

**Town of Montreat
Board of Adjustment (BOA)
Meeting Agenda
January 22, 2026, 5:00 p.m.
Montreat Town Hall
1210 Montreat Rd., Black Mountain, NC 28711**

I. CALL TO ORDER

- Welcome and Introductions
- Moment of Silence

II. CERTIFICATION OF QUORUM

III. AGENDA ADOPTION

- **Suggested Motion:** To adopt the meeting agenda as presented/amended

IV. ADOPTION OF NOVEMBER 13, 2025, SPECIAL MEETING AND NOVEMBER 20, 2025, REGULAR MEETING MINUTES

- **Suggested Motion:** To adopt the November 13, 2025, Special Meeting Minutes as drafted/amended.
- **Suggested Motion:** To adopt the November 20, 2025, Regular Meeting Minutes as drafted/amended.

V. ORGANIZATION OF BOARD OF ADJUSTMENT,

- Election of Officers
 - i. Chair (current: Danny Sharpe)
 - ii. Vice-Chair (current: David Neel)
 - iii. Secretary (current: Angela Murphy)

VI. ORDER OF APPROVAL

- 1) **Variance (435 Greybeard Trail)** – A Variance request was submitted by Powell A. Fraser, Property Owner, for the lot addressed as 435 Greybeard Trail, Montreat, NC 28711 and described as PIN# 072007494600000. The Variance request to Section 501.81 of the Montreat Zoning Ordinance to reduce the side setback requirement from 15 feet to 4 feet on the southern side of the Subject Property for the purpose of building a covered porch.

Suggested Motion: To grant/grant with conditions/deny the Variance request for 435 Greybeard Trail.

- 2) **Variance (216 Alabama Terrace)** - A Variance request was submitted by Margaret Gramling, property owner, for the lot addressed as 216 Alabama Terrace, Montreat, NC 28711 and described as PIN# 071086508400000. This Variance request is to Section 502.5 of the Montreat Zoning Ordinance to reduce the front setback requirement from 30 feet to 8.25 feet on the northern side of the Subject Property for the purpose of expanding and covering the existing deck on the Subject Property.

Suggested Motion: To grant/grant with conditions/deny the Variance request for 216 Alabama Terrace.

VII. **NEW BUSINESS**

VIII. **NEXT MEETING DATE:** February 26, 2026 (if needed)

IX. **ADJOURNMENT**

Board of Adjustment – Special Meeting

November 13, 2025, 1:00 p.m.

Meeting Minutes

Board of Adjustment Members in Attendance:

Chair Danny Sharpe
Bill Scheu
Matt Horne
George Sawyer
Ed Krmaer
Mari Gramling
Arrington Cox

Board of Adjustment Members Not in Attendance:

David Neel

Town Staff in Attendance:

Interim Zoning Administrator Alexis Baker

Members of the Public in Attendance:

Unknown

1. Call to Order

Chair Danny Sharpe called the meeting to order at 1:00 PM on Thursday, November 13, 2025. He began with a lighthearted comment, asking "Is there a lot of people watching?" before quickly adding "Just kidding, just kidding." Chair Sharpe then formally stated, "Let's take just a moment. I call this meeting to order. It's November thirteenth, 2025. Let's take a moment of silence." A moment of silence was observed.

2. Certification of Quorum

Chair Danny Sharpe confirmed the presence of a quorum, stating "Well, we have a certification of a quorum here for sure. We've got enough people here to do our business today."

3. Agenda Adoption

Chair Danny Sharpe requested a motion to adopt the meeting agenda, saying "I would like to receive a motion that we adopt the agenda that's presented before us. Is there a motion?"

Motion by Bill Scheu, seconded by Mari Gramling, to adopt the meeting agenda as presented. Motion carried unanimously.

4. Order of Approval

a. Written Order of Approval Case No. 536 Calvin Trail

Chair Danny Sharpe introduced the first written order, stating: "We have a written order for Case Number 536 Calvin Trail before us. May I receive a motion to approve this written order?"

Motion by Arrington Cox, seconded by Mari Gramling, to approve the Written Order of Approval for Wade Burns on behalf of Property Owner, Graceful Blessings LLC.

The vote proceeded with those in favor saying "aye" and Ed Kramer voting "opposed." Chair Sharpe declared, "The motion carries."

b. Written Order of Approval Case No. 428 South Carolina Terrace

Chair Danny Sharpe introduced the second written order, as noted in prior discussions: "The second written order, is Case Number 428 South Carolina Terrace. May I receive a motion to approve this written order?"

Motion by Bill Scheu, seconded by Mari Gramling, to approve the Written Order of Approval for Ewing Construction on behalf of Property Owners, Albert and Lucy Robinson.

When the vote was called, those in favor said "aye" and Ed Kramer again voted "opposed." The motion carried.

c. Written Order of Approval Case No. 438 Kentucky Road

Chair Danny Sharpe presented the final written order for Case Number 438 Kentucky Road and asked for a motion to approve the written order.

Motion by Mari Gramling, seconded by Bill Scheu, to approve the Written Order of Approval for Property Owner, Philip Jung.

The vote again resulted in ayes from the majority and an "opposed" vote from Ed Kramer. The motion carried. Chair Sharpe stated, So, that ends our business. Is there any other discussion or items that you'd like to consider today?

At this point, Member Ed Kramer launched into a critique of the special meeting. He began, "My disappointment is that we've been schooled that this is a quasi-judicial procedure. And somebody from the outside, an applicant—" Chair Sharpe interrupted to request he use the microphone: "Use your mic."

Mr. Kramer continued with evident frustration: "We've been schooled that this is a quasi-judicial procedure. And we have been influenced by outsiders to do something out of the ordinary here. And that is to hold a meeting at the request of an applicant. Not in terms of an emergency situation, but because they want to get started on their project earlier. Why couldn't they wait one more week till our regularly scheduled meeting? I don't understand why it was so necessary to pull all these people together to satisfy an applicant who can't wait seven additional days."

His concern about precedent was clear as he continued: "I just hope we never do this again because we have set a precedence here. People are going to say, well, you let this person come a week early. I have to get started because it's going to rain. I gotta get my cement guy. I can just hear the requests already."

Mr. Kramer emphasized the normal procedures: "And the rules are we meet; we approve in one month, we approve the written order the following month. I understand why we're meeting next Thursday because it's Thanksgiving on the 27th. But I just think this was way out of line for an applicant to make a request to the town commissioners and for them to ask us to meet in a special session because they have some type of need. I don't understand the necessity of this meeting at all."

Chair Danny Sharpe, seeking to ensure Mr. Kramer's concerns were properly documented, turned to Interim Zoning Administrator Alexis Baker: "Alexis, with Town Clerk Angie Murphy not here, could you make sure that this gets reflected in the minutes so that the town council can see responses."

Another member interjected "We may not agree with that" followed by multiple affirmations of "Yeah."

Matt Horne then offered a contrasting perspective: "I would like to speak. My understanding is that the request was made on one of these that had been delayed because of our procedural slowness. This is months that we've delayed something from our regular process and our order because of our own limitations."

He clarified the nature of the town council's involvement: "As I understand it, the town council requested that we have this meeting. They did not direct this meeting, and it was only to certify approval of the actions that this board had already taken."

Matt Horne then expressed his personal philosophy on the matter: "I personally like that there is a flexibility and a willingness to be procedurally generous when it doesn't affect the actual decisions we must make, this is a timing thing."

Member Arrington Cox then raised a pointed question: "I'm just curious as to the real reason this applicant wanted us to meet now."

Chair Sharpe, lacking the information to answer directly, responded: "We don't have anybody from town council to speak to that, so I'd have to defer that to the town council."

At this point, Interim Zoning Administrator Alexis Baker introduced a potentially helpful procedural change: "We could do this before the meeting on the twentieth, but I'm fully prepared to have the written order for the one application that should come before you. So, we could go through that written order, and it could be approved."

When asked "That night?" Baker confirmed "That night"

Ms. Baker added a caveat: "But I'll need to ask Brandon if you need to make a motion to change your policy or if we can just go ahead and do that. I do need to have that discussion with him."

Chair Sharpe explained the current procedure: "So typically, we do written orders at the subsequent meeting and when we approve the minutes. But in this case, perhaps, we could do the written order during the same meeting."

Baker provided context from other jurisdictions: "My understanding from Town Attorney Brandon Freeman is that other jurisdictions do that at their same meetings."

A member commented: "That would be super helpful."

Baker concluded: "So it is a possibility. I just have to ask him how we update that policy if the board chooses to make that change."

5. Next Meeting Date

The next meeting date was confirmed for November 20, 2025.

6. Adjournment

Chair Danny Sharpe asked, "Any other items for discussion? Motion to adjourn?"

Motion by Mari Gramling, seconded by Bill Scheu, to adjourn the meeting. Motion carried unanimously.

The meeting was adjourned at approximately 1:10 PM.

Chair Danny Sharpe

Town Clerk Angie Murphy

Board of Adjustment – Regular Meeting

November 20, 2025, 5:00 p.m.

Meeting Minutes

Board of Adjustment Members in Attendance:

George Sawyer
Arrington Cox
Chair Danny Sharpe
David Neel
Ed Kramer
Bill Scheu
Matt Horne

Board of Adjustment Members Not in Attendance:

Mari Gramling

Town Staff in Attendance:

Town Clerk Angie Murphy
Interim Zoning Administrator Alexis Baker
Town Attorney Brandon Freeman

Members of the Public in Attendance

Approximately six people

Call to Order

Welcome and Introductions

Chair Danny Sharpe welcomed everyone to the Board of Adjustment meeting, noting the presence of seven board members and confirming a quorum was present. The meeting was called to order at 5:00 p.m.

Moment of Silence

Chair Sharpe called for a moment of silence.

Certification of Quorum

Chair Sharpe formally acknowledged that with seven Board of Adjustment members present, they had a full quorum and could conduct business and vote on matters before them.

Agenda Adoption

Chair Sharpe requested a motion to adopt the agenda as presented. A member moved to accept the agenda, which was seconded. With no discussion, the board voted unanimously in favor with all members saying "aye." No opposition was voiced, and the motion carried.

Motion: To adopt the meeting agenda as presented.

Made by: Board Member Ed Kramer

Seconded by: Board Member David Neel

Vote: Unanimous approval

Adoption of October 23, 2025, Meeting Minutes

Chair Sharpe called for a motion to approve the minutes from the October 23, 2025, meeting. A motion was made and seconded. Without any discussion, the board voted unanimously in favor with all members saying "aye." There was no opposition, and the motion carried.

Motion: To adopt the October 23, 2025, Meeting Minutes as drafted.

Made by: Board Member Bill Scheu

Seconded by: Board Member Arrington Cox

Vote: Unanimous approval

Order of Approval

Special Use Permit (112 Kanawha Drive)

Before beginning the presentation, Bill Scheu disclosed that he had spoken with Danny, presumably the applicant, who wanted to schedule the hearing as soon as possible. Interim Zoning Administrator Alexis Baker then read the required disclosures regarding board impartiality and ex parte communications. She asked if any board member had partiality to disclose or needed to recuse themselves, to which all responded "No." When asked about site visits or other communications to disclose, Ed Kramer inquired whether site visits were allowed. Ms. Baker clarified that they were allowed but should be disclosed. Mr. Kramer then noted he had driven by the site, with Bill Scheu pointing out that he lived nearby. Based on the disclosures, Ms. Baker asked if anyone had objections to any board member's participation, and none were raised.

After discussion about the swearing-in process, with Town Attorney Brandon Freeman clarifying that witnesses should be sworn in before testifying, Ms. Baker was sworn in by Town Clerk Angie Murphy to present the staff report. Ms. Baker presented the application from Matthew Milne on behalf of property owners Daniel and Mary Ann Zorn for a special use permit to build an accessory dwelling unit at 112 Kanawha Drive. She explained that the property is zoned R-1 residential district, which requires a special use permit for accessory dwelling units per the Montreat zoning ordinance. Using slides, Ms. Baker showed the property location at the corner of Mecklenburg and Kanawha Drive, noting the curved nature

of the corner. She detailed that the 0.54-acre property currently contains a single-family residence and is entirely within the R-1 zone. Ms. Baker then outlined the nine requirements for accessory dwelling units:

1. Must be located on a residential lot with one single-family detached structure
2. Only one ADU permitted per lot
3. Cannot exceed height of principal structure
4. Must meet appropriate setbacks
5. Must be clearly subordinate to main structure
6. Must contain complete kitchen facilities and full bath
7. At least one additional parking space required
8. No manufactured housing, campers, or RVs permitted as ADUs
9. Shall be occupied by no more than four persons

She noted that the applicant had addressed these requirements in an attachment to the staff report. Ms. Baker showed the site plan with the proposed ADU highlighted in yellow, the existing residence in gray, and noted that the pool area and deck paving would be subject to staff-level review. She confirmed utilities were on-site for the pool, and that fencing, landscaping, stormwater regulations, and MSD approval had been addressed. Ms. Baker confirmed that no erosion and sediment control plan was required, though stormwater measures were needed. The property had no slopes above 40%, making the hillside development ordinance inapplicable, and was not in the 100-year floodplain. She then read through the six required findings for granting a special use permit:

1. The use will not endanger public health, safety, or general welfare
2. The use meets all required development standards
3. The use will not diminish property values within 250 feet
4. The use will be in harmony with the area
5. The use conforms with adopted policies and comprehensive plan
6. Adequate ingress and egress measures have been taken

Ms. Baker concluded by noting the board's authority to impose reasonable conditions under Section 310.641 of the zoning ordinance. Chair Sharpe then called for testimony from the applicants. When asked if anyone else wished to speak, one person in the back raised their hand. After clarification from the Town Attorney about the difference between giving testimony and being a party with standing, it was determined that Matthew Milne, the contractor, would give testimony but not request party status.

Daniel Zorn was sworn in and testified first. He introduced himself, noting he was recovering from knee replacement surgery and explained that he and his wife Mary Ann had moved to Montreat in 2017 from Black Mountain into a house that needed significant work. Mr. Zorn outlined their three-stage renovation plan: first, addressing water issues and the basement; second, renovating for one-level living to accommodate their growing family of four children; and third, establishing a pool and pool house with landscaping. He emphasized their careful, costly, and detailed planning, expressing appreciation for their tight-knit community and caution about Airbnbs potentially disrupting the neighborhood. With the timeline being significant, Mr. Zorn encouraged an affirmative vote that night so they could proceed with their plans.

Matthew Milne was then sworn in and provided detailed testimony about the project's compliance with requirements. Chair Sharpe asked him to review the nine requirements. Mr. Milne confirmed each requirement was met and detailed how compliance would be achieved. He also addressed the six findings of fact as related to public health detriment, development standards, property values, harmony with the area, conformity with comprehensive plans, and ingress and egress measures, all of which he assured would not be compromised.

Ed Kramer asked about the swimming pool aspect of the plans, drawing clarification from Mr. Milne that pool aspects are handled separately via administrative approval as they adhered to R-1 residential zone allowances. Alexis Baker interjected to clarify that zoning compliance must precede the building permit process. With a collegially lighthearted follow-up, Mr. Zorn confirmed wider community support for their project and presented letters of approval from those within the neighborhood.

