

**MEETING SUMMARY OF THE HENDERSON COUNTY
BOARD OF ADJUSTMENT MEETING
June 24, 2020**

The Henderson County Board of Adjustment held its regularly scheduled meeting at 4:00 p.m. at 100 N King St Hendersonville, North Carolina.

Board Members Present:

Hilliard Staton
Bob Pierce
Ron Kauffman
Jim Hysong
Bill Fishburne
Louise St.Romain Alternate

Staff Members Present:

Toby Linville
Russ Burrell

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

Review and Approve May 27, 2020 Meeting Summary: Chairman Kauffman asked for approval of the May meeting summary. Hilliard Staton moved to approve the meeting summary. All members voted in favor.

Order SUP-20-02 Heritage Hills

Chairman Kauffman asked if there were any changes to the order. The order was approved by acclamation.

Order SUP-20-03 Edney Wedding (Denial)

Chairman Kauffman asked if there were any changes to the order. The order was approved by acclamation.

SUP-20-04 Lane Rd RV Flores

Chairman Kauffman read the quasi-judicial script. He administered the oath of office to Toby Linville as Staff, and Danie'l Flores as applicant. No one else spoke for or against the application. This hearing was continued from the June meeting for a complete application. Danie'l Flores described the project and site plan. The Board asked several questions about the Park Model homes.

Chairman Kauffman moved to approve the special use permit with the following conditions: units placed so they cannot be moved, add a sight mirror in the curve, road will be maintained by applicant, enclose dumpsters so they are bear-proof, add roadside trees and noise/light mitigation between 8pm and 8am. Hilliard Staton seconded the motion. All members voted in favor.

Bob Pierce moved to approve V-20-01. Jim Hysong seconded the motion. All members voted to approve.

A-20-01 Ward Appeal

Chairman Kauffman read the quasi-judicial script. Chairman Kauffman administered the oath to Toby Linville as staff, Franklin Scott Ward as applicant, Sharon Alexander as agent and Dee Burrell, Katelyn Ward, Megan Thompson, Reeda Ward, Jay Bergen, Tom McHugh, Zoro Guice Jr, Ken Flanagan and David Foti as witnesses. Sharon Alexander opened the appeal by asking Ward history of the property and his understanding of the Nuisance Ordinance and Notice of Violation. Bob Pierce asked about Code Enforcement Officer Mike Williams being detained on the property. Jim Hysong asked if any cleanup had occurred since the January photographs. He also stated that there were several areas of solid waste in the photographs. Alexander said that the property is grandfathered and could not have the property removed without just compensation. Chairman Kauffman asked how much time would be needed to remove the violations. Alexander discussed the definition of a junked motor vehicle from NC General Statute 153-132.2 which differs from the Henderson County Public Health Nuisance Ordinance. The Board took a recess to allow Alexander time to discuss options with her client. Russ Burrell stated that an agreement had been reached with both Ward and Morgan to have Code Enforcement visit the property on 7/6/20 to take photos and after continuance of 120 days to 11/18/20 meet back before the Board for an update.

Bill Fishburne moved to continue A-20-01 until 11/18/20 for time to remove violations. Hilliard Staton seconded the motion. All members voted to continue the appeal.

Bob Piece then moved to continue A-20-20 to the same date under the same continuance. Hilliard Staton seconded the motion and all members voted approval.

A-20-03 Barnwell Appeal

The Gary Barnwell appeal was continued until July 29, 2020 so that Mr. Barnwell could retain another attorney. J. Michael Edney had recused himself from the case to eliminate any possible conflict of interest.

Adjournment: The meeting was adjourned at 5:25 upon motion by Bob Pierce.

Ronald Kauffman, Chairman

Toby Linville, Zoning Administrator