

# PROPOSED AGENDA

Meeting of the Design Review Board  
To be held Thursday, January 21, 2016 at 5:30 p.m.

- I. Chairman Johnson will call the meeting to order.
- II. Approval of Minutes for November 19, 2015.
- III. Design Review Board Presentations
  - a. Mr. William Barkley, 124 Stuyvesant Road, is presenting plans for a new detached garage.
  - b. Dr. Steven and Mrs. Melissa Mendelsohn, 25 Busbee Road, are presenting plans for a partial fence in the rear yard.
  - c. Mr. Adam Berry, 20 Ridgefield Place, is presenting plans for an extension of a deck on the rear of his home.
  - d. Mr. John Delaney, 13 Hilltop Road, is presenting plans for a renovation to the front porch, an attached port cochere, and deck on the rear of the home.
- IV. Adjourn



MINUTES OF THE TOWN OF BILTMORE FOREST  
DESIGN REVIEW BOARD MEETING OF NOVEMBER 19, 2015

Those in attendance:

Mr. Bruce Johnson, Chairman  
Mr. Art Garst  
Mrs. Trudy Cappiello  
Mrs. Lynn Kieffer  
Mrs. Andrea Eglinton  
Mr. Jonathan Kanipe, Town Administrator

Chairman Johnson called the meeting to order at 5:30 p.m. There was consensus to approve the minutes of the October 22, 2015 meeting.

Dr. Brown Crosby of 26 Stuyvesant Road was called for the first case. Mrs. Cappiello asked about the tree overhang in the front and if the panels will be shaded. The tree will act as 25 percent shade mostly in the summer. It is an oak tree so it will mostly hold onto its leaves for a little bit. Mr. Kanipe explained to Chairman Johnson, the solar panels were placed on display on Dr. Crosby's roof for the Board of Adjustment. This was to show the Board and other residents what the panels will look like. The glass will be less reflective to absorb more heat. Many were worried about the panels breaking with golf balls flying around. The panels are very durable. Sugar Hollow Solar put the panels on the roof twice to alleviate concerns. The project was approved.

Aaron and Laurie Pulver were called and Ward Griffin was there on their behalf. The Pulvers live at 14 Southwood. They have a tall unfinished attic and they are making a play area and guest area. They would like to add some light and add some cupolas. Mr. Griffin referenced the drawings provided to the Board and also noted a "to scale" mock up for the roof. The pictures were shown. The windows will give more light to the front and back. A new shingle roof will be put on at some point. The material is just going to be wood with clap board on the sides and painted wood. The color is going to match the body of the house. The project was approved.

A potential project for the owner at 20 Ridgfield was discussed. The homeowners are Adam & Jacqueline Berry. They want to extend the deck. Mr. Berry would like to get approval for the deck outside of the setback. Mrs. Eglinton asked what kind of materials will be used and Mr.



Kanipe said it will be treated lumber. The Board did not make a decision for this project and the project was tabled. The Board suggested Mr. Berry revise his plans and go before the Board of Adjustment.

Tom & Hillary Lynch were not in attendance for the project at 12 Fairway Place. Mr. Kanipe said they were going to replace an existing wooden canopy with a metal canopy. The Board observed the drawings and the project was approved.

The next meeting of the Design Review Board was scheduled for Thursday, January 21<sup>st</sup>, 2015 at 5:30 pm. There being no further business, Chairman Johnson, adjourned the meeting at 6:00 pm.

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Bruce Johnson, Chairman

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Jonathan Kanipe, Zoning  
Administrator





MEMORANDUM  
DECEMBER 21, 2015

To: Board of Adjustment  
From: Jonathan Kanipe, Town Administrator  
Re: Case Number 1 – 124 Stuyvesant Road  
Date: December 14, 2015

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**Case 1**

Property Owner: Mr. William Barkley  
Property Address: 124 Stuyvesant Road  
Zoning District: R-1  
Lot Size: 1.77 +/- acres  
Application Request: Conditional Use Permit request and Variance to construct a Detached Garage

Mr. Barkley requests permission from the Board of Adjustments to construct a detached garage in the side yard of his property. Mr. Barkley has no other accessory structures on his property, so this request would be in compliance with the Zoning Ordinance's provision to allow only one (1) accessory structure per lot.

Mr. Barkley has attempted to design a garage that is in conformity with the architectural style of his current home. In so doing, the garage will have larger overhangs than a traditionally roofed garage. Mr. Barkley's home has a hip roof with casement windows and brick walls, all of which are proposed for the new garage addition. The additional overhangs from the hip roof lead to Mr. Barkley's variance request for larger maximum roof coverage than allowable and larger maximum square footage for a detached structure.

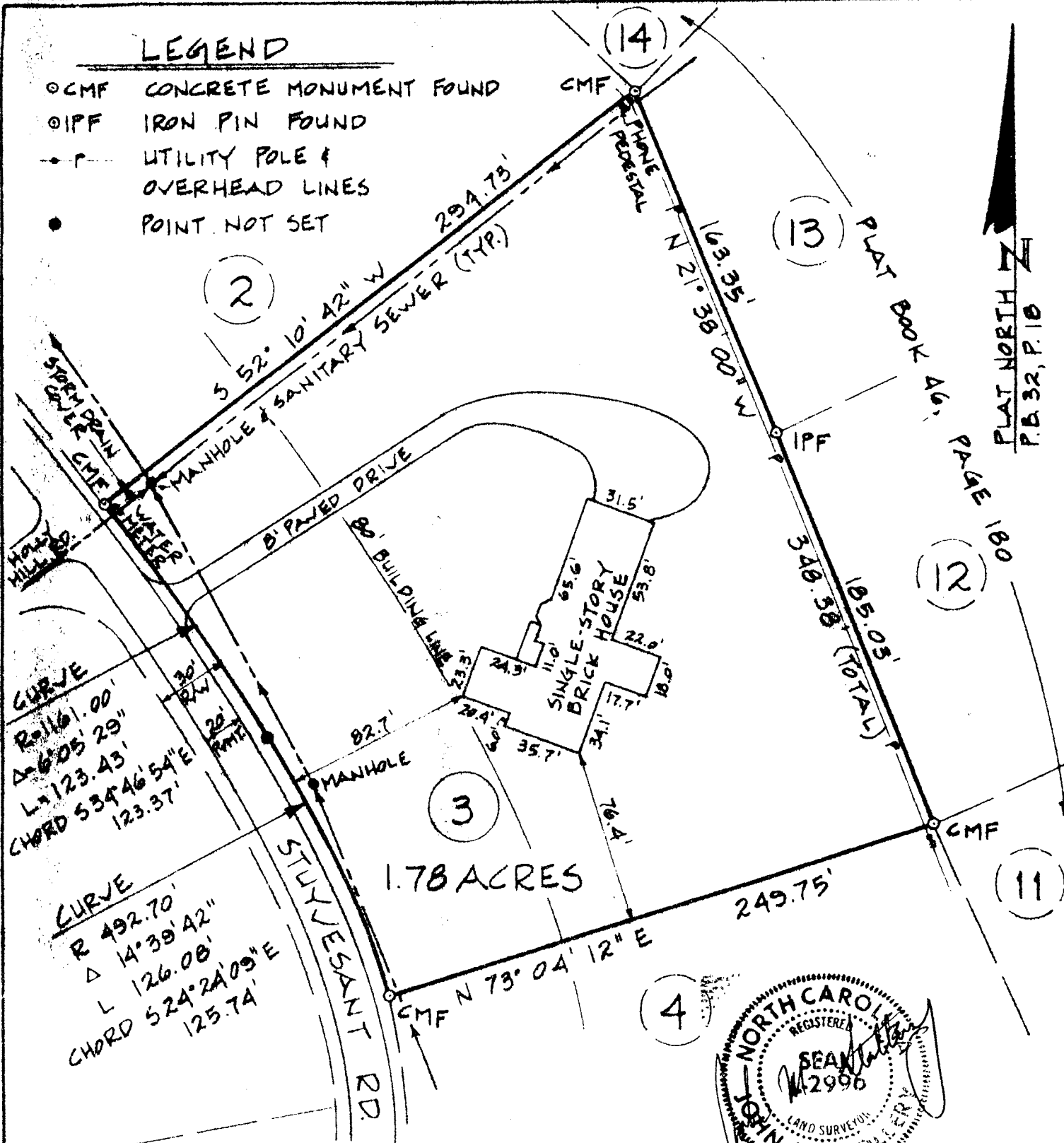
The proposed garage is outside of all setbacks and is well back from the front yard of Stuyvesant Road, even when factoring in the unusual placement of the home on the lot.

- Conditional use permit request to construction of two (2) car detached garage.
- Variance request to exceed the maximum allowable roof coverage amount.
- Variance request to exceed the maximum allowable square footage of a detached structure.



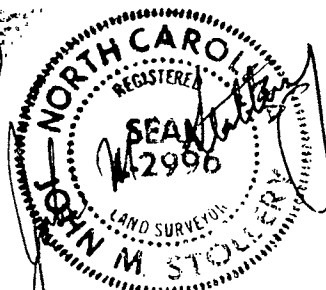
# LEGEND

- CMF CONCRETE MONUMENT FOUND
- IPF IRON PIN FOUND
- P - UTILITY POLE & OVERHEAD LINES
- POINT NOT SET



## REFERENCES

DEED BOOK 1155, PAGE 401  
 PLAT BOOK 32, PAGE 18, LOT 3  
 BILTMORE FOREST BLOCK R



JOHN W. & DIANE S.  
 MODAFF

LIMESTONE TOWNSHIP  
 BUNCOMBE COUNTY, N.C.