Three neighbors (Margaret Elliott, Ed Teters, and Rick Harbaugh) also provided supportive testimony, each affirming the Zorns' conscientious development thus far, cooperative community relationship, and enhancement expected from the project, while Margaret Elliott took the opportunity to question light pollution aspects addressed to her satisfaction by Mr. Zorn.

After further informal discussion about procedural expeditions possibilities, facilitated by Town Attorney Brandon Freeman, the board explored the logistics of a quicker adoption process for written orders. The proposal, which had been successfully implemented in conjunction with Freeman's previous legal endeavors, suggested that orders could potentially be drafted during a short recess immediately following board decisions, allowing their approval on the same day. Mr. Freeman noted that while this procedure could extend meetings slightly due to drafting time, it might also streamline operations for individual cases, providing a test run for the board this evening. Alexis Baker assured members that most of such orders are pre-drafted to some extent, requiring only minor additions based on their findings, which further supported the proposal's feasibility.

As discussions unfolded, Ed Kramer voiced his concerns about a generalized implementation of such a method, particularly referencing its sustainability during meetings with multiple cases, as it could significantly delay proceedings. In contrast, the evening's case, presenting a singular agenda item, represented an opportune scenario for trying out the process, allowing the board to consider its practical implications. Brandon Freeman clarified the neutral drafting approach: orders are left with deliberate blanks to ensure objectivity and that final details are only inserted based on actual board verdicts. The proposed process was that once the board motioned and voted on a case, a brief pause would allow the attorney team to finalize an order for immediate review.

With mutual understanding that this was merely an exploratory implementation and not a policy change, a unanimous motion passed to adopt the staff report and all attached documents into evidence, seamlessly integrating them into the case's official record.

Motion: To admit the staff report and all attached documents into evidence.

Made by: Danny Sharpe

Seconded by: Bill Scheu

Vote: Unanimous approval

Bill Scheu then moved to adopt the procedure and template as provided in the draft order, approved with special requirements included and aligning with the six previously noted findings of fact. Supportive commentary from Ed Kramer underscored the commitment to quality from the Zorn family.

Motion: To grant the Special Use Permit for 112 Kanawha Drive with the special requirements and six findings of fact.

Made by: Bill Scheu

Seconded by: Arrington Cox

Vote: Unanimous approval

Mr. Freeman requested a brief recess to draft the order, then upon return and review, the final written order was approved unanimously while noting space for minor technical updates by staff and attorney team.

Motion: To allow the town attorney to make unsubstantial technical corrections to the written order.

Made by: Bill Scheu

Seconded by: Matt Horne

Vote: Unanimous approval

Motion: To approve the written order for the Special Use Permit.

Made by: Board Member Bill Scheu

Seconded by: Board Member Arrington Cox

Vote: Unanimous approval

Chair Sharpe highlighted two additional points for members' attention — the next meeting on December 18th, which currently has no items on the docket and might be canceled, and the confirmation of no new business. A motion to adjourn was then made and approved.

Motion: To adjourn the meeting.

Made by: Board Member David Neel

Seconded by: Board Member Arrington Cox

Vote: Unanimous approval

The meeting was adjourned at 6:03 pm.

Chair Danny Sharpe

Town Clerk Angie Murphy

Staff Report

435 Greybeard Trail

Variance Request (435 Greybeard Trail) – A Variance request submitted by Powell A. Fraser, property owner, for the lot addressed as 435 Greybeard Trail, Montreat, NC 28711 and described as PIN# 072007494600000. This Variance request is to Section 501.81 of the Montreat Zoning Ordinance to reduce the side setback requirement from 15 feet to 4 feet on the southern side of the Subject Property for the purpose of building a covered porch.

Created by:

Alexis Baker, AICP
Interim Zoning Administrator
Town of Montreat

Created for:

Montreat Board of Adjustment
January 22, 2026

Table of Contents

STAFF REPORT	3
Application Summary.....	3
Property Summary.....	3
Public Notice.....	4
Variance Request.....	5
Staff Analysis.....	5
Template Variance Decision Language.....	10
ATTACHMENTS (provided by Applicant)	11

Table of Figures

Figure 1: Subject Property Aerial.....	4
Figure 2: 250 feet Public Notice for Variance Request.....	5
Figure 3: Subject Property and Surrounding Zoning.....	6
Figure 4: Site Plan with Setbacks Labeled.....	7
Figure 5: Subject Property and Surrounding Topography (5ft contours).....	8
Figure 6: Subject Property and Water Features	9

STAFF REPORT

See **STAFF ANALYSIS** (i.e. Alexis Baker, AICP, Interim Montreat Zoning Administrator) in addition to applicant-provided materials. **STAFF ANALYSIS** contain references to the Montreat Zoning Ordinance (MZO) where noted. Only information relevant to the Variance requested are included in this staff report.

Application Summary

The following report summarizes the Zoning Administrator's review of an application for a Variance by Powell A. Fraser, Property Owner, for the lot addressed as 435 Greybeard Trail, Montreat, NC 28711 and described as PIN# 072007494600000. This Variance request is to Section 501.81 of the Montreat Zoning Ordinance to reduce the side setback requirement from 15 feet to 4 feet on the southern side of the Subject Property for the purpose of building a covered porch.

Property Summary

Parcel Identifier Number (PIN#): 072007494600000

Address: 435 Greybeard Trail
Montreat, NC 28711

Owners: POWELL A. FRASER, JR; MARY ELOISE FRASER SHEPHERD; SHEILA K. FRASER;
ALEXANDER FRASER; STEPHEN BEERS SHEPHERD
979 CLUB COMMONS CIR NE
BROOKHAVEN, GA 30319

Applicant: Powell A. Fraser

Zoning: R-1 Residential District.

Current Land Use: The Subject Property contains an existing single-family dwelling.

Acres: 0.27 acres.



Figure 2: 250 feet Public Notice for Variance Request

Variance Request

The Applicant, Powell A. Fraser requests that the Board of Adjustment grant a variance request to Section 501.81 of the Montreat Zoning Ordinance to reduce the side setback requirement from 15 feet to 4 feet on the southern side of the Subject Property to allow for a covered porch.

Staff Analysis

Subject Property Summary

- ❖ The Subject Property is 0.27 acres and currently contains a single-family dwelling. The Applicant intends to add a covered porch where the existing patio is located.
- ❖ The Subject Property is a double frontage lot with main access from Greybeard Trail.
- ❖ The slope of the Subject Property is 20.33 percent.
- ❖ There are no streams or special flood hazard areas on the Subject Property.

Subject Property & Surrounding Lots

Land Use & Zoning

The Subject Property of the Variance request is in the R-1 Residential Zoning District (R-1). The existing single-family dwelling was built in approximately 1906 per the Buncombe County Tax Card for the Subject Property. The Applicant seeks to obtain a Variance for the purpose of building a covered porch.

The Subject Property is a double frontage lot with main access from Greybeard Trail. It is surrounded on all sides by the R-1 Zoning District and residential dwellings.



Figure 3: Subject Property and Surrounding Zoning

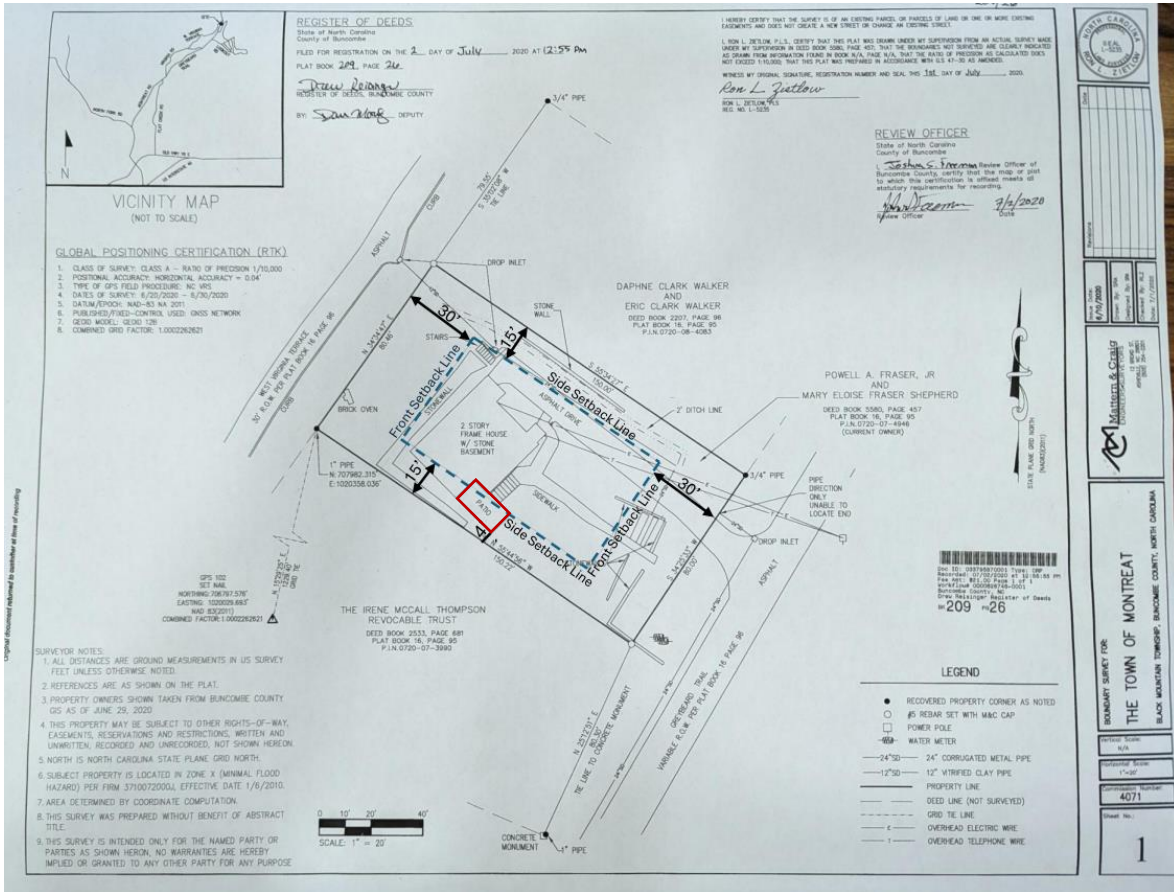


Figure 4: Site Plan with Setbacks Labeled

Setbacks

The Subject Property is in the R-1 Zoning District. The Subject Property is a double frontage lot. The Applicant's Variance request is to the side setback requirement. The Applicant intends to meet the remaining setback requirements on the Subject Property.

The table below shows the required setbacks for R-1 on the Subject Property, per Section 501 of Montreat’s Zoning Ordinance, and the requested setback Variances from the Applicant’s application.

	Required R-1 Zoning District Setback	Requested Variance
Front (East)	30 feet	N/A
Front (West)	30 feet	N/A
Side (North)	15 feet	N/A
Side (South)	15 feet	4 feet

Lot Size

The Subject Property is 0.27 acres.

Topography

The slope of the Subject Property, per the Buncombe County Steep Slope Calculator, is 20.33 percent. The Subject Property slopes upward from southeast to northwest. The Subject Property is NOT subject to Hillside Development Ordinance.

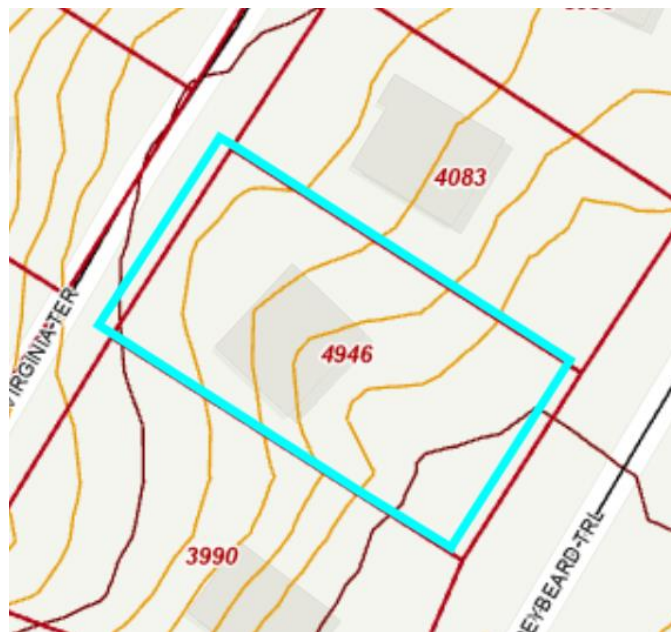


Figure 5: Subject Property and Surrounding Topography (5ft contours)

Water Features

There appears to be no streams or special flood hazard areas on the Subject Property. Prior to development permit issuance, the Applicant will be required to comply with the Town of Montreat's General Ordinance Chapter K Article III.



Figure 6: Subject Property and Water Features

Template Variance Decision Language

The Board is welcome to use the language below to issue a decision on the Variance Request. Prior to making the approval motion, the Board must state the specific findings that lead to the approval of each finding of fact as required by Section 310.42 of the MZO.

Findings of Fact:

1. The Board finds that unnecessary hardship [*would/would not*] result from the strict application of the Ordinance because...
2. The Board finds that the hardship results from conditions that [*are/are not*] peculiar to the property because...
3. The Board finds that hardship [*did/did not*] result from actions taken by the applicant or the property owner because...
4. The Board finds that the variance [*is/is not*] consistent with the spirit, purpose, and intent of the ordinance ...
5. The Board finds that the variance requested [*is/is not*] the minimum variance that will make possible the requested use of the land because...
6. The Board finds that the variance [*is/is not*] a request to permit a use of land that is not permitted in the applicable Zoning District as the variance request is for...

Motion for Decision: "I move that the Board [*approve/approve with conditions/deny*] the Variance Request for 435 Greybeard Trail to 501.81 of the Montreat Zoning Ordinance to reduce the side setback requirement from 15 feet to 4 feet on the southern side of the Subject Property for the purpose of building a covered porch on the Subject Property. [*List any conditions of approval in the motion, if applicable*]

ATTACHMENTS

Cover Memorandum to Variance Request for 435 Greybeard Trail

December 31, 2025

First, my thanks to the Zoning Committee for helping keep Montreat the special place that it is. My family has been coming to Montreat for almost 90 years, so we have through the generations learned to appreciate its unique location and programs.

Although I am trying, I may not be able to have a representative at the meeting in January. I hope the application answers questions the committee may have. If possible, I can be reached by phone at 404-971-1867 and the builder Sexton Deck at 828-450-0689. Should questions arise that are not addressed by the application, I would request the application review be delayed until your February meeting.

This application is for a reduction in the current 15 foot setback to 4 feet in order to build a roof over the current stone patio built in 1964. There is no extension of the patio or ground disturbance in the project.

My neighbor, Mr. Jimmy Thompson, supports the project and the variance request.

Ms. Alexis Baker has been most professional in guiding me through the application process.

