

**MEETING SUMMARY OF THE HENDERSON COUNTY
BOARD OF ADJUSTMENT MEETING
October 25, 2017**

The Henderson County Board of Adjustment held its regular meeting on October 25th at 4:00 p.m. in the King Street Meeting Room, 100 N. King Street, Hendersonville, North Carolina.

Board Members Present:

Ron Kauffman
David Sandler
Ann Pouch
Hilliard Staton
Louise St. Romaine, Alternate Member

Staff Members Present:

Toby Linville, Zoning Administrator
Russ Burrell, County Attorney
Autumn Radcliff, Senior Planner

Call to Order / Introduction of the Board: Chairman Kauffman called the meeting to order at 4:00 pm.

Review and Approve September 27, 2017 Meeting Summary: Chairman Kauffman asked for approval of the summary. Louise St. Romaine made a motion for approval and all members voted in favor.

SUP-17-04 Lift Holdings LLC RV Park: Chairman Kauffman read the quasi-judicial proceeding script and read the oath to the applicant and staff. Toby Linville read the staff report into the record. The applicant, Tore Borhaug explained that he was replacing three of the existing manufactured homes with two park models homes and the number of bedrooms for septic capacity would not change. Russ Burrell noted that supplemental requirement 4.15 requires park models to be connected to a central dump station rather than a septic system. He said that the ordinance was poorly worded and different than most existing RV Parks. He offered that the board could grant a variance of that requirement if they desired. Ron Kauffman asked Tore Borhaug if he would be converting any additional homes in the future. After discussion the board offered that he could change each home to two park model homes as allowed by the septic systems up to 18 park models but below the threshold of a public water supply. Toby Linville read a proposed motion:

I move to approve SUP-17-04 because it will:

- a. Not materially endanger the public health, safety or welfare;
- b. Not substantially injure the value of property or improvements in the area; and
- c. Be in harmony with the surrounding area.

I further move to approve a variance of SR.4.15 of this project

- a. There are practical difficulties or unnecessary hardships in carrying out the strict letter of Chapter 42 of the County Code, as demonstrated by:
 - i. The fact that, if the Applicant complies with the literal terms of this Chapter, the Applicant cannot make a reasonable use of the property, in that the "park model" units are not intended to be set up as mobile, so could not comply with the requirement for a single "central dump" as required by S.R. 4.15(8).
 - ii. This hardship of which the applicant complains is not the result of the applicant's own action.
- b. The Variance is in harmony with the general purpose and intent of this Chapter and will preserve its spirit.
- c. The Variance will secure the public safety and welfare and will do substantial justice.
- d. The Variance is not based on the existence of a nonconforming use of neighboring land or structures in the same district, or permitted nonconforming uses in other districts.
- e. The Variance does not allow for an increase in density for the purposes of subdividing the land that would otherwise not be permitted by the applicable zoning district or subdivision regulations.

Ann Pouch moved to approve the motion as presented with second from David Sadler. The board voted unanimously to approve of SUP-17-04.

Adjournment: Hilliard Staton made a motion to adjourn the meeting at 4:24 p.m.

Ronald Kauffman, Chairman

Toby Linville, Zoning Administrator