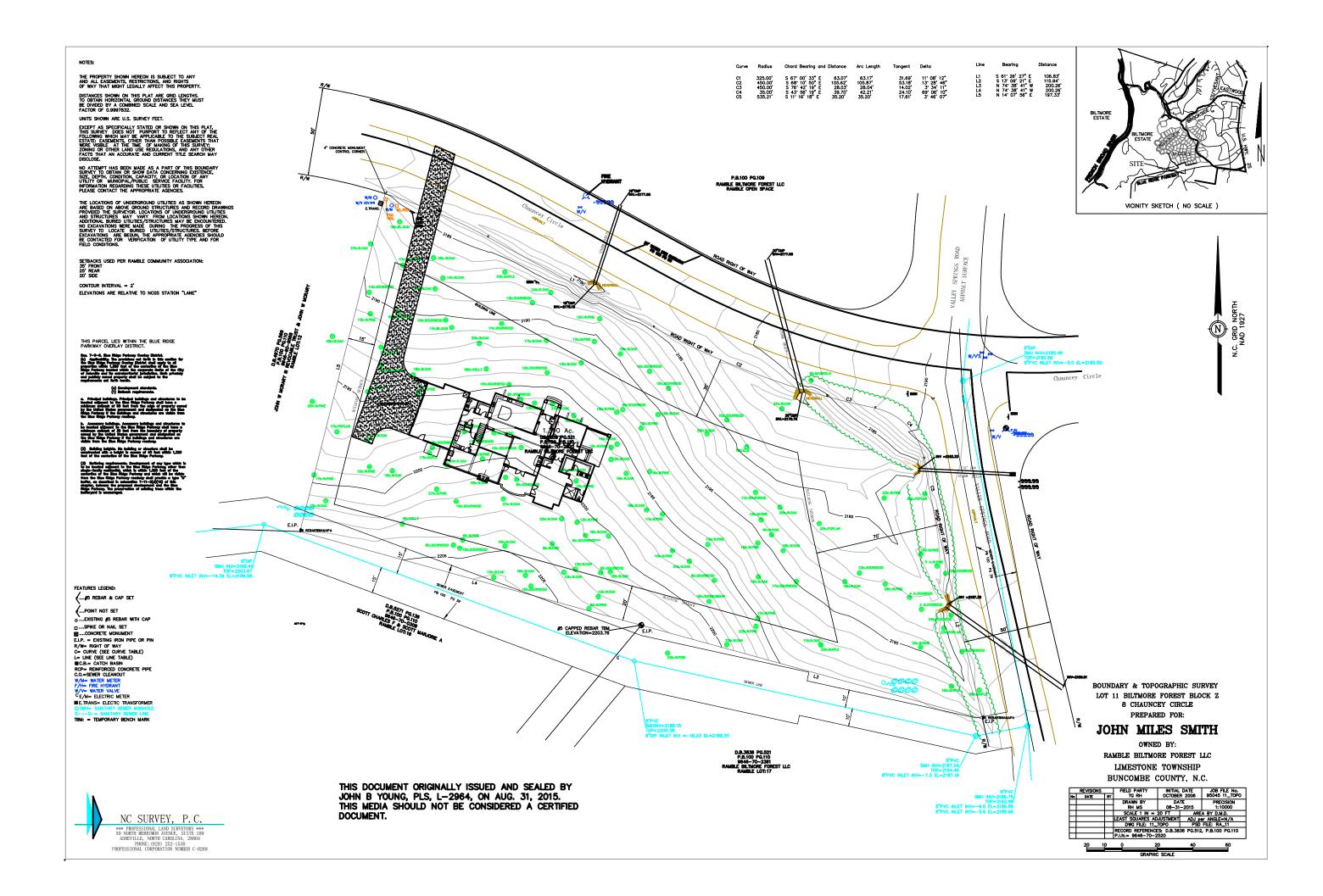




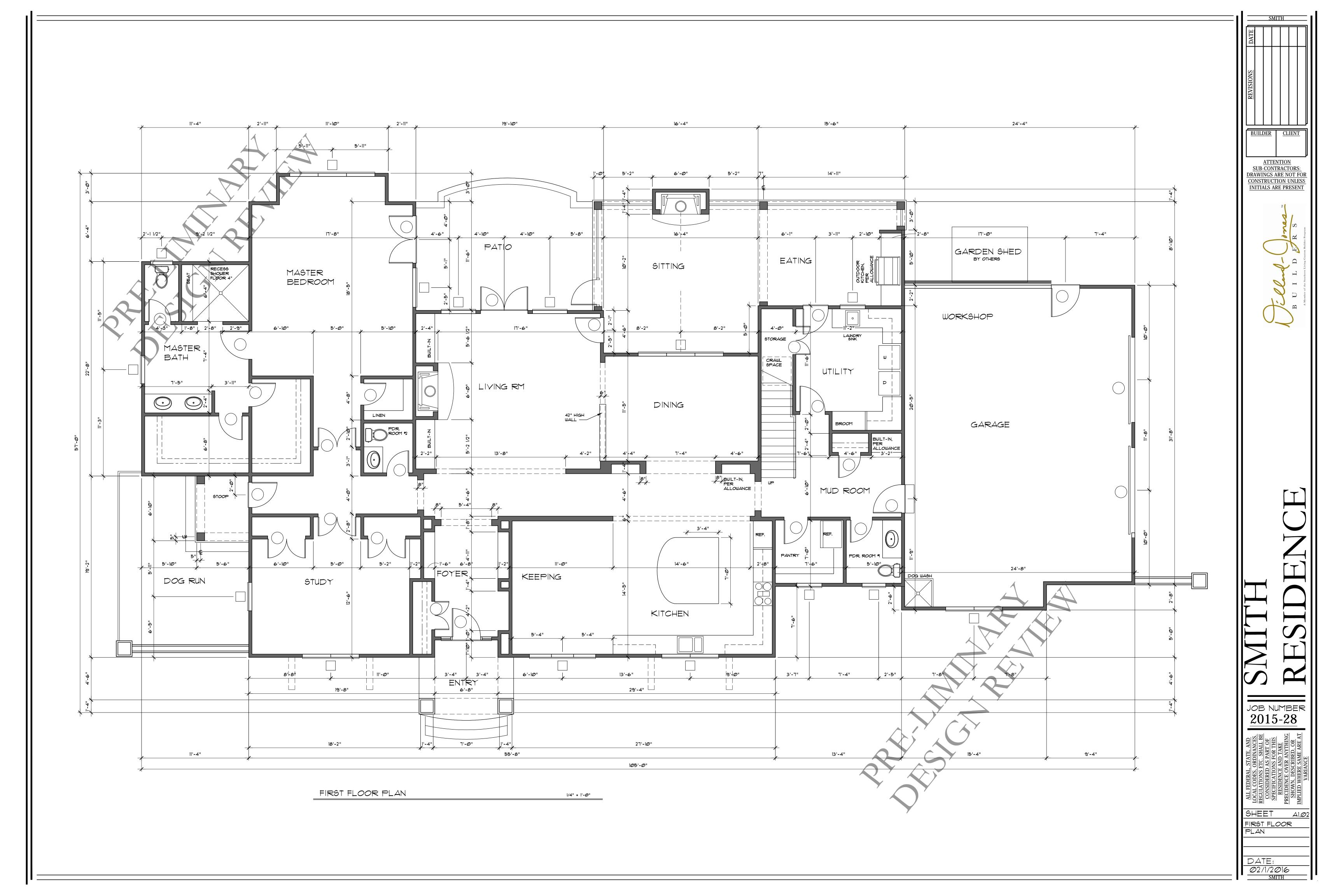


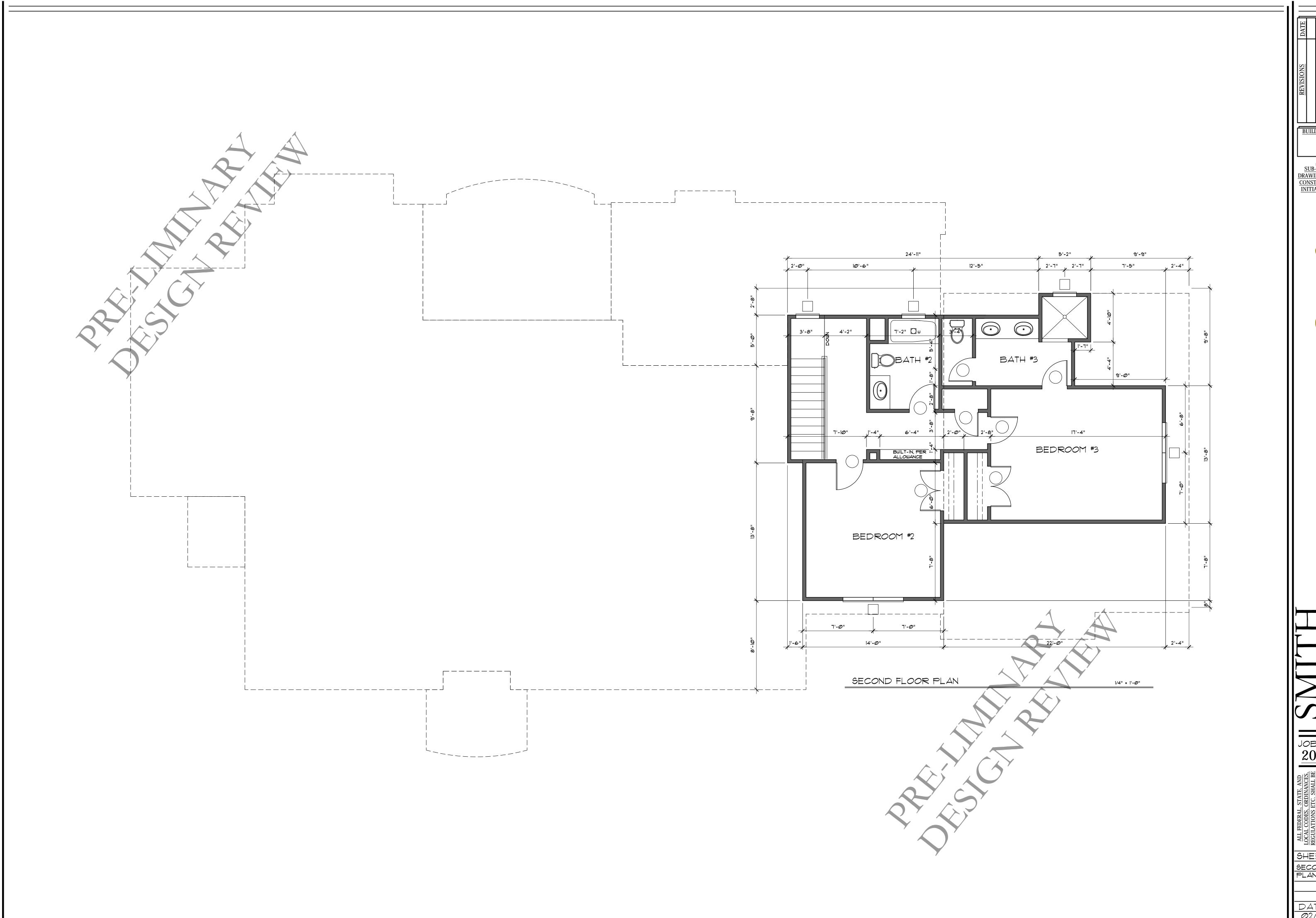












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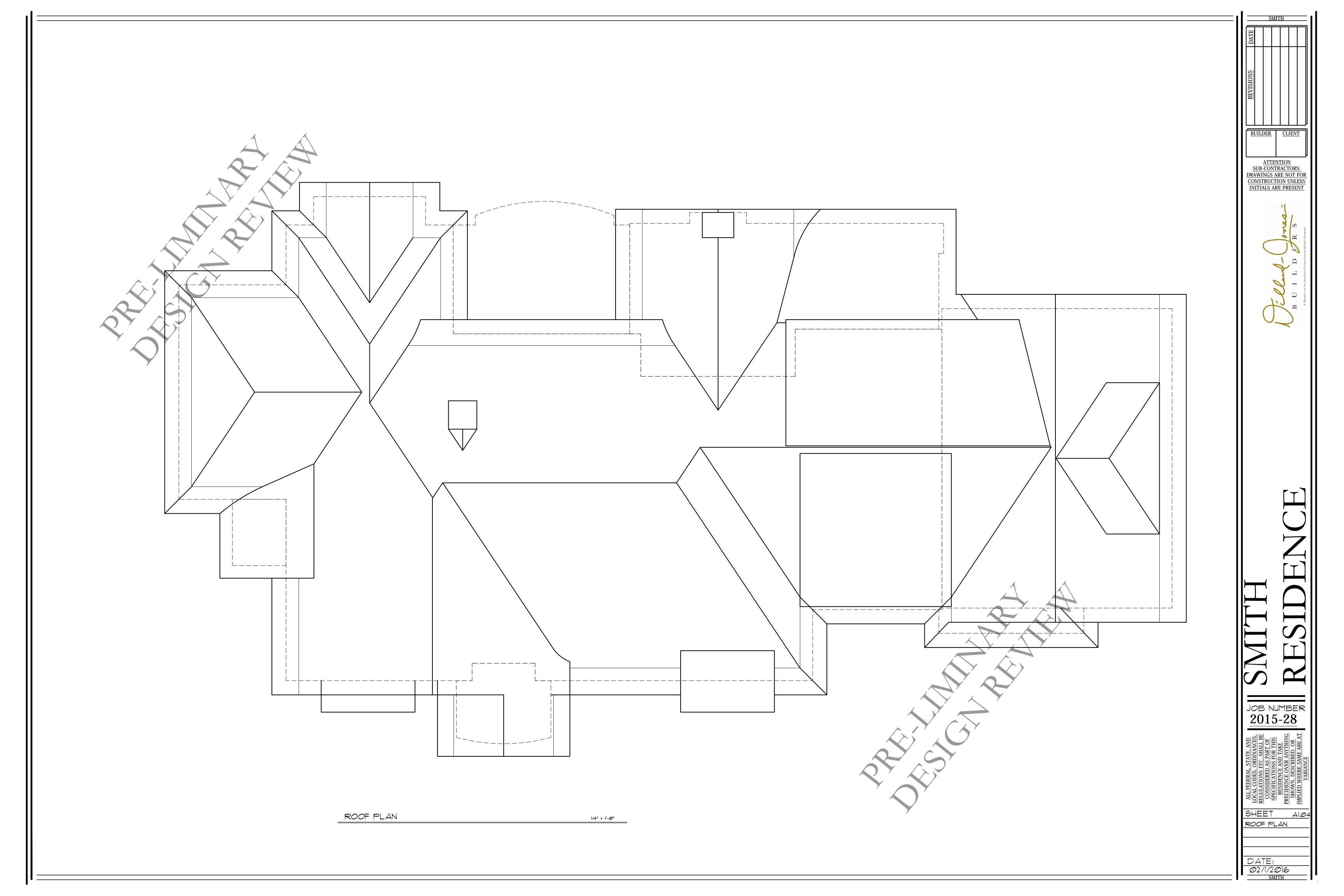
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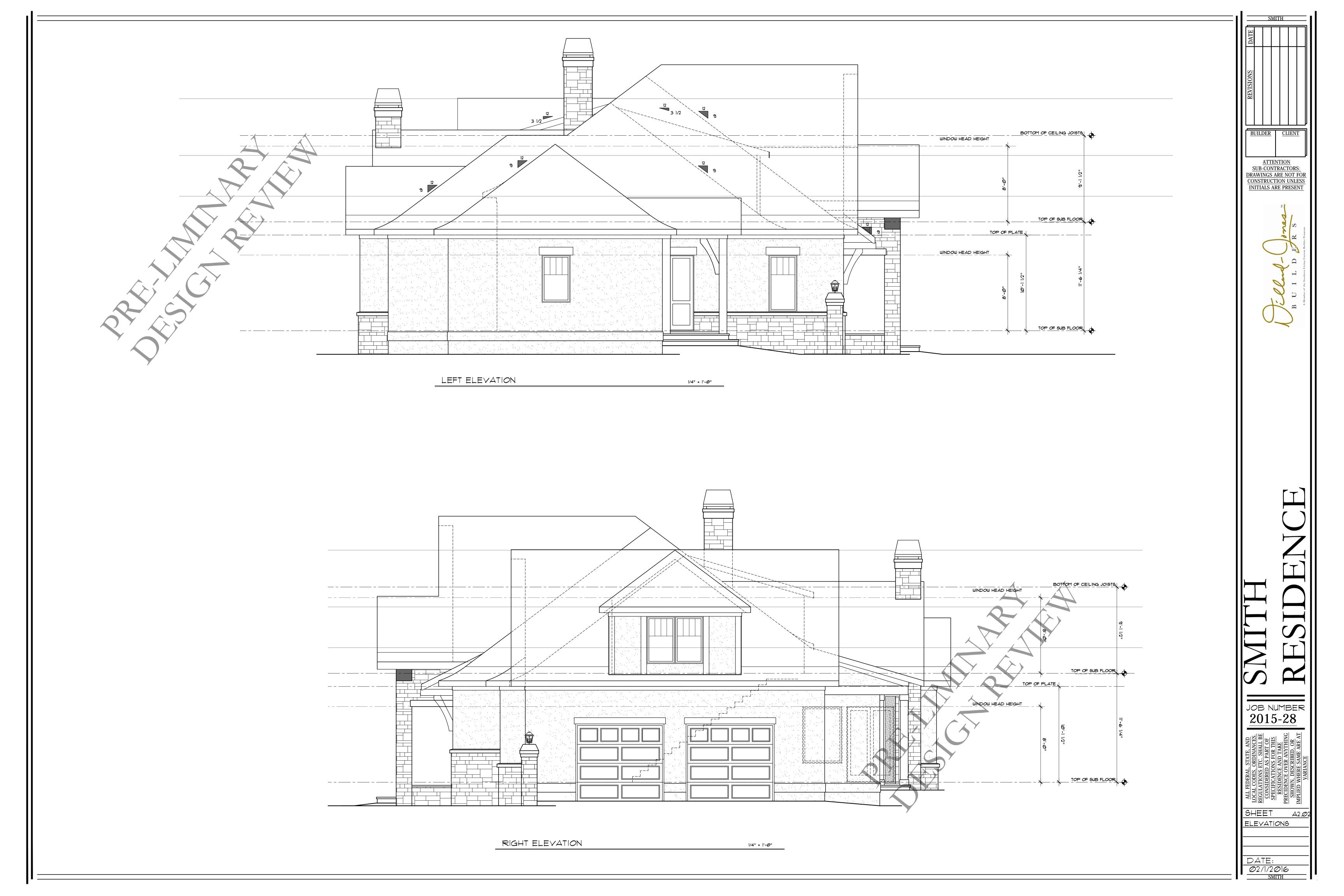
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SECOND FLOOR
PLAN

DATE: Ø2/1/2Ø16 SMITH









A NEW CUSTOM HOME FOR THE SMITH'S

DESIGNED AND BUILT BY



— a design-build firm —

		— 0
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SHEET	SHEET DESCRIPTION	
G-1.01	COVER SHEET	
G-2.01	SITE AND GRADING PLAN	
G-3.01	SCHEDULES	
G-2.01	SPECIFICATIONS	
G-2.02	SPECIFICATIONS	
G-2.03	SPECIFICATIONS	
G-2.04	SPECIFICATIONS	
A-1.01	FOUNDATION PLAN	
A-1.02	FIRST FLOOR PLAN	
A-1.03	SECOND FLOOR PLAN	
A-1.04	ROOF PLAN	
A-2.01	ELEVATIONS	
A-2.02	ELEVATIONS	
A-3.01	SECTIONS	_
A-3.02	SECTIONS	
A-3.03	SECTIONS	
A-4.01	INTERIOR ELEVATIONS	_
A-5.01	SECOND FLOOR FRAMING PLAN	_