The attachments to the application form are as follows:

Attachments:

- (1) Property Deed
- (2) Property Plat
- (3) Responses to the Six Standards
- (4) Property Survey with project screen porch location and setbacks
- (5) Plans for the screen porch project
- (6) Approval of variance request by my neighbor Mr. Jimmy Thompson at 433 Greybeard Trail
- (7) Copy of proposed project drawings
- (8) Photos of current patio and house and comments



Captain Powell (Alec) Fraser, USN (ret)



VARIANCE APPLICATION

Town of Montreat Planning and Zoning
1210 Montreat Road, Black Mountain, NC 28711 | (828) 669-8002

REQUIRED FEE: \$350.00 (CASH OR CHECK)

APPLICANT INFORMATION

APPLICANT NAME: Powell A Fraser TELEPHONE: 404-971-1867
MAILING ADDRESS: 979 Club Commons Cir NE CITY: Brookhaven STATE: Ga ZIP: 30319
EMAIL: afraser722@gmail.com

PROPERTY INFORMATION

ADDRESS: 435 Greybeard Trail CITY: Montreat STATE: NC ZIP: 28757
PIN#: 072007494600000 TOTAL ACREAGE: 0.27 FLOODPLAIN: YES NO
ZONING: R-1 R-2 R-3 I I/R WL OTHER: _____ OVERLAY ZONING: RPO TCO CD N/A
PROPERTY OWNER: Powell A. Fraser TELEPHONE: 404-971-1867
MAILING ADDRESS: 979 Club Commons Cir NE, Brookhaven, GA 30319

PROPOSED LAND USE

TYPE OF LAND USE: Residential Non-Residential Other

DESCRIPTION OF PROPOSED DEVELOPMENT: _____
Contract a 10x20 ft screen porch over existing stone patio that was built 1964.
See additional description of this proposed use in attached addendum to this application form.

VARIANCE REQUEST

MONTREAT ZONING ORDINANCE SECTION: Section 501.81 Montreat Zoning Ordinance
DESCRIPTION OF REQUESTED VARIANCE: _____
Reduce the side (southern) setback from 15' to 4': No change in current patio footprint.
See additional description of this request in attached addendum to this application form.

STANDARDS FOR GRANTING A VARIANCE

THE TOWN OF MONTREAT'S BOARD OF ADJUSTMENT WILL RENDER A DECISION ON THIS APPLICATION AT A QUASI-JUDICIAL HEARING. IN APPROVING THE REQUEST, THE BOARD OF ADJUSTMENT WILL EXAMINE THE APPLICATION AND MUST FIND THAT THE FOLLOWING SIX ELEMENTS ARE SATISFIED IN THE PROPOSAL:

MZO 310.42(A) *Unnecessary hardship would result from the strict application of the Ordinance. It shall not be necessary to demonstrate that, in the absence of the Variance, no reasonable use can be made of the property.*

MZO 310.42(B) *The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a Variance.*

MZO 310.42(C) The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a Variance shall not be regarded as a self-created hardship.

MZO 310.42(D) The Variance is consistent with the spirit, purpose and intent of the Ordinance such that public safety is secured and substantial justice is achieved.

MZO 310.42(E) The Variance requested is the minimum Variance that will make possible the requested Use of the land, Building or Structure.

MZO 310.42(F) The Variance is not a request to permit a Use of land, Building or Structure which is not permitted in the applicable Zoning District.

ATTACHMENTS

THIS APPLICATION MUST BE ACCOMPANIED BY THE FOLLOWING ATTACHMENTS:

1. A copy of the deed for the property which is the subject of the application for a Variance, a copy of the plat showing such property if one exists, and any contract to purchase or other relevant documents.
2. A response to the six standards listed above and found in the Montreat Zoning Ordinance Section 310.42.
3. A to scale site plan showing the existing property conditions (including the adjoining road and any existing improvements) and the proposed locations, dimensions, and setbacks of any structure to be built or modified which is the subject of the Variance. If the Variance request concerns the elevation of a building, include an elevation drawing.

SIGNATURES AND ACKNOWLEDGEMENT

I, Powell A Fraser, hereby certify that all of the information set forth above is true and accurate to the best of my knowledge.

Powell A Fraser
Signature of Applicant

12/31/2025
Date

Powell A Fraser
Printed Name of Applicant

OFFICE USE ONLY

Complete Incomplete
Alexis Baker
Zoning Administrator Signature

12/31/2025
Date

Alexis Baker
Printed Name of Zoning Administrator

Fee: 350

Paid: Yes No

Payment Method: CC

Scheduled Board of Adjustment Meeting Date: 1/22/26

Addendum to Powell Fraser Variance Request 435 Greybeard Trail, Montreat, NC

Additional Information on Proposed Land Use:

- The project is to build a screen porch with a roof over the current stone patio which was built in 1964, apparently prior to the now required 15 foot setback requirement.
- Attachment (5) has drawings of the project.
- The project will not expand the patio footprint...only put a roof and screen sides over the current 10'x20' stone patio. The porch roof will attach to the side of the house, which apparently meets the description of "house extension" and thus now requires a setback variance to build.
- The addition of a roof over the patio will divert rain water to a side ditch and not allow it to go down the hill in front of the house. The hill was seriously eroded during Hurricane Helene. Further erosion may damage the root system of the huge hemlock tree on the hill...some NC arborist told my mother it was the second largest hemlock in the state.

The project intent is to as much as possible have the screen walls match the window sizing on the front of the house, thus preserving the Montreat "look" it has had since 1964.

Additional Information on the Variance Request:

- My next door neighbor, Mr. Jimmy Thompson, at 433 Greybeard Trail, has expressed his approval of this variance request. See attachment (6).
- The current patio and a section of the side of the house are in the setback zone and have been there since 1964. The project will not expand the footprint of the patio or house and will not cause any land disturbance.



ATTACHMENT ①



Doc ID: 031302550005 Type: CRP
Recorded: 08/14/2017 at 12:37:47 PM
Fee Amt: \$26.00 Page 1 of 5
Revenue Tax: \$0.00
Workflow# 0000427363-0001
Buncombe County, NC
Drew Reisinger Register of Deeds
BK 5580 PG 457-461

This deed has been submitted to and reviewed electronically by the Office of the Tax Collector which certifies that as of this date of recording there are no delinquent taxes on the parcel(s) described which the Tax Collector is charged with collecting

Revenue \$-0-
(No consideration due or paid by Grantee to Grantor)

THIS INSTRUMENT PREPARED BY
DAVID F. GOLDEN, ESQ.
TROUTMAN SANDERS LLP
SUITE 5200, 600 PEACHTREE ST., N.E.
ATLANTA, GA 30308

Deed Book _____, Page _____

Tax Parcel 0720-07-4946-00000

NORTH CAROLINA SPECIAL WARRANTY DEED

THIS DEED made this 1 day of AUGUST, 2017, by and between

GRANTORS	GRANTEES
POWELL A. FRASER, JR. and MARY ELOISE FRASER SHEPHERD, as Co-Trustees of the ANNIE ELI EN MCCALL FRASER REVOCABLE TRUST DATED MAY 27, 1998 979 Club Commons Circle Atlanta, GA 30319 (Address)	POWELL A. FRASER, JR., as to an undivided one-half interest, and MARY ELOISE FRASER SHEPHERD, as to an undivided one- half interest 979 Club Commons Circle Atlanta, GA 30319 (Address)

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation to partnership

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

WITNESSETH

3131814311

WHEREAS, ANNIE ELLEN MCCALL FRASER died a resident of Fulton County, Georgia, on February 20, 2017; and

WHEREAS, POWELL A. FRASER, JR. and MARY ELOISE FRASER SHEPHERD duly qualified and are serving as Co-Trustees of the Annie Ellen McCall Fraser Revocable Trust, dated May 27, 1998, as amended and restated, ("Annie Trust"); and

WHEREAS, the real property described on Exhibit A, attached hereto and incorporated herein by this reference, comprises part of the Annie Trust assets distributed equally to the beneficiaries of the Annie Trust, namely POWELL A. FRASER, JR. and MARY ELOISE FRASER SHEPHERD as a result of the death of ANNIE ELLEN MCCALL FRASER; and

NOW, THEREFORE, for and in consideration of the premises and pursuant to the provisions of Article VII of the Annie Trust and the authority contained in the Trust, Grantors have and by these presents do grant, bargain, sell and convey unto the Grantees in fee simple all of Grantors' interest in those certain lots or parcels of land lying and being situated in Montreat, Buncombe County, State of North Carolina, and being more particularly described on **Exhibit "A"** attached hereto and made a part hereof by reference.

TO HAVE AND TO HOLD the property conveyed hereby and all privileges and appurtenances thereto belonging to the Grantee in fee simple forever;

SUBJECT, HOWEVER, to (a) covenants, restrictions, and easements of record, (b) easements for roads or utilities not of record but in visible use and existence or shown on a herein described plat, (c) zoning restrictions or other regulations imposed by governmental authority, if any, and (d) a lien for real estate taxes not yet due and payable.

And the Grantors covenant with the Grantees, that Grantors have done nothing to impair such title as Grantors received, and Grantors will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantors.

[signatures on following pages]

IN WITNESS WHEREOF, the Grantors have hereunto set their hands and seals, the day and year first above written.

Powell A. Fraser, Jr. (SEAL)
POWELL A. FRASER, JR., CO-TRUSTEE

Signed at Atlanta, Georgia County, State of Georgia

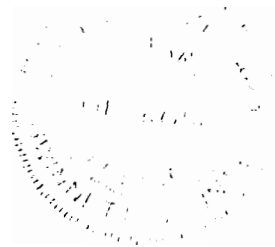
I, a Notary Public of the County and State aforesaid, certify that Grantor, POWELL A FRASER, JR., personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official notarial stamp or seal, this 12 day of December, 2017.

[Signature]
Notary Public's Signature
Print Notary's Name: [Signature]

[signatures continued on next page]

Notary Public, Twickenham, Georgia
My Commission Expires 12/31/2018

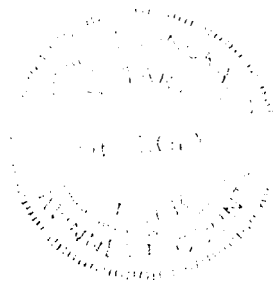


Mary E. Fraser Shepherd (SEAL)
MARY ELOISE FRASER SHEPHERD, CO-TRUSTEE

Signed at Asheville, Wayne County, State of North Carolina

I, a Notary Public of the County and State aforesaid, certify that Grantor, MARY ELOISE FRASER SHEPHERD, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official notarial stamp or seal, this 17th day of November, 2017



Mary E. Fraser Shepherd
Notary Public's Signature
Print Notary's Name: Mary E. Fraser Shepherd

Notary Public for the State of North Carolina
My Commission Expires 11/15/2019

STATE OF NORTH CAROLINA

COUNTY OF BUNCOMBE

The foregoing Certificate(s) of _____ is certified to be correct. This instrument and this certificate are fully registered at the date and time and in the Book and Page shown on the first page hereof.

REGISTER OF DEEDS FOR BUNCOMBE COUNTY

By _____
Deputy/Assistant-Register of Deeds

EXHIBIT "A"

TRACT I: Thirty per cent (30%) interest in Lot 1151 as laid down and shown on the Plat of the Mountain Retreat Association property, which is duly of record in the Office of the Register of Deeds for Buncombe county, North Carolina, in Plat Book 16 at Page 95, which is on the northwest margin of Graybeard Trail and being the same property described and conveyed by a deed dated February 6, 1922, and duly recorded in the Office of the Register of Deeds aforesaid in Deed Book 257 at Page 27, being the same land described in Deed Book 850 at page 642 in the aforesaid Register of Deeds Office.

TRACT II. Thirty per cent (30%) interest in a strip of land five feet in width along the northwestern portion of Lot 606 as laid down and shown on the Index map of the Mountain Retreat Association lands, which is duly of record in the office of the Register of Deeds for Buncombe County, North Carolina, in Plat Book 154, Pages 1 et seq., reference to which is hereby made. Being the same land described in Deed Book 964 at page 455 in the aforesaid Register of Deeds Office. Beginning at a stake in the eastern margin of West Virginia Terrace, said stake being located at the northwest corner of Lot 606 of the plat hereinafter referred to, and runs thence with the northern boundary of Lot 606 of the plat hereinafter referred to, and runs thence with the northern boundary of Lot 606 in an easterly direction 135 feet to a stake; thence in a southwesterly direction five feet to a stake, thence in a northwesterly direction, along a line parallel to the north line of said Lot 606, 135 feet to a stake in the eastern margin of West Virginia Terrace, thence with said margin of said West Virginia Terrace, in a northerly direction five feet to the point and place of BEGINNING.

A map showing the above described property is recorded in Plat Book 16, page 95 (Tract I) and Plat Book 154, page 1 (Tract II)

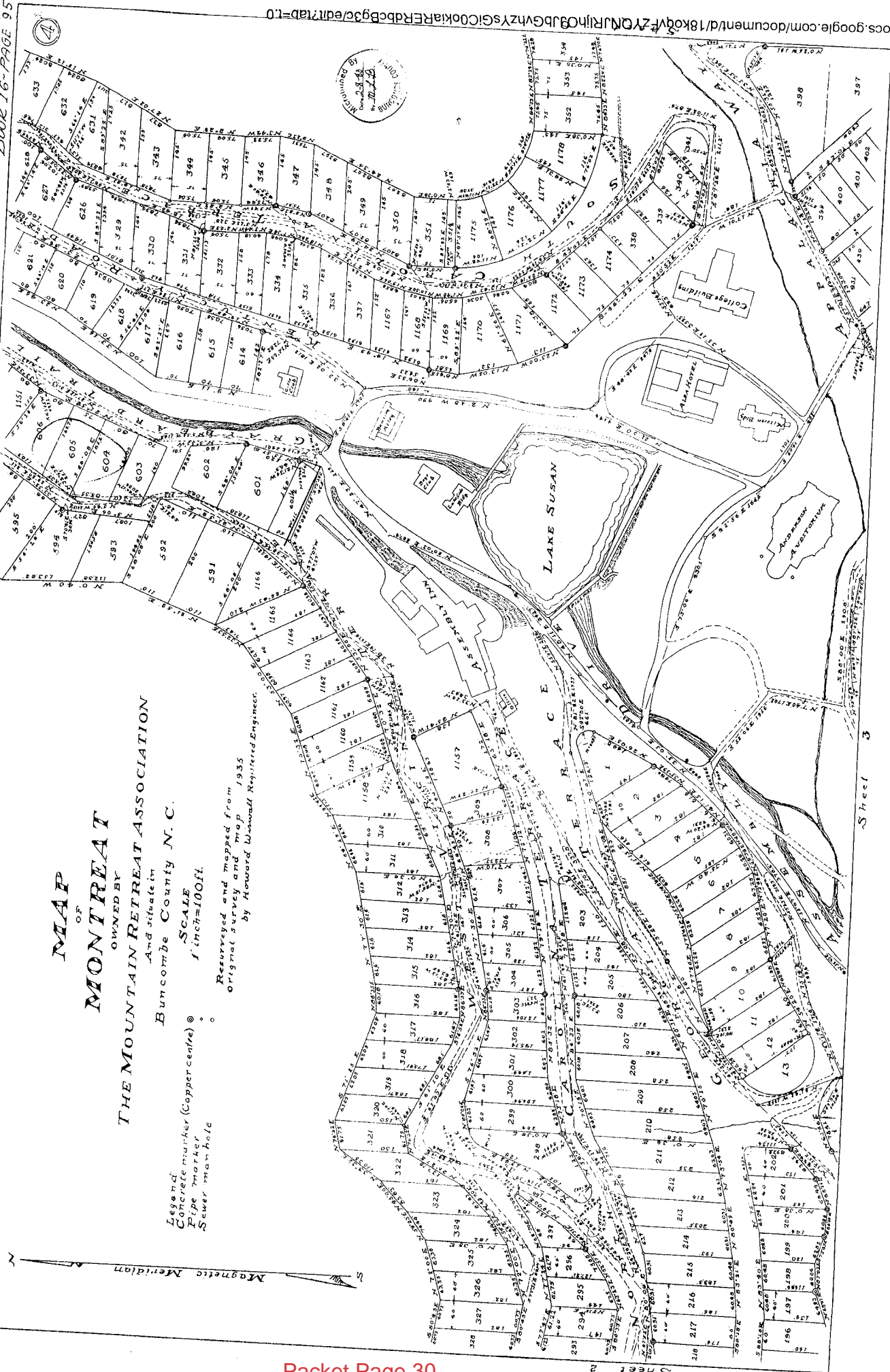
These are the same properties conveyed to (i) Annie Ellen McCall Fraser, Trustee of the Annie Ellen McCall Fraser Revocable Trust, dated May 27, 1998 ("Annie Trust") by General Warranty Deed dated July 28, 1998 and recorded in Book 2040, Page 447, Buncombe County Registry; and (ii) Powell A. Fraser, Trustee of the Powell A. Fraser Revocable Trust, dated May 27, 1998 ("Powell Trust") by General Warranty Deed dated July 28, 1998 and recorded in Book 2040, Page 449, Buncombe County Registry.

