



To: Members of the Board of Adjustment, Applicants & Neighboring Property Owners  
From: Jonathan B. Kanipe, Zoning Administrator  
Date: May 31, 2019  
Re: **Board of Adjustment Meeting – June 17, 2019**

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## 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 **Thursday June 20, 2019 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 or online at <http://www.biltmoreforest.org/board-of-adjustments>.

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, June 17, 2019 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 May 20, 2019 regular meeting will be considered.
- 3) Hearing of Cases (Evidentiary Hearings, Deliberations & Determinations):

Case 1: A Conditional Use Permit is requested for property located at 17 Forest Road for addition of a detached accessory building. A Variance is requested for allowance of more than one detached accessory building on the lot.

Case 2: A Variance is requested for property at 19 Eastwood Road for construction of a portion of the driveway in the side yard setback. Approval is also requested for land disturbance activities exceeding twenty percent of the lot.

- 4) Adjourn

MINUTES OF THE BOARD OF ADJUSTMENT MEETING  
HELD MONDAY, MAY 20, 2019.

The Board of Adjustment met at 4:00 p.m. on Monday, May 20, 2019.

Members present: Goosmann, Chandler, Landau, Kieffer, Groce, and Pearlman. Mr. Jonathan Kanipe, Town Manager, Mr. William Clarke, Town Attorney, and Ms. Adrienne Isenhower, Town Planner, were also present.

Chairman Greg Goosmann called the meeting to order at 4:07 p.m.

Mr. Goosmann swore in the following:

Mr. Jonathan Kanipe  
Mr. Scott Law  
Dr. Keith Black  
Mr. Mike Beatty  
Mr. James Miller  
Mr. Glenn Kelly  
Ms. Sharon Miller  
Ms. Mary Dillon Moon  
Mr. Charles Reynolds  
Dr. Brown Crosby  
Mr. Garza Baldwin  
Mr. Kip Warlick  
Ms. Ann Skoglund  
Ms. Amy Fleming  
Ms. Joyce Young

A motion was made by Mr. Robert Chandler to approve the April 22, 2019 minutes as amended with a change made by Chairman Goosmann. The motion was seconded by Mr. Lowell Pearlman. The minutes were unanimously approved as amended.

HEARING (Evidentiary):

A Conditional Use Permit is requested for property located at 1 Forest Road for addition of an outdoor fireplace in the rear yard. A Variance is requested to place a retaining wall in the front yard.

Mrs. Lynn Kieffer shepherded the matter and asked Mr. Scott Law to present his request. The project consists of two phases. Phase 1 will be discussed today which consists of three parts. The property is raised so it sits below the driveway level. The water runs down the hill by the turret that is there. Mr. Law would like to correct the moisture and the water run off by putting in a porch that would slope to a drain. There would be a small three-foot retaining wall and a French drain installed to stop the water from running down the slope.

#### DELIBERATION AND DETERMINATION:

Mrs. Kieffer summarized the facts. Mr. Scott Law of 1 Forest Road would like to add a three-foot retaining wall and a patio area to correct the flow of the water. A French drain would be added as well. No one from the road can see the retaining wall but Mr. Law is willing to buffer the area if necessary. Mr. Law said he spoke to a neighbor and they were in support of the project. The size of the patio would be 18'x 24'. The material of the patio is a blue stone in an old French style. No additional facts were stated and there were no questions about the project.

Mrs. Rhoda Groce made a motion to approve the Variance for Mr. Scott Law of 1 Forest Road for a landscaping plan for a retaining wall construction around the turret in the front yard that would prohibit further drainage. The size would be 18'x24' and the material consists of blue stone. Further, Mrs. Groce moved that granting this Variance satisfies the applicable Sections of 153.110(D) 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.

Mr. Pearlman seconded the motion. The motion was unanimously approved.

HEARING (Evidentiary):

The second part of phase one consists of correcting drainage issues in the backyard. Mr. Law would also like to have an outdoor fireplace installed in the backyard. A tunnel drain would be installed and if this does not work, the back patio will be torn up to resolve the issue. Mr. Law would also like to have landscaping done in the backyard.

There are two areas in the back porch area where the water pools and needs to be corrected. They butt up against the house and there is dry rot on one area of the wood. He would like to have this drain installed to correct this problem. He would like to put a fireplace in that area. If they were able to correct the existing patio, there is a sitting wall. Instead of tearing that up, the linear stone would be relocated. The stone is the same as the interior of the house. The lot slopes from the back down to the house. A lot of water comes down into the backyard area. There are French drains along each side that ties into a substantial drainage system that already exists. This will be a big improvement for all the runoff water to keep that area dry. There will also be trees planted in that area.

Mrs. Kieffer verified Mr. Law is asking for a Conditional Use Permit for installation a fireplace. Mrs. Kieffer also verified that Mr. Law is asking for a Conditional Use Permit for raised beds in the back of the house. Mr. Law said he would like to have small, raised beds for a kitchen garden for herbs. It would be set off the kitchen entrance. Mr. Law showed the Board pictures of the potential plans.



### DELIBERATION AND DETERMINATION:

Mrs. Kieffer recited the facts. Mr. Scott Law of 1 Forest Road has requested a Conditional Use Permit for an outdoor fireplace and raised bed gardens worked into the landscaping plan to rectify the drainage problems in the backyard. They are both within the setback. Chairman Goosmann asked if buffering were needed, Mr. Law would be willing to have that planted. Mr. Law agreed to this. Chairman Goosmann asked if lighting was going to be installed. Mr. Law said there would be no lighting installed at this time. There were no further questions about the project.

Dr. Richard Landau made a motion to approve the Conditional Use Permit and that it be granted to Mr. Scott Law of 1 Forest Road for a fireplace and raised garden beds in the backyard. The facts as recited by Lynn Kieffer and her summation be accepted as findings of facts to support this grant. The Board has inspected the site and no neighboring property owner has objected. Dr. Landau further moved 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 153.110 (C)(2-3) of the above Ordinance. The applicant has been informed that he 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.

Mr. Robert Chandler seconded the motion. The motion was approved unanimously.

HEARING (Evidentiary):

A Conditional Use Permit is requested for property at 31 Stuyvesant Road for improvements to an existing swimming pool and accessory building, relocation of a tennis court, and a tennis court viewing deck. A Variance is requested for location of accessory structures within the front yard setback. Mr. Robert Chandler shepherded the discussion.

Mr. Billy Clarke stated that all of the members of the Board of Adjustment as well as Mr. Clarke are members of the Biltmore Forest Country Club.

Dr. Keith Black representing the Biltmore Forest Country Club and Mr. Mike Beatty, architect for the Biltmore Forest Country Club, were called forward. Mr. Beatty reviewed the rationale behind the design, including how the requests of the Biltmore Forest Country Club could be achieved to include these projects. Mr. Beatty referenced that a meeting was held with Mr. Kanipe and Mayor Goosmann a month or so ago to review the plans.

Chairman Goosmann specifically asked about the gathering area. Mr. Beatty said this was designed to allow space for parents to watch children, and not designed for a place to congregate for long periods. Mr. Beatty also spoke about the proposed Gathering Terrace and noted that this was in the same proximity to existing steps.

Mr. Beatty showed the Board the location of the pool and the tennis courts. They would like future tennis operations more centralized. A stone terrace would be placed at the top of the court. At most, the terrace would seat twenty people. There would also be a gathering terrace constructed as well. The steps will be wider than the walkway. The walkway is about five feet wide. The dimensions of the viewing area are 12' from the edge of the walkway, smaller areas are 8', and it will be 48' long. Mrs. Groce asked about the low retaining wall dimensions. The wall would be 4' high.

Mr. Pearlman asked what the hardship is for the Variance request. Mr. Clarke indicated that the replacement/reconstruction of an existing tennis court with a new tennis court did require

a Conditional Use and Variance approval, but the fact the tennis court already exists could be taken into account.

Mr. Pearlman asked about the hardship faced by the Club for this request. Mr. Clarke restated the North Carolina statutory requirements regarding variances. Mrs. Groce asked about the lighting. Mrs. Kieffer says the tennis court is non-compliant with the setback.

Chairman Goosmann asked the applicant if the process could be addressed by tackling three projects individually. Mr. James Miller said the changes to the tennis court's location would be a significant change to the front portion of the Club. Mr. Miller was concerned about how many trees were going to be removed as part of the tennis court project.

Mr. Beatty indicated that almost all trees were going to stay as part of the tennis court relocation, and that the staff could make provisions related to reinstalling trees.

Dr. Landau asked whether additional fill material would be brought in for the fifth tennis court. Mr. Beatty indicated there would be some fill material brought in, but it would not be as high as the far tennis courts. Mrs. Groce expressed concern regarding the storm water that might come onto Stuyvesant Road or the parking lot. Mr. Beatty indicated this would be addressed by the civil engineer on the project.

The Chairman took an opportunity to swear-in Sharon Miller and Mary Moon Dillon. Ms. Miller asked if there could be a large screen upon which this project could be displayed, as she could not view the map as they were talking about it at the Board table. Mr. Miller indicated that he did not feel the Board had received all information that was necessary for consideration.

Mr. Miller asked how many trees were going to be cut down. The representative for the Country Club said it is taking the footprint of the old building so very few trees will be taken down.

Mr. Pearlman asked about the rendering and the impact on Stuyvesant Road. Mr. Pearlman said it does not give a true picture of what that area will look like. An audience member agreed.

Mr. Pearlman said if the application is withdrawn, there would not be a one year waiting period.

Chairman Goosmann said it might be best to table this matter until drawings that are more detailed are issued and more information has been gathered. Mr. Miller indicated his belief that a more thorough review was worthwhile. He further stated that the hardship standard as referenced by Mr. Pearlman was important and that there had been no viewing or gathering stand for nearly 100 years.

Mr. Pearlman asked Chairman Goosmann to verify the process for those in attendance. Mr. Goosmann indicated there was a one-year waiting period for applications that were denied.

Mr. Glenn Kelly spoke regarding the proposal. Mr. Kelly indicated when they purchased their property over thirty years ago; they knew there were benefits and burdens. The burdens have increased tremendously and the benefits have not increased tremendously. He believed the viewing area and gathering area were unnecessary. Mr. Kelly believed that the burdens being adjacent to the Country Club increased greatly in the past few years, including noise from bands and idling buses. He indicated that tennis players were playing later into the evening and this was not an issue in the past.

Mr. Charles Reynolds asked for clarification from Mr. Kelly regarding the noise comments from the band. Mr. Reynolds indicated they did not have bands performing on tennis courts and did not know how they could improve this concern.

Mr. Reynolds indicated that Mr. Kelly's concern would likely be received well by the Country Club if expressed to them.

Mr. Miller indicated the Club had been less than responsive regarding concerns he expressed over fans being installed on the eighth green. Mr. Reynolds said he was unfamiliar with this. Mr. Goosmann indicated that this should not be addressed during this discussion, as this was not applicable to the request.

Ms. Miller asked about the need for a viewing terrace and expressed concerns for safety of children accessing this area.

Dr. Brown Crosby, an adjacent neighbor, expressed concern over putting a viewing area on Stuyvesant Road for safety.

Dr. Black asked Mr. Goosmann where they are in the process. Chairman Goosmann indicated his recommendation would be for the Club to table this request and return with further information.

Dr. Black asked for clarification regarding whether the fifth tennis court was included as a variance, as this was not known to them. Mr. Kanipe explained that the fifth tennis court was included in the variance application.

Dr. Black withdrew the application on behalf of the Biltmore Forest Country Club. He asked what the next steps for the process would be. Mr. Kanipe indicated that he would follow up with the applicants tomorrow regarding the process and moving forward.

Chairman Goosmann asked if there were any additional questions. Mr. Garza Baldwin asked for specific problems related to the project.

Chairman Goosmann suggested the representatives from the Country Club come back with plans that are more detailed.

Mr. Pearlman said it is difficult for the Board to approve the Country Club's request at this time.

The next meeting for the Board of Adjustment is scheduled for Monday, June 17, 2019 at 4:00pm.

The meeting was adjourned at 5:12pm.

ATTEST:

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Greg Goosmann  
Chairman

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Jonathan B. Kanipe  
Town Manager

355 Vanderbilt Rd | Biltmore Forest, NC  
Po Box 5352 | Biltmore Forest, NC 28803  
P (828) 274-0824 | F (828) 274-8131

[www.biltmoreforest.org](http://www.biltmoreforest.org)



George F. Goosmann, III, Mayor  
Fran G. Cogburn, Mayor-Pro Tem  
E. Glenn Kelly, Commissioner  
Doris P. Loomis, Commissioner

Jonathan B. Kanipe,  
Town Manager

## MEMORANDUM

To: Board of Adjustments Members  
From: Jonathan Kanipe, Town Manager  
Re: Board of Adjustments Case Number 1 (17 Forest Road)  
Date: June 7, 2019

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### Request for Conditional Use Permit for a Detached Accessory Building

The property owners at 17 Forest Road have submitted plans for renovations to the current house to include the addition of a garage. Based on ordinance definitions, two buildings are considered attached only when connected by an enclosed and conditioned area.

**BUILDING.** Any structure having a roof supported by columns or by walls, and intended for shelter, housing, or enclosure of persons, animals, or property. Two structures shall be deemed a single building only if connected by heated and enclosed living space

The garage presented is attached by a breezeway so it is considered a detached accessory building, requiring approval of a Conditional Use Permit. It should be noted that the plans also include interior remodeling, a screened porch, and renovations to the driveway that do not require Board of Adjustment approval.

### Request for a Variance for Allowance of Two Accessory Buildings

An existing garden shed, original to the house, is also located on the lot. Section **§153.029 (B)(1)(a)** of the Zoning Ordinance states, "The maximum number of accessory buildings permitted on a lot shall be one". The addition of the detached garage creates the need for a variance due to the existing garden shed. The applicant notes limited pedestrian access and excess site disturbance as the hardships created by the ordinance in requiring enclosed or attached structures.

# Zoning Compliance Application

Town of Biltmore Forest

**Name**

William Wharton

**Property Address**

17 Forest Road, Biltmore Forest, NC 28803

**Phone**

(828) 545-5808

**Email**

wwwharton@gmail.com

**Parcel ID/PIN Number**

964771464800000

## ZONING INFORMATION

**Current Zoning**

R-1

**Lot Size**

2.32 Acres

**Maximum Roof Coverage**

6,700 square feet (Up to 2.5 acres)

**Proposed Roof Coverage Total**

5,490 SF

**Maximum Impervious Surface Coverage**

1-3 acres (25 percent of lot area)

**Proposed Impervious Surface Coverage**

13,734

**Front Yard Setback**

60 feet (R-1 District)

**Side Yard Setback**

20 feet (R-1 District)

**Rear Yard Setback**

25 feet (R-1 District)

**Building Height**

26' Existing, 18' proposed addition

**Description of the Proposed Project**

Project consists of partial interior remodeling including family room and rear entrance area, addition of screened rear porch, addition of garage attached by 10' by 6' covered porch/breezeway, renovation of existing driveway, and updates to landscaping.

**Estimated Start Date**

8/1/2019

**Estimated Completion Date**

7/31/2020

**Estimated Cost of Project**

\$550,000.00

**Supporting Documentation (Site Plan, Drawings, Other Information)**

190528 Wharton-WatermarkLandscapeArchitecture.pdf

190528 Wharton-Scott Keels.pdf



**Applicant Signature**

Hunter Parks for  
DR. WILLIAM WHARTON

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**Date**

5/28/2019

# VARIANCE APPLICATION

Town of Biltmore Forest

**Name**

William Wharton

**Address**

17 Forest Road

**Phone**

(828) 545-5808

**Email**

wwwharton@gmail.com

**Current Zoning/Use**

Residential

**Requested Use**

Residential

**APPLICATION REQUIREMENTS:** An application to the Board of Adjustment for a variance must be submitted to the Town of Biltmore Forest Town Manager at least 21 days prior to the meeting at which the application will be considered. A pre-application meeting with Town staff is required prior to application submittal to the Board of Adjustment.

**What would you like to do with your property?**

This project consists of partial interior remodeling including multi-use room and rear entrance area, the addition of a screened rear porch, the addition of a garage attached to the house with a 10' long by 6' wide open porch/breezeway, renovation of existing driveway, and updates to landscaping.

**What does the ordinance require?**

The town ordinance allows one detached structure on site. An existing garden shed, original to the house (1956), is located in a secluded wooded area to the rear of the property, and is to remain. While the new garage is attached to the house with a 10' long, 6' wide porch/breezeway, the town ordinance considers the new garage to be detached, as the connection is not fully enclosed and conditioned space.

BOARD OF ADJUSTMENT: N.C.G.S. 160A-388(D) requires that the Board of Adjustment shall vary the provisions of the Zoning Ordinance only upon a showing of ALL the items below. The Board of Adjustment must follow strict procedure and all determinations must be decided by a concurring vote of four-fifths of the members of the Board. It is important to provide detailed supporting documentation for the Board of Adjustment to review. If necessary, additional sheets may be attached to this application.

**REQUIRED FINDINGS: Please provide a thorough response to each.****Unnecessary hardship would result from the strict application of the ordinance.**

Allowing the proposed open porch/breezeway provides reasonable pedestrian access and flow to the rear of the property and the existing garden shed. It also allows for the passage of typical garden items such as wheelbarrows, lawn mowers, trimmers, large garden tools, etc. Enclosing the space would require a new path on the north end of the proposed garage, necessitating additional grading and removal of vegetation. We also believe this additional site disturbance and building expense result in unnecessary costs to the applicant.

**The hardship results from conditions that are peculiar to the property, such as location, size, or topography.**

The original location of the proposed garage was on the far side, or north, side of the existing parking area, which would necessitate additional site grading and vegetation removal. The proposed garage footprint

was reduced, and the location changed to minimize grading and disturbance to existing vegetation.

**The hardship did not result from actions taken by the applicant or the property owner.**

The hardship results from existing topography. The final proposed garage location is an effort by the applicant to minimize changes to the existing topography and vegetation.

**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.**

We believe the requested variance is in keeping with the spirit of the town ordinance, which we feel was intended to prevent multiple detached structures from proliferating on one property. Public safety is not negatively affected by this request, and we believe this request is fair to both the town and the applicant. It is also noted that the connection between the residence and the garage will not be visible from the street, and much of the property is wooded, including the areas surrounding the proposed garage, connection, and existing garden shed.

**I hereby certify that all of the information set forth above is true and accurate to the best of my knowledge.**

**Signature**

Hunter Mares For  
Dr. William WHARTON

**Date**

5/28/2019

# Conditional Use Permit Application

Town of Biltmore Forest

**Name**

William Wharton

**Address**

17 Forest Road

**Phone**

(828) 545-5808

**Email**

wwwharton@gmail.com

**Please select the type of conditional use you are applying for:**

Accessory Buildings

The applicant must show that the proposed use will not materially endanger public health or safety or injure value of adjoining or abutting property. In addition, the proposed use must be in general conformity with the plan of development of the town and be in harmony with scale, bulk, height, coverage, density, and character of the neighborhood.

**Please provide a description of the proposed project:**

Project consists of partial interior remodeling including family room and rear entrance area, addition of screened rear porch, addition of garage attached by 10' by 6' covered porch/breezeway, renovation of existing driveway, and updates to landscaping.

