Zoning Compliance Application

Town of Biltmore Forest

Name Priestley & Brent Ford

Property Address

35 White Oak Rd.

Phone (828) 230-7557

Parcel ID/PIN Number Plat: 0002-0119 / 964699338300000 Email brentaford@yahoo.com

ZONING INFORMATION

Current Zoning R-2

Maximum Roof Coverage 4,682 square feet (Up to 1 acres) Lot Size 0.88

Proposed Roof Coverage Total 2364 (an increase of 160 sq. ft. from existing)

Maximum Impervious Surface Coverage Up to 1 acre (27.5 percent of lot area)

Front Yard Setback 50 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) **Proposed Impervious Surface Coverage** Additional 160 sq. ft

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

Building Height Single story - less than 20 feet

Description of the Proposed Project

We are proposing a small addition to the front of our house for a new master bathroom. The current master bath is quite small and there is no space within the existing footprint of the house to make any renovations. The proposed addition is 20 feet in length and would extend roughly 8 feet beyond the front of the house. The existing bathroom will be converted into additional closet space for the master bedroom.

The attached document includes the proposed floor plan and a front and side elevation. The addition will be sided with cedar shingle siding and stained a gray color. A standing seam metal roof will cover the addition. Both the siding and the roof will match the siding and roof used in a previous renovation to the back of the house. A picture of a portion of the back of the house is included for reference. Windows, shutters and trim will be selected to match the existing.

To provide space between the addition and the circular driveway, we will also shift the driveway roughly 8 feet as well. This shift will require the removal of one medium-sized live oak tree. To accommodate the addition, and for the general well-being of the house, we will also need to remove a large river birch that is planted at the front corner of the house and is much too close to the house. These two trees are noted on the proposed site plan that is included.

Estimated Start Date 11/16/2020

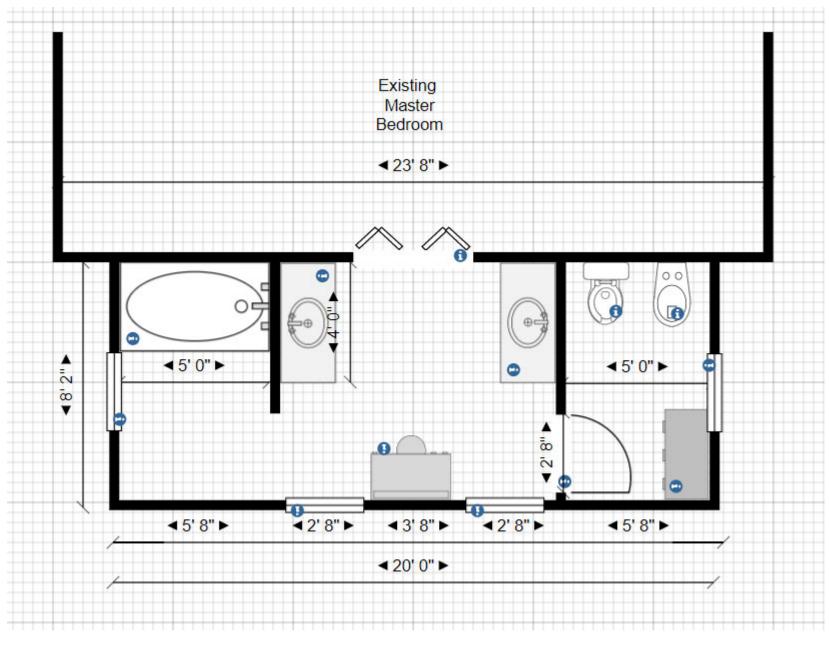
Estimated Completion Date 1/15/2021

Estimated Cost of Project \$40,000.00

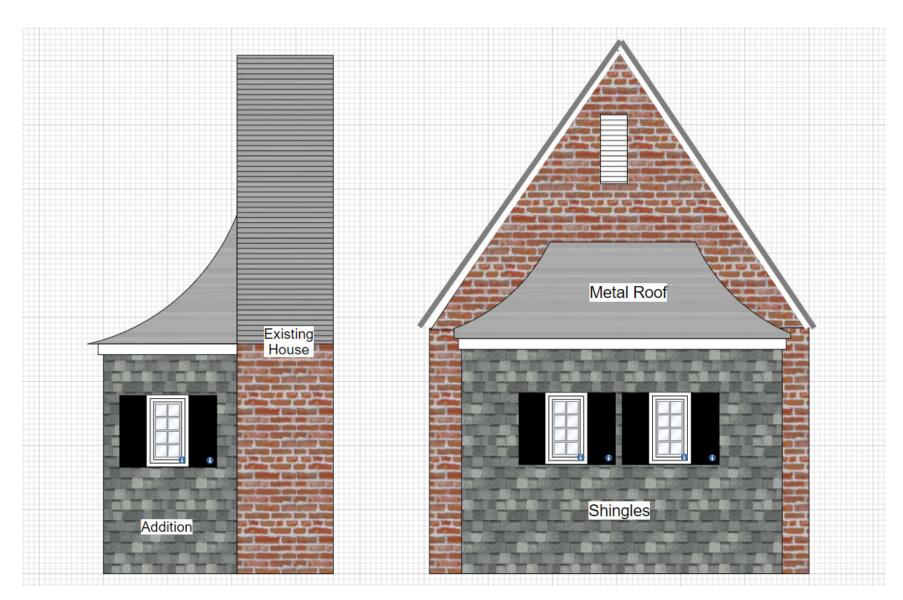
Supporting Documentation (Site Plan, Drawings, Other Information) 35 White Oak Proposed Addition.pdf

Applicant Signature

Date 10/7/2020



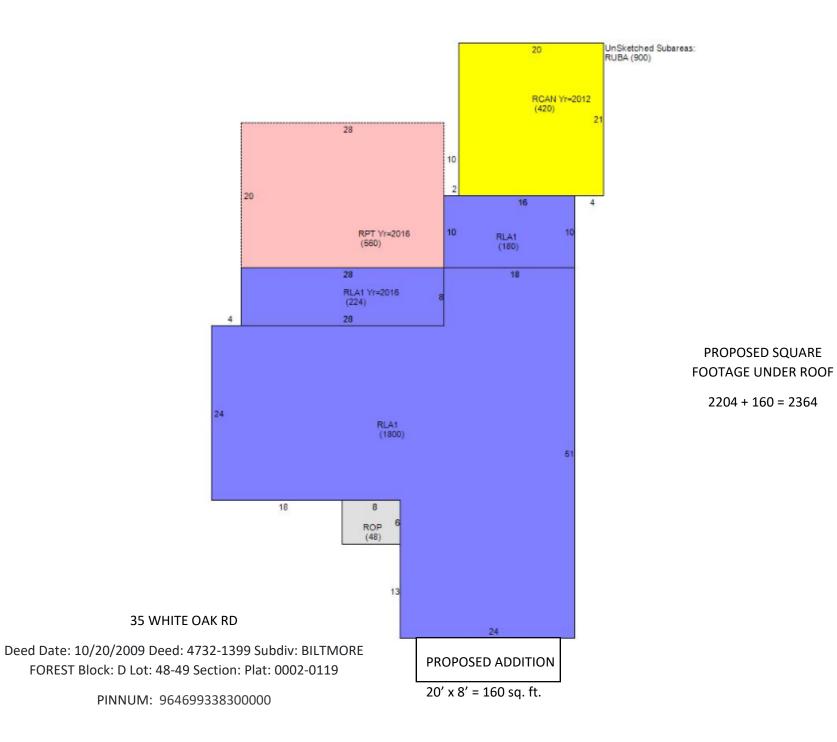
35 WHITE OAK DRIVE - PROPOSED ADDITION - FLOOR PLAN



35 WHITE OAK DRIVE - PROPOSED ADDITION - ELEVATIONS



35 WHITE OAK DRIVE - PROPOSED ADDITION - SITE PLAN





35 WHITE OAK DRIVE - PROPOSED ADDITION - SIDING TO MATCH BACK OF HOUSE

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



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

> Jonathan B. Kanipe, Town Manager

MEMORANDUM

To:	Board of Adjustment Members
From:	Jonathan Kanipe, Town Manager
Re:	Board of Adjustment Case Number 1 (8 East Forest Road)
Date:	October 13, 2020

Special Use Permit Request for Accessory Structure Placement in Rear Yard

A special use permit is requested for the construction of rock patio and fire pit in the rear yard. The fire pit patio area is 225 square feet, and the fire pit itself is approximately 3 feet tall by 3-4 feet wide.

The proposed location of the fire pit and patio is compliant with setbacks for the R-1 zoning district. The side setback in this district is twenty (20) feet and the rear setback is twenty-five (25) feet. An example is included in your packet of what the fire pit and patio would look like, as well as a plat showing the approximate location of the accessory structure.

Board of Adjustment Chairman Greg Goosmann will recuse himself from any deliberation, voting, or chairing of the subject during this matter as he is requesting the special use permit.

Zoning Compliance Application

Town of Biltmore Forest

Name George F. Goosmann IV

Property Address 8 East Forest Road, Biltmore Forest, NC 28803

Phone (828) 777-9966 Email greg@grcclaw.com

Parcel ID/PIN Number 964658927800000

ZONING INFORMATION

Current Zoning R-1

Maximum Roof Coverage 4,682 square feet (Up to 1 acres) **Proposed Roof Coverage Total**

approximately .93 acre

n/a

n/a

Lot Size

Maximum Impervious Surface Coverage Up to 1 acre (27.5 percent of lot area)

Proposed Impervious Surface Coverage approximately 225 square feet additional surface

Front Yard Setback 60 feet (R-1 District)

Building Height

Side Yard Setback

20 feet (R-1 District)

Rear Yard Setback 25 feet (R-1 District)

Description of the Proposed Project

Addition of fire pit in rear yard with stacked stone upon a stone patio area. Height of fireplace approximately 3 feet tall by 3-4 feet wide. Approximate fire patio width is 15 x 15 (225 square feet)

Estimated Start Date 10/22/2020

Estimated Completion Date 11/6/2020

Estimated Cost of Project \$6,500.00

Supporting Documentation (Site Plan, Drawings, Other Information)

Applicant Signature

Date 9/28/2020

-----Day 7

Special Use Permit Application

Town of Biltmore Forest

Name George F. Goosmann IV

Address 8 E Forest Road, Biltmore Forest, NC 28803

Phone (828) 777-9966

Email greg@grcclaw.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:

Addition of fire pit and patio in rear of property approximately 225 square feet with fire pit approximately 3 feet tall by 3-4 feet wide

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

Fire pit and patio area is enclosed within the rear of the property and surrounded by plantings that hide its view from all surrounding neighbors. We have been using an above ground pit and are just attempting to create a more stable, permanent and attractive area to relax in the rear 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 9/28/2020

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Buncombe County





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

> Jonathan B. Kanipe, Town Manager

MEMORANDUM

To:	Board of Adjustment Members
From:	Jonathan Kanipe, Town Manager
Re:	Board of Adjustment Case Number 3 (24 Amherst Road)
Date:	October 13, 2020

Special Use Permit Request for Installation of Fence in the Rear Yard Variance Request for Installation of the Fence along the Rear Property Line

A special use permit is requested for the installation of a fence in the rear yard. The applicant has also requested the fence be placed on the property line. Approval for this placement requires a variance from the Board of Adjustment.

The Town's recently amended fence regulations, found in § 153.049 FENCE, GATE AND WALL REGULATIONS, state that

(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.

The variance request is a result of the proposed fence being located along the rear property line. This residential property abuts an incompatible land use, in that it borders the professional offices located along Hendersonville Road in the R-5 district. The Zoning Ordinance, in § 153.063 BUFFER STRIP AND SCREEN REQUIREMENTS, provides the Board of Adjustment *"authority to require that a wall or fence be constructed next to property used for residential purposes when the Board determines that the buffer strip alone does not provide adequate buffering."* In this case, the applicant is the residential property owner and NOT the commercial entity. The requirements for the buffer strip, as noted below, allow for the fence to extend along the rear and/or side property line which abuts an incompatible land use.

§ 153.063 BUFFER STRIP AND SCREEN REQUIREMENTS.

(A) Certain land uses are defined in this chapter as being an incompatible land use when developed adjacent to other less intensive land uses. A buffer strip can serve to lessen adverse impacts when development occurs.

(B) The installation of the applicable buffer strip shall be the responsibility of the owner of the developing land use. Buffer strips shall be located on the property of the developing land use between the property line and any vehicular use areas, buildings, storage, service areas, or other area of activity. The buffer strip shall extend along the entire rear and/or side property line which abuts an incompatible land use, up to any required street tree planting strip.

(Note: Sections 1-5 not applicable to this specific situation)

(6) Additional buffering. The Board of Adjustment has the authority to require that a wall or fence be constructed next to property used for residential purposes when the Board determines that the buffer strip alone does not provide adequate buffering. The fence or wall shall be constructed in a durable fashion of wood, stone, masonry materials, or other materials if deemed appropriate and shall be built of material compatible with the principal building. When concrete block is utilized, it shall be finished with stucco on both sides. The materials and design shall be approved by the Board of Adjustment on a case-by-case basis. The finished side of the fence or wall shall face the abutting property. A chain link fence may not be used to satisfy the requirements of this section. Shrubs shall be planted on the applicant's side of the decision of the applicant.

The Town's Police Department has responded multiple times within the past year to the area between Amherst Road and Hendersonville Road for issues related to vagrants or other persons using this area. The applicants have noted this 6' fence would reduce noise from Hendersonville Road, block line of sight from cars in the office buildings, and stop pedestrians from accessing their property. The proposed description of the fence (6 feet high, wooden privacy fence painted/stained brown) is in compliance with fence material requirements in both the fence ordinance and the buffering ordinance above.

Zoning Compliance Application

Town of Biltmore Forest

Name Jason Smiley

Property Address 24 Amherst Rd

Phone (704) 576-7967

Parcel ID/PIN Number 9656-07-2568 Email jasonbsmiley@gmail.com

ZONING INFORMATION

Current Zoning R-2

Maximum Roof Coverage 2,874 square feet (Up to .5 acres) Proposed Roof Coverage Total

Proposed Impervious Surface Coverage

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

N/A

N/A

Lot Size

.73 ACRES

Maximum Impervious Surface Coverage Up to 1 acre (27.5 percent of lot area)

Front Yard Setback 50 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

Side Yard Setback

Description of the Proposed Project

Requesting to build a privacy fence along the rear lot line of 24 Amherst. Requested fence is along Hendersonville Rd. and is intended to help reduce traffic noise and stop foot traffic from cutting through our lot. Rear of house backs up to office buildings and tree coverage does not block view of cars from the rear of our house.

