To:	Members of the Board of Adjustment, Applicants & Neighboring Property Owners
From:	Jonathan B. Kanipe, Town Manager
Date:	September 12, 2025
Re:	**Board of Adjustment Meeting – September 22, 2025**

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 prior to the meeting. Site visit times listed are approximate.

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 18, 2025.

PROPOSED AGENDA

The following items of business will be considered by the Biltmore Forest Board of Adjustment on Monday, September 22, 2025 at 4:00 p.m. at the Biltmore Forest Town Hall at 355 Vanderbilt Road, Biltmore Forest, NC 28803.

1. The meeting will be called to order and roll call taken.

2. The minutes of the August 18, 2025 regular meeting will be considered.

3. Hearing of Cases (Evidentiary Hearings, Deliberations & Determinations).

Case 1: Lot #11 Cedar Hill Drive Parcel 9646-54-0152-New Construction Review and Variance for accessory structures in the front yard.

Site visit: 3:20 pm

Case 2: 7 Brookside Road- Special Use Request for an accessory building(garage) in the rear yard. This matter was tabled from last month's Board of Adjustment meeting.

Site Visit: 3:45

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 18, 2025

The Board of Adjustment met at 4:00 p.m. on Monday, August 18, 2025

Chairman Greg Goosmann, Ms. Lynn Kieffer, Mr. Robert Chandler, Ms. Rhoda Groce, Ms. Martha Barnes, and Ms. Janet Whitworth were present. Mr. Tony Williams, Town Planner was present, and Mr. Jonathan Kanipe(present via Zoom). Mr. Robert Chandler and Town Attorney Mr. Billy Clarke were not present.

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

Ms. Martha Barnes made a motion to approve the minutes from the July 28th, 2025 meeting. Ms. Janet Whitworth seconded the motion and was unanimously approved.

Chairman Goosmann swore in the following:

Mr. Tony Williams

Mr. Jonathan Kanipe

Mr. Nick Anagnostopoulos

Ms. Maria Anagnostopoulos

Mr. David Yow

Mr. Adam Carter

Mr. Taylor Sword

Mr. Steven Lee Johnson

HEARING (Evidentiary):

Town Planner Tony Williams presented the following facts: The property owner at 7 Brookside Road is presenting plans to add an accessory building in the rear yard. The proposed structure would be a 750 square foot garage apartment that meets the location and setback requirements. All accessory buildings within Town require a Special Use Permit for approval.

The applicants stated that when trees hit their house during a storm, they converted their garage into a bedroom and bathroom. The proposed garage apartment would provide space for vehicles and lawn equipment on the first floor, with living space for family members above.

Ms. Lynn Keefer noted that the board had received two letters from neighboring properties expressing concerns about the project. She mentioned that during the site visit, they observed that while the proposed structure would be within the required setbacks, it would be highly visible to neighboring properties due to its height and location at the highest point on the property.

The board expressed concerns about the structure's visibility, height, and potential impact on neighboring properties. Board members suggested alternatives including:

1. Moving the structure closer to the main house to reduce its visual impact
2. Lowering the grade to reduce the overall height
3. Potentially redesigning it as a single-story structure

Two neighbors, Mr. David Yow (from 57 Hilltop Road) and Mr. Adam Carter (from 59 Hilltop Road), spoke at the meeting. They expressed concerns about:

- The two-story design in a neighborhood of primarily single-story ranchers
- The placement at the highest elevation point maximizing visual impact
- Headlights from the driveway potentially shining into their homes
- The size and scale not being in harmony with the neighborhood character

After considerable discussion, the applicant decided to withdraw the application temporarily to revise the plans and address the concerns raised.

DELIBERATION AND DETERMINATION:

The application was withdrawn by the applicant with plans to submit revised plans for consideration at the September 22nd, 2025 meeting.

HEARING (Evidentiary):

Mr. Tony Williams presented the following facts: The property owner at 47 Forest Road was presenting plans for multiple wall accessory structures within the front yard. The first proposed retaining wall would be approximately 4 feet tall, 105 linear feet, and located within the front yard. The second wall would be 5 feet tall, 76 linear feet, and also located within the front yard, but located within the side setback as well. The application did not meet the requirements for location and setbacks for accessory structures and therefore required a variance.

Mr. Steven Lee Johnson, landscape architect for Janet and Taylor Sword, explained that the project included a small but impactful architectural renovation and addition, which includes a new front porch and bedroom, as well as additions to an existing back porch. The primary scope of the project as it impacts the neighborhood is to reconstruct and realign their driveway.

The goals of the project were to:

1. Create a more pleasing entry to the property
2. Remove the existing steep asphalt drive

3. Provide needed guest parking at the front door
4. Provide a long-term planned maintenance solution and planting solution for an area that used to be fully wooded and is now in full sun

Ms. Janet Wentworth noted that she and her husband were business partners with Taylor Sword but would still be able to vote.

Ms. Lynn Keefer mentioned that during the site visit, they observed that the longer wall in front of the house would have buffering on both the backside (where cars park) and the front side (facing Forest Road). It was also noted that the applicants had discussed the project with their neighbor, particularly regarding the boulder wall planned for the side area between the two properties, and the neighbor was in agreement with the plan.

No objections were raised by board members or the public.

DELIBERATION AND DETERMINATION:

Ms. Lynn Kieffer moved that a Variance as requested be granted to Janet and Taylor Sword of 47 Forest Road and that the facts as recited by Tony Williams and his summation be accepted as findings of fact to support this grant. The board has inspected the site, and no neighboring property owner has objected. Further, she moved the board to find that granting this variance satisfied the applicable section of 153.110(d) paragraphs 1, 3, 4 would not be contrary to the public interest, owing to special condition, a literal enforcement of the provisions of this ordinance would, in this case, result in practical difficulty or unnecessary hardship. She further moved the board to find that the spirit of the ordinance would be observed, public safety and welfare secured, and substantial justice done. The applicant must report to the zoning administrator within 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 Rhoda Gross. The motion passed unanimously with all members voting "aye."

The meeting was adjourned with the next board meeting scheduled for Monday, September 22, 2025.

The next meeting is scheduled for Monday, September 22nd, 2025 at 4 pm.

The meeting was adjourned at pm.

ATTEST:

_____	_____
Greg Goosmann, Chairman	Laura Jacobs, Town Clerk

BOARD OF ADJUSTMENT MEETING

STAFF MEMORANDUM

September 22, 2025

CASE
Property Address: **Lot #11 Cedar Hill Rd**
Property Owner: **Chris and Karen Dirx**
Request: **Review of Landscaping Plan Associated with New Residential Construction and Variance for Accessory Structures in Front Yard**

Background

The property owners are presenting plans for a new home construction. As part of this construction, they have submitted the proposed tree removal and replacement schedule. The application does not meet the requirements set forth in the ordinance for accessory structures (carport and basketball goal) being located within the rear yard and will require a variance.

Board of Adjustment Review for New House Construction

Landscaping and grading plans with land disturbance of twenty percent or more will require the Board's approval. The pertinent section, Chapter 153.034, is attached.

Variance

The proposed structures do not comply with the placement being within the rear yard, therefore would require a variance. Section 153.110 (D) (attached) addresses the approval requirements for a variance.

153.034 LANDSCAPING AND GRADING PLANS, LAND DISTURBANCE, AND SEDIMENTATION CONTROL.

(A) *Plans required*. A landscaping and grading plan, as defined in the town's zoning application process, are required for any or all of the following activities.

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

(2) Any residential construction activity that results in an addition of greater than 500 square feet of roof coverage.

(3) Any non-residential construction activity as defined in § 153.061.

(B) All landscape and grading plans shall demonstrate compliance with the town's tree protection and preservation regulations as found in §§ 153.050 through 153.059 and § 153.061(C) for existing residential and non-residential tree maintenance and new construction activities, respectively.

(C) *Pre-construction conference and supervision*.

(1) Prior to the commencement of any pre-construction land-clearing or soil disturbance, a pre-construction conference will take place between a representative of the town and the applicant to review procedures for protection and management of protected trees and other landscape elements identified in the approved landscape plan. The applicant will designate one or more persons responsible for ensuring the protection of new or existing landscaping elements to be preserved. The responsible person shall be present on site whenever activity is taking place that could damage or disturb such landscape elements, and will notify the Ordinance Administrator that such activity is taking place.

(2) The applicant shall provide the following at least seven days prior to the pre-construction conference.

(a) Approved landscaping plan, showing all protected and unprotected trees to be removed, and all replacement trees to be planted.

(b) Chart showing the quantity of trees, scientific species name, and tree designation (protected, unprotected, or tree of preference) and replacement quantities required.

(c) Final grading plan showing tree preservation limits and limits of disturbance.

(D) *Construction supervision and additional compliance requirements*.

(1) The town shall have developed sites inspected periodically to ensure work is conforming to the approved landscape plan and the applicable sections of this subchapter. Prior to the commencement of any pre-construction land-clearing or soil disturbance, the developer/contractor shall be required to sign a document agreeing to abide by the conditions stipulated in this subchapter. At the option of the town, a compliance bond may be required.

(2) Compliance with G.S. § 113A-54. Where applicable, all proposed development projects or land-disturbing activities shall comply with G.S. § 113A-54, and *Rules and Regulations for Erosion and Sediment Control* as established by the State

Sedimentation Control Commission, State Department of Natural Resources and Community Development.
(Ord. passed 10-19-1983; Ord. passed 6-8-2021; Ord. 2023-05, passed 10-9-2023)

153.110 (D) *Variances*. Upon application, when unnecessary hardships would result from carrying out the strict letter of a zoning ordinance, the Board of Adjustment shall vary any of the provisions of the ordinance upon a showing of all of the following:

(1) Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property;

(2) The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from conditions that are common to the neighborhood or the public may not be the basis for granting a variance;

(3) The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship; and

(4) The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.
(Ord. passed 10-19-1983; Ord. passed 6-8-2021)

Editor's note:

This amendatory language was passed during a Board meeting, May 14, 2014

VARIANCE APPLICATION

Town of Biltmore Forest

Name
Anna Gay

Address
Lot #11 Cedar Hill Drive

Phone
(828) 230-7398

Email
kgay@carlton-edwards.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?
We would like to have a basketball goal and a carport in the auto court of the residence.

What does the ordinance require?
The ordinance requires accessory structures , shall not be located in any front yard.

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.
Putting the carport and basketball goal in a compliant area (rear or side yard) is not feasible due to the existing topography of the site. The other areas of the site are very sloped and would require more extensive and intrusive grading/disturbance area to be able to have a space for this use. The proposed location utilizes the space that will already be graded as part of the auto court, will be discreet, and will be downhill of Cedar Hill Drive as well as the neighboring property, which will further make it unobtrusive.

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

The hardship did not result from actions taken by the applicant or the property owner.
The hardship did not result from actions taken by the applicant or property owner. The topography is existing.

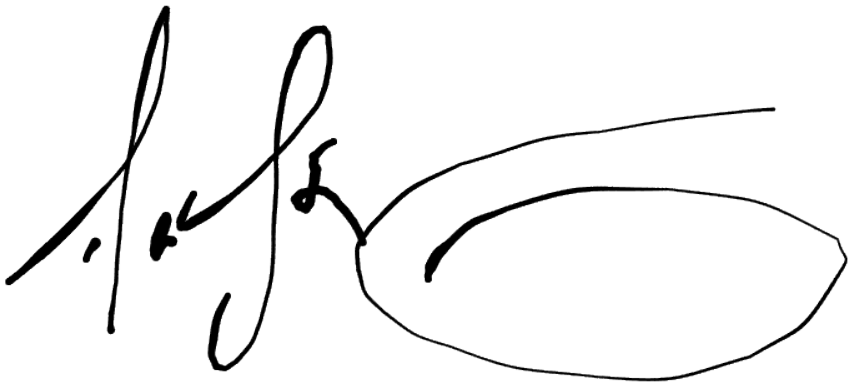
The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.
The requested variance is consistent with the spirit, purpose and intent of the ordinance. It promotes family

well-being and health, does no harm to neighbors or the community, will be unobtrusive, kept in good condition, the surroundings will be consistent with the character of the architecture and it will not diminish aesthetics to or from 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
9/2/2025



Have you paid the $300 varience application fee? Your permit application will not be reviewed until payment has been received. You can visit the link below to pay. Copy & paste the link in your browser.
Yes

Zoning Compliance Application

Town of Biltmore Forest

Name
Anna Gay

Property Address
Lot #11 Cedar Hill Drive

Phone
(828) 230-7398

Email
kgay@carlton-edwards.com

Parcel ID/PIN Number
9646-54-0152

ZONING INFORMATION

Current Zoning
R-1

Lot Size
2.559

Proposed Roof Coverage Total
5486

Proposed Impervious Surface Coverage
7432

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'-2"

Description of the Proposed Project
This is a two story, 4500 SF modern residence on a sloped, wooded site with a meandering driveway through the trees ending at an auto court banked into the hillside. The exterior materials of the home are durable and natural in appearance and the residence affords distant mountain views yet privacy from neighboring properties.

Estimated Start Date
1/1/2026

Estimated Completion Date
2/1/2028

Estimated Cost of Project
$2,263,000.00

Supporting Documentation (Site Plan, Drawings, Other Information)
2025-08-25 Dirx Residence Zoning Submittal.pdf

Applicant Signature

Date
8/25/2025

PROJECT PARTICIPANTS

OWNER
KAREN AND CHRIS DIRX
357 LONG COVE DR
HILTON HEAD, SC 29928

ARCHITECT
CARLTON ARCHITECTURE, PA.
CONTACT: ROB CARLTON, AIA
P.O. BOX 7466
ASHEVILLE, NC 28802
828 274-7554 OFFICE
828 274-7512 FAX
rob@carlton-edwards.com

BUILDER
CARLTON EDWARDS CONSTRUCTION, INC.
CONTACT: ROB CARLTON
P.O. BOX 7466
ASHEVILLE, NC 28802
828 274-7554 OFFICE
828 274-7512 FAX
GC LICENSE #: 66905
rob@carlton-edwards.com

STRUCTURAL ENGINEER
MULHERN + KULP
CONTACT: SHAUN KREIDEL, PE
300 BROOKSIDE AVENUE, BLDG. 4
AMBLER, PA 19002
770 777-0074 OFFICE
skreidel@mulhernkulp.com

PROJECT INFO AND LOCATION

LOT #11 CEDAR HILL DRIVE
BILTMORE FOREST, NC 28803

AREA TABULATION

HEATED	
MAIN LEVEL	2609 SF
LOWER LEVEL	1973 SF
TOTAL HEATED	4582 SF
UNFINISHED	
STORAGE/MECH	681 SF
STORAGE/MECH	252 SF
GARAGE	747 SF
TOTAL UNFINISHED	1680 SF
EXTERIOR	
ML OUTDOOR LIVING	450 SF
ML FRONT ENTRY	133 SF
LL OUTDOOR LIVING	299 SF
LL GRILL PORCH	144 SF
OUTDOOR SPA	528 SF
TOTAL EXTERIOR	1554 SF
TOTAL PLANNED	
	7817 SF

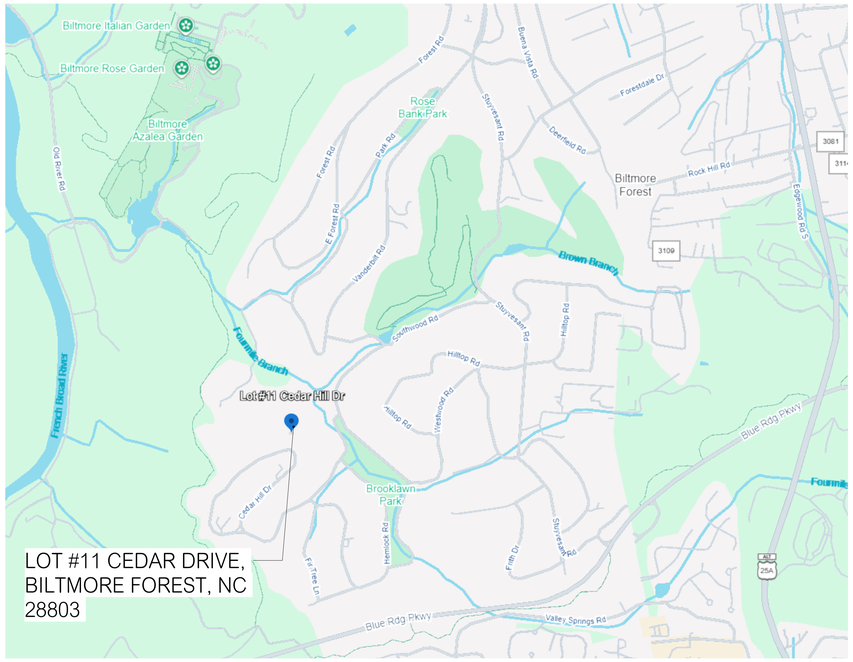
TOWN OF BILTMORE FOREST

2018 NC RESIDENTIAL CODE
CLIMATE ZONE: 4A
DESIGN WIND SPEED: 115 MPH

WINDOWS: 0.35 U-VALUE
CEILINGS: R-38
WOOD FRAME WALLS: R-19
MASS WALLS: R-13
FLR.: R-19
BASEMENT WALLS: R-10 C.I. OR R-15
SLAB R-VALUE & DEPTH: 10 - 2'-0"
CRAWL SPACE WALL: R-10/15

FROST LINE DEPTH = 18" BELOW GRADE PER BUNCOMBE COUNTY. BUILDER TO VERIFY

LOCATION MAP



LOT #11 CEDAR DRIVE,
BILTMORE FOREST, NC
28803

DRAWING INDEX

SHEET NUMBER	SHEET NAME	PERMIT SET	CONTRACT SET	REVISION
A0.01	TITLE SHEET			
A1.00	SITE SURVEY			
A1.01	LANDSCAPE SITE PLAN			
A1.02	GRADING AND DRAINAGE PLAN			
A1.03	SITE DETAILS			
A2.00	FOUNDATION PLAN			
A2.01	ML FLOOR FRAMING PLAN			
A2.03	ROOF FRAMING PLAN			
A2.04	LOWER LEVEL PLAN			
A2.05	MAIN LEVEL PLAN			
A2.06	ROOF PLAN			
A2.07	LOWER LEVEL RCP			
A2.08	MAIN LEVEL RCP			
A2.09	CARPORT			
A3.00	ELEVATIONS			
A3.01	ELEVATIONS			
A3.02	ELEVATIONS			
A3.03	ELEVATIONS			
A4.00	BLDG SECTIONS			
A4.01	BLDG SECTIONS			
A4.02	BLDG SECTIONS			
A4.03	BLDG SECTIONS			

