



To: Members of the Board of Adjustment, Applicants & Neighboring Property Owners  
From: Jonathan B. Kanipe, Town Manager  
Date: September 7, 2023  
Re: **Board of Adjustment Meeting – September 18, 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 September 13, 2023.

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

The following items of business will be considered by the Biltmore Forest Board of Adjustment on Monday, September 18, 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 August 28, 2023 regular meeting will be considered.
3. Hearing of Cases (Evidentiary Hearings, Deliberations & Determinations).

**Case 1: 28 East Forest Road – Special Use permit request to Extend Previously Approved Accessory Structure**  
Site Visit – 2:45 PM

**Case 2: 9 White Oak Road – Special Use permit request for fence installation and variance request to encroach within the rear and side yard setbacks**  
Site Visit – 3:30 PM

**Case 3: 15 Eastwood Road – Special Use request for accessory structure installation and variance request for encroachment within side yard setbacks**  
Site Visit – 3:00 PM

4. Adjourn

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

Meeting ID: 824 0558 6759

Passcode: 804985

MINUTES OF THE BOARD OF ADJUSTMENT MEETING  
HELD MONDAY, AUGUST 28, 2023

The Board of Adjustment met at 4:00 p.m. on Monday, August 28, 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, Mr. Harry Buckner Public Works Director, and Mr. Billy Clarke, Town Attorney, were also present. Ms. Lynn Kieffer was not present.

Chairman Greg Goosmann called the meeting to order at 4:01 p.m.

Chairman Goosmann swore in the following:

Mr. Tony Williams

Mr. Jonathan Kanipe

Mr. Claude Sheer

Ms. Kathleen Goodwin

Ms. Elizabeth Freeman

Mr. John Judd, Jr.

Mr. Charles Owen, III

Ms. Eleanor Owen

Mr. Matthew Fusco

Mr. Chris Allen

Mr. Derek Weilbaeher  
Ms. Angela Weilbaeher  
Mr. Don Minton  
Ms. Rebecca Lester  
Ms. Emily Roberts  
Mr. Barry Johnson  
Ms. Heather Brown  
Mr. Chris Atwater  
Mr. William Wilcox  
Mr. Jim Mann  
Mr. Clay Mooney  
Mr. Wally Hachil  
Ms. Rhoda Cobb  
Mr. Bill Morrison

A motion was made by Mr. Lowell Pearlman to approve the minutes as amended from July 17, 2023. Mr. Robert Chandler seconded the motion. The minutes were unanimously approved.

HEARING (Evidentiary):

The first matter discussed is for a Special Use Permit for fence replacement in an existing location at 5 Brookside Road. Ms. Martha Barnes shepherded the matter. The existing chain link fence is six feet tall and will be replaced with an eight-foot fence.

DELIBERATION AND DETERMINATION:

Ms. Martha Barnes restated the facts and said Mr. Claude Sheer is applying for a Special Use Permit to replace an existing fence. The fence will be an eight-foot oak and wire fence. The wire fencing is black. It is well screened on the back of the property.

Ms. Rhoda Groce moved that a Special Use Permit be granted to Claude Sheer of 5 Brookside Road for a replacement fence installation and the facts as recited by Ms. Barnes and her 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. Robert Chandler seconded the motion. The motion was unanimously approved.

HEARING (Evidentiary):

The second matter is for a Special Use Permit request for fence replacement in an existing location at 19 Brookside Road. Mr. Robert Chandler shepherded the matter. Ms. Elizabeth Freeman said it is black iron with a black powder coated seal. It matches the gate on the other side of the house. In the side yard there is part of a fence that has been destroyed by wildlife and it will connect to the rest of the deer fence they already have. It will be five feet tall. There will be a five-foot-tall wall gate installed to match.

DELIBERATION AND DETERMINATION:

Mr. Chandler restated the facts and said Elizabeth Freeman at 19 Brookside Road is requesting a Special Use Permit for the replacement of an existing fence in the same location. It will be forty linear feet with a five-foot-wide gate. It is in all the required setbacks.

Ms. Martha Barnes moved that a Special Use Permit be granted to Elizabeth Freeman for a replacement fence installation and the facts as recited by Robert Chandler 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. Groce seconded the motion and was unanimously approved.

HEARING (Evidentiary):

The third matter is for a Special Use request for an accessory structure for installation of driveway entrance columns at 46 Hilltop Road. Ms. Groce shepherded the matter. The columns are 32x32 columns that are eight feet tall with gas lighting in the center. It is not in the Town's right of way.

DELIBERATION AND DETERMINATION:

Ms. Groce restated the facts and said John and Jill Rose of 46 Hilltop Road are requesting a Special Use Permit for installation of driveway entrance columns. They are 32x32. They are eight feet tall.

Mr. Robert Chandler moved that a Special Use Permit be granted to John and Jill Rose of 46 Hilltop Road and the facts as recited by Rhoda Groce and her summation be accepted as findings and facts to support this grant. The Board has inspected this site and no neighboring property owner has objected. He 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.

HEARING (Evidentiary):

The next matter is for a Special Use Permit request for an accessory structure for installation of driveway columns at 7 Greenwood Road. Mr. Lowell Pearlman shepherded the matter. They are white columns. They are six feet and six inches tall. They do not encroach within the Town's right-of-way.

DELIBERATION AND DETERMINATION:

Mr. Pearlman restated the facts and said Mr. Owen of 7 Greenwood Road is applying for a Special Use Permit for two driveway entrance columns. They are approximately 6.5' tall and will not be within the Town's right-of-way. Ms. Groce moved that a Special Use Permit be granted to Eleanor and Charlie Owen of 7 Greenwood Road and the facts as recited by Lowell Pearlman 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.

HEARING (Evidentiary):

The next matter is for a Special Use Permit request for 410 Vanderbilt Road to have installation of driveway entrance columns. Ms. Martha Barnes shepherded the matter. Mr. Matt Fusco represented the homeowners. The stone columns will be a combination of stucco and painted brick. There will be light fixtures affixed to the top of the columns. They will top out just under nine feet. The closest one will be placed approximately twenty-one feet from the edge of the pavement. The second column will be placed at thirty-six feet. The two columns will be eighteen feet apart.

DELIBERATION AND DETERMINATION:

Ms. Barnes recited the facts and said William and Mary Winkenwerder of 410 Vanderbilt are requesting to replace their existing lanterns with driveway columns. They will match the house. The column is approximately 6'8" with an additional two feet for the lantern. The total height will be nine feet.

Mr. Pearlman moved that a Special Use Permit be granted to William and Mary Winkenwerder of 410 Vanderbilt for columns and the facts as recited by Martha Barnes and her summation be accepted as findings and facts to support this grant. The Board has inspected this site and no neighboring property owner has objected. He 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. Chandler seconded the motion. The motion was unanimously approved.

HEARING (Evidentiary):

The next matter is for a Special Use Permit request to construct an accessory structure in the rear yard at 3 Eastwood Road. Mr. Chris Allen represented the homeowner, Teresa Brown. Ms. Teresa Brown wants to install a patio in the rear yard. It is a 20 foot by 20-foot stone patio. There will be a twenty-five-foot retaining wall on the other side. There is a small seat wall on the uphill side. Ms. Groce asked about the water feature and coy pond. Mr. Kanipe clarified this is separate from this request.

DELIBERATION AND DETERMINATION:

Mr. Chandler restated the facts. It will be a ten 10'x20' stone patio in the rear yard. The retaining wall will be 1'-3'. The project is compliant with all the setbacks.

Ms. Barnes moved that a Special Use Permit be granted to Teresa Brown of 3 Eastwood Road and the facts as recited by Robert Chandler and his summation be 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.

HEARING (Evidentiary):

The seventh matter is for a Variance request to exceed maximum roof coverage requirement at 414 Vanderbilt Road for Angela and Derek Weilbaeher. Mr. Don Minton represented the homeowners. Mr. Pearlman shepherded the matter. They would like to add a greenhouse. Mr. Don Minton said they would like to enclose the current pergola area with a greenhouse. The overage is 604 square feet over using the current calculation method.

Mr. Pearlman asked what hardship is. The hardship is they want to do year-round gardening and would prefer not to have a garden on the golf course side. The percentage over is less than 10% which the Board has approved in the past. It is about 7.7%. It is a 265 square feet greenhouse.

DELIBERATION AND DETERMINATION:

Mr. Pearlman restated the facts and said Derek and Angela Weilbaeher at 414 Vanderbilt Road are requesting a Variance to exceed the maximum roof coverage to allow enclosing a greenhouse. It will exceed roof coverage by 604 square feet.

Ms. Rhoda Groce moved that a Variance be granted to Derek and Angela Weilbaeher of 414 Vanderbilt Road to exceed maximum roof coverage 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.

Further, she moved that granting this Variance satisfies the applicable Sections of 153.110(D) and paragraphs one through four and would not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this Ordinance would, in this case, result in a practical difficulty or unnecessary hardship. He further moved the Board to find the spirit of the ordinance would be observed, public safety and welfare secured, and substantial justice done. The applicant has been informed that he/she is to report to the Zoning Administrator within seven (7) days of completion of the project in order that the Zoning Administrator can determine that the project has been completed in accordance with plans submitted to the Town. The motion was seconded by Ms. Barnes and unanimously approved.