Location of fence will be nestled within existing natural growth (no removal of vegetation) to conceal fence. Fence to be 6'-0" wooden and painted / stained dark brown to blend with surrounding vegetation.

Estimated Start Date 11/2/2020

Estimated Completion Date 12/1/2020

Estimated Cost of Project \$3,000.00

Supporting Documentation (Site Plan, Drawings, Other Information) 24 Amherst Survey - FENCE.pdf

Brown Privacy Fence Wooden.jpg

Applicant Signature

Date 9/21/2020

Jan A-ily

Special Use Permit Application

Town of Biltmore Forest

Name Jason Smiley

Address 24 Amherst Rd

Phone (704) 576-7967 Email smiley28786@yahoo.com

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

Accessory Structures

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

Please provide a description of the proposed project:

Requesting to build a privacy fence along the rear lot line of 24 Amherst. Requested fence is along Hendersonville Rd. and is intended to help reduce traffic noise and stop foot traffic from cutting through our lot. Rear of house backs up to office buildings and tree coverage does not block view of cars from the rear of our house.

Location of fence will be nestled within existing natural growth (no removal of vegetation) to conceal fence. Fence to be 6'-0" wooden and painted / stained dark brown to blend with surrounding vegetation.

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

Proposed fence to be located in rear of property and located within existing vegetation. Further the fence will be painted / stained brown to blend with surrounding vegetation.

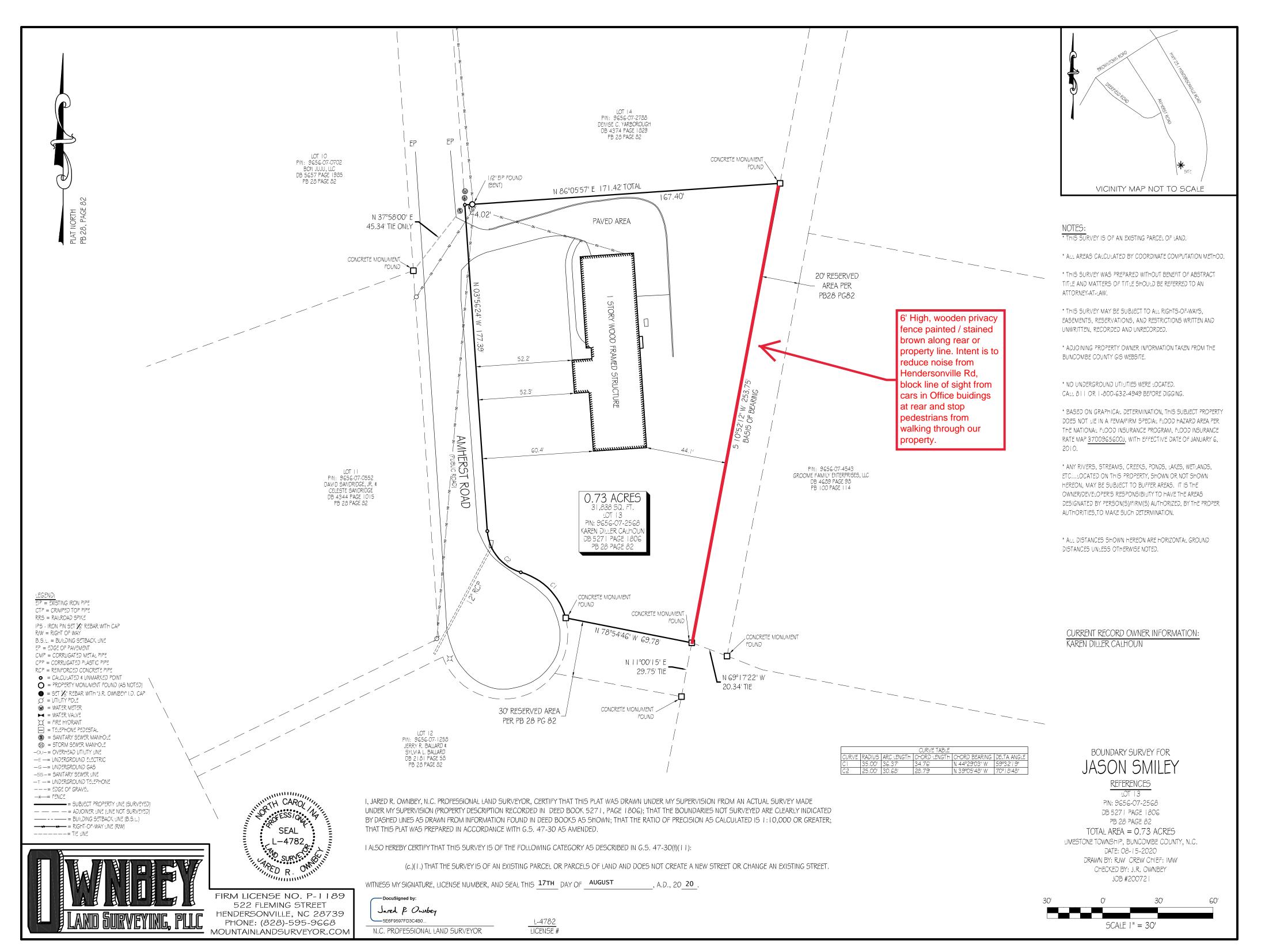
Fence will assist in keeping road noise down, blocking view of office buildings / cars from Amherst and act as deterrent from pedestrians cutting into Biltmore Forest from commerical building parking lots.

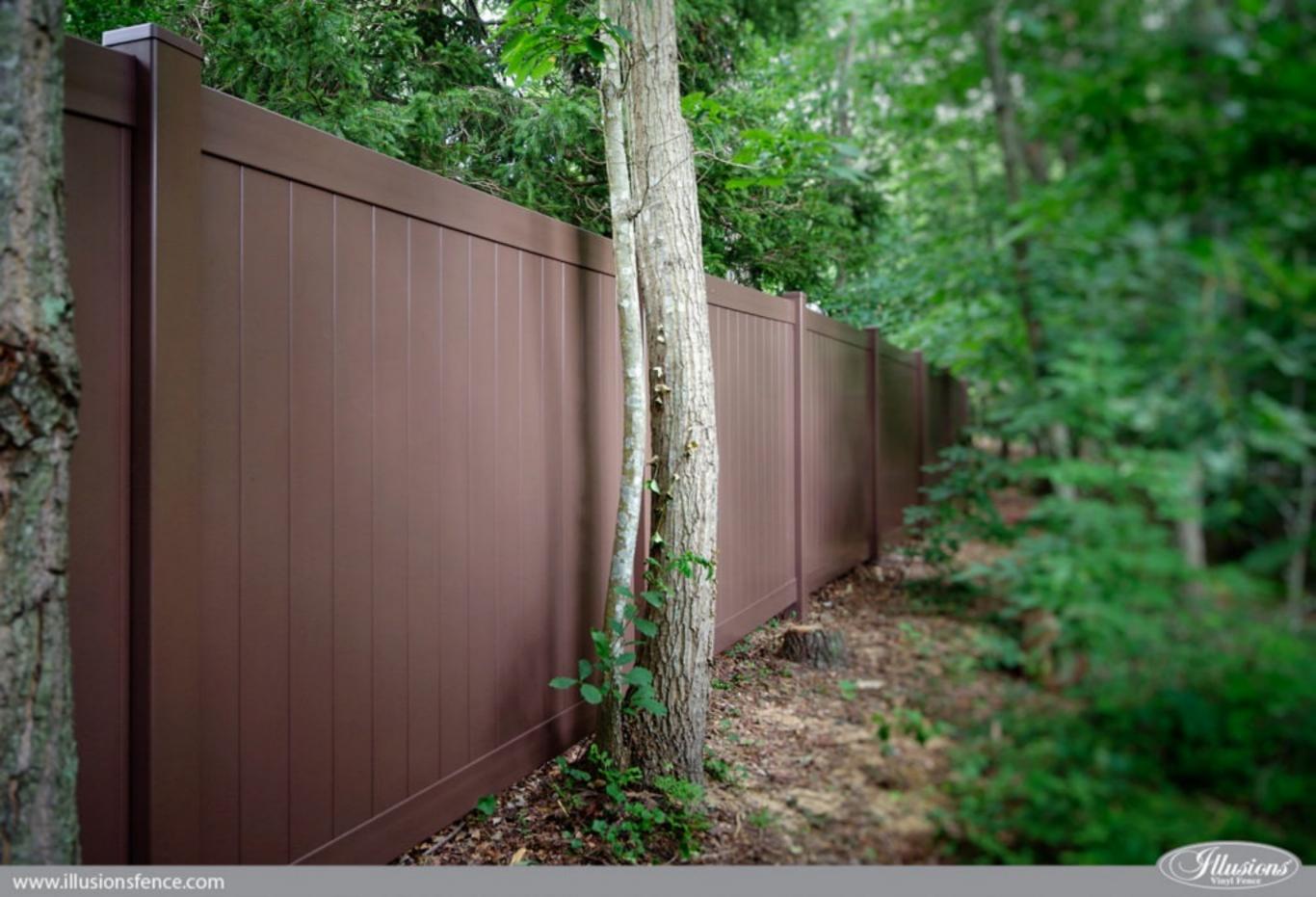
I hereby certify that all of the information set forth above is true and accurate to the best of my knowledge.

Signature

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Date 9/21/2020





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



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

> Jonathan B. Kanipe, Town Manager

MEMORANDUM

To:	Board of Adjustment Members
From:	Jonathan Kanipe, Town Manager
Re:	Board of Adjustment Case Number 4 (Lot 4 / 2 Greenwood road)
Date:	October 13, 2020

Landscaping Plan Approval as Part of New Residence Construction

A zoning permit is requested for the construction of a new residence at the intersection of Hilltop and Greenwood Roads. This residence is likely to be addressed 2 Greenwood Road, as the most road frontage for the parcel abuts Greenwood Road. The proposed home meets requirements for maximum roof coverage and impervious surface coverage. There also does not appear to be any detached accessory structure, as the only wall noted is attached to the home. The home is in compliance with all setbacks on the property. The driveway does come in from the front as noted within the Zoning Ordinance.

The new home construction will result in a disturbance greater than twenty (20) percent of the lot area. This requires a landscape plan approval from the Board of Adjustment. The site plan, as attached, shows a total of twenty-seven (27) trees planned for removal. There are a minimum of twenty-three (23) trees planned for planting to the west bordering 30 Hilltop Road and additional buffering to the north along Hilltop Road. A significant amount of large trees will remain on the property.

If the landscape plan is approved, the project will then go to the Design Review Board for final review.

Zoning Compliance Application

Town of Biltmore Forest

Name M. David & Gay V. Cogburn

Property Address Lot #4 Greenwood Road, Biltmore Forest, NC

Phone (828) 274-1617

Parcel ID/PIN Number 9646-84-0971-00000 Email BFCogs@aol.com

ZONING INFORMATION

Current Zoning R-1

Maximum Roof Coverage 6,100 square feet (Up to 2 acres) Proposed Roof Coverage Total

6066 s.f.

Lot Size 1.583 acres

Maximum Impervious Surface Coverage 1-3 acres (25 percent of lot area) **Proposed Impervious Surface Coverage** 11,956 s.f.

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 37'-3"

Description of the Proposed Project

New custom residential structure with new driveways and off street parking. Site grading and selected tree cutting as required for new construction. Note, the permit application fee will be paid via credit card through the Town of Biltmore Forest permit fee web page. The amount being sent is \$2608.00, calculated per the ordinance based on the estimated costs below. Please advise if the fee calculations are not correct. Note: George Stowe, Architect is signing below as agent for the David and Gay Cogburn.

Estimated Start Date 10/31/2020

Estimated Completion Date 9/15/2021

Estimated Cost of Project \$1,300,000.00

Supporting Documentation (Site Plan, Drawings, Other Information) Cogburn Residence [9 pages].pdf Applicant Signature

.

Date 9/28/2020

No Store

DROP INLET TOP=2200.57 INV=2198.6



OWNER: DAVID M. AND GAY V. COGBURN CURRENT ADDRESS: 44 TIVERTON LANE, ASHEVILLE, NC 28803

PIN: 9646 84 0971 00000 SURVEYOR: MCABEE & ASSOCIATES, DATED 02-16-2017

ZONING: R-1

SIZE: 1.583 ACRES NEW STRUCTURE ROOF COVERAGE: 6066 SQ.FT.

PROPOSED IMPERVIOUS SURFACE COVERAGE: 11,956 SQ.FT.