Scale: 1" = 60'

Date: JUNE 30, 1988

RAY E. ANDERS  
 REGISTERED SURVEYOR

FILE NO.	DATE	REVISIONS
574B		





# CONDITIONAL USE PERMIT APPLICATION

I, \_\_\_\_\_ hereby petition the Board of Adjustment to issue a  
Conditional Use Permit for \_\_\_\_\_  
for the property located at \_\_\_\_\_ and described as follows:

**Description of the Project:**

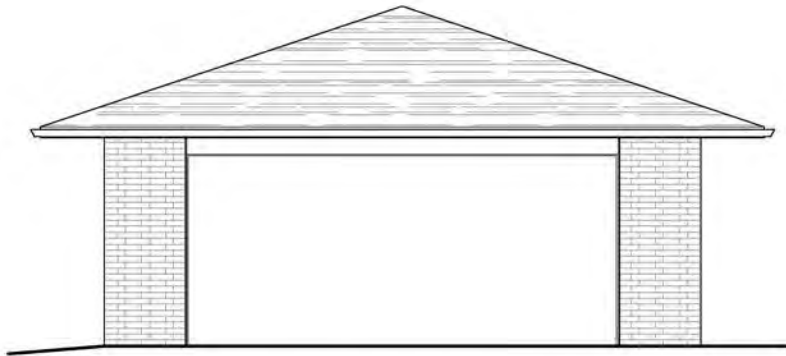
**Explain why the project would not adversely affect the public interest of those living in the neighborhood:**

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

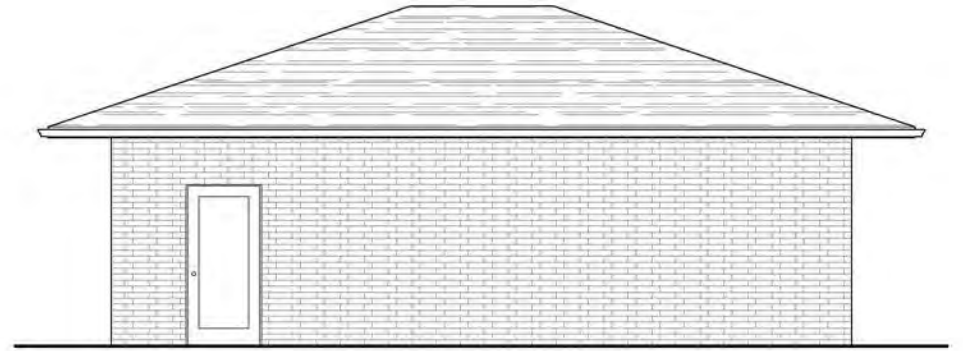
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

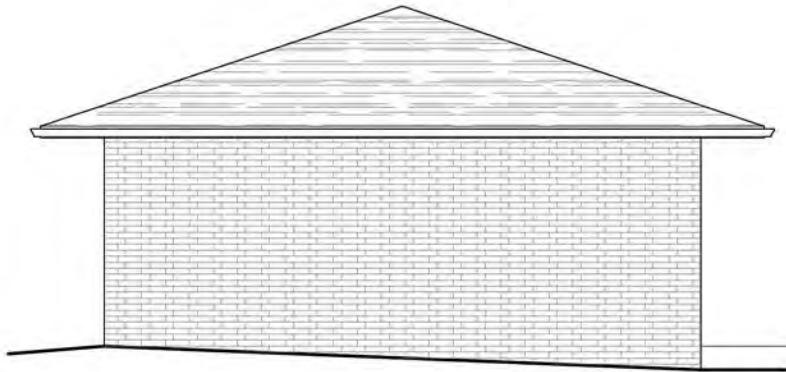




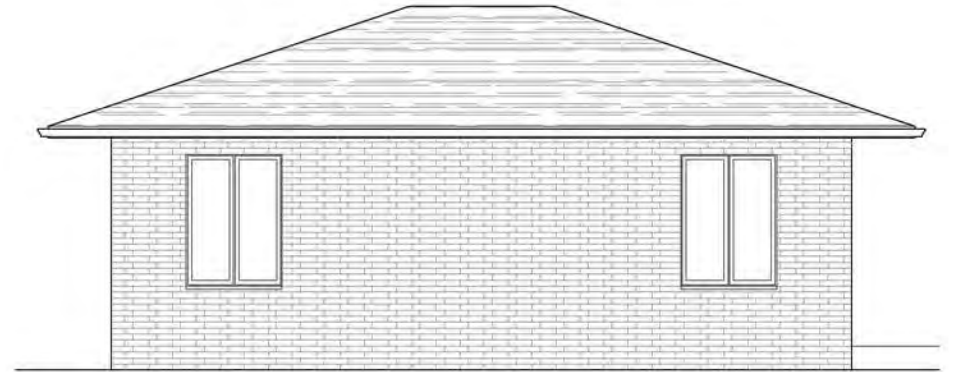
SOUTH ELEVATION



EAST ELEVATION

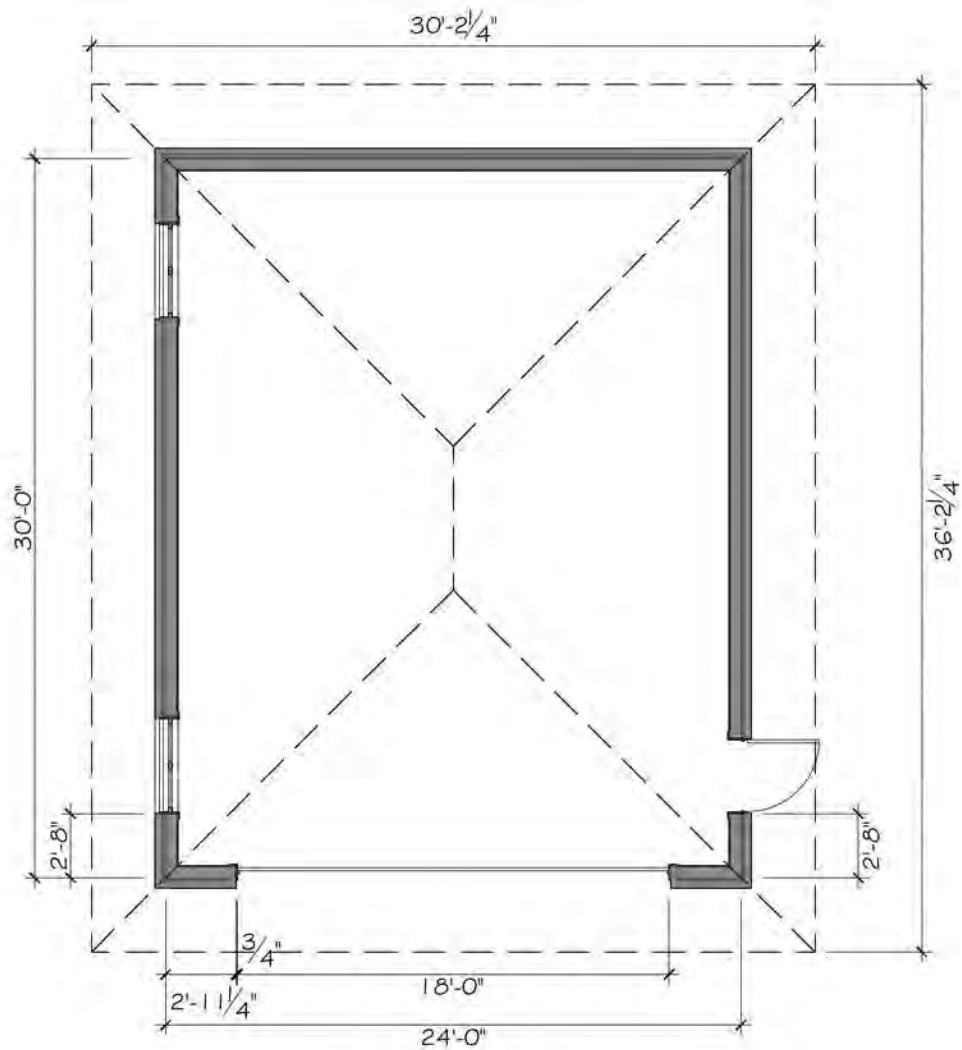


NORTH ELEVATION

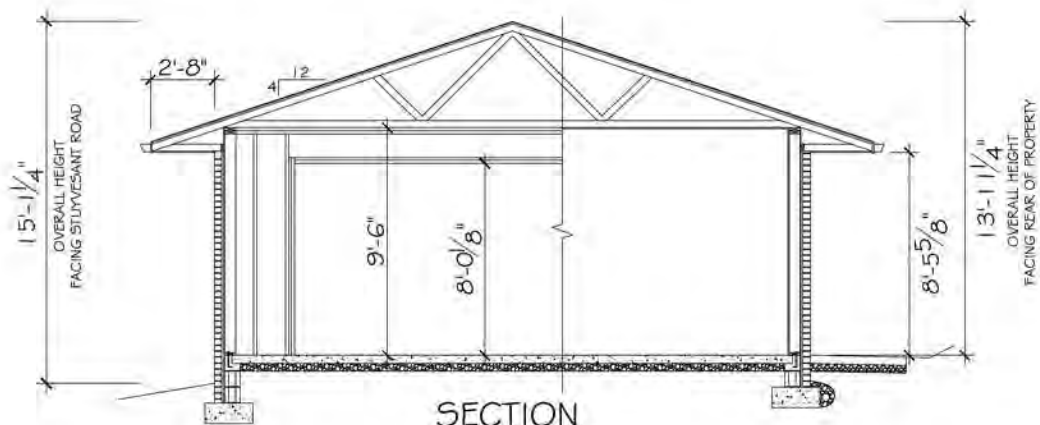


WEST ELEVATION





**PLAN**  
SCALE: 1/8" = 1'-0"

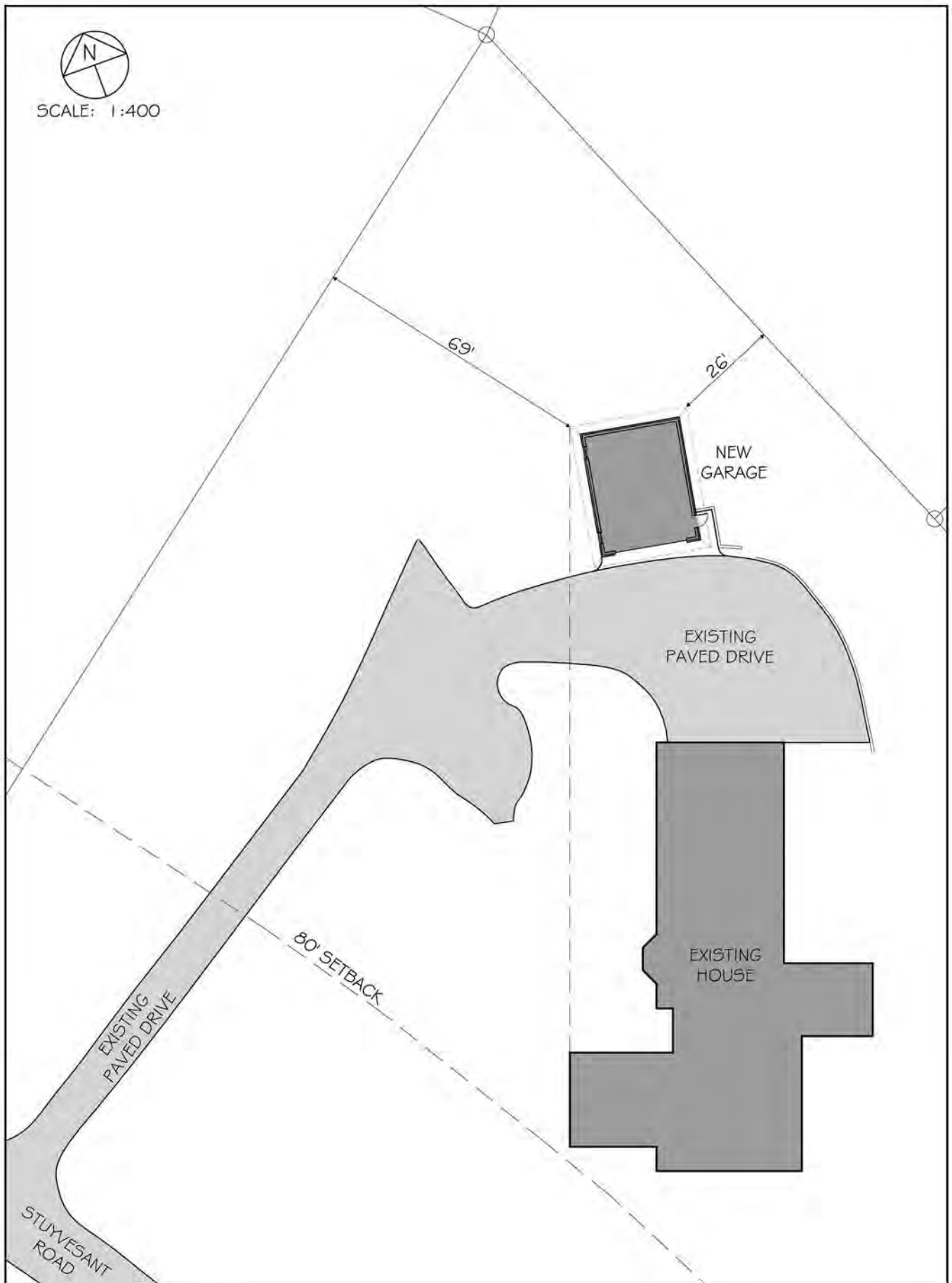


**SECTION**  
SCALE: 1/8" = 1'-0"





SCALE: 1:400







# VARIANCE APPLICATION

I, \_\_\_\_\_ hereby petition the Board of Adjustment for a variance(s) from the provisions of the Zoning Ordinance for the real property located at \_\_\_\_\_.