HEARING (Evidentiary):

The eighth matter is for a Variance request to encroach on the side yard setback for an addition at 3 Stuyvesant Crescent. Ms. Barnes shepherded the matter. Ms. Rebecca Lester would like to add a covered patio. Less than 2% of the proposed slab exceeds the coverage because their back fence makes an odd angle. They would like to screen in the entire backyard along all of the fence line.

DELIBERATION AND DETERMINATION:

Ms. Barnes restated the facts and said Rebecca Lester of 3 Stuyvesant Crescent would like to have a patio constructed at the back of their house. There will be solid screening and is two feet into the setback.

Mr. Chandler made a motion to approve a Variance at 3 Stuyvesant Crescent for Rebecca Lester and the facts as recited by Martha Barnes and her summation be accepted as findings and facts to support this grant. The Board has inspected this site and no neighboring property owner has objected.

Further, he moved that granting this Variance satisfies the applicable Sections of 153.110(D) and paragraphs one through four and would not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this Ordinance would, in this case, result in a practical difficulty or unnecessary hardship. He further moved the Board to find the spirit of the ordinance would be observed, public safety and welfare secured, and substantial justice done. The applicant has been informed that he/she is to report to the Zoning Administrator within seven (7) days of completion of the project in order that the Zoning Administrator can determine that the project has been completed in accordance with plans submitted to the Town. The motion was seconded by Ms. Barnes and unanimously approved.

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

HEARING (Evidentiary):

The ninth matter is for a Variance request for encroachment into setbacks and Special use permits for accessory structure fence installation at 1345 Hendersonville Road(Carolina Day School). Mr. Chandler shepherded the matter. Ms. Emily Roberts said they are seeking approval to build a fence along Hendersonville Road. The fence would be along the entire East side of the property and return along the north and south ends of the property. They are only seeking approval for the fence at this time. It would be a powder coated black steel fence. Ms. Roberts showed the current entrance and exits. Ms. Roberts showed the board the plans. The fence would be eight feet high. Mr. William Wilcox said he lives at 6 Stuyvesant Crescent and he also introduced Mr. Jim Mann who lives at 8 Stuyvesant Crescent. He asked for clarification of the fence and asked if the fence would connect all the way to the building so no one would come around the fence. Ms. Roberts said the fence would not attach to the back of the building. The back of the school and the neighborhood are open. This is to control access points to Hendersonville Road. There are gates that if there were an emergency, children could run out of. Mr. Wilcox said if this proposal was accepted, would the school adhere to locking the gates and securing the back area. It is not locked and secure back there now.

Mr. Chris Atwater who is the security director for Carolina Day School explained the gate and drawings to the audience. Mr. Atwater said the gates would be secured and locked.

Mr. Clay Mooney is the property owner at 1293 Hendersonville Road and asked about the width of the electric gate. Ms. Roberts said it is a twelve-foot gate. Mr. Mooney asked if emergency vehicles would be able to get through this. They will check with the fire department before construction begins. Mr. Mooney suggests they have signage that says “employees only” because they won’t be able to turn around.

Mr. Chandler said him and his wife used to be involved with the school and his kids used to go to school at Carolina Day. Mr. Goosmann and Ms. Groce also used to be affiliated with the school.

Mr. Wilcox asked if Carolina Day School was going to get approval from the Department of Transportation before building the fence. Ms. Roberts said yes and if they don’t get the approval, they will go a different route. Mr. Mooney said people can clearly get on his property to Carolina Day School with a gap in the fence. They should consider connecting it for security purposes. Mr. Pearlman made a motion to approve a Variance at CDS for a fence and the facts as recited by Robert Chandler

#### DELIBERATION AND DETERMINATION:

Mr. Chandler restated the facts and said Carolina Day School at 1345 Hendersonville Road is requesting a Variance request for encroachment into setbacks and Special Use Permits for Accessory Structure Fence installation for installing a fence for security purposes. Gates would also be included. The drawings were explained to the audience. The gate would have to be at least fourteen feet wide for emergency vehicles to get through. The proposed locations are marked on the plan.

Mr. Pearlman made a motion to move a Variance request be granted to Carolina Day School at 1345 Hendersonville Road for a fence and the facts as recited by Robert Chandler 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.

Further, he moved that granting this Variance satisfies the applicable Sections of 153.110(D) and paragraphs one through four and would not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this Ordinance would, in this case, result in a practical difficulty or unnecessary hardship. He further moved the Board to find the spirit of the ordinance would be observed, public safety and welfare secured, and substantial justice done. The applicant has been informed that he/she is to report to the Zoning Administrator within seven (7) days of completion of the project in order that the Zoning Administrator can determine that the project has been completed in accordance with plans submitted to the Town.

He also 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.

HEARING (Evidentiary):

The last matter is for a Variance request to encroach into the side yard setback at 7 Stuyvesant Road. Mr. Wally Hachil represented Ms. Rhoda Cobb who owns the property. The gravel path has been there for quite some time going back to 2010 that shows the existence of the path. A surveyor went out there and the path totaled 206 feet in length. It varies in width from six to eight feet. A Variance is requested for the encroachment. Ms. Cobb submitted a written proposal to the Board which they read. A Special Use Permit is also requested for this since the gravel path is also considered an accessory structure.

Ms. Groce said the gravel path looks unnatural and said his path did not exist as a gravel road in the past. Mr. Hachil said this drawing is not the finished product.

Ms. Barnes said the noise and the visual are the two issues. The landscaping is world class and this path is not consistent with the beautiful scenery.

Mr. Morrison who is the neighbor of 7 Stuyvesant said it is not a gravel driveway, it is a rock driveway. It causes a lot of noise. The lawnmower also runs more than a few days per week and is very loud going over the rock. It goes between 80-100 times over the rock per week. He has also sent the recording of the loudness to Mr. Kanipe. The previous path was dirt and didn't create any noise. It didn't bother Mr. Morrison until the rock went down. It is very loud.

Ms. Barnes said the board could refuse to grant the Special Use Permit which means they would have to pull everything up. Also, the board can approve granting the permit under certain conditions such as enough landscaping being installed for example.

Mr. Clarke said the Special Use Permit can be denied or the Special Use Permit can be issued with special conditions that are appropriate. The Special Use Permit can also be amended. The application can also be withdrawn and returned at a later date.

DELIBERATION AND DETERMINATION:

Mr. Pearlman said if the request is denied, they have to wait one year before they can come back. The homeowners decided to table the matter for one month.

The meeting was adjourned at 6:01 pm. The next Board of Adjustment meeting is scheduled for Monday, September 18, 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**  
**SEPTEMBER 18, 2023**

**Case 1**

**Property Owner:** Michael Douglas  
**Property Address:** 28 East Forest Rd  
**Request:** Special Use Permit Request for Extension of Lower Motor Court

Project Description

The applicant requests a special use permit from the Board of Adjustment for the extension of the lower motor court. The applicant is proposing an additional 900 square feet of impervious surface to enlarge the lower motor court as shown on plans in green.

Special Use Request

The applicant has filed a special use request for an additional 900 square foot of impervious surface to the lower motor court. The additional area would still meet the impervious surface area required by the ordinance and is not located within any setbacks.

New impervious surface calculations per application are as follows:

Maximum Impervious Surface: 25% OF 2.152 ACRES= 23,435 S.F.

Proposed Impervious Surface: 10,620 S.F plus the additional 900 SF= 11,520.

# Special Use Permit Application

Town of Biltmore Forest

**Name**

Howard McDill

**Address**

28 East Forest

**Phone**

(828) 691-0960

**Email**

howard@mayhewnc.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:**

We would like to add to the approved lower level motor court. We would like to add 900 sf to the area. We will still be under the maximum impervious surface requirements.

MAXIMUM IMPERVIOUS SURFACE: 25% OF LOT AREA= 25% OF 2.152 ACRES= .538 ACRES = 23,435 S.F.

PROPOSED IMPERVIOUS SURFACE:10,620 S.F plus the additional 900 SF= 11,520.

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

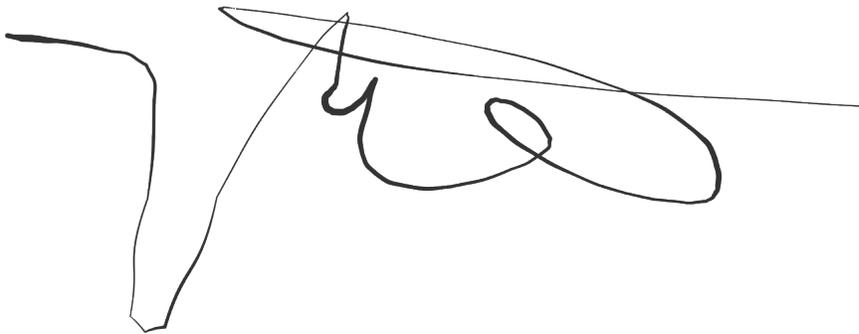
It is a lower level motor court so as to allow parking in a less visible location, it also is well below the impervious surface maximum.

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

**Signature**

**Date**

8/24/2023



THEODORE H. HUMBLE  
NANCY J. HUMBLE  
DEED BOOK 1850, PAGE 432  
PIN 9846-46-6935

PLAT BOOK 34, PAGE 11

GE 119

10

EAST FOREST ROAD  
40' RIGHT-OF-WAY

20' UTILITY EASEMENT

L=120.65'  
R=218.43'  
Δ=31°41'59"  
C BRG=S 38°38'14" E  
C LEN=119.31'

L=78.55'  
R=164.41'  
Δ=27°22'25"  
C BRG=S 68°14'01" E  
C LEN=77.60'

THIN A  
MINED BY FEMA;  
EFFECTIVE 1/6/10.

