

# TOWN OF WAYNESVILLE

## Planning Board

9 South Main Street  
Waynesville, NC 28786  
Phone (828) 456-8647 • Fax (828) 452-1492  
[www.waynesvillenc.gov](http://www.waynesvillenc.gov)

Development Services  
Director  
Elizabeth Teague

### Planning Board Members

Susan Teas Smith (Chairman)  
Ginger Hain (Vice Chair)  
Stuart Bass  
R. Michael Blackburn  
Tommy Thomas  
Barbara Thomas  
Peggy Hannah  
Jan Grossman  
John Baus

### Regular Meeting of the Planning Board Town Hall, 9 South Main Street, Waynesville, NC 28786 Monday, December 19, 2022, 5:30 PM

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#### A. CALL TO ORDER

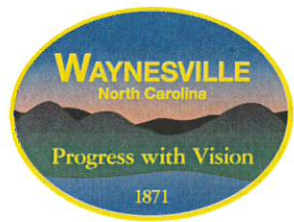
1. Welcome/Calendar/Announcements:
  - January 16, 2022, MLK Day, alternative meeting scheduled for January 9
2. Adoption of Minutes:
  - October 17, 2022, Regular Meeting Minutes pending
  - November 7, 2022, Special Called Meeting Minutes
  - November 21, 2022 Regularly Meeting Minutes

#### B. BUSINESS

1. Map Amendment (rezoning) request for property at 465 Boyd Avenue (PIN 8605-96-8882) from Hazelwood Urban Residential (H-UR) to Hazelwood Urban Residential Mixed-Use Overlay (H-UR-MX) District.

#### C. PUBLIC COMMENT/CALL ON THE AUDIENCE

#### D. ADJOURN



# TOWN OF WAYNESVILLE Planning Board

9 South Main Street Suite 110  
Waynesville, NC 28786  
Phone (828) 456-8647 • Fax (828) 452-1492

Susan Teas Smith (Chairman)  
Ginger Hain (Vice)  
Stuart Bass  
John Baus  
Michael Blackburn  
Jan Grossman  
Peggy Hannah  
Tommy Thomas  
Barbara Thomas

Development Services  
Director  
Elizabeth Teague

## MINUTES OF THE TOWN OF WAYNESVILLE PLANNING BOARD

### Special Called Meeting

Town Hall – 9 South Main St., Waynesville, NC 28786  
Monday November 7<sup>th</sup>, 2022

THE WAYNESVILLE PLANNING BOARD held a Special Called Meeting November 7<sup>th</sup>, 2022 at 5:30 p.m. in the board room of the Town Hall, 9 South Main Street, Waynesville, NC. 28786.

### A. CALL TO ORDER

#### 1. Welcome/Calendar/Announcements

The following members were present:

Ginger Hain (Vice Chairman)  
John Baus  
Stuart Bass  
Michael Blackburn  
Peggy Hannah  
Jan Grossman  
Tommy Thomas

The following members were absent:

Susan Teas Smith (Chairman)  
Barbara Thomas

The following staff members were present:

Elizabeth Teague, Development Services Director  
Byron Hickox, Land Use Administrator  
Olga Grooman, Planner  
Esther Coulter, Administrative Assistant

Vice Chairman Ginger Hain called the meeting to order at 5:30pm and welcomed everyone and asked Development Services Director Elizabeth Teague if there were any announcements. Ms. Teague stated there were not any announcements.

She asked if there were other areas of interest that Planning Board members wanted to place on their agenda for the coming year. Tommy Thompson asked if there could be more information on the legal challenges related to the changes in procedures that were implemented as part of 160D. He also stated that it would be helpful if there could be a tutorial on “takings law,” and what the liability was for the Town and Planning Board in how applications are managed.

John Baus stated that he would like to have more discussion on quasi-judicial and zoning map amendment procedures and the Board’s options for looking at particular circumstances. He stated that the board should be able to look at adequate infrastructure in making their decisions.

Jan Grossman stated that he was interested in the Town’s electrical infrastructure.

Ron Sneed commented that the courts have changed the playing field related to Short Term Rentals because of a case in Wilmington and that he could do research to verify what municipalities can do under the decision that was rendered over the summer.

There was general discussion about the Planning Board’s previous request to meet with the Board of Alderman to discuss issues of density, development procedure, and any possibility of changing the zoning designation for certain areas. Ginger Hain stated that the Planning Board really needs direction from the Town’s elected officials as to how to proceed. Elizabeth stated that she would communicate that request on to the Town Manager and see if there could be a workshop scheduled for the Planning Board and Aldermen to work through these issues together.

#### **C. PUBLIC COMMENT/CALL ON THE AUDIENCE**

None.