ATTACHMENT 2

16/95

BOOK 16 - PAGE 95

Sheet 3



MAP
OF
MONTREAT
OWNED BY
THE MOUNTAIN RETREAT ASSOCIATION
And situated in
Buncombe County N. C.

Legend:
Concrete marker (Copper centre) @
Pipe marker
Sewer man hole

Scale
1" = 100 ft.

Resurveyed and mapped from 1935
original survey and map
by Howard Leonard Registered Engineer.

Magnetic Meridian

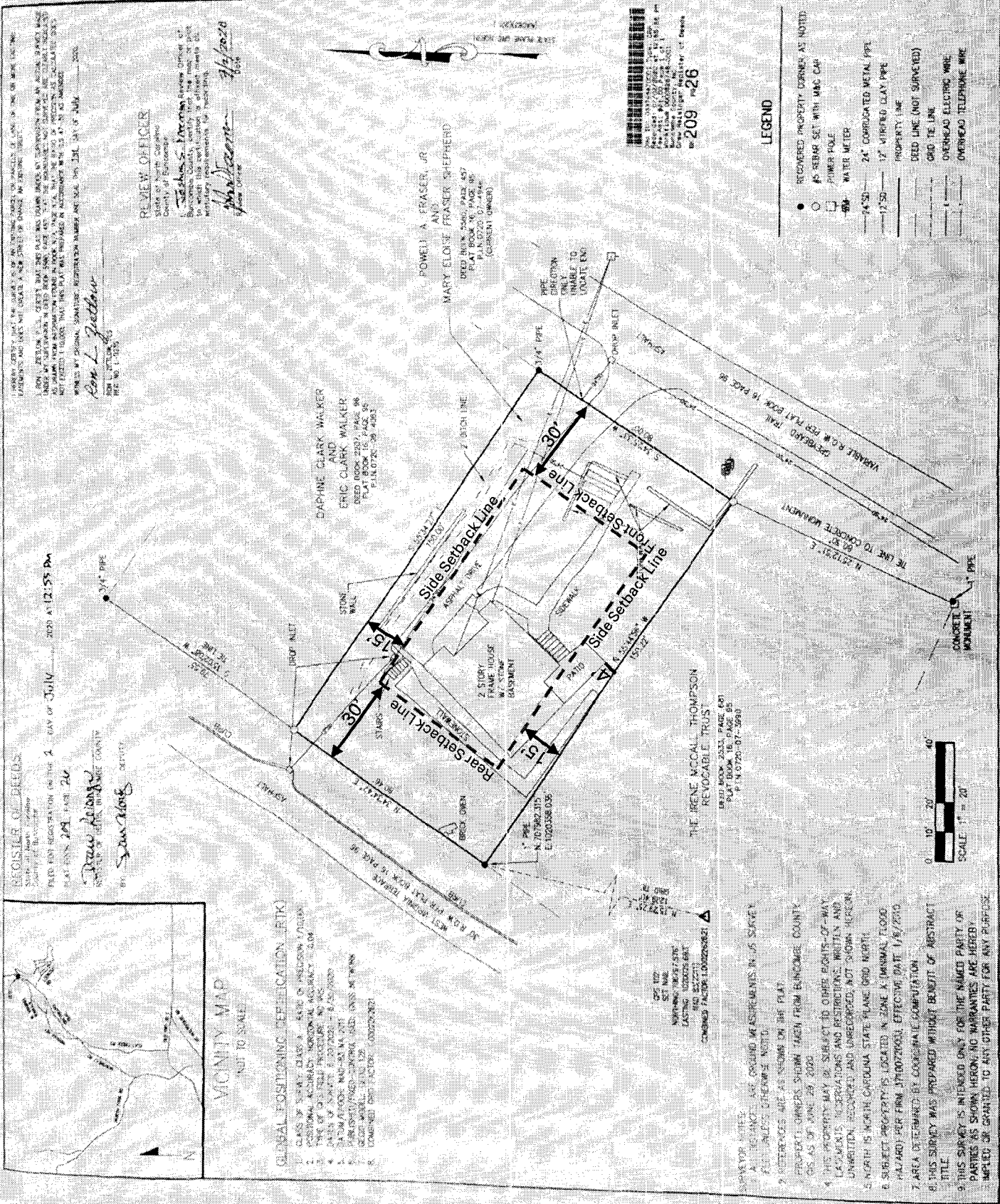


Attachment (3)

Answers To the Six Elements Required in a Proposal

1. MZO 310.42 (A) Our house was built in 1906 and no longer has the room to accommodate our growing family. The addition of a covered screen porch on top of the current stone patio will expand the usable space in inclement weather and thus prevent the hardship of having to make different and more significant and visible changes that would adversely affect the historic Montreat look of the house. It will also decrease erosion under perhaps the largest hemlock tree in Montreat by diverting water to a separate drainage ditch. Our next door neighbor and my first cousin, Mr Jimmy Thompson, is in favor of approval of this application.
2. MZO 310.42 (B) The condition of the property is narrow at the location of the house, thus preventing the location of a screen porch at another location. Our project is just focused on putting a screen porch on top of the current stone patio, not expanding the footprint of the house or patio.
3. MZO 310.42 C I have taken no actions that resulted in this hardship.
4. MZO310.42 (D) The variance is consistent with the spirit, purpose, and intent of the ordinance such that public safety is secured and substantial justice is achieved.
5. MZO 310.42 (D) This variance request is the minimum variance that will make possible the requested use of the land, building, or structure.
6. MZO 310.42 (E) The variance is not a request to permit a use of land, building or structure which is not permitted in the applicable zoning district.

ATTACHMENT (4)



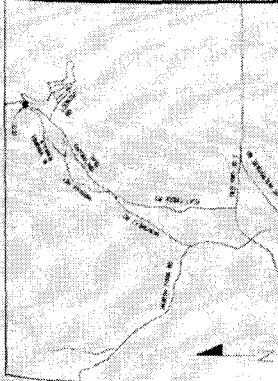
208/26

PROPERTY OWNER HAS REVIEWED AND APPROVED THIS SURVEY AND CERTIFIES THAT THE PLAT AND PLAT BOOKS BY SURVEYING FROM AN ACTUAL SURVEY HAVE BEEN PREPARED ACCORDING TO THE RULES AND REGULATIONS OF THE BOARD OF SURVEYING AND MAPPING, LUNCUMB COUNTY, NORTH CAROLINA. THE SURVEYOR HAS REVIEWED THE PLAT AND PLAT BOOKS AND CERTIFIES THAT THE PLAT AND PLAT BOOKS HAVE BEEN PREPARED ACCORDING TO THE RULES AND REGULATIONS OF THE BOARD OF SURVEYING AND MAPPING, LUNCUMB COUNTY, NORTH CAROLINA.

REVIEW OFFICER
 State of North Carolina
 County of Brunswick
Shelton Moore
 Brunswick County, certifies that the map or plat to which this certificate is attached is a true and correct copy of the original map or plat as shown to the reviewer and that the same has been prepared in accordance with the laws and regulations of the Board of Surveying and Mapping, Luncumb County, North Carolina.

Row L. Jett
 Surveyor
 License No. 1-1075

FEASIBLE CONDITIONS
 Surveyed by *Shelton Moore*
 Filed for registration on the 1 day of July, 2020 at 12:55 PM
 18-05-0000-201 PAGE 26
Shelton Moore
 Surveyor
 License No. 1-1075



GLOBAL POSITIONING REPLICATION (GPR)
 1. CLASS OF SURVEY CLASS A - STATE OF PRECISION 1/1000
 2. POSITIONAL ACCURACY: HORIZONTAL ACCURACY 1/1000
 3. TYPE OF SURVEY: FIELD SURVEY
 4. DATE OF SURVEY: 1/18/2020
 5. SURVEYOR: SHELTON MOORE
 6. PROJECT: BOUNDARY SURVEY FOR THE TOWN OF MONTREAL
 7. COMMISSIONED BY: THE BEENE BECAL THOMPSON REVOCABLE TRUST

LEGEND

- RECOVERED PROPERTY CORNER AS NOTED
- REBAR SET WITH WING CAP
- POWER POLE
- 24" CORRUGATED METAL PIPE
- 12" VITRIFIED CLAY PIPE
- PROPERTY LINE
- DEED LINE (NOT SURVEYED)
- OVERHEAD ELECTRIC WIRE
- OVERHEAD TELEPHONE WIRE

SCALE 1" = 20'

PROPERTY NOTES:

1. THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF ABSTRACT TITLE.
2. THIS SURVEY IS INTENDED ONLY FOR THE NAMED PARTY OR PARTIES AS SHOWN HEREON; NO WARRANTIES ARE HEREBY IMPLIED OR GRANTED TO ANY OTHER PARTY FOR ANY PURPOSE.
3. THIS PROPERTY MAY BE SUBJECT TO OTHER RIGHTS-OF-WAY, EASEMENTS, ENCUMBRANCES AND RESTRICTIONS, WRITTEN AND UNWRITTEN, RECORDED AND UNRECORDED, NOT SHOWN HEREON.
4. NORTH IS NORTH CAROLINA STATE PLANE GRID NORTH.
5. SUBJECT PROPERTY IS LOCATED IN ZONE X (MINIMAL FLOOD HAZARD) PER FIRM 1700276051, EFFECTIVE DATE 1/8/2010.
6. AREA DETERMINED BY COORDINATE ADJUSTMENT.
7. THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF ABSTRACT TITLE.
8. THIS SURVEY IS INTENDED ONLY FOR THE NAMED PARTY OR PARTIES AS SHOWN HEREON; NO WARRANTIES ARE HEREBY IMPLIED OR GRANTED TO ANY OTHER PARTY FOR ANY PURPOSE.

209/26

REGISTER OF DEEDS

State of North Carolina
County of Buncombe

FILED FOR REGISTRATION ON THE 2nd DAY OF July 2020 AT 12:55 PM
PLAT BOOK 229, PAGE 26

Drew Robinson
REGISTER OF DEEDS, BUNCOMBE COUNTY

BY *Sara R. Kelly* DEPUTY

I HEREBY CERTIFY THAT THE SURVEY IS OF AN EXISTING PARCEL OF LAND OR ON OR MORE EXISTING EASEMENTS AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET

I, RON L. ZATLOW, P. E., CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION IN DEED BOOK 209, PAGE 26 THAT THE MONUMENTS NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK N/A, PAGE N/A, THAT THE RATIO OF THE SURVEY AS CALCULATED DOES NOT EXCEED 1:10,000. THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-17 AS AMENDED.

WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 2nd DAY OF July 2020
Ron L. Zatlou
RON L. ZATLOW, P.E.
REG. NO. 1-5233

REVIEW OFFICER

State of North Carolina
County of Buncombe

I, *Joshua S. Freeman*, Review Officer of Buncombe County, verify that the map or plat to which this certificate is affixed meets all statutory requirements for recording.

Joshua S. Freeman
Review Officer
7/2/2020
Date

100% (R/L)

COORD. 1/10,000
T - 3.04

ORCA

22
44
3797.576
6029.693
7011
1.0002282621

75 IN US SURVEY

BUNCOMBE COUNTY

RIGHTS-OF-WAY,
EASEMENTS WRITTEN AND
NOT SHOWN HEREON
GRID NORTH.

± (MINIMAL FLOOD
RISK) DATE 1/6/2010.