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

The project is in keeping with typical residential standards in Biltmore Forest, and are improvements to the existing house and grounds. We feel it fits well with the existing scale, bulk, height, coverage, density, and character of the neighborhood. It will have no adverse affect on public safety.

**I hereby certify that all of the information set forth above is true and accurate to the best of my knowledge.**

**Signature**

Hunter Marks for  
Dr. William Wharton

**Date**

5/28/2019

# WHARTON RESIDENCE

BILTMORE FOREST, NORTH CAROLINA

## TABLE OF CONTENTS

SHEET C-1	COVER SHEET	1 OF 8
SHEET S-1	SITE SURVEY	2 OF 8
SHEET S-2	LAYOUT & GRADING PLAN	3 OF 8
SHEET S-3	SITE PLAN	4 OF 8
SHEET S-4	SITE DETAILS	5 OF 8
SHEET L-1	LANDSCAPE PLAN	6 OF 8
SHEET L-2	LANDSCAPE NOTES & DETAILS	7 OF 8
SHEET L-3	TREE REMOVAL & PROTECTION PLAN	8 OF 8

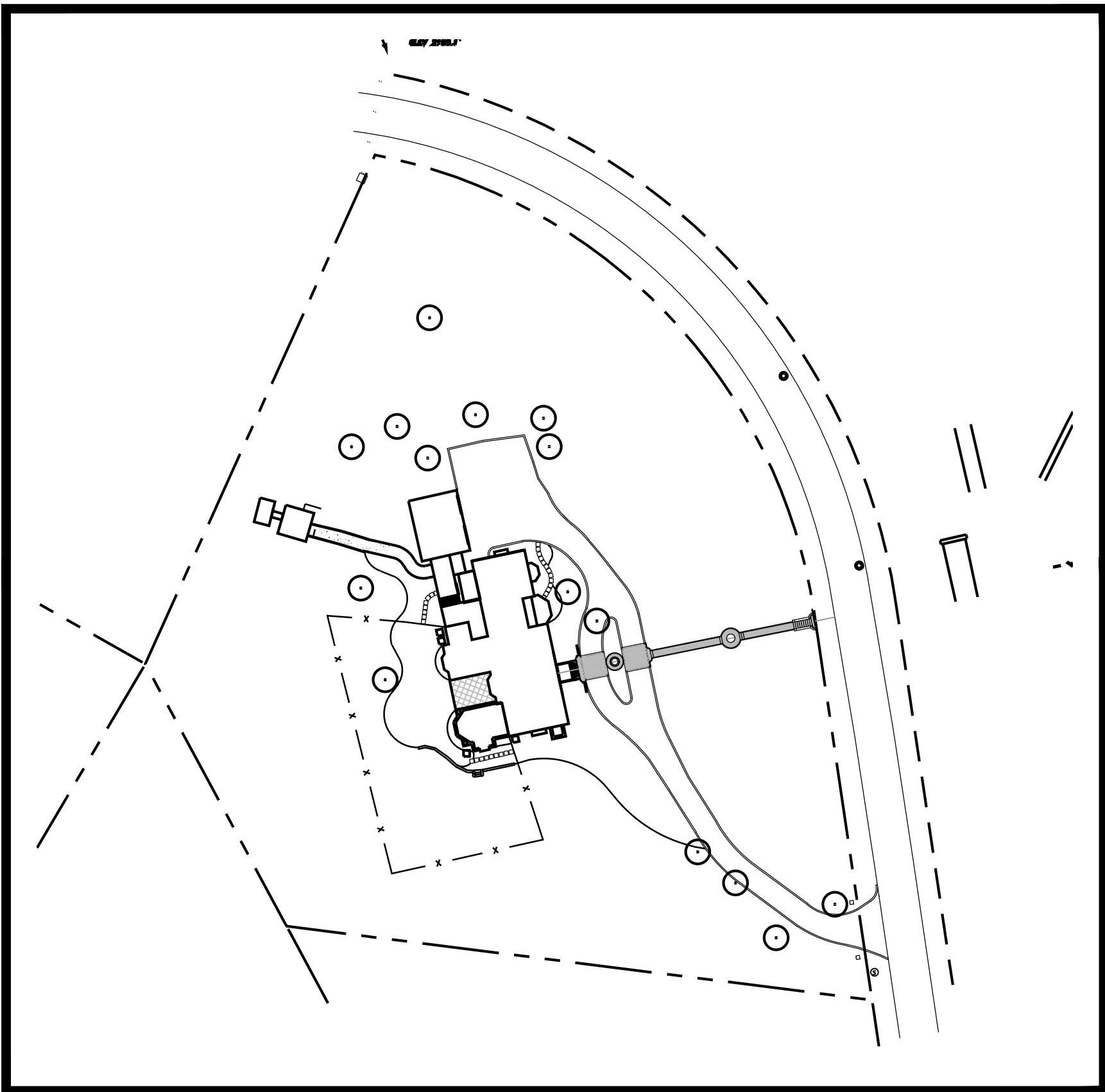
☐ **OWNER**  
WILLIAM AND LISA WHARTON  
17 FOREST ROAD  
BILTMORE FOREST, NC 28803  
TEL. (828) 545-5808 (WILLIAM)  
TEL. (828) 778-4369 (LISA)

☐ **LANDSCAPE ARCHITECT**  
HUNTER MARKS, RLA, ASLA, LEED AP  
WATERMARK LANDSCAPE ARCHITECTURE  
511 EAST CROOKED CREEK LANE  
HENDERSONVILLE, NORTH CAROLINA 28732  
TEL. (828) 595-2327

☐ **SURVEYOR**  
STEVE WAGGONER, PLS  
WAGGONER & RHODES LAND SURVEYORS, INC.  
545 S. GROVE STREET  
HENDERSONVILLE, NC 28792  
(828) 693-1022

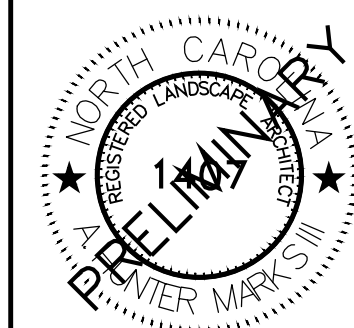


VICINITY MAP  
(NOT TO SCALE)



PROJECT MAP  
SCALE: 1"= 60'-0"

WHARTON RESIDENCE  
BILTMORE FOREST, NORTH CAROLINA



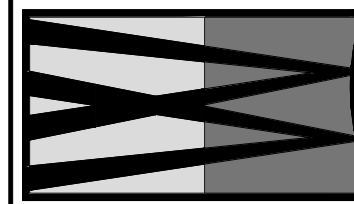
Date: 05-28-2019	Drawn By: RBJ
Job No: 180802RE	Checked By: AHM

Revisions

COVER SHEET

C-1  
1 OF 8

WATERMARK  
LANDSCAPE ARCHITECTURE  
HUNTER MARKS, RLA, ASLA, LEED AP / BROOKE JOHNSON, RLA  
HENDERSONVILLE, NC  
(828) 595-2327  
WWW.WATERMARKLAND.COM  
LANDSCAPE ARCHITECTURE LAND PLANNING CONSULTING

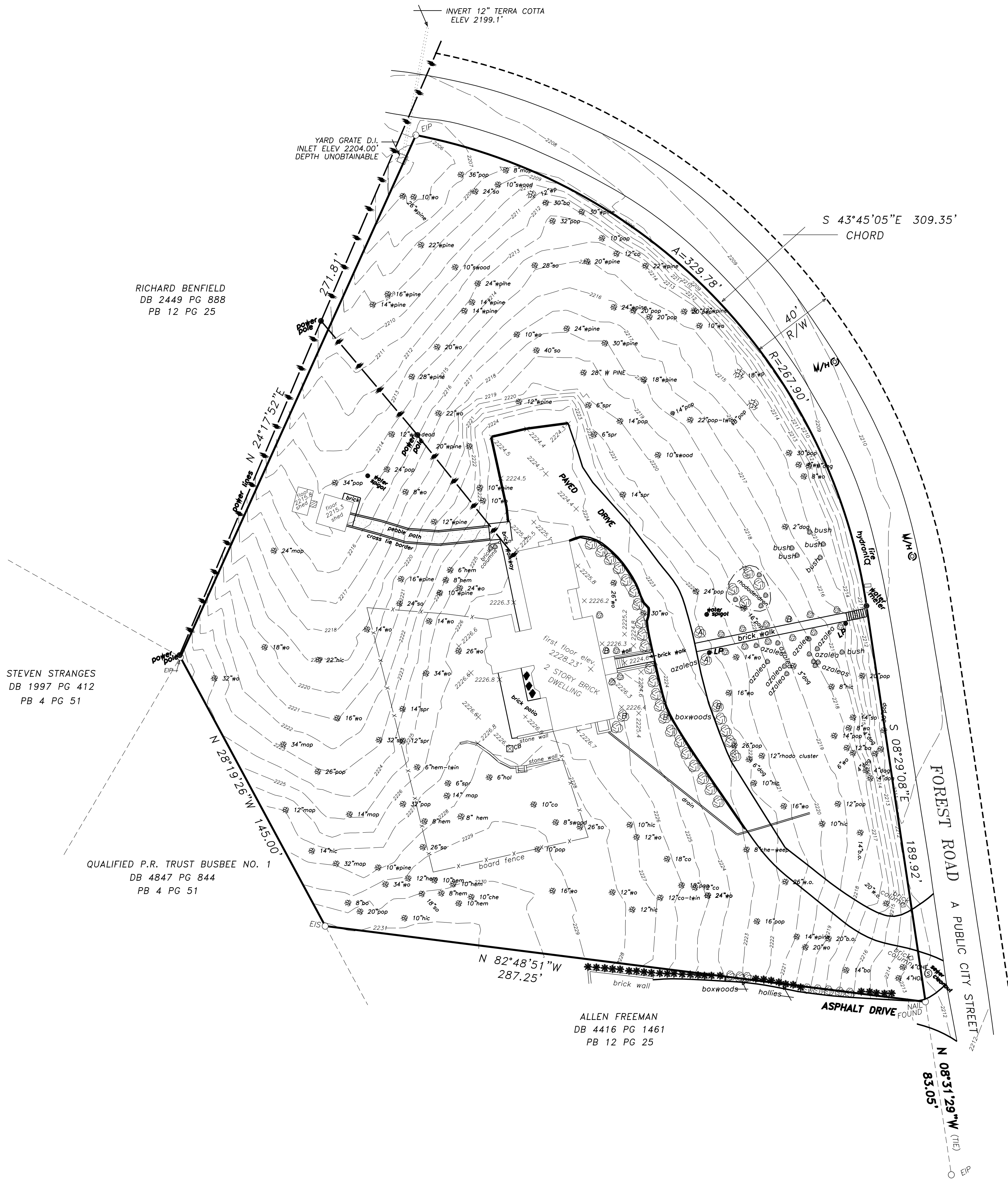


Know what's below.  
Call before you dig.

SPECIAL NOTE:  
CONTRACTOR TO FIELD VERIFY LOCATION OF ALL  
UTILITIES BEFORE BEGINNING EXCAVATION

PROPERTY OF  
**WILLIAM & ELIZABETH WHARTON**  
BEING LOT 51 BLOCK "B"  
BILTMORE FOREST SUBDIVISION  
TOWN OF BILTMORE FOREST  
BUNCOMBE COUNTY  
NORTH CAROLINA  
SCALE 1"= 30'  
OCTOBER 17th, 2018

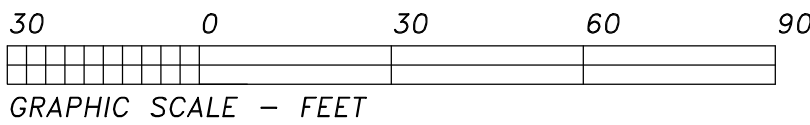
ASSUMED NORTH



KEY TO TREE SPECIES

SWOOD - SOURWOOD  
DOG - DOGWOOD  
HOL - HOLLY  
HIC - HICKORY  
CHE - CHERRY  
MAP - MAPLE  
POP - POPLAR  
HEM - HEMLOCK  
W PINE - WHITE PINE  
SPR - SPRUCE  
SO - SPANISH OAK  
CO - CHESTNUT OAK  
WO - WHITE OAK  
BO - BLACK OAK

NOTES:  
1) 2.23 ACRES - AREA DETERMINED BY COORDINATE COMPUTATION  
2) ELEVATION DATUM APPROXIMATES SEA LEVEL DATUM, AND TAKEN FROM BUNCOMBE COUNTY GIS SITE

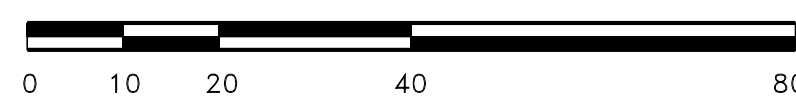


REFERENCES: DEED: D.B.4953 PG.1155 PLAT: PLAT BK.12 PG.25 TAX ID REFERENCE: 9647-71-4648-00000 SCRN FILE 18-067 DWG FILE: REVISIONS:		SURVEY BY STEVEN LLOYD WAGGONER NC PLS 2874 WAGGONER & RHODES LAND SURVEYORS, PLLC. N.C.FIRM #C-1129 545 SOUTH GROVE STREET HENDERSONVILLE, NORTH CAROLINA 28792 PHONE: 828-693-1022 FAX: 828-693-4019
DATE: 10/17/2018	DRAWN BY: SLW/DKS	JOB NUMBER: 18-067

## BILTMORE FOREST, NORTH CAROLINA

LAYOUT &  
GRADING  
PLAN

3 OF 8



Know what's below.  
Call before you dig



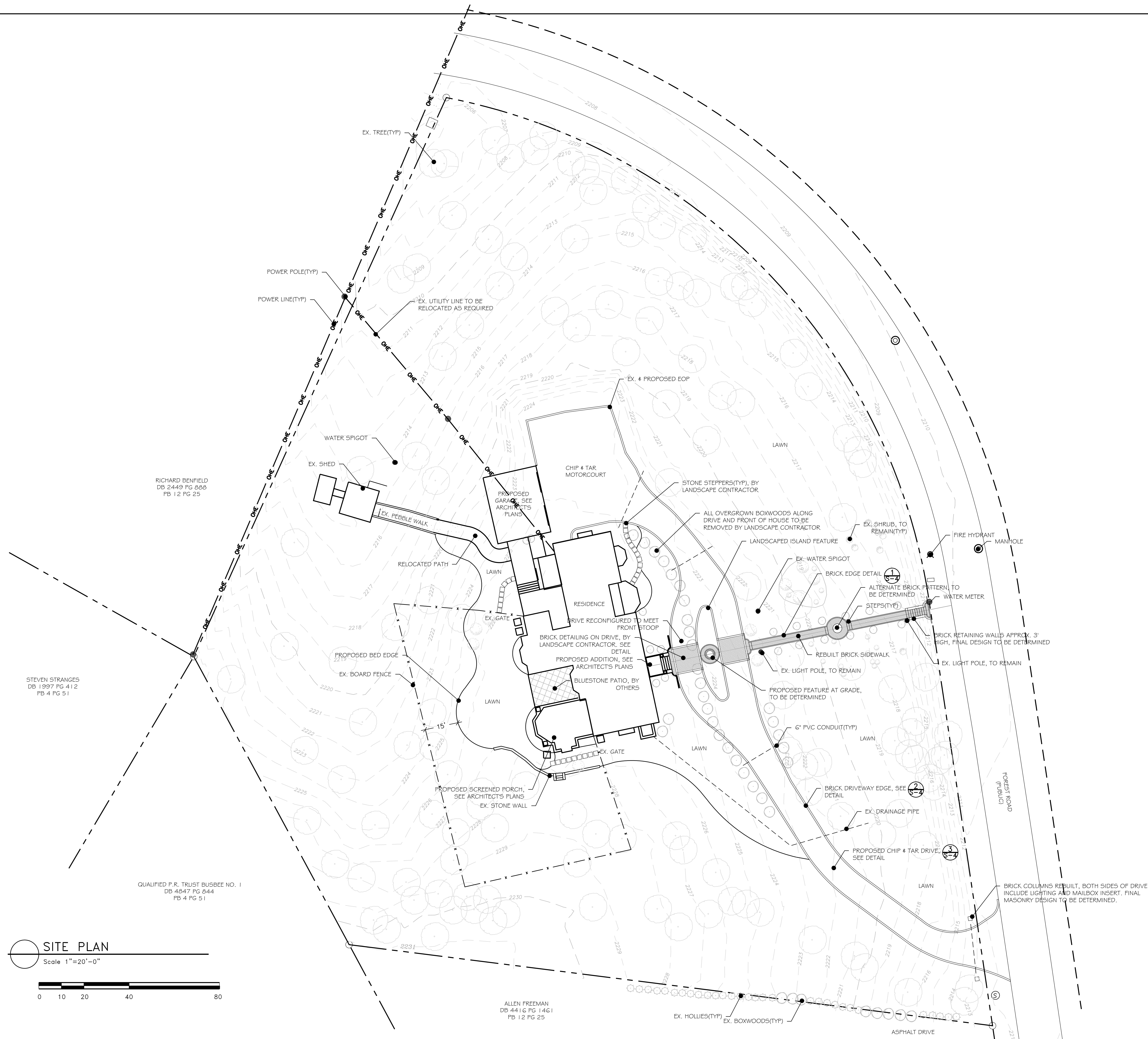
## BILTMORE FOREST, NORTH CAROLINA



Revisions

S-3

4 OF 8



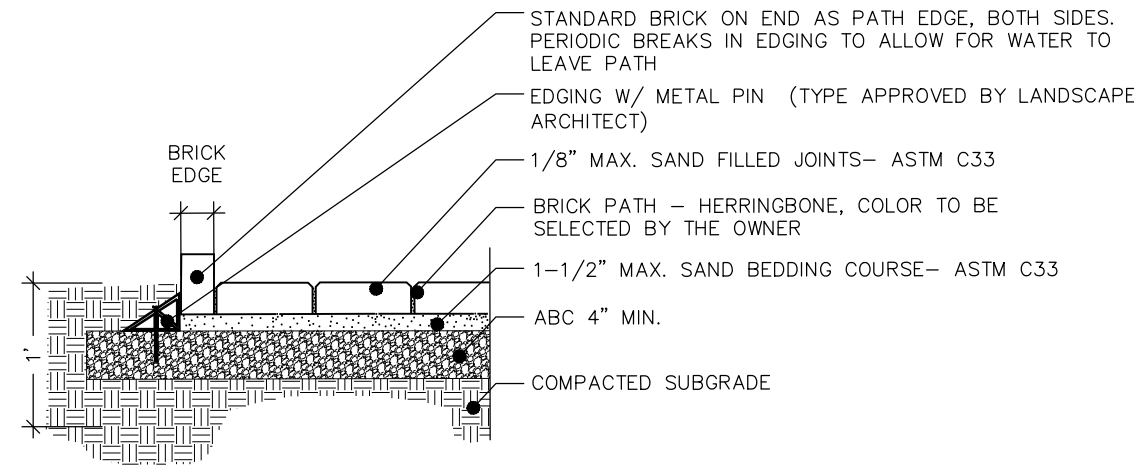
Know what's below.  
Call before you dig.