A-5.02	ROOF AND CEILING FRAMING PLAN	
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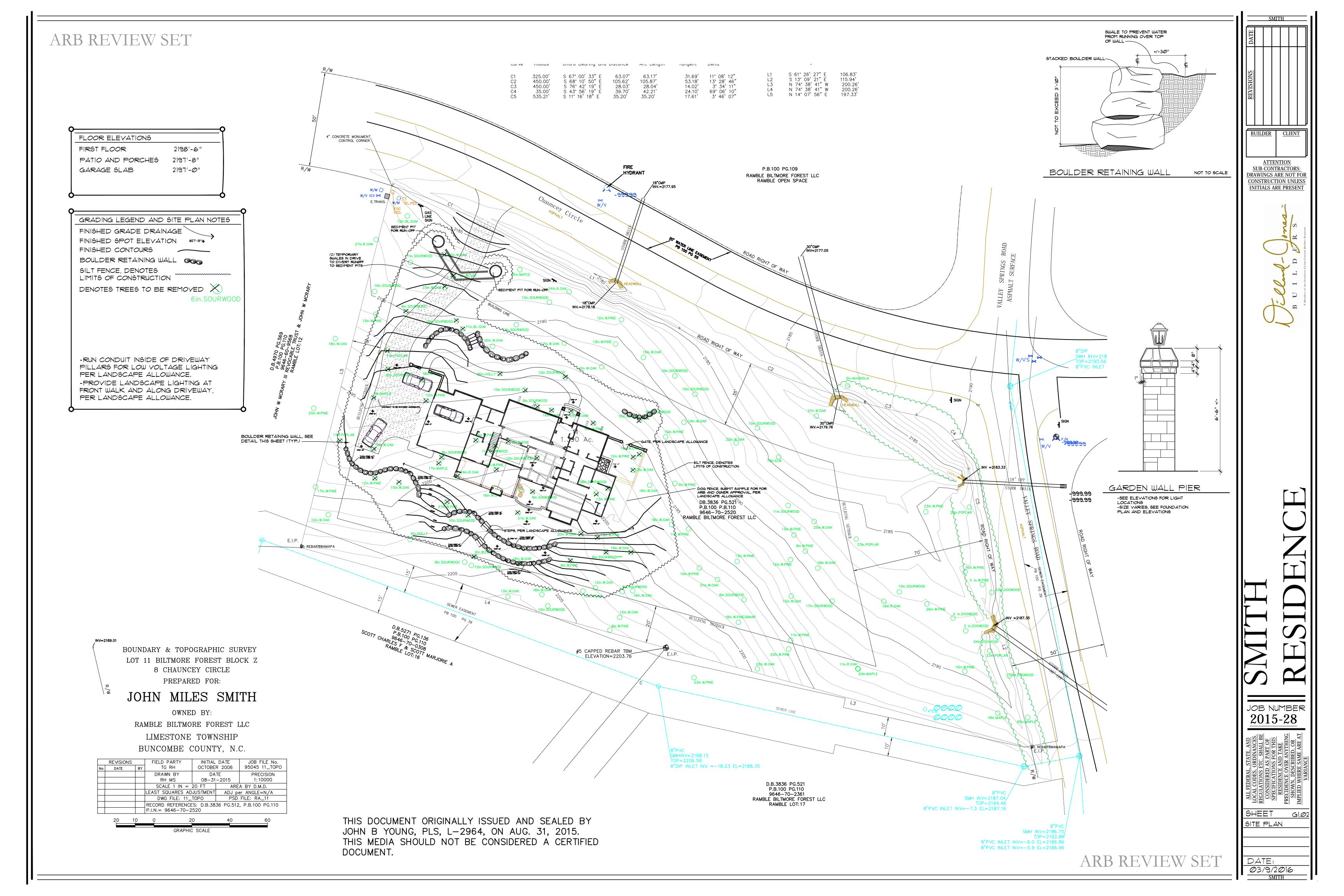
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SUB-CONTRACTORS DRAWINGS ARE NOT FO CONSTRUCTION UNLESS INITIALS ARE PRESENT

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WINDOW NOTES:
-SEE SPECS FOR WINDOW TYPE AND BRAND
-PROVIDE TEMPERED GLASS WHERE REQUIRED BY CODE
-PROVIDE MUNTIN PATTERN AS SHOWN ON ELEVATIONS
-MULTIPLE UNITS TO COME FACTORY MULLED
-O---OPERABLE
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-VERIFY HARDWARE AND FRAME COLOR PRIOR TO ORDERING
-SEE FLOOR PLAN FOR QUANTITIES
-PROVIDE FGRESS WINDOWS WHERE REQUIRED BY CODE WINDOWS

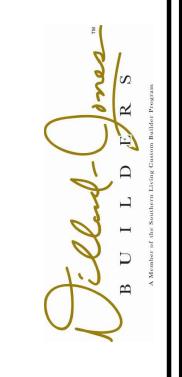
-YERIT HARDWARE AND FRAME COLOR PRIOR TO ORDERING
-SEE FLOOR PLAN FOR QUANTITIES
-PROVIDE EGRESS WINDOWS WHERE REQUIRED BY CODE, WINDOW SUPPLIER
TO YERIFY WITH FINAL BRAND SELECTED PRIOR TO ORDERING
-IF TO BE INSTALLED IN N.C., PROVIDE OPENING LIMITERS WHERE REQUIRED.

