Town of Weaverville
Planning and Zoning Board
Remote Electronic Meeting
Tuesday, April 6, 2021, 6:00pm

Public Meeting via Zoom Meeting:
https://us02web.zoom.us/j/89273366843 - Meeting ID: 892 7336 6843
Dial +1 301 715 8592 or +1 253 215 8782 - Meeting ID: 892 7336 6843
(see attached notice for more information on how to join meeting)

Agenda

1. Call to Order – Chairman Gary Burge
2. Approval of the Agenda
3. Approval of the Minutes from the March 2 Meeting of the Board
4. Salem Road Minor Subdivision
   • Discussion Related to a Proposed Minor Subdivision of the Property Commonly Known as 69 Salem Road
   • Consideration of a Motion Establishing a Recommendation to the Planning Director on the Proposed Minor Subdivision
5. Alexander Road Minor Subdivision
   • Discussion Related to a Proposed Minor Subdivision of the Property Commonly Known as 64 Alexander Road
   • Consideration of a Motion Establishing a Recommendation to the Planning Director on the Proposed Minor Subdivision
6. Presentation Related to 160D and Proposed Code Amendments Related to Same.
7. Any Other Business
   • Discussion Related to Resuming In Person Meetings
8. Adjournment
WEAVERVILLE PLANNING AND ZONING BOARD
REMOTE ELECTRONIC MEETING ON APRIL 6, 2021

The State of North Carolina, Buncombe County and the Town of Weaverville have all declared States of Emergency in response to the COVID-19 public health crisis. Because of the risks to the public that would arise from in-person meetings, the Weaverville Planning and Zoning Board’s meeting on April 6, 2021, will be conducted via remote electronic format.

This NOTICE OF REMOTE ELECTRONIC MEETING is to inform the public that the Weaverville Planning and Zoning Board will hold a meeting on Tuesday, April 6, 2021, at 6:00 p.m. as an electronic video/audio meeting via Zoom Meeting. Access to the meeting will begin at 5:45 p.m. and the meeting will start at 6:00 p.m. The instructions to access this public meeting are:

**To join the meeting by computer**, go to this link: https://us02web.zoom.us/j/89273366843. You may be asked for permission to access your computer’s video and audio. If so, click “allow.” You will then be asked for the Meeting ID which is: 892 7336 6843

**To join the meeting by phone**, call: (253)215-8782 or (301)715-8592. You will then be asked for the Meeting ID which is: 892 7336 6843

For questions or additional assistance in how to participate in this meeting, please contact Planning Director and Town Clerk James Eller at 828-484-7002 or jeller@weavervillenc.org.

Gary Burge, Chair
Posted: 4/1/2021
TOWN OF WEAVERVILLE

PLANNING AND ZONING BOARD AGENDA ITEM

Date of Meeting: Tuesday, April 6, 2021
Subject: Minutes
Presenter: Planning Director
Attachments: Minutes from the March 2, 2021 Meeting of the Board
Description:
Attached you will find proposed minutes from the March 2, 2021 meeting of the Board

Action Requested:

Staff is requesting that the Planning and Zoning Board adopt the aforementioned minutes as presented or amended by motion of the Board.
The Planning and Zoning Board of the Town of Weaverville met for a regularly scheduled monthly meeting at 6:00 pm on Tuesday, March 2, 2021 via a remote electronic meeting.

Present: Chair Gary Burge, Vice-Chair Catherine Cordell, Board Members Rachael Bronson, John Chase and Suzanne Devane, Alternate Members Bob Pace and Andrew Willis, Town Councilmember Andrew Nagle, Town Attorney Jennifer Jackson and Planning Director James Eller.

1. Call to Order.

Chairman Gary Burge called the meeting to order at 6:00 pm.

Chairman Burge noted the appointment of Ms. Devane as a regular member of the Board and the new appointment of Mr. Willis as an alternate member of the Board. Mr. Willis introduced himself to the Board.

2. Approval of the Agenda.

Upon consensus and without objection, Mr. Burge declared the agenda approved as presented.

3. Approval of the Minutes from the January 5, February 2 and February 18, 2021 Meetings of the Board.

Upon consensus and without objection, Mr. Burge declared the minutes approved as presented.