A:\Watermark\Projects\18082025-Wharton-811\Drawings\Construction\Construction\18082025-WhartonResidence.dwg 2/22/2019 11:44 AM

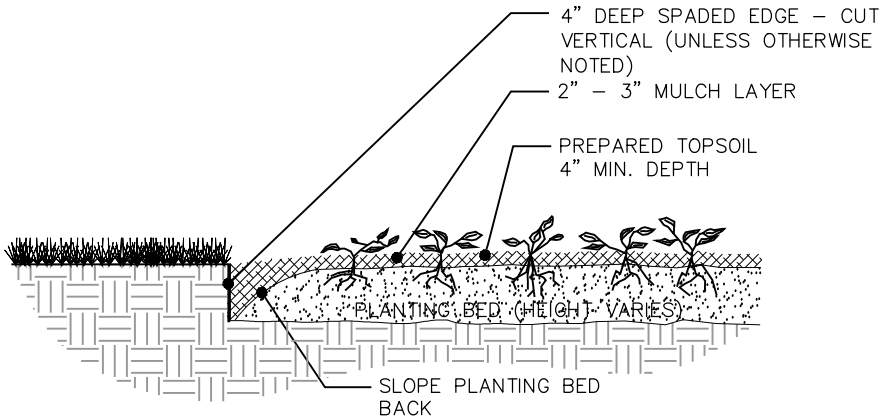


Know what's below.  
Call before you dig.



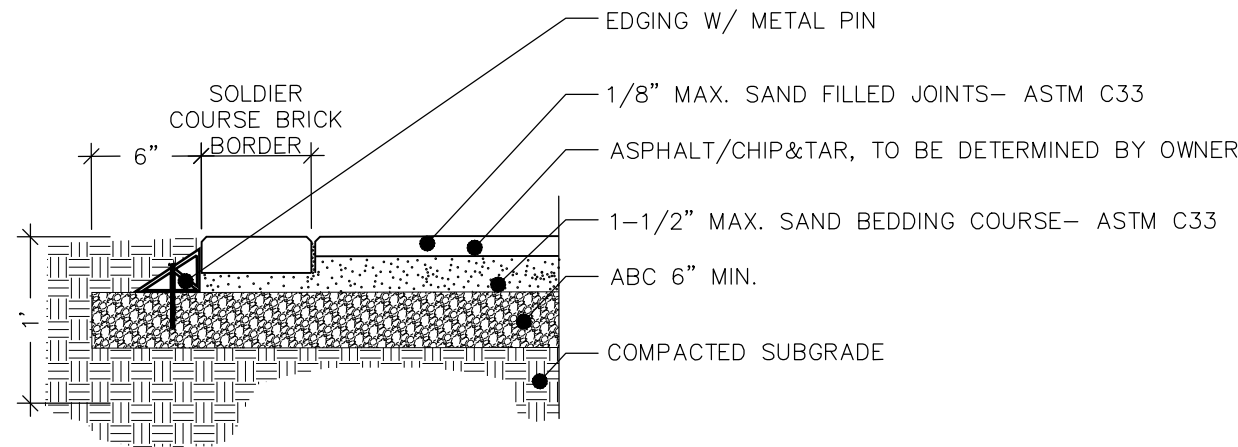
1 BRICK PATH DETAIL  
S-4 NOT TO SCALE

DETAIL INTENTIONALLY OMITTED. FINAL DESIGN TO BE DETERMINED AND TO BE SUBMITTED TO TOWN FOR APPROVAL PRIOR TO CONSTRUCTION.



7 PLANTING EDGE DETAIL  
S-4 NOT TO SCALE

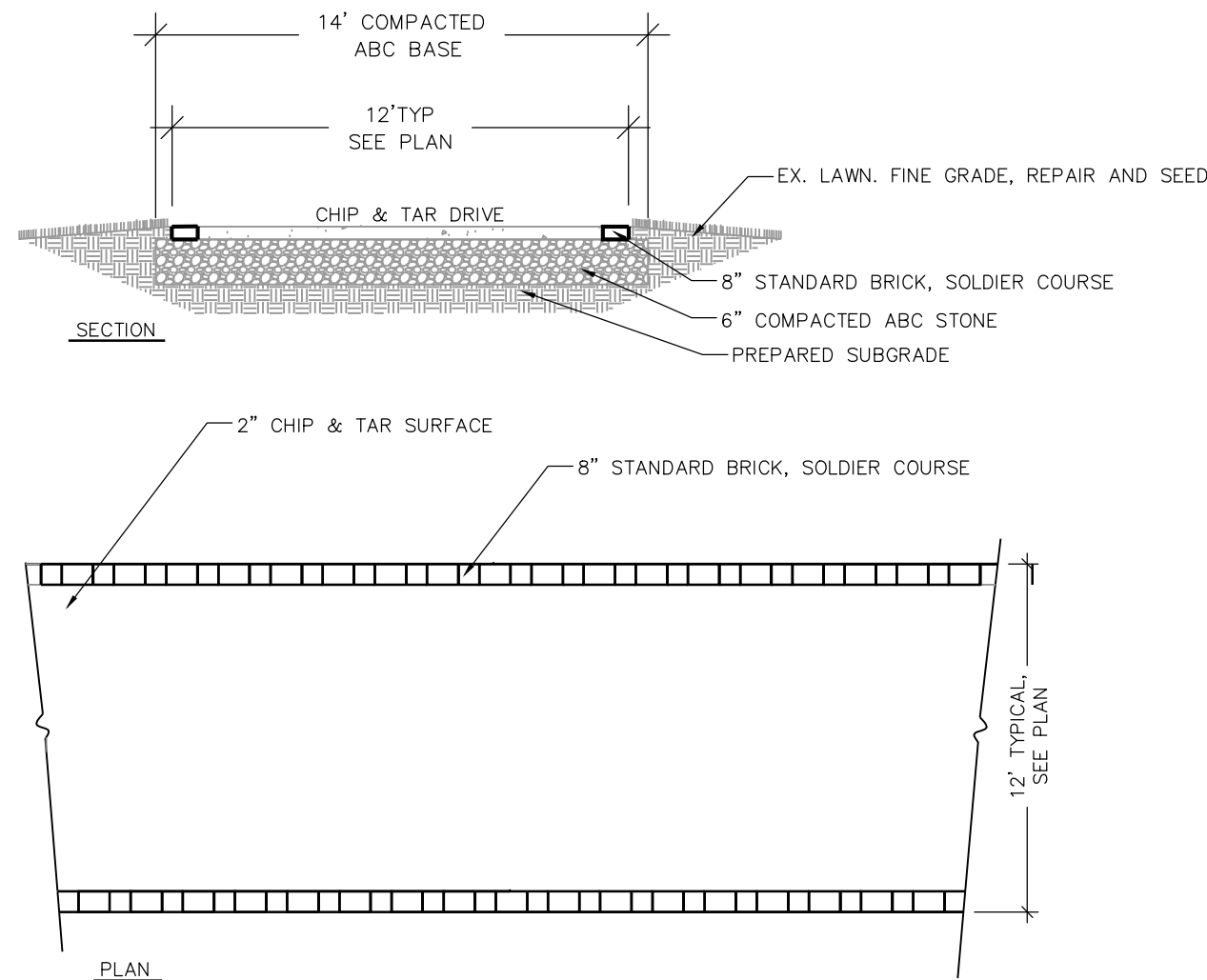
DETAIL INTENTIONALLY OMITTED. FINAL DESIGN TO BE DETERMINED AND TO BE SUBMITTED TO TOWN FOR APPROVAL PRIOR TO CONSTRUCTION.



NOTE: REVIEW MANUFACTURER'S SPECIFICATION BEFORE INSTALLING

2 BRICK EDGE ON DRIVE  
S-4 NOT TO SCALE

DETAIL INTENTIONALLY OMITTED. FINAL DESIGN TO BE DETERMINED AND TO BE SUBMITTED TO TOWN FOR APPROVAL PRIOR TO CONSTRUCTION.



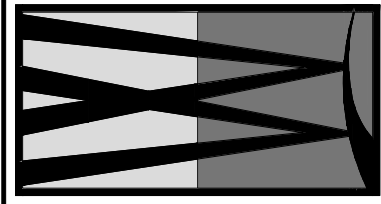
3 DRIVE SECTION  
S-4 NOT TO SCALE

5 CHEEK WALLS AT END OF PATH  
S-4 NOT TO SCALE

DETAIL INTENTIONALLY OMITTED. FINAL DESIGN TO BE DETERMINED AND TO BE SUBMITTED TO TOWN FOR APPROVAL PRIOR TO CONSTRUCTION.

6 BRICK PATTERN DETAIL  
S-4 NOT TO SCALE

WATERMARK  
LANDSCAPE ARCHITECTURE  
HUNTER MARKS, R/LA, AS/LA, LEED AP / BROOKE JOHNSON, R/LA  
HENDERSONVILLE, NC  
(828) 595-2327  
WWW.WATERMARKLAND.COM  
LANDSCAPE ARCHITECTURE AND PLANNING CONSULTING



WHARTON RESIDENCE  
BILTMORE FOREST, NORTH CAROLINA



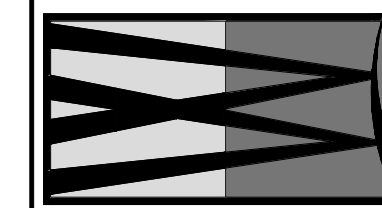
Date: 05-28-2019	Drawn By: RBJ
Job No: 18082025	Checked By: AHM

Revisions

SITE DETAILS

S-4

5 OF 8



WHARTON RESIDENCE

BILTMORE FOREST, NORTH CAROLINA

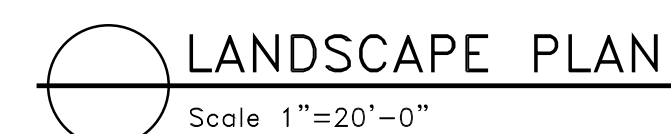


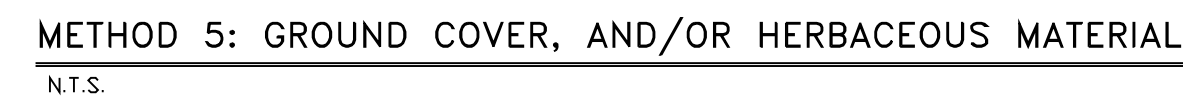
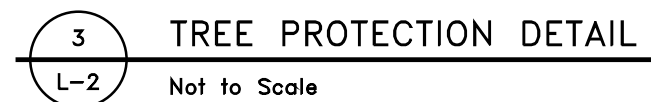
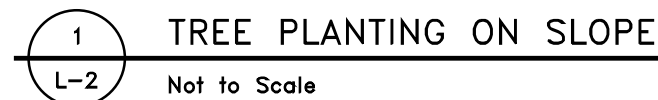
Date: 05-28-2019	Drawn: RBJ
Job No: 180802RE	Checked: AHM
Revisions	

LANDSCAPE  
PLAN

L-1

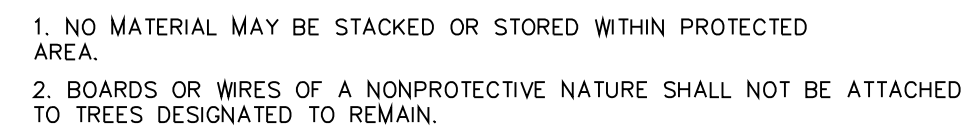
6 OF 8

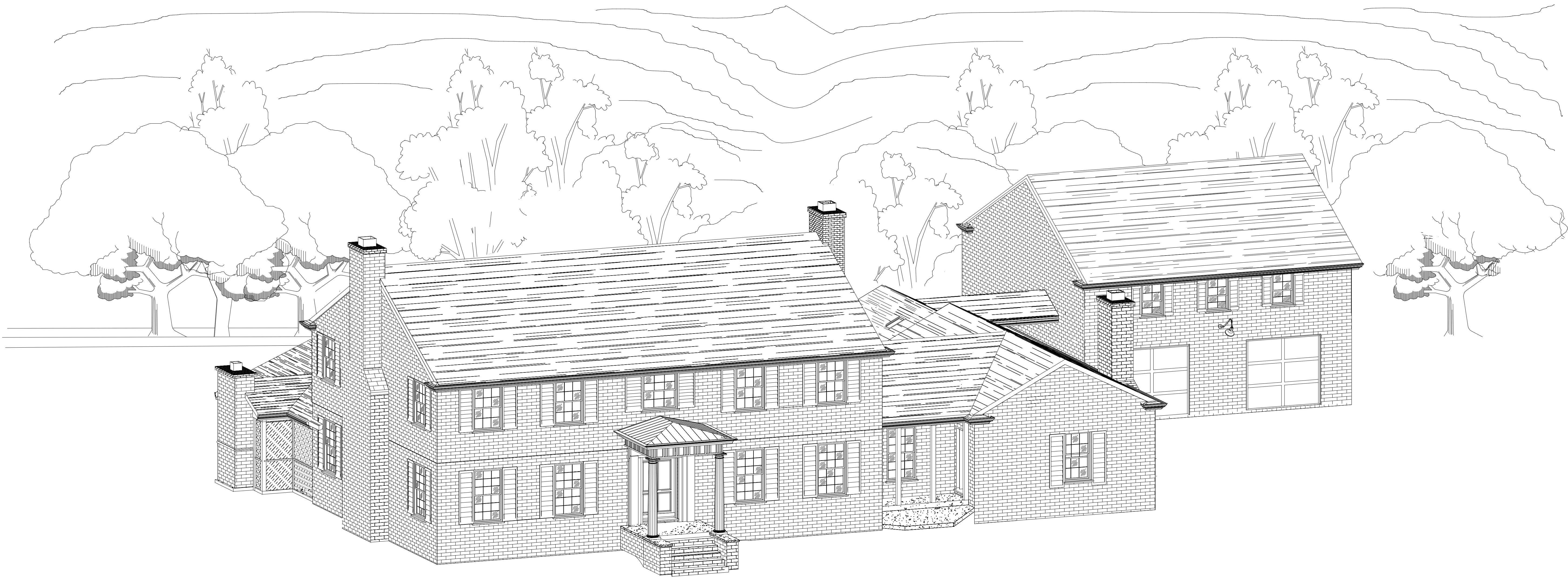




1. ALL PLANT MATERIAL SHALL BE INSTALLED IN A WORKMAN LIKE MANNER USING ACCEPTED NURSERY PRACTICES AND STANDARDS, AND SHALL COMPLY WITH AMERICAN STANDARD FOR NURSERY STOCK ANSI Z60.1
2. PLANTS DESIGNATED "B&B" IN THE PLANT LIST SHALL BE BALLED AND BURLAPPED. THEY SHALL BE DUG WITH FIRM, NATURAL BALLS OF EARTH OF SUFFICIENT DIAMETER TO PROTECT THE ROOTS. THE THOROUGH AND FEEDING ROOT SYSTEM NECESSARY FOR FULL RECOVERY OF THE PLANT. BALLS SHALL BE FIRMLY WRAPPED WITH BURLAP OR SIMILAR MATERIAL AND BOUND WITH TWINE OR CORD. TREE BALLS SHALL HAVE A DIAMETER IN FEET EQUAL TO 10 TO 15 FOR EACH CALIPER INCH OF TREE
3. ONLY "FURCH" BURLAP AND TWINE SHALL BE USED, NO TREATED OR COLORED BURLAP OR BURD OR TWINE. ALL PLANTS SHALL BE PREPARED TO THE TRUNK TO BE REMOVED AT PLANTING. CUT AND REMOVE BURLAP FROM TOP 1/3 OF BALL, AT A MINIMUM, CUT OR LOOSEN ANY GIRDLING OR CIRCLING ROOTS.
4. THE BALLS OF B&B PLANTS WHICH CANNOT BE PLANTED IMMEDIATELY ON DELIVERY SHALL BE COVERED WITH MOIST SOIL, MULCH OR SIMILAR PROTECTION FROM DRY WINDS AND SUN. ALL PLANTS SHD BE WATERED BY THE LANDSCAPE CONTRACTOR AS NECESSARY UNTIL FINAL ACCEPTANCE.
5. NO PLANT SHALL BE BOUND WITH WIRE OR ROPE IN SUCH A MANNER THAT WILL DAMAGE THE BARK, BREAK BRANCHES, OR DESTROY THE PLANTS NATURAL SHAPE. NO B&B PLANT MATERIAL SHALL BE ACCEPTED IF THE BALL IS CRACKED OR BROKEN EITHER BEFORE OR DURING PLANTING, INCLUDING WHEN BURLAP, STAVES, ROPE, ETC. IS REMOVED DURING PLANTING.
6. ALL PLANTS SHALL BE HANDLED SO THAT THE ROOTS SHALL BE ADEQUATELY PROTECTED AT ALL TIMES. PLANTS ARE TO BE PROTECTED BY BURLAP OR BY TARPULINUS OR SIMILAR COVERING. PLANT MATERIAL SUFFERING FROM WIND BURN OR OTHER WIND DAMAGE IS NOT ACCEPTABLE.
7. THE LOCATION OF EXISTING UTILITIES AS SHOWN ON THE PLANS MAY VARY IN RELATION TO ACTUAL CONDITIONS. ADDITIONAL UTILITIES NOT SHOWN ON THE PLANS MAY EXIST. THE LANDSCAPE CONTRACTOR SHALL FIELD VERIFY UTILITY LOCATIONS AND DEPTHS PRIOR TO ANY DISCREPANCIES BEFORE BEGINNING WORK. EXCAVATION NEAR EXISTING UTILITIES SHALL BE CAREFULLY DONE BY HAND. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO EXISTING UTILITIES OR TO ANY STRUCTURE, VEHICLE, EQUIPMENT OR TOOL RELATED TO HIS ACTIVITIES ON THE SITE.







Dr. William Wharton & Mrs. Lisa Wharton Residence

Plan Ledger

Sht. # C/S	Cover Sheet
Sht. # A 1	Floor Plan, Framing Details
	Cross Sections
Sht. # A 2	Foundation Plan, Footing
Sht. # A 3	Details, Cross Sections
	Elevations
Sht. # S 1	Site Plan

1	ENTRY/GARAGE / PERGOLA	5/10/19
No.	Revision/Issue	Date

GARAGE SQ. FT.	720
STORAGE SQ. FT.	648
BATH & DEN	593
ENTRY PORCH	130
FRONT PORCH	58
SCREENED PATIO	393

ALL DRAWINGS ARE THE PROPERTY OF THE DESIGNER AND THEY ARE NOT TO BE REPRODUCED IN WHOLE OR IN PART WITHOUT THE WRITTEN CONSENT OF THE DESIGNER.  
CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS BEFORE COMMENCING WORK AND TO REPORT ANY DISCREPANCIES TO THE DESIGNER.