TREE CHART

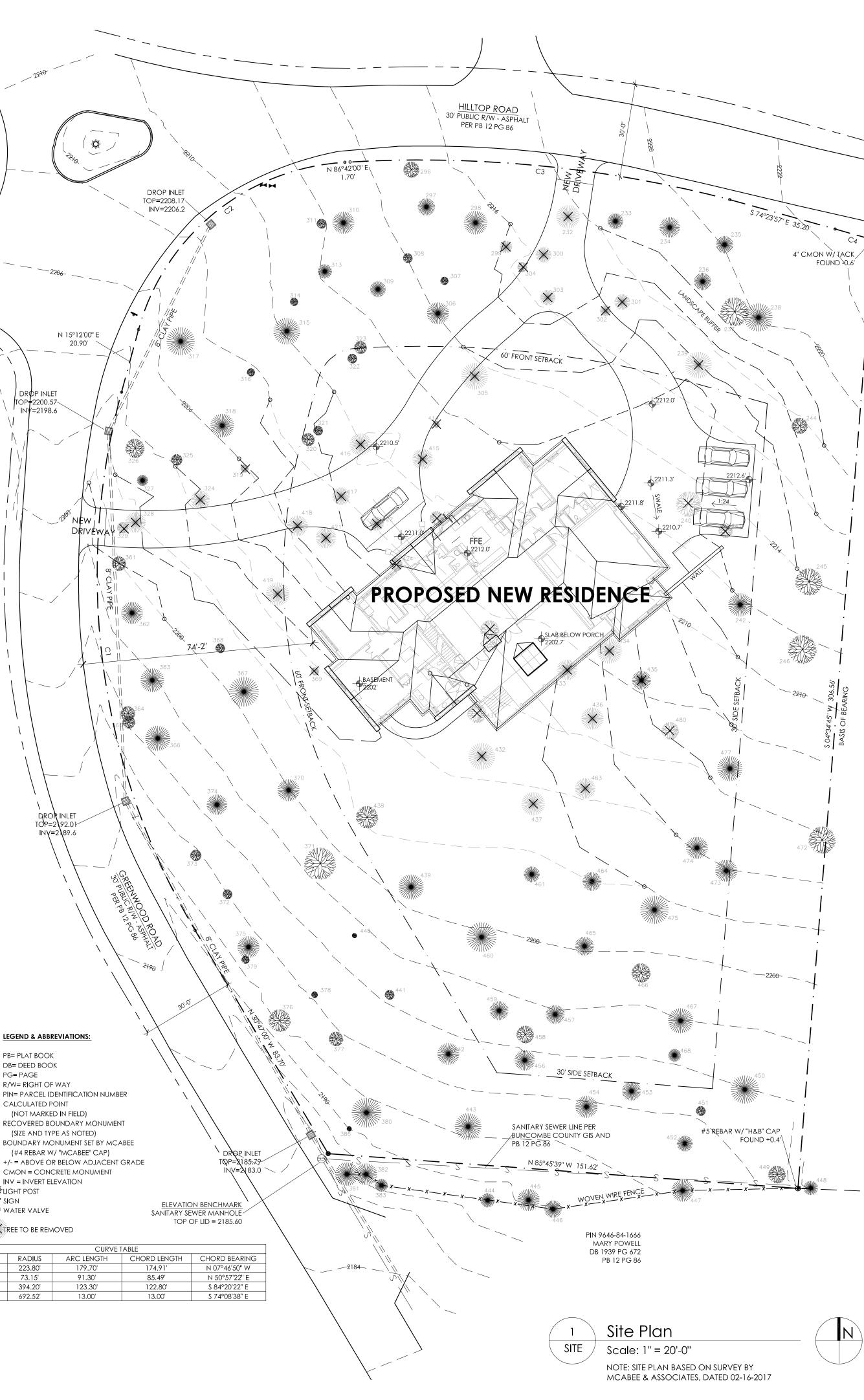
		ECHARI	
TREE #	tree type and size	TREE #	
$\frac{1 \text{KEE} \#}{232}$	WHITE PINE 30"	<u>376</u>	<u>TREE TYPE AND SIZE</u> POPLAR 28''
232		378	
233	WHITE PINE 20"	378	BLACK OAK 18" POPLAR 8"
	WHITE PINE 26" WHITE PINE 22"		
235	WHITE PINE 22" WHITE PINE 22" POPLAR 36"	379	CHERRY 10"
236	WHILE PINE 22	380	WHITE PINE 38"
237		001	HEMLOCK 30"
238	WHITE PINE 36"	382	WHITE PINE 28"
239	WHITE PINE 34"	383	WHITE PINE 16"
240	POPLAR 32"	386	DOGWOOD 6"
241	POPLAR 18"	414	DOGWOOD 8"
242	WHITE PINE 30"	415	WHITE PINE 26"
244	CHERRY 20"	416	WHITE PINE 28"
245	POPLAR 34"	417	WHITE PINE 22"
246	POPLAR 36"	418	WHITE PINE 26"
296	POPLAR 20"	419	WHITE PINE 30"
297	WHITE PINE 22"	421	WHITE PINE 26"
298	WHITE PINE 30"	422	WHITE PINE 18"
299	WHITE PINE 16"	423	POPLAR 18"
300	WHITE PINE 20"	424	RED OAK 16"
301	WHITE PINE 20"	429	POPLAR 24"
302	WHITE PINE 14"	431	POPLAR 24"
303	WHITE PINE 20"	432	WHITE PINE 34"
304	POPLAR 12"	433	WHITE PINE 26"
305	WHITE PINE 34"	434	WHITE PINE 32"
306	WHITE PINE 28"	435	WHITE PINE 24"
307	Sourwood 10"	436	WHITE PINE 28"
308	POPLAR 12"	437	WHITE PINE 30"
309	WHITE PINE 20"	438	POPLAR 28"
310	WHITE PINE 28"	439	WHITE PINE 32"
311	POPLAR 12"	440	DOGWOOD 6"
313	WHITE PINE 18"	441	POPLAR 12"
314	POPLAR 10"	442	WHITE PINE 28"
315	WHITE PINE 34"	443	WHITE PINE 34"
316	Sourwood 10"	444	WHITE PINE 18"
317	WHITE PINE 36"	445	WHITE PINE 28"
318	WHITE PINE 30"	446	HEMLOCK 22"
319	Sourwood 10"	447	WHITE PINE 28"
320	POPLAR 16"	448	HEMLOCK 18"
321	POPLAR 12"	449	POPLAR 22"
322	POPLAR 12"	450	WHITE PINE 54" FORKED
323	POPLAR 16"	451	Sourwood 12"
324	WHITE PINE 24"	452	WHITE PINE 20"
325	POPLAR 14"	453	WHITE PINE 24"
326	POPLAR 24"	454	WHITE PINE 28"
327	WHITE PINE 14"	456	WHITE PINE 26"
328	WHITE PINE 26"	457	WHITE PINE 24"
329	CHERRY 14"	458	POPLAR 22"
361	POPLAR 18"	459	WHITE PINE 24"
362	WHITE PINE 28"	460	WHITE PINE 38"
363	WHITE PINE 30"	461	WHITE PINE 20"
364	POPLAR 18"	463	WHITE PINE 26"
365	RED OAK 16"	464	WHITE PINE 24"
366	WHITE PINE 32"	465	WHITE PINE 24"
367	WHITE PINE 38"	466	POPLAR 24"
368	POPLAR 12"	467	WHITE PINE 32"
369	HICKORY 10"	468	WHITE PINE 16"
370	WHITE PINE 28"	472	POPLAR 34"
371	POPLAR 40'' FORKED	473	WHITE PINE 28"
372	RED OAK 12"	474	WHITE PINE 28"
373	WHITE OAK 14"	475	WHITE PINE 36"
374	WHITE PINE 26"	477	WHITE PINE 32"
375	WHITE PINE 28"	480	POPLAR 22"
		100	

PB= PLAT BOOK	
DB= DEED BOOK	

DROP INLET TOP=2 92.01-INV=2 89.6

► WATER VALVE X TREE TO BE REMOVED

CURVE	RADIUS	ARC LE
C1	223.80'	179.
C2	73.15'	91.3
C3	394.20'	123.
C4	692.52'	13.0

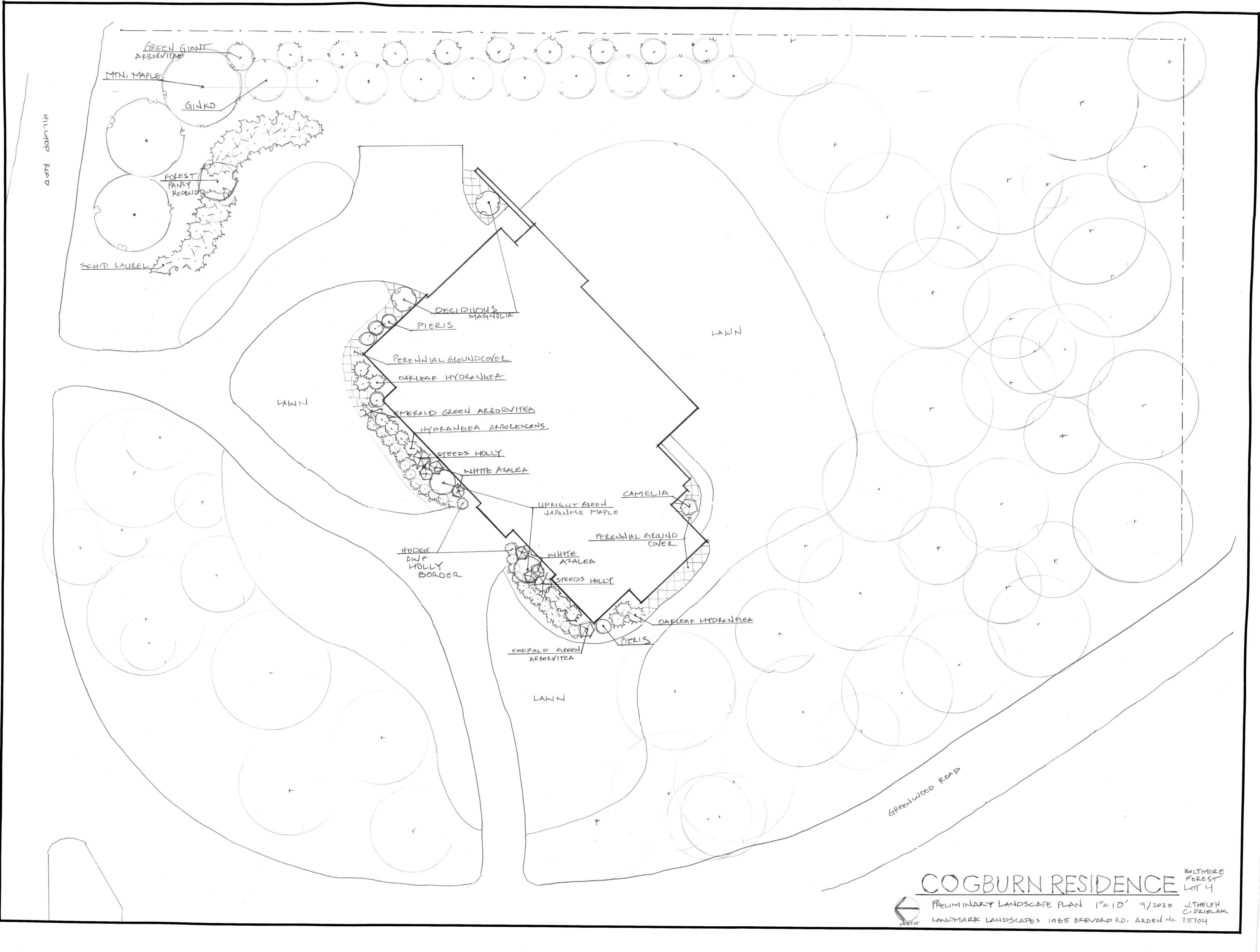


CONTENTS

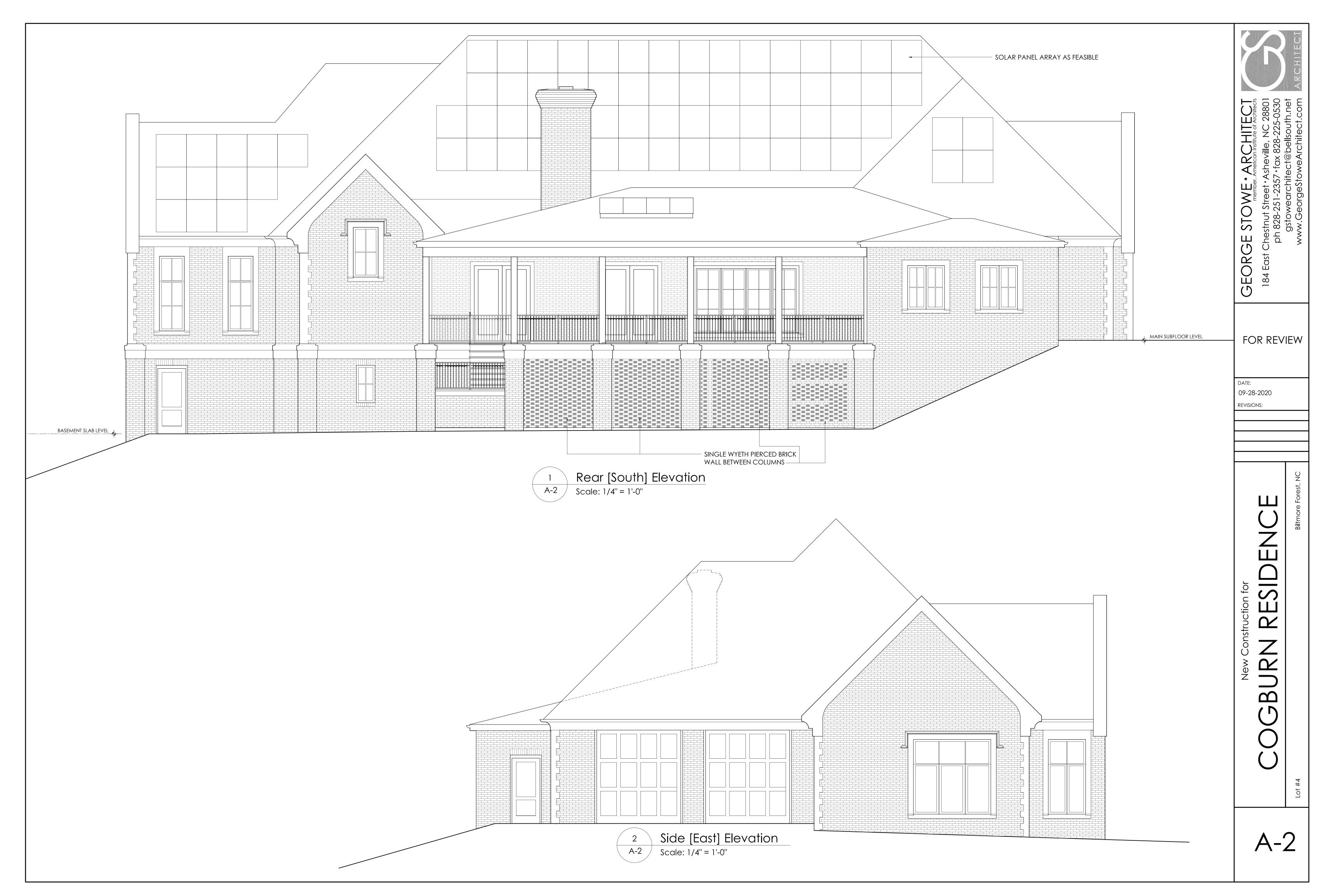
SITE: ROOF PLAN, GRADING, TREE REMOVAL, NOTES LANDSCAPE PLAN: PLANTING DESIGN A-1: ELEVATIONS A-2: ELEVATION A-3: MAIN FLOOR PLAN A-4: BASEMENT LEVEL FLOOR PLAN, SCHEDULES A-5: FOUNDATION PLAN A-6: BUILDING SECTION, ROOF PLAN, DETAIL WALL SECTION A-7: BUILDING SECTION