MARK	SIZE	DESCRIPTION
1	3-Ø × 8-Ø	PER ALLOWANCE, W/ 12" SIDELITES AND 1/2 CIRCLE ARCHED TRANSOM. DOG SPECIES TO BE SELECTED BY OWNER SPECIALTY TRIM SHALL BE PART O DOOR ALLOWANCE.
2	3-0 × 8-0	EXTERIOR 2-PANEL FIBERGLASS, NO GLASS
3	2-8 × 8-Ø	CLAD EXT., 2/3 GLASS
4	2-8 × 8-Ø	CLAD EXT., FULL GLASS W/ 24" TRANSOM
5	(2) 2-6 × 8-0	CLAD EXT., FULL GLASS W/ 24" TRANSOM
6		CLAD EXT., FULL GLASS
٦	9-0 × 8-0	GARAGE DOOR, PER DRAWING
8	9-0 × 8-0	GARAGE DOOR, PER DRAWING
9	2-8 × 8-Ø	CLAD EXT., 2/3 GLASS
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13	2-6 × 8-0	INT 4-HINGE
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24	2-4 × 8-Ø	INT 4-HINGE
25	2-4 × 8-0	INT 4-HINGE
26	3-0 × 8-0	INT 4-HINGE, FIRE-RATED AND WEATHER-STRIPPED, BRONZE THRESHOLD
27	2-6 x 7-0	INT 4-HINGE
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29	(2) 2-Ø x 7-Ø	INT 4-HINGE
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31	2-8 x 7-Ø	INT 4-HINGE
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ALL INTERIOR DOORS SHALL BE SOLID CORE. ALL INTERIOR DOORS SHALL BE BORED FOR SINGLE LOCK, UNLESS NOTED OTHERWISE. BUILDER CLIENT

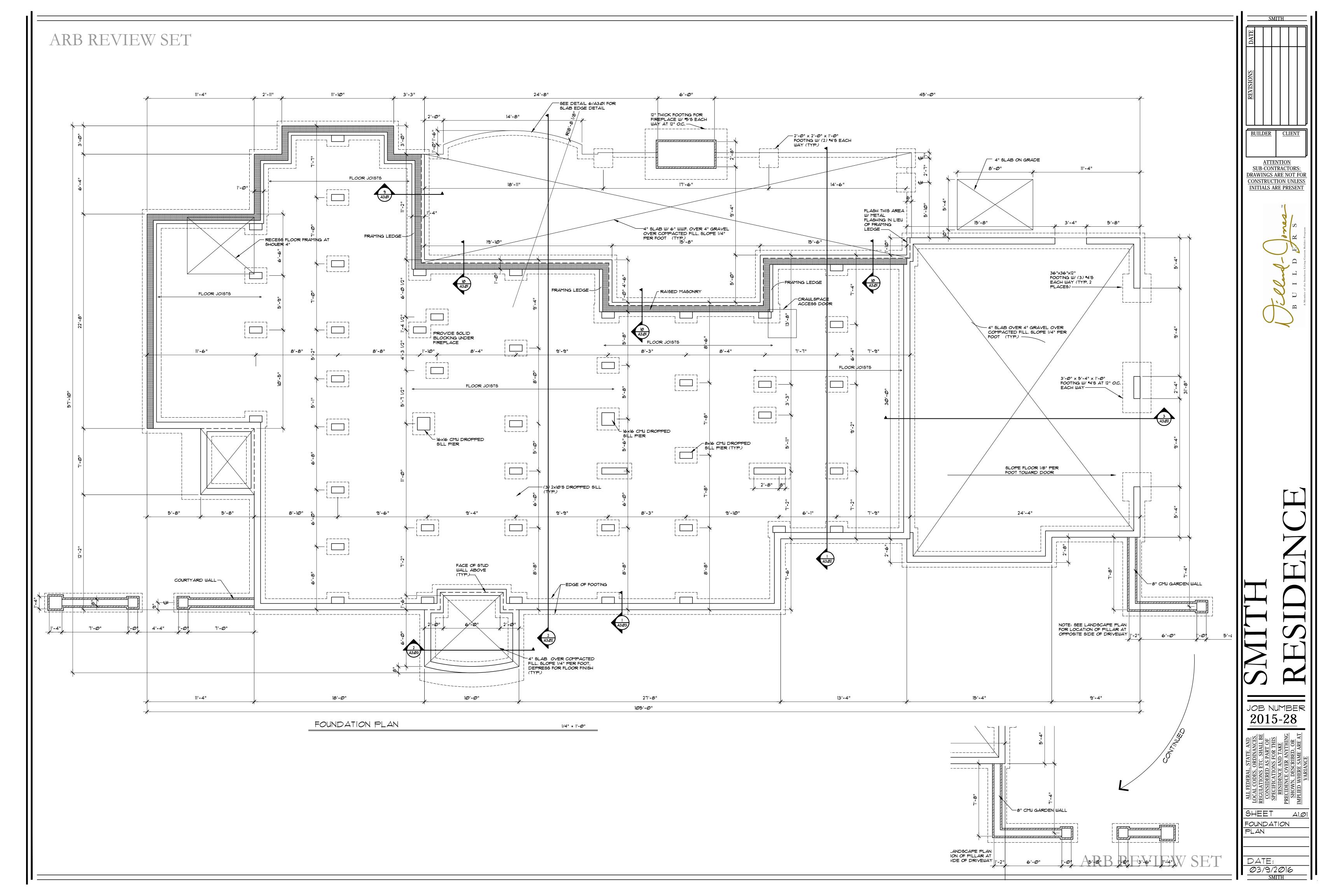
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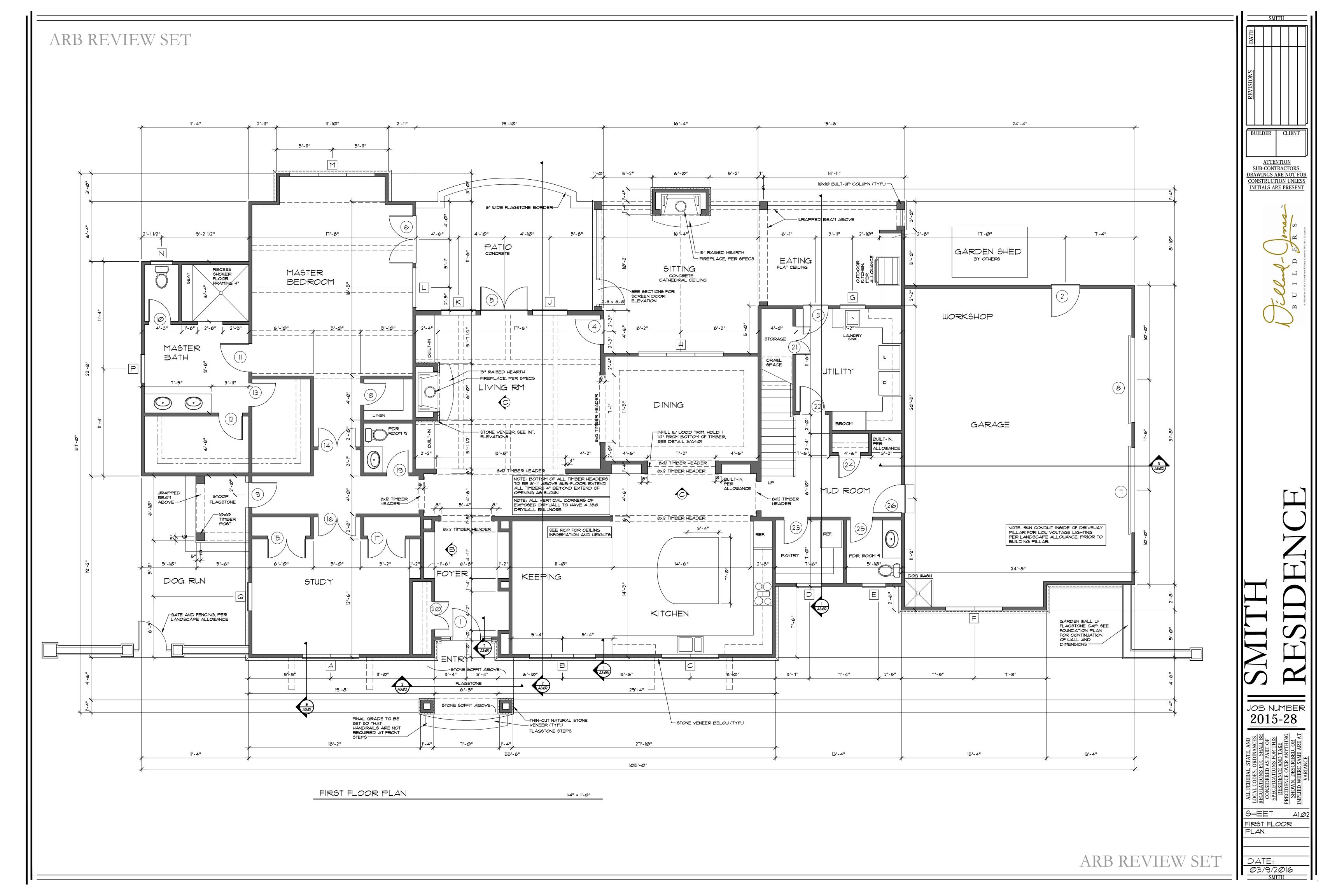
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DRAWINGS ARE NOT FOR
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INITIALS ARE PRESENT

