

**Remote Access Option for General Public via Zoom (unless technical difficulties):**  
<https://us02web.zoom.us/j/85948891960> ; Meeting ID: 859 4889 1960

	<i>Pg #</i>	<i>Presenter</i>
<b>1. Call to Order</b> .....		Mayor Fitzsimmons
<b>2. Moment of Silence for Dottie Sherrill</b> .....		Mayor Fitzsimmons
<b>3. Approval/Adjustments to the Agenda</b> .....		Mayor Fitzsimmons
<b>4. Conflict of Interests Statement</b> .....		Mayor Fitzsimmons
<b>5. Consent Agenda</b> .....		Town Manager Coffey
A. August 28, 2023, Town Council Regular Meeting Minutes .....	3	
B. Monthly Tax Report and Request for Refunds/Releases .....	8	
C. Waterline Acceptance - Palisades .....	18	
D. Renewal of the Tailgate Market Memorandum of Understanding .....	20	
E. Authorize Fireworks for Fourth of July Celebration .....	26	
F. Voluntary Annexation Petition – 492 Reems Creek Rd – Set PHs .....	27	
<b>6. Town Manager’s Report</b> .....	34	Town Manager Coffey
<b>7. General Public Comments</b> (see below for additional information) .....		Mayor Fitzsimmons
<b>8. Discussion &amp; Action Items</b>		
A. Planning Board Liaison .....	35	Councilmember Nagle
B. Voluntary Annexation Petition – Reems Creek Village Recombination Area ...	36	Town Attorney Jackson
C. Voluntary Annexation Petition – 300 Hamburg Mountain Rd .....	45	Town Attorney Jackson
D. Voluntary Annexation Petition – Northridge Farms .....	56	Town Attorney Jackson
E. Street Paving Projects – Award of Bid .....	73	Public Works Dir. Pennell
F. Quarterly Report – Public Works and Water .....	76	Public Works Dir. Pennell
<b>9. Closed Session</b>		Mayor Fitzsimmons
<i>N.C.G.S § 143-318.11(a)(3) – To consult with an attorney retained or employed by the Town in order to preserve the attorney-client privilege, which is hereby acknowledged; N.C.G.S. § 143-318.11(a)(6) – To consider the qualifications, competence, performance, character, fitness, conditions of appointment or employment of an individual public officer or employee; and N.C.G.S. § 143-318.11(a)(5) – To establish the position to be taken by the public body concerning the amount of compensation and other material terms of an employment contract or proposed employment contract</i>		
<b>10. Adjournment</b> .....		Mayor Fitzsimmons

General public comments may be submitted during the meeting or in writing in advance on any meeting topic or any other item of interest related to the Town of Weaverville. Normal rules of decorum apply to all comments and duplicate comments are discouraged. The general public comments section of the meeting will be limited to 20 minutes. Comments during the meeting are generally limited to 3 minutes. You must be recognized before giving your comment. Written comments timely received will be provided to Town Council and read during the 20-minute general public comment period as time allows. Written comments are limited to no more than 450 words and can be submitted as follows: (1) by putting your written comment in a drop box at Town Hall (located at front entrance and back parking lot) at least 6 hours prior to the meeting, (2) by emailing to [public-comment@weavervillenc.org](mailto:public-comment@weavervillenc.org) at least 6 hours prior to the meeting, (3) by mailing your written comment (received not later than Monday’s mail delivery) to: Town of Weaverville, PO Box 338, Weaverville, NC, 28787, Attn: Public Comments. For more information please call (828)645-7116.

**WEAVERVILLE TOWN COUNCIL REGULAR MEETING  
REMOTE ELECTRONIC MEETING LOGIN CREDENTIALS**

The Weaverville Town Council has elected to continue to provide the general public with remote electronic access to its regular monthly meetings, unless technical issues prevent such access.

This **NOTICE OF REMOTE ELECTRONIC MEETING** is provided to inform the public that the **Weaverville Town Council regular monthly meeting will be held as an in-person meeting (Council Chambers/Community Room at Town Hall, 30 South Main Street) with remote attendance by the general public allowed via Zoom.** For those members of the public wishing to attend remotely via Zoom the following information is provided.

**A virtual waiting room will be enabled and participants will be allowed entry into the meeting just prior to the start of the meeting. The instructions to access this meeting are:**

**To join the meeting by computer,** go to this link <https://us02web.zoom.us/j/85948891960>  
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: 859 4889 1960. You will first enter a virtual waiting room. The host will admit you into the meeting just prior to the start of the meeting.

**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: 859 4889 1960 . There is no password for this meeting, so if asked for one just press the # button.

**Guidelines and Instructions for General Public Comment:** A portion of the meeting will be set aside for general public comments. Town adopted Rules for Public Comment will apply. Normal rules of decorum apply to all comments and duplicate comments are discouraged. Public comments may be submitted during the in-person meeting or in writing in advance, but will not be taken from those attending remotely. The public comments section of the meeting will be limited to approximately 20 minutes, but may be extended by Town Council if time allows. You must be recognized before giving your comment and must make comments from the podium. Individual comments during the meeting are generally limited to 3 minutes. Written comments timely received will be provided to Town Council and read into the record during the meeting as time allows. Written comments are limited to no more than 450 words and can be submitted as follows: (1) by emailing to [public-comment@weavervillenc.org](mailto:public-comment@weavervillenc.org) at least 6 hours prior to the meeting, (2) by putting your written comment in a drop box at Town Hall (located at front entrance and back parking lot) at least 6 hours prior to the meeting, (3) by mailing your written comment (received not later than with the mail delivery on the meeting day) to: Town of Weaverville, PO Box 338, Weaverville, NC, 28787, Attn: Public Comments. For more information please call (828)645-7116.

**To view the agenda and related materials,** please visit the Town's website at <https://www.weavervillenc.org>.

**Access to the Meeting Recording:** A recording of the meeting will be available for one or two months, depending on storage capacity, beginning about 24 hours after the meeting. To access the recording visit the Town's website at <https://www.weavervillenc.org> or the Town's YouTube channel at [https://www.youtube.com/channel/UckBK1doIGY\\_O6\\_vJiqimFUQ](https://www.youtube.com/channel/UckBK1doIGY_O6_vJiqimFUQ), or call the Town Clerk at (828)645-7116.

Patrick Fitzsimmons, Mayor

## MINUTES

**TOWN OF WEAVERVILLE  
STATE OF NORTH CAROLINA**

**TOWN COUNCIL REGULAR MEETING  
MONDAY, AUGUST 28, 2023**

The Town Council for the Town of Weaverville held the regularly scheduled meeting on Monday, August 28, 2023, at 6:00 p.m. in Council Chambers within Town Hall at 30 South Main Street, Weaverville, NC with remote access via zoom.

Councilmembers present: Mayor Patrick Fitzsimmons, Vice Mayor Jeff McKenna and Councilmembers Doug Jackson, Andrew Nagle, John Chase, Catherine Cordell, and Michele Wood.

Staff members present: Town Manager Selena Coffey, Town Attorney Jennifer Jackson, Planning Director James Eller, Finance Director Tonya Dozier, Police Chief Ron Davis, Fire Chief Scottie Harris, Public Works Director Dale Pennell, Water Treatment Plant Supervisor Randall Wilson, Town Clerk Tamara Mercer, and Zoom Room Coordinator Lauren Ward.

### **1. Call to Order**

Mayor Fitzsimmons called the meeting to order at 6:00 p.m.

### **2. Approval/Adjustments to the Agenda**

Mayor Fitzsimmons requested a motion to approve the agenda and Councilmember Chase moved to approve the agenda. The motion was approved unanimously. 7-0.

### **3. Conflict of Interests**

Mayor Fitzsimmons noted that it is the duty of the Mayor and every Town Council Member to avoid both conflicts of interest and appearances of conflicts. No member had any known conflict of interest or appearance of conflict with respect to any matters on the agenda for tonight's Town Council meeting.

### **4. Presentation of Proclamation Recognizing September as Childhood Cancer Awareness Month**

Vice Mayor McKenna read the Childhood Cancer Awareness Month Proclamation and presented it to the Meinch family. Many events are scheduled throughout September to bring awareness to childhood cancer, including community fundraisers in particular the Weaverville Police Department raffle at the Weaverville Business Association's 'Art in Autumn' event on Saturday, September 16<sup>th</sup>. Ms. Amy Meinch thanked Town Council and the community for participating and bringing this issue to the forefront of awareness as the needs and challenges are experienced by family members.

### **5. Consent Agenda**

Town Manager reviewed the consent agenda items.

Mayor Fitzsimmons recognized Councilmember Nagle. Councilmember Nagle stated his concern regarding item G. Board Appointments. He said it is a mistake for a member to serve 15-years such as the chairman of the ABC Board. Mayor Fitzsimmons agreed that new faces should serve, and he spoke with Chairman Rob Chason on the ABC Board who announced he was resigning next year. Councilmember Nagle added he did not believe

there is a need for a council member to be appointed liaison to the Planning Board and said the role should be eliminated. No one elected to amend the consent agenda and Mayor Fitzsimmons called for a motion.

*Vice Mayor McKenna moved to approve and adopt the consent agenda items. The motion was approved unanimously (7-0) and the consent agenda was approved as follows:*

- A. July 18, 2023 Town Council Workshop Minutes – approved as presented*
- B. July 24, 2023 Town Council Regular Meeting Minutes. – approved as presented*
- C. Budget Amendment Police quarterly distribution from ABC Store – approved as presented*
- D. Budget Amendment Reappropriations – approved as presented.*
- E. Budget Amendment Transfer Recreation Complex – approved as presented.*
- F. Road Closure Ordinances for North Buncombe Homecoming Parade and Weaverville Holiday Parade – approved as presented*
- G. Board Appointments: appointments and reappointments approved as recommended*
- H. Water Commitment Renewal for Chapel Crossing Development – commitment renewed for 1 year*

## **6. Town Manager's Report**

Town Manager Coffey provided the Town Manager's report which included updates on projects and programs, including: an introduction of Sarah Myers as the new Recreation Coordinator, a reminder about the Weaverville 9/11 Observance, CodeRED implementation, the need to set a date in January for a strategic planning retreat, demolition and construction related to the recreation complex, the need for a second bidding date on the street paving project, and the Electrifying Public Safety Training + Ride and Drive program which the Town will be participating in at the invitation of the Land of Sky Clean Vehicles Coalition.

## **7. General Public Comments**

Mayor Fitzsimmons read rules of procedure and inquired if there were any on-line or virtual public comments, to which the Clerk said there were none, and he opened the public comment portion of the meeting.

Ms. Joanna Vanderkolk, a Weaverville resident lodged a complaint of continuous dogs barking. She is concerned there is an unpermitted business being conducted at a dwelling on College Street. Planner, James Eller stated he would check into the matter regarding a permit for a home or commercial use permit.

No other persons elected to speak.

## **8. Discussion & Action Items**

### **A. Buncombe County Tax Assessor presentation**

Mr. Keith Miller, Tax Assessor with the Buncombe County Tax Department provided an overview of the upcoming property reappraisal that will affect tax bills for 2025. This addressed the scope of the project (approximately 130,000 properties will be reappraised), the process and methodologies of the valuations, the appeals process, and the legal requirements that he and his staff must follow. The department is responsible for appraising and assessing all taxable property within Buncombe County, which is approximately 130,000 properties. The property

assessments are to be completed by January 2025. The law requires that these reappraisals be conducted at least every 8 years, but Buncombe County has been reappraising every 4 years.

The department revalues approximately 2,680 parcels of real estate in Weaverville. For fiscal year 2024 Weaverville has a total of \$1.25 billion in taxable value assessed.

There was a question-and-answer period regarding property value changes in the market, the Machinery Act, tax burden and revenue neutral, home square footage, unique properties and historic homes, comparisons, and cluster developments, and commercial assessed values which is based on income and vacancy.

## **B. Stormwater Program Update**

Town Attorney Jackson reviewed the stormwater program and the town's role in protecting the area's surface water and impacts to the waterways. NC Department of Environmental Quality reissued the stormwater permit for the Town which is required under the EPA to discharge. The Stormwater Management Plan is incorporated into the FY:2022-2023 through the assistance of Land of Sky Regional Council. Part of the implementation of the improvements in the program includes the purchase of the street sweeper as budgeted. This allows the town to clean up leaves and debris to keep materials out of the stormwater system.

## **C. Main Street Nature Park Stormwater Concepts and Preliminary Visioning**

Attorney Jackson summarized the Main Street Nature Park stormwater plan and noted that staff worked with Land of Sky Regional Council, specifically with Dr. Mary Roderick, who helped to secure grant funding. With her assistance the stormwater mapping and an evaluation of the Main Street Nature Park control measures were incorporated into the park stormwater management plan and concept designs.

Dr. Roderick provided the evaluation analysis for stormwater planning at the park. The project overview included the scope and status of the completed stormwater system inventory and map, the greenway infrastructure improvement plan, and public engagement for a scheduled completion by March of 2024. The funding source for approximately \$50,000 was from NC Department of Environmental Quality 205J Grant Program. Dr. Roderick reviewed the stormwater control measures and plan mitigation to address stormwater runoff, area streams, ponds, and the function of enhancements and improvements to the park and natural habitat.

Town Manager Coffey noted that the next steps are to address Council's determination of priorities and suggested that this could be topic for inclusion in the strategic planning discussions. Staff will continue to work with Dr. Roderick on a volunteer day and other community input and involvement on stormwater programming and will attempt to get cost estimates on the work suggested for the Main Street Nature Park.

## **D. Eller Cove Watershed Trail Design**

Staff has been working with Mark Endries on the possible development of a trail system within the Eller Cove Watershed Conservation Area for hiking and biking. \$4,980 was included in the budget for a trail design study to be conducted by Elevated Trail Design, LLC. The Manager's Office requests authorization for Elevated Trail Design to complete the proposed study

regarding Eller Cove Watershed trail design. Vice Mayor McKenna reported that there is a group of volunteers who perform trail maintenance.

*Councilmember Chase moved to authorize the Manager to contract with Elevated Trail Design for completion of the trail design study at Eller Cover Watershed. The motion was approved unanimously. 7-0.*

#### **E. Fireworks Fourth of July Event Public Input**

Mayor Fitzsimons reviewed the topic noting that for the past several months the Council has been hearing public input and is seeking more input as well as researching alternatives to the traditional firework show at the July event. The Town Manager provided alternative suggestions such as expanding the day to a festival, using low impact fireworks, drone show, or laser show costs and procedures.

Donna Mann Belt – in favor of traditional fireworks

Jennifer Young – in favor of traditional fireworks

Darryl Fox – in favor of traditional fireworks.

Jerri West Davis – in favor of traditional fireworks

Mayor Fitzsimmons checked to see if anyone attending on-line wished to speak regarding the topic and no one elected to speak.

#### **F. Voluntary Annexation Petition- 492 Reems Creek Road**

Town Clerk, Tamara Mercer presented the petition for voluntary annexation at 492 Reems Creek Road submitted by Kathy F. Amos containing approximately 1.07 acres which is contiguous to the properties located at 480 and 488 Reems Creek Road that were recently annexed into the Town's municipal limits. The authorized agent for the applicant, the developer Civic Design Concepts, is requesting an initial zoning designation of R-3, which is consistent with the zoning on 480/488 Reems Creek Road.

Attorney Jackson noted that the proposed resolution sets out the next steps in the annexation process, which is to authorize the Clerk's Office to investigate the sufficiency of the annexation petition and to send the initial zoning request to the Planning Board for review and a zoning recommendation.

*After discussion, Councilmember Cordell moved to approve the resolution concerning annexation 2023-3 as presented. The motion was approved unanimously. 7-0.*

#### **G. Comprehensive Land Use Plan 2024 Goals and Priorities Update**

Mr. Eller presented an overview of the steps so far concerning the CLUP and strategic planning. Staff is requesting that Town Council complete the attached action plan table with their priorities in order to provide that information to the joint meeting of Town Council and the Planning Board at the next Town Council workshop to be held on September 19<sup>th</sup> at 6:00 p.m. The Planning Board members have completed their portion of scoring their priority list and has been provided in the agenda packet

Mayor Fitzsimmons requested that Council members submit the completed chart to staff with a deadline of September 10<sup>th</sup>. The CLUP update will be a central topic of the September 19, 2023, workshop which will be held as a joint meeting between Town Council and the Planning Board.

#### **H. Tax Collection Update and Actions**

Attorney Jackson stated that the tax settlement as provided by the Buncombe County Tax Department for Fiscal Year 2022-23, reports the Weaverville tax collection rate of 99.95% was collected for the year with only \$1,874.37 ad valorem taxes to be collected. The collection of taxes remains with Buncombe County Tax Department, but the office has advised the Town of Weaverville and other municipalities to formally appoint a Town Tax Collector. Attorney Jackson recommended approve the Resolution which includes the approval of the tax settlement, the tax collector's bond amount, the addendum to the Tax Collections Agreement with Buncombe County, certain tax collection procedure, and the appointment of a tax collector..

There was further discussion on the process of Buncombe County collecting the taxes and the formality of the appointment, and the total tax collection for the Town of Weaverville.

*Councilmember Nagle moved to approve the Resolution as presented. The motion was approved unanimously. 7-0.*

#### **I. Quarterly Police Department Report**

Chief Davis reviewed the statistics and data regarding law enforcement calls, arrests, assault, accidents, injuries, and various activities such as burglary noting there was a decrease in most categories from the quarterly period previously. Call response times continue to increase as priority calls are complex.

Other matters discussed were the Electric Patrol Vehicle program and the challenges that involve evidence storage and disposition. Chief Davis said the Town has now hired a records specialist to archive and record the evidence which will be a great help to his department.

Assistant Chief Oberlin introduced the Internship Program and new intern Ben Alfaro, who has been working with the Police and cross training with all departments and Town Staff through the summer. Ben will be enrolling in the BLET program as soon as he is eligible. In the meantime, the program allows him to engage in all aspects of government while pursuing their Police Officer credentials.

#### **J. Quarterly Fire Department Report**

Chief Harris reviewed the Fire Department Report and provided statistics on response time, which is under five minutes, safety fire prevention programs, Safekids child car seat inspections and installation, education classes, and business inspections and fire loss costs and property saved during the past quarter.

#### **Adjournment**

Without objection, Mayor Fitzsimmons declared the meeting adjourned at 7:45 p.m.

Tamara Mercer, Town Clerk

**TOWN OF WEAVERVILLE  
TOWN COUNCIL AGENDA ITEM**

**MEETING DATE:** September 25, 2023  
**SUBJECT:** Monthly Tax Report and Request for Refunds/Releases  
**PRESENTER:** Tax Collector  
**ATTACHMENTS:** Monthly Tax Report Summary and TR-401G Net Collections Reports for July and August and Vehicle Tax Pending Refund Report

**DESCRIPTION/SUMMARY OF REQUEST:**

Buncombe County has provided the monthly net collections report with data through the end of August 2023 and a request for tax releases/refunds.

A summary of the monthly tax report is provided and shows that \$192,103.73 out of the total real property, personal property, and business personal property tax levy of \$4,167,304.37 has been collected so far (4.61% collected). This low collection is not surprising this early in the tax year. The reports are also included for July 2023.

Buncombe County Assessor’s Office has requested approval of the following releases/refunds:

July 2023	Property Tax Levy Release/Refund	\$19.35
	Motor Vehicle Levy Release/Refund	\$212.25
August 2023	Property Tax Levy Release/Refund	\$2,658.14
	Motor Vehicle Levy Release/Refund	\$115.50

**COUNCIL ACTION REQUESTED:**

The monthly report is provided for information only.

Approval of the tax releases/refunds is requested. The following motion is suggested:

*I move that Town Council approve the releases and refunds as requested.*



**Town of Weaverville  
MONTHLY TAX REPORT  
FY 2023-2024**

**Tax Year 2023**

**Summary for YTD August 2023:**

Original Billed Amt	\$	4,162,897
Abs Adj (Adjustments by Assessor)	\$	(1,058)
Bill Releases	\$	(43)
Discovery Levy	\$	4,706
Additional Levy	\$	803
Net Levy	\$	4,167,304
<b>Total Current Year Collections</b>	<b>\$</b>	<b>192,104</b>
<b>% Collected</b>		<b>4.61%</b>
<b>Total Left to be Collected:</b>	<b>\$</b>	<b>3,975,201</b>
Prior Years Tax Paid	\$	1,262
Prior Years Interest and Penalties Paid	\$	812

**Report Parameters:**

Date Sent to Finance Start: **Min - August 1, 2023**

Date Sent to Finance End: **Max - August 31, 2023**

Abstract Type: **BUS,IND,PUB,REI,RMV**

Tax District: **WEAVERVILLE**

Levy Type: **Admin Expense, Advertisement Fee, Attorney Fee, Collection Fee 5, Collection Fee 9, Cost, Docketing Expense, EXPENSE, FEE INTEREST, Garnishment Fee, Interest, LATE LIST PENALTY, Legal Ad Expense, NSF Penalty, Postage Expense, Sheriff Service Fee, SPECIAL ASSESSMENT, TAX, VEHICLE FEE, WEAVERVILLE TAX**

Tax Year: **2023, 2022, 2021, 2020, 2019, 2018, 2017, 2016, 2015, 2014, 2013, 2012, 2011, 2010, 2009, 2008, 2007, 2006, 2005, 2004**

Year For: **2023, 2022, 2021, 2020, 2019, 2018, 2017, 2016, 2015, 2014, 2013, 2012, 2011, 2010, 2009, 2008, 2007, 2006, 2005, 2004, 2003**

Collapse  
Districts: **N**

Default Sort-By: **Tax Year**

Grouping: **Tax District,Levy Type**

Fiscal Year Activity from July 1, 20XX to August 31, 2023								Activity from August 1, 2023 to August 31, 2023			
Tax Year	Orig. Billed Amt (\$)	Abs. Adj (\$)	Bill Releases (\$)	Disc. Levy (\$)	Net Levy (\$)	Amt Collect. (\$)	Unpaid Balance (\$)	Amt Collect. (\$)	Abs. Adj (\$)	Bill Releases (\$)	Disc. Levy (\$)
		Assessor Refunds (\$)	Net Collections (\$)	Additional Levv (\$)	Collection Fee Amt (\$)	% Coll.	% Uncoll.			Assessor Refunds (\$)	Additional Levv (\$)
<b>TAX DISTRICT: WEAVERVILLE LEVY TYPE: Interest</b>											
2022	0.00	0.00	0.00	0.00	0.00	4,850.01	0.00	7.94	0.00	0.00	0.00
		0.00	4,850.01	0.00	0.00	NA	NA			0.00	0.00
2021	0.00	0.00	0.00	0.00	0.00	5,043.01	0.00	0.00	0.00	0.00	0.00
		0.00	5,043.01	0.00	0.00	NA	NA			0.00	0.00
2020	0.00	0.00	0.00	0.00	0.00	11,913.05	0.00	388.22	0.00	0.00	0.00
		0.00	11,913.05	0.00	0.00	NA	NA			0.00	0.00
2019	0.00	0.00	0.00	0.00	0.00	5,056.63	0.00	0.00	0.00	0.00	0.00
		0.00	5,056.63	0.00	0.00	NA	NA			0.00	0.00
2018	0.00	0.00	0.00	0.00	0.00	316.01	0.00	0.00	0.00	0.00	0.00
		0.00	316.01	0.00	0.00	NA	NA			0.00	0.00
2017	0.00	0.00	0.00	0.00	0.00	39.57	0.00	0.00	0.00	0.00	0.00
		0.00	39.57	0.00	0.00	NA	NA			0.00	0.00
2016	0.00	0.00	0.00	0.00	0.00	64.92	0.00	0.00	0.00	0.00	0.00
		0.00	64.92	0.00	0.00	NA	NA			0.00	0.00
2015	0.00	0.00	0.00	0.00	0.00	100.08	0.00	0.00	0.00	0.00	0.00
		0.00	100.08	0.00	0.00	NA	NA			0.00	0.00
2014	0.00	0.00	0.00	0.00	0.00	10.54	0.00	0.00	0.00	0.00	0.00