REVISIONS

REVISIONS

REVISIONS

REVISIONS

REVISIONS

REVISIONS

REVISIONS

REVISIONS

REVISIONS

REVISIONS

REVISIONS

REVISIONS

REVISIONS

REVISIONS

REVISIONS

REVISIONS

REVISIONS

REVISIONS

REVISIONS

REVISIONS

REVISIONS

REVISIONS

REVISIONS

REVISIONS

REVISIONS

REVISIONS

REVISIONS

REVISIONS

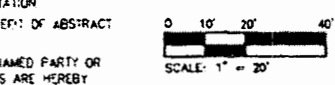
REVISIONS

REVISIONS

REVISIONS

REVISIONS

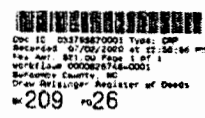
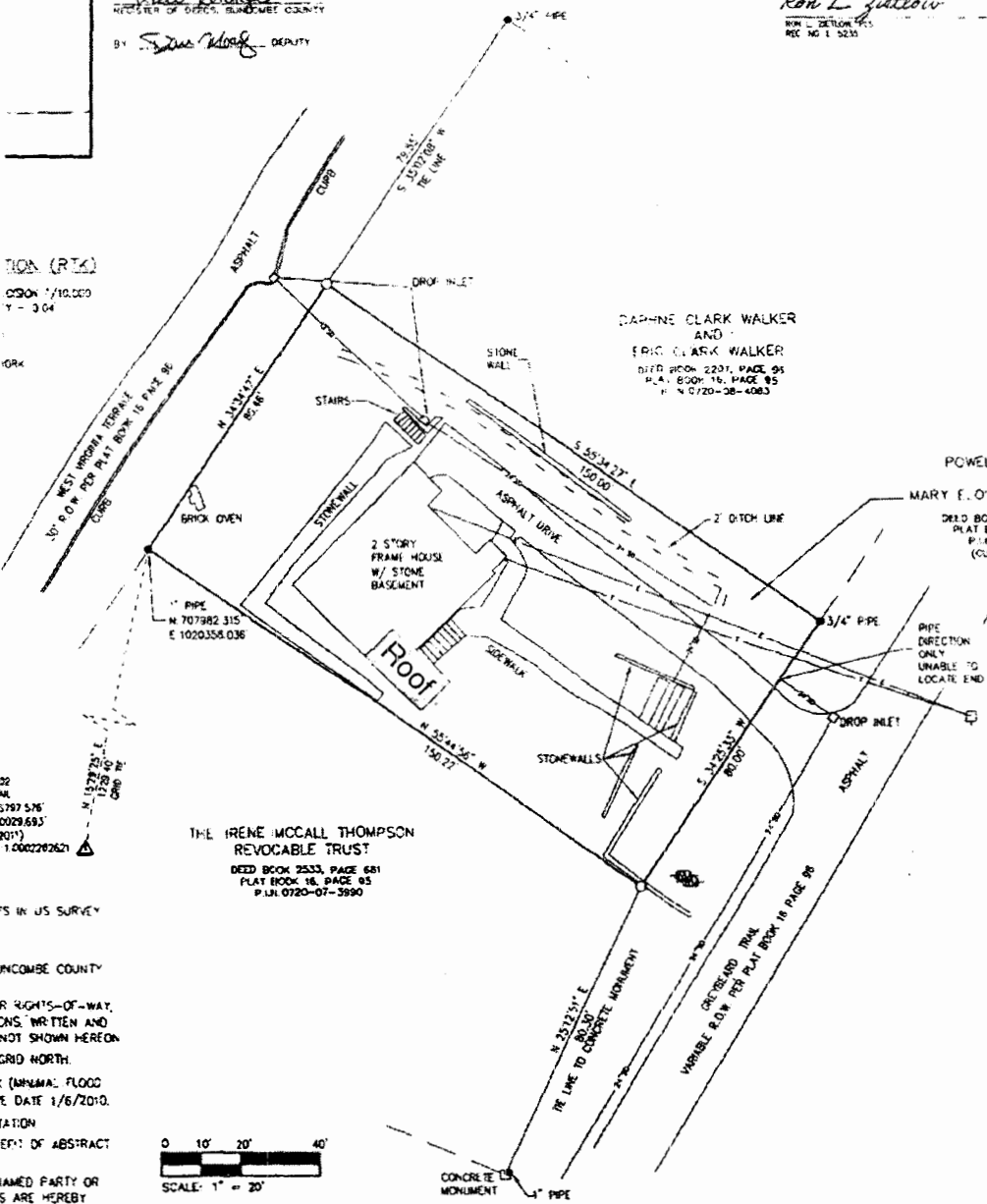
NAMED PARTY OR
PARTIES ARE HEREBY
RELEASED FOR ANY PURPOSE



THE IRENE MCCALL THOMPSON
REVOCABLE TRUST
DEED BOOK 3533, PAGE 681
PLAT BOOK 18, PAGE 85
P.L.N. 0720-07-3890

DAPHNE CLARK WALKER
AND
ERIC CLARK WALKER
DEED BOOK 2201, PAGE 95
PLAT BOOK 18, PAGE 85
P.L.N. 0720-08-4083

POWELL A. FRASER, JR.
AND
MARY E. OSE FRASER SHEPHERD
DEED BOOK 5580, PAGE 457
PLAT BOOK 16, PAGE 84
P.L.N. 0720-07-4948
(CURRENT OWNERS)



LEGEND

- RECOVERED PROPERTY CORNER AS NOTED
- #5 REBAR SET WITH MAC CAP
- POWER POLE
- ⊕ WATER METER
- 24" CORRUGATED METAL PIPE
- 12" VITRIFIED CLAY PIPE
- PROPERTY LINE
- DEED LINE (NOT SURVEYED)
- - - GRID TIE LINE
- - - OVERHEAD ELECTRIC WIRE
- - - OVERHEAD TELEPHONE WIRE



Date	
Time	
Drawn By	
Checked By	
Date	7/2/2020

Date	7/2/2020
Drawn By	
Checked By	
Date	7/2/2020

Malcolm & Craig
REGISTERED PROFESSIONAL SURVEYORS
1700 W. 11th St.
Asheville, NC 28801
(828) 253-1999

BOUNDARY SURVEY FOR
THE TOWN OF MONTREAT
BLACK MOUNTAIN TOWNSHIP, BUNCOMBE COUNTY, NORTH CAROLINA

Scale	1" = 20'
North Arrow	
Registration	209/26

1

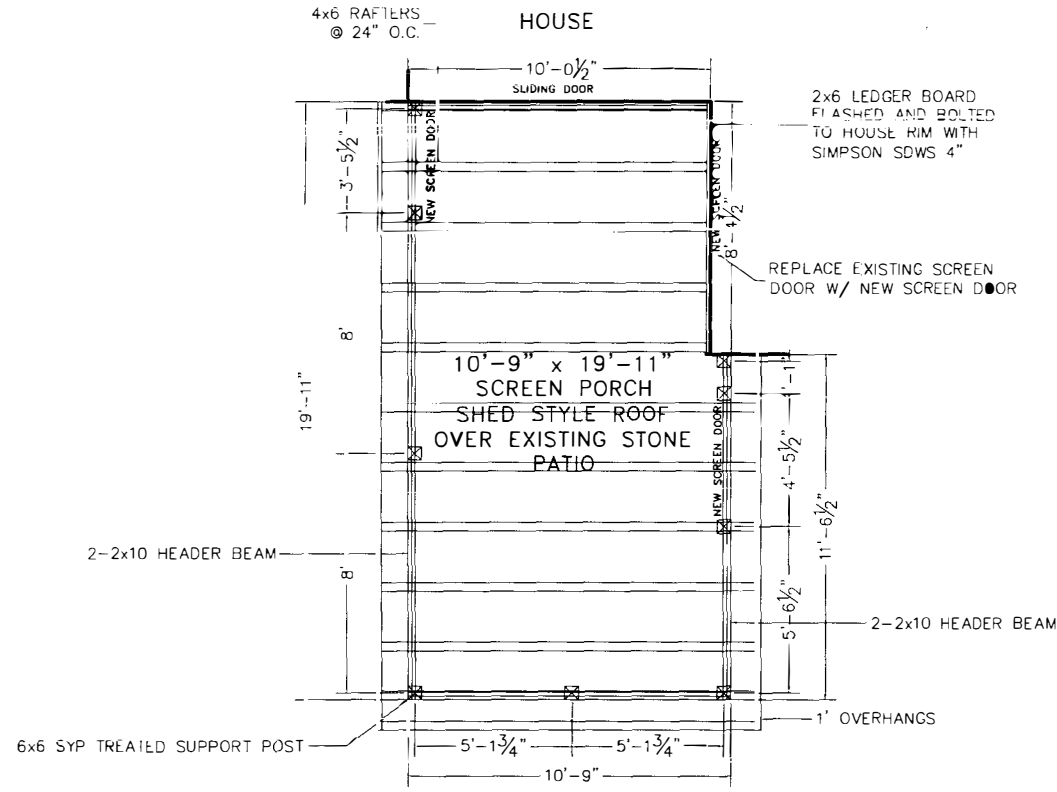
ATTACHMENT 5A

1/4" = 1' SCALE



EXISTING CONDITIONS

BASED ON THE INTERNATIONAL RESIDENTIAL CODE
NORTH CAROLINA EDITION



STEP FLASH ROOF AT HOUSE CONNECTION
 RAFTERS ARE TO BE HANDFRAMED 4x6 SPF 24" O.C. SPACING
 HEADER BEAMS TO BE 2-2x10 TREATED
 PORCH SUPPORTS TO BE 6x6 SYP TREATED
 ROOF FINISHED WITH SHINGLES
 GRACE ICE AND WATER SHIELD UNDERLAYMENT
 GUARD RAILS TO BE 36" HIGH WITH LESS THAN 4" OPENINGS PER IRC CODE
 ALL DECK HARDWARE TO BE CORROSION RESISTANT AND INSTALLED
 PER MANUFACTURERS INSTRUCTIONS

Packet Page 34

<p>ROOF PLAN</p> <p style="font-size: 2em; border: 1px solid black; border-radius: 50%; width: 30px; height: 30px; display: flex; align-items: center; justify-content: center;">1</p>
<p>ALEC FRASER</p> <p>ADDRESS: 435 GREYBEARD TRL</p> <p>MONTREAT, NC 28711</p> <p>DATE: 12-9-2025</p>

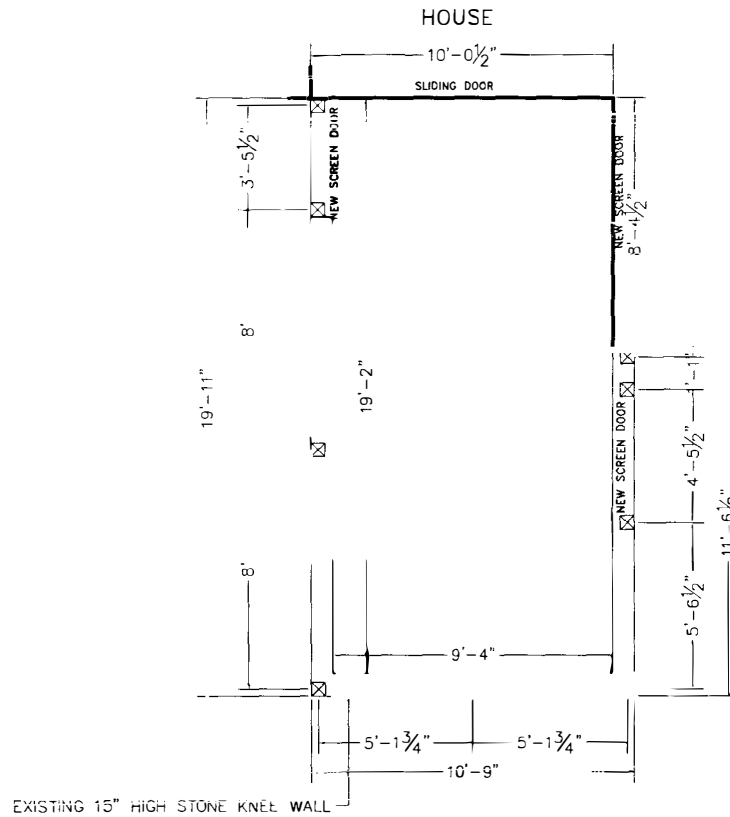
ATTACHMENT

5 B

1/4" = 1' SCALE

BASED ON THE INTERNATIONAL RESIDENTIAL CODE
NORTH CAROLINA EDITION

Packet Page 35



STEP FLASH ROOF AT HOUSE CONNECTION
 RAFTERS ARE TO BE HANDFRAMED 4x6 SPF 24" O.C. SPACING
 HEADER BEAMS TO BE 2-2x10 TREATED
 PORCH SUPPORTS TO BE 6x6 SYP TREATED
 ROOF FINISHED WITH SHINGLES
 GRACE ICE AND WATER SHIELD UNDERLAYMENT
 GUARD RAILS TO BE 36" HIGH WITH LESS THAN 4" OPENINGS PER IRC CODE
 ALL DECK HARDWARE TO BE CORROSION RESISTANT AND INSTALLED
 PER MANUFACTURERS INSTRUCTIONS

TIMBERTECH COMPOSITE
 BALUSTERS IN BLACK
 36" HIGH GUARD RAIL
 LESS THAN 4" OPENINGS

RAILING PLAN

2

ALEC FRASER

ADDRESS: 435 GREYBEARD TRL

MONTREAT, NC 28711

DATE: 12-9-2025

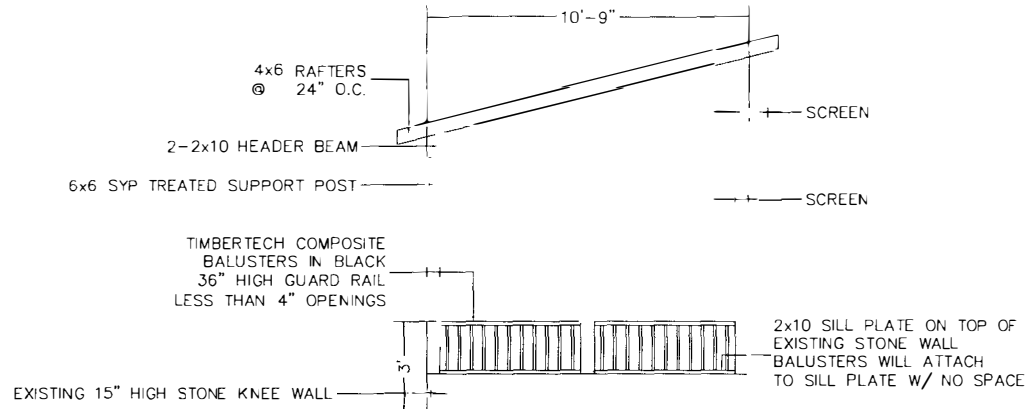


ATTACHMENT 5 C

1/4" = 1' SCALE

BASED ON THE INTERNATIONAL RESIDENTIAL CODE
NORTH CAROLINA EDITION

10'-9" x 19'-11" SCREEN PORCH SHED STYLE ROOF OVER EXISTING STONE PATIO



STEP FLASH ROOF AT HOUSE CONNECTION
RAFTERS ARE TO BE HANDFRAMED 4x6 SPF 24" O.C. SPACING
HEADER BEAMS TO BE 2-2x10 TREATED
PORCH SUPPORTS TO BE 6x6 SYP TREATED
ROOF FINISHED WITH SHINGLES
GRACE ICE AND WATER SHIELD UNDERLAYMENT
GUARD RAILS TO BE 36" HIGH WITH LESS THAN 4" OPENINGS PER IRC CODE
ALL DECK HARDWARE TO BE CORROSION RESISTANT AND INSTALLED
PER MANUFACTURERS INSTRUCTIONS

Packet Page 36

FRONT ELEVATION

3

ALEC FRASER

ADDRESS: 435 GREYBEARD TRL

MONTREAT, NC 28711

DATE: 12-9-2025





ATTACHMENT (7)

Alec Fraser <afraser722@gmail.com>

Re: Montreat Variance Application

1 message

Jim Thompson <james.thompson39@outlook.com>

Wed, Dec 17, 2025 at 4:00 PM

To: Alec Fraser <afraser722@gmail.com>

I am ok with the requested variance. Jim Thompson

Get Outlook for iOS

From: Alec Fraser <afraser722@gmail.com>

Sent: Wednesday, December 17, 2025 3:42:35 PM

To: Jimmy Thompson <james.thompson39@outlook.com>

Subject: Montreat Variance Application

Jimmy

As we discussed, I am in the process of applying for a variance for the construction of a screen porch over the existing stone patio. The variance request is for a 6 foot reduction in the setback line in order for the roof to have a 12" overhang. The rest of the screen porch will be within the footprint of the current patio. There will be no ground disturbance.