SCOTT KEELS  
scotkeels@yahoo.com  
828 674-2581

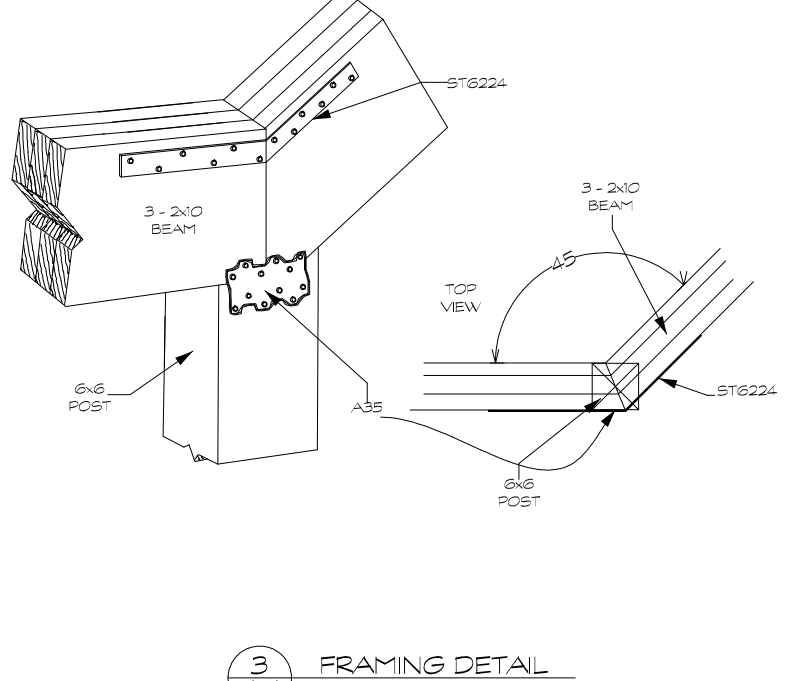
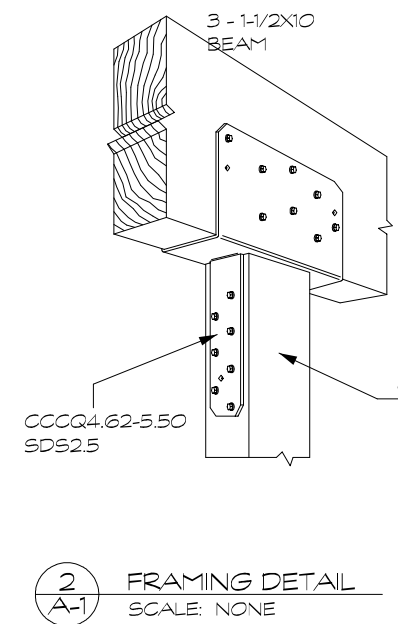
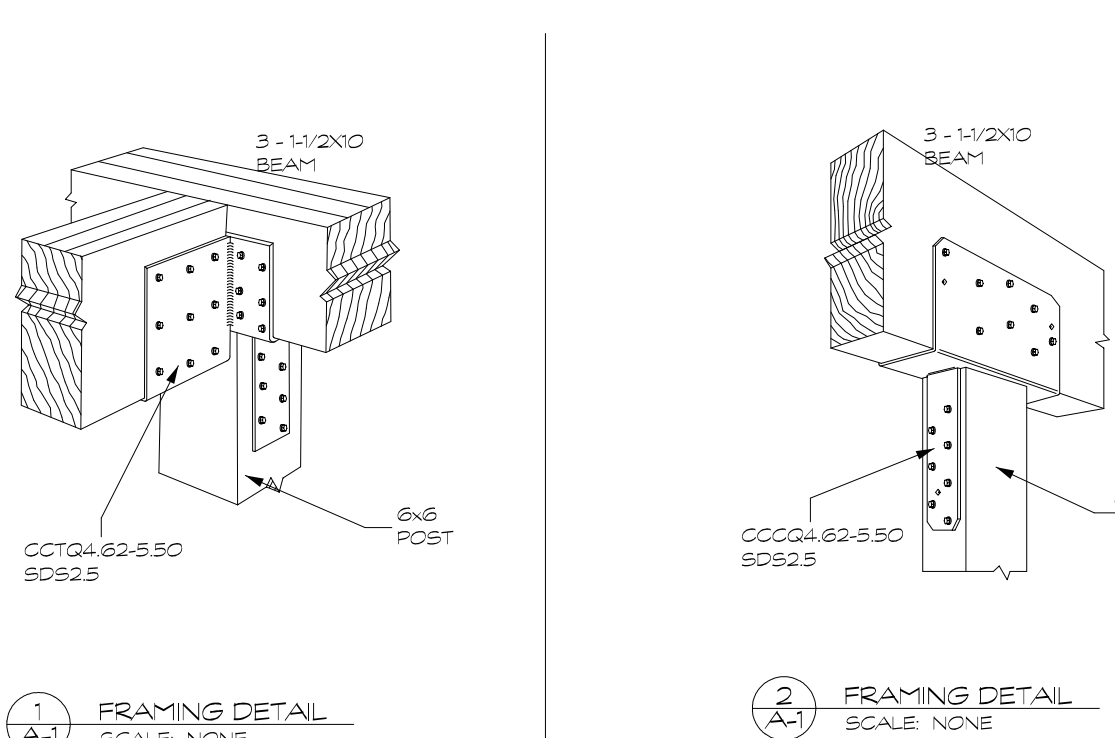
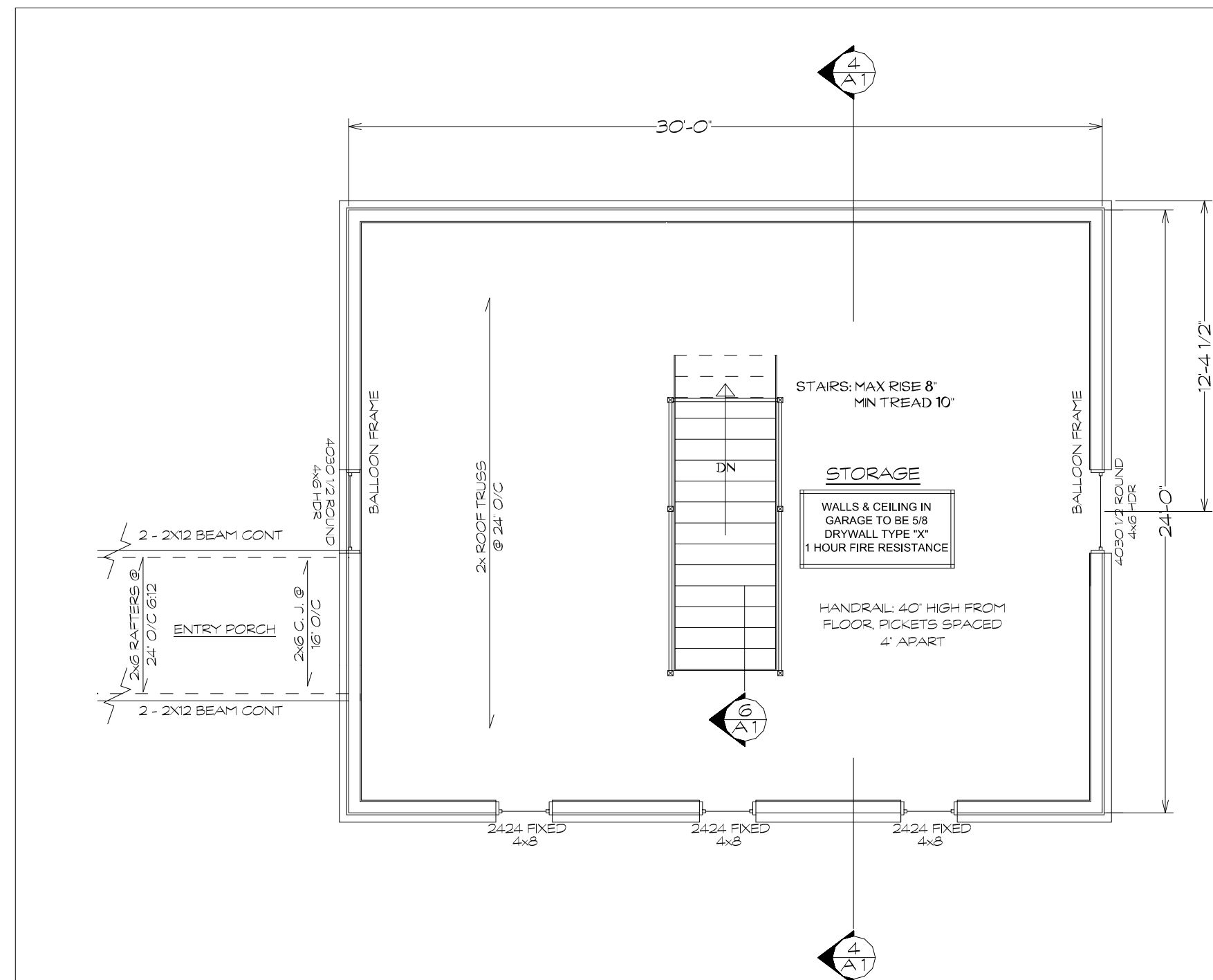
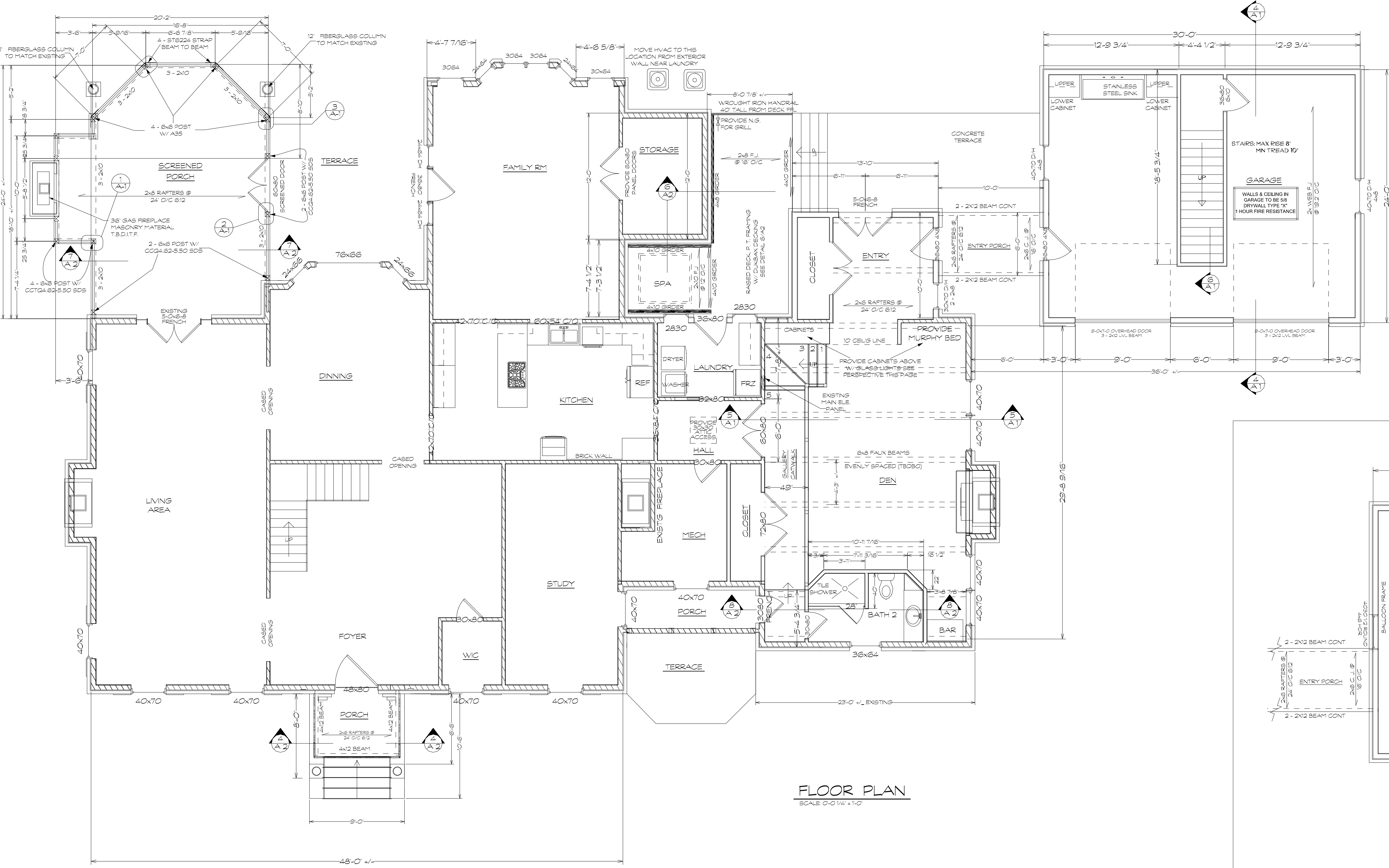
Project Name and Address:  
DR WILLIAM & LISA WHARTON  
17 FOREST ROAD, BILTMORE FOREST 28801

Client:  
DR WILLIAM WHARTON

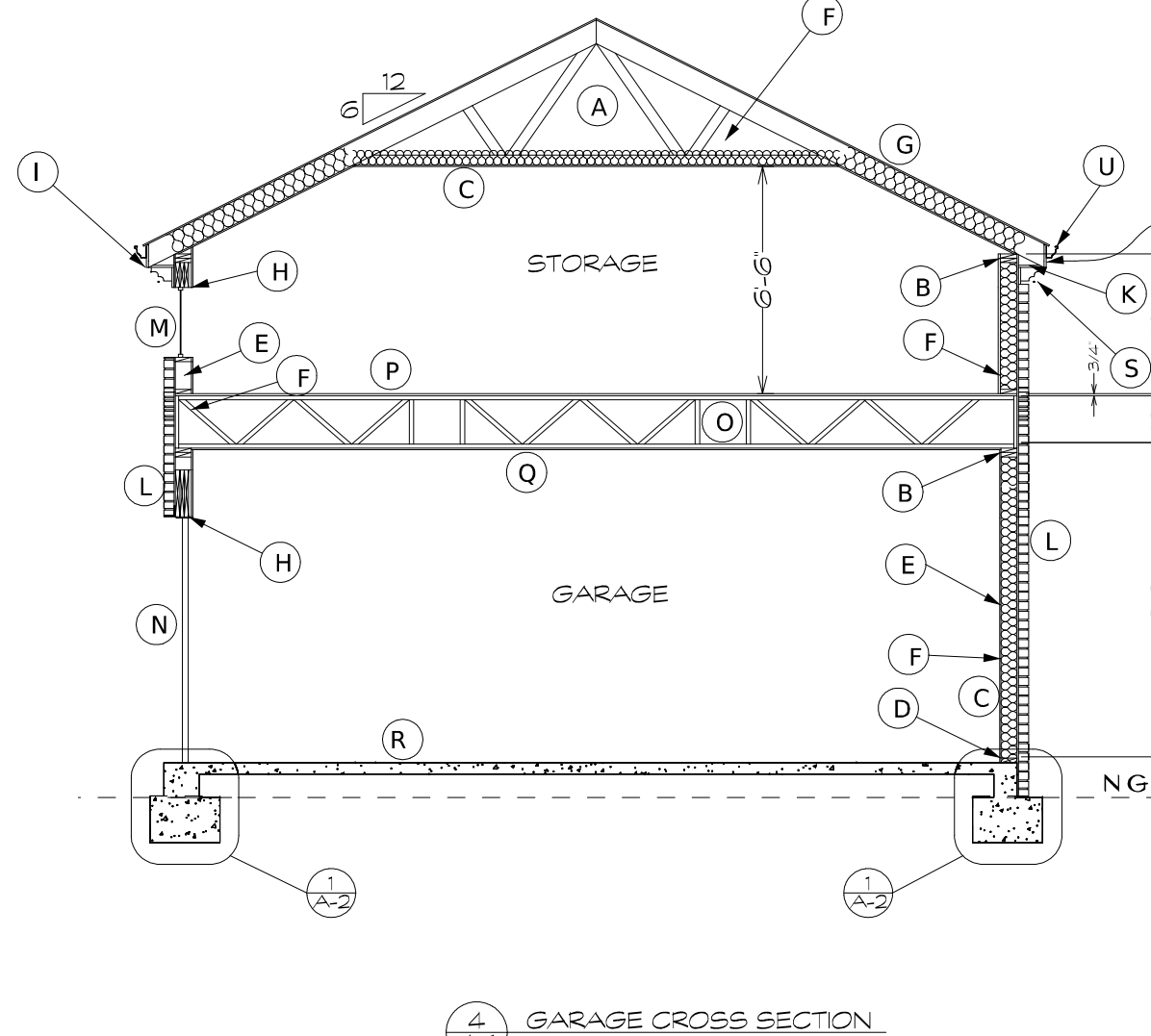
Drawing: COVER SHEET  
Scale: 1/4" = 1' - 0"  
Date: 01/22/2019

Drawn By: JOHN MAYFIELD	Sheet: <b>C/S</b>
EMAIL: JRMdwg@msn.com	
Telephone: 661 733-9610	



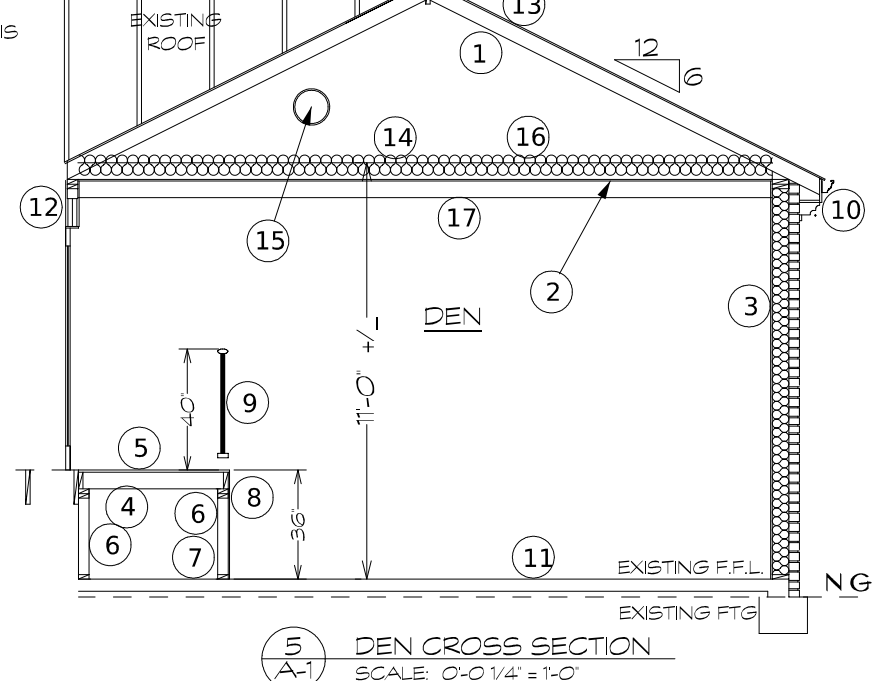


- LEGEND**
- A 2x TRUSS @ 24' O.C.
  - B 2x6 TOP PLATE CONTINUOUS
  - C 1/2" DRYWALL INTERIOR FINISH TYP
  - D 2x PRESSURE TREATED BOTTOM PLATE
  - E 2x6 STUDS @ 16" O.C. TYP EXTERIOR WALLS
  - F 2x2 BATT INSULATION
  - G DESIGNER SERIES ROOF SHINGLES OVER UNDERLAYMENT OVER 1/2" PLYWOOD NOEN
  - H 5/8" CDX NAILED W/ 8d @ 6" O.C. (8dS W/ SAME SPEC'S) MATCH EXISTING
  - I FASCIA BOARD
  - J HARDBOARD & BAT SCINS W/ UNDERLAYMENT
  - K OVERHANGS SCOTT TO MATCH EXISTING VENTED HARDBOARD OR EQUAL
  - L BRICK MASONRY MATCH EXISTING
  - M WINDOW PER PLAN
  - N GARAGE DOOR PER PLAN
  - O 1/8" VIBES FLOOR JOIST TRUSS 20' HIGH @ 19'2" O.C.
  - P 3/4" PLYWOOD T&S IN DEN 42'20" FINISH ONE SIDE EXTERIOR GRADE, GULLED AND NAILED WITH 8d @ 6" O.C.
  - Q 5/8" DRYWALL TYPE X 1 HOUR FIRE RESISTANT FLOOR TO CEILING
  - R 4" THICK CONCRETE SLAB3 REBAR MAT @ 24" O.C.
  - S PROVIDE FREEZE BOARD W/ EXTERIOR HOLDING MATCHING EXISTING
  - T PROVIDE 1/2" EXTERIOR PLYWOOD W/ HOUSE W/ VAP
  - U PROVIDE GUTTERS



