

**MEETING SUMMARY OF THE HENDERSON COUNTY
BOARD OF ADJUSTMENT MEETINGS
May 29, 2024**

The Henderson County Board of Adjustment held its regularly scheduled and special called meetings at 4:00 p.m. at the King Street Meeting Room.

Board Members Present:

Tony Engel
Andrew Riddle (Chair)
Carlos Ruiz
Lynn Freeman Bush
Louise St.Romain

Staff Members Present:

Matt Champion
Autumn Radcliff
Russ Burrell

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

Review and Approve March 27, 2024, Meeting Summary: Chairman Riddle asked for approval of the March 27, 2024, meeting summary. Louise St.Romain motioned to approve the meeting summary. Carlos Ruiz seconded the motion. All members voted in favor.

Quasi-Judicial Hearing

Chairman Riddle motioned to go into a quasi-judicial hearing. All members had no disclosures or conflicts of interest to report with regards to the special use permit applications and variance application on the agenda. Chairman Riddle swore in all parties and witnesses.

SUP-24-01 Hyder RV and Boat Storage

Matt Champion read the staff report for the application. The request is for a special use permit for a self-storage facility for recreational vehicles and boats at 4021 Haywood Rd. The subject area is comprised of PIN: 9641-41-1179, which totals 5.29 assessed acres. Boyd Hyder is the property owner and applicant. Ryan Luttrell represented the application.

The applicant is proposing to develop the subject area as a self-storage facility that will be specifically for recreational vehicles and boats. The existing greenhouse frame on the back portion of the property will be used as open-air partially covered storage for recreational vehicles. A portion of the roof will be added back to provide cover for RV's stored on the property. The existing structures found along the front portion of the subject area adjacent to Haywood Rd will be used as office space for the storage facility. The major site plan shows 48 total proposed parking spaces within the existing greenhouse after the conversion, 18 total open-air spaces at the back of the property, and 66 total open-air spaces along the western edge of the property. The RV parking spaces range from 30'X12' to 40'X12'. All the proposed spaces will be graveled and lighted with approximately 20 solar light fixtures. The major site plan does not show an increase in the already existing impervious surfaces. The subject area will utilize the existing curb-cut off Haywood Rd to serve the property. A security fence will be installed around the proposed storage area.

The TRC met on May 7, 2024, to discuss the major site plan and special use permit request. The TRC voted to forward the application to the ZBA with the following conditions: NCDOT driveway permit and a NCDOT encroachment agreement.

Chairman Riddle motioned to close the public hearing.

After further Board discussion, Carlos Ruiz moved to approve SUP-24-01 with the additional condition to install and monitor oil absorption pads below recreational vehicles stored on the property in addition to the Technical Review Committee's conditions. Tony Engel seconded the motion. All voted in favor.

SUP-24-02 & V-24-01 Duke Energy Laydown Yard

Matt Champion read the staff report for the applications. A special use permit, variance, and major site plan was submitted on behalf of the property owner, Duke Energy Carolinas, LLC, by Brian Blake. The special use permit is for a laydown yard and the variance applications is for the location of the laydown yard. The supplemental requirements for the proposed use SR 2.10 Outdoor Storage greater than 5,000SQFT are listed in the staff report. The property is located at 107 Laycock Rd. The subject area is comprised of PIN: 9690-86-8883, which totals 16.92 assessed acres.

The applicant is proposing to develop two portions of the subject area as a laydown yard/graveled parking area for ongoing utility work throughout Henderson County. The proposed outdoor storage areas will total approximately 3.7 acres that will be enclosed with an 8' tall security fence with landscaping. The outdoor storage areas will be covered by gravel and accessed through the existing utility substation driveway. The major site plan does show an additional driveway access off Clark Rd to the 2.2 acres outdoor storage area. Both access points leading to the proposed outdoor storage area will be gated. The existing utility substation will remain unchanged. The variance is due to the outdoor storage being located within the front yard of the subject area. Outdoor storage is allowed in the side yard, but due to the location of the existing utility station, the proposed outdoor storage area does encroach into the front yard of the subject area.

The TRC reviewed the special use permit and variance application during their May 7, 2024, meeting. The TRC voted to forward the application to the ZBA with the following conditions: NCDOT driveway permit, NCDOT utility encroachment agreement, soil erosions sedimentation control permit, and a stormwater control permit.

Chairman Riddle motioned to close the public hearing.

After further Board discussion, Tony Engel moved to approve SUP-24-02 and V-24-01 referencing the motion provided by the Zoning Administrator with the Technical Review Committee's conditions. Carlos Ruiz seconded the motion. All voted in favor.

Adjournment: Chairman Riddle asked for a motion to adjourn. Carlos Ruiz made a motion to adjourn. Louise St.Romain seconded the motion. All voted in favor and the meeting adjourned at 4:28PM.

Andrew Riddle, Chairman

Matt Champion, Zoning Administrator