EXISTING  
ENTRANCES,  
NOTATIONS  
WRITTEN,

DATE

BY

DATE

BY

DATE

BY

DATE

BY

DATE

BY

DATE

BY

DANIEL H. NEELY  
MOLLY G. NEELY  
DEED BOOK 4144, PAGE 975  
PIN 9846-46-5661

22  
PIN 9846-46-9582

MICHAEL DOUGLAS  
MARITA DOUGLAS  
DEED BOOK 5908, PAGE 911  
PIN 9846-46-9582

21  
PIN 9846-46-8638  
±2.152 ACRES

±1.557 ACRES

TOWN OF BILTMORE FOR  
PUBLIC SERVICE DIST.

*Extension  
requested  
12/1/12  
off site*

PLAT BOOK 33, PAGE 84

LOT 10-A

TOWN OF BILTMORE FOREST  
DEED BOOK 1250, PAGE 85  
PIN 9846-46-7318



ALAN B. STYLES  
LICENSED  
PROFESSIONAL LAND SURVEYOR  
929-5 NEW ASHEVI  
TEL.#

1/15/12

DOUGLAS RESIDENCE - SITE PLAN

Scale: 1" = 40'-0"



**BOARD OF ADJUSTMENT MEETING**  
**STAFF MEMORANDUM**  
**SEPTEMBER 18, 2023**

**CASE 2**

**Property Owner:** Dan Ryan  
**Property Address:** 9 White Oak Road

**Request:** Special Use Permit request for Fencing in Rear Yard  
and Variance Request for Encroachment into Side & Rear Setbacks

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Project Description

The proposed project includes a black metal perimeter fence (4' tall), which will encroach on the side and rear yard setbacks. There is an existing fence along the northern parcel boundary. The proposed fence on the north (~17' long) will connect the existing fence with the house. The proposed fence on the southern boundary (~75' long) will extend from the house corner, around the driveway, and to the SW corner of the property, leaving room for the existing walking easement. The second phase of the project will include a perimeter fence along the western boundary of the parcel.

Fence Description

The proposed fence is four (4) feet tall and would attach to an existing fence already located along the northern property line. The proposed black metal fence complies with the Town's requirements and an example is shown in the attached documents. There are two gates associated with the project as well.

Special Use Permit 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.

Variance Request

The applicant is requesting to install the fence up to the property line to tie into an existing fence and to separate a walking easement for safety.

# Zoning Compliance Application

Town of Biltmore Forest

**Name**

Dan Ryan

**Property Address**

9 White Oak Rd.

**Phone**

(720) 724-7130

**Email**

dan.baker.ryan@gmail.com

**Parcel ID/PIN Number**

964780948200000

## ZONING INFORMATION

**Current Zoning**

R-2

**Lot Size**

0.36 acres

**Maximum Roof Coverage**

2,874 square feet (Up to .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**

50 feet (R-2, R-3, R-4, and R-5 Districts)

**Side Yard Setback**

15 feet (R-2, R-3, R-4, and R-5 Districts)

**Rear Yard Setback**

20 feet (R-2, R-3, R-4, and R-5 Districts)

**Building Height**

N/A

**Description of the Proposed Project**

The proposed project includes a black metal fence along the perimeter of the back yard, which will be completed in two phases. There is an existing fence along the north boundary and the northern proposed fence (approximately 17' long) will connect from the existing fence to the house. A separate fence is proposed near the southern property boundary (approximately 75' long), outside of the driveway and leaving room for the walking easement. The second phase of the project will include a perimeter fence along the rear (western) property line.

**Estimated Start Date**

10/13/2023

**Estimated Completion Date**

10/20/2023

**Estimated Cost of Project**

\$7,000.00

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

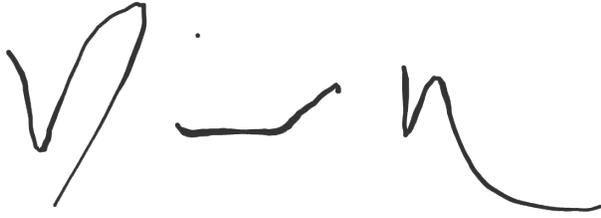
WhiteOak\_FenceLayout\_08302023.pdf

WhiteOak\_FenceMockUp-South\_05072023.pdf

WhiteOak\_FenceMockUp-North\_04242023.pdf

**Applicant Signature**

**Date**  
8/30/2023

A handwritten signature in black ink, consisting of three distinct parts: a large, stylized 'V' shape on the left, a horizontal line with a small upward tick on the right end in the middle, and a cursive 'n' shape on the right.

# Special Use Permit Application

Town of Biltmore Forest

**Name**

Dan Ryan

**Address**

9 White Oak Rd.

**Phone**

(720) 724-7130

**Email**

dan.baker.ryan@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:**

The proposed project will include a black metal perimeter fence. There is an existing fence along the northern parcel boundary and a the proposed fence on the north (~17' long) will connect the existing fence with the house. The proposed fence on the southern boundary (~75' long) will extend from the house corner, around the driveway, and to the SW corner of the property, leaving room for the existing walking easement. The second phase of the project will include a perimeter fence along the western boundary of the parcel.

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

The project will not adversely impact the neighborhood, since it will be an unobtrusive design and will align with existing neighborhood aesthetics. The materials and style of the fence is similar to multiple other houses nearby. The neighboring property owners on the north, south, and west have been consulted and there are no objections to the project. Lastly, we will retain space along the southern property boundary for the existing walking easement.

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

**Signature**

**Date**  
8/30/2023

A handwritten signature in black ink, consisting of three parts: a large, sweeping 'S' shape, a small dot, and a stylized 'W. K.'.

# VARIANCE APPLICATION

Town of Biltmore Forest

**Name**

Dan Ryan

**Address**

9 White Oak Rd.

**Phone**

(720) 724-7130

**Email**

dan.baker.ryan@gmail.com

**Current Zoning/Use**

RESIDENTIAL

**Requested Use**

RESIDENTIAL

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

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

The proposed project includes a black metal perimeter fence (4' tall), which will encroach on the side and rear yard setbacks. There is an existing fence along the northern parcel boundary and the proposed fence on the north (~17' long) will connect the existing fence with the house. The proposed fence on the southern boundary (~75' long) will extend from the house corner, around the driveway, and to the SW corner of the property, leaving room for the existing walking easement. The second phase of the project will include a perimeter fence along the western boundary of the parcel.

**What does the ordinance require?**

(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.

.....

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

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

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.**

There is currently a walking easement along the southern boundary of the parcel, which multiple people use every day. This easement results in people walking through the back yard, which is a safety issue for

our dogs and children if the back yard fence is not installed to contain the dogs/kids.

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

The hardship is peculiar to this specific property, since there is a unique walking easement along the boundary which is not common throughout the Town.

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

The hardship is not a result of actions taken by the property owner, since the walking easement was granted in the 1920's when the town was formed.

**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.**

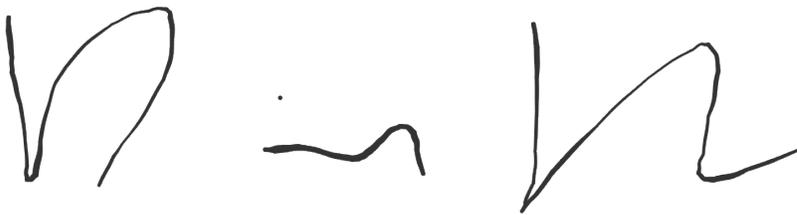
The requested variance is consistent with the spirit and intent of the ordinance and will increase public safety by addressing the unique circumstances of the property.

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

**Signature**

**Date**

8/30/2023

A handwritten signature in black ink, consisting of a large, stylized 'V' shape followed by a horizontal line and a series of connected loops and curves.