If you are ok with our variance request, would you please respond to this email so stating. Alec

--

Captain Alec Fraser

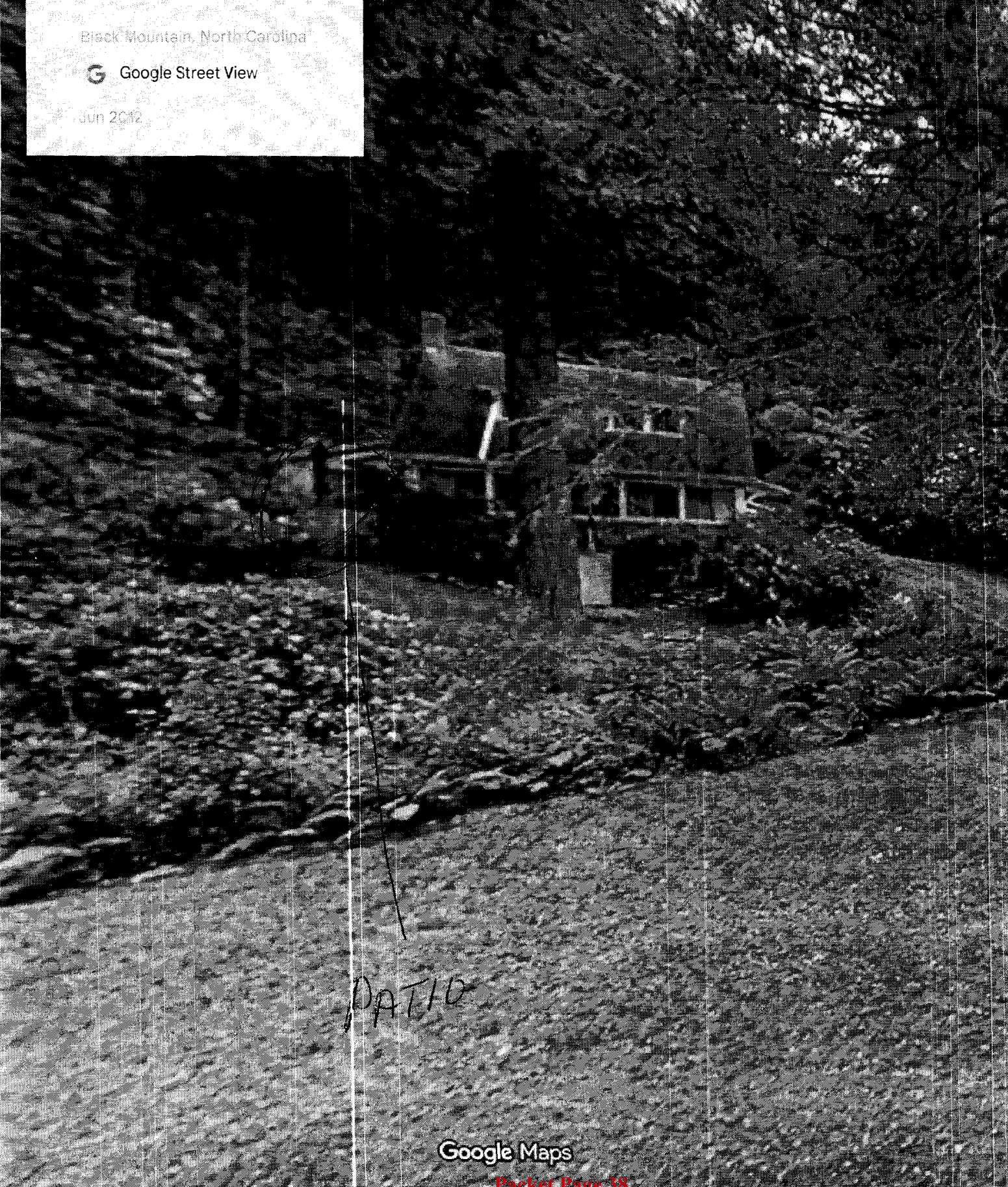
www.captainfraser.com

*Author of "Damn the Torpedoes! Applying the Navy's Leadership Principles to Business" at Amazon**

Google Maps

435 Greybeard Trail

ATTACHMENT 8



Black Mountain, North Carolina

Google Street View

Jun 2012

PATIO

Google Maps

Packet Page 38



12/12/25, 4:23 PM

Packet Page 39

40

Photo by [unreadable]





Figure 1: Front of House from Greybeard Trail



Figure 2: Existing Patio



THE
VAN WINKLE
LAW FIRM

LINDSAY P. THOMPSON
Phone: (828) 771-2556
Fax: (828) 257-2773
lthompson@vwlawfirm.com

January 6, 2026

Town of Montreat

Re: *Variance Request for 435 Greybeard Trail*

To Whom It May Concern:

I represent James Roy Thompson and wife, Judith Starnes Thompson who are the owners of 433 Greybeard Trail in Montreat, North Carolina, having Pin #072007399000000. My clients are aware of a variance request by the owners of 435 Greybeard Trail, Pin #072007494600000, to allow a covering of their side porch to encroach into the setbacks for that parcel (the "Variance Request"). My clients, who are cousins of the owners of 435 Greybeard Trail, are in full support of the Variance Request.

Sincerely,

Lindsay P. Thompson

Jan 5, 2026

To: Alec Fraser
435 Graybeard Trail
Montreat, NC

Re: Variance

Alec - I have reviewed your request for a variance between my property at 433 Graybeard Trail and your home. I have no problems with your request.

If needed my son Charles Thompson can represent me to facilitate the variance request.

Sincerely

Janet Longmire

James R. Thompson
433 Graybeard Trail
Montreat, NC

Staff Report

216 Alabama Terrace

Variance Request (216 Alabama Terrace) – A Variance request submitted by Margaret Gramling, property owner, for the lot addressed as 216 Alabama Terrace, Montreat, NC 28711 and described as PIN# 071086508400000. This Variance request is to Section 502.5 of the Montreat Zoning Ordinance to reduce the front setback requirement from 30 feet to 8.25 feet on the northern side of the Subject Property for the purpose of expanding and covering the existing deck on the Subject Property.

Created by:

Alexis Baker, AICP
Interim Zoning Administrator
Town of Montreat

Created for:

Montreat Board of Adjustment
January 22, 2026

Table of Contents

STAFF REPORT	3
Application Summary.....	3
Property Summary.....	3
Public Notice.....	4
Variance Request.....	5
Staff Analysis.....	5
Template Variance Decision Language.....	10
ATTACHMENTS	11
1. Copy of Deed	
2. Application and Response to Six Standards	
3. Site Plan to Scale	
4. Pictures of Subject Property	

Table of Figures

Figure 1: Subject Property Aerial.....	4
Figure 2: 250 feet Public Notice for Variance Request.....	5
Figure 3: Subject Property and Surrounding Zoning.....	6
Figure 4: Site Plan with Setbacks Labeled.....	7
Figure 5: Subject Property and Surrounding Topography (5ft contours).....	8
Figure 6: Subject Property and Water Features.....	9

STAFF REPORT

See **STAFF ANALYSIS** (i.e. Alexis Baker, AICP, Interim Montreat Zoning Administrator) in addition to applicant-provided materials. **STAFF ANALYSIS** contain references to the Montreat Zoning Ordinance (MZO) where noted. Only information relevant to the Variance requested are included in this staff report.

Application Summary

The following report summarizes the Zoning Administrator's review of an application for a Variance by Margaret Gramling, Property Owner, for the lot addressed as 216 Alabama Terrace, Montreat, NC 28711 and described as PIN# 071086508400000. This Variance request is to Section 502.5 of the Montreat Zoning Ordinance to reduce the front setback requirement from 30 feet to 8.25 feet on the northern side of the Subject Property for the purpose of expanding and covering the existing deck.

Property Summary

Parcel Identifier Number (PIN#): 071086508400000

Address: 216 Alabama Terrace
Montreat, NC 28711

Owner: MARGARET GRAMLING
PO BOX 82
MONTREAT, NC 28757

Applicant: Margaret Gramling

Zoning: R-2 Residential District.

Current Land Use: The Subject Property contains an existing two-family dwelling.

Acres: 0.25 acres.



Figure 1: Subject Property Aerial

Public Notice

Staff mailed notice to properties within 250 feet of the Subject Property on **January 12, 2026**. Staff posted the Subject Property on **January 12, 2026**. BOA Hearing: **January 22, 2026**.



Figure 2: 250 feet Public Notice for Variance Request

Variance Request

The Applicant, Margaret Gramling (Property Owner), requests that the Board of Adjustment grant a variance request to Section 502.5 of the Montreat Zoning Ordinance to reduce the front setback requirement from 30 feet to 8.25 feet on the northern side of the Subject Property for the purpose of expanding and covering the existing deck.

Staff Analysis

Subject Property Summary

- ❖ The Subject Property is 0.25 acres and currently contains a two-family dwelling. The Applicant intends to expand and cover the existing deck.
- ❖ The Subject Property fronts on Alabama Terrace.
- ❖ The slope of the Subject Property is 23.31 percent.
- ❖ There appears to be a stream on the property, but the Subject Property is not within the Special Flood Hazard Area. The new construction will be outside the 30' stream buffer.

Subject Property & Surrounding Lots

Land Use & Zoning

The Subject Property of the Variance request is in the R-2 Residential Zoning District (R-2). The existing two-family dwelling was built in approximately 1921 per the Buncombe County Tax Card for the Subject Property. The Applicant seeks to obtain a Variance to expand and cover the existing deck.

The Subject Property fronts on Alabama Terrace. It is surrounded on all sides by the R-2 Zoning District and residential dwellings.

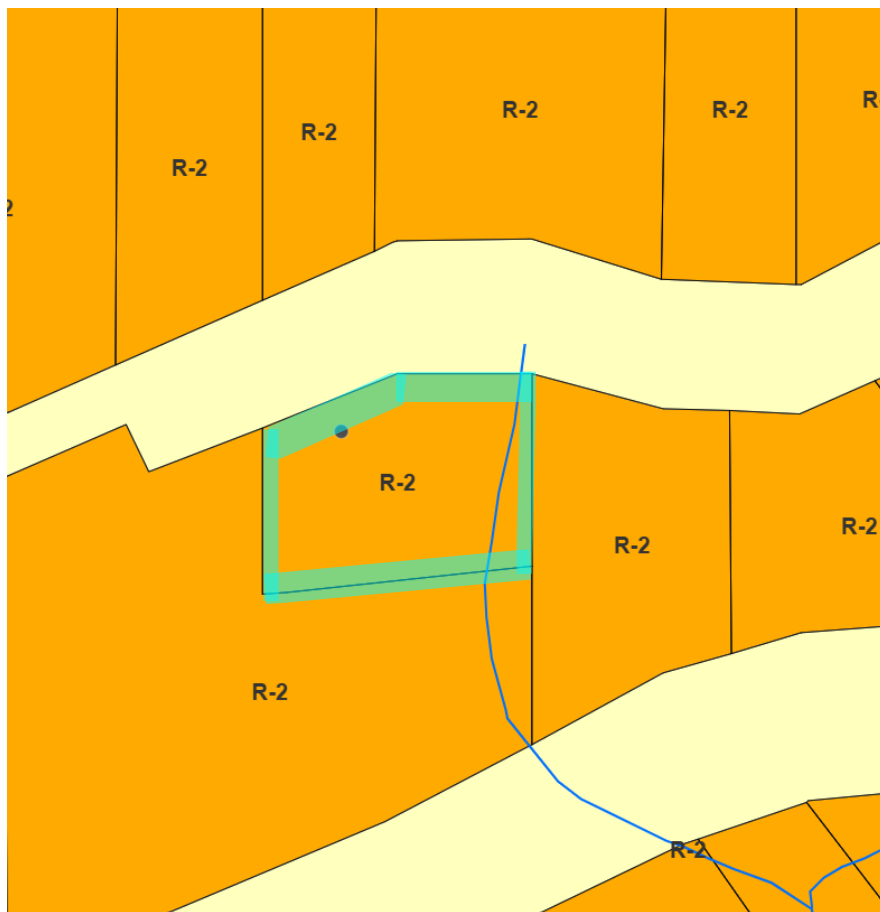


Figure 3: Subject Property and Surrounding Zoning

Setbacks

The Subject Property is in the R-2 Zoning District. The Applicant's Variance request is to the front setback requirement. The Applicant intends to meet the remaining setback requirements on the Subject Property. See attachment for a larger survey.

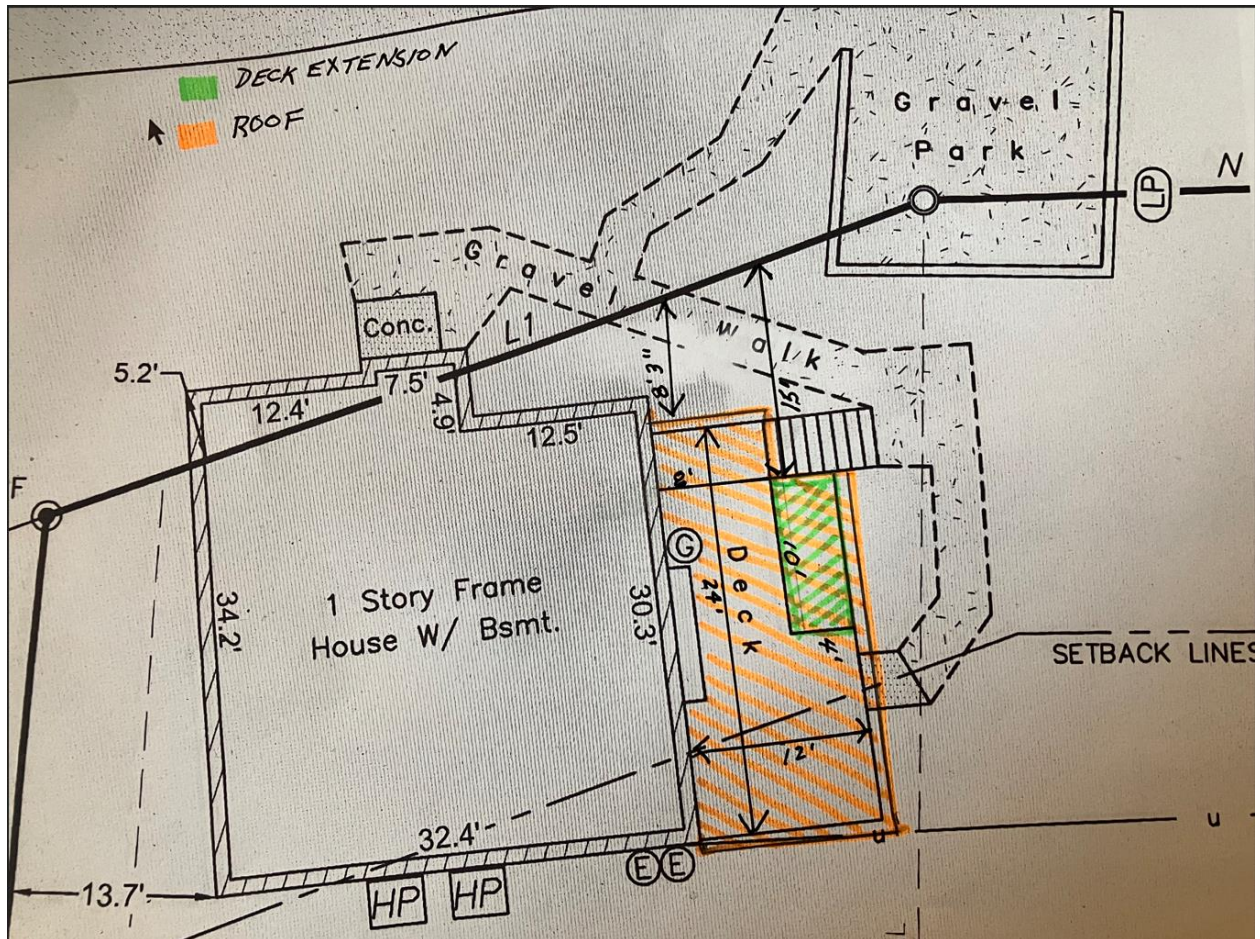


Figure 4: Site Plan with Setbacks Labeled

The table below shows the required setbacks for R-2 on the Subject Property, per Section 502 of Montreat's Zoning Ordinance, and the requested setback Variances from the Applicant's application.