		0.00	10.54	0.00	0.00	NA	NA			0.00	0.00
2013	0.00	0.00	0.00	0.00	0.00	1,020.36	0.00	0.00	0.00	0.00	0.00
		0.00	1,020.36	0.00	0.00	NA	NA			0.00	0.00
2012	0.00	0.00	0.00	0.00	0.00	730.74	0.00	0.00	0.00	0.00	0.00
		0.00	730.74	0.00	0.00	NA	NA			0.00	0.00
2011	0.00	0.00	0.00	0.00	0.00	12.59	0.00	0.00	0.00	0.00	0.00
		0.00	12.59	0.00	0.00	NA	NA			0.00	0.00
<b>Sub.</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>29,157.51</b>	<b>0.00</b>	<b>396.16</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
		<b>0.00</b>	<b>29,157.51</b>	<b>0.00</b>	<b>0.00</b>	<b>NA</b>	<b>NA</b>			<b>0.00</b>	<b>0.00</b>

**TAX DISTRICT: WEAVERVILLE LEVY TYPE: LATE LIST PENALTY**

2023	9,151.07	29.61	0.36	0.00	9,121.10	52.71	9,068.39	52.71	29.61	0.00	0.00
		0.00	52.71	0.00	0.00	0.58 %	99.42 %			0.00	0.00
2022	2,555.97	4.77	0.80	733.13	3,283.53	3,259.94	23.59	0.00	0.00	0.00	0.00
		0.00	3,259.94	0.00	0.00	99.28 %	0.72 %			0.00	0.00
2021	1,320.31	65.20	0.54	3,159.35	4,413.92	4,388.41	25.51	0.00	0.00	0.00	0.00
		0.00	4,388.41	0.00	0.00	99.42 %	0.58 %			0.00	0.00
2020	1,211.84	478.88	0.96	6,083.77	7,047.59	7,032.49	15.10	363.40	0.00	0.00	0.00
		0.00	7,032.49	231.82	0.00	99.79 %	0.21 %			0.00	0.00
<b>Sub.</b>	<b>14,239.19</b>	<b>578.46</b>	<b>2.66</b>	<b>9,976.25</b>	<b>23,866.14</b>	<b>14,733.55</b>	<b>9,132.59</b>	<b>416.11</b>	<b>29.61</b>	<b>0.00</b>	<b>0.00</b>
		<b>0.00</b>	<b>14,733.55</b>	<b>231.82</b>	<b>0.00</b>	<b>61.73 %</b>	<b>38.27 %</b>			<b>0.00</b>	<b>0.00</b>

**TAX DISTRICT: WEAVERVILLE LEVY TYPE: TAX**

2023	4,162,896.95	1,057.89	43.46	4,706.25	4,167,304.37	192,103.73	3,975,200.64	163,471.97	927.58	0.00	2,519.14
		0.00	192,103.73	802.52	0.00	4.61 %	95.39 %			0.00	802.52
2022	3,986,151.82	597.31	42.26	5,719.53	3,991,231.78	3,989,457.30	1,774.48	99.89	0.00	0.00	0.00
		0.00	3,989,457.30	0.00	0.00	99.96 %	0.04 %			0.00	0.00
2021	3,717,652.88	4,293.51	36.26	14,153.16	3,729,285.86	3,726,041.13	3,244.73	0.00	1,125.25	0.00	0.00
		5.92	3,726,047.05	1,809.59	0.00	99.91 %	0.09 %			0.00	1,282.75
2020	3,354,216.35	5,999.72	71.80	22,850.56	3,373,722.15	3,372,642.25	1,079.90	1,162.57	0.00	11.53	0.00
		1,451.48	3,374,093.73	2,726.76	0.00	99.97 %	0.03 %			0.00	0.00
2013	73,342.49	0.00	1,623.13	0.00	71,719.36	71,719.36	0.00	0.00	0.00	0.00	0.00
		0.00	71,719.36	0.00	0.00	100 %	0 %			0.00	0.00
2012	68,037.63	0.00	1,498.22	0.00	66,539.41	66,539.41	0.00	0.00	0.00	0.00	0.00
		0.00	66,539.41	0.00	0.00	100 %	0 %			0.00	0.00
2011	82.56	0.00	0.00	0.00	82.56	82.56	0.00	0.00	0.00	0.00	0.00
		0.00	82.56	0.00	0.00	100 %	0 %			0.00	0.00
<b>Sub.</b>	<b>15,362,380.68</b>	<b>11,948.43</b>	<b>3,315.13</b>	<b>47,429.50</b>	<b>15,399,885.49</b>	<b>11,418,585.74</b>	<b>3,981,299.75</b>	<b>164,734.43</b>	<b>2,052.83</b>	<b>11.53</b>	<b>2,519.14</b>
		<b>1,457.40</b>	<b>11,420,043.14</b>	<b>5,338.87</b>	<b>0.00</b>	<b>74.15 %</b>	<b>25.85 %</b>			<b>0.00</b>	<b>2,085.27</b>

**TAX DISTRICT: WEAVERVILLE LEVY TYPE: WEAVERVILLE TAX**

2019	49,954.82	0.00	193.07	0.00	49,761.75	44,424.98	5,336.77	0.00	0.00	0.00	0.00
		0.00	44,424.98	0.00	0.00	89.28 %	10.72 %			0.00	0.00
2018	1,576.57	0.00	3.29	0.00	1,573.28	914.17	659.11	0.00	0.00	0.00	0.00
		0.00	914.17	0.00	0.00	58.11 %	41.89 %			0.00	0.00
2017	771.97	0.00	566.38	0.00	205.59	145.15	60.44	0.00	0.00	564.17	0.00
		0.00	145.15	0.00	0.00	70.60 %	29.40 %			0.00	0.00
2016	217.62	0.00	2.56	0.00	215.06	168.06	47.00	0.00	0.00	0.00	0.00
		0.00	168.06	0.00	0.00	78.15 %	21.85 %			0.00	0.00
2015	201.36	0.00	8.59	0.00	192.77	160.43	32.34	0.00	0.00	0.00	0.00
		0.00	160.43	0.00	0.00	83.22 %	16.78 %			0.00	0.00
2014	2,126.15	0.00	5.98	0.00	2,120.17	28.67	2,091.50	0.00	0.00	0.00	0.00
		0.00	28.67	0.00	0.00	1.35 %	98.65 %			0.00	0.00
2013	570.35	0.00	0.00	0.00	570.35	1.15	569.20	0.00	0.00	0.00	0.00
		0.00	1.15	0.00	0.00	0.20 %	99.80 %			0.00	0.00
2012	752.46	0.00	111.58	0.00	640.88	204.72	436.16	0.00	0.00	0.00	0.00
		0.00	204.72	0.00	0.00	31.94 %	68.06 %			0.00	0.00
<b>Sub.</b>	<b>56,171.30</b>	<b>0.00</b>	<b>891.45</b>	<b>0.00</b>	<b>55,279.85</b>	<b>46,047.33</b>	<b>9,232.52</b>	<b>0.00</b>	<b>0.00</b>	<b>564.17</b>	<b>0.00</b>
		<b>0.00</b>	<b>46,047.33</b>	<b>0.00</b>	<b>0.00</b>	<b>83.30 %</b>	<b>16.70 %</b>			<b>0.00</b>	<b>0.00</b>
<b>Total</b>	<b>15,432,791.17</b>	<b>12,526.89</b>	<b>4,209.24</b>	<b>57,405.75</b>	<b>15,479,031.48</b>	<b>11,508,524.13</b>	<b>3,999,664.86</b>	<b>165,546.70</b>	<b>2,082.44</b>	<b>575.70</b>	<b>2,519.14</b>
		<b>1,457.40</b>	<b>11,509,981.53</b>	<b>5,570.69</b>	<b>0.00</b>	<b>74.16 %</b>	<b>25.84 %</b>			<b>0.00</b>	<b>2,085.27</b>

Signature (Tax Collector) \_\_\_\_\_

**Town of Weaverville  
MONTHLY TAX REPORT  
FY 2023-2024**

**Tax Year 2023**

**Summary for YTD July 2023:**

Original Billed Amts	\$	4,162,438
Abs Adj (Adjustments by Assessor)	\$	(130)
Bill Releases	\$	(43)
Discovery Levy	\$	2,187
Additional Levy	\$	-
Net Levy	\$	4,164,451
<b>Total Current Year Collections</b>	<b>\$</b>	<b>28,632</b>
<b>% Collected</b>		<b>0.69%</b>
<b>Total Left to be Collected:</b>	<b>\$</b>	<b>4,135,820</b>
Prior Years Tax Paid	\$	-
Prior Years Interest Paid	\$	-

**Report Parameters:**

Date Sent to Finance Start: **Min - July 1, 2023**

Date Sent to Finance End: **Max - July 31, 2023**

Abstract Type: **BUS,IND,PUB,REI,RMV**

Tax District: **WEAVERVILLE**

Levy Type: **Admin Expense, Advertisement Fee, Attorney Fee, Collection Fee 5, Collection Fee 9, Cost, Docketing Expense, EXPENSE, FEE INTEREST, Garnishment Fee, Interest, LATE LIST PENALTY, Legal Ad Expense, NSF Penalty, Postage Expense, Sheriff Service Fee, SPECIAL ASSESSMENT, TAX, VEHICLE FEE, WEAVERVILLE TAX**

Tax Year: **2023, 2022, 2021, 2020, 2019, 2018, 2017, 2016, 2015, 2014, 2013, 2012, 2011, 2010, 2009, 2008, 2007, 2006, 2005, 2004**

Year For: **2023, 2022, 2021, 2020, 2019, 2018, 2017, 2016, 2015, 2014, 2013, 2012, 2011, 2010, 2009, 2008, 2007, 2006, 2005, 2004, 2003**

Collapse  
Districts: **N**

Default Sort-By: **Tax Year**

Grouping: **Tax District,Levy Type**

Fiscal Year Activity from July 1, 20XX to July 31, 2023								Activity from July 1, 2023 to July 31, 2023			
Tax Year	Orig. Billed Amt (\$)	Abs. Adj (\$)	Bill Releases (\$)	Disc. Levy (\$)	Net Levy (\$)	Amt Collect. (\$)	Unpaid Balance (\$)	Amt Collect. (\$)	Abs. Adj (\$)	Bill Releases (\$)	Disc. Levy (\$)
		Assessor Refunds (\$)	Net Collections (\$)	Additional Levv (\$)	Collection Fee Amt (\$)	% Coll.	% Uncoll.			Assessor Refunds (\$)	Additional Levv (\$)
<b>TAX DISTRICT: WEAVERVILLE LEVY TYPE: Interest</b>											
2022	0.00	0.00	0.00	0.00	0.00	4,842.07	0.00	0.00	0.00	0.00	0.00
		0.00	4,842.07	0.00	0.00	NA	NA			0.00	0.00
2021	0.00	0.00	0.00	0.00	0.00	5,043.01	0.00	0.00	0.00	0.00	0.00
		0.00	5,043.01	0.00	0.00	NA	NA			0.00	0.00
2020	0.00	0.00	0.00	0.00	0.00	11,524.83	0.00	0.00	0.00	0.00	0.00
		0.00	11,524.83	0.00	0.00	NA	NA			0.00	0.00
2019	0.00	0.00	0.00	0.00	0.00	5,056.63	0.00	0.00	0.00	0.00	0.00
		0.00	5,056.63	0.00	0.00	NA	NA			0.00	0.00
2018	0.00	0.00	0.00	0.00	0.00	316.01	0.00	0.00	0.00	0.00	0.00
		0.00	316.01	0.00	0.00	NA	NA			0.00	0.00
2017	0.00	0.00	0.00	0.00	0.00	39.57	0.00	0.00	0.00	0.00	0.00
		0.00	39.57	0.00	0.00	NA	NA			0.00	0.00
2016	0.00	0.00	0.00	0.00	0.00	64.92	0.00	0.00	0.00	0.00	0.00
		0.00	64.92	0.00	0.00	NA	NA			0.00	0.00
2015	0.00	0.00	0.00	0.00	0.00	100.08	0.00	0.00	0.00	0.00	0.00
		0.00	100.08	0.00	0.00	NA	NA			0.00	0.00
2014	0.00	0.00	0.00	0.00	0.00	10.54	0.00	0.00	0.00	0.00	0.00

		0.00	10.54	0.00	0.00	NA	NA			0.00	0.00
2013	0.00	0.00	0.00	0.00	0.00	1,020.36	0.00	0.00	0.00	0.00	0.00
		0.00	1,020.36	0.00	0.00	NA	NA			0.00	0.00
2012	0.00	0.00	0.00	0.00	0.00	730.74	0.00	0.00	0.00	0.00	0.00
		0.00	730.74	0.00	0.00	NA	NA			0.00	0.00
2011	0.00	0.00	0.00	0.00	0.00	12.59	0.00	0.00	0.00	0.00	0.00
		0.00	12.59	0.00	0.00	NA	NA			0.00	0.00
<b>Sub.</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>28,761.35</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
		<b>0.00</b>	<b>28,761.35</b>	<b>0.00</b>	<b>0.00</b>	<b>NA</b>	<b>NA</b>			<b>0.00</b>	<b>0.00</b>

**TAX DISTRICT: WEAVERVILLE LEVY TYPE: LATE LIST PENALTY**

2023	9,151.07	0.00	0.36	0.00	9,150.71	0.00	9,150.71	0.00	0.00	0.36	0.00
		0.00	0.00	0.00	0.00	0 %	100 %			0.00	0.00
2022	2,555.97	4.77	0.80	733.13	3,283.53	3,259.94	23.59	0.00	0.00	0.00	0.00
		0.00	3,259.94	0.00	0.00	99.28 %	0.72 %			0.00	0.00
2021	1,320.31	65.20	0.54	3,159.35	4,413.92	4,388.41	25.51	0.00	0.00	0.00	0.00
		0.00	4,388.41	0.00	0.00	99.42 %	0.58 %			0.00	0.00
2020	1,211.84	478.88	0.96	6,083.77	7,047.59	6,669.09	378.50	0.00	0.00	0.00	0.00
		0.00	6,669.09	231.82	0.00	94.63 %	5.37 %			0.00	0.00
<b>Sub.</b>	<b>14,239.19</b>	<b>548.85</b>	<b>2.66</b>	<b>9,976.25</b>	<b>23,895.75</b>	<b>14,317.44</b>	<b>9,578.31</b>	<b>0.00</b>	<b>0.00</b>	<b>0.36</b>	<b>0.00</b>
		<b>0.00</b>	<b>14,317.44</b>	<b>231.82</b>	<b>0.00</b>	<b>59.92 %</b>	<b>40.08 %</b>			<b>0.00</b>	<b>0.00</b>

**TAX DISTRICT: WEAVERVILLE LEVY TYPE: TAX**

2023	4,162,438.80	130.31	43.46	2,187.11	4,164,452.14	28,631.76	4,135,820.38	28,441.80	0.00	18.99	0.00
		0.00	28,631.76	0.00	0.00	0.69 %	99.31 %			0.00	0.00
2022	3,986,151.82	597.31	42.26	5,719.53	3,991,231.78	3,989,357.41	1,874.37	0.00	0.00	0.00	0.00
		0.00	3,989,357.41	0.00	0.00	99.95 %	0.05 %			0.00	0.00
2021	3,717,652.88	3,168.26	36.26	14,153.16	3,729,128.36	3,726,041.13	3,087.23	0.00	0.00	0.00	0.00
		5.92	3,726,047.05	526.84	0.00	99.92 %	0.08 %			0.00	0.00
2020	3,354,216.35	5,999.72	60.27	22,850.56	3,373,733.68	3,371,479.68	2,254.00	0.00	0.00	0.00	0.00
		1,451.48	3,372,931.16	2,726.76	0.00	99.93 %	0.07 %			0.00	0.00
2013	73,342.49	0.00	1,623.13	0.00	71,719.36	71,719.36	0.00	0.00	0.00	0.00	0.00
		0.00	71,719.36	0.00	0.00	100 %	0 %			0.00	0.00
2012	68,037.63	0.00	1,498.22	0.00	66,539.41	66,539.41	0.00	0.00	0.00	0.00	0.00
		0.00	66,539.41	0.00	0.00	100 %	0 %			0.00	0.00
2011	82.56	0.00	0.00	0.00	82.56	82.56	0.00	0.00	0.00	0.00	0.00
		0.00	82.56	0.00	0.00	100 %	0 %			0.00	0.00
<b>Sub.</b>	<b>15,361,922.53</b>	<b>9,895.60</b>	<b>3,303.60</b>	<b>44,910.36</b>	<b>15,396,887.29</b>	<b>11,253,851.31</b>	<b>4,143,035.98</b>	<b>28,441.80</b>	<b>0.00</b>	<b>18.99</b>	<b>0.00</b>
		<b>1,457.40</b>	<b>11,255,308.71</b>	<b>3,253.60</b>	<b>0.00</b>	<b>73.09 %</b>	<b>26.91 %</b>			<b>0.00</b>	<b>0.00</b>

**TAX DISTRICT: WEAVERVILLE LEVY TYPE: WEAVERVILLE TAX**

2019	49,954.82	0.00	193.07	0.00	49,761.75	44,424.98	5,336.77	0.00	0.00	0.00	0.00
		0.00	44,424.98	0.00	0.00	89.28 %	10.72 %			0.00	0.00
2018	1,576.57	0.00	3.29	0.00	1,573.28	914.17	659.11	0.00	0.00	0.00	0.00
		0.00	914.17	0.00	0.00	58.11 %	41.89 %			0.00	0.00
2017	771.97	0.00	2.21	0.00	769.76	145.15	624.61	0.00	0.00	0.00	0.00
		0.00	145.15	0.00	0.00	18.86 %	81.14 %			0.00	0.00
2016	217.62	0.00	2.56	0.00	215.06	168.06	47.00	0.00	0.00	0.00	0.00
		0.00	168.06	0.00	0.00	78.15 %	21.85 %			0.00	0.00
2015	201.36	0.00	8.59	0.00	192.77	160.43	32.34	0.00	0.00	0.00	0.00
		0.00	160.43	0.00	0.00	83.22 %	16.78 %			0.00	0.00
2014	2,126.15	0.00	5.98	0.00	2,120.17	28.67	2,091.50	0.00	0.00	0.00	0.00
		0.00	28.67	0.00	0.00	1.35 %	98.65 %			0.00	0.00
2013	570.35	0.00	0.00	0.00	570.35	1.15	569.20	0.00	0.00	0.00	0.00
		0.00	1.15	0.00	0.00	0.20 %	99.80 %			0.00	0.00
2012	752.46	0.00	111.58	0.00	640.88	204.72	436.16	0.00	0.00	0.00	0.00
		0.00	204.72	0.00	0.00	31.94 %	68.06 %			0.00	0.00
<b>Sub.</b>	<b>56,171.30</b>	<b>0.00</b>	<b>327.28</b>	<b>0.00</b>	<b>55,844.02</b>	<b>46,047.33</b>	<b>9,796.69</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
		<b>0.00</b>	<b>46,047.33</b>	<b>0.00</b>	<b>0.00</b>	<b>82.46 %</b>	<b>17.54 %</b>			<b>0.00</b>	<b>0.00</b>
<b>Total</b>	<b>15,432,333.02</b>	<b>10,444.45</b>	<b>3,633.54</b>	<b>54,886.61</b>	<b>15,476,627.06</b>	<b>11,342,977.43</b>	<b>4,162,410.98</b>	<b>28,441.80</b>	<b>0.00</b>	<b>19.35</b>	<b>0.00</b>
		<b>1,457.40</b>	<b>11,344,434.83</b>	<b>3,485.42</b>	<b>0.00</b>	<b>73.11 %</b>	<b>26.89 %</b>			<b>0.00</b>	<b>0.00</b>

Signature (Tax Collector) \_\_\_\_\_



NCVTS Pending refund report Fiscal year 2024

Jul-23

Tax Jurisdiction	District Type	Net Change
BUN	COUNTY	(\$5,997.60)
CAS	CITY	(\$1,494.57)
CBF	CITY	(\$100.63)
CBM	CITY	(\$63.08)
CWO	CITY	(\$98.66)
CWV	CITY	(\$212.25)
FBA	FIRE	(\$1.32)
FEB	FIRE	(\$3.05)
FEC	FIRE	(\$207.39)
FFA	FIRE	(\$115.66)
FFB	FIRE	(\$0.42)
FLE	FIRE	(\$7.56)
FNB	FIRE	(\$0.28)
FRC	FIRE	(\$114.93)
FRE	FIRE	(\$31.50)
FRI	FIRE	(\$37.08)
FSK	FIRE	(\$146.79)
FSW	FIRE	(\$26.39)
FUH	FIRE	(\$26.31)
FWB	FIRE	(\$94.94)
FWO	FIRE	(\$11.06)
FAS	SPECIAL	(\$5.33)
SAS	SPECIAL	(\$244.13)
<b>Total</b>		<b>(\$9,040.93)</b>

Aug-23

Tax Jurisdiction	District Type	Net Change
BUN	COUNTY	(\$9,371.86)
CAS	CITY	(\$2,450.37)
CBF	CITY	(\$109.77)
CBM	CITY	(\$77.35)
CWO	CITY	(\$528.61)
CWV	CITY	(\$115.50)
FEB	FIRE	(\$2.30)
FEC	FIRE	(\$166.98)
FFA	FIRE	(\$173.05)
FFB	FIRE	(\$51.24)
FJU	FIRE	(\$7.00)
FLE	FIRE	(\$102.56)
FNB	FIRE	(\$9.53)
FRC	FIRE	(\$319.28)
FRE	FIRE	(\$25.38)
FRI	FIRE	(\$39.19)
FSK	FIRE	(\$62.31)
FSW	FIRE	(\$93.16)
FUH	FIRE	(\$84.04)
FWB	FIRE	(\$246.22)
FWO	FIRE	(\$122.23)
FAS	SPECIAL	(\$7.85)
SAS	SPECIAL	(\$570.55)
<b>Total</b>		<b>(\$14,736.33)</b>

**TOWN OF WEAVERVILLE  
TOWN COUNCIL AGENDA ITEM**

**MEETING DATE:** September 25, 2023  
**SUBJECT:** Waterline Acceptance – The Palisades  
**PRESENTER:** Public Works Director  
**ATTACHMENTS:** Approved Easement Plat

**DESCRIPTION/SUMMARY OF REQUEST:**

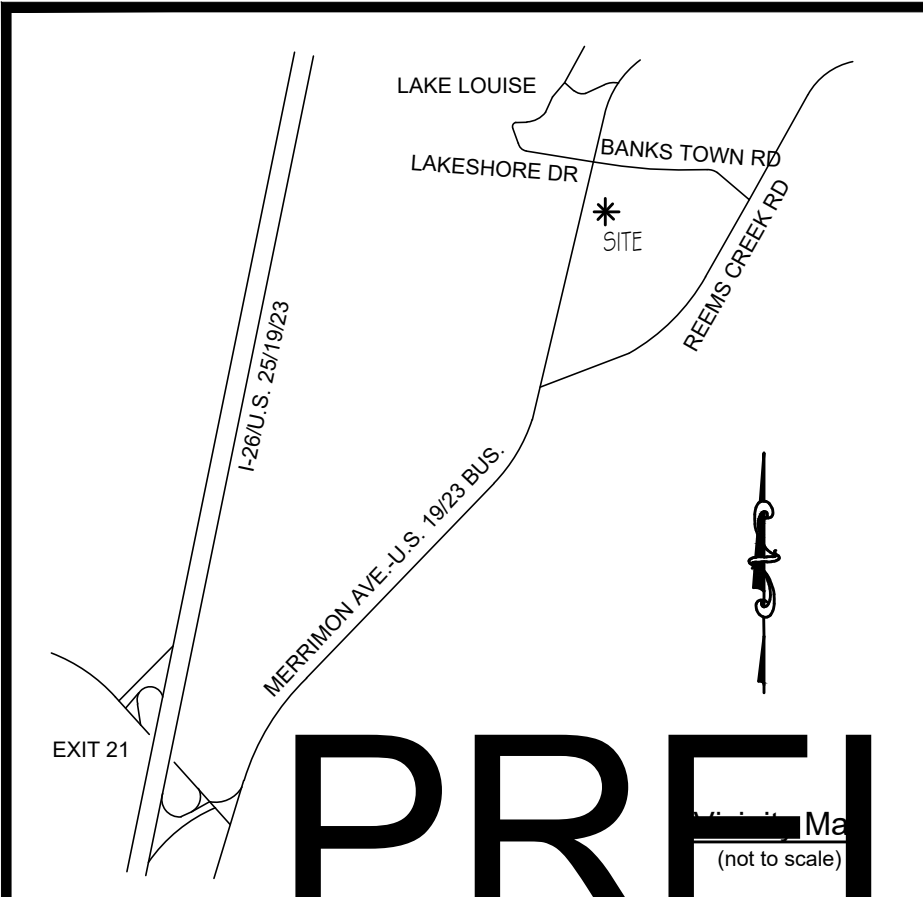
The Palisades apartment project on Merrimon Avenue is well under way. As a part of that project the property owner, Southwood Realty Company, has constructed the water infrastructure necessary to provide the apartment complex with public water. A water easement plat is attached showing the lines and the easement area.