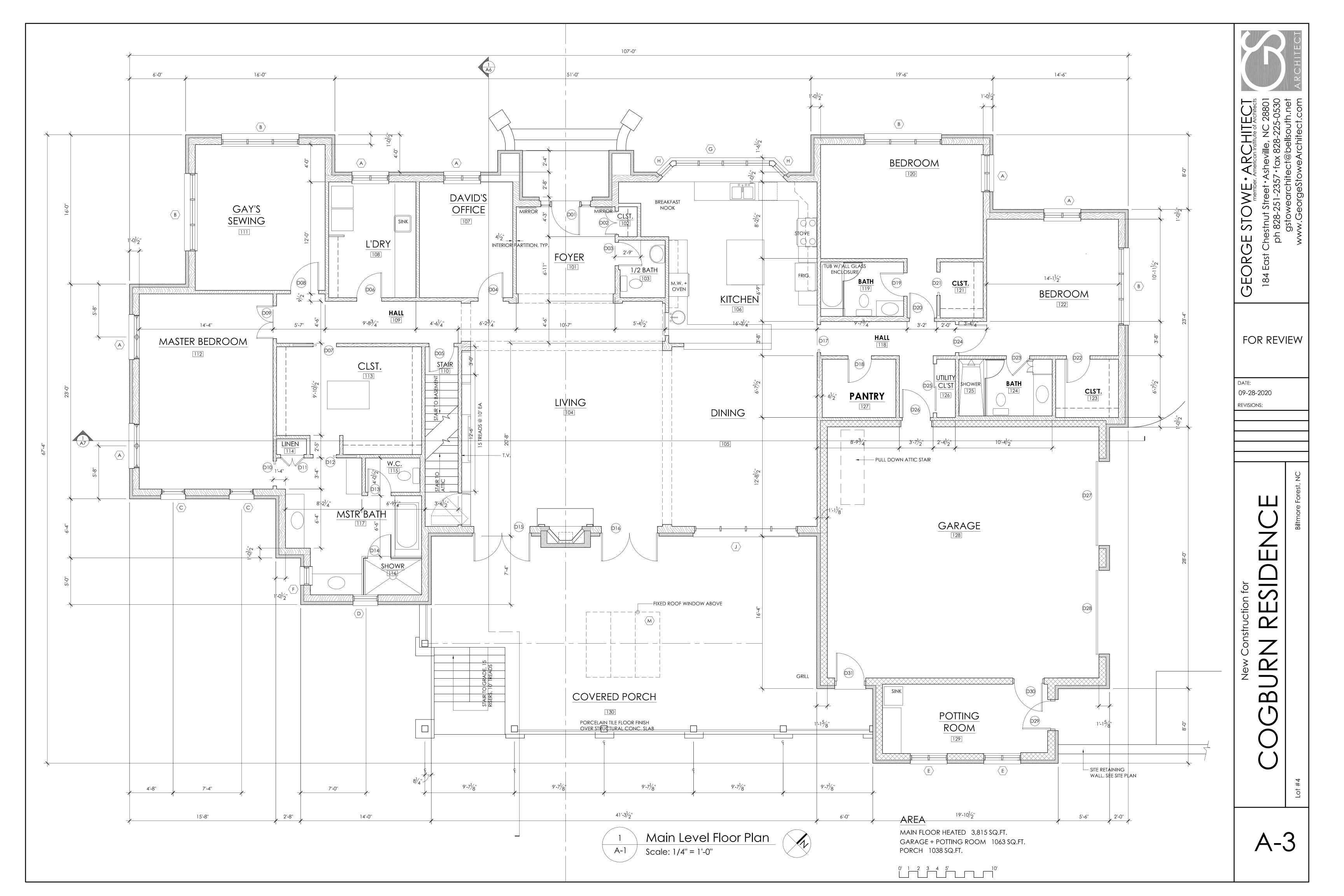
 \circ à c Str 251 stnut 828-2 GEORGE Ches ph East 184 FOR REVIEW DATE: 09-28-2020 **REVISIONS:** Ш $\overline{}$ Ш fo $\boldsymbol{\mathcal{O}}$ Ш ti € \sim 7 \cap $\mathbf{\mathcal{L}}$ \square / N ō SITE

PIN 9646-84-2859 RALPH & PAMELA PRAAG DB 5107 PG 1993 PB 12 PG 86



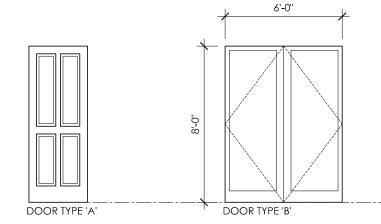






DOOR SCHEDULE (SUBMIT PRODUCT INFORMATION FOR REVIEW)							
MARK	SIZE (W × H)	DOOR TYPE	FRAME	HDWR. GROUP	DETAIL	FIRE RATING	NOTES
D01	3'-0" x 6'-8" x 1 3/4"	А	Wd.	i	X/AX	1 HR.	-
D02	-	-	-	-	-	-	-
D03	-	-	-	-	-	-	-
D04	-	-	-	-	-	-	-
D05	-	-	-	-	-	-	-
D06	-	-	-	-	-	-	-
D07	-	-	-	-	-	-	-
D08	-	-	-	-	-	-	-
D09	-	_	-	-	_	_	-
D10	-	-	-	-	-	_	-
D11	-	-	-	-	-	-	-
D12	-	-	-	-	-	-	-
D13	-	-	-	-	-	-	-
D14	-	-	-	-	-	-	-
D15	-	-	-	-	-	-	-

HARDWARE SPECIFICATIONS



DOOR TYPES

A. REEB / SIMPSON STILE AND RAIL RAISED PANEL WOOD DOORS. TO BE SELECTED BY OWNER

B. "HOPE" EMPIRE BRONZE JAMESTOWN 175 SERIES. I.G. GLAZING W/ THERMAL BREAK, EXTERIOR PATIO DOOR.

C. INSULATED DOOR SYSTEM, TO BE SELECTED BY OWNER

D. OVERHEAD DOOR SYSTEM, TO BE SELECTED BY OWNER

WINDOW SCHEDULE

MARK DETAIL SIZE ($W \times H$) TYPE NOTES A SEE ELEVATION x 1-3/4" CASEMNT + TRANSOM X/AX SEE ELEVATION x 1-3/4" CASEMNT + TRANSOM В SEE ELEVATION x 1-3/4" CASEMNT + TRANSOM С SEE ELEVATION x 1-3/4" CASEMNT D SEE ELEVATION x 1-3/4" CASEMNT -SEE ELEVATION x 1-3/4" CASEMNT F -G SEE ELEVATION x 1-3/4" CASEMNT Н SEE ELEVATION x 1-3/4" CASEMNT I NOT USED J SEE ELEVATION x 1-3/4" CASEMNT K SEE ELEVATION x 1-3/4" CASEMNT SEE ELEVATION x 1-3/4" CASEMNT 7'-10 1/2'' x 7'-2 5/8 FIXED GLASS SKYLIGHT М NOTES:

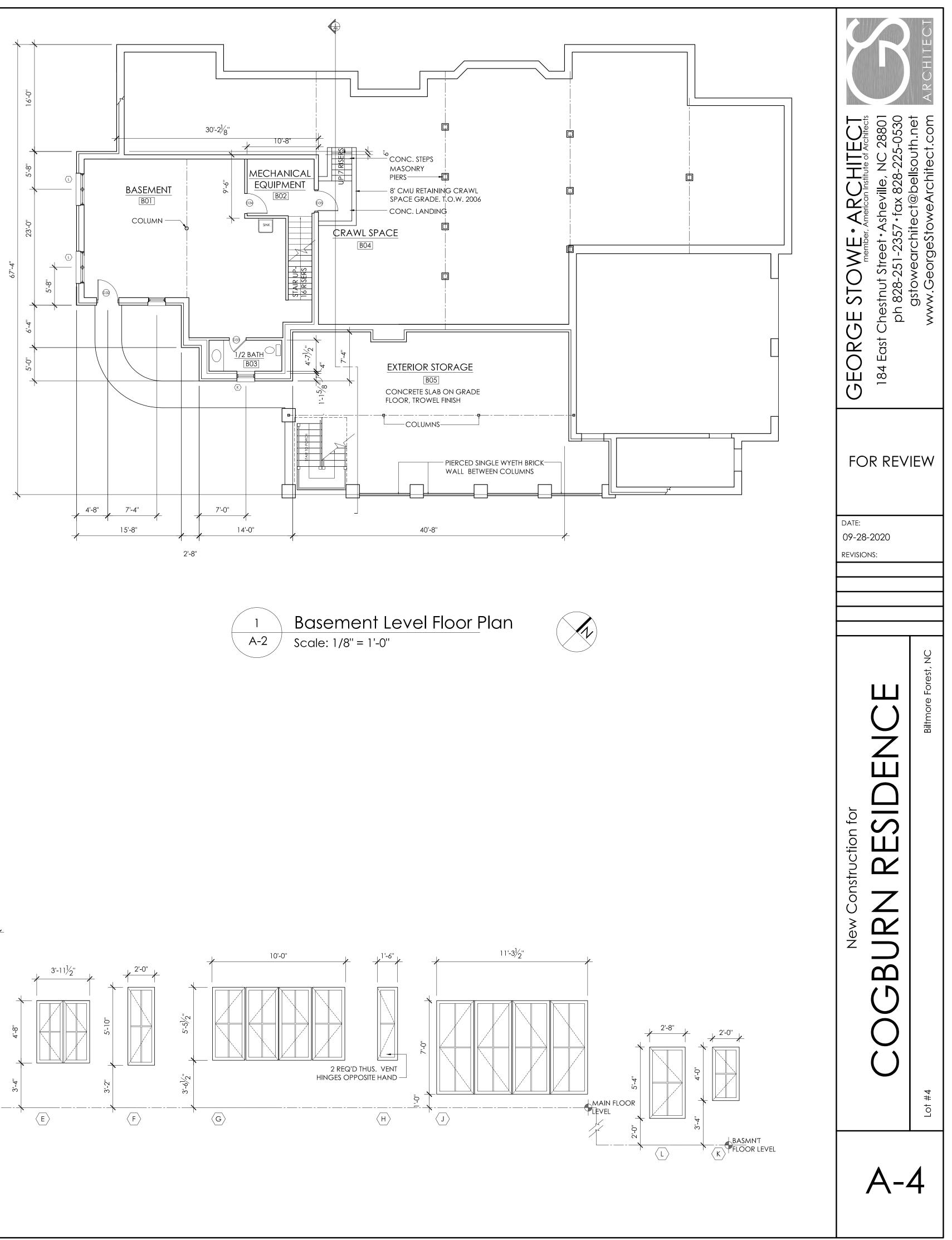
(SUBMIT PRODUCT INFORMATION FOR REVIEW)

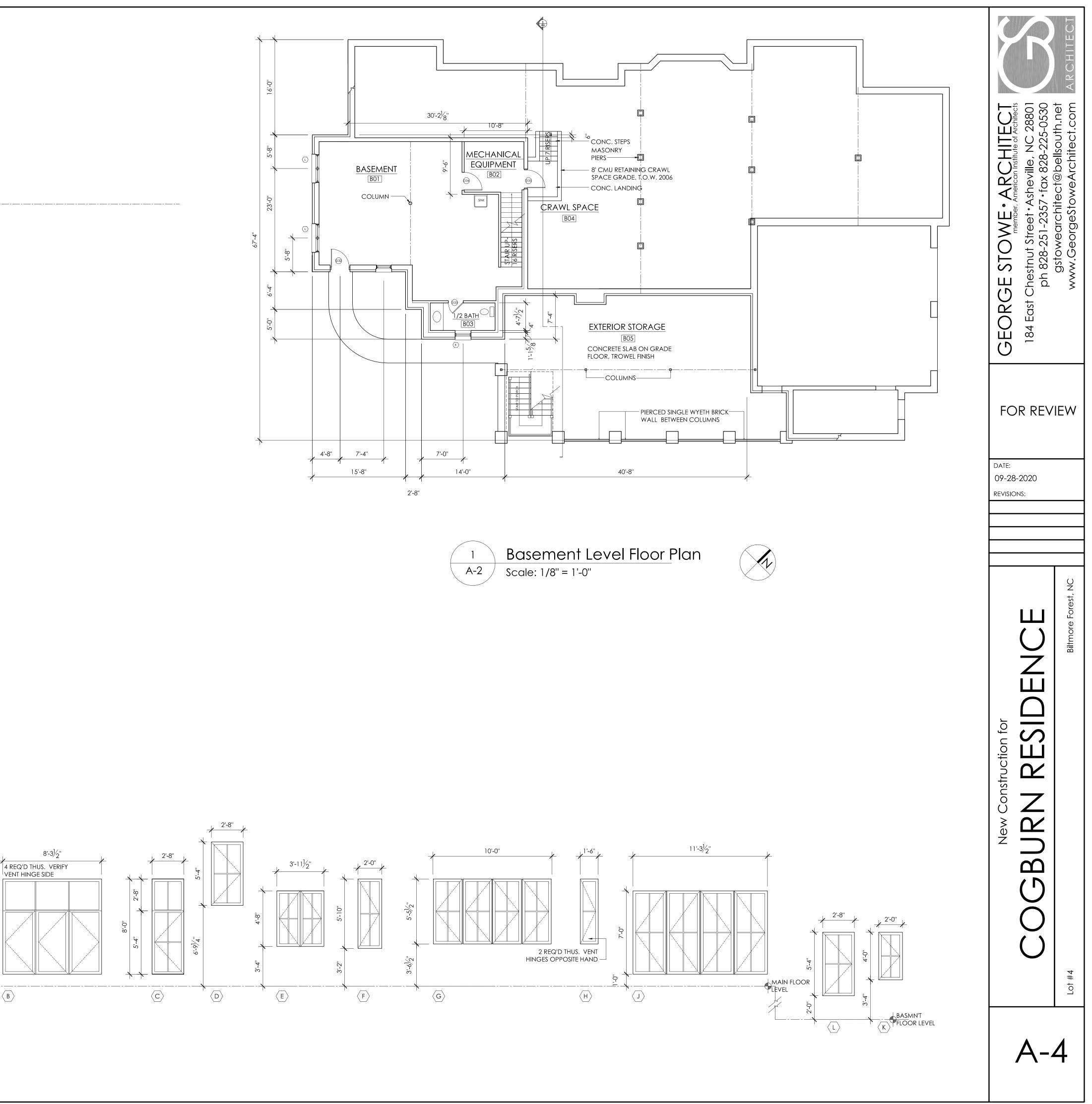
++ \rightarrow $\langle \mathsf{A} \rangle$ B

