



To: Members of the Board of Adjustment, Applicants & Neighboring Property Owners  
From: Jonathan B. Kanipe, Town Manager  
Date: August 16, 2023  
Re: **Board of Adjustment Meeting – August 28, 2023**

**Applicants:**

You or a representative **MUST** attend the meeting to have the matter considered.

Members of the Board of Adjustment & staff will conduct a site visit, as noted on the agenda, prior to the meeting. The applicant or their representative **MUST** be present for this site visit.

**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 <http://www.biltmoreforest.org/board-of-adjustment>

You are invited to attend the scheduled meeting at the Town Hall and make comment when called upon.

Additional information regarding the meeting will be provided on the Town's website no later than August 24, 2023.

**PLEASE NOTE – THIS REVISED AGENDA SHOWS THE CORRECT DATE FOR THE MEETING LISTED BELOW. PLEASE DISREGARD ANY OTHER AGENDAS YOU MAY RECEIVE. THANK YOU FOR YOUR UNDERSTANDING.**

**\*\*\*PROPOSED AGENDA\*\*\***

The following items of business will be considered by the Biltmore Forest Board of Adjustment on Monday, August 28, 2023 at 4:00 p.m. at the Biltmore Forest Town Hall at 355 Vanderbilt Road, Biltmore Forest, NC 28803.

Remote viewing via Zoom at the link provided below.

1. The meeting will be called to order and roll call taken.
2. The minutes of the July 17, 2023 regular meeting will be considered.
3. Hearing of Cases (Evidentiary Hearings, Deliberations & Determinations).

**LISTED ON FOLLOWING PAGE  
DUE TO VOLUME OF CASES**

**SITE VISITS ARE SHOWN ON THE THIRD PAGE OF  
THIS AGENDA**

4. Adjourn

<https://us02web.zoom.us/j/82405586759?pwd=VlFaQ0JMUXFCaGRRYUNoTHVHU2tmZz09>

Meeting ID: 824 0558 6759

Passcode: 804985

1. **5 Brookside Road**

Special Use Permit request for Fence Replacement in Existing Location

2. **19 Brookside Road**

Special Use Permit request for Fence Replacement in Existing Location

3. **46 Hilltop Road**

Special Use Permit request for Accessory Structure (Installation of Driveway Entrance Columns)

4. **7 Greenwood Road**

Special Use Permit request for Accessory Structure (Installation of Driveway Entrance Columns)

5. **410 Vanderbilt Road**

Special Use Permit request for Accessory Structure (Installation of Driveway Entrance Columns)

6. **3 Eastwood Road**

Special Use Permit request to Construct Accessory Structure in Rear Yard

7. **7 Stuyvesant Road**

Variance Request to Encroach into Side Yard Setback

8. **414 Vanderbilt Road**

Variance Request to Exceed Maximum Roof Coverage Requirement

9. **3 Stuyvesant Crescent**

Variance Request to Encroach on Side Yard Setback for Addition

10. **1345 Hendersonville Road (Carolina Day School)**

Variance request for Encroachment into Setbacks and Special Use permits for Accessory Structure Fence Installation

**SITE VISIT SCHEDULE – MONDAY, AUGUST 28, 2023**

**NOTE – DUE TO THE VOLUME OF CASES, TIMES ARE APPROXIMATE. BOARD MEMBERS WILL NOT SPEND MORE THAN 10-15 MINUTES AT EACH PROPERTY SO PLEASE BE PREPARED TO PROVIDE ANY AND ALL INFORMATION IN A TIMELY AND EFFICIENT MANNER.**

**1:45 PM – 3 EASTWOOD ROAD**

**2:00 PM – 1345 HENDERSONVILLE ROAD – CAROLINA DAY SCHOOL (MEET IN FRONT PARKING LOT ADJACENT TO HENDERSONVILLE ROAD)**

**2:15 PM – 3 STUYVESANT CRESCENT**

**2:35 PM – 7 GREENWOOD ROAD**

**2:40 PM – 46 HILLTOP ROAD**

**2:45 PM – 5 BROOKSIDE ROAD**

**2:55 PM – 19 BROOKSIDE ROAD**

**3:05 PM – 414 VANDERBILT ROAD**

**3:20 PM – 410 VANDERBILT ROAD**

**3:30 PM – 7 STUYVESANT ROAD**

MINUTES OF THE BOARD OF ADJUSTMENT MEETING  
HELD MONDAY, JULY 17, 2023

The Board of Adjustment met at 4:00 p.m. on Monday, July 17, 2023.

Mr. Greg Goosmann, Mr. Lowell Pearlman, Mr. Robert Chandler, Ms. Martha Barnes, and Ms. Rhoda Groce were present. Mr. Jonathan Kanipe, Town Manager, Mr. Tony Williams, Town Planner, Ms. Laura Jacobs, Town Clerk, and Mr. Billy Clarke, Town Attorney, were also present. Ms. Lynn Kieffer was not present.

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

Mr. Goosmann swore in the following:

Mr. Tony Williams

Mr. Jonathan Kanipe

Mr. Brad Freeman

Mr. Rob Montaque

Mr. Joseph Pollack

A motion was made by Ms. Rhoda Groce to approve the minutes as amended from June 17, 2023. Mr. Lowell Pearlman seconded the motion. The minutes were unanimously approved.

HEARING (Evidentiary):

The first matter discussed is a Special Use Permit request at 305 Vanderbilt Road for an accessory structure installation in the rear yard. Mr. Kanipe said the Town allows accessory structures provided the Board issues a Special Use Permit. The accessory structure here in

question is the outdoor fireplace and patio. The deck that is existing and the deck coming off the house are not included in this review because they are attached to the house and attached to the existing deck. From the Town's standpoint, it falls into compliance with the setback as well as the impervious surface roof coverage for the site. The site plans and renderings have been provided. Mr. Kanipe said the site falls into compliance with the setback and impervious surface roof coverage. Mr. Chandler asked if any of the neighbors could see the project from the road. Mr. Freeman said not really because they have an Arborvitae from the edge between Joann Grimes and the Freeman's property. The Russell's who live on the South side of the Freeman's have Hemlock trees. All of these areas are buffered and feedback has not been received from the neighbors.

#### DELIBERATION AND DETERMINATION:

Mr. Kanipe restated the facts and said Mr. Brad Freeman at 305 Vanderbilt Road is applying for a Special Use Permit for an accessory structure in the rear yard. It will be an outdoor fireplace and patio. It is in compliance with the setbacks and impervious surface roof coverage requirements. If approved by the Board of Adjustment, the Design Review Board will approve the remainder of the project.

Ms. Martha Barnes moved that a Special Use Permit be granted to Mr. Brad Freeman at 305 Vanderbilt Road for an outdoor fireplace and the facts as recited by Mr. Jonathan Kanipe and his summation be supported as findings and facts to support this grant. The Board has inspected this site and no neighboring property owner has objected. She further moved the Board define that granting this Special 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/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.

Ms. Rhoda Groce seconded the motion. The motion was unanimously approved.

HEARING (Evidentiary):

The next matter is for an approval of tree replanting plan at 1 Hilltop Road. The matter was shepherded by Ms. Rhoda Groce. Mr. Rob Montaque who is representing the homeowner, Mr. Marshall King said 849 trees were replaced. Mr. Montaque said nineteen trees have already been removed. They have a landscape plan that was submitted to the Board. Mr. Montaque said they replaced it with forty-nine trees.

DELIBERATION AND DETERMINATION:

Ms. Groce recited the facts and said Mr. Marshall King of 1 Hilltop Road has presented a landscaping plan review to replace the nineteen protected trees that were removed. They will be replaced with forty-nine new trees. The Town has reviewed the plan and said it is acceptable.

Ms. Martha Barnes moved that the tree planting plan be accepted as presented. Mr. Lowell Pearlman seconded the motion and was unanimously approved.

HEARING (Evidentiary):

The next matter is for a Special Use Permit request for driveway column installation at 31 Cedar Hill Drive. Mr. Lowell Pearlman shepherded the matter. Mr. Pollack said they are trying to put ornamental stone columns toward the roadway. They will not support any gates and have nothing

to do with the gate. The columns are five feet tall, three feet long, and two feet tall. This will not infringe on the right-of-way. Mr. Pollack said they are twenty-two feet from the road. Mr. Kanipe said the Board is allowed to consider the columns as a Special Use Permit and not a Variance. The materials will match the house. The frogs on top of the columns will be two feet tall.

DELIBERATION AND DETERMINATION:

Mr. Pearlman restated the facts and said Ms. Larissa Pollock is requesting a Special Use Permit for stone columns on the driveway and they meet all the height and distance requirements. Ornamental frogs will be placed on the top.

Ms. Martha Barnes moved that a Special Use Permit be granted to Larissa Pollack of 31 Cedar Hill Drive for stone columns on the driveway and the facts as recited by Lowell Pearlman and his summation be accepted as findings and facts to support this grant. The Board has inspected this site and no neighboring property owner has objected. She further moved the Board define that granting this Special 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/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.

Ms. Groce seconded the motion. The motion was unanimously approved.

The meeting was adjourned at 4:19 pm. The next Board of Adjustment meeting is scheduled for Monday, August 28, 2023 at 4:00 pm.

ATTEST:

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Greg Goosmann

Chairman

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Laura Jacobs

Town Clerk



## BOARD OF ADJUSTMENT MEETING

### STAFF MEMORANDUM

August 28, 2023

#### Case 1

**Property Owner:** Claude Sheer  
**Property Address:** 5 Brookside Rd  
**Request:** Special Use Permit Request for Replacement Fence Installation

#### Project Description

The applicant requests a special use permit for the replacement of an existing chain-link fence with an 8' fine, black wire deer fence in the same location. The application includes a site plan showing the existing fence location.

#### Special Use Permit Request

The Town considers fences as accessory structures, pursuant to Chapter 153.049 of the Zoning Ordinance. Section 153.049 is attached for the Board's review. The specific language of the Zoning Ordinance states that the replacement of existing fences shall be approved by the Board of Adjustment as a special use so long as the replacement fence is constructed of materials deemed acceptable in 153.049 (D).

# Zoning Compliance Application

Town of Biltmore Forest

**Name**

Claude Sheer

**Property Address**

5 Brookside Road

**Phone**

(617) 968-4411

**Email**

claudesheer@gmail.com

**Parcel ID/PIN Number**

964663758700000

## ZONING INFORMATION

**Current Zoning**

R-1

**Lot Size**

1.34

**Maximum Roof Coverage**

5,500 square feet (Up to 1.5 acres)

**Proposed Roof Coverage Total**

N/A

**Maximum Impervious Surface Coverage**

1-3 acres (25 percent of lot area)

**Proposed Impervious Surface Coverage**

N/A

**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**

18'

**Description of the Proposed Project**

Replace an existing 6' chain link fence with an 8' fine, black wire deer fence in the same location.

**Estimated Start Date**

8/28/2023

**Estimated Completion Date**

8/31/2023

**Estimated Cost of Project**

\$7,800.00

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

Scan 2023-8-10 08.34.53.pdf

**Applicant Signature**

**Date**  
8/10/2023

*Claude R Sheer*

# Special Use Permit Application

Town of Biltmore Forest

**Name**

Claude Sheer

**Address**

5 Brookside Road

**Phone**

(617) 968-4411

**Email**

claudesheer@gmail.com

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

Accessory Structures

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:**

Replace an existing 6' chain link fence with an 8' deer fence composed of 2" X 4" black wire.

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

We are replace a very unattractive and damaged fence with a far less obtrusive fence in the same location.

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

**Signature**

**Date**

8/5/2023



140 Macedonia Rd.  
Asheville, NC 28804  
(828)337-2253

-----Original Message-----

From: Claude P. Sheer <claudesheer@gmail.com>  
Sent: Wednesday, February 09, 2022 7:54 AM  
To: Tom Mulloy <tom@mulloysurveying.com>  
Cc: Kathleen Goodwin <goodwin.kc@gmail.com>  
Subject: 5 Brookside Road Biltmore Forest

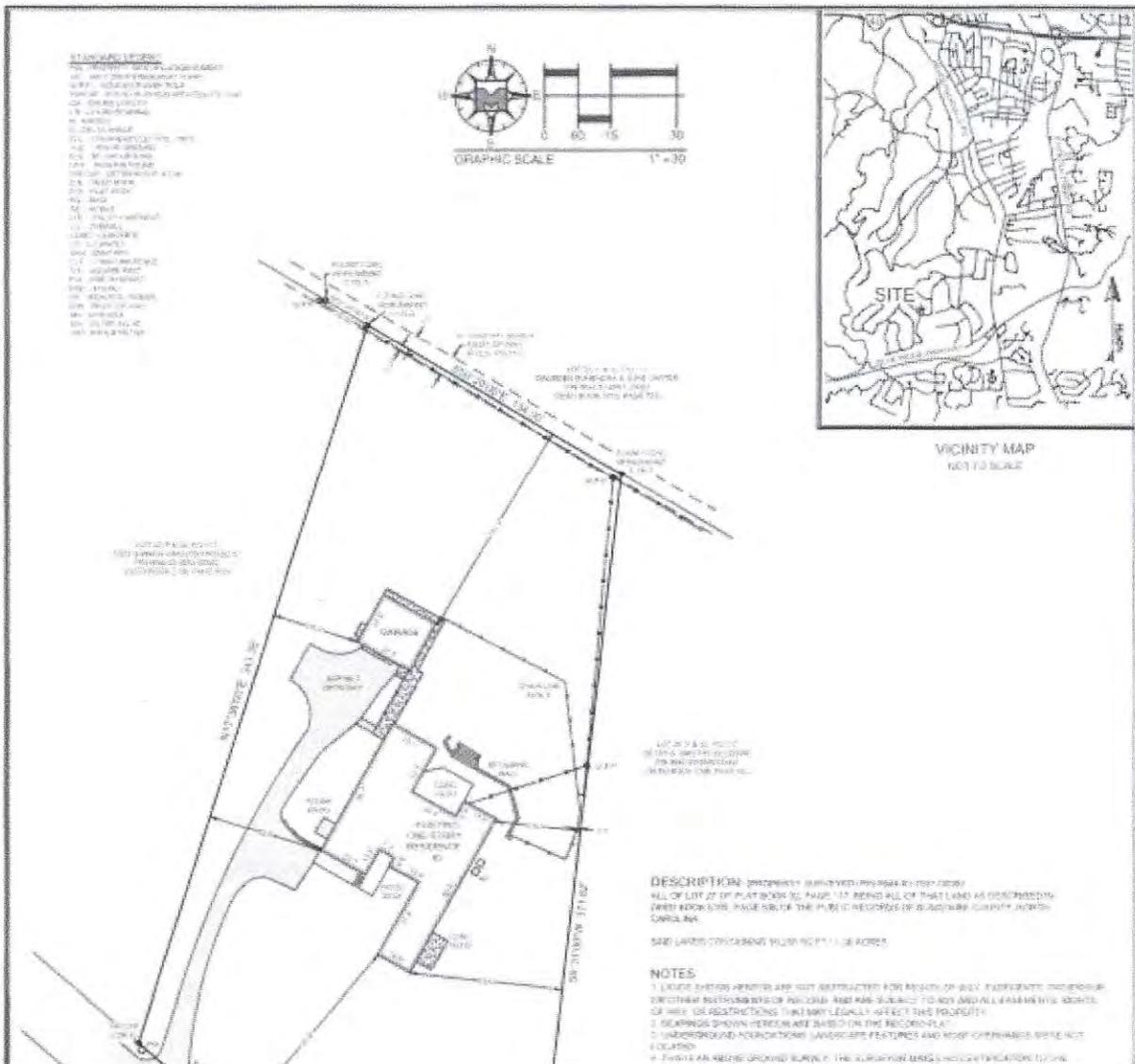
Good morning Tom -

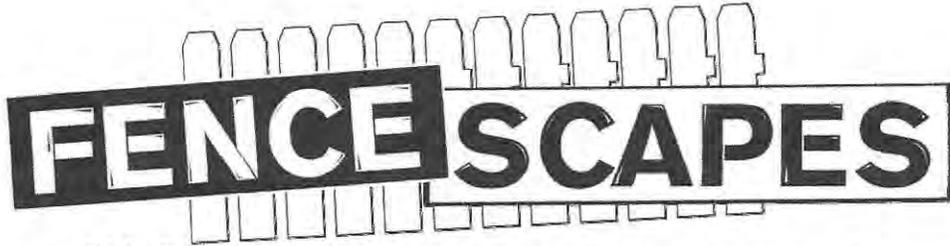
My wife Kathleen and I will be closing on the home at 5 Brookside on 2/15. We worked with Peter Young on the home inspection and he recommended we contact you to schedule a survey. Do you have time available in the weeks ahead to perform a survey at our new home?

We look forward to hearing from you.

Best,  
Claude Sheer  
617-968-4411

Sent from my iPad





Web: Fencescapesonline.com ~ Email: Fencescap@mac.com  
828-545-5711 ~ 409 Marietta Ln ~ Duncan SC 29334

### Proposal/Contract

#### Customer Information:

**Claude**  
**5 Brookside rd**

**Job Info: 8 foot post and wire fence**

Install 220 feet of 8 foot tall post and wire fence. All materials will be pressure treated pine wood materials. Frame of fence will be all wood. Posts will be 6x6. Set all posts in concrete filled holes 24-30" deep. Stretch 4 foot tall 2x4 woven wire onto posts one on top of the other to create 8 foot height. Nail wire to posts with horse show staples. Nail 2x4 at top and middle per section and attach with horse shoe staple. Leave opening for one gate provided by customer. Remove and haul way old chainlink fence.

<sup>1</sup>FENCE SCAPES agrees to guarantee above fence to be free from defects in materials and workmanship for one year. <sup>2</sup>FENCE SCAPES shall advise the customer as to local zoning regulations but responsibility for complying with said regulations and obtaining any required permits shall rest with the customer. <sup>3</sup>FENCE SCAPES will assist the customer, upon request, in determining where the fence is to be erected, but under no circumstance does FENCE SCAPES assume any responsibility concerning property lines or in any way guarantee their accuracy. If property pins cannot be located it is recommended that the customer have the property surveyed. FENCE SCAPES will assume the responsibility for having underground public utilities located and marked. However, FENCE SCAPES assumes no responsibility for unmarked sprinkler lines, or any other unmarked buried lines or objects. The customer will assume all liability for any damage caused by directing FENCE SCAPES to dig in the immediate vicinity of known utilities. <sup>4</sup>The final billing will be based on the actual footage of fencing built and the work performed. Partial billing for materials delivered to the job site and work completed may be sent at weekly intervals. Adjustments for material used on this job and adjustments for labor will be charged or credited at the currently established rates. Additional charges for any extra work not covered in this contract that was requested by the customer will also be added. The full amount of this contract along with any additional charges will become payable upon completion of all work whether or not it has been invoiced. <sup>5</sup>All materials will remain the property of FENCE SCAPES until all invoices pertaining to this job are paid in full. The customer agrees to pay all interest and any costs incurred in the collection of this debt.

Approved & Accepted for Customer:

Customer \_\_\_\_\_ Date \_\_\_\_\_

Accepted for FENCE SCAPES: \_\_\_\_\_

Salesperson \_\_\_\_\_ Date \_\_\_\_\_

Price:

\$3600

down payment

\$7800

Total Job Cost



## BOARD OF ADJUSTMENT MEETING STAFF MEMORANDUM

August 28, 2023

### Case 2

**Property Owner:** Elizabeth and Michael Freeman  
**Property Address:** 19 Brookside Rd  
**Request:** Special Use permit for Replacement Fence Installation

#### Project Description

The applicant requests a special use permit for the replacement of an existing deer fence, in the same location. The project will be approximately 40 linear feet of 5' tall Ameristar Montage, 3-rail-black powder coated steel ornamental fence with flush top rail. There will also be installed (1) 5' wide walk gate. The application includes a site plan showing the existing fence location and setback.

#### Special Use Permit Request

The Town considers fences as accessory structures, pursuant to Chapter 153.049 of the Zoning Ordinance. Section 153.049 is attached for the Board's review. The specific language of the Zoning Ordinance states that the replacement of existing fences shall be approved by the Board of Adjustment as a special use so long as the replacement fence is constructed of materials deemed acceptable in 153.049 (D).

# Zoning Compliance Application

Town of Biltmore Forest

**Name**

Elizabeth and Michael Freeman

**Property Address**

19 Brookside Rd

**Phone**

(828) 707-0820

**Email**

bigeffreeman@yahoo.com

**Parcel ID/PIN Number**

## ZONING INFORMATION

**Current Zoning**

R-1

**Lot Size**

.88 acres

**Maximum Roof Coverage**

3,520 square feet (Up to .75 acres)

**Proposed Roof Coverage Total**

na

**Maximum Impervious Surface Coverage**

Up to 1 acre (27.5 percent of lot area)

**Proposed Impervious Surface Coverage**

na

**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**

na

**Description of the Proposed Project**

Install approximately 40 linear feet of 5' tall Ameristar Montage, 3-rail-black powder coated steel ornamental fence with flush top rail.

Install (1) 5' wide walk gate.

All posts will be set in concrete.

**Estimated Start Date**

9/1/2023

**Estimated Completion Date**

9/2/2023

**Estimated Cost of Project**

\$3,801.20

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

IMG\_4618 (1).jpg

IMG\_4617 (1).jpg

IMG\_4619.jpg

**Applicant Signature**

Elizabeth.  
Freeman

**Date**

7/25/2023

# Special Use Permit Application

Town of Biltmore Forest

**Name**

Elizabeth and Michael Freeman

**Address**

19 Brookside Rd

**Phone**

(828) 707-0820

**Email**

bigeffreeman@yahoo.com

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

Accessory Structures

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:**

Install approximately 40 linear feet of 5' tall Ameristar Montage, 3-rail-black powder coated steel ornamental fence with flush top rail.

Install (1) 5' wide walk gate.

All posts will be set in concrete.

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

We are replacing a portion of our deer fence that has been destroyed by bears.

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

**Signature**

**Date**

7/25/2023



0243

0243

19 BROOKSIDE RD, 28803

40ft  
20 ft setback

10

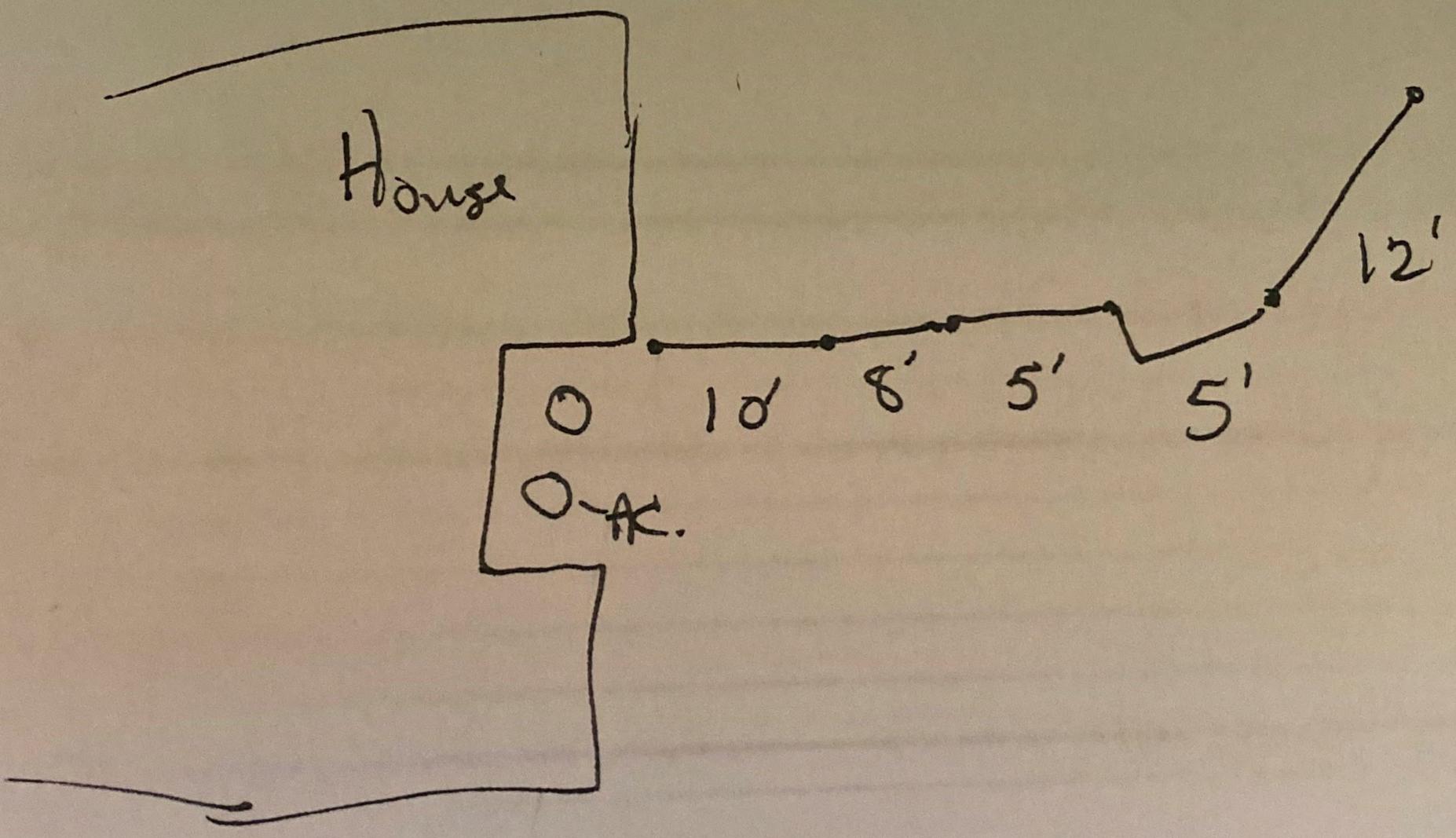
Elizabeth Freeman

JOB W/O # 23-0699

40'

Flush top

Job Sketch



Details about Jobsite:

Yes or No

Is Water available onsite:  Yes or No

Is to be done? Yes or  No

If yes how many LF? \_\_\_\_\_









## BOARD OF ADJUSTMENT MEETING

### STAFF MEMORANDUM

August 28, 2023

#### Case 3

**Property Owner:** John and Jill Rose  
**Property Address:** 46 Hilltop Rd  
**Request:** Special Use Permit Request for Driveway Entrance Columns

#### Project Description

The applicant requests a special use permit from the Board of Adjustment for the installation of two (2) driveway columns. The applicants proposed material will be brick veneer with cast concrete top. The Town's Zoning Ordinance governs new fences, gates, and walls in Chapter 153.049.

#### Special Use Permit Requirements

Section 153.007 (Footnote 4) allows the Board of Adjustment the ability to approve driveway entrance columns without regard to the setback. This footnote is specifically stated as follows:

*Footnote 4. Accessory structures, including driveways, shall meet all setback requirements. Notwithstanding the foregoing, setback requirements for driveway entrance columns or driveway entrance walls may be waived or modified by the Board of Adjustment with the granting of a special use permit in accordance with § 153.110(C), without the need for a variance pursuant to § 153.110(D).*

#### Special Use Request

The applicant has filed a special use request to allow this installation within the front yard setback. The proposed location of the columns are not within the Town's right of way and are located (13) feet from the edge of pavement and approximately 8' tall.

# Zoning Compliance Application

Town of Biltmore Forest

**Name**

Christopher Michell

**Property Address**

46 Hilltop Rd, Biltmore Forest, NC 28803

**Phone**

(828) 708-2850

**Email**

chrism@juddbuilders.net

**Parcel ID/PIN Number**

9646649729

## ZONING INFORMATION

**Current Zoning**

R-1

**Lot Size**

1.815 acres

**Maximum Roof Coverage**

6,100 square feet (Up to 2 acres)

**Proposed Roof Coverage Total**

4908.8 sq. ft.

**Maximum Impervious Surface Coverage**

1-3 acres (25 percent of lot area)

**Proposed Impervious Surface Coverage**

14,052 sq. ft.