The Public Works Director is requesting that Town Council accept the waterline extension and related improvements into the Town’s water system subject to staff level approval by the Public Works Director, Town Manager and Town Attorney. The Public Works Director also urges Town Council to set a waterline repair guaranty at \$1,000 to cover any defects that might be discovered within three years of our acceptance. The Town Attorney has been working with the owner to get the necessary easement documents in place pending Town Council approval.

**ACTION REQUESTED:**

Council action to (1) accept the waterline extension and related improvements into the Town’s water system subject to staff level approval by the Town Manager, Town Attorney and Public Works Director, and (2) set the repair guaranty amount at \$1,000. The following is suggested as a motion:

*I move that we accept the waterline extension and related improvements for the Palisades Project into the Town’s water system subject to staff level approval by the Town Manager, Town Attorney and Public Works Director, and to set the repair guaranty amount at \$1,000.*



I, Martin A. Barnes, N.C. P.L.S., certify that this plat was drawn by me from an actual survey made under my supervision (property description recorded in Deed Books as shown); that the boundaries not surveyed are clearly indicated by dashed lines as drawn from information found in Deed Books as shown; that the ratio of precision as calculated is 1:59,930 or greater; that the vertical control was completed to meet the Class C standard (21 NCAC 56.1005 (a)), that this plat was prepared in accordance with G.S. 47-30 as amended.

Furthermore, State Plane Coordinates for this survey were obtained by Global Navigation Satellite System (GNSS) survey, and the following information was used to perform the GNSS survey:

Horizontal Positional Accuracy: 0.01m  
 Vertical Positional Accuracy: 0.02m  
 Type of GNSS Field Procedure: Static (Post-Processed using Topcon Tools software)  
 Date of GNSS Survey: November 26, 2019  
 Horizontal Datum/Epoch: NAD 83(2011)  
 Vertical Datum: NAVD 88  
 Localization Point: Northing: 723314.63' Easting: 940236.26'  
 Geoid Model: GEOID18B  
 Combined Grid Factor: 0.9998060  
 Units: U.S. Survey Feet

I also hereby certify that this survey is of the following category as described in G.S. 47-30(f)(11) c. 4:  
 The survey is of a proposed easement for a public utility as defined in G.S. 62-3.

Without any Signature Number, an official seal is required.

STATE OF NORTH CAROLINA  
 COUNTY OF BUNCOMBE  
 TOWN OF WEAVERVILLE

THE TOWN OF WEAVERVILLE CERTIFIES THAT THE MAP OR PLAT OF THE WATER LINE AND EASEMENT TO WHICH THIS CERTIFICATE IS ATTACHED MEETS ALL ORDINANCES AND REQUIREMENTS FOR RECORDING.

TOWN MANAGER \_\_\_\_\_ DATE \_\_\_\_\_

# PRELIMINARY

## NOT FOR SALES, RECORDATION OR CONVEYANCE

### FOR REVIEW PURPOSES ONLY

- This survey is of a 20' waterline easement for the Town of Weaverville and a proposed relocation of a 15' waterline easement to serve adjoining property.
- Total Area of proposed 20' water line easement = 10,847 square feet or 0.249 ± acres. Total Area of proposed relocated 15' water line easement = 12,624 square feet or 0.290 ± acres.
- All areas calculated by coordinate computation method.
- This survey was prepared without benefit of abstract title and matters of title should be referred to an attorney-at-law.
- This property may be subject to rights-of-way, easements, reservations and restrictions, written and unwritten, recorded and unrecorded, not shown hereon.
- The certification shown hereon is not a certification of title, zoning or freedom from encumbrances.
- Adjoining property owner information obtained from the Buncombe County GIS website and documents of record.
- The underground utility locations shown are approximate and drawn from in-house utility location and above ground appurtenances. Call 1-800-632-4949 at least 48 hours before digging.
- Based on graphical location information from the North Carolina Floodplain Mapping Program, a portion of the subject property lies within a special flood hazard area subject to inundation by the 1% annual flood chance, as shown on National Flood Insurance Program Flood Insurance Rate Map 3700974200J, effective date January 6, 2010.
- Any streams, creeks, ponds, lakes, wetlands, etc. located on this property, shown or not shown hereon, may be subject to buffer areas. It is the owner/developer's responsibility to have the areas designated by person(s)/firm(s) authorized, by the proper authorities, to make such determination.
- Horizontal datum is NAD 83(2011) based on GNSS survey (see certification). All distances shown hereon are horizontal ground distances unless otherwise noted.
- Vertical datum is NAVD 88. Major and minor contour intervals are 10-foot and 2-foot respectively.
- Property corners found or set are flush with adjacent grade unless otherwise noted.
- According to Town of Weaverville Zoning Map the property is located within zoning district I-1 (light industrial district). Reference is made to the Weaverville Code of Ordinances for development standards that may apply.
- No recorded documentation found for any of the adjoining street rights-of-way.
- Wetland flags located on site identifying jurisdictional wetlands and waters by ClearWater Environmental Consultants according to a map by ClearWater provided by the client.

20' PROPOSED EASEMENT LINE TABLE

LINE	BEARING	DISTANCE
L1	N 19°45'10" E	4.77
L2	N 45°38'50" W	3.76
L3	N 30°33'24" E	4.91
L4	N 63°39'00" E	38.93
L5	S 56°27'28" E	12.93
L6	S 63°52'21" E	18.56
L7	S 63°38'00" W	24.12
L8	S 30°33'24" W	59.83
L9	S 59°33'53" E	24.93
L10	S 39°21'09" W	24.85
L11	N 50°35'48" W	20.58
L12	S 32°05'11" W	10.95
L13	S 30°45'42" W	20.78
L14	S 31°08'16" W	54.04
L15	S 29°58'11" W	38.53
L16	S 29°51'52" W	30.96
L17	S 29°51'41" W	43.93
L18	S 29°09'50" W	46.75
L19	S 28°19'55" W	56.38
L20	S 25°48'48" W	45.75
L21	S 22°25'49" W	9.76
L22	S 17°13'30" W	16.45
L23	S 19°13'30" W	56.78
L24	N 67°00'45" W	33.96

BOUNDARY LINE TABLE

LINE	BEARING	DISTANCE
L1	N 19°45'10" E	4.77
L2	N 45°38'50" W	12.36
L3	S 68°09'24" E	72.82
L4	S 51°02'12" E	48.52
L5	S 11°29'35" E	41.62
L6	S 19°11'11" E	34.31
L7	S 21°15'45" E	40.10
L8	S 30°10'14" E	91.26
L9	S 00°43'18" E	55.35
L10	S 47°12'28" E	28.65
L11	S 66°39'11" E	35.51

15' RELOCATED EASEMENT LINE TABLE

LINE	BEARING	DISTANCE
L25	S 19°45'10" E	4.08
L26	S 72°06'33" E	18.30
L27	S 39°54'43" E	56.39
L28	S 32°05'11" W	10.95
L29	S 74°33'21" E	99.22
L30	N 55°14'43" E	19.72
L31	N 29°25'24" E	143.88
L32	N 86°03'23" E	70.67
L33	S 32°48'48" E	100.44
L34	S 45°11'53" E	44.33
L35	S 75°34'45" E	64.96
L36	S 89°48'12" E	84.47
L37	S 82°05'11" E	34.18
L38	N 74°11'47" E	62.45
L39	S 02°24'34" E	15.42
L40	S 74°11'47" W	63.89
L41	N 68°48'38" W	36.42
L42	N 59°48'11" W	63.56
L43	N 75°34'45" W	70.90
L44	N 45°11'53" W	50.03
L45	N 32°48'48" W	93.21
L46	S 86°03'23" W	53.05
L47	S 25°26'54" W	139.10
L48	S 55°14'43" W	30.74
L49	N 74°33'21" W	107.71
L50	N 63°25'09" W	55.61
L51	N 39°54'43" W	55.18
L52	N 72°06'33" W	14.32
L53	N 19°13'30" W	15.00

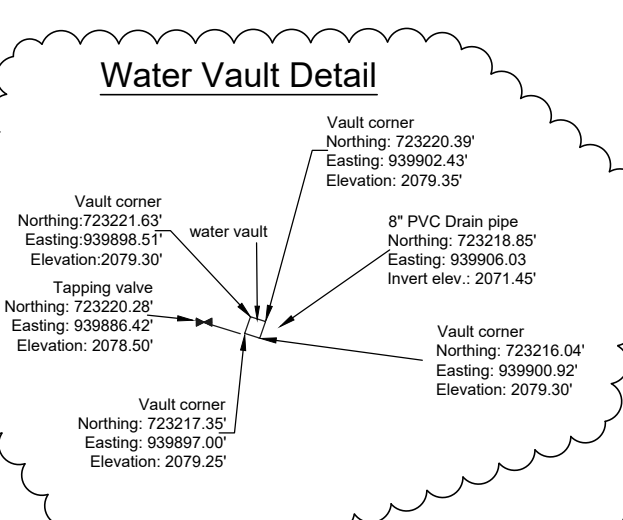
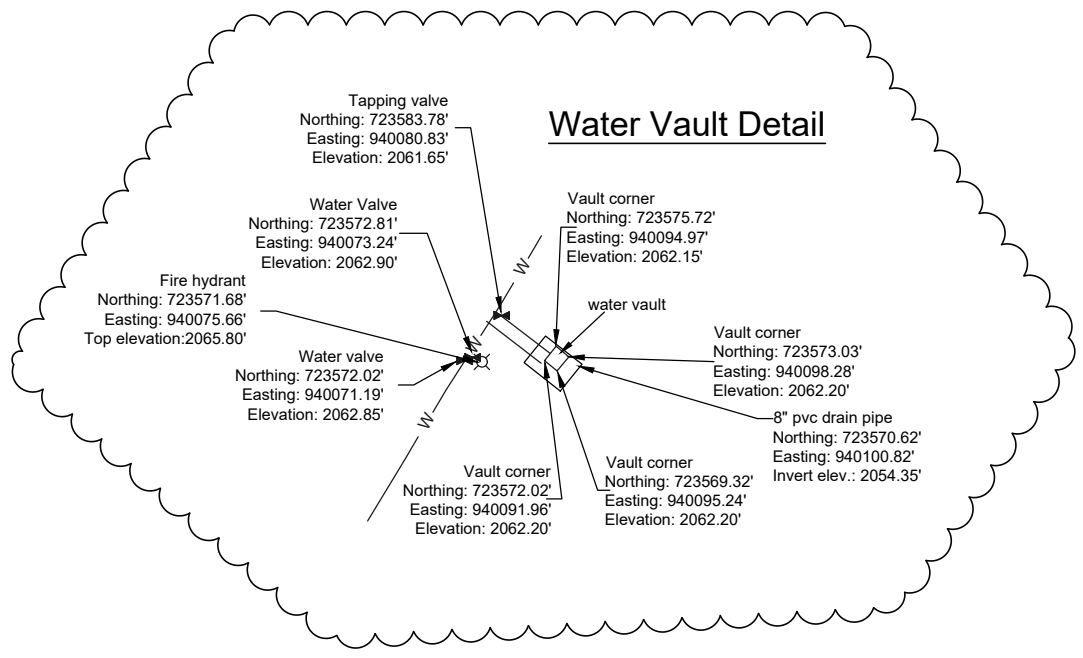
King Holdings I  
 Deed Book 5208 Page 602  
 PIN: 9732-03-9962-0000

Southwood Realty Company  
 Deed Book 5830 Page 399  
 Plat Book 98 Page 20  
 PIN: 9742-03-2555-00000

Weaverville-70 Reems Creek, LLC  
 Deed Book 5636 Page 1251  
 PIN: 9742-03-9274-00000

Siera Properties, LLC  
 Deed Book 3185 Page 65  
 PIN: 9742-02-1741-00000

Weaverville-70 Reems Creek, LLC  
 Deed Book 5636 Page 1251  
 PIN: 9742-03-9274-00000



Proposed 20' Easement for the Town of Weaverville  
 10,847 ± square feet or 0.249 ± acre

Proposed 15' Easement for PIN # 9742-03-9274  
 70 Reems Creek Rd.  
 12,628 ± sq. feet or 0.290 ± acres

### PROPOSED WATERLINE EASEMENT FOR THE TOWN OF WEAVERVILLE, NORTH CAROLINA ACROSS THE PROPERTY OF SOUTHWOOD REALTY CO.

REFERENCES  
 PIN: 9742-03-2555-00000  
 Deed Book 5830, Page 399  
 Plat Book 98 Page 20  
 Town of Weaverville, Buncombe County, N.C.  
 Date of Survey: May 18, 2023 Drawn by: M. Barnes  
 Job #19295 Checked by: R. Brown

Martin A. Barnes, PLS L-4274

**ED HOLMES & ASSOCIATES**  
 LAND SURVEYORS, P.A.  
 200 Ridgefield Ct. Ste. 208 Asheville, NC 28806  
 Company License # C-2806  
 828.225.6562

#### SYMBOL LEGEND

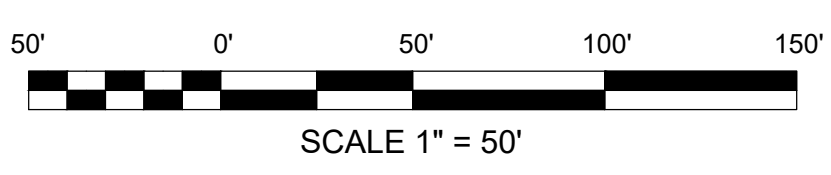
- - Unmarked point
- ⊙ - 8" RBC with EHA cap set
- ⊙ - Rebar found (as described)
- ⊙ - Water meter
- ⊙ - Fire hydrant
- ⊙ - Utility pole
- ⊙ - Utility pole w/light
- ⊙ - "Guy" wire
- ⊙ - "Sign," "text"
- ⊙ - Natural gas line sign
- ⊙ - electric meter
- ⊙ - Sanitary sewer manhole
- ⊙ - Stormwater manhole
- ⊙ - curb inlet
- ⊙ - temporary benchmark/control point
- ⊙ - concrete support column

#### ABBREVIATION LEGEND

- ag above grade
- bg below grade
- cmp corrugated metal pipe
- conc. concrete
- DB Pg Deed Book, Page
- EHA Ed Holmes & Associates
- H&B Hutchison and Biggs Land Surveyors
- MSD Metropolitan Sewerage District
- NAD North American Datum
- PIN Parcel identification number
- pvc polyvinylchloride pipe
- rebar rebar with identification cap found
- RBC rebar, no cap, found (as described)
- RBR reinforced concrete pipe
- rcp

#### LINE LEGEND

- Boundary line
- Boundary tie line
- Adjoiner's deed line
- Easement line
- Building setback line
- Overhead utility wires (unspecified)
- Overhead electric wire
- Chain link fence
- Water line
- Sanitary sewer line
- Storm water line
- Natural gas line
- Creek/Wetland
- Ditch
- Guard rail
- Metal railing
- Zone AE (1% annual chance flood line)
- Zone X (0.2% annual chance flood line)
- Floodway



**TOWN OF WEAVERVILLE  
TOWN COUNCIL AGENDA ITEM**

**MEETING DATE:** September 25, 2023

**SUBJECT:** Renewal of the Weaverville Tailgate Market Memorandum of Understanding

**PRESENTER:** Town Attorney Jennifer Jackson

**ATTACHMENTS:** Proposed Memorandum of Understanding

**DESCRIPTION/SUMMARY OF REQUEST:**

In November of 2022 Town Council approved a Memorandum of Understanding (MOU) with the Weaverville Tailgate Market concerning its use of the Community Center on their market days in 2023. This MOU was a one-year agreement that is due to expire at the end of December. An earlier renewal is requested so that the Tailgate Market can better anticipate the upcoming Holiday and Winter Markets since they plan those markets months in advance.

Attached is a proposed MOU that has been updated to provide another year of market events at the Community Center. This draft incorporates a change requested by the Tailgate Market representatives to include the Multipurpose Room at the Community Center as a part of the Winter and Holiday Markets. The MOU reflects that additional room usage, adds to the number of allowable inside vendors, and increases the weekly fee for the Holiday/Winter market to cover the cost of the cleaning of that room. This new MOU is proposed to replace the one currently in place and has a term running from November 1, 2023 (the beginning of the Holiday Market period) through December 31, 2024. The changes are shown as highlighted in the attachment.

The Town Manager and Recreation Coordinator are in agreement with the modifications and renewal of this MOU and the requested change and recommend that the MOU that is attached be approved by Town Council.

**COUNCIL ACTION REQUESTED:**

Town Council approval of the Memorandum of Agreement with the Weaverville Tailgate Market. A proposed motion is as follows:

*I move that we approve the proposed **Memorandum of Understanding Between the Town of Weaverville and the Weaverville Tailgate Market.***

**MEMORANDUM OF UNDERSTANDING  
BETWEEN THE TOWN OF WEAVERVILLE AND  
THE WEAVERVILLE TAILGATE MARKET**

**THIS MEMORANDUM OF UNDERSTANDING** (“MOU”) is entered into by and between the Town of Weaverville and the Weaverville Tailgate Market (collectively referred to as the Parties);

**WHEREAS**, the Town of Weaverville (hereinafter the “Town”) is a municipal corporation organized and existing under the laws of the State of North Carolina; and

**WHEREAS**, the Weaverville Tailgate Market (hereinafter “Tailgate Market”), is a non-profit corporation organized and existing under the laws of the State of North Carolina, and hosts tailgate and craft markets for local and regional vendors within the Weaverville area; and

**WHEREAS**, the Town owns and operates the Weaverville Community Center on Dottie Sherrill Knoll, located at 60 Lakeshore Drive, Weaverville, North Carolina (the “Community Center”);

**WHEREAS**, the Tailgate Market wishes to formalize a relationship between the Town and the Tailgate Market in order to provide for a regular schedule of market offerings at the Community Center;

**NOW, THEREFORE**, in consideration of the mutual covenants, promises and commitments herein, the Parties agree as follows:

**SECTION 1. PURPOSE.** The purpose of this MOU is to establish a general framework for cooperation and collaboration between the Town and the Tailgate Market. This MOU is non-binding but will assist in defining the relationship between the Parties in order to ensure that the goals of each are accomplished in a mutually supportive way.

**SECTION 2. GUIDING PRINCIPLES AND ASSUMPTIONS.**

- The Town wishes to support the agricultural community within the Town and surrounding areas by providing space for a regular schedule of tailgate market events.
- The Tailgate Market is an independent corporate entity and is not legally or financially affiliated with the Town. The Tailgate Market coordinates market events which offer the sale of agricultural products and/or craft and artisan products.
- Town Council is authorized to set fees on the use of its facilities and waive those fees as deemed appropriate and to partner with a non-profit corporate entity for the provisions of certain opportunities and programming.
- The Town may provide programming for certain holidays and special events and the Tailgate Market regular schedule is subject to cancellation for such events.
- The Community Center is an approved polling site and is subject to use by the Buncombe County Board of Elections for early voting and election day voting. **The Board of Elections use preempts all other Town or Tailgate Market events and will result in the cancellation of Tailgate Market events during early voting and election day voting.**

**SECTION 3. TAILGATE MARKET ACTIVITIES AND OBLIGATIONS.**

The Tailgate Market agrees to generally provide, on a weekly basis, market events available to the general public at the Community Center with said events being focused on the sale of local

and regional agricultural products and/or craft and artisan products. Subject to availability, the market events are to be generally held as follows:

**A. WINTER MARKET and HOLIDAY MARKET –**

- 1) The Winter Market shall be from January through March;
- 2) The Holiday Market shall be from November through December;
- 3) Wednesdays from 12 pm to 7 pm (includes set up and breakdown);
- 4) Albert Weaver Room, Multipurpose Room (including tables and chairs reserved for use in the Multipurpose Room), restrooms, patio, and up to eight (8) parking spaces in the lower non-brick parking area in the Community Center parking lot (designated parking spaces);
- 5) Maximum of 20 inside vendors in the Albert Weaver Room arranged in a configuration substantially similar to that shown on the attached Exhibit A, and up to 10 inside vendors in the Multipurpose Room;
- 6) The patio and designated parking spaces are limited to vendors that are not permitted inside;
- 7) Except as expressly stated herein, usage does not include Town tables or chairs, the fireplace, or kitchen;
- 8) All vendors must use adequate floor protection for their tables, chairs, and signage, such that the floor is protected from cuts, scratches, marring, and scuffing;
- 9) Access to the Town's guest Wi-Fi will be granted, if available;
- 10) Vendors are allowed to unload and load in the Community Center parking lot but must move their vehicles to any available designated parking spaces or the lower Lake Louise parking lot during the market;
- 11) Plants and other items that tend to be messy are not permitted indoors;

**B. REGULAR MARKET –**

- 1) April through October;
- 2) Wednesdays from 12 pm to 7 pm (includes set up and breakdown);
- 3) Albert Weaver Room, restrooms, patio, and up to 18 parking spaces in the lower non-brick parking area in the Community Center parking lot (designated parking spaces);
- 4) Maximum of 20 inside vendors arranged in the configuration shown on the attached Exhibit A;
- 5) Maximum of 15 outside vendors arranged in the configuration shown on the attached Exhibit B;
- 6) Usage does not include Town tables or chairs, the patio, or any indoor areas except for restrooms;
- 7) Access to the Town's outdoor guest Wi-Fi will be granted, if available;
- 8) Vendors are allowed to unload and load in the Community Center parking lot but must move their vehicles to the lower Lake Louise parking lot during the market, unless a vehicle is operating as a vendor in one of the spaces allowed;
- 9) Market activities must not impede reasonable pedestrian and vehicular access to the Community Center;

The following provisions apply to all markets:

- Food sampling is allowed, subject to prompt cleanup of spills;
- Tents and canopies must be properly weighted on all legs to avoid risk of damage and/or injury in a wind event;
- Vendors must stay off of the sidewalks, grass, and mulched areas;
- Long electrical extension cords are not allowed so that electrical and trip hazards are minimized.

The Tailgate Market agrees to submit a \$200.00 standing security deposit for the regular use of the Community Center and its grounds. The security deposit shall be applied towards any damage to the facility due to the Tailgate Market use of the facility and property but does not provide a cap for such charges.

In lieu of facility use fees the Tailgate Market agrees to provide **\$110.00 per week for the Winter Markets and Holiday Markets** and \$110.00 per week for the Regular Markets, to cover cleaning fees. Fees are subject to change to account for any adjustments in pricing from the cleaning company under contract with the Town. Cleaning shall cover the general cleaning of the Albert Weaver Room, if applicable, restrooms, and parking lot areas, if applicable. The Tailgate Market shall be responsible for returning patio furniture to its original positions and sweeping the patio (if used) and disposing of trash and recyclables by utilizing the trash and recyclable receptacles provided at the Community Center. Cleaning shall be scheduled and coordinated by the Town's Recreation Coordinator.

The Tailgate Market shall not be charged any cleaning fees for Market events that are cancelled due to weather, facility issues (including power outages), election activities, or Town-provided programming.