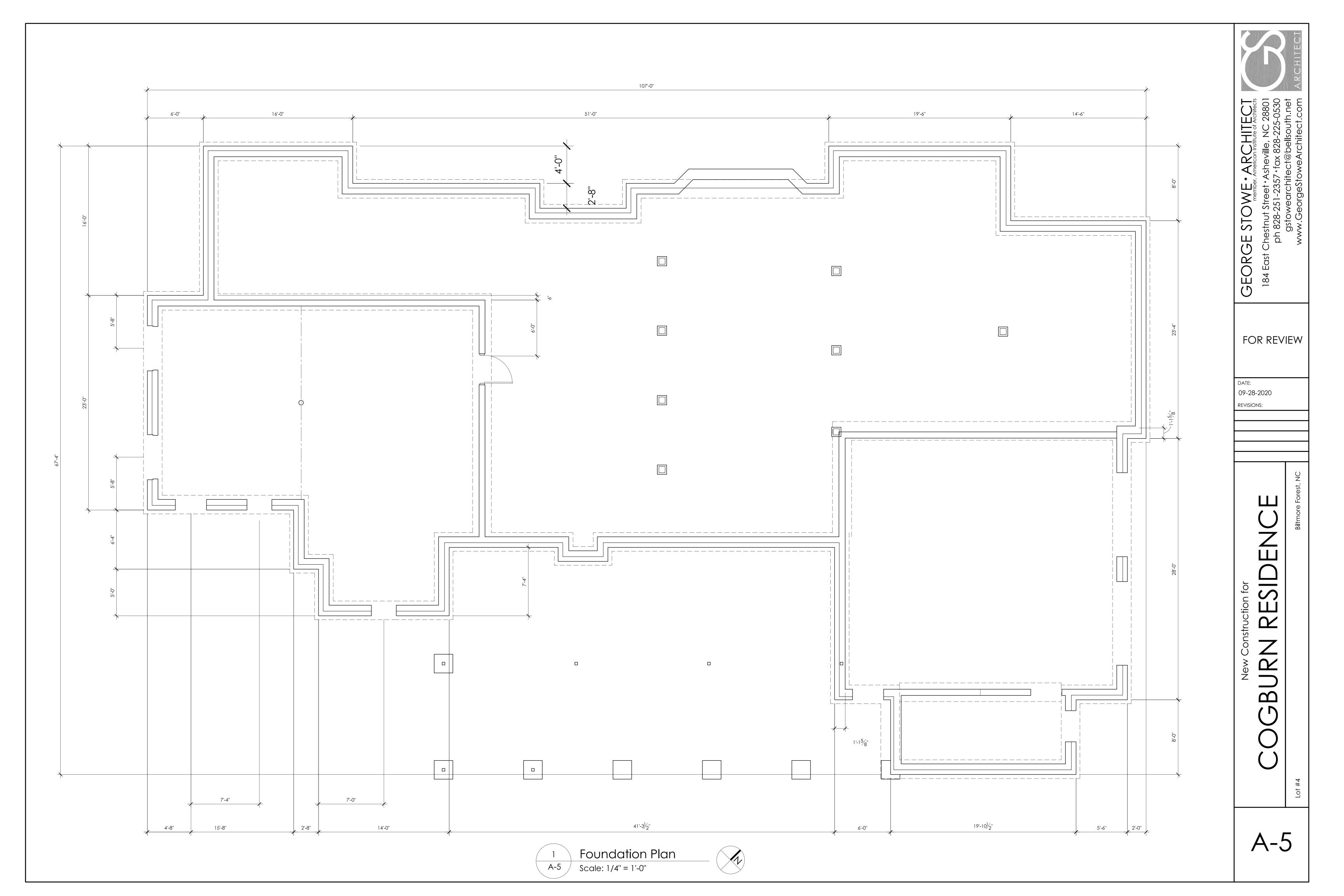
4'-0''

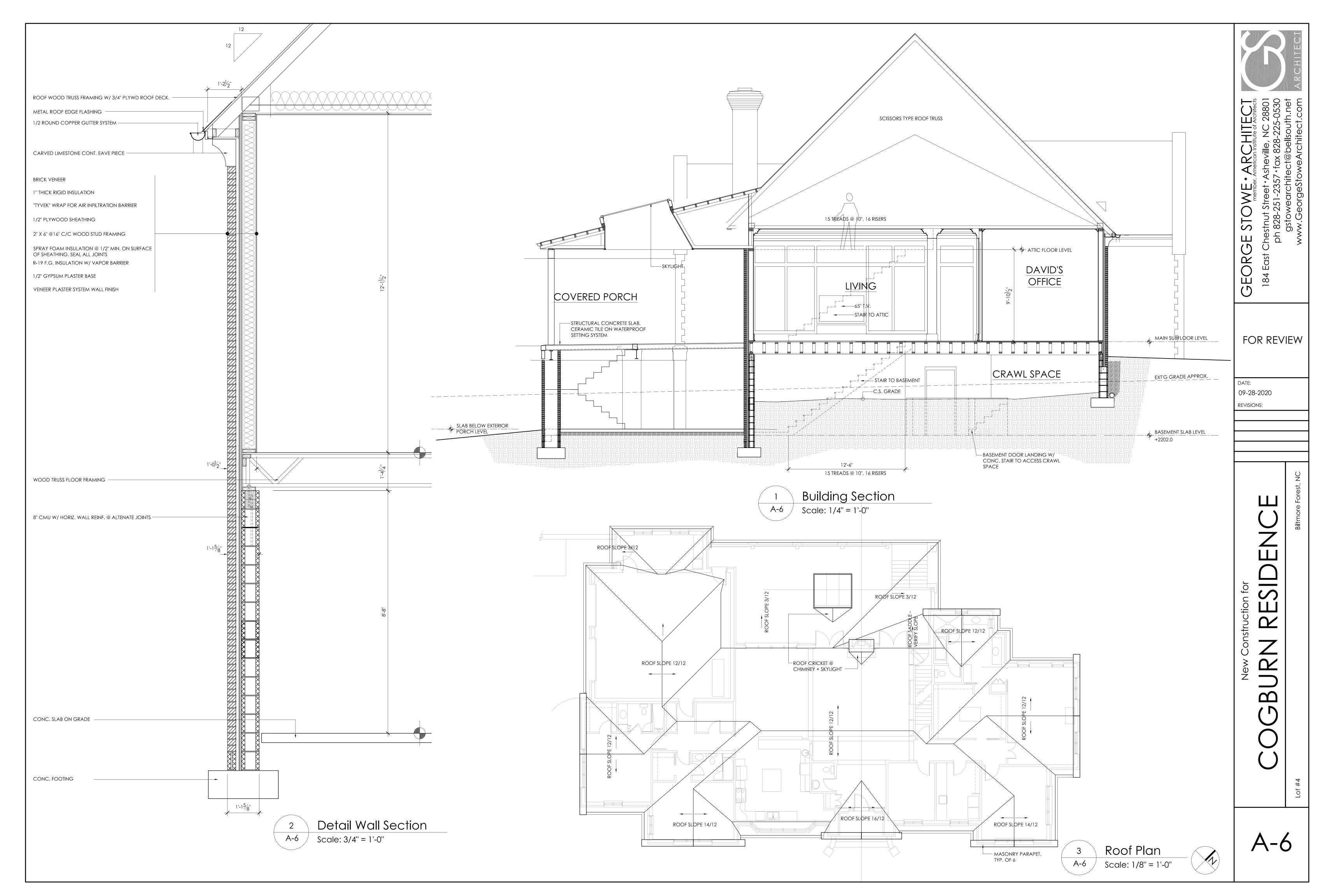
1. WINDOWS 'A' - 'J' ARE BASED ON "HOPE" EMPIRE BRONZE JAMESTOWN 175 SERIES. OPERABLE CASEMENT & FIXED TRANSOM ASSEMBLIES AS SHOWN. SIMULATED DIVIDED LITES AS SHOWN GLAZING SHALL BE 1" DBL. INSULATED, LOW-E ARGON-FILLED, CLEAR

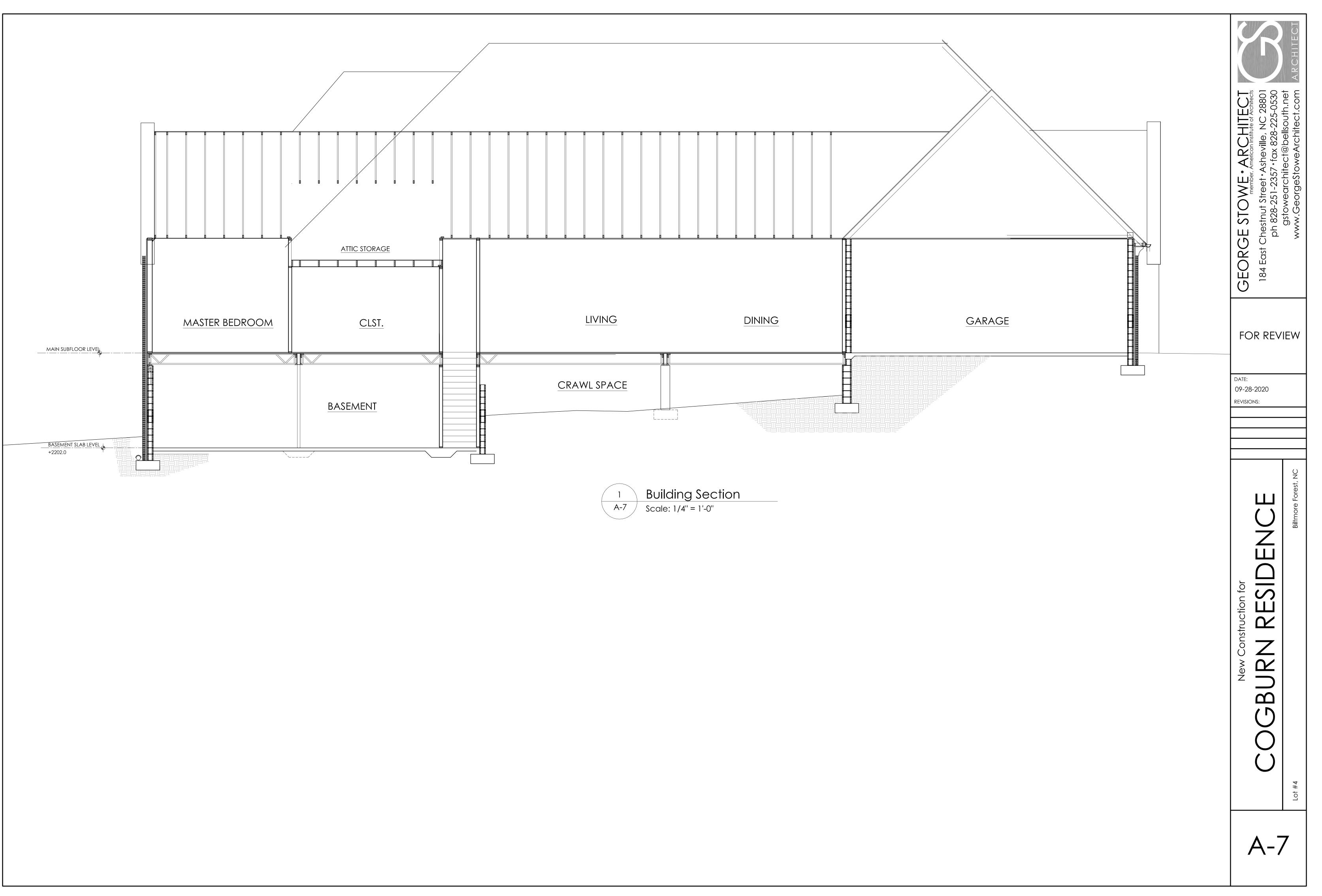
2. VELUX SKYLIGHT MODULE, TYPE HFC, CURB MTD. W/ SINGLE PANE SAFETY GLASS, CLEAR. COMPLETE WITH FLASHING ASSEMBLY. 3 EACH 800[mm] x 2200[mm].











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



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

> Jonathan B. Kanipe, Town Manager

MEMORANDUM

To:	Board of Adjustment Members
From:	Jonathan Kanipe, Town Manager
Re:	Board of Adjustment Case Number 5 (5 Fir Tree Lane)
Date:	October 13, 2020

Variance Request for Driveway to Enter through Rear of Property

The applicant requests a variance from the Board of Adjustment to allow the construction of the entrance driveway to the property to enter from Cedar Hill Drive instead of the front of the property along Fir Tree Lane. This new residence proposal meets all other requirements related to new house construction, including compliance with the maximum roof coverage and impervious surface requirements. The only setback encroachment results from the proposed driveway location in the rear yard.

The Town's Zoning Ordinance defines **FRONT YARD** in a manner that also speaks to driveway requirements, as follows:

An open, unoccupied space on the same lot with a principal building, extending the full width of the lot, and situated between the street or property line and the front line of the building, projected to the side lot lines of the lot. Driveways, to the extent possible, shall enter the property through the front yard. In the case of a lot with frontage on more than one street, the side of the lot with the most street frontage shall be considered the **FRONT YARD**, however, in the consideration and determination of applications for conditional use or variance on such a lot, the Board of Adjustment shall take into account and consider the visibility of both the FRONT and SIDE YARDS to the street and adjoining properties in any determination.

In this specific instance, the lot abuts both Cedar Hill Drive and Fir Tree Lane. By definition above, the side of the lot with the most street frontage is Fir Tree Lane, thereby designating this the *front*. The applicant's request includes specific information related more extensive grading, tree removal, sedimentation control, and a lesser slope as reasons to request the variance.

