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

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

Visitors: Fannie Watson, Ellen Barthur, Randy Crosby, Tina Crosby, David Pomlert

Chair Sara Smith called the meeting to order at 6:03 pm.

MINUTES

Sara informed committee members and visitors that February 7, 2023 minutes will be approved later in the meeting, in order for members to thoroughly read and interpret the information.

NEW BUSINESS

- 1. Application BOA-23-02 by Randy and Christina Crosby for a detached accessory building. This proposed accessory building measures 30 x 50 feet which equals 1,500 square feet. The existing residence has approximately the same floor area so the proposed new accessory building will exceed the 25% allowed in the Zoning Ordinances. In addition, the owner would like to locate their new building approximately 40 feet to the left of the existing two car garage. (See attached proposed location plan). This does not meet the ordinance requirement that accessory buildings are to be customarily placed in the rear of existing dwelling/residence. Combination Deed being Lots 18 and 19 of McGlamery Subdivision, 325 McGlamery Farm Drive, Hayesville, NC, containing 2.00 total acres. (Located between Parcel 556013138779 owned by Kenneth and Kathleen Hall of 373 McGlamery Farm Drive, Hayesville, NC; and, Parcel 556013232913 owned by Paul Rowe of 636 Floral Ter., Louisville, KY 40208).**

Applicants seek approval to accept the proposed size and location of their new detached accessory building.

Mrs. Smith explained the reason for the meeting and requested Mr. Crosby join Board members at the conference table. After Mr. Crosby was sworn in, Mrs. Smith read and explained various ordinances pertaining to the situation, stressing that it involves granting two (2) variances; 1) location of building, and 2) size of building. She also advised him that it is required to read this information and then requested that he explain his purpose for presenting this to the Board. Mr. Crosby stated that his hardship in locating the accessory building behind his house is due to insufficient space due to a bank with trees. In looking at the site plan for the proposed building, Mr. Jenner questioned where the slope begins. Mr. Crosby indicated on the map and stated that his motor home could not access the site. He further explained that to remove the hill would be very expensive and would require building a retaining wall. He also indicated that the residence was already built when he bought it, and he feels that the accessory building will prevent an eye sore around his house. Mr. Jenner interjected that he feels the accessory building will be an eye sore for neighbors. Ms. Zimmerman asked Mr.

**Town of Hayesville
Board of Adjustment
Meeting Minutes July 27, 2023**

Crosby if the two lots have now been combined, to which Mr. Crosby replied in the affirmative.

Ms. Fannie Watson, a resident in the subdivision and president of the Homeowner’s Association for the subdivision, approached the conference table and was sworn in. She stated that her family developed the subdivision and she has been a part of it for twelve (12) years. She informed attendees that the covenants of the subdivision do not address combining lots. Her conversation with Mr. Crosby follows:

- Ms. Watson: “What are your plans?”
- Mr. Crosby: “I plan to have a 16’ tall metal building that will go along with the design of my residence.”
- Ms. Watson: “Where will the entrance be?”
- Mr. Crosby: “From the street side.”
- Ms. Watson: “Will everything outside your house go in the building?”
- Mr. Crosby: “Yes.”
- Ms. Watson: “Where is the mobile home now?”
- Mr. Crosby: “Michigan.”
- Ms. Watson: “Have you talked to your next-door neighbors?”
- Mr. Crosby: “No.”
- Ms. Watson: “Will the building design be open concept?”
- Mr. Crosby: “Yes, it will have three (3) doors, and, possibly no windows. I can do windows, if required.”
- Ms. Watson: “What type driveway will you have?”
- Mr. Crosby: “Concrete.”

Ms. Smith directed a question to Ms. Watson, asking if she has concerns of the affect to the neighborhood. Ms. Watson stated that she asks that the size be kept within limits.

Another neighbor, Ellen Barthur, approached the conference table and was sworn in. She stated that she has not seen Mr. Crosby’s plans, but she has seen other motor home buildings that were attractive. Her main concern is pertaining to future situations such as this.

Mr. Jenner asked Mr. Crosby if he will be cutting trees to accommodate this structure. Mr. Crosby stated that he will be cutting one (1) tree and will landscape around the building.

When Mr. Crosby came back to the table, he showed an iPhone picture of the proposed building to the Board of Adjustment members.

Conversation continued:

- Ms. Zimmerman: “Will the driveway be straight?”