**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' 3/4"

**Description of the Proposed Project**

We would like to add (2) brick entry way columns with dim lights. These two columns will add to the overall aesthetic of the home and neighborhood and will also provide some additional dim safety lighting at the entry way during darker hours

**Estimated Start Date**

7/11/2023

**Estimated Completion Date**

7/14/2023

**Estimated Cost of Project**

\$9,500.00

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

**Applicant Signature**

**Date**  
7/10/2023

*Christopher Michell*

# Special Use Permit Application

Town of Biltmore Forest

**Name**

Christopher Michell

**Address**

46 Hilltop Rd, Biltmore Forest, NC 28803

**Phone**

(828) 708-2850

**Email**

chrism@juddbuilders.net

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

Accessory Structures

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:**

We would like to add (2) brick entry way columns at the bottom of the driveway with dim lights. These columns would be 13 ft. back from the road. The columns would add to aesthetic and formal finish of the property and home. The columns would also provide some dim safety lighting during the darker hours of the morning & evenings

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

The aesthetic of this home is formal and well manicured and we believe these columns not only add a finished look to the home and property itself but believe it is an aesthetic appearance that would be welcomed by the neighborhood and town. As mentioned above we also believe dim lighting on these columns would add to the safety during darker hours

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

**Signature**

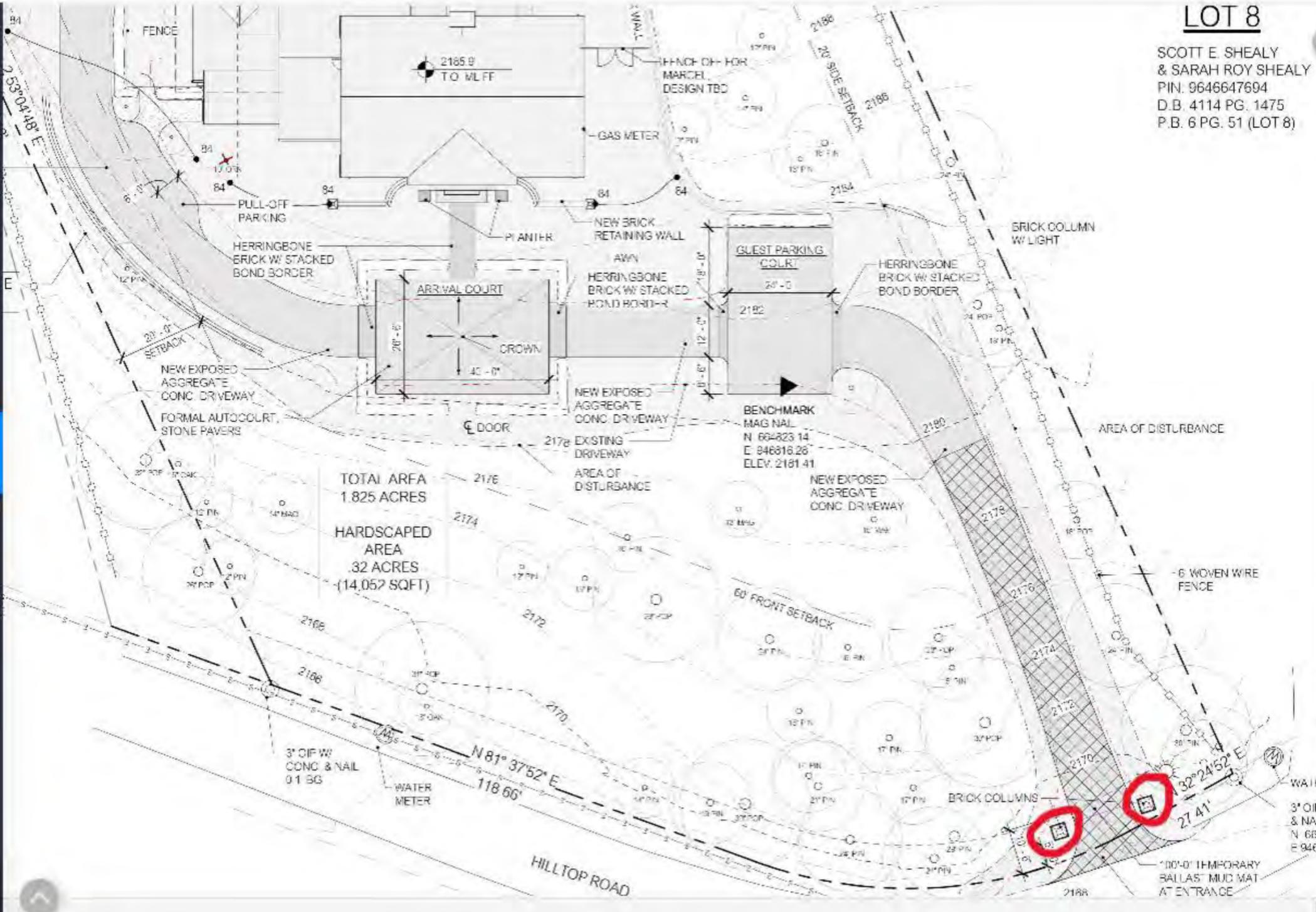
**Date**

7/10/2023

*christopher michell*

**Judd Builders**

- My Projects
- Project Home
- Specifications
- Bid Requests
- Estimating**
- Create New Project
- Templates & Setup
- My Account



SELECT PLAN SHEET Configure

Rose 2022-02-17  
 CONSTRUCTION SET - Pg 10

Scale

Area	Linear	Count	Markup

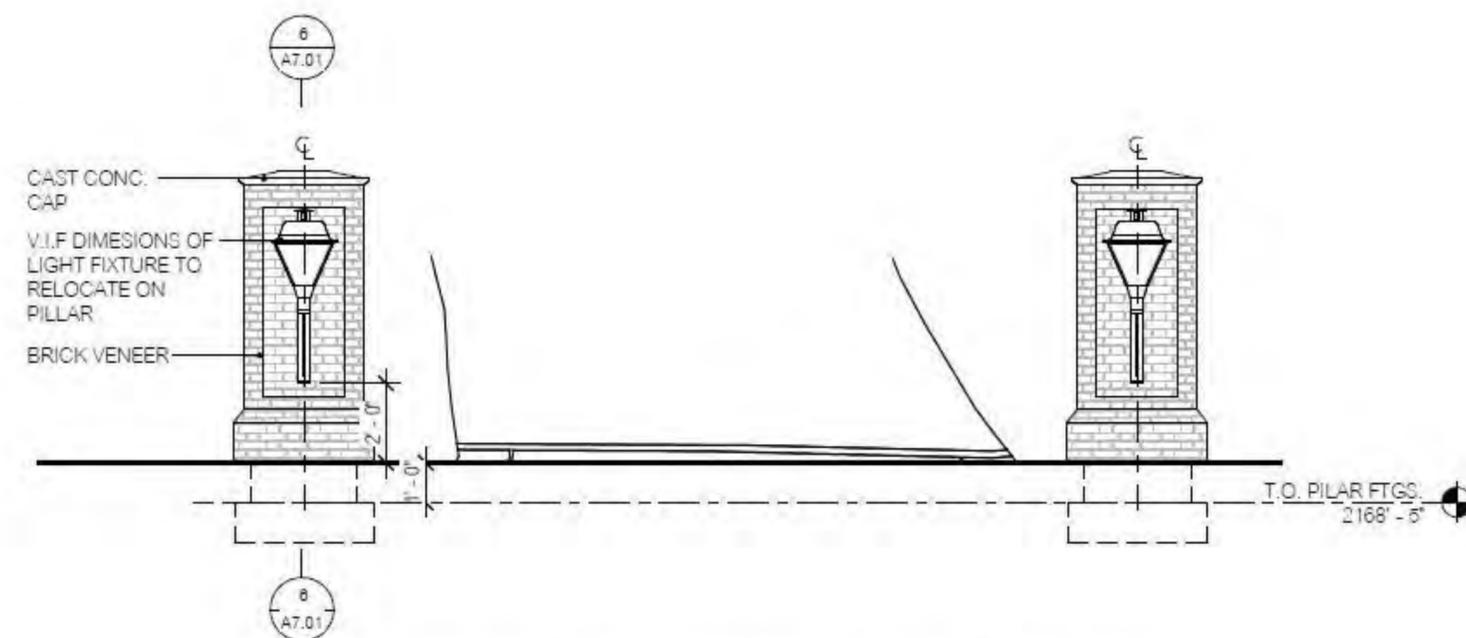
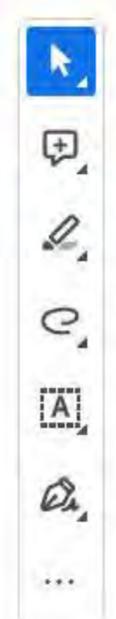
- Shingles 4.5/12 pitch  
3466 sq ft  
[Pitch 4.5/12](#)
- shingles 4/12 pitch  
204 sq ft [Pitch 4/12](#)
- Shingles 2/12 Pitch  
237 sq ft [Pitch 2/12](#)
- Linear Measurement  
16.2 feet
- Linear Measurement  
0 feet

Estimate Spreadsheet Estimate Preview Proposal

Save Export

Total \$0

- All tools**
- Export a PDF
  - Edit a PDF
  - Create a PDF
  - Combine files
  - Organize pages
  - Add comments
  - Request e-signatures
  - Scan & OCR
  - Protect a PDF
  - Redact a PDF
  - Compress a PDF
  - Prepare a form
  - Fill & Sign



3 DRIVEWAY COL.- SOUTH  
1/4" = 1'-0"

Check out new e-sign tools  
Use web forms, send in bulk, add branding, and more.  
[See All](#)























## Tony Williams

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**From:** Chris Michell <chris@juddbuilders.net>  
**Sent:** Monday, July 10, 2023 11:52 AM  
**To:** Tony Williams  
**Cc:** John Judd Jr.; Jonathan Kanipe  
**Subject:** 46 Hilltop Rd - Rose - Front Entry Columns  
**Attachments:** 46 Hilltop Rose Front Columns.png; 46 Hilltop Front Columns location.png

**WARNING:** This email originated from outside of the Town of Biltmore Forest Network.

Hey Tony,

Thanks for your time today. I filled out both the variance application and the special use application on your platform. I did not see a place where I could attach some pictures so I have attached the proposed location of the columns here along with the cut section detail of the columns. Columns will be 13 ft. back off the edge of the road

Please let me know if there is anything else I can provide for approval.

Best,



Chris Michell  
Project Manager  
Office Phone - (828) 274-4448  
Cell Phone - (828) 708-2850  
[juddbuilders.net](mailto:juddbuilders.net)



## BOARD OF ADJUSTMENT MEETING

### STAFF MEMORANDUM

August 28, 2023

#### Case 4

**Property Owner:** Charles Owen, III  
**Property Address:** 7 Greenwood Rd  
**Request:** Special Use Permit Request to Allow Driveway Entrance Columns

#### Project Description

The applicant requests a special use permit from the Board of Adjustment for the installation of two (2) driveway columns. The applicants proposed material will be MDO/MDF smooth finish in bright white semi-gloss, with black lanterns. The Town's Zoning Ordinance governs new fences, gates, and walls in Chapter 153.049.

#### Special Use Permit Requirements

Section 153.007 (Footnote 4) allows the Board of Adjustment the ability to approve driveway entrance columns without regard to the setback. This footnote is specifically stated as follows:

*Footnote 4. Accessory structures, including driveways, shall meet all setback requirements. Notwithstanding the foregoing, setback requirements for driveway entrance columns or driveway entrance walls may be waived or modified by the Board of Adjustment with the granting of a special use permit in accordance with § 153.110(C), without the need for a variance pursuant to § 153.110(D).*

#### Special Use Request

The applicant has filed a special use request to allow this installation within the front yard setback. The proposed location of the columns are not within the Town's right of way and are located 30 feet 4 inches on the left side and 42 feet 7 inches on the right side from the edge of pavement. The column height will be 6 feet 6 inches with a 31-inch lantern on top.

# Zoning Compliance Application

Town of Biltmore Forest

**Name**

Chris Kimmey

**Property Address**

7 Greenwood Road

**Phone**

(828) 777-6837

**Email**

chrisk@morgankeefe.com

**Parcel ID/PIN Number**

964674846000000

## ZONING INFORMATION

**Current Zoning**

R-1

**Lot Size**

3.79

**Maximum Roof Coverage**

8,200 square feet (Up to 3.5 acres)

**Proposed Roof Coverage Total**

N/A

**Maximum Impervious Surface Coverage**

Up to 1 acre (27.5 percent of lot area)

**Proposed Impervious Surface Coverage**

N/A

**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**

35

**Description of the Proposed Project**

Construction and installation of two lamp posts on each side of the existing cattle gate. Locations marked with a wooden stake with orange flagging. Looking at the driveway from Greenwood Road the post on the left side is roughly 30'-4" straight to the road. The right side is 42'-7". Both measurements are to the center of the lamp posts.

**Estimated Start Date**

8/28/2023

**Estimated Completion Date**

9/25/2023

**Estimated Cost of Project**

\$16,000.00

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

2023.07.20.Lamp.Post..pdf

2023.07.20.Lamp.Post.Plans..pdf

IMG\_3402.jpeg

IMG\_3400.jpeg

IMG\_3401.jpeg

**Applicant Signature**

**Date**

8/18/2023

A handwritten signature in black ink, appearing to be "D. H. [unclear]", written in a cursive style.

# Special Use Permit Application

Town of Biltmore Forest

**Name**

Chris Kimmey

**Address**

7 Greenwood Road (Owen Residence)

**Phone**

(828) 777-6837

**Email**

chrisk@morgankeefe.com

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

Accessory Structures

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:**

This is being submitted on behalf of Eleanor and Charlie Owen by Chris Kimmey, Director of Renovations-Morgan Keefe Builders:

Construction and installation of two lamp posts at the end of the driveway adjacent to Greenwood Road.

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

The design and character of the lamp post designs matches the exterior of the house and is in keeping with existing details.

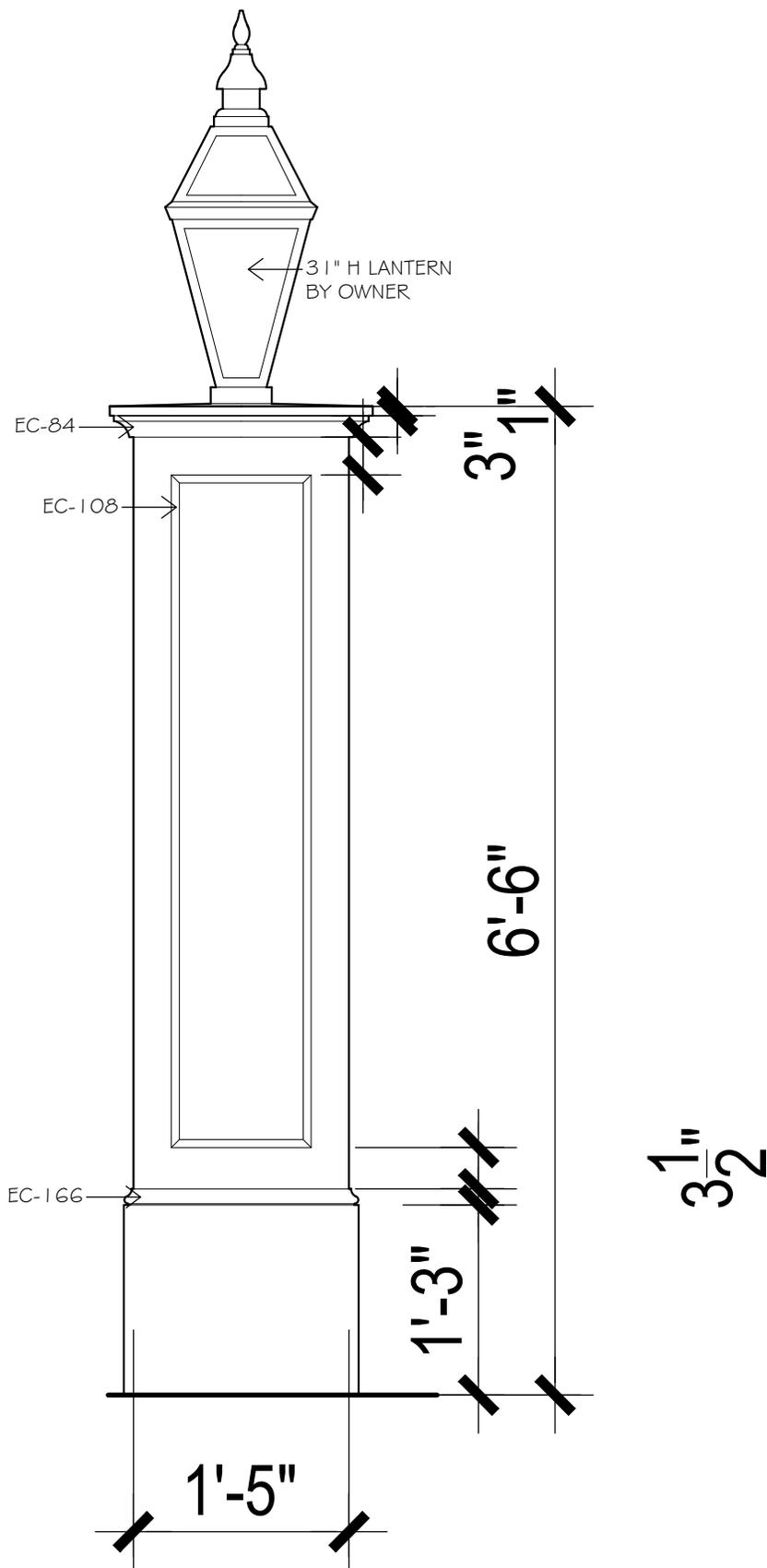
**I hereby certify that all of the information set forth above is true and accurate to the best of my knowledge.**

**Signature**

**Date**

7/28/2023





# LAMP POSTS

# OWEN RESIDENCE



**Owen Residence – Proposed lamp Posts (2)**

2023-08-18

Material Specifications:

1. Trim material – MDO/MDF smooth finish
2. Color – Bright White Semi-Gloss
3. Lanterns – Per elevation with black frames









## BOARD OF ADJUSTMENT MEETING STAFF MEMORANDUM

August 28, 2023

### Case 5

**Property Owner:** John and Mary Winkenwerder  
**Property Address:** 410 Vanderbilt Rd  
**Request:** Special Use request for Driveway Entrance Columns

#### Project Description

The applicant requests a special use permit from the Board of Adjustment for the installation of two (2) driveway columns, a small driveway wall, and reconfiguration of the existing driveway. The Town's Zoning Ordinance governs new fences, gates, and walls in Chapter 153.049.

#### Special Use Permit Requirements

Section 153.007 (Footnote 4) allows the Board of Adjustment the ability to approve driveway entrance columns without regard to the setback. This footnote is specifically stated as follows:

*Footnote 4. Accessory structures, including driveways, shall meet all setback requirements. Notwithstanding the foregoing, setback requirements for driveway entrance columns or driveway entrance walls may be waived or modified by the Board of Adjustment with the granting of a special use permit in accordance with § 153.110(C), without the need for a variance pursuant to § 153.110(D).*

#### Special Use Request

The applicant has filed a special use request to allow this installation within the front yard setback. The proposed location of the columns are not within the Town's right of way and are located 21' 8" at the closest point to the pavement and 34' 5" furthest away.

# Zoning Compliance Application

Town of Biltmore Forest

**Name**

Matthew Fusco

**Property Address**

410 Vanderbilt Rd

**Phone**

(828) 243-6604

**Email**

Matt@FuscoLA.com

**Parcel ID/PIN Number**

9646-66-5719

## ZONING INFORMATION

**Current Zoning**

R-1

**Lot Size**

1.40

**Maximum Roof Coverage**

5,500 square feet (Up to 1.5 acres)

**Proposed Roof Coverage Total**

n/a existing - 5,206 sf

**Maximum Impervious Surface Coverage**

1-3 acres (25 percent of lot area)

**Proposed Impervious Surface Coverage**

22%

**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**

n/a

**Description of the Proposed Project**

driveway reconfiguration to address drainage issues and to formalize the existing driveway by increasing curve radii to better accommodate vehicular traffic and deliveries. Add entry columns and a low entry accent wall. Note: Setbacks differ per survey/deed vs. web form. House was built in the 20's prior to county zoning.

**Estimated Start Date**

9/1/2023

**Estimated Completion Date**

12/15/2023

**Estimated Cost of Project**

\$100,000.00

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

2023-07-31-Winkenwerder\_Site\_Set.pdf

**Applicant Signature**

**Date**  
7/31/2023

*matthew fusco*

# Special Use Permit Application

Town of Biltmore Forest

**Name**

Matthew Fusco

**Address**

410 Vanderbilt Rd

**Phone**

(828) 243-6604

**Email**

Matt@FuscoLA.com

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

Accessory Structures

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:**

driveway reconfiguration to address drainage issues and to formalize the existing driveway by increasing curve radii to better accommodate vehicular traffic and deliveries. parking will be moved to the opposite side of the drive, enhancing views to the house. Add entry columns and a low entry accent wall. Note: Setbacks differ per survey/deed vs. web form. House was built in the 20's prior to county zoning. plans submitted with zoning application form

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

columns will sit nested within the landscape buffer area and will be secondary in terms of viewing the entrance. In addition, the driveway opening to Vanderbilt Road will be reduced and will better relate, scale wise, to surrounding properties. The low driveway wall will help frame the view to the house.

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

**Signature**

**Date**

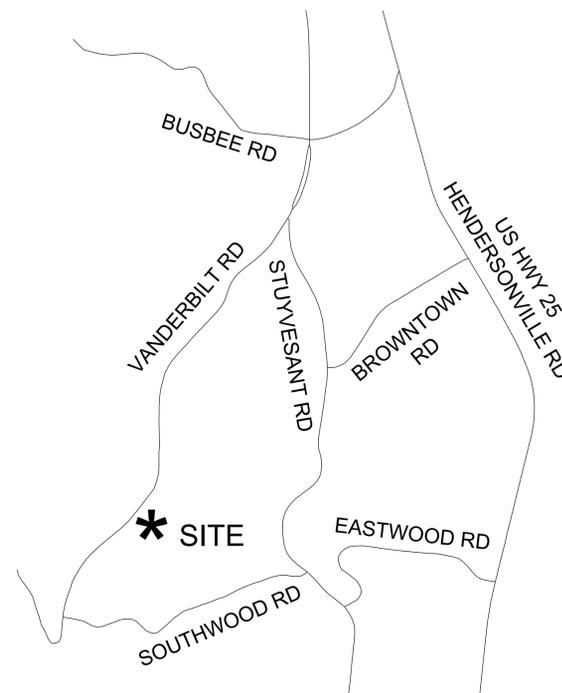
7/31/2023



# WINKENWERDER HOUSE

## Driveway Improvements

410 Vanderbilt Road  
Biltmore Forest, NC 28803



VICINITY MAP  
NOT TO SCALE

### SHEET INDEX

- L1.01 SITE NOTES & SPECIFICATIONS
- L2.01 SITE DEMOLITION & STABILIZATION
- L3.01 SITE PLAN
- L4.01 SITE DETAILS
- L4.02 SITE DETAILS
- L4.03 SITE DETAILS



LANDSCAPE ARCHITECTURE | CONSERVATION PLANNING | LOW IMPACT DEVELOPMENT  
P.O. BOX 8013, ASHEVILLE, NC 28814 | PH: 828.243.6604 | WWW.FUSCOLA.COM  
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## SITE PREPARATION AND DEMOLITION NOTES

1. ESTABLISH, PROTECT AND MAINTAIN BENCHMARKS AND SURVEY CONTROL POINTS FROM DISTURBANCE DURING CONSTRUCTION.
2. CONTRACTOR TO ENSURE ALL REQUIRED PERMITS FROM REGULATORY AND REVIEW AGENCIES HAVE BEEN OBTAINED.
3. ALL PROJECT ACTIVITY SHALL BE CONFINED TO THE AREA WITHIN THE LIMITS OF DISTURBANCE.
4. THERE SHALL BE NO LAY-DOWN ACTIVITIES, MATERIALS STORAGE FOOT TRAFFIC, VEHICULAR TRAFFIC AND STORAGE OF MATERIALS OR EQUIPMENT OUTSIDE OF THE LIMITS OF DISTURBANCE.
5. COORDINATE LOCATION OF CONSTRUCTION TRAILER, REST ROOM FACILITIES, PERMIT DISPLAYS AND ANY OTHER PROJECT ACCESSORIES NOT SPECIFICALLY LOCATED ON THE CONSTRUCTION DRAWINGS WITH THE OWNER.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING AND PROTECTING EXISTING UTILITIES AND STRUCTURES UNTIL PROJECT INSTALLATION IS COMPLETE. THE CONTRACTOR SHALL REPAIR OR PAY FOR ALL DAMAGES MADE TO EXISTING FACILITIES AND STRUCTURES.
7. NOTIFY LANDSCAPE ARCHITECT IMMEDIATELY IF ANY PROPOSED OR EXISTING CONDITIONS CONFLICT WITH UTILITIES.
8. INSTALL EROSION CONTROLS AS INDICATED IN THE EROSION CONTROL NOTES AND SEQUENCE OF CONSTRUCTION FOR EROSION AND SEDIMENT CONTROL.
9. MARK TREES AND OTHER PLANT MATERIAL TO BE REMOVED WITH A SINGLE AND UNIQUE COLOR OF SURVEY FLAGGING AND OBTAIN APPROVAL OF LANDSCAPE ARCHITECT PRIOR TO PROCEEDING.
10. REMOVE OBSTRUCTIONS, TREES, SHRUBS, GRASS AND OTHER VEGETATION WITHIN THE LIMITS OF DISTURBANCE TO PERMIT INSTALLATION OF NEW CONSTRUCTION UNLESS OTHERWISE NOTED. REMOVAL INCLUDES DIGGING OUT STUMPS AND OBSTRUCTIONS AND GRUBBING ROOTS TO A DEPTH OF 18".
11. STRIP TOPSOIL TO WHATEVER DEPTHS ARE ENCOUNTERED IN A MANNER TO PREVENT INTERMINGLING WITH UNDERLYING SUBSOIL OR OTHER WASTE MATERIALS.
12. WIRES, SIGNS, PERMITS OR ANY OTHER OBJECT SHALL NOT BE FASTENED TO TREES.
13. ALL CLEARING, GRUBBING, REMOVAL OF TOPSOIL OR ANY OTHER DISTURBANCE WITHIN THE DRIPLINE OF EXISTING TREES TO REMAIN SHALL BE DONE WITH HAND TOOLS UNDER THE DIRECTION OF LANDSCAPE ARCHITECT.
14. REMOVE SURPLUS SOIL MATERIAL, UNSUITABLE TOPSOIL, OBSTRUCTIONS, DEMOLISHED MATERIALS, AND WASTE MATERIALS, INCLUDING TRASH AND DEBRIS, AND LEGALLY DISPOSE OF THEM OFF OWNER'S PROPERTY.

## EROSION CONTROL NOTES

1. CONTRACTOR IS RESPONSIBLE FOR AND SHALL ADHERE TO ALL PROVISIONS AND REQUIREMENTS OF ALL APPLICABLE EROSION CONTROL REQUIREMENTS.
2. EROSION CONTROL MEASURES SHALL BE INSTALLED FOLLOWING THE EROSION CONTROL SEQUENCE.
3. EROSION CONTROL MEASURES ARE GENERAL IN NATURE. CONTRACTOR IS RESPONSIBLE FOR ADDITIONAL MEASURES AS REQUIRED TO PREVENT ON- OR OFF-SITE RUNOFF AND EROSION.
4. ALL INLETS SHALL HAVE TEMPORARY INLET PROTECTION INSTALLED IMMEDIATELY AFTER INLET HAS BEEN CONSTRUCTED.
5. CONTRACTOR IS RESPONSIBLE FOR REGULAR INSPECTION AND MAINTENANCE OF EROSION CONTROL MEASURES TO ENSURE THAT MEASURES CONTINUOUSLY FUNCTION AS INTENDED.
6. ESTABLISH PERMANENT COVER ON DISTURBED AREAS IMMEDIATELY AFTER FINAL GRADING IS COMPLETE OR IF DISTURBED AREAS ARE TO REMAIN UNALTERED FOR MORE THAN 5 CONSECUTIVE DAYS.
7. REMOVE ALL TEMPORARY EROSION CONTROLS AFTER DISTURBED AREAS HAVE BEEN STABILIZED AND COMPLETED.
8. CONTRACTOR IS RESPONSIBLE FOR EROSION CONTROL OF OFF-SITE BORROW PITS AND DISPOSAL AREAS TO ENSURE THAT ANY BORROW OR WASTE COMES FROM OR GOES TO A SITE WITH AN APPROVED EROSION & STORMWATER CONTROL PLAN.
9. CONTRACTOR SHALL WATER SITE TO CONTROL DUST DURING PERIODS OF DRY WEATHER.
10. EQUIPMENT UTILIZED DURING THE CONSTRUCTION ACTIVITY ON SITE MUST BE OPERATED AND MAINTAINED IN SUCH A MANNER AS TO PREVENT THE POTENTIAL OR ACTUAL POLLUTION OF THE SURFACE OR GROUND WATERS OF THE STATE. FUELS, LUBRICANTS, COOLANTS, AND HYDRAULIC FLUIDS, OR ANY OTHER PETROLEUM PRODUCTS, SHALL NOT BE DISCHARGED INTO THE GROUND OR INTO SURFACE WATERS. SPENT FLUIDS SHALL BE DISPOSED OF IN A MANNER SO AS NOT TO ENTER THE WATERS, SURFACE OR GROUND, OF THE STATE AND IN ACCORDANCE WITH APPLICABLE STATE AND FEDERAL DISPOSAL REGULATIONS. ANY SPILLED FLUIDS SHALL BE CLEANED UP TO THE EXTENT PRACTICABLE AND DISPOSED OF IN A MANNER SO AS NOT TO ALLOW THEIR ENTRY INTO THE WATERS, SURFACE OR GROUND, OF THE STATE.
11. HERBICIDE, PESTICIDE AND FERTILIZER USAGE DURING THE CONSTRUCTION ACTIVITY SHALL BE CONSISTENT WITH THE FEDERAL INSECTICIDE, FUNGICIDE AND RODENTICIDE ACT AND SHALL BE IN ACCORDANCE WITH LABEL RESTRICTIONS.
12. ALL WASTES COMPOSED OF BUILDING MATERIALS SHALL BE DISPOSED OF IN ACCORDANCE WITH STATE GENERAL STATUTES.

## SEQUENCE OF CONSTRUCTION FOR EROSION & SEDIMENT CONTROL

1. SUBMIT PLANS FOR REVIEW, OBTAIN GRADING PERMIT APPROVAL AND ALL OTHER APPLICABLE PERMITS.
2. CONTRACTOR TO NOTIFY NCDEQ LAND QUALITY SECTION SPECIALIST PRIOR TO START OF PROJECT, IF NCDEQ EROSION CONTROL PERMIT IS REQUIRED..
3. FLAG THE LIMITS OF DISTURBANCE AND MARK THE TREES TO BE REMOVED AND OBTAIN APPROVAL PRIOR TO PROCEEDING.
4. INSTALL TEMPORARY TEMPORARY EROSION CONTROL MEASURES AS SHOWN WHERE FEASIBLE.
5. UPON INSTALLATION OF EROSION CONTROL MEASURES, REQUEST ON-SITE INSPECTION AND APPROVAL AS REQUIRED.
6. CLEAR AND GRUB SITE.
7. BEGIN ROUGH GRADING OF SITE.
8. INSTALL ALL CATCH BASINS. INLET PROTECTION, CULVERTS AND OUTLET PROTECTION AS GRADING PERMITS.
9. INSTALL STONE BASE AS GRADING PERMITS.
10. INSTALL TEMPORARY OR PERMANENT SEEDING OR GROUND COVER ON ALL ROUGH GRADED SLOPES.
11. BEGIN FINE GRADING.
12. UPON COMPLETION OF FINE GRADING, IMMEDIATELY INSTALL PERMANENT GROUND COVER.
13. CLEAN OUT EROSION CONTROL MEASURES WHEN HALF FULL AS INDICATED IN EROSION CONTROL NOTES AND REPAIR OR REPLACE AS NECESSARY.
14. MAINTAIN EROSION CONTROL MEASURES UNTIL PERMANENT GROUND COVER IS ESTABLISHED.
15. UPON COMPLETION OF CONSTRUCTION, STABILIZATION OF SITE, AND APPROVAL BY CONSTRUCTION INSPECTOR. REMOVE ALL TEMPORARY EROSION CONTROL MEASURES STABILIZE THESE AREAS.
16. CONTRACTOR TO NOTIFY BUNCOMBE COUNTY EROSION CONTROL OR STORMWATER SPECIALIST WHEN PROJECT IS READY TO CLOSE OUT.

### MAINTENANCE PLAN:

- A. ALL EROSION AND SEDIMENT CONTROL PRACTICES SHALL BE CHECKED AND MAINTAINED FOR STABILITY AND OPERATION AT OPTIMUM EFFICIENCY FOLLOWING EVERY RUNOFF-PRODUCING RAINFALL BUT IN NO CASE LESS THAN ONCE EVERY WEEK. ANY NEEDED REPAIRS WILL BE MADE IMMEDIATELY TO MAINTAIN ALL PRACTICES AS DESIGNED.
- B. SEDIMENT WILL BE REMOVED FROM BEHIND THE SILT FENCE WHEN IT BECOMES ABOUT 6" DEEP AT THE FENCE. THE SEDIMENT FENCE WILL BE REPAIRED AS NECESSARY TO MAINTAIN A CONTINUOUS BARRIER.
- C. ALL SEEDING AREAS WILL BE FERTILIZED, RESEEDING AS NECESSARY, AND MULCHED ACCORDING TO SPECIFICATIONS IN THE VEGETATIVE PLAN TO MAINTAIN A VIGOROUS, DENSE VEGETATIVE COVER.