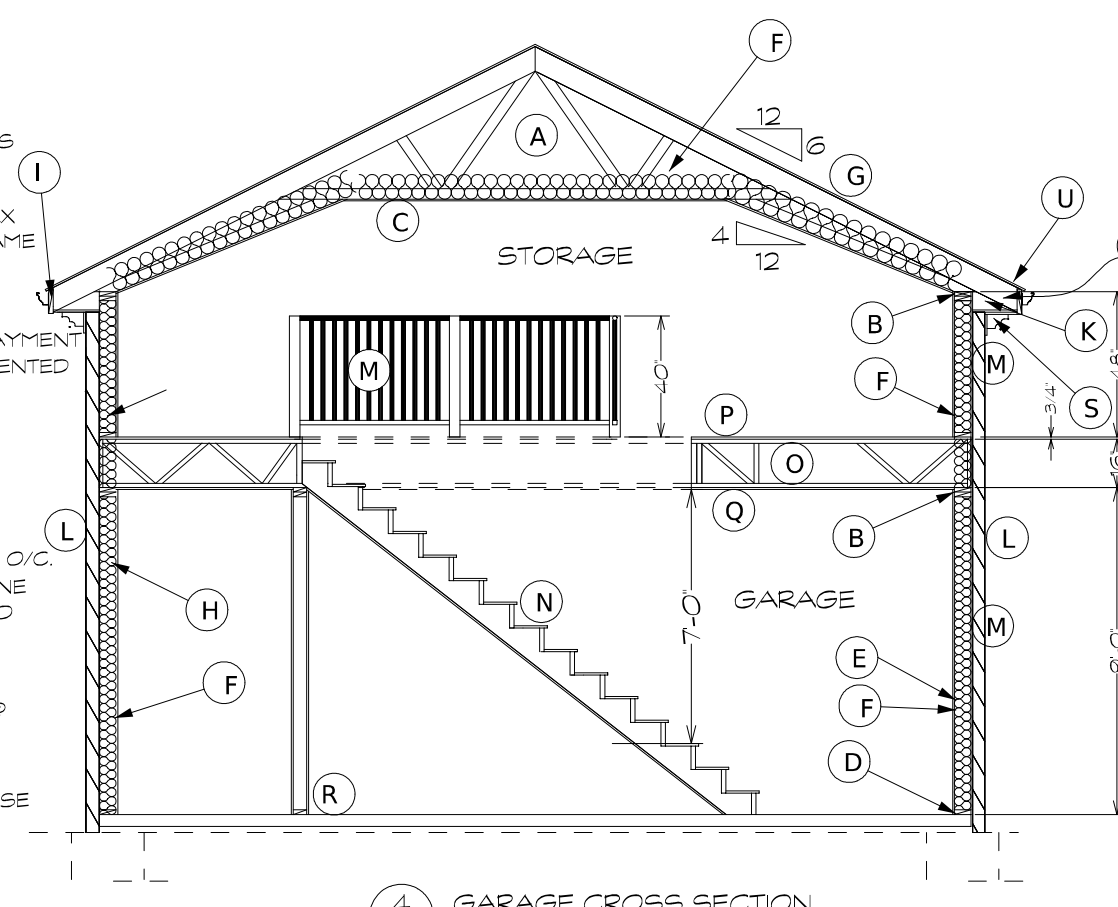
**NOTE**

- 1. SEE PERSPECTIVE THIS PAGE



**LEGEND**

- A 2x TRUSS @ 24' O.C.
- B 2x6 TOP PLATE CONTINUOUS
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- U PROVIDE GUTTERS



**DEN PERSPECTIVE**

- ATTENTION**
1. EXTERIOR DIMENSIONS EXTERIOR SURFACE OF STUD. ALL APPLIED FINISHES (BRICK, ERS, SIDING, ETC.) ARE IN EXCESS OF DIMENSIONS SHOWN.
  2. ALL INTERIOR PARTITIONS ARE SHOWN FINISHED WITH STUD - DRYWALL. INTERIOR DIMENSIONS ARE TO FINISH FACE OF DRYWALL. ALL APPLIED FINISHES (TILE, ETC.) ARE IN EXCESS OF DIMENSIONS SHOWN.
  3. ALL DIMENSIONS ARE 1'-0".
  4. EXISTING STRUCTURE
  5. PROPOSED NEW CONSTRUCTION

No.	Revision/Issue	Date

GARAGE SQ. FT.	720
STORAGE SQ. FT.	648
BATH & DEN	593
ENTRY PORCH	130
SCREENED PATIO	58
	383

ALL DIMENSIONS ARE THE PROPERTY OF THE DESIGNER AND THEY ARE NOT TO BE REPRODUCED IN WHOLE OR IN PART WITHOUT THE WRITTEN CONSENT OF THE DESIGNER.

CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS BEFORE COMMENCING WORK AND TO REPORT ANY DISCREPANCIES TO THE DESIGNER.

**SCOTT KEELS**  
scotkeels@yahoo.com  
826 674-2581

Project Name and Address:  
**DR WILLIAM & LISA WHARTON**  
17 FOREST ROAD, BILTMORE FOREST 28801

Client:  
**DR WILLIAM WHARTON**

Drawing: **FLOOR PLAN**  
Scale: 1/4" = 1' - 0" Date: 01/22/2019

Drawn By: **JOHN MAYFIELD** Sheet:  
Email: **JRMdwelling@icloud.com**  
Telephone: **661 733-9610**  
**A1**







- ATTENTION
1. EXTERIOR DIMENSIONS EXTERIOR SURFACE OF STUD. ALL APPLIED FINISHES (BRICK, EIFS, SIDING, ETC.) ARE IN EXCESS OF DIMENSIONS SHOWN.
  2. ALL INTERIOR PARTITIONS ARE SHOWN FINISHED WIDTH (STUD + DRYWALL). INTERIOR DIMENSIONS ARE TO FINISH FACE OF DRYWALL. ALL APPLIED FINISHES (EIFS, ETC.) ARE IN EXCESS OF DIMENSIONS SHOWN.
  3. ALL DIMENSIONS ARE +/-

No.	Revision/Issue	Date

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**SCOTT KEELS**  
scottkeels@yahoo.com  
828 674-2581

Project Name and Address:  
**DR WILLIAM & LISA WHARTON**  
17 FOREST ROAD, BILTMORE FOREST 28801

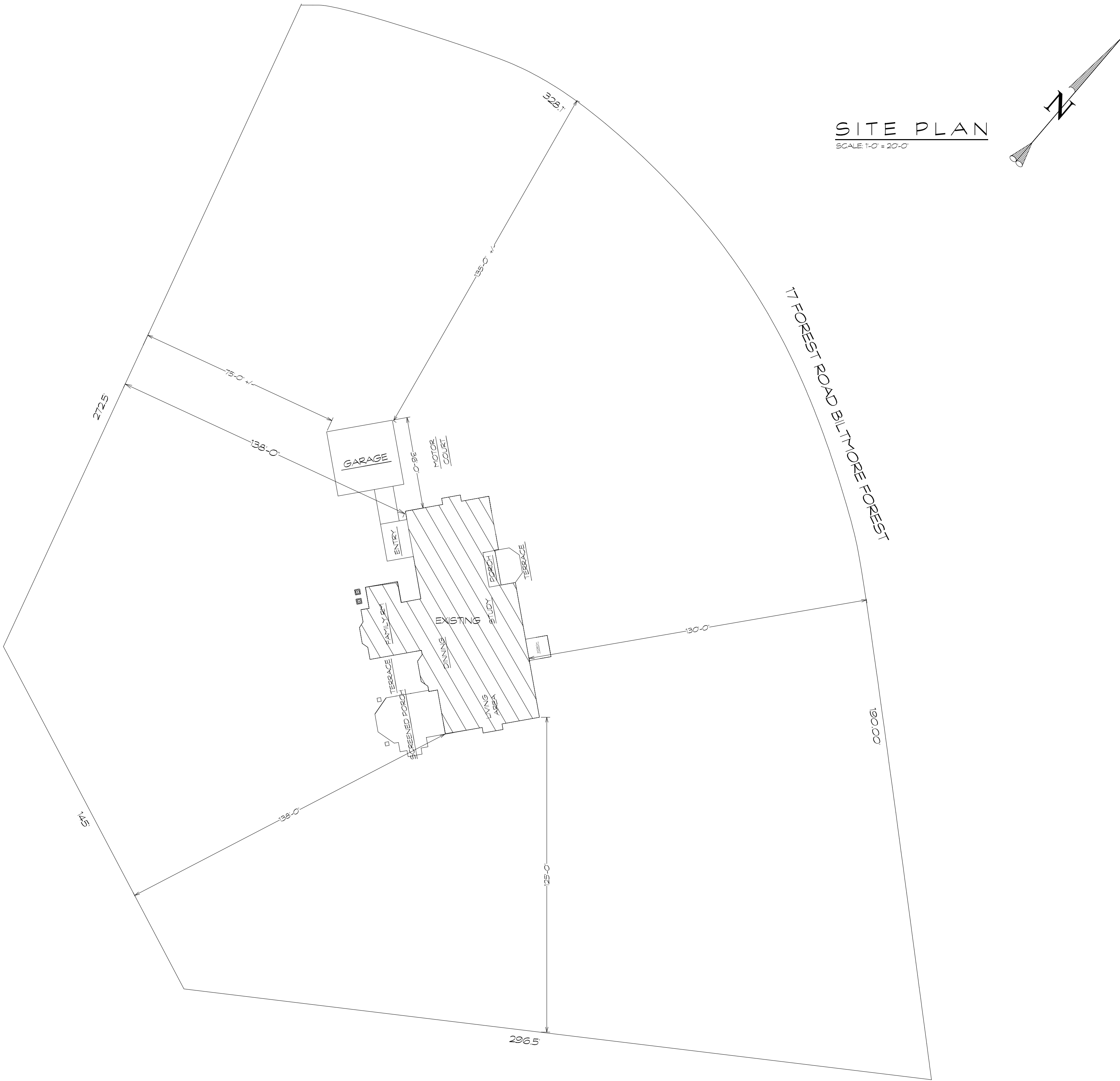
Client:  
**DR WILLIAM WHARTON**

Drawing: **ELEVATION**  
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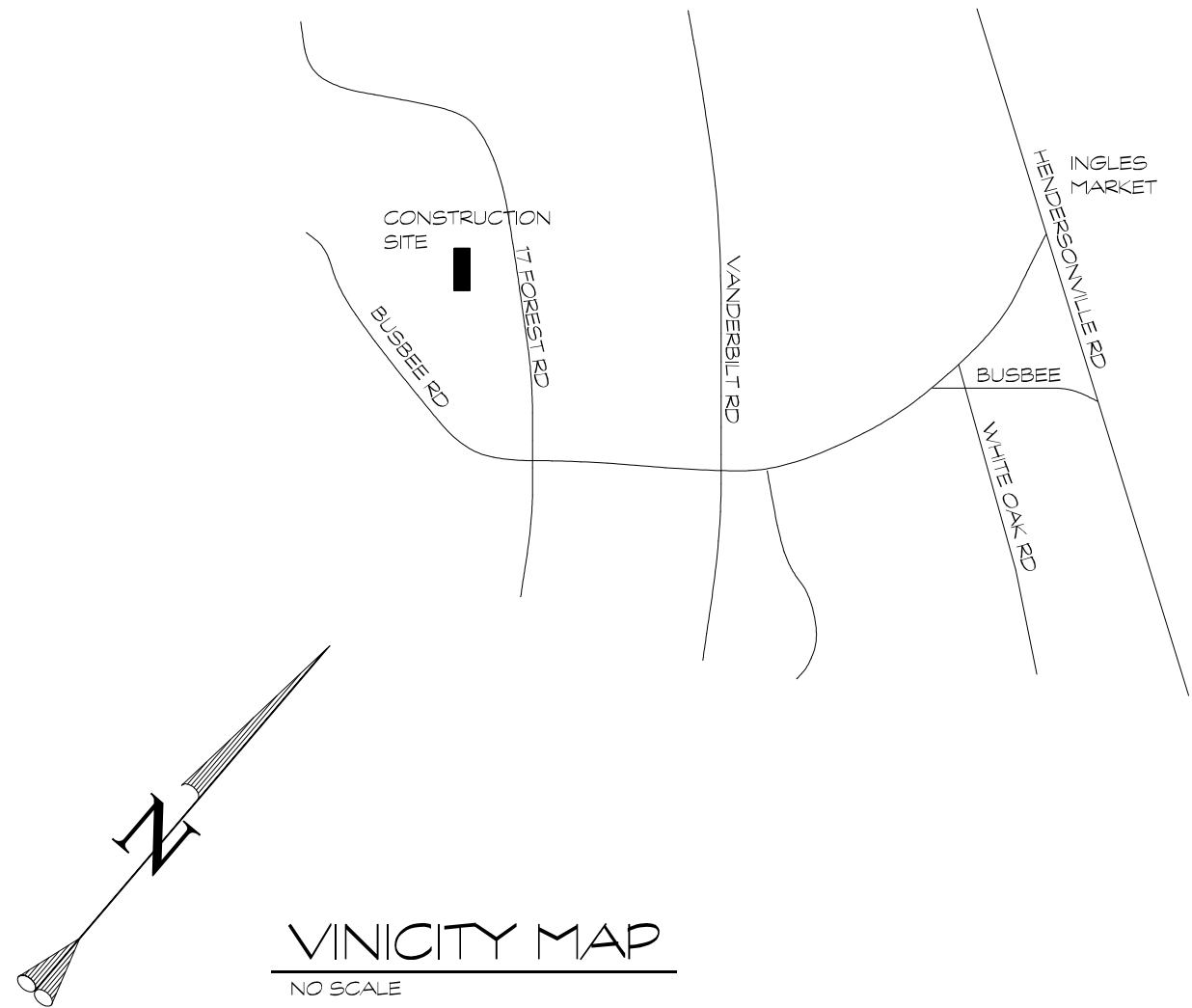
Drawn By: JOHN MAYFIELD  
EMAIL: JRMdwdlmp@msn.com  
Telephone: 661 733-9610

Sheet:  
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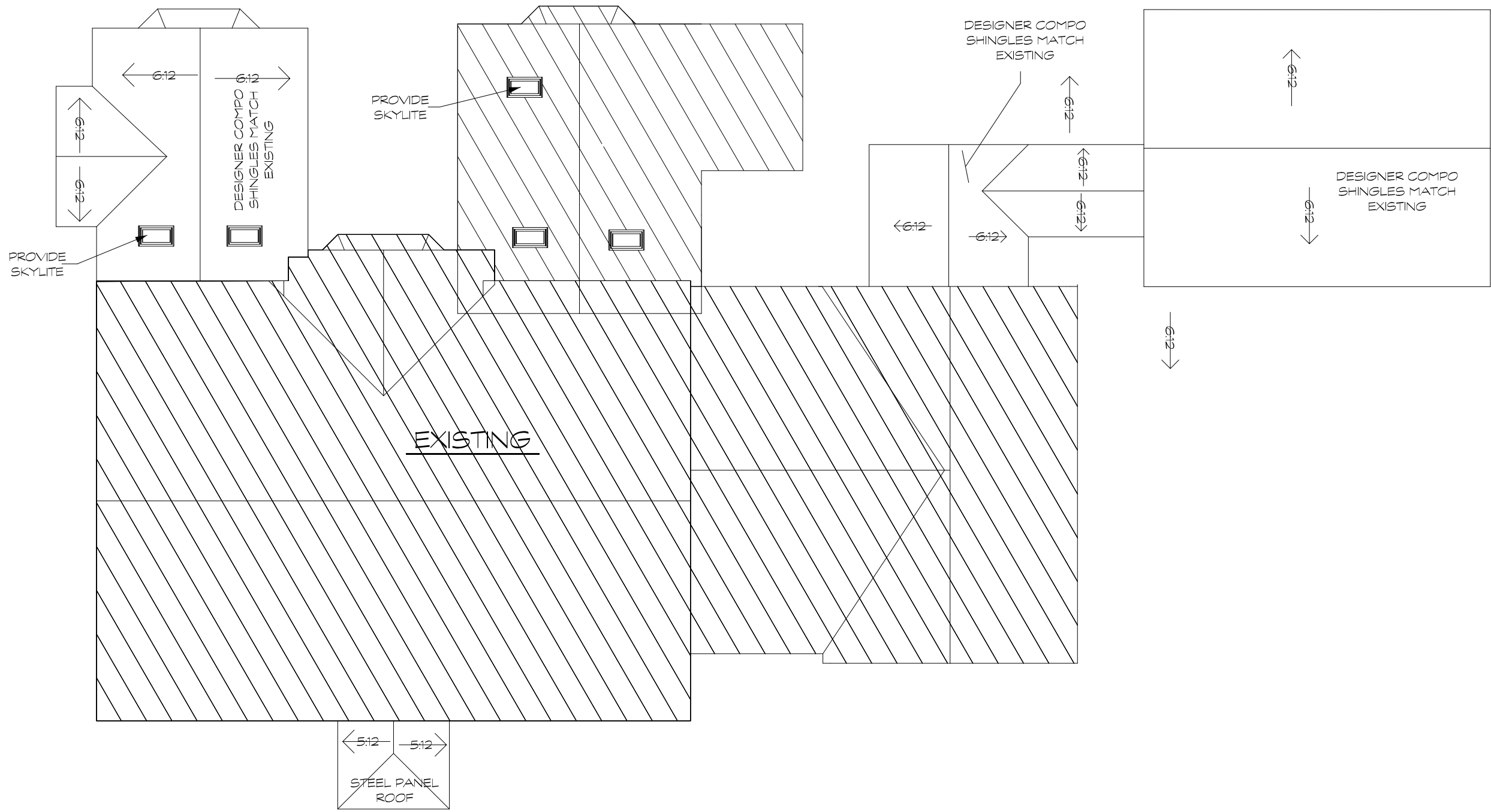