#### **D. ADJOURN**

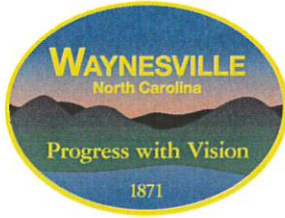
*A motion was made by Board Member Jan Grossman, seconded by Board Member Stuart Bass to adjourn the meeting at 6:53pm. The motion carried unanimously.*

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Ginger Hain, Vice Chairman

---

Esther Coulter, Administrative Assistant



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Tommy Thomas  
Barbara Thomas

Development Services  
Director  
Elizabeth Teague

### MINUTES OF THE TOWN OF WAYNESVILLE PLANNING BOARD

#### Regular Called Meeting

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

Monday November 21<sup>st</sup>, 2022

THE WAYNESVILLE PLANNING BOARD held a Regular Called Meeting November 21<sup>st</sup>, 2022, at 5:30 p.m. in the board room of the Town Hall, 9 South Main Street, Waynesville, NC. 28786.

#### A. CALL TO ORDER

##### 1. Welcome/Calendar/Announcements

The following members were present:

Susan Teas Smith (Chairman)  
Ginger Hain (Vice Chairman)  
John Baus  
Stuart Bass  
Peggy Hannah  
Jan Grossman  
Barbara Thomas  
Tommy Thomas

The following members were absent:

Michael Blackburn

The following staff members were present:

Elizabeth Teague, Development Services Director  
Olga Grooman, Planner  
Esther Coulter, Administrative Assistant

Chairman Susan Smith called the meeting to order at 5:33pm and welcomed everyone and asked Development Services Director Elizabeth Teague if there were any announcements. Ms. Teague stated that if the Town has no application submitted for the December 19<sup>th</sup>, 2022, meeting, she would recommend canceling the December meeting since it is the week of Christmas.

*A motion was made by Board Member Barbara Thomas, seconded by Chairman Susan Smith to cancel the December 19<sup>th</sup>, 2022 meeting if no application are received. The motion passes unanimously.*

Ms. Teague suggested a date change for the January 16<sup>th</sup> 2023 Regular Meeting because it is Martin Luther King Day.

*A motion was made by Board Member Barbara Thomas, seconded by Board Member Ginger Hain to hold a Special Called Meeting January 9<sup>th</sup>, 2023 and cancel the regular meeting January 16<sup>th</sup>. 2023. The motion passes unanimously.*

2. The adoption of Minutes will be at next Regular meeting.

There was discussion with the Ron Sneed, Attorney for the Planning Board, related to procedures for motions and seconds, and the need to have motions for opening and closing public hearings. Attorney Sneed clarified that:

- Zoning map and text amendments need two separate motions. The first motion is to approve that the amendment is consistent with the Town's Comprehensive Land Use Plan or not. The second motion is to recommend the amendment to the Board of Alderman.
- The town has adopted a new procedure for opening and closing public hearings. The Chairman can open and close a hearing without motion.

*A motion was made by Board Member John Baus, seconded by Board Member Peggy Hannah to adopt the new Procedural to allow the Chairman to open and close a public hearing without motions. The motion passes unanimously.*

## **B. BUSINESS**

Chairman Susan Smith read through the Legislative process and procedures of Map Amendment and opened the public hearing at 5:46pm.

The Town Planner Olga Grooman, read through her staff report for Map Amendment (rezoning) request for 5 properties from Hazelwood Urban Residential (H-UR) to Hazelwood Urban Residential Mixed-Use Overlay-2 (H-UR-MX-O-2) District:

- .38-acre property at 1434 S. Main St. (PIN 8605-91-5018),
- .28-acre property at 1458 S. Main St. (PIN 8605-90-3984),
- .23-acre property at 1484 S. Main St. (PIN 8605-90-3920),
- .14-acre unaddressed property off S. Main St. (PIN 8605-90-2966),
- .24-acre property at 24 Belle Meade Dr. (PIN 8605-90-2836).

Planning board members asked staff questions and discussed different uses and possibilities for these properties. Ms. Grooman reviewed the list of allowable uses from the ordinance for the Hazelwood Overlay District. She stated that the property owners had met with staff and wanted to



exclude general commercial from the list of allowable uses to reduce the impact of the overlay for their neighbors.

The Chair asked if the applicants/property owners wanted to speak:

Jackie Cure  
1458 S. Main St.

Jackie Cure is daughter of property owner Jonnie Cure. She stated that her Mom is in the audience and had asked her to speak. She stated that they had put her Mom's house on the market for sale several months ago. She explained that different professionals were looking to purchase the home, but would not because the zoning restricts the property to being strictly residential, unless it was a home-based occupation. The buyer would have to live in the house and only a small percentage of the home could be used for professional space. Ms. Cure stated that the area over time has become more commercial then residential along South Main Street. She noted that across the street from her Mom's house is an attorney's office. She also stated that NCDOT had informed them that they would be widening the road in front of the property, taking up a portion of the yard. She stated that it made sense to allow commercial uses along the frontage of South Main Street.