Town of Hayesville
Board of Adjustment
Meeting Minutes July 27, 2023

- Mr. Crosby: "Yes."
Ms. Zimmerman: "This building looks too commercial. I recommend changing the design to blend in more with the residences. It looks like a building for a commercial business. The driveway should look more connected to the residence."
Mr. Jenner: "Can you turn the building ninety (90) degrees?"
Mr. Crosby: "Probably not."
Ms. Watson: "Will you have water and electricity to the building?"
Mr. Crosby: "Absolutely."
Ms. Smith: "Did you consider this situation when you bought your residence?"
Mr. Crosby: "No. We bought the additional lot after we bought the residence. Our primary residence was on an island in Florida that most homes were destroyed (except ours) by Hurricane Ian. We always thought we would maintain residency in Florida until then. There we were equipped to store the motor home, boat, and trailers."

David Pomlert, who does not live in the subdivision, but owns a lot, approached the table and was sworn in. He stated that his only concern is if this accessory building is allowed, more of the same type will be built in the future. Ms. Watson added that McGlamery Farms Subdivision HOA does not have any rules that address this situation. Mr. Jenner feels that more neighbors might have concerns that more accessory buildings will be built.

More conversation:

- Mr. Jenner: "How much weight do we give to neighbors with concerns?"
Ms. Smith: "We have to be considerate of neighbors and Mr. Crosby."
Ms. Zimmerman: "Can we control size/appearance of building? We can't say anything about the inside."
Mr. Jenner: "But we have this ordinance for a reason."
Mr. Wallace (to Ms. Watson): "Can you modify your HOA ordinance to specify how many vehicles can be allowed at a residence?"
Ms. Watson: "Two other homes have bought an additional lot beside their residential lot, and we don't want to deprive Mr. Crosby or other neighbors."

Mr. Crosby comes back to conference table:

- Ms. Smith: "In back tracking to discuss your hardship for needing to build a building of this size, will you please explain your hardship more completely?"
Mr. Crosby: "I have an antique car, boat, motor home, trailers, and, I don't want to get rid of any of them."
Ms. Shopp: "Could you get rid of one of them to reduce size?"

Town of Hayesville
Board of Adjustment
Meeting Minutes July 27, 2023

Mr. Crosby: "It wouldn't change the size."

Ms. Smith and Mr. Jenner again reiterated that the accessory building is only supposed to be twenty-five (25) percent of the square footage of the residence. Mr. Jenner also interjected "you are in the wrong neighborhood".

Further conversation:

Ms. Holbrook: "Can you redesign the building to look more like your residence?"

Mr. Crosby: "I could hire an architect to accomplish this."

Ms. Holbrook: "I would have no problem if it resembled the residence."

Ms. Smith (addressing neighbors): "Would it help with an appearance change?"

Mr. Pomlert: "The overall size concerns me. I don't want to see the neighborhood change."

Mr. Crosby: "I looked for other land, but didn't find any available at my price. I would prefer to have the motor home inside, but I also want to be friends with my neighbors."

Mr. Jenner: "There are other places for storage."

Ms. Watson: "The mobile home can be stored on the property at his residence. I'm not sure about the boat."

Ms. Holbrook: "We want people to come here, but this is a tough one."

Ms. Zimmerman: "Have you looked at a storage building?"

Mr. Crosby: "Yes, but all are covered spaces, and that results in many problems (mice, etc.)."

Mr. Jenner: "The location is fixable, but the size is the problem."

Ms. Holbrook: "Can you make it a little smaller?"

Ms. Schopp: "Should we table this for another time?"

Ms. Holbrook: "Could you disguise the accessory building with trees?"

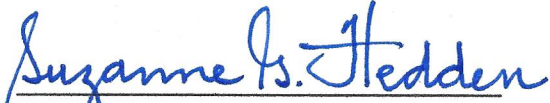
Mr. Crosby: "Trying to disguise it would be worse than making it look like the house. I can get an architect to try a new design to tie the building in with the residence."

Ms. Zimmerman and Mr. Jenner agreed that it would then look like another house. Mr. Jenner thinks that we can go with the location but not the size. Ms. Watson suggested the possibility of joining the building with the residence.

Mr. Crosby once again was asked to come back to the conference table. Ms. Schopp made a motion to table the situation until Mr. Crosby gets back in touch with Zoning Administrator Wallace. Ms. Holbrook seconded the motion. Motion approved. Ms. Smith and BOA members thanked Mr. Crosby for his efforts and cooperation.

Town of Hayesville
Board of Adjustment
Meeting Minutes July 27, 2023

Committee members reviewed February 9th minutes. Ms. Zimmerman made a motion to approve the minutes with the following statement inserted at the end: **(There was a discrepancy in zoning between County records and Town of Hayesville records (County classifying property as commercial; Town of Hayesville classifying property as residential)).** Ms. Schopp seconded the motion. Motion approved. Ms. Zimmerman made a motion to adjourn the meeting at 7:25 pm. Ms. Holbrook seconded the motion. Meeting adjourned.



Respectfully submitted,
Suzanne G. Hedden, Secretary



Sara Smith
Chair