

# **TOWN OF WAYNESVILLE**

## **Zoning Board of Adjustment**

9 South Main Street  
Waynesville, NC 28786  
Phone (828) 456-8647 • Fax (828) 452-1492  
[www.waynesvillenc.gov](http://www.waynesvillenc.gov)

George Escaravage (Chairman)  
Henry Kidder (Vice-Chair)  
Edward Moore  
Joshua Morgan  
Robert Hermann  
Judi Donovan (alternate)

**Development Services**  
**Director**  
Elizabeth Teague

### **TOWN OF WAYNESVILLE**

### **ZONING BOARD OF ADJUSTMENT**

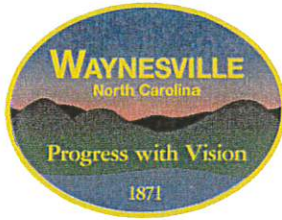
### **REGULAR MEETING**

**Town Hall – 9 South Main Street, Waynesville, NC 28786**  
**Tuesday, February 6, 2024, 5:30 PM**

#### **A. CALL TO ORDER/BUSINESS:**

1. Welcome/Announcements/Introductions
2. Adoption of Minutes (as presented or amended) from September 5, 2023.
3. Election of Chair and Vice-Chair.
4. Public Hearing: Variance request for a reduction in minimum lot size standards, Land Development Standards Section 2.4.1, in the Sulphur Springs Neighborhood Residential District (SS-NR), at 55 Fifth Street, PIN 8605-76-8086, Waynesville, NC 28786.

#### **B. ADJOURN**



## TOWN OF WAYNESVILLE Zoning Board of Adjustments

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Phone (828) 456-8647 • Fax (828) 452-1492  
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George Escaravage, Chairman  
Henry Kidder, Vice-Chairman  
Robert Hermann  
Joshua Morgan  
Edward Moore  
Judi Donovan (Alternate)

Development Services  
Director  
Elizabeth Teague

### MINUTES OF THE TOWN OF WAYNESVILLE ZONING BOARD OF ADJUSTMENTS

#### Regular Meeting

Town Hall – 9 South Main St., Waynesville, NC 28786

September 5, 2023

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THE WAYNESVILLE ZONING BOARD OF ADJUSTMENTS held a Regular Meeting September 5<sup>th</sup>, 2023, at 5:30 p.m. in the Boardroom of Town Hall, 9 South Main Street, Waynesville, NC. 28786.

#### A. CALL TO ORDER

##### 1. Welcome/Calendar/Announcements

The following members were present:

George Escaravage, Chairman  
Henry Kidder, Vice Chairman  
Robert Hermann  
Joshua Morgan  
Judi Donovan (Alternate)  
Edward Moore, recused and was present as the applicant

Others present:

Olga Grooman, Land Use Administrator  
Esther Coulter, Administrative Assistant  
Ron Sneed, Attorney

##### 1. Welcome/Announcements

Zoning Board of Adjustments Chairman George Escaravage welcomed everyone and called the meeting to order at 5:38 p.m.

##### 2. Adoption of Minutes (as presented or amended) from May 2<sup>nd</sup>, 2023.

Chairman Escaravage asked if everyone had reviewed the minutes and if there were any changes.

*A motion was made by Board member Henry Kidder, seconded by Board member Judi Donovan to approve the May 2<sup>nd</sup>, 2023, meeting (as presented or amended). The motion carried unanimously.*

3. Public Hearing Variance request at 1554 Crymes Cove Road in Waynesville, Pin 8614-69-2913 regarding the location or an accessory structure.

Chairman Escaravage read the protocols and rules of conduct for the hearing and explained the rules of standing. Mr. Escaravage asked that anyone prepared to testify in the hearing come forward to be sworn in. Two people came forward to be sworn in: Edward Moore, the owner of the property, and Olga Grooman, Town of Waynesville Land Development Administrator. Mr. Escaravage then opened the public hearing at 5:40pm.

Land Use Administrator Olga Grooman gave the staff report and explained that the property in its entirety consists of 0.53 acres. The property is within the Ninevah Neighborhood Residential (N-NR) zoning district and is not in the floodplain. Three sides of the property are adjacent to the streets Crymes Cove Rd, Indian Springs Drive, and Parley Street. The house and driveway face Crymes Cove Road. The surrounding lots are single-family and vacant land.

The applicant has had an above-ground pool in his front yard for three years. The code enforcement officer noticed a deck being constructed around the pool without a permit. Mr. Moore was notified to apply for a building permit, which includes a zoning compliance verification. However, the Land Development Standards, Section 4.5.1, requires accessory structures to be in the rear and side yard only. While a pool is not regulated as an accessory structure a deck could be considered an accessory structure.

The property has a very small and extremely steep backyard. It would be incredibly hard, if not impossible, to place any type of structure there. The only possible location for the pool is in the front yard of the house, and the deck is built for the purpose of pool access. The proposed variance would allow the deck to be located in the front yard where the over-the-ground pool is situated.

Ms. Grooman entered the following items into evidence on behalf of the Town:

- Staff report
- Application with payment
- LDS section 4.5.2
- Haywood County GIS maps, property topo and zoning
- Public notices
- Building permit application
- Site pictures
- Town of Waynesville Land Development Standards and North Carolina Building Code by reference.

The applicant Edward Moore stated that the incline in the back yard is about 90%, and that if he had to grade an area for the pool and pool deck, he would have to cut into the hill and place a retaining wall

which would be massive in size. Mr. Moore stated that the deck makes the pool safer and easier to get in and out of.

Mr. Moore was asked if his neighbors had any complaints about the pool, and his reply was no. Chair Escaravage asked if there were any other questions or comments. There was no public present at the hearing.