SITE PLAN  
SCALE 1/8" = 20'-0"



VINICITY MAP  
NO SCALE



ROOF PLAN  
SCALE 1/8" = 1'-0"

## Plan Ledger

Sht. # C/S Cover Sheet  
Sht. # A 1 Floor Plan, Framing Details  
Cross Sections  
Sht. # A 2 Foundation Plan, Footing  
Details, Cross Sections  
Sht. # A 3 Elevations  
Sht. # S 1 Site Plan

No.	Revision/Issue	Date

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**SCOTT KEELS**  
scottkeels@yahoo.com  
828 674-2581

Project Name and Address:  
**DR WILLIAM & LISA WHARTON**  
17 FOREST ROAD, BILTMORE FOREST 28801

Client:  
**DR WILLIAM WHARTON**

Drawing: **SITE PLAN**  
Scale: **SEE PLAN** Date: **02/06/2019**

Drawn By:  
**JOHN MAYFIELD**  
EMAIL:  
JRMdwdtlngs@msn.com  
Telephone:  
661 733-9610

Sheet:  
**S 1**

355 Vanderbilt Rd | Biltmore Forest, NC  
Po Box 5352 | Biltmore Forest, NC 28803  
P (828) 274-0824 | F (828) 274-8131

[www.biltmoreforest.org](http://www.biltmoreforest.org)



George F. Goosmann, III, Mayor  
Fran G. Cogburn, Mayor-Pro Tem  
E. Glenn Kelly, Commissioner  
Doris P. Loomis, Commissioner

Jonathan B. Kanipe,  
Town Manager

## MEMORANDUM

To: Board of Adjustments Members  
From: Jonathan Kanipe, Town Manager  
Re: Board of Adjustments Case Number 2 (19 Eastwood Road)  
Date: June 7, 2019

---

### Request for a Variance for Construction of Portion of Driveway in Side Yard Setback

The property owners at 19 Eastwood Road have presented plans for new construction of a single-family home. The driveway used to service the previous home, partially located in the side yard setback, will be utilized and does not require additional approval. The new plans, however, request an expansion of the portion of the driveway closer to the house to be used as an “auto court” which will also be located in the side yard setback. The new portion of the driveway will require approval of a variance. The ordinance language regarding driveways in the side yard setback can be found below:

***YARD, SIDE.*** An open, unoccupied space on the same lot with a principal building extending the full width of the lot and being situated between the building and the side lot line and extending from the rear line of the front yard to the front line of the rear yard. Notwithstanding the above definition, for the purposes of determining compliance with minimum yard setback of § 153.007, the *SIDE YARD* shall be the entire length of each side lot line extending from the front lot line to the rear lot line and shall equally apply to lots with a principal building, lots without a principal building and vacant lots. **Driveways shall not be located in the side yard setback.**

### Request for Approval of Land Disturbance Activities Exceeding Twenty Percent of Lot

Section §153.034 of the Zoning Ordinance requires Board of Adjustment approval for any land disturbance activities over 20% of the lot area. The plans presented show site disturbance of .75 acres on a 2.001 acre lot, which results in 37% of the land area to be disturbed. A landscaping plan and a grading plan are included in this submittal.

#### § 153.034 LAND DISTURBANCE AND SEDIMENTATION CONTROL.

(A) *Land disturbance becoming landscaping.* Any land-disturbing activity, such as grading projects or removal of natural vegetation, that involves the disturbance of 20% or more of the land area of any lot shall submit a landscaping and grading plan for such activity to the Board of Adjustment for review and approval. Prior to commencing such activity in a public service district, any land-disturbing activity such as grading projects or removal of natural vegetation other than routine maintenance shall be subject to approval by the Town Board of Adjustment regardless of the area to be disturbed.

# Zoning Compliance Application

Town of Biltmore Forest

**Name**

Dick and Joyce Funk

**Property Address**

Eastwood Drive, Biltmore Forest

**Phone**

(727) 641-8770

**Email**

funk@bradleyconstruction.com

**Parcel ID/PIN Number**

9646-86-6649

## ZONING INFORMATION

**Current Zoning**

R-1

**Lot Size**

2.001

**Maximum Roof Coverage**

6,700 square feet (Up to 2.5 acres)

**Proposed Roof Coverage Total**

6697 square feet

**Maximum Impervious Surface Coverage**

1-3 acres (25 percent of lot area)

**Proposed Impervious Surface Coverage**

14,015 square feet

**Front Yard Setback**

60 feet (R-1 District)

**Side Yard Setback**

20 feet (R-1 District)

**Rear Yard Setback**

25 feet (R-1 District)

**Building Height**

40 feet (at highest consistent grade)

**Description of the Proposed Project**

Construction of a new single family residence

**Estimated Start Date**

7/15/2019

**Estimated Completion Date**

9/15/2020

**Estimated Cost of Project**

\$2,200,000.00

**Supporting Documentation (Site Plan, Drawings, Other Information)**

01-Front Elevation Rendering.pdf

02-Right Side Elevation Rendering.pdf

03-Left Side Elevation Rendering.pdf

04-Rear Elevation Rendering.pdf

05-First Floor Plan.pdf

06-Second Floor Plan.pdf

07-Lower Level Floor Plan.pdf

08-Roof Plan.pdf

09-Site Plan.pdf

10-Grading Plan.pdf

11-Landscape Plan.pdf

12-Details 1.pdf

13-Details 2.pdf

14-Lighting Plan.pdf

**Applicant Signature**

**Date**

5/30/2019



---

# VARIANCE APPLICATION

Town of Biltmore Forest

**Name**

Dick and Joyce Funk

**Address**

19 Eastwood

**Phone**

(727) 641-8770

**Email**

funk@Bradleyconstruction.com

**Current Zoning/Use**

Residential

**Requested Use**

Residential

**APPLICATION REQUIREMENTS:** An application to the Board of Adjustment for a variance must be submitted to the Town of Biltmore Forest Town Manager at least 21 days prior to the meeting at which the application will be considered. A pre-application meeting with Town staff is required prior to application submittal to the Board of Adjustment.

**What would you like to do with your property?**

Locate the driveway motor court/turnaround approximately 8 feet into the 20 foot side setback.

**What does the ordinance require?**

The zoning ordinance requires that no driveways be allowed in the side setback.

BOARD OF ADJUSTMENT: N.C.G.S. 160A-388(D) requires that the Board of Adjustment shall vary the provisions of the Zoning Ordinance only upon a showing of ALL the items below. The Board of Adjustment must follow strict procedure and all determinations must be decided by a concurring vote of four-fifths of the members of the Board. It is important to provide detailed supporting documentation for the Board of Adjustment to review. If necessary, additional sheets may be attached to this application.

**REQUIRED FINDINGS: Please provide a thorough response to each.****Unnecessary hardship would result from the strict application of the ordinance.**

The hardship that will occur is that the new single family residence that we are proposing to build on the existing property located at 19 Eastwood in Biltmore Forest, will be forced to move to the right of the property, placing the new structure further into a deep ravine that exist on the property. The hardship is a financial higher cost in foundation cost, retaining walls, and fill soil to accommodate the placement in this deep ravine area. The house will have a much better site orientation and massing if allowed to remain positioned on the property as we have shown on our site plan and landscape plan. Also, the existing natural site drainage on this property in this ravine will remain in effect and undisturbed if the variance is allowed.

**The hardship results from conditions that are peculiar to the property, such as location, size, or topography.**

The hardship occurs due to the topographical existence of a rather steep ravine located along the right hand side of the property.

**The hardship did not result from actions taken by the applicant or the property owner.**

The hardship of the deep ravine on the property is an existing topographical hardship that is a detractor of

the existing property.

**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.**

It is our feeling that the new home to be built will fit into the character and general intent of Biltmore Forest if the driveway motor court is allowed to be positioned over the left side setback approximately 8 feet.

**I hereby certify that all of the information set forth above is true and accurate to the best of my knowledge.**

**Signature**

**Date**

6/3/2019

A handwritten signature in black ink, appearing to read "Christopher", written over a horizontal line.



Site Calculations

Total Property = 2.001 acres  
Total Proposed Disturbed Area = .75 acres  
Percentage of Lot Disturbed = 37.5%  
  
Total Proposed Impervious Area = 14,015 s.f = .321 acres  
Percentage of Lot Impervious Area = 16%

Tree Symbols

- Tree to Remain - See Tree Protection Notes
- Tree to Remove



North



SCALE : 1" = 30'

VICINITY MAP  
NOT TO SCALE



North



SCALE : 1" = 20'

Other Consultants:

Owner  
Richard and Joyce Funk  
19 Eastwood RD LLC

Project:  
Funk Residence  
Lot 6 of Block GCE of  
Biltmore Forest

Sheet:  
Site Plan

Designed By:  
Creative  
Development  
Solutions  
landscape architecture | land planning | community and resort design  
1003 4th avenue west, hendersonville, north carolina 28739  
p 888.996.9992 t 704.886.9954

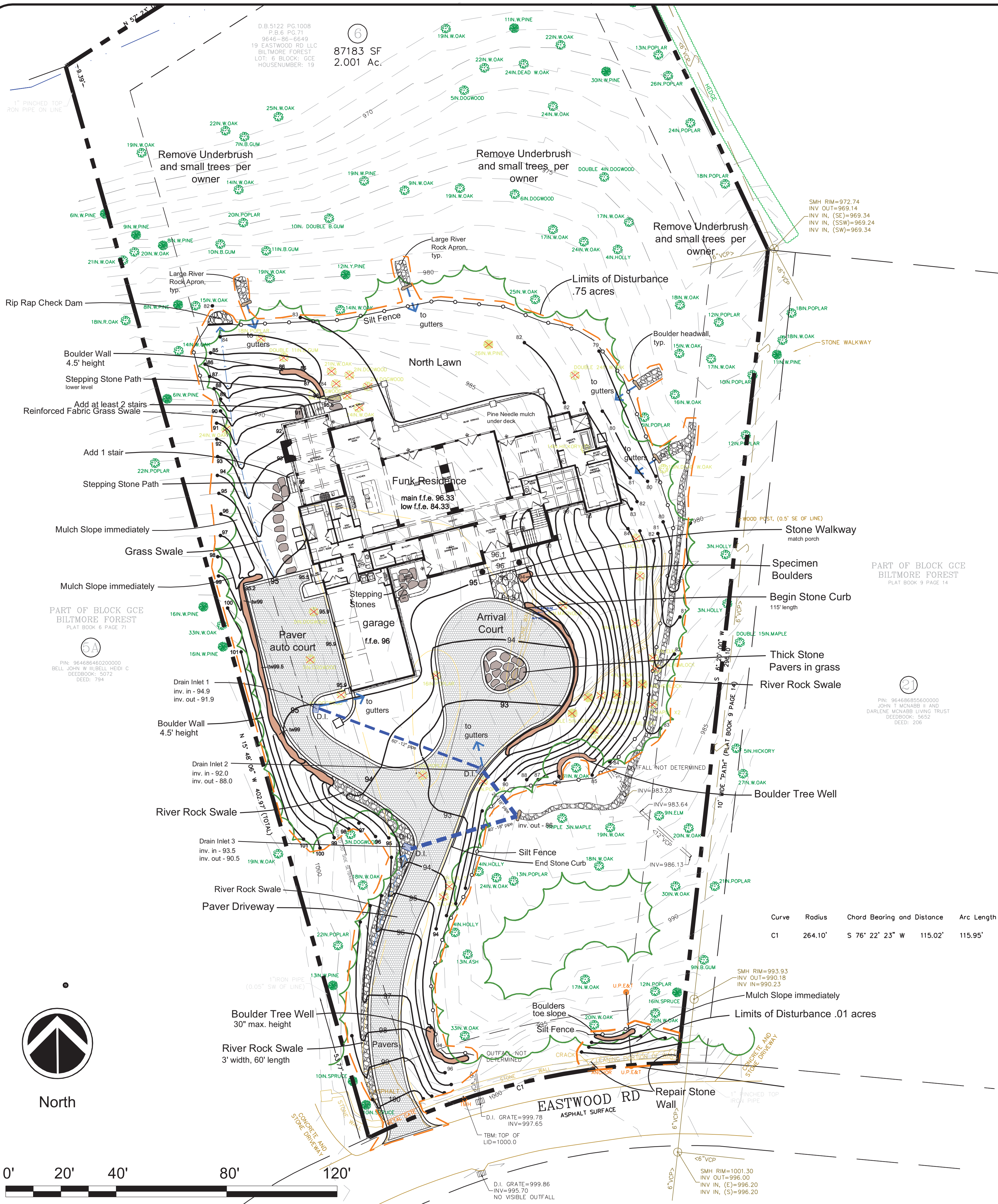
ISSUE DATE: May 20, 2019  
DESIGNED BY: DB  
DRAWN BY: SB  
APPROVED BY: DSB

Project Number:  
SHEET NUMBER:  
LI









GENERAL PLAN NOTES

- 1. THE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UNDERGROUND UTILITIES BY CALLING NORTH CAROLINA 811 AT 1-800-632-4269 THREE (3) DAYS PRIOR TO CONSTRUCTION.
- 2. THE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT FOR A REVIEW SHOULD ANY DISCREPANCIES BE DISCOVERED AT THE SITE OR ON THE DRAWINGS.
- 3. ALL WORKMANSHIP WILL CONFORM TO ALL CODES AND STANDARDS.
- 4. THE CONTRACTOR SHALL VERIFY INVERT ELEVATIONS FOR EXISTING/PROPOSED PIPES AND EXISTING ROADWAY ELEVATIONS PRIOR TO COMMENCEMENT OF CONSTRUCTION.
- 5. SILT BARRIERS/FENCES MUST BE IN PLACE PRIOR TO BEGINNING GRUBBING/CLEARING. NO GRADING MAY BEGIN UNTIL SILT BARRIER INSTALLATION IS COMPLETE.
- 6. CONTRACTOR IS RESPONSIBLE FOR ALL FIELD LAYOUT OF PROPOSED IMPROVEMENTS.
- 7. CONTRACTOR WILL ADHERE TO THE WEIGHT LIMITS PRESCRIBED ON COUNTY AND STATE MAINTAINED ROADS FOR HAULING EQUIPMENT AND/OR MATERIALS TO AND FROM THIS SITE. THE CONTRACTOR WILL BE HELD RESPONSIBLE FOR ANY DAMAGES TO THE STREETS OR UTILITIES DUE TO NON-COMPLIANCE OF WEIGHT LIMITS.
- 8. THE CONTRACTOR IS RESPONSIBLE TO REMOVE OR CLEAN-OUT ANY SILT, DIRT, OR MUD, OR ANY OTHER TYPE OF DEBRIS THAT COMES OFF THIS SITE AND IS DEPOSITED OFF PROPERTY. THE CONTRACTOR IS RESPONSIBLE TO REMOVE ANY OF THE ITEMS MENTIONED THAT ARE DEPOSITED ONTO PRIVATE OR COUNTY OWNED PROPERTY, INCLUDING RIGHT-OF-WAY AREA AND ROADWAYS.
- 9. BACKFILL TRENCHES IN AREAS SUBJECT TO VEHICULAR TRAFFIC SHALL BE COMPACTED TO 98% MAXIMUM DENSITY AT +/-3% OF OPTIMUM MOISTURE CONTENT IN ACCORDANCE WITH ASTM D-698 (STD. PROCTER).
- 10. EARTHWORK GRADES AND SLOPES AS SHOWN ARE APPROXIMATE. ADJUST DRIVEWAY LOCATION AND ELEVATIONS AS REQUIRED TO FIELD CONDITIONS. PROOF ROLLING AND COMPACTION TESTS SHALL BE ACCOMPLISHED IN THE FIELD TO TEST ALL AREAS AS REQUIRED BY OWNER. INITIAL COMPACTION TESTS WILL BE CONDUCTED AT OWNER'S EXPENSE. RETESTING REQUIRED DUE TO POOR COMPACTION SHALL BE CONDUCTED AT CONTRACTOR'S EXPENSE.
- 11. THE GRADING CONTRACTOR SHALL PROOF ROLL THE DRIVEWAY AREA WITH A SHEEPS FOOT ROLLER. ALL SOFT SPOTS SHALL BE STABILIZED BY FURTHER COMPACTIVE EFFORT OR UNDERCUT AND BACK FILLED WITH COMPACTED STRUCTURAL FILL MATERIAL.
- 12. ALL NEW ELEVATIONS SHOWN ARE APPROXIMATE FINISH ELEVATIONS. THE GRADING CONTRACTOR SHALL DEDUCT THE APPROPRIATE AMOUNT FOR THE SUBGRADE.
- 13. CONTRACTOR SHALL REMOVE TOPSOIL AS NECESSARY (MINIMUM OF 4") TO PROVIDE ADEQUATE SUBGRADE FOR ROADWAYS.
- 14. GRAVEL TO BE INSTALLED IN DRIVEWAY AREA AS SOON AS POSSIBLE AND ADDED TO AS REQUIRED TO CONTROL MUD.
- 15. THE CONTRACTOR SHALL CONDUCT ALL WORK IN ACCORDANCE WITH THE LATEST REQUIREMENTS OF THE OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION.
- 16. CONTOUR INTERVALS 2' - SEE PLANS
- 17. ALL EROSION CONTROL MEASURES SHOWN AND STATED ON THIS PLAN ARE TO BE IMPLEMENTED THROUGH COMPLETION.
- 20. STANDING GRASS OR MULCH OR FARRIC MUST BE PROVIDED FOR ALL DISTURBED AREAS BEFORE FINAL APPROVAL.

TREE PROTECTION NOTES

- TREES TO REMAIN NOT IN LIMITS OF DISTURBANCE
- 1. ALL TREES, UNDERSTORY AND OTHER VEGETATION TO REMAIN SHALL BE FLAGGED BY THE OWNER/SURVEYOR AND PROTECTED FROM INJURY DURING ANY LAND CLEARING AND CONSTRUCTION PROCESS.
  - 2. THE CONTRACTOR SHALL NOT PARK VEHICLES, STORE MATERIALS OR TRENCH WITHIN THE DRIPLINE OF TREES TO REMAIN, OR WITHIN BARRIERS PROTECTING ANY VEGETATION TO REMAIN.
  - 3. THE CONTRACTOR SHALL NOT CAUSE OR ALLOW THE CLEANING OF EQUIPMENT, STORAGE OR DISPOSAL OF MATERIALS SUCH AS PAINTS, SOLVENTS, ASPHALT, CONCRETE, OR ANY MATERIAL THAT CAN DAMAGE THE HEALTH OF VEGETATION WITHIN THE DRIPLINE OF PROTECTED VEGETATION.
  - 4. NO ATTACHMENT OF WIRES (EXCLUSIVE OF PROTECTIVE GUIDE WIRES) SIGNS, OR PERMITS SHALL BE FASTENED TO PROTECTED VEGETATION.
  - 5. AN ORANGE HIGH VISIBILITY CONSTRUCTION FENCE OR TEMPORARY SILT BARRIER FENCE SHALL BE INSTALLED AROUND ALL TREES WITHIN 10' OF THE CONSTRUCTION OR AS DIRECTED BY THE OWNER. THE BARRIERS SHALL REMAIN THROUGHOUT THE ENTIRE CONSTRUCTION PROCESS.
  - 6. ALL CLEARING AND GRUBBING WITHIN AREAS OF VEGETATION TO REMAIN SHALL BE DONE WITH HAND TOOLS ONLY AND UNDER THE DIRECTION OF THE OWNER.