## GRADING NOTES

1. STAKE GRADES BY A REGISTERED LAND SURVEYOR AND OBTAIN APPROVAL OF LANDSCAPE ARCHITECT OR OWNER PRIOR TO PROCEEDING.
2. CONTRACTOR SHALL REVIEW PROPOSED ACTIVITIES ON-SITE WITH LANDSCAPE ARCHITECT OR OWNER PRIOR TO INSTALLATION.
3. NO MAJOR GRADING ACTIVITIES OR STORMWATER DEVICE CONSTRUCTION SHALL OCCUR DURING WET WEATHER OR PERIODS OF PREDICTED WET WEATHER.
4. ALL PROPOSED STORM DRAIN LINES SHALL HAVE A MIN. OF 2" COVER UNLESS OTHERWISE NOTED.
5. MATERIAL REMAINING FROM PROJECT EXCAVATION SHALL BE LEGALLY DISPOSED OF OFF-SITE BY THE CONTRACTOR.
6. ALL UTILITY LINES, PIPES, AND ASSOCIATED APPURTENANCES SHALL BE LOCATED ON-SITE BEFORE ANY EXCAVATION IS STARTED RELATED TO A SPECIFIC UTILITY.
7. ALL LINEAR UTILITY WORK MUST BE STABILIZED AT THE END OF EACH WORKDAY.
8. EXCAVATION LIKELY TO DISLOCATE, DAMAGE, OR IMPAIR THE STRENGTH OF EXISTING STRUCTURES SHALL BE CONDUCTED ONLY AFTER ADEQUATE PROTECTION HAS BEEN PROVIDED FOR THE EXISTING STRUCTURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REPAIRS TO OR REPLACEMENT OF STRUCTURES DAMAGED BY PROJECT ACTIVITIES.
9. MATCH EXISTING GRADES SMOOTHLY WHERE PROPOSED FEATURES MEET EXISTING FEATURES.
10. THE CONTRACTOR SHALL ENSURE POSITIVE DRAINAGE AT A MINIMUM OF 2% SLOPE AWAY FROM ALL BUILDINGS.
11. ALL CUT SLOPES GREATER THAN 2:1 & FILL SLOPES GREATER THAN 2:1 SHALL BE CERTIFIED BY A REGISTERED GEOTECHNICAL ENGINEER PRIOR TO AND DURING CONSTRUCTION.
12. ALL FILL SLOPES SHALL BE COMPACTED FULL DEPTH TO NOT LESS THAN 95 PERCENT MAXIMUM DENSITY (STANDARD PROCTOR), SHALL BE PLACED ON A SURFACE CLEARED OF GROWTH AND DEBRIS, AND BE PROPERLY BENCHED AND DRAINED.
13. ALL PVC SLEEVES TO BE SCHEDULE 80. COORDINATE WITH LANDSCAPE ARCHITECT FOR NUMBER AND LOCATION, EVEN IF SHOWN ON THE PLAN.
14. ABBREVIATIONS:

TW:	ELEVATION AT TOP OF WALL	TC:	ELEVATION AT TOP OF CURB
BW:	FINISHED GRADE ELEVATION AT BOTTOM OF WALL	BC:	ELEVATION AT BOTTOM OF CURB
SWCP:	SMOOTH WALL CORRUGATED PLASTIC PIPE	TS:	ELEVATION AT TOP OF STEPS
RIM:	FINISHED ELEVATION AT RIM INLET OF DRAINAGE STRUCTURES	BS:	ELEVATION AT BOTTOM OF STEPS
INV:	PIPE INVERT	MIN:	MINIMUM
HPS:	HIGH POINT OF SWALE	MAX:	MAXIMUM
TYP:	TYPICAL	BOP:	BEGINNING OF PAVEMENT
H.P.	HIGH POINT	EOP:	END OF PAVEMENT
L.P.	LOW POINT		

15. PRUNE TREE ROOTS EXPOSED DURING GRADE LOWERING. DO NOT CUT MAIN LATERAL ROOTS OR TAP ROOTS; CUT ONLY SMALLER ROOTS. CUT ROOTS WITH SHARP PRUNING INSTRUMENTS; DO NOT BREAK OR CHOP.
16. WHERE EXISTING GRADE IS 6 INCHES OR LESS BELOW ELEVATION OF FINISH GRADE, FILL WITH TOPSOIL. PLACE TOPSOIL IN A SINGLE UNCOMPACTED LAYER, HAND GRADE AND LIGHTLY TAMP TO REQUIRED FINISH ELEVATIONS.
17. PROVIDE BORROW SOIL MATERIALS WHEN SUFFICIENT SATISFACTORY SOIL MATERIALS ARE NOT AVAILABLE.
18. SATISFACTORY SOILS SHALL BE DEFINED AS FOLLOWS: ASTM D 2487 SOIL CLASSIFICATION GROUPS SC, ML, CL, SP, GM AND SM OR A COMBINATION OF THESE GROUP SYMBOLS; FREE OF ROCK OR GRAVEL LARGER THAN 3" IN ANY DIMENSION, DEBRIS, WASTE, FROZEN MATERIALS, VEGETATION, AND OTHER DELETERIOUS MATTER.
19. UNSATISFACTORY SOILS SHALL BE DEFINED AS FOLLOWS: ASTM D 2487 SOIL CLASSIFICATION GROUPS GC, GW, GP, MH, CH, OL, OH, SW AND PT OR A COMBINATION OF THESE GROUP SYMBOLS.
20. UNSATISFACTORY SOILS ALSO INCLUDE SATISFACTORY SOILS NOT MAINTAINED WITHIN 2 PERCENT OF OPTIMUM MOISTURE CONTENT AT TIME OF COMPACTION.
21. BACKFILL AND FILL SHALL BE SATISFACTORY SOILS.
22. SUBMIT MATERIAL TEST REPORTS FROM A QUALIFIED TESTING AGENCY INDICATING AND INTERPRETING TEST RESULTS FOR COMPLIANCE WITH THE FOLLOWING REQUIREMENTS:
  - CLASSIFICATION ACCORDING TO ASTM D 2487 OF EACH ON-SITE OR BORROW SOIL MATERIAL PROPOSED FOR FILL AND BACKFILL
  - LABORATORY COMPACTION CURVE ACCORDING TO ASTM D 698 FOR EACH ON-SITE OR BORROW SOIL MATERIAL PROPOSED FOR FILL AND BACKFILL.
23. GEOTECHNICAL TESTING AGENCY QUALIFICATIONS: AN INDEPENDENT TESTING AGENCY QUALIFIED ACCORDING TO ASTM 329 TO CONDUCT SOIL MATERIALS AND ROCK-DEFINITION TESTING, AS DOCUMENTED ACCORDING TO ASTM D 3740 AND ASTM E 548.
24. NOTIFY AND OBTAIN APPROVAL FROM LANDSCAPE ARCHITECT PRIOR TO PROCEEDING WHEN EXCAVATIONS HAVE REACHED REQUIRED SUBGRADE.
25. PROOF ROLL SUBGRADE WITH SUITABLE EQUIPMENT TO IDENTIFY SOFT POCKETS AND AREAS OF EXCESS YIELDING. DO NOT PROOF ROLL WET OR SATURATED SUBGRADES.
26. RECONSTRUCT SUBGRADES DAMAGED BY FREEZING TEMPERATURES, FROST, RAIN, ACCUMULATED WATER, OR CONSTRUCTION ACTIVITIES AS DIRECTED BY GEOTECHNICAL ENGINEER.
27. PLACE AND COMPACT BACKFILL IN EXCAVATIONS PROMPTLY BUT NOT BEFORE REMOVING TRASH AND DEBRIS.
28. WHEN INSTALLING FILL:
  - REMOVE VEGETATION, TOPSOIL, DEBRIS, UNSATISFACTORY SOIL MATERIALS, OBSTRUCTION, AND DELETERIOUS MATERIALS FROM GROUND SURFACE BEFORE PLACING FILLS
  - PLOW, SCARIFY, BENCH OR BREAK UP SLOPED SURFACES STEEPER THAN 4:1 SO FILL MATERIAL WILL BOND WITH EXISTING MATERIAL
  - PLACE AND COMPACT FILL MATERIAL IN LAYERS TO REQUIRED ELEVATIONS AND COMPACTION.
29. UNIFORMLY MOISTEN OR AERATE SUBGRADE AND EACH SUBSEQUENT FILL OR BACKFILL LAYER BEFORE COMPACTION TO WITHIN 2% OF OPTIMUM MOISTURE CONTENT.
30. DO NOT PLACE BACKFILL OR FILL ON SURFACES THAT ARE MUDDY, FROZEN, OR CONTAIN FROST OR ICE.
31. REMOVE, REPLACE, OR SCARIFY AND AIR-DRY, OTHERWISE SATISFACTORY SOIL MATERIAL THAT EXCEEDS OPTIMUM MOISTURE CONTENT BY 2% AND IS TOO WET TO COMPACT TO SPECIFIED DRY UNIT WEIGHT.
32. PLACE BACKFILL AND FILL MATERIALS IN LAYERS NOT MORE THAN 8" IN LOOSE DEPTH FOR MATERIAL COMPACTED BY HEAVY COMPACTION EQUIPMENT, AND NOT MORE THAN 4" IN LOOSE DEPTH FOR MATERIAL COMPACTED BY HAND-OPERATED TAMPERS.
33. PLACE BACKFILL AND FILL MATERIALS EVENLY ON ALL SIDES OF STRUCTURES TO REQUIRED ELEVATIONS, AND UNIFORMLY ALONG THE FULL LENGTH OF EACH STRUCTURE.
34. COMPACT SOIL TO NOT LESS THAN THE FOLLOWING PERCENTAGES OF MAXIMUM DRY UNIT WEIGHT ACCORDING TO ASTM D 698:
  - UNDER STRUCTURES AND PAVEMENTS, COMPACT TOP 12" OF EXISTING SUBGRADE AND EACH LAYER OF BACKFILL OR FILL MATERIAL AT 98%
  - UNDER UNPAVED AREAS, COMPACT TOP 6" BELOW SUBGRADE AND COMPACT EACH LAYER OF BACKFILL OR FILL MATERIAL AT 85%.
35. FINISH SUBGRADES TO REQUIRED ELEVATIONS WITHIN THE FOLLOWING TOLERANCES:
  - LAWN OR UNPAVED AREAS: PLUS OR MINUS 1"
  - PAVEMENTS: PLUS OR MINUS 1/10"
36. CONTRACTOR WILL ENGAGE A QUALIFIED INDEPENDENT GEOTECHNICAL ENGINEERING TESTING AGENCY TO PERFORM FIELD QUALITY-CONTROL TESTING. SUBMIT TEST REPORTS TO LANDSCAPE ARCHITECT OR OWNER.

37. ALLOW TESTING AGENCY TO INSPECT AND TEST SUBGRADES AND EACH FILL AND BACKFILL LAYER. PROCEED WITH SUBSEQUENT EARTHWORK ONLY AFTER TEST RESULTS FOR PREVIOUSLY COMPLETED WORK COMPLY WITH REQUIREMENTS.
38. TESTING AGENCY WILL TEST COMPACTION OF SOILS IN PLACE ACCORDING TO ASTM D 1556, ASTM D 2167, ASTM D 2922, AND ASTM D 2937 AS APPLICABLE.
39. WHEN TESTING AGENCY REPORTS THAT SUBGRADES, FILLS, OR BACKFILLS HAVE NOT ACHIEVED DEGREE OF COMPACTION SPECIFIED, SCARIFY AND MOISTEN OR AERATE, OR REMOVE AND REPLACE SOIL TO DEPTH REQUIRED, RECOMPACT AND RETEST UNTIL SPECIFIED COMPACTION IS OBTAINED.
40. PREVENT WATER AND SUBSURFACE OR GROUND WATER FROM ENTERING EXCAVATIONS, FROM PONDING ON PREPARED SUBGRADES EXCAVATE UTILITY TRENCHES TO INDICATED SLOPES, LINES DEPTHS AND INVERT ELEVATIONS OF UNIFORM WIDTHS TO PROVIDE A MAXIMUM 12 INCHES OF WORKING CLEARANCE ON EACH SIDE OF PIPE OR CONDUIT. EXCAVATE TRENCH WALLS VERTICALLY FROM TRENCH BOTTOM TO 12 INCHES HIGHER THAN THE TOP OF PIPE OR CONDUIT.
41. EXCAVATE AND SHAPE TRENCH SUBGRADE TO PROVIDE UNIFORM BEARING AND CONTINUOUS SUPPORT FOR PIPE AND CONDUIT. WHERE ENCOUNTERING ROCK OR OTHER UNYIELDING BEARING SURFACE, CARRY TRENCH EXCAVATION 6 INCHES BELOW INVERT ELEVATION TO RECEIVE BEDDING COURSE.
42. FILL UNAUTHORIZED EXCAVATION UNDER FOUNDATIONS OR WALL FOOTINGS BY EXTENDING INDICATED BOTTOM ELEVATION OF CONCRETE FOUNDATION OR FOOTING TO EXCAVATION BOTTOM, WITHOUT ALTERING REQUIRED TOP ELEVATION. FILL UNAUTHORIZED EXCAVATIONS UNDER CONSTRUCTION AS DIRECTED BY GEOTECHNICAL ENGINEER.
43. UTILITY TRENCH BACKFILL: PLACE, COMPACT AND SHAPE BEDDING COURSE TO PROVIDE CONTINUOUS SUPPORT FOR PIPES AND CONDUITS OVER ROCK AND OTHER UNYIELDING BEARING SURFACES AND TO FILL UNAUTHORIZED EXCAVATIONS.
44. INSTALL UNDERGROUND UTILITY WARNING TAPE DIRECTLY ABOVE UTILITIES, 12 INCHES BELOW FINISHED GRADE AND IN THE SAME TRENCH FOR OPEN AREAS. INSTALL 6 INCHES BELOW SUBGRADE UNDER PAVEMENTS AND SLABS OR AS REQUIRED.
45. FOUNDATION DRAINS TO BE INSTALLED INDEPENDENT OF ANY OTHER DRAINS SHOWN ON SITE PLAN.

## LAYOUT AND MATERIALS NOTES

1. DO NOT SCALE FROM DRAWINGS.
2. OBTAIN DIGITAL CAD FILES FROM LANDSCAPE ARCHITECT FOR STAKING BY REGISTERED LAND SURVEYOR.
3. STAKE SITE ELEMENTS AND OBTAIN APPROVAL BY LANDSCAPE ARCHITECT PRIOR TO PROCEEDING.
4. STAKING SHALL BE PERFORMED BY A REGISTERED LAND SURVEYOR.
5. ALL DIMENSIONS ARE TO FACE OF WALL, FACE OF CURB OR EDGE OF PAVING UNLESS OTHERWISE NOTED.
6. CONTACT LANDSCAPE ARCHITECT IMMEDIATELY IF LAYOUT CONFLICTS OR AMBIGUITIES ARISE.
7. STORE AND PROTECT MATERIALS PER MANUFACTURER'S RECOMMENDATIONS.
8. CONTRACTOR WILL ENGAGE A QUALIFIED INDEPENDENT GEOTECHNICAL ENGINEERING TESTING AGENCY TO PERFORM FIELD QUALITY-CONTROL TESTING ON MATERIALS AND INSTALLATION WHERE SPECIFIED.
9. PROVIDE TEST RESULTS FOR COMPACTION OF AGGREGATE BASE COURSE IN ACCORDANCE WITH ASTM D 1556 OR ASTM D 2167 WHICHEVER IS MOST APPLICABLE.
10. CONCRETE FORMS SHALL BE STEEL, WOOD OR OTHER SUITABLE MATERIAL OF SIZE AND STRENGTH TO RESIST MOVEMENT DURING CONCRETE PLACEMENT AND TO RETAIN HORIZONTAL AND VERTICAL ALIGNMENT UNTIL REMOVAL. USE FLEXIBLE SPRING STEEL FORMS OR LAMINATED BOARDS TO FORM RADIUS BENDS AS REQUIRED.
11. DO NOT BUILD ON FROZEN SUBGRADE OR SETTING BEDS. REMOVE AND REPLACE MASONRY WORK DAMAGED BY FROST OR FREEZING.

TS TEMPORARY SEEDING SCHEDULE	
FALL	<b>Seeding mixture:</b> SPECIES RATE (lb/acre) Rye (grain) 120
	<b>Seeding dates:</b> Mountains: Aug. 15 - Dec. 15 Coastal Plain & Piedmont: Aug. 15 - Dec. 30
LATE WINTER & EARLY SPRING	<b>Seeding mixture:</b> SPECIES RATE (lb/acre) Rye (grain) 120 Annual lespedeza (Kobe in Piedmont & Coastal Plain, Korean in Mountains) 50 <small>*Omit annual lespedeza when duration of temporary cover is not to extend beyond June.</small>
	<b>Seeding dates:</b> Mountains (above 2500 ft): Feb. 15 - May 15 Mountains (below 2500 ft): Feb. 1 - May 1 Piedmont: Jan. 1 - May 1 Coastal Plain: Dec. 1 - April 15
SUMMER	<b>Seeding mixture:</b> SPECIES RATE (lb/acre) German millet 40 <small>*In the Piedmont &amp; Mountains, a small-stemmed Sudangrass may be substituted at a rate of 50 lb/acre.</small>
	<b>Seeding dates:</b> Mountains: May 15 - Aug 15 Piedmont: May 1 - Aug 15 Coastal Plain: April 15 - Aug 15
<b>Soil Amendments:</b> Utilize soil test recommendations specific to the site for fertilizer application rates. Consult with local Agriculture Extension Office for soil testing resources in project area.	
<b>Mulch:</b> Apply 4,000 lb/acre straw. Anchor straw by tacking with netting or a mulch anchoring tool. A disk with blades set nearly straight can be used as a mulch anchoring tool.	
<b>Maintenance:</b> Refertilize if growth is not fully adequate. Reseed, refertilize, and mulch immediately following erosion or other damage.	

PS PERMANENT SEEDING SCHEDULE (GRASSED AREAS UP TO 3:1 SLOPE)	
<b>Seeding mixture:</b> Species Rate (lb/acre) Tall fescue blend (equal parts KY-31 & Rebel 2) 200-250	
<b>Seeding dates:</b> Below 2500 ft: Aug. 15 - Sept. 1 Above 2500 ft: July 25 - Aug. 15	
<b>Soil Amendments:</b> Utilize soil test recommendations specific to the site for fertilizer application rates. Consult with local Agriculture Extension Office for soil testing resources in project area. Lawn areas to be seeded or sodded shall be tilled to a 6" depth (except within the dripline of existing trees to remain). Work fertilizer and lime into top 2" of soil.	
<b>Mulch:</b> Apply 3,000-4,000 lb/acre grain straw or equivalent cover of another suitable mulch. Anchor mulch by tacking with roving or netting. Netting is the preferred anchoring method on steep slopes.	
<b>Maintenance:</b> The bunch-type habit of tall fescue restricts its spread into damaged areas. Reseed bare spots in the fall. Re-fertilize annually in late winter and again in fall. Reseed, fertilize, and mulch damaged areas immediately.	



SEAL:



DRAWN BY:  
NAT

CHECKED BY:  
MJF

**DR. & MRS. WINKENWERDER HOUSE  
DRIVEWAY IMPROVEMENTS**  
410 VANDERBILT ROAD - BILTMORE FOREST, NORTH CAROLINA 28803

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SHEET TITLE:

**Notes &  
Specifications**

SHEET NO:

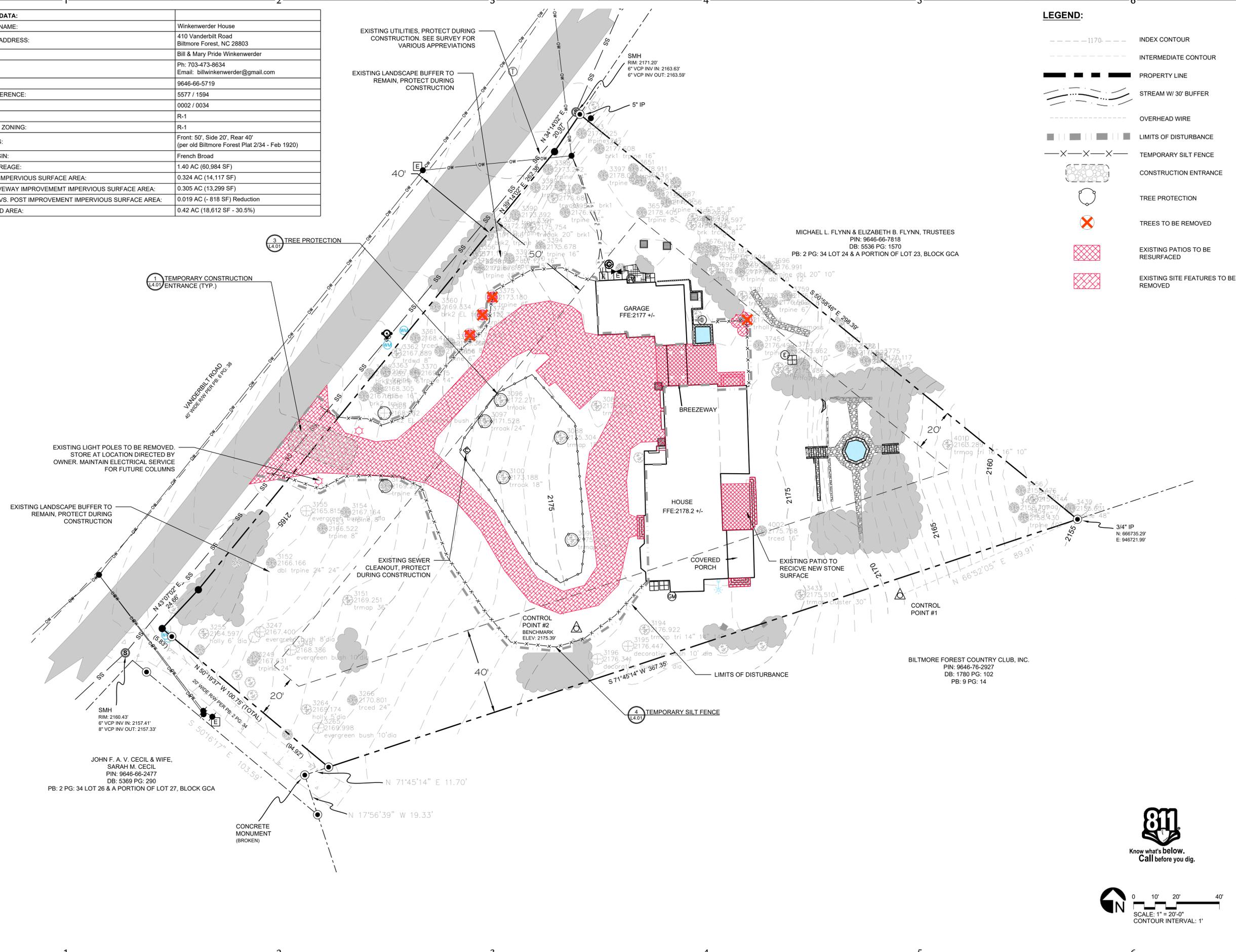
**L1.01**

Sheet Size: 24 x 36

<b>PROJECT DATA:</b>	
PROJECT NAME:	Winkenwerder House
PROJECT ADDRESS:	410 Vanderbilt Road Biltmore Forest, NC 28803
OWNER:	Bill & Mary Pride Winkenwerder
CONTACT:	Ph: 703-473-8634 Email: billwinkenwerder@gmail.com
PIN(s):	9646-66-5719
DEED REFERENCE:	5577 / 1594
PLAT:	0002 / 0034
ZONING:	R-1
ADJOINER ZONING:	R-1
SETBACKS:	Front: 50', Side 20', Rear 40' (per old Biltmore Forest Plat 2/34 - Feb 1920)
RIVER BASIN:	French Broad
TOTAL ACREAGE:	1.40 AC (60,984 SF)
EXISTING IMPERVIOUS SURFACE AREA:	0.324 AC (14,117 SF)
POST DRIVEWAY IMPROVEMENT IMPERVIOUS SURFACE AREA:	0.305 AC (13,299 SF)
EXISTING VS. POST IMPROVEMENT IMPERVIOUS SURFACE AREA:	0.019 AC (- 818 SF) Reduction
DISTURBED AREA:	0.42 AC (18,612 SF - 30.5%)

**LEGEND:**

	INDEX CONTOUR
	INTERMEDIATE CONTOUR
	PROPERTY LINE
	STREAM W/ 30' BUFFER
	OVERHEAD WIRE
	LIMITS OF DISTURBANCE
	TEMPORARY SILT FENCE
	CONSTRUCTION ENTRANCE
	TREE PROTECTION
	TREES TO BE REMOVED
	EXISTING PATIOS TO BE RESURFACED
	EXISTING SITE FEATURES TO BE REMOVED



SEAL:

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NAT	MJF

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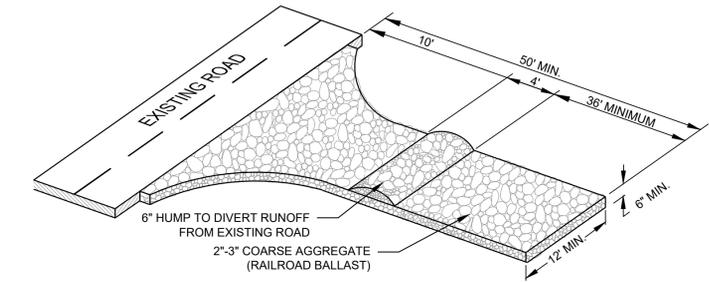
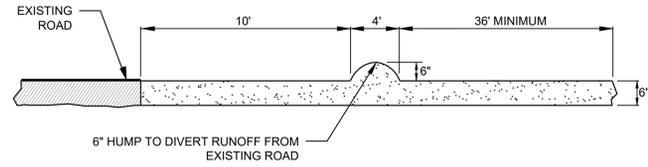
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SHEET TITLE:  
**Site Demolition & Stabilization**

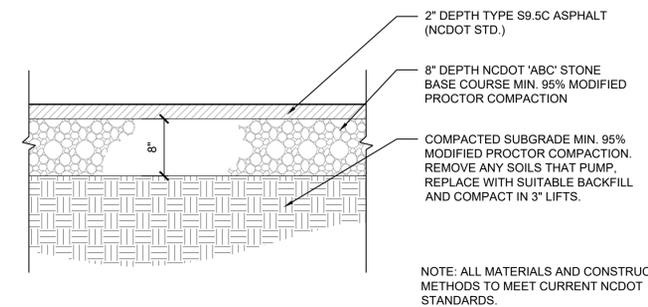
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**L2.01**



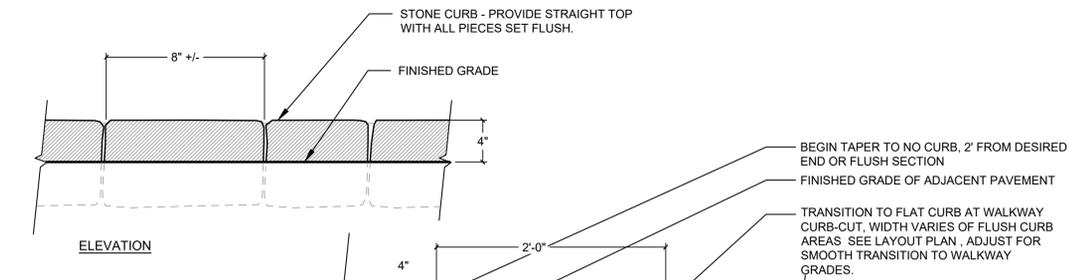




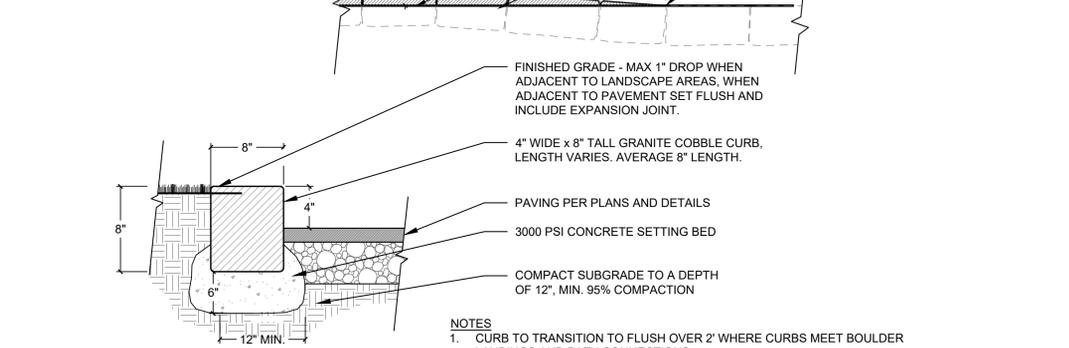
**1**  
L4.01  
NTS  
TEMPORARY CONSTRUCTION ENTRANCE



**2**  
L4.01  
NTS  
ASPHALT PAVING

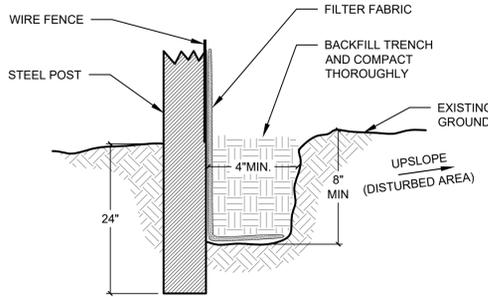


**3**  
L4.01  
NTS  
TREE PROTECTION

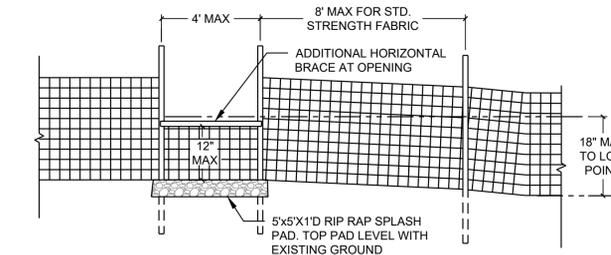


**5**  
L4.01  
NTS  
GRANITE CURB

- NOTES:**
- TREE PROTECTION SHALL BE PROVIDED AS SHOWN IN DETAIL. BARRIER SHALL BE ERRECTED PRIOR TO ANY CONSTRUCTION IN GENERAL AREA OF TREES TO BE PROTECTED.
  - TREES AND CLUSTERS OF TREES SHALL BE MARKED AND PHYSICALLY PROTECTED FROM PARKING, STORAGE, OF MATERIALS AND SECONDARY UTILITY LINE LOCATIONS
  - EXISTING VEGETATION REMAINING AFTER GRUBBING FOR BUILDING PADS, STRUCTURES, RIGHT-OF-WAY, PARKING AREAS AND SIGNIFICANT GRADE CHANGES SHALL BE PROTECTED DURING THE CONSTRUCTION PROCESS OF THE DEVELOPMENT.
  - BARRIERS TO REMAIN IN PLACE UNTIL ALL PAVING, CONSTRUCTION AND HEAVY EQUIPMENT IS OUT OF AREA.
  - UPRIGHTS - 4 X 4 POST OR WOOD FENCE POST ON 8' MINIMUM CENTERS.
  - HORIZONTALS - 1" X 6" SOUTHERN YELLOW PINE.