ABBREVIATIONS

AC	acoustic
ACT	acoustic ceiling tile
AD	access door
ADJ	adjacent
AFF	above FIN.ed FLR.
ALT	alternate
ALUM	aluminum
AP	access panel
BEV	beveled
BLDG	building
BO	bottom of
BLKG	blocking
BRD	board
BRG	bearing
CAB	cabinet
CER	ceramic
CJ	control joint
CL	closet
CLG	ceiling
CLR	clear(ance)
CMU	concrete masonry unit(s)
CO	cased opening
COL	column
CONC	concrete
CONT	continuous
DEMO	demolish (demolition)
DET	detail
DF	drinking fountain
DIM	dimension
DISP	dispenser
DMT	demountable
DN	down
DNSP	downspout
DWG	drawing(s)
DWR	drawer
EA	each
EJ	expansion joint
EL	elevation
ELEC	electric(al)
ELEV	elevator
EQ	equal
EQUIP	equipment
EXIST	existing
EXP	expansion
EXT	exterior
FD	floor drain
FEC	fire extinguisher cabinet
FF	finished face
FG	fixed glass
FIN	finish(ed)
FLR	floor / flooring
FLSG	flashing
FNDN	foundation
FO	face of
FOC	face of concrete
FOF	face of framing
FOM	face of masonry
FOW	face of wall
FP	fire protection
FRGWB	fire-rated gypsum wallboard
FRP	fiber reinforced panel
FT	foot, feet
FTG	footing
FUT	future
GA	gage
GALV	galvanized
GC	general contractor
GL	glass, glazing
GWB	gypsum wallboard
H	high, height
HD HT	head height
HDWD	hardwood
HDWR	hardware
HM	hollow metal
HORIZ	horizontal
HC	handicapped
HVAC	heating, ventilation & air conditioning
INSUL	insulation
INT	interior
KD	kiln dried
LAV	lavatory
LCC	lead coated copper
LVL	laminated veneer lumber
LVR	louver
MAX	maximun
MDF	medium density fiberboard
MDO	medium density overlay
MECH	mechanical
MEMB	membrane
MFR	manufacturer
MIN	minimum
MISC	miscellaneous
MO	masonry opening
MLDG	moulding
MR	moisture resistant
MRGWB	gypsum wallboard
MTD	mounted
MTL	metal
NIC	not in contract
NOM	nominal
NTS	not to scale
OC	on center(s)
OD	outside diameter
OFCI	owner furnished contractor installed
OPNG	opening
OSB	oriented strand board
OPP	opposite
PAN	panel
PARTN	partition
PERF	perforated
PLAM	plastic laminate
PLBG	plumbing
PLY	plywood
POLY	polyethelene
PNBD	panelboard
PR	pair
PSF	pounds per square foot
PSI	pounds per square inch
PSL	parallel strand lumber
PTD	painted
PVC	Polyvinyl chloride
QT	quarry tile
R	riser
RAD	radius
REG	register
REQ'D	required
RET	return
REV	revised, revision(s)
RO	rough opening
SAF	self adhearing flashing
SAFB	sound attenuating fiberglass batt(s)
SAN	sanitary
SF	square foot (feet)
SIM	similar
SLNT	sealant
SPF	spruce/pine/fir
S/S	stainless steel
STD	standard
STL	steel
SUSP	suspend(ed)
SYP	southern yellow pine
T	tread
T&G	tongue and groove
TELE	telephone
THRU	through
TO	top of
TOB	top of beam
TOD	top of decking
TOF	top of footing
TOPL	top of plate
TOS	top of slab
TOSTL	top of steel
TOW	top of wall
TRTD	pressure treated wood
TYP	typical
UL	underwriters laboratory
UNF	unfinished
UNO	unless noted otherwise
VAR	varies
VB	vapor barrier
VCT	vinyl composition tile
VERT	vertical
W/	with
WC	water closet
WD	wood
WDW	window
WG	wire glass
W/O	without
WP	waterproof(ing)
WR	water resistant
WWF	welded wire fabric

LEGEND

- ROOM TAG
- REVISION CLOUD
- DETAIL TAG
- BUILDING SECTION TAG
- EXTERIOR ELEVATION TAG
- DETAIL TAG
- INTERIOR ELEVATION TAG
- WINDOW TAG
- DOOR TAG
- WALL TYPE TAG
- ELEVATION CHANGE TAG
- MATCH LINE
- STRUCTURAL BEAM ABOVE
- STRUCTURAL GRID
- ELEVATION MARKER
- DIMENSION TO CONTROL (FIN. SPECIFIC)
- ROUGH OPENING DIMENSION
- DIMENSION TO CENTERLINE

GENERAL NOTES

1. ALL WORK SHALL CONFORM TO APPLICABLE LOCAL AND NATIONAL CODES.
2. DO NOT SCALE DIMENSIONS FROM DRAWINGS. USE CALCULATED DIMENSIONS ONLY. NOTIFY THE ARCHITECT IMMEDIATELY IF ANY CONFLICTS EXIST.
3. ALL DIMENSIONS ARE TO FACE OF FRAMING AND CONC. / MASONRY WALLS UNLESS NOTED OTHERWISE.
4. CONTRACTOR SHALL VERIFY ALL CONDITIONS PRIOR TO INITIATING THE WORK. NOTIFY THE ARCHITECT OF ANY DISCREPANCIES.
5. VERIFY ALL ROUGH-IN DIMENSIONS FOR EQUIPMENT. PROVIDE ALL BUCK-OUT, BLOCKING, BACKING AND JACKS REQUIRED FOR INSTALLATION.
6. VERIFY LOCATION OF ALL EXISTING UTILITIES AND SLEEVING. CAP, MARK, AND PROTECT AS NECESSARY TO COMPLETE THE WORK.
7. ALL WOOD IN CONTACT WITH CONCRETE / MASONRY IS TO BE PRESSURE TREATED.
8. SERVICE WATER PIPES IN UNHEATED SPACES TO BE INSULATED.
9. PROVIDE AS-BUILT PLAN OF ALL UTILITY LOCATIONS.
10. FINISH HATCHES AND PATTERNS ARE FOR ILLUSTRATION PURPOSES ONLY AND ARE NOT REPRESENTATIVE OF DESIGN INTENT. FIELD VERIFICATION OF FINISH LAYOUTS IS REQUIRED.

FRAMING NOTES

1. ALL FRAMING SPANS SHOWN IN DRAWINGS TO BE VERIFIED BY LUMBER SUPPLIER OR LICENSED ENGINEER, FACTORING MEMBER SIZES, BEAM DEPTHS, WOOD SPECIES AND GRADE. LUMBER SUPPLIER TO OFFER ALTERNATE LUMBER SIZE AND SPECIFICATION WHERE NECESSARY WHILE KEEPING WITH ARCHITECTS DESIGN INTENT. MEMBERS DESIGNATED ON OR SCALED FROM THIS DOCUMENT ARE FOR DESIGN INTENT ONLY.
2. GENERAL CONTRACTOR TO COORDINATE FRAMING WITH MECHANICAL SYSTEMS, PLUMBING, OR OTHER REQUIRED BUILDING COMPONENTS.
3. GENERAL CONTRACTOR TO COORDINATE FRAMING COMPLIANCE WITH NORTH CAROLINA BUILDING CODE.
4. WOOD FLR. JOISTS SHOULD BE DOUBLED UNDER INTERIOR PARTITION WALLS WHERE WALL IS PARALLEL TO FRAMING; CONTINUOUS BLOCKING TO BE PROVIDED WHERE WALLS ARE PERPENDICULAR. OTHER SOLUTIONS MAY SPECIFIED BY PRODUCT MANUFACTURER
5. RAFTER SIZES SHOULD BE SIZED TO ACCOMMODATE CHOSEN ROOFING MATERIAL. CONTRACTOR TO COORDINATE.
6. ALL FRAMING TO BE 2X6 UNLESS OTHERWISE NOTED.

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

Revision Schedule

No.	Issuance	Date

NOT FOR CONSTRUCTION

PROJECT NAME AND LOCATION
DIRX RESIDENCE LOT #11
CEDAR HILL DRIVE
BILTMORE FOREST, NC 28803

PROJECT NUMBER 24.04

DRAWN BY Author
CHECKED BY Checker

DESIGN DEVELOPMENT
DATE: 2025-09-11

TITLE SHEET

A0.01

COPYRIGHT 2025
CARLTON EDWARDS

PLOT INFO: 9/11/2025 1:28:11 PM

NOTES:

1) THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY PER D.F.I.R.M.#3700964600J - EFFECTIVE DATE: JANUARY 6, 2010.

2) PROPERTY SUBJECT TO ALL RIGHTS-OF-WAY AND EASEMENTS OF RECORD, INCLUDING, BUT NOT LIMITED TO, THOSE SHOWN HEREON.

3) SURVEYOR WAS NOT PROVIDED WITH A LEGAL TITLE SEARCH. THERE MAY EXIST EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS PERTINENT TO THIS PROPERTY THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE THAT ARE NOT SHOWN ON THIS PROPERTY.

4) BUILDINGS, SURFACE AND SUBSURFACE IMPROVEMENTS ADJACENT TO THE SITE ARE NOT NECESSARILY SHOWN. SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT SURVEYED OR CONSIDERED AS PART OF THIS SURVEY. NO EVIDENCE OR STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND CONDITIONS, CONTAINERS, OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY.

5) AREA BY COORDINATE COMPUTATION.

6) ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.

7) SUBJECT PROPERTY IS ZONED 'R-1' PER THE TOWN OF BILTMORE FOREST ZONING ORDINANCE. REFER TO THIS ORDINANCE FOR REGULATIONS APPLICABLE TO THE SUBJECT PROPERTY.

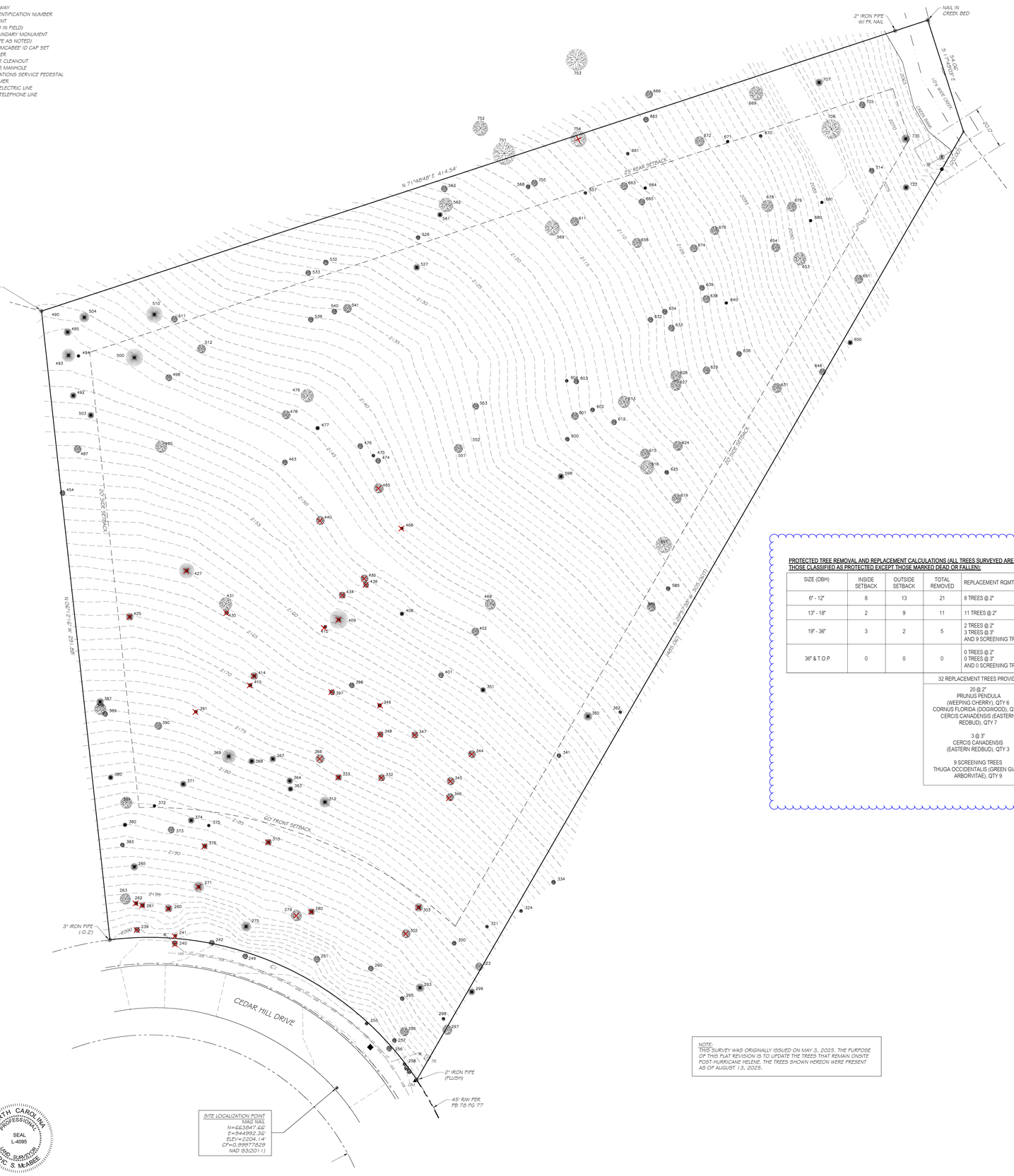
BUILDING SETBACKS (PER R-1 CLASSIFICATION):
FRONT= 60'
SIDE= 20'
REAR= 25'

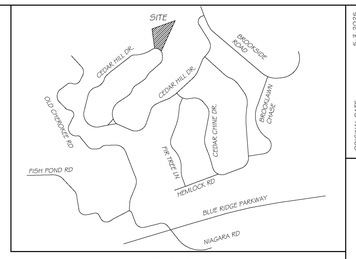
REFERENCES:

- DB 6395 PG 1433
- PB 78 PG 77

LEGEND & ABBREVIATIONS :

FB= FLAT BOOK.
DB= DEED BOOK.
PG= PAGE
R/W= RIGHT OF WAY
FN#= PARCEL IDENTIFICATION NUMBER
CALCULATED POINT (NOT MARKED IN FIELD)
RECOVERED BOUNDARY MONUMENT (SIZE AND TYPE AS NOTED)
#4 REBAR WITH 'MCABBE' ID CAP SET
GM= GAS MARKER
SANITARY SEWER CLEANOUT
SANITARY SEWER MANHOLE
TELECOMMUNICATIONS SERVICE PEDESTAL
TR= TRANSFORMER
UGE — UNDERGROUND ELECTRIC LINE
UT — UNDERGROUND TELEPHONE LINE
W — WATER LINE
WATER METER





VICINITY MAP
NOT TO SCALE

TOTAL AREA OF SURVEY 2.559 ACRES

PROPERTY CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	140.92'	163.76'	N 65°29'48" W	155.63'

PROTECTED TREE REMOVAL AND REPLACEMENT CALCULATIONS (ALL TREES SURVEYED ARE THOSE CLASSIFIED AS PROTECTED EXCEPT THOSE MARKED DEAD OR FALLEN):

SIZE (DBH)	INSIDE SETBACK	OUTSIDE SETBACK	TOTAL REMOVED	REPLACEMENT RQMT
6" - 12"	8	13	21	8 TREES @ 2"
13" - 18"	2	9	11	11 TREES @ 2"
19" - 36"	3	2	5	2 TREES @ 2" 3 TREES @ 3" AND 9 SCREENING TREES
36" & T.O.P.	0	0	0	0 TREES @ 2" 0 TREES @ 3" AND 0 SCREENING TREES
				32 REPLACEMENT TREES PROVIDED

20 @ 2"
PRUNUS PENDULA
(WEEPING CHERRY), QTY 6
CORNUS FLORIDA (DOGWOOD), QTY 7
CERCIS CANADENSIS (EASTERN REDBUD), QTY 7

3 @ 3"
CERCIS CANADENSIS
(EASTERN REDBUD), QTY 3

9 SCREENING TREES
THUGA OCCIDENTALIS (GREEN GIANT ARBORVITAE), QTY 9

TREE TABLE

TREE NO.	SPECIES & SIZE	TREE NO.	SPECIES & SIZE
239	Poplar 10	478	Maple 16
240	Poplar 10	479	Red Oak 24
241	Birch 6	485	Poplar 22
242	Poplar 10	487	Red Oak 14
249	Poplar 10	492	White Pine 12
251	Poplar 12	493	White Pine 24
255	Poplar 6	494	White Pine 6
256	Poplar 10	495	White Pine 14
257	Poplar 8	496	Maple 12
258	Maple 6	500	White Pine 32
260	White Pine 14	503	White Pine 12
261	White Pine 10	504	White Pine 18
262	White Pine 8	510	White Pine 30
263	Red Oak 20	511	Maple 12
265	White Pine 14	512	Maple 16
271	White Pine 20	526	Sourwood 8
275	White Pine 18	527	White Pine 12
279	Red Oak 20	532	Sourwood 10
280	White Pine 12	533	Maple 10
290	Sourwood 10	539	Maple 10
293	White Pine 16	540	Maple 10
295	Sourwood 8	541	White Oak 16
296	White Oak 16	551	Maple 16
297	Black Gum 18	553	Sourwood 12
298	Sourwood 6	561	White Pine 10
299	White Pine 12	562	White Oak 26
300	Sourwood 8	563	Sourwood 12
302	Black Oak 16	568	Sourwood 8
303	White Pine 16	569	Red Oak 28
310	White Pine 12	585	Red Oak 16
312	White Pine 20	589	Sourwood 8
321	Sourwood 6	591	Red Oak 30
323	Black Oak 14	598	White Pine 12
324	White Oak 6	600	Sourwood 8
332	Sourwood 12	601	White Oak 14
333	White Pine 12	602	Maple 8 & 8
334	Sourwood 8	603	Sourwood 10
341	Sourwood 8	604	Sourwood 6
344	White Oak 14	611	White Oak 16
345	White Oak 14	612	Sourwood 10
346	Sourwood 14	613	Poplar 22
347	Poplar 12	615	White Oak 18
348	Maple 10	616	Poplar 26
349	White Pine 8	619	White Oak 18 &
351	White Pine 10	622	White Oak 30
360	White Pine 16	624	White Oak 18
362	Sourwood 6	625	Black Gum 8
363	Hemlock 10	627	Maple 20
364	White Pine 12	628	Poplar 20
366	Red Oak 16 (DEAD)	629	Poplar 14
367	White Pine 12	631	White Oak 18
368	White Pine 12	632	Black Gum 10
369	White Pine 26	633	White Oak 12
371	White Pine 12	634	Maple 10
372	White Pine 6	636	Maple 10
373	Red Oak 12	638	Maple 14
374	White Pine 12	639	Sourwood 10
375	White Pine 6	640	White Pine 6
376	White Pine 10	646	Sourwood 12
380	White Pine 10	650	White Pine 10
381	Red Oak 22	651	White Oak 16
382	White Pine 8	653	Red Oak 24
383	Sourwood 8	654	Red Oak 16
387	White Pine 14	656	Poplar 18
388	Red Oak 22	657	Sourwood 6
389	Sourwood 10	661	Maple 6
390	Maple 14	662	Sourwood 10
391	Sourwood 6	663	Sourwood 14
397	Poplar 10	664	White Pine 6
398	Sourwood 10	665	Maple 12
401	Sourwood 10	666	Maple 14
402	Sourwood 14	669	Maple 26
408	White Pine 8	670	White Oak 6
409	White Pine 34	671	White Pine 6
410	Sourwood 6	672	Sourwood 18
414	White Pine 14	674	Sourwood 14
415	White Pine 8	676	Maple 16
425	White Pine 14	678	Poplar 22
427	White Pine 28	679	Poplar 18
430	Sourwood 8 & 6	680	White Pine 6
431	Red Oak 24	681	White Pine 6
434	White Oak 12	706	Red Oak 36
435	White Oak 14	707	Hemlock 14
436	Sourwood 10	714	Sourwood 10
440	White Oak 16	722	White Pine 12
454	Sourwood 10	725	Sourwood 12
463	Maple 10	735	White Pine 16
465	Chestnut Oak 18	750	Red Oak 32
466	White Pine 6	751	Red Oak 42 (FALLEN)
469	Red Oak 20	752	White Oak 26 (DEAD)
474	Sourwood 10	753	Poplar 40
475	Sourwood 6 & 6	754	Red Oak 30 (DEAD)
476	White Oak 10	755	Poplar 12
477	White Pine 8		

NOTE:
THIS SURVEY WAS ORIGINALLY ISSUED ON MAY 3, 2025. THE PURPOSE OF THIS PLAT REVISION IS TO UPDATE THE TREES THAT REMAIN ONSITE POST HURRICANE HELENE. THE TREES SHOWN HEREON WERE PRESENT AS OF AUGUST 13, 2025.

SITE LOCALIZATION POINT
NAD NAIL
N=663547.66'
E=944992.36'
ELEV=2204.14'
CF=0.99977829
NAD 83(2011)

I, ERIC S. MCABEE, CERTIFY THAT THIS PROJECT WAS COMPLETED UNDER MY SUPERVISION FROM AN ACTUAL TOPOGRAPHICAL GROUND SURVEY PERFORMED UNDER MY SUPERVISION; THAT THIS TOPOGRAPHICAL GROUND SURVEY WAS PERFORMED TO MEET NATIONAL MAP ACCURACY STANDARDS AS APPLICABLE; THAT THE ORIGINAL DATA WAS OBTAINED MAY 5TH, 2024; AND THAT ALL COORDINATES ARE LOCALIZED GROUND COORDINATES BASED ON THE NORTH AMERICAN DATUM (NAD83-2011). WITNESS MY ORIGINAL SIGNATURE AND SEAL THIS THE 3rd DAY OF MAY, 2024.