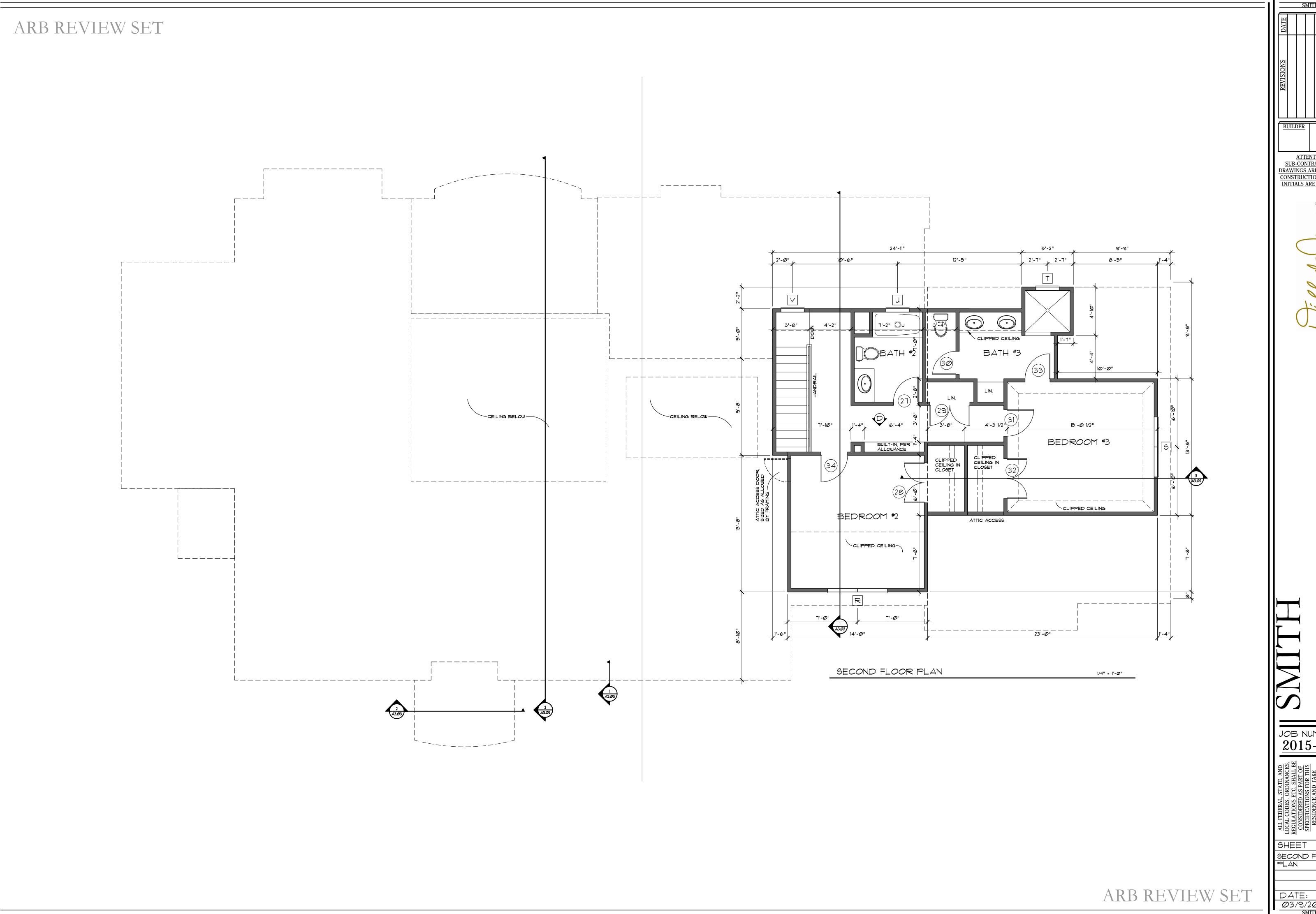


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DATE: 03/9/2016 SMITH

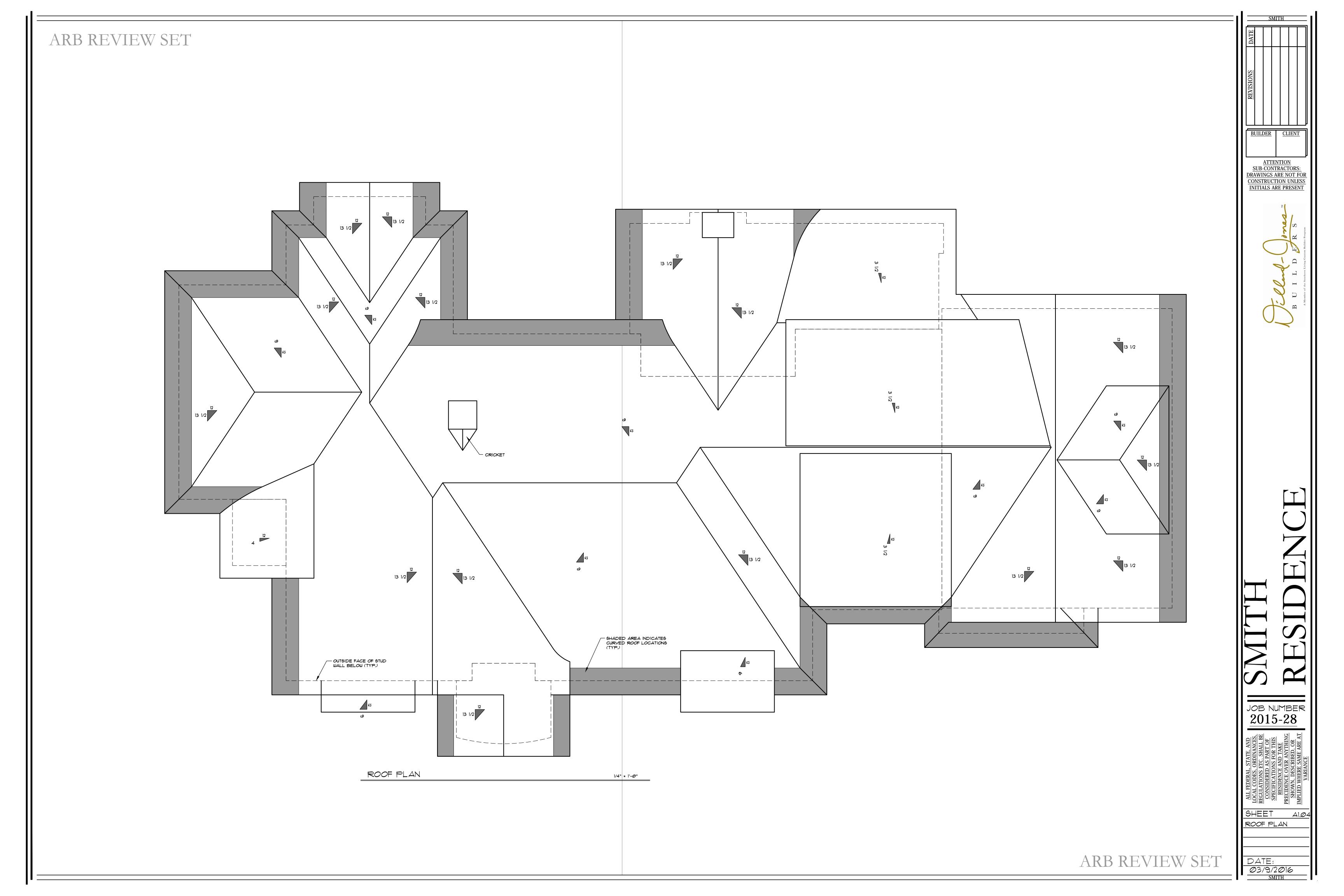


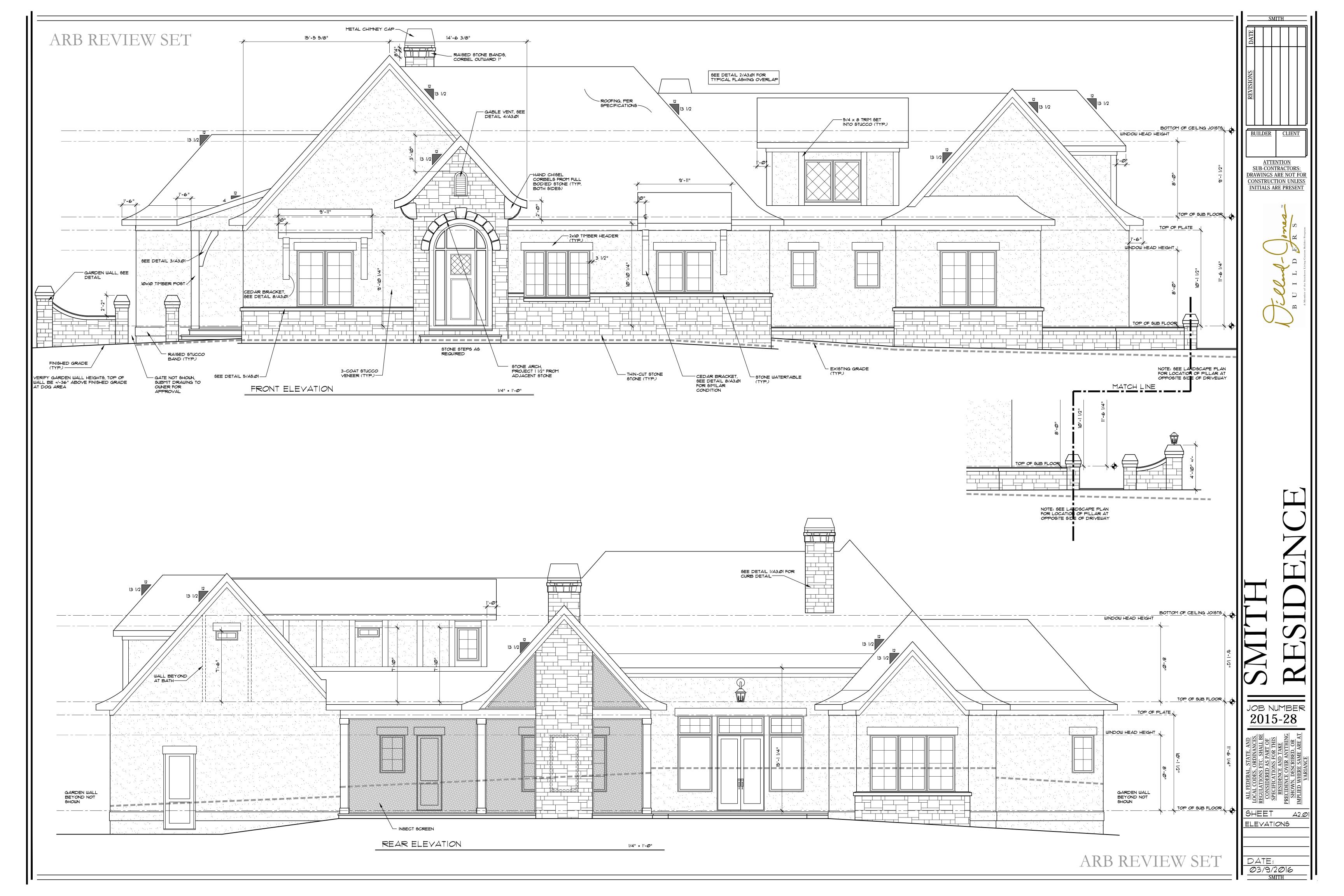