## **§ 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.

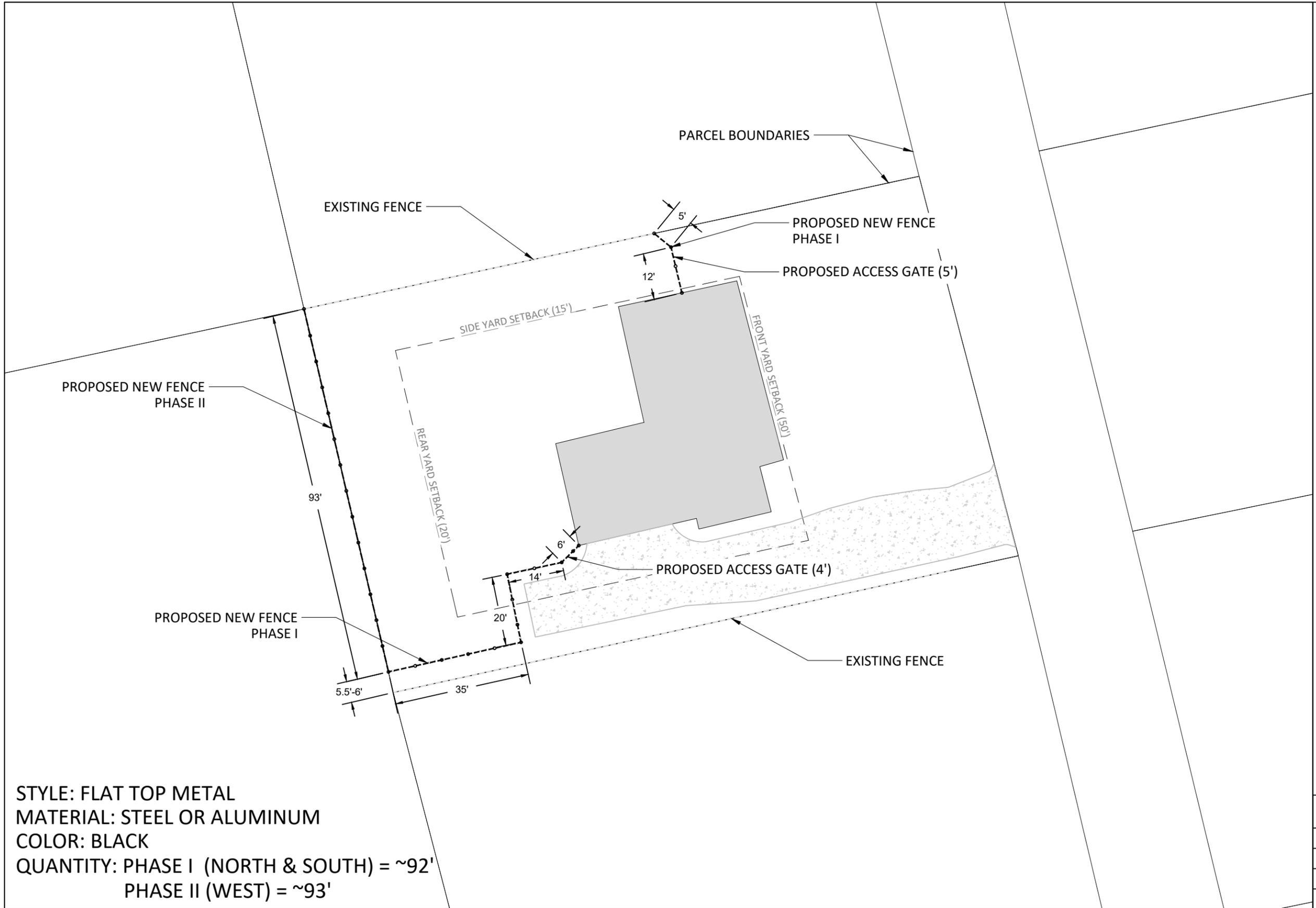
(4) Fences shall not exceed six feet in height except that fences designed to prevent deer or other wildlife from entering the property shall not exceed ten feet in height. Deer fences shall be constructed in accordance with North Carolina Wildlife Resources Commission standards for "Permanent Woven 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)



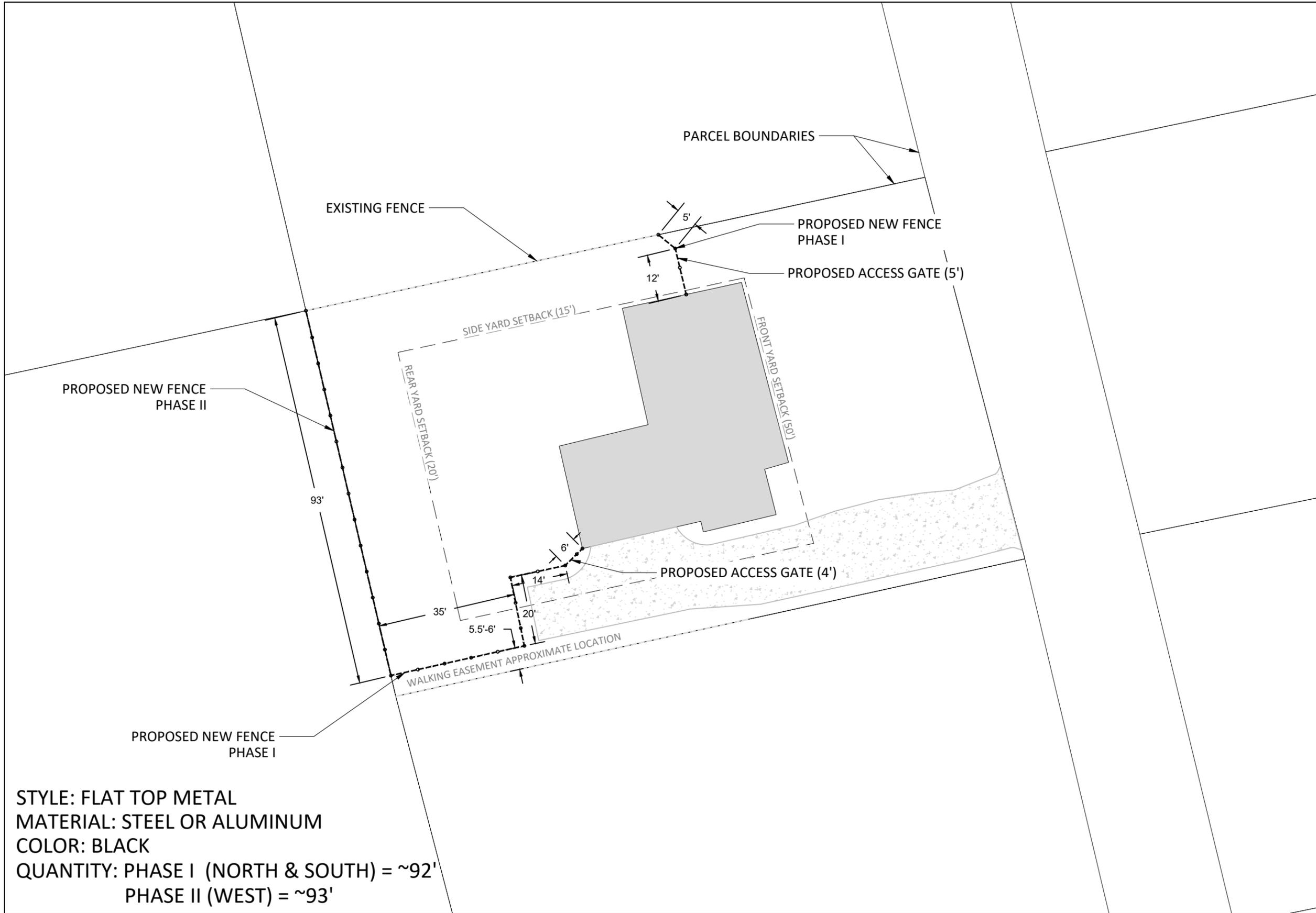
STYLE: FLAT TOP METAL  
 MATERIAL: STEEL OR ALUMINUM  
 COLOR: BLACK  
 QUANTITY: PHASE I (NORTH & SOUTH) = ~92'  
 PHASE II (WEST) = ~93'

# RYAN FENCE PROJECT

9 WHITE OAK ROAD

#	REVISION	DATE	ID
1	CONCEPTUAL LAYOUT	8/30/2023	DR
2			
3			

PROJECT DETAILS	
NAME	DAN & MELISSA RYAN
ADDRESS	9 WHITE OAK RD, ASHEVILLE, NC
PHONE	720.724.7130
EMAIL	DAN.BAKER.RYAN@GMAIL.COM



STYLE: FLAT TOP METAL  
 MATERIAL: STEEL OR ALUMINUM  
 COLOR: BLACK  
 QUANTITY: PHASE I (NORTH & SOUTH) = ~92'  
 PHASE II (WEST) = ~93'

# RYAN FENCE PROJECT

9 WHITE OAK ROAD

#	REVISION	DATE	ID
1	CONCEPTUAL LAYOUT	8/31/2023	DR
2			
3			

PROJECT DETAILS	
NAME	DAN & MELISSA RYAN
ADDRESS	9 WHITE OAK RD, BILTMORE FOREST NC
PHONE	720.724.7130
EMAIL	DAN.BAKER.RYAN@GMAIL.COM







**BOARD OF ADJUSTMENT MEETING**  
**STAFF MEMORANDUM**  
**SEPTEMBER 18, 2023**

**Case 3**

**Property Owner:** Crockett & Liza Dale  
**Property Address:** 15 Eastwood Rd  
**Request:** Variance Request for Walkway and Retaining Wall in Side Setbacks,  
Special Use for Change in Original Submission Layout

Project Description

The property owners request a Special Use to change the layout of the approved plan as well as multiple proposed accessory structures added. A variance is also being requested to install a walkway and retaining wall in the side setbacks allowed by the ordinance.

Special Use

The plan has an adjusted layout from the original submittal. There are new site knee-walls, decorative spheres in the landscape, and new layout for the driveway and landscaping. The plan states all impervious surface is still within the 25% that the Ordinance requires at 24.9%.

Variance Request

The applicant is requesting to install a walkway and retaining wall in the side setbacks required by the ordinance. The walkway would be approximately 5 feet into the side setback of 20 feet. The retaining wall will be approximately 5 feet into the 20 foot side setback. The applicant states all impervious surface is still within the 25% that the Ordinance requires.

