

In the Matter of the Appeal of the)
Zoning Administrator Regarding a)
Notice of Violation for permanent)
Recreational Vehicle Setup)

ORDER

THIS MATTER came to be heard by the Zoning Board of Adjustment of Henderson County (the "Board") on the appeal by Michael Martin from the decision of Henderson County's Zoning Administrator. The matter was heard by the Board on December 18, 2019. From the record in this matter, and from the evidence presented to the Board, the Board makes the following findings:

1. This matter is an appeal of the decision of Henderson County's Zoning Administrator. Pursuant to Henderson County Code §42-379, Table 12.1, appeals from the Zoning Administrator are to the Board.

2. For this hearing, the Board was made up of the following of its members:
Ron Kauffman, Chairman
Jim Hysong
Bill Fishburne
Louise St.Romain

3. Notice of this hearing was duly given as required by N.C. Gen. Stat. §160A-388, which is applied to Henderson County pursuant to N.C. Gen. Stat. §153A-345.1(a).

4. Hearing procedures were pursuant to N.C. Gen. Stat. §160A-388(b1).

5. The appeal to the Board was timely filed by the Appellant.

6. Appellant Michael Moore represented himself in his appeal.

7. This appeal involves allowing Recreational Vehicles permanently located on the premises of the Appellant.

8. Insofar as it involves the County, the history of the vehicle is as follows:

- a) 5/8/18 Stop Work Order Picnic Shelter
- b) 5/15/18 Building Permit for single family dwelling issued
- c) 9/7/18 Notice of Violation RV Setup
- d) 8/7/19 Newspaper Classified
- e) 9/20/19 Mitchell Letter clarifying permitting
- f) 10/24/19 Planning Board Appeal
- g) 11/20/19 Zoning Board of Adjustment Appeal

9. The appellant requested allowing people to park Recreational Vehicles on the property.

10. Adjoining owners in opposition to the request included Jerry Young, Annette Jackson Pfister, Mark Stierwalt, and Lee Cory.

11. Bill Fishburne moved to deny the appeal. Ron Kauffman amended the motion to require removal of the two RV Connections, allow temporary parking of RVs no more than 30 days, and revoke building permit if any more violations on the property. Louise St.Romain seconded the amended motion and all members voted in favor.

From the foregoing, the Board concludes as a matter of law that it has jurisdiction over the subject of this appeal, and that the decision of the Zoning Administrator of Henderson County should be affirmed.

WHEREFORE, IT IS ORDERED, ADJUDGED and DECREED that the decision of the Zoning Administrator in this matter is hereby affirmed and the appeal of the violation is denied.

HENDERSON COUNTY ZONING BOARD OF ADJUSTMENT

By: _____
RON KAUFFMAN, Chairman