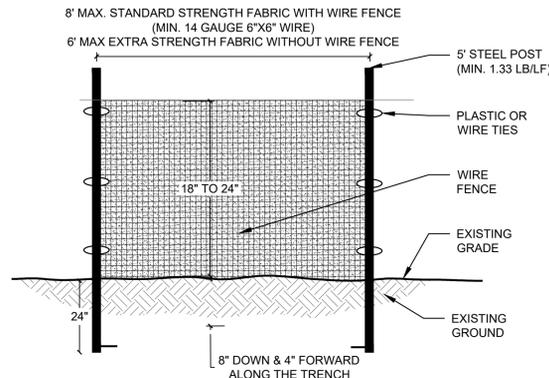


**SECTION VIEW**



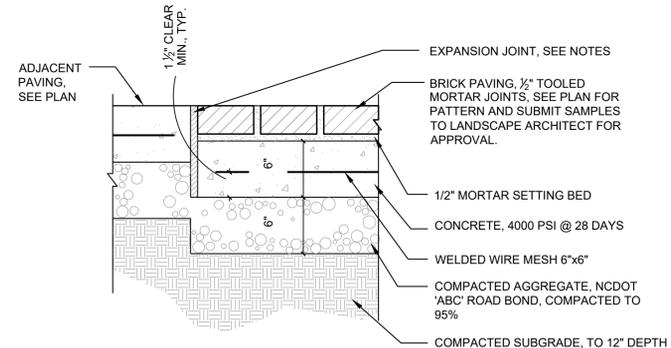
**NOTE: ALL SILT FENCE NOTES APPLY TO SILT FENCE OUTLET**

**4**  
L4.01  
NTS  
TEMPORARY SILT FENCE



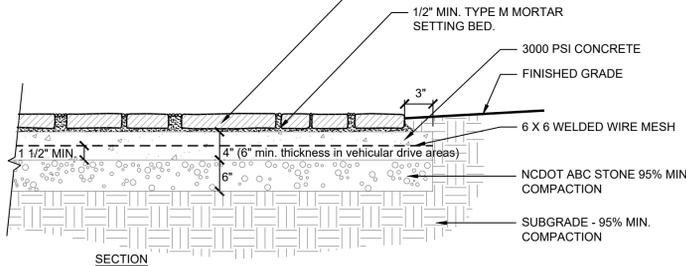
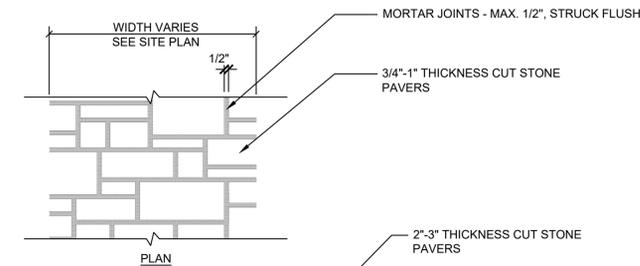
SLOPE	SLOPE LENGTH (FT)	MAXIMUM AREA (SQ FT)
<2%	100	10,000
2 TO 5%	75	7,500
5 TO 10%	50	5,000
10 TO 20%	25	2,500
>20%	15	1,500

- NOTES:**
- FILTER BARRIERS SHALL BE INSPECTED IMMEDIATELY AFTER EACH RAINFALL AND DAILY DURING PROLONGED RAINFALL. REPAIR SHALL BE MADE AS NECESSARY.
  - FABRIC SHALL BE REPLACED PROMPTLY IF FOUND TO BE IN DISREPAIR.
  - SEDIMENT DEPOSITS SHALL BE REMOVED AFTER EACH STORM EVENT AND WHEN DEPOSITS REACH APPROXIMATELY 1/3 HEIGHT OF BARRIER.
  - REFERENCE NCDEQ LAND QUALITY SECTION DESIGN MANUAL: 6.62
  - ALL AREAS WITHIN TROUT BUFFERS SHALL RECEIVE DOUBLE ROW OF SILT FENCE (TYP.)

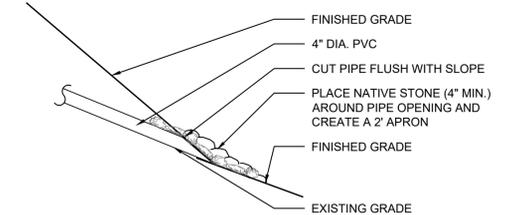


- NOTES:**
- EXPANSION JOINTS ARE TO BE 3/8" - 1/2" WIDE, RECESSED SEALANT TOOLED CONCAVE AND TIGHT TO BACKER ROD, ROUNDED BACKER ROD WITH NO BOND TO SEALANT, COMPRESSIBLE FILLER
  - BRICK WALKS ARE TO HAVE BRICK WALK EDGING. SEE DETAIL 7/L11.3

**7**  
L4.01  
NTS  
BRICK PAVER ON CONCRETE BASE



**6**  
L4.01  
NTS  
STONE PAVER ON CONCRETE BASE



**NOTE: DOWNSPOUT OUTLET LOCATIONS TO BE LOCATED IN FIELD AND APPROVED BY LANDSCAPE ARCHITECT PRIOR TO INSTALLATION. DOWNSPOUT OUTLETS SHOULD NOT BE GANGED TO CREATE CONCENTRATED FLOW AND SHOULD NOT OUTLET OVER FILL SLOPES OR AREAS OF SOFT OR ERODING SOILS.**

**8**  
L4.01  
NTS  
OUTLET TO GRADE



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CHECKED BY: MJF

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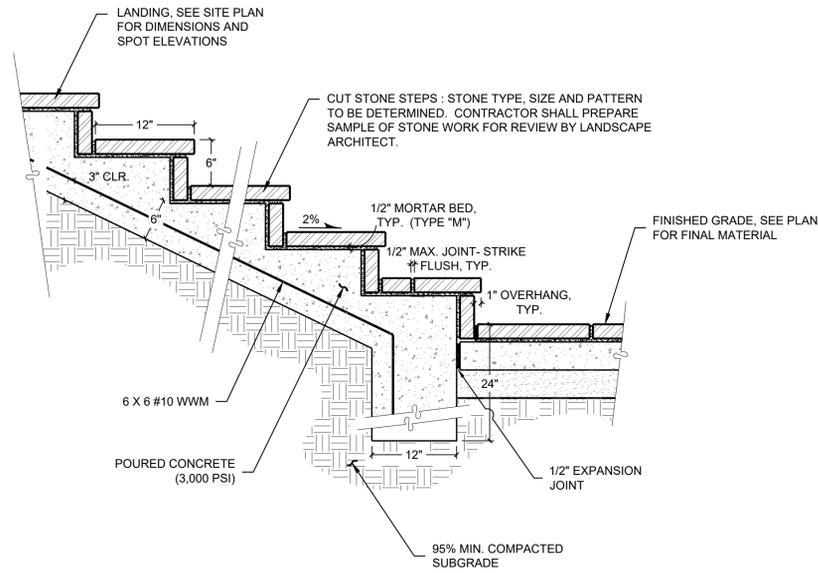
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SHEET TITLE:

Site Details

SHEET NO:

**L4.01**



NOTES:  
1. HEIGHTS GREATER THAN 4 RISERS MAY REQUIRE HANDRAIL.

1  
L4.02  
NTS  
CUT STONE STAIRS



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CHECKED BY: MJF

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SHEET TITLE:

Site Details

SHEET NO:

L4.02

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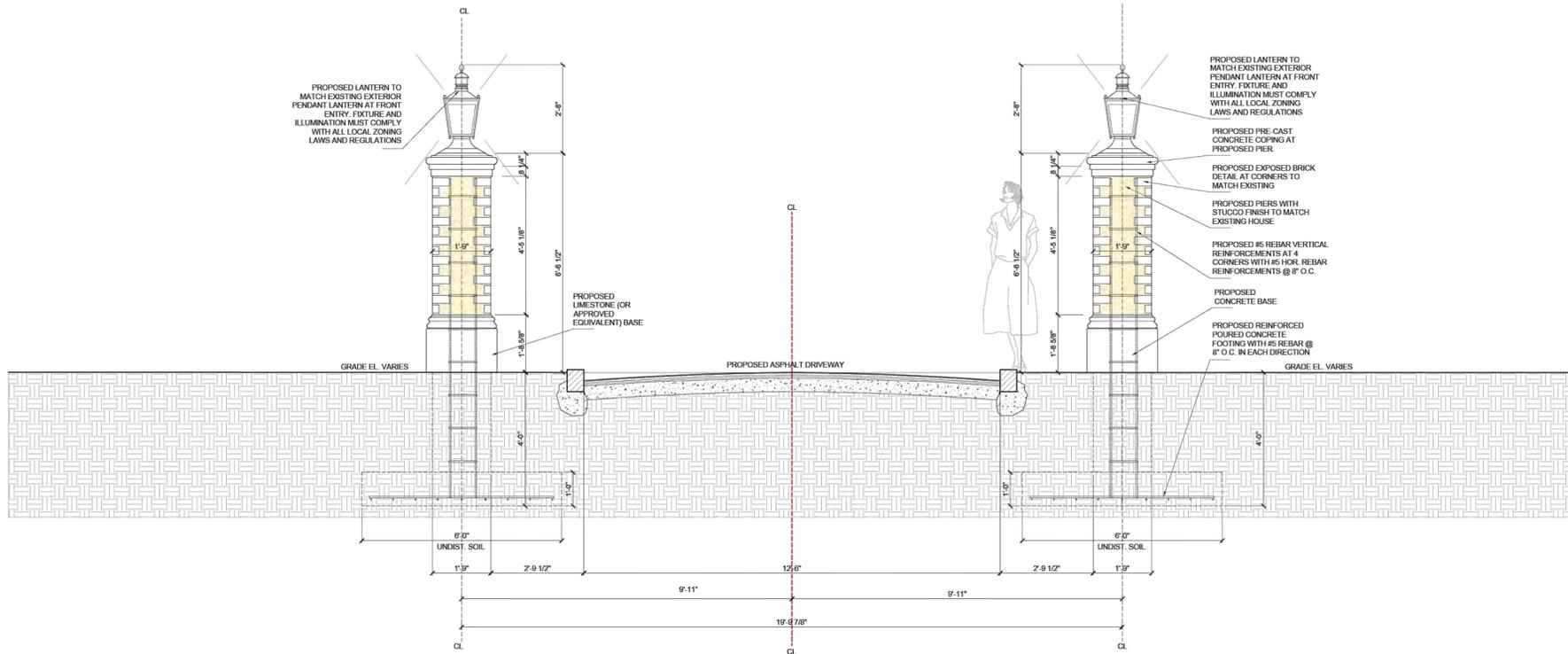
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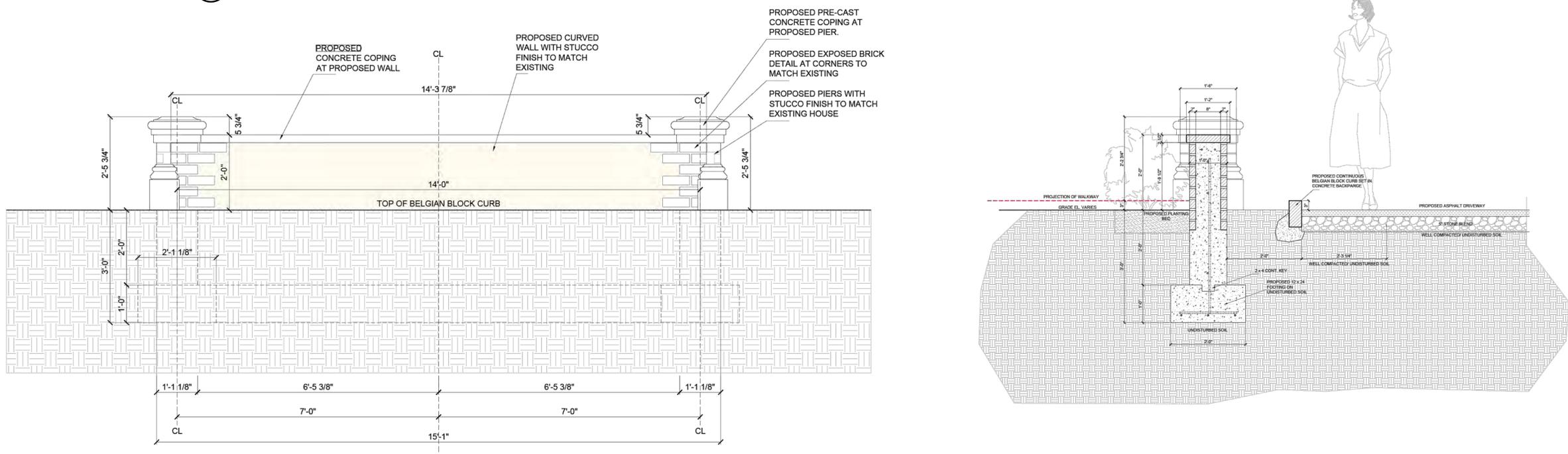
SHEET NO:

**L4.03**

Sheet Size: 24 x 36



**1**  
DRIVEWAY ENTRY COLUMNS  
L4.03 NTS



**2**  
DRIVEWAY CURVED COURTYARD WALL  
L4.03 NTS

# DR. & MRS. WINKENWERDER HOUSE



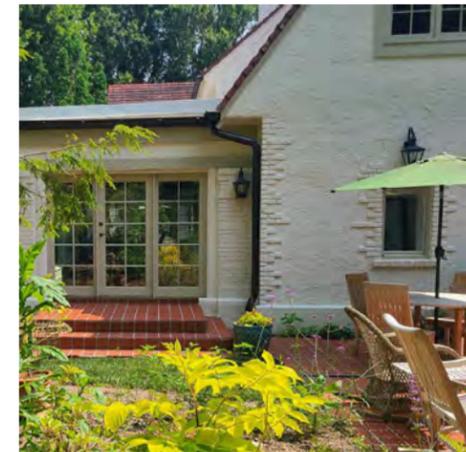
**GRAY GRANITE CURBING**  
(GRAY GRANITE CURBING SURROUNDING ASPHALT & BLACK GRANITE PAVER DRIVEWAY)



**CUT BLUESTONE PAVERS**  
(BLUESTONE PAVERS SET IN ASHLAR PATTERN, MINIMAL BROWNS - REPLACES TERRA COTTA TILES)



**BLACK GRANITE DRIVEWAY PAVER AREAS**  
(BLACK PAVER ENTRY AND DROPOFF APRONS, RUNNING BOND PATTERN)

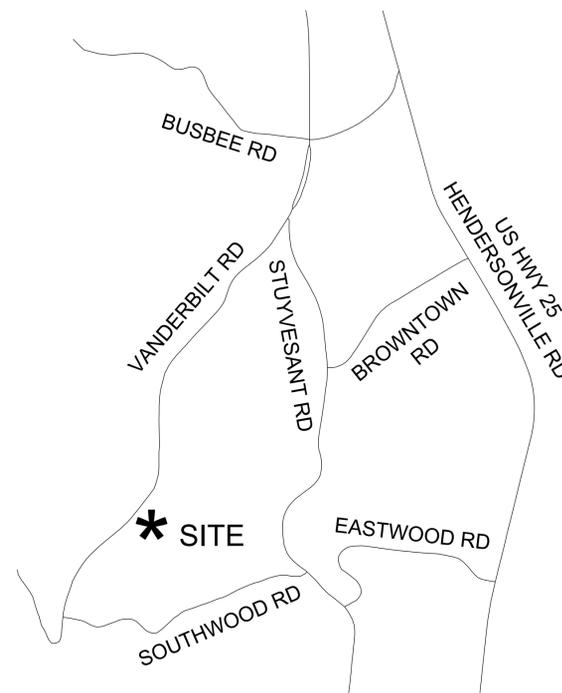


**ENTRY COLUMNS & COURTYARD WALL**  
(TO MATCH MAIN HOUSE PAINT IN COLOR, BRICK ACCENTS, AND PARGE COAT)

# WINKENWERDER HOUSE

## Driveway Improvements

410 Vanderbilt Road  
Biltmore Forest, NC 28803



VICINITY MAP  
NOT TO SCALE

### SHEET INDEX

L1.01	SITE NOTES & SPECIFICATIONS
L2.01	SITE DEMOLITION & STABILIZATION
L3.01	SITE PLAN
L4.01	SITE DETAILS
L4.02	SITE DETAILS
L4.03	SITE DETAILS



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**SITE PREPARATION AND DEMOLITION NOTES**

- ESTABLISH, PROTECT AND MAINTAIN BENCHMARKS AND SURVEY CONTROL POINTS FROM DISTURBANCE DURING CONSTRUCTION.
- CONTRACTOR TO ENSURE ALL REQUIRED PERMITS FROM REGULATORY AND REVIEW AGENCIES HAVE BEEN OBTAINED.
- ALL PROJECT ACTIVITY SHALL BE CONFINED TO THE AREA WITHIN THE LIMITS OF DISTURBANCE.
- THERE SHALL BE NO LAY-DOWN ACTIVITIES, MATERIALS STORAGE FOOT TRAFFIC, VEHICULAR TRAFFIC AND STORAGE OF MATERIALS OR EQUIPMENT OUTSIDE OF THE LIMITS OF DISTURBANCE.
- COORDINATE LOCATION OF CONSTRUCTION TRAILER, REST ROOM FACILITIES, PERMIT DISPLAYS AND ANY OTHER PROJECT ACCESSORIES NOT SPECIFICALLY LOCATED ON THE CONSTRUCTION DRAWINGS WITH THE OWNER.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING AND PROTECTING EXISTING UTILITIES AND STRUCTURES UNTIL PROJECT INSTALLATION IS COMPLETE. THE CONTRACTOR SHALL REPAIR OR PAY FOR ALL DAMAGES MADE TO EXISTING FACILITIES AND STRUCTURES.
- NOTIFY LANDSCAPE ARCHITECT IMMEDIATELY IF ANY PROPOSED OR EXISTING CONDITIONS CONFLICT WITH UTILITIES.
- INSTALL EROSION CONTROLS AS INDICATED IN THE EROSION CONTROL NOTES AND SEQUENCE OF CONSTRUCTION FOR EROSION AND SEDIMENT CONTROL.
- MARK TREES AND OTHER PLANT MATERIAL TO BE REMOVED WITH A SINGLE AND UNIQUE COLOR OF SURVEY FLAGGING AND OBTAIN APPROVAL OF LANDSCAPE ARCHITECT PRIOR TO PROCEEDING.
- REMOVE OBSTRUCTIONS, TREES, SHRUBS, GRASS AND OTHER VEGETATION WITHIN THE LIMITS OF DISTURBANCE TO PERMIT INSTALLATION OF NEW CONSTRUCTION UNLESS OTHERWISE NOTED. REMOVAL INCLUDES DIGGING OUT STUMPS AND OBSTRUCTIONS AND GRUBBING ROOTS TO A DEPTH OF 18".
- STRIP TOPSOIL TO WHATEVER DEPTHS ARE ENCOUNTERED IN A MANNER TO PREVENT INTERMINGLING WITH UNDERLYING SUBSOIL OR OTHER WASTE MATERIALS.
- WIRES, SIGNS, PERMITS OR ANY OTHER OBJECT SHALL NOT BE FASTENED TO TREES.
- ALL CLEARING, GRUBBING, REMOVAL OF TOPSOIL OR ANY OTHER DISTURBANCE WITHIN THE DRIPLINE OF EXISTING TREES TO REMAIN SHALL BE DONE WITH HAND TOOLS UNDER THE DIRECTION OF LANDSCAPE ARCHITECT.
- REMOVE SURPLUS SOIL MATERIAL, UNSUITABLE TOPSOIL, OBSTRUCTIONS, DEMOLISHED MATERIALS, AND WASTE MATERIALS, INCLUDING TRASH AND DEBRIS, AND LEGALLY DISPOSE OF THEM OFF OWNER'S PROPERTY.

**EROSION CONTROL NOTES**

- CONTRACTOR IS RESPONSIBLE FOR AND SHALL ADHERE TO ALL PROVISIONS AND REQUIREMENTS OF ALL APPLICABLE EROSION CONTROL REQUIREMENTS.
- EROSION CONTROL MEASURES SHALL BE INSTALLED FOLLOWING THE EROSION CONTROL SEQUENCE.
- EROSION CONTROL MEASURES ARE GENERAL IN NATURE. CONTRACTOR IS RESPONSIBLE FOR ADDITIONAL MEASURES AS REQUIRED TO PREVENT ON- OR OFF-SITE RUNOFF AND EROSION.
- ALL INLETS SHALL HAVE TEMPORARY INLET PROTECTION INSTALLED IMMEDIATELY AFTER INLET HAS BEEN CONSTRUCTED.
- CONTRACTOR IS RESPONSIBLE FOR REGULAR INSPECTION AND MAINTENANCE OF EROSION CONTROL MEASURES TO ENSURE THAT MEASURES CONTINUOUSLY FUNCTION AS INTENDED.
- ESTABLISH PERMANENT COVER ON DISTURBED AREAS IMMEDIATELY AFTER FINAL GRADING IS COMPLETE OR IF DISTURBED AREAS ARE TO REMAIN UNALTERED FOR MORE THAN 5 CONSECUTIVE DAYS.
- REMOVE ALL TEMPORARY EROSION CONTROLS AFTER DISTURBED AREAS HAVE BEEN STABILIZED AND COMPLETED.
- CONTRACTOR IS RESPONSIBLE FOR EROSION CONTROL OF OFF-SITE BORROW PITS AND DISPOSAL AREAS TO ENSURE THAT ANY BORROW OR WASTE COMES FROM OR GOES TO A SITE WITH AN APPROVED EROSION & STORMWATER CONTROL PLAN.
- CONTRACTOR SHALL WATER SITE TO CONTROL DUST DURING PERIODS OF DRY WEATHER.
- EQUIPMENT UTILIZED DURING THE CONSTRUCTION ACTIVITY ON SITE MUST BE OPERATED AND MAINTAINED IN SUCH A MANNER AS TO PREVENT THE POTENTIAL OR ACTUAL POLLUTION OF THE SURFACE OR GROUND WATERS OF THE STATE. FUELS, LUBRICANTS, COOLANTS, AND HYDRAULIC FLUIDS, OR ANY OTHER PETROLEUM PRODUCTS, SHALL NOT BE DISCHARGED INTO THE GROUND OR INTO SURFACE WATERS. SPENT FLUIDS SHALL BE DISPOSED OF IN A MANNER SO AS NOT TO ENTER THE WATERS, SURFACE OR GROUND, OF THE STATE AND IN ACCORDANCE WITH APPLICABLE STATE AND FEDERAL DISPOSAL REGULATIONS. ANY SPILLED FLUIDS SHALL BE CLEANED UP TO THE EXTENT PRACTICABLE AND DISPOSED OF IN A MANNER SO AS NOT TO ALLOW THEIR ENTRY INTO THE WATERS, SURFACE OR GROUND, OF THE STATE.
- HERBICIDE, PESTICIDE AND FERTILIZER USAGE DURING THE CONSTRUCTION ACTIVITY SHALL BE CONSISTENT WITH THE FEDERAL INSECTICIDE, FUNGICIDE AND RODENTICIDE ACT AND SHALL BE IN ACCORDANCE WITH LABEL RESTRICTIONS.
- ALL WASTES COMPOSED OF BUILDING MATERIALS SHALL BE DISPOSED OF IN ACCORDANCE WITH STATE GENERAL STATUTES.

**SEQUENCE OF CONSTRUCTION FOR EROSION & SEDIMENT CONTROL**

- SUBMIT PLANS FOR REVIEW, OBTAIN GRADING PERMIT APPROVAL AND ALL OTHER APPLICABLE PERMITS.
- CONTRACTOR TO NOTIFY NCDEQ LAND QUALITY SECTION SPECIALIST PRIOR TO START OF PROJECT, IF NCDEQ EROSION CONTROL PERMIT IS REQUIRED..
- FLAG THE LIMITS OF DISTURBANCE AND MARK THE TREES TO BE REMOVED AND OBTAIN APPROVAL PRIOR TO PROCEEDING.
- INSTALL TEMPORARY EROSION CONTROL MEASURES AS SHOWN WHERE FEASIBLE.
- UPON INSTALLATION OF EROSION CONTROL MEASURES, REQUEST ON-SITE INSPECTION AND APPROVAL AS REQUIRED.
- CLEAR AND GRUB SITE.
- BEGIN ROUGH GRADING OF SITE.
- INSTALL ALL CATCH BASINS, INLET PROTECTION, CULVERTS AND OUTLET PROTECTION AS GRADING PERMITS.
- INSTALL STONE BASE AS GRADING PERMITS.
- INSTALL TEMPORARY OR PERMANENT SEEDING OR GROUND COVER ON ALL ROUGH GRADED SLOPES.
- BEGIN FINE GRADING.
- UPON COMPLETION OF FINE GRADING, IMMEDIATELY INSTALL PERMANENT GROUND COVER.
- CLEAN OUT EROSION CONTROL MEASURES WHEN HALF FULL AS INDICATED IN EROSION CONTROL NOTES AND REPAIR OR REPLACE AS NECESSARY.
- MAINTAIN EROSION CONTROL MEASURES UNTIL PERMANENT GROUND COVER IS ESTABLISHED.
- UPON COMPLETION OF CONSTRUCTION, STABILIZATION OF SITE, AND APPROVAL BY CONSTRUCTION INSPECTOR. REMOVE ALL TEMPORARY EROSION CONTROL MEASURES STABILIZE THESE AREAS.
- CONTRACTOR TO NOTIFY BUNCOMBE COUNTY EROSION CONTROL OR STORMWATER SPECIALIST WHEN PROJECT IS READY TO CLOSE OUT.

**MAINTENANCE PLAN:**

- ALL EROSION AND SEDIMENT CONTROL PRACTICES SHALL BE CHECKED AND MAINTAINED FOR STABILITY AND OPERATION AT OPTIMUM EFFICIENCY FOLLOWING EVERY RUNOFF-PRODUCING RAINFALL BUT IN NO CASE LESS THAN ONCE EVERY WEEK. ANY NEEDED REPAIRS WILL BE MADE IMMEDIATELY TO MAINTAIN ALL PRACTICES AS DESIGNED.
- SEDIMENT WILL BE REMOVED FROM BEHIND THE SILT FENCE WHEN IT BECOMES ABOUT 6" DEEP AT THE FENCE. THE SEDIMENT FENCE WILL BE REPAIRED AS NECESSARY TO MAINTAIN A CONTINUOUS BARRIER.
- ALL SEEDING AREAS WILL BE FERTILIZED, RESEEDING AS NECESSARY, AND MULCHED ACCORDING TO SPECIFICATIONS IN THE VEGETATIVE PLAN TO MAINTAIN A VIGOROUS, DENSE VEGETATIVE COVER.

**GRADING NOTES**

- STAKE GRADES BY A REGISTERED LAND SURVEYOR AND OBTAIN APPROVAL OF LANDSCAPE ARCHITECT OR OWNER PRIOR TO PROCEEDING.
- CONTRACTOR SHALL REVIEW PROPOSED ACTIVITIES ON-SITE WITH LANDSCAPE ARCHITECT OR OWNER PRIOR TO INSTALLATION.
- NO MAJOR GRADING ACTIVITIES OR STORMWATER DEVICE CONSTRUCTION SHALL OCCUR DURING WET WEATHER OR PERIODS OF PREDICTED WET WEATHER.
- ALL PROPOSED STORM DRAIN LINES SHALL HAVE A MIN. OF 2" COVER UNLESS OTHERWISE NOTED.
- MATERIAL REMAINING FROM PROJECT EXCAVATION SHALL BE LEGALLY DISPOSED OF OFF-SITE BY THE CONTRACTOR.
- ALL UTILITY LINES, PIPES, AND ASSOCIATED APPURTENANCES SHALL BE LOCATED ON-SITE BEFORE ANY EXCAVATION IS STARTED RELATED TO A SPECIFIC UTILITY.
- ALL LINEAR UTILITY WORK MUST BE STABILIZED AT THE END OF EACH WORKDAY.
- EXCAVATION LIKELY TO DISLOCATE, DAMAGE, OR IMPAIR THE STRENGTH OF EXISTING STRUCTURES SHALL BE CONDUCTED ONLY AFTER ADEQUATE PROTECTION HAS BEEN PROVIDED FOR THE EXISTING STRUCTURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REPAIRS TO OR REPLACEMENT OF STRUCTURES DAMAGED BY PROJECT ACTIVITIES.
- MATCH EXISTING GRADES SMOOTHLY WHERE PROPOSED FEATURES MEET EXISTING FEATURES.
- THE CONTRACTOR SHALL ENSURE POSITIVE DRAINAGE AT A MINIMUM OF 2% SLOPE AWAY FROM ALL BUILDINGS.
- ALL CUT SLOPES GREATER THAN 2:1 & FILL SLOPES GREATER THAN 2:1 SHALL BE CERTIFIED BY A REGISTERED GEOTECHNICAL ENGINEER PRIOR TO AND DURING CONSTRUCTION.
- ALL FILL SLOPES SHALL BE COMPACTED FULL DEPTH TO NOT LESS THAN 95 PERCENT MAXIMUM DENSITY (STANDARD PROCTOR), SHALL BE PLACED ON A SURFACE CLEARED OF GROWTH AND DEBRIS, AND BE PROPERLY BENCHED AND DRAINED.
- ALL PVC SLEEVES TO BE SCHEDULE 80, COORDINATE WITH LANDSCAPE ARCHITECT FOR NUMBER AND LOCATION, EVEN IF SHOWN ON THE PLAN.
- ABBREVIATIONS:
 

TW: ELEVATION AT TOP OF WALL	TC: ELEVATION AT TOP OF CURB
BW: FINISHED GRADE ELEVATION AT BOTTOM OF WALL	BC: ELEVATION AT BOTTOM OF CURB
SWCP: SMOOTH WALL CORRUGATED PLASTIC PIPE	TS: ELEVATION AT TOP OF STEPS
RIM: FINISHED ELEVATION AT RIM INLET OF DRAINAGE STRUCTURES	BS: ELEVATION AT BOTTOM OF STEPS
INV: PIPE INVERT	MIN: MINIMUM
HPS: HIGH POINT OF SWALE	MAX: MAXIMUM
TYP: TYPICAL	BOP: BEGINNING OF PAVEMENT
H.P. HIGH POINT	EOP: END OF PAVEMENT
L.P. LOW POINT	

- PRUNE TREE ROOTS EXPOSED DURING GRADE LOWERING. DO NOT CUT MAIN LATERAL ROOTS OR TAP ROOTS; CUT ONLY SMALLER ROOTS. CUT ROOTS WITH SHARP PRUNING INSTRUMENTS; DO NOT BREAK OR CHOP.
- WHERE EXISTING GRADE IS 6 INCHES OR LESS BELOW ELEVATION OF FINISH GRADE, FILL WITH TOPSOIL. PLACE TOPSOIL IN A SINGLE UNCOMPACTED LAYER, HAND GRADE AND LIGHTLY TAMP TO REQUIRED FINISH ELEVATIONS.
- PROVIDE BORROW SOIL MATERIALS WHEN SUFFICIENT SATISFACTORY SOIL MATERIALS ARE NOT AVAILABLE.
- SATISFACTORY SOILS SHALL BE DEFINED AS FOLLOWS: ASTM D 2487 SOIL CLASSIFICATION GROUPS SC, ML, CL, SP, GM AND SM OR A COMBINATION OF THESE GROUP SYMBOLS; FREE OF ROCK OR GRAVEL LARGER THAN 3" IN ANY DIMENSION, DEBRIS, WASTE, FROZEN MATERIALS, VEGETATION, AND OTHER DELETERIOUS MATTER.
- UNSATISFACTORY SOILS SHALL BE DEFINED AS FOLLOWS: ASTM D 2487 SOIL CLASSIFICATION GROUPS GC, GW, GP, MH, CH, OL, OH, SW AND PT OR A COMBINATION OF THESE GROUP SYMBOLS.
- UNSATISFACTORY SOILS ALSO INCLUDE SATISFACTORY SOILS NOT MAINTAINED WITHIN 2 PERCENT OF OPTIMUM MOISTURE CONTENT AT TIME OF COMPACTION.
- BACKFILL AND FILL SHALL BE SATISFACTORY SOILS.
- SUBMIT MATERIAL TEST REPORTS FROM A QUALIFIED TESTING AGENCY INDICATING AND INTERPRETING TEST RESULTS FOR COMPLIANCE WITH THE FOLLOWING REQUIREMENTS:
  - CLASSIFICATION ACCORDING TO ASTM D 2487 OF EACH ON-SITE OR BORROW SOIL MATERIAL PROPOSED FOR FILL AND BACKFILL
  - LABORATORY COMPACTION CURVE ACCORDING TO ASTM D 698 FOR EACH ON-SITE OR BORROW SOIL MATERIAL PROPOSED FOR FILL AND BACKFILL.
- GEOTECHNICAL TESTING AGENCY QUALIFICATIONS: AN INDEPENDENT TESTING AGENCY QUALIFIED ACCORDING TO ASTM 329 TO CONDUCT SOIL MATERIALS AND ROCK-DEFINITION TESTING, AS DOCUMENTED ACCORDING TO ASTM D 3740 AND ASTM E 548.
- NOTIFY AND OBTAIN APPROVAL FROM LANDSCAPE ARCHITECT PRIOR TO PROCEEDING WHEN EXCAVATIONS HAVE REACHED REQUIRED SUBGRADE.
- PROOF ROLL SUBGRADE WITH SUITABLE EQUIPMENT TO IDENTIFY SOFT POCKETS AND AREAS OF EXCESS YIELDING. DO NOT PROOF ROLL WET OR SATURATED SUBGRADES.
- RECONSTRUCT SUBGRADES DAMAGED BY FREEZING TEMPERATURES, FROST, RAIN, ACCUMULATED WATER, OR CONSTRUCTION ACTIVITIES AS DIRECTED BY GEOTECHNICAL ENGINEER.
- PLACE AND COMPACT BACKFILL IN EXCAVATIONS PROMPTLY BUT NOT BEFORE REMOVING TRASH AND DEBRIS.
- WHEN INSTALLING FILL:
  - REMOVE VEGETATION, TOPSOIL, DEBRIS, UNSATISFACTORY SOIL MATERIALS, OBSTRUCTION, AND DELETERIOUS MATERIALS FROM GROUND SURFACE BEFORE PLACING FILLS
  - PLOW, SCARIFY, BENCH OR BREAK UP SLOPED SURFACES STEEPER THAN 4:1 SO FILL MATERIAL WILL BOND WITH EXISTING MATERIAL
  - PLACE AND COMPACT FILL MATERIAL IN LAYERS TO REQUIRED ELEVATIONS AND COMPACTION.
- UNIFORMLY MOISTEN OR AERATE SUBGRADE AND EACH SUBSEQUENT FILL OR BACKFILL LAYER BEFORE COMPACTION TO WITHIN 2% OF OPTIMUM MOISTURE CONTENT.
- DO NOT PLACE BACKFILL OR FILL ON SURFACES THAT ARE MUDDY, FROZEN, OR CONTAIN FROST OR ICE.
- REMOVE, REPLACE, OR SCARIFY AND AIR-DRY, OTHERWISE SATISFACTORY SOIL MATERIAL THAT EXCEEDS OPTIMUM MOISTURE CONTENT BY 2% AND IS TOO WET TO COMPACT TO SPECIFIED DRY UNIT WEIGHT.
- PLACE BACKFILL AND FILL MATERIALS IN LAYERS NOT MORE THAN 8" IN LOOSE DEPTH FOR MATERIAL COMPACTED BY HEAVY COMPACTION EQUIPMENT, AND NOT MORE THAN 4" IN LOOSE DEPTH FOR MATERIAL COMPACTED BY HAND-OPERATED TAMPERS.
- PLACE BACKFILL AND FILL MATERIALS EVENLY ON ALL SIDES OF STRUCTURES TO REQUIRED ELEVATIONS, AND UNIFORMLY ALONG THE FULL LENGTH OF EACH STRUCTURE.
- COMPACT SOIL TO NOT LESS THAN THE FOLLOWING PERCENTAGES OF MAXIMUM DRY UNIT WEIGHT ACCORDING TO ASTM D 698:
  - UNDER STRUCTURES AND PAVEMENTS, COMPACT TOP 12" OF EXISTING SUBGRADE AND EACH LAYER OF BACKFILL OR FILL MATERIAL AT 98%
  - UNDER UNPAVED AREAS, COMPACT TOP 6" BELOW SUBGRADE AND COMPACT EACH LAYER OF BACKFILL OR FILL MATERIAL AT 85%.
- FINISH SUBGRADES TO REQUIRED ELEVATIONS WITHIN THE FOLLOWING TOLERANCES:
  - LAWN OR UNPAVED AREAS: PLUS OR MINUS 1"
  - PAVEMENTS: PLUS OR MINUS 1/10"
- CONTRACTOR WILL ENGAGE A QUALIFIED INDEPENDENT GEOTECHNICAL ENGINEERING TESTING AGENCY TO PERFORM FIELD QUALITY-CONTROL TESTING. SUBMIT TEST REPORTS TO LANDSCAPE ARCHITECT OR OWNER.