Tree Symbols

- Tree to Remain - See Tree Protection Notes
- Tree to Remove

SEEDING SPECIFICATIONS

PERMANENT SEEDING SPECIFICATIONS

LOW MOW LAWN, ROAD BANKS, SHOULDERS, AND DITCHLINE SEEDING MIXTURES:

RATE 150 LB. PER ACRE. - Approximately .33 acres TOTAL for entire project

SPECIES Mix per 150 lbs.

SHEEPS FESCUE -20%

NAVIGATOR II CREEPING RED FESCUE - 50%

SR5130 CHEWINGS FESCUE - 15%

ANNUAL RYE GRAIN - 15%

SEEDING DATES:

SEEDING DATES:	BEST	POSSIBLE
EARLY SPRING	FEB. 15 - MAR. 20	FEB. 15 - APR. 30
FALL	SEPT. 1 - SEPT. 30	SEPT. 1 - OCT. 31

SOIL AMENDMENTS:

APPLY LIME AND FERTILIZER ACCORDING TO SOIL TEST, OR APPLY 3,000 - 5,000 LB./ACRE GROUND AGRICULTURAL LIMESTONE (USE THE LOWER RATE ON SANDY SOILS) AND 1,000 LB./ACRE 10-10-10 FERTILIZER.

MULCH:

APPLY 4,000 LB./ACRE GRAIN STRAW OR EQUIVALENT COVER OF ANOTHER SUITABLE MULCH. ANCHOR STRAW BY TACKING WITH ASPHALT, NETTING, OR ROVING OR BY CRIMPING WITH A MULCH ANCHORING TOOL. A DISK WITH BLADES SET NEARLY STRAIGHT CAN BE USED AS A MULCH ANCHORING TOOL.

MAINTENANCE:

IF GROWTH IS LESS THAN FULLY ADEQUATE, REFERTILIZE IN THE SECOND YEAR, ACCORDING TO THE SOIL TESTS OR TOP DRESS WITH 500 LB./ACRE 10-10-10 FERTILIZER. MOW AS NEEDED TO A 6" MINIMUM HEIGHT. RE-SEED, FERTILIZE, AND MULCH DAMAGED AREAS IMMEDIATELY.

ADDITIONAL SEEDING NOTES:

1. GRADING CONTRACTOR IS RESPONSIBLE FOR SEEDING ALL DISTURBED AREAS OF THE PROJECT.
2. LOOSEN COMPACTED SUBGRADE AND UNCHANGED SUBGRADE TO A MINIMUM DEPTH OF 4". REMOVE STICKS, ROOTS, RUBBISH AND OTHER EXTRANEOUS MATTER AND LEGALLY DISPOSE OF THEM OFF OWNER'S PROPERTY. RANG OR OTHERWISE LIGHTLY SCAMPY SOIL SURFACE TO ENSURE SEED-TO-SOIL CONTACT. AREAS TO BE SEED SHALL BE RIPPED AND SPREAD WITH AVAILABLE TOPSOIL 7" DEEP. TOTAL SEEDING PREPARED DEPTH SHALL BE 8" TO 10" DEEP SURFACE FOR FINAL SEEDING PREPARATION. AT FINISH GRADES SHOWN, SHALL BE REASONABLY SMOOTH AND UNIFORM.
3. APPLY SEED BY HYDRO-SEEDING WERE POSSIBLE. ALLOW SEED APPLICATION TO DRY PRIOR TO MULCH APPLICATION TO PREVENT RUN-OFF.
4. SURFACE WATER CONTROL MEASURES TO BE INSTALLED ACCORDING TO PLAN. IF NO SOIL TEST IS TAKEN, FERTILIZE AND LIME ACCORDING TO SEEDING SCHEDULE. IF SOIL TEST IS TAKEN PROVIDE LIME AND FERTILIZER ACCORDING TO SOIL TEST REPORT. LIME AND FERTILIZER SHALL BE APPLIED UNIFORMLY AND MIXED WITH THE SOIL DURING SEEDING PREPARATION.
5. ALL EROSION CONTROL MEASURES SHALL BE CONSTRUCTED IN ACCORDANCE WITH N.C. EROSION AND SEDIMENT CONTROL, PLANNING AND DESIGN MANUAL, USDA, & U.S. GCS.

GROUND STABILIZATION

SITE AREA DESCRIPTION	STABILIZATION TIME FRAME	STABILIZATION TIME FRAME EXCEPTIONS
PERIMETER DIKES, SWALES, DITCHES AND SLOPES	7 DAYS	NONE
HIGH QUALITY WATER ZONES	7 DAYS	NONE
SLOPES STEEPER THAN 3:1	7 DAYS	IF SLOPES ARE 10' OR LESS IN LENGTH AND ARE NOT STEEPER THAN 2:1, 14 DAYS ARE ALLOWED
SLOPES 3:1 OR FLATTER	14 DAYS	7 DAYS FOR SLOPES GREATER THAN 50 FEET IN LENGTH
ALL OTHER AREAS WITH SLOPES FLATTER THAN 4:1	14 DAYS	NONE (EXCEPT FOR PERMITTERS AND HOW ZONES)

Ground STABILIZATION = mulch, wheat straw and grass seeding or fabric and rip rap to cover all dirt and disturbed areas

Site Calculations

Total Property = 2.001 acres

Total Proposed Disturbed Area = .75 acres

Percentage of Lot Disturbed = 37.5%

Total Proposed Impervious Area = 14,015 s.f = .321 acres

Percentage of Lot Impervious Area = 16%

Other Consultants:

Architect - The Studio of Christopher Phelan  
Surveyor - NC Survey

Owner

Richard and Joyce Funk  
19 Eastwood RD LLC

PB. 6 PG. 71  
PIN: 9468666400000

Project:

Funk Residence  
Lot 6 of Block GCE of  
Biltmore Forest

Limestone Township Buncombe County, N.C.

Sheet:

Grading and Drainage Plan

Designed By:

creative  
development  
solutions  
landscape architecture | land planning | community and resort design  
1003 4th avenue west, hendersonville, north carolina 28739  
p 888.946.9992 t 704.886.9924

ISSUE DATE: May 20, 2019

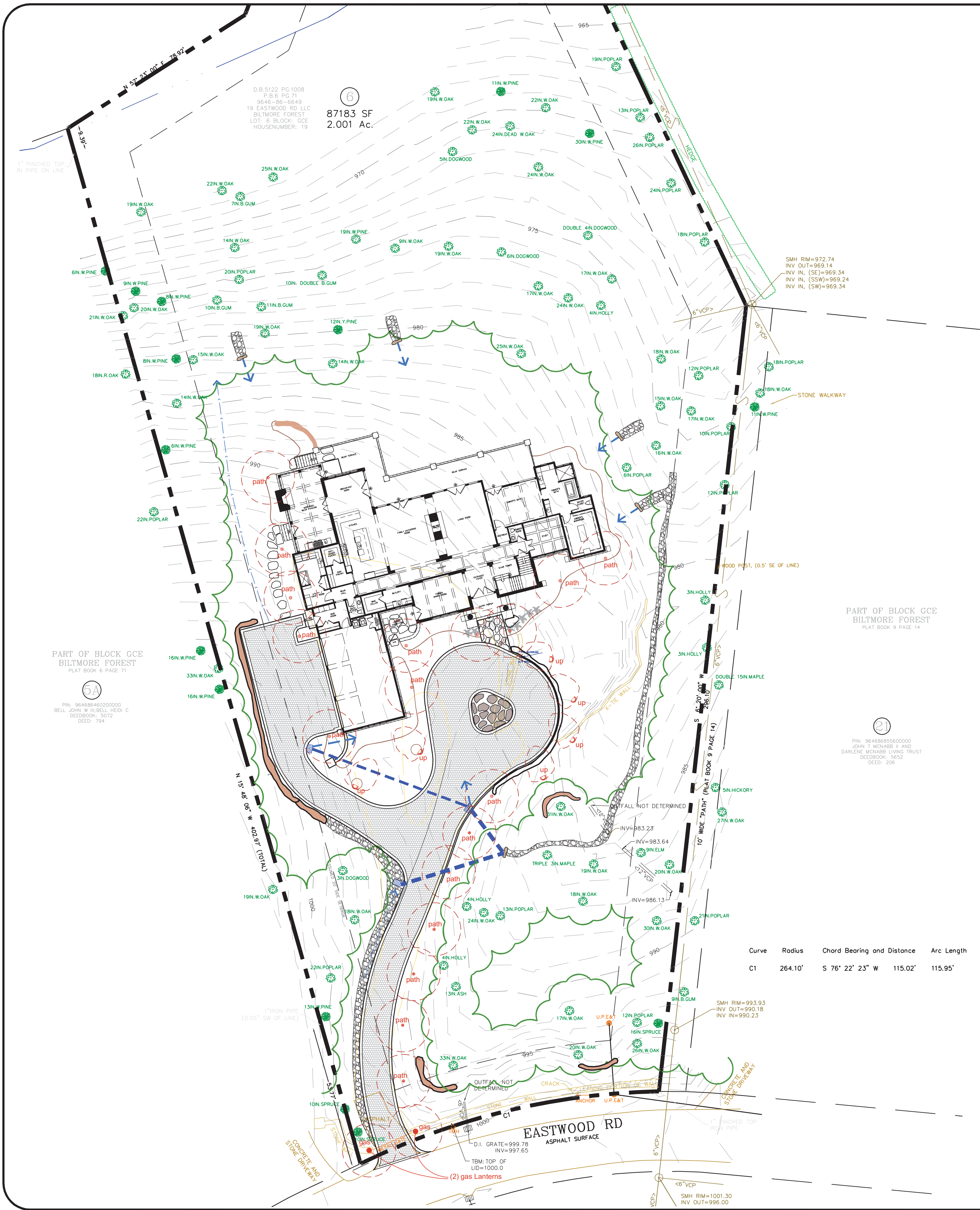
REVISIONS:

DESIGNED BY: DB  
DRAWN BY: SB  
APPROVED BY: DSB

Project Number:

SHEET NUMBER:  
L2



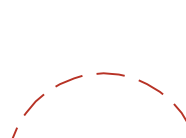




Review Notes

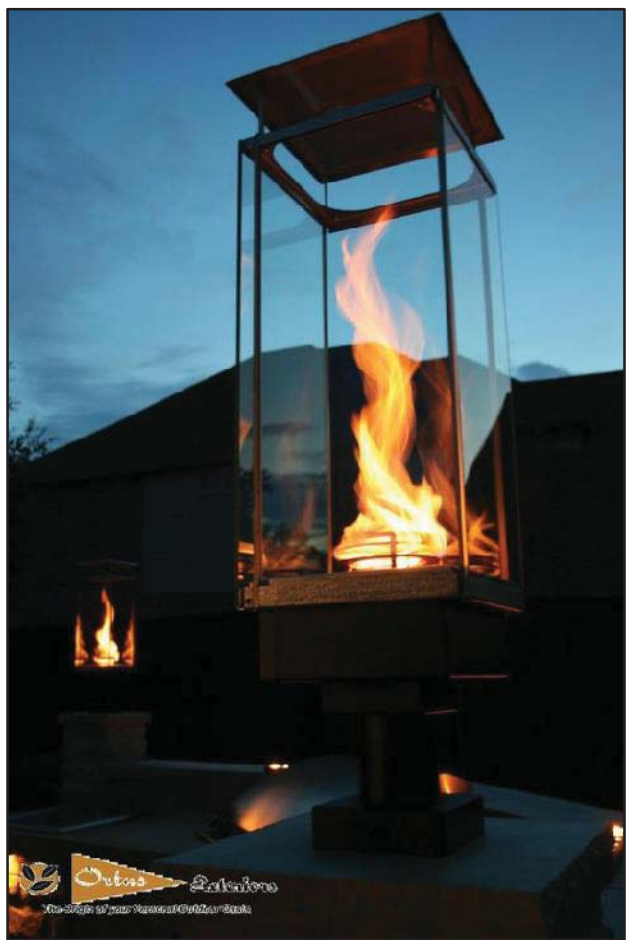
1. This plan is for general lighting concepts and areas only. A complete landscape lighting plan will be provided by owner at 50% completion of the house construction.

Landscape Legend

-  Small LED tree Uplight    Quantity - 6
-  LED Path Light    Quantity - 18
-  Gas Lantern    Quantity - 2



Small LED tree Uplight  
Kichler Accent Light



Gas Lantern  
Warisan Lighting

LED Path Light - Options 1 and 2



Custom Pole with Mushroom Light



Kichler Vintage Park

Other Consultants:

Architect - The Studio of Christopher Phelps  
Surveyor - NC Survey

Owner

Richard and Joyce Funk  
19 Eastwood RD LLC  
PB. 6 PG. 71  
PIN: 9468666400000

Project:

Funk Residence  
Lot 6 of Block GCE of  
Biltmore Forest  
Limestone Township, Buncombe County, N.C.

Sheet:

Landscape Concept

Designed By:

creative  
development  
solutions  
landscape architecture | land planning | community and resort design  
1003 4th avenue west, hendersonville, north carolina 28739  
p 888.946.9992 | f 888.946.9954

ISSUE DATE:

REVISIONS:

May 20, 2019  
DESIGNED BY: DB  
DRAWN BY: SB  
APPROVED BY: DSB

Project Number:

SHEET NUMBER:  
L6





Front Elevation Rendering  
(South)

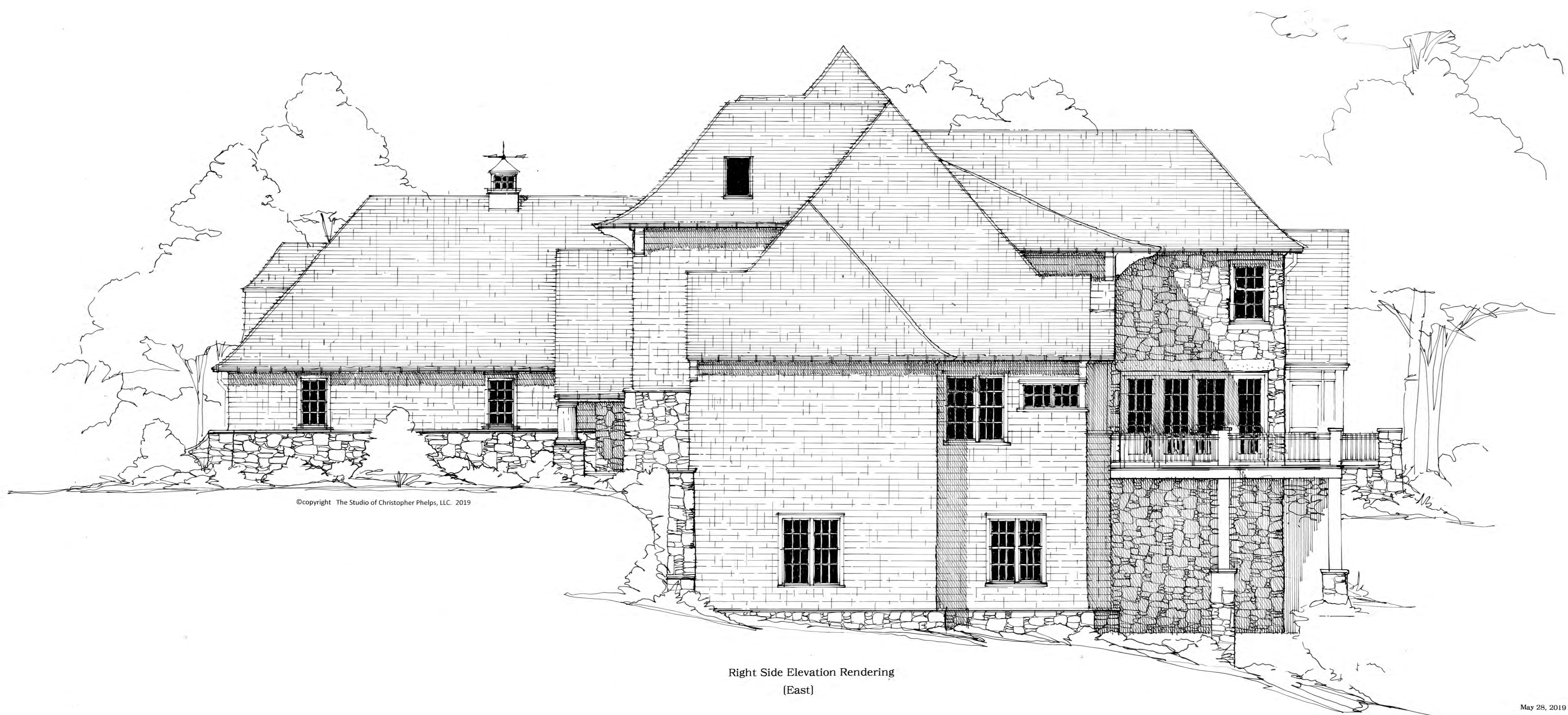
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19 EASTWOOD ROAD  
BILTMORE FOREST  
ASHEVILLE NORTH CAROLINA

May 28, 2019

Christopher  
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Inspiring Homes for Life

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2 Wall Street • Suite 108 • Asheville • NC • 28801  
P: (704) 377-5569 • Christopherphelps.com





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Left Side Elevation Rendering  
(West)

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Rear Elevation Rendering  
(North)

