Board members present: AnnKelso Hewitt

Mark Spence

Martha Chastain

Robert Sulaski

Eleanor James

Margaret Waterstradt

Bill Solomon

Board members absent: None

Town staff present: Alex Carmichael, Town Administrator

Angie Murphy, Town Clerk

Adrienne Isenhower, Zoning Administrator

Eleven members of the public were present. Mr. Spence, as Chair, called the meeting to order at 4:59 p.m. Mr. Spence welcomed new member Bill Solomon who led the invocation.

**Agenda Approval**

Robert Sulaski moved to approve the agenda as presented. Martha Chastain seconded and the motion carried 7/0.

**Minute Adoption**

Robert Sulaski moved to approve the November 24, 2019 Meeting Minutes as presented. Eleanor James seconded and the motion carried 7/0.

**Public Hearing #1 – Mississippi Road**

Mark Spence gave a brief description of the purpose of this evening’s variance. Town Clerk Angie Murphy swore in witnesses for the Mississippi Road Variance Request. Zoning Administrator Adrienne Isenhower stated that the property on Mississippi Road was located in the R-1 Low Density Residential zoning district which requires a 15’ side yard setback. The variance is requested for reduction of the side yard setback from 15’ to 10’ for construction of a single-family home. They are only asking for one side of the side yard setback to be reduced. The other side of the property has a 15’ utility easement that cannot be encroached. Mrs. Isenhower stated that property owners adjacent to this property within 250 feet received meeting notification and the meeting packet that everyone on the Board received. There are some neighbors present tonight that want to speak as well as some letters from neighbors that the Town Clerk will read aloud.

Mr. Keith Sanders did the survey in 2018 and at that time he utilized the wrong zoning classification. Mr. Sanders utilized R2 (which has a 10’ side setback) instead of R1 (which has a 15’ side setback). The plans were drawn for a 10’ side setback and it was only when the plans were submitted for a permit that the mistake was noted.

Matt Ashley, the realtor who helped Mader’s purchase the lot, was available for questions as well as the builder and architect.

Mark Oliver Jr. spoke on behalf of his parents who live at 161 Mississippi Road to the right of the property in question. The Oliver’s had a considerable amount of concern about this project. They cited greenspace issues and stormwater easements as reason to not grant this variance. Mr. Oliver stated that a two car garage was not essential and street parking is available in Montreat. Mr. Oliver stated that a house could be built upon this lot under the current codes. There was also a massive oak tree on this property that would be affected by this project.

Town Clerk Angie Murphy read a letter from Stephanie Farrior and Jeff Schumann of 157 Mississippi Road. There were also in opposition of the variance. They felt the entire situation could have been avoided if basic due diligence was handled from the beginning.

Town Clerk Angie Murphy read a letter from Susanne and Bill McCaskill of 114 John Knox Road who felt this would set a precedence for future development on narrow lots. They expressed their support of Mark and Denise Oliver of 161 Mississippi Road.

Town Clerk Angie Murphy read a letter from Mary Updike McLaughlin co-owner of 163 Mississippi Road. Ms. McLaughlin stated that this property has been well known as an unbuildable lot in Montreat. She also mentioned concerns about setting a precedence for future development.

Mike Mader expressed his desire to design and build a house to live in Montreat.

Mark Oliver Sr. stated his thoughts of opposition toward this development. Mr. Oliver mentioned the large oak tree that sets on the line between the two properties.

Matt Ashley, realtor for the Maders, stated that the Maders have gone as far as hiring an arborist to insure the health of the oak tree.

Zoning Administrator Adrienne Isenhower advised Robert Sulaski that the Planning & Zoning Commission has been reviewing the Montreat Zoning Ordinance for the past year. The Commission decided not to adjust the setbacks but did decide to approve conditional zoning.

After some discussion the Maders decided to withdraw their application for a variance.

**Public Hearing #2 – 362 Nisbet Lane**

The witnesses for this variance was sworn in by Chairman Mark Spence. Adrienne Isenhower gave a brief introduction including what was included in the meeting packet. Jay Cope of Semper Fi Custom Remodeling stated that Mr. Nuernberger would like to extend the existing 2nd story deck on the south side of the house by 3 feet toward North Carolina Terrace per the design plans. In addition, he would like to connect the south side deck to the “front porch” deck on the east side of the house to create both a secondary egress route in case of emergency and an ADA compliant access route into the house. He would do this by wrapping the deck around the corner of the house and extending it along the east side of the house to attach it. An additional reason we want to build this deck is to create more space on the main level of the house, where our family can be outside and enjoy Montreat and its beautiful vistas. The design we have chosen creates that space and does it in a way that maintains the spirit of the original house design. Of the design alternatives he considered, he thinks this one with a wraparound deck joining the two existing decks would be the most attractive.

Mr. Nuernberger stated that both sets of neighbors expressed their desire to continue with the project. Town Clerk Angie Murphy read a letter from next door neighbor John McMaster of 291 North Carolina Terrace. Mr. McMaster felt this project would be beneficial for both properties.

Mr. Robert Sulaski moved to grant a variance request to encroach upon the side yard setback for construction of a deck. The property is zoned R-1 Low Density Residential and is further described as PIN# 0710-86-3699. Eleanor James seconded and the motion carried 7/0.

**Public Comment**

There was no public comment at this time.

**Adjournment**

There being no further business to discuss, Eleanor James moved to adjourn the meeting at 6:55 p.m. AnnKelso Hewitt seconded and the motion carried 7/0.

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| Mark Spence, Chair |  | Angie Murphy, Town Clerk |