

Town of Hayesville
Board of Adjustment
Meeting Minutes April 14, 2022

Members Present: Sara Smith, Chair; Sandy Zimmerman, Vice-Chair; Stuart Jenner, Bert Schafer, Suzy Christensen, Theresa Holbrook, Betty Schopp, Alternate

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

Visitors: Joe Slaton, Mayor; Sidney R. Grant, Steve Melling, Kathy Melling, Donna Canup, Randy Canup, Camille Martin, Tevis _____, Wayne Roediger

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

MINUTES

Bert Schafer moved to approve the minutes of the February 10, 2022 meeting, as amended (Sara pointed out an error pertaining to Sec 1300 – “...town council since “I”..... to ...town council since “it”...); Stuart Jenner seconded. Motion passed unanimously.

NEW BUSINESS

1. Application #BOA-22-02 by Kathy and Stephen Melling for a detached pre-engineered two-car garage (Tax Map #556000386010).

Sara excused herself from room due to proximity of this site to her residence and kinship to parties involved. Sandy read Application to attendees and explained zoning ordinance applicable to this situation. She asked for any questions to which there were none. After Mr. and Mrs. Melling were sworn in, Mrs. Melling explained that they purchased this parcel of land in March, 2022. The residence was owned and built in the 1920s by Mr. Melling’s great-grandparents. She stated that most of the land (1.4 acres) is in front of the house and they want to build a two-car garage that will be used for storage and protection of their mowers, etc. Stu Jenner stated that he had driven by the location and this property is not close in town and there is actually nowhere else on the property to locate the garage. The garage, a gray metal building with typical size garage doors, will match the house as closely as possible, including roof pitch. It was stated that there are lots of metal buildings on adjoining property, and Mayor Slaton informed Board members that several neighbors (Randy Canup, Bobby Palmer, Byrd family), have expressed their support for this construction. Sandy asked Zoning Administrator Ron Wallace if there have been any negative responses from neighbors to which he advised that he was only contacted by one person inquiring what the “Z” sign meant, but he has received no negative comments.

Stuart Jenner made a motion to approve construction of the building in accordance with Mr. and Mrs. Melling’s plans; Suzy Christensen 2nd the motion; motion approved unanimously.

2. Application #BOA-22-03 by Wayne Roediger and Nancy Fitzgerald to allow two-sided sign to be attached to the canopy roof of the Black Dog tavern.

After Mr. Roediger was sworn in, Sarah explained that sign requirements state that a sign cannot be attached to a roof or extend above the roof line. Sara asked Mr. Roediger to explain his ideas on this situation. He explained that his business is the last one on the street and customers cannot see his business or a sign if it is attached to the building. Sara informed him that the Board has to go by the written policy, to which he replied, "it has been very difficult surviving Covid and keeping a business going, providing jobs for staff, etc. I just don't understand this situation". Stuart Jenner added that very few signs are in compliance, to which Sara stated that none are on the roof. Suzy Christensen added that the awnings obstruct view of signs on buildings. Stuart and Sandy mentioned the signs at Lazy Llama and Chamber of Commerce are placed correctly. Bert Schafer commented that anywhere else on the Square you can stop and look at signs, but in this particular location where the intersection demands constant attention while driving, it is impossible to stop. When Mr. Roediger was asked if the sign has lights on it, he answered that he has a light illuminating the sign for three (3) hours at night. Sara stated these ordinances are put in place to keep our town nice and asked the Board if they have any comments. Bert Schafer asked if neighbors of this location are saying anything and if it was required to contact them, to which Ron Wallace responded that it was not required.

A motion was made by Stuart Jenner to allow the two-sided sign (cannot change sign) due to a sign below cannot be seen and it has been determined that the effectiveness of the sign will influence/attract customers to visit Mr. Roediger's restaurant. Bert Schafer 2nd the motion. Motion approved unanimously.

Mr. Roediger then asked if he encloses (screen) the patio, will he have to get a permit? He was advised that the sidewalk (Town property) would have to remain clear in order to access other businesses, to which he replied that he intended to keep it clear. Sara and Sandy suggested that he contact Zoning Administrator Ron Wallace with a drawing before proceeding with construction.

3. Application #BOA-22-04 by Sidney Grant for a detached shop/barn (tax map #556013047984).

After Mr. Grant was sworn in, Stuart Jenner asked him to show him where he wishes to place the building. Mr. Grant mentioned that he needs this building for storage and will be tearing down two (2) existing buildings. He wants to create a courtside setting and the anticipated building will be constructed from a custom kit (960 square kit – 40' x 24') consisting of rough-cut timber, rusted tin, and windows; to which Stuart stated that it will not be an "eye sore". Sara advised Mr. Grant that the policy states that a separate building cannot be larger than 25% of the size of the existing residence, this building exceeds this allowance. Mr. Grant does not want to enlarge the house due to changing the farmhouse look. Sara read the ordinance to attendees and asked Ron if there had been any response from neighbors, to which he stated there had been no responses. Suzy Christensen questioned if there are other setbacks, with a

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reply that size is the only thing being considered.

Sandy Zimmerman made a motion approving a 40' x 24' (960 sq. ft.) building to replace two (2) buildings that are on site now. Mr. Grant will tear existing buildings down in a reasonable time. Suzy Christensen 2nd motion. Motion approved unanimously.

Stuart moved to adjourn; Bert Schafer seconded; Meeting adjourned at 7:20.


Respectfully submitted,
Suzanne G. Hedden, Secretary


Sara Smith
Chair