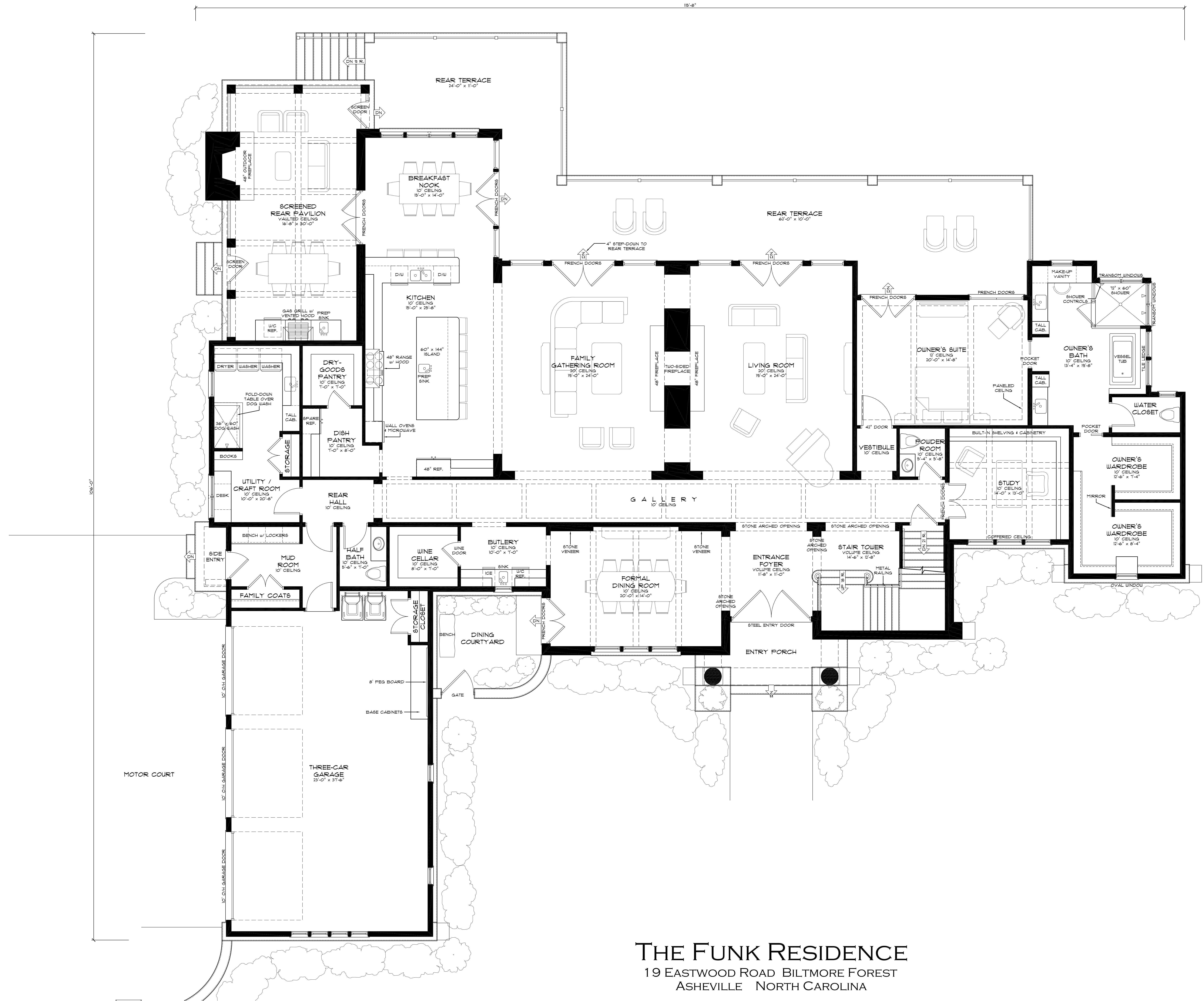
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SQUARE FOOTAGE (TO OUTSIDE OF STUD WALL)	
FIRST FLOOR HEATED	4,493
SECOND FLOOR HEATED	2,875
CONDITIONED SECOND FLOOR STORAGE	314
<b>TOTAL HEATED SQ. FT.</b>	<b>7,682</b>
ENTRY PORCH	105
THREE-CAR GARAGE	931
SIDE ENTRY	15
SCREENED REAR PAVILION	416
UNFINISHED BASEMENT	3,962
<b>TOTAL UNHEATED SQ. FT.</b>	<b>5,499</b>
<b>TOTAL UNDER ROOF SQ. FT.</b>	<b>12,881</b>

All square footage calculations have been derived from preliminary design sketches. Without exact dimensions that do not exist on preliminary design sketches, these square footage calculations are considered approximate.

## FIRST FLOOR PLAN

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

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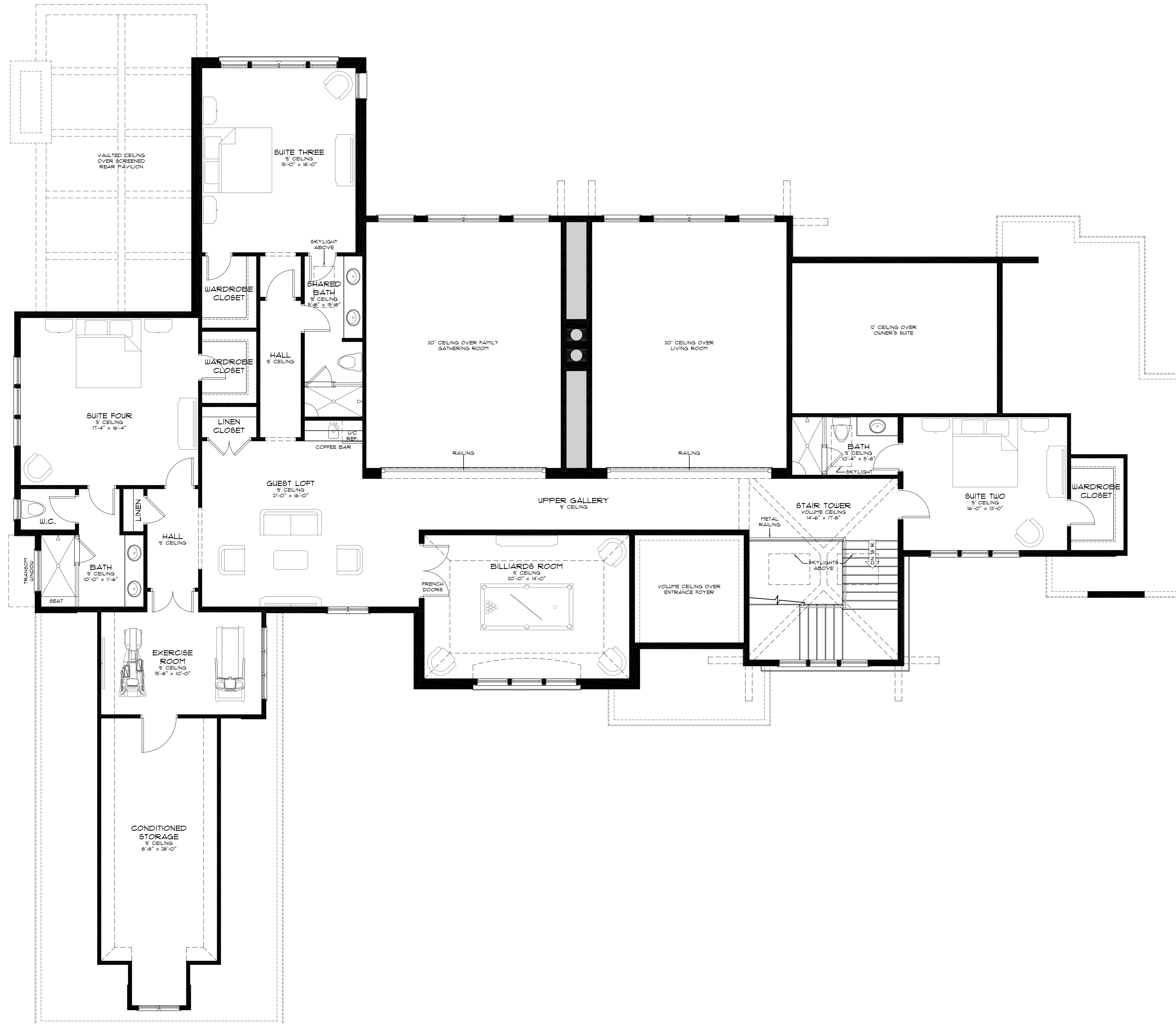
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ASHEVILLE NORTH CAROLINA



S Q U A R E   F O O T A G E	
(TO OUTSIDE OF STUD WALL)	
-----	
FIRST FLOOR HEATED	4,493
SECOND FLOOR HEATED	2,875
CONDITONED SECOND FLOOR STORAGE	314
-----	
TOTAL HEATED SQ. FT.	7,382
-----	
ENTRY PORCH	105
THREE-CAR GARAGE	931
SIDE ENTRY	18
SCREENED REAR PAVILION	416
UNFINISHED BASEMENT	3,962
-----	
TOTAL UNHEATED SQ. FT.	5,499
-----	
TOTAL UNDER ROOF SQ. FT.	12,881

All square footage calculations have been derived from preliminary design sketches. Without exact dimensions that do not exist on preliminary design sketches, these square footage calculations are considered approximate.

## SECOND FLOOR PLAN

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

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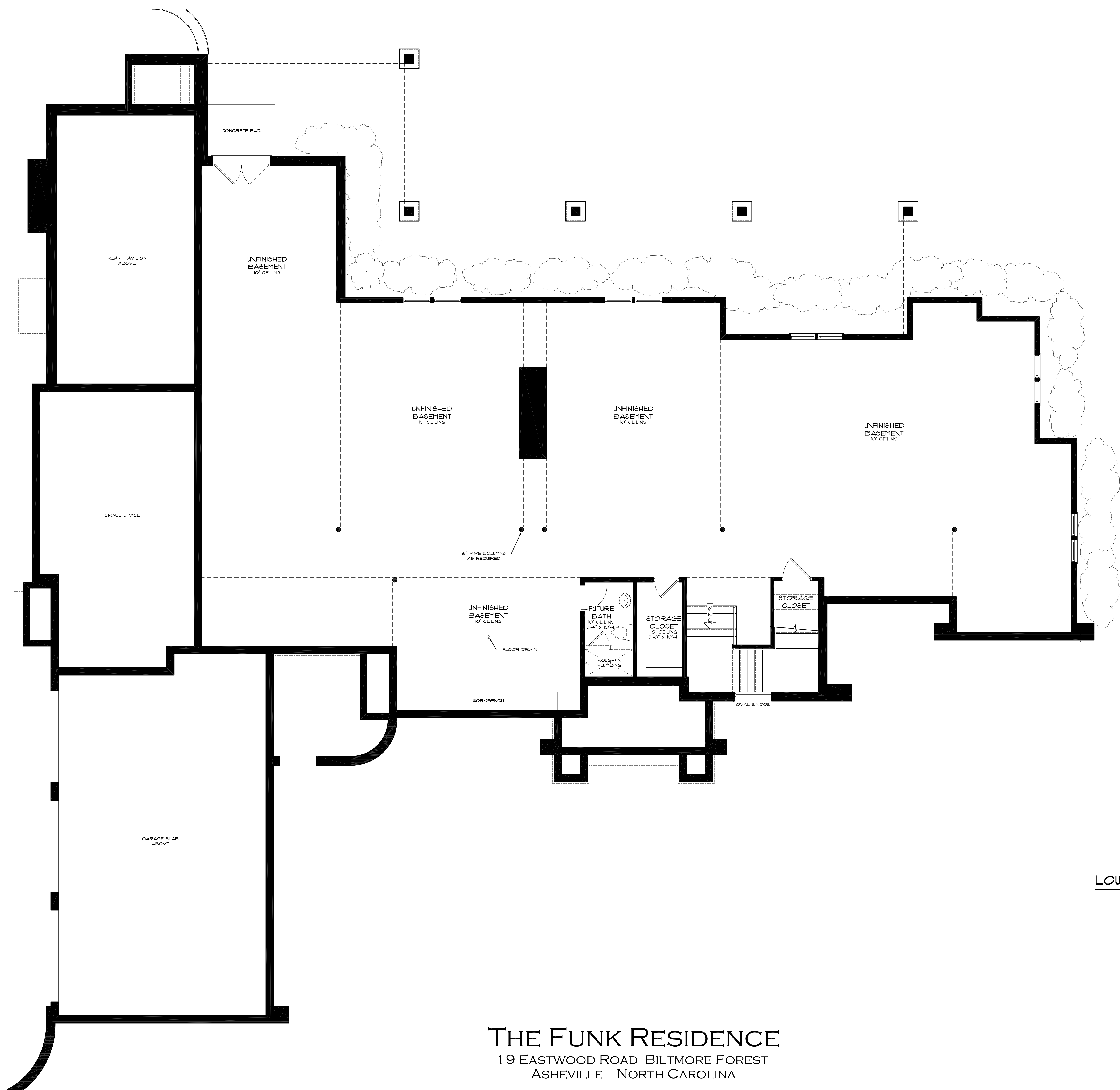
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SQUARE FOOTAGE (TO OUTSIDE OF STUD WALL)	
FIRST FLOOR HEATED	4,493
SECOND FLOOR HEATED	2,575
CONDITIONED SECOND FLOOR STORAGE	314
-----	
TOTAL HEATED SQ. FT.	7,382
ENTRY PORCH	105
THREE-CAR GARAGE	937
SIDE ENTRY	75
SCREENED REAR PAVILION	416
UNFINISHED BASEMENT	3,962
-----	
TOTAL UNHEATED SQ. FT.	5,499
-----	
TOTAL UNDER ROOF SQ. FT.	12,881

All square footage calculations have been derived from preliminary design sketches. Without exact dimensions that do not exist on preliminary design sketches, these square footage calculations are considered approximate.

LOWER LEVEL FLOOR PLAN

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

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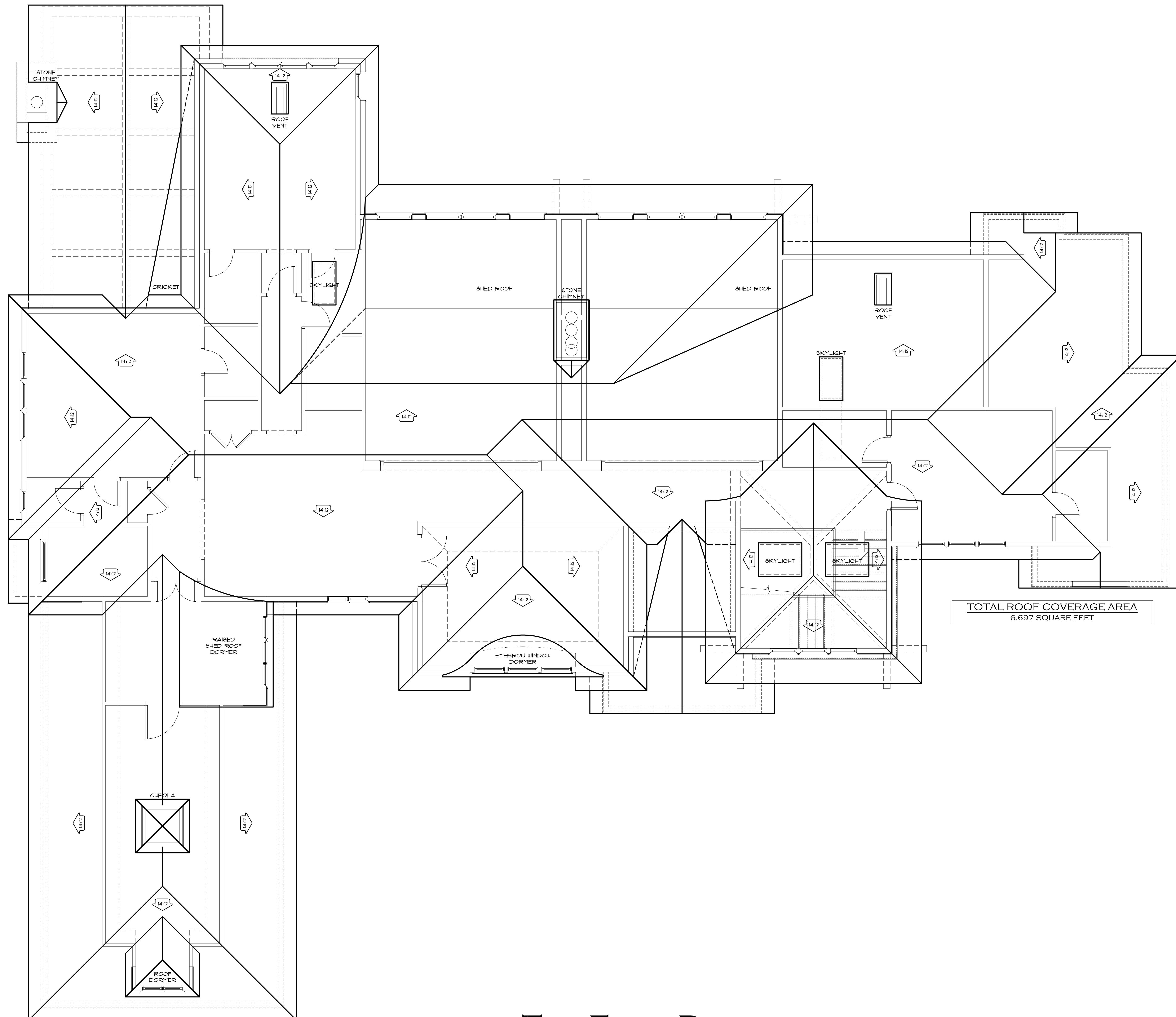
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# PRELIMINARY ROOF PLAN SCALE: 1/4" = 1'-0"

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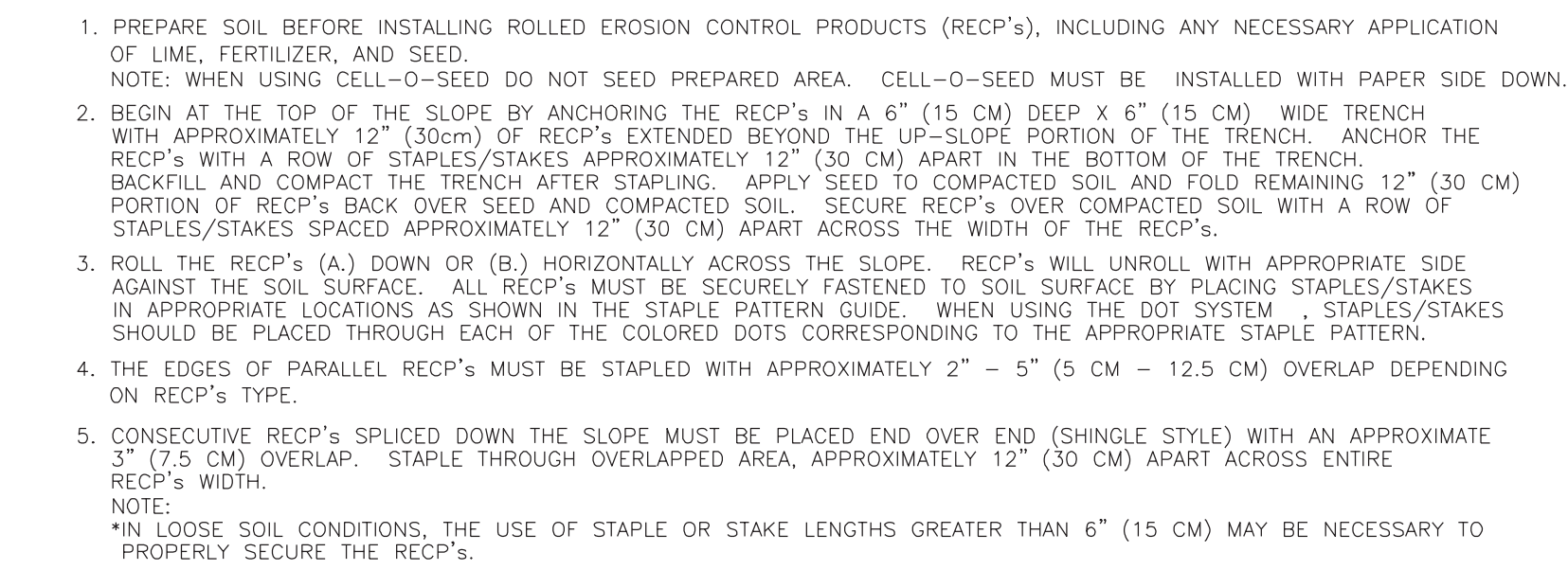
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NOTE: INSTALL REINFORCED SLOPE BLANKET ON ALL AREAS SHOWN ON PLANS AND ADDITIONALLY AS NEEDED TO ACHIEVE FULL VEGETATION AND GRASS GROWTH..

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