Anthony Sutton  
24 Belle Meade Dr.

Anthony Sutton stated that he and his spouse own the property at the corner and that they have no intention in selling their home. The property's current use is as an Air BnB, but that their plan is to retire and live there. The properties around them are in 4 different districts, and it makes sense to him that this is a transitional area and he would like to support his neighbors. Mr. Sutton said he got involved with the overlay application because he would rather see the overlay than a rezoning that would change the setbacks. The mixed-use overlay would do that and preserve the existing setbacks and other regulations while just allowing re-use of buildings for limited types of commercial uses. He stated that he feels the allowable uses are low impact and allow for smart growth in the area.

Frank Medina  
1434 S. Main St.

Frank Medina mention at the present time, this property is rented. In the future, they would like to have a café that could use the existing parking in the back of the property. There was discussion about the Town's requirement that parking is in the rear or side yard of buildings.

Jonnie Cure  
1458 S. Main St.

Jonnie Cure came to the podium to express her concerns with her property. There are limitations placed on the property, which affects her ability to maintain the property. The property will then begin to decline. There are uncertainties with the road reconfiguration happening in the future.

Chairman Susan Smith then asked if anyone else would like to comment and opened up the podium for general public comment at 6:42pm.

Dustin Smith  
Waynesville

Dustin Smith stated that 6 months ago he came before the board to rezone his property on Brown Ave and Belle Meade and his rezoning was denied. Mr. Smith stated it was unfair if these properties got rezoned and that the Board should reconsider the zoning.

Kay Miller  
Waynesville

Kay Miller expressed her concerns with the integrity of the neighborhood and the potential use of the properties. She said she was against any changes to the zoning.

Dan Bishop  
1484 S. Main St.

Dan Bishop stated that he is an applicant and one of the property owners. He stated that he had purchased the house several years ago and updated it from 1200sq ft to 1500sq ft. He had a potential buyer that wanted an insurance company there, and it was not allowed. Mr. Bishop said the State calls the road US 23 Business. He stated that the properties across the street are all commercial.

Chairman Susan Smith asked if anyone else wanted to speak and then closed the public hearing at 6:50pm. There was additional Board discussion and John Baus asked if hypothetically this rezoning meant that someone could come and open another Bethel House. Ms. Teague responded that professional services was an allowable use within the overlay, but that the Bethel house had been in violation of their zoning permit. Ron Sneed consouled the Board to avoid hypotheticals and suggested that the applicants should respond to questions related to their plans for their properties. After some discussion Vice Chairman Ginger Hain requested to re-open the public hearing.

Chairman Susan Smith re-opening the Public Hearing at 7:02pm.

Planning Board members continued to ask questions from the applicants to get clarification. Jackie Curee stated that a potential buyer for her Mom's property is an attorney.

Chairman Susan Smith closed the public hearing at 7:07pm.

Chairman Susan Smith polled the Planning Board Members on what their recommendation would be to see if there needed to be further discussion.

Tommy Thomas, Barbara Thomas, Susan Teas Smith, Ginger Hain, and Stuart Bass indicated that they would be voting in favor of the application.

John Baus, Jan Grossman, and Peggy Hannah indicated that they would be voting against the application.

*A motion was made by Chairman Susan Smith, seconded by Vice Chairman Ginger Hain to find the rezoning request for the five properties to Hazelwood Urban Residential Mixed-Use Overlay-2 District as being consistent with the 2035 Land Use Plan and reasonable and in the public interest. The motion passes 5-3.*

*A motion was made by Board Member Barbara Thomas, Seconded by Board Member Tommy Thomas to recommend the map amendment for approval by the Board of Aldermen. The motion passed 5-3.*

*A motion was made by Chairman Susan Smith, Seconded by Board Member Barbara Thomas to take a five-minute break.*

## 2. Prioritization Work Items Discussion

Ms. Teague noted that staff had worked to on the items identified and discussed from previous meetings. She noted that Peggy Hannah reached out to Alderman John Feichter to directly request for a workshop between the Planning Board and the Board of Aldermen on issues. Ms. Teague summarized:

- The Board of Aldermen agreed to a workshop with the Planning Board at their last meeting and directed staff to schedule it in February. Assistant Town Manager Jesse Fowler will be following up with Board members to identify possible dates.
- Railroad Corridor Sub Committee volunteers are Stuart Bass, Michael Blackburn, Ginger Hain, and Jan Grossman. Ms. Teague also reached out and Travis Crisp, Danny Wingate, and David Francis.
- Staff will bring back a draft Ordinance on Short Term Rentals in March for the Board to look at and begin discussion. This will be drawn from information staff and Attorney Sneed have received from Wilmington, Woodfin, Asheville, and maybe some others.
- Staff reached out to local architects who are familiar with the Town Ordinances. Two have already indicated that they would voluntarily review the current architectural guidelines for needed updates and to revisit the building height guidelines.