Signage for the Tailgate Market may only be placed on the Community Center property on the days that a market is to be held and is limited to two A-frame type signs and not more than 10 small ground signs on the Community Center property. Signs may be placed in the grassy and mulched areas as long as plantings are not disturbed. Signs not removed by the Tailgate Market will be collected by Town staff with a fee of \$20.00 being charged for removal and storage.

The Tailgate Market agrees to require all individuals or organizations operating under it to:

1. Comply with all law, rules and regulations governing the Community Center and its operations;
2. Comply with the non-discrimination provisions of this MOU;
3. Coordinate any scheduling changes with the Recreation Coordinator;
4. Make all reasonable efforts to ensure the security of the facilities and property and the safety of the event participants and attendees;
5. Be responsible for setting up and breaking down the room or property that is to be used for each event;
6. Ensure that the facilities and property are left clean and in good condition for the next program, with the understanding that basic cleaning will be provided for the Albert Weaver Room and the restrooms after each market;
7. Offer entry free of charge to the public.

The Tailgate Market agrees to maintain, at its expense, comprehensive liability insurance through an A-rated company recognized by the State of North Carolina and must have a combined single limit for bodily injury and property damage of not less than \$1,000,000, insuring the Tailgate Market against all claims, demands, and causes of action for injuries

received or damages to property in connection with the use of the Community Center. The Tailgate Market agrees to add the Town as an additional insured on its policy and to provide the Town with a copy of said insurance policy annually and upon request.

**SECTION 4. TOWN OBLIGATIONS.**

The Town agrees to generally reserve the Community Center for Tailgate Market events as described above, subject to periodic cancellation due to facility issues and facility availability.

The Town agrees to waive any and all rental fees associated with regularly scheduled Tailgate Market events.

**SECTION 5. COMPLIANCE WITH APPLICABLE LAW AND NON-DISCRIMINATION.**

The Tailgate Market shall comply with all statutes, ordinances and requirements of all municipal, state and federal authorities now in force, or which hereafter are in force, pertaining to the Community Center and its use.

The Town of Weaverville opposes discrimination on the grounds of race, religion, religious beliefs or non-beliefs, color, national origin, ethnicity, limited English proficiency, income-level, sex, sexual orientation, gender identity or expression, age, or disability, and urges all of its contractors to adopt non-discrimination policies and practices, and to provide a fair opportunity for all individuals, including those individuals historically excluded and under-represented, to participate in their work forces and as subcontractors and vendors under Town contracts. The Tailgate Market agrees to honor these non-discrimination practices and not discriminate on any of the above-stated bases in the programs, services, and activities that it provides under this MOU.

**SECTION 6. NOTICES.** Any notice to either party hereunder must be in writing signed by the party giving it, and shall be deemed given when mailed postage prepaid by the US Postal Service first class, certified, or express mail, or other overnight mail service, or hand-delivered, when addressed as follows:

**TO THE TOWN:** Town Manager  
30 South Main Street  
Weaverville, NC, 28787

**TO WCCHL:** Weaverville Tailgate Market  
777 Petersburg Road  
Marshall, NC 28753

**SECTION 7. TERM, TERMINATION, AND AMENDMENT.**

The term of this MOU shall begin November 1, 2023, and this MOU shall replace and supersede the MOU that is due to expire on December 31, 2023. This MOU shall expire on December 31, 2024, but may be extended by mutual agreement of the parties.

The MOU shall immediately terminate in the event that the Tailgate Market dissolves or loses its non-profit tax-exempt status. If the Tailgate Market defaults in the performance of any obligation of condition stated herein, the Town may give notice to the Tailgate Market of such default and if the Tailgate Market does not cure any such default within 30 days after giving such notice then the Town may terminate this MOU on not less than 30 days' notice to Tailgate Market. This MOU can be terminated by either party upon six (6) months advanced written notice.



This MOU may be amended in writing signed by the authorized representative of both Parties.

**APPROVED BY** the Town of Weaverville this 25th day of September, 2023.

**APPROVED BY** the Weaverville Tailgate Market on the \_\_\_\_ day of \_\_\_\_\_, 2023.

**TOWN OF WEAVERVILLE**

**WEAVERVILLE TAILGATE MARKET**

\_\_\_\_\_  
By: Patrick Fitzsimmons, Mayor

\_\_\_\_\_  
By: Lori Jenkins, President

**TOWN OF WEAVERVILLE**  
**TOWN COUNCIL AGENDA ITEM**

**Date of Meeting:** September 25, 2023  
**Subject:** Authorize Fireworks for the Fourth of July Celebration  
**Presenter:** Town Manager Selena Coffey  
**Attachments:** None

**Description:**

Town Council has requested and received much public input regarding the future of fireworks for next year's Fourth of July Celebration. In addition to the numerous emails and letters, Council heard a number of comments during last month's meeting.

We are now at a critical stage where we need to book the fireworks as this holiday quickly books up quickly with pyrotechnics companies. In order to maintain our place on Pyrotechnico's calendar, I need to notify them of the Town's intentions now.

Out of respect for those in the community who suffer from PTSD or have pets that are negatively impacted by the sounds of traditional fireworks, I intend to work closely with Pyrotechnico to intentionally lessen the number of fireworks mortars that exhibit the louder sounds in next year's show as much as possible and maybe even shorten the show if that is helpful.

**Town Council Action Requested:**

Given that time is of the essence and the number of public comments in favor of the fireworks show, I am recommending that Town Council move forward authorizing the traditional fireworks for next year's show. Should Council wish to pull this item from the consent agenda for discussion, I am happy to try to answer any remaining questions you may have in this regard.

**TOWN OF WEAVERVILLE  
TOWN COUNCIL AGENDA ITEM**

**MEETING DATE:** September 25, 2023

**SUBJECT:** Voluntary Annexation Petition – 492 Reems Creek Road – Set Public Hearings

**PRESENTER:** Town Attorney Jackson

**ATTACHMENTS:** Certificate of Sufficiency  
Petition, Data Sheet, and Certificate of Authority  
Survey and Property Tax Map Showing Property

**DESCRIPTION/SUMMARY OF REQUEST:**

Kathy Amos (formerly Kathy Bullman) is the owner of approximately 1 acre located at 492 Reems Creek Road and has petitioned to have her property annexed into the Town of Weaverville. This property adjoins the larger tracts at 480 Reems Creek Road that were recently annexed into the Town with a townhouse project anticipated.

At Town Council’s meeting on August 28, 2023, the Town Clerk was directed to investigate the sufficiency of the annexation petition. Town Clerk Mercer has done so and has found that the petition is sufficient (see attached).

Planning Director Eller was also able to have the proposed R-3 zoning designation reviewed by the Planning Board with the result being a favorable recommendation on R-3 zoning.

Should Town Council wish to proceed with the annexation the next step would be to set public hearings on the annexation and the initial zoning of the property. Town Council’s regular October meeting, which is to be held on October 23, 2023, is proposed for these public hearings.

**COUNCIL ACTION REQUESTED:**

The following motion is proposed:

*I move that we schedule the public hearing on the annexation petition for 492 Reems Creek Road and the public hearing on the proposed R-3 zoning of the property for October 23, 2023, at 6 pm, or as soon thereafter as Town Council can reach the matter, in the Community Room/Council Chambers at Town Hall, 30 South Main Street, Weaverville.*

**CERTIFICATE OF SUFFICIENCY OF  
ANNEXATION PETITION 2023-3  
+/- 1.07 ACRES AT 492 REEMS CREEK ROAD**

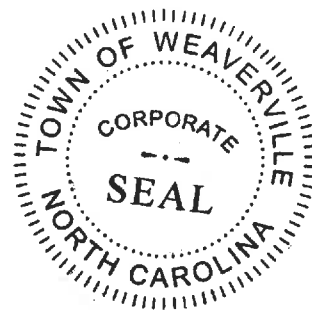
**TO THE WEAVERVILLE TOWN COUNCIL:**

I, Tamara Mercer, Weaverville Town Clerk, do hereby certify that I have investigated Voluntary Annexation Petition No. 2023-3 submitted by Kathy Amos, formerly known as Kathy Bullman, and have found as a fact that the Petition is signed by all the owners of the real property lying in the area described therein and that the area to be annexed is contiguous to the Town's primary boundary.

Therefore, in accordance with North Carolina General Statutes § 160A-31, *et seq.*, I certify that the Petition is valid and sufficient for the voluntary annexation of a contiguous area pursuant to said § 160A-31 *et seq.*, of the North Carolina General Statutes.

**IN WITNESS WHEREOF**, I have hereto set my hand and affixed the seal of the Town of Weaverville, this the 13 day of September, 2023.

  
TAMARA MERCER, Town Clerk



# PETITION FOR VOLUNTARY ANNEXATION PETITION/APPLICATION

*Town of Weaverville, North Carolina*

Submittal Date: 8/9/2023  
 Date Fee Paid: 8/10/2023  
 Petition No: 2023-3

**STATE OF NORTH CAROLINA  
COUNTY OF BUNCOMBE**

**TO THE TOWN COUNCIL OF WEAVERVILLE, NORTH CAROLINA**

1. We, the undersigned owners of real property, respectfully request that the area described in Part 4 below be annexed to the Town of Weaverville, Buncombe County, North Carolina.
2. The area to be annexed is  contiguous,  non-contiguous (satellite) to the Town of Weaverville, North Carolina, and the boundaries are as contained in the metes and bounds description attached hereto.
3. If contiguous, this annexation will include all intervening rights-of-way for streets, railroads and other areas as stated in G.S. § 160A-31(f), unless otherwise stated in the annexation agreement/ordinance.
4. The property and property owner information is as follows:

Property Owner and Mailing Address	Phone Number & Email Address	Deed Reference & Property PIN	Property Owner Signature f/k/a Kathy F. Bullman
KATHY F. BULLMAN 492 BEAMS CREEK ROAD WEAVERVILLE, NC 28787		DB 1937 DP0283 9152-24-6901	<i>Kathy F. Amos</i> <small>dotloop verified 08/08/23 7:32 PM EDT NVAQ-RHAU-MU09-VJBH</small>

5. Zoning vested rights  are not claimed,  have been established under G.S. §§ 160D-108 and/or 160D-108.1 as follows [describe and attach the order and approved site plan]:

Total Acreage to be annexed: +/- 1 AC  
 Population in annexed area: 1  
 Proposed Zoning District: B-3  
 Reason for annexation:  Receive Town Services  Other (please specify)

The applicant must also submit a zoning map amendment application with the petition for voluntary annexation to establish a Weaverville zoning designation. Please contact the Planning Department at (828)484-7002 for questions. If the purpose of the petition is a connection to public water, contact Public Works Department at (828)645-0606 to confirm that public water is available to the property and the cost of that connection.

# PETITION FOR VOLUNTARY ANNEXATION DATA SHEET

*Town of Weaverville, North Carolina*

Submittal Date: \_\_\_\_\_  
Petition No. \_\_\_\_\_  
Annexation Area Name: \_\_\_\_\_

Petitioner: WARREN SULLIVAN OF CDG FOR KATHY F. BULLMAN  
Subject Area Acreage: +/- 1.0 AC  
Current Land Use: SINGLE FAMILY RESIDENTIAL  
Proposed Land Use or Development (describe): AMENITY AREA AS ADDITION TO  
480/488 REEMS CREEK PROJECT

Residential (single family): Number of Units: \_\_\_\_\_ Anticipated build out in \_\_\_\_\_ years  
Average Sales Price: \$ \_\_\_\_\_ /dwelling unit

Residential (multi-family): Number of Units: \_\_\_\_\_ Anticipated build out in \_\_\_\_\_ years  
Owned: Average Sales Price: \$ \_\_\_\_\_ /building unit  
Rental: Average Rental Amt: \$ \_\_\_\_\_ /month

Retail: Square footage: \_\_\_\_\_ Anticipated build out in \_\_\_\_\_ years  
Type of tenancy: \_\_\_\_\_

Commercial - Non-Retail: Square footage: \_\_\_\_\_ Anticipated build out in \_\_\_\_\_ years  
Type of tenancy: \_\_\_\_\_

Other: Square footage: \_\_\_\_\_ Anticipated build out in \_\_\_\_\_ years  
Type of tenancy: \_\_\_\_\_

Development Scale: Max building height of \_\_\_\_\_; max number of stories of \_\_\_\_\_

Infrastructure: Linear feet of publicly dedicated roadways proposed: +/- 150 feet  
Public water proposed (describe): POSSIBLE ADDITION OF HOSE  
BIBS AND/OR SMALL AMENITY WATER SERVED BY EXISTING  
Other Public Services Requested (describe): WATER COMMITMENT

Zoning Vested Rights Claimed (describe and attach documentation): \_\_\_\_\_

*Kathy F. Amos*  
dotloop verified  
08/08/23 7:32 PM EDT  
0QDU-PKDM-VH7N-SR32

f/k/a Kathy F. Bullman

Signature of Owner(s)

**TOWN OF WEAVERVILLE  
AGENT AUTHORIZATION FOR LAND USE DEVELOPMENT  
PETITION/APPLICATION AND APPROVAL**

**PROPERTY LEGAL DESCRIPTION:** DEED BOOK 1937 PAGE 0283

**PARCEL ID:** 9752-24-6901

**STREET ADDRESS:** 492 REEMS CREEK ROAD  
WEAVERVILLE, NC 28787

**PROPERTY OWNER:** KATHY F. BULLMAN  
(complete Certificate of Authority if a corporation or LLC)

**PROPERTY OWNER:** KATHY F. BULLMAN

**PROPERTY OWNER CONTACT INFORMATION:**

**EMAIL ADDRESS:**

**PHONE NUMBER:**

**MAILING ADDRESS:** 492 REEMS CREEK ROAD  
WEAVERVILLE NC 28787

**PERMIT SOUGHT/APPLICATION TO BE SUBMITTED:** ANNEXATION AND REZONING

**NAME OF INDIVIDUAL AGENT:** WARREN M. SULLIVAN

**NAME OF CONTRACTOR/CONSULTING FIRM:** CIVIL DESIGN CONCEPTS

**AGENT CONTACT INFORMATION:**

**EMAIL ADDRESS:** WSULLIVAN@CDXGO.COM

**PHONE NUMBER:** 828-252-5388

**MAILING ADDRESS:** 168 PATTON AVE  
ASHVILLE, NC 28801

We, the undersigned property owner(s) of the above noted property, do hereby authorize the individual or company listed above as the property owner's agent to act on his/her/their behalf and to take all actions necessary for the processing, issuance, and acceptance of the above-referenced permit or application. We hereby certify the above information submitted in this application is true and accurate to the best of our knowledge.

*Kathy F. Anos*

dotloop verified  
08/08/23 7:32 PM EDT  
NHVO-9TYT-ZAVM-LDHW

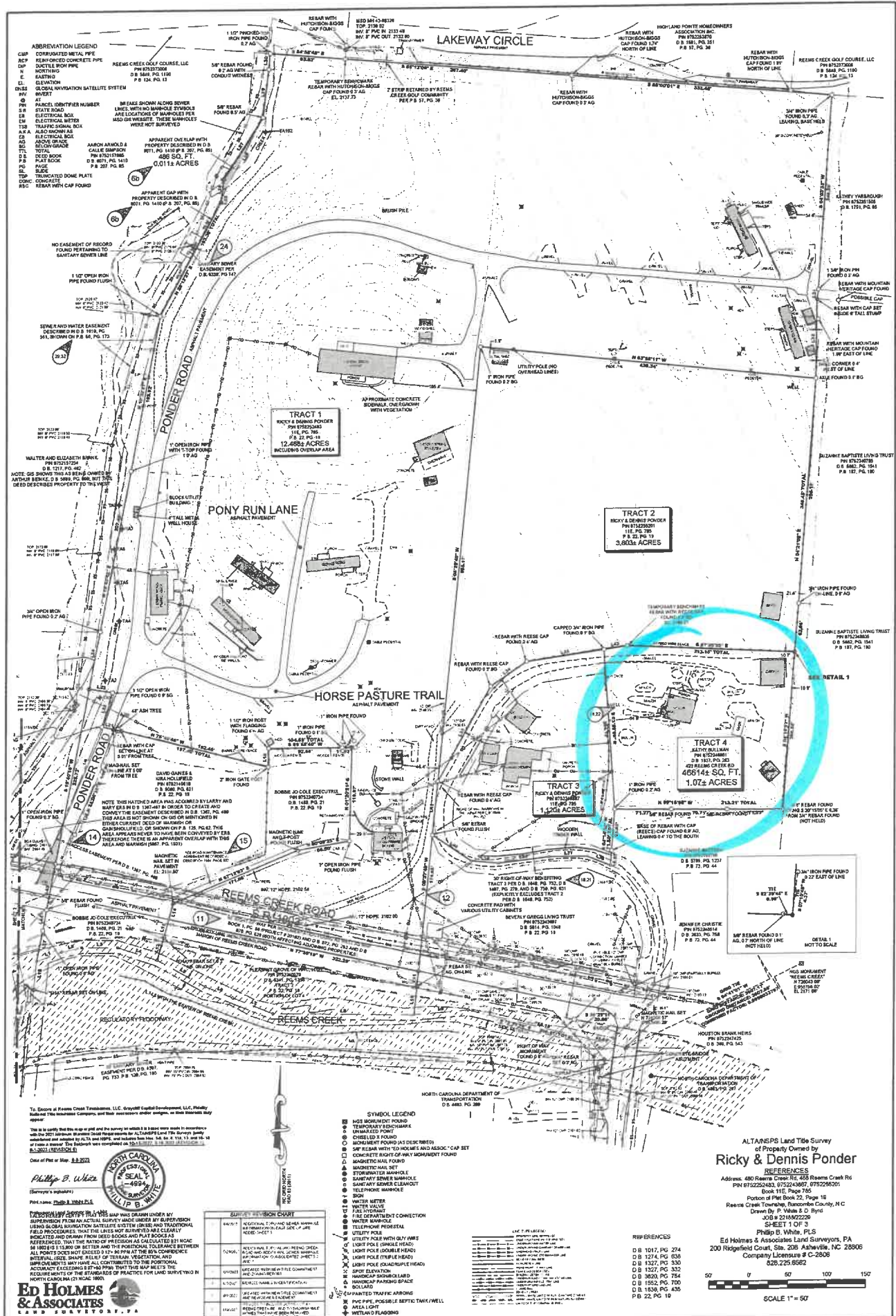
f/k/a Kathy F. Bullman

Property Owner Signature

Property Owner Signature

Date: 8-8-2023

Date: \_\_\_\_\_



To: Owners of Reems Creek Tract, LLC. Capital Development, LLC. Realty Management, LLC. and their successors and assigns, as best interests may appear.

This is to certify that this map was prepared and the survey is correct in accordance with the 2001 International Standard Code of Professional Practice for Land Surveyors and the laws of the State of North Carolina. The Survey was completed on 11/11/2022. The Survey was completed on 11/11/2022.

Date of Map or Plat: 11/11/2022

**Ed Holmes & Associates**  
LAND SURVEYORS, P.A.

1111 W. 10th Street  
Wilmington, NC 28403  
919.341.1111

**SYMBOL LEGEND**

- HOE MONUMENT FOUND
- TEMPORARY EMBLEM FOUND
- CHISELED S FOUND
- MONUMENT FOUND AS DESCRIBED
- 5/8" REBAR WITH "HOLMES AND ASSOC." CAP SET
- CONCRETE BIGHT OF 90° ADJACENT FOUND
- MAGNETIC HALL SET
- TEMPORARILY REMOVED MONUMENT
- SANITARY SEWER MANHOLE
- SANITARY SEWER CLEANOUT
- TELEPHONE MANHOLE
- WATER MANHOLE
- WATER VALVE
- FILE SYSTEM
- FIELD MEASUREMENT CONNECTION
- WATER SERVICE
- TELEPHONE POSTAL
- UTILITY POLE WITH GUY WIRE
- UTILITY POLE (DOUBLE HEAD)
- UTILITY POLE (TRIPLE HEAD)
- UTILITY POLE (QUAD HEAD)
- SPOT ELEVATION
- MANHOLE/PAVING SPACE
- SOIL LAKE
- UNPAVED TRAFFIC APRON
- PVC PIPE, POSSIBLE SEPTIC TANK/WELL
- WETLAND FLAGGING

**SUMMARY SHEET CHART**

NO.	DESCRIPTION
1	REAR WITH HYDRONORM-BIGGS CAP FOUND
2	REAR WITH HYDRONORM-BIGGS CAP FOUND
3	REAR WITH HYDRONORM-BIGGS CAP FOUND
4	REAR WITH HYDRONORM-BIGGS CAP FOUND
5	REAR WITH HYDRONORM-BIGGS CAP FOUND
6	REAR WITH HYDRONORM-BIGGS CAP FOUND
7	REAR WITH HYDRONORM-BIGGS CAP FOUND
8	REAR WITH HYDRONORM-BIGGS CAP FOUND
9	REAR WITH HYDRONORM-BIGGS CAP FOUND
10	REAR WITH HYDRONORM-BIGGS CAP FOUND
11	REAR WITH HYDRONORM-BIGGS CAP FOUND
12	REAR WITH HYDRONORM-BIGGS CAP FOUND
13	REAR WITH HYDRONORM-BIGGS CAP FOUND
14	REAR WITH HYDRONORM-BIGGS CAP FOUND
15	REAR WITH HYDRONORM-BIGGS CAP FOUND
16	REAR WITH HYDRONORM-BIGGS CAP FOUND
17	REAR WITH HYDRONORM-BIGGS CAP FOUND
18	REAR WITH HYDRONORM-BIGGS CAP FOUND
19	REAR WITH HYDRONORM-BIGGS CAP FOUND
20	REAR WITH HYDRONORM-BIGGS CAP FOUND
21	REAR WITH HYDRONORM-BIGGS CAP FOUND
22	REAR WITH HYDRONORM-BIGGS CAP FOUND
23	REAR WITH HYDRONORM-BIGGS CAP FOUND
24	REAR WITH HYDRONORM-BIGGS CAP FOUND
25	REAR WITH HYDRONORM-BIGGS CAP FOUND
26	REAR WITH HYDRONORM-BIGGS CAP FOUND
27	REAR WITH HYDRONORM-BIGGS CAP FOUND
28	REAR WITH HYDRONORM-BIGGS CAP FOUND
29	REAR WITH HYDRONORM-BIGGS CAP FOUND
30	REAR WITH HYDRONORM-BIGGS CAP FOUND
31	REAR WITH HYDRONORM-BIGGS CAP FOUND
32	REAR WITH HYDRONORM-BIGGS CAP FOUND
33	REAR WITH HYDRONORM-BIGGS CAP FOUND
34	REAR WITH HYDRONORM-BIGGS CAP FOUND
35	REAR WITH HYDRONORM-BIGGS CAP FOUND
36	REAR WITH HYDRONORM-BIGGS CAP FOUND
37	REAR WITH HYDRONORM-BIGGS CAP FOUND
38	REAR WITH HYDRONORM-BIGGS CAP FOUND
39	REAR WITH HYDRONORM-BIGGS CAP FOUND
40	REAR WITH HYDRONORM-BIGGS CAP FOUND
41	REAR WITH HYDRONORM-BIGGS CAP FOUND
42	REAR WITH HYDRONORM-BIGGS CAP FOUND
43	REAR WITH HYDRONORM-BIGGS CAP FOUND
44	REAR WITH HYDRONORM-BIGGS CAP FOUND
45	REAR WITH HYDRONORM-BIGGS CAP FOUND
46	REAR WITH HYDRONORM-BIGGS CAP FOUND
47	REAR WITH HYDRONORM-BIGGS CAP FOUND
48	REAR WITH HYDRONORM-BIGGS CAP FOUND
49	REAR WITH HYDRONORM-BIGGS CAP FOUND
50	REAR WITH HYDRONORM-BIGGS CAP FOUND

**ALTAIRNS Land Title Survey**  
of Property Owned by  
**Ricky & Dennis Ponder**

**REFERENCES**

Address: 400 Reems Creek Rd, 400 Reems Creek Rd  
P.O. BOX 22, REEMS CREEK, NC 28450  
Book 111, Page 785  
Part of Plat Book 22, Page 18  
Reems Creek Township, Sursum County, NC