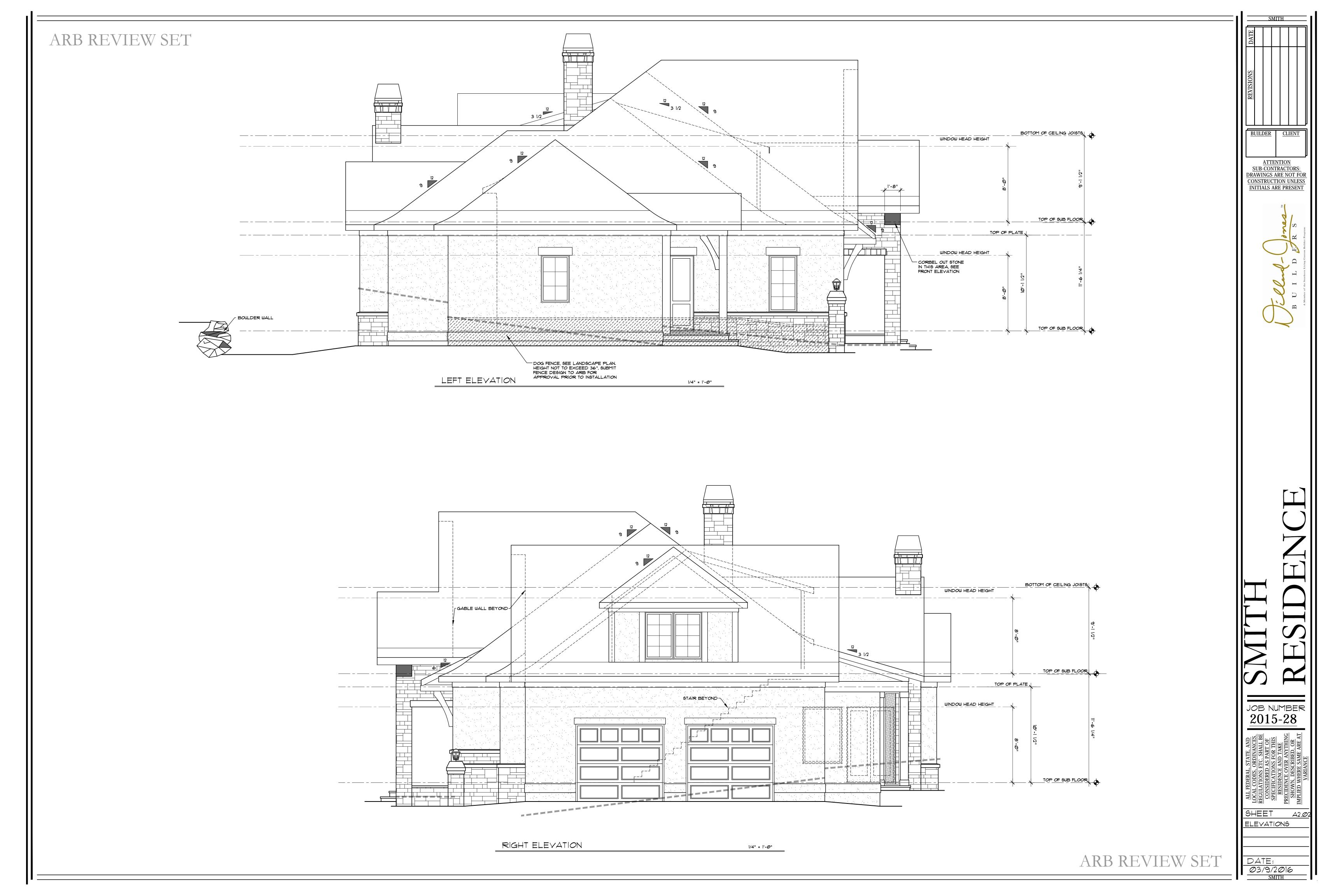


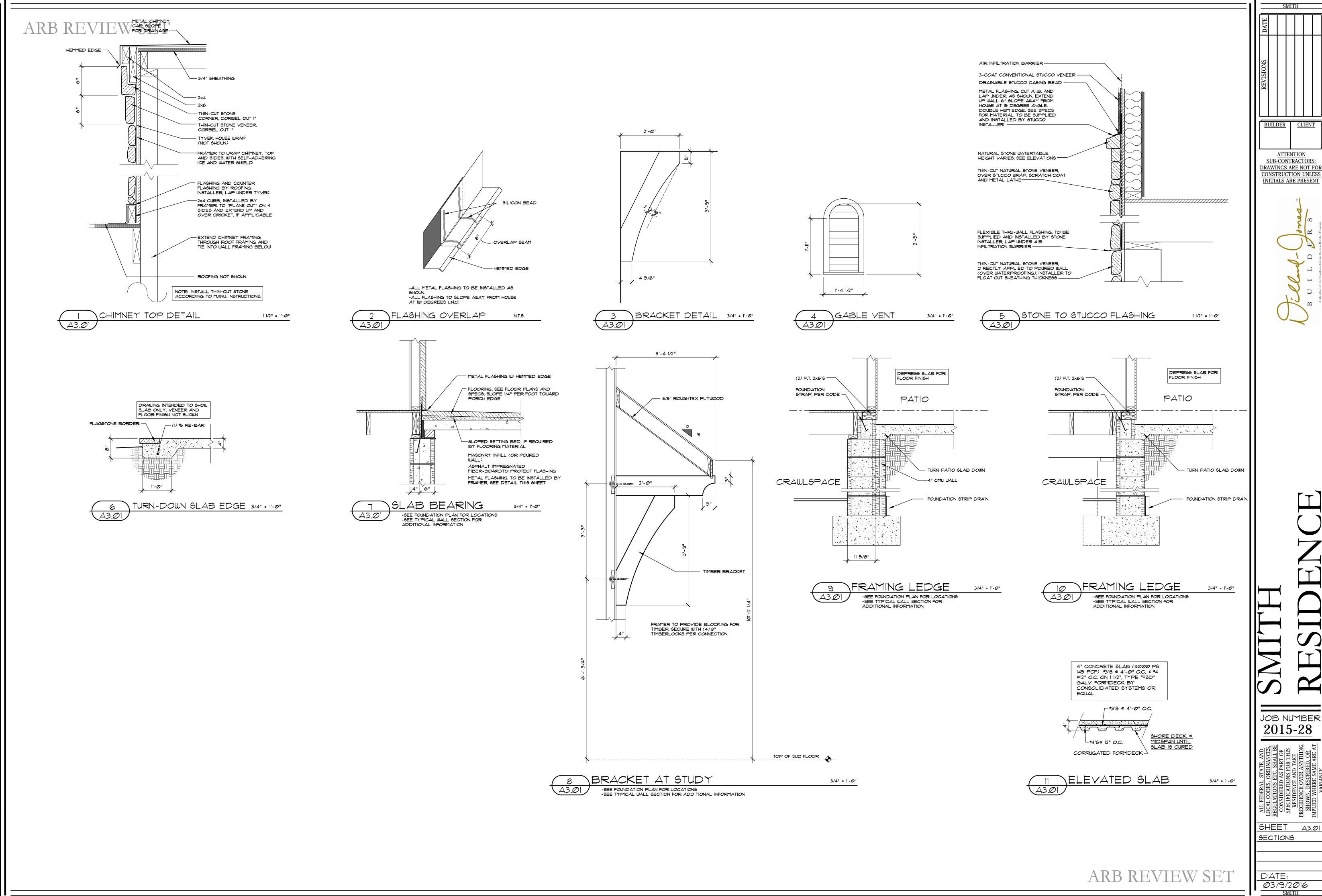
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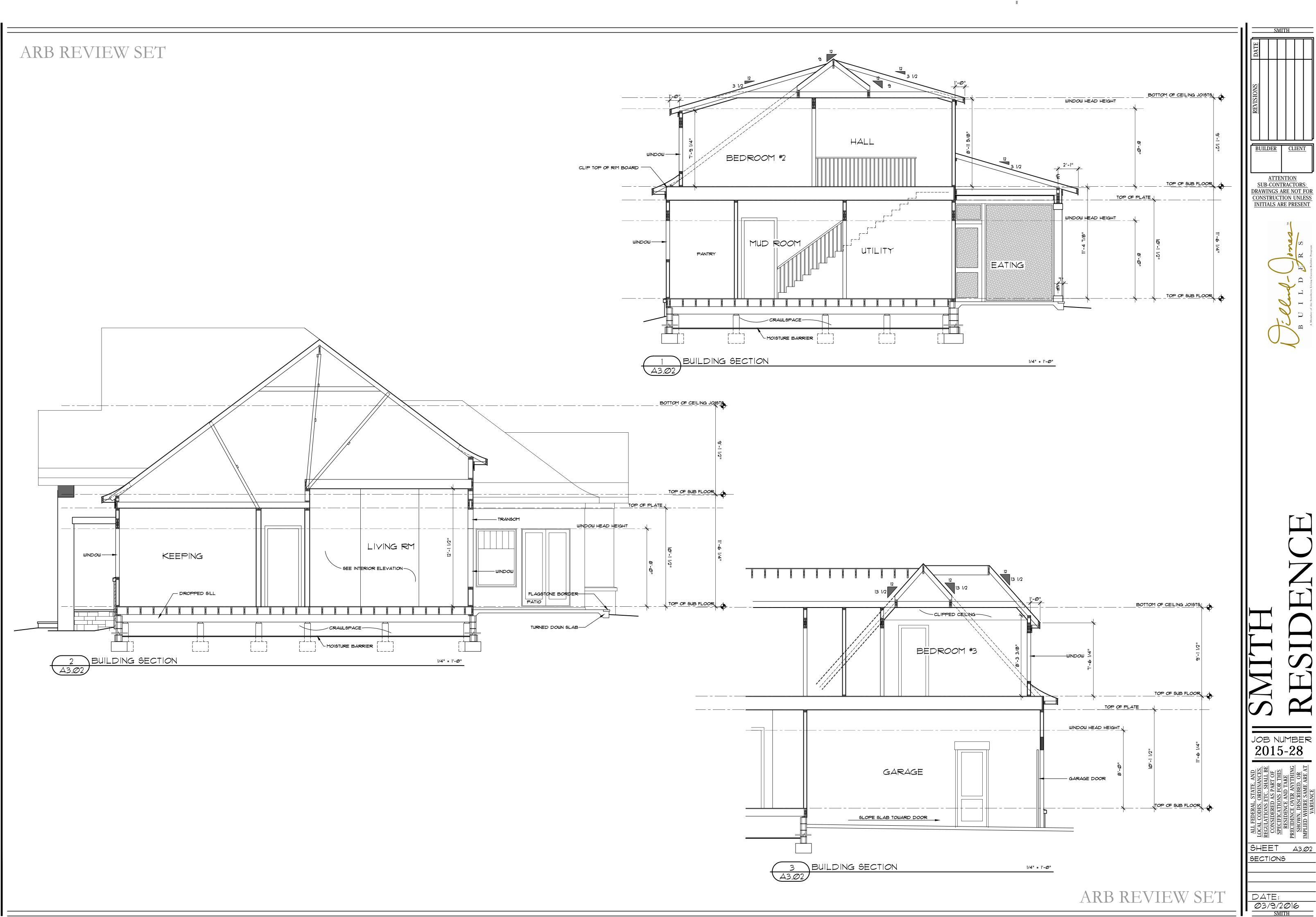