Per the definition above, the Board of Adjustment is provided flexibility in regards to reviewing lots that have frontage on more than one street.

Zoning Compliance Application

Town of Biltmore Forest

Name Ron Hunt

Property Address Lot #8 Fir Tree lane & 14A Cedar Hill

Phone (828) 337-1143 Email ronaldforresthunt@icloud.com

Parcel ID/PIN Number 9646-42-9288-00000

ZONING INFORMATION

Lot Size

2.682 ac

14,597sf

Current Zoning R-1

Maximum Roof Coverage 7,500 square feet (Up to 3 acres)

6,271sf
Proposed Impervious Surface Coverage

Proposed Roof Coverage Total

Maximum Impervious Surface Coverage 1-3 acres (25 percent of lot area)

Side Yard Setback

20 feet (R-1 District)

Rear Yard Setback 25 feet (R-1 District)

Front Yard Setback

60 feet (R-1 District)

Building Height 32'

Description of the Proposed Project Single family residence with 4215sf heated plus 1,100sf finished basement and 3 car garage

Estimated Start Date 12/15/2020

Estimated Completion Date 1/31/2022

Estimated Cost of Project \$1,300,000.00

Supporting Documentation (Site Plan, Drawings, Other Information) Hunt variance addendum copy.pdf **Applicant Signature**

Date 9/28/2020

Bucolinson

VARIANCE APPLICATION

Town of Biltmore Forest

Name Ron Hunt

Address 15 Cedar Hill Dr

Phone (828) 337-1143 Email ronaldforresthunt@icloud.com

Current Zoning/Use

Requested Use Single family residence

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?

Build a new house on lot #8 with new driveway access from Cedar Hill Dr, thru rear lot line

What does the ordinance require?

Driveway should enter thru front setback on Fir Tree Lane

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.

Requiring drive entry from Fir Tree requires more grading and tree removal.

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

The lot shape and steeper topography on Fir Tree would require a 29' rise from street to main living level over a shorter distance than Cedar Hill. The longer drive also allows for better mud control during construction.

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

The unusual lot shape with 2 road frontages already existed

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. This has no impact on public safety

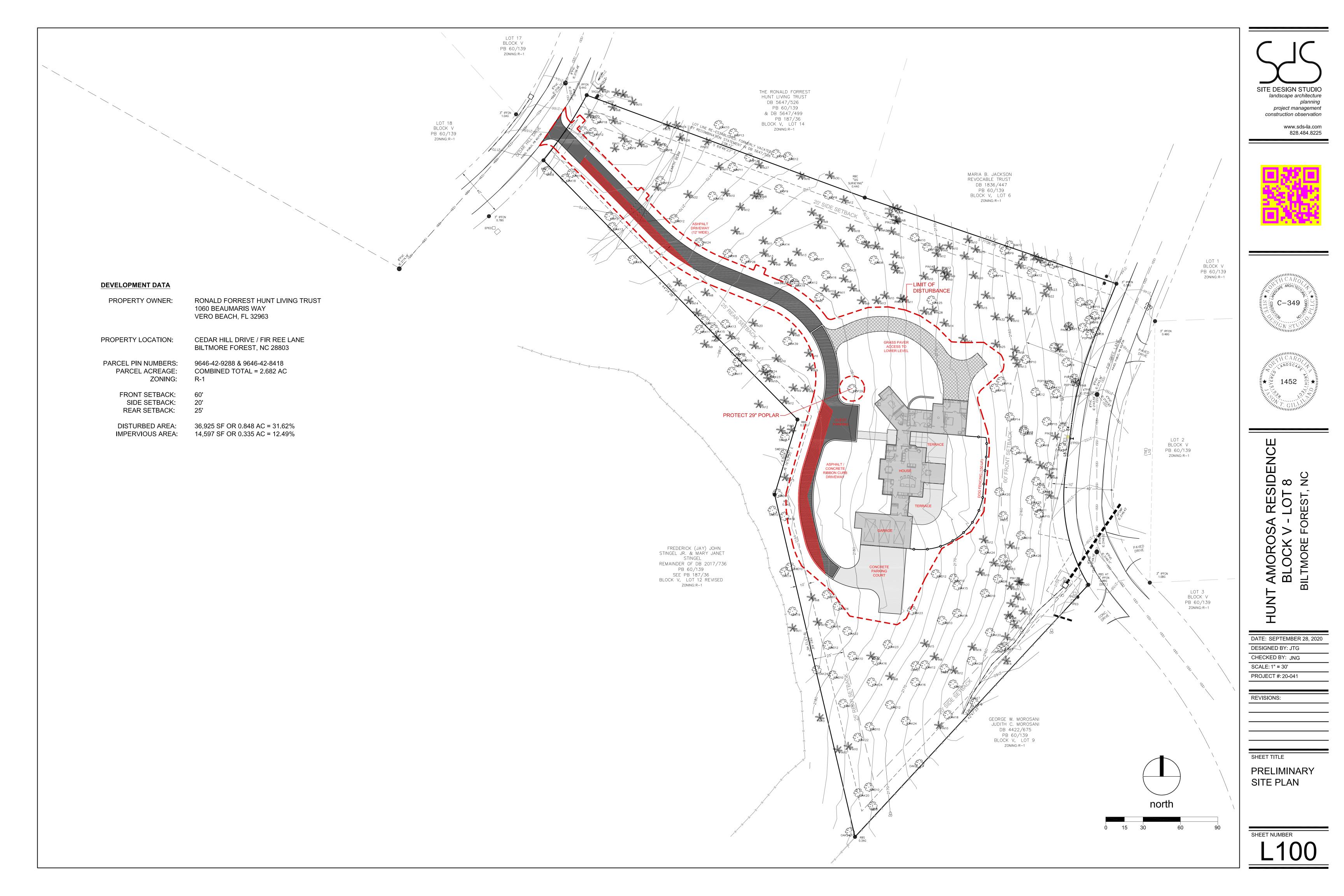
I hereby certify that all of the information set forth above is true and accurate to the best of my

knowledge.

Signature

Date 9/28/2020

Bruce Johnon



CONSTRUCTION SEQUENCE:

- 1. INSTALL ALL EROSION CONTROL MEASURES AS SHOWN;
- 2. ON-SITE INSPECTION BY INSPECTOR TO APPROVE PERIMETER
- 3. PROCEED WITH GRADING;

EROSION CONTROL DEVICES;

- 4. CLEAN SEDIMENT BASINS WHEN ONE-HALF FULL;
- 5. REPAIR OR REPLACE ALL EROSION CONTROL MEASURES AS NEEDED;
- 6. SEED AND MULCH DENUDED AREA, AS REQUIRED, AFTER FINISHED GRADES ARE ESTABLISHED;
- 7. MAINTAIN SOIL EROSION CONTROL MEASURES UNTIL PERMANENT GROUND COVER ESTABLISHED;
- 8. REQUEST FINAL APPROVAL BY CONSTRUCTION INSPECTOR; AND,
- 9. REMOVE ALL TEMPORARY SOIL EROSION CONTROL MEASURES AND STABILIZE THESE AREAS.

GRADING & EROSION CONTROL NOTES:

1. PROPERTY OWNER IS RESPONSIBLE FOR COMPLYING WITH ALL APPLICABLE LOCAL, STATE AND FEDERAL STORM WATER POLLUTION PREVENTION LAWS AND ORDINANCES. PROPERTY OWNER SHALL BE RESPONSIBLE FOR ALL REQUIRED PERMITS.

2. EROSION AND SEDIMENT CONTROL MEASURES INDICATE THE MINIMUM MEASURES REQUIRED. ALL EXISTING STORMWATER MEASURES SHALL BE PROTECTED DURING CONSTRUCTION. IT IS THE PROPERTY OWNERS RESPONSIBILITY TO ADD ADDITIONAL MEASURES AS REQUIRED BY FIELD CONDITIONS AND/OR ON-SITE INSPECTION.

3. EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSPECTED DAILY AND AFTER ANY RAINFALL. ANY REPAIRS OR DEFICIENCIES SHALL BE CORRECTED IMMEDIATELY. A RECORD LOG SHALL BE MAINTAINED ON THE SITE BY THE PROPERTY OWNER AND WILL RECORD ANY DEFICIENCIES AND THE CORRECTIVE MEASURES TAKEN. REFERENCE THE NORTH CAROLINA EROSION AND SEDIMENT CONTROL MANUAL FOR ADDITIONAL INFORMATION.

4. ALL FILL SLOPES SHALL BE COMPACTED FULL DEPTH TO NOT LESS THAN 95 PERCENT MAXIMUM DENSITY (STANDARD PROCTOR), SHALL BE PLACE ON A SURFACE CLEAR OF GROWTH AND DEBRIS, AND BE PROPERLY BENCHED AND DRAINED.

5. ALL CONSTRUCTED SEVERE SLOPES GREATER THAN 2:1 SHALL BE DESIGNED BY A NORTH CAROLINA REGISTERED PROFESSIONAL ENGINEERING. ADDITIONALLY FOR CONSTRUCTED SEVERE SLOPES GREATER THAN FIVE FEET IN HEIGHT, AN INSPECTION AND A STABILITY CERTIFICATE ARE REQUIRED BY A NORTH CAROLINA REGISTERED PROFESSIONAL ENGINEER WITH GEOTECHNICAL EXPERTISE SUFFICIENT TO PERFORM THE INSPECTION AND STABILITY ANALYSIS.

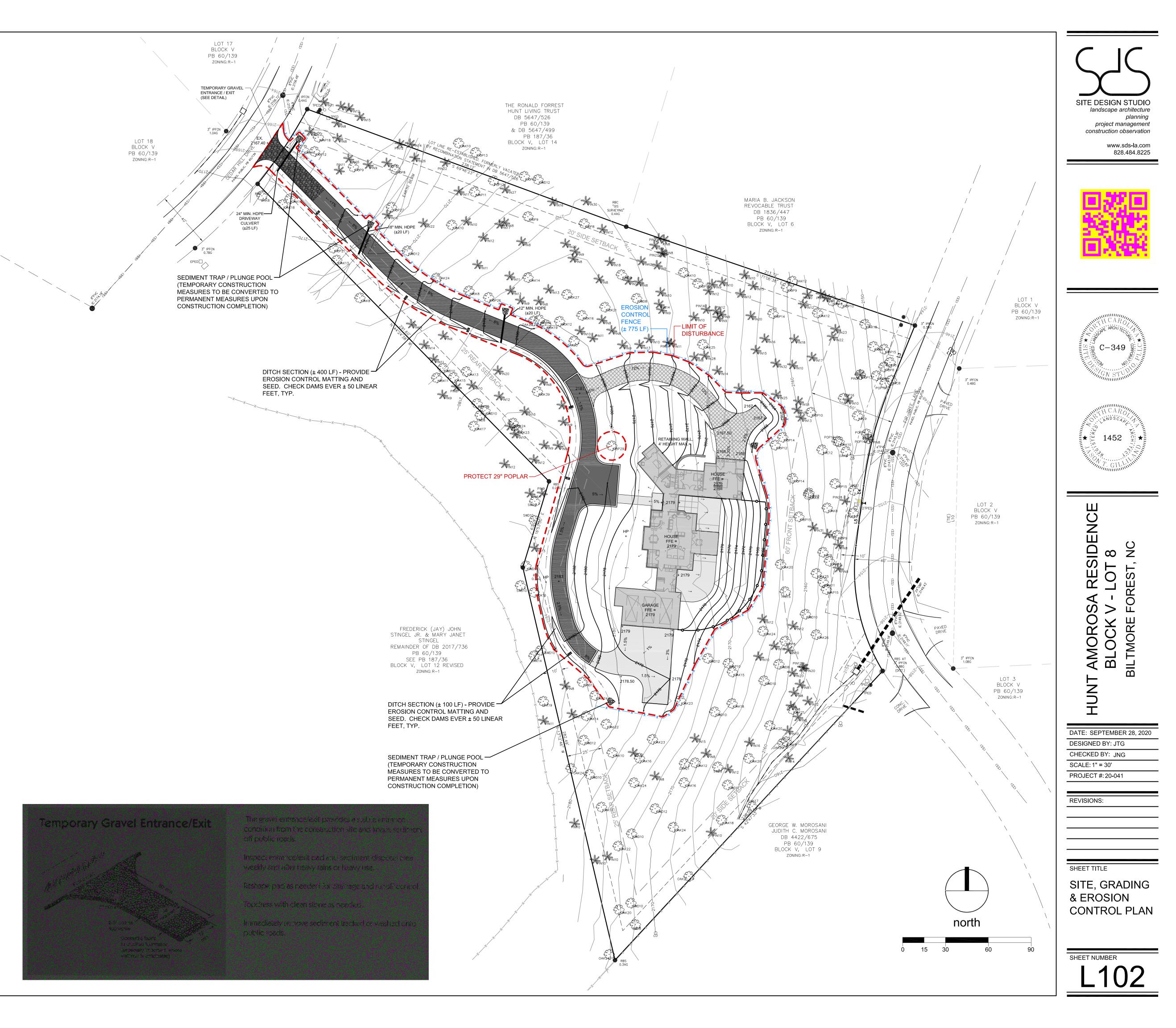
6. EXISTING SURFACE DRAINAGE PATTERNS AND STRUCTURES SHALL BE PRESERVED. ALL 3:1 AND STEEPER SLOPES AND PERIMETER AREAS SHALL BE REVEGETATED WITHIN 7 CALENDAR DAYS OF DISTURBANCE. CUT SLOPES SHALL NOT EXCEED 1.5:1 AND FILL SLOPES SHALL NOT EXCEED 2:1.

7. ALL DISTURBED AREAS NOT PAVED SHALL BE FINE GRADED AND SEEDED WITH REBEL II TALL FESCUE SEED MIX OR EQUIVALENT. ALL SLOPES 4:1 OR GREATER SHALL RECEIVE EROSION CONTROL MATTING PRIOR TO SEEDING.