**Variance to Zoning Ordinance Section(s):**

- (a)
- (b)
- (c)

**Reason Variance is Requested:**

In granting any variance, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with the Zoning Ordinance. Violations of the provisions of the variance granted including any conditions or safeguards which are part of the granting of the variance, shall be deemed a violation of the Zoning Ordinance. I, \_\_\_\_\_, hereby certify that all the information set forth above is true and accurate to the best of my knowledge.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date





# VARIANCE APPLICATION

I, \_\_\_\_\_ hereby petition the Board of Adjustment for a variance(s) from the provisions of the Zoning Ordinance for the real property located at \_\_\_\_\_.

**Variance to Zoning Ordinance Section(s):**

- (a)
- (b)
- (c)

**Reason Variance is Requested:**

In granting any variance, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with the Zoning Ordinance. Violations of the provisions of the variance granted including any conditions or safeguards which are part of the granting of the variance, shall be deemed a violation of the Zoning Ordinance. I, \_\_\_\_\_, hereby certify that all the information set forth above is true and accurate to the best of my knowledge.

---

Signature

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Date





# ZONING APPLICATION

Required for Board of Adjustment & Design Review Board

				DATE	
PROPERTY IDENTIFICATION					
Owner Name	Property Address	PIN	Zoning	Lot Size (Acres)	
CONTACT INFORMATION					
Applicant (if not owner)		Email			
Mailing Address					
Phone (Primary)		Phone (Alt)			
PROPERTY REQUIREMENTS					
Maximum Permitted Roof Coverage		Rear Yard Setback			
Maximum Permitted Impervious Surface Coverage		Side Yard Setback			
SCOPE OF PROJECT					
Does the project include increasing roof coverage?		Yes	No		
If yes, what is the proposed roof coverage? _____					
Is the proposed roof coverage greater than the permitted maximum roof coverage?		Yes	No		
Does the project include increasing the impervious surface coverage?		Yes	No		
If yes, what is the proposed impervious surface coverage? _____					
Is the proposed impervious surface greater than the permitted maximum impervious surface coverage?		Yes	No		
Will any part of the project fall within the front yard?		Yes	No		
Will any part of the project fall within the side yard or rear yard setback?		Yes	No		
DESCRIPTION OF PROJECT					
Brief Description of Project					
Estimated Cost of Project		Estimated Completion Date			





MEMORANDUM  
DECEMBER 21, 2015

To: Board of Adjustment  
From: Jonathan Kanipe, Town Administrator  
Re: Case Number 2 – 25 Busbee Road  
Date: December 14, 2015

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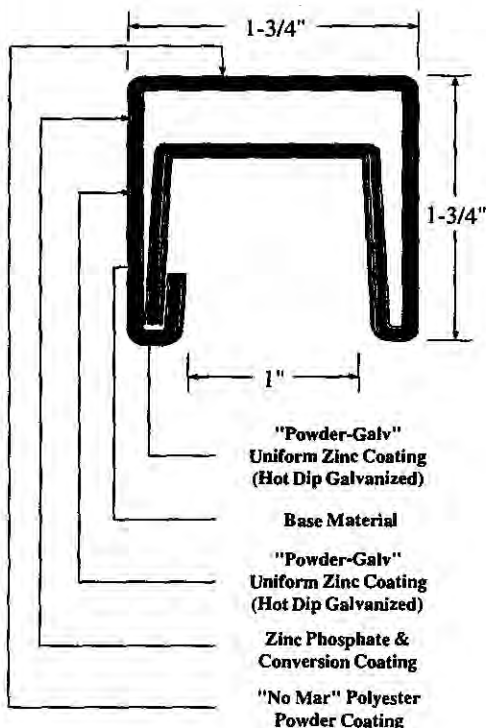
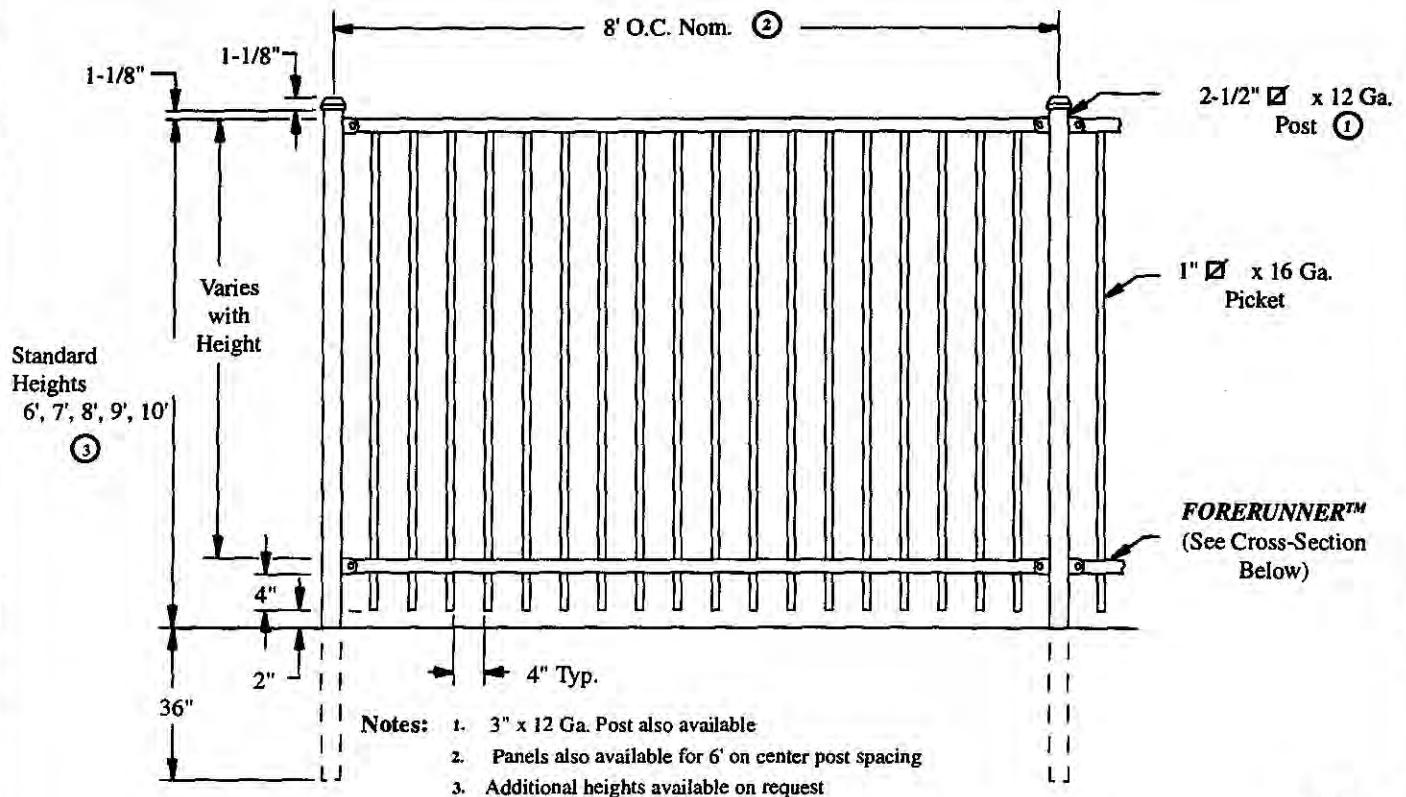
**Case 2**

Property Owner: Dr. and Mrs. Steven Mendelsohn  
Property Address: 25 Busbee Road  
Zoning District: R-1  
Lot Size: 2.866 +/- acres  
Application Request: Variance Request to Construct a Six (6) Foot High Fence and Two (2) Gates Surrounding a Potager in the Rear Yard

Dr. and Mrs. Mendelsohn request permission from the Board to construct a six (6) foot high fence around a potager in the rear yard. The fence will be a continuation of a hand rail that is to surround a main patio, stairway, and stone patio. There are some planting currently in place that would block the fence, but the applicants have proposed adding sixteen (16) emerald Arborvitae around the proposed fence. The eastern side of the fence is to be located sixteen (16) inches behind an existing stone retaining wall.

- Variance request to exceed the maximum number of accessory structures or uses.
- Variance request to construct a six (6) foot high fence with two (2) gates in the rear yard.
- Conditional use permit to allow an accessory use.

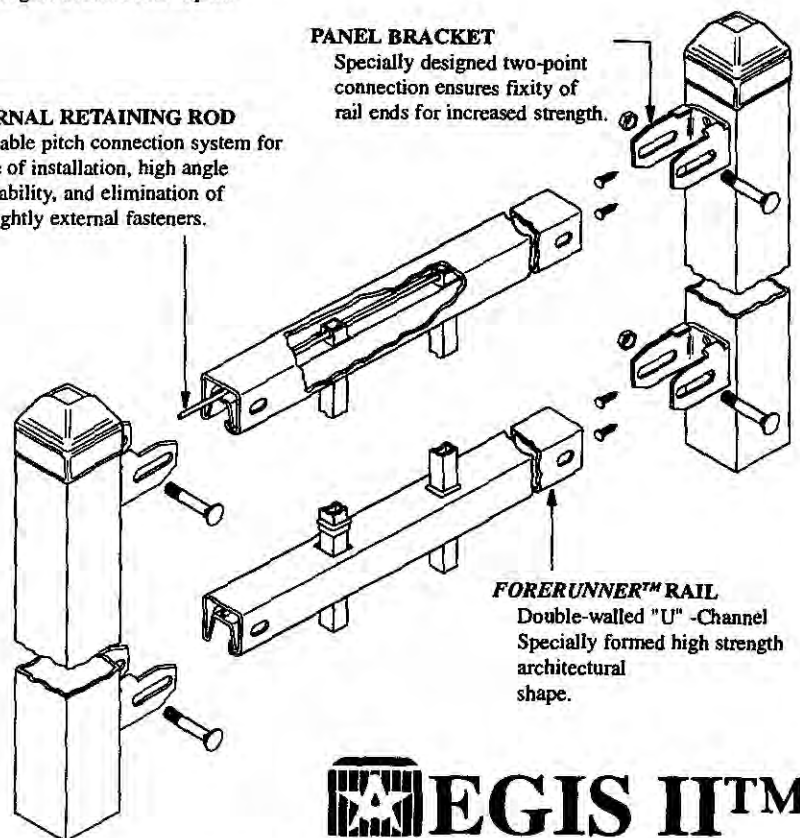


**INTERNAL RETAINING ROD**

Variable pitch connection system for ease of installation, high angle biasability, and elimination of unsightly external fasteners.