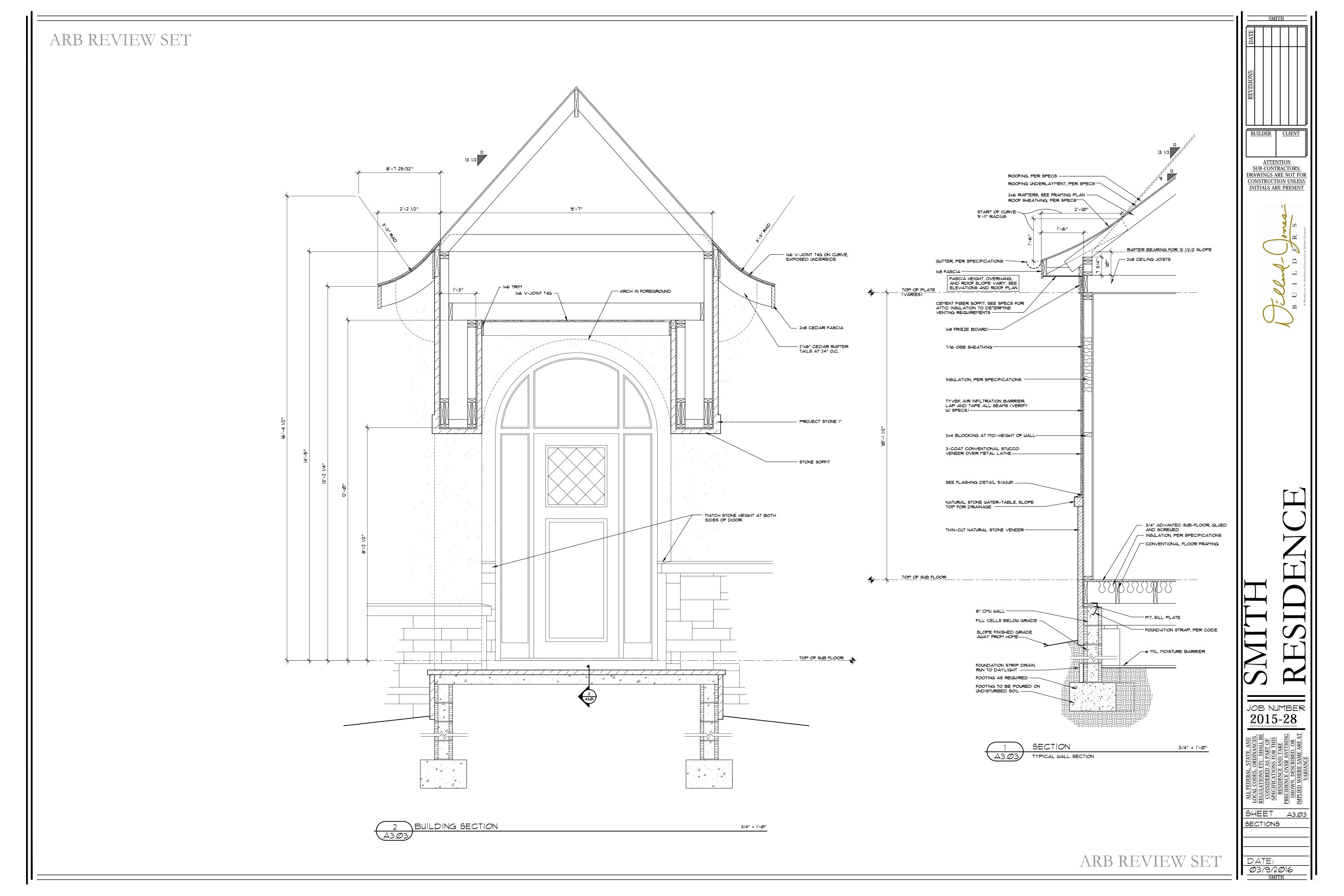


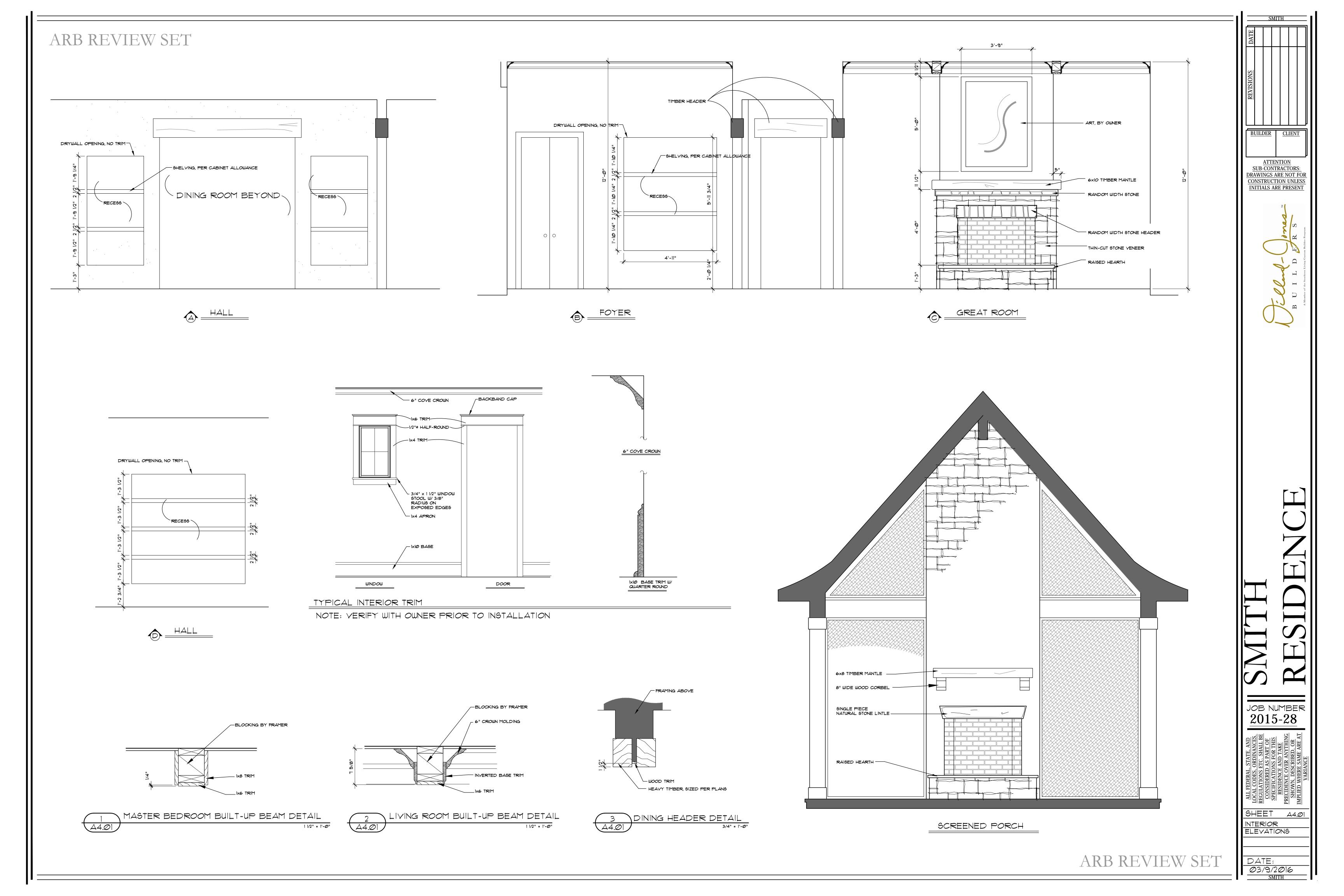
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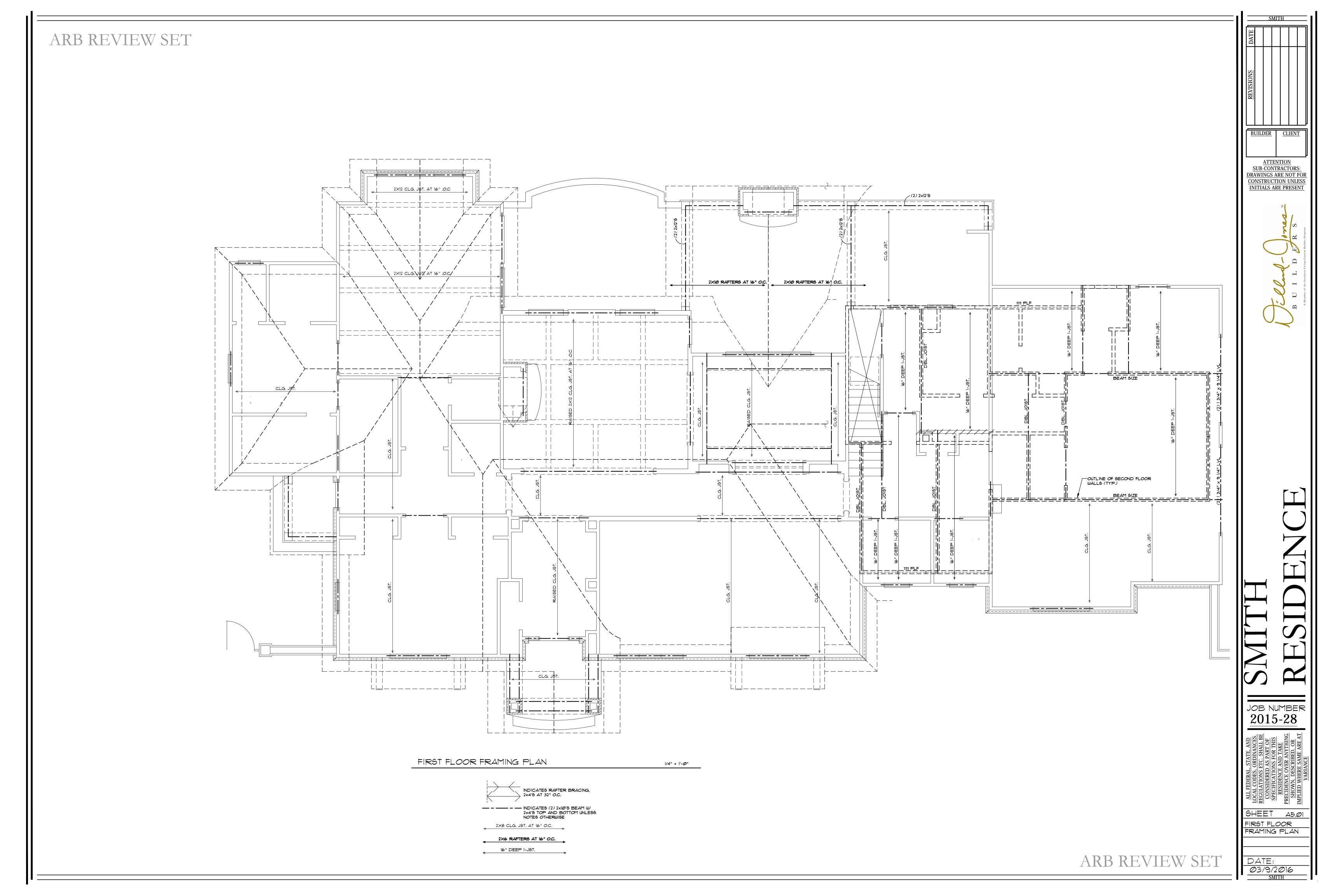
JOB NUMBER