4. Church Street Minor Subdivision.

Mr. Eller presented the Board with a proposed minor subdivision of the property commonly known as 96 Church Street. Of note was that no infrastructure improvements are required, as both water and sewer were readily available to the property, and the technical review committee had reviewed the proposal and discovered no items for comment or revision.

Ms. Devane motioned to offer a favorable recommendation on approval of the plat to the Planning Director. Ms. Bronson seconded and via a roll call vote each Board member voted unanimously.

5. Code Amendments Associated with 160D.

Ms. Jackson guided the Board through a continued discussion on remaining topics and outstanding issues related to the 160D compliance project. These items included sidewalks and sidewalk waivers; the creation of a Chapter 20, Part IV for regulations which require additional or separate permit(s); wireless telecommunication facilities; text and map amendments; and a review of regulations not included.

During these conversations consensus was achieved to create the aforementioned Part IV for items which require additional or separate permits, and that an additional standard should be created related to family care
homes. Such additional standard should establish a half mile perimeter around a family care home within which an additional family care home shall not be established.

6. Any Other Business to Come Before the Board.

Ms. Jackson also produced a Chapter 160D project timeline for the Board’s review.

Mr. Eller noted an updated Board roster reflective of recent appointments.

7. Adjournment.

Ms. Devane motioned to adjourn the meeting. Ms. Cordell seconded and via a roll call vote each member voted in support of the motion. Meeting adjourned at approximately 7:30pm.

____________________________
Gary Burge, Chairman
Planning and Zoning Board

ATTEST:

________________________________
James W. Eller
Planning Director / Town Clerk
Date of Meeting: Tuesday, April 6, 2021
Subject: 69 Salem Road Minor Subdivision
Presenter: Planning Director
Attachments: 69 Salem Road Minor Subdivision Application and Plat, Technical Review Committee Report

Description:
As you will see, the attached minor subdivision proposes to create an additional lot from the existing parcels commonly known as 63 and 69 Salem Road.

The technical review committee has reviewed the proposal and discovered no items for comment or plat revision.

Action Requested:
Staff is requesting the Planning Board to review the proposed subdivision and make a favorable recommendation on approval of the plat to the town planner as per Sec. 25-79(c).
MINOR SUBDIVISION APPLICATION
The Town of Weaverville
NORTH CAROLINA
Planning and Zoning Department, 30 South Main Street, P.O. Box 338, Weaverville, NC 28787
(828) 484-7002 --- fax (828) 645-4776 --- jeller@weavervillenc.org
Fee: $100.00 + $25.00 per lot

APPLICATION DATE: 3-19-21
SUBDIVISION NAME: JDM Property Service
PIN: 9732-87-5103
ORIGINAL TRACT SIZE (acres): 4.888 (2 Tracts)

OWNERS NAME: Richard Bowles & Margaret Patterson
PROPERTY ADDRESS: 69 Salem Road
DEED BOOK/PAGE: DB 5975, PG 1024
PROPOSED NUMBER OF LOTS: 3

SUBDIVISION TYPE: ☑ RESIDENTIAL ☐ COMMERCIAL ☐ INDUSTRIAL

OWNER/AGENT NAME: Shannon VanEtter
ADDRESS: 60 N. Market St. Asheville NC 28801
PHONE NUMBER: 828-712-1468

REGISTERED SURVEYOR: Troy Shriver
ADDRESS: 17 Arlington St. Asheville, NC 28801
PHONE NUMBER: 828-273-0578

REGISTERED ENGINEER:
ADDRESS: N/A
PHONE NUMBER:

Which utilities will serve the proposed development?:
☑ PUBLIC SANITARY SEWER ☐ COMMUNITY SEWER ☐ SEPTIC TANKS ON EACH LOT
☑ PUBLIC WATER ☐ COMMUNITY WATER ☐ WELLS ON EACH LOT

It is the applicant's responsibility to obtain a copy of the Town of Weaverville Subdivision Ordinance and Zoning Ordinance and to be fully aware of the regulations detailed therein.

I certify that the above information is accurate and true and that I am the owner or a duly appointed agent of the owner. I understand that a copy of the recorded plat must be submitted to the Zoning Department prior to the issuance of any permits associated with this subdivision.