***A motion was made by Board Member Joshua Morgan, seconded by Board member Judi Donovan to close the public hearing at 5:52 pm. The motion carried unanimously.***

The Board deliberated with Attorney Ron Sneed present. There was board agreement that the hill in the back of the house would prevent the pool and pool deck from being in any other location other than the front yard. The board also found that the pool had existed for three years in the front yard without any complaint of the neighbors, and that the deck is only there for the use of the pool, and that the deck makes the pool safer. The board found generally that the variance is consistent with the spirit of the regulations and reasonable.

***A motion was made by Board Member Joshua Morgan, seconded by Vice Chairman Henry Kidder to accept the suggested findings criteria 1 thru 6 in the staff report to approve the variance. The motion carried unanimously.***

#### **C. ADJOURN**

***A motion was made by Board Member Joshua Morgan, seconded by Board member Judi Donovan to adjourn the meeting at 6:06 pm. The motion carried unanimously.***

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George Escaravage, Chairman

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Esther Coulter, Administrative Assistant



## STAFF REPORT

### Zoning Board of Adjustment Staff Report

Subject: Variance regarding the minimum lot size, section 2.4.1 of the Land Development Standards (LDS)  
Applicant: Cowan Properties LLC / DMS Concepts LLC (Dennis Downey and Gene Sandlin) on behalf of the property owner  
Property Owner: Toby Hartsell, State Employees' Credit Union Real Estate, Inc. (SECU\*RE, Inc.)  
Staff Presenter: Olga Grooman, Land Use Administrator  
Meeting Date: February 6, 2024

### Summary Information:

Application Date: January 8, 2024  
Property Location: 55 Fifth Street, Waynesville, NC 28786 (PIN 8605-76-8086)  
Acreage of the Site: 0.32 acre  
Zoning District: Sulphur Springs Neighborhood Residential (SS-NR)  
Existing Development: Single-family residence  
Property Owner: Toby Hartsell (SECU\*RE, Inc.)

### Background:

The property at 55 Fifth Street is located in the corporate limits of Waynesville and Sulphur Springs Neighborhood Residential (SS-NR) zoning district. The property consists of 0.32 acres, with frontage along Fifth Street. It is approximately 188 feet wide along the road frontage. The property has one single-family residence, and it is surrounded on all sides by single-family lots. The Haywood County GIS maps still show two additional structures on the property- manufactured home and accessory structure, but they have been demolished. The property has two driveways connecting to Fifth Street. One driveway leads to the existing residential structure, while the other previously provided access to the manufactured home that has been demolished. The property is not in the floodplain and has a flat topography.

The applicants would like to subdivide the property into two (2) lots in order to build a duplex on one of them (*See Exhibit 5*). In Sulphur Springs Neighborhood Residential (SS-NR), the minimum lot size is 1/6 acre, or 0.1666... ac, or 7,230 square feet (*LDS 2.4.1*). The attached survey (*Exhibit 5*) shows that if subdivided, both lots would be 0.160 ac, or approximately 6,970 square feet each. The subdivision would create two (2) nonconforming lots, with each one 0.007 ac or approximately 305 square feet below the minimum lot size for this district.

The purpose and intent of Sulphur Springs Neighborhood Residential district states (*LDS 2.3.3*):

**The Sulphur Springs Neighborhood District (SS-NR)** is located in a convenient in-town setting- bordered by the Hazelwood Town Center, the Central Business District, Highway 23/74 and Richland Creek. Due to the proximity to two town centers, **the area is ideal for high quality dense development.** The addition of pedestrian amenities and traffic calming measures will improve the walkability of the area. Interconnecting roads as the area develops is paramount to keeping Sulphur Springs Road from becoming

overly traveled. The passive park that exists where the spring house for the old Sulphur Springs Hotel was located should be redesigned to become more of an amenity and center for those who live in the area. Connections with the greenway that is developed along Richland Creek will add to the beauty of this neighborhood.

Per LDS 2.4.1, SS-NR district has one of the highest allowed densities with up to 10 units/acre allowed outright and up to 16 units/acre with a Special Use Permit. Additionally, 2035 Future Land Use Map shows that the subject property is within the area designated as *Residential: Medium to High Density* for future development. 2035 Comprehensive Land Use Plan states the purpose and intent for **Residential- Medium to High Density** (p. 26):

Located on **lands suitable for higher density residential development that are readily accessible** and where utilities are available. Uses are the same as those in the low/medium category above but with **increased densities** generally five to ten units per acre (5-10 units /acre) with some higher density in the Urban Residential zoning district and/or with Special Use Permits. Development should provide sidewalks or multi-use paths and connect to parks, schools, and commercial areas. Types of development include:

- Patio homes
- **Townhomes**
- Bungalow courts
- **Multifamily**

The owner of the property plans to use the duplex as a long-term rental. Several goals of the 2035 Comp Plan emphasize the need for a diverse housing stock in Waynesville:

Goal 2: Create a range of housing opportunities and choices.

- Encourage new housing inside Waynesville's city limits and Extraterritorial Jurisdiction (ETJ)
- Promote a diverse housing stock including market rate, workforce housing and affordable options that appeal to a variety of households

Goal 1: Continue to promote smart growth principles in land use planning and zoning.

- Encourage infill, mixed-use and context-sensitive development.

### **Surrounding Land Use/Zoning Patterns:**

The subject property is surrounded by single-family lots. All surrounding properties are also located within the Sulphur Springs Neighborhood Residential district. In the application materials, the staff provided aerial lot information for the neighborhood documenting that many of the nearby lots are also smaller than the minimum lot size and narrower than the minimum lot width for the district, with some buildings located across the property lines or non-compliant with current setback standards. The staff notes that it is one of the older neighborhoods, with several houses built as early as 1930-s and 1940-s.

**Proposed Variance:**

The requested variance would permit the property owner to subdivide the lot in question into two (2) lots, creating the nonconformities related to the LDS minimum lot size standards. Each lot would be 0.160 ac, which is 0.007 ac below the minimum lot size of 0.1666... for the district. The purpose and intent statement for this zoning district recognizes that it consists primarily of small lot subdivisions.