**PANEL BRACKET**

Specially designed two-point connection ensures fixity of rail ends for increased strength.



**EGIS II™**

**MAJESTIC 2-RAIL**

BY: <b>SCN</b>	PAGE: 1 OF 1	DATE: 1-1-94
ORDER:	SCALE: N.T.S.	CH: PJB

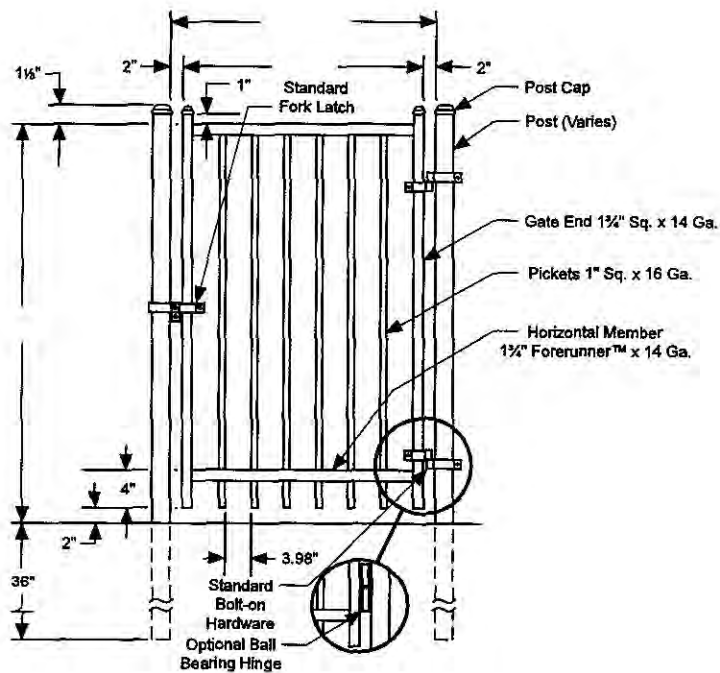
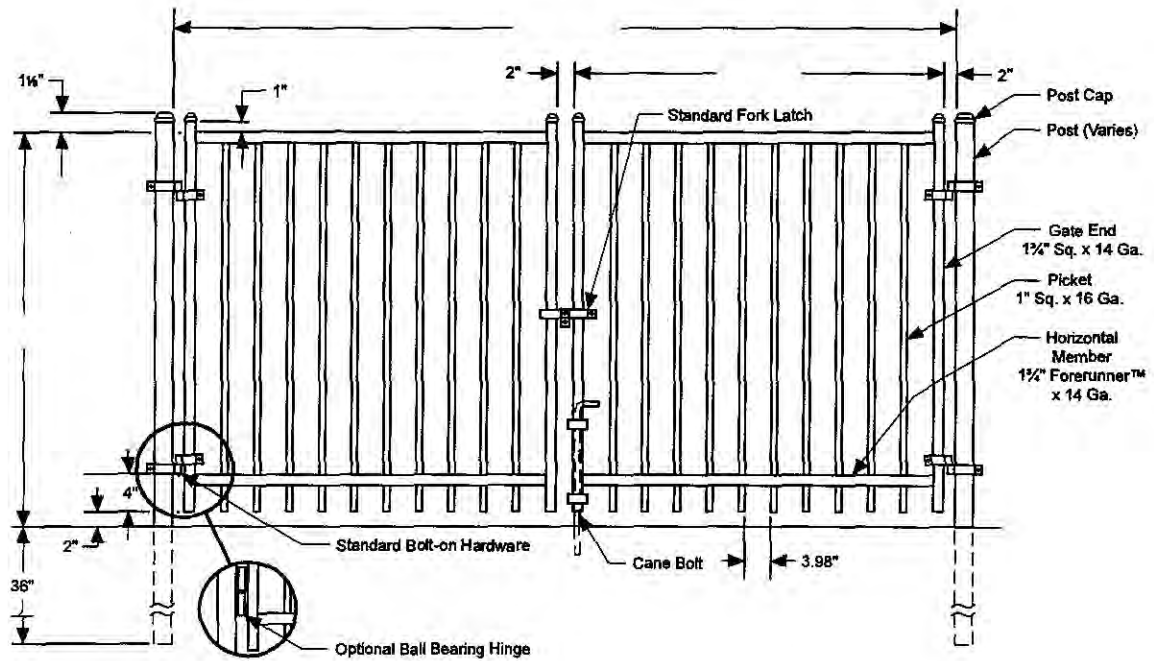


**AMERISTAR®**

1555 N. MINGO  
TULSA, OK 74116  
1-800-321-8724



# Aegis II Swing Gates Double and Single Swing Majestic 2-Rail





# Variance Application

I hereby petition the Board of Adjustment for a variance(s) from the provisions of the Zoning Ordinance for the real property stated below.

**Name**

Dr. and Mrs. Steven Mendelsohn

**Property Address**

25 Busbee Road

**Email**

johnsmom@919aol.com

**Phone**

(828) 775-0657

**Variance to Zoning Ordinance Section(s) (Select all that apply)**

1104 Accessory Structures & Accessory Buildings

**Reason Variance(s) is(are) being requested:**

Guardrail and handrails at terrace are for safety and Building Code compliance. Fenced in garden is to secure plantings from deer and other detrimental pests.

In granting any variance, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with the Zoning Ordinance. Violations of the provisions of the variance granted including any conditions or safeguards which are part of the granting of the variance, shall be deemed a violation of the Zoning Ordinance. I hereby certify that the information set forth above is true and accurate to the best of my knowledge.

**Signature**A handwritten signature in black ink, appearing to read 'S. Mendelsohn', written over a horizontal line.**Date**

12/7/2015



# **Zoning Application**

## **Property Identification**

**Name**

Dr. and Mrs. Steven Mendelsohn

**Address**

25 Busbee Road, Biltmore Forest, North Carolina 28803

**Phone**

(828) 775-0657

**Email**

johnsmom919@aol.com

**Zoning**

R-1

**Lot Size (Acres)**

2.866

## **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?**

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**

New welded,painted steel guard and handrails around recently constructed terrace for safety and Building Code compliance. Guardrail/fencing design matches existing porch railing. A continuation of guardrail around garden (potager) with gates to secure and protect a garden space from deer and other pests. Garden is for herbs and vegetables for Owner's consumption.