Drawn by: P. White & D. Byrd  
JOB # 201402000

**SHEET 1 OF 3**

Philip B. White, PLS  
Ed Holmes & Associates Land Surveyors, PA  
200 Ridgely Court, Ste. 208 Asheville, NC 28806  
Company License # C-2808  
625.225.6692

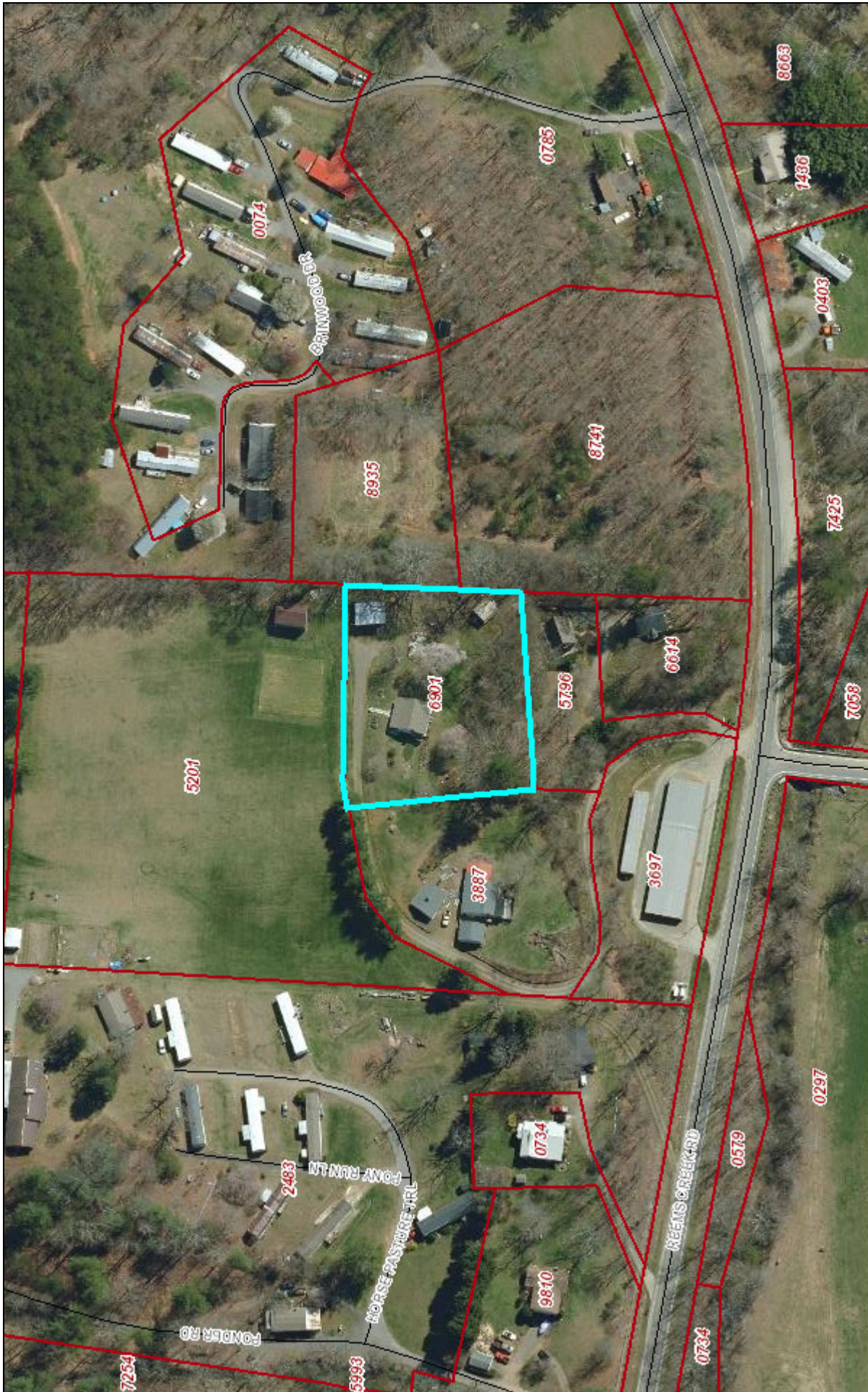
**REFERENCES**

DB 1017, PG 274  
DB 1274, PG 638  
DB 1327, PG 133  
DB 1527, PG 332  
DB 1600, PG 754  
DB 1550, PG 700  
DB 1838, PG 435  
P. 22, PG 18

50 0 100 150  
SCALE 1" = 50'



Buncombe County



August 21, 2023

1:2,257  
0 0.0175 0.035 0.07 mi



*September 2023*

**Strategic Planning Retreat**

We have now set a date for our strategic planning retreat for Saturday, January 20, 2024 from 9am-1pm. Please mark your calendars for this important date. We will be holding the retreat at Town Hall in Council Chambers as the Community Center is not available that date.

**Lake Louise Park Updates**

If you've been by Lake Louise, you have likely witnessed a flurry of activity. We are currently dismantling the old playground equipment to make way for the new. Further up the hill you will see that the land is being graded for the home of our new recreation complex!

**Active Weaverville Committee**

I believe we now have enough folks to make up the Active Weaverville Bike-Plan Steering Committee. Below is our current participants. Please let Sarah Myers, Recreation Coordinator, know if you have additional interested participants, as she will be the staff lead for this committee.

- Jeff McKenna
- Rachael Bronson
- Dale Pennell
- Ron Davis
- Robin Payne
- Andrew Garrard
- Mark Endries

**TOWN OF WEAVERVILLE  
TOWN COUNCIL AGENDA ITEM**

**MEETING DATE:** September 25, 2023  
**SUBJECT:** Planning Board Liaison  
**PRESENTER:** Councilmember Nagle  
**ATTACHMENTS:** None

**DESCRIPTION/SUMMARY OF REQUEST:**

At last month's Town Council meeting, Councilmember Nagle provided Town Council with a brief history of the Town Council liaison position to the Planning Board when appointments to that board were being reviewed. Nagle also raised the question of whether this liaison position is needed, given that Town Council members can attend the Planning Board just like any member of the public, or wise, given the need for the independence of the Planning Board.

**COUNCIL ACTION REQUESTED:**

Town Council discussion and possible action concerning the continued appointment of a Town Council liaison to the Planning Board.

**TOWN OF WEAVERVILLE  
TOWN COUNCIL AGENDA ITEM**

**MEETING DATE:** September 25, 2023

**SUBJECT:** Voluntary Annexation Petition – Reems Creek Village  
Recombination Area – +/-2.513 Acres

**PRESENTER:** Town Attorney

**ATTACHMENTS:** Voluntary Annexation Petition and Supporting Documentation  
Map and Property Tax Map Showing Property to be Annexed  
Proposed Resolution

**DESCRIPTION/SUMMARY OF REQUEST:**

The owners of Lots 44 (Boyce Trusts), 46 (Elder), 47 (McVay), 49 (Siegel), and 50 (Siegel) within Reems Creek Village have each acquired additional land adjoining their respective lots. This additional property has been recombined with their existing lots so that the additional acreage has been added to those existing lots. These owners are all seeking annexation of this additional land to fix the split jurisdiction that has occurred due to the recombinations. Without annexation into the Town, the Town of Weaverville will have jurisdiction over some portions of the land and Buncombe County will have jurisdiction over other portions. Among other things, this annexation simplifies property taxation on these properties.

The area proposed for annexation is all of Lots A, B, C, and E, as shown on the attached map and collectively is approximately 2.513 acres. The property requesting annexation is contiguous to the Town’s primary municipal limits. The petitioners are requesting an initial zoning designation of R-2, which is consistent with the zoning in Reems Creek Village.

Should Town Council wish to proceed with this annexation the next step is to direct the Town Clerk to investigate the sufficiency of the annexation petition and to send the initial zoning request to the Planning Board for review and recommendation. A resolution for this purpose is attached for consideration.

**COUNCIL ACTION REQUESTED:**

Town Council discussion and direction and possible adoption of the attached resolution.

**PETITION FOR VOLUNTARY ANNEXATION  
 PETITION/APPLICATION  
 Town of Weaverville, North Carolina**

Submittal Date: 9/11/23  
 Date Fee Paid: 9/5/23  
 Petition No: 2023-4

**STATE OF NORTH CAROLINA  
 COUNTY OF BUNCOMBE**

**TO THE TOWN COUNCIL OF WEAVERVILLE, NORTH CAROLINA**

- We, the undersigned owners of real property, respectfully request that the area described in Part 4 below be annexed to the Town of Weaverville, Buncombe County, North Carolina.
- The area to be annexed is  contiguous,  non-contiguous (satellite) to the Town of Weaverville, North Carolina, and the boundaries are as contained in the metes and bounds description attached hereto.
- If contiguous, this annexation will include all intervening rights-of-way for streets, railroads and other areas as stated in G.S. § 160A-31(f), unless otherwise stated in the annexation agreement/ordinance.
- The property and property owner information is as follows:

Property Owner and Mailing Address	Phone Number & Email Address	Deed Reference & Property PIN	Property Owner Signature
Barry B. Boyce Revocable Trust 11/26/2002	561-339-6677 bbbtg@a gmail.com	9742959 190-00000	<i>[Signature]</i> Co-Trustee
Pamela K. Boyce Revocable Trust 11/26/2002	561-339-6678 pamelaboyce@ gmail.com	9742959 190-00000	<i>[Signature]</i> Co-Trustee
Denise + Robert Siegel	561-302-6595 rms7575@aol.com	9742-955700	<i>[Signature]</i> Denise Siegel
Thomas + Tina McVay	828 215 6021 tdmcvay1@gmail	9742-956456	<i>[Signature]</i> Thomas McVay

- Zoning vested rights  are not claimed,  have been established under G.S. §§ 160D-108 and/or 160D-108.1 as follows [describe and attach the order and approved site plan]:

*see attached for additional petition*

Total Acreage to be annexed: ~~0.672~~ 2.513 ac (lots A, B, C, E on plat recorded in Book 233, Page 67)  
 Population in annexed area: 0  
 Proposed Zoning District: R-2  
 Reason for annexation:  Receive Town Services  Other (please specify) to fix split jurisdiction

The applicant must also submit a zoning map amendment application with the petition for voluntary annexation to establish a Weaverville zoning designation. Please contact the Planning Department at (828)484-7002 for questions. If the purpose of the petition is a connection to public water, contact Public Works Department at (828)645-0606 to confirm that public water is available to the property and the cost of that connection.

N/A


**PETITION FOR VOLUNTARY ANNEXATION  
PETITION/APPLICATION  
Town of Weaverville, North Carolina**

Submittal Date: 9/11/23  
Date Fee Paid: 9/5/23  
Petition No: 2023-4

**STATE OF NORTH CAROLINA  
COUNTY OF BUNCOMBE**

**TO THE TOWN COUNCIL OF WEAVERVILLE, NORTH CAROLINA**

1. We, the undersigned owners of real property, respectfully request that the area described in Part 4 below be annexed to the Town of Weaverville, Buncombe County, North Carolina.
2. The area to be annexed is  contiguous,  non-contiguous (satellite) to the Town of Weaverville, North Carolina, and the boundaries are as contained in the metes and bounds description attached hereto.
3. If contiguous, this annexation will include all intervening rights-of-way for streets, railroads and other areas as stated in G.S. § 160A-31(f), unless otherwise stated in the annexation agreement/ordinance.
4. The property and property owner information is as follows:

Property Owner and Mailing Address	Phone Number & Email Address	Deed Reference & Property PIN	Property Owner Signature
Stefanie Elder 12815 Morn: Park Line Alpharetta, GA 30004	770.265.9827 smelder@bellsouth.net	6301/1640 9742.95.6247	

5. Zoning vested rights  are not claimed,  have been established under G.S. § 153A-344.1 or § 160A-385.1 as follows [describe and attach the order and approved site plan]:

Total Acreage to be annexed: 2.513 ac (lots A, B, C, E on plat recorded in Book 233, Page 67)  
 Population in annexed area: 0  
 Proposed Zoning District: R-2  
 Reason for annexation:  Receive Town Services  Other (please specify) to fix split jurisdiction

The applicant must also submit a rezoning application with the petition for voluntary annexation to establish a Weaverville zoning designation. Please contact the Planning Department at (828)484-7002 for questions. If the purpose of the petition is a connection to public water, contact Public Works Department at (828)645-0606 to confirm that public water is available to the property and the cost of that connection.



# PETITION FOR VOLUNTARY ANNEXATION DATA SHEET

*Town of Weaverville, North Carolina*

Submittal Date: 9/11/23

Petition No. 2023-4

Annexation Area Name: Reems Creek Village Recombination Area

Petitioner: various

Subject Area Acreage: 2.513 ac (lots A, B, C, E on plat recorded in Book 233, Page 67)

Current Land Use: vacant

Proposed Land Use or Development (describe): to be added to existing lots within Reem creek Village for recombination purpose

Residential (single family): Number of Units: \_\_\_\_\_ Anticipated build out in \_\_\_\_\_ years  
Average Sales Price: \$ \_\_\_\_\_ /dwelling unit

Residential (multi-family): Number of Units: \_\_\_\_\_ Anticipated build out in \_\_\_\_\_ years  
Owned: Average Sales Price: \$ \_\_\_\_\_ /building unit  
Rental: Average Rental Amt: \$ \_\_\_\_\_ /month

Retail: Square footage: \_\_\_\_\_ Anticipated build out in \_\_\_\_\_ years  
Type of tenancy: \_\_\_\_\_

Commercial - Non-Retail: Square footage: \_\_\_\_\_ Anticipated build out in \_\_\_\_\_ years  
Type of tenancy: \_\_\_\_\_

Other: Square footage: \_\_\_\_\_ Anticipated build out in \_\_\_\_\_ years  
Type of tenancy: \_\_\_\_\_

Development Scale: Max building height of \_\_\_\_\_ ; max number of stories of \_\_\_\_\_

Infrastructure: Linear feet of publicly dedicated roadways proposed: \_\_\_\_\_ feet  
Public water proposed (describe): \_\_\_\_\_

Other Public Services Requested (describe): \_\_\_\_\_

Zoning Vested Rights Claimed (describe and attach documentation): none

\_\_\_\_\_  
Signature of Owner(s)





**PETITION FOR VOLUNTARY ANNEXATION  
 CERTIFICATE OF AUTHORITY FOR TRUST  
 Town of Weaverville, North Carolina**



The undersigned, being (a/the) Trustee(s) of a Trust, the exact name of which is Pamela K. Boyce Revocable Trust, (hereinafter "Trust"), does hereby certify that:

1. That the Trust is dated as of 11/26/2002 is currently in existence and was executed on 11/26/2002;
2. That the name of the settlors of the Trust is/are: Pamela K. Boyce Co-Trustee and Barry B. Boyce Co-Trustee
3. That name(s) and address(s) of the currently acting trustee(s) is/are (herein the "Trustee(s)") and that the signature(s) appearing above their name is their signature(s):

**NAME, ADDRESS, and SIGNATURE OF TRUSTEE(S):**

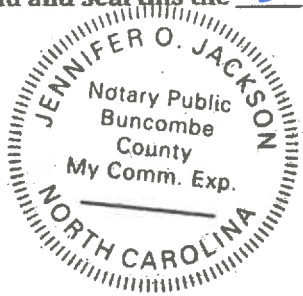
	
Name: <u>Pamela K. Boyce</u>	Name: <u>Barry B. Boyce</u>
Address: <u>68 Governor Thomson Weaverville, NC 28787 Ter.</u>	Address: <u>68 Governor Thomson Ter. Weaverville, NC 28787</u>

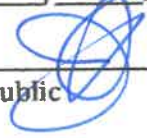
4. That the powers of the Trustee(s) include the authority to conduct real property transactions and tax transactions, which would include the execution of a voluntary annexation petition.
5. That said Trustee(s) adopted/approved the Petition for Voluntary Annexation and authorized any and all actions on behalf of the Trust to complete the process for the Petition to be approved by the Town of Weaverville and that no further authorizing action need be taken.

SIGNATURE:    
 TRUSTEE NAME: Pamela K. Boyce Co-Trustee Barry B. Boyce Co-Trustee  
 DATE: 09/05/2023

STATE OF NORTH CAROLINA  
 COUNTY OF Buncombe

I, Jennifer O. Jackson, a Notary Public, certify that Barry B. Boyce and Pamela K. Boyce personally came before me this day and acknowledged that they are the Trustee of Pamela K. Boyce Revocable Trust, and that by authority duly given and as the act of the Trust, the foregoing Certificate of Authority was signed by him/her on behalf of the Trust.  
 Witness my hand and seal this the 5 day of Sept., 2023





  
 Notary Public  
 My Commission Expires: 5/29/2026

**PETITION FOR VOLUNTARY ANNEXATION  
 CERTIFICATE OF AUTHORITY FOR TRUST  
 Town of Weaverville, North Carolina**



The undersigned, being (a/the) Trustee(s) of a Trust, the exact name of which is Barry B. Boyce Revocable Trust (hereinafter "Trust"), does hereby certify that:

1. That the Trust is dated as of 11/26/2002, is currently in existence and was executed on 11/26/2002;
2. That the name of the settlors of the Trust is/are: Barry B. Boyce Co-Trustee and Pamela K. Boyce Co-Trustee
3. That name(s) and address(s) of the currently acting trustee(s) is/are (herein the "Trustee(s)") and that the signature(s) appearing above their name is their signature(s):

**NAME, ADDRESS, and SIGNATURE OF TRUSTEE(S):**

	
Name: <u>Barry B. Boyce</u>	Name: <u>Pamela K. Boyce</u>
Address: <u>68 Governor Thomson Weaverville, NC 28787 Ter.</u>	Address: <u>68 Governor Thomson Ter. Weaverville, NC 28787</u>

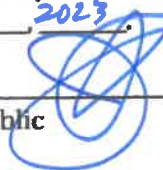
4. That the powers of the Trustee(s) include the authority to conduct real property transactions and tax transactions, which would include the execution of a voluntary annexation petition.
5. That said Trustee(s) adopted/approved the Petition for Voluntary Annexation and authorized any and all actions on behalf of the Trust to complete the process for the Petition to be approved by the Town of Weaverville and that no further authorizing action need be taken.

**SIGNATURE:**    
**TRUSTEE NAME:** Barry B. Boyce Co-Trustee Pamela K. Boyce Co-Trustee  
**DATE:** 09/05/2023

**STATE OF NORTH CAROLINA  
 COUNTY OF Buncombe**

I, Jennifer O. Jackson, a Notary Public, certify that Barry B. Boyce and Pamela K. Boyce personally came before me this day and acknowledged that they are the Trustee of the Barry B. Boyce Revocable Trust, and that by authority duly given and as the act of the Trust, the foregoing Certificate of Authority was signed by him/her on behalf of the Trust. Witness my hand and seal this the 5 day of Sept, 2023.



  
 Notary Public  
 My Commission Expires: 5/29/2026

**RESOLUTION CONCERNING VOLUNTARY ANNEXATION PETITION SUBMITTED FOR  
THE REEMS CREEK VILLAGE RECOMBINATION AREA  
WEAVERVILLE ANNEXATION NO. 2023-4**

**WHEREAS**, a petition requesting annexation of Lots A, B, C, and E as shown on the attached map recorded in Map Book 233 and Page 67, Buncombe County Registry, was submitted to the Town of Weaverville on September 11, 2023; and

**WHEREAS**, the properties described in the annexation petition have been recombined with certain existing lots within the Reems Creek Village subdivision and the purpose of the voluntary annexation petition is to fix the split jurisdiction that has occurred as a result of that recombination;

**WHEREAS**, N.C. Gen. Stat. § 160A-31 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

**WHEREAS**, the annexation petition requests R-2 zoning classification for the areas to be annexation for consistency with the adjoining properties; and

**WHEREAS**, the Town Council of the Town of Weaverville deems it advisable to proceed in response to this request for annexation and initial zoning;

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Weaverville that:

1. With the assistance of the Town Attorney, the Town Clerk is hereby directed to investigate the sufficiency of the above-reference petition and to certify to Town Council the result of her investigation; and
2. The Town Planning Director is directed to place the application for initial zoning of R-2 on the next regular meeting of the Weaverville Planning Board's so that the Board can review the requested zoning for consistency with the Town's Comprehensive Land Use Plan and forward a recommendation to Town Council prior to or at a public hearing that may subsequently be held on this matter.

**THIS** the 25th day of September, 2023.

---

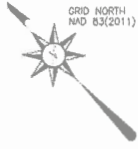
**PATRICK FITZSIMMONS**, Mayor

**ATTESTED BY:**

---

**TAMARA MERCER**, Town Clerk

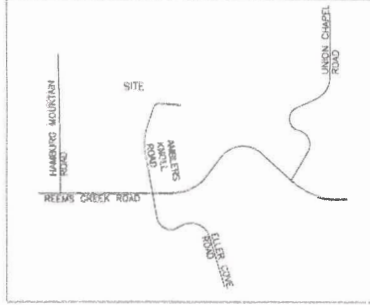
submitted electronically by "Alan B Styles Land Surveying, PLLC" in compliance with North Carolina statutes governing recordable documents and the terms of the submitter agreement with the Buncombe County Register of Deeds.



LINE	BEARING	DISTANCE
L1	S 77°01'03" W	85.00'
L2	N 00°22'51" W	53.40'

<b>ROBERT M. SIEGEL</b> DENISE M. SIEGEL 1.45 ACRES ± TOTAL ORIGINAL AREA OF PIN 9742-95-5870 PLUS LOT "A" 1.348 ACRES ± 58708.088 SQ. FT. NEW AREA EQUALS 2.798 ACRES ± TOTAL AREA AFTER RECOMBINATION	<b>THOMAS D. McVAY</b> TINA M. McVAY 0.63 ACRES ± TOTAL ORIGINAL AREA OF PIN 9742-95-6487 PLUS LOT "B" 0.203 ACRES ± 8920.374 SQ. FT. NEW AREA EQUALS 0.835 ACRES ± TOTAL AREA AFTER RECOMBINATION	<b>STEFANIE ELDER</b> 1.07 ACRES ± ORIGINAL AREA OF PIN 9742-95-7209 PLUS LOT "C" 0.348 ACRES ± 15145.040 SQ. FT. NEW AREA EQUALS 1.418 ACRES ± TOTAL AREA AFTER RECOMBINATION	<b>BARRY B. BOYCE</b> PAMELA K. BOYCE 1.19 ACRES ± TOTAL ORIGINAL AREA OF PIN 9742-95-9190 PLUS LOT "E" 0.612 ACRES ± 26564.897 SQ. FT. NEW AREA EQUALS 1.802 ACRES ± TOTAL AREA AFTER RECOMBINATION
--	---	--	---

5.538 ACRES ±  
TOTAL AREA OF  
LOTS "A-E"



VICINITY MAP - NOT TO SCALE

BUNCOMBE COUNTY ZONING R2

THIS SURVEY PLAT IS EXEMPT FROM THE BUNCOMBE COUNTY LAND DEVELOPMENT AND SUBDIVISION ORDINANCE.  
Shawhan Laperriere 7/21/2023  
COLORADO PLANNER DATE

STATE OF NORTH CAROLINA  
COUNTY OF BUNCOMBE  
I, SHANNON CARPUZZI, REVIEW OFFICER OF BUNCOMBE COUNTY  
CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION  
IS APPLIED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.  
Shawhan Laperriere 2/21/2023  
RISER/ENGINEER DATE

I, ALAN B. STYLES, PROFESSIONAL LAND SURVEYOR, CERTIFY THAT THIS MAP  
WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL FIELD SURVEY UNDER  
MY SUPERVISION (DEED DESCRIPTIONS RECORDED IN DEED BOOK 4809, PAGE 1489,  
DEED BOOK 5898, PAGE 1934, DEED BOOK 3311, PAGE 422, AND  
DEED BOOK 5098, PAGE 1828, DEED BOOK 5047, PAGE 695, AND  
DEED BOOK 3198, PAGE 317) THAT BOUNDARIES NOT SURVEYED ARE CLEARLY  
INDICATED AS DRAWN FROM SURVEY IN ADJACENT DEEDS AND PLATS AS SHOWN.  
THAT THE ERROR OF PRECISION OF THE CONTROL SURVEY DOES NOT EXCEED 1 PART IN 10,000;  
THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH GS 47-30 AS AMENDED; AND THAT THE  
SURVEY IS OF ANOTHER CATEGORY, SUCH AS A RECOMBINATION OF EXISTING  
PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXEMPTION OR EXCEPTION TO  
THE DEFINITION OF SUBDIVISION, NC GS 47-30(1)(1)(d).  
WITNESS MY HAND AND SEAL THIS 21st DAY OF FEBRUARY, 2023

Alan B. Styles, PLS  
ALAN B. STYLES, PLS  
N.C. No. L-2895



REFERENCE

DEED BOOK 3311, PAGE 422
PIN 9742-94-4151
DEED BOOK 5698, PAGE 1934
PIN 9742-95-7209
DEED BOOK 4809, PAGE 1489
PIN 9742-95-5870
DEED BOOK 5098, PAGE 1828
PIN 9742-95-6487
DEED BOOK 5047, PAGE 695
PIN 9742-95-9190
PLAT BOOK 120, PAGE 57
PLAT BOOK 110, PAGE 161

RECOMBINATION SURVEY OF THE LANDS OF  
REEMS CREEK VILLAGE LLC, AND  
STEFANIE ELDER, AND  
ROBERT M. SIEGEL AND DENISE M. SIEGEL, AND  
THOMAS D. McVAY AND TINA M. McVAY, AND  
BARRY B. BOYCE AND PAMELA K. BOYCE, AND  
JOSEPH EUGENE PENLEY  
FOR

<b>JOSEPH EUGENE PENLEY</b>		
<b>DRAWN</b>	<b>DATE</b>	<b>REEMS CREEK TOWNSHIP</b>
RC	02/09/23	BUNCOMBE COUNTY
<b>REVISED</b>		STATE OF NORTH CAROLINA
		ALAN B. STYLES, PLS
<b>SHEET</b>	<b>SCALE</b>	<b>PROJECT NO.</b>
1 OF 1	1" = 100'	23-B-03

C1 PROPERTY IS NOT LOCATED WITHIN A  
FLOOD HAZARD ZONE AS DETERMINED BY FEMA  
ENC. F.I.R.A. PANEL 370674205A, EFFECTIVE 1/8/10.