# Special Use Permit Application

Town of Biltmore Forest

**Name**

Walter Guidry

**Address**

15 Eastwood Road, Biltmore Forest, NC 28803

**Phone**

(828) 579-1425

**Email**

wguidry@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:**

This a full, thought out landscape plan for the completion of the new home at 15 Eastwood. The landscape plan includes privacy plantings from neighboring properties, seasonal color for year round interest, drainage & water control techniques, and various paths for safe circulation of the property. Pertaining to the special use permit, the project also includes new driveway materials (exposed aggregate concrete with granite curb) & adjusted layout from our original submittal, new site knee-walls inspired by the existing knee-wall near the garage & home construction materials, and decorative spheres(non-permanent sculptures) in the landscape.

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

The driveway material will add to the natural environment the community has maintained and, with the added granite curb, will help to increase land value. The adjusted location & shape will ensure ease of access of homeowners and visitors alike. The proposed knee-wall (front) will be low and far removed from the right of way. The setting created will highlight the architecture of the home and increase the aesthetic of the neighborhood. The proposed knee-wall (side) will help to level & create a viewing courtyard that will create interest for members of the adjoining country club/golf course. The existing screening from the neighboring property (west) will be kept & added-to to ensure privacy is maintained. The spheres will be screened by an evergreen hedge. If they were in view of the community, the sculptures will add interest to the garden and increase land value.

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

**Signature**

**Date**  
9/5/2023

*Walter Guidry*

# VARIANCE APPLICATION

Town of Biltmore Forest

**Name**

Walter Guidry

**Address**

15 Eastwood Road

**Phone**

(828) 597-1425

**Email**

wguidry@siteworkstudios.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?**

Construct a portion (~95lf) of a circulatory, gravel pathway with snapped stone steps within property side setback.

Construct portion (~40lf) of stone retaining/knee-wall within property side setback.

Construct river rock swales (2) (~64lf & ~120lf) within property side setbacks.

**What does the ordinance require?**

Ordinance 153.029 requires no accessory structure be constructed within side or rear yard setbacks.

"Rock and stone moved from its original location to any other location on the property" is listed under the definition for accessory structure (153.004). Ordinance 153.049 requires no walls are built within the side or rear yard setbacks.

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.**

Pathway: passage for maintenance of home, pool equipment, and manicured garden will not be safe without this permeable path.

Wall: the steep slope of the backyard is un-useable. A retaining wall structure allows for a small portion to be level.

Swales: stormwater drainage from property would cause erosion and scouring if left unaddressed. This would negatively impact neighboring properties.

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

Pathway: steps and finished surface will be required for safe access along slope on side of house.

Wall: existing slope of property is limiting useable space in rear yard, this location was selected to provide

a small, level garden with the least intrusive wall layout. Note: no open lawn suitable for gathering is within setback

Swales: due to slope, the speed of water flowing from the property would cause erosion if not properly dispersed with river rocks

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

The nature of the steep back and side yards pre-existed the home. Current construction has not affected this.

**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.**

Pathway & steps will ensure safety for maintenance workers as they traverse through steep garden beds. The stone wall will be in keeping with the character of the home and surrounding neighborhood. The proposed wall location will be hidden from surrounding properties due to existing hemlock hedge and proposed additional plantings.

The swales will control water flow and stop erosion which could cause unsafe terrain and wrongful direction of water onto neighboring properties.

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

**Signature**

**Date**

9/5/2023

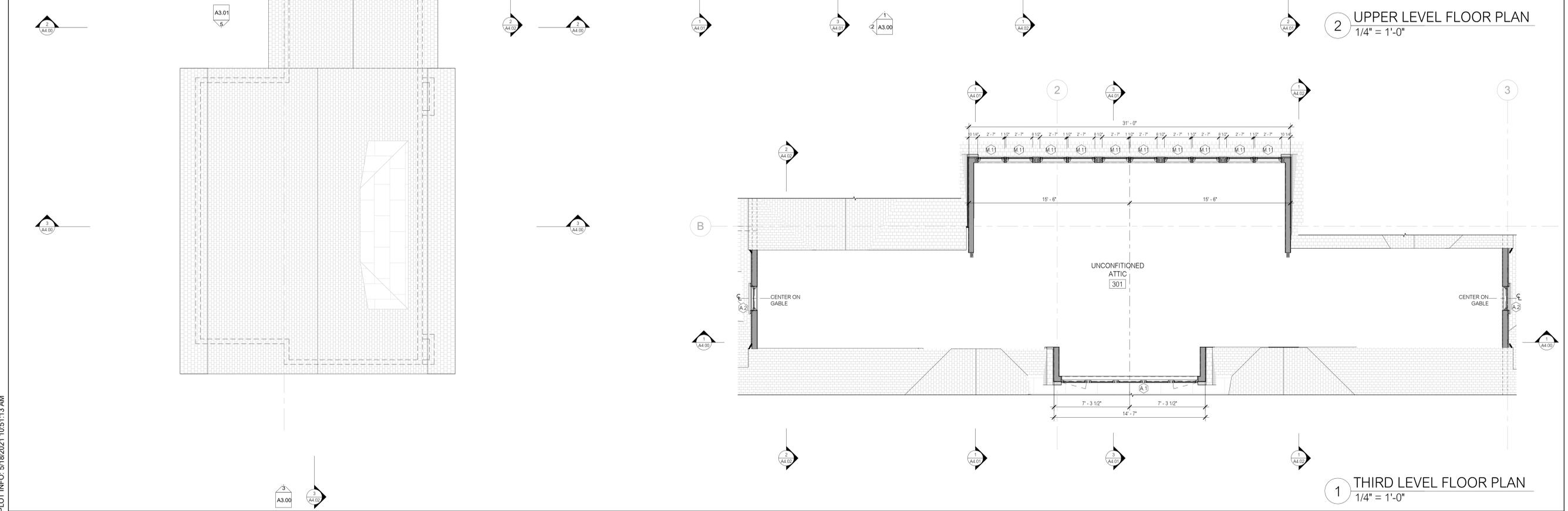
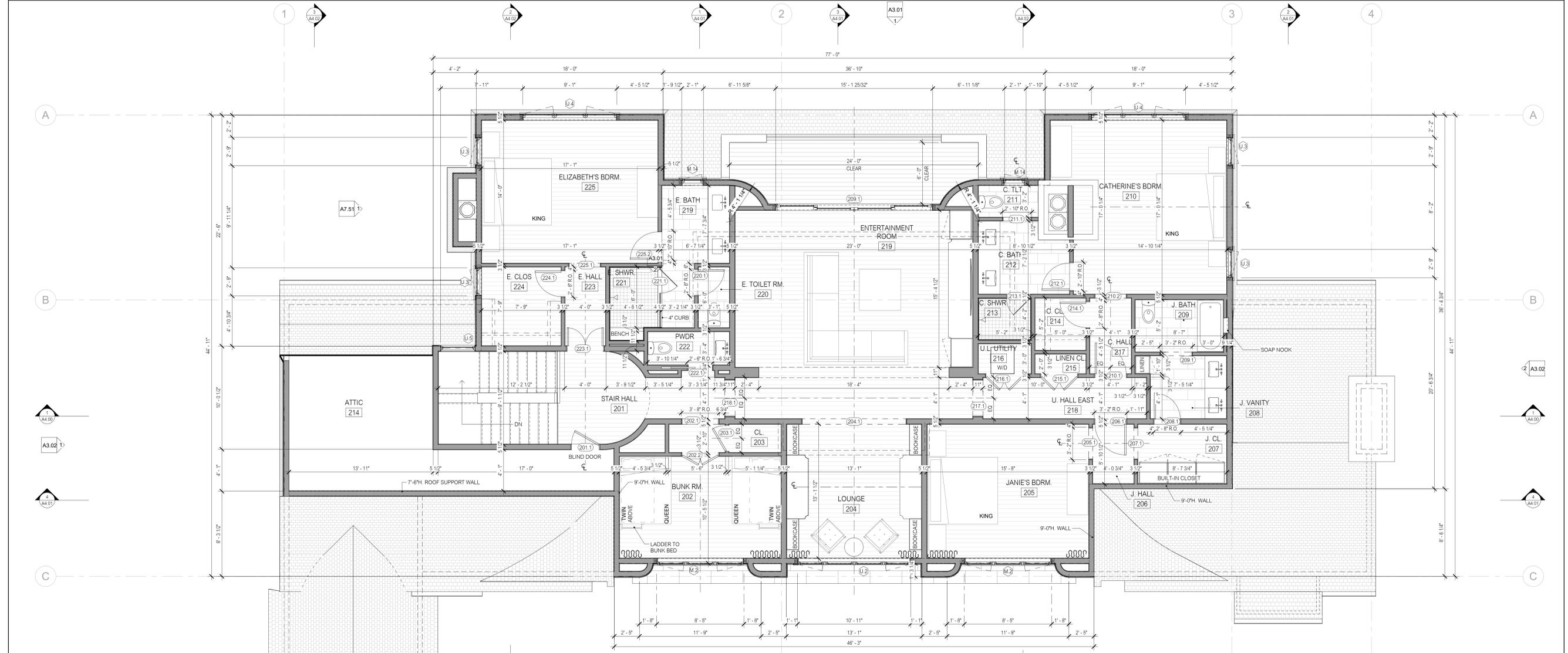
*Walter Guidry*