### **Estimated Cost of Project**

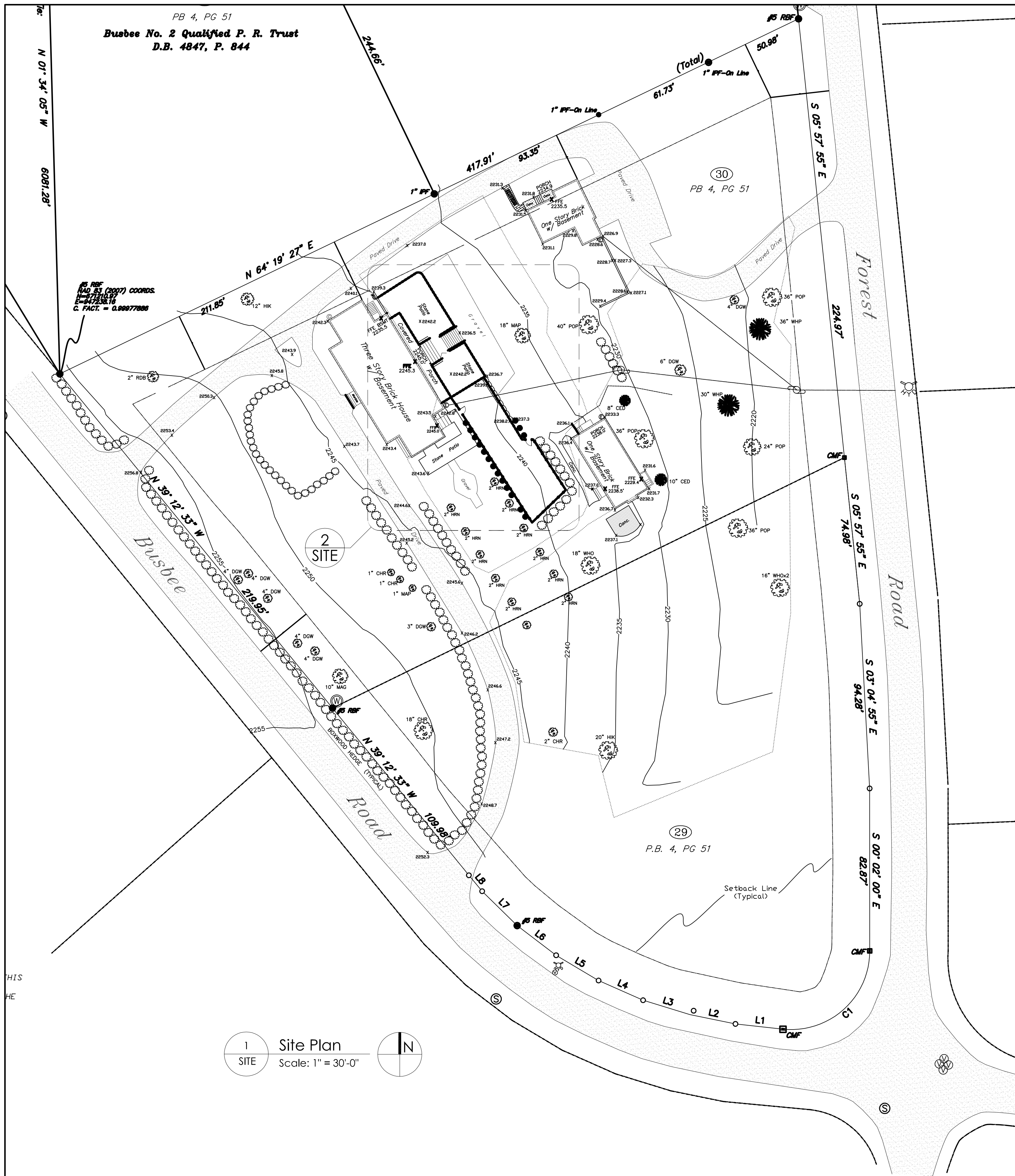
25,000

### **Estimated Completion Date**

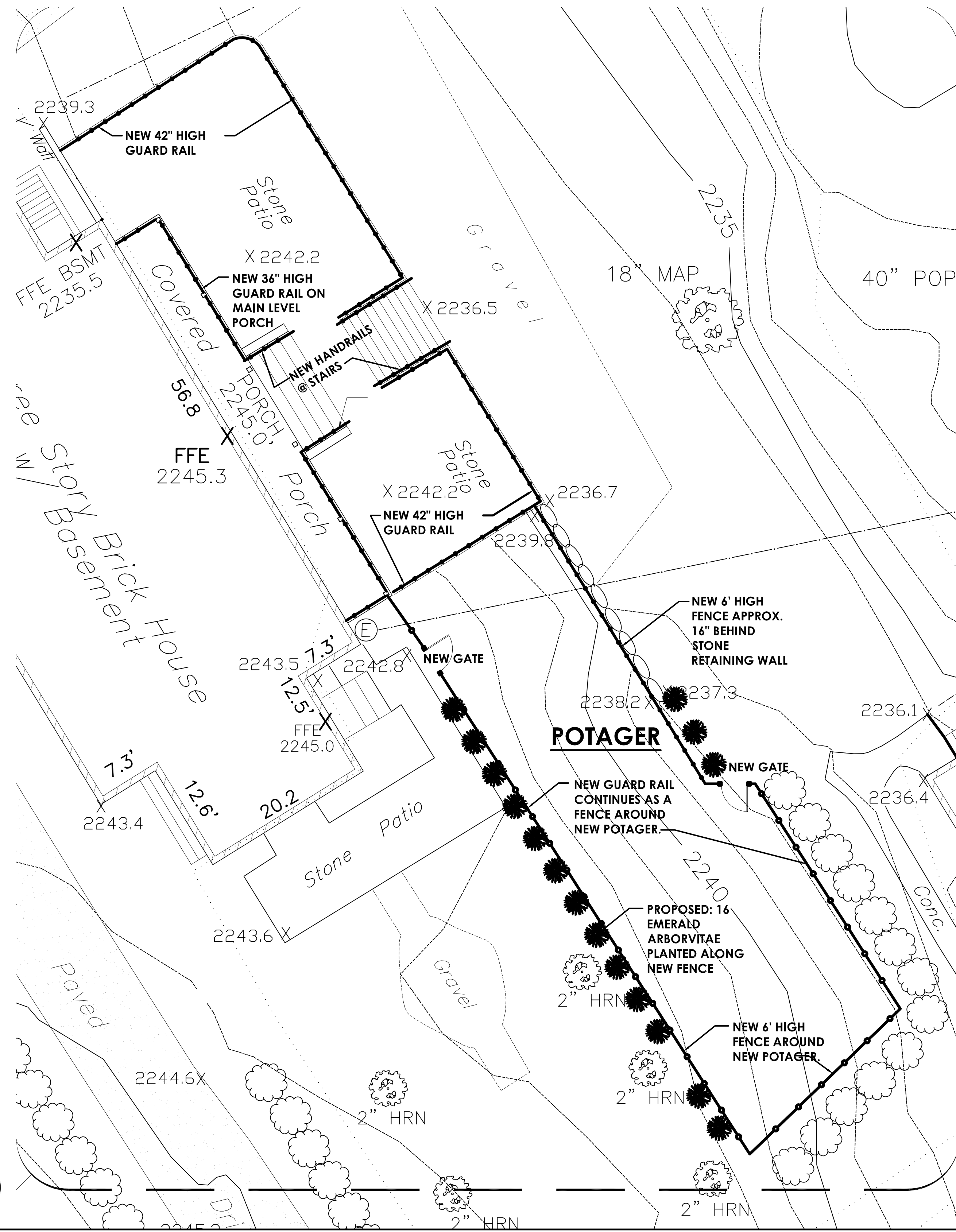
2/29/2016

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

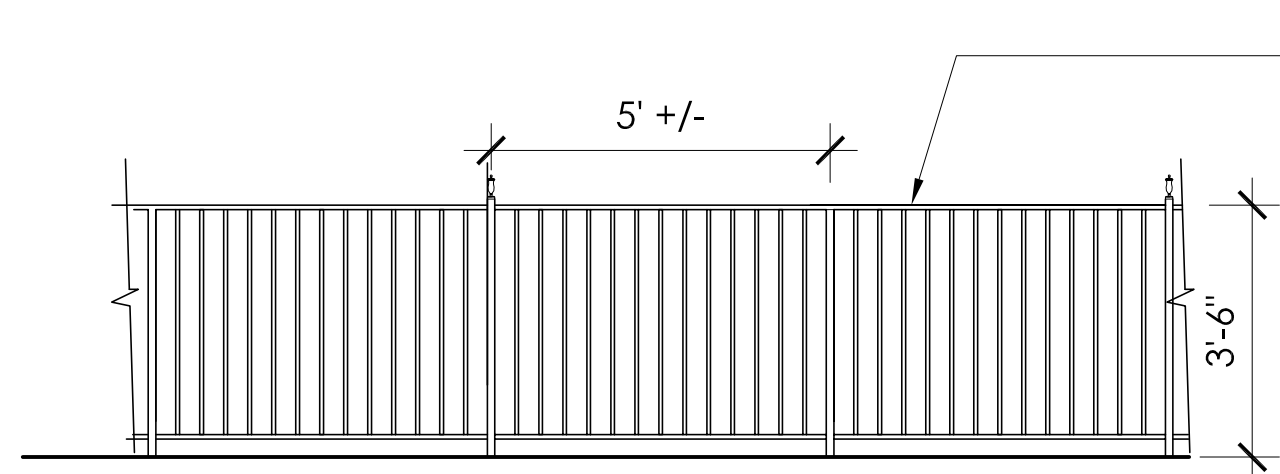




1 SITE  
Site Plan  
Scale: 1" = 30'-0"



2 SITE  
Detail Site Plan  
Scale: 1/8" = 1'-0"



3 Elevation - Guard Rail  
Scale: 3/8" = 1'-0"

STEEL GUARD @ EXST'G  
STONE PATIO. SPINDLES  
5/8" SQ. SOLID. NEWELS  
1-1/4" SQ. TUBE W/ FINIALS  
AT 10' C/C.  
NOTE: NEW GUARD AT  
EXST'G MAIN LEVEL PORCH  
SHALL BE SAME AS ABOVE  
EXCEPT 36" HIGH.



GEORGE STOWE • ARCHITECT  
member, American Institute of Architects  
184 East Chestnut Street • Asheville, NC 28801  
ph 828-251-2357 • fax 828-225-0530  
gstowearchitect@bellsouth.net  
www.GeorgeStoweArchitect.com

DATE:  
12-07-2015  
REVISIONS:

Guard Rail + Garden Enclosure  
**MENDELSON RESIDENCE**  
25 Busbee Road  
Blomire Forest, NC

**SITE**





MEMORANDUM  
JANUARY 11, 2016

To: Board of Adjustment  
From: Jonathan Kanipe, Town Administrator  
Re: Case Number 2 – 20 Ridgefield Place  
Date: December 31, 2015

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**Case 2**

Property Owner: Adam and Jacqueline Berry  
Property Address: 20 Ridgefield Place  
Zoning District: R-2  
Lot Size: 0.44 +/- acres  
Application Request: Variance request to allow construction of an attached deck within the western side yard setback

The applicants purchased this home last year and are making renovations. As part of this process, they would like to extend an existing sunroom/deck that is attached to the rear of the home. Their proposal is to extend this deck by 19 feet and then attach it flush with the southwestern corner of the home.

The side yard setback for this R-2 lot is 15 feet. The home was constructed within that setback and, as a result of their desire to tie the deck into the rear of the home, their deck piers would be constructed within the side yard setback. Their variance request is to allow this deck to be constructed within the side yard setback by 4 feet, 6 inches and in line with the already constructed home.

The remainder of their renovation plans (adding a full second story, rehabbing an existing deck, and residing the home) do not require Board of Adjustments approval.

- Variance request to construct an extension of the existing deck within the side yard setback.



# Variance Application

I hereby petition the Board of Adjustment for a variance(s) from the provisions of the Zoning Ordinance for the real property stated below.

**Name**

Adam Berry

**Property Address**

20 Ridgefield Place

**Email**

briceberry@yahoo.com

**Phone**

(832) 831-5960

**Variance to Zoning Ordinance Section(s) (Select all that apply)**

1103 Required Yards & Other Spaces

**Reason Variance(s) is(are) being requested:**

We would like to add an 11'x19' foot deck on to the back of the house. There is already a deck along half of the back of the house and we would like to extend it the full length of the back of the house. We need a variance because, for aesthetic purposes, we would like to have the deck follow the line of the house. The deck would extend to the edge of the house to make a even line with the west side of the house. The west side of the house is already in the side setback.

In granting any variance, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with the Zoning Ordinance. Violations of the provisions of the variance granted including any conditions or safeguards which are part of the granting of the variance, shall be deemed a violation of the Zoning Ordinance. I hereby certify that the information set forth above is true and accurate to the best of my knowledge.

**Signature**A handwritten signature in black ink that reads "Adam Berry". The signature is written in a cursive style with a horizontal line underneath.**Date**

12/31/2015



# Zoning Application

## Property Identification

**Name**

Adam Berry

**Address**

20 Ridgefield Place, Biltmore Forest, North Carolina 28803

**Phone**

(832) 731-5960

**Email**

briceberry@yahoo.com

**Zoning**

R-2

**Lot Size (Acres)**

.44

## 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?

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?

Yes

An application for a variance to encroach the side/rear yard setback(s) will be required in addition to this zoning application.

## Scope of Project-Accessory Structures

Does the project include a detached structure or building?

No

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



No

## Project Description

### Brief Description of Project

Adding a deck on to the back of my house. The deck will be 19' x 11'.

### Estimated Cost of Project

2,500

### Estimated Completion Date

1/14/2016

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

20151231\_131911.jpg

20151231\_131756.jpg

20151231\_133258.jpg

20151231\_131826.jpg



















# Zoning Application

## Property Identification

**Name**

John and Suzanne Delaney

**Address**

13 Hilltop Road, Biltmore Forest, North Carolina 28803

**Phone**

(808) 227-8595

**Email**

sandcastles@hawaii.rr.com

**Zoning**

R-2

**Lot Size (Acres)**

0.73

## Scope of Project-Roof Coverage

Does the project include increasing roof coverage?

Yes

What is the proposed roof coverage?

2,561

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?

436

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)?

No

## Scope of Project-Accessory Structures

Does the project include a detached structure or building?



No

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

No

## **Project Description**

### **Brief Description of Project**

Addition of new bathroom, new extended entry portico, new driveway portico, and remodel of existing powder room and existing laundry.

