

**MEETING SUMMARY OF THE HENDERSON COUNTY  
BOARD OF ADJUSTMENT MEETING  
September 30, 2015**

The Henderson County Board of Adjustment held its regular meeting on September 30, 2015 at 4:00 p.m. in the King Street Meeting Room, 100 N. King Street, Hendersonville, North Carolina.

Board Members Present:

Mike Earle, Vice-Chairman  
Morton Lazarus  
Ann Pouch  
Hunter Marks, Alternate Member  
Hilliard Staton, Alternate Member

Staff Members Present:

Toby Linville, Zoning Administrator  
Jenny Maybin, Board Secretary  
Sarah Zambon, Deputy County Attorney

**Call to order / Introduction of the Board:** Vice-Chairman Mike Earle called the meeting to order at 4:04 pm.

**Review and approve August 26, 2015 Meeting Summary:** Vice-Chairman Earle asked for approval of the summary. Hilliard Staton made a motion for approval. Morton Lazarus seconded the motion. All members voted in favor.

**Swearing In of Parties**

Vice-Chairman, Mike Earle presented the guidelines for a quasi-judicial hearing. He asked that all parties wishing to speak come to the podium to determine their standing. For SFP-15-01, Jeff Ferguson with NC Wildlife Resource Commission was made a party of the hearing because he is the applicant. Toby Linville was sworn in as Zoning Administrator for Henderson County. For SUP 15-04 William Crane and Tamra Crane were made a party of the hearing because they are the Applicants. The following nearby property owners were also made parties to the hearing as adjacent or nearby property owners as determined by the Board: Russ Clemmer, President of Traditional Home Owners Association; Mary Stepp; Steve Bagwell; Bob and Connie Johns; Keith Grove; Sarah Massagee, an attorney representing Stanley and Jane Shelley; Alan Windham; Guo Dehu; and Melanie Ellis. Mark White was made a party of the hearing because he is a witness for Attorney, Sarah Massagee. Toby Linville was sworn in as Zoning Administrator for Henderson County.

**Special Fill Permit, SFP-15-01, Greater than 20% fill for Etowah Boating Access for NC Wildlife Resource Commission for Henderson County-Presenter, Toby Linville**

Mr. Linville presented the staff report for a boat access ramp being classified as a Park, located off Brevard Road across from Cummings Road. The subject area is approximately 1.69 acres (PIN: 9539430929). The property is currently vacant and zoned Residential 2 Rural (R2R). The NC Wildlife Resources Commission on behalf of Henderson County will construct a boating access ramp and floating pier along the French Broad River at Brevard Rd near Cummings Rd. This project will require a Special Fill Permit because the WRC will need to fill more than 20% of the land area in the floodplain for parking and driveway access. ZBA acting as the Flood Damage Prevention Board must decide whether this additional fill meets the requirements of the Land Development Code. Jeff Ferguson with NC Wildlife Resource Commission was present to address any questions.

After the presentation of the staff report and all parties involved Hilliard Staton made a motion to approve SFP-15-01. Morton Lazarus seconded the motion. All members voted in favor of the Special Fill Permit.

**SUP-15-04, Small Place of Assembly for William and Tamra Crane-Presenter, Toby Linville**

Mr. Linville presented his staff report for a small place of assembly. The subject area is approximately 14.12 acres (PIN: 9650343953). The property is currently in residential use and zoned Residential 2 (R2). Applicants, William and Tamra Crane were present to address any questions.

After the presentation of the staff report and all parties involved Hunter Marks made a motion to approve SUP-15-04 for William and Tamra Crane with the following conditions:

1. Applicant must agree to in writing the provisions of this order.
2. Applicant must comply with all the requirements in Supplemental Requirement 5.17.
3. Applicants are bound to the site plan as presented except for the conditions in this Order.
4. There must be a 50 foot setback from the property line. There can be no parking in this setback. The only things permitted in the setback are the existing barn and any vegetative buffer, trees, or fence.
5. All designated parking needs to be physically buffered by vegetation or fencing.
6. No events can take place outside the hours of 10 am to 10 pm.
7. No event may have more than 150 people.
8. Any Amendments, changes or modifications of this Order must be approved by this Board.
9. Failure to comply with the conditions in this order may result in the revocation of this Permit.

Hilliard Staton seconded the motion. All members voted in favor of approving.

**Adjourn Meeting:** Vice-Chairman Earle adjourned the meeting at 6:49 p.m.

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Mike Earle, Board of Adjustment Vice-Chairman

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Jenny Maybin, Board Secretary