L-4095

I, ERIC S. MCABEE, CERTIFY:

THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY PERFORMED UNDER MY SUPERVISION; DEED DESCRIPTION RECORDED IN BOOK 6395 PAGE 1433; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN MULTIPLE DOCUMENTS SHOWN HEREON; THAT THE RATIO OF PRECISION AS CALCULATED BY LATITUDES AND DEPARTURES IS 1:10,000+; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE AND SEAL THIS THE 3rd DAY OF MAY, 2024.

THAT THIS SURVEY IS OF AN EXISTING PARCEL OF LAND, AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET, AS DESCRIBED IN G.S. 47-30 (F)(11)(C)(1).

L-4095

NORTH CAROLINA PROFESSIONAL SEAL L-4095 LAND SURVEYOR ERIC S. McABEE

SCALE: 1" = 20'
20' 10' 0' 20' 40' 60'

ORIGINAL DATE: 5-3-2025
REVISION DATE: 8-13-2025
PROJECT #: 14319
DRAWING #: 6-24-6033
DRAWN BY: ESM
SCALE: 1"=20'

BOUNDARY AND TOPOGRAPHIC SURVEY OF THE PROPERTY OF:

CHRISTIAN & KAREN DIRX

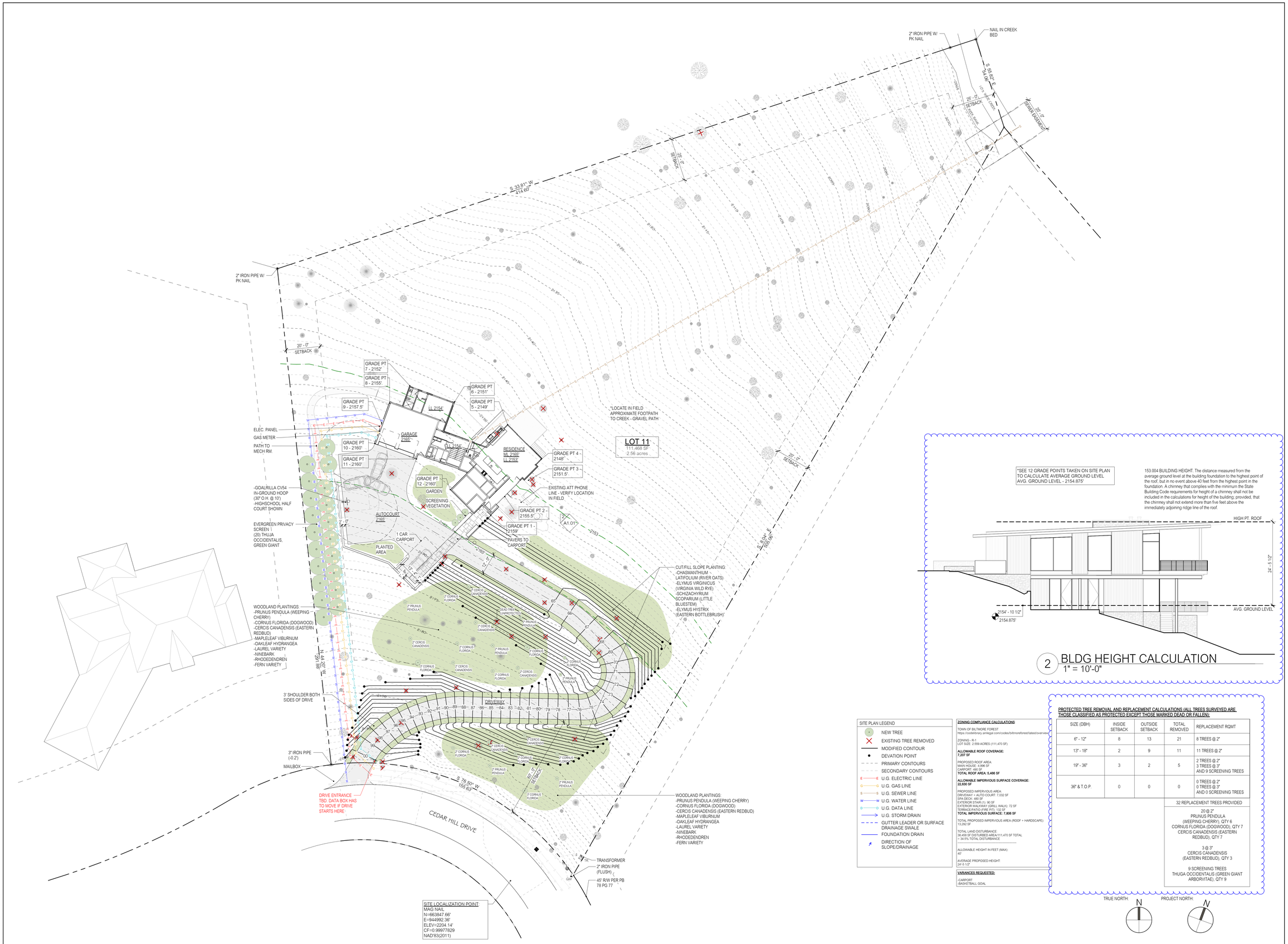
(BELING ALL OF LOT 11 - BLOCK W - BILTMORE FOREST)

TOWN OF BILTMORE FOREST
BUNCOMBE COUNTY, N.C.

PIN: 9646-54-0152

NO.	DATE	DESCRIPTION	BY
1	8/13/25	UPDATE TREE SURVEY	ESM

McABEE & ASSOCIATES, P.A.
PROFESSIONAL LAND SURVEYING
Eric S. McAbee, PLS
J. Barry West, PLS
Wallace S. McAbee, PLS (Emeritus)
3 McAbee Trail Fairview North Carolina, 28730
www. mcabeesurvey.com Firm License Number: C-694
Fax (828) 628-1294
Telephone (828) 628-1295



*SEE 12 GRADE POINTS TAKEN ON SITE PLAN TO CALCULATE AVERAGE GROUND LEVEL
AVG. GROUND LEVEL - 2154.875'

153.004 BUILDING HEIGHT. The distance measured from the average ground level at the building foundation to the highest point of the roof, but in no event above 40 feet from the highest point in the foundation. A chimney that complies with the minimum the State Building Code requirements for height of a chimney shall not be included in the calculations for height of the building; provided, that the chimney shall not extend more than five feet above the immediately adjoining ridge line of the roof.

HIGH PT. ROOF
24' - 5 1/2"
2154' - 10 1/2'
2154.875'
AVG. GROUND LEVEL

2 BLDG HEIGHT CALCULATION
1" = 10'-0"

1 SITE PLAN
1" = 20'-0"

PLOT INFO: 9/11/2025 1:28:18 PM

ARCHITECT:
CARLTON EDWARDS
P.O. BOX 7466
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828.274.7512 fax

Revision Schedule

No.	Issuance	Date

NOT FOR CONSTRUCTION

PROJECT NAME AND LOCATION
DIRX RESIDENCE LOT #11
CEDAR HILL DRIVE
BILTMORE FOREST, NC 28803

PROJECT NUMBER 24.04

DRAWN BY Author

CHECKED BY Checker

DESIGN DEVELOPMENT

DATE: 2025-09-11

LANDSCAPE SITE PLAN

A1.01

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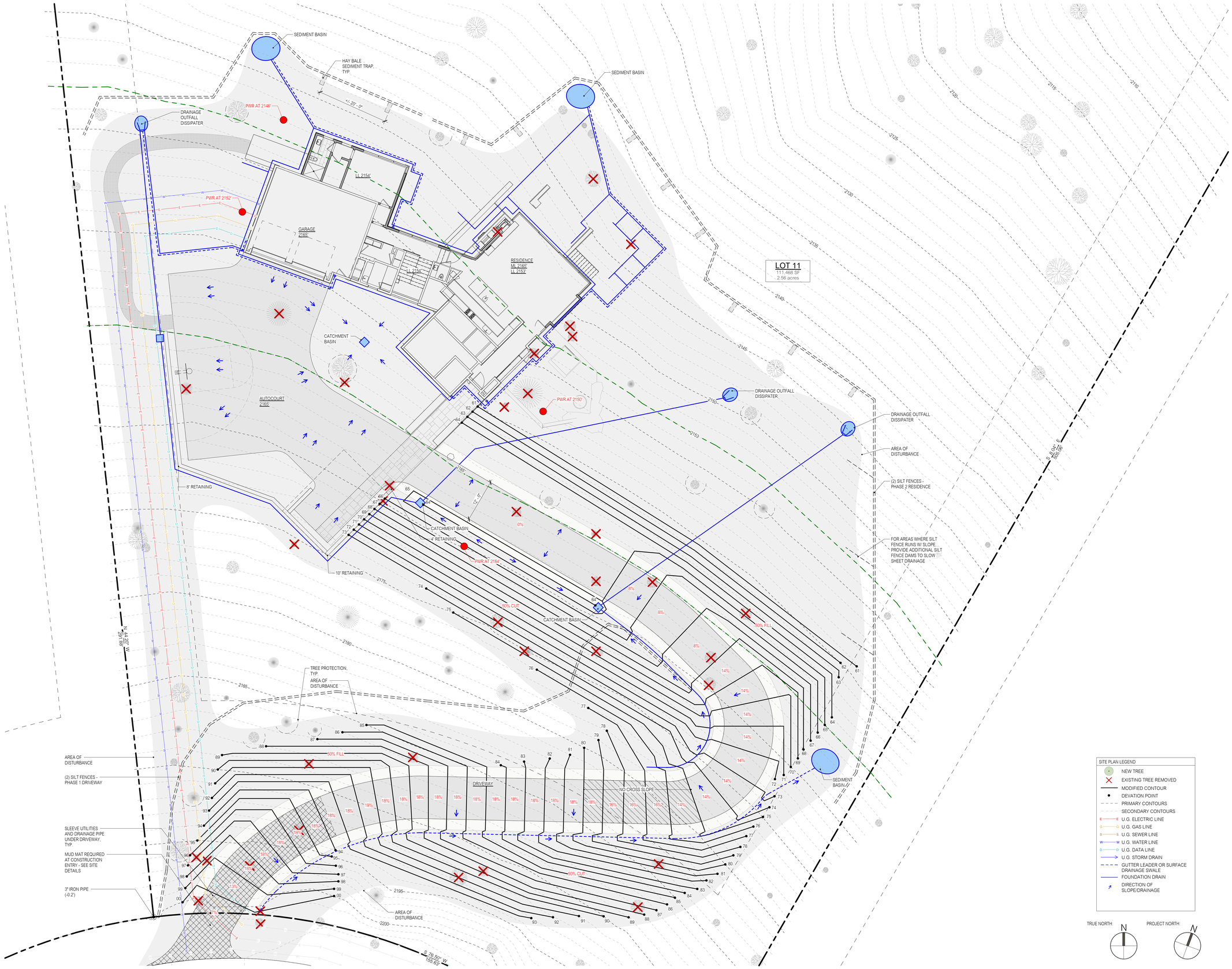

1 GRADING PLAN
1" = 10'-0"

ARCHITECT:

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24.04

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DESIGN DEVELOPMENT

DATE: 2025-09-11

GRADING AND DRAINAGE PLAN

A1.02

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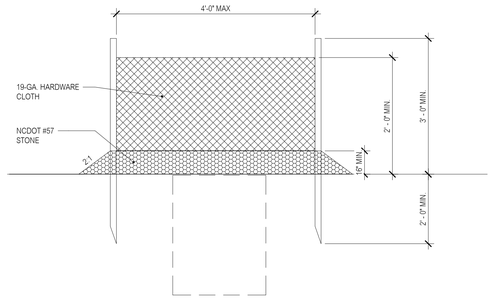
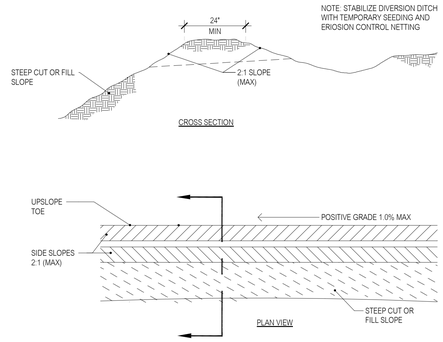
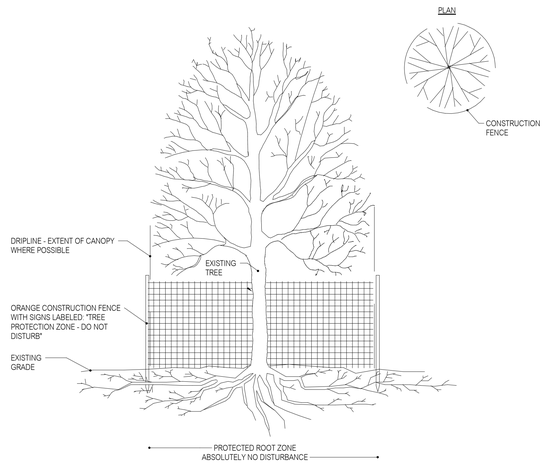


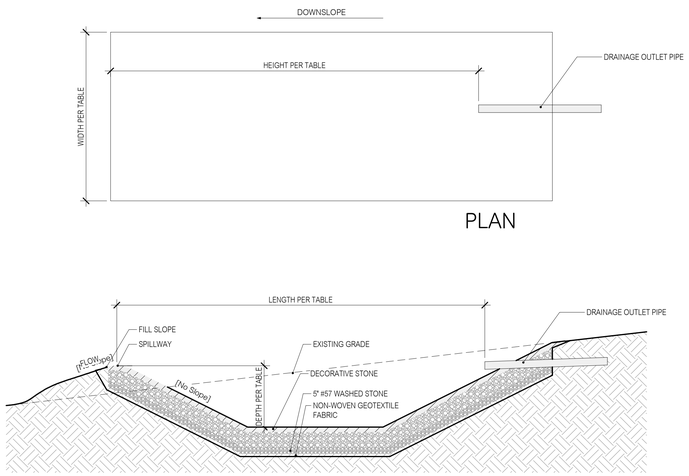
4 INLET PROTECTION
NTS



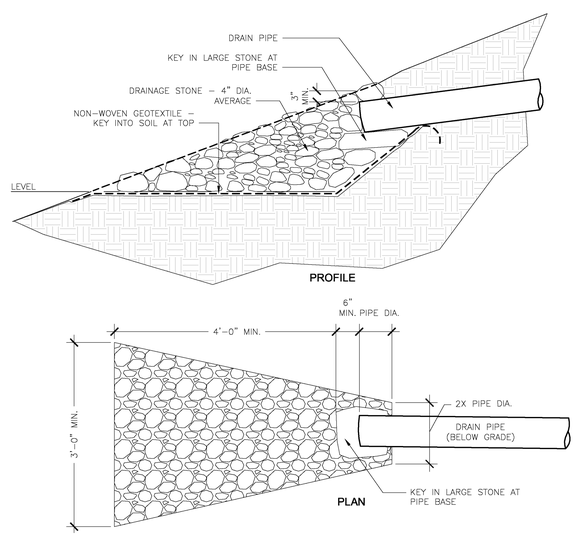
6 DIVERSION DITCH
NTS



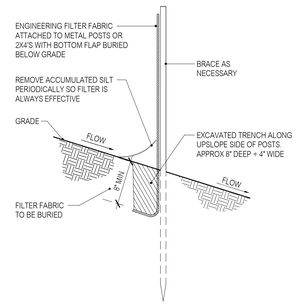
3 TREE PROTECTION
NTS



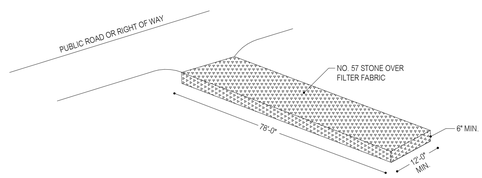
7 SEDIMENTATION BASIN
1/4" = 1'-0"



5 DRAIN OUTFALL DISSIPATER
NTS



2 SILT FENCE
NTS



1 CONSTRUCTION ENTRANCE
1/2" = 1'-0"

ARCHITECT:

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Revision Schedule

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NOT FOR CONSTRUCTION

PROJECT NAME AND LOCATION

DIRX RESIDENCE LOT #11
CEDAR HILL DRIVE
BILTMORE FOREST, NC 28803

PROJECT NUMBER 24.04

DRAWN BY Author

CHECKED BY Checker

DESIGN DEVELOPMENT

DATE: 2025-09-11

SITE DETAILS

A1.03

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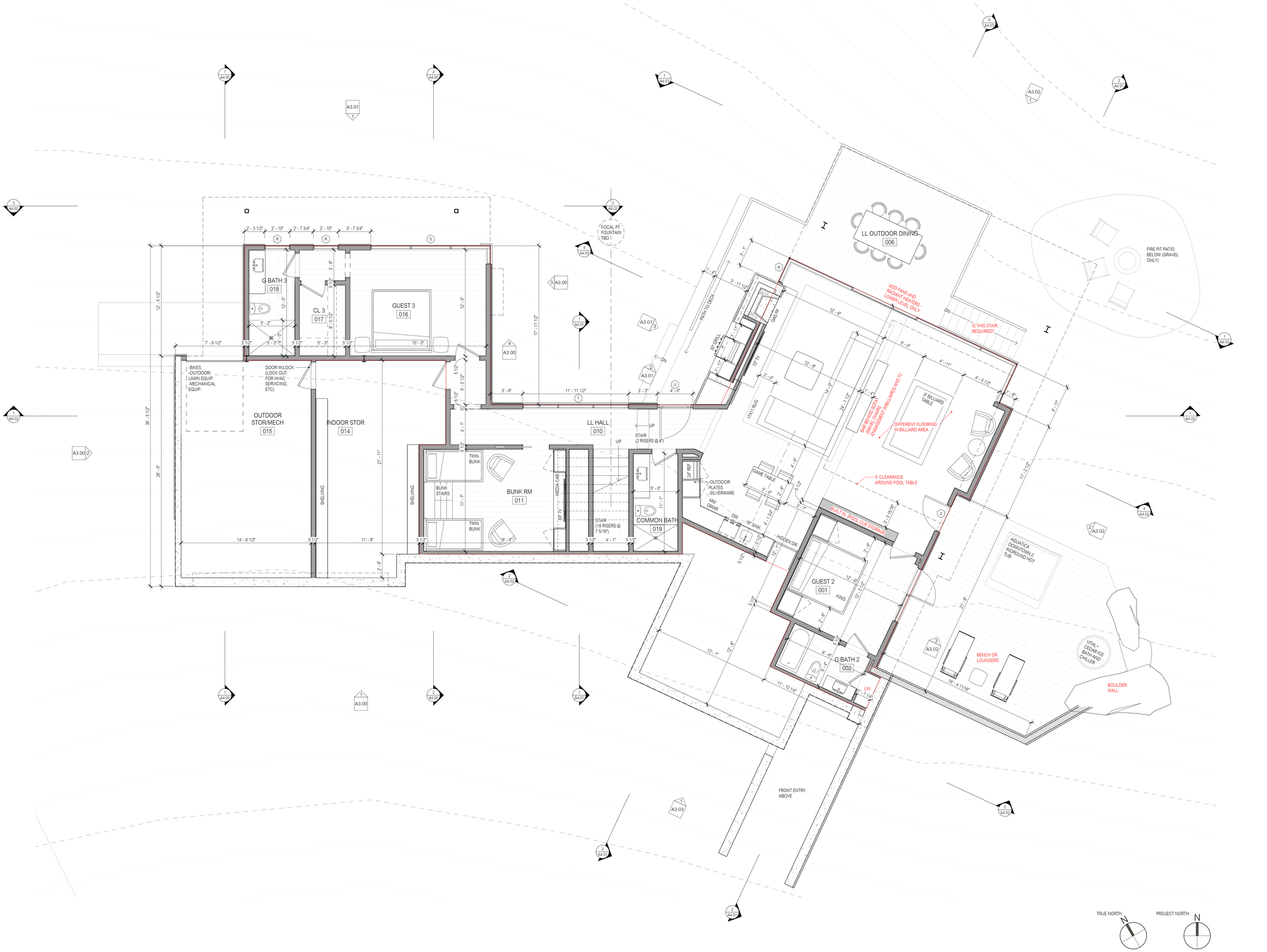

