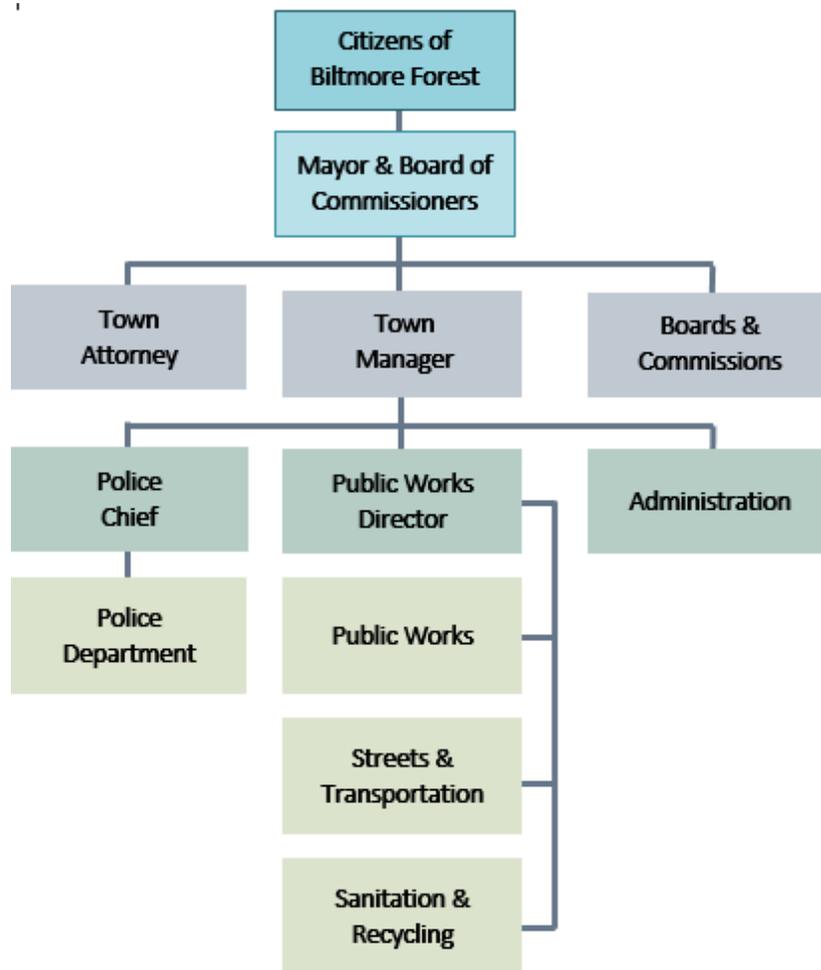




## FREQUENTLY ASKED QUESTIONS

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

## Organizational Chart



## Important Dates (Monthly)

Board of Commissioners:  
Second Tuesday at 4:30

Board of Adjustment: Third Monday at 4:00

Design Review Board: Third Thursday at 5:30

## Contacts

**Mayor and Commissioners**

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

**Town Staff/Contact**

Jonathan Kanipe, Town Manager  
 Administration: 274-0824  
 Chris Beddingfield, Police Chief  
 Police Department: 274-0822  
 Terry Crouch, Public Works Director  
 Public Works Department: 274-3919

## **APPEALS**

The zoning administrator makes decisions regarding ordinance violations and development approval. Any decision by the Zoning Administrator can be appealed to the Board of Adjustment by providing written notice to the Town Manager.

### **ACCESSORY BUILDINGS**

A detached building used for purposes related to the main building on the same lot. Examples include storage buildings or detached garages. All accessory buildings require a conditional use permit and must meet the minimum requirements of the zoning district in which they are located. One accessory building is allowed per lot and must be located behind the principal structure. The maximum roof coverage for an accessory building is 750 square feet and the maximum height is 25 feet.

### **ACCESSORY STRUCTURE**

A structure accompanying the primary use on a property, which may include fences, walls, curb, pools, playsets, statues, water features, playhouses, decorative walls, sculptures, solar collectors, rocks moved from another location, and residential street lamps. All accessory structures require a conditional use permit.