BEARINGS ARE GRID BEARINGS AND  
DISTANCES ARE GROUND DISTANCES

SURVEY IS BASED ON DEEDS AND EXISTING  
MONUMENTS AS SHOWN.

PLAT MAY BE SUBJECT TO EASEMENTS,  
EASEMENTS, RIGHTS-OF-WAY, RESERVATIONS,  
EASEMENTS, RESTRICTIONS, WRITTEN AND UNWRITTEN,  
RECORDED AND UNRECORDED.

AREAS ARE COMPUTED BY COORDINATE  
METHOD.

DISTANCES ARE GROUND UNLESS  
OTHERWISE NOTED.

MONUMENTS LOCATED WITHIN  
100 FT. OF SURVEY UNLESS OTHERWISE  
NOTED ON THIS PLAT.

UNDERGROUND UTILITIES AND BUILDING  
FOOTINGS, HAVE OVERHANG NOT LOCATED  
ON THIS PLAT.

THIS PLAT IS PREPARED FOR THE PERSON,  
PERSONS, OR CORPORATION, NOTED  
ON THE TITLE BLOCK OF THIS PAGE AND  
NOT INTENDED FOR USE BY ANY OTHER  
PARTY UNLESS PERMISSION IS GIVEN BY  
THE PERSON OR CORPORATION.

DATE: CONSOLIDATED REAL PROPERTY  
RECORDED: 2/22/2023 8:33:54 AM  
BY APL: \$21.00 Page 1 of 1  
Buncombe County, NC  
New Reinsinger Register of Deeds

IK 233 PG 67

END

- LINK NOT SURVEYED UNLESS DIMENSIONED
- CORNER NOT MONUMENTED
- IP = EXISTING IRON PIPE (PIPE)
- HP = NEW IRON PIPE (5/8" REBAR)
- CP = CONCRETE MONUMENT FOUND
- K OR MAG = SURVEYORS NAIL SET
- W OR MAG = SURVEYORS NAIL FOUND
- W/W = RIGHT-OF-WAY
- RS = RAILROAD SPIKE
- DB = DEED BOOK
- PL = PLAT BOOK
- UG = UNDERGROUND
- X-X-X-X = FENCE LINE
- E-E-E-E = ELECTRIC LINE
- W-W-W-W = WATER LINE
- S-S-S-S = SEWER LINE
- SM = SEWER MANHOLE
- CO = CLEAN-OUT
- AM = WATER METER
- W = WELL
- ELC = TELEPHONE PEDestal
- AVY = CABLE TV PEDestal
- L = ELECTRICAL SERVICE
- G = GAS METER/TANK
- P = POWER POLE
- F = LIGHT POLE/LAMP POST
- H = FIRE HYDRANT
- T = TREE (SIZE AND TYPE AS NOTED)

1. CLASS OF SURVEY:
  2. POSITIONAL ACCURACY:
  3. TYPE OF G.P.S. FIELD PROCEDURE:
  4. DATE OF SURVEY:
  5. DATUM/EPOCH:
  6. PUBLISHED/FIXED CONTROL USED:
  7. GEIOD MODEL:
  8. COMBINED FACTOR:
  9. UNITS:
- CLASS A WITH 95% CONFIDENCE  
HORIZONTAL: 0.02' VERTICAL: 0.03'  
RTK (ORGANIZATION)  
02-03-23  
NAD 83(2011) / EPOCH 2010(H), NAVD 88(V)  
VRS NETWORK  
GEIOD 12A  
0.99992714  
US SURVEY FEET



**TOWN OF WEAVERVILLE  
TOWN COUNCIL AGENDA ITEM**

**MEETING DATE:** September 25, 2023

**SUBJECT:** Voluntary Annexation Petition – 300 Hamburg Mountain Rd – +/-9.488 Acres

**PRESENTER:** Town Attorney

**ATTACHMENTS:** Voluntary Annexation Petition and Supporting Documentation Map and Property Tax Map Showing Property to be Annexed Proposed Resolution

**DESCRIPTION/SUMMARY OF REQUEST:**

Joseph Penley and Reems Creek Village L.L.C. have both signed a voluntary annexation petition seeking to have a total of +/-9.488 acres located at 300 Hamburg Mountain Road annexed into the Town of Weaverville. The purpose of their annexation appears to be to obtain Town services, including water, to support a 35-lot single family lot subdivision that is proposed for development by Windsor Built Homes, Inc.

The petitioners are requesting an initial zoning designation of R-3. A water commitment application has also been submitted and is under review by the Public Works Director, Dale Pennell.

Should Town Council wish to proceed with this annexation the next step is to direct the Town Clerk to investigate the sufficiency of the annexation petition and to send the initial zoning request to the Planning Board for review and recommendation. A resolution for this purpose is attached for consideration.

**COUNCIL ACTION REQUESTED:**

Town Council discussion and direction and possible adoption of the attached resolution.

**PETITION FOR VOLUNTARY ANNEXATION  
 PETITION/APPLICATION  
 Town of Weaverville, North Carolina**

Submittal Date: 9/19/2023  
 Date Fee Paid: 8/22/2023  
 Petition No: 2023-5

**STATE OF NORTH CAROLINA  
 COUNTY OF BUNCOMBE**

**TO THE TOWN COUNCIL OF WEAVERVILLE, NORTH CAROLINA**

1. We, the undersigned owners of real property, respectfully request that the area described in Part 4 below be annexed to the Town of Weaverville, Buncombe County, North Carolina.
2. The area to be annexed is  contiguous,  non-contiguous (satellite) to the Town of Weaverville, North Carolina, and the boundaries are as contained in the metes and bounds description attached hereto.
3. If contiguous, this annexation will include all intervening rights-of-way for streets, railroads and other areas as stated in G.S. § 160A-31(f), unless otherwise stated in the annexation agreement/ordinance.
4. The property and property owner information is as follows:

Property Owner and Mailing Address	Phone Number & Email Address	Deed Reference & Property PIN	Property Owner Signature
<u>Reems Creek v. Hwy L.L.C.</u>	<u>40 Windsor Built Homes, Inc.</u>	<u>9742 95 4210 4609/1449 Lt D, Plat 233/67</u>	<u>Member/Manager Joseph E. Perles</u>
<u>Joseph Penley</u>	<u>40 Windsor Built Homes, Inc.</u>	<u>9742 94 4151 3311/422 Lt 1, Plat 234/45</u>	<u>Joseph E. Perles</u>

5. Zoning vested rights  are not claimed,  have been established under G.S. §§ 160D-108 and/or 160D-108.1 as follows [describe and attach the order and approved site plan]:

Total Acreage to be annexed: 9.488  
 Population in annexed area: 0  
 Proposed Zoning District: R-3  
 Reason for annexation:  Receive Town Services  Other (please specify)

The applicant must also submit a zoning map amendment application with the petition for voluntary annexation to establish a Weaverville zoning designation. Please contact the Planning Department at (828)484-7002 for questions. If the purpose of the petition is a connection to public water, contact Public Works Department at (828)645-0606 to confirm that public water is available to the property and the cost of that connection.

**TOWN OF WEAVERVILLE**  
**AGENT AUTHORIZATION FOR LAND USE DEVELOPMENT**  
**PETITION/APPLICATION AND APPROVAL**

**PROPERTY LEGAL DESCRIPTION:**

PARCEL ID: 9742-95-4210  
STREET ADDRESS: 300 Hamburg Mountain Rd,  
Weaverille, NC 28787

**PROPERTY OWNER:**

(complete Certificate of Authority if a corporation or LLC)

PROPERTY OWNER: JOSEPH Peabody

**PROPERTY OWNER CONTACT INFORMATION:**

EMAIL ADDRESS:

PHONE NUMBER: 828-691-4156

MAILING ADDRESS: 380 Reems Creek Rd

WEAVERVILLE, NC 28787 Voluntary Annexation  
PERMIT SOUGHT/APPLICATION TO BE SUBMITTED: Zoning Map Amendment  
Water Availability

NAME OF INDIVIDUAL AGENT: Windsor Built Homes, Inc.

NAME OF CONTRACTOR/CONSULTING FIRM: WGLA Engineering

**AGENT CONTACT INFORMATION:**

EMAIL ADDRESS: 55street@windsorbuilt.com

PHONE NUMBER: 864-430-2995

MAILING ADDRESS: 40 W Broad Street  
Suite 500  
Greenville, SC 29601

We, the undersigned property owner(s) of the above noted property, do hereby authorize the individual or company listed above as the property owner's agent to act on his/her/their behalf and to take all actions necessary for the processing, issuance, and acceptance of the above-referenced permit or application. We hereby certify the above information submitted in this application is true and accurate to the best of our knowledge.

  
\_\_\_\_\_  
Property Owner Signature

\_\_\_\_\_  
Property Owner Signature

Date: 8/10/23

Date: \_\_\_\_\_

**PETITION FOR VOLUNTARY ANNEXATION  
DATA SHEET**

**Town of Weaverville, North Carolina**

Submittal Date: 9/19/2023

Petition No. 2023-5

Annexation Area Name: 300 Hamburg Mountain Rd

Petitioner: Windsor Built Homes, Inc

Subject Area Acreage: 9.488 acres

Current Land Use: vacant

Proposed Land Use or Development (describe): Residential Development

Residential (single family): Number of Units: 35 Anticipated build out in 2.5 years  
Average Sales Price: \$ 500K /dwelling unit

Residential (multi-family): Number of Units: \_\_\_\_\_ Anticipated build out in \_\_\_\_\_ years  
Owned: Average Sales Price: \$ \_\_\_\_\_ /building unit  
Rental: Average Rental Amt: \$ \_\_\_\_\_ /month

Retail: Square footage: \_\_\_\_\_ Anticipated build out in \_\_\_\_\_ years  
Type of tenancy: \_\_\_\_\_

Commercial - Non-Retail: Square footage: \_\_\_\_\_ Anticipated build out in \_\_\_\_\_ years  
Type of tenancy: \_\_\_\_\_

Other: Square footage: \_\_\_\_\_ Anticipated build out in \_\_\_\_\_ years  
Type of tenancy: \_\_\_\_\_

Development Scale: Max building height of 35'; max number of stories of 2

Infrastructure: Linear feet of publicly dedicated roadways proposed: 1800 feet  
Public water proposed (describe): Proposed water extension along new Roadway  
Other Public Services Requested (describe): All town services except street maintenance

Zoning Vested Rights Claimed (describe and attach documentation): NA



Signature of Owner(s)



STATE OF NORTH CAROLINA  
COUNTY OF BUNCOMBE


COMPANY RESOLUTION  
OF  
REEMS CREEK VILLAGE LLC

At a specially called meeting of the members of REEMS CREEK VILLAGE, LLC, a North Carolina limited liability company (herein "Company") on May 30<sup>th</sup>, 2023 the sole Member/Manager, Joseph E. Penley, approved the sale of that property identified as All of Lot D (PIN 9742-95-4210), and Lot 1 (PIN 9742-94-4151) appearing on a Plat recorded in Plat Book 234, Page 45 and recorded in the Office of the Register of Deeds for Buncombe County, North Carolina.

Joseph E. Penley and/or Amit Dorf have the authority to sign the Deed and any other documents necessary to complete the sale of said property to Windsor Autrey.

There being no further business, the specially called meeting consisting of the members of REEMS CREEK VILLAGE, LLC was duly adjourned.

REEMS CREEK VILLAGE, LLC, a NC LLC

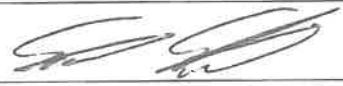
By:  \_\_\_\_\_  
Joseph E. Penley, Member/Manager

By:  \_\_\_\_\_  
Amit Dorf, Authorized Representative

**CERTIFICATE OF AUTHORITY FOR CORPORATION  
TOWN OF WEAVERVILLE, NORTH CAROLINA**

The undersigned, being (a/the) duly elected officer of Windsor Built Homes, Inc.  
a corporation organized and existing in the State of North Carolina (hereinafter "Corporation"), does hereby certify that:

1. That the Corporation currently exists and is in good standing with the NC Secretary of State;
2. That a controlling majority of shareholders of the Corporation have adopted resolutions with respect to the attached Agent Authorization for Land Use Development Permit/Application and Approval and such resolutions have been duly and validly adopted and are in full force and effect.
3. That said resolutions adopted/approved the Agent Authorization for Land Use Development Permit/Application and Approval and authorized any and all actions on behalf of the Corporation and that no further authorizing action need be taken.
4. That the said resolutions authorized the following person or persons to execute all documents in connection with the Agent Authorization and that the signature appearing to the right of their name(s) is his/her genuine signature:

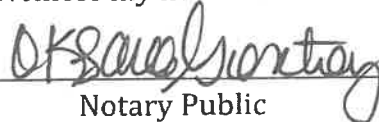
NAME	SIGNATURE	OFFICE HELD
Scott Street For Windsor Built Homes, Inc.		President

THIS the 9 day of August, ~~2022~~ 2023

Signature of Officer

STATE OF <sup>South</sup> NORTH CAROLINA  
COUNTY OF Greenville

I, Oksana Goretoy, a Notary Public, certify that Scott Street personally came before me this day and acknowledged that he/she is the President of Windsor Built Homes Inc, a <sup>South</sup> North Carolina corporation, and that by authority duly given and as the act of the Corporation, the foregoing Certificate of Authority was signed by him/her on behalf of the Corporation. Witness my hand and seal this the 9 day of August, ~~2022~~ 2023

  
Notary Public



My Commission Expires: 6.19.24

**TOWN OF WEAVERVILLE APPLICATION FOR  
A ZONING MAP OR TEXT AMENDMENT**

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](mailto:jeller@weavervillenc.org)  
**Application Fee Based Upon Size of Property**

OWNER/APPLICANT NAME:

APPLICATION DATE:

PHONE NUMBER:

MAILING ADDRESS:

Application is made to the Town Council of Weaverville to amend:

The Zoning Map

The text of the Zoning Ordinance (Chapter 20 Planning and Development)

APPLICATION TO AMEND ZONING MAP

PROPERTY ADDRESS: 300 Hamburg Mt Road and 9999 Reems Creek Road

PIN: portion of 9742-94-4151 and 9742-95-4210      LOT AREA (acres): 9.488 acres +/-

CURRENT ZONING DISTRICT: R-2 (Buncombe County) PROPOSED ZONING DISTRICT: R-3 (Weaverville)

APPLICATION IS NOT COMPLETE WITHOUT A BOUNDARY SURVEY DEPICITING:

- Total acreage
- Current owner(s) and date of survey
- Property location relative to streets
- North arrow
- Existing easements, rights of way, or other restrictions on the property
- Areas located within the floodplain
- Adjoining property owners, addresses, and Buncombe County PINs

APPLICATION TO AMEND TEXT

SECTION(S) OF CHAPTER 20 TO AMEND:

PROPOSED CHANGE TO TEXT (attach additional documentation if necessary):

JUSTIFICATION OF PROPOSED AMENDMENT(S):

**TOWN OF WEAVERVILLE APPLICATION FOR  
A ZONING MAP OR TEXT AMENDMENT**

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](mailto:jeller@weavervillenc.org)  
**Application Fee Based Upon Size of Property**

**I certify that the above information is accurate and true and that I am the owner or a duly appointed agent of the owner.**



SIGNATURE OF APPLICANT

August 17, 2023

DATE

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

**Application fees are due at the time of submittal. Withdrawal of an application after the public hearing has been advertised will result in the forfeiture of the application fee.**

REZONING FEE SCHEDULE:

< 1 acre	\$250.00
1-3 acres	\$500.00
4-9 acres	\$750.00
10 + acres	\$1,000.00

Text Amendment

Fees.....\$500.00

**OFFICE USE ONLY**

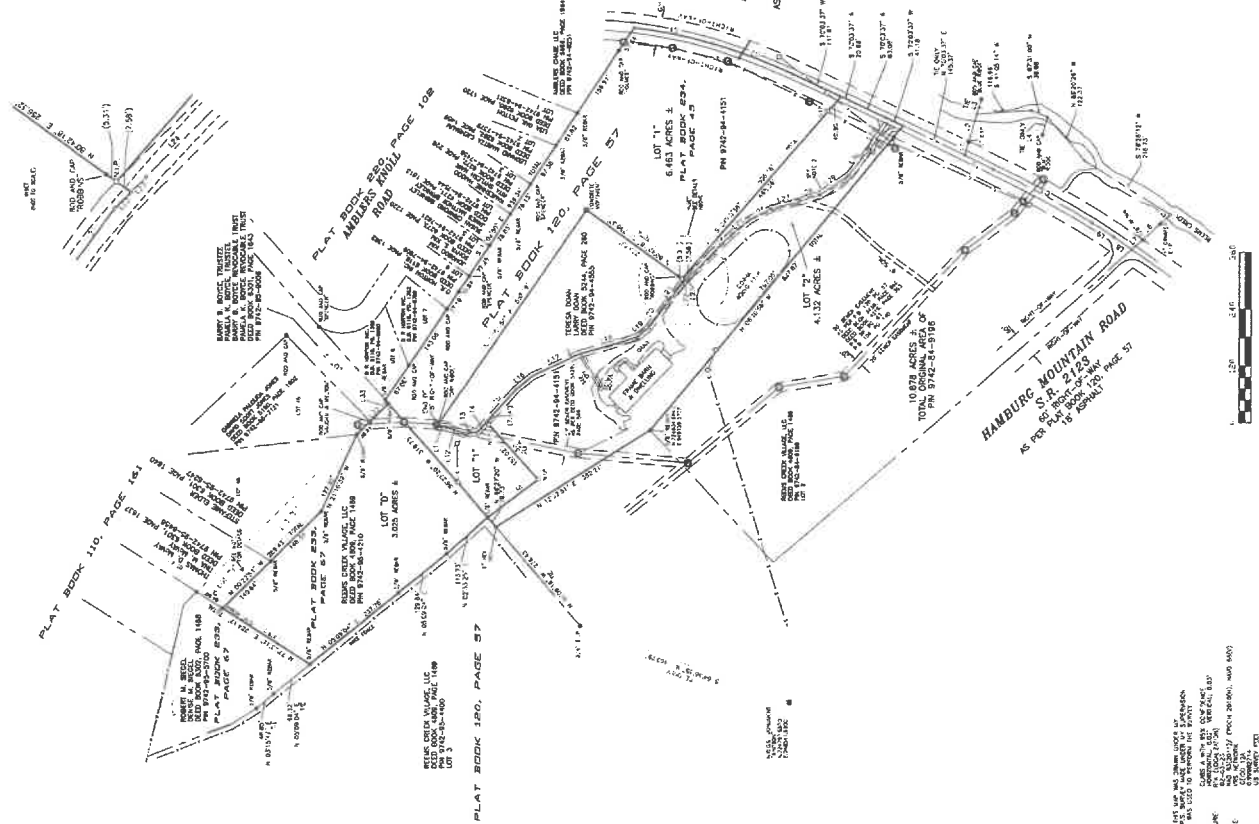
FEE: S	DATE PAID:	CHECK	CASH
DATE OF INTIAL COUNCIL MEETING:		ACTION TAKEN:	
DATE OF PLANNING BOARD MEETING:		ACTION TAKEN:	
DATE OF PUBLIC HEARING & COUNCIL DECISION:		FINAL ACTION:	



VELOCITY MAP - NOT TO SCALE  
 BURCHAMBER COUNTY ZONING RE  
 REEMS CREEK VILLAGE LLC  
 SHEET # 10  
 SCALE = 1" = 100'

NO.	DATE	BY	REVISION
1	07/11/23	ALAN B. STYLES	ISSUED FOR PERMITS
2	07/11/23	ALAN B. STYLES	REVISED PER COMMENTS
3	07/11/23	ALAN B. STYLES	REVISED PER COMMENTS
4	07/11/23	ALAN B. STYLES	REVISED PER COMMENTS
5	07/11/23	ALAN B. STYLES	REVISED PER COMMENTS
6	07/11/23	ALAN B. STYLES	REVISED PER COMMENTS
7	07/11/23	ALAN B. STYLES	REVISED PER COMMENTS
8	07/11/23	ALAN B. STYLES	REVISED PER COMMENTS
9	07/11/23	ALAN B. STYLES	REVISED PER COMMENTS
10	07/11/23	ALAN B. STYLES	REVISED PER COMMENTS

NO.	DATE	BY	REVISION
1	07/11/23	ALAN B. STYLES	ISSUED FOR PERMITS
2	07/11/23	ALAN B. STYLES	REVISED PER COMMENTS
3	07/11/23	ALAN B. STYLES	REVISED PER COMMENTS
4	07/11/23	ALAN B. STYLES	REVISED PER COMMENTS
5	07/11/23	ALAN B. STYLES	REVISED PER COMMENTS
6	07/11/23	ALAN B. STYLES	REVISED PER COMMENTS
7	07/11/23	ALAN B. STYLES	REVISED PER COMMENTS
8	07/11/23	ALAN B. STYLES	REVISED PER COMMENTS
9	07/11/23	ALAN B. STYLES	REVISED PER COMMENTS
10	07/11/23	ALAN B. STYLES	REVISED PER COMMENTS



REEMS CREEK ROAD  
 S.R. 1003  
 60' RIGHT-OF-WAY  
 AS PER PLAT BOOK 224, PAGE 57

PRELIMINARY DRAWING  
 NOT FOR SALES, CONVEYANCES, OR RECORDATION



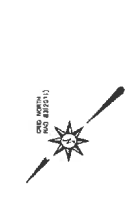
NO.	DATE	BY	REVISION
1	07/11/23	ALAN B. STYLES	ISSUED FOR PERMITS
2	07/11/23	ALAN B. STYLES	REVISED PER COMMENTS
3	07/11/23	ALAN B. STYLES	REVISED PER COMMENTS
4	07/11/23	ALAN B. STYLES	REVISED PER COMMENTS
5	07/11/23	ALAN B. STYLES	REVISED PER COMMENTS
6	07/11/23	ALAN B. STYLES	REVISED PER COMMENTS
7	07/11/23	ALAN B. STYLES	REVISED PER COMMENTS
8	07/11/23	ALAN B. STYLES	REVISED PER COMMENTS
9	07/11/23	ALAN B. STYLES	REVISED PER COMMENTS
10	07/11/23	ALAN B. STYLES	REVISED PER COMMENTS

RE-PLAT OF  
 PLAT BOOK 224, PAGE 46

NO.	DATE	BY	REVISION
1	07/11/23	ALAN B. STYLES	ISSUED FOR PERMITS
2	07/11/23	ALAN B. STYLES	REVISED PER COMMENTS
3	07/11/23	ALAN B. STYLES	REVISED PER COMMENTS
4	07/11/23	ALAN B. STYLES	REVISED PER COMMENTS
5	07/11/23	ALAN B. STYLES	REVISED PER COMMENTS
6	07/11/23	ALAN B. STYLES	REVISED PER COMMENTS
7	07/11/23	ALAN B. STYLES	REVISED PER COMMENTS
8	07/11/23	ALAN B. STYLES	REVISED PER COMMENTS
9	07/11/23	ALAN B. STYLES	REVISED PER COMMENTS
10	07/11/23	ALAN B. STYLES	REVISED PER COMMENTS

ALAN B. STYLES, PLS  
 REEMS CREEK TOWNSHIP  
 BURCHAMBER COUNTY, GEORGIA  
 07/11/23  
 ALAN B. STYLES, PLS  
 PROJECT NO. 23-008  
 1 OF 1 1" = 100'

ALAN B. STYLES, SURVEYOR  
 1. I AM A LICENSED SURVEYOR IN THE STATE OF GEORGIA.  
 2. I HAVE BEEN LICENSED BY THE BOARD OF SURVEYING AND MAPPING.  
 3. I HAVE BEEN LICENSED AS A PROFESSIONAL LAND SURVEYOR.  
 4. I HAVE BEEN LICENSED AS A PROFESSIONAL SURVEYOR.  
 5. I HAVE BEEN LICENSED AS A PROFESSIONAL SURVEYOR.  
 6. I HAVE BEEN LICENSED AS A PROFESSIONAL SURVEYOR.  
 7. I HAVE BEEN LICENSED AS A PROFESSIONAL SURVEYOR.  
 8. I HAVE BEEN LICENSED AS A PROFESSIONAL SURVEYOR.  
 9. I HAVE BEEN LICENSED AS A PROFESSIONAL SURVEYOR.  
 10. I HAVE BEEN LICENSED AS A PROFESSIONAL SURVEYOR.