1 LOWER LEVEL PLAN
1/4" = 1'-0"

ARCHITECT:

CARLTON
EDWARDS

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Revision Schedule

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PROJECT NUMBER 24.04

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DATE: 2025-09-11

LOWER LEVEL PLAN

A2.04

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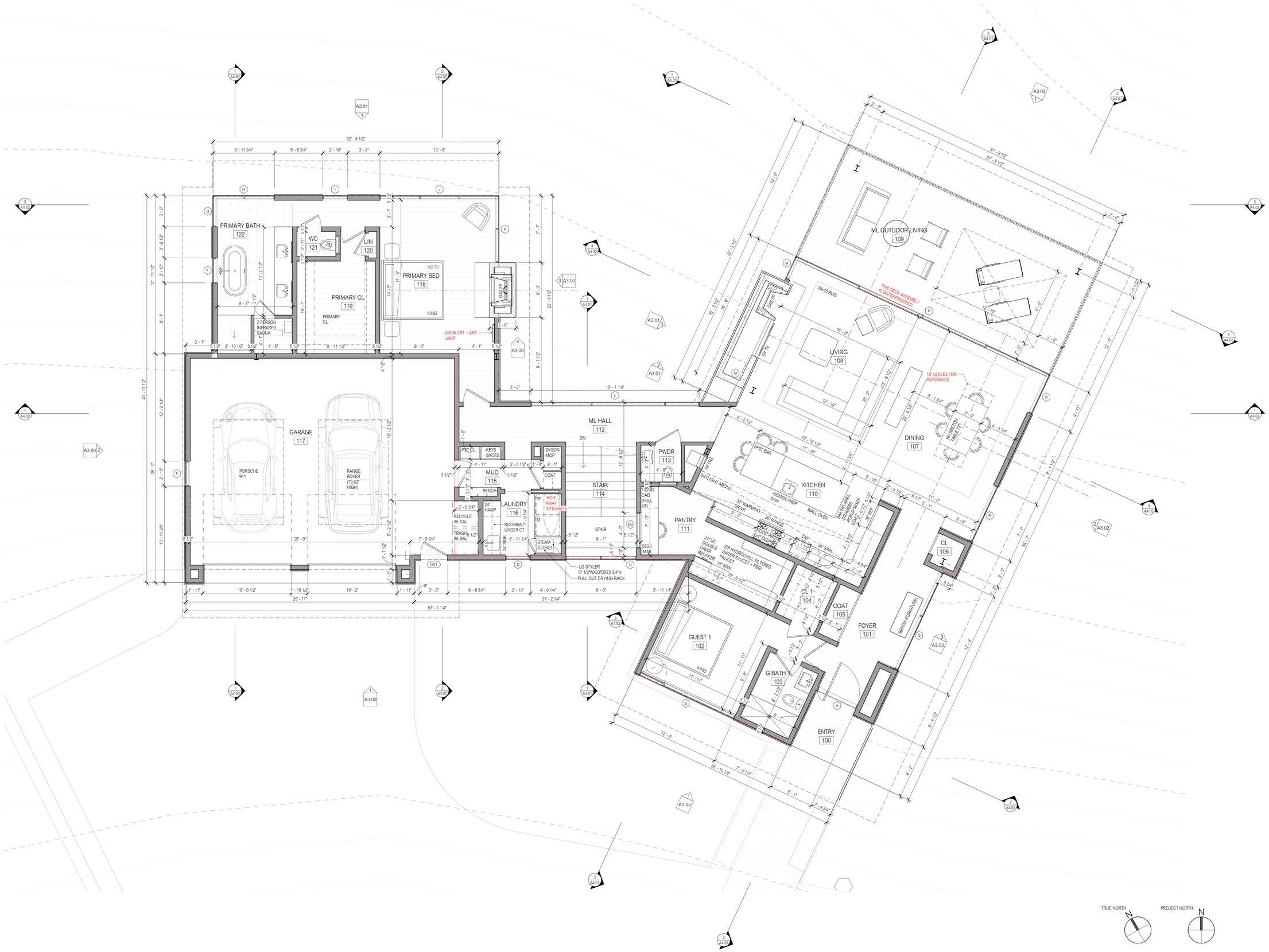

1 MAIN LEVEL PLAN
1/4" = 1'-0"

ARCHITECT:

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PROJECT NUMBER

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DATE: 2025-09-11

MAIN LEVEL PLAN

A2.05

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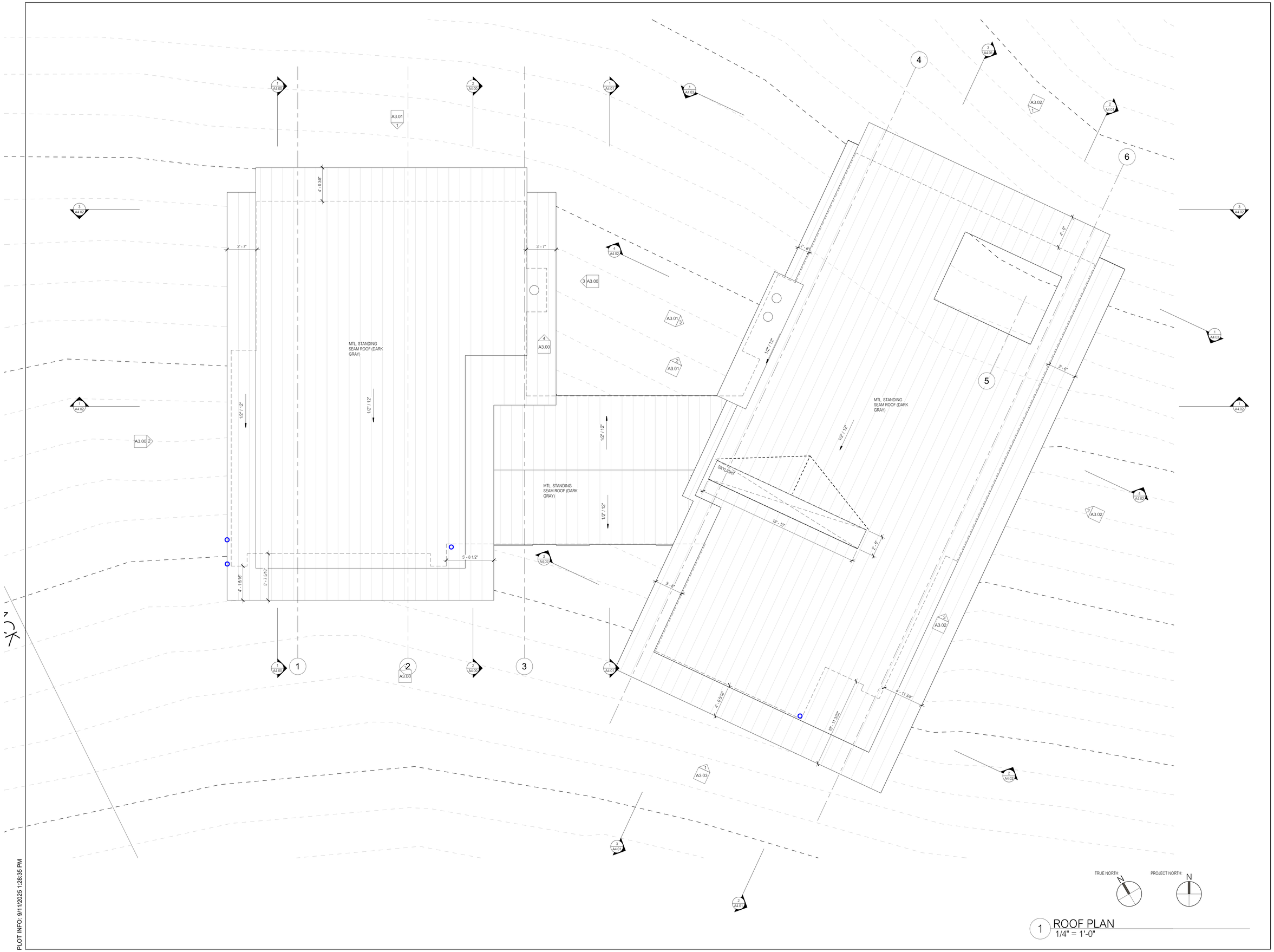

1 ROOF PLAN
1/4" = 1'-0"

TRUE NORTH

PROJECT NORTH

PLOT INFO: 9/11/2025 1:28:35 PM

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Revision Schedule

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NOT FOR CONSTRUCTION

PROJECT NAME AND LOCATION

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CEDAR HILL DRIVE
BILTMORE FOREST, NC 28803

PROJECT NUMBER

24.04

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ROOF PLAN

A2.06

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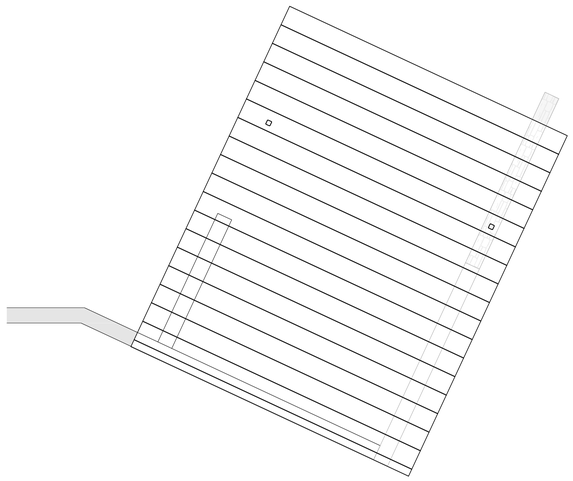
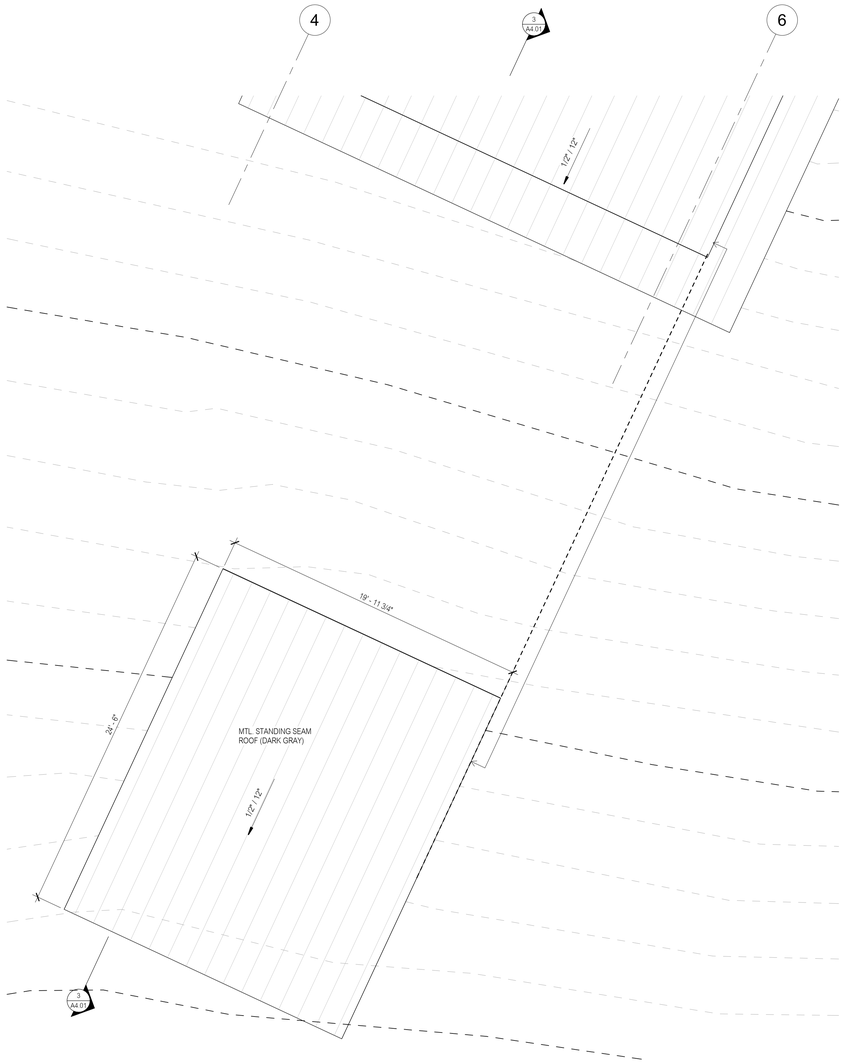
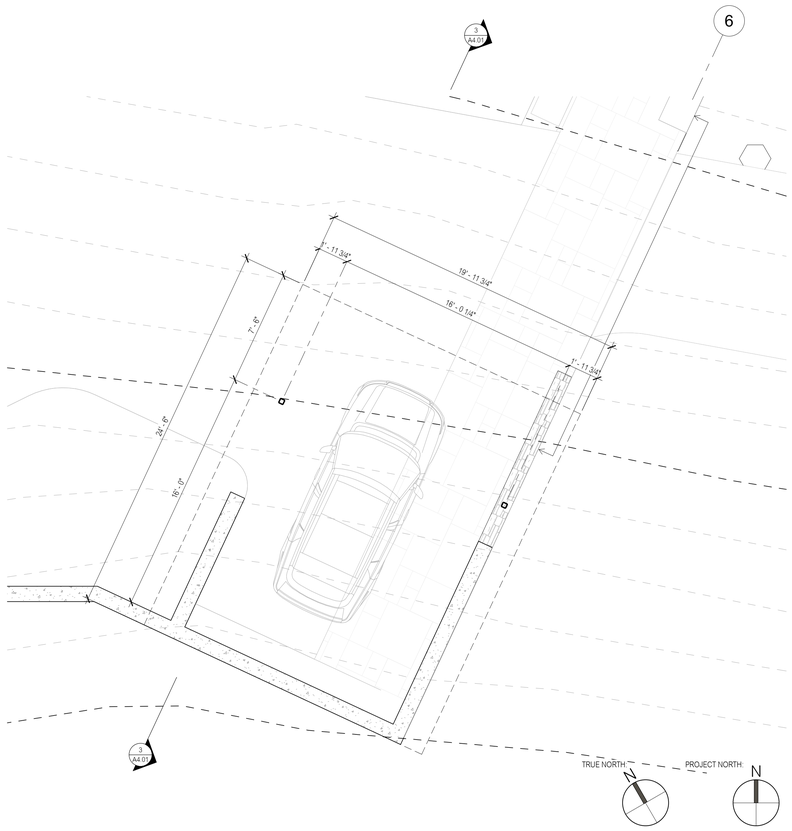


3 CARPORT - FRAMING PLAN
1/4" = 1'-0"



2 CARPORT - ROOF PLAN
1/4" = 1'-0"



1 CARPORT - FLOOR PLAN
1/4" = 1'-0"

ARCHITECT:

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Revision Schedule

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BILTMORE FOREST, NC 28803

PROJECT NUMBER 24.04

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DESIGN DEVELOPMENT

DATE: 2025-09-11

CARPORT

A2.09

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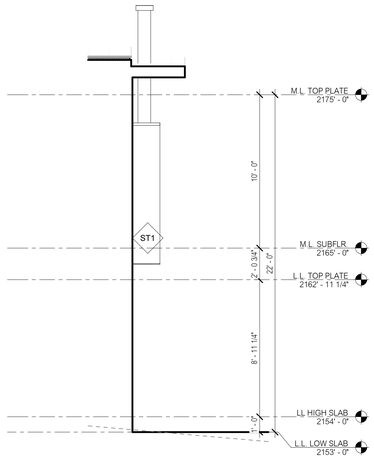
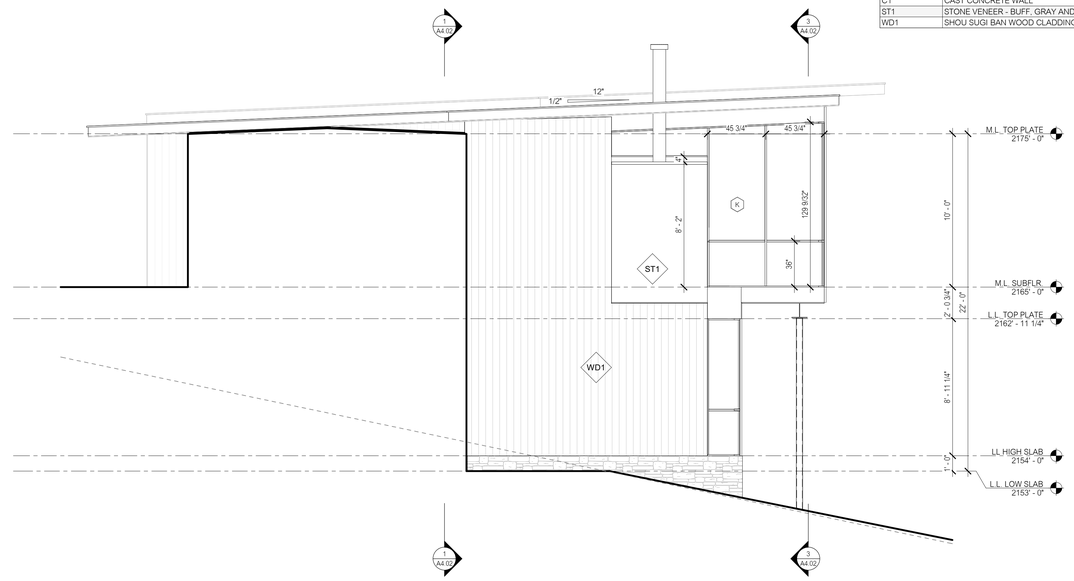
PLOT INFO: 9/11/2025 1:28:36 PM

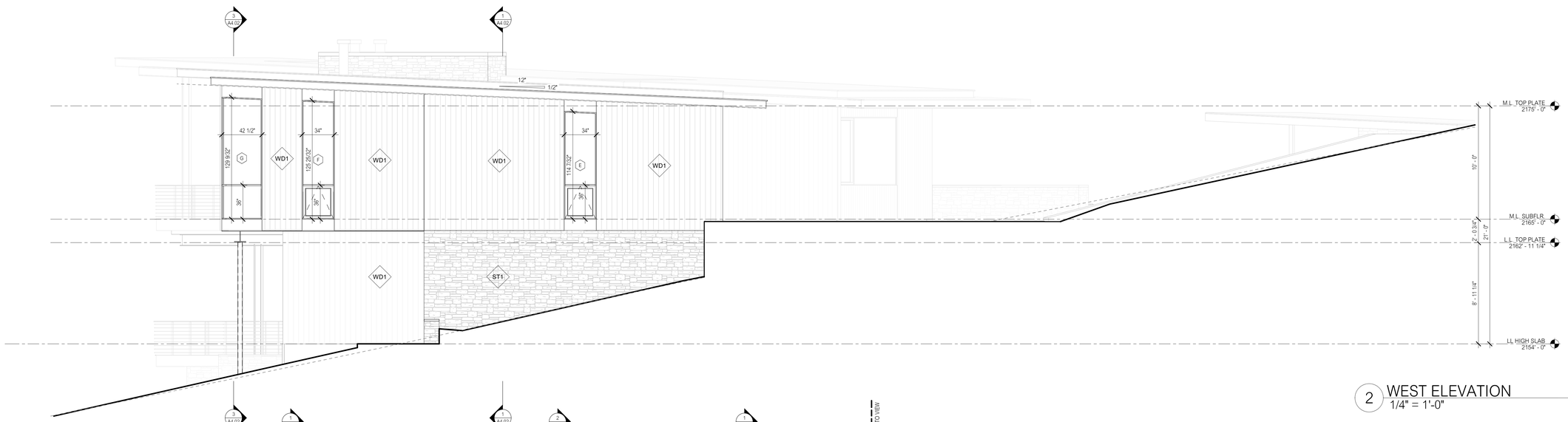
EXTERIOR MATERIAL SCHEDULE	
MARK	DESCRIPTION
C1	CAST CONCRETE WALL
ST1	STONE VENEER - BUFF, GRAY AND LIGHT BROWN MIX
WD1	SHOU SUGI BAN WOOD CLADDING - DARK GRAY