Chair Smith asked if there were any questions or further discussion.

## C. ADJOURN



*A motion was made by Board Member Barbara Thomas, seconded by Board Member Peggy Hannah to adjourn the meeting at 8:02pm. The motion carried unanimously.*

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Susan Smith, Chairman

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Esther Coulter, Administrative Assistant

DRAFT

## Planning Board Staff Report

Subject: Requested Amendment to the Official Land Development Map to change the zoning of a property described as 465 Boyd Avenue (PIN 8605-96-8882) from Hazelwood Urban Residential (H-UR) to Hazelwood Urban Residential Mixed-Use Overlay (H-UR MXO)

Ordinance Section: Land Development Standards Section 2.1

Applicant: Aaron Crawford

Meeting Date: December 19, 2022

## Background

The owner of the property in question approached the Development Services Department staff to discuss the potential uses for the existing building, which was constructed in 1973 and has been used since as a Residential Care Facility. The property is 1.1 acres and is located within the Hazelwood Urban Residential District, in which Residential Care Facilities are only permitted with a Special Use Permit. Because a Special Use Permit had not been granted for this use, it was a legal non-conforming use.

The operation of a Residential Care Facility on this property ceased in November 2021. The property owner has been approached by potential tenants or buyers who are interested in using the existing building for various uses that are not permitted within the Hazelwood Urban Residential District.

Therefore, he has submitted formal application for map amendment to rezone the subject property to Hazelwood Urban Residential District Mixed-Use Overlay (H-UR MXO). The Land Development Standards describes a Mixed-Use Overlay District as:

a zoning overlay district established to permit certain limited mixed uses within residential neighborhoods. LDS 2.6.2(A)

The Hazelwood Urban Residential District Mixed-Use Overlay consists of 8 parcels located along South Main Street between Mississippi Avenue and Virginia Avenue. This mixed-use overlay permits the following non-residential uses: government services, personal services, professional services, studios (art, dance, martial arts, music), general commercial (less than 100,000 ft<sup>2</sup>), neighborhood commercial, and neighborhood restaurant and is located along South Main Street. The Planning Board and Board of Aldermen recently approved a variation of this Mixed Use Overlay which excluded general commercial from this list of allowable uses in another area along South Main Street.

The Land Development Standards describes the Hazelwood Urban Residential District as follows:

The Hazelwood Urban Residential District (H-UR) is a traditional walkable neighborhood of mostly small, well-built housing in an area where sufficient urban facilities are available. It is a self-contained community with affordable housing, smaller well-kept lots, narrow tree-lined streets, and distinct edges and centers. Major public spaces including a park and the "old" Hazelwood School are located in this neighborhood. Since it is convenient to shopping and employment, the goal for Hazelwood is to encourage infill development and the rehabilitation of existing structures in keeping with the residential scale and character of the existing neighborhood. Limited non-residential uses supporting the community are

permitted if contributing in scale, design and use to the area. Pedestrian amenities are to be enhanced with all new development as are the development of access points to different parts of Waynesville from the Hazelwood neighborhood. Parking on public streets is permitted and encouraged as an alternative to the development of new parking lots.

### **Surrounding Land Use Pattern**

The subject property abuts Richland Creek, Boyd Avenue and Killian Street, and is adjacent to property purchased by the Town for the Richland Creek Greenway. It abuts one residential property along Killian Street. Beyond its boundaries, it is surrounded by the following land use types: (1) To the north, east, and west by single-family dwellings and vacant land; and (2) to the south by Waynesville Middle School's athletic fields and by a public housing complex operated by the Waynesville Housing Authority.

### **Consistency with the 2035 Comprehensive Plan**

Found in the introduction to Waynesville 2035: Planning With Purpose, the Town of Waynesville's Land Use Plan, the stated purpose of the document is to:

“serve as a guideline for community decision making into the future. It is intended to be used by the town staff, the Board of Aldermen, and other Town Boards and Commissions as they make decisions about resources and land use”.

Chapter 2 of the Comprehensive Plan lays out several goals and objectives to provide guidance for implementing the overall plan. The following goals and objectives apply to this application:

Goal 1: Continue to promote smart growth principles in land use planning and zoning.

- Encourage infill, mixed-use, and context-sensitive development

Goal 5: Create opportunities for a sustainable economy.

- Encourage creatively designed, mixed-use, walkable centers and commercial districts that appeal to residents and visitors.

Found in the Appendix to the Comprehensive Plan (page 174), the Future Land Use Map indicates that the property being considered for map amendment should be a part of the Medium to High Density Residential areas for the purposes of future land use planning.

However, the Potential Railroad Overlay Map (page 176) indicates that this property should be considered for inclusion in a future railroad overlay. Chapter 3 of the Comprehensive Plan recommends the creation of “an overlay district or policy for track-adjacent or greenway-adjacent development to allow more housing and mixing of uses”. This statement indicates a clear directive to encourage mixed-use development along the railroad corridor.