Staff offers the following comments regarding the findings that must be considered by the Zoning Board of Adjustment (*LDS 15.13, NC GS 160D-705(d)*):

- a) Unnecessary hardship would result from the strict application of the regulation. It is not necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.**

The applicants consider it to be unnecessary hardship for the community because they would be unable to provide workforce housing due to a decimal point of nonconformity. They want to make a positive change in the community by creating long-term housing for two (2) families.

- 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. A variance may be granted when necessary and appropriate to make a reasonable accommodation under the Federal Fair Housing Act for a person with a disability.**

As stated earlier in the report, the intent of this zoning district and 2035 Comp Land Use Plan is to allow for more density in this neighborhood. This lot is currently one of the larger lots in the neighborhood. This area was designed for the infill development. Because of the age of this neighborhood, zoning is not congruent with existing property lines on many lots. Naturally, the accommodations will need to be made to allow for infill development.

- 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 is not a self-created hardship.**

The hardship is a result of the current zoning laws applied to the neighborhood that is much older.

- d) The requested variance is consistent with the spirit, purpose, and intent of the regulation, such that public safety is secured and substantial justice is achieved.**

There was an already additional structure on the lot- a manufactured home that was dilapidated and torn down. It was in poor condition, uninhabitable, and did not hold value. The manufactured home was removed from the property to eliminate health and safety hazards. The applicants would like to replace it with a nicer, site-built structure.

**Additional Comments:**

No change in permitted uses may be authorized by variance. Appropriate conditions may be imposed on any variance, provided that the conditions are reasonably related to the variance (*LDS 15.13*).

This variance would pertain exclusively to the lot size for two (2) proposed lots on the subject property. Both newly created lots will need to comply with Building and Fire Codes and all other requirements of the Waynesville ordinances, including but not limited to minimum lot width, setbacks for all existing and new structures on the property, building height, etc.

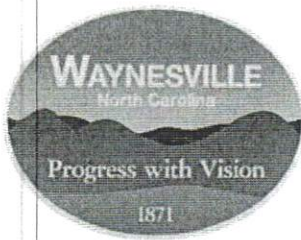
**Public Notice:**

A public notification sign was posted on the subject property, and notice of this Public Hearing was mailed to owners of the properties within 100 feet of the subject property on January 16, 2024. The Hearing was advertised in the Mountaineer newspaper on January 17th and January 24th. The notice was also submitted to local media (*Exhibit 8: Public Notices*).

**Items Entered as Evidence:**

- Staff Report
- Application with payment
- Agent Authorization form
- Haywood County GIS maps: property, zoning, neighborhood
- Google maps: site image
- Survey showing the proposed lot line relocation and site plan
- Public notices
- Town of Waynesville LDS, NC Building and Fire Codes, and NC GS 160D by reference





## TOWN OF WAYNESVILLE

Development Services Department

PO Box 100

9 South Main Street

Waynesville, NC 28786

Phone (828) 456-8647 • Fax (828) 452-1492

[www.waynesvillenc.gov](http://www.waynesvillenc.gov)

## Exhibit 1: Application

### Variance Request

Property Address / Location: 55 5<sup>th</sup> St, Waynesville NC 28786

Property PIN: 8605-76-8086 Property Zoning District: SS-NR

Flood Zone: N/A Historic Property or District: N/A

Signature of property owner of record: Toby Hartsell

dotloop verified  
01/08/24 2:05 PM EST  
RDAQ-ANWC-GBYG-PUJH

Applicant's Name: Cowan Properties LLC Applicant's Phone #: 828-734-8349

Applicant's Address: PO Box 1140 Waynesville NC 28786

*Application must be filed by the property owner or by an agent specifically authorized by the owner.*

I, Cowan Properties LLC, hereby petition the Board of Adjustment for a variance from the provisions of the Town of Waynesville Land Development Standards for this property as described below.

Applicable Ordinance Section: 2.4.1

Ordinance requirement from which relief is sought: Minimum lot size of .167 (7,230 ft<sup>2</sup>)

Variance requested and why (attach additional sheets, maps, or other information as necessary):

Subject proposed lot is .16 acres (6,969 ft<sup>2</sup>) each. Variance requests to allow lot subdivision with current lot acreage (short of ordinance req by .007, or 261 ft<sup>2</sup>). Per zoning intention, we will use the lot with an existing home to

Applicant's Signature: [Signature] Date: 1/8/24

accommodate infill and housing demand

## **Standards of Review for Variances**

- 1. General Variance Requests:** The Board of Adjustment shall not grant a variance unless and until it makes all of the following findings:
  - a) Unnecessary hardship would result from the strict application of the regulation. It is not necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
  - 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. A variance may be granted when necessary and appropriate to make a reasonable accommodation under the Federal Fair Housing Act for a person with a disability.
  - 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 is not a self-created hardship.
  - d) The requested variance is consistent with the spirit, purpose, and intent of the regulation, such that public safety is secured and substantial justice is achieved.

No change in permitted uses may be authorized by variance. Appropriate conditions may be imposed on any variance, provided that the conditions are reasonably related to the variance.

## **2. Floodplain Development Regulation Variance Requests:**

- a) Variances from the standards set forth in this ordinance for flood damage prevention may be granted. The town must notify the North Carolina Secretary of Crime Control and Public Safety at least thirty (30) days prior to granting the variance.
- b) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result or when the variance will make the structure in violation of other federal, state or local laws.
- c) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- d) Variances shall only be issued upon: a showing of good and sufficient cause; a determination that failure to grant the variance would result in exceptional hardship; and, a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing laws or ordinances.
- e) In passing upon variances, the Board of Adjustment shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this chapter and:
  - i. The danger that material may be swept onto other lands to the injury of others.
  - ii. The danger to life and property due to flooding or erosion damage.
  - iii. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
  - iv. The importance of the services provided by the proposed facility to the community.
  - v. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use.
  - vi. The compatibility of the proposed use with existing and anticipated development.
  - vii. The relationship of the proposed use to the land development plan and flood damage prevention program for that area.
  - viii. Safety of access to the property in times of flood for ordinary and emergency vehicles.
  - ix. The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site.
  - x. The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges.