### **Estimated Cost of Project**

89,000

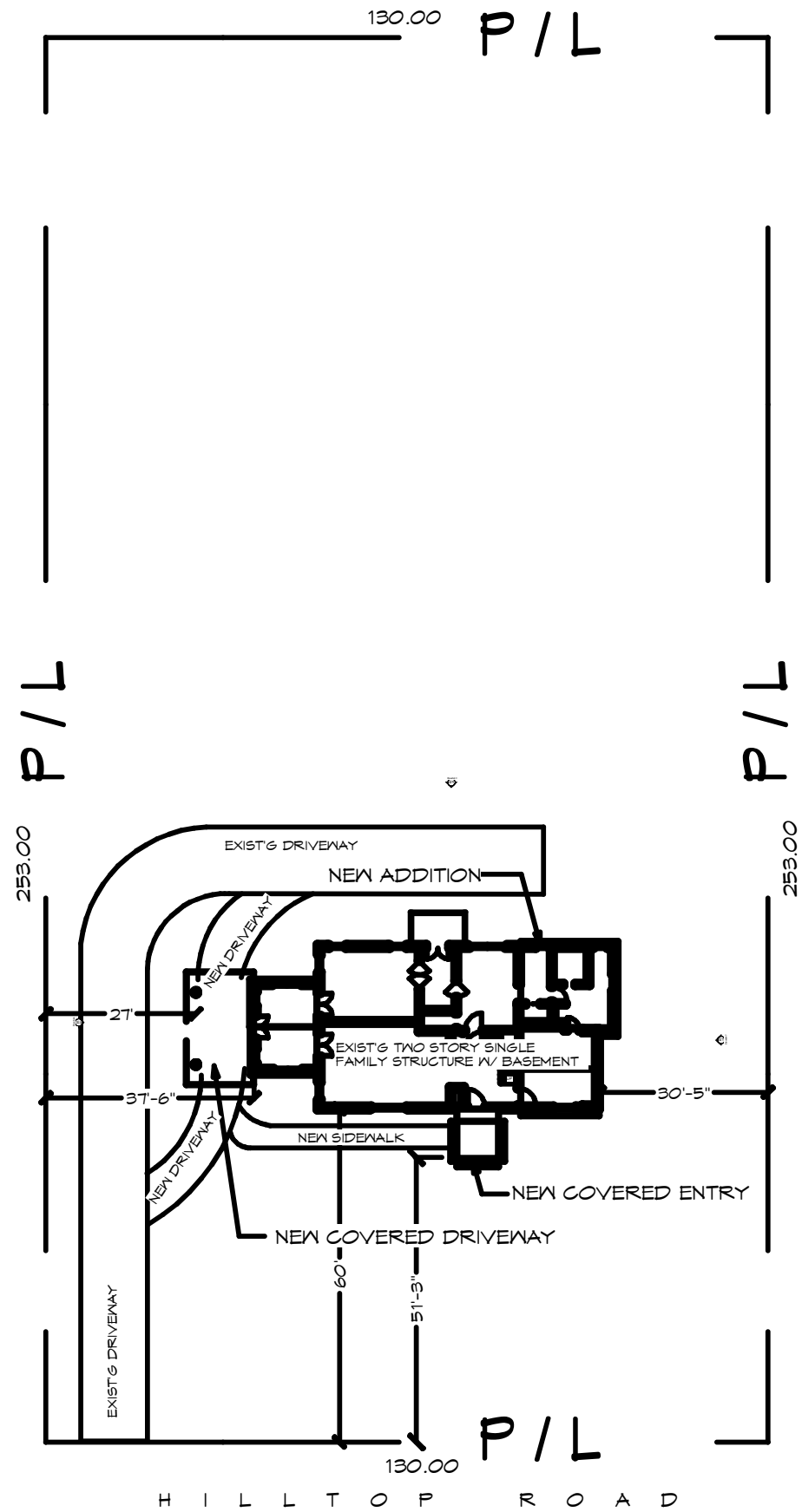
### **Estimated Completion Date**

4/30/2016

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

delaney 121615-Layout (1).pdf





H I L L T O P   R O A D

**PLOT PLAN**

SCALE 1" = 30'

ADDITION & ALTERATION

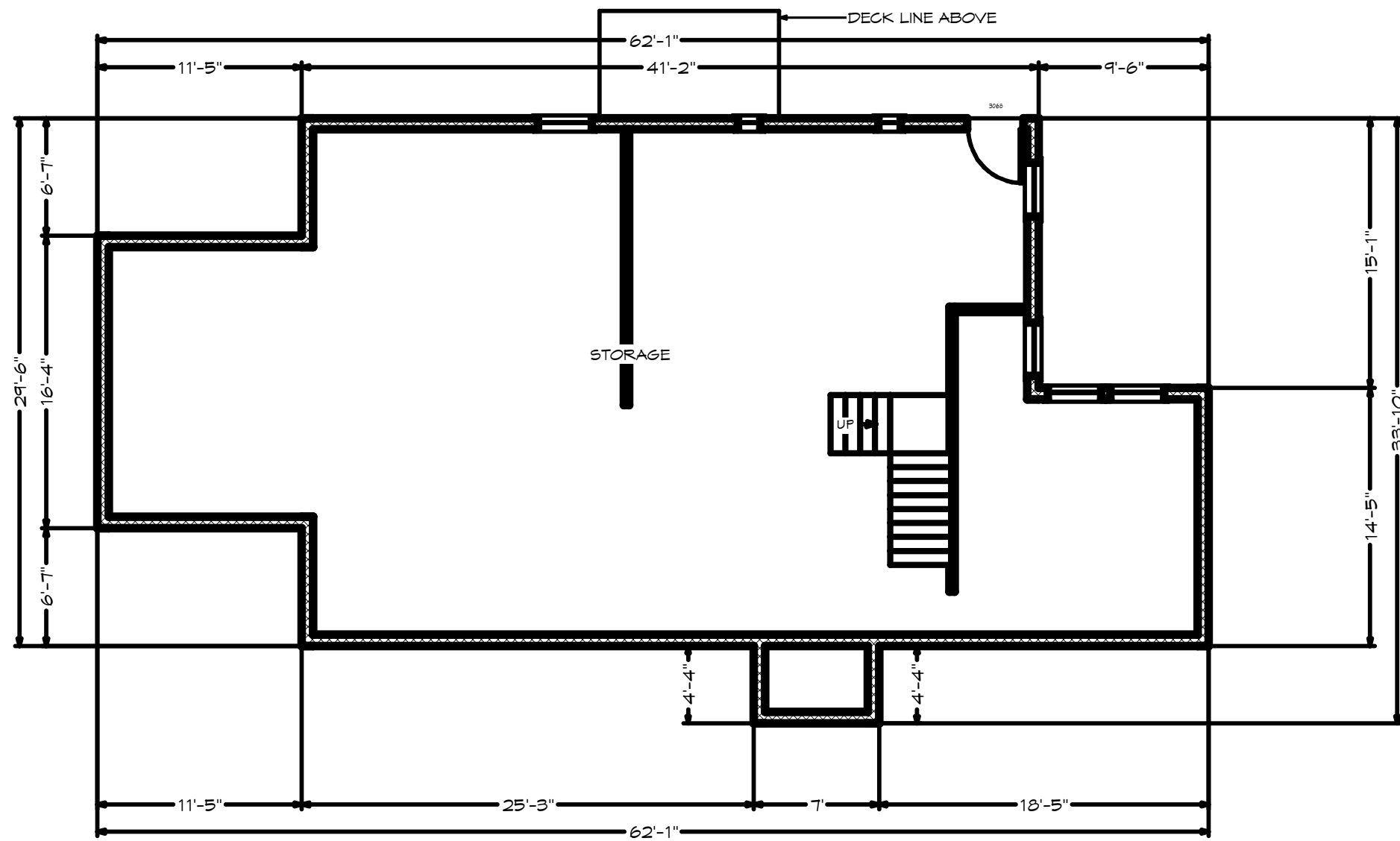
**DELANEY RESIDENCE**

13 HILLTOP ROAD BILTMORE FOREST  
NORTH CAROLINA 28803  
LOT 1567, PLAT BOOK 0006 PAGE 0114

DEC 2015  
**A001**

DATE: REV.





**EX BASEMENT PLAN**  
SCALE 1/8" = 1'-0"

ADDITION & ALTERATION

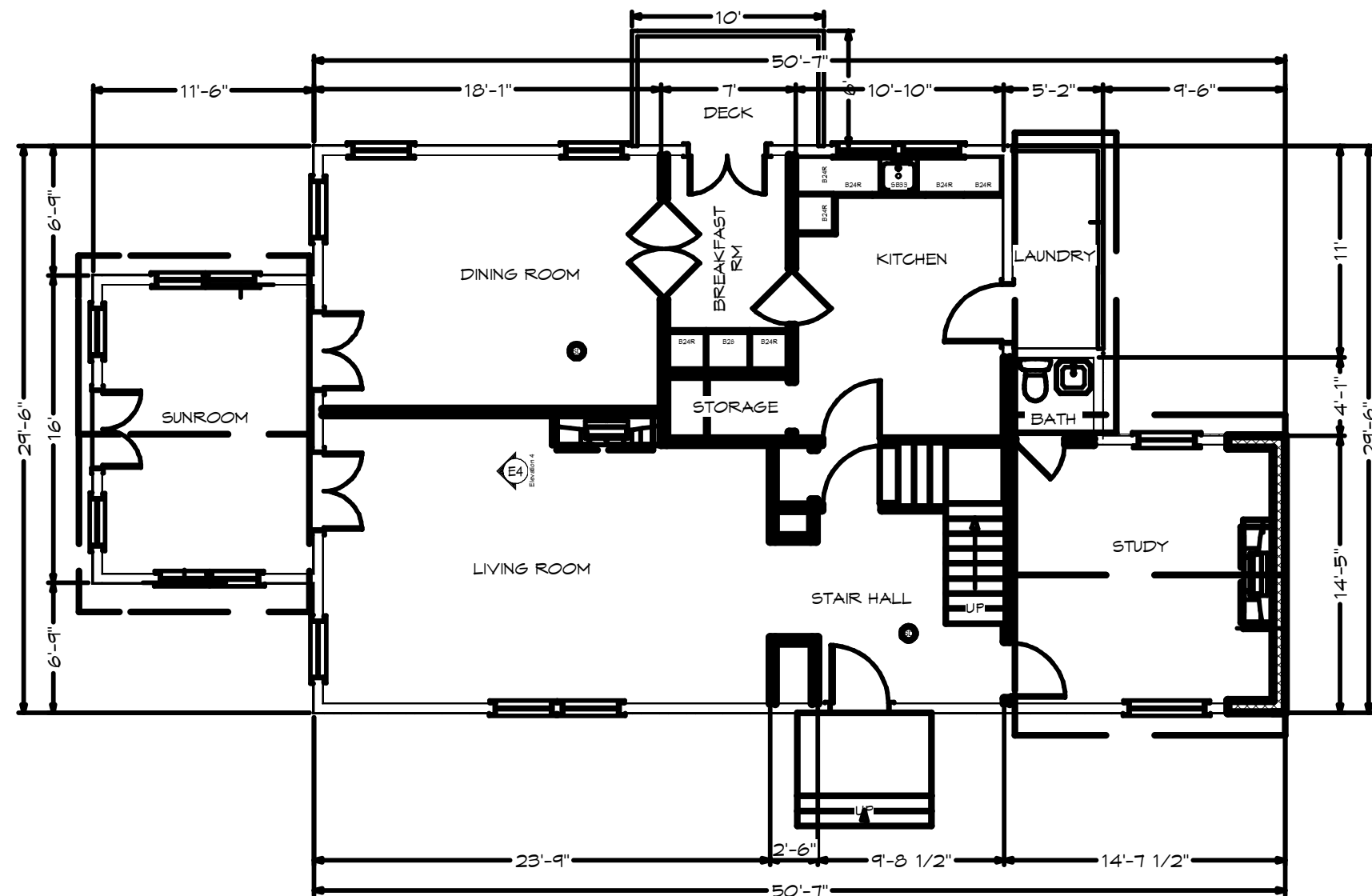
**DELANEY RESIDENCE**

13 HILLTOP ROAD BILTMORE FOREST  
NORTH CAROLINA 28803  
LOT 1567, PLAT BOOK 0006 PAGE 0114

DATE:	REV.