- ALLOW TESTING AGENCY TO INSPECT AND TEST SUBGRADES AND EACH FILL AND BACKFILL LAYER. PROCEED WITH SUBSEQUENT EARTHWORK ONLY AFTER TEST RESULTS FOR PREVIOUSLY COMPLETED WORK COMPLY WITH REQUIREMENTS.
- TESTING AGENCY WILL TEST COMPACTION OF SOILS IN PLACE ACCORDING TO ASTM D 1556, ASTM D 2167, ASTM D 2922, AND ASTM D 2937 AS APPLICABLE.
- WHEN TESTING AGENCY REPORTS THAT SUBGRADES, FILLS, OR BACKFILLS HAVE NOT ACHIEVED DEGREE OF COMPACTION SPECIFIED, SCARIFY AND MOISTEN OR AERATE, OR REMOVE AND REPLACE SOIL TO DEPTH REQUIRED, RECOMPACT AND RETEST UNTIL SPECIFIED COMPACTION IS OBTAINED.
- PREVENT WATER AND SUBSURFACE OR GROUND WATER FROM ENTERING EXCAVATIONS, FROM PONDING ON PREPARED SUBGRADES EXCAVATE UTILITY TRENCHES TO INDICATED SLOPES, LINES DEPTHS AND INVERT ELEVATIONS OF UNIFORM WIDTHS TO PROVIDE A MAXIMUM 12 INCHES OF WORKING CLEARANCE ON EACH SIDE OF PIPE OR CONDUIT. EXCAVATE TRENCH WALLS VERTICALLY FROM TRENCH BOTTOM TO 12 INCHES HIGHER THAN THE TOP OF PIPE OR CONDUIT.
- EXCAVATE AND SHAPE TRENCH SUBGRADE TO PROVIDE UNIFORM BEARING AND CONTINUOUS SUPPORT FOR PIPE AND CONDUIT. WHERE ENCOUNTERING ROCK OR OTHER UNYIELDING BEARING SURFACE, CARRY TRENCH EXCAVATION 6 INCHES BELOW INVERT ELEVATION TO RECEIVE BEDDING COURSE.
- FILL UNAUTHORIZED EXCAVATION UNDER FOUNDATIONS OR WALL FOOTINGS BY EXTENDING INDICATED BOTTOM ELEVATION OF CONCRETE FOUNDATION OR FOOTING TO EXCAVATION BOTTOM, WITHOUT ALTERING REQUIRED TOP ELEVATION. FILL UNAUTHORIZED EXCAVATIONS UNDER CONSTRUCTION AS DIRECTED BY GEOTECHNICAL ENGINEER.
- UTILITY TRENCH BACKFILL: PLACE, COMPACT AND SHAPE BEDDING COURSE TO PROVIDE CONTINUOUS SUPPORT FOR PIPES AND CONDUITS OVER ROCK AND OTHER UNYIELDING BEARING SURFACES AND TO FILL UNAUTHORIZED EXCAVATIONS.
- INSTALL UNDERGROUND UTILITY WRAPPING TAPE DIRECTLY ABOVE UTILITIES, 12 INCHES BELOW FINISHED GRADE AND IN THE SAME TRENCH FOR OPEN AREAS. INSTALL 6 INCHES BELOW SUBGRADE UNDER PAVEMENTS AND SLABS OR AS REQUIRED.
- FOUNDATION DRAINS TO BE INSTALLED INDEPENDENT OF ANY OTHER DRAINS SHOWN ON SITE PLAN.

**LAYOUT AND MATERIALS NOTES**

- DO NOT SCALE FROM DRAWINGS.
- OBTAIN DIGITAL CAD FILES FROM LANDSCAPE ARCHITECT FOR STAKING BY REGISTERED LAND SURVEYOR.
- STAKE SITE ELEMENTS AND OBTAIN APPROVAL BY LANDSCAPE ARCHITECT PRIOR TO PROCEEDING.
- STAKING SHALL BE PERFORMED BY A REGISTERED LAND SURVEYOR.
- ALL DIMENSIONS ARE TO FACE OF WALL, FACE OF CURB OR EDGE OF PAVING UNLESS OTHERWISE NOTED.
- CONTACT LANDSCAPE ARCHITECT IMMEDIATELY IF LAYOUT CONFLICTS OR AMBIGUITIES ARISE.
- STORE AND PROTECT MATERIALS PER MANUFACTURER'S RECOMMENDATIONS.
- CONTRACTOR WILL ENGAGE A QUALIFIED INDEPENDENT GEOTECHNICAL ENGINEERING TESTING AGENCY TO PERFORM FIELD QUALITY-CONTROL TESTING ON MATERIALS AND INSTALLATION WHERE SPECIFIED.
- PROVIDE TEST RESULTS FOR COMPACTION OF AGGREGATE BASE COURSE IN ACCORDANCE WITH ASTM D 1556 OR ASTM D 2167 WHICHEVER IS MOST APPLICABLE.
- CONCRETE FORMS SHALL BE STEEL, WOOD OR OTHER SUITABLE MATERIAL OF SIZE AND STRENGTH TO RESIST MOVEMENT DURING CONCRETE PLACEMENT AND TO RETAIN HORIZONTAL AND VERTICAL ALIGNMENT UNTIL REMOVAL. USE FLEXIBLE SPRING STEEL FORMS OR LAMINATED BOARDS TO FORM RADIUS BENDS AS REQUIRED.
- DO NOT BUILD ON FROZEN SUBGRADE OR SETTING BEDS. REMOVE AND REPLACE MASONRY WORK DAMAGED BY FROST OR FREEZING.

(TS) TEMPORARY SEEDING SCHEDULE																					
FALL	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2" style="text-align: left;">Seeding mixture:</th> </tr> <tr> <td style="width: 60%;">SPECIES</td> <td style="width: 40%;">RATE (lb/acre)</td> </tr> <tr> <td>Rye (grain)</td> <td style="text-align: center;">120</td> </tr> <tr> <th colspan="2" style="text-align: left;">Seeding dates:</th> </tr> <tr> <td>Mountains:</td> <td style="text-align: center;">Aug. 15 - Dec. 15</td> </tr> <tr> <td>Coastal Plain &amp; Piedmont:</td> <td style="text-align: center;">Aug. 15 - Dec. 30</td> </tr> </table>	Seeding mixture:		SPECIES	RATE (lb/acre)	Rye (grain)	120	Seeding dates:		Mountains:	Aug. 15 - Dec. 15	Coastal Plain & Piedmont:	Aug. 15 - Dec. 30								
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<p><b>Soil Amendments:</b></p> <p>Utilize soil test recommendations specific to the site for fertilizer application rates. Consult with local Agriculture Extension Office for soil testing resources in project area.</p> <p><b>Mulch:</b></p> <p>Apply 4,000 lb/acre straw. Anchor straw by tacking with netting or a mulch anchoring tool. A disk with blades set nearly straight can be used as a mulch anchoring tool.</p> <p><b>Maintenance:</b></p> <p>Re-fertilize if growth is not fully adequate. Reseed, re-fertilize, and mulch immediately following erosion or other damage.</p>																					

(PS) PERMANENT SEEDING SCHEDULE (GRASSED AREAS UP TO 3:1 SLOPE)					
<p><b>Seeding mixture:</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Species</td> <td style="width: 40%;">Rate (lb/acre)</td> </tr> <tr> <td>Tall fescue blend (equal parts KY-31 &amp; Rebel 2)</td> <td style="text-align: center;">200-250</td> </tr> </table>		Species	Rate (lb/acre)	Tall fescue blend (equal parts KY-31 & Rebel 2)	200-250
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Above 2500 ft:	July 25 - Aug. 15				
<p><b>Soil Amendments:</b></p> <p>Utilize soil test recommendations specific to the site for fertilizer application rates. Consult with local Agriculture Extension Office for soil testing resources in project area. Lawn areas to be seeded or sodded shall be tilled to a 6" depth (except within the dripline of existing trees to remain). Work fertilizer and lime into top 2" of soil.</p> <p><b>Mulch:</b></p> <p>Apply 3,000-4,000 lb/acre grain straw or equivalent cover of another suitable mulch. Anchor mulch by tacking with roving or netting. Netting is the preferred anchoring method on steep slopes.</p> <p><b>Maintenance:</b></p> <p>The bunch-type habit of tall fescue restricts its spread into damaged areas. Reseed bare spots in the fall. Re-fertilize annually in late winter and again in fall. Reseed, fertilize, and mulch damaged areas immediately.</p>					



DRAWN BY: NAT  
CHECKED BY: MJF

**DR. & MRS. WINKENWERDER HOUSE**  
**DRIVEWAY IMPROVEMENTS**  
 410 VANDERBILT ROAD - BILTMORE FOREST, NORTH CAROLINA 28803  
**FUSCO LAND PLANNING & DESIGN, PLLC**  
 LANDSCAPE ARCHITECTURE | CONSERVATION PLANNING | LOW IMPACT DEVELOPMENT  
 P.O. BOX 8013, ASHEVILLE, NC 28814 | PH: 828-243-6604 | WWW.FUSCOLA.COM

ISSUE DATE: 07/31/2023		
No.	Revision / Issue	Date
1	Add setback data and materials info per Town	08/10/2023

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SHEET TITLE:  
**Notes & Specifications**

SHEET NO:  
**L1.01**

Sheet Size: 24 x 36



PROJECT DATA:	
PROJECT NAME:	Winkenwerder House
PROJECT ADDRESS:	410 Vanderbilt Road Biltmore Forest, NC 28803
OWNER:	Bill & Mary Pride Winkenwerder
CONTACT:	Ph: 703-473-8634 Email: billwinkenwerder@gmail.com
PIN(s):	9646-66-5719
DEED REFERENCE:	5577 / 1594
PLAT:	0002 / 0034
ZONING:	R-1
ADJOINER ZONING:	R-1
SETBACKS:	Front: 50', Side 20', Rear 40' (per Biltmore Forest Plat 2/34 - Feb 1920) Front: 60', Side 20', Rear 25' (Per Town of Biltmore Forest Zoning)
RIVER BASIN:	French Broad
TOTAL ACREAGE:	1.40 AC (60,984 SF)
EXISTING IMPERVIOUS SURFACE AREA:	0.324 AC (14,117 SF)
POST DRIVEWAY IMPROVEMENT IMPERVIOUS SURFACE AREA:	0.305 AC (13,299 SF)
EXISTING VS. POST IMPROVEMENT IMPERVIOUS SURFACE AREA:	0.019 AC (- 818 SF) Reduction
DISTURBED AREA:	0.42 AC (18,612 SF - 30.5%)

**LEGEND:**

- 1170 --- INDEX CONTOUR
- INTERMEDIATE CONTOUR
- PROPERTY LINE
- STREAM W/ 30' BUFFER
- OVERHEAD WIRE
- LIMITS OF DISTURBANCE
- X X X --- TEMPORARY SILT FENCE
- TEMPORARY CONSTRUCTION ENTRANCE
- PVC SLEEVES (2 TYP.)
- + 1230.75 PROPOSED SPOT ELEVATION
- 1190 --- PROPOSED INDEX CONTOUR
- PROPOSED INTERMEDIATE CONTOUR



DRAWN BY: NAT  
CHECKED BY: MJF

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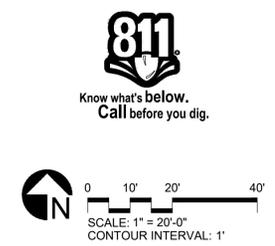
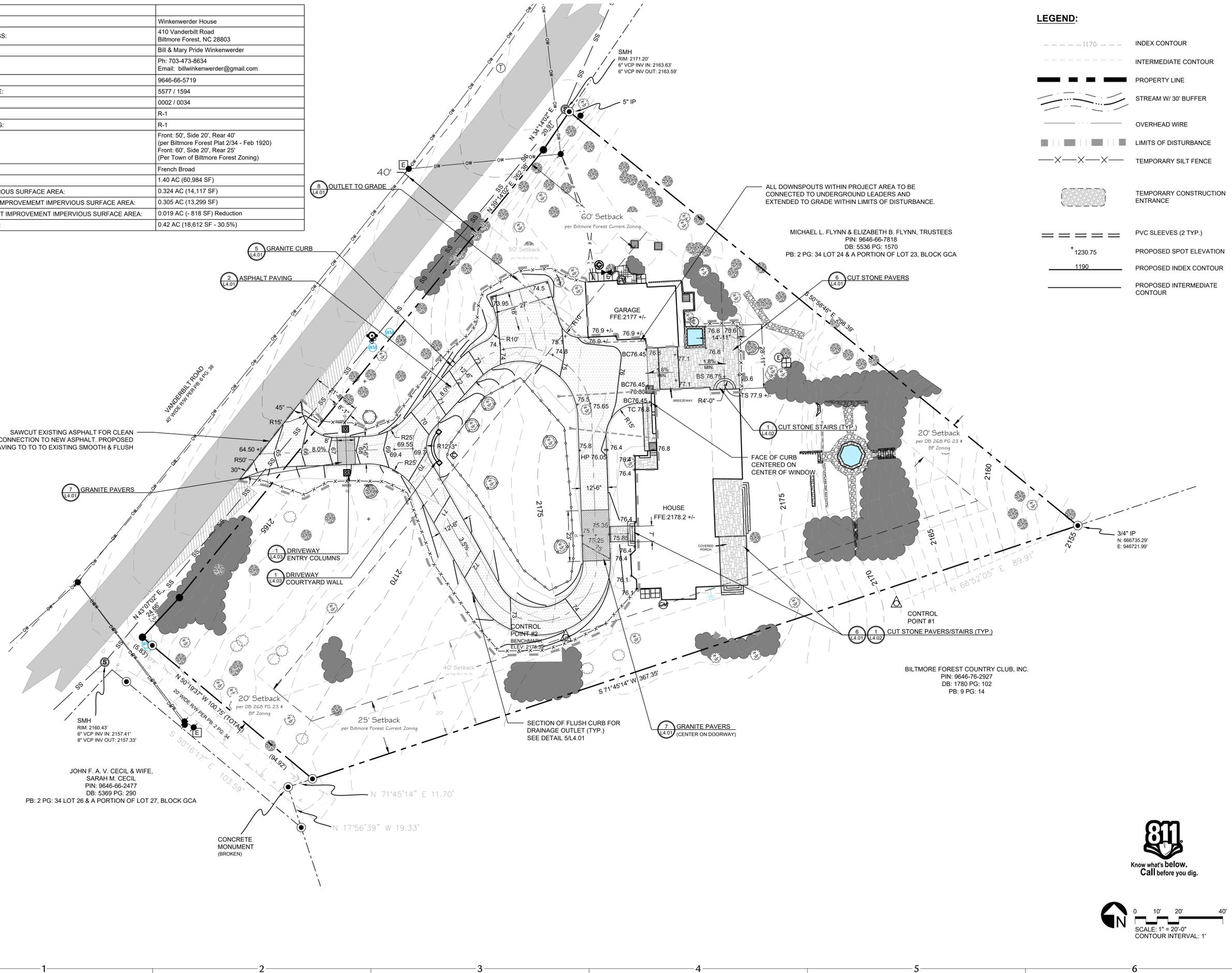
ISSUE DATE: 07/31/2023

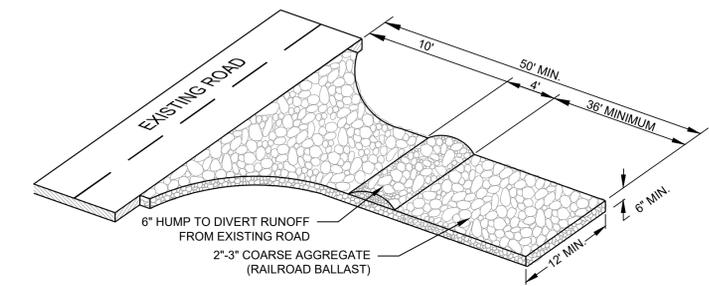
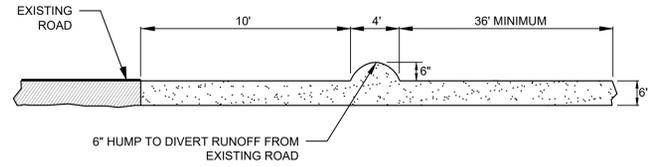
No.	Revision / Issue	Date
1	Add setback data and materials info per Town	08/10/2023

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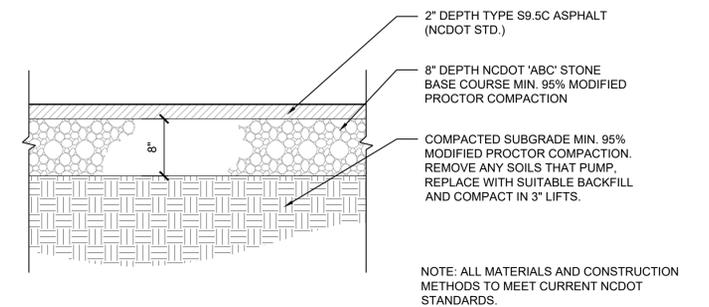
SHEET TITLE:  
**Site Plan**

SHEET NO:  
**L3.01**

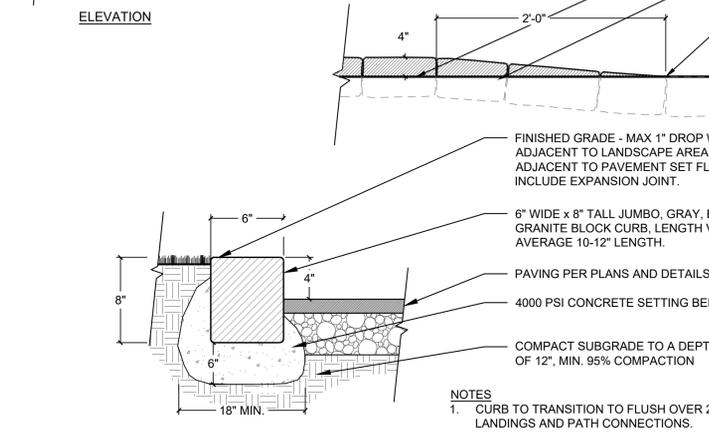
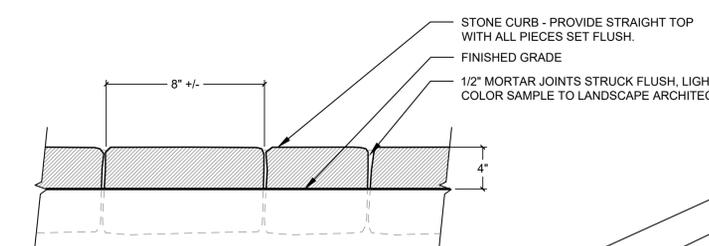




**1** TEMPORARY CONSTRUCTION ENTRANCE  
L4.01 NTS

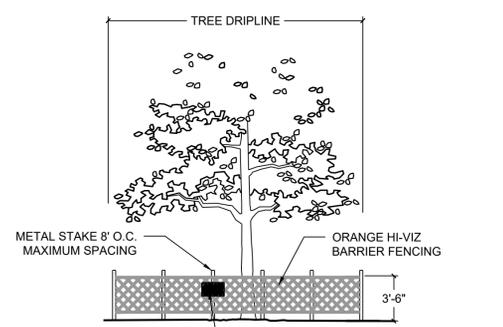


**2** ASPHALT PAVING  
L4.01 NTS

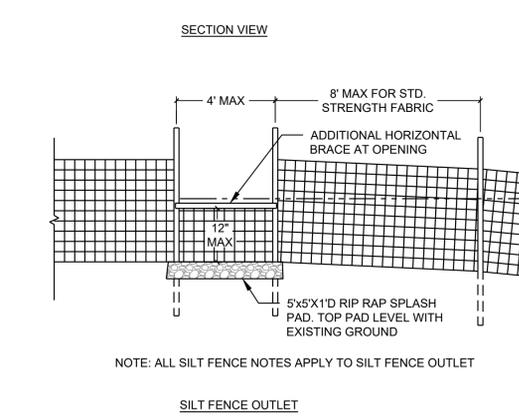
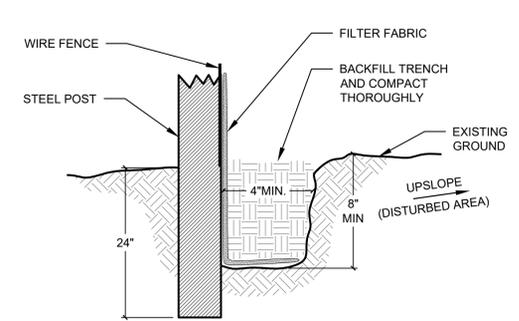


**5** GRANITE CURB  
L4.01 NTS

- NOTES:**
- TREE PROTECTION SHALL BE PROVIDED AS SHOWN IN DETAIL. BARRIER SHALL BE ERRECTED PRIOR TO ANY CONSTRUCTION IN GENERAL AREA OF TREES TO BE PROTECTED.
  - TREES AND CLUSTERS OF TREES SHALL BE MARKED AND PHYSICALLY PROTECTED FROM PARKING, STORAGE, OF MATERIALS AND SECONDARY UTILITY LINE LOCATIONS.
  - EXISTING VEGETATION REMAINING AFTER GRUBBING FOR BUILDING PADS, STRUCTURES, RIGHT-OF-WAY, PARKING AREAS AND SIGNIFICANT GRADE CHANGES SHALL BE PROTECTED DURING THE CONSTRUCTION PROCESS OF THE DEVELOPMENT.
  - BARRIERS TO REMAIN IN PLACE UNTIL ALL PAVING, CONSTRUCTION AND HEAVY EQUIPMENT IS OUT OF AREA.
  - UPRIGHTS - 4 X 4 POST OR WOOD FENCE POST ON 8' MINIMUM CENTERS.
  - HORIZONTALS - 1" X 6" SOUTHERN YELLOW PINE.

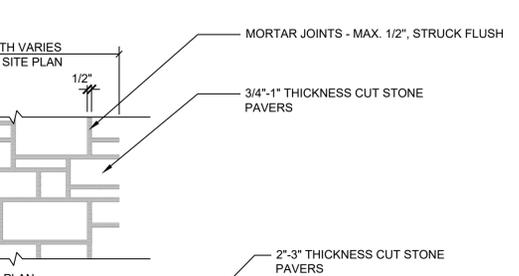


**3** TREE PROTECTION  
L4.01 NTS

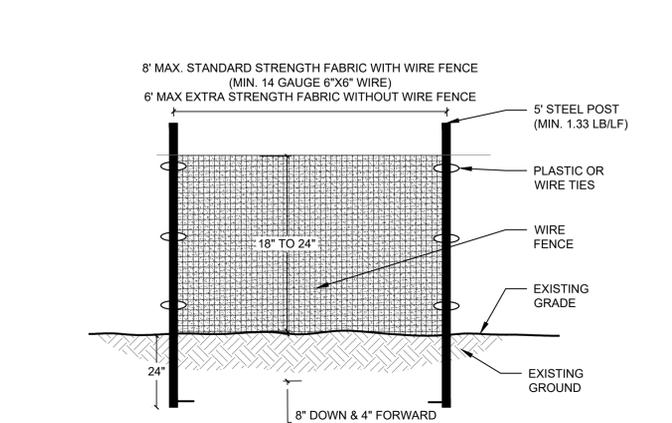


**4** TEMPORARY SILT FENCE  
L4.01 NTS

- NOTES:**
- CUT OUT & REMOVE UNSUITABLE SUBGRADE AS NECESSARY. REPLACE WITH ACCEPTABLE BACKFILL AND COMPACT TO 95% STANDARD PROCTOR.
  - CONTRACTOR TO PROVIDE POSITIVE DRAINAGE AWAY FROM ALL STRUCTURES. ALL WALKS TO HAVE A MINIMUM CROSS SLOPE OF 1.0%.
  - CONTRACTOR TO PROVIDE A 5'X5' MOCK UP FOR APPROVAL BY DESIGN TEAM.

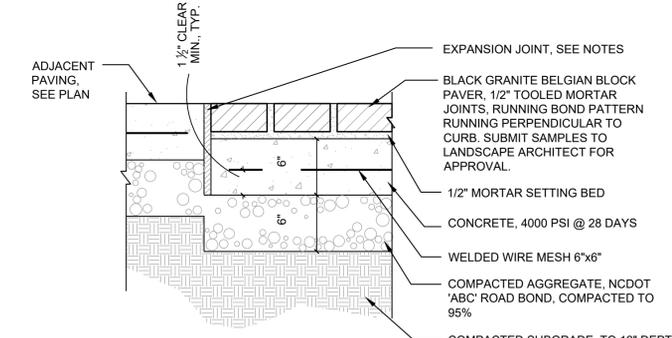


**6** STONE PAVER ON CONCRETE BASE  
L4.01 NTS



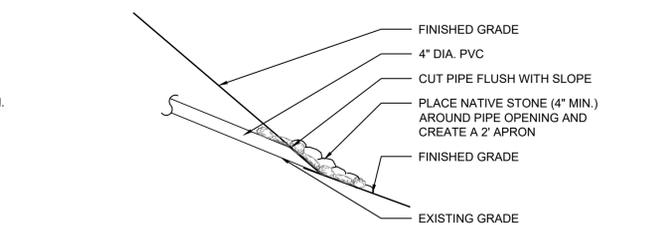
SLOPE	SLOPE LENGTH (FT)	MAXIMUM AREA (SQ FT)
<2%	100	10,000
2 TO 5%	75	7,500
5 TO 10%	50	5,000
10 TO 20%	25	2,500
>20%	15	1,500

- NOTES:**
- FILTER BARRIERS SHALL BE INSPECTED IMMEDIATELY AFTER EACH RAINFALL AND DAILY DURING PROLONGED RAINFALL. REPAIR SHALL BE MADE AS NECESSARY.
  - FABRIC SHALL BE REPLACED PROMPTLY IF FOUND TO BE IN DISREPAIR.
  - SEDIMENT DEPOSITS SHALL BE REMOVED AFTER EACH STORM EVENT AND WHEN DEPOSITS REACH APPROXIMATELY 1/3 HEIGHT OF BARRIER.
  - REFERENCE NCDEQ LAND QUALITY SECTION DESIGN MANUAL: 6.62
  - ALL AREAS WITHIN TROUT BUFFERS SHALL RECEIVE DOUBLE ROW OF SILT FENCE (TYP.)



- NOTES:**
- EXPANSION JOINTS ARE TO BE 3/4" - 1/2" WIDE, RECESSED SEALANT TOOLED CONCAVE AND TIGHT TO BACKER ROD, ROUNDED BACKER ROD WITH NO BOND TO SEALANT, COMPRESSIBLE FILLER
  - BRICK WALKS ARE TO HAVE BRICK WALK EDGING. SEE DETAIL 7/L11.3

**7** GRANITE PAVER ON CONCRETE BASE  
L4.01 NTS



**NOTE:** DOWNSPOUT OUTLET LOCATIONS TO BE LOCATED IN FIELD AND APPROVED BY LANDSCAPE ARCHITECT PRIOR TO INSTALLATION. DOWNSPOUT OUTLETS SHOULD NOT BE GANGED TO CREATE CONCENTRATED FLOW AND SHOULD NOT OUTLET OVER FILL SLOPES OR AREAS OF SOFT OR ERODING SOILS.