	Required R-2 Zoning District Setback	Requested Variance
Front (North)	30 feet	8.25 feet
Side (East)	10 feet	N/A
Side (West)	10 feet	N/A
Rear (south)	16.8 feet	N/A

Lot Size

The Subject Property is 0.25 acres.

Topography

The slope of the Subject Property, per the Buncombe County Steep Slope Calculator, is 23.31 percent. The Subject Property slopes downward from north to south. The Subject Property is NOT subject to Hillside Development Ordinance.



Figure 5: Subject Property and Surrounding Topography (5ft contours)

Water Features

There appears to be a stream on the property. However, the Subject Property is not in the Special Flood Hazard Areas. The new construction will not be in the 30' stream buffer. Prior to development permit issuance, the Applicant will be required to comply with the Town of Montreat's General Ordinance Chapter K Article III.

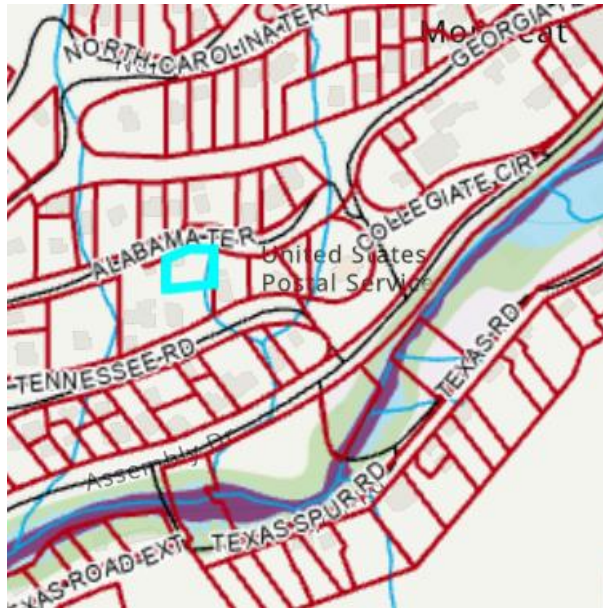


Figure 6: Subject Property and Water Features

Template Variance Decision Language

The Board is welcome to use the language below to issue a decision on the Variance Request. Prior to making the approval motion, the Board must state the specific findings that lead to the approval of each finding of fact as required by Section 310.42 of the MZO.

Findings of Fact:

1. The Board finds that unnecessary hardship [*would/would not*] result from the strict application of the Ordinance because...
2. The Board finds that the hardship results from conditions that [*are/are not*] peculiar to the property because...
3. The Board finds that hardship [*did/did not*] result from actions taken by the applicant or the property owner because...
4. The Board finds that the variance [*is/is not*] consistent with the spirit, purpose, and intent of the ordinance ...
5. The Board finds that the variance requested [*is/is not*] the minimum variance that will make possible the requested use of the land because...
6. The Board finds that the variance [*is/is not*] a request to permit a use of land that is not permitted in the applicable Zoning District as the variance request is for...

Motion for Decision: "I move that the Board [*approve/approve with conditions/deny*] the Variance Request for 216 Alabama Terrace to 502.5 of the Montreat Zoning Ordinance to reduce the front setback requirement from 30 feet to 8.25 feet on the northern side of the Subject Property for the purpose of expanding and covering the existing deck on the Subject Property. [*List any conditions of approval in the motion, if applicable*]

ATTACHMENTS

ATTACHMENT 1

Type: CONSOLIDATED REAL PROPERTY
 Recorded: 8/14/2018 11:43:48 AM
 Fee Amt: \$484.00 Page 1 of 5
 Revenue Tax: \$458.00
 Buncombe County, NC
 Drew Reisinger Register of Deeds

BK 5692 PG 1654 - 1658

There are no delinquent taxes that are a lien
 the parcel(s) described in the deed which the
 Buncombe County Tax Collector is charged
 with collecting.

08-14-2018_
 Date


 Deputy Tax Collector

Excise Tax \$458.00
 Tax Map No.

Recording Time, Book and Page
 Parcel Identifier No. 0710-86-5084-00000

18-234.PP

Mail after recording to **Ronald E. Sneed, PA, Box #47**

This instrument was prepared by **Barrett W. McFatter, Attorney**, a licensed North Carolina attorney. Delinquent taxes, if any, are to be paid by the closing attorney to the county tax collector upon disbursement of closing proceeds. This deed was prepared at the request of the Grantor based upon information provided by the Grantor, and without title examination, survey, or verification of property description.

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 10 day of August, 2018, by and between

GRANTOR

**MARY ELIZABETH NEVILLE MARTIN and Husband, JOHN RICHARD MARTIN,
 WILLIAM TENNENT NEVILLE, Unmarried and LEVERETT CHASE NEVILLE, Unmarried
 50 Cotton Creek Circle
 Black Mountain, NC 28711**

GRANTEE

**MARGARET GRAMLING
 216 Alabama Terrace
 Montreat, NC 28757**

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

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

SEE ATTACHED DESCRIPTION

Packet Page 57

submitted electronically by "Ronald E. Sneed, P.A."
 in compliance with North Carolina statutes governing recordable documents
 and the terms of the submitter agreement with the Buncombe County Register of Deeds.

The property hereinabove described was acquired by Grantor by the Estate of Susan W. Neville, Buncombe County Estate File No. 16 E 1557.

A map showing the above described property is recorded in Plat Book ____, Page ____.

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

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

Title to the property hereinabove described is hereby conveyed subject to all valid and subsisting restrictions, reservations, covenants, conditions, rights of ways and easements properly of record, if any, ad valorem taxes for the current year and subsequent years, and any local, county, state, or federal laws, ordinances, or regulations relating to zoning, environment, subdivision, occupancy, use, construction, or development of the subject property, including existing violations of said laws, ordinances, or regulations.

IN WITNESS WHEREOF, the Grantors have hereunto set their hands and seals, or, if corporate, has caused this Deed to be executed by its duly authorized officers and its seal to be hereunto affixed, the day and year first above written.

Mary Elizabeth Neville Martin (SEAL)
MARY ELIZABETH NEVILLE MARTIN

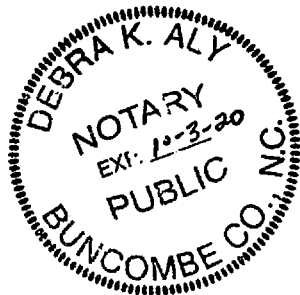
John Richard Martin (SEAL)
JOHN RICHARD MARTIN

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE

Personally appeared before me this day the said MARY ELIZABETH NEVILLE MARTIN and Husband, JOHN RICHARD MARTIN, known to me personally or who produced satisfactory evidence of his or her identity in the form of a driver's license, and who acknowledged that they voluntarily executed the foregoing instrument for the purposes stated therein this the 10th day of August, 2018.

My Commission Expires:
10-3-2020

Debra K. Aly
Notary Public



William Tennent Neville (SEAL)
WILLIAM TENNENT NEVILLE

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE

Personally appeared before me this day the said WILLIAM TENNENT NEVILLE, known to me personally or who produced satisfactory evidence of his identity in the form of a driver's license, and who acknowledged that he voluntarily executed the foregoing instrument for the purposes stated therein this the 8th day of August, 2018.

Unmarried

My Commission Expires:

12-31-2021

AMBER DEAL
NOTARY PUBLIC
Buncombe County
North Carolina

My Commission Expires 12-31-2021

Amber Deal

Notary Public

Leverett Chase Neville (SEAL)
LEVERETT CHASE NEVILLE

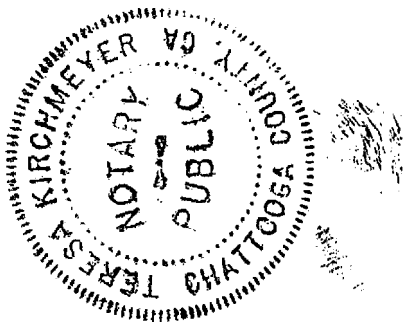
STATE OF GEORGIA
COUNTY OF Chattoga

Personally appeared before me this day the said LEVERETT CHASE NEVILLE, Unmarried known to me personally or who produced satisfactory evidence of his identity in the form of a driver's license, and who acknowledged that he voluntarily executed the foregoing instrument for the purposes stated therein this the 8 day of August, 2018.

My Commission Expires:
10-3-21

Teresa Kirchmeyer
Notary Public

(SEAL)



Description of property for transfer from MARY ELIZABETH NEVILLE MARTIN and Husband, JOHN RICHARD MARTIN, WILLIAM TENNENT NEVILLE, Unmarried and LEVERETT CHASE NEVILLE, Unmarried to MARGARET GRAMLING

BEGINNING at a concrete monument on the South margin of Alabama Terrace, at the common corner thereon of Lots 171 and 172 of the map of Montreat, recorded in the Office of the Register of Deeds for Buncombe County, N.C. in Plat Book 16 at Page 94 and runs thence with said margin of said Terrace North 87 deg. 2 min. East 60.06 feet to a stake at the common corner of Lots 172 and 173 of said plat; thence with the common line of said last mentioned lots South 0 deg. 38 min. West 88 feet to a stake; thence in a western direction crossing said Lot 172 to a point in the common line of Lots 171 and 172, 92 feet in a southern direction along said common line from the concrete monument above referred to; thence continuing in a western direction across Lot 171 to a stake in the common line of Lots 170 and 171 of said plat, at a point 78 feet in a southern direction from the common corner of said last mentioned lots on the Southern margin of Alabama Terrace; thence North 0 deg. 38 min. East with the common line of Lots 170 and 171, 78 feet to a stake on the Southern margin of Alabama Terrace; thence with said margin of said Terrace, North 68 deg. 7 min. East 64.93 feet to the **BEGINNING**; being the Northern portion of said Lots 171 and 172.

BEING the same property described and conveyed by deed from William C. Matthews, et ux Lillian Matthews to Susan Wingfield Neville duly recorded in the office of the Register of Deeds for Buncombe County, North Carolina in Book 1305 at Page 89.

BEING further identified as Buncombe County Tax PIN #0710-86-5084-00000.

All or a portion of the property herein conveyed ___ includes or X does not include the primary residence of a Grantor.

ATTACHMENT 2



VARIANCE APPLICATION

Town of Montreat Planning and Zoning
1210 Montreat Road, Black Mountain, NC 28711 | (828) 669-8002

REQUIRED FEE: \$350.00 (CASH OR CHECK)

APPLICANT INFORMATION

APPLICANT NAME: Margaret (Mari) Gramling _____ TELEPHONE: 828 713-8296 _____
MAILING ADDRESS: PO Box 82 _____ CITY: Montreat STATE: NC _____ ZIP: 28757 _____
EMAIL: marigramling@gmail.com _____

PROPERTY INFORMATION

ADDRESS: 216 Alabama Terrace _____ CITY: Montreat STATE: NC _____ ZIP: 28757 _____
PIN#: 0710-86-5084 _____ TOTAL ACREAGE: 0.246 acre FLOODPLAIN: YES NO
ZONING: R-1 R-2 R-3 I I/R WL OTHER: _____ OVERLAY ZONING: RPO TCO CD N/A
PROPERTY OWNER: Mari Gramling _____ TELEPHONE: 828 713-8296 _____
MAILING ADDRESS: PO Box 82 _____

PROPOSED LAND USE

TYPE OF LAND USE: Residential Non-Residential Other
DESCRIPTION OF PROPOSED DEVELOPMENT: Roof over existing deck and addition to make the deck all

VARIANCE REQUEST

MONTREAT ZONING ORDINANCE SECTION: _____
DESCRIPTION OF REQUESTED VARIANCE: Almost the entire house is within the setbacks. _____
Nothing can be done to improve the exterior of this house without a variance approval. _____

STANDARDS FOR GRANTING A VARIANCE

THE TOWN OF MONTREAT'S BOARD OF ADJUSTMENT WILL RENDER A DECISION ON THIS APPLICATION AT A QUASI-JUDICIAL HEARING. IN APPROVING THE REQUEST, THE BOARD OF ADJUSTMENT WILL EXAMINE THE APPLICATION AND MUST FIND THAT THE FOLLOWING SIX ELEMENTS ARE SATISFIED IN THE PROPOSAL:

MZO 310.42(A) Unnecessary hardship would result from the strict application of the Ordinance. It shall not be necessary to demonstrate that, in the absence of the Variance, no reasonable use can be made of the property.

MZO 310.42(B) The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a Variance.

MZO 310.42(C) The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a Variance shall not be regarded as a self-created hardship.

MZO 310.42(D) The Variance is consistent with the spirit, purpose and intent of the Ordinance such that public safety is secured and substantial justice is achieved.

MZO 310.42(E) The Variance requested is the minimum Variance that will make possible the requested Use of the land, Building or Structure.

MZO 310.42(F) The Variance is not a request to permit a Use of land, Building or Structure which is not permitted in the applicable Zoning District.

ATTACHMENTS

THIS APPLICATION MUST BE ACCOMPANIED BY THE FOLLOWING ATTACHMENTS:

1. A copy of the deed for the property which is the subject of the application for a Variance, a copy of the plat showing such property if one exists, and any contract to purchase or other relevant documents.
2. A response to the six standards listed above and found in the Montreat Zoning Ordinance Section 310.42.
3. A to scale site plan showing the existing property conditions (including the adjoining road and any existing improvements) and the proposed locations, dimensions, and setbacks of any structure to be built or modified which is the subject of the Variance. If the Variance request concerns the elevation of a building, include an elevation drawing.

SIGNATURES AND ACKNOWLEDGEMENT

I, Margaret G. Gramling, hereby certify that all of the information set forth above is true and accurate to the best of my knowledge.

Margaret G. Gramling
Signature of Applicant

8/28/25
Date

Margaret G. Gramling
Printed Name of Applicant

OFFICE USE ONLY

Complete Incomplete

Alexis Baker
Zoning Administrator Signature

1/6/2026
Date

Alexis Baker
Printed Name of Zoning Administrator

Fee: \$350 -

Paid: Yes No

Payment Method: check

Scheduled Board of Adjustment Meeting Date: 1/22/2026

Standards for Granting a Variance

MZO 310.42 (A) Unnecessary hardship would result from the strict application of the Ordinance. It shall not be necessary to demonstrate that, in the absence of the Variance, no reasonable use can be made of the property.