### **3. Additional Conditions:**

In granting any variance, the Board of Adjustment may attach such conditions to the approval as it deems necessary and appropriate to satisfy the purposes and objectives of this ordinance. The board may also attach conditions in order to reduce or minimize any injurious effect of such variance upon other property in the neighborhood and to ensure compliance with other terms of this chapter.

PAYMENT SUMMARY RECEIPT

TOWN OF WAYNESVILLE  
16 S MAIN ST

DATE: 01/09/24 CUSTOMER#:  
TIME: 14:33:33  
CLERK: 2044ecou

RECPT#: 3002209 PREV BAL: 300.00  
TP/YR: P/2024 AMT PAID: 300.00  
BILL: 3002209 ADJSTMNT: .00  
EFF DT: 01/09/24 BAL DUE: .00  
Misc Cash Receipts

-----TOTALS-----

PRINCIPAL PAID: 300.00  
INTEREST PAID: .00  
ADJUSTMENTS: .00  
DISC TAKEN: .00

AMT TENDERED: 300.00  
AMT APPLIED: 300.00  
CHANGE: .00

PAID BY: Cowan Pros Variance  
PAYMENT METH: CHECK  
PAYMENT REF: 1402

TOT PREV BAL DUE: 300.00  
TOT BAL DUE NOW : .00

Exhibit 2:  
Payment

**AUTHORIZATION FOR AGENT TO  
APPEAR BEFORE WAYNESVILLE PLANNING BOARD,  
ZONING BOARD OF ADJUSTMENT, OR TOWN COUNCIL**

**Exhibit 3:  
Authorization**

The undersigned Owner or Party with a contract or option to purchase that real property located at 55 5th St, Waynesville NC 28786 in Waynesville or the ETJ area of Waynesville, North Carolina, has submitted an application which is to be heard in a proceeding by Board(s) of the Town of Waynesville, North Carolina. I hereby authorize the following named individual to present my application and case, as my agent at such hearings.

Name of Authorized Agent: DMS Concepts LLC (Dennis Downey and Gene Sandlin)

Title and Company: Member/Managers, DMS Concepts LLC

Address: PO Box 1140 Waynesville NC 28786

Phone and email: 828-734-8349 / dennistke77@gmail.com, 828-450-8797 / gene.sandlin@allentate.com

This authorization shall be good through the completion of the project for which the zoning text or map amendment, special use permit, subdivision, variance or appeal, or other Town approval is requested, or until revoked in writing. The Town of Waynesville may rely on this authorization until it is given notice of the revocation of this authorization or of a change of property ownership takes place.

This the 01/15/2024 day of \_\_\_\_\_, 20\_\_\_\_.

Owner or Party with Contractual Interest in Property:

*Toby Hartsell*

dotloop verified  
01/15/24 2:40 PM EST  
AVB2-R40L-V2B5-7VE1

Address and phone number:

Toby Hartsell  
State Employees' Credit Union Real Estate, Inc. (SECU\*RE,  
Inc.)  
323 W. Jones Street, Ste. 300, Raleigh, NC 27603  
PO Box 25907, Raleigh, NC 27611  
919-623-0874