8. BEFORE THE YOU DIG CALL 1-800-632-4949 N.C. ONE-CALL CENTER IT'S THE LAW. THE CONTRACTOR SHALL NOTIFY THE APPROPRIATE UTILITY COMPANIES REGARDING THE PROPOSED CONSTRUCTION. IN ADDITION, THE CONTRACTOR IS TO BE NOTIFIED WHICH UTILITIES, BUT NO LIMITED TO WATER, SANITARY SEWER, STORM SEWER, ELECTRICAL, TELEPHONE, CABLE, FIBER OPTICS AND GAS, ARE LOCATED IN THE VICINITY OF THE PROPOSED WORK. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING AND STAKING THE LOCATION OF ALL EXISTING UTILITIES AND PROTECTING THEM DURING THE WORK AND SHALL BEAR ANY COSTS TO REPAIR UTILITIES DAMAGED AS A CONSEQUENCE OF PERFORMING THE WORK.

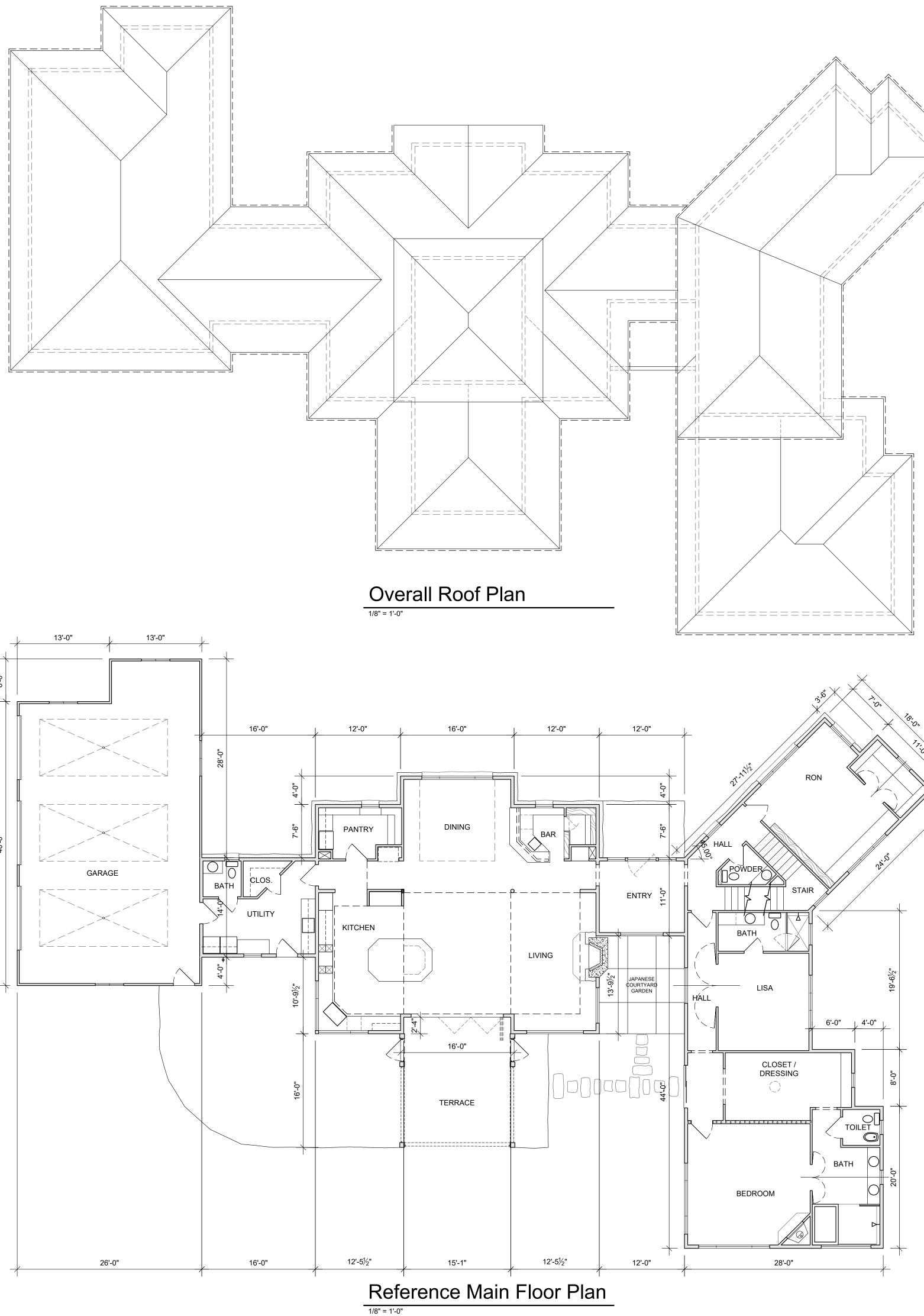
NOTE:

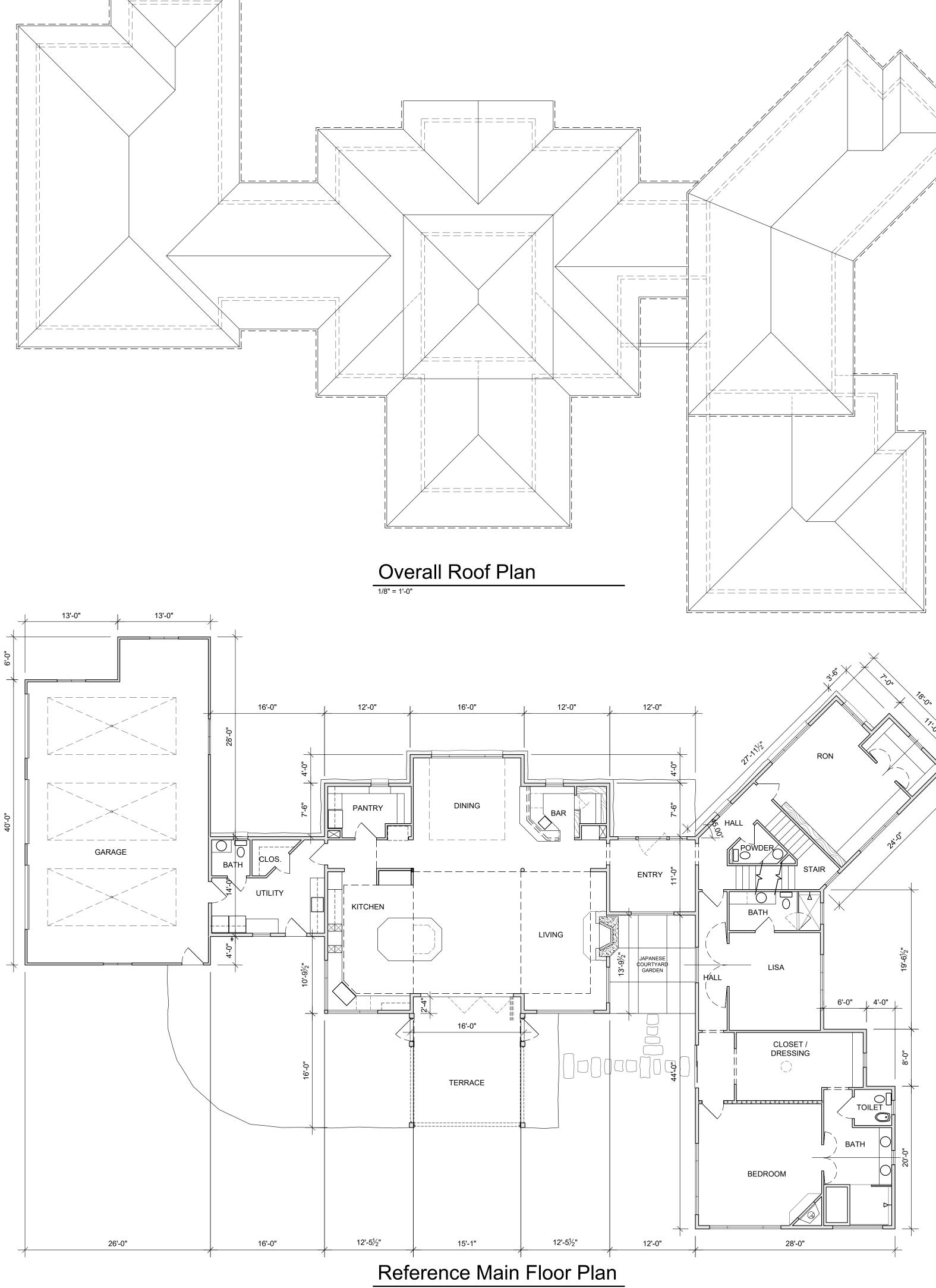
SITE, GRADING & EROSION CONTROL PLANS PREPARED FROM BASE BOUNDARY SURVEY, TOPOGRAPHIC & TREE SURVEY INFORMATION PROVIDED BY ED HOLMES & ASSOCIATES DATED 9-11-20.

