

355 Vanderbilt Rd | Biltmore Forest, NC
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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 Adjustments Members
From: Jonathan Kanipe, Town Manager
Re: Board of Adjustments Case Number 2 (8 Southwood Road)
Date: June 14th, 2018

Request for Conditional Use Permit for an Accessory Structure

This request is in reference to amended plans previously approved by the Board of Adjustment. The applicants are requesting a conditional use permit for a pergola in the rear yard. In August 2017, the Board granted a conditional use permit for plans consisting of a detached garage, pool, pergola and exterior fireplace. In addition, a variance was approved under the same plans for construction of a stonewall/guardrail. Under the amended plans, the pool size is reduced and a pergola is requested to be located above a fire pit terrace. In addition, a new stone landing terrace will be added as well as a new stone retaining wall. The application notes that all materials will match those used in front yard renovations on the property.

The ordinance language regarding conditional use permits for accessory structures is provided below.

§ 153.008 CONDITIONAL USES.

(8) Accessory buildings.

(a) All accessory buildings shall meet the standards of the State Building Code where applicable.

(b) All accessory buildings shall be of a design compatible with the principal building on the lot and with the structures in the neighborhood.

(c) An additional parking space shall be required when an accessory building is permitted for use as a dwelling by a family member.

(d) Accessory buildings shall comply with the district's setback requirements.

The Board must also find that the conditional use request for an accessory building meets the following requirements, as established in the Zoning Ordinance's General Regulations.

§ 153.029 ACCESSORY STRUCTURES AND BUILDINGS.

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

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

(a) The maximum number of accessory buildings permitted on a lot shall be one;

(b) The maximum roof coverage area for accessory buildings shall be 750 square feet;

(c) The maximum height for accessory buildings shall be 25 feet;

(d) The accessory building must be screened by vegetation or other buffer as set forth in § 153.008;

(e) The accessory building must be located behind a line parallel to the rear of the principal structure on the lot;

(f) The accessory building must be designed in the same architectural style as the principal structure;

(g) Any accessory structure and/or accessory building shall be included in the calculation of allowable roof coverage and allowable impervious surface coverage on the lot pursuant to §§ 153.043 and 153.048.

Zoning Application

Property Identification

Name

Doug McGregor

Address

8 Southwood Road, Biltmore Forest, North Carolina 28803

Phone

(603) 986-8706

Email

douglasamcgregor@yahoo.com

Zoning

R-1

Lot Size (Acres)

2.204

Email -Submission Verification

rdull@siteworkstudios.com

Scope of Project-Roof Coverage

Does the project include increasing roof coverage?

No

Is the proposed roof coverage greater than the permitted maximum roof coverage?

No

Scope of Project-Impervious Surface

Does the project include increasing the impervious surface coverage?

Yes

What is the proposed impervious surface coverage?

950

Is the proposed impervious surface coverage greater than the permitted maximum impervious surface coverage?

No

Scope of Project-Setbacks

Does any part of the project fall within the front yard?

No

Does any part of the project fall within the side/rear yard setback(s)s?

No

Scope of Project-Accessory Structures

Does the project include a detached structure or building?

Yes

An application for a conditional use permit will be required in addition to this zoning application.

Will there be more than the approved number of accessory structures/buildings?

No

Project Description

Brief Description of Project

Redesign of approved backyard development plans. Removed large pergola over walkway. Reduced size of pool and associated terrace. New stone landing terrace from garage steps to backyard. New pergola over firepit terrace and back terrace of house. New stone retaining wall on back slope to accommodate pool and proper drainage. All materials to match those used in the front yard renovations.

Estimated Cost of Project

100,000

Estimated Completion Date

8/31/2018

Please attach any drawings, renderings, photographs or other supporting documentation.

McGregor L-500 Backyard Plan.pdf

McGregor Terrace Precedent Pic.pdf

Conditional Use Permit Application

I hereby petition the Board of Adjustment to issue a Conditional Use Permit for:

Name

Douglas McGregor

Property Address

8 Southwood Road

Phone

(603) 986-8706

Email

douglasamcgregor@yahoo.com

Type of Conditional Use

802.07 Accessory Buildings

Email-Submission Verification

rdull@siteworkstudios.com

Description of Project

Redesign of approved backyard development plans. Removed large pergola over walkway. Reduced size of pool and associated terrace. New stone landing terrace from garage steps to backyard. New pergola over firepit terrace and back terrace of house. New stone retaining wall on back slope to accommodate pool and proper drainage. All materials to match those used in the front yard renovations.

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

All proposed elements are located behind the existing home and are not visible from any public areas of the neighborhood. All materials used are appropriate within the design vernacular of the home and Biltmore Forest.

I certify that the information presented by the undersigned in this application is accurate to the best of my knowledge, information and belief.