Report For

SECU\*RE INC  
119 N SALISBURY ST  
RALEIGH, NC 27603-1739

Exhibit 4:  
Property  
Card

Account Information  
PIN: 8605-76-8086

Legal Ref: 1012177

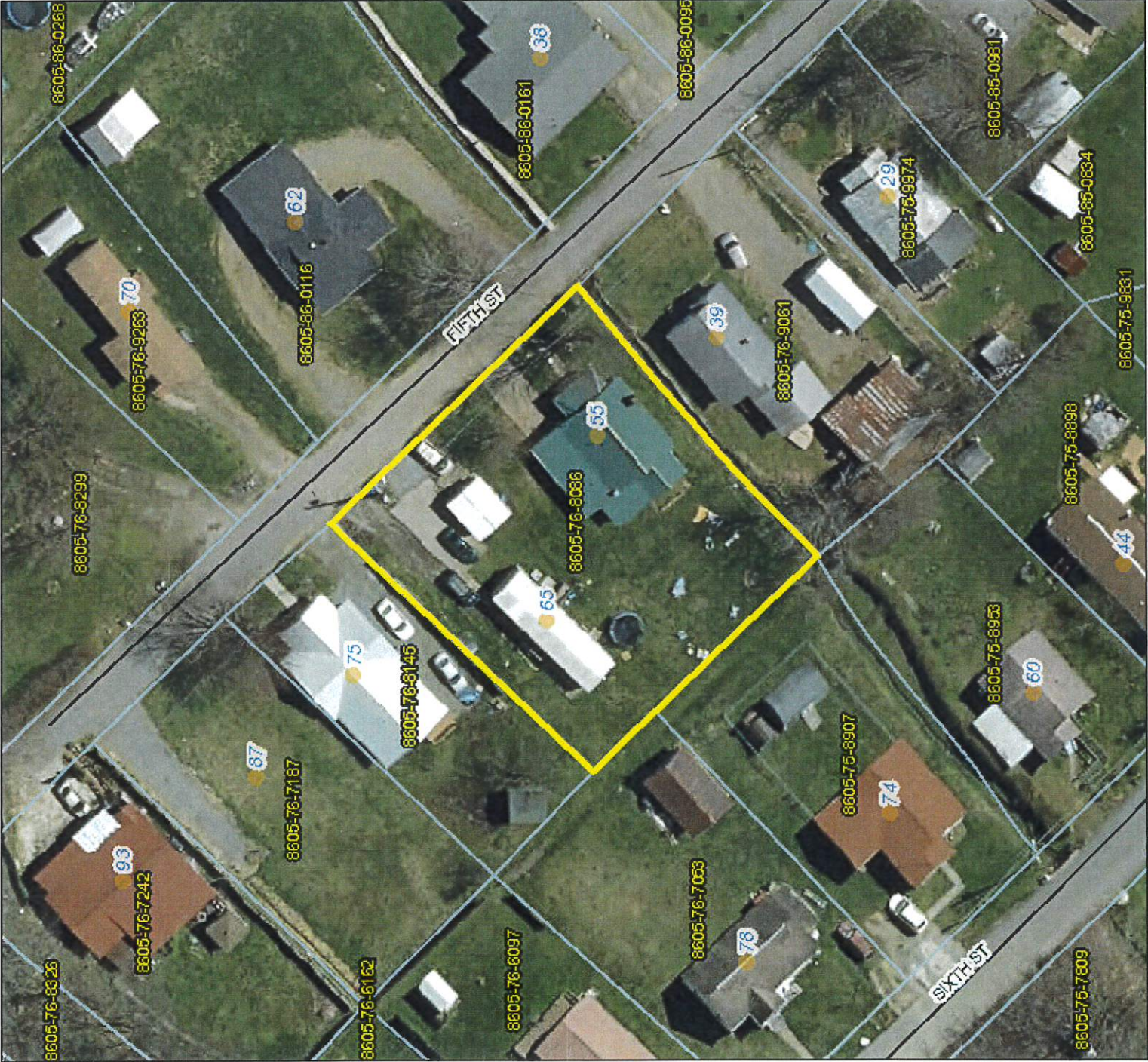
Add Ref: CABC/7110  
8601307

Site Information  
BESSIE ATKINS  
DWELLING

55 FIFTH ST  
Heated Area: 1326  
Year Built: 1935  
Total Acreage: 0.32  
Township: Town of Waynesville

Site Value Information

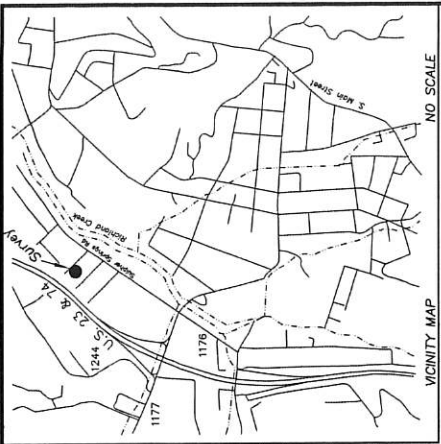
Land Value: \$21,600  
Building Value: \$117,000  
Market Value: \$138,600  
Deferred Value: \$0  
Assessed Value: \$138,600  
Sale Price: \$62,500  
Sale Date: 10/28/2020



1 inch = 50 feet  
January 12, 2024

Disclaimer: The maps on this site are not surveys. They are prepared from the inventory of real property found within this jurisdiction and are compiled from recorded deeds, plats and other public records and data. Users of this site are hereby notified that the aforementioned public primary information sources should be consulted for verification of any information contained on these maps. Haywood county and the website provider assume no legal responsibility for the information contained on these maps.





# Exhibit 5: Survey and Site Plan

**CERTIFICATE OF "TOWN OF WAYNESVILLE"**  
I, HERBERT C. CRYST, CLERK OF THE TOWN OF WAYNESVILLE, N.C., DO HEREBY CERTIFY THAT THIS MAP WAS PREPARED AND  
IS CORRECT AND ACCURATE IN ACCORDANCE WITH THE  
OFFICE OF THE REGISTER OF DEEDS OF WAYNESVILLE, N.C.