DEC 2015  
**A002**





**EX FIRST FLOOR PLAN**  
SCALE 1/8" = 1'-0"

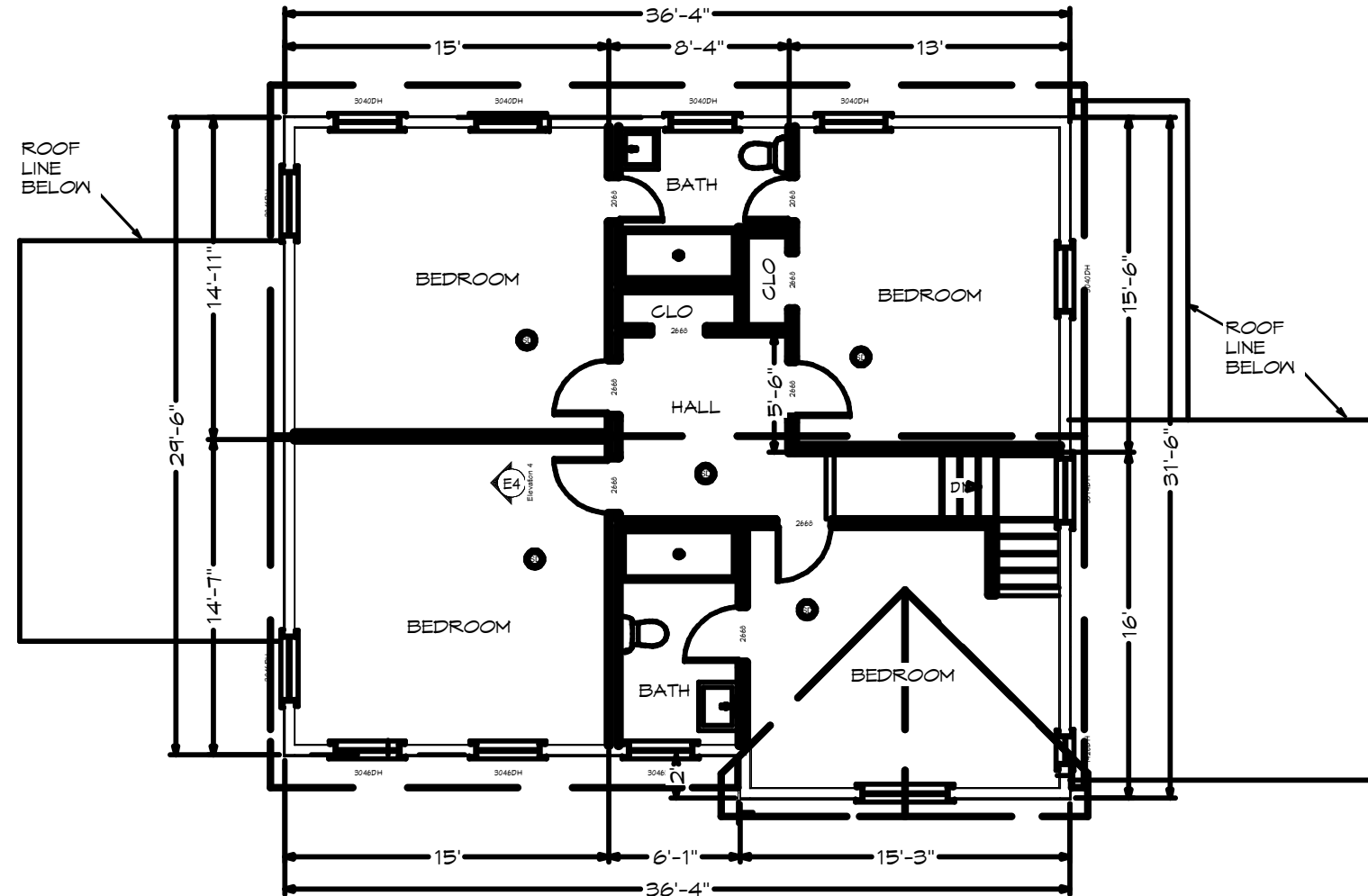
ADDITION & ALTERATION

**DELANEY RESIDENCE**

13 HILLTOP ROAD BILTMORE FOREST  
NORTH CAROLINA 28803  
LOT 1567, PLAT BOOK 0006 PAGE 0114

DATE:	REV.





EX SECOND FLOOR PLAN  
SCALE 1/8" = 1'-0"

ADDITION & ALTERATION

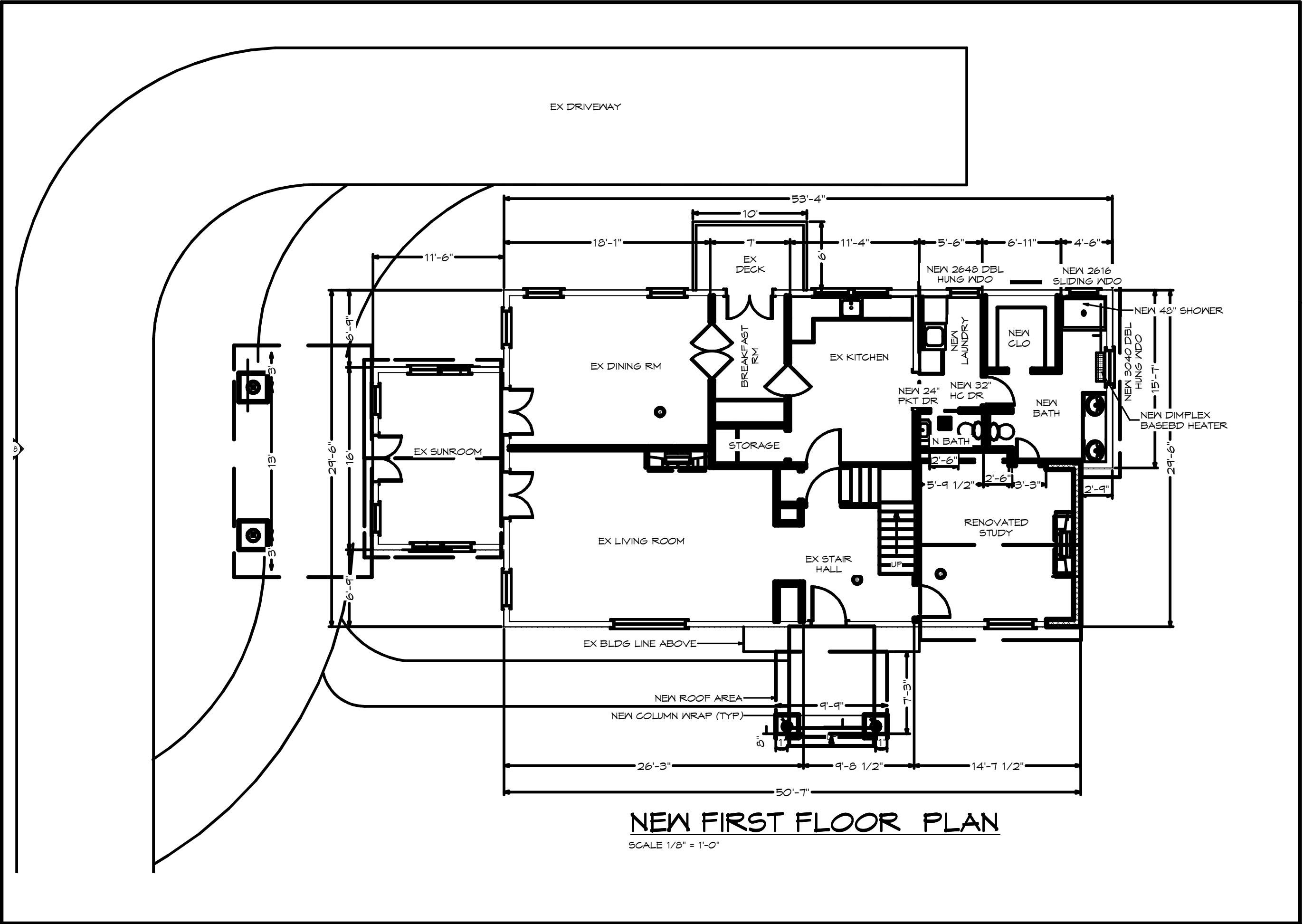
**DELANEY RESIDENCE**

13 HILLTOP ROAD BILTMORE FOREST  
NORTH CAROLINA 28803  
LOT 1567, PLAT BOOK 0006 PAGE 0114

DEC 2015  
**A004**

DATE:	REV.





**NEW FIRST FLOOR PLAN**

SCALE 1/8" = 1'-0"

DATE:	REV.

