

**BOARD OF ADJUSTMENT  
MINUTES  
Thursday, March 22, 2001**

The Blowing Rock Board of Adjustment met in regular session Thursday, March 22, 2001 at 7:30 p.m. The meeting was called to order at 7:30 p.m. Members present were Lisle Snyder, Barbara Wright, and Jim Thirtle. Absent were Lowell Thomas, Walter Green and Charles Hardin. Staff present was Don Holycross, Town Manager and Sonya Long, Administrative Assistant.

*Swearing in of New Board Member*

The Board welcomed the two new Board members, Mr. Albert Yount and Mr. Mark Klein. Mr. Klein was unable to attend the meeting. Mrs. Long swore in Mr. Yount.

**Election of New Officers**

Ms. Wright nominated Dr. Snyder as chairman. Ms. Wright also nominated