



TOWN OF WAYNESVILLE

Zoning Board of Adjustments

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Board Members

George Escaravage, Chairman
Henry Kidder, Vice-Chairman
Judi Donovan
John Mason
Joshua Morgan
Edward Moore

Development Services
Director
Elizabeth Teague

MINUTES OF THE TOWN OF WAYNESVILLE ZONING BOARD OF ADJUSTMENT

Regular Meeting

Town Hall – 9 South Main St., Waynesville, NC 28786
April 2nd, 2024

THE WAYNESVILLE ZONING BOARD OF ADJUSTMENTS held a Regular Meeting on April 2nd, 2024, at 5:30 p.m. in the Boardroom of Town Hall, 9 South Main Street, Waynesville, NC. 28786.

A. CALL TO ORDER

1. Welcome/Calendar/Announcements

The following members were present:

Henry Kidder, Vice Chairman
John Mason
Judi Donovan (Alternate)
Joshua Morgan

The following members were absent:

George Escaravage, Chairman
Edward Moore

The following Staff were present:

Olga Grooman, Land Use Administrator
Esther Coulter, Administrative Assistant

The Board's Attorney Ron Sneed was present.

Zoning Board of Adjustments Vice Chairman Henry Kidder welcomed everyone and called the meeting to order at 5:30 p.m.

2. Adoption of Minutes (as presented or amended) from February 6th, 2024.

Vice Chairman Henry Kidder asked if everyone had reviewed the minutes.

A motion was made by Board member Josh Morgan, seconded by Board member Judi Donovan to approve the February 6th, 2024, meeting minutes (as presented or amended). The motion carried unanimously.

Zoning Board of Adjustment Minutes
Regular Meeting
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Vice Chairman Henry Kidder explained to the applicants with only 4 Board members the vote must be unanimous to pass.

Attorney Ron Sneed verified his statement.

Vice Chairman Henry Kidder read through the procedures for the public hearing.

Land Use Administrator Olga Grooman introduced Kalon Stiggins and Attorney James Kirkpatrick representing the applicant, Brian Bacon.

Vice Chairman Henry Kidder asked for the people that wish to speak to please come to the front and get sworn in. Olga Grooman, James Kirkpatrick III, and Kalon Stiggins were sworn in.

Mr. Kidder asked the board if they had any conflict of interest. All four members said no.

Vice Chairman Henry Kidder opened the hearing at 5:38 pm.

B. BUSINESS:

1. Variance request to the permitted location of an accessory structure, Land Development Standards Section 4.5.2, on the property at 485 Oakdale Road in Waynesville, NC 28786 (PIN 8615-32-8897).

Olga Grooman stated that the property at 485 Oakdale Road is in the corporate limits of Waynesville and within the Pigeon Street Neighborhood Residential (PS-NR) zoning district. Ms. Grooman said the applicant would like to place a 12' by 7.6' storage shed (91.2 s.f.) at the end of the parking area and within the yard that is adjacent to Oakdale Road. Technically, this area is considered the front yard of the property. According to the Land Development Standards (LDS) Section 4.5, accessory structures on single family lot less than 0.5 acres, must be in the side or rear yard only. The variance is only requesting the placement of an accessory storage building on the lot. Ms. Grooman said all other regulations pertaining to accessory structures would apply, such as setbacks, keeping the parking area size, and compliance with NC building codes.

Ms. Grooman entered into evidence:

1. Staff Report
2. Application with payment
3. Agent Authorization form
4. Haywood County GIS maps: property, zoning, neighborhood
5. Site image
6. Public notices
7. Town of Waynesville LDS, by reference

Attorney James Kirkpatrick was representing Brian Bacon, the applicant. Mr. Kirkpatrick stated that 911 addressing does name roads that have 3 or more houses, but at this time, that has not happened. He also said that the address numbers are massively large. Mr. Kirkpatrick said that the shed will be placed to the left of the parking spaces.

Mr. Kidder asked for clarification on where the shed will be placed.

Board member Joshua Morgan wanted clarification on the measurement of the driveway.

Mr. Kidder asked if there were additional questions and then asked for a motion to close the hearing.

A motion was made by Board member Joshua Morgan, seconded by Board member Judi Donovan, to close the public hearing at 6:00p.m. The motion carried unanimously.

A motion was made by Board member John Mason, seconded by Joshua Morgan to approve the variance request, and the board members agreed to all 4 of the variance criteria . The motion carried unanimously.

2. Variance request to allow parking at the principal frontage of the lot, Land Development Standards Section 9.3, at 1471 Sulphur Springs Road in Waynesville, NC 28786 (PIN 8605-74-1259).

Vice Chairman Henry Kidder open the hearing at 6.02 pm.

Land Use Administrator Olga Grooman stated the proposed property is 1.12 acre located off Sulphur Springs Rd. The lot is currently vacant. The two houses that existed there were in a dilapidated state and were demolished. The old driveways for both houses were at the front of the lot with them connecting to Sulphur Springs Road. Ms. Grooman said that currently LDS section 9.3 does not allow parking at the principal frontage for townhomes, apartments, commercial, or any mixed-use buildings in Hazelwood Business District (H-BD). For these types of developments, parking is only allowed in the side and rear yards. However, all businesses surrounding the property have front parking. The rear side of the subject property is also in the floodway which makes development within it prohibitive. Ms. Grooman stated that the variance from LDS section 9.3 would allow parking on the principal frontage to avoid the floodway. Placing the parking in the front would trigger another variance- a variance to a maximum front and street-side setback allowed in H-BD. The district's front and street-side setbacks are 0 (min) -10 ft (max), side setback from adjacent lot is 0 ft, and rear setback is 20 ft. The setbacks between the buildings are 0 per LDS and a minimum of 6 ft between overhangs by the NC Residential Building Code.

Ms. Grooman said the applicant wants to develop the property and is requesting the variances to allow the parking to be at the principal frontage of the lot for the townhome development and allow the buildings to be set further back from the street.

Ms. Grooman entered into evidence:

1. Staff report
2. Application materials
3. Site plan and building elevations (as approved by the Planning Board)
4. LDS section 9.3
5. Maps: property, zoning, flood
6. Property street view
7. Public Notices

The applicant Kalon Stiggins stated that he and his wife own Root and Branch Property LLC. They have been investing in real estate for about 10 years in Haywood County and the goal of this project is to provide opportunity for first-time home buyers.

Mr. Stiggins was asked by Board member Joshua Morgan if the new townhomes will be in the same place as the previously existing homes, or whether they will be further back or closer to the road. Mr. Stiggins stated the older homes were in the floodway, so the new townhomes will be closer to the road.

Public Comment:

Attorney James Kirkpatrick stated that he grew up in Eagles Nest and now owns a pharmacy up the road from the proposed townhomes. He said that if you asked the police department, they would confirm that they responded to many domestic and drug related calls to that property, and he added that parking has always been limited in that area. He expressed his support for this project to make the property better.

A motion was made by Board member Joshua Morgan, seconded by Board member Judi Donovan, to close the public hearing at 6:23p.m. The motion carried unanimously.

A motion was made by Board member Joshua Morgan, seconded by John Mason to approve the two variances and the board members agreed to all 4 hardships. The motion carried unanimously.

C. ADJOURN

A motion was made by Board member Joshua Morgan, seconded by Board member Judi Donovan to adjourn the meeting at 6:25pm. The motion carried unanimously.

Henry Kidder, Vice Chairman

Esther Coulter, Administrative Assistant