



TOWN OF WAYNESVILLE

Zoning Board of Adjustment

9 South Main Street
Waynesville, NC 28786

Phone (828) 456-8647 • Fax (828) 452-1492
www.waynesvillenc.gov

**Development Services
Director**
Elizabeth Teague

**Assistant Development
Services Director**
Olga Grooman

Board Members

Henry Kidder, Vice Chairman
Judi Donovan
John Mason
Joshua Morgan
Edward Moore
Sam Hyde (Alternate)

MINUTES OF THE TOWN OF WAYNESVILLE ZONING BOARD OF ADJUSTMENT

Regular Meeting

Town Hall – 9 South Main St., Waynesville, NC 28786

July 2nd, 2024

THE TOWN OF WAYNESVILLE ZONING BOARD OF ADJUSTMENT held a regular meeting on July 2nd, 2024, at 5:30 p.m. in the Town Hall Board Room at 9 South Main Street, Waynesville, NC. 28786.

A. CALL TO ORDER

1. Welcome/Calendar/Announcements

The following members were present:

Judi Donovan
Henry Kidder, Vice Chairman
John Mason
Edward Moore
Joshua Morgan
Sam Hyde (Alternate)

The following members were absent:

None

The following staff were present:

Olga Grooman, Assistant Development Services Director
Esther Coulter, Administrative Assistant
Ron Sneed, Attorney for the Board

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

2. Election of Chair and Vice-Chair

Vice Chairman Henry Kidder nominated Joshua Morgan for Chairman of the Zoning Board of Adjustment. The nomination was seconded by Board member Edward Moore and passed unanimously.

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Vice Chairman Henry Kidder nominated Edward Moore for Vice Chairman of the Zoning Board of Adjustment, seconded by Board member John Mason. The nomination passed unanimously.

Vice Chairman Henry Kidder expressed gratitude to George Escaravage for his service on the Zoning Board of Adjustment.

Vice Chairman Henry Kidder then moved alternate John Mason to the vacancy seat of the Zoning Board of Adjustment.

3. Adoption of Minutes (as presented or amended) from May 7th, 2024.

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

A motion was made by Board member Joshua Morgan, seconded by Board member John Mason to approve the May 7th, 2024, meeting minutes (as presented or amended). The motion carried unanimously.

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

Vice Chairman Henry Kidder requested that anyone wishing to speak come to the front and be sworn in. Olga Grooman, Kris Boyd, Lance Haney, Scott Donald, and Frank Queen were sworn in.

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

Vice Chairman Henry Kidder opened the public hearing at 5:45 p.m.

B. BUSINESS:

1. Variance request to setback standards, Land Development Standard Section 2.4.1, on the .83-acre unaddressed parcel off Russ Avenue in Waynesville, NC 28786 (PIN 8616-38-5985).

Assistant Development Services Director Olga Grooman stated that the subject property (PIN 8616-38-5985) was in Dellwood Residential-Medium Density Mixed-Use Overlay (D-RM-MX-O) zoning district. The site is a proposed location for the Haywood County satellite EMS facility and will consist of one building facing Russ Avenue, a walkway around the back of the building, a service yard, and a parking lot. The main building will have EMS vehicle bays at the front and living quarters for emergency personnel in the rear. The project will connect to Russ Avenue via two driveways to the north and south of the building. The applicant was seeking a variance from the 10-ft front setback off Russ Avenue frontage and would like to place the building right at the front property line. The public hearing for this major site plan was scheduled for July 15th, 2024, at the regular Planning Board meeting.

This variance would pertain exclusively to the front setback on the subject property, allowing for a 0-ft front setback. The EMS project will need to comply with all Waynesville zoning standards, Building and Fire Codes, and all other requirements of the Waynesville ordinances, including but not limited to side and rear setbacks, separation between structures, building height, design guidelines, street trees, and sidewalk construction.

The following are staff findings of the hardships proven by the Applicant. The Zoning Board of Adjustment considered the following:

1. Unnecessary hardship would result from the strict application of the ordinance. If the front setback requirement is met, the planned facility will lose either vehicle bays or living space. Also, the interior traffic circulation on the lot will be less safe, defeating the purpose of the facility and/or creating unsafe conditions on the property.
2. The hardship created is peculiar to the property. The stream buffer and the sewer line on the property limit the design and location of the desired EMS facility which has been deemed a necessity by the County. The property's position at the intersection of Russ Avenue and Mauney Cove Road limits the location of entrances into the property.
3. The hardship did not result from action taken by the applicant or the property owner as the location, slope, stream, and sewer line, which limit the ways the facility can be configured, were already in existence when the County acquired the property.
4. The requested variance is consistent with the spirit, purpose, and intent of the ordinance. Public safety is secured, and substantial justice is achieved as the EMS facility will be constructed in the area of the Town where it is needed. It will not appear out of compliance since other structures in the vicinity presently are built within similar front setback patterns and close to the road.

Items Entered as Evidence:

1. Staff Report
2. Application materials with agent authorization forms
3. Proposed master plan
4. Maps: property, zoning, street view, topo
5. Utilities letter
6. Public notices
7. Town of Waynesville LDS, NC Building and Fire Codes, and NC GS 160D by reference

Applicant:

Haywood County was represented by Attorney Frank Queen. Mr. Queen said they discussed the project with the NC DOT. The DOT requested the developer not to get close to the curb cut off Mauney Cove Road. Board member Judi Donovan asked Mr. Queen whether the landscaping trees created sight issues for drivers. Mr. Queen responded that they would make sure the trees were appropriate for safe operations of emergency vehicles.

Vice Chairman Henry Kidder asked for a motion to close the public hearing at 6:10 p.m.

A motion was made by John Mason, seconded by Judi Donovan to close the public hearing. The motion carried unanimously.

A motion was made by Board member John Mason, seconded by Board member Joshua Morgan to
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approve the variance by the findings of the staff. The motion carried unanimously.

C. ADJOURN

A motion was made by Board member Edward Moore, seconded by Board member John Mason to adjourn the meeting at 6:14 p.m. The motion carried unanimously.

Henry Kidder, Vice Chairman

Esther Coulter, Administrative Assistant