### **Staff Recommendation**

The building on the property in question has been used as a Residential Care Facility since its construction in 1973. As stated above, it is surrounded by single-family dwellings, vacant land, a public housing complex, and a public school. Mixed-use overlays, as indicated by their name, are intended to create a limited area within a residential district which allows a mixture of a few non-residential uses that

can provide goods, services, and employment to the surrounding neighborhood, while prohibiting the most intensive uses that are permitted in Neighborhood Center, Business, or Regional Center Districts.

While the Comprehensive Plan's Future Land Use Map indicates that this property should be developed as part of Medium to High Density Residential areas, the Potential Railroad Overlay Map lays out a clear direction for the encouragement of mixed uses along the railroad corridor. Therefore, staff recommends the Board consider the property's past use and its location within the railroad corridor study area in considering a mixed-use overlay for the property at 465 Boyd Avenue.

Staff would support an overlay rezoning for this building at its location. However, staff also recommends consideration for a variation on the overlay request if the applicant would agree to exclude general commercial or restaurants at this location. That would limit uses to government services, personal services, professional services, or studios (art, dance, martial arts, music). This would require the applicant to agree.

### **Public Notifications**

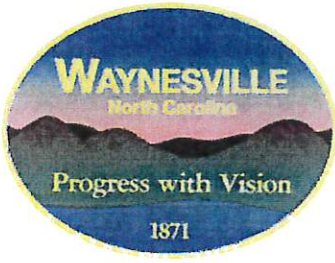
Notification of this hearing was scheduled for advertisement in The Mountaineer on December 4 and December 11, 2022. Notification letters were mailed to property owners within 500 feet of the proposed project site on November 30, 2022. The four properties were posted on December 1, 2022.

### **Requested Actions**

1. Motion to determine the map amendment's consistency with the 2035 Land Use Plan and whether it is reasonable and in the public interest.
2. Motion to recommend the approval or denial of the map amendment to the Board of Aldermen.

### **Attachments**

1. Application for Map Amendment
2. Warranty Deed
3. Consistency Worksheet
4. Mailed notice of public hearing
5. Notice of publication in The Mountaineer
6. Photographs of public notification signs posted on subject property
7. Aerial photograph of the subject property
8. Zoning map of the subject property and the surrounding area



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**Application for Land Development Standards Map Amendment**

Application is hereby made on 11/22, 2022 to the Town of Waynesville for the following map amendment:

Property owner of record: Earl Holding Company LLC  
Address/location of property: 465 Boyd Avenue, Waynesville NC 28786  
Parcel identification number(s): 8605-96-8882  
Deed/Plat Book/Page, (attach legal description): 857/2488-2489  
The property contains 1.1140 acres.  
Current district: H-UR  
Requested district: H-UR MXO (Mixed-Use Overlay)

The property is best suited for the requested change for the following reason(s), (attach additional sheets if necessary): Property was built for and used as a family care home for decades. The overlay district classification will allow the property to be used for offices for professional services and personal services, consistent with the use made of it as a residential-scale business since it was built.

**Applicant Contact Information**

Applicant Name (Printed): Aaron Crawford  
Mailing Address: 251 Shelton St. Waynesville, N.C. 28786  
Phone(s): (828) 456-8365 ext. 1905 or (828) 400-9130  
Email: aaron@haywoodlodge.com  
Signature of Property Owner(s) of Record Authorizing Application:

[Signature]  
**Note: Map Amendment Requests require a fee based on the size and number of lots being requested for amendment. The request will be scheduled for the next agenda opening for the Waynesville Planning Board. Please submit application to: Town of Waynesville Development Services Department, 9 South Main Street, Waynesville, NC 28786.**

**2013010175**
 HAYWOOD CO, NC FEE \$26.00  
 STATE OF NC REAL ESTATE EXT  
**\$1000.00**

PRESENTED &amp; RECORDED

11-15-2013 02:32:44 PM

SHERRI C. ROGERS

REGISTER OF DEEDS

BY JANE NICKERSON

DEPUTY

**BK: RB 857****PG: 2488-2489**

## HAYWOOD COUNTY TAX CERTIFICATION

 There are no delinquent taxes due that are a lien  
 against parcel number(s) 8605-96-8882

David B. Francis, Haywood County Tax Collector

Date 11-15-13 By: [Signature]

## NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax \$ 1,000.00

Tax Parcel Identifier No. 8605-96-8882

Mail after recording to **Matney & Associates, P.A., P. O. Box 7345, Asheville, NC, 28802**This instrument was prepared by **Matney & Associates, P.A.****The Preparer is informed that the property conveyed does not include the primary residence of a Grantor.**