AL PLANS AT ON BEARS RD  
 AT FRANCES DE DRING DISTRICT  
 100' x 100' x 100' x 100'  
 100' x 100' x 100' x 100'  
 100' x 100' x 100' x 100'  
 100' x 100' x 100' x 100'  
 100' x 100' x 100' x 100'  
 100' x 100' x 100' x 100'  
 100' x 100' x 100' x 100'  
 100' x 100' x 100' x 100'  
 100' x 100' x 100' x 100'  
 100' x 100' x 100' x 100'

# Buncombe County



September 19, 2023

1:9,028

**RESOLUTION CONCERNING VOLUNTARY ANNEXATION PETITION SUBMITTED BY  
JOSEPH PENLEY AND REEMS CREEK VILLAGE LLC FOR 300 HAMBURG MOUNTAIN RD  
WEAVERVILLE ANNEXATION NO. 2023-5**

**WHEREAS**, a petition requesting annexation of that property located at 300 Reems Creek Road and bearing Buncombe County Parcel Identification Number 9752-24-6901 was received from Joseph E. Penley and Reems Creek Village LLC, by the Town of Weaverville; and

**WHEREAS**, N.C. Gen. Stat. § 160A-31 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

**WHEREAS**, the Town of Weaverville is also in receipt of an application for a zoning map amendment request for an R-3 zoning classification for the property to be annexed; and

**WHEREAS**, the Town Council of the Town of Weaverville deems it advisable to proceed in response to this request for annexation and initial zoning;

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Weaverville that:

1. With the assistance of the Town Attorney, the Town Clerk is hereby directed to investigate the sufficiency of the above-reference petition and to certify to Town Council the result of her investigation; and
2. The Town Planner is directed to place the application for initial zoning of R-3 on the next regular meeting of the Weaverville Planning Board's so that the Board can review the requested zoning for consistency with the Town's Comprehensive Land Use Plan and forward a recommendation to Town Council prior to or at a public hearing that may subsequently be held on this matter.

**THIS** the 25th day of September, 2023.

---

**PATRICK FITZSIMMONS**, Mayor

**ATTESTED BY:**

---

**TAMARA MERCER**, Town Clerk

**TOWN OF WEAVERVILLE  
TOWN COUNCIL AGENDA ITEM**

**MEETING DATE:** September 25, 2023  
**SUBJECT:** Voluntary Annexation Petition – Northridge Farms  
**PRESENTER:** Town Attorney  
**ATTACHMENTS:** Voluntary Annexation Petition and Supporting Documentation  
Approved Special Use Permit and Site Plan and Tax Map  
Proposed Resolution

**DESCRIPTION/SUMMARY OF REQUEST:**

The property owners comprising the properties on which the Northridge Farms development is approved have signed a voluntary annexation petition seeking to have a total of +/-88 acres located in the Gill Branch valley (south of the Northridge Commons shopping center) annexed into the Town of Weaverville.

The Northridge Farms development has been approved by Buncombe County and consists of approximately 577 dwelling units in a variety of housing types and styles including the following: apartments, townhouses, small lot single-family residences, and traditional single-family residences. The petitioners are claiming vested rights to develop the properties in accordance with the attached Buncombe County issued Special Use Permit and related approved master site plan. The Town will need to provide a zoning designation for the properties even though vested rights are claimed.

Should Town Council wish to proceed with this annexation the first steps are to: (1) request that the Town Clerk investigate the sufficiency of the annexation petition; (2) request that the Planning Board consider and recommend the most appropriate zoning district for all of the property to be annexed; and (3) request a staff report analyzing the effect that this annexation might have on Town services and any additional resources needed.

Due to the scope of the annexation and the approved development on these properties, the Town Manager and Town Attorney anticipate that the analysis, certifications, and staff report should be available at the November regular meeting of Town Council.

**COUNCIL ACTION REQUESTED:**

Town Council discussion and direction and possible adoption of the attached resolution.



**PETITION FOR VOLUNTARY ANNEXATION  
PETITION/APPLICATION**

*Town of Weaverville, North Carolina*

Submittal Date: 9/20/2023  
 Date Fee Paid: \_\_\_\_\_  
 Petition No: 2023-6

**STATE OF NORTH CAROLINA  
COUNTY OF BUNCOMBE**

**TO THE TOWN COUNCIL OF WEAVERVILLE, NORTH CAROLINA**

1. We, the undersigned owners of real property, respectfully request that the area described in Part 4 below be annexed to the Town of Weaverville, Buncombe County, North Carolina.
2. The area to be annexed is  contiguous,  non-contiguous (satellite) to the Town of Weaverville, North Carolina, and the boundaries are as contained in the metes and bounds description attached hereto.
3. If contiguous, this annexation will include all intervening rights-of-way for streets, railroads and other areas as stated in G.S. § 160A-31(f), unless otherwise stated in the annexation agreement/ordinance.
4. The property and property owner information is as follows:

Property Owner and Mailing Address	Phone Number & Email Address	Deed Reference & Property PIN	Property Owner Signature
See attached.			



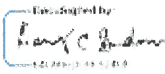






5. Zoning vested rights  are not claimed,  have been established under G.S. §§ 160D-108 and/or 160D-108.1 as follows [describe and attach the order and approved site plan]:

Order attached. Additional documentation will be timely supplemented.

Total Acreage to be annexed: Approx. 88 acres  
 Population in annexed area: \_\_\_\_\_  
 Proposed Zoning District: TBD  
 Reason for annexation:  Receive Town Services  Other (please specify)

The applicant must also submit a zoning map amendment application with the petition for voluntary annexation to establish a Weaverville zoning designation. Please contact the Planning Department at (828)484-7002 for questions. If the purpose of the petition is a connection to public water, contact Public Works Department at (828)645-0606 to confirm that public water is available to the property and the cost of that connection.

Petition for Voluntary Annexation  
**Addendum**

Property Owner and Mailing Address	Phone Number & Email Address	Deed Reference and Property PIN	Property Owner Signature
DFK Development, LLC 542 S. Caldwell Street Brevard, NC 28712	828-884-7934 <a href="mailto:travis@firstvictory.com">travis@firstvictory.com</a>	BK 6337, PG 1301  9732777382; 9732762936	
First Victory, Inc. 542 S. Caldwell Street Brevard, NC 28712	828-884-7934 <a href="mailto:travis@firstvictory.com">travis@firstvictory.com</a>	BK 6307, PG 698  9732765731; 9732765475	
Danny C. Buckner 56 Gill Branch Road Weaverville, NC 28787	828-775-2444 <a href="mailto:Dbucker7@frontier.com">Dbucker7@frontier.com</a>	BK 5098, PG 290  9732665806	  9/20/2023
John E. Kilby Shawn Kilby Shara Kilby Matthew Kilby Kathy Kirby John W. Kilby 170 Deer Trail Lake Lure, NC 28746	828-287-6828  <a href="mailto:Johnkilby164@gmail.com">Johnkilby164@gmail.com</a> <a href="mailto:Wesley.kilby@ncfbins.com">Wesley.kilby@ncfbins.com</a> <a href="mailto:spchf@msn.com">spchf@msn.com</a> <a href="mailto:bry831@gmail.com">bry831@gmail.com</a> <a href="mailto:lakelurenana@gmail.com">lakelurenana@gmail.com</a> <a href="mailto:shawnmariek@gmail.com">shawnmariek@gmail.com</a>	BK 1283, P 312 23-E-1164  9732789228	 <small>doLoop verified 09/20/23 9:04 AM EDT EXBF INVG BANIS MNVGS</small>  <small>doLoop verified 09/19/23 6:34 PM EDT N4YC G4K3 1CNJ B1HW</small>  <small>doLoop verified 09/19/23 6:21 PM EDT 2ALM AYCL 1FNU J6CO</small>  <small>doLoop verified 09/19/23 7:04 PM EDT G6BD WQGH C9QJ J6ZU</small>  <small>doLoop verified 09/20/23 9:28 AM EDT P7EJ HRQZ ARY1 HJMP</small>  <small>doLoop verified 09/20/23 11:14 AM EDT T5Y BBRF H4YL B06S</small>

**PETITION FOR VOLUNTARY ANNEXATION  
DATA SHEET**

***Town of Weaverville, North Carolina***

Submittal Date: \_\_\_\_\_  
Petition No. \_\_\_\_\_  
Annexation Area Name: \_\_\_\_\_  
Petitioner: Owners Identified Herein

Subject Area Acreage: 88.12  
Current Land Use: \_\_\_\_\_

Proposed Land Use or Development (describe): The proposed land use and development will be the same already approved by Buncombe County. The order permitted such planned use is attached to this Petition.

Residential (single family): Number of Units: \_\_\_\_\_ Anticipated build out in \_\_\_\_\_ years  
Average Sales Price: \$ \_\_\_\_\_/dwelling unit

Residential (multi-family): Number of Units: \_\_\_\_\_ Anticipated build out in \_\_\_\_\_ years  
Owned: Average Sales Price: \$ \_\_\_\_\_/building unit  
Rental: Average Rental Amt: \$ \_\_\_\_\_/month

Retail: Square footage: \_\_\_\_\_ Anticipated build out in \_\_\_\_\_ years  
Type of tenancy: \_\_\_\_\_

Commercial - Non-Retail: Square footage: \_\_\_\_\_ Anticipated build out in \_\_\_\_\_ years  
Type of tenancy: \_\_\_\_\_

Other: Square footage: \_\_\_\_\_ Anticipated build out in \_\_\_\_\_ years  
Type of tenancy: \_\_\_\_\_

Development Scale: Max building height of \_\_\_\_\_; max number of stories of \_\_\_\_\_

Infrastructure: Linear feet of publicly dedicated roadways proposed: \_\_\_\_\_ feet  
Public water proposed (describe): \_\_\_\_\_  
Other Public Services Requested (describe): \_\_\_\_\_

Zoning Vested Rights Claimed (describe and attach documentation): Documentation regarding the vested rights claimed is attached herein and will be supplemented with additional documentation.

\_\_\_\_\_  
**Signature of Owner(s)**

STATE OF NORTH CAROLINA  
COUNTY OF BUNCOMBE

BEFORE THE BUNCOMBE COUNTY  
BOARD OF ADJUSTMENT  
ZPH2022-00038

In the Matter of: )  
)  
Warren Sugg, P.E., of Civil Design Concepts, )  
P.A., on behalf of Travis Fowler of First )  
Victory, Inc., John Kilby, Donald Burnette, Jr., )  
Jerry Burnette, Wilma Buckner, and Halex )  
Management Company, LLC, )  
)  
Applicants. )  
\_\_\_\_\_ )

ORDER ON SPECIAL USE PERMIT  
APPLICATION

THIS MATTER having come on for hearing before the Buncombe County Board of Adjustment (hereinafter the "Board") at its February 8, 2023, meeting upon application has applied for a Special Use Permit "(SUP)" (the "Application") to establish a Planned Unit Development (Level 1) for a 577-unit residential development on tax lot PINs 9732-78-9228, 9732-77-7382, 9732-76-5731, 9732-76-5475, 9732-76-2936, and 9732-66-5806 (56, 72, and 74 Gill Branch Road and an unaddressed parcel just south of PIN 9732-78-9724, an unaddressed parcel just south of PIN 9732-78-9228, and an unaddressed parcel just east of PIN 9732-66-5806, (the "Property"), by Warren Sugg, P.E., of Civil Design Concepts, P.A., on behalf of Travis Fowler of First Victory, Inc., applicant, and John Kilby, Donald Burnette, Jr., Jerry Burnette, Wilma Buckner, and Halex Management Company, LLC, owners, (the "Applicant").

Having considered the evidence presented to this Board, including the Application, the submitted development plan, the GIS maps, the staff report, traffic map (objected to by applicant), the testimony presented, and the arguments advanced by the Parties, the Board hereby finds as follows:

#### FINDINGS OF FACT

1. That this matter was properly noticed and advertised, is within this Board's jurisdiction and is ripe for its consideration.
2. That the Applicant applied for a Special Use to establish a Planned Unit Development (Level 1) pursuant to the Zoning Ordinance of Buncombe County, Sec. 78-641(a), Sec. 78-677, and Sec. 78-678(b)(6), for a 577-unit residential development on tax lot PINs 9732-78-9228, 9732-77-7382, 9732-76-5731, 9732-76-5475, 9732-76-2936, and 9732-66-5806 (56, 72, and 74 Gill Branch Road and an unaddressed parcel just south of PIN 9732-78-9724, an unaddressed parcel just south of PIN 9732-78-9228, and an unaddressed parcel just east of PIN 9732-66-5806.

3. That the Applicant and all other parties with standing were given the opportunity to participate in the duly advertised and noticed hearing referenced above.

4. That, pursuant to the Buncombe County Zoning Ordinance, the Board finds as follows regarding the Special Use proposed in the Application:

A. Planned Unit Development Level I (PUD I) Standards (Sec. 78-678(b)(6)):

i) That the land within the PUD will be will not be under single ownership or management by the Applicant(s) before final approval and/or construction, or proper assurances (legal title or execution of a binding sales agreement) have been provided, such that the development can be successfully completed by the applicant.

ii) That the density is consistent inconsistent with the intent of the district in which it is located and conforms to that permitted in the district in which the development is located.

iii) That the land uses are are not compatible with and do not violate the intent of the zoning district and do not disrupt the character of the community.

iv) That the proposed land use meets does not meet minimum requirements for land development as follows:

a. the minimum lot size and requirements for interior setbacks do do not preserve the spirit and intent of this section and does comply with the density requirements for the zoning district with respect to the total development plan.

b. Proposed heights set forth in the applications do do not comply with the spirit and intent of this section with respect to the total development plan. Where building heights exceed the maximum allowed by the ordinance, this Board finds that unique elements of the development impose requirements for additional height that are not universal throughout the zoning district.

c. This Board finds that the minimum distance between buildings will will not ensure adequate air, light, privacy, and space for emergency vehicles.

v) That the development does does not provide reasonable visual and acoustical privacy for all dwelling units. Fences, insulation, walks, barriers, and landscaping will be used for the protection and aesthetic enhancement of property and the privacy of its occupants, screening of objectionable views or uses, and reduction of noise. Multilevel buildings are located in such a way as to

dissipate any adverse impact on adjoining low-rise buildings and do not invade the privacy of the occupants of such low-rise buildings.

- vi) That the structures located on the perimeter of the development will will **not** be set back from property lines and rights-of-way of abutting streets in accordance with the provisions of the zoning ordinance controlling the district.
- vii) This Board finds that the proposed parking does does **not** comply with the spirit and intent of this section.
- viii) This Board finds that the conveyance and maintenance of open space, recreational areas and communally owned facilities are are **not** in accordance with G.S. 47-1 et seq. the Unit Ownership Act and/or any other appropriate mechanisms as specified.
- ix) This Board finds that the building envelopes are are **not** shown in the submitted plans and depict the maximum expanse of the proposed footprint of the structure.

5. That, pursuant to 78-677(g) of the Buncombe County Zoning Ordinance, satisfactory provision and arrangement have been made for at least the following as it relates to:

- A. The proposed use will will **not** adversely affect the health or safety of persons residing or working in the neighborhood of the proposed use.
- B. The proposed use will will **not** be detrimental to the public welfare or injurious to property or public improvements in the neighborhood.
- C. The proposed use will will **not** cause or have adverse effects on surrounding properties due to noise, vibration, odor, or glare effects.
- D. Satisfactory ingress and egress for the proposed use of the property and proposed structures has has **not** been provided. Particular attention has been paid to automotive and pedestrian safety and convenience, traffic flow and control.
- E. Provision off-street parking and loading areas where required, with particular attention to the items in section 78-658 of the Buncombe County Zoning Ordinance have have **not** been arranged for.
- F. Provision of adequate and proper utilities, with reference to locations, availability, and compatibility have have **not** been arranged for.

- G. Provision of buffering, if deemed necessary, with reference to type, location, and dimensions have have not been arranged for.
  - H. Signs, if any, and proposed exterior lighting, with reference to glare, traffic safety, economic effect, and compatibility are are not in harmony with properties in the district.
  - I. Playgrounds, open spaces, yards, landscaping, access ways, and pedestrian ways, with reference to location, size, and suitability have have not been arranged for.
  - J. Buildings and structures, with reference to location, size, and use are are not acceptable.
  - K. Hours of operation, with particular reference to protecting and maintaining the character of the neighborhood are are not acceptable.
6. That the following conditions are necessary to ensure that the proposed use will conform to the requirements and spirit of the Buncombe County Zoning Ordinance:
- A. Gill Branch Road is to be gated and is exit-only for resident use. Only Fire Rescue and Law Enforcement may use Gill Branch Road as an entrance onto the property. Applicant shall obtain Fire Marshal approval for the final design of the restricted access point.
  - B. All interior access roads leading to, and all parking lots serving the multi-story apartment buildings shall have a minimum road width and drive aisle of 24 feet, or as otherwise specified by the County Fire Marshal.
  - C. Submit a major subdivision application prior to submittal of permits for construction.
  - D. A maintenance easement shall be required around any retaining walls which cross over property line within the development.
  - E. A NCDOT Driveway permit is required.
  - F. Project must be constructed as depicted in the site plan.
  - G. Prior to commencement of land disturbance and construction activity the applicant shall submit a Site Plan Development permit for the entire project, indicating the following information:
    - i) exact location of all buildings and accessory structures
    - ii) commercial lighting plan (demonstrating it meets the standards of the Buncombe Zoning Ordinance)
    - iii) buffering, landscaping, and parking lot landscaping (if required)
    - iv) retaining walls (demonstrating they meet the standards of the Buncombe Retaining Wall Ordinance)
    - v) easements and rights-of-ways on the property

- vi) approved E-911 road names (names to be approved by the Addressing Coordinator before submittal)
- vii) any other conditions of site development approved by the Board of Adjustment.
- viii) copy of approved permits from the US Army Corps of Engineers, the NC Department of Transportation, and the NC Department of Environmental Quality, where applicable.
- ix) **This Master Site Plan Permit approval shall not replace the requirement of pulling an individual Site Plan Permit for each building or structure within the development.**

H. Applicant must agree in writing to these conditions prior to commencement of site work.

#### CONCLUSIONS OF LAW

Based upon the foregoing findings of fact, the Board makes the following conclusions of law:

The Applicant's request for a Special Use Permit, together with the imposition of conditions found necessary above, which are incorporated herein as is fully set forth,  **meets**  **does not meet** each applicable requirement of the Buncombe County Zoning Ordinance.

#### ORDER

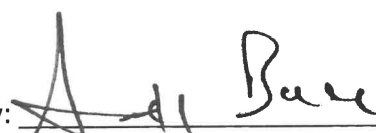
Now therefore, based on the foregoing Findings of Fact and Conclusions of Law, the Buncombe County Board of Adjustment Orders as follows:

That the Applicant is hereby granted a Special Use Permit to establish a Planned Unit Development on the Property as requested, subject to the conditions referenced above, which are incorporated herein as if fully set forth.

That the Applicant's request for a Special Use Permit is hereby denied.

This the 8<sup>th</sup> day of February, 2023.

Buncombe County Board of Adjustment

By:   
 Andy Ball, Chair



Attest: Jason M Payne  
Jason Payne, Clerk

APPROVED AS TO FORM

Curtis V. Euler  
Curt Euler  
County Staff Attorney

CERTIFICATE OF SERVICE

I, the undersigned hereby certify proper notice has been made by the delivery of copy of the forgoing to the parties in this matter including the applicant, landowner, and any person who has submitted a written request for a copy prior to the date the decision becomes effective by:

personal delivery

electronic mail, or

first-class mail

to the following addresses:

Counsel of Record for the Applicant:

Derek J. Allen  
Allen Stahl + Kilbourne  
[dja@asklawnc.com](mailto:dja@asklawnc.com)

Applicant(s):

First Victory, Inc.  
Travis Fowler  
[travis@firstvictory.com](mailto:travis@firstvictory.com)

Civil Design Concepts  
Warren Sugg, P.E.  
[wsugg@cdcgo.com](mailto:wsugg@cdcgo.com)

Landowner(s):

Keith Warren, Harriet,  
Cynthia, Jerry Burnett, Donald Burnett, Jr.  
96 Church St.  
Weaverville, NC 28787

John Kilby  
170 Deer Trail  
Lake Lure, NC 28746

Danny and Kathleen Buckner, Wilma Buckner  
56 Gill Branch Rd  
Weaverville, NC 28787

Holex Management Company, LLC  
55 Mica Hill Road  
Swannanoa, NC 28778

This the 10<sup>th</sup> day of February, 2023.



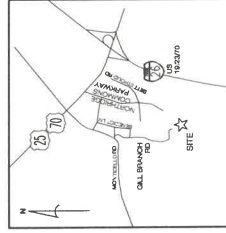
Nika Briggs

# NORTHBRIDGE FARMS

BUNCOMBE COUNTY, NORTH CAROLINA

PREPARED FOR:  
**FIRST VICTORY, INC.**  
 542 S. CALDWELL STREET  
 BREVARD, NC 28712  
 TRAVIS FOWLER  
 (828) 884-7934

Sheet No.	Title
C000	COVER
C001	SURVEY
C002	PERMITS, CONDITIONS & DEDICATION PLAN
C003	MASTER SITE PLAN
C004	SITE PLAN - WEST
C005	SITE PLAN - EAST
C006	PRELIMINARY PLAT PLAN
C007	GRADING & EROSION CONTROL PLAN - WEST
C008	GRADING & EROSION CONTROL PLAN - EAST
C009	ROAD PROFILE
C010	ROAD PROFILE
C011	ROAD PROFILE
C012	ROAD PROFILE
C013	ROAD PROFILE
C014	ROAD PROFILE
C015	ROAD PROFILE
C016	ROAD PROFILE
C017	ROAD PROFILE
C018	ROAD PROFILE
C019	MASTER STORM DRAINAGE PLAN
C020	SEWER MAIN PLAN - WEST
C021	SEWER MAIN PLAN - EAST
C022	MASTER WATER PLAN
C023	MASTER SEWER PLAN
C024	ELEVATIONS



VICINITY MAP  
NOT TO SCALE

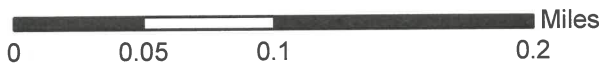


Know what's below.  
Call before you dig.