**STATE OF NORTH CAROLINA**  
**COUNTY OF WAYNESVILLE**

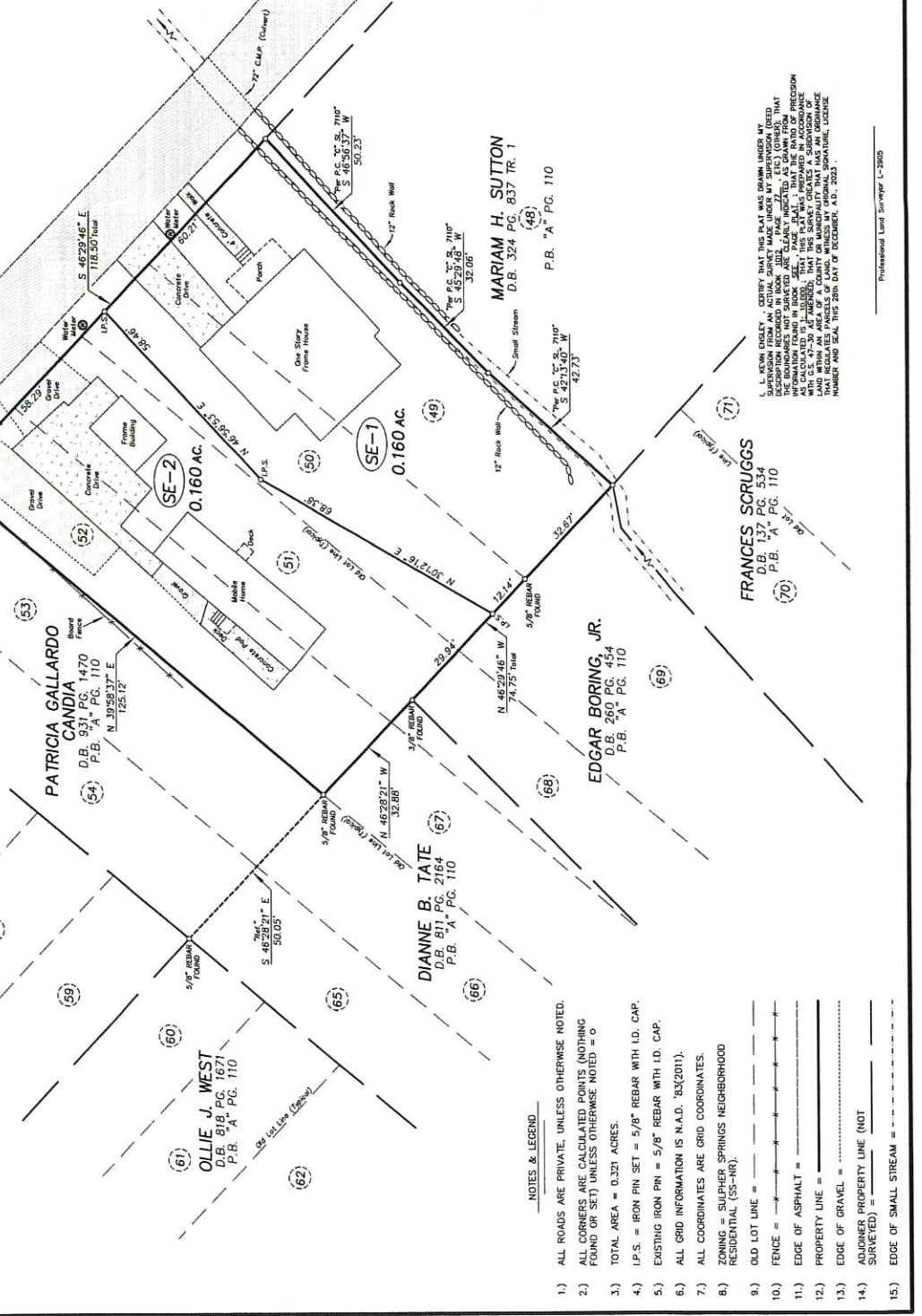
**CERTIFICATE OF "TOWN OF WAYNESVILLE"**  
I, HERBERT C. CRYST, CLERK OF THE TOWN OF WAYNESVILLE, N.C., DO HEREBY CERTIFY THAT THIS MAP WAS PREPARED AND  
IS CORRECT AND ACCURATE IN ACCORDANCE WITH THE  
OFFICE OF THE REGISTER OF DEEDS OF WAYNESVILLE, N.C.

**REVIEW OFFICER** \_\_\_\_\_ **DATE** \_\_\_\_\_

**TOWN OF WAYNESVILLE - PLANNING DIRECTOR** \_\_\_\_\_ **DATE** \_\_\_\_\_

**PLAT**  
P.C. "C"

**NORTH**  
SL. 8007



## NOTES & LEGEND

- 1.) ALL ROADS ARE PRIVATE, UNLESS OTHERWISE NOTED.
- 2.) ALL CORNERS ARE CALCULATED POINTS (NOTHING FOUND OR SET) UNLESS OTHERWISE NOTED = 0
- 3.) TOTAL AREA = 0.321 ACRES.
- 4.) I.P.S. = IRON PIN SET = 5/8" REBAR WITH I.D. CAP.
- 5.) EXISTING IRON PIN = 5/8" REBAR WITH I.D. CAP.
- 6.) ALL GRID INFORMATION IS N.A.D. "83"(2011).
- 7.) ALL COORDINATES ARE GRID COORDINATES.
- 8.) ZONING = SULPHUR SPRINGS NEIGHBORHOOD RESIDENTIAL (SS-NR).
- 9.) OLD LOT LINE =
- 10.) FENCE =
- 11.) EDGE OF ASPHALT =
- 12.) PROPERTY LINE =
- 13.) EDGE OF GRAVEL =
- 14.) ADJACENT PROPERTY LINE (NOT SURVEYED) =
- 15.) EDGE OF SMALL STREAM =

"Preliminary - For Review Only"

SURVEY FOR  
**SECU\*RE, INC.**

SECURE, INC. - OWNER  
WAYNESVILLE TWP. HAYWOOD CO., N.C.

