

MINUTES OF THE HENDERSON COUNTY
ZONING BOARD OF ADJUSTMENT

The Henderson County Zoning Board of Adjustment rescheduled its December 30th meeting to Wednesday, January 6, 2010 (due to the Christmas Holiday) at 4:00 p.m. in the King Street Meeting Room, 100 N. King Street, Hendersonville, North Carolina. Those present were: Jim Phelps, Chairman, Jim Crafton, Vice Chairman, Ann Pouch, Tony Engel, Dean Bonessi, Zoning Administrator Toby Linville, Deputy County Attorney Sarah Zambon, and Zoning Board Secretary, Karen Ann Antonucci. Alternate board member Janice Brown did not attend. Newly appointed board member Hunter Marks was there to observe.

Chairman Phelps: Called the meeting to order at 4:11 PM.

You all have copies of the minutes. Have you had a chance to review those? And are there any corrections or additions to them? I had one on the last page about 60% of the way down. The sentence where it says 'deputy county attorney – and *have* it subdivided' - *have* was left out. So I'm going to insert that. Other than that I didn't have any other comments. Did anyone else? If not do I have a motion to approve.

TEngel: I motion to approve it.

APouch: Second.

Chairman Phelps: Tony and Ann. All in favor say aye. Opposed, no. Unanimously approved. Thank you very much.

All board members were in favor of approving the December 2nd minutes.

Chairman Phelps: Next thing on our agenda is Order V-09-08 Case V-09-08 Robert Benton, requesting a variance of 15 feet in side yard setback for erection of metal building to protect existing water supply. 93 Tierra Trail, Hendersonville. (PIN 0621228061).

Before we go there I just remembered I didn't introduce everybody, I'm sorry. We were talking here so please forgive me for that. To my left is Ann Pouch, Jim Crafton, Tony Engel, Dean Bonessi. Janice is our Alternate but I don't see her there. Also want to welcome Hunter Marks who will be our new member and will be joining us at the next meeting. He's observing us today to see how we behave. Welcome. And we appreciate you're agreeing to join our board.

So now we'll go to the first order V-09-08 and has everyone read over that and have any comments or corrections or additions or adjustments there to? No comments? If not do we have a motion to approve?

APouch: I move we approve.

TEngel: Second.

Chairman Phelps: Ok. There being no discussion all in favor let it be known by saying aye. Opposed, no.

All board members were in favor of approving the order.

Chairman Phelps: Unanimously approved. Ok. The second order of business V-09-09 Gerald & Fonda Haskins, requesting a variance of 2 feet 4 inches side yard setback for purposes of subdividing the property located at 209 Shepherd Street, Hendersonville. (PIN 9577284785). Has everybody had that case and had a chance to review it? Any discussion or comments? If not do I have a motion to approve and adopt this?

DBonessi: I'll make the last motion.

Chairman Phelps: Dean moves. Is there a second?

JCrafton: Second.

Chairman Phelps: Jim seconds. Any further discussion? If not shall we come to a vote? All those in favor let it be known by saying aye. Opposed, no.

All board members were in favor of approving the order.

Chairman Phelps: Unanimously approved.

Chairman Phelps: Let me digress one minute. Toby, I did have a question. Have you had a chance on that first case to meet with the guy about the pump house?

Zoning Administrator TLinville: Yes. We can, as we were talking about at the last meeting in reducing the size, he can do that and still meet one of the dimensions that that company offers and be a smaller building so I think it'll work out just fine.

Chairman Phelps: So you've reached an agreement with him, it seems to be?

Zoning Administrator TLinville: Indicated yes.

Chairman Phelps: Good. Just so the board is aware of that.

Zoning Administrator TLinville: (to Mr. Benton) And then tomorrow, whenever you plan on doing it, whenever you're ready to get permits we'll be able to issue those now. So if you want to do that tomorrow we can do that. (to Chairman Phelps) If you'll sign his order I'll notarize it so he can take that with him before he leaves.

Chairman Phelps: I will do that in the meeting so that you can do that. That's all of the old business. The new business we gave, I guess, is the election of the officers for the 2010 year. Dean will be leaving us. Dean, we certainly appreciate your long and faithful service to the board and we will miss you.

DBonessi: Well, I enjoyed it. It was a tough decision to make. I just got a lot going on and it's just hard for me to get here. So it's not something I really wanted to do but I think it was the right thing for me to do at the time.

APouch: We'll miss you.

DBonessi: I'm going to miss these meetings. I know that's weird but-

Chairman Phelps: Ok. Well, any nominations for Chair and Vice-Chair?

APouch: I nominate that we keep James and Jim as Chairman and Vice-Chairman.

TEngel: And I'll second both those nominations.

Chairman Phelps: Are there any other nominations? If not – unanimously elected. Congratulations, Jim, I guess. Is there any other business to come before the board at this time?

Zoning Administrator TLinville: Yes, we don't have any cases scheduled for the end of the month, our next meeting, which is the January meeting. So if you want to wait until – postpone that until the – or cancel that meeting, and wait until the February meeting. We can certainly do that.

Chairman Phelps: I think the board will be in agreement to pass on the January meeting then. We have no orders or anything else that we have to address.

JCrafton: We're past the point that any cases could be added, right?

Zoning Administrator TLinville: - indicated yes

Chairman Phelps: If there's no objection from any board members.

APouch: None.

JCrafton: None here.

Chairman Phelps: So we'll just pass on the January meeting.

There was discussion on the Community Design Workshop- 'Delivering the Best Product in Today's Economy' Led by Randall Arendt on January 25th. Jim Phelps and Ann Pouch indicated they wanted to attend the evening workshop from 7 pm to 9 pm. Mr. Linville said our office or the Planning Department could register them.

Jim Crafton asked Deputy County Attorney Sarah Zambon if the Commissioners are working on anything that would affect regulations or things that the Zoning Board rules on. Ms. Zambon said the only thing that was immediately coming up that had gone through the Planning Board was Storm Water. She could not remember if appeals on that issue came to the Zoning Board or not. She pointed out that Soil Erosion appeals come to the Zoning Board and thought it may be the same for Storm Water, but wasn't sure. She said Storm Water should be going before the Board of Commissioners at one of their February meetings. If it was adopted Ms. Zambon could train the Zoning Board from the material the Planning Department already has through the Environment Advisory Committee.

Mr. Linville said they were working on some amendments before the Storm Water was put first. So those issues would be revisited in the late Spring or early Summer, after the Storm Water is finished. He told the board members to let him know if they saw changes that needed to be made to the code.

Chairman Phelps: Ok. If there is nothing further then our next meeting will be February 24th of 2010. Entertain a motion to adjourn.

TEngel: I motion we adjourn.

APouch: I'll second.

Chairman Phelps: All in favor, aye.

All board members indicated they were in favor of adjourning the meeting at 4:25 pm.

Chairman Phelps: Then we're adjourned.


Chairman, Jim Phelps


Karen Ann Antonucci, Secretary