**8** OUTLET TO GRADE  
L4.01 NTS



DRAWN BY: NAT  
CHECKED BY: MJF

**DR. & MRS. WINKENWERDER HOUSE  
DRIVEWAY IMPROVEMENTS**  
410 VANDERBILT ROAD - BILTMORE FOREST, NORTH CAROLINA 28803

**FUSCO LAND PLANNING & DESIGN, PLLC**  
LANDSCAPE ARCHITECTURE | CONSERVATION PLANNING | LOW IMPACT DEVELOPMENT  
P.O. BOX 8013, ASHEVILLE, NC 28814 | PH: 828-243-6604 | WWW.FUSCOLA.COM

ISSUE DATE: 07/31/2023

No.	Revision / Issue	Date
1	Add setback data and materials info per Town	08/10/2023

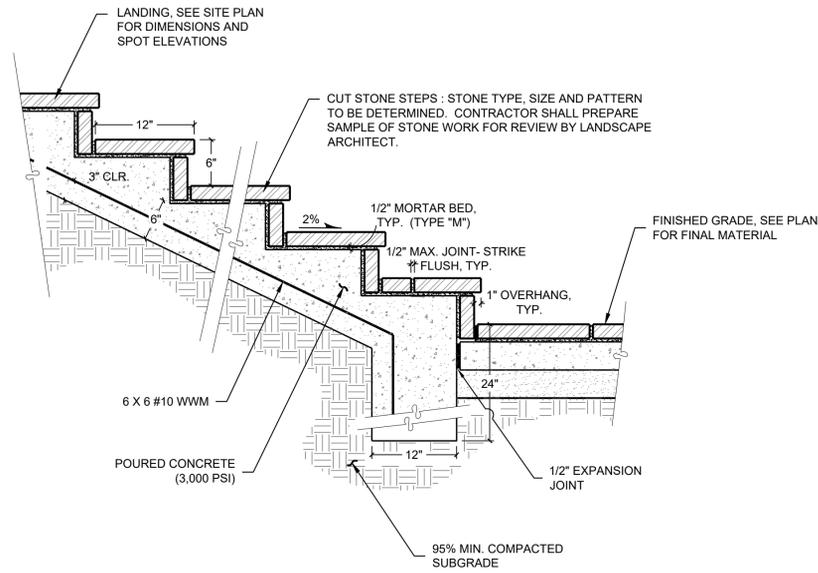
Copyright © 2023, Fusco Land Planning & Design, PLLC

SHEET TITLE:

Site Details

SHEET NO:

**L4.01**



NOTES:  
1. HEIGHTS GREATER THAN 4 RISERS MAY REQUIRE HANDRAIL.

1  
L4.02  
NTS  
CUT STONE STAIRS



SEAL:



DRAWN BY:  
NAT

CHECKED BY:  
MJF

**DR. & MRS. WINKENWERDER HOUSE  
DRIVEWAY IMPROVEMENTS**  
410 VANDERBILT ROAD - BILTMORE FOREST, NORTH CAROLINA 28803

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ISSUE DATE: 07/31/2023

No.	Revision / Issue	Date
1	Add setback data and materials info per Town	08/10/2023

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SHEET TITLE:

Site Details

SHEET NO:

L4.02



DRAWN BY: NAT  
CHECKED BY: MJF

**DR. & MRS. WINKENWERDER HOUSE**  
**DRIVEWAY IMPROVEMENTS**  
410 VANDERBILT ROAD - BILTMORE FOREST, NORTH CAROLINA 28803  
**FUSCO LAND PLANNING & DESIGN, PLLC**  
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1	Add setback data and materials info per Town	08/10/2023

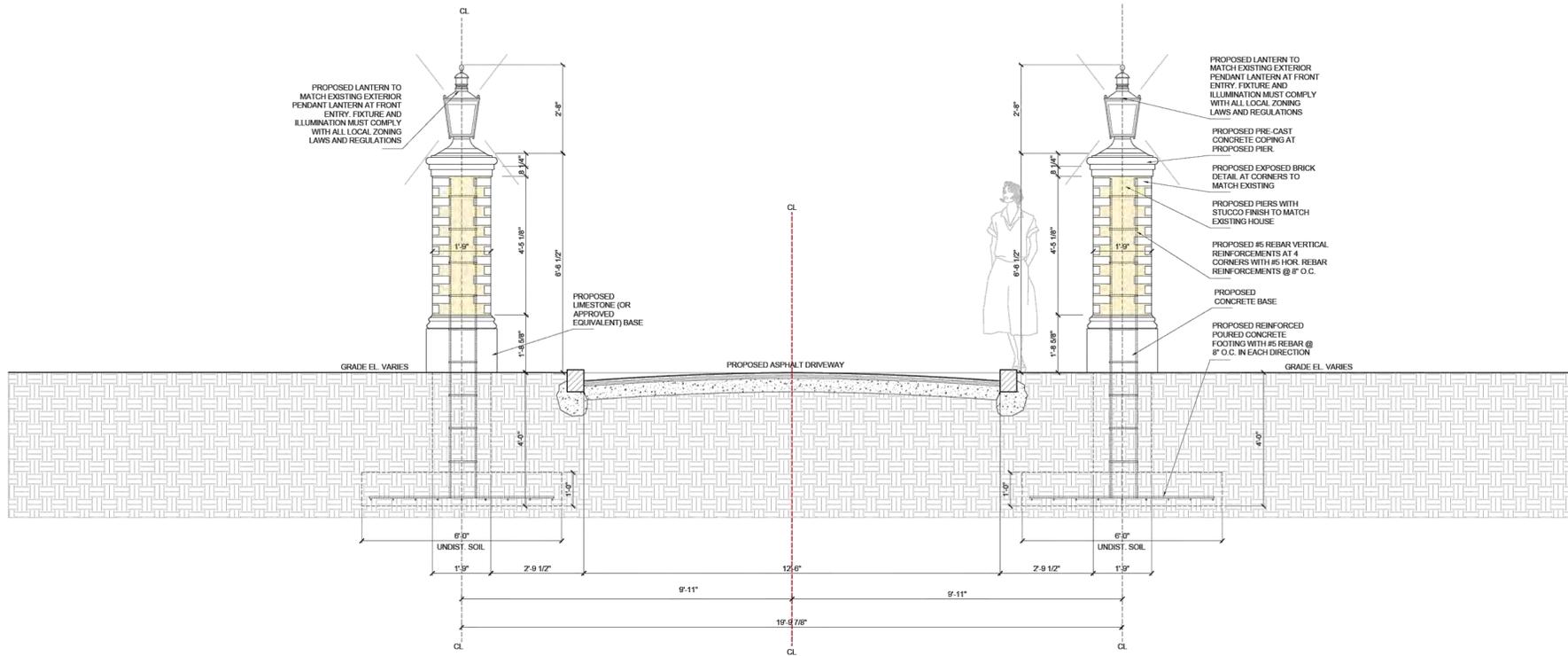
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SHEET TITLE:

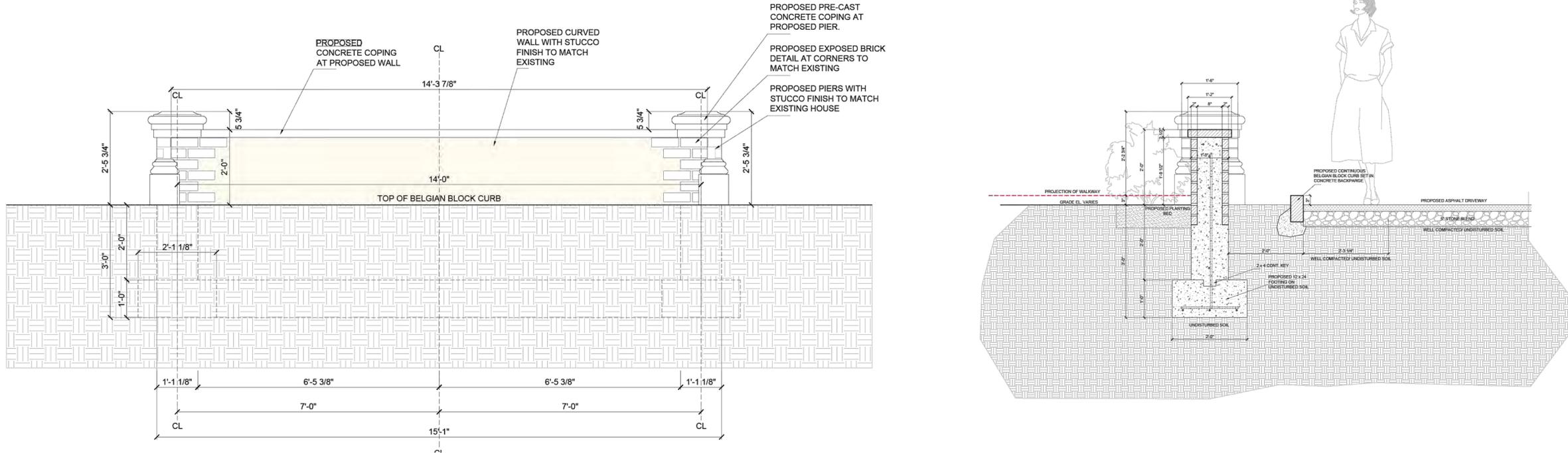
Site Details

SHEET NO:

**L4.03**



**1** DRIVEWAY ENTRY COLUMNS  
L4.03 NTS



**2** DRIVEWAY CURVED COURTYARD WALL  
L4.03 NTS

CERTIFICATE OF SURVEY AND ACCURACY

I, KEVIN L. JONES, CERTIFY THAT THE GROUND TOPOGRAPHIC SURVEY PORTION OF THIS PROJECT WAS COMPLETED UNDER MY DIRECT SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY DIRECT SUPERVISION; THAT THIS SURVEY WAS PERFORMED AT THE 95% CONFIDENCE LEVEL TO MEET THE FEDERAL GEOGRAPHIC DATA COMMITTEE STANDARDS; THAT THIS SURVEY WAS PERFORMED TO THE CLASS A HORIZONTAL AND CLASS C VERTICAL WHERE APPLICABLE; THAT THE ORIGINAL DATA WAS OBTAINED BETWEEN THE DATES OF 05/31/23-06/08/23; THAT THE CONTOURS SHOWN AS BROKEN LINES MAY NOT MEET THE STATED STANDARD; THAT ALL COORDINATES ARE BASED ON NAD 83 (NSRS 2011) AND ALL ELEVATIONS ARE BASED ON NAVD 88; THAT THE GPS PORTION OF THIS PROJECT WAS TO PERFORM A GRID TIE TO THE NC STATE PLANE COORDINATE SYSTEM AND INFORMATION USED IS SHOWN & NOTED HEREON; THAT THIS MAP MEETS THE SPECIFICATIONS FOR TOPOGRAPHIC SURVEYS AS STATED IN TITLE 21, CHAPTER 56, SECTION 1606; THAT THIS MAP ALSO REPRESENTS AN OFFICIAL BOUNDARY SURVEY FROM DEED DESCRIPTION(S) RECORDED IN DB: 5577 PG: 1594 AND PB: 2 PG: 34; THAT THE BOUNDARIES NOT SURVEYED ARE INDICATED AS DASHED LINES; THAT THE RATIO OF PRECISION AS CALCULATED IS GREATER THAN 1:10,000; AND THAT THIS PLAT WAS NOT PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

GPS METADATA  
 CLASS OF SURVEY: HORIZONTAL: A VERTICAL: C  
 FIELD PROCEDURE: REAL TIME KINEMATIC (RTK)  
 DATES: 05/30/23  
 DATUM: NAD83(2011) NAVD 88  
 EPOCH: 2010  
 GEOID: 18  
 AVERAGE COMBINED FACTOR: 0.99978516  
 POSITIONAL ACCURACY: HORIZONTAL: 0.09 VERTICAL: 0.15  
 UNITS: USFT  
 PUBLISHED CONTROL USED: NCGS BUENA VISTA  
 N: 665398.52  
 E: 950083.26  
 ELEV: 2224.5

WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER, AND SEAL THIS 16TH DAY OF JUNE, 2023, A.D.



DocuSigned by:  
 Kevin Jones  
 KEVIN L. JONES, PLS L-5016

GRID TIE INFORMATION:

CONTROL POINT #1 SET MAG HUB NAD 83 (2011) SPC: EPOCH DATE: 2010 GEOID:18 N: 666699.97 FEET E: 946639.31 FEET CF: 0.99978532	CONTROL POINT #2 SET MAG HUB NAD 83 (2011) SPC: EPOCH DATE: 2010 GEOID:18 N: 666684.63 FEET E: 946488.57 FEET CF: 0.99978501
---	---

\*CONTROL POINT #1 IS LOCATED N 84°11'20" E A GRID DISTANCE OF 151.52' AND A GROUND DISTANCE OF 151.55' FROM CONTROL POINT #2.

WILLIAM WINKENWERDER, JR. & WIFE,  
 MARY PRIDE WINKENWERDER  
 PIN: 9646-66-5719  
 DB: 5577 PG: 1594  
 PB: 2 PG: 34 LOT 25, BLOCK GCA  
 1.40 ACRES

LEGEND:

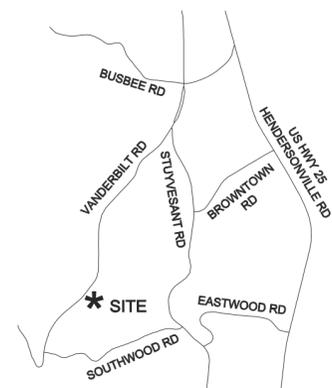
- |  |  |
|--|--|
|  | BOUNDARY LINE  |
|  | TIE LINE ONLY  |
|  | ADJOINING DEED LINES                                       |
|  | RIGHT OF WAY (R/W)   |
|  | TOPOGRAPHIC SURVEY AREA                                    |
|  | BUILDING SETBACKS  |
|  | MINOR CONTOUR  |
|  | MAJOR CONTOUR  |
|  | HEDGES   |
|  | OVERHEAD WIRE  |
|  | SANITARY SEWER   |
|  | NATURAL GAS LINE   |
|  | MARKED UNDERGROUND ELECTRIC LINE                           |
|  | MARKED UNDERGROUND CABLE LINE                              |
|  | CONCRETE   |
|  | ASPHALT  |
|  | GRAVEL   |
|  | MULCH  |
|  | STONE  |
|  | BRICK  |
|  | TERRACOTTA   |
|  | HEDGE MASS   |
|  | FOUNTAIN   |
|  | PAVER PILE   |
|  | EXISTING 3" IP FILLED W/ CONCRETE (UNLESS OTHERWISE NOTED) |
|  | CALCULATED POINT (NOT SET)                                 |
|  | SET MAG HUB (CONTROL POINT)                                |
|  | DECIDUOUS TREE   |
|  | CONIFEROUS TREE  |
|  | SHRUB/BUSH   |
|  | UTILITY POLE   |
|  | ELECTRIC METER   |
|  | HVAC   |
|  | ELECTRIC PEDESTAL  |
|  | LIGHT POST   |
|  | TELECOMMUNICATION MANHOLE                                  |
|  | WATER METER  |
|  | IRRIGATION CONTROL VALVE                                   |
|  | FIRE HYDRANT   |
|  | SANITARY SEWER MANHOLE                                     |
|  | GAS METER  |
|  | GENERATOR  |
|  | GAS VALVE  |
|  | WATER SPIGOT   |
|  | DROP INLET   |
|  | PB PLAT BOOK   |
|  | DB DEED BOOK   |
|  | PG PAGE  |
|  | IP IRON PIPE   |
|  | NAVD NORTH AMERICAN DATUM 1983                             |
|  | NSRS NORTH AMERICAN VERTICAL DATUM                         |
|  | SPC NATIONAL SPATIAL REFERENCE SYSTEM                      |
|  | CF COMBINED FACTOR   |
|  | ELEV ELEVATION   |
|  | INV INVERT   |
|  | SS SANITARY SEWER  |
|  | SMH SEWER MANHOLE  |
|  | VCP VITRIFIED CLAY PIPE                                    |
|  | FOC FIBER OPTIC CABLE                                      |

JOHN F. A. V. CECIL & WIFE,  
 SARAH M. CECIL  
 PIN: 9646-66-2477  
 DB: 5369 PG: 290  
 PB: 2 PG: 34 LOT 26 & A PORTION OF LOT 27, BLOCK GCA

SURVEYOR'S NOTES:

- ALL DISTANCES AND COORDINATES ARE GROUND MEASUREMENTS IN US SURVEY FEET UNLESS OTHERWISE NOTED.
- AREAS CALCULATED BY THE COORDINATE METHOD.
- PROPERTY SUBJECT TO ALL EASEMENTS, RIGHT OF WAYS AND RESTRICTIONS THAT ARE RECORDED, UNRECORDED, WRITTEN AND UNWRITTEN.
- BUNCOMBE COUNTY GIS WEBSITE USED TO IDENTIFY ADJOINING PROPERTY OWNERS.
- THE PROFESSIONAL SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS, RIGHT OF WAYS, ENCUMBRANCES, RESTRICTIVE COVENANTS, CORRECT OWNERSHIP OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE. A NC LICENSED ATTORNEY SHOULD BE CONSULTED.
- BY GRAPHIC DETERMINATION, NO PORTION OF THE SUBJECT PROPERTY APPEARS TO LIE WITHIN A SPECIAL FLOOD HAZARD AREA (SFHA) AS DETERMINED BY THE FIRM MAP# 3700964600J DATED 01/06/10.
- UTILITIES WERE LOCATED BASED ON VISIBLE ABOVE GROUND STRUCTURES AND MARKINGS, THEREFORE THE LOCATION OF UNDERGROUND UTILITIES ARE APPROXIMATE OR MAY BE PRESENT AND NOT SHOWN HEREON. CALL 1-800-632-4949 BEFORE DIGGING.
- THE FRONT 50' SETBACK AND REAR 40' SETBACK SHOWN HEREON WERE DRAWN FROM THE SCALED DIMENSIONS OF THE BUILDING LINES SHOWN ON PB: 2 PG: 34. THE 20' SIDE SETBACKS ARE DESCRIBED IN DB: 268 PG: 23. THERE IS ALSO A 10' WIDE ROAD RESERVATION INSIDE THE PROPERTY LINE BORDERING THE ROAD PER DB: 268 PG: 23.

VICINITY MAP (NOT TO SCALE)



MICHAEL L. FLYNN & ELIZABETH B. FLYNN, TRUSTEES  
 PIN: 9646-66-7818  
 DB: 5536 PG: 1570  
 PB: 2 PG: 34 LOT 24 & A PORTION OF LOT 23, BLOCK GCA

BILTMORE FOREST COUNTRY CLUB, INC.  
 PIN: 9646-76-2927  
 DB: 1780 PG: 102  
 PB: 9 PG: 14

A BOUNDARY AND TOPOGRAPHIC SURVEY FOR:  
 WILLIAM WINKENWERDER, JR. & WIFE,  
 MARY PRIDE WINKENWERDER

PARCEL IDENTIFICATION #: 9646-66-5719  
 CURRENT OWNERS LISTED AS:  
 WILLIAM WINKENWERDER, JR. & WIFE, MARY PRIDE WINKENWERDER  
 DEED REFERENCE: DB: 5577 PG: 1594  
 PB: 2 PG: 34 LOT 25, BLOCK GCA  
 SITE ADDRESS: 410 VANDERBILT RD, ASHEVILLE, NC 28803  
 TOWN OF BILTMORE FOREST, LIMESTONE TOWNSHIP,  
 BUNCOMBE COUNTY, NORTH CAROLINA  
 SURVEY BY: NMH,AN DRAWN BY: NL CHECKED BY: JL  
 SURVEY DATE: 06/16/23 JOB #2305046  
 REVISION: DATE:



SHEET SIZE: 18"x24"

SCALE: 1"=30'



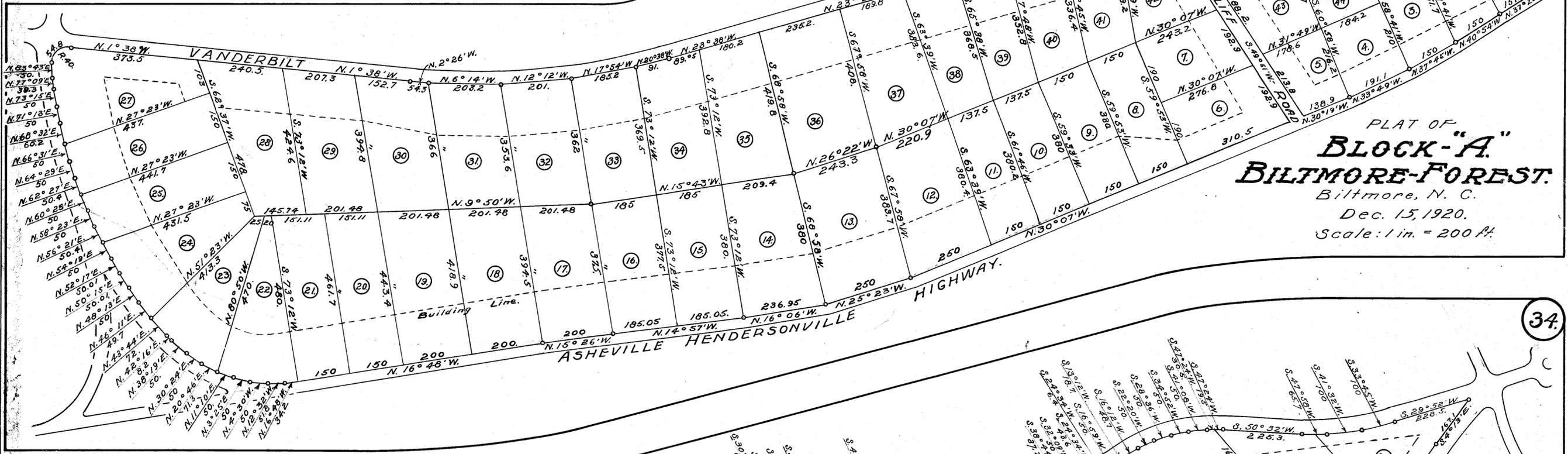
P.O. Box 2566  
 Asheville, NC 28802  
 (828) 575-9021  
 www.keemap.com  
 License # C-3039

2/33134

32

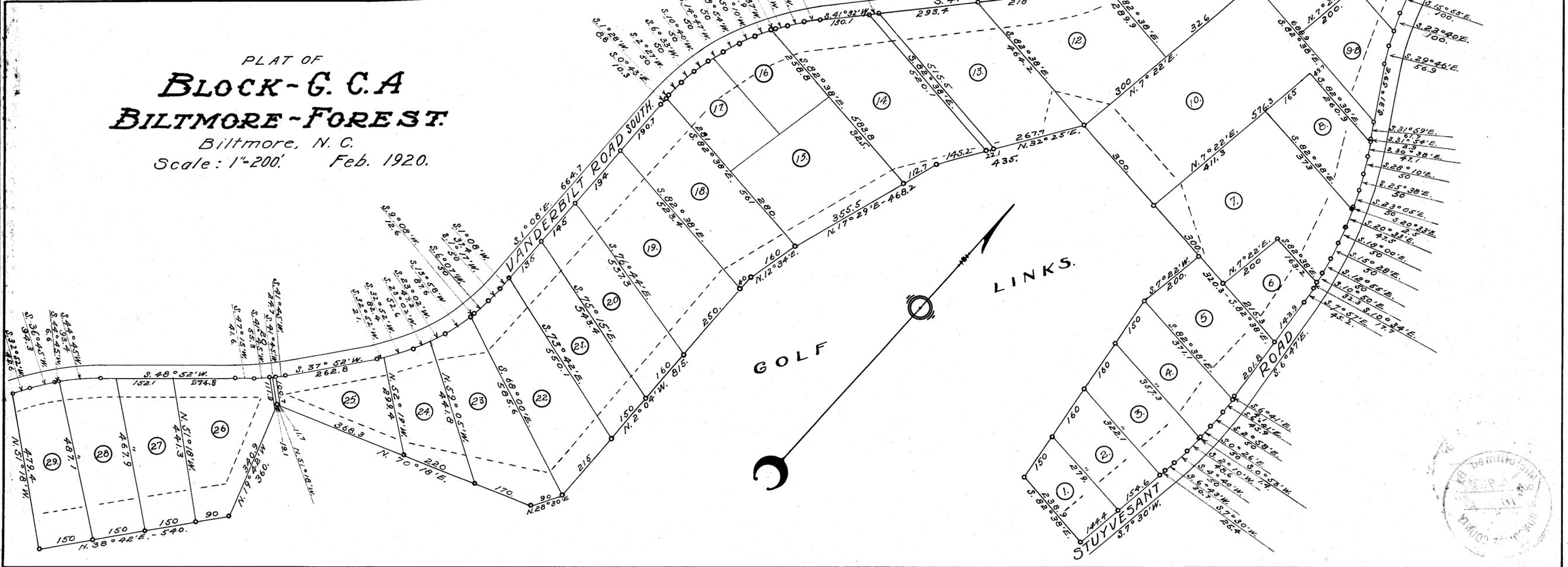
Blank.

33



PLAT OF  
**BLOCK-"A"**  
**BILTMORE-FOREST.**  
Biltmore, N. C.  
Dec. 15, 1920.  
Scale: 1 in. = 200 ft.

34



PLAT OF  
**BLOCK-G. C. A**  
**BILTMORE-FOREST.**  
Biltmore, N. C.  
Scale: 1"=200'. Feb. 1920.





## BOARD OF ADJUSTMENT MEETING

### STAFF MEMORANDUM

August 28, 2023

#### Case 6

**Property Owner:** Teresa Brown  
**Property Address:** 3 Eastwood Road

#### Project Description

The applicant requests a special use permit for the installation of a patio in the rear yard. The proposed project consists of a 10'x20' stone patio with a small wall in the rear yard. The application includes a full description of the projects proposed and neither are within the setbacks.

#### Special Use Request

The Town considers detached patios as accessory structures, pursuant to Chapter 153.029 of the Zoning Ordinance. This is attached for the Board's review. The specific language of the Zoning Ordinance states that the Town regulates these only as the North Carolina General Statutes allows. This statute is also included for the Board's review.

# Zoning Compliance Application

Town of Biltmore Forest

**Name**

Teresa Brown

**Property Address**

3 Eastwood Road Biltmore Forest

**Phone**

(847) 909-8482

**Email**

Brownt@rangeinsurance.com

**Parcel ID/PIN Number**

9646-76-9410

## ZONING INFORMATION

**Current Zoning**

R-1

**Lot Size**

1.911 acres

**Maximum Roof Coverage**

6,100 square feet (Up to 2 acres)

**Proposed Roof Coverage Total**

NA

**Maximum Impervious Surface Coverage**

1-3 acres (25 percent of lot area)

**Proposed Impervious Surface Coverage**

NA

**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**

NA

**Description of the Proposed Project**

Stone patio and water feature

**Estimated Start Date**

7/17/2023

**Estimated Completion Date**

8/21/2023

**Estimated Cost of Project**

\$50,000.00

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

3070F460-6860-4CEB-8F6C-31F779D1C079.jpeg

13E54DC0-D88C-4F30-A955-E051C827AA69.jpeg

CBD5CF27-52C8-462F-B44C-234FE11158D4.jpeg

**Applicant Signature**

**Date**  
6/23/2023

A handwritten signature in black ink, consisting of a large, stylized initial 'C' followed by several vertical and diagonal strokes.

# Special Use Permit Application

Town of Biltmore Forest

**Name**

Chris Allen

**Address**

3 Eastwood Rd

**Phone**

(828) 712-5237

**Email**

hello@allenworksavl.com

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

Accessory Structures

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:**

The proposed project consists of a 10'x20' stone patio. And in a separate location a 2-3' height waterfeature with 8' diameter koi pond with a 6'-8' patio.

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

These projects will visually enhance the areas and add value to the property.

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

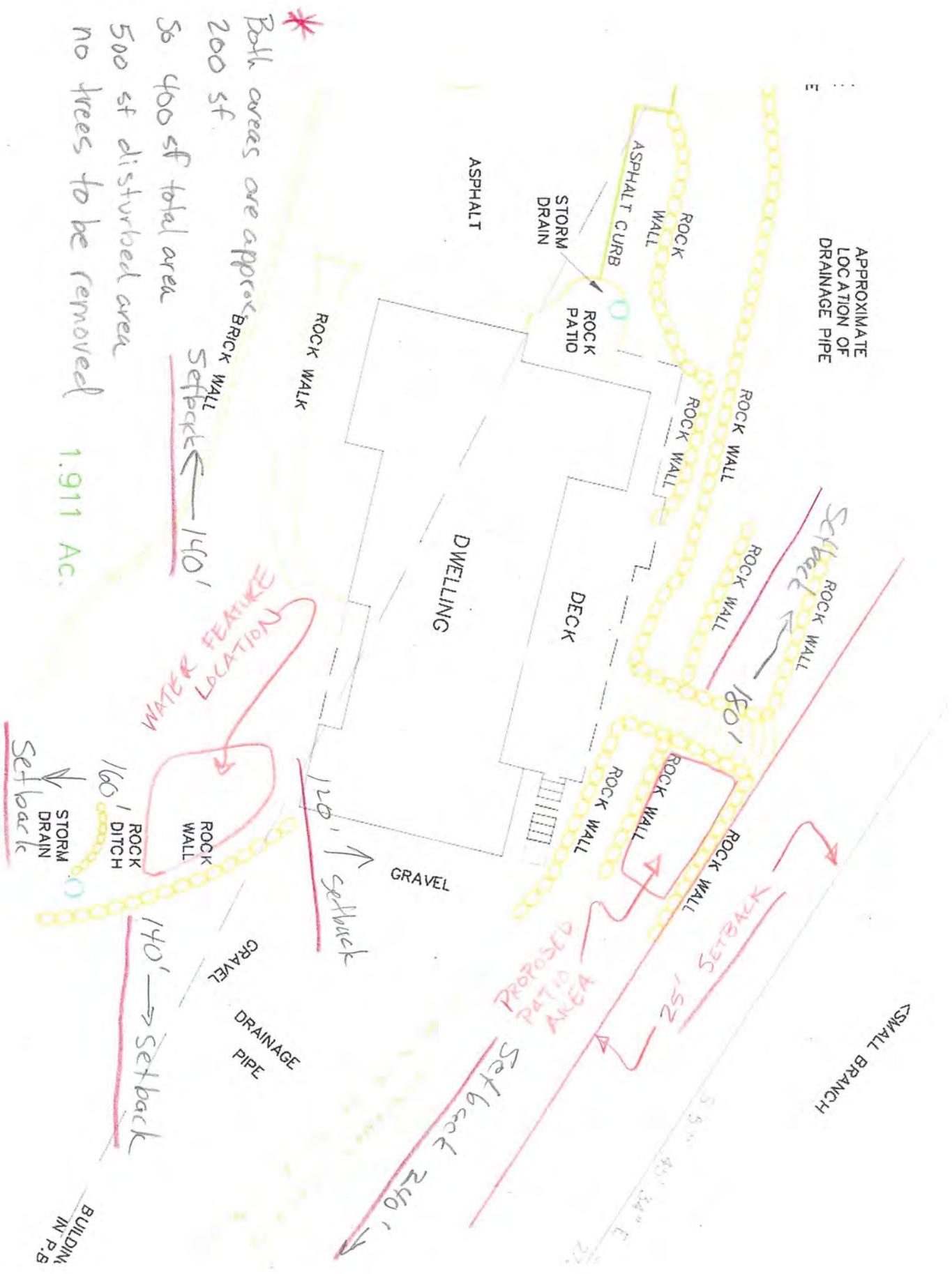
**Signature**



**Date**

7/11/2023

APPROXIMATE LOCATION OF DRAINAGE PIPE



\* Both areas are approx  
 200 sf  
 So 400 sf total area  
 500 sf disturbed area  
 no trees to be removed

1.911 Ac.

BRICK WALL  
 Setback ← 140'

ROCK WALK

DWELLING

DECK

GRAVEL

GRAVEL

DRAINAGE PIPE

BUILDING IN P.S.