REFERENCES: D.B. 1012 PG. 77  
P.C. "C" SL. 7110  
P.B. "A" PG. 110

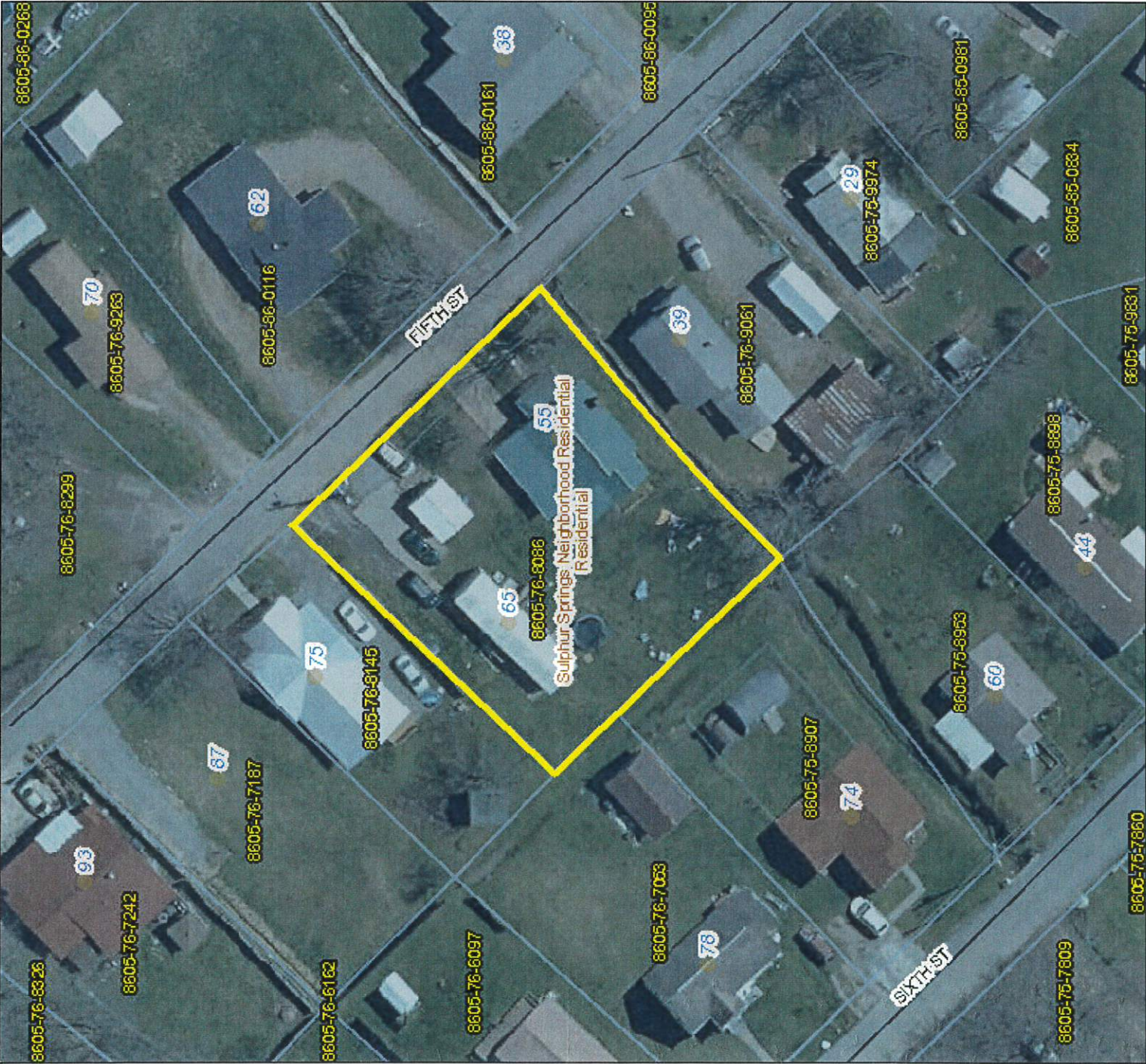


PROJECT: LAND SURVEYING (PIN NO. F-1484)  
L. KEN CROLEY, P.L.S.  
403 DELWOOD ROAD  
WAYNESVILLE, NC 28786  
(252) 594-5395

A-000-23

Professional Land Surveyor L-24005





## Report For

SECU\*RE INC  
119 N SALISBURY ST  
RALEIGH, NC 27603-1739

## Exhibit 6: Zoning

### Account Information

PIN: 8605-76-8086

Legal Ref: 1012/77

Add Ref: CABC/7110

860/307

### Site Information

BESSIE ATKINS

DWELLING

55 FIFTH ST

Heated Area: 1326

Year Built: 1935

Total Acreage: 0.32

Township: Town of Waynesville

### Site Value Information

Land Value:

Building Value:

Market Value:

Deferred Value:

Assessed Value:

Sale Price:

Sale Date: 10/28/2020



1 inch = 50 feet

January 12, 2024

Disclaimer: The maps on this site are not surveys. They are prepared from the inventory of real property found within this jurisdiction and are compiled from recorded deeds, plats and other public records and data. Users of this site are hereby notified that the aforementioned public primary information sources should be consulted for verification of any information contained on these maps. Haywood county and the website provider assume no legal responsibility for the information contained on these maps.



## An aerial photograph of a residential neighborhood with several streets labeled: PINE DR, FIFTH ST, SIXTH ST, and SULPHUR SPRINGS RD. Five specific parcels are outlined in red or yellow and labeled with their acreage in white boxes with black arrows pointing to them. The parcels are located at various intersections and along the streets. The acreage values are: 0.16 ac (top center), 0.15 ac (middle left), 0.13 ac (middle right), 0.14 ac (bottom middle), and 0.14 ac (bottom left). Numerous other lots are visible, each with a unique address number.





# TOWN OF WAYNESVILLE

Development Services Department

PO Box 100

9 South Main Street

Waynesville, NC 28786

Phone (828) 456-8647 • Fax (828) 452-1492

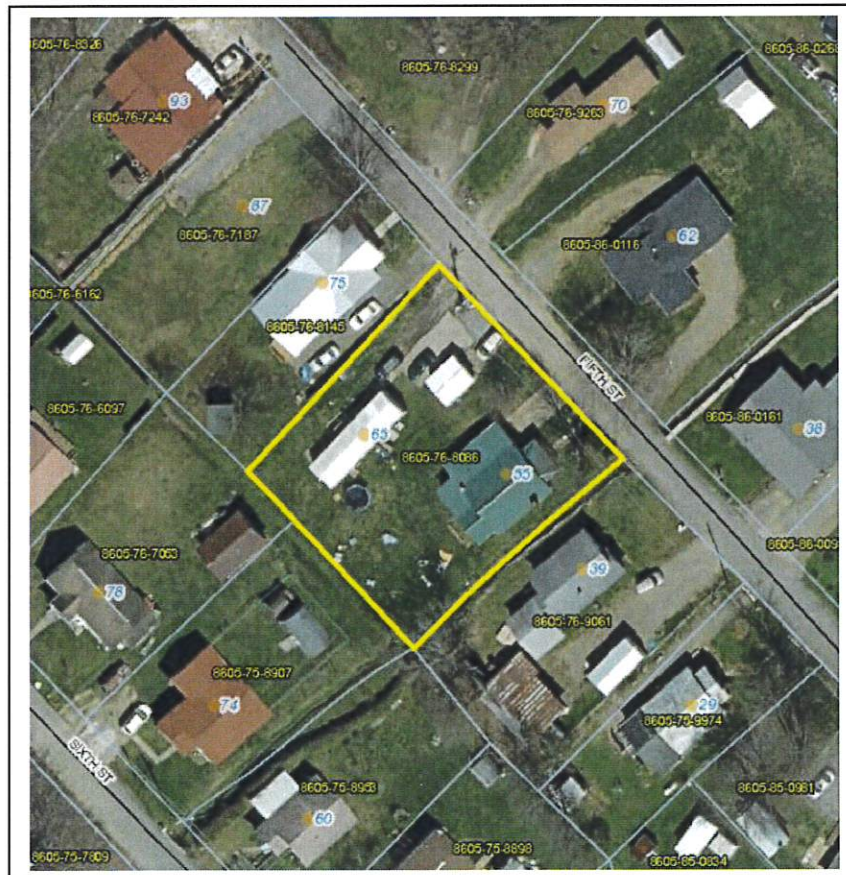
[www.waynesvillenc.gov](http://www.waynesvillenc.gov)