[Signature] 3-19-21
SIGNATURE OF APPLICANT DATE

OFFICE USE ONLY

FEE: □ CHECK □ CASH □ CARD
DATE PAID:
PRELIMINARY PLAT APPROVAL DATE:
FINAL PLAT APPROVAL DATE:
APPROVED WITH CONDITIONS:

Minor Subdivision Application
I hereby certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations of the Town of Weaverville for recording in the Office of the Register of Deeds of Buncombe County.

SITE

I, Troy A. Shriver, certify that this map was drawn under my supervision from an actual GPS survey made under my supervision and the following information was used to perform the survey:

1. Class of Survey: Class A Survey
2. Positional Accuracy (95% Confidence): 0.03' Horizontal 0.06' Vertical
3. Datum/Epoch: NAD83/Epoch 2011
4. Local Datum: NAD83
5. Reference Station:

I, Troy A. Shriver, Professional Land Surveyor, certify to one or more of the following as indicated (G.S. 47-30(f)(11):

1. The plat is a survey of a land subject to an actual or recorded restriction.
2. The plat is a survey of a land subject to an actual or recorded restriction.
3. The plat is a survey of a land subject to an actual or recorded restriction.
4. The plat is a survey of a land subject to an actual or recorded restriction.
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8. The plat is a survey of a land subject to an actual or recorded restriction.
9. The plat is a survey of a land subject to an actual or recorded restriction.
10. The plat is a survey of a land subject to an actual or recorded restriction.

GLOBE POSITIONING SYSTEM CERTIFICATION (NC VRS-RTK)

I, Troy A. Shriver, certify that this map was prepared under my supervision using Carlson BRx7 System.

Owner(s)

Margaret Patterson
402 Sweetbriar Rd. N.
Lake Lure, NC 28746

Deed Book 5975, Page 1024 (Bowles)

Richard Bowles
402 Sweetbriar Rd. N.
Lake Lure, NC 28746

Deed Book 4561, Page 1397 (Patterson)

Owner(s)

Margaret Patterson
402 Sweetbriar Rd. N.
Lake Lure, NC 28746

Deed Book 5975, Page 1024 (Bowles)

Richard Bowles
402 Sweetbriar Rd. N.
Lake Lure, NC 28746

Deed Book 4561, Page 1397 (Patterson)

PLAT NOTES:

1. The boundaries shown on this plat were established using a Global Positioning System (GPS) and are assumed correct and are subject to any existing restrictions.
2. Property lines were established using a total station and are subject to any existing restrictions.
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9. Property lines were established using a total station and are subject to any existing restrictions.
10. Property lines were established using a total station and are subject to any existing restrictions.

SETBACKS:

1. Front = 30'; Side/Rear = 10'

SCALE 1"=40'

DECREE BOOK 5975, PAGE 1024

DECREE BOOK 4561, PAGE 1397

OWNERS OF RECORD:

Margaret Patterson
402 Sweetbriar Rd. N.
Lake Lure, NC 28746

Richard Bowles
402 Sweetbriar Rd. N.
Lake Lure, NC 28746

DEED BOOK 5975, PAGE 1024

DEED BOOK 4561, PAGE 1397
TOWN OF WEAVERVILLE
TECHNICAL REVIEW COMMITTEE
REPORT I

Project: 69 Salem Minor Subdivision
Date: Tuesday, March 30, 2021; 10:00am
Location: Conference Room, Public Works
Staff: Planning Director, James Eller; Public Works Director, Dale Pennell; Fire Marshal Kile Davis.

Dept: Comment: Sheet #:

(Intentionally Blank)

A meeting of the TRC produced a finding of full compliance with various sections of municipal ordinance and relevant federal and state laws, rules and regulations.
Date of Meeting: Tuesday, April 6, 2021
Subject: 64 Alexander Road Minor Subdivision
Presenter: Planning Director
Attachments: 64 Alexander Road Minor Subdivision Application and Plat, Technical Review Committee Report

Description:
As you will see, the attached minor subdivision proposes to create three additional lots from the existing parcel commonly known as 64 Alexander Road.