Brief Description for the index

 1.114 Acre Tract shown on Plat Cabinet C, Slot  
 4341.

THIS DEED made this 15th day of November, 2013, by and between

## GRANTOR

**Betty Messer**, single  
 139 Timothy Lane  
 Waynesville, NC 28786

## GRANTEE

**Earl Holding Company, LLC**  
 a North Carolina limited liability company  
 251 Shelton Street  
 Waynesville, NC 28786

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

 WITNESSETH, that Grantor, for a valuable consideration paid by Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto Grantee in fee simple, all that certain lot or parcel of land situated in the **Waynesville** Township, **Haywood** County, North Carolina and more particularly described as follows:

The 1.114 acre tract at the corner of Killian Street and Boyd Avenue shown on the plat of J. Randy Herron, PLS, dated February 3, 2006, drawing number 840-180-A, entitled "Lois P. Queen," recorded in Plat Cabinet C, Slot 4341.

SUBJECT TO the "35.0' Wide Easement" shown on the recorded plat for the joint benefit of the adjoining 1.701 acre and 0.451 acre and 0.288 acre tracts shown for access and utility purposes.



BEING a part of the property conveyed to J. Richard Queen and wife, Lois P. Queen, by Louise Killian Tingen (widow) in the deed dated November 11, 1966, recorded in Book 214, Page 239 (a 1/2 interest) and a part of the property conveyed to J. Richard Queen and wife, Lois P. Queen by A. T. Ward, Executor by deed dated November 11, 1966 recorded in Deed book 215, Page 593 (a 1/2 interest).

See also deed to J. Richard Queen and Lois P. Queen dated December 31, 1997, recorded in Book 463, Page 369; the will of James Richard Queen (estate file 04 E 368, Haywood County Clerk's office) and deed from Lois P. Queen, executrix of the estate of James Richard Queen, dated December 30, 2005, recorded in Book 654, Page 435 (the subject property being a portion of Parcel 3 in the latter deed). Also being all of property conveyed to Grantor in deed dated February 9, 2006, recorded in Book 658, Page 204.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 658, Page 204.

A map showing the above described property is recorded in Plat Cabinet C, Slot 4341.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to Grantee in fee simple.

And Grantor covenants with Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.

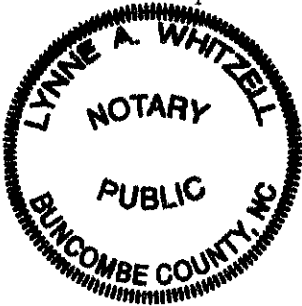
Title to the property hereinabove described is subject to the following exceptions:

**Ad valorem taxes for subsequent years, easements and restrictions of record.**

IN WITNESS WHEREOF, Grantor has hereunto set her hand and seal, the day and year first above written.

Betty Messer (SEAL)  
Betty Messer

Seal-Stamp



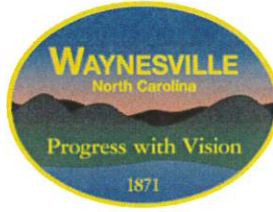
State of North Carolina, County of Buncombe

I, a Notary Public for said County and State, do hereby certify that Betty Messer, Grantor, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 15<sup>th</sup> day of November, 2013.

Lynne A. Whitzell Notary Public  
Print: **Lynne A. Whitzell**

My commission expires: AUG 21 2018



To: Town of Waynesville Planning Board  
 From: Byron Hickox, Land Use Administrator  
 Date: December 19, 2022  
 Subject: Map Amendment Statement of Consistency  
 Description: Map Amendment for the property at 465 Boyd Avenue

The Planning Board hereby adopts and recommends to the Governing Board the following statement(s):

☐

The map amendment **is approved and is consistent with the Town's comprehensive land use plan** because: \_\_\_\_\_

\_\_\_\_\_

The map amendment and **is reasonable and in the public interest** because:

\_\_\_\_\_

\_\_\_\_\_

☐

The map amendment **is rejected because it is inconsistent with the Town's comprehensive land plan and is not reasonable and in the public interest** because \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Planning Board Member \_\_\_\_\_, made a motion, seconded by \_\_\_\_\_

The motion passed \_\_\_\_\_ (*unanimously or vote results here*)

\_\_\_\_\_  
 Susan Teas Smith, Planning Board Chair, Date

\_\_\_\_\_  
 Esther Coulter, Administrative Assistant



## TOWN OF WAYNESVILLE

### Development Services Department

PO Box 100

9 South Main Street

Waynesville, NC 28786

Phone (828) 456-8647 • Fax (828) 452-1492

[www.waynesvillenc.gov](http://www.waynesvillenc.gov)

November 28, 2022

### Notice of Public Hearing

### Town of Waynesville Planning Board

The Town of Waynesville Planning Board will hold a **public hearing on December 19, 2022 at 5:30 pm**, in the Town Hall Board Room, located at 9 South Main Street, Waynesville, NC, to consider a rezoning request from Hazelwood Urban Residential (H-UR) to Hazelwood Urban Residential Mixed-Use Overlay (H-UR-MX-O) District for the property at 465 Boyd Avenue, Waynesville, NC 28786 (PIN 8605-96-8882):



For more information contact Byron Hickox with the Development Services Department at: (828) 452-0401, email: [bhickox@waynesvillenc.gov](mailto:bhickox@waynesvillenc.gov), mail: 9 South Main Street, Suite 110, Waynesville, NC 28786.