SMALL BRANCH

PROPOSED PATIO AREA

WATER FEATURE LOCATION

ROCK WALL  
 165' DITCH

140' → Setback

120' ↓ Setback

Setback 240'

25' SETBACK

180'

ROCK WALL

ROCK WALL  
 Setback ←

ASPHALT CURB

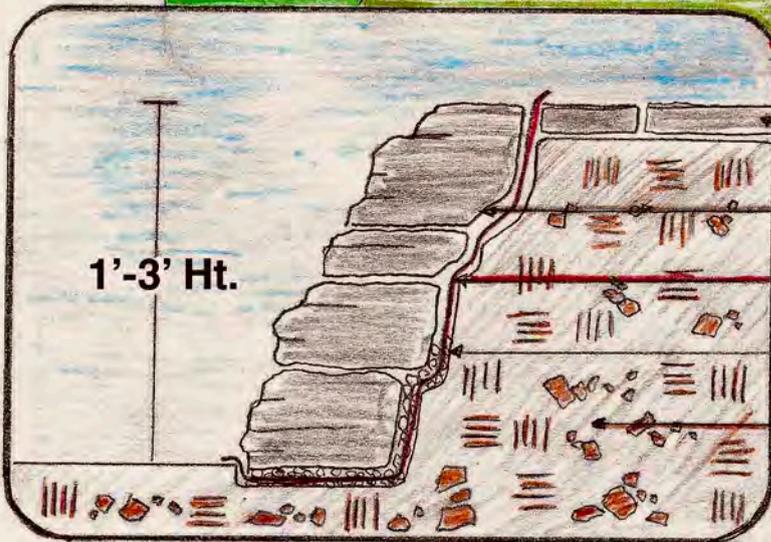
STORM DRAIN

ROCK PATIO

ROCK WALL

**Brown Residence  
Patio/Retaining Wall  
3 Eastwood Road  
Biltmore Forest, NC**

**20'x10' Stone Patio**



- Flagstone
- Stacked Boulders
- Erosion Control Fabric
- Gravel Base
- Compacted Subgrade



## **153.029 ACCESSORY STRUCTURES AND BUILDINGS.**

(A) Accessory structures and/or necessary buildings shall not detract from nor interfere with adjacent properties. No accessory structure or building shall be constructed, erected, or located within any front yard or within any side yard or rear yard setback.

(B) (1) In addition, the following standards are established for accessory structures and accessory buildings:

- (a) The maximum number of accessory buildings permitted on a lot shall be one;
  - (b) The maximum roof coverage area for accessory buildings shall be 750 square feet;
  - (c) The maximum height for accessory buildings shall be 25 feet;
  - (d) The accessory building must be screened by vegetation or other buffer as set forth in § [153.008](#);
  - (e) The accessory building must be located behind a line parallel to the rear of the principal structure on the lot;
  - (f) The accessory building must be designed in the same architectural style as the principal structure;
  - (g) Any accessory structure and/or accessory building shall be included in the calculation of allowable roof coverage and allowable impervious surface coverage on the lot pursuant to §§ [153.043](#) and [153.048](#); and
  - (h) Solar collectors shall be regulated in accordance with G.S. § 160D-914.
- (2) For all satellite dishes less than 24 inches in diameter, an application for a zoning compliance certificate shall be made directly to the Zoning Administrator; the Zoning Administrator shall issue a zoning compliance certificate.
- (3) Fences, gates, and walls shall be regulated in accordance with § [153.049](#) of this Zoning Ordinance.

(Ord. passed 10-19-1983; Ord. passed 6-8-2021)

### ***Editor's note:***

*This amendatory language was passed during a Board meeting, July 9, 2013*



## BOARD OF ADJUSTMENT MEETING

### STAFF MEMORANDUM

AUGUST 28, 2023

#### CASE 5

**Property Address:** 7 Stuyvesant Road  
**Property Owner:** Stuyvesant Investments, LLC  
**Request:** Special Use Permit Request for Accessory Structure  
and Variance Request for Placement within Setback

---

#### Background

In May 2023, the Board of Adjustment reviewed a request for a new gravel drive being placed within a side yard and intruding into the side yard setback. The Town had previously requested work stop until the Board could review the proposed scope of work, including the variance for encroachment, and hear from other parties related to the project. The Board agreed to table the matter until such time that the applicant could obtain a survey confirming the side property lines and better formulate a plan for screening the intrusion into the setback.

The applicants have obtained a survey for this portion of the property, a copy of which is attached. This survey shows the gravel drive intruding into the setback with a total of 255 square feet. The applicants have met with Town staff to review potential screening options, and will present their suggestions for screening to the Board during the hearing.

#### Special Use Permit Request

The gravel drive constitutes an accessory structure within the Town's zoning ordinance, and as such, requires a special use permit from the Board of Adjustment. This is provided for in Chapter 153.029 of the Town's Zoning Ordinance, attached to this memorandum.

#### Variance Request

The location of the gravel drive is within the side yard setback adjacent to 388 Vanderbilt Road. A variance is required from the Board of Adjustment to allow the continued use of the gravel drive within the side yard setback.

# Zoning Compliance Application

Town of Biltmore Forest

## Name

Stuyvesant Investments, LLC  
First

c/o Bessemer Trust Company of Florida  
Last

## Property Address

7 Stuyvesant Road, Biltmore Forest, NC 28803  
Address Line 1

## Phone

(732) 694-5796

## Email

hachil@bessemer.com

## Parcel ID/PIN Number

9646-79-9103-00000

## ZONING INFORMATION

### Current Zoning

R-1  R-2  R-3  R-4  R-5  P-S

### Lot Size

4.44 acres

### Maximum Roof Coverage

Choose appropriate lot size

### Proposed Roof Coverage Total

*Must not exceed maximum coverage allowed*

### Maximum Impervious Surface Coverage

Choose appropriate lot size

### Proposed Impervious Surface Coverage

*Must not exceed maximum coverage allowed*

### Front Yard Setback

### Side Yard Setback

### Rear Yard Setback

### Building Height

## Description of the Proposed Project

Request that the Board kindly consider issuing/granting a variance / waiver for a pre-existing gravel garden drive on the subject property and renewal of seasonal gravel installation for ongoing maintenance purposes. Significant damage was done to the gravel drive recently from heavy machinery needed to remove fallen tree and repair the hedge. The gravel road has existed for decades and is a permeable (not a permanent and impervious surface). The repair is needed to maintain the existing path / drive and is necessary to prevent mud wash from flowing on to the neighboring property at 388 Vanderbilt Rd. This gravel drive has been part of the property for many years as evidenced by the enclosed GIS aerial photos of the property from 2010 and 2020. The applicant is willing to consider additional buffering along the gravel drive from the neighbor's viewshed.

**Estimated Start Date**

May 2023 (Repair)

**Estimated Completion Date**

June 2023 (Complete Repair)

**Estimated Cost of Project**

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

**Applicant Signature**

Stuyvesant Investments, LLC

**Date**

April 23, 2023 | 10:57 PM EDT

DocuSigned by:

*Wally Hachil*

9B75238DB716426...

# Special Use Permit Application

Town of Biltmore Forest

## Name

Stuyvesant Investments, LLC

First

c/o Bessemer Trust Company of Florida

Last

## Address

7 Stuyvesant Road, Biltmore Forest, NC 28803

Address Line 1

## Phone

(732) 694-5796

## Email

hachil@bessemer.com

## Please select the type of special use you are applying for:

Variance or special use permit for pre-existing interior gravel drive on the subject property.

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:

Request that the Board kindly consider issuing / granting a variance / waiver for a pre-existing gravel garden drive on the subject property and renewal of seasonal gravel installation for ongoing maintenance purposes. Significant damage was done to the gravel drive recently from heavy machinery needed to remove fallen tree and repair the hedge. The repair is needed to maintain the existing path / drive and is necessary to prevent mud wash from flowing on to the neighboring property at 388 Vanderbilt Rd. The gravel road has existed for decades and is a permeable (not a permanent and impervious surface). This gravel drive has been part of the property for many years as evidenced by the enclosed GIS aerial photos of the property from 2010 (earliest available) and 2020. The applicant is willing to consider additional buffering along the gravel drive from the neighbor's viewshed.

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

The requested variance and repair to the existing gravel road would not adversely affect the public interest but rather improve it as it would continue to allow for safe access for the property owner and other staff/vendors to safely access and maintain parts of the property for purposes of performing needed and ongoing routine maintenance. The requested repair to existing gravel/access road is needed to prevent further damage and wash out in the future. The edges of the gravel / access road will also be cleaned up, graded smooth and mulch to prevent erosion and other issues. The applicant is willing to consider reasonable additional buffering from the neighbor's viewshed.

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

**Signature**

Stuyvesant Investments, LLC

DocuSigned by:  
*Wally Hachil*  
9B75238DB716426...

**Date**

April 23, 2023 | 10:53 PM EDT

# VARIANCE APPLICATION

Town of Biltmore Forest

## Name

Stuyvesant Investments, LLC  
First

c/o Bessemer Trust Company of Florida  
Last

## Address

7 Stuyvesant Road, Biltmore Forest, NC 28803  
Address Line 1

## Phone

(732) 694-5796

## Email

hachil@bessemer.com

## Current Zoning/Use

Residential

## Requested Use

No Change

**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?

Request that the Board of Adjustment consider issuing a variance / waiver for a pre-existing gravel garden drive on the subject property and renewal of seasonal gravel for ongoing maintenance purposes. Significant damage was done to the gravel drive recently from machines needed to remove fallen tree and repair the hedge. The repair is needed to maintain the existing path / drive and is necessary to prevent mud wash from flowing on to the neighboring property at 388 Vanderbilt Rd. The gravel road has existed for decades and is a permeable (not a permanent and impervious surface). With that said, the applicant is willing to consider additional buffering along the gravel drive from the neighbor's viewshed.

## What does the ordinance require?

Requires a specific setback for interior roads/drives along property boundary lines.

**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.**

Potentially result in issues with access and professional maintenance for certain parts of the subject property.

Explain.

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

7 Stuyvesant Road is a large and unique property that requires special care and professional maintenance to preserve the historical character, beauty and attributes of the property.

Explain.

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

This gravel drive has been part of the property for many years as evidenced by the enclosed GIS aerial photos of the property from 2010 (earliest GIS available) and 2020. The current repair/maintenance of this gravel drive is the subject of the complaint. The repair is needed to maintain the existing path / drive and is necessary to prevent mud wash from flowing on to the neighboring property at 388 Vanderbilt Road.

Explain.

**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.**

The requested variance would continue to allow for safe access for the property owner and other staff/vendors to safely access parts of the proeprty for purposes of performing needed and ongoing routine maintenance. The requested repair to existing gravel/acces road is needed to prevent further damage and wash out in the future. The edges of the gravel / access road will also be cleaned up, graded smooth and mulch to prevent erosion and other issues. Furthermore reasonable additional buffering will be considered by the applicant.

Explain.

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

**Signature**

Stuyvesant Investments, LLC

DocuSigned by:

*Wally Hochil*

9B75238DB716426...

**Date**

April 23, 2023 | 10:55 PM EDT



State Plane coordinates shown on this plat were obtained by a DNSS survey and the following results are:

Horizontal Position Accuracy: 0.02'  
 Vertical Position Accuracy: N/A  
 Procedure Used: Static (CORS) Post Processed using JAVAD DPOS  
 Horizontal Datum: NAD 83 NRS 2011  
 Vertical Datum: NAVD 88 Geoid 18  
 Units: US Survey Feet

ALL DISTANCES SHOWN ARE HORIZONTAL GROUND MEASUREMENTS.



- LEGEND:**
- ▲ SN = SURVEY NAIL SET OR FOUND
  - IP = EXISTING IRON PIPE
  - ⊙ IPS = #4 OR #5 REBAR SET
  - ECH = EXISTING CONCRETE MONUMENT
  - ▲ RES = RAILROAD SPIKE
  - CC = CONTROL CORNER
  - R/W = RIGHT OF WAY
  - ⊕ POLE = UTILITY POLE
  - CAP = SURVEYOR/SURVEY COMPANY ID CAP
  - ⊙ WM = WATER METER
  - ⊙ SW = SEWER MANHOLE
  - ⊙ = POINT NOT SET
  - FENCE —
  - ⊙ WV = WATER VALVE
  - ⊙ PMT = PAD MOUNT TRANSFORMER
  - ⊙ UP = UTILITY PEDESTAL
  - ⊙ = AREA LIGHT
  - ⊙ F/H = FIRE HYDRANT
  - ⊙ AC = HVAC COMPRESSOR
- LINES NOT SURVEYED ---  
 --- CREEK or STREAM ---  
 --- CLEAN OUT ---

**REFERENCE:**  
 O.B. 4787 Pg. 50  
 P.B. 02 Pg. 34 LOT 10

**NOTES:**

Adjoining property lines and easements were taken from Buncombe County GIS mapping and is for informational purposes only. No reliance should be placed on this information.

This property is not located in a special flood hazard area as determined by FEMA.

This survey is subject to any easements, restrictions, rights of way, previous conveyances or any other facts that may be disclosed by a title examination.

This survey is not intended to be used for site design. Any utilities or drainage slopes shown hereon should be verified by the owner prior to any construction. All underground utilities shown are approximate.

Fences shown along boundary lines run along and with property lines and are not to be considered 'line'. Fences unless otherwise noted.

I, Dale Ciper, certify that this plat was drawn under my supervision from an actual survey made by my supervision from deed description that is recorded in Book 4787 Page 50; that the utilities not surveyed are clearly indicated as seen from information found in Book N/A Page 1A; that the ratio of precision as calculated as not exceed 1:10,000; that the Global Positioning System observations were performed to the Spatial Accuracy Standards, Part 2: Standards - Geoid Networks of the 80% confidence using RS Network (STATIC); and that this plat was prepared in accordance with G.S. 47-30 as amended, unless my original signature, registration number and date are shown.

GS 47-30 F(11)

This survey is of an existing parcel or parcels of land and does not create any new parcels of land.

**PRELIMINARY DRAWING FOR REVIEW ONLY**

Professional Land Surveyor  
 License Number L-3036



No.	Revisions Made	Int.

Registered this the \_\_\_\_\_ day of \_\_\_\_\_, 2023  
 at \_\_\_\_\_, N.C., Recorded in Book \_\_\_\_\_, Page \_\_\_\_\_

Draw Reinsinger, Register of Deeds, Buncombe County

By: \_\_\_\_\_ Deputy/Assistant

BILTMORE FOREST COUNTRY CLUB, INC.  
 O.B. 1750 Pg. 102

PIPE FILLED WITH CONC. IN BLANK FORM MANHOLE

EXIST. CONC. MONUMENT

PIPE FILLED WITH CONC. IN BLANK FORM MANHOLE

Property Summary Survey For:

**Stuyvesant Investments, LLC**

#7 Stuyvesant Rd.

ZONING: R-1  
 PIN NUMBER: 9646-79-9103

TOWN OF BILTMORE FOREST  
 BUNCOMBE COUNTY, N.C.

JUNE 30, 2023  
 SCALE: 1"=50'

SCALE IN FEET

FIRM LICENSE NO. C-02601

**Cipar, Ingle, Anders & Associates Inc.**  
 Land Planning

Surveying Mapping  
 29 N. MARKET ST. ASHEVILLE, NC  
 Professional Surveyors  
 (828)-288-0287 www.cisurveying.com

## § 153.029 ACCESSORY STRUCTURES AND BUILDINGS.

(A) Accessory structures and/or necessary buildings shall not detract from nor interfere with adjacent properties. No accessory structure or building shall be constructed, erected, or located within any front yard or within any side yard or rear yard setback.

(B) (1) In addition, the following standards are established for accessory structures and accessory buildings:

- (a) The maximum number of accessory buildings permitted on a lot shall be one;
- (b) The maximum roof coverage area for accessory buildings shall be 750 square feet;
- (c) The maximum height for accessory buildings shall be 25 feet;
- (d) The accessory building must be screened by vegetation or other buffer as set forth in §153.008;
- (e) The accessory building must be located behind a line parallel to the rear of the principal structure on the lot;
- (f) The accessory building must be designed in the same architectural style as the principal structure;
- (g) Any accessory structure and/or accessory building shall be included in the calculation of allowable roof coverage and allowable impervious surface coverage on the lot pursuant to §§ 153.043 and 153.048; and
- (h) Solar collectors shall be regulated in accordance with G.S. § 160D-914.

(2) For all satellite dishes less than 24 inches in diameter, an application for a zoning compliance certificate shall be made directly to the Zoning Administrator; the Zoning Administrator shall issue a zoning compliance certificate.

(3) Fences, gates, and walls shall be regulated in accordance with §153.049 of this Zoning Ordinance.

(Ord. passed 10-19-1983; Ord. passed 6-8-2021)

**Editor's note:**

*This amendatory language was passed during a Board meeting, July 9, 2013*



## BOARD OF ADJUSTMENT MEETING

### STAFF MEMORANDUM

August 28, 2023

#### Case 8

**Property Owner:** Derek & Angela Weilbaecher  
**Property Address:** 414 Vanderbilt Rd  
**Request:** Variance Request for Exceeding Allowable Roof Coverage

#### Project Description

The property owners request a variance to exceed the maximum roof coverage allowed by the ordinance. The property is 3.01 acres. The new roof coverage will be added as a greenhouse/conservatory area. The new project will be constructed in the area of an existing patio. No new impervious surface will be added. The allowable maximum amount of roof coverage is located below:

*Maximum Roof Coverage: over 3 up to 3.25 acres = maximum of 7837 square feet (roof coverage)*

The proposed roof coverage will exceed the maximum allowable amount by 604 square feet to a total of 8441 square feet.

#### Variance Request

The applicant is requesting to enclose an existing outdoor patio with a metal and glass greenhouse structure. They have noted that the recent change to the ordinance for allowable roof coverage allows them less roof coverage than previously allowed (8200 square feet). They stated no new impervious surface will be added, only kept to the existing patio area.

Letters of support have been added to this information from their neighbors.

# Zoning Compliance Application

Town of Biltmore Forest

**Name**

Don Minton For Derek & Angela Welbaeher

**Property Address**

414 Vanderbilt Rd, Asheville, NC 28803

**Phone**

(404) 221-0422

**Email**

don@joelkelly.com

**Parcel ID/PIN Number**

9646-66-1233

## ZONING INFORMATION

**Current Zoning**

R-1

**Lot Size**

3.01

**Maximum Roof Coverage**

8,200 square feet (Up to 3.5 acres)

**Proposed Roof Coverage Total**

8441 with variance request

**Maximum Impervious Surface Coverage**

3-6 acres (20 percent of lot area)

**Proposed Impervious Surface Coverage**

18817 (14.35%)

**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**

38'-6"

**Description of the Proposed Project**

To enclose the current side patio with a greenhouse conservatory.

**Estimated Start Date**

3/1/2024

**Estimated Completion Date**

4/30/2024

**Estimated Cost of Project**

\$50,000.00

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

Site Plan - Proposed Variance.pdf

VAR 52-Exterior Elevations - greenhouse variance.pdf

VAR 51-Exterior Elevations - greenhouse variance.pdf

Weilbaecher - View 3 - current.jpg

Weilbaecher - View 3a - greenhouse.jpg

Weilbaecher - View 2 - current.jpg

Weilbaecher - View 1 - current.jpg

Weilbaecher - View 2a - greenhouse.jpg

Weilbaecher - View 1a - greenhouse.jpg

**Applicant Signature**

**Date**

8/7/2023

A handwritten signature in black ink, appearing to be "D. J. Weilbaecher". The signature is written in a cursive style with a large initial "D" and a long horizontal stroke.

# VARIANCE APPLICATION

Town of Biltmore Forest

**Name**

Don Minton for Derek & Angela Weilbaecher

**Address**

414 Vanderbilt Rd, Asheville, NC 28803

**Phone**

(404) 221-0422

**Email**

don@joelkelly.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?**

To enclose an existing outdoor patio with a metal and glass greenhouse structure.

**What does the ordinance require?**

The current ordinance requires a Maximum Roof Coverage of 7837 square feet.

The proposed roof area of 8441 s.f. exceeds the allowable Maximum Roof Coverage by 604 square feet. The impervious lot coverage will not change, since the current patio is already counted as impervious.

Note – the current roof area was approved and permitted under the previous ordinance which had a max allowable roof area of 8200 s.f.

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 proposed additional roof area does not add any square footage to the impervious surface or lot coverage which has already been approved and permitted. Furthermore, the recent changes in the Ordinance have reduced the Maximum Roof Coverage below what has been previously approved for this project under the previous Ordinance.

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

The current roof area was approved under the previous ordinance Max Roof Coverage of 8200 square feet. The new ordinance has reduced the Max Roof Coverage to 7837 sf. What would have been a variance request for an additional 241 sf under the previous ordinance is now a request for 604 square feet

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

The hardship is partially the result of a change in the MRC formula in the Ordinance, and not the result of actions taken by the applicant or property owner.

**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.**

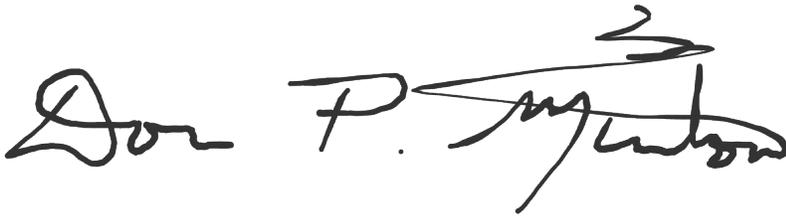
The proposed greenhouse or conservatory will not substantially change the massing or appearance of the house. It will serve to enhance and beautify the house as seen from the driveway or street in the tradition of the neighborhood. The footprint and impervious lot coverage of the house will remain the same as previously approved and permitted.

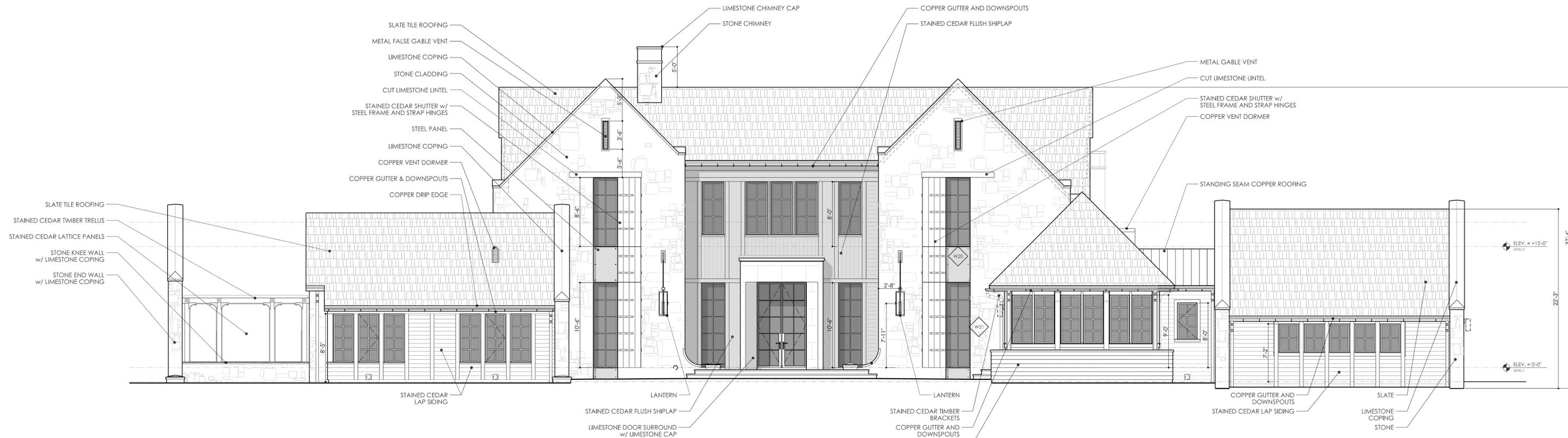
**I hereby certify that all of the information set forth above is true and accurate to the best of my knowledge.**

**Signature**

**Date**

8/7/2023

A handwritten signature in black ink. The first part of the signature is "Don". The second part is "P." followed by a stylized, cursive name that is difficult to decipher but appears to be "Munson". There is a large, sweeping flourish above the second part of the signature.

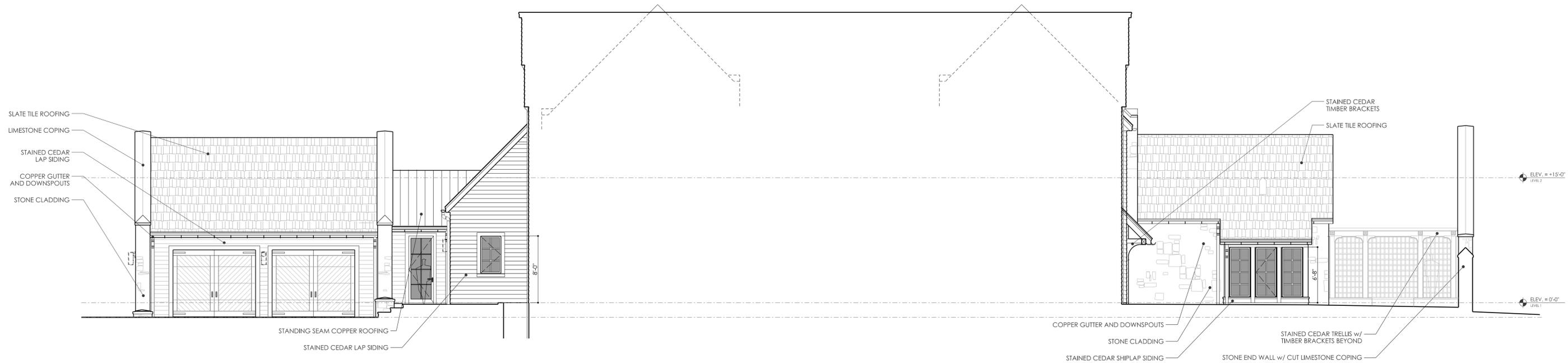


**1 FRONT ELEVATION - CURRENT DESIGN**  
 A5.1 SCALE : 3/16" = 1'-0"

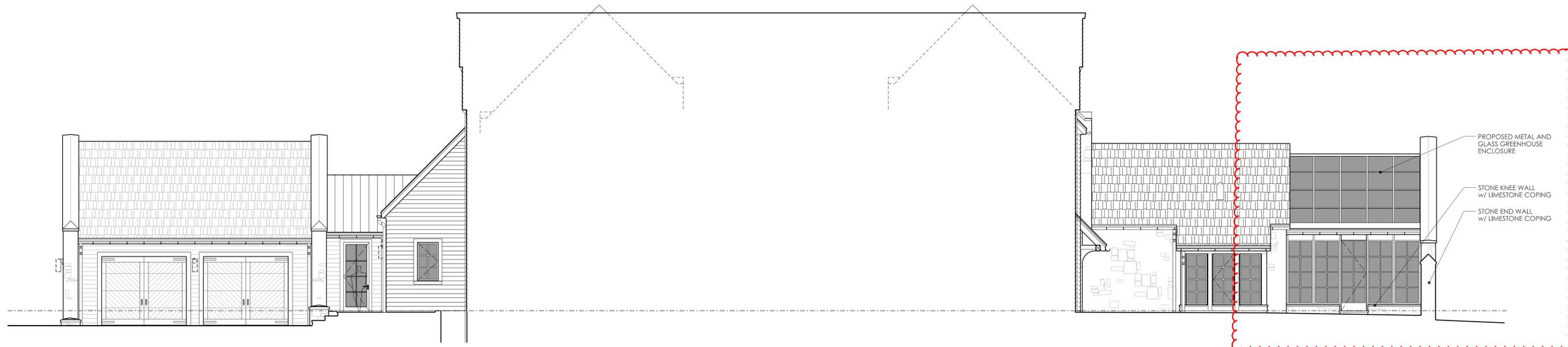


**2 FRONT ELEVATION - PROPOSED DESIGN**  
 A5.1 SCALE : 3/16" = 1'-0"

No.	Issue Description	Date
1	VARIANCE APPLICATION	8/7/2023



**2** COURTYARD ELEVATION (FACING FRONT) - CURRENT DESIGN  
 SCALE : 3/16" = 1'-0"



**2** COURTYARD ELEVATION (FACING FRONT) - PROPOSED DESIGN  
 SCALE : 3/16" = 1'-0"

SHEET NAME  
**EXTERIOR ELEVATIONS**

SHEET NUMBER  
**VAR 5.2**  
 COMMENTS  
**NOT FOR CONSTRUCTION**













**From:** [Glenn Wilcox, Sr.](#)  
**To:** [Jonathan Kanipe](#)  
**Cc:** [Sharon Wilcox Moulds \(swmoulds@gmail.com\)](#); [William Vance Wilcox - Tower Associates \(william@towerassoc.com\)](#); [Angela & Derek Weilbaecher \(angelaweilbaecher@gmail.com\)](#)  
**Subject:** Greenhouse for 414 Vanderbilt Rd, Asheville NC 28803  
**Date:** Sunday, July 30, 2023 12:55:47 PM  
**Attachments:** [image001.png](#)

---

**WARNING:**This email originated from outside of the Town of Biltmore Forest Network.

Jonathan Kanipe, Town Manager  
Town of Biltmore Forest

Jonathan:

My next-door neighbors, Angela and Derek Weilbaecher, at 414 Vanderbilt Road, have shown me their recent images for the new home they are building. They told me about their wish to update the plans to include a Greenhouse.

I would like to express to you that I have no objections to any of their plans, and from my point of view the Greenhouse fits nicely within their architecture. I have found Angela and Derek to be wonderful people, respectful and communicative. I believe they are an excellent family for our town.

Your friend,

Glenn

Glenn W. Wilcox, Sr. | President and Chairman of the Board

**Tower Associates, Inc.** *since 1987*

Executive Offices | 2<sup>nd</sup> Floor Kimpton Hotel Arras

7 Patton Avenue | Asheville NC 28801 USA

P. O. Box 1495 | Asheville NC 28802 USA

Direct 828-253-1003 | [gwwilcox@wilcoxtravel.com](mailto:gwwilcox@wilcoxtravel.com) | [glenn@towerassoc.com](mailto:glenn@towerassoc.com) | [www.towerassoc.com](http://www.towerassoc.com)

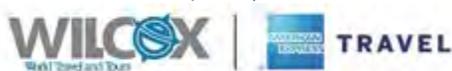
Glenn W. Wilcox, Sr. | Founder and Owner

**Blue Ridge Printing Company, Inc.** *since 1974*

544 Haywood Road | Asheville NC 28806 USA

Direct 828-253-1003 | [gwwilcox@wilcoxtravel.com](mailto:gwwilcox@wilcoxtravel.com) | [www.blueridgeprinting.com](http://www.blueridgeprinting.com)

Glenn W. Wilcox, Sr. | Chairman of the Board



37 Maxwell Drive, Suite 2, Hendersonville NC 28791 USA

Direct 828-253-1003 | [gwwilcox@wilcoxtravel.com](mailto:gwwilcox@wilcoxtravel.com) | [www.wilcoxtravel.com](http://www.wilcoxtravel.com)

POST OFFICE BOX 5355  
ASHEVILLE, NORTH CAROLINA 28813

July 28, 2023

Town of Biltmore Forest  
Board of Adjustments  
Chairman Greg Goosmann  
355 Vanderbilt Road  
Biltmore Forest, NC 28803

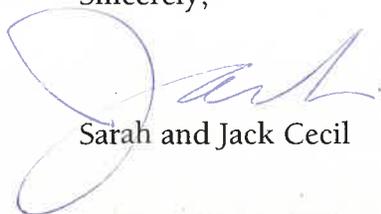
Mr. Chairman,

We understand that the Weilbaechers are applying for a variance permitting the addition of a greenhouse to their new house. They have shared with us, and we believe that the greenhouse will be aesthetically in keeping with their overall house design and appearance.