The technical review committee has reviewed the proposal and discovered no items for comment or plat revision.

Action Requested:
Staff is requesting the Planning Board to review the proposed subdivision and make a favorable recommendation on approval of the plat to the town planner as per Sec. 25-79(c).
MINOR SUBDIVISION APPLICATION
Planning and Zoning Department, 30 South Main Street, P.O. Box 338, Weaverville, NC 28787
(828) 484-7002 — fax (828) 645-4776 — jeller@weavervallemc.org

Fee: $100.00 + $25.00 per lot

APPLICATION DATE:

SUBDIVISION NAME: CRAIG A. HILLER & DENISE M. HILLER

PIN: 9732-99-0339

ORIGINAL TRACT SIZE (acres): 2.485 Ac.

SUBDIVISION TYPE: ☑ RESIDENTIAL ☐ COMMERCIAL ☐ INDUSTRIAL

OWNER NAME: CRAIG A. HILLER & DENISE M. HILLER

PROPERTY ADDRESS: 64 ALEXANDER RD.

DEED BOOK/PAGE: D.B. 5332, PG. 432

PROPOSED NUMBER OF LOTS: 4

OWNER/AGENT NAME: CRAIG A. HILLER

ADDRESS: 64 ALEXANDER RD.

WEAVERVILLE, N.C. 28787

PHONE NUMBER: 828-275-5445

REGISTERED SURVEYOR: DAVID A. INGLE

ADDRESS: 29 N. MARKET ST. - STE. 406

ASHEVILLE, N.C. 28801

PHONE NUMBER: 828-779-9427

REGISTERED ENGINEER:

ADDRESS:

PHONE NUMBER:

Which utilities will serve the proposed development?:

☑ PUBLIC SANITARY SEWER ☐ COMMUNITY SANITARY SEWER ☐ SEPTIC TANKS ON EACH LOT

☑ PUBLIC WATER ☐ COMMUNITY WATER ☐ WELLS ON EACH LOT

It is the applicant's responsibility to obtain a copy of the Town of Weaverville Subdivision Ordinance and Zoning Ordinance and to be fully aware of the regulations detailed therein.

I certify that the above information is accurate and true and that I am the owner or a duly appointed agent of the owner. I understand that a copy of the recorded plat must be submitted to the Zoning Department prior to the issuance of any permits associated with this subdivision.

[Signature]

03-26-2021

DATE

OFFICE USE ONLY

FEE: □ CHECK □ CASH □ CARD

DATE PAID:

PRELIMINARY PLAT APPROVAL DATE:

FINAL PLAT APPROVAL DATE:

APPROVED WITH CONDITIONS:

MINOR SUBDIVISION PLAN AND PLAT REQUIREMENTS

Minor Subdivision Application
PRELIMINARY PLAT !!!
DO NOT USE FOR CONVEYANCE OR CONSTRUCTION....
A meeting of the TRC produced a finding of full compliance with various sections of municipal ordinance and relevant federal and state laws, rules and regulations.
TOWN OF WEAVERVILLE

PLANNING AND ZONING BOARD AGENDA ITEM

Date of Meeting: Tuesday, April 6, 2021
Subject: Code Amendments Associated with 160D
Presenter: Town Attorney / Planning Director
Attachments: None

Description:
Staff looks forward to providing a presentation related to the 160D project and the related text amendments at the Planning Board meeting on April 6. As was discussed during the March meeting, this presentation will be more of an overview and higher level explanation of the project and recommended text amendments than the detailed review that the Planning Board has been engaged in over the last few months. Staff will also be available to discuss the project, receive input, and answer any questions, whether detailed or not, that the Planning Board might have. The goal is for the Planning Board to be ready to adopt a recommendation on the proposed draft not later than May 4.

The final staff draft and related material were provided to the Planning Board by email on March 19 and are not provided again with this agenda packet. Those materials are however, available upon request in either an electronic or paper version.

Staff will also review the next steps in this project.

Action Requested:
Staff is requesting that the Planning Board provide direction to staff on what changes are needed or what actions need to be taken (like the scheduling of additional meetings) in order to put the Planning Board in a good position to offer a favorable recommendation at its May 4 meeting. Input on what the recommendation should contain is also welcome.