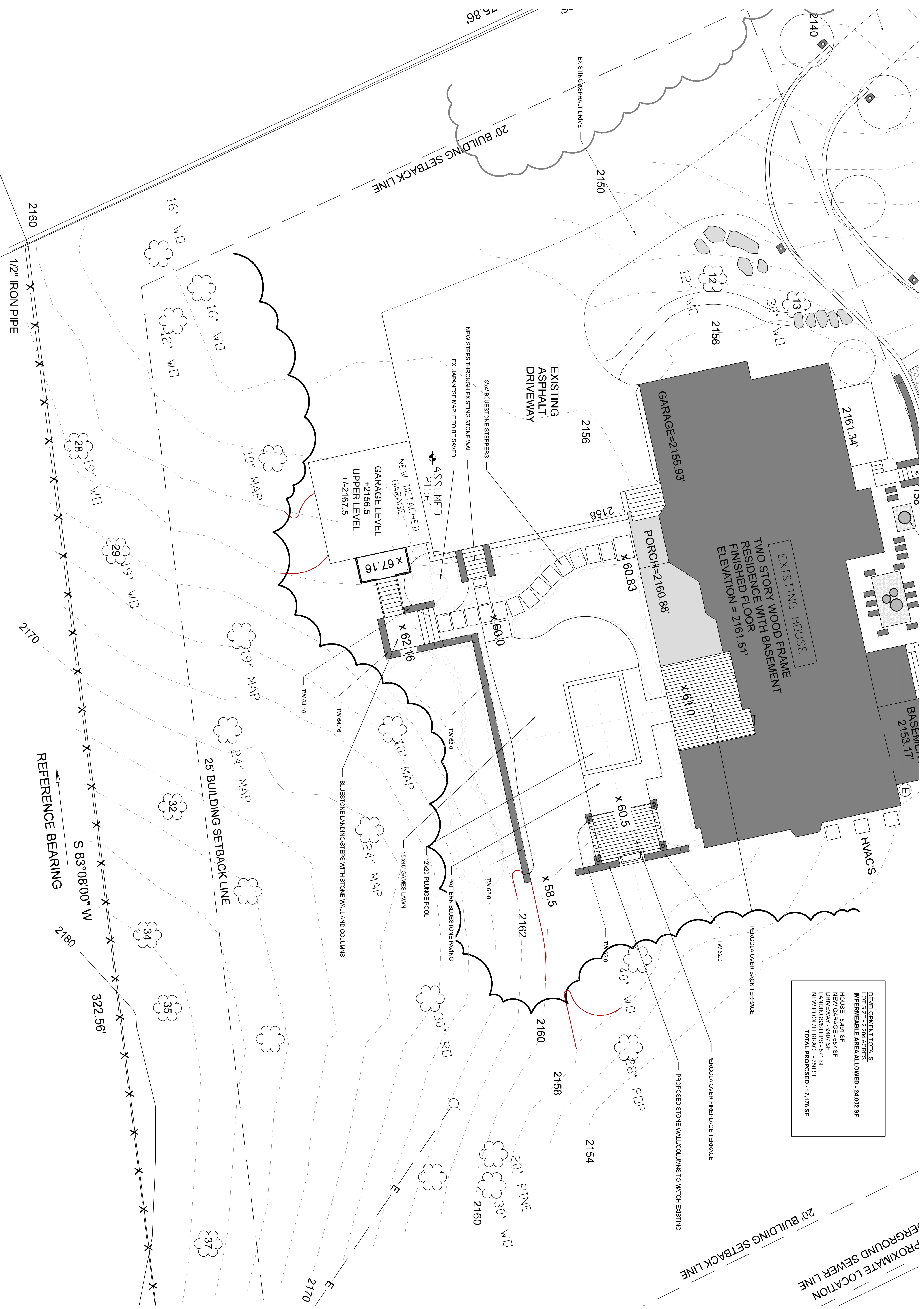
Signature

Date

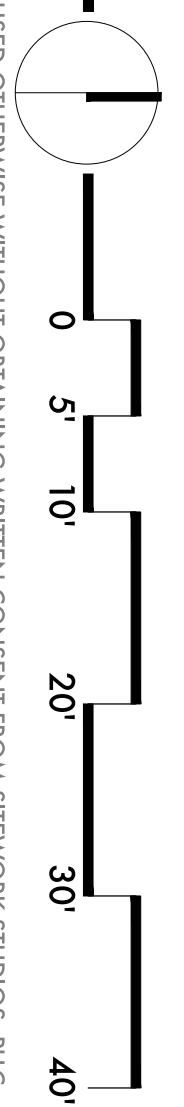
6/4/2018

A handwritten signature in black ink that reads "Rob Dull". The signature is written in a cursive, somewhat stylized font. The word "Rob" is on the left and "Dull" is on the right, both written above a faint horizontal line.

DEVELOPMENT TOTALS
 LOT SIZE - 2.24 ACRES
 IMPERVIOUS AREA ALLOWED - 24,002 SF
 HOUSE - 5,481 SF
 NEW GARAGE - 657 SF
 DRIVEWAY - 9407 SF
 LANDINGS/STEPS - 871 SF
 NEW POOL/TERRACE - 750 SF
 TOTAL PROPOSED - 17,718 SF



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SHEET NO. L-500	SHEET TITLE: BACKYARD DEVELOPMENT PLAN	DATE: 1 JUNE 2018	REVISIONS REMARKS DATE

McGREGOR RESIDENCE
 PREPARED FOR:
DOUG McGREGOR
 8 SOUTHWOOD ROAD
 BILTMORE FOREST, NC

CONSULTANT