As is obvious, the greatest hardship that exists on this property is that almost the entire home is situated within the right-of-way/setback. There is little to nothing that can be done to improve the exterior residence without the granting of a variance. The house was built long before any survey could be done or any rights-of-way/setbacks existed. Although this is a problem for many houses in Montreat, to have a house almost entirely within the right-of-way/setback, is rare.

There is an existing deck on the site, which was constructed with a building permit granted by the Town of Montreat in 2019, as house renovations were being completed. The deck was built to create a backdoor exit from the home which, at the time, had only the front door as an exit, and was clearly unsafe. It was also built in anticipation of the owner's being able to enjoy sitting outside in comfort as Montreaters love to do. In the past several years, it has become clear that the deck is virtually unusable due to the angle of the house and the angle of the summer sun. The deck receives full sun almost all day, thus being too hot for comfortable use at any time during the day until evening. For this reason, the owner requests a roof following the footprint of the entire existing deck and an extension which would allow the roof edge to have a single line.

MZO 310.42 (B) The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a Variance.

The hardship arose when the house was first built in 1921, at a time when there were no setbacks and rights-of-way. As a result, almost the entire house, sits within the them, meaning no improvement can EVER be made to the exterior of the house without a variance approval. Also, the way in which the house was placed on the property and the fact the the former owner had almost all the large trees in the yard removed, creates an additional hardship.

When the house was bought by the current owner, there was no thought of a deck, as there was a porch off the lower apartment level, topped with a laundry room/office for the upper level. These were so poorly constructed that the weight of the upper structure was visibly crushing the porch below. Being deemed unsafe

and unfixable, both were torn down. This is the location where a large portion of the current deck exists. The current owner was unable to stand in the area before the deck was built, so she could not have anticipated that the angle of the house and lack of shade, would create such a problem. Finally, a bear, right before the current owner's eyes, almost totally destroyed the only tree giving minimal shade. It was checked by Montreat arborist Daniel Wiggs, who stated he did not believe the tree could be saved and suggested it be taken down.



216 Alabama Terrace as it looked when first purchased by the current owner. Note the lower porch and upper room, both of which had to be removed for safety reasons.

MZO 310.42 (C) The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a Variance shall not be regarded as a self-created hardship.

The hardship did not result from any actions taken by the current owner.

MZO 310.42 (D) The Variance is consistent with the spirit, purpose and intent of the Ordinance such that public safety is secured and substantial justice is achieved.

Montreat is famous for its porches where friends and families gather, meals are enjoyed, music is played, meetings are held and overall enjoyment is achieved.

This variance would be completely consistent with the spirit, purpose and intent of the Ordinance and would continue to provide a safe second exit for the homeowner. In addition, it will add to the appearance of the home, which will be in keeping with the much desired “look” of Montreat, prevalent all over town and on Alabama Terrace.

The deck as it looks now, showing the area the roof will cover as well as the portion to be enlarged.

MZO 310.42 (E) The Variance requested is the minimum Variance that will make possible the requested Use of the land, Building or Structure.

The variance requested is the minimum required to create a structure that will



continue to allow for safety and create a fully usable space for the owner and those to follow, as well as improving the aesthetics of the home.

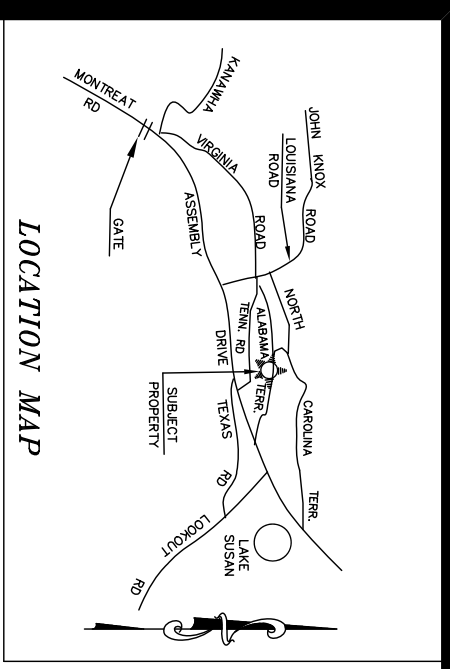
MZO 310.42 (F) The Variance is not a request to permit a Use of land, Building or Structure which is not permitted in the applicable Zoning District.

The variance request is in accord with the applicable zoning district and will



improve a structure in keeping with the spirit and “look” of Montreat.
Aerial view of the house during renovations, clearly showing the deck, what the roof will cover, and the deck section to be enlarged.

ATTACHMENT 3

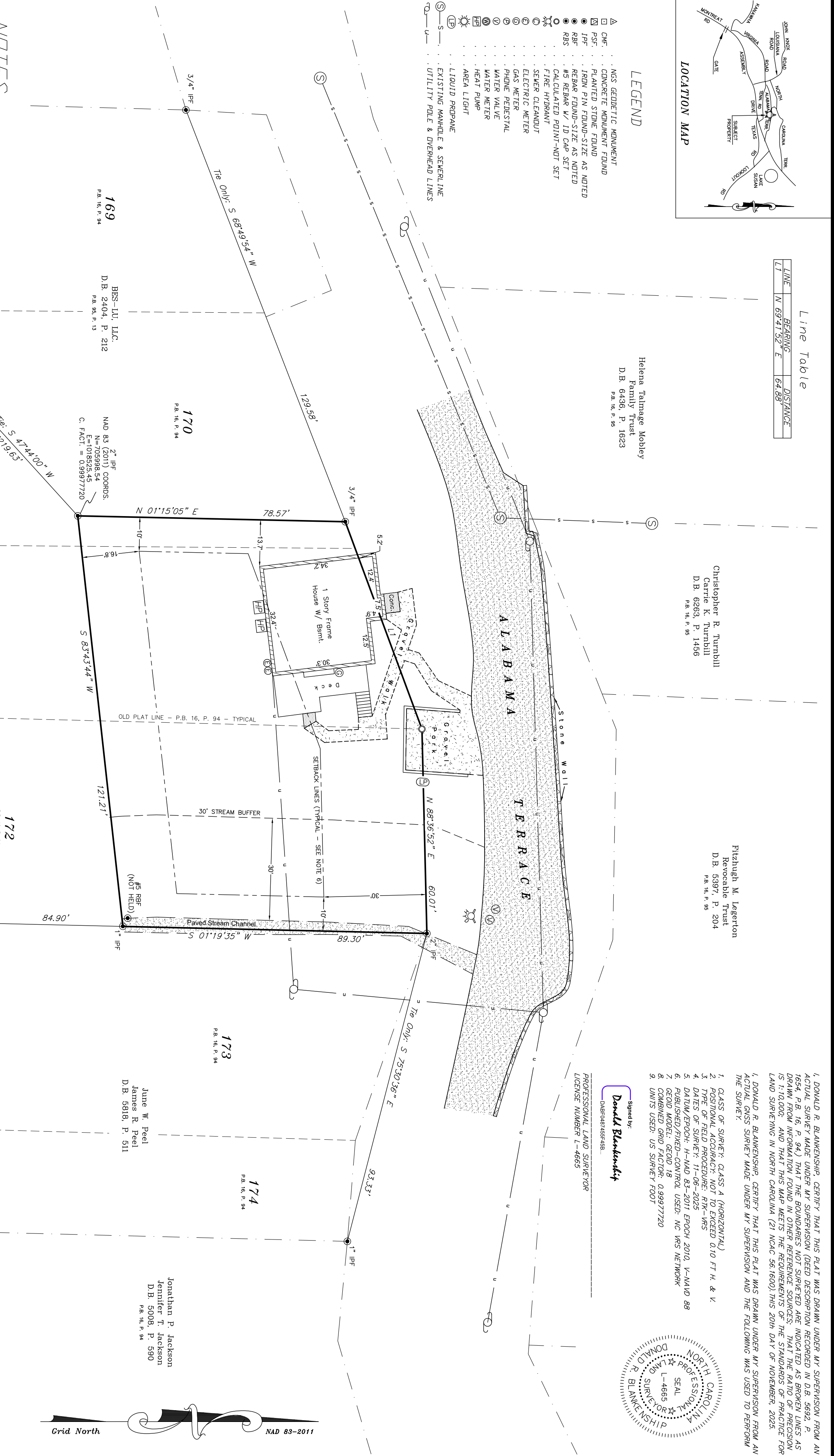


Line Table

LINE	BEARING	DISTANCE
L1	N 69°41'52" E	64.88'

LEGEND

- ▲ N.G.S. GEODETIC MONUMENT
- CONCRETE MONUMENT FOUND
- ▣ PLANTED STONE FOUND
- ▢ IRON PIN FOUND - SIZE AS NOTED
- REBAR FOUND - SIZE AS NOTED
- REBAR W/ ID CAP SET
- CALCULATED POINT - NOT SET
- FIRE HYDRANT
- SEWER CLEANOUT
- ELECTRIC METER
- GAS METER
- PHONE PEDESTAL
- WATER VALVE
- WATER METER
- HEAT PUMP
- AREA LIGHT
- LIQUID PROPANE
- EXISTING MANHOLE & SEWERLINE
- UTILITY POLE & OVERHEAD LINES



NOTES

- THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE SEARCH, AND MAY NOT SHOW ALL EASEMENTS, RESTRICTIONS, RIGHTS OF WAY, ENCUMBRANCES, OR OTHER FACTS THAT MAY BE DISCLOSED BY A FULL TITLE EXAMINATION PERFORMED BY AN ATTORNEY AT LAW. THIS SURVEY SHALL NOT BE CONSIDERED A CERTIFICATION OF OWNERSHIP, ZONING, TITLE, OR GUARANTEE THAT THE PROPERTY IS FREE FROM ENCUMBRANCES.
- THE DISTANCES AND ACRES SHOWN ON THIS PLAT ARE GRID MEASUREMENTS, TO CONVERT TO GROUND DISTANCES AND ACRES, DIVIDE BY THE COMBINED FACTOR OF 0.99977720.
- UNLESS STATED OTHERWISE HEREON, ONLY EVIDENCE OF EASEMENTS, BURIED UTILITIES, PRELINES, OR STRUCTURES HERETO WHICH ARE READILY APPARENT FROM A CASUAL OBSERVATION OF THE PREMISES SHALL BE CONSIDERED. INTERESTED PARTIES SHOULD AND VERIFY AND LIABILITY IS ASSUMED BY HIGH COUNTRY SURVEYORS, INC. FOR ANY LOSS THAT MAY BE ASSOCIATED WITH THE EXISTENCE OF ANY EASEMENT, BURIED UTILITY, OR PIPELINE ON THE PREMISES.
- THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY FEMA. SEE FIRM 5710071000 DATED 01.08.2010.
- UNDERGROUND SEWERLINE INFORMATION IS TAKEN FROM BUNCOMBE COUNTY MSD GIS INFORMATION, AND HAS NOT BEEN FIELD VERIFIED.
- THIS PROPERTY IS ZONED R-2 BY THE TOWN OF MONTREAT.
- SETBACKS: 30' FRONT, 10' SIDE, 16.8' REAR.
- SEE THE MONTREAT ZONING ORDINANCE FOR MORE INFORMATION.
- THIS PROPERTY IS ALSO SUBJECT TO RESTRICTIVE COVENANTS AS DESCRIBED IN D.B. 6263, P. 1456, AND RESTRICTIVE COVENANTS ON ADJACENT LOTS. INTERESTED PARTIES SHOULD INVESTIGATE ALL EXISTING RESTRICTIONS PRIOR TO DESIGN OR CONSTRUCTION.
- 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'S/DEVELOPER'S RESPONSIBILITY TO HAVE THE AREAS DESIGNATED BY THE PROPER AUTHORITIES TO MAKE THESE DETERMINATIONS.

Helena Talmage Mobley
Family Trust
D.B. 6436, P. 1623
P.B. 16, P. 95

Christopher R. Turnbull
Carrie K. Turnbull
D.B. 6263, P. 1456
P.B. 16, P. 95

Fitzhugh M. Legerton
Revocable Trust
D.B. 5397, P. 204
P.B. 16, P. 95

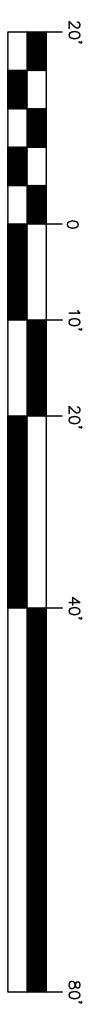
June W. Peel
James R. Peel
D.B. 5818, P. 511

Jonathan P. Jackson
Jennifer T. Jackson
D.B. 5008, P. 590
P.B. 16, P. 94

BBS-LU, LLC.
D.B. 2404, P. 212
P.B. 16, P. 13

Boundary Survey for:
Margaret Grantling
P.I.N. 0710-86-5084
Town of Montreat, Buncombe County, NC

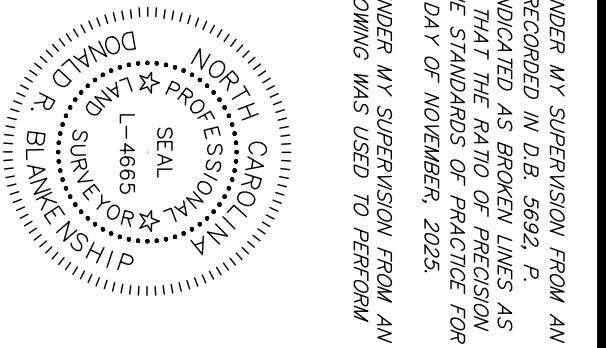
1 inch = 20' ft.



REFERENCES:

DEED BOOK 5692	PAGE 1654
DEED BOOK 156	PAGE 245 (REST. & CDV.)
DEED BOOK 156	PAGE 219 (REST. & CDV.)
PLAT BOOK 16	PAGE 34
PLAT BOOK 154	PAGE 155



AREA = 0.246 ACRES
By Coord. Computation



Signed by:
Donald Blankenship
D.B. 049/1456/48...
PROFESSIONAL LAND SURVEYOR
LICENSE NUMBER L-4665

- CLASS OF SURVEY: CLASS A (ADJUDICATED)
- POSITIONAL ACCURACY: NOT TO EXCEED 0.10 FT. H. & V.
- TYPE OF FIELD PROCEDURE: RTN-1955
- DATES OF SURVEY: 11-06-2025
- DATA/TECHNOLOGY: H-NAD 83-2011 EPOCH 2010, U-MAD 88
- PUBLISHED/REVISED-CONTROL USED: NC VRS NETWORK
- GRID MODEL: GRID 18
- COMBINED GRID FACTOR: 0.99977720
- UNITS USED: US SURVEY FOOT

COORD. FILE 2009-086-crd
DRAWING NO. 2025-196
November 20, 2025
HIGH COUNTRY SURVEYORS, INC.
403-B WEST STATE ST., BLACK MOUNTAIN, NC 28711 (828) 664-0091
CORPORATE LICENSE NUMBER C-1854

 DECK EXTENSION
 ROOF