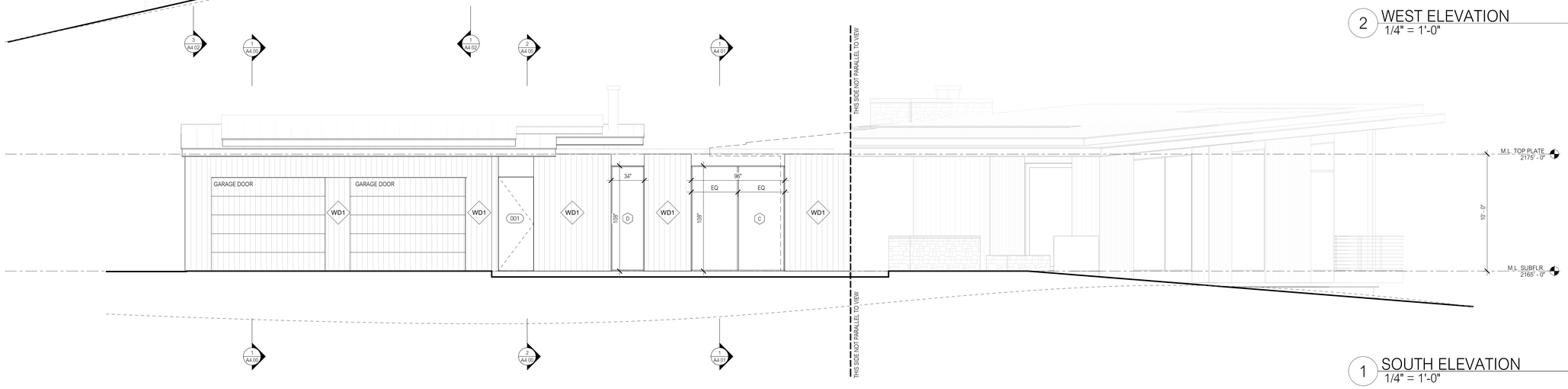
4 PRIM. BED CHIMNEY - SOUTH ELEVATION
1/4" = 1'-0"



3 COURTYARD - EAST ELEVATION
1/4" = 1'-0"



2 WEST ELEVATION
1/4" = 1'-0"



1 SOUTH ELEVATION
1/4" = 1'-0"

ARCHITECT:

CARLTON EDWARDS

P.O. BOX 7466
ASHEVILLE, NC 28802
828.274.7554 phone
828.274.7512 fax

Revision Schedule

No.	Issuance	Date

NOT FOR CONSTRUCTION

PROJECT NAME AND LOCATION

DIRX RESIDENCE LOT #11
CEDAR HILL DRIVE
BILTMORE FOREST, NC 28803

PROJECT NUMBER 24.04

DRAWN BY Author

CHECKED BY Checker

DESIGN DEVELOPMENT

DATE: 2025-09-11

ELEVATIONS

A3.00

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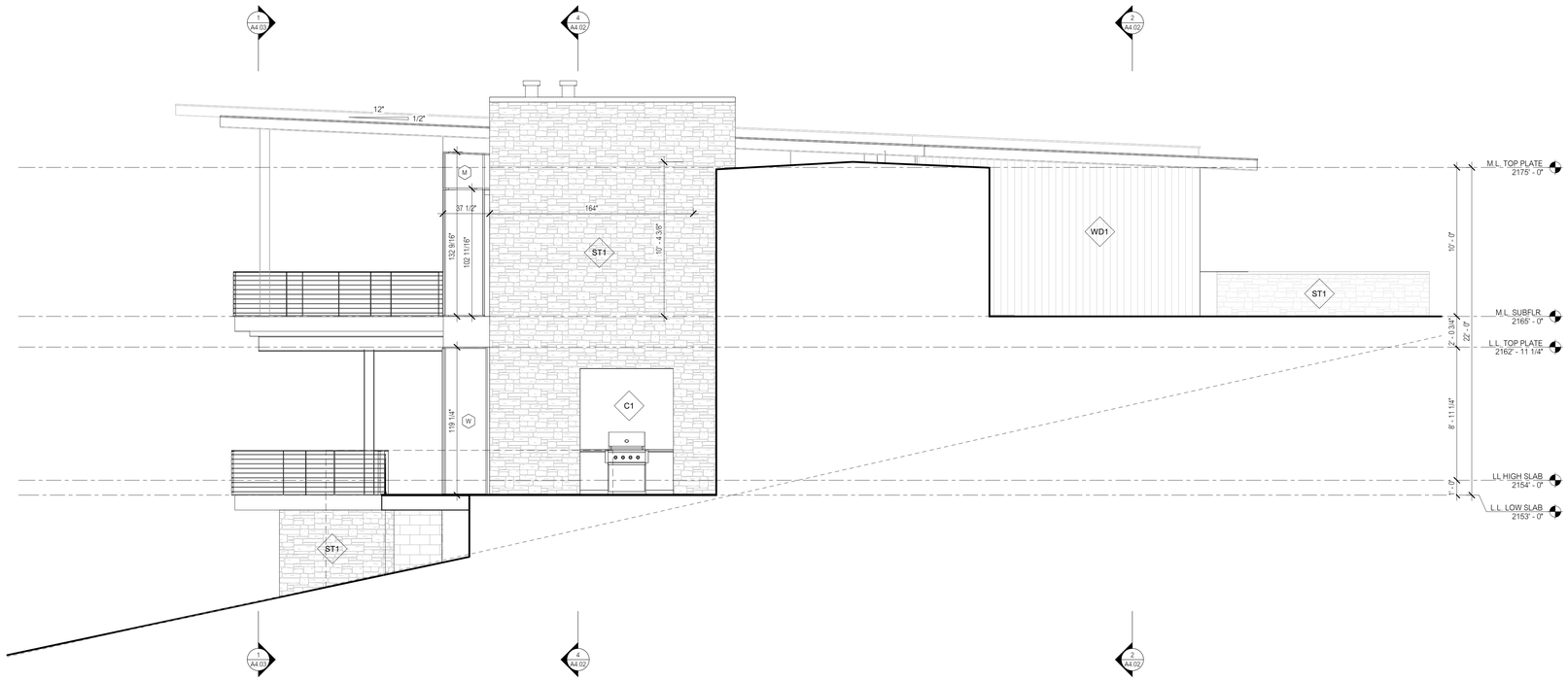
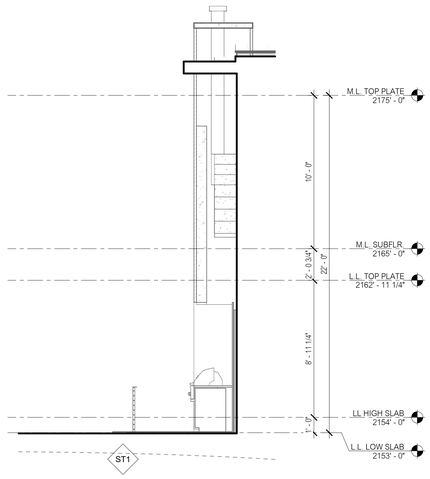
PLOT INFO: 9/11/2025 1:28:37 PM

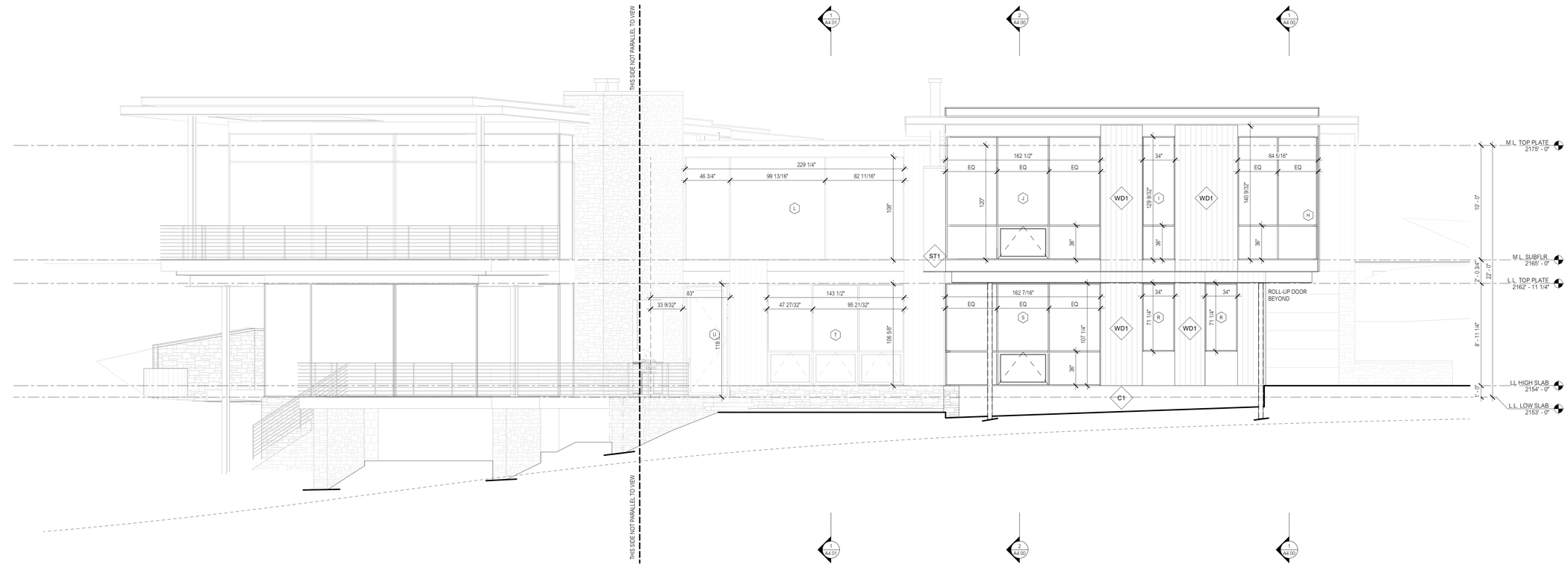
EXTERIOR MATERIAL SCHEDULE	
MARK	DESCRIPTION
C1	CAST CONCRETE WALL
ST1	STONE VENEER - BUFF, GRAY AND LIGHT BROWN MIX
WD1	SHOU SUGI BAN WOOD CLADDING - DARK GRAY



3 COURTYARD - WEST ELEVATION
1/4" = 1'-0"



2 LIVING CHIMNEY - SOUTH ELEVATION
1/4" = 1'-0"



1 NORTH ELEVATION
1/4" = 1'-0"

ARCHITECT:

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Revision Schedule		
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DIRX RESIDENCE LOT #11
CEDAR HILL DRIVE
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PROJECT NUMBER 24.04

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CHECKED BY Checker

DESIGN DEVELOPMENT

DATE: 2025-09-11

ELEVATIONS

A3.01

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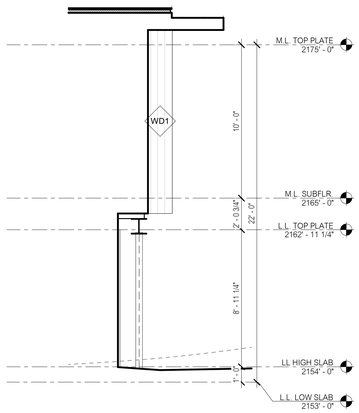
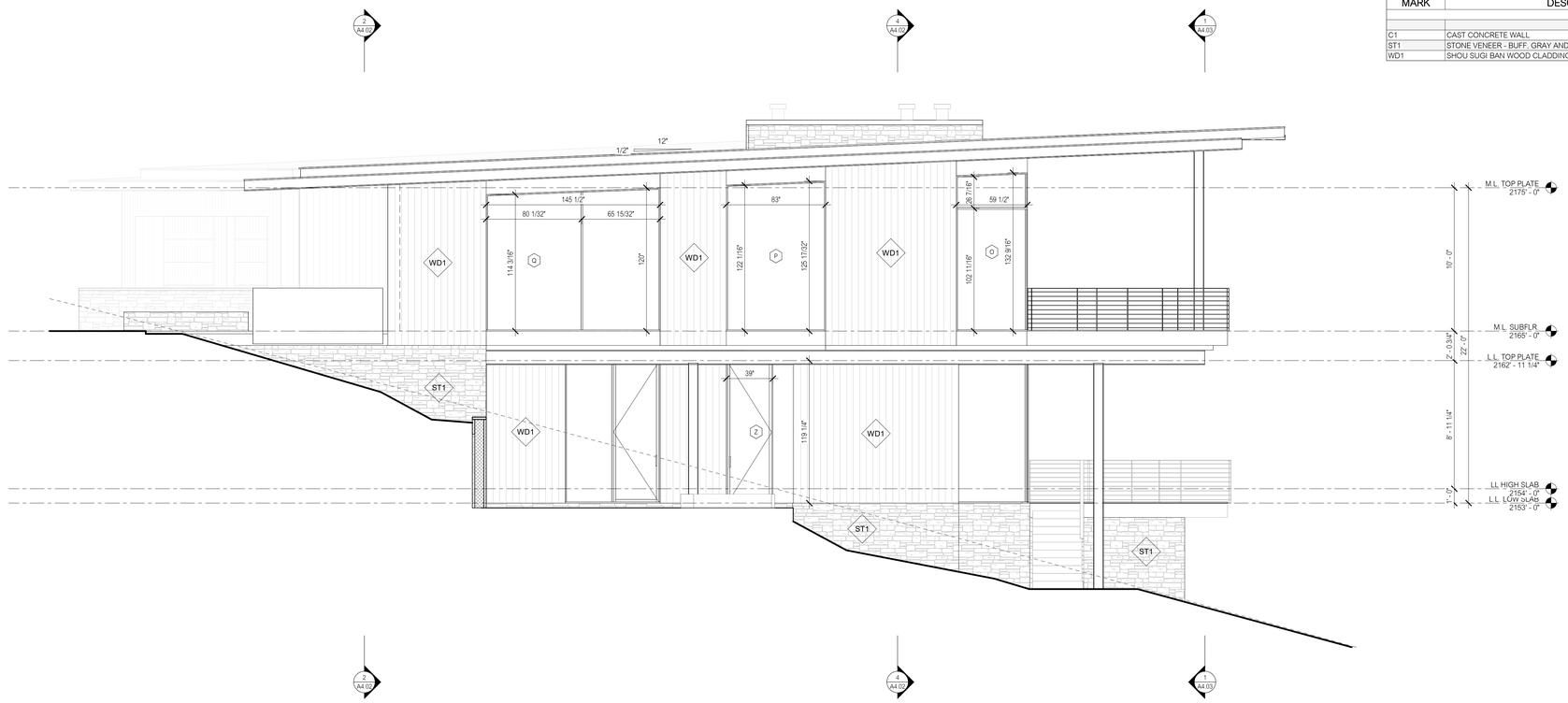
PLOT INFO: 9/11/2025 1:28:39 PM

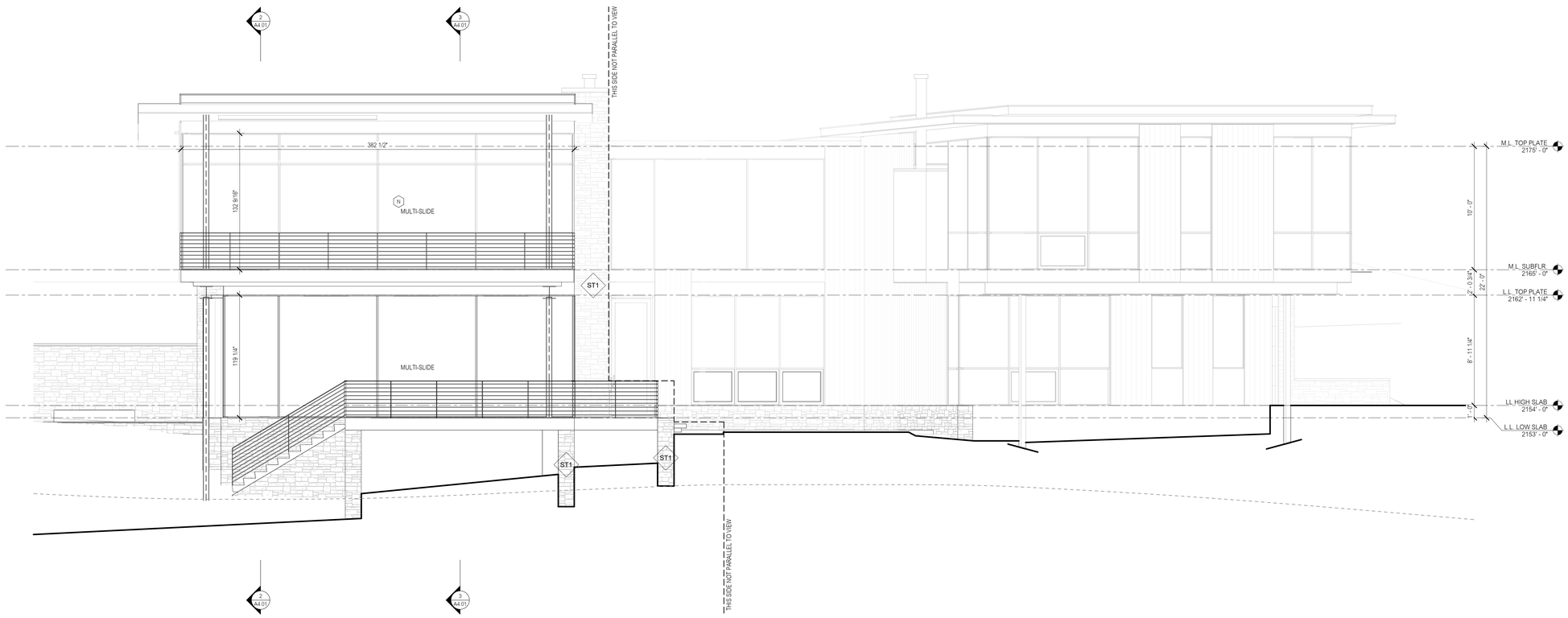
EXTERIOR MATERIAL SCHEDULE	
MARK	DESCRIPTION
C1	CAST CONCRETE WALL
ST1	STONE VENEER - BUFF, GRAY AND LIGHT BROWN MIX
WD1	SHOU SUGI BAN WOOD CLADDING - DARK GRAY



3 FOYER BUMP OUT - SOUTH ELEVATION
1/4" = 1'-0"



2 EAST ELEVATION
1/4" = 1'-0"



1 NORTH ELEVATION
1/4" = 1'-0"

ARCHITECT:

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Revision Schedule		
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DIRX RESIDENCE LOT #11
CEDAR HILL DRIVE
BILTMORE FOREST, NC 28803

PROJECT NUMBER 24.04

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DESIGN DEVELOPMENT

DATE: 2025-09-11

ELEVATIONS

A3.02

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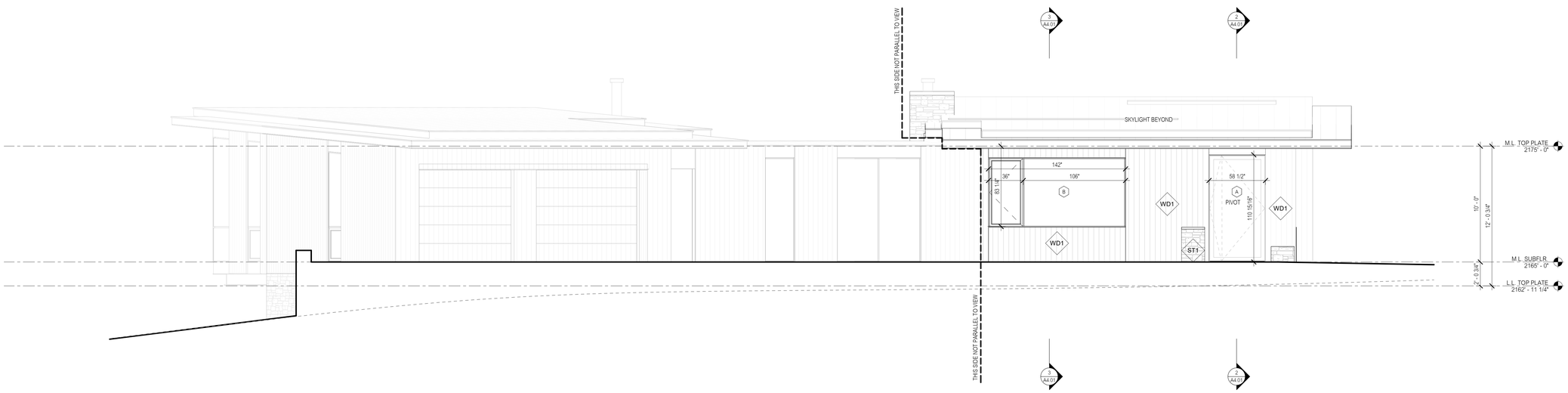
PLOT INFO: 9/11/2025 1:28:41 PM