From the beginning of the design phase and throughout the construction period, the Weilbaechers have been exemplary neighbors and considerate of our house and grounds next door. We are fortunate to call them friends and neighbors.

We completely support their request with absolutely no reservations.

Sincerely,



Sarah and Jack Cecil



## BOARD OF ADJUSTMENT MEETING

### STAFF MEMORANDUM

August 28, 2023

#### Case 9

**Property Owner:** Rebecca Lester  
**Property Address:** 3 Stuyvesant Crescent  
**Request:** Variance to Encroach into Rear Yard Setback

#### Project Description

The applicant requests a variance for intrusion into the rear setbacks. The variance is related to a proposed addition for the home, as follows:

1. Construction of a covered patio on the back of the house.
2. Addition onto the house for a laundry room and storage area.

#### Variance Request

The proposal includes an attached outdoor patio that requires a variance due to its location within the rear yard setback. The ordinance requires a 25-foot setback from the rear property line; this proposal shows the encroachment of 2 feet into this setback. Specifically, this is the covered patio and will require a variance of 2 feet for part of the patio.

The request includes the applicants' rationale and explanation for the request along with documentation showing the layout of the property lines.

# Zoning Compliance Application

Town of Biltmore Forest

**Name**

Rebecca Lester

**Property Address**

3 Stuyvesant Crescent

**Phone**

(508) 685-9744

**Email**

rebeccaaschultz@gmail.com

**Parcel ID/PIN Number**

## ZONING INFORMATION

**Current Zoning**

R-1

**Lot Size**

0.89 acres

**Maximum Roof Coverage**

4,682 square feet (Up to 1 acres)

**Proposed Roof Coverage Total**

3900 sq ft

**Maximum Impervious Surface Coverage**

Up to 1 acre (27.5 percent of lot area)

**Proposed Impervious Surface Coverage**

25.7%

**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 ft

**Description of the Proposed Project**

Addition of a covered patio, pantry and storage room.

**Estimated Start Date**

8/30/2023

**Estimated Completion Date**

10/30/2023

**Estimated Cost of Project**

\$55,000.00

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

image.png

image (1).png

image (2).png

**Applicant Signature**

A handwritten signature in black ink, appearing to be 'M. J. ...', written in a cursive style.

**Date**

7/27/2023

# Special Use Permit Application

Town of Biltmore Forest

**Name**

Rebecca Lester

**Address**

3 Stuyvesant Crescent

**Phone**

(508) 685-9744

**Email**

rebeccaaschultz@gmail.com

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

Accessory Structures

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:**

Add a covered patio area, pantry and storage shed

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

It is not visible from the road and will not exceed the ground coverage restrictions

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

**Signature**

**Date**

7/27/2023

A handwritten signature in black ink that reads "R Lester". The signature is written in a cursive style with a large, looped "R" and a long, sweeping underline.

# VARIANCE APPLICATION

Town of Biltmore Forest

**Name**

Rebecca Lester

**Address**

3 Stuyvesant Crescent

**Phone**

(508) 685-9744

**Email**

rebeccaaschultz@gmail.com

**Current Zoning/Use**

R

**Requested Use**

R

**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?**

Add a covered patio area in my back yard.

**What does the ordinance require?**

If our property did not turn at a stange angle, this would not be an issue.

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.**

Our property makes a strange angle which causes approximately 20% of the proposed concrete slab to fall out of the setback requirements by 2 feet.

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

See survey which shows the strange angle that is causing the issue.

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

Existing property boundry results in approximately 20% of the proposed slab to fall outside of the setback requirements.

**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.**

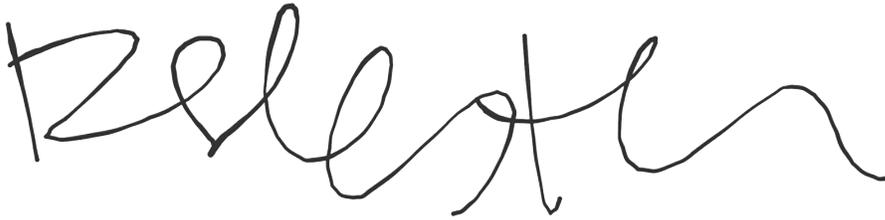
The proposed patio will not be visible from the street, and more than 80% of the structure and slab will fall within the setback requirements.

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

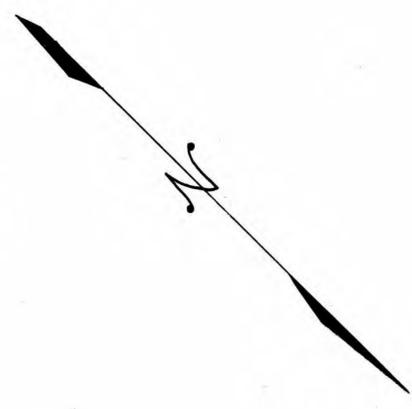
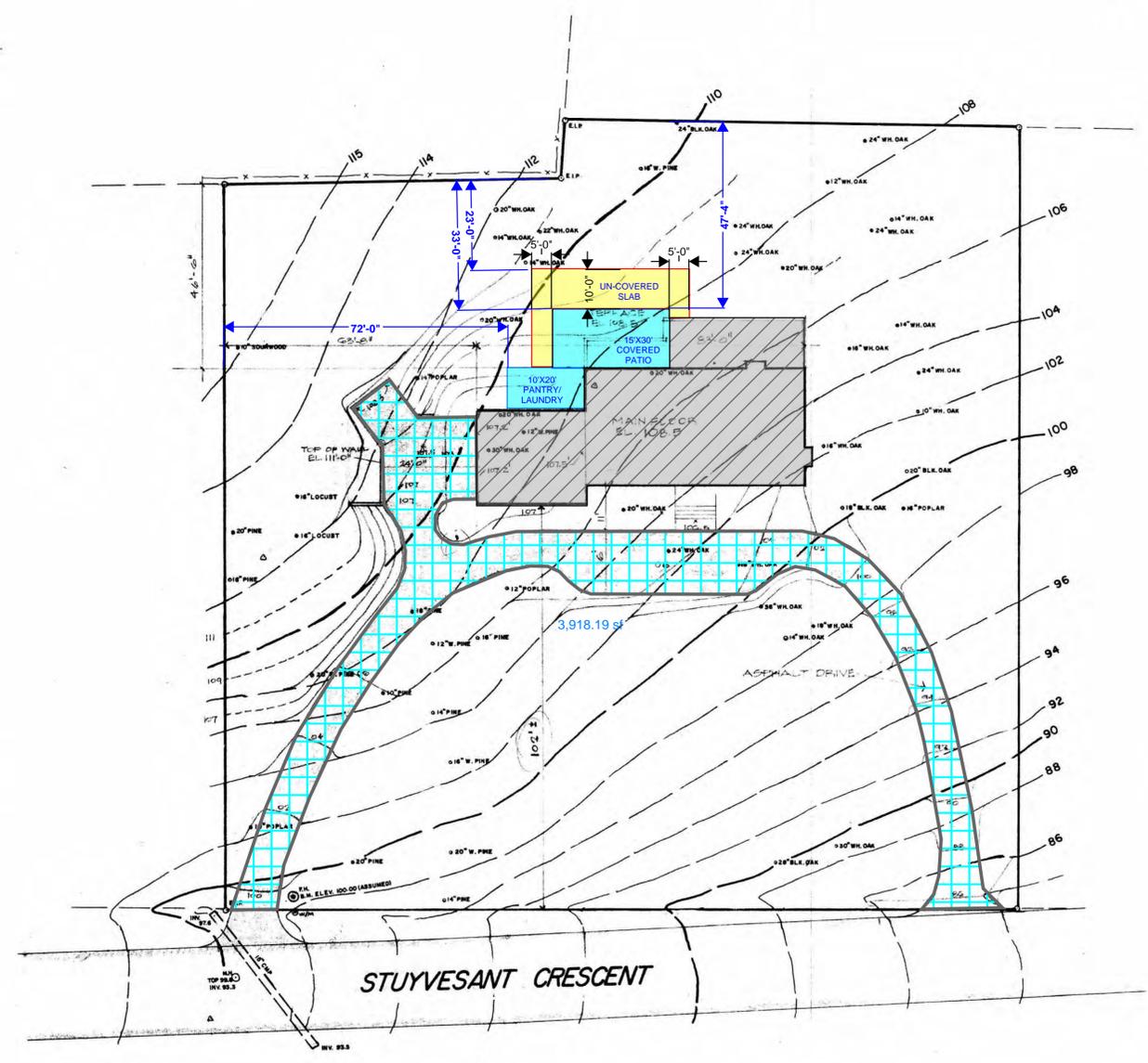
Signature

Date

7/28/2023

A handwritten signature in black ink, appearing to read "Relester". The signature is written in a cursive style with a long horizontal flourish at the end.

*Draft*



**SITE PLAN - LOT 15 - BLOCK 'R'**  
 SCALE 1" = 20'

DO NOT CUT TREES WITHOUT ARCHITECT'S PERMISSION



TOPOGRAPHIC SURVEY BY PANKOW ENGINEERING CO.  
 JULY 23, 1982  
 PROPERTY LINES DRAWN FROM PLAT BOOK 46 PG 180, LOT 15

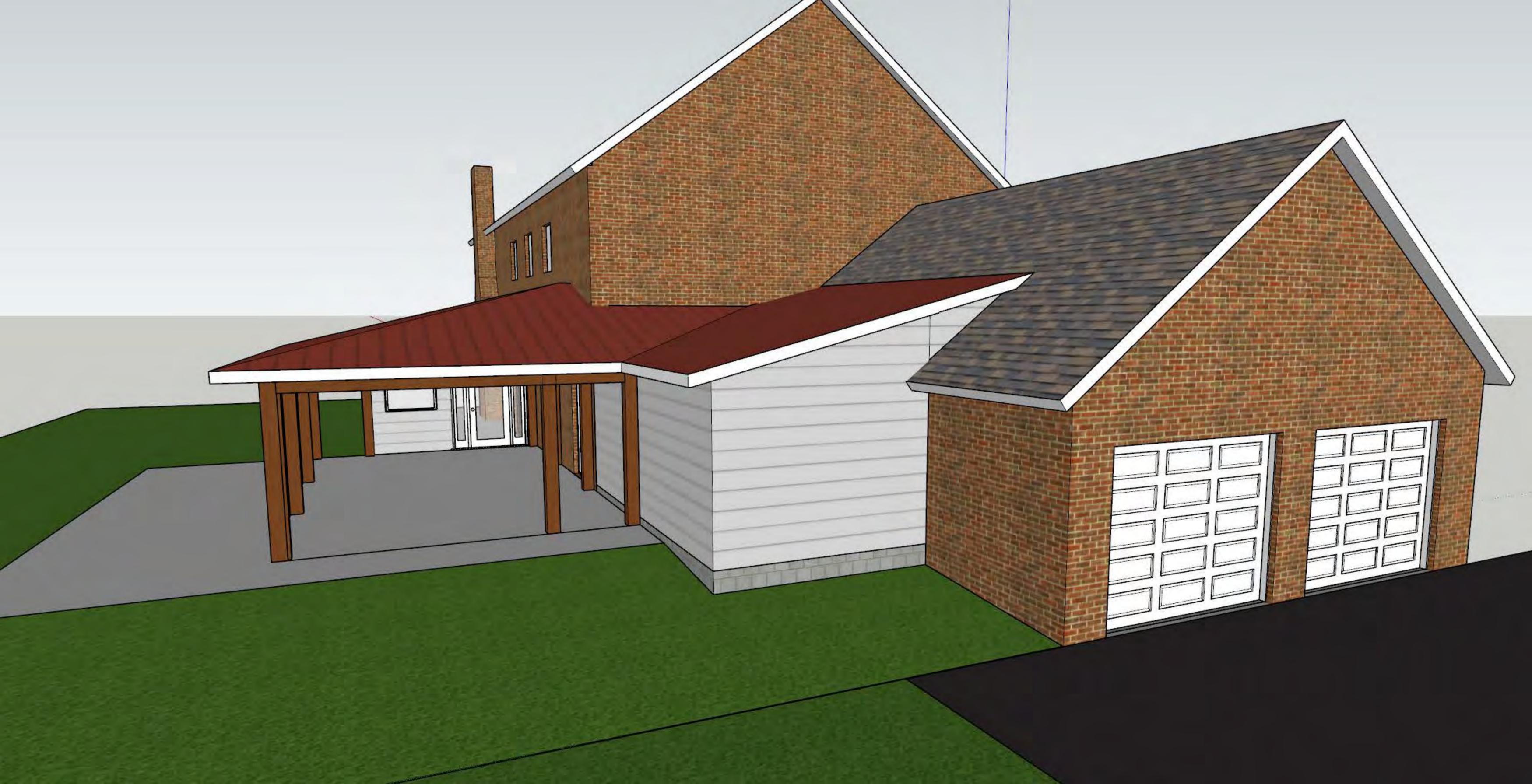
*A NEW SENSITIVE  
 DESIGN BY DAVID H. WARRICK JR.  
 1000 S. BENTLEY RD.*

**PADGETT & FREEMAN  
 ARCHITECTS, P.A.**

ASHEVILLE, N.C.

DATE  
 5/26/82

SHEET  
**1**  
 OF  
 7









## BOARD OF ADJUSTMENT MEETING

### STAFF MEMORANDUM

August 28, 2023

#### CASE 10

**Property Address:** 1345 Hendersonville Rd  
**Property Owner:** Carolina Day School Inc  
**Request:** Variance request for Fencing in Front and side Yards  
with Encroachment into Front and side Setbacks

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#### Background

The applicant requests permission from the Board of Adjustment to construct a fence within the front and side yard. The proposed fence material is acceptable according to the Town's Zoning Ordinance requirements. The proposed fence would be installed along the front of the property, set back in some areas, and tied in as shown on the plan. The setback for the front yard is 60 feet.

#### Fence Description

The proposed fence covers most of the front of the property and is 8 feet tall. The proposed material complies with the Town's requirements and a design is shown in the attached documents.

#### Variance Request

The Town's Zoning Ordinance regulates fences and gates in Chapter 153.049. This regulation is attached to the memorandum and provides additional information regarding the requirements for fence installations. The ordinance requires fences to be located within the rear yard and not within any setback. The applicant's proposal shows intrusion into the front yard setback as well as the side yard setback.

#### Front and Rear Property Line Intrusion Information

The fence will be set back at variable distances as shown on the submitted plan.

Setback for Side Property Line = 20'

Setback for Front Property Line = 60'

# Zoning Compliance Application

Town of Biltmore Forest

**Name**

Steven Lee Johnson

**Property Address**

1345 Hendersonville Road, Asheville, NC 28803

**Phone**

(828) 274-0757

**Email**

hbrown@siteworkstudios.com

**Parcel ID/PIN Number**

964694403800000

## ZONING INFORMATION

**Current Zoning**

R-1

**Lot Size**

25 acres

**Maximum Roof Coverage**

9,647 square feet (Up to 6 acres)

**Proposed Roof Coverage Total**

Will not change

**Maximum Impervious Surface Coverage**

3-6 acres (20 percent of lot area)

**Proposed Impervious Surface Coverage**

Will not change

**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**

Will not change

**Description of the Proposed Project**

An 8' height ornamental black acrylic-coated galvanized steel security fence along the side of the property adjacent to Hendersonville Road.

**Estimated Start Date**

1/1/2024

**Estimated Completion Date**

1/31/2024

**Estimated Cost of Project**

\$37,000.00

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

L-300 Fence Site Plan 07.31.2023.pdf

**Applicant Signature**

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

**Date**  
8/9/2023

# Special Use Permit Application

Town of Biltmore Forest

**Name**

Steven Lee Johnson

**Address**

1345 Hendersonville Road, Asheville, NC 28803

**Phone**

(828) 225-4945

**Email**

sljohnson@siteworkstudios.com

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

Accessory Structures

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:**

An 8' height ornamental black acrylic-coated galvanized steel security fence along the side of the property adjacent to Hendersonville Road. The fencing plan and product information can be provided upon request.

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

This fence will provide a cohesive, stately aesthetic to the front of the Carolina Day School campus, while increasing the safety and security of students, faculty, staff, administrators, parents, and visitors on the campus.

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

**Signature**



**Date**

8/7/2023

# VARIANCE APPLICATION

Town of Biltmore Forest

**Name**

Steven Lee Johnson (on behalf of Carolina Day School)

**Address**

1345 Hendersonville Road, Asheville, NC 28803

**Phone**

(828) 225-4945

**Email**

hbrown@siteworkstudios.com

**Current Zoning/Use**

School

**Requested Use**

Fence

**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?**

Place an 8' high ornamental black acrylic-coated galvanized steel security fence along the front side of the property adjacent to Hendersonville Road.

**What does the ordinance require?**

The fence, gate, or wall is constructed entirely within the rear yard, is not located in any side or rear yard setbacks. Fences shall not exceed six feet in height except that fences designed to prevent deer or other wildlife from entering the property shall not exceed ten feet in height.

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 would result from strict application of the ordinance is having an unsecure campus that is open to unknown persons walking onto the property. Given the increasing problem of violence on school campuses, safety and security are important concerns of students, faculty, administrators and parents. The fence along Hendersonville road would help alleviate these safety and security concerns on the campus.

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

The ordinance requires that fences be placed in rear yards. This would create a hardship of leaving the campus frontage along Hendersonville road unsecure and open to the public. The ordinance does not allow fencing in setbacks. The R-1 zoning district has a front setback of 60 feet from the street edge. Adhering to this would place the fence in the existing parking lot of Carolina Day School. The use of this property as a school creates a unique situation with important safety and security concerns that other uses do not have.

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

The hardship results from the school campus needing increased security to address the national increase in violence on school campuses.

**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.**

The purpose of the security fence is to increase public safety on the Carolina Day School Campus. In addition, the fence is consistent with the spirit, purpose and intent of the Buffers, Screening and Landscape Ordinance (153.060) in the following ways: It would create a visual buffer between the dissimilar land uses. It would improve the visual quality of the town by providing a cohesive aesthetic along the campus road frontage along Hendersonville Road. The fence would screen views of the campus parking lots from Hendersonville Road. It would preserve the character and value of the Carolina Day School property and provide privacy and security.

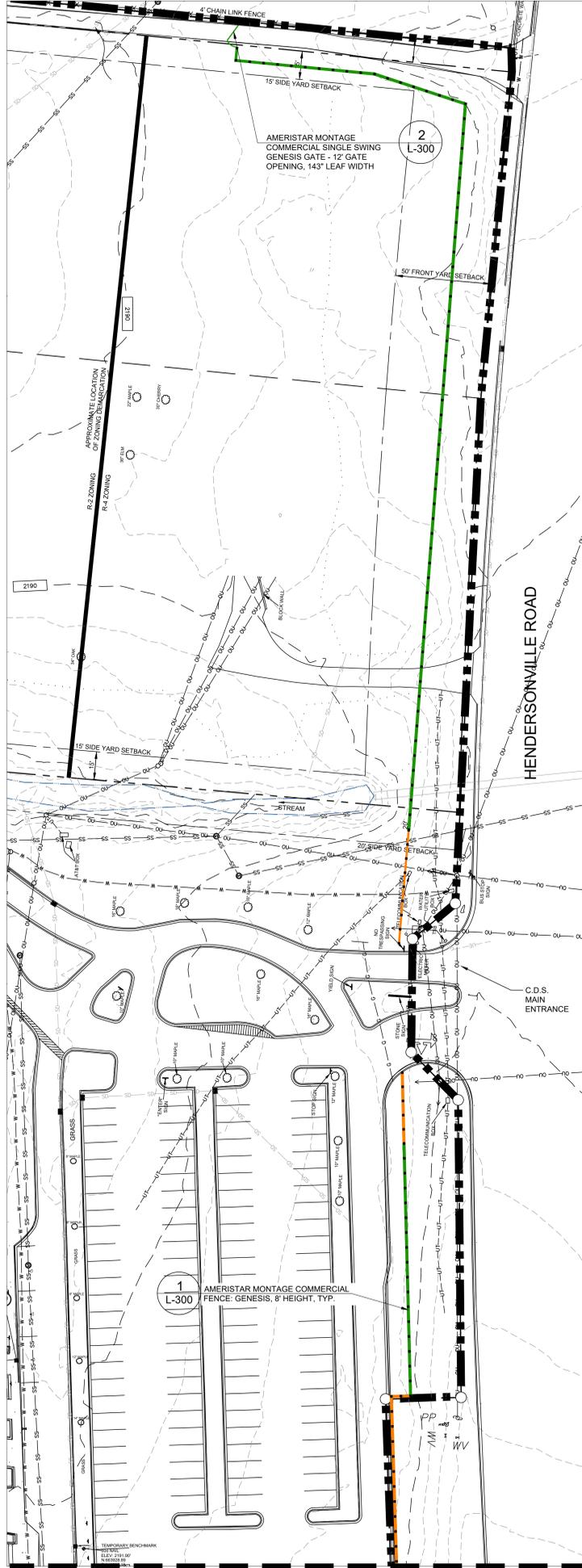
**I hereby certify that all of the information set forth above is true and accurate to the best of my knowledge.**

**Signature**

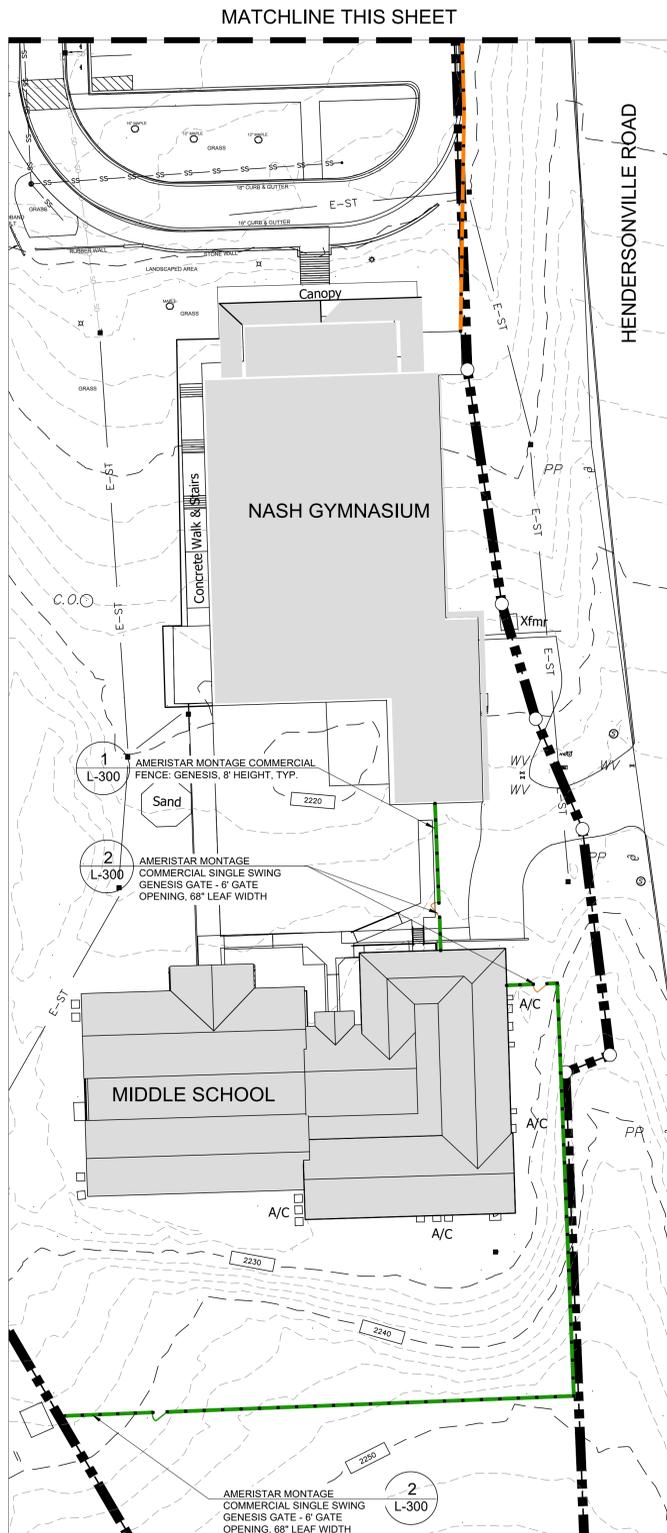
A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

**Date**

8/10/2023



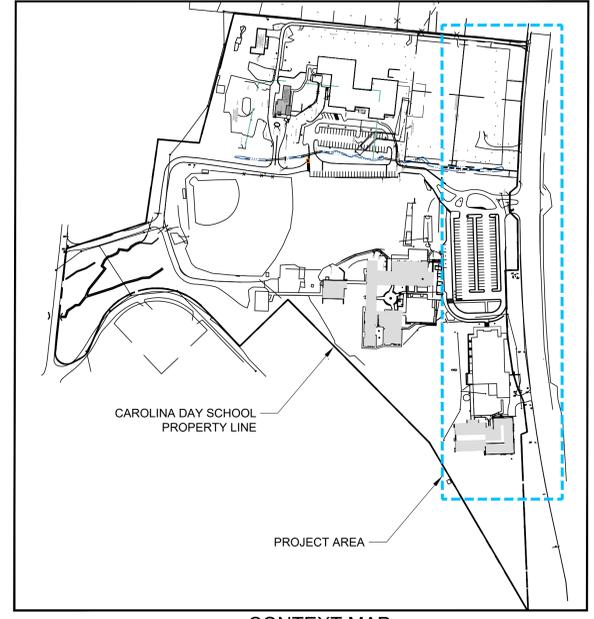
MATCHLINE THIS SHEET



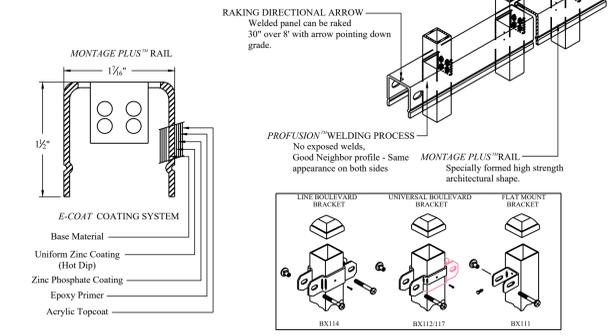
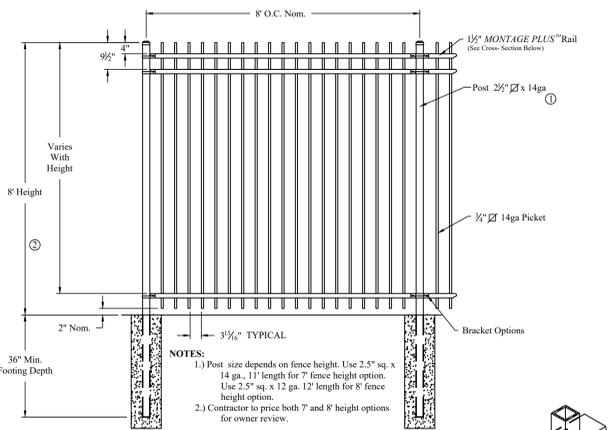
**LEGEND:**

— PERIMETER FENCING, PERMANENT INSTALLATION

- - - PERIMETER FENCING, TEMPORARY INSTALLATION



CONTEXT MAP



**1 AMERISTAR MONTAGE COMMERCIAL FENCE: GENESIS**  
NTS

**2 AMERISTAR MONTAGE COMMERCIAL GATE: GENESIS**  
NTS

CONSULTANT

PREPARED FOR:  
**CAROLINA DAY SCHOOL**  
1343 HENDERSONVILLE ROAD  
ASHEVILLE, NORTH CAROLINA 28803

NO.	REVISIONS	DATE

NOT FOR CONSTRUCTION  
C-188

DATE:  
07.31.2023  
SHEET TITLE:

PERIMETER FENCE SITE PLAN

SHEET NO.  
**L-300**



## **153.049 FENCE, GATE AND WALL REGULATIONS.**

The Board of Commissioners for the Town of Biltmore Forest that the following amendments to the Zoning Ordinance and subsequent regulations be placed on fence, gate, and wall construction and replacement as of the effective date of this section.

(A) New fences, gates or walls may be approved by the Board of Adjustment as a special use, so long as the gate, fence or wall meets the following requirements.

(1) The fence, gate, or wall is constructed entirely within the rear yard, is not located in any side or rear yard setbacks, and is constructed of materials deemed acceptable in § 153.049(D).

(2) Mature vegetation or other buffering sufficient to screen the fence, gate, or wall from neighboring properties shall be required to the extent necessary.

(B) A driveway gate and supporting columns may be approved by the Board of Adjustment as a special use so long as it meets the following requirements:

(1) The driveway gate and columns shall not be located in the front or side yard setback of a property.

(2) The driveway gate shall not be more than eight feet in height.

(3) The driveway gate must provide access for emergency services and first responders. This may be done via a lockbox code, strobe or siren activation switch, or other method with demonstrated reliability.

(4) The driveway gate must open wide enough to provide for ingress and egress of emergency vehicles. The minimum acceptable standard is for the gate access to be 14 feet wide with a 14 foot minimum height clearance.

(C) Replacement of existing fences, gates, and walls shall be approved by the Board of Adjustment as a special use so long as the replacement fence is constructed of materials deemed acceptable in § [153.049](#)(D) and meets the requirements below. A special use permit application to replace an existing fence, gate, or wall shall include a photograph of the existing fence or wall, specify the type of fence, gate, or wall, include a map or sketch depicting the height and length of the fence, gate, or wall and state whether or not the fence, gate, or wall is located within any setbacks.

(1) Existing chain link fences or gates shall not be replaced with new chain link fences or gates.

(2) Existing fences, gates, or walls in the front yard shall not be replaced. No new fences, gates, or walls shall be allowed in the front yard.

(3) Repair of more than half of an existing fence, gate, or wall shall be considered a replacement and shall be subject to this section.

(D) Acceptable materials and standards for fences and walls/maintenance. The following materials and standards for fences and walls shall be deemed acceptable.

(1) Wooden fencing or gates shall be of natural color or painted in a manner compatible with the residence and the lot.

(2) Non-wooden fencing and gates shall be black, dark green or brown and shall blend with surrounding trees or vegetation.

(3) No new chain link fencing or gates shall be allowed.

(4) Fences shall not exceed six feet in height except that fences designed to prevent deer or other wildlife from entering the property shall not exceed ten feet in height. Deer fences shall be constructed in accordance with North Carolina Wildlife Resources Commission standards for "Permanent Woven Wire Fencing" and "Permanent Solid-Wire Fencing." Copies of these standards are available at the Town Hall or at the following web address

<https://www.nxwildlife.org/Learning/Species/Mammals/Whitetail-Deer/Fencing-to-Exclude-Deer#42041180-permanent-fencing>).

(5) Walls should be constructed of stone or similar material, and shall be compatible with the construction materials of the house located on the same property.

(6) When a fence, gate or wall is not properly maintained or fails to comply with condition(s) imposed by the Board of Adjustment, the town shall require the property owner to repair the fence, gate, or wall, or, remove the fence, gate, or wall at the property owner's expense. If the property owner fails to repair or remove the fence, gate, or wall, the town may remove the fence, gate, or wall and recover the cost of removal, including the cost of disposal, if any, from the property owner.

(Ord. passed 2-11-2020; Ord. passed 6-8-2021)