Revision Schedule		
No.	Issuance	Date



NOT FOR CONSTRUCTION

PROJECT NAME AND LOCATION	
Crockett & Liza Dale	15 Eastwood Rd Biltmore Forest, NC 28809
PROJECT NUMBER	19.47
DRAWN BY	CE
CHECKED BY	CE
REVIEW BOARD SET	
DATE:	05.18.2021

UPPER LEVEL PLANS  
**A2.05**  
 COPYRIGHT 2021  
 CARLTON EDWARDS

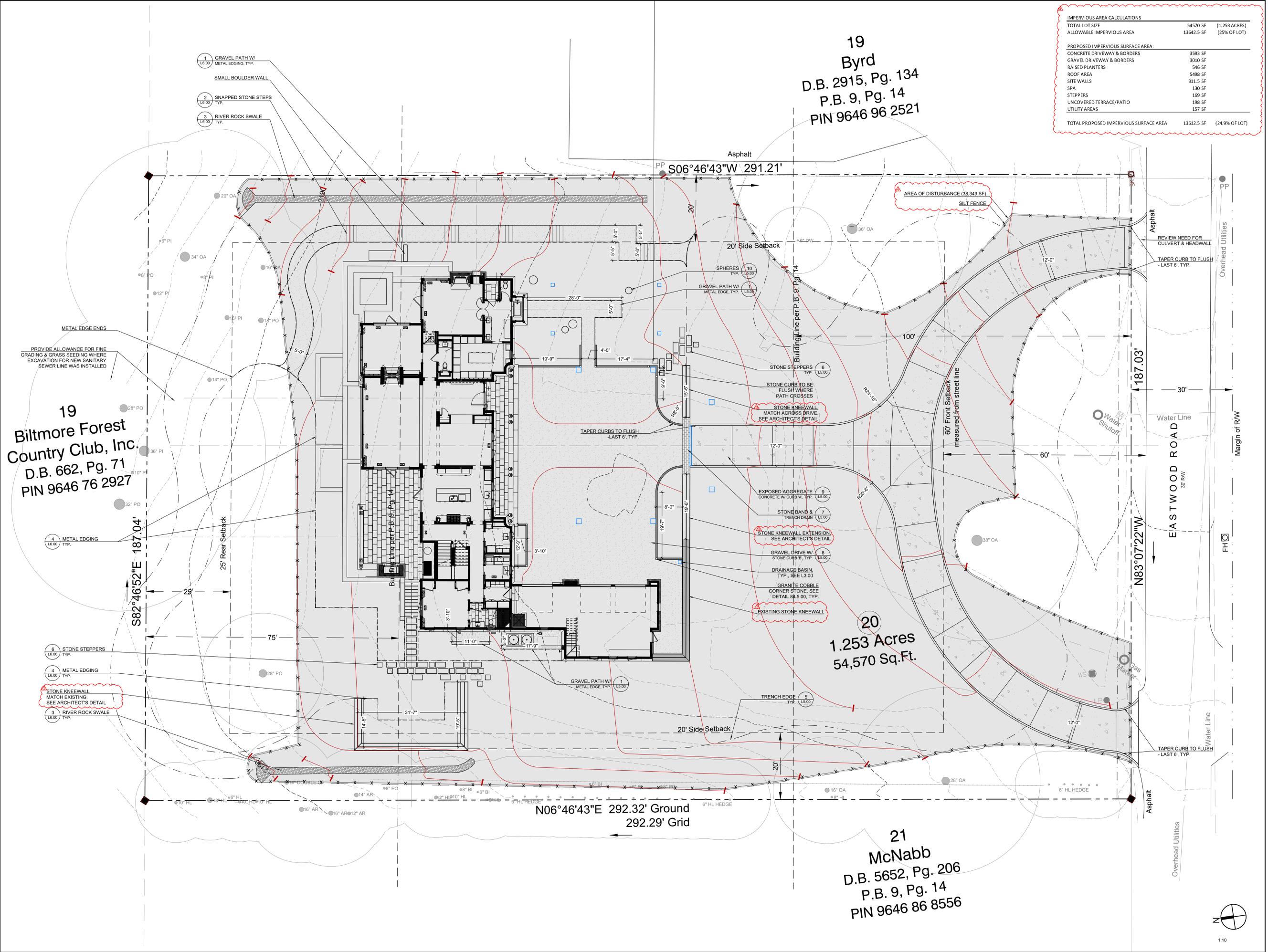








PLOT INFO: 8/30/2023 12:00:00 PM



**19**  
**Biltmore Forest**  
**Country Club, Inc.**  
 D.B. 662, Pg. 71  
 PIN 9646 76 2927

**19**  
**Byrd**  
 D.B. 2915, Pg. 134  
 P.B. 9, Pg. 14  
 PIN 9646 96 2521

**20**  
**1.253 Acres**  
**54,570 Sq.Ft.**

**21**  
**McNabb**  
 D.B. 5652, Pg. 206  
 P.B. 9, Pg. 14  
 PIN 9646 86 8556

IMPERVIOUS AREA CALCULATIONS	
TOTAL LOT SIZE	54570 SF (1.253 ACRES)
ALLOWABLE IMPERVIOUS AREA	13642.5 SF (25% OF LOT)
PROPOSED IMPERVIOUS SURFACE AREA:	
CONCRETE DRIVEWAY & BORDERS	3593 SF
GRAVEL DRIVEWAY & BORDERS	3010 SF
RAISED PLANTERS	546 SF
ROOF AREA	5498 SF
SITE WALLS	311.5 SF
SPA	130 SF
STEPPERS	169 SF
UNCOVERED TERRACE/PATIO	198 SF
UTILITY AREAS	157 SF
<b>TOTAL PROPOSED IMPERVIOUS SURFACE AREA</b>	<b>13612.5 SF (24.9% OF LOT)</b>

ARCHITECT:  
**CARLTON EDWARDS**  
 P.O. BOX 7466  
 ASHEVILLE, NC 28802  
 828.274.7554 phone  
 828.274.7612 fax



Revision Schedule		
No.	Issuance	Date
1	Grade Adjustments	08.07.2023
2	Kneewall Spot Elev.	08.10.2023
3	Pipe & Note Adj.	08.22.2023
4	Town Requested	08.30.2023

PROJECT NAME AND LOCATION	
Crockett & Liza Dale 15 Eastwood Rd Biltmore Forest, NC 28803	
PROJECT NUMBER	
19.47	
DRAWN BY	
WCG	
CHECKED BY	
SLJ	
CONTRACT SET	
DATE: 2023-08-30	

SITE PLAN	
<b>L2.00</b>	
COPYRIGHT 2023 CARLTON EDWARDS	



1:10

Revision Schedule

No.	Issuance	Date
1.	Grade Adjustments	08.07.2023
2.	Renewal Spot Elev.	08.10.2023
3.	Pipe & Note Adj.	08.22.2023
4.	Town Requested	08.30.2023