## TOWN OF WAYNESVILLE

### Development Services Department

PO Box 100

9 South Main Street

Waynesville, NC 28786

Phone (828) 456-8647 • Fax (828) 452-1492

[www.waynesvillenc.gov](http://www.waynesvillenc.gov)

FOR PUBLICATION IN THE MOUNTAINEER: December 4<sup>th</sup> and December 11<sup>th</sup> Editions

Date: November 28, 2022

Contact: Byron Hickox, (828) 452-0401

### Notice of Public Hearing

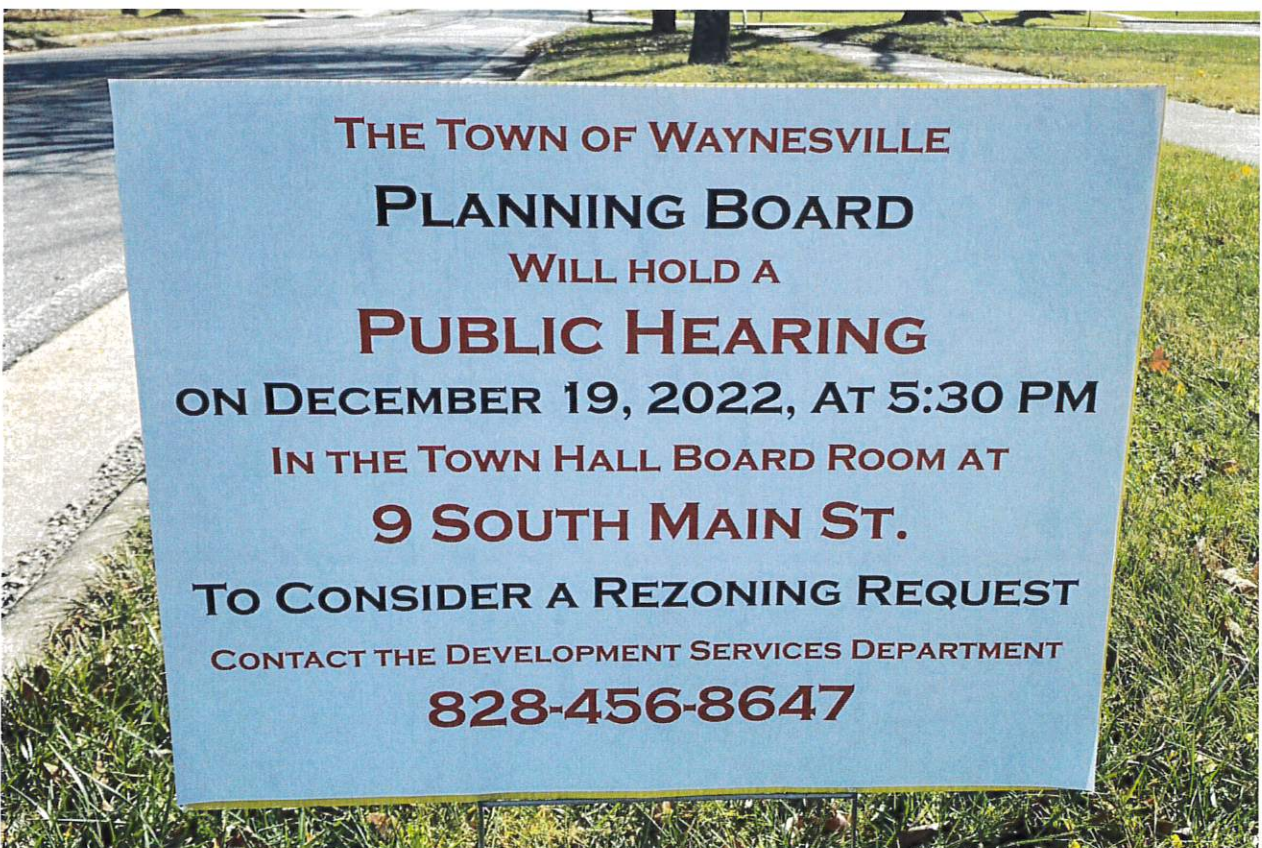
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[illegible]