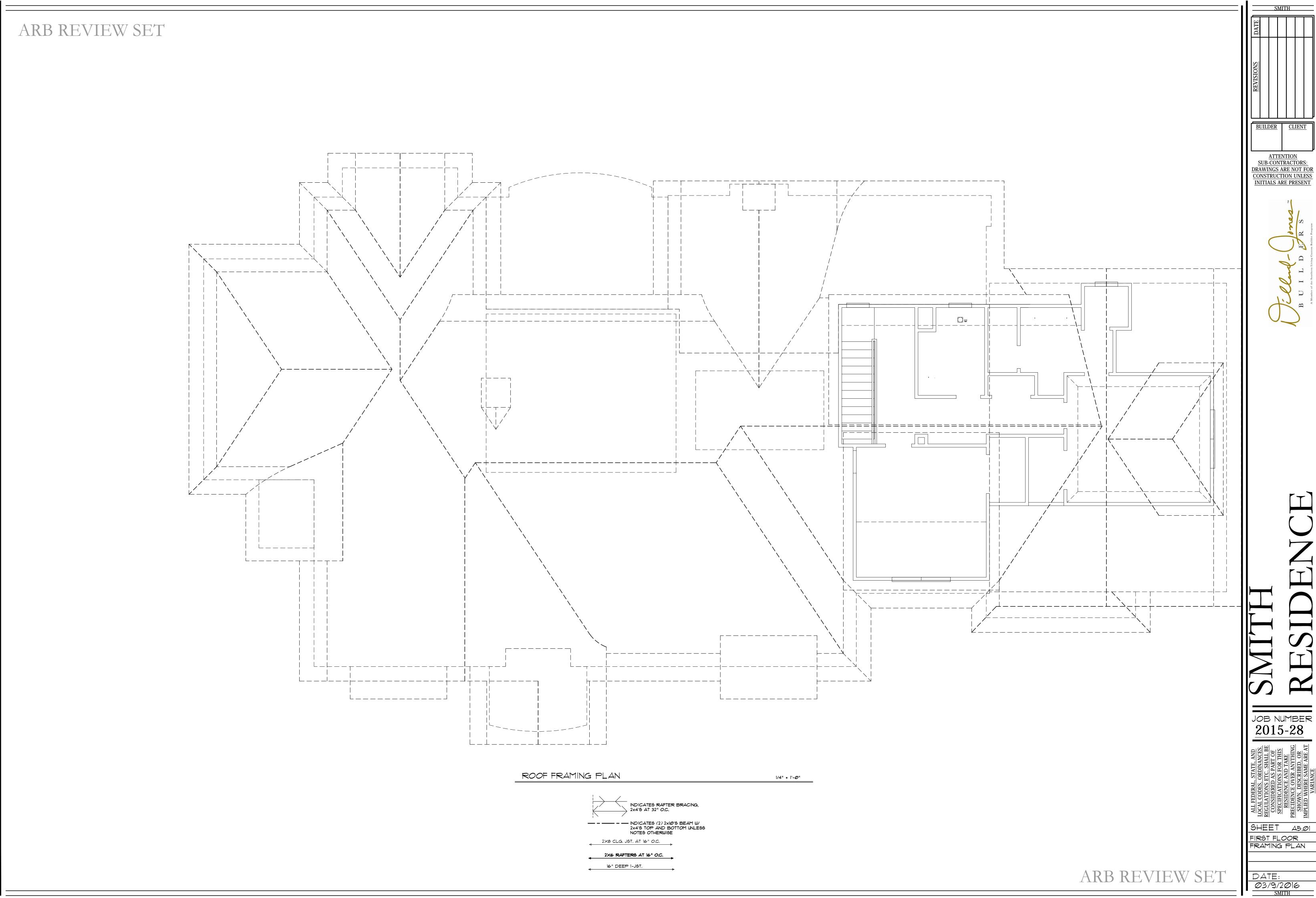


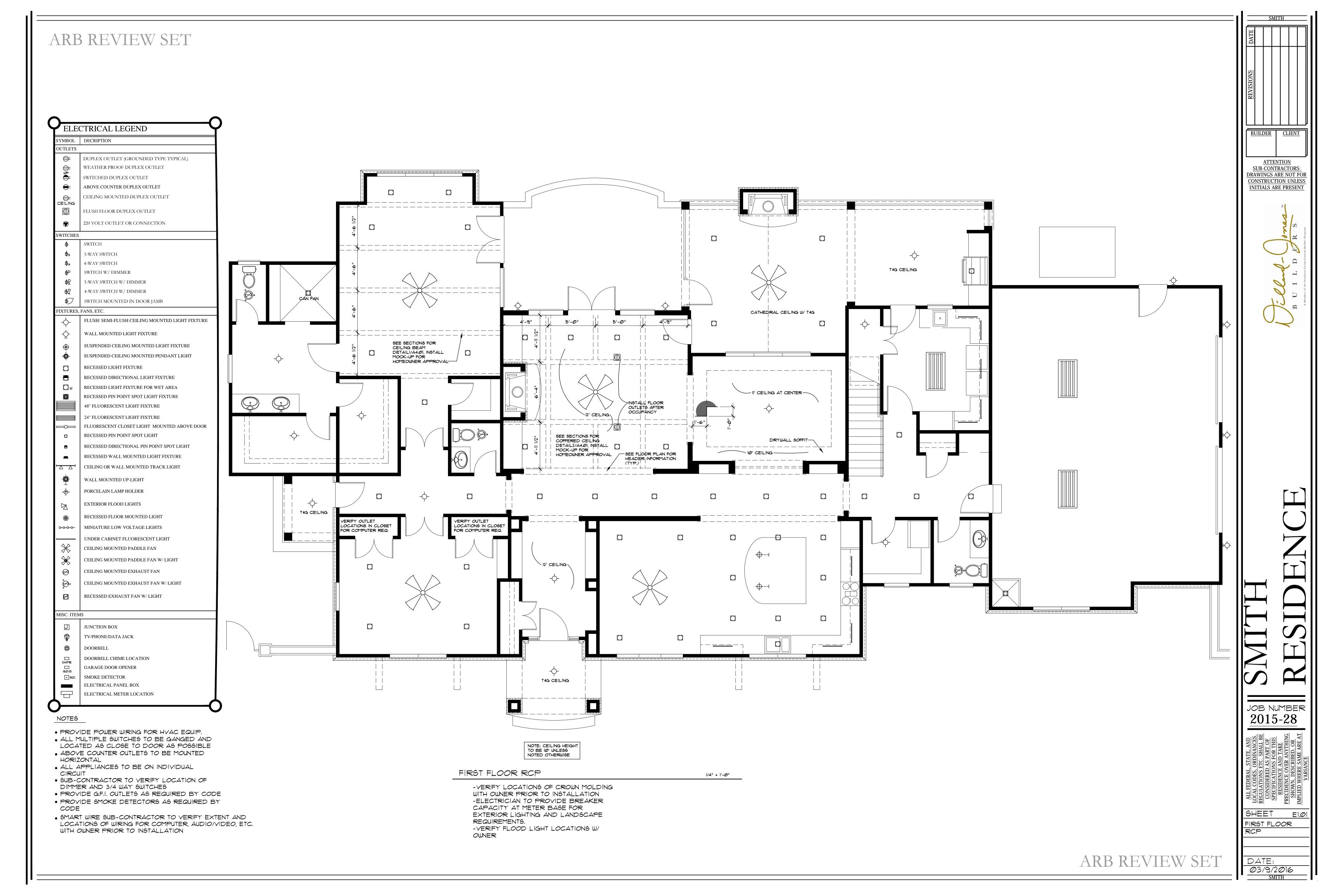
JOB NUMBER 2015-28

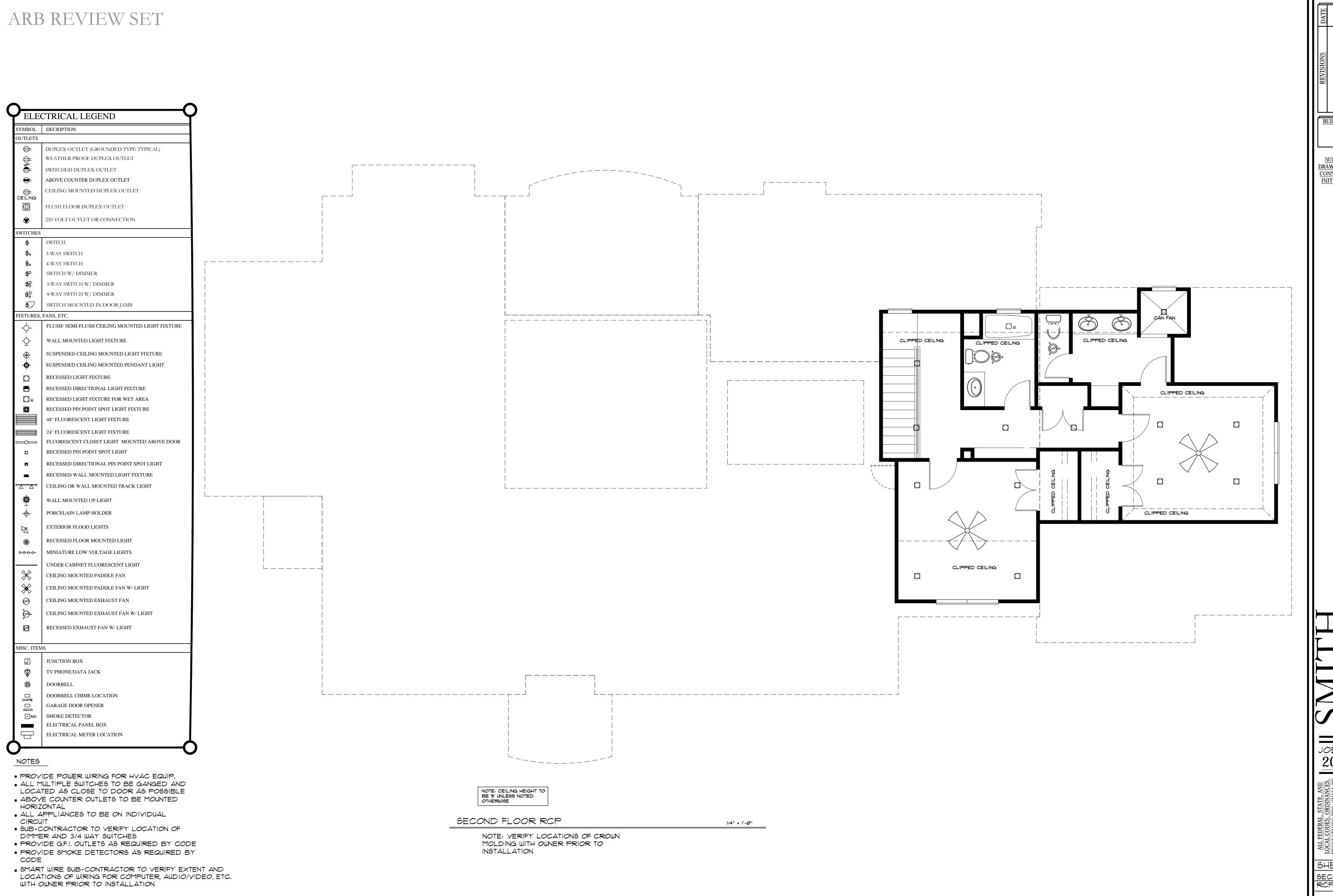












BULLDER CLIENT

ATTEMNAN

ATTENTION
SUB-CONTRACTORS:
DRAWINGS ARE NOT FOR
CONSTRUCTION UNLESS
INITIALS ARE PRESENT

BUILDET RS

SMITH RESIDENCE

JOB NUMBER 2015-28

SHEET E1.02
SECOND FLOOR
RCP

DATE: Ø3/9/2Ø16

ARB REVIEW SET



MEMORANDUM MARCH 21, 2016

To: Board of Adjustment

From: Jonathan Kanipe, Town Administrator Re: Case Number 9 – 57 Forest Road

Date: March 15, 2016

Case 9

Property Owner: Mr. Nathan and Mrs. Erin Renfro

Property Address: 57 Forest Road

Zoning District: R-1

Lot Size: 1.79 +/- acres

Application Request: Construction of a New Residence and presentation of

Landscape and Site Plan, including conditional use permit for stone wall

to be located in the Rear Yard

The Renfros present plans to the Board for a new residence, including a landscape plan and site plan. The home will be located at 57 Forest Road, and includes 4,535 square feet and 10,038 square feet of impervious surface. Each of these is within the allowance provided by the zoning ordinance. The plans for the home include two car garage that is side loading and located in the rear of the home. There is a natural gas burning fire pit that is included off the rear of the home but is connected via flagstone paving.

A conditional use permit is required for the construction of an 18" stone wall in the rear yard. The wall includes concrete stairs that lead to the remainder of the rear yard.

- · Zoning Permit for construction of a new residence
- Conditional use permit to construct an 18" stone wall in the rear yard as an accessory use.

Zoning Application

Property Identification

Name

Nathan & Erin Renfro

Address

57 Forest Road, 319 Vanderbilt (current), Biltmore forest, North Carolina 28803

(828) 545-5704

ndrenfro@gmail.com

Zoning

Lot Size (Acres) R-1

1.79

hchammond@charter.net

Email -Submission Verification

Scope of Project-Roof Coverage

Does the project include increasing roof coverage?

Yes

What is the proposed roof coverage? 4.535

Is the proposed roof coverage greater than the permitted maximum roof coverage? No

Scope of Project-Impervious Surface

Does the project include increasing the impervious surface coverage?

Yes

What is the proposed impervious surface coverage? 10,038

Is the proposed impervious surface coverage greater than the permitted maximum impervious surface coverage? Nο

Scope of Project-Setbacks

Does any part of the project fall within the front vard? No

Does any part of the project fall within the side/rear yard setback(s)s? Nο

Scope of Project-Accessory Structures

Does the project include a detached structure or building?

No

Will there be more than the approved number of accessory structures/buildings?

No

Project Description

Brief Description of Project

Single Family residence. Drawing attached include floor plans, elevations and site plan. Designer contacts: Houston Hammond (828)505-7565, hchammond@charter.net

Estimated Cost of Project

Estimated Completion Date 5/24/2017

1,000,000

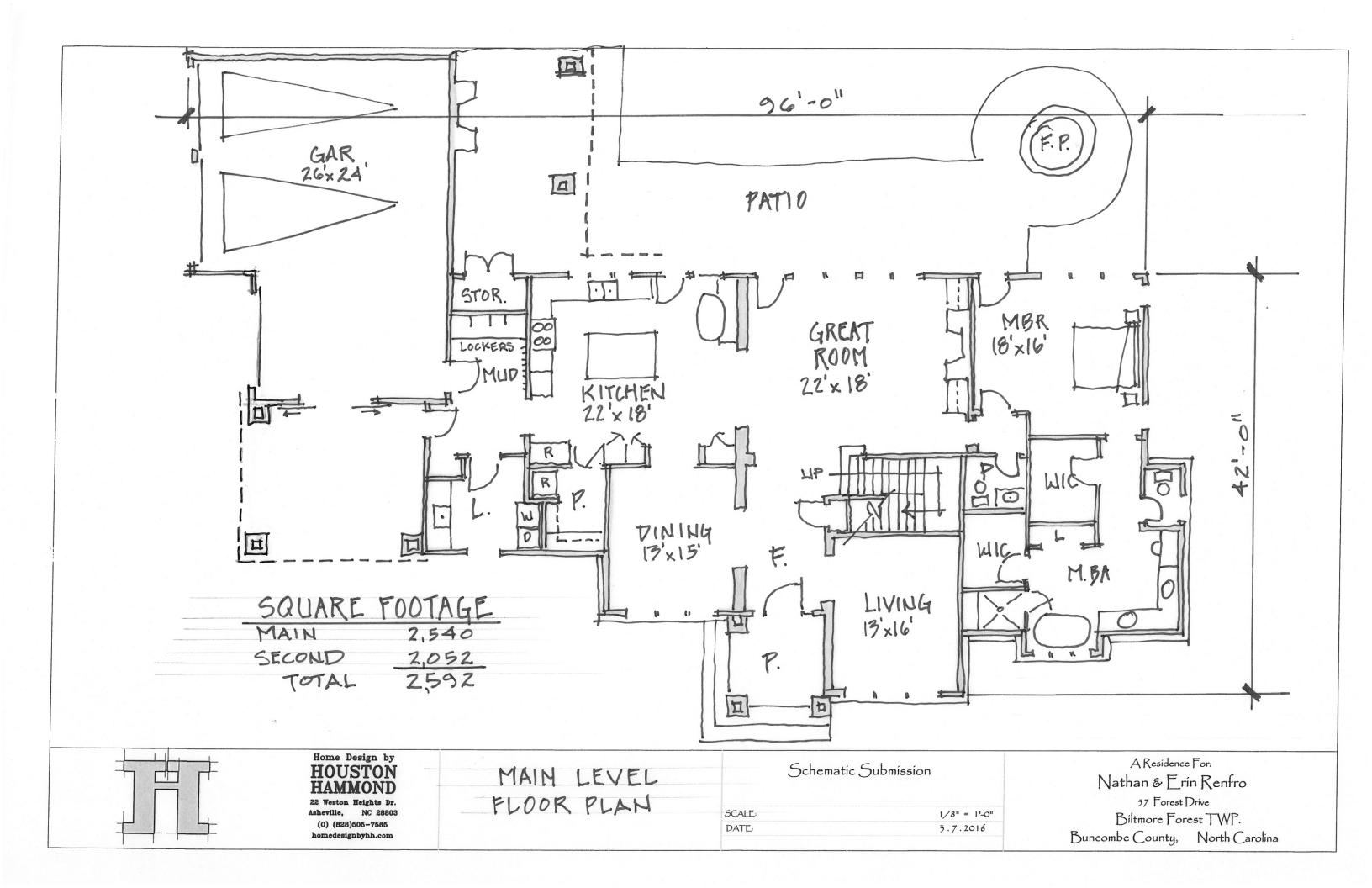
Please attach any drawings, renderings, photographs or other supporting documentation. 3.7.2016 BF Schematic Sumbission.pdf