## Exhibit 8: Public Notices

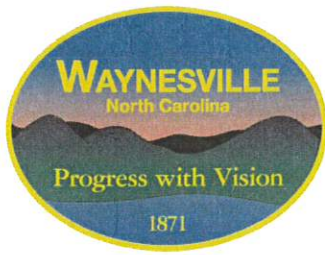
January 16, 2024

### Town of Waynesville Board of Adjustment NOTICE OF VARIANCE HEARING

The Town of Waynesville Zoning Board of Adjustment will hold a public hearing on **Tuesday, February 6, 2024 at 5:30 PM** in the Town Hall Board Room, located at 9 South Main Street, Waynesville, NC, to consider a variance to lot size standards, Land Development Standards Section 2.4.1, at 55 Fifth Street, Waynesville, NC 28786 (PIN 8605-76-8086).



For more information contact the Development Services Department at: (828) 356-1172, email: [ogrooman@waynesvillenc.gov](mailto:ogrooman@waynesvillenc.gov), mail: 9 South Main Street, Suite 110, Waynesville, NC 28786.



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Date: January 12, 2024

Contact: Olga Grooman, (828) 356-1172

### **Town of Waynesville Board of Adjustment NOTICE OF VARIANCE HEARING**

The Town of Waynesville Zoning Board of Adjustment will hold a public hearing on **Tuesday, February 6, 2024 at 5:30 PM** in the Town Hall Board Room, located at 9 South Main Street, Waynesville, NC, to consider a variance to minimum lot size standards, Land Development Standards Section 2.4.1, at 55 Fifth Street, Waynesville, NC 28786 (PIN 8605-76-8086).

For more information contact the Development Services Department at: (828) 356-1172, email: [ogrooman@waynesvillenc.gov](mailto:ogrooman@waynesvillenc.gov), mail: 9 South Main Street, Suite 110, Waynesville, NC 28786.

DENNIS DOWNEY  
PO BOX 1140  
WAYNESVILLE, NC 28786

SECU\*RE INC  
119 N SALISBURY ST  
RALEIGH, NC 27603

CANDIA, PATRICIA GALLARDO  
75 5TH ST  
WAYNESVILLE, NC 28786

FISCHER, MARY MCILRATH  
FISCHER, TIMOTHY DAVID  
87 5TH ST  
WAYNESVILLE, NC 28786

RAY, STEVE MICHAEL  
RAY, CAROL ROSE  
4 BUG HOLLOW  
WAYNESVILLE, NC 28786

BORING, EDGAR JR  
BORING, PATSY  
74 6TH ST  
WAYNESVILLE, NC 28786

TATE, DIANNE B  
TATE, JERRY  
78 6TH ST  
WAYNESVILLE, NC 28786

WEST, OLLIE J  
96 SIXTH ST  
WAYNESVILLE, NC 28786

BORING, NANCY JONES/LE  
HOFFPAUIR, ANGELA CALDWELL  
104 6TH ST  
WAYNESVILLE, NC 28786

SCRUGGS, FRANCES  
378 MAX PATCH RD  
CLYDE, NC 28721

BRAD SHIRLEY CONSTRUCTION LLC A NC  
LLC  
177 BREEZY HOLLOW DR  
CLYDE, NC 28721

SUTTON, MARIAM H  
39 FIFTH ST  
WAYNESVILLE, NC 28786

MOODY, JAMES C HEIRS  
BOLIN, JOHN CHRISTOPHER  
117 HIDEAWAY LN  
WAYNESVILLE, NC 28785

HANNAH, ROGER EARL  
HANNAH, FANCIS DARLENE  
38 FIFTH ST  
WAYNESVILLE, NC 28786

WALKER, JAKE GAHAGAN  
62 5TH ST  
WAYNESVILLE, NC 28786

GRIFFIN, DORIS ANN  
70 5TH ST  
WAYNESVILLE, NC 28786

PLEMMONS, MARY H  
80 5TH ST  
WAYNESVILLE, NC 28786



PROPERTY POSTED ON 1/16/24

THE TOWN OF WAYNESVILLE  
ZONING BOARD OF ADJUSTMENT  
WILL HOLD A PUBLIC HEARING  
ON FEBRUARY 6, 2024, AT 5:30 PM  
IN THE TOWN HALL BOARD ROOM  
AT 9 SOUTH MAIN ST.  
TO CONSIDER A  
VARIANCE REQUEST  
VARIANCE SERVICES DEPARTMENT  
CONTACT THE DEVELOPMENT  
**828-456-8647**



THE TOWN OF WAYNESVILLE  
**ZONING BOARD OF ADJUSTMENT**  
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**VARIANCE REQUEST**  
CONTACT THE DEVELOPMENT SERVICES DEPARTMENT  
**828-456-8647**