EXTERIOR MATERIAL SCHEDULE	
MARK	DESCRIPTION
C1	CAST CONCRETE WALL
ST1	STONE VENEER - BUFF, GRAY AND LIGHT BROWN MIX
WD1	SHOU SUGI BAN WOOD CLADDING - DARK GRAY



1 SOUTH WEST ELEVATION
1/4" = 1'-0"

ARCHITECT:

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Revision Schedule

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CEDAR HILL DRIVE
BILTMORE FOREST, NC 28803

PROJECT NUMBER 24.04

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DESIGN DEVELOPMENT

DATE: 2025-09-11

ELEVATIONS

A3.03

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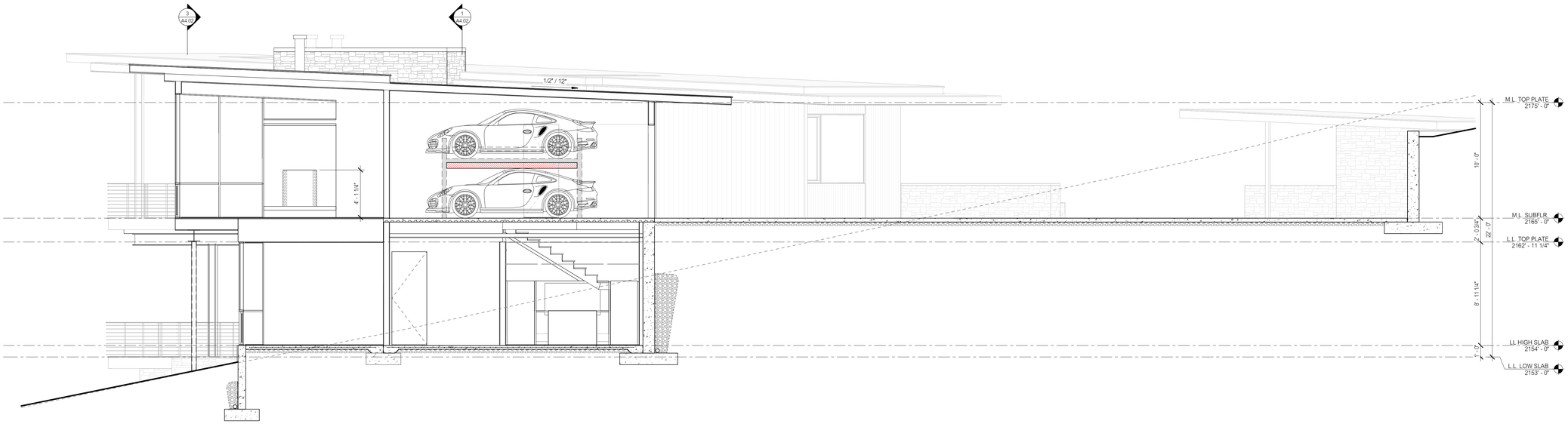
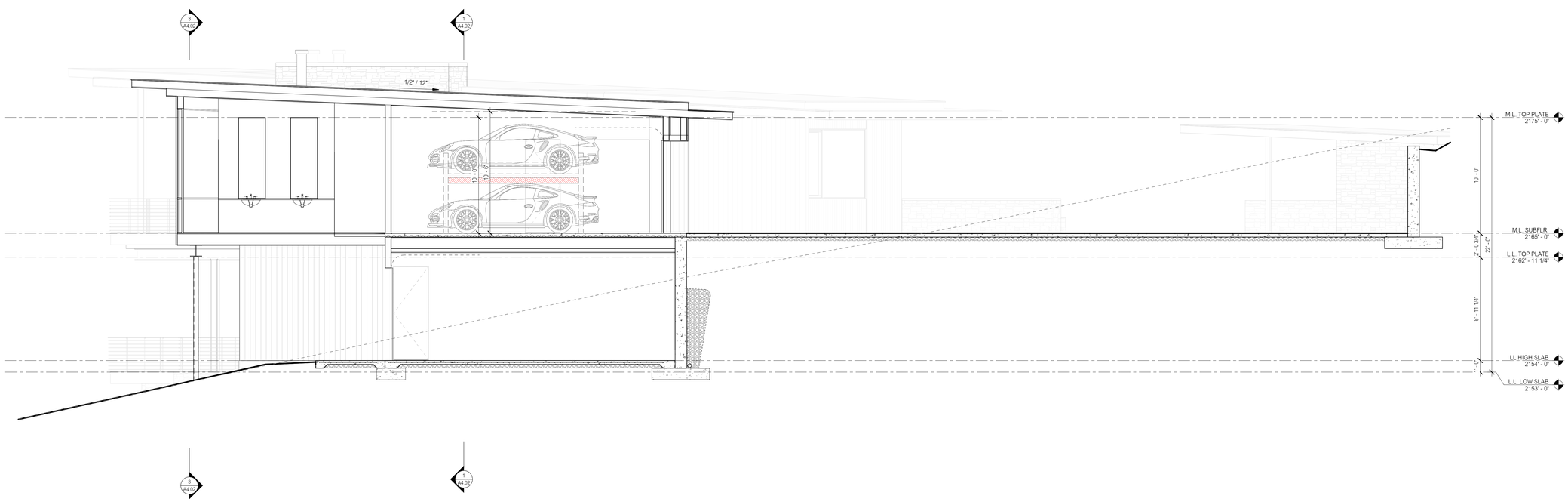


2 N-S SECTION - P. BED AND GARAGE
1/4" = 1'-0"



1 N-S SECTION - P. BATH AND GARAGE
1/4" = 1'-0"

ARCHITECT:

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Revision Schedule

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DIRX RESIDENCE LOT #11
CEDAR HILL DRIVE
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PROJECT NUMBER 24.04

DRAWN BY Author

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DESIGN DEVELOPMENT

DATE: 2025-09-11

BLDG SECTIONS

A4.00

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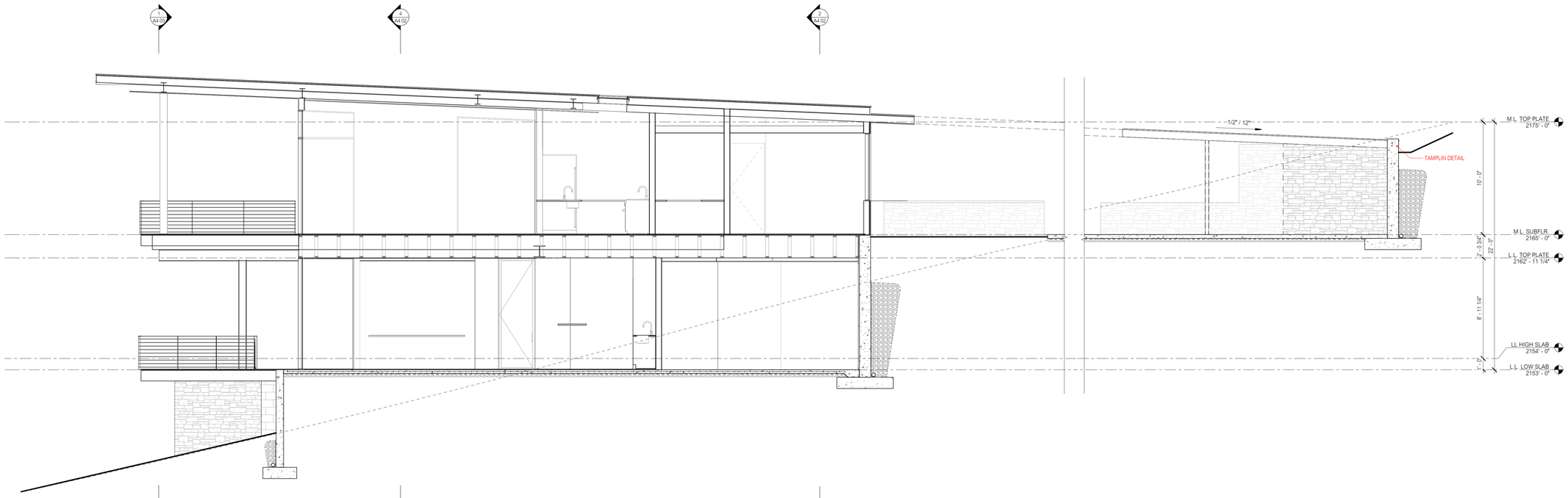
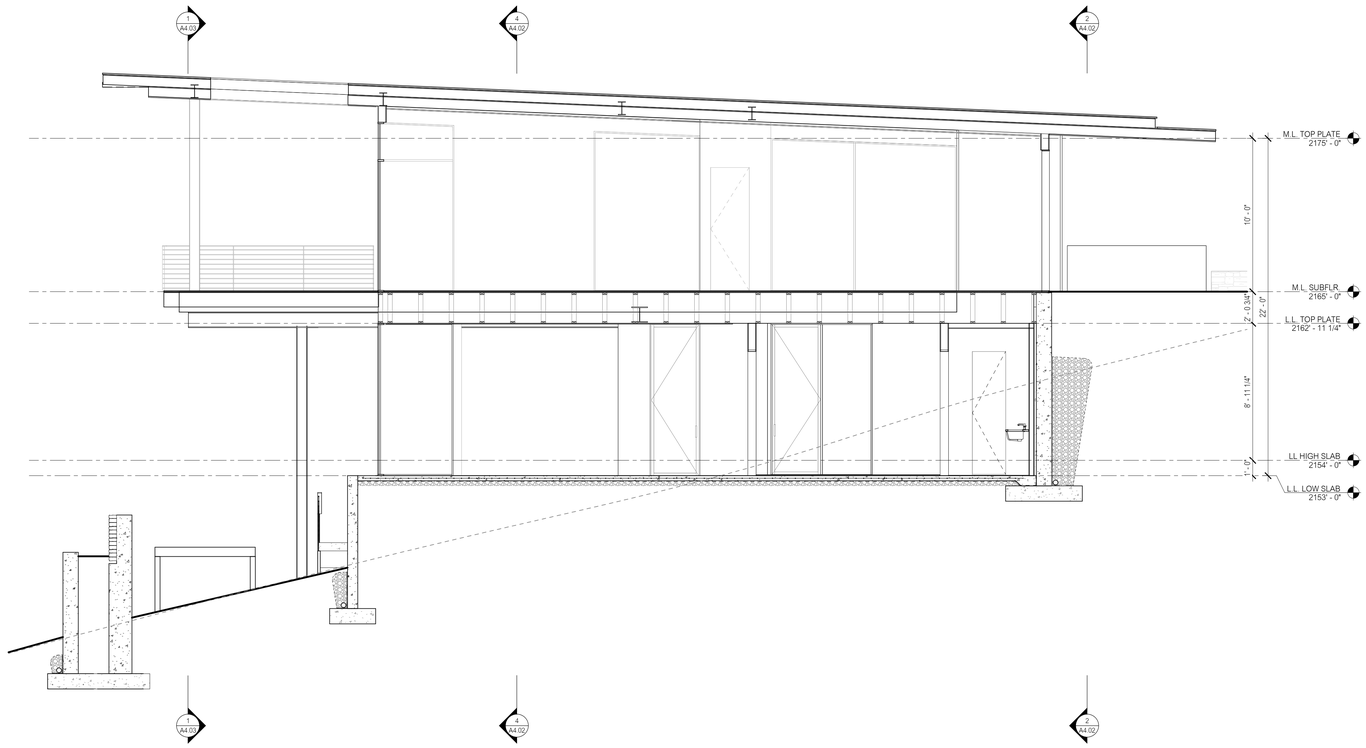
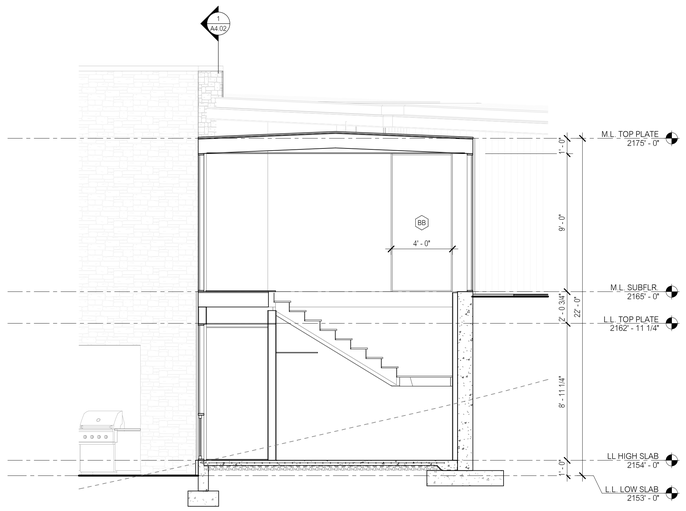


3 N-S SECTION - LIVING AND KITCHEN
1/4" = 1'-0"



2 N-S SECTION - DINING AND FOYER
1/4" = 1'-0"



1 N-S SECTION - MAIN STAIR
1/4" = 1'-0"

ARCHITECT:

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Revision Schedule

No.	Issuance	Date

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PROJECT NAME AND LOCATION

DIRX RESIDENCE LOT #11
CEDAR HILL DRIVE
BILTMORE FOREST, NC 28803

PROJECT NUMBER 24.04

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DESIGN DEVELOPMENT

DATE: 2025-09-11

BLDG SECTIONS

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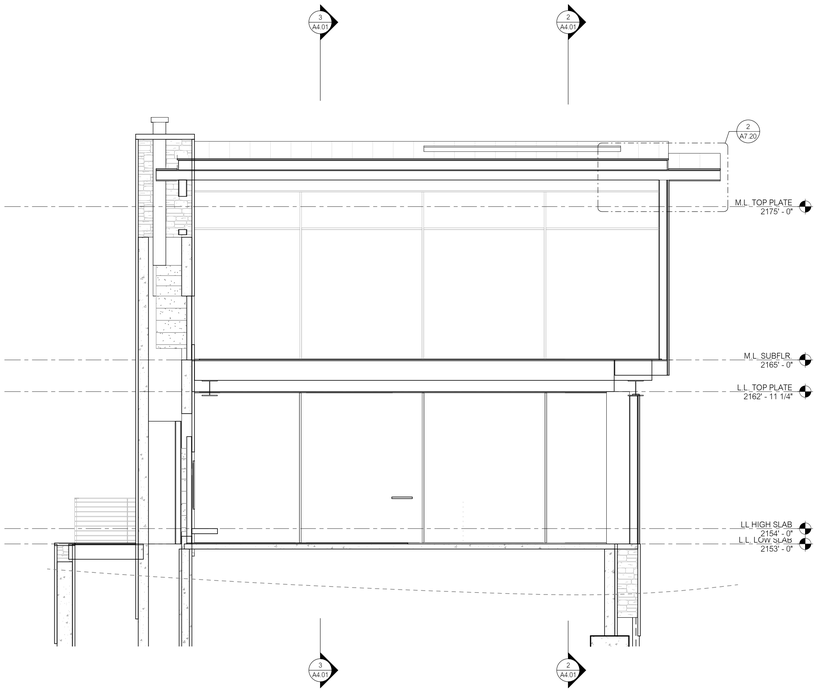
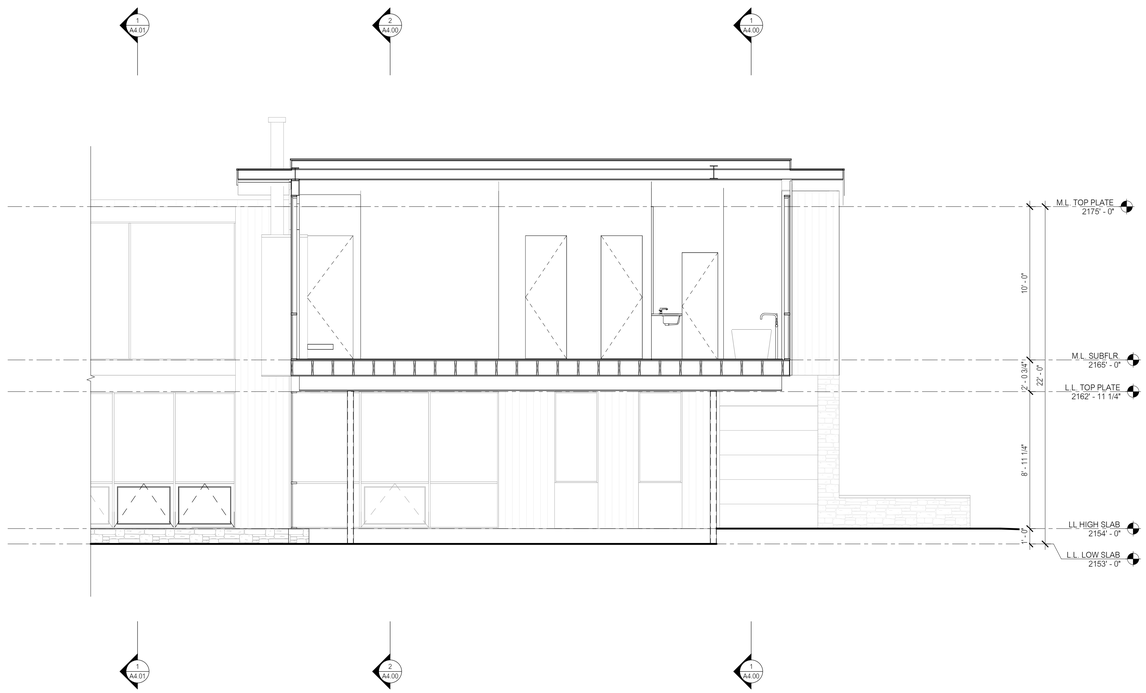
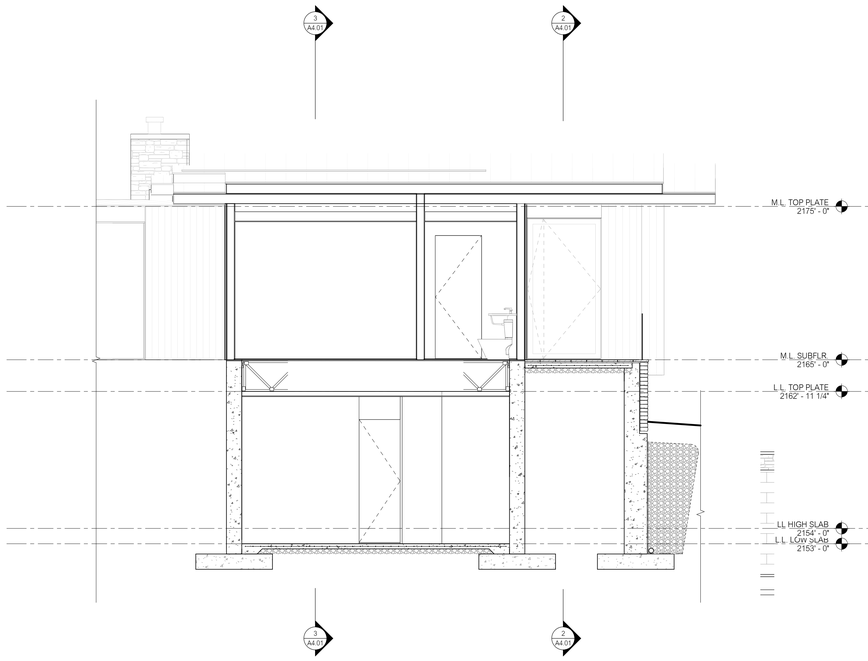