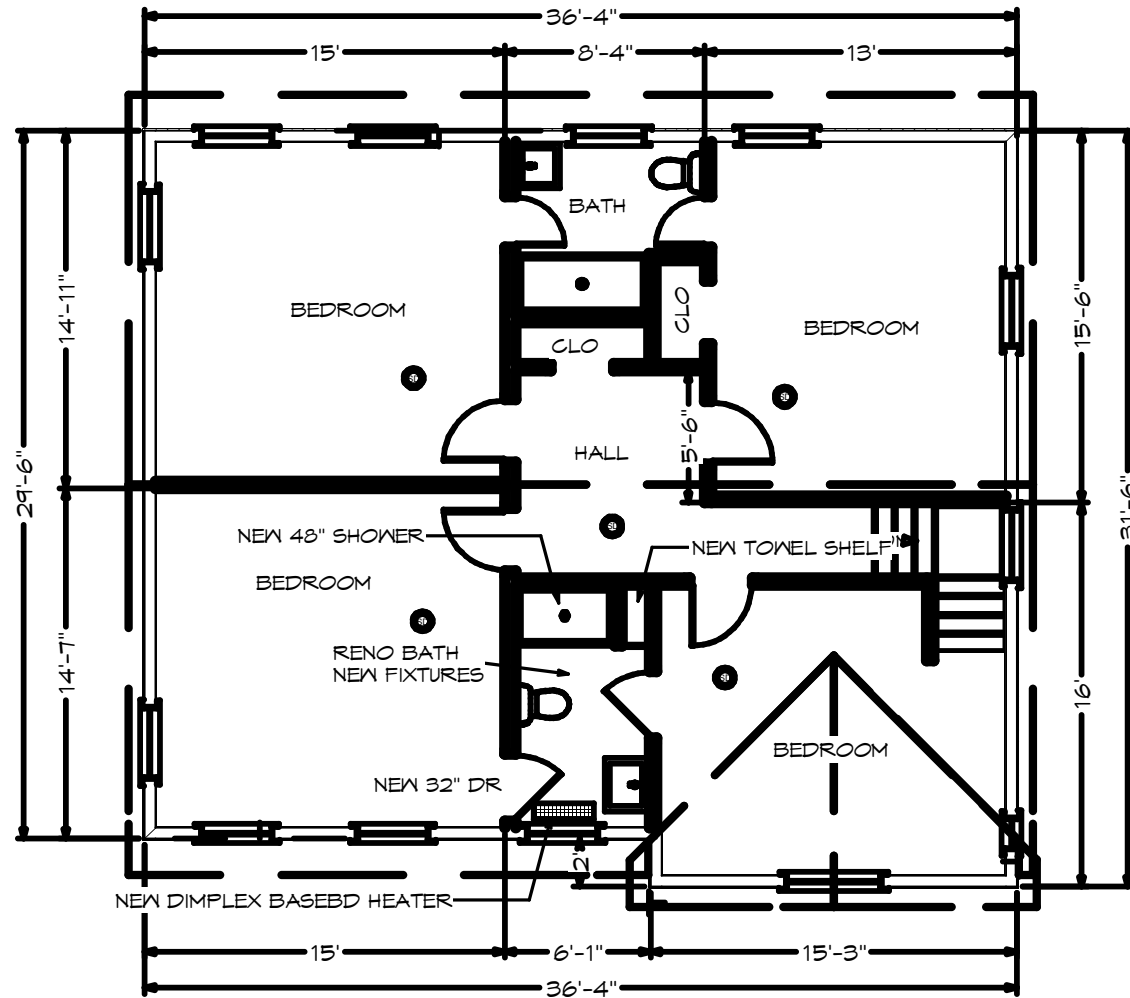
ADDITION & ALTERATION

**DELANEY RESIDENCE**

13 HILLTOP ROAD BILTMORE FOREST  
NORTH CAROLINA 28803  
LOT 1567, PLAT BOOK 0006 PAGE 0114

DEC 2015  
**A005**





NEW SECOND FLOOR PLAN

SCALE 1/8" = 1'-0"

ADDITION & ALTERATION

DELANEY RESIDENCE

13 HILLTOP ROAD BILTMORE FOREST  
NORTH CAROLINA 28803  
LOT 1567, PLAT BOOK 0006 PAGE 0114

DEC 2015  
A006

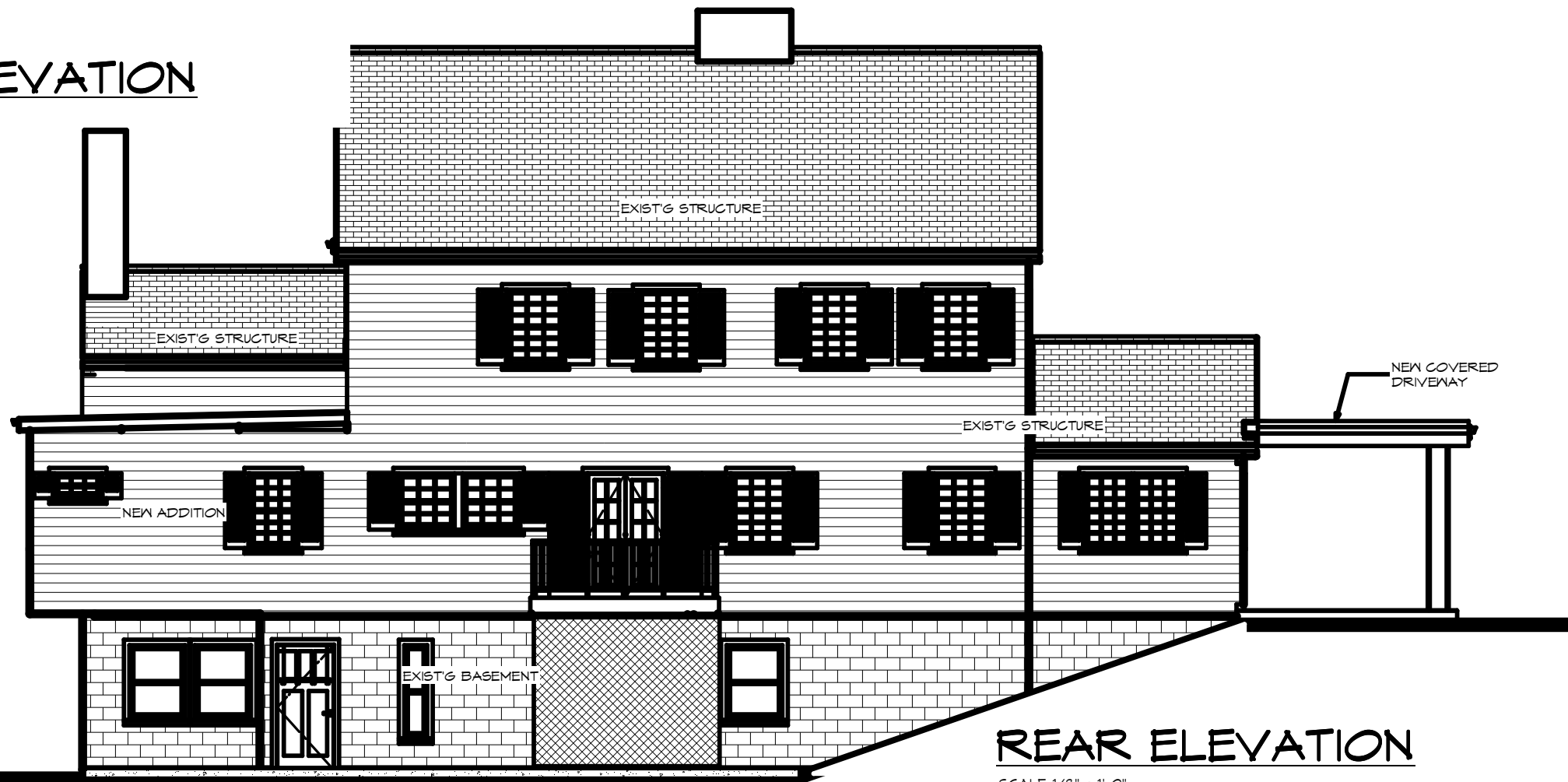
DATE:	REV.





**LEFT ELEVATION**

SCALE 1/8" = 1'-0"



**REAR ELEVATION**

SCALE 1/8" = 1'-0"

ADDITION & ALTERATION

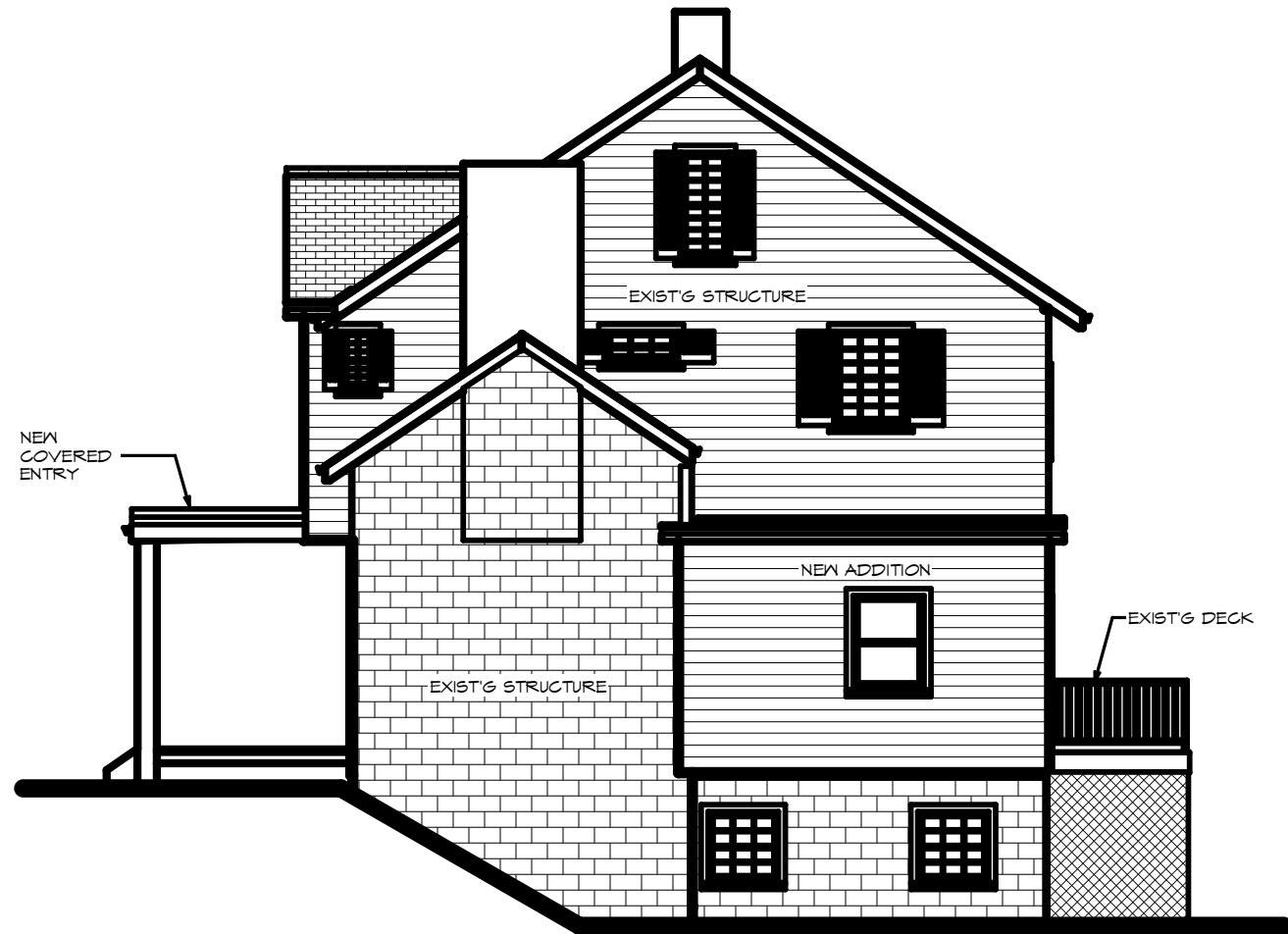
**DELANEY RESIDENCE**

13 HILLTOP ROAD BILTMORE FOREST  
NORTH CAROLINA 28803  
LOT 1567, PLAT BOOK 0006 PAGE 0114

DEC 2015  
**A007**

DATE: REV.





## RIGHT ELEVATION

SCALE 1/8" = 1'-0"



## FRONT ELEVATION

SCALE 1/8" = 1'-0"

ADDITION & ALTERATION

## DELANEY RESIDENCE

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A008