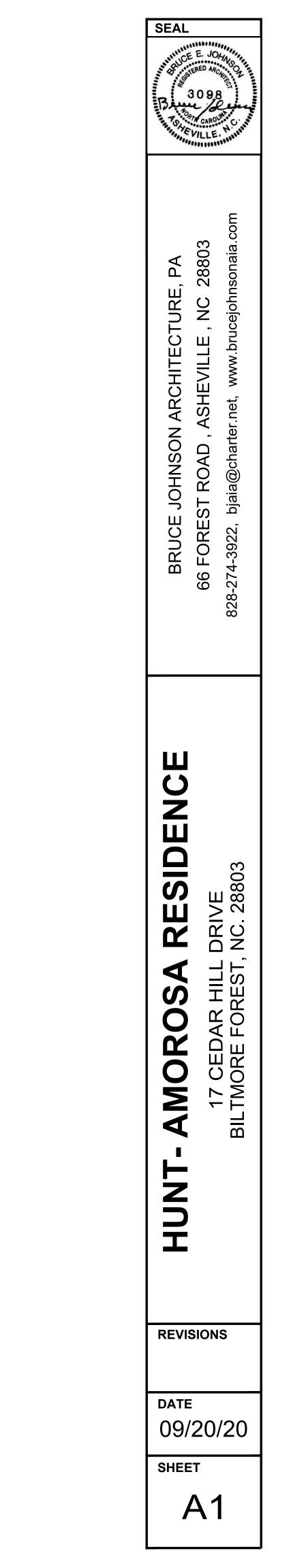


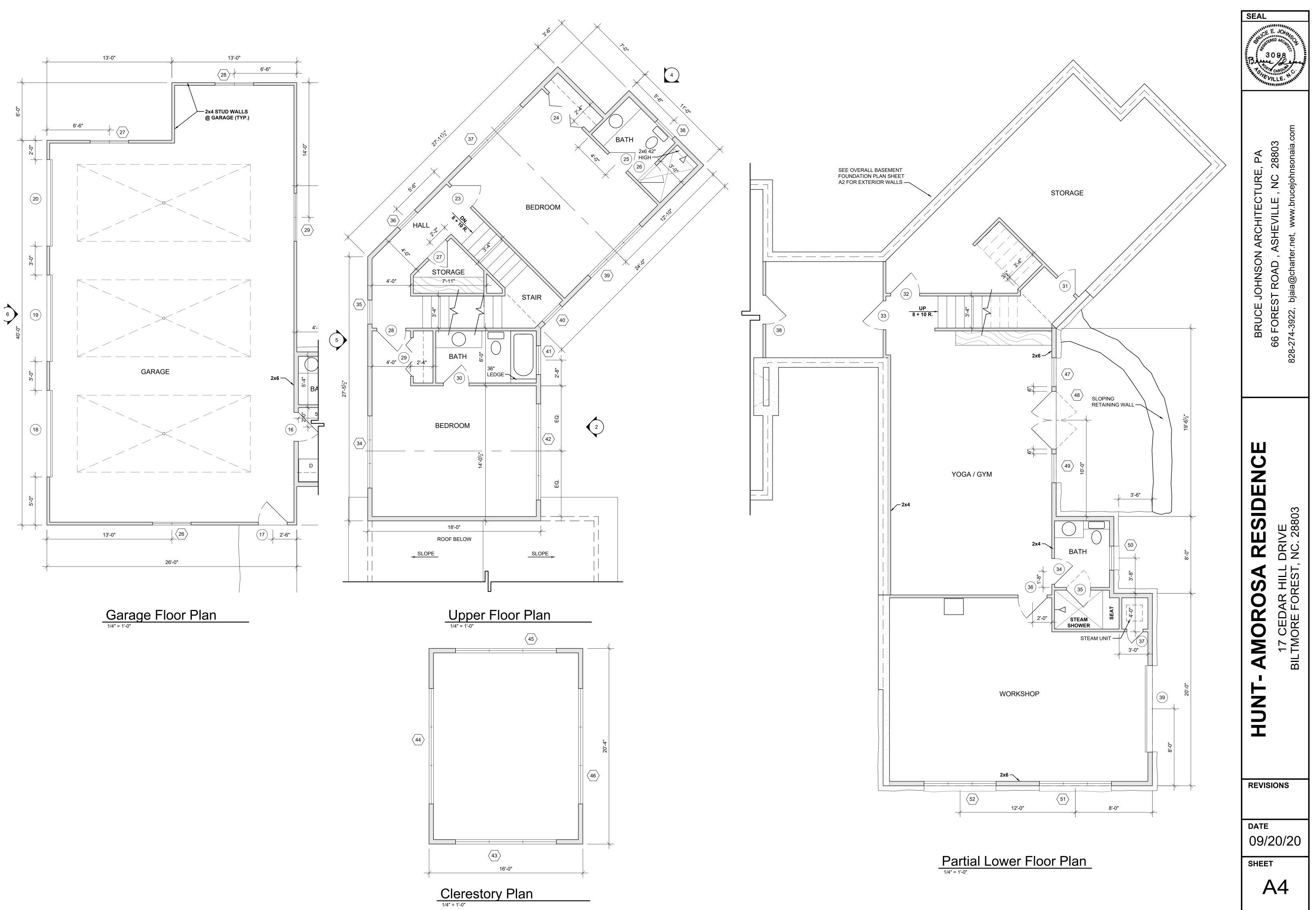


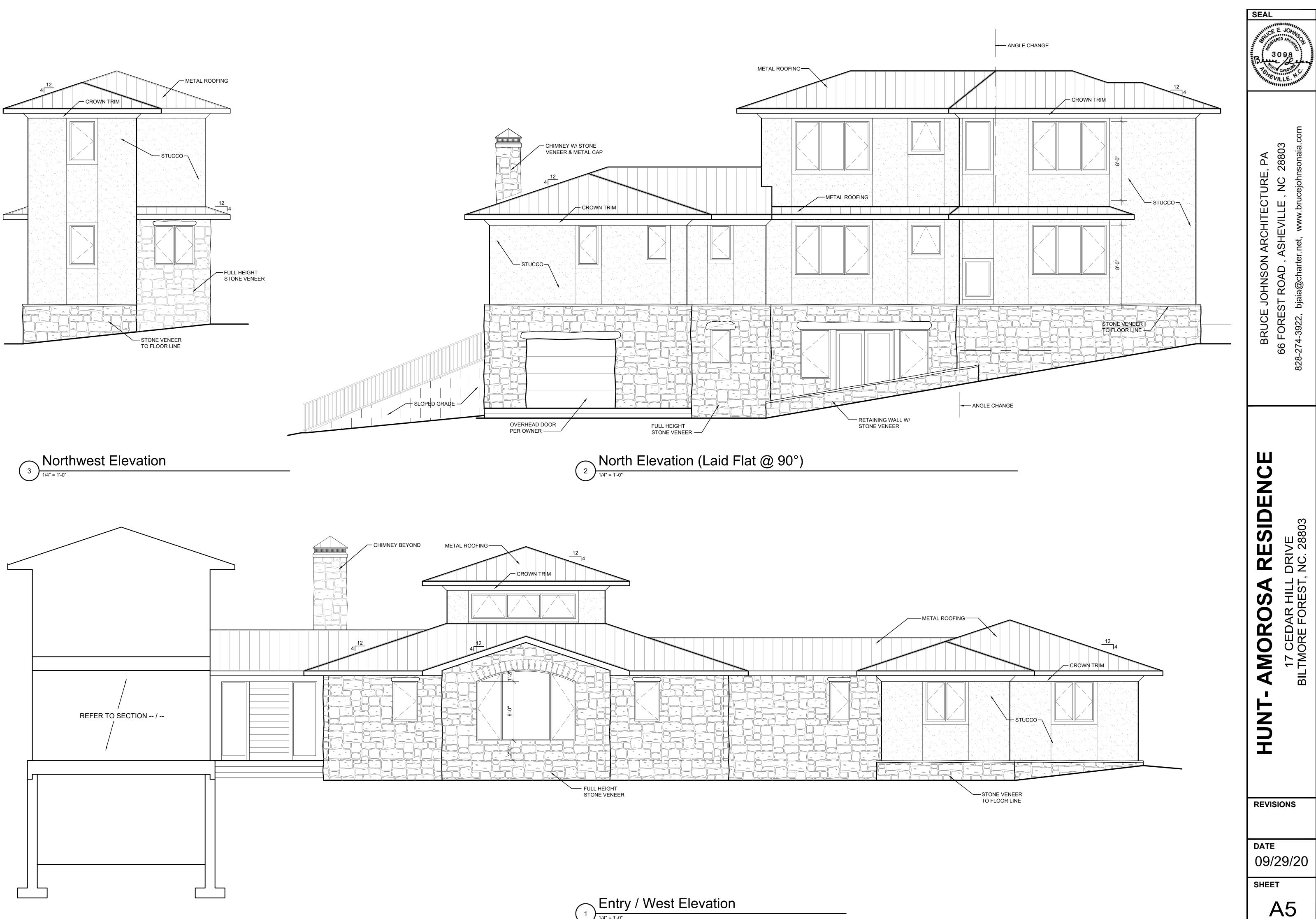
HUNT RESIDENCE ENTRY ELEVATION



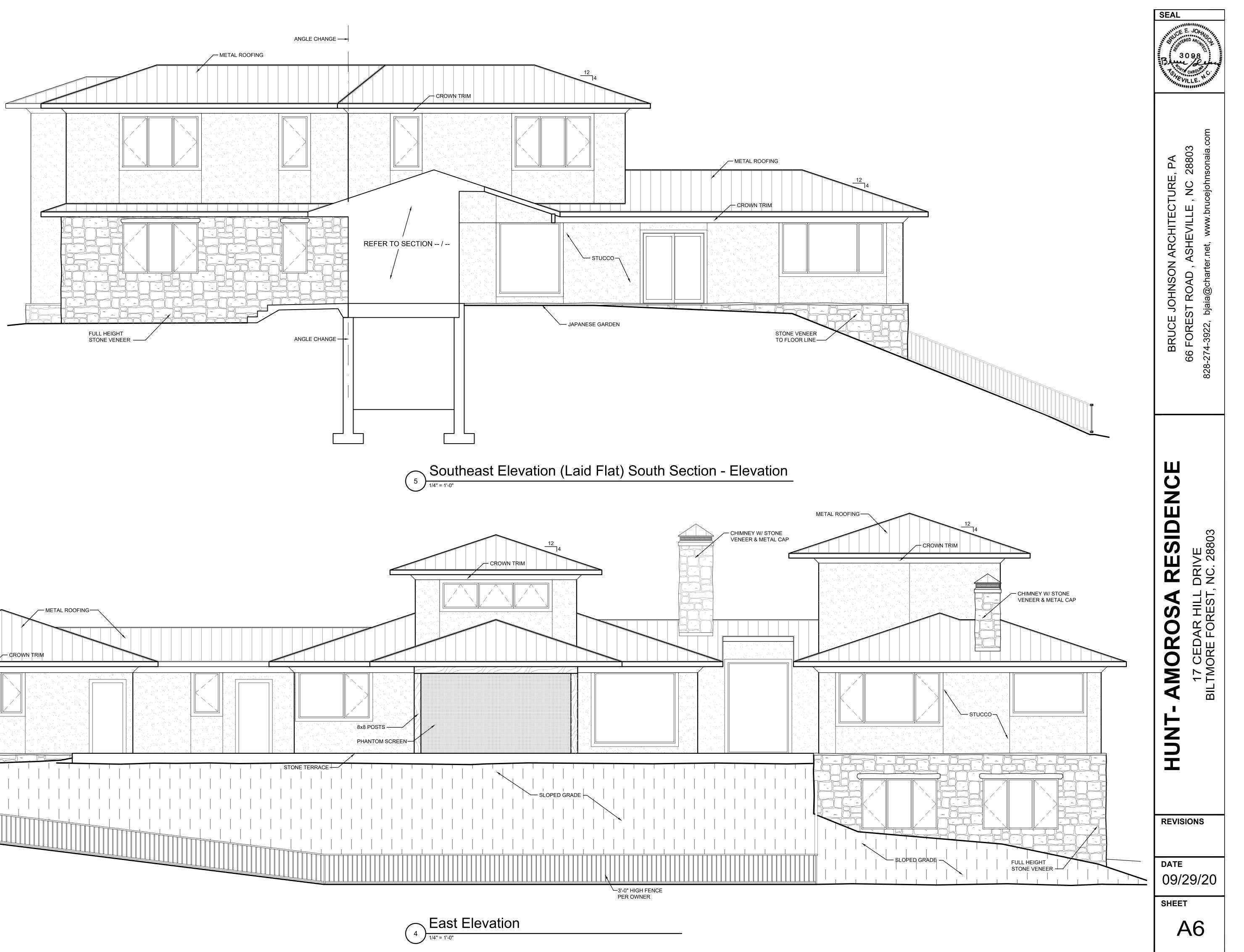


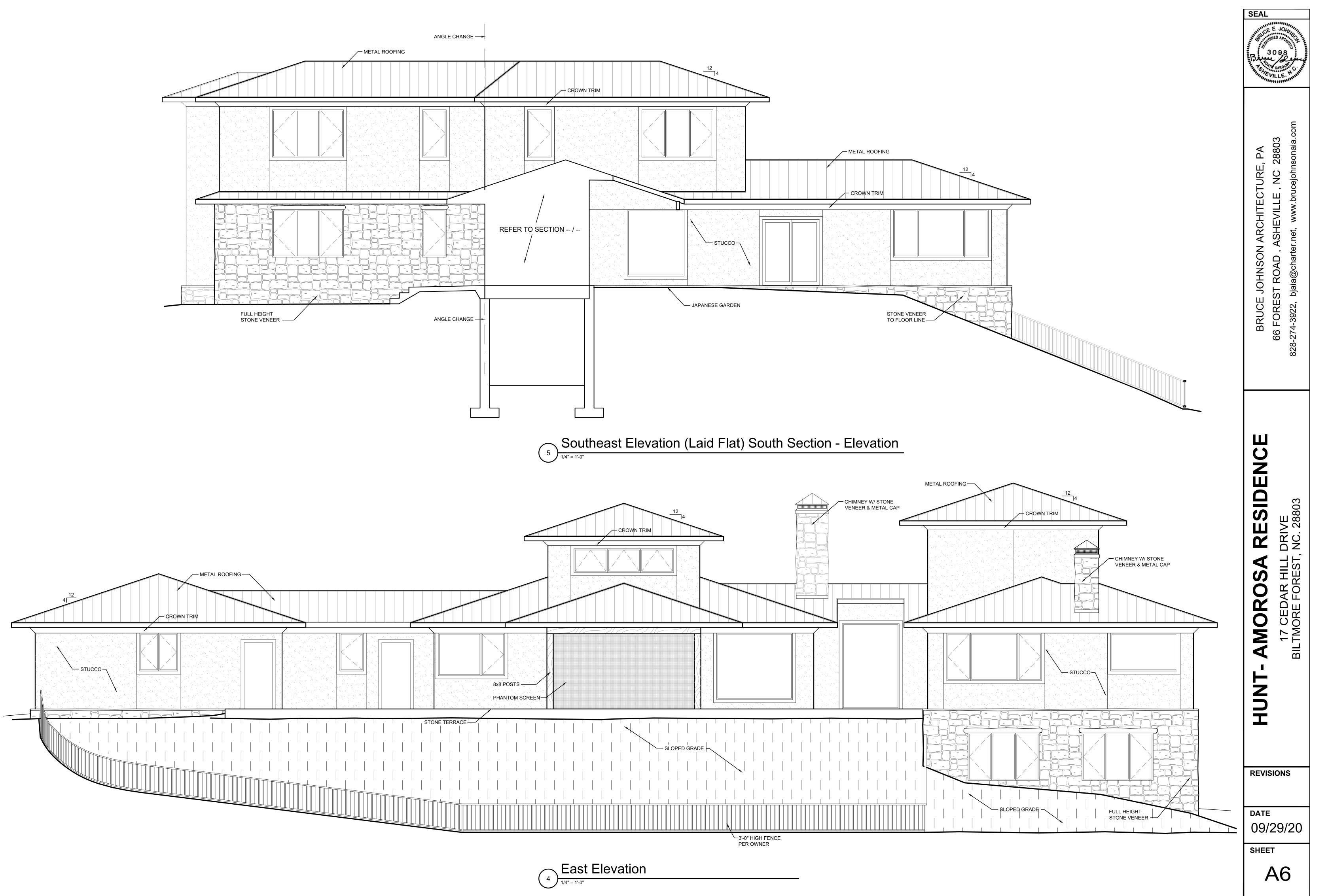




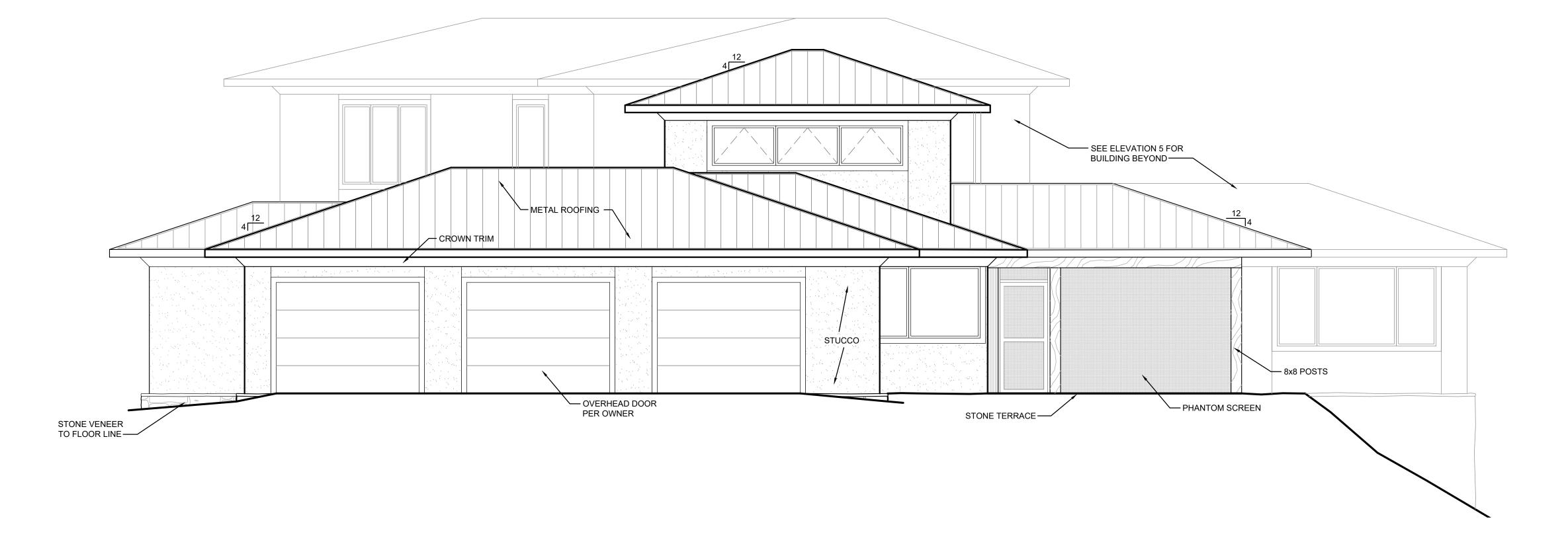


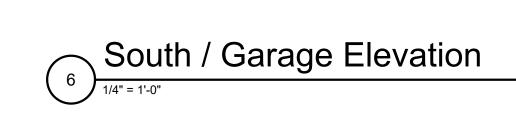
1 Entry / West Elevation











	E. JOHNO	
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HUNT- AMOROSA RESIDENCE	17 CEDAR HILL DRIVE BILTMORE FOREST, NC. 28803	
revisions date 09/20/20		
SHEET A7		