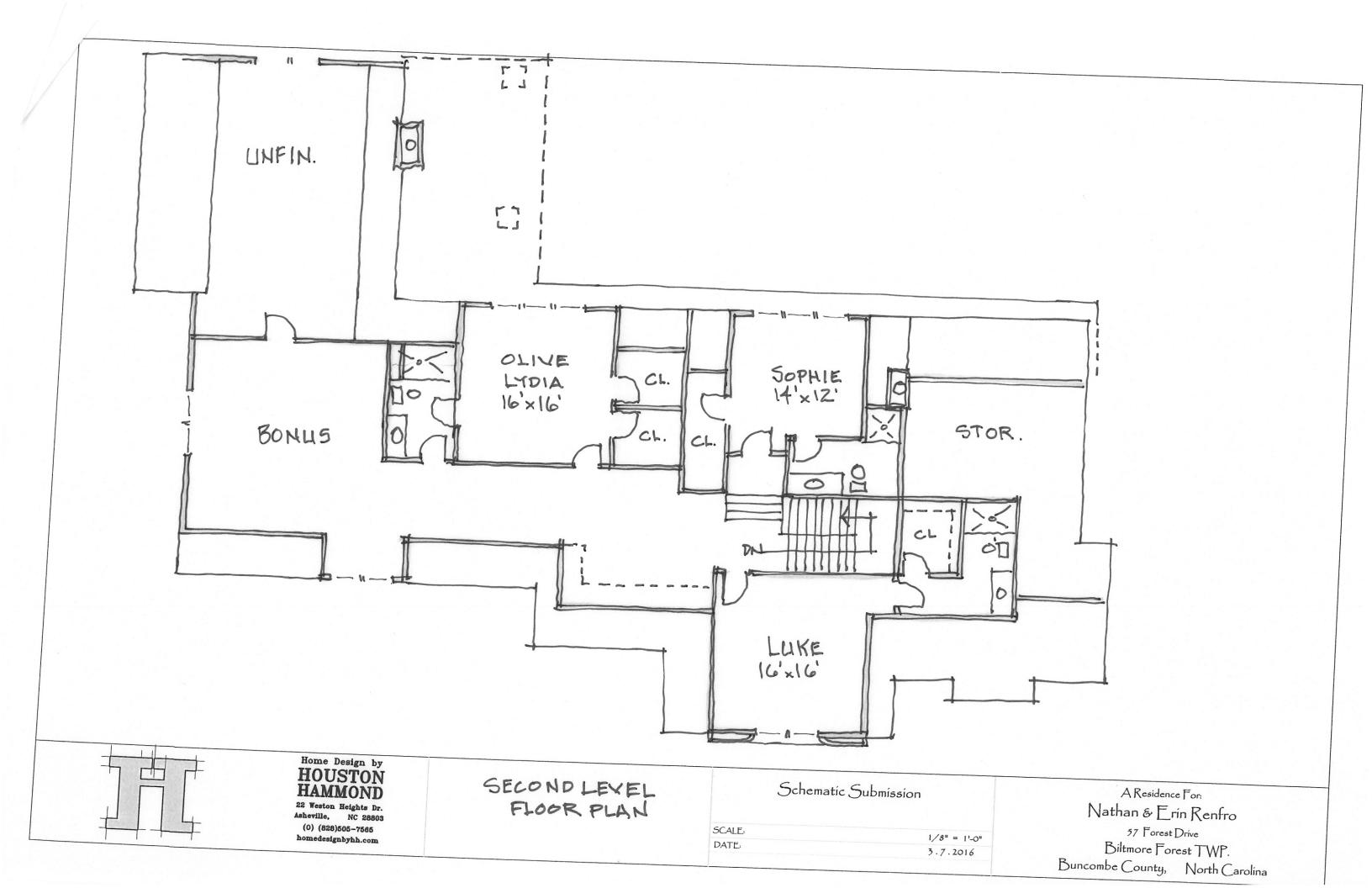


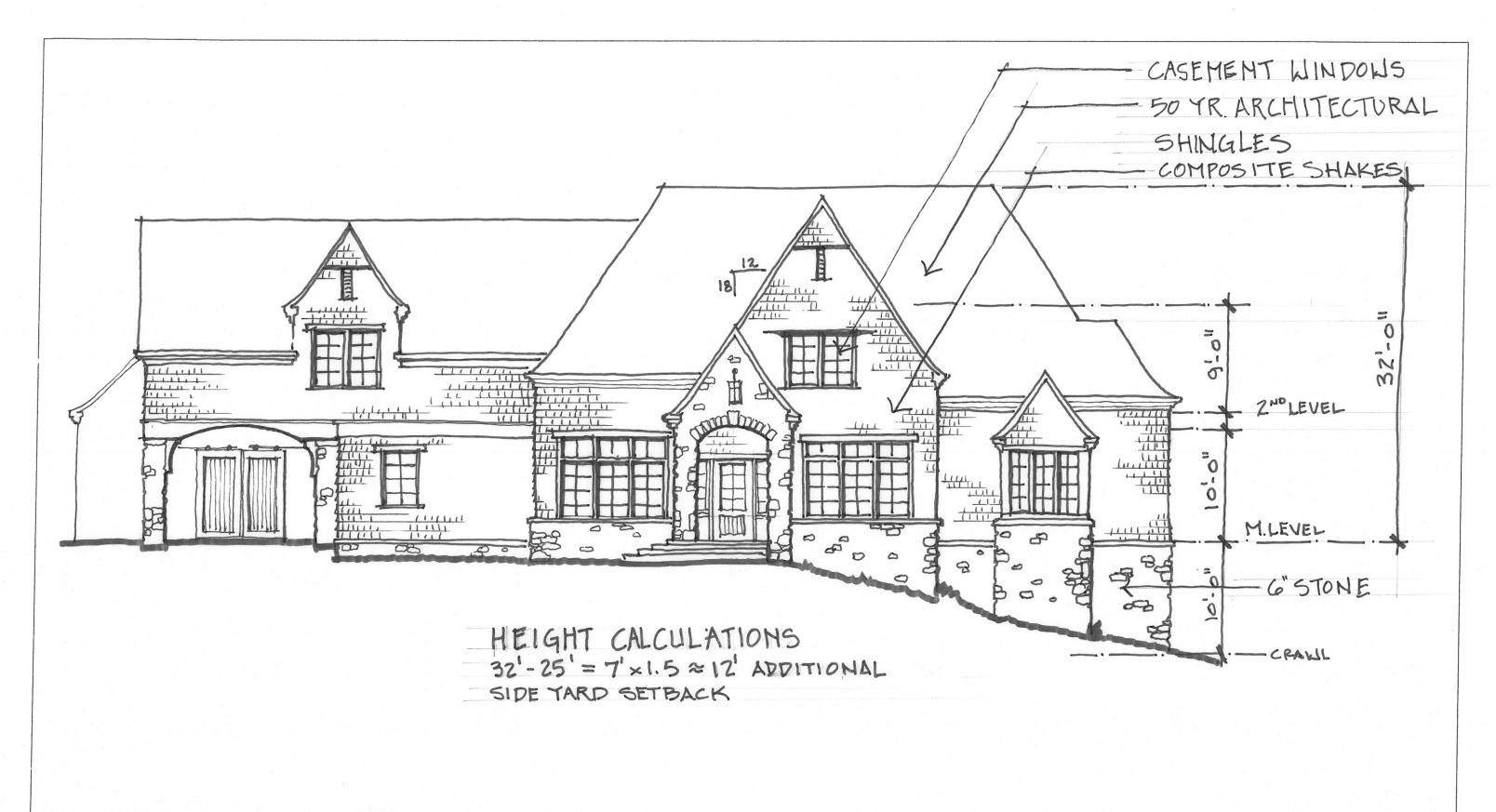
Residence North Carolina Forest Road Renfro I Block N, Biltmore Forest, Erin ∞ర Nathan Lot 36, |

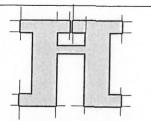
Plan Site Preliminary

SP-1









HOUSTON HAMMOND 22 Weston Heights Dr.

22 Weston Heights Dr. Asheville, NC 28803 (0) (828)505-7565 homedesignbyhh.com EAST

Schematic Submission

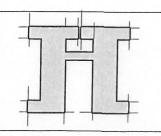
SCALE: 1/8" = 1'-0"
DATE: 3.7.2016

A Residence For:

Nathan & Erin Renfro 57 Forest Drive Biltmore Forest TWP.

Buncombe County, North Carolina





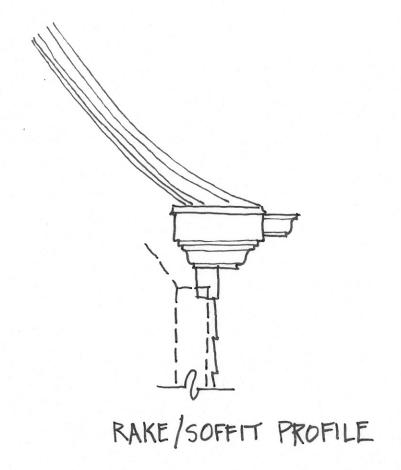
Home Design by
HOUSTON
HAMMOND

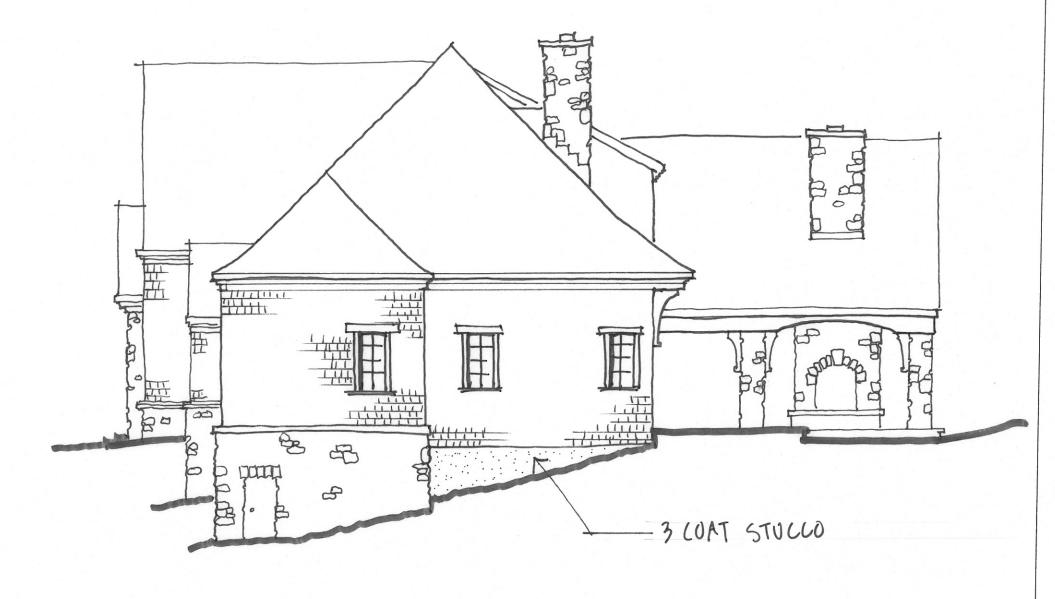
22 Weston Heights Dr. Asheville, NC 28803 (0) (828)505-7565 homedesignbyhh.com SOUTH

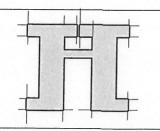
Schematic Submission

SCALE: 1/8" = 1'-0" DATE: 3.7.2016 A Residence For:
Nathan & Erin Renfro
57 Forest Drive
Biltmore Forest TWP.

Buncombe County, North Carolina







Home Design by
HOUSTON
HAMMOND
22 Weston Heights Dr.

22 Weston Heights Dr.
Asheville, NC 28803
(0) (828)505-7565
homedesignbyhh.com

HORTH

Schematic Submission

1/8" = 1'-0"

3.7.2016

SCALE: DATE: A Residence For:

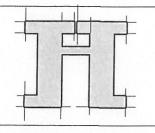
Nathan & Erin Renfro

57 Forest Drive

Biltmore Forest TWP.

Buncombe County, North Carolina





Home Design by
HOUSTON
HAMMOND

22 Weston Heights Dr. Asheville, NC 28803 (0) (828)505-7565 homedesignbyhh.com WEST ELEVATION Schematic Submission

SCALE: DATE: 1/8" = 1'-0" 3.7.2016 A Residence For: Nathan & Erin Renfro 57 Forest Drive

Biltmore Forest TWP.
Buncombe County, North Carolina