PROJECT NAME AND LOCATION

Crockett & Liza Dale  
 15 Eastwood Rd  
 Biltmore Forest, NC 28803

PROJECT NUMBER  
**19.47**

DRAWN BY  
 WCG

CHECKED BY  
 SLJ

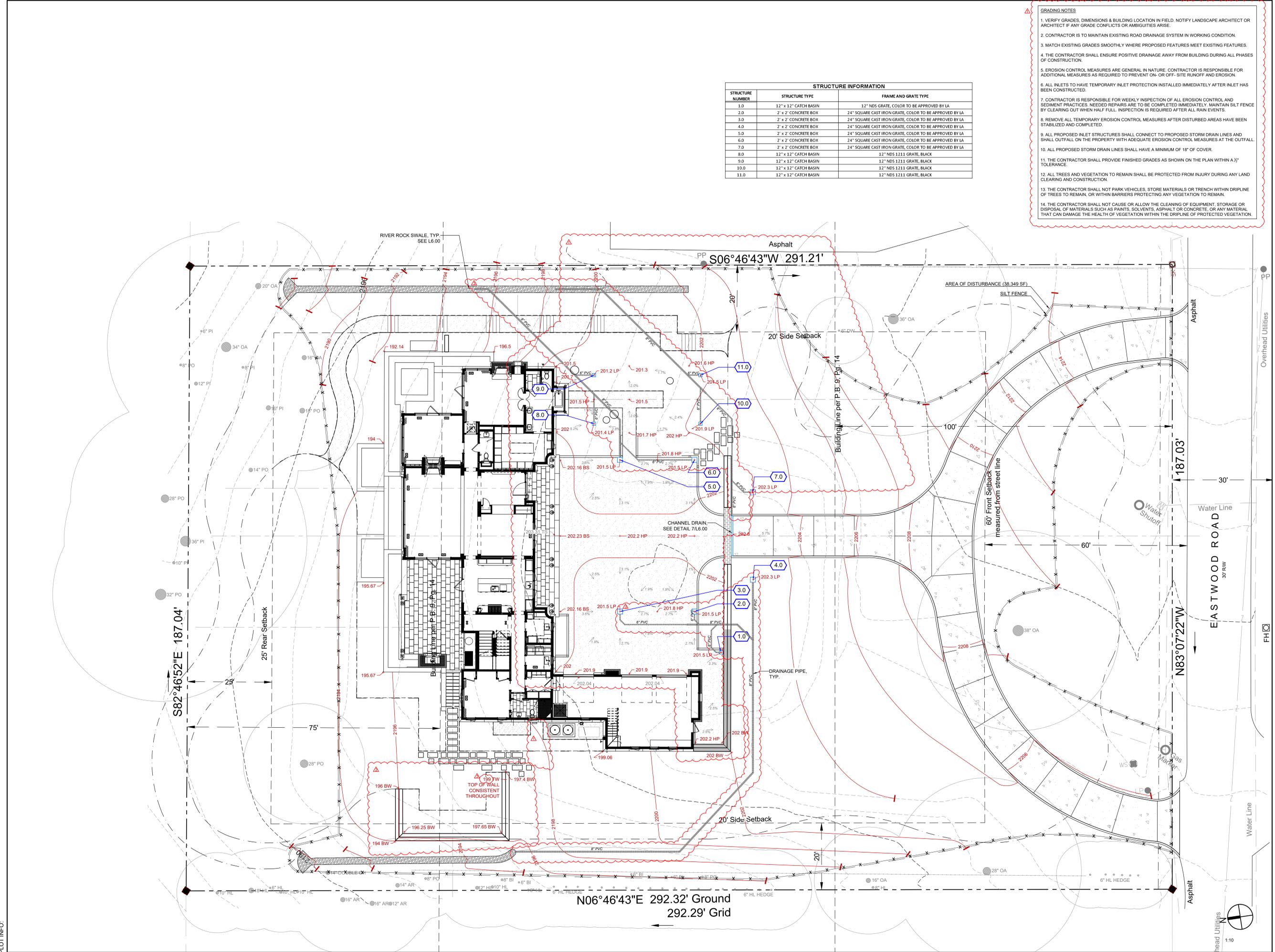
CONTRACT SET

DATE: 2023-08-30

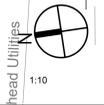
- GRADING NOTES**
1. VERIFY GRADES, DIMENSIONS & BUILDING LOCATION IN FIELD. NOTIFY LANDSCAPE ARCHITECT OR ARCHITECT IF ANY GRADE CONFLICTS OR AMBIGUITIES ARISE.
  2. CONTRACTOR IS TO MAINTAIN EXISTING ROAD DRAINAGE SYSTEM IN WORKING CONDITION.
  3. MATCH EXISTING GRADES SMOOTHLY WHERE PROPOSED FEATURES MEET EXISTING FEATURES.
  4. THE CONTRACTOR SHALL ENSURE POSITIVE DRAINAGE AWAY FROM BUILDING DURING ALL PHASES OF CONSTRUCTION.
  5. EROSION CONTROL MEASURES ARE GENERAL IN NATURE. CONTRACTOR IS RESPONSIBLE FOR ADDITIONAL MEASURES AS REQUIRED TO PREVENT ON- OR OFF- SITE RUNOFF AND EROSION.
  6. ALL INLETS TO HAVE TEMPORARY INLET PROTECTION INSTALLED IMMEDIATELY AFTER INLET HAS BEEN CONSTRUCTED.
  7. CONTRACTOR IS RESPONSIBLE FOR WEEKLY INSPECTION OF ALL EROSION CONTROL AND SEDIMENT PRACTICES. NEEDED REPAIRS ARE TO BE COMPLETED IMMEDIATELY. MAINTAIN SILT FENCE BY CLEARING OUT WHEN HALF FULL. INSPECTION IS REQUIRED AFTER ALL RAIN EVENTS.
  8. REMOVE ALL TEMPORARY EROSION CONTROL MEASURES AFTER DISTURBED AREAS HAVE BEEN STABILIZED AND COMPLETED.
  9. ALL PROPOSED INLET STRUCTURES SHALL CONNECT TO PROPOSED STORM DRAIN LINES AND SHALL OUTFALL ON THE PROPERTY WITH ADEQUATE EROSION CONTROL MEASURES AT THE OUTFALL.
  10. ALL PROPOSED STORM DRAIN LINES SHALL HAVE A MINIMUM OF 18" OF COVER.
  11. THE CONTRACTOR SHALL PROVIDE FINISHED GRADES AS SHOWN ON THE PLAN WITHIN A 1/2" TOLERANCE.
  12. ALL TREES AND VEGETATION TO REMAIN SHALL BE PROTECTED FROM INJURY DURING ANY LAND CLEARING AND CONSTRUCTION.
  13. THE CONTRACTOR SHALL NOT PARK VEHICLES, STORE MATERIALS OR TRENCH WITHIN DRIPLINE OF TREES TO REMAIN, OR WITHIN BARRIERS PROTECTING ANY VEGETATION TO REMAIN.
  14. THE CONTRACTOR SHALL NOT CAUSE OR ALLOW THE CLEANING OF EQUIPMENT, STORAGE OR DISPOSAL OF MATERIALS SUCH AS PAINTS, SOLVENTS, ASPHALT OR CONCRETE, OR ANY MATERIAL THAT CAN DAMAGE THE HEALTH OF VEGETATION WITHIN THE DRIPLINE OF PROTECTED VEGETATION.

**STRUCTURE INFORMATION**

STRUCTURE NUMBER	STRUCTURE TYPE	FRAME AND GRATE TYPE
1.0	12" x 12" CATCH BASIN	12" NDS GRATE, COLOR TO BE APPROVED BY IA
2.0	2' x 2' CONCRETE BOX	24" SQUARE CAST IRON GRATE, COLOR TO BE APPROVED BY IA
3.0	2' x 2' CONCRETE BOX	24" SQUARE CAST IRON GRATE, COLOR TO BE APPROVED BY IA
4.0	2' x 2' CONCRETE BOX	24" SQUARE CAST IRON GRATE, COLOR TO BE APPROVED BY IA
5.0	2' x 2' CONCRETE BOX	24" SQUARE CAST IRON GRATE, COLOR TO BE APPROVED BY IA
6.0	2' x 2' CONCRETE BOX	24" SQUARE CAST IRON GRATE, COLOR TO BE APPROVED BY IA
7.0	2' x 2' CONCRETE BOX	24" SQUARE CAST IRON GRATE, COLOR TO BE APPROVED BY IA
8.0	12" x 12" CATCH BASIN	12" NDS 1211 GRATE, BLACK
9.0	12" x 12" CATCH BASIN	12" NDS 1211 GRATE, BLACK
10.0	12" x 12" CATCH BASIN	12" NDS 1211 GRATE, BLACK
11.0	12" x 12" CATCH BASIN	12" NDS 1211 GRATE, BLACK

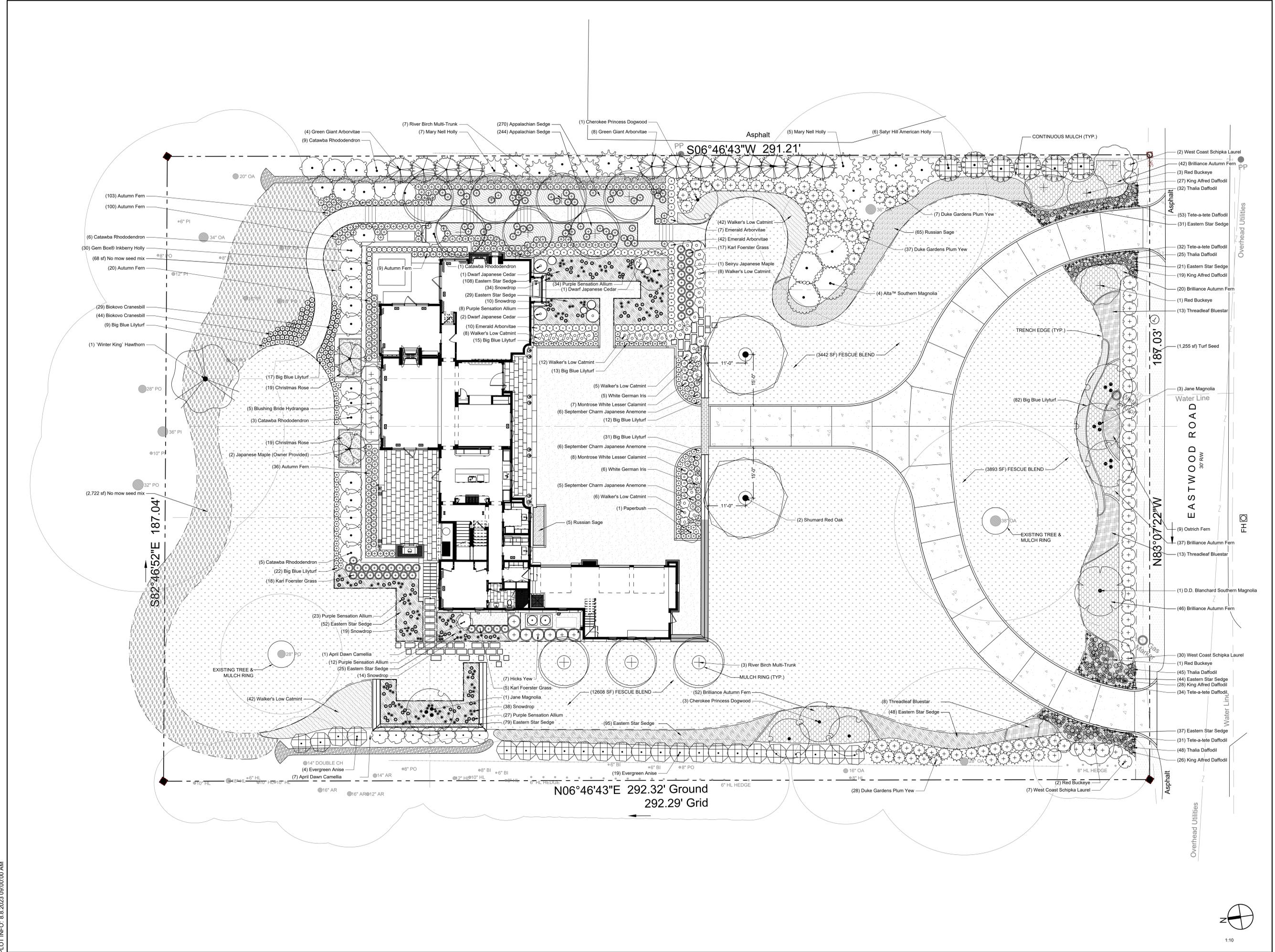


PLOT INFO:



Revision Schedule

No.	Issuance	Date
1	Grade Adjustment	08.07.2023
2	Renewal Spot Elev	08.10.2023
3	Pipe & Note Adj.	08.22.2023
4	Town Requested	08.30.2023



PROJECT NAME AND LOCATION

Crockett & Liza Dale  
 15 Eastwood Rd  
 Biltmore Forest, NC 28803

PROJECT NUMBER

**19.47**

DRAWN BY WCG

CHECKED BY SLJ

CONTRACT SET

DATE: 2023-08-30

PLANTING PLAN

**L4.00**

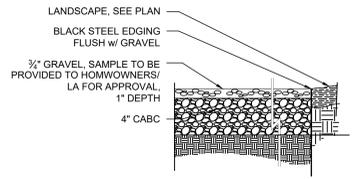
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PLOT INFO: 8.8.2023 09:00:00 AM

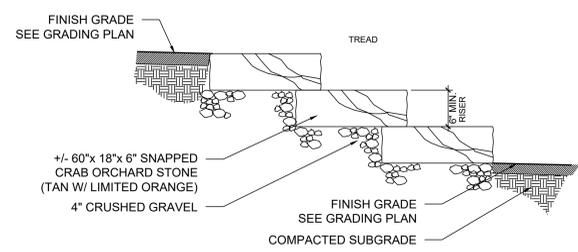








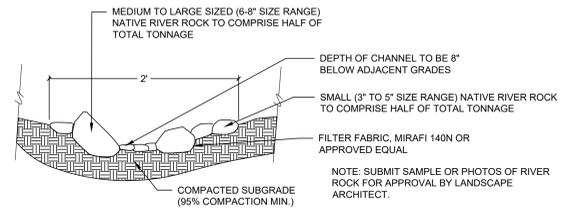
**1 GRAVEL PATH W/ METAL EDGE**  
NTS



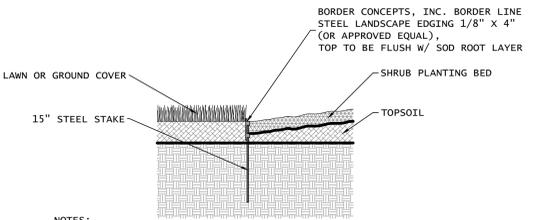
**2 SNAPPED STONE STEPS**  
NTS



COLOR EXAMPLE



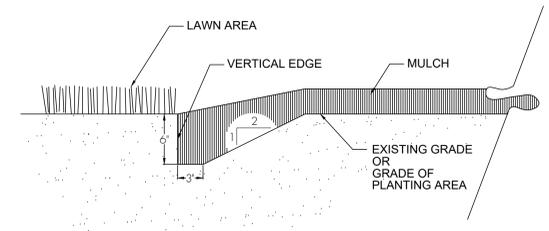
**3 RIVER ROCK SWALE**  
NTS



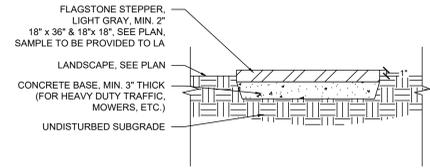
**4 METAL EDGE**  
NTS

**NOTES:**  
1. INSTALLATION TO BE COMPLETED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS.  
2. ALL DIMENSIONS ARE CONSIDERED TRUE AND REFLECT MANUFACTURER'S SPECIFICATIONS.  
3. DO NOT SCALE DRAWING.  
4. CONTRACTOR'S NOTE: FOR PRODUCT AND COMPANY INFORMATION VISIT [www.caddetails.com/info](http://www.caddetails.com/info) REFERENCE NUMBER 3419-004.

**BORDER CONCEPTS**  
BORDER LINE: STEEL EDGING FOR BEDDING, 1/8 INCH X 4 INCH



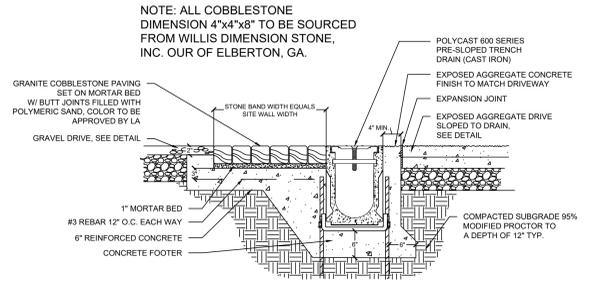
**5 TRENCH EDGE**  
NTS



**6 STONE STEPPER**  
NTS



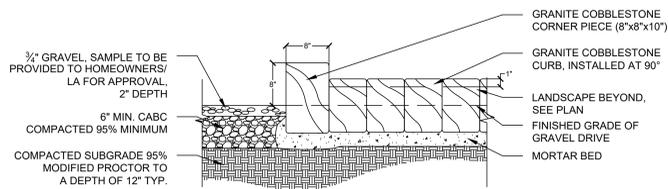
TURF JOINT & STONE COLOR EXAMPLE, SEE PLAN FOR PATTERN



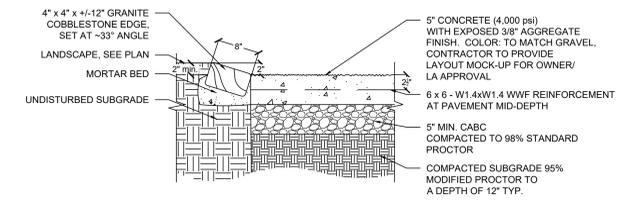
**7 STONE BAND & TRENCH DRAIN**  
NTS



RUNNING BOND PATTERN STONE BAND



**8 GRAVEL DRIVEWAY & STONE CURB 'B'**  
NTS



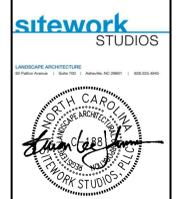
**9 EXPOSED AGGREGATE CONCRETE DRIVE & STONE CURB 'A'**  
NTS



(2) 30" & (2) 24" DIAMETER SPHERES IN LIMESTONE COLOR, PHOTO EXAMPLE

**10 SPHERES**  
NTS

ARCHITECT:  
**CARLTON EDWARDS**  
P.O. BOX 7466  
ASHEVILLE, NC 28802  
828.274.7554 phone  
828.274.7512 fax

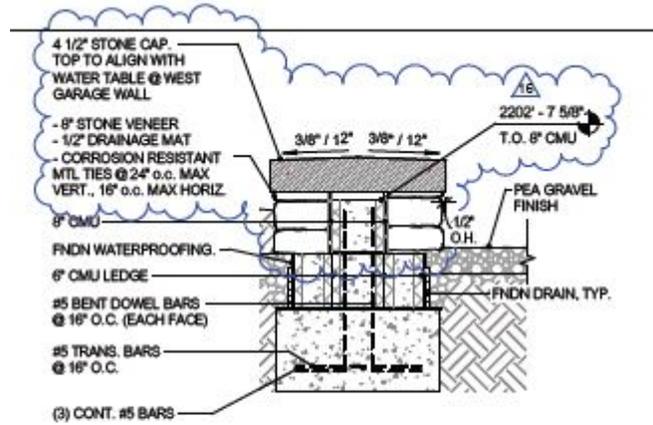


Revision Schedule		
No.	Issuance	Date
1.	Grade Adjustments	08.07.2023
2.	Interwall Spot Elev.	08.10.2023
3.	Pipe & Note Adj.	08.22.2023
4.	Town Requested	08.30.2023

PROJECT NAME AND LOCATION	
Crockett & Liza Dale 15 Eastwood Rd Biltmore Forest, NC 28803	
PROJECT NUMBER	19.47
DRAWN BY	WCG
CHECKED BY	SLJ
CONTRACT SET	
DATE:	2023-08-30

DETAILS  
**L6.00**  
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CARLTON EDWARDS

15 Eastwood



7 SEAT WALL  
3/4" = 1'-0"

Impervious surface and land disturbance are shown on page L2.00. For ease of reading, the setback lines and additional information are not shown on the planting and lighting plans, please reference L2.00 or L3.00.

Also attached below is the architect's detail for the site walls from the home construction documents. The existing wall along the front is being extended 19.5' and mirrored across the driveway, these additions will match this detail. The freestanding site wall on the west of the home will be the same construction and finish as this detail with the top of wall and bottom of wall heights being located on the grading & drainage plan, L3.00; roughly 3' tall.