
Members Present: Sara Smith, Chair; Sandy Zimmerman, Vice-Chair; Stuart Jenner, Suzy Christensen, Barry Cook, Theresa Holbrook, Alternate

Staff Present: Ron Wallace, Zoning Administrator; Suzanne Hedden, Secretary

Visitors: Fannie Watson, Nick Roberts, Barbara Roberts, Randy Crosby, Christine Crosby

Chair Sara Smith called the meeting to order at 6:00 pm.

Zoning and Planning Administrator Wallace began the meeting with swearing in Barry Cook, our new Board of Adjustment member.

MINUTES

Sandy Zimmerman moved to approve the minutes of the July 27, 2023 meeting, contingent upon a change in the first complete paragraph on Page 4 (“supposed to be twenty percent” to “supposed to be 25%”). Stuart Jenner seconded the motion. Motion approved.

NEW BUSINESS

1. **Hear Application BOA-23-03 by Barry Cook for a detached accessory building. This proposed accessory building measures 16 x 24 feet which equals 384 SF. To me the size is acceptable and right at the 25% allowed. In addition, the owner would like their new building 8'-0" to the left of the single-family dwelling. This does not meet the ordinance requirement that accessory buildings are to be customarily placed in the rear of existing dwelling/residence. Lot 1, .75 acres, Portion of deed book 476, page 145, portion of parcel #555015733501. Located off Fort Hembree Road, Hayesville, NC. Applicant seeks approval to accept the proposed location of the new detached accessory building.**

Mr. Cook left the room while action on his BOA application was determined. Mrs. Smith explained the application and asked for discussion. Items discussed were questions about the material that will be used for the garage (probably wood); enough room for the house and garage (yes); reason garage cannot be located behind house (trees). Ms. Holbrook stated that the hardship would be to clear the trees, to which Mrs. Smith agreed and added that the hardship did not result from actions by the landowner. Mrs. Christensen commented that the garage should enhance the house/property.

A motion was made by Stuart Jenner to approve the application. Mrs. Christensen seconded the motion. Motion approved.

2. **Application REVISED BOA-23-02 by Randy and Christina Crosby for a detached accessory building. This proposed accessory building measures 30 x 39 feet, which equals 1170 SF. The existing residence has approximately the same floor area so the proposed new accessory building will exceed the 25% allowed in the Zoning Ordinances. In addition, the owner would**

like to locate their new building approximately 14 feet to the left of the existing two car garage. (See attached proposed location plan). This does not meet the ordinance requirement that accessory buildings are to be customarily placed in the rear of existing dwelling/residence. Combination Deed being Lots 18 and 19 of McGlamery Subdivision, 325 McGlamery Farm Drive, Hayesville, NC, containing 2.00 total acres. (Located between Parcel 556013138779 owned by Kenneth and Kathleen Hall of 373 McGlamery Farm Drive, Hayesville, NC) and (Parcel 556013232913 owned by Paul Rowe of 636 Floral Ter, Louisville, KY 40208). Applicants seek approval to accept the REVISED size and location for a new detached accessory building.

Mrs. Smith explained that Mr. and Mrs. Crosby are back with a new proposal for a smaller building. She asked Mr. Wallace if the new design is still considered an accessory building. Mr. Wallace answered in the affirmative due to the open covered breezeway. Mrs. Smith then read the details of the application.

Mr. Crosby approached the table and was sworn in. He explained why they had changed plans in order to decrease the size of the building. Mrs. Smith added that the size has been cut down considerably, but it is still approximately double the size it should be.

Mrs. Crosby was sworn in and stated that they had talked about extending the other garage, but felt it would look better to add the additional one.

Fannie Watson was sworn in. She stated that if an allowance is made for one person, you must do it for others. She added that she has reservations about the size of the building.

Mrs. Smith then read the list of hardships that must be considered for situations such as this. Mr. Crosby stated "when we bought the property, we had no idea of the proximity and rules. Our builder told us we could get a permit to do anything, but that is not the case." Mrs. Smith reiterated that the Board must deal with facts. Mrs. Christensen added that she believes the garage would add value to the property, but she is a believer of zoning.

After more discussion, Ms. Holbrook commended Mr. Crosby on doing what the Board asked him to do, and asked Board members what the bottom line (size) would be that could be approved.

Nick Roberts, a neighbor to Mr. and Mrs. Crosby, was sworn in. He stated that Mr. Crosby has additional footage in the second level of his house. Board members advised that only the footprint of the house is considered.


Mrs. Smith asked members if 30' x 25' would be an option. She then called for a motion. Mr. Jenner made a motion to approve the application.


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Discussion continued and Ms. Zimmerman made a motion to approve the ordinance with the condition that the building will be no larger than 30' x 25' (750 square feet). Mr. Jenner seconded the motion. Motion approved.

Mrs. Smith then addressed the variance for placement of the building and read the stipulations of hardships. Mrs. Christensen made a motion to approve the variance for placement of the building at the side of the residence instead of behind the residence. Ms. Zimmerman seconded the motion. Motion approved. Board members expressed their appreciation to Mr. Crosby for his efforts. Additionally, Mr. Crosby extended his appreciation to Mr. Wallace for his time and efforts.

Ms. Zimmerman made a motion to adjourn the meeting at 7:29 pm. Mr. Jenner seconded the motion. Meeting adjourned.


Respectfully submitted,
Suzanne G. Hedden, Secretary


Sara Smith
Chair