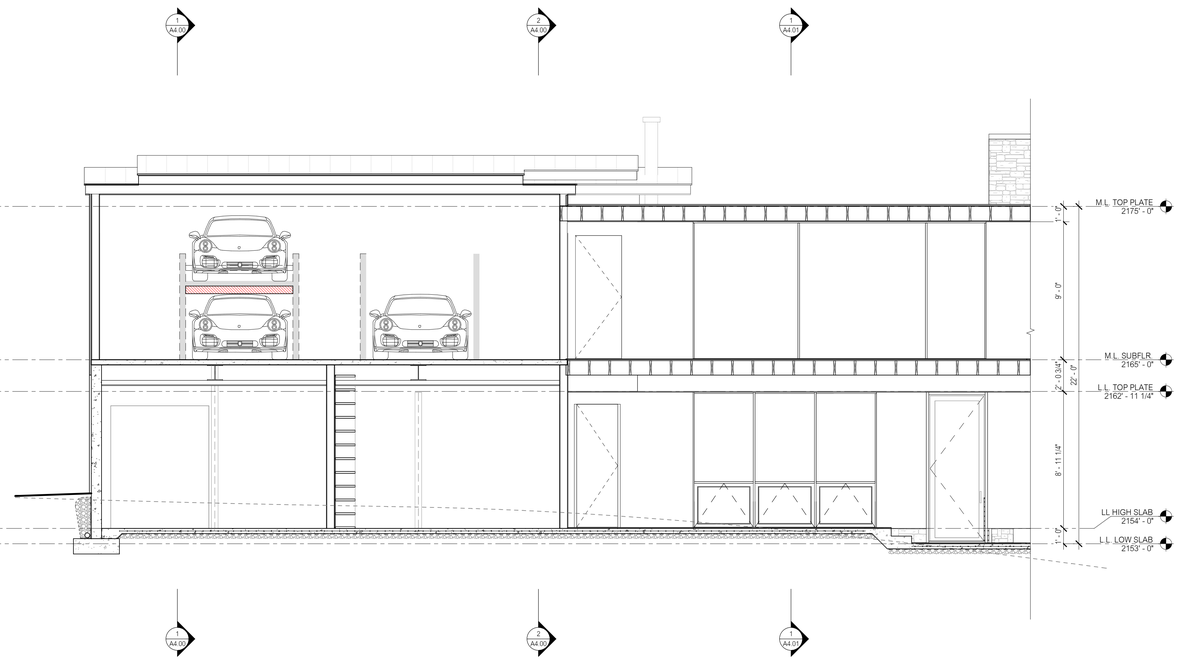
4 SE-NW SECTION - LIVING AND DINING
1/4" = 1'-0"



3 E-W SECTION - P. BATH AND BED
1/4" = 1'-0"



2 E-W SECTION - GUEST BED AND BATH
1/4" = 1'-0"



1 W-E SECTION - GARAGE AND HALL
1/4" = 1'-0"

ARCHITECT:

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P.O. BOX 7466
ASHEVILLE, NC 28802
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Revision Schedule

No.	Issuance	Date

NOT FOR CONSTRUCTION

PROJECT NAME AND LOCATION

DIRX RESIDENCE LOT #11
CEDAR HILL DRIVE
BILTMORE FOREST, NC 28803

PROJECT NUMBER
24.04

DRAWN BY Author

CHECKED BY Checker

DESIGN DEVELOPMENT

DATE: 2025-09-11

BLDG SECTIONS

A4.02

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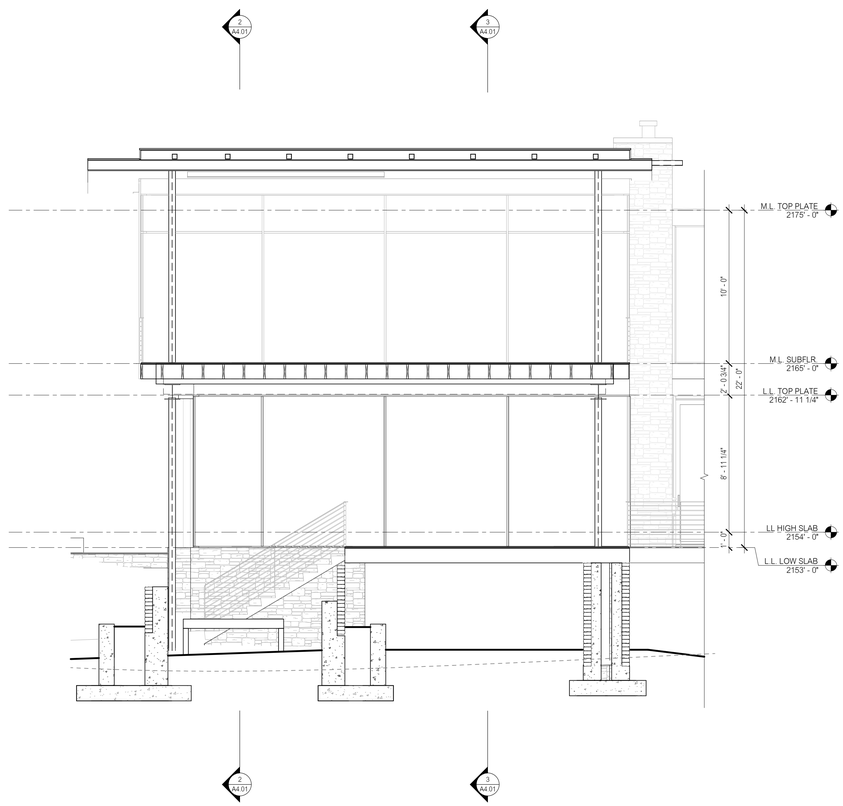

1 E-W SECTION - OUTDOOR LIVING
1/4" = 1'-0"

ARCHITECT:

CARLTON EDWARDS

P.O. BOX 7466
ASHEVILLE, NC 28802
828.274.7554 phone
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PROJECT NUMBER 24.04

DRAWN BY Author

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DESIGN DEVELOPMENT

DATE: 2025-09-11

BLDG SECTIONS

A4.03

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PLOT INFO: 9/11/2025 1:28:47 PM

BOARD OF ADJUSTMENT MEETING

STAFF MEMORANDUM

September 22, 2025

CASE
Property Address: **7 Brookside Rd**
Property Owner: **Nick Anagnostopoulos**
Request: **Tabled From Last Month Special Use Request for an Accessory Building(Garage)**

Background

This case was tabled last month. The property owner is presenting plans to add an accessory building in their rear yard. The proposed structure will be a 750 square foot garage apartment that meets the location and setback requirements. All accessory buildings within Town require a special use for approval.

Special Use

Sections 153.029 and 153.037 (attached) of the Town's Zoning Ordinance regulates accessory structures and buildings which require a special use permit from the Board of Adjustment. Special use findings are covered in section 153.110 (C) (attached) of the Towns Zoning Ordinance.

153.037 ACCESSORY STRUCTURES OR BUILDINGS UTILIZED AS DWELLINGS.

(A) Upon adoption of this chapter, accessory buildings used as dwelling units and occupied by a "family" (see definition in § 153.004) member shall be a conforming use. Such units occupied by a non-family member shall be nonconforming uses.

(B) (1) The definitions and provisions of this chapter provide for this situation.

(2) Therefore, the following shall apply:

(a) An existing accessory structure occupied at the time of adoption of this chapter by a non-family member can continue to be used for such purpose. If the unit occupied by a non-family member becomes vacant for more than 60 days (see § 153.036(C)(2)(c)4.), then such unit could only be reoccupied by a family member.

(b) New accessory structures intended for use as dwellings shall only be occupied by a family member.

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

153.110 (C) *Special uses*.

(1) Upon application, the Board of Adjustment may grant in particular cases and subject to appropriate conditions and safeguards, permits for special uses as authorized by this chapter, and set forth as special uses under the various use districts.

(2) A special use permit may be granted by the Board of Adjustment only after making the following findings:

(a) An application for the special use has been submitted as prescribed by this chapter;

(b) 1. If the Board of Adjustment finds, in the particular case in question, that the use, including any proposed structures:

a. Will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved;

b. Meets all required conditions and specifications of this chapter and other applicable rules, regulations, and standards;

c. Will not substantially injure the value of adjoining or abutting property;

d. Will be in general conformity with the plan of development of the town and its environs;

e. Will be reasonably compatible with significant natural and topographic features on the site and within the immediate vicinity of the site given the proposed site design and structure design;

f. Will be in harmony with scale, bulk, height, coverage, density, and character of the area or neighborhood in which it is located; or

g. Is appropriately located with respect to transportation facilities, water supply, fire and police protection, waste disposal, and similar facilities, and will not cause undue traffic congestion or create a traffic hazard.

2. In granting such a permit, the Board of Adjustment may designate such conditions in connection therewith that will, in its opinion, assure that the proposed use will conform to the requirements and spirit of this chapter. However, the Board of

Adjustment shall not impose conditions on special use permits that the town is not statutorily allowed to impose.

(c) Before any special use permit is issued, the Board shall make written findings certifying compliance with the specific rules governing the individual special use (see § 153.008), and that satisfactory provision and arrangement has been made for at least the following, where applicable:

1. Satisfactory ingress and egress to property and proposed structures thereon, with particular reference to automotive and pedestrian safety and convenience, traffic flow, and control;

2. Provision of off-street parking and loading areas where required, with particular attention to the items in division (C)(2)(c)1. above, and the economic, noise, and odor effects of the special use on adjoining properties in the area;

3. Adequate and proper utilities, with reference to locations, availability, and compatibility;

4. Buffering, with reference to type, location, and dimensions;

5. Signs, if any, and proposed exterior lighting, with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district;

6. Playgrounds, open spaces, yards, landscaping, access ways, pedestrian ways, with reference to location, size, and suitability;

7. Buildings and structures, with reference to location, size, and use;

8. Hours of operation, with particular reference to protecting and maintaining the character of the neighborhood;

9. With the exception of Americans with Disabilities Act, being 42 U.S.C. § 12101, lighting requirements and street lighting, the design standards as outlined in § 153.047,"Site Design and Form and Mass Commercial Buildings," shall apply when exterior lighting is proposed and/or required;

10. A site plan has been submitted as required in § 153.008; and

11. The applicant/landowner must provide written consent to conditions placed on a special use permit by the Board of Adjustment.

(d) 1. The Zoning Administrator shall make periodic inspections during construction as well as a final inspection after construction is complete to determine whether the conditions imposed and agreements made in the issuance of the permit have been met as well as whether all other requirements of this chapter have been met. The Zoning Administrator shall report his or her findings to the Board of Adjustment.

2. If at any time after a special use permit has been issued, the Board of Adjustment determines that the conditions imposed and agreements made have not been or are not being fulfilled by the holder of a special use permit, the permit shall be terminated and the operation of such use discontinued.

3. If a special use permit is terminated for any reason, it may be reinstated only after reapplying for a special use permit.

Special Use Permit Application

Town of Biltmore Forest

Name
Nick Anagnostopoulos

Address
7 Brookside Rd

Phone
(828) 273-3389

Email
na89@charter.net

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

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

Please provide a description of the proposed project:
Garage /apartment matching the style of existing house garage will be used for car storage and apartment for occasionally visiting guests or family members, driveway for parking .

Explain why the project would not adversely affect the public interest of those living in the neighborhood:
Apartment will be built in the back portion of the property and will not be visible from the road and mostly obscured by trees and bushes from surrounding neighborhood and apartment will only be used for occasional family or guest visits

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

Signature

Date
7/31/2025

Nick Anagnostopoulos

Have you paid the $100 special use permit application fee? Your permit application will not be reviewed until payment has been received. You can visit the link below to pay. Copy & paste the link in your browser.

I plan to pay in person or mail a check

Zoning Compliance Application

Town of Biltmore Forest

Name
Nick Anagnostopoulos

Property Address
7 Brookside Rd

Phone
(828) 273-3389

Email
na89@charter.net

Parcel ID/PIN Number
964663665500000

ZONING INFORMATION

Current Zoning
R-1

Lot Size
1.2 acres

Proposed Roof Coverage Total
5009 square ft

Proposed Impervious Surface Coverage
14602 square 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
25ft

Description of the Proposed Project
A 750 square foot two level garage apartment, the roof and the style of the building will match the existing home. Photos of the current home are attached below. Roofing (shingles) will be the same as the existing home. The front of the apartment/ garage columns will match the existing home cedar and rock. Exterior walls will have rock base and smart board and is going to be painted the same as the home. We have not yet picked a color for the home but it will be the same color for both. Add two entry post at the bottom of the driveway

Estimated Start Date
9/1/2025

Estimated Completion Date
4/1/2026

Estimated Cost of Project
$175,000.00

Supporting Documentation (Site Plan, Drawings, Other Information)
Garage Elevations.pdf

Garage Floor Plan.pdf

image1.jpeg

image0.jpeg

image2.jpeg

7 Brookside.pdf

Applicant Signature

Date
7/2/2025

Nick Anagnostopoulos

ORDINANCE 2025-03

AN ORDINANCE TO AMEND THE TOWN OF BILTMORE FOREST ZONING ORDINANCE

WHEREAS, the Town of Biltmore Forest has adopted a Zoning Ordinance which regulates the use of land within its corporate limits; and

WHEREAS, the Town of Biltmore Forest desires to revise a portion of the existing zoning ordinance; and

WHEREAS, the Town of Biltmore Forest Planning Commission recommended approval of this zoning ordinance amendment and found it consistent with the Town of Biltmore Forest's comprehensive plan.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF BILTMORE FOREST THAT THE FOLLOWING SECTIONS OF CHAPTER 153, TOWN OF BILTMORE FOREST ZONING ORDINANCE, BE AMENDED AS FOLLOWS:

SECTION 1.

§ 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) Accessory buildings are allowed with a special use permit in accordance with the following chart, provided that the requirements in items a-h below, where applicable, are met:

Accessory Buildings

Lot Size (Acres)	Max # of Accessory Buildings	Accessory Building # 1	Accessory Building # 2	Accessory Building # 3	Accessory Building # 4 or more
0 - .99	1	25%	N/A	N/A	N/A
1 - 1.99	2	25%	15%	N/A	N/A
2 - 2.99	3	25%	15%	10%	N/A
3 - 3.99	4	25%	15%	10%	5%
4 - 4.99	5	25%	15%	10%	5%
5+	5+	25%	15%	10%	5%

Notes

(a) The total roof coverage for all buildings may not exceed the maximum allowable roof coverage for a parcel, as found in § 153.043;

(b) The primary residence provides the basis for the accessory building percentage;

(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 should be constructed in the same architectural style as the principal structure;

(g) Properties greater than five (5) acres may only exceed five (5) accessory buildings if approved by the Board of Adjustment;

(h) An accessory building may be a maximum of 1,000 square feet of roof coverage OR the percentage relative to the primary residence, whichever is greater.

Section 2. Effective Date.

This ordinance amendment shall take effect upon adoption.