EARL HOLDING COMPANY LLC  
251 SHELTON ST  
WAYNESVILLE, NC 28786

## Account Information

**PIN:** 8605-96-8882  
**Legal Ref:** 857/2488

**Add Ref:** CAB C/4341  
461/1342

## Site Information

CONVALESCENT HOME  
Commercial Use  
465 BOYD AVE

Heated Area:	5740
Year Built:	1973
Total Acreage:	1.114
Township:	Town

## Site Value Information

<b>Land Value:</b>	\$34,000
<b>Building Value:</b>	\$406,500
<b>Market Value:</b>	\$440,500
<b>Deferred Value:</b>	\$0
<b>Assessed Value:</b>	\$440,500
<b>Sale Price:</b>	\$500,000
<b>Sale Date:</b>	11/14/2013

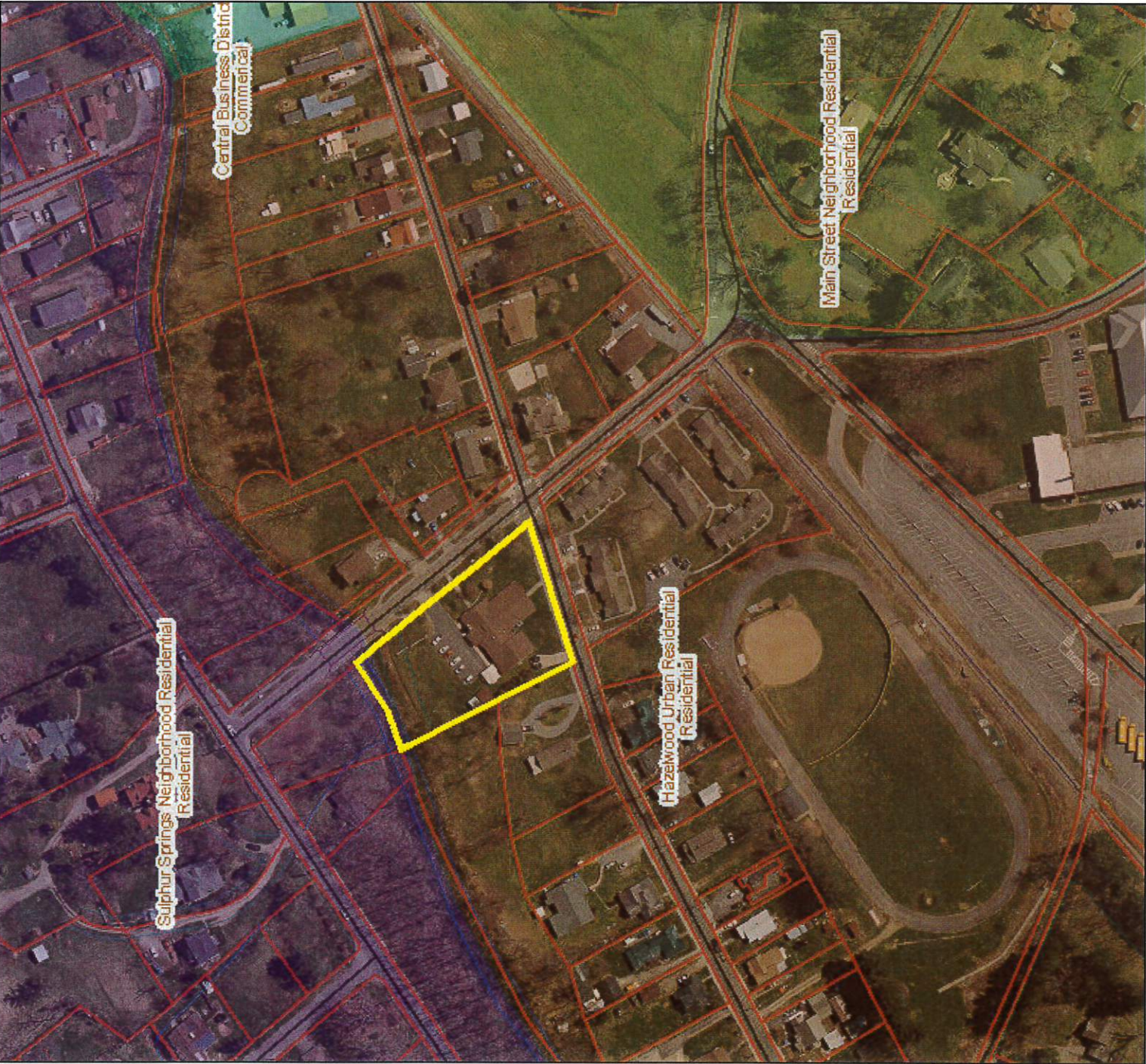


1 inch = 50 feet

November 28, 2022

**Disclaimer:** The maps on this site are not surveys. They are prepared from the inventory of real property found within this jurisdiction and are compiled from recorded deeds, plats and other public records and data. Users of this site are hereby notified that the aforementioned public primary information sources should be consulted for verification of any information contained on these maps. Haywood county and the web's provider assume no legal responsibility for the information contained on these maps.





# Report For

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1 inch = 200 feet

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