**DEVELOPMENT DATA**  
 OWNER/DEVELOPER: FIRST VICTORY, INC.  
 542 S. CALDWELL STREET  
 BREVARD, NC 28712  
 CONTACT: TRAVIS FOWLER  
 (828) 884-7934  
 CIVIL DESIGN CONCEPTS, P.A.  
 100 W. HUNTER STREET  
 ASHTON, NC 28804  
 CONTACT: TRAVIS FOWLER  
 (828) 252-5388

188 HUTTON PARKWAY ASHEVILLE, NC 28801 PHONE: 828 252-5388 FAX: 828 252-5388	52 WALKER STREET - SUITE 8 WHEATVILLE, NC 28788 PHONE: 828 488-4115 FAX: 828 488-4115 www.civildesignconcepts.com	BUNCOMBE COUNTY, NORTH CAROLINA	FIRST VICTORY, INC. - BUNCOMBE COUNTY, NORTH CAROLINA	NORTHBRIDGE FARMS
NO.	DATE	DESCRIPTION	BY	COVER FOR
1	11/20/2022	SOA SUBMITTAL	MAO	
2	12/21/2022	REVISED PER BUNCOMBE COUNTY COMMENTS	MAO	
3	12/21/2022	REVISED PER BUNCOMBE COUNTY COMMENTS	MAO	





**ZPH2022-00038**  
**Northridge Farms**  
**Special Use Permit**

**Aerial Map**


- Roads
- Property Boundaries

Created By: Buncombe Co. Planning  
 Date: 1/23/2023

**PETITION FOR VOLUNTARY ANNEXATION  
 CERTIFICATE OF AUTHORITY FOR CORPORATION  
 Town of Weaverville, North Carolina**

The undersigned, being (a/the) duly elected officer of First Victory Inc  
 \_\_\_\_\_, a corporation organized and existing in the State of North Carolina  
 (hereinafter "Corporation"), does hereby certify that:

1. That the Corporation currently exists and is in good standing with the NC Secretary of State;
2. That a controlling majority of shareholders of the Corporation have adopted resolutions with respect to the attached/foregoing Petition for Voluntary Annexation and such resolutions have been duly and validly adopted and are in full force and effect.
3. That said resolutions adopted/approved the Petition for Voluntary Annexation and authorized any and all actions on behalf of the Corporation to complete the process for the Petition to be approved by the Town of Weaverville and that no further authorizing action need be taken.
4. That the said resolutions authorized the following person or persons to execute all documents in connection with the Petition for Annexation and that the signature appearing to the right of their name(s) is his/her genuine signature:

NAME	OFFICE HELD	SIGNATURE
<u>Travis A. Fowler</u>	<u>President</u>	
_____	_____	_____
_____	_____	_____

**SIGNATURE:** \_\_\_\_\_  
**PRINTED NAME:** \_\_\_\_\_  
**DATE:** \_\_\_\_\_

**STATE OF NORTH CAROLINA  
 COUNTY OF Transylvania**

I, Sabrina M Pace, a Notary Public, certify that Travis Fowler personally came before me this day and acknowledged that he/she is the President of First Victory, Inc., a North Carolina corporation, and that by authority duly given and as the act of the Corporation, the foregoing Certificate of Authority was signed by him/her on behalf of the Corporation. Witness my hand and seal this the 20<sup>th</sup> day of September, 2023.



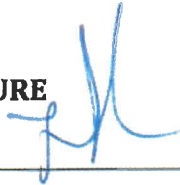
Sabrina M. Pace  
 Notary Public

My Commission Expires: 02-21-2027

**PETITION FOR VOLUNTARY ANNEXATION  
 CERTIFICATE OF AUTHORITY FOR LIMITED LIABILITY COMPANY  
 Town of Weaverville, North Carolina**

The undersigned, being (a/the) duly elected, qualified and active member / manager of DKF Development LLC, a limited liability company organized and existing in the State of North Carolina (hereinafter "Company"), does hereby certify that:

1. That the Company currently exists and is in good standing with the NC Secretary of State;
2. That a controlling majority of the members and the manager of the Company have adopted resolutions with respect to the attached/foregoing Petition for Voluntary Annexation and such resolutions have been duly and validly adopted and are in full force and effect.
3. That said resolutions adopted/approved the Petition for Voluntary Annexation and authorized any and all actions on behalf of the Company to complete the process for the Petition to be approved by the Town of Weaverville and that no further authorizing action need be taken.
4. That the said resolutions authorized the following person or persons to execute all documents in connection with the Petition for Annexation and that the signature appearing to the right of their name(s) is his/her genuine signature:

NAME	OFFICE HELD	SIGNATURE
<u>Travis A. Fowler</u>	<u>manager</u>	
_____	_____	_____
_____	_____	_____

SIGNATURE: \_\_\_\_\_  
 PRINTED NAME: \_\_\_\_\_  
 DATE: \_\_\_\_\_

STATE OF NORTH CAROLINA  
 COUNTY OF Transylvania

I, Sabrina M Pace, a Notary Public, certify that Travis Fowler personally came before me this day and acknowledged that he/she is the manager of DKF Development, LLC, a North Carolina limited liability company, and that by authority duly given and as the act of the Company, the foregoing Certificate of Authority was signed by him/her on behalf of the Company. Witness my hand and seal this the 20<sup>th</sup> day of September, 2023.



Sabrina M. Pace  
 Notary Public

My Commission Expires: 02-21-2027

**RESOLUTION CONCERNING VOLUNTARY ANNEXATION PETITION  
SUBMITTED FOR THE NORTHRIDGE FARMS PROJECT PROPERTIES  
WEAVERVILLE ANNEXATION NO. 2023-6**

**WHEREAS**, a petition requesting annexation of the properties that will be included in the Northridge Farms development has been received by the Town of Weaverville from DFK Development, LLC, First Victory, Inc., Danny C. Buckner, John Kilby, and others, and include the properties bearing the following Buncombe County Parcel Identification Numbers: 9732-77-7382, 9732-76-2936, 9732-76-5731, 9732-76-5475, 9732-66-5806, and 9732-78-9228; and

**WHEREAS**, N.C. Gen. Stat. § 160A-31 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

**WHEREAS**, the petitioners claim vested rights under a Buncombe County development approval for the attached site plan, but the property to be annexed will need to be given a zoning classification should the properties be annexed into the Town; and

**WHEREAS**, the Town Council of the Town of Weaverville deems it advisable to proceed in response to this request for annexation;

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Weaverville that:

1. With the assistance of the Town Attorney, the Town Clerk is hereby directed to investigate the sufficiency of the above-reference petition and to certify to Town Council the result of her investigation; and
2. The Town Planner is directed to place the properties on the next regular meeting of the Weaverville Planning Board's so that the Board can review the Town's Comprehensive Land Use Plan and forward a recommendation to Town Council on an appropriate zoning designation prior to or at a public hearing that may subsequently be held on this matter.
3. The Town staff is directed to provide a report analyzing the effect that this annexation might have on the provision of Town services and any additional resources that will be needed to extend Town services to these properties should they be annexed.
4. It is acknowledged that this voluntary annexation petition covers approximately 88 acres and involves a large development project and it will take staff time to provide the analysis, certifications, and recommendations required by this resolution. Staff is directed to provide an update at its November 2023 regular meeting, if not before.

**THIS** the 25th day of September, 2023.

---

**PATRICK FITZSIMMONS**, Mayor

**ATTESTED BY:**

---

**TAMARA MERCER**, Town Clerk



**TOWN OF WEAVERVILLE  
TOWN COUNCIL AGENDA ITEM**

**MEETING DATE:** September 25, 2023  
**SUBJECT:** Street Paving Project – Award of Bid  
**PRESENTER:** Public Works Director Pennell  
**ATTACHMENTS:** Bid Tabulation and Summary

**DESCRIPTION/SUMMARY OF REQUEST:**

In accordance with N.C. Gen. Stat. § 143-129, the Public Works Director has advertised, received and opened bids on the Town’s upcoming paving projects. As shown on the attached bid tabulation sheet, the lowest responsive bid was submitted by French Broad Paving out of Marshall, NC, with a bid total of \$1,391,104.50.

This bid was within budget and the Town Manager and Public Works Director recommend that Town Council award the bid to the low bidder and authorize staff to execute a paving contract consistent with the bid amount.

**COUNCIL ACTION REQUESTED:**

It is recommended that Town Council award the paving project bid to French Broad Paving and authorize appropriate Town officers and staff to negotiate and execute a contract consistent with the bid documents and the bid submitted.

**CERTIFIED BID TABULATION**

**2023-2024 PAVING PROJECT**

**TOWN OF WEAVERVILLE**

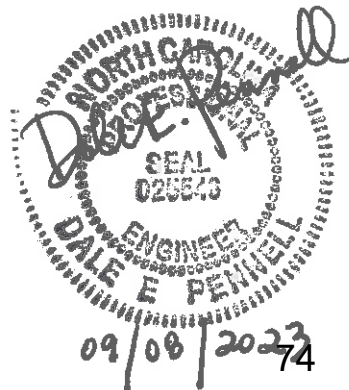
**BID DATE: SEPTEMBER 7, 2023 AT 2:00 PM**

BIDDER NAME	ORIGINAL BID AMOUNT ON SEPT. 7, 2023	CORRECTED BID AMOUNT
FRENCH BROAD PAVING MARSHALL, NC	\$1,400,619.50	\$1,391,104.50
JLS COMPANY LLC SKYLAND, NC	\$1,577,314.14	\$1,577,314.14
C&T PAVING LEICESTER, NC	\$1,757,021.00	\$1,596,845.00

**(math error corrected)**

This is to certify that the bids tabulated herein were publicly opened and read aloud at 2:00 pm local time on the 7th day of September, 2023 in the Public Works Conference Room of the Town of Weaverville, NC.

**Dale E. Pennell, PE, PLS**  
**Public Works Director**  
**Town of Weaverville**  
**15 Quarry Road**  
**Weaverville, NC 28787**



**CERTIFIED BID TABULATION SUMMARY**

**2023-2024 PAVING PROJECT**

**TOWN OF WEAVERVILLE**

FIRST BID DATE: AUGUST 22, 2023 AT 2:00 PM  
 SECOND BID DATE: SEPTEMBER 7, 2023 AT 2:00 PM

STREET NO.	STREET NAME	FRENCH BROAD PAVING	JLS COMPANY	C&T PAVING
		BID AMOUNT (CORRECTED)	BID AMOUNT	BID AMOUNT (CORRECTED)
1	ALABAMA AVENUE	\$253,500.00	\$301,226.28	\$250,565.00
2	BIRKDALE AVENUE	\$78,470.00	\$85,643.47	\$86,275.00
3	CENTRAL AVENUE	\$261,299.50	\$330,088.69	\$262,465.00
4	CENTRAL AVENUE EXTENSION	\$92,800.00	\$91,574.21	\$124,400.00
5	COURSEVIEW DRIVE	\$151,730.00	\$178,433.90	\$176,520.00
6	PRESTON COURT	\$79,200.00	\$87,698.11	\$121,650.00
7	ROBERTS STREET	\$142,375.00	\$159,235.94	\$174,475.00
8	TWIN COURTS DRIVE	\$174,725.00	\$183,201.98	\$217,425.00
9	WILDWOOD KNOLL	\$42,030.00	\$35,301.40	\$58,745.00
10	WILDWOOD PARK	\$114,975.00	\$124,910.16	\$124,325.00

<b>TOTAL OF BID</b>	<b>\$1,391,104.50</b>	<b>\$1,577,314.14</b>	<b>\$1,596,845.00</b>
<u>(math error corrected)</u>	75		

**Town of Weaverville**  
**Town Council Agenda Item**

**Date of Meeting:** September 25, 2023  
**Subject:** Public Works & Water Department Quarterly Report  
**Presenter:** Dale Pennell, Public Works Director  
**Attachments:** Quarterly Report (June 2023 - August 2023)

**Description:**

Attached please find the quarterly report from the Public Works Department including the Water Department.

**Action Requested:** None.

# TOWN OF WEAVERVILLE PUBLIC WORKS ACTIVITY SHEET

JUNE 2023 - AUGUST 2023

## WATER MAINTENANCE DIVISION:

	Jun-23	Jul-23	Aug-23	3 month average
Water Leaks Repaired	3	0	1	1
New Water Taps	2	1	1	1
<b>Total Active Water Meters</b>	<b>3,235</b>	<b>3,241</b>	<b>3,248</b>	<b>3,241</b>
Water Quality Complaints	0	1	1	1
Meter Re-Read Service Calls	36	27	63	42
General Service Calls	91	64	97	84
Water Door Tags Delivered	28	32	19	26
Water Line Locate Utility Service Calls (811)	122	118	110	117
Reservoir-Pump Station Site Checks	15	18	24	19
Water Line Construction Inspections:				
	Palisades (100%)		Greenwood Park (5%)	

**WATER PRODUCTION DIVISION:**

(Gallons per month)

1A. Raw water pumped from river to Water Treatment Plant

(daily average vs. 1.5 MGD plant capacity)

1B. Raw water used at the WTP

1C. Finished water Produced at WTP

2. Water Purchased from Mars Hill

**A1. TOTAL WATER PRODUCTION (1.C. + 2)**

3. Finish Water used at WTP

**A2. TOTAL WATER AVAILABLE FOR SALES**

**B. TOTAL METERED FOR BILLING**

C. Metered, Non-Metered & Non-Billed Use by Town

D. Total Accounted For Water (3 + B + C)

**E. TOTAL UNACCOUNTED (A1-D)**

**F. MONTHLY UNACCOUNTED WATER (E/Ax100)**

	Jun-23	Jul-23	Aug-23	3 month average
21,195,000	21,775,000	21,860,000	21,610,000	
47%	47%	49%	48%	
1,422,000	1,495,000	1,455,000	1,457,333	
19,773,000	20,280,000	20,405,000	20,152,667	
0	0	0	0	
19,773,000	20,280,000	20,405,000	20,152,667	
711,828	730,080	734,580	725,496	
19,061,172	19,549,920	19,670,420	19,427,171	
16,086,000	15,944,600	16,283,900	16,104,833	
1,050,000	1,775,000	1,547,200	1,457,400	
17,847,828	18,449,680	18,565,680	18,287,729	
1,925,172	1,830,320	1,839,320	1,864,937	
9.7%	9.0%	9.0%	9.3%	

**WATER CAPACITY VS PRODUCTION:**

(Gallons per day)

Water Plant Design Capacity	Jun-23	Jul-23	Aug-23	3 month average
	1,500,000	1,500,000	1,500,000	1,500,000
Average Daily Production				
Total Water Production (A1 above) / 30 days in month	659,100	676,000	680,167	671,756
<b>AVERAGE USE RELATIVE TO DESIGN CAPACITY</b>				
Current Water Commitments for future development	43.9%	45.1%	45.3%	44.8%
	442,974	442,974	442,974	442,974
<b>MONTHLY USAGE &amp; FUTURE USAGE VS 1,500,00 GPD</b>				
	73.5%	74.6%	74.9%	74.3%

**STREETS DIVISION:**

79 Street/Sidewalk/Drainage /Sign Repairs Completed	Jun-23	Jul-23	Aug-23	3 month average
	0	4	10	5
Roads paved	na	na	na	

**GROUNDS MAINTENANCE DIVISION:**

Special Projects/Repairs Completed	Jun-23	Jul-23	Aug-23	3 month average
	0	4	7	4

**STORMWATER MANAGEMENT DIVISION:**

Storm drain pipes/structures cleaned or replaced	Jun-23	Jul-23	Aug-23	3 month average
	0	1	2	1
Miles of curbs and streets sweeping	0	0	0	0

**SANITATION DIVISION:**

	Jun-23	Jul-23	Aug-23	3 month average
Residential Collection Points	2252	2256	2257	2257
Monthly Residential Collections (4/month)	9024	9028	9028	9027
Business Pick Ups	80	80	80	80
Business Pick Ups (4/month)	320	320	320	320
Residential Set-Outs	107	107	107	107
Residential Set-Outs (4/month)	428	428	428	428
TOTAL points picked up per month	9772	9776	9776	9775
Total Tons to Landfill	133.61	109.40	152.27	131.76
Average Pounds Per Collection Point (per week)	27.3	22.4	31.2	27.0
Cubic Yards - Yard Debris	58.5	36.0	49.5	48.0
Cubic Yards - Brush Chipped	187	165	231.0	194.3
Cubic Yards - Leaf Collection	0	0	0	0

**MISC**

1. Walking trail, interior access road, and connecting trails were paved in July at Lake Louise Park.
2. Bids for FY 23-24 Paving Project were received in August/September with work to begin in October; the list includes: Wildwood Knoll, Alabama Avenue, Wildwood Park, Birkdale Avenue, Courseview Drive, Roberts Street, Twin Courts Drive, Preston Court, and Central Avenue as well as replacement of various handicap ramps around the downtown area.
3. Construction on Recreation Complex is underway. PW Staff is helping with tree removal, temporary seeding, landscaping, and mulching.
4. Street sweeper received on August 29; Garbage truck ordered for January delivery; Playground equipment ordered for October delivery.





**WATER CAPACITY NEED PROJECTIONS**  
**BASED ON COMMITMENTS AND GROWTH PROJECTIONS (September 2023)**

Property Description	Acres	Residential Dwelling Units (RDU) Projection			Water Capacity Projection (in GPD)		
		Low RDU Estimate	Moderate RDU Estimate	High RDU Estimate	Low GPD Estimate	Moderate GPD Estimate	High GPD Estimate
<b>Current Water Commitments</b>							
A Stoney Knob Mixed Use Dev. – 3 Garrison Rd		Commercial	Commercial	Commercial	5,000	5,000	5,000
B Retail Dev. – Northridge Commons Pkwy		Commercial	Commercial	Commercial	600	600	600
C Commercial Dev. – 16+ Garrison Rd		Commercial	Commercial	Commercial	14,824	14,824	14,824
D Palisades at Reems Creek – Merrimon Rd	11.21	132	132	132	55,100	55,100	55,100
E Ollie Weaver Apts – 60 Ollie Weaver Rd	25	202	202	202	55,600	55,600	55,600
F Pleasant Grove TH – 9 Pleasant Grove Rd	10	40	40	40	16,000	16,000	16,000
G Clarks Chapel S/D – 601 Clarks Chapel Rd	8.5	13	13	13	5,200	5,200	5,200
H Ponder TH – 480 Reems Creek Rd	17.4	139	139	139	55,600	55,600	55,600
I Greenwood Park S/D – Al Dorf Dr	46	73	73	73	29,200	29,200	29,200
J Maribel/LDG Apt - 171 Monticello Rd	10.68	156	156	156	56,600	56,600	56,600
	<b>TOTAL ALREADY COMMITTED</b>	<b>755</b>	<b>755</b>	<b>755</b>	<b>293,724</b>	<b>293,724</b>	<b>293,724</b>
<b>Growth Area 1 – Gill Branch Valley Area</b>							
K Northridge Farms – Northridge Commons Pkwy	88	577	577	577	230,800	230,800	230,800
L Unimproved Parcel – Gill Branch Rd	42	168	336	504	67,200	134,400	201,600
<b>Growth Area 2 – Monticello Rd West Area</b>							
M Unimproved Parcel – Monticello Rd	13	52	104	156	20,800	41,600	62,400
<b>Growth Area 3 – Ollie Weaver Rd Area</b>							
N Unimproved Parcel – Clarks Chapel Rd	40	40	60	80	16,000	24,000	32,000
O Unimproved Parcel – 31 Greenridge Rd	106	106	159	212	42,400	63,600	84,800
P Small S/D Development		0	50	100	0	20,000	40,000
<b>Growth Area 4 – I-26 Corridor</b>							
Q Unimproved Parcel – Silverwood Farm Rd	108	0	432	864	0	172,800	345,600
R Residential Parcel (SFR) – 75 Cole Rd	22	22	44	264	8,800	17,600	105,600
<b>Growth Area 5 – Reems Creek Rd Area</b>							
S Unimproved Parcels – Commercial Dev.		Commercial	Commercial	Commercial			

T	Residential Parcel (SFR) – 294 Reems Creek Rd	19	76	152	228	30,400	60,800	91,200
U	Residential Parcel (SFR) – 27 Old Wvl Farm Rd	56	224	448	672	89,600	179,200	268,800
V	Residential Parcel (SFR) - 300 Hamburg Mtn Rd	10	35	35	35	14,000	14,000	14,000
W	Residential Parcel (TH/SFR) - Pleasant Grove Rd	17	68	136	204	27,200	54,400	81,600
X	Unimproved Parcels – Reems Crk /Hamburg Mtn	35	140	280	420	56,000	112,000	168,000
Y	Small S/D Development		0	50	100	0	20,000	40,000
Z	<b>TOTAL PROJECTED IN ALL GROWTH AREAS</b>					<b>603,200</b>	<b>1,145,200</b>	<b>1,766,400</b>
ZZ	<b>TOTAL IN-FILL DEVELOPMENT PROJECTION</b>	<b>250</b>	<b>300</b>	<b>400</b>	<b>400</b>	<b>100,000</b>	<b>120,000</b>	<b>160,000</b>
AA	<b>TOTAL WATER CAPACITY ALREADY COMMITTED [J]</b>							
BB	<b>TOTAL WATER CAPACITY PROJECTED IN GROWTH AREAS [Z]</b>							
CC	<b>TOTAL WATER CAPACITY PROJECTED FOR IN-FILL DEVELOPMENT [ZZ]</b>							
DD	<b>TOTAL WATER CAPACITY PROJECTED (COMMITTED &amp; GROWTH PROJECTIONS) (400 GPD/RDU) [AA+BB+CC]</b>							
EE	<b>DEDUCTION FOR CURRENT WATER CAPACITY AVAILABLE (MM)</b>							
FF	<b>ADDITIONAL WATER CAPACITY NEEDED (400 GPD/RDU) [DD-EE]</b>							
<b>Sale of Supplemental Water</b>								
GG	Town of Mars Hill/Town of Marshall					0	100,000	300,000
HH	Woodfin Water District					0	100,000	100,000
II	<b>TOTAL WATER CAPACITY PROJECTED W/ SALE OF SUPPLEMENTAL WATER [DD+GG+HH]</b>							
JJ	<b>DEDUCTION FOR TOTAL CURRENT WATER CAPACITY AVAILABLE (MM)</b>							
KK	<b>ADDITIONAL WATER CAPACITY NEEDED (400 GPD/RDU) [II-JJ]</b>							
LL	<b>WHAT IS THE WTP'S CURRENT DAILY RAW WATER WITHDRAWAL RATE?</b>							
MM	<b>HOW MUCH WATER CAPACITY IS CURRENTLY AVAILABLE AT THE WTP?</b>							
	<b>("CURRENT WATER CAPACITY AVAILABLE" - see below for calculation) (RR)</b>							
NN	CURRENT PERMITTED WTP CAPACITY						1,500,000	
OO	ESTIMATED WATER NEEDED FOR PRODUCTION/SYSTEM MAINTENANCE, UNACCOUNTED FOR WATER AT FULL WTP CAPACITY						(382,000)	
PP	CURRENT WATER CAPACITY AVAILABLE FOR SALE (NN-OO)						1,118,000	
QQ	CURRENT WATER CAPACITY ALREADY SOLD						(537,000)	
RR	CURRENT WATER CAPACITY AVAILABLE (PP-QQ)						581,000	