5-13-25

Date

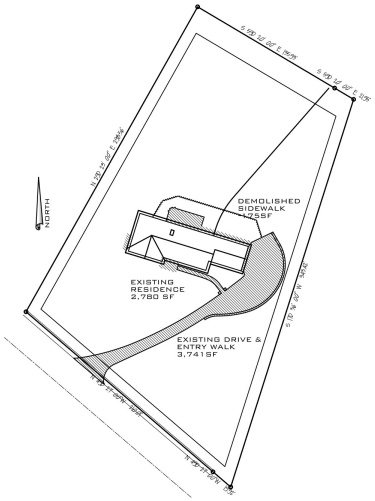
George F. Goosmann, III

Mayor

Laura Jacobs

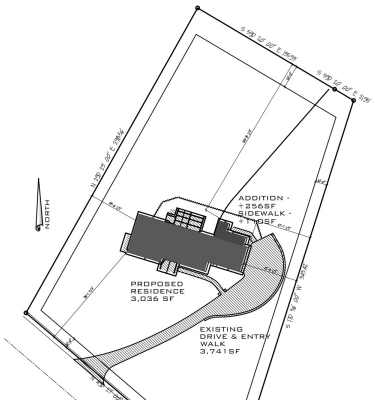
Laura Jacobs

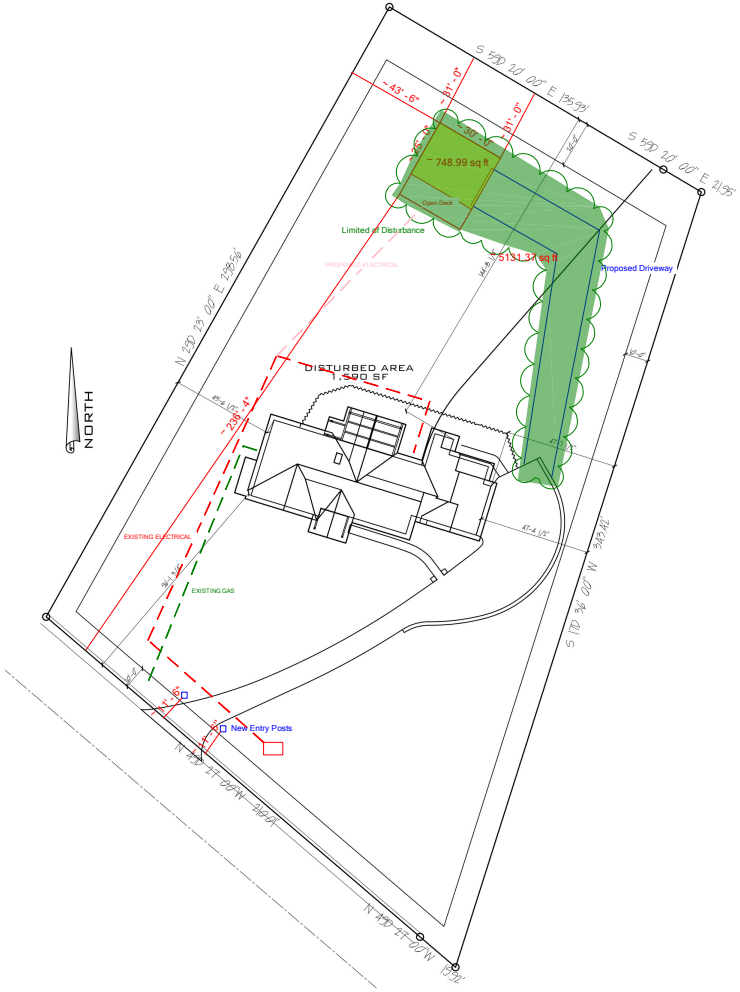
Town Clerk



EXISTING IMPERMEABLE

6,521 SF TOTAL





SHAMBURGER ARCHITECTURAL GROUP

Wayland Shamburger, AIA
Architect

421 Fifth Avenue West

Hendersonville, NC, 28739

(P) 828-692-2737

(F) 828-694-0737

wayland@sdsaia.com

A Renovation For The
AGNOSTOPOLOUS FAMILY
7 Brookside Road
Asheville NC 28803

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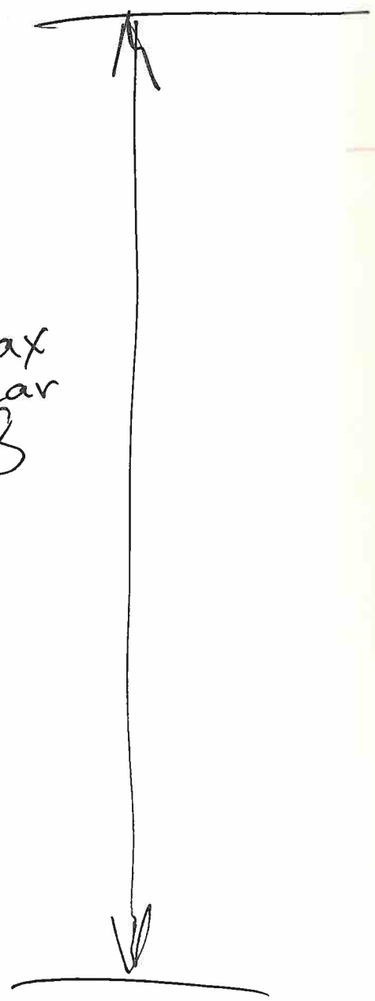
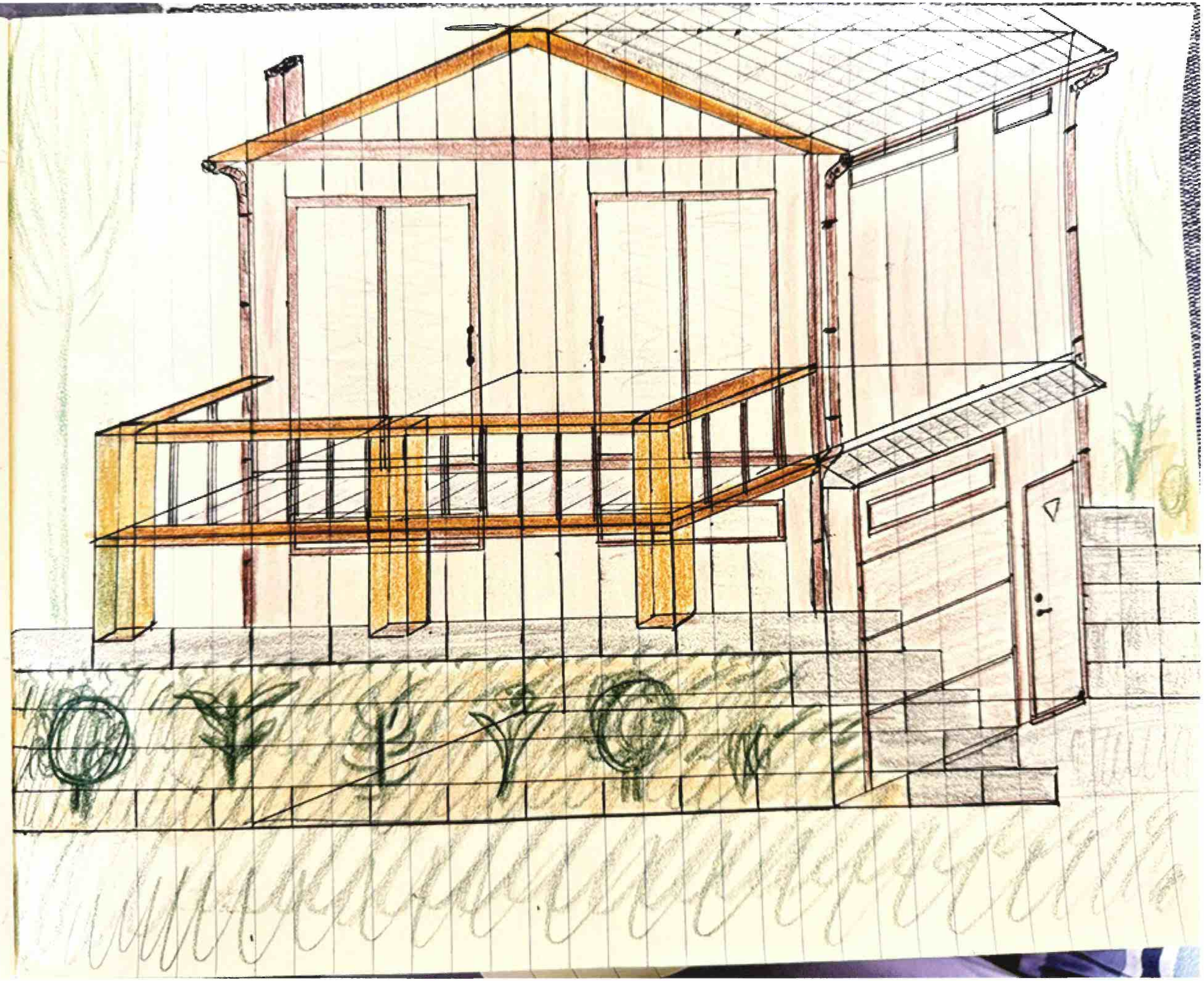
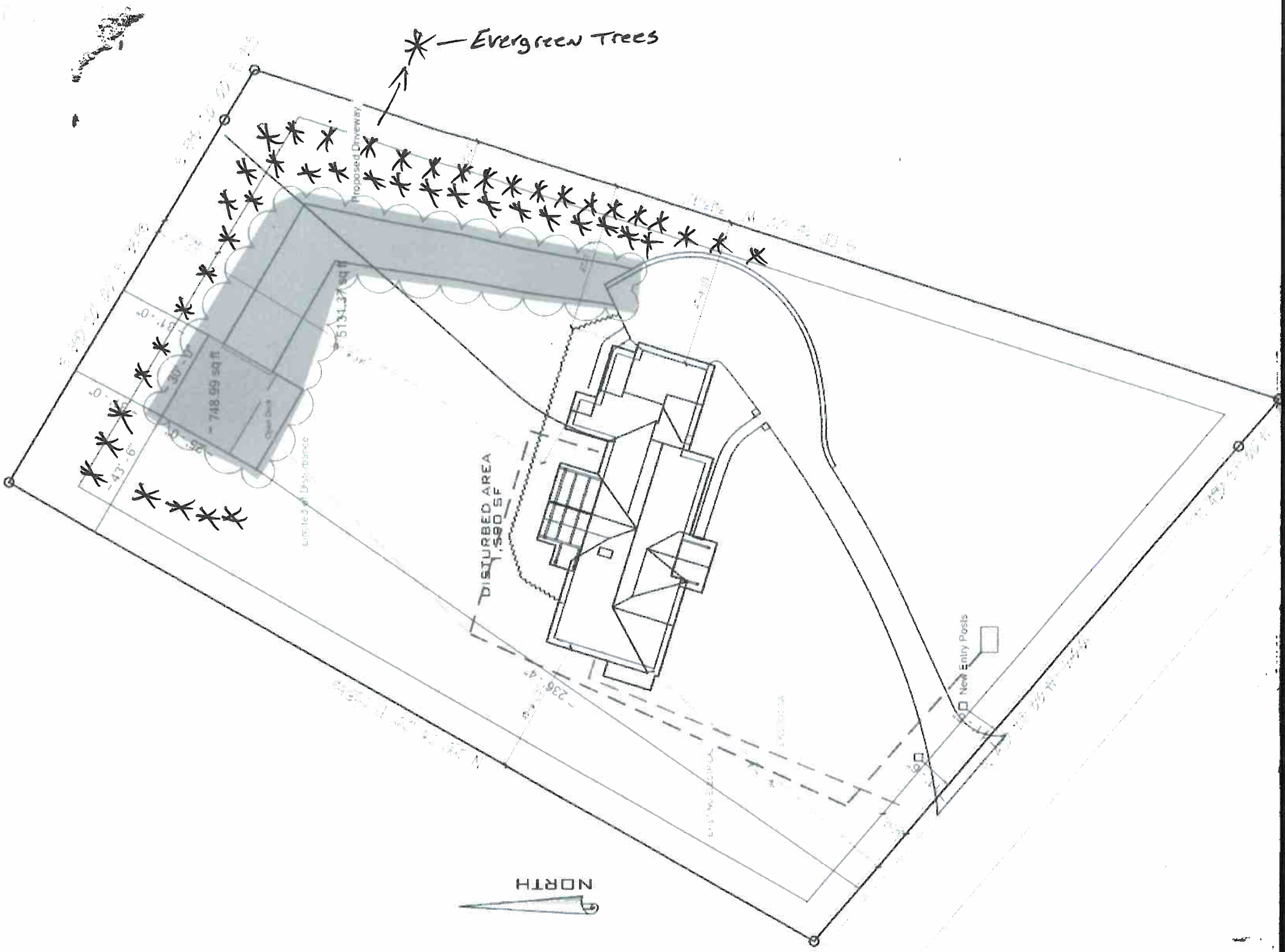
General Contractor to comply with all state and local codes. Any discrepancies in plans shall be discussed with Shamburger Architectural Group prior to assembly, ordering, and construction.

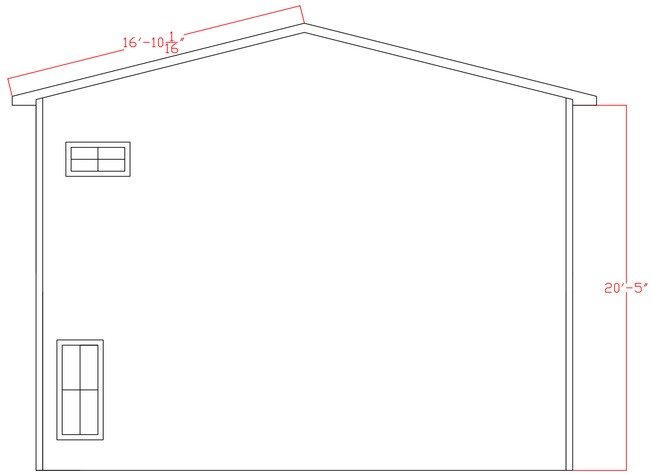
DO NOT SCALE DIMENSIONS FROM

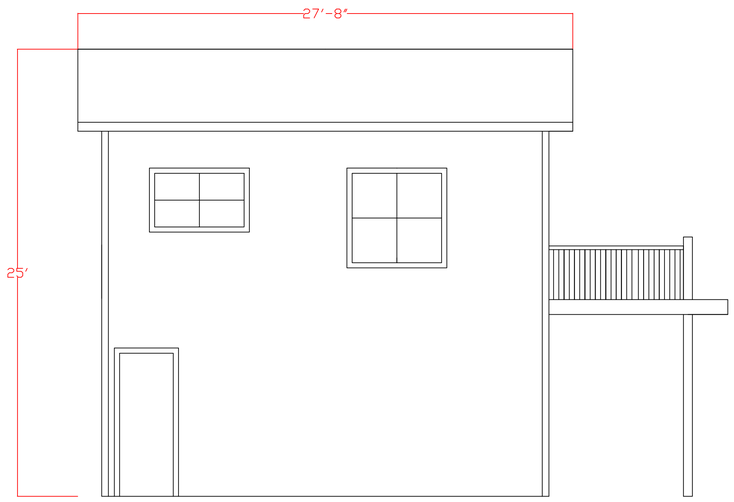
7919
8991
5724
6655
7587

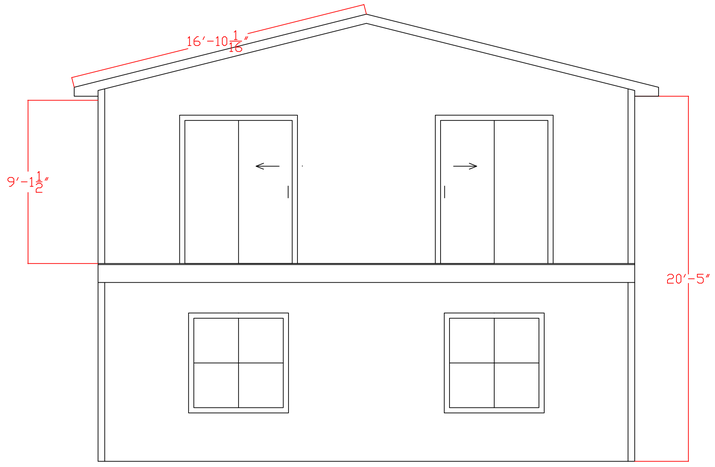

Max
Rear
18

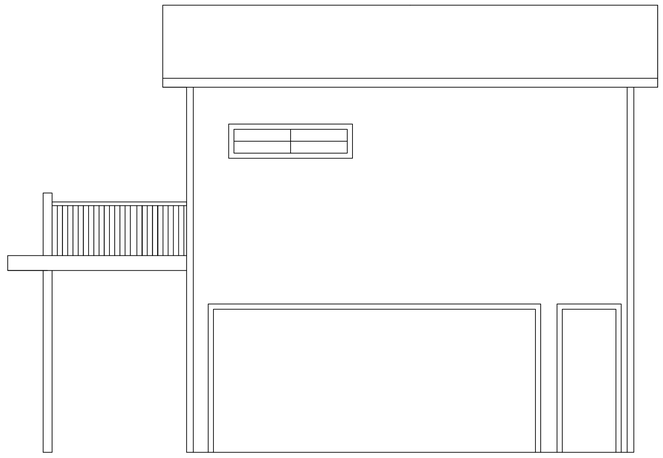



Evergreen Trees
Proposed Driveway
748.99 sq ft
Open Deck
Limited of Disturbance
DISTURBED AREA
1,590 SF
New Entry Posts
NORTH









GRAVITY CONSTRUCTION GROUP, LLC

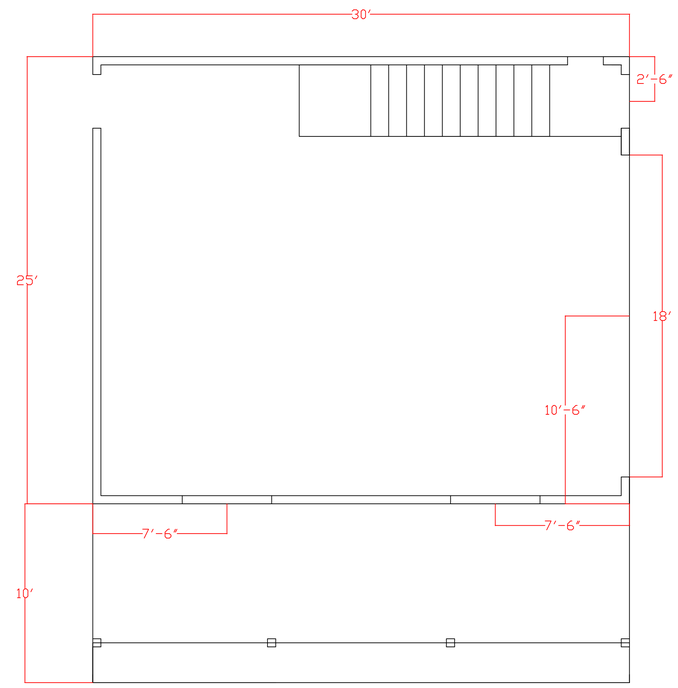
Project:

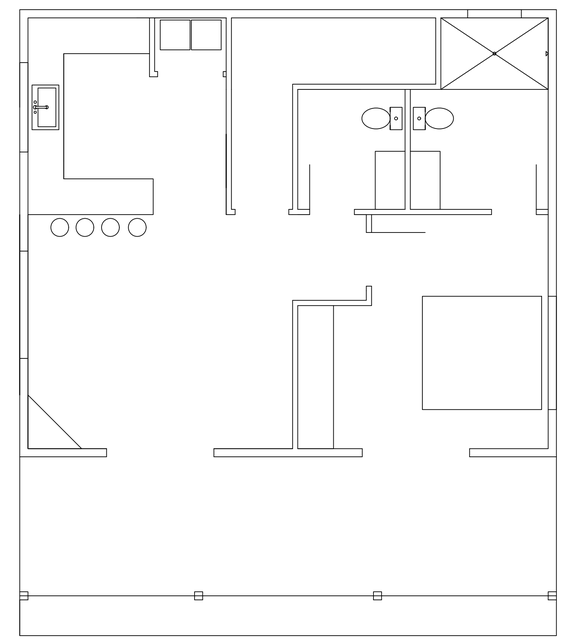
Location:

Drawing Name:

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

Date:





GRAVITY CONSTRUCTION GROUP, LLC

Project:

Location:

Drawing Name:

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

Date:

August 14, 2025

To the Biltmore Forest Board of Adjustment,

We are writing to formally express our concern and objection regarding the proposal from the owners of 7 Brookside Rd. to construct a two-story accessory building (garage, 25′) and a new driveway in the rear of their property.

This proposed development raises several significant concerns that we believe warrant careful consideration and subsequent denial by the Board of Adjustment. Our primary objections are as follows:

- **Impact on Neighborhood Character:** The construction of a two-story garage/accessory structure in the rear of the lot, along with a new driveway, would significantly alter the established residential character of our neighborhood. Such a substantial addition is out of scale with the existing homes and lot sizes in this area.
- **Visual Impact and Aesthetics:** The proposed structures, particularly a two-story garage, would be highly visible from adjacent properties, creating an imposing and undesirable visual impact. Additionally, the headlights and noise from cars entering and exiting the backyard of 7 Brookside Rd. would obviously create unwanted disturbances for neighbors on both Brookside Rd. and Hilltop Rd. This would detract from the aesthetic appeal, quiet charm, and open feel of the neighborhood.
- **Environmental and Drainage Concerns:** Increased impervious surfaces from a new driveway and building footprints could exacerbate existing stormwater runoff issues in the area. This has the potential to negatively impact neighboring properties and the local ecosystem. As we recover from Helene, such significant environmental impacts need to be carefully considered.
- **Precedent Setting:** Approving such a large-scale accessory structure and driveway in the rear of a residential lot could set a detrimental precedent for future development within Biltmore Forest, potentially leading to a loss of the unique and desirable characteristics of our community.

Aside from the above concerns, the proposed building and additional driveway come at a moment in which Biltmore Forest continues to recover from the devastation of Helene. The natural vegetation that might have once buffered this uncharacteristically large backyard structure is now gone, and this proposal not only presents an eyesore, but it represents the prospect of diminished property values for homes surrounding 7 Brookside Rd.

We urge the Biltmore Forest Board of Adjustment to carefully review this proposal and consider the negative impacts it would have on the surrounding properties and the overall character of the neighborhood. We respectfully request that the Board deny this application.

Thank you for your time and consideration of this important matter.

Sincerely,

Adam Carter and Maureen Suhendra
59 Hilltop Rd.

August 14, 2025

Dear Mr. Kanipe and members of the Board of Adjustment,

I am writing in regard to the proposal for a two-story accessory structure and driveway approach near the rear property line at 7 Brookside Road. I share a rear property boundary with the applicant in the immediate area of the proposed structure.

In fairness to the applicant, several months ago he mentioned plans to build a garage in back of the house, and I had no concern with the concept. However, I assumed the garage would be adjacent or near to the primary home and use a minor extension of the existing driveway. However, the proposed siting of the structure is concerning.

While I do not object to the idea of a garage with upstairs living space, I do not understand what hardship would force the structure to be located so far from the primary residence and so close to the properties on Hilltop Road. I would not object to the proposed structure if it were placed in direct proximity and architectural continuity with the primary residence. Nor would I object to a smaller accessory structure near the rear property line if it were properly screened with berms and/or vegetation. As proposed, the structure would adversely affect the viewsheds of homes on Hilltop Road and would alter the secluded and forested character of the community that has prevailed for more than sixty years. It would also permanently eliminate the privacy of Hilltop residents using their back yards in plain view, and at times even in the shadow, of the proposed second-story living space. Vehicles approaching the structure at night would sweep our back yards and bedroom windows with their headlights, again an unprecedented impact on the seclusion of homes in the area.

In addition to my immediate concerns, the proposed structure could pose issues in the long term. The establishment of an independent structure with living space would create the potential for future use as rental space, particularly if the garage area were to be finished as living space in the future. This would be inconsistent with current land use, and it would be much less likely if the proposed garage was sited contiguously with the primary home. A rented apartment towering over our back yards would present a security concern because short-term tenants could command a view of the rear areas of our homes. Also, given the applicant's recent experiences with tree damage, I worry that once the proposed structure is placed near our properties we would be compelled to destroy our remaining tall trees in the area or be held liable for future windthrow.

The community between Brookside and Hilltop roads has been my home since 1965, when many of the houses were being built. Since that time all of the residences have enjoyed the mutual seclusion of forested back yards, until the neighborhood suffered catastrophic tree loss during Tropical Storm Helene. While I understand that much of our forested landscape was permanently altered, I feel that we should rebuild in a manner that

is consistent with the community and landscape that has historically existed in Biltmore Forest. I hope that the applicant can modify the proposed project to meet that objective.

Thank you for the opportunity to comment on this proposal. If I can provide more info or help in any way please contact me.

Sincerely,

David L. Yow
57 Hilltop Road
Biltmore Forest