### **BOARD OF ADJUSTMENT**

The Board of Adjustment is a quasi-judicial board appointed by the Board of Commissioners and is responsible for hearing and deciding upon requests for variances, conditional use permits, and appeals. If a decision of this body is contested, the appeal is heard in Superior Court.

## **BOARD OF COMMISSIONERS**

The Board of Commissioners meets each month on the second Tuesday, generally at 4:30 p.m. The Board consists of a Mayor and three Commissioners. Elections are held every four years.

### **CONDITIONAL USE PERMITS**

The Town of Biltmore Forest recognizes the following as a conditional use: Planned Unit Developments; Country, Athletic and Social Clubs; Public Utility Stations/Substations; Home Occupations; Commercial Services, Professional Office Uses, Consumer Services, and Retail Businesses; and Libraries, Schools and Churches. In addition, conditional use permits are required for all accessory buildings and structures. These permits are issued by the Board of Adjustment and carry conditions in addition to other ordinance standards to ensure compatibility with adjacent properties. The Board is responsible for only allowing uses that are not detrimental to public health and safety and are in harmony with neighboring properties. An application for a conditional use permit must be submitted for review, and can be found at [www.biltmoreforest.org](http://www.biltmoreforest.org).

### **DESIGN REVIEW BOARD**

The Design Review Board is a five-member board, appointed by the Board of Commissioners. The Board has the authority to review and make recommendations for new development. Plans subject to review include all new commercial buildings and accessory buildings, all exterior expansions, additions or modifications, all new single- and multi-family dwellings and accessory buildings, and all driveway redesign or realignments.

## DOGS

The Town requires that all dogs be vaccinated for rabies and registered with the Town. The Dog License Application can be found at [www.biltmoreforest.org](http://www.biltmoreforest.org) or in person at Town Hall. Proof of vaccination and fee are required. All dogs must have a collar or harness containing an identification tag. In addition, all dogs must be on a leash when off premise of their primary residence.

## FENCES

Fences are currently only allowed in specific locations with approval from the Board of Adjustments. This is under review and changes are likely to be considered by the Board of Commissioners in coming months. Replacement fences are allowed with approval by the Board of Adjustment. Acceptable fence materials include natural or painted wood, and black, dark green, or brown non-wooden fencing. Chain link fencing is not allowed.

## NOISE

All construction activities and property maintenance must be conducted between 7:30 a.m. and 6:00 p.m. Monday through Saturday. These activities are also prohibited on Sundays, New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day. Any sound from radio, music, or other noises are not permitted to the extent that they disrupt the quiet enjoyment of property.

## NUISANCES

When a nuisance exists on any premises, the Town will notify the property owner and ask that the nuisance be abated within seven days. Stagnant water in ponds, holes, ditches, vats, or otherwise, obstruction of natural drainage, and presence of noxious weeds, trash, or any other form of refuse are all considered nuisances and are prohibited. Storage of recreational vehicles and trailers is also prohibited.

## RECYCLING

The town provides each residence with a 95-gallon container to be used for recycling materials only. The containers will be picked up every two weeks. Recyclable materials include:  
*Jars and bottles.* All brown, clear, and green container  
*Cans.* Aluminum beverage and bimetal (tin or steel) food cans  
*Plastic containers.* Plastic containers No. 1 PETE (soda containers) and No. 2 HDPE (milk and shampoo containers) and No. 3, 5, and 7 (mixed plastic)  
*Corrugated containers and cardboard.* Must be flattened;  
*Newspapers.* May be bundled with string or left loose. Inserts may remain.

## SETBACKS & ZONING DISTRICTS

The Town is predominantly low density residential and a large percentage of the parcels are zoned R-1. Streets located in R-2 and R-4 are listed below:

R-2: Hilltop Road, Ridgefield Place, White Oak Road, Buena Vista Road, and Bourne Lane

R-4: Hendersonville Road, Ridgefield Place

	Front Yard	Side Yard	Rear Yard
R-1	60 feet	20 feet	25 feet
R-2	50 feet	15 feet	20 feet
R-3	50 feet	15 feet	20 feet
R-4	50 feet	15 feet	20 feet
R-5	50 feet	15 feet	20 feet

## SIGNS

No sign of any kind, including posters, advertisements, billboards, or announcements shall be erected in any residential district unless prior approval is obtained by the Board of Commissioners.

Real estate signs must not exceed six square feet or contain any electrical component and there should be no more than one per lot. The sign should be setback at least thirty feet from the roadway and shall not extend more than four feet about the ground.

## SOLID WASTE

**CONSTRUCTION:** All refuse, lumber, and debris remaining as a result of the repair of a building shall be removed by the property owner within 10 days of completion.

**GARBAGE COLLECTION:** Garbage is collected in the back yard of each residence. Receptacles may not be larger than 32 gallons or 50 pounds and should be made of metal, plastic, or plastic bags. A schedule of pickup is available on our website at [www.biltmoreforest.org/sanitation](http://www.biltmoreforest.org/sanitation).

**BRUSH, LEAVES, TREE LIMBS:** All trees to be picked up shall be no longer than six feet and no larger than 6" in diameter. Loose leaves are collected at roadside from November 1st through January 15<sup>th</sup>.

**REFUSE NOT COLLECTED BY TOWN:** Asbestos, Ashes, Batteries, Bedding, Building Materials, Flammable Materials, Gas Tanks, Hazardous Waste, Liquids, Materials from clearing land, Medical Waste, Paint, Pathological Waste, Rocks, Sharps, Tires, and White Goods.

## TREES

A protected tree (at least six inches in diameter) shall not be removed without first receiving approval from the Town Manager. Requests for removal of more than 10 trees must be approved by the Board of Adjustment. Existing trees and shrubs designated for preservation may be credited towards required buffer trees, street trees, and parking lot trees.

## UTILITIES

Each person hooking onto the town's water supply shall pay an initial tap on fee and a bi-monthly meter charge. Sewer is billed by the Town on behalf of Metropolitan Sewerage District (MSD) of Buncombe County. MSD maintains the sewer lines, authorizes sewer taps and responds to sewer emergencies. Rates are reviewed annually by the Board of Commissioners and can be found on the Town's website at [www.biltmoreforest.org](http://www.biltmoreforest.org).

## VARIANCE

A property owner may request a variance when an unnecessary hardship would result from strict interpretation of the ordinance. The applicant must prove, in addition to an unnecessary hardship that the hardship is peculiar to the property, the hardship was not the result of actions of the property owner/applicant and the request is consistent with the intent of the ordinance.

## WALKING ON TOWN ROADS

The Town's quiet and peaceful streets provide a welcome respite for people to walk or run. The Town asks that all walkers and runners take care to walk facing traffic, where practicable. In areas where walking facing traffic is impracticable, please take care to move to the opposite side of the road and return and face traffic as soon as possible. The shadows cast by trees throughout the Town often obscure pedestrians in the road. Facing oncoming traffic ensures the driver sees the pedestrian and that the pedestrian sees the oncoming vehicle. This allows the pedestrian time to move to the side of the road and allow the car to pass.

## WILDLIFE INTERACTIONS

The Town encourages residents to be mindful of bears and other wildlife. Birdfeeders, trashcans, and grills are all attractive to bears, and residents should be careful not to leave these out or grills uncleaned when bears are noted in the area.

## ZONING COMPLIANCE

This is required for any additions or modifications to any structure or building. A zoning permit application must be completed to begin the review process and can be found at [www.biltmoreforest.org](http://www.biltmoreforest.org) or in person at Town Hall.

## TAXES

Property taxes are mailed by the Town typically around the end of August or first of September. Property taxes are statutorily due without penalty by January 5<sup>th</sup> of each year. However, for the year 2019, taxes are not due until January 7<sup>th</sup> due to the regular date falling on a weekend. Interest will begin accruing January 8<sup>th</sup> if taxes are unpaid. Buncombe County conducts the property appraisal for the Town and mails County tax bills separately from the Town. Specific questions regarding property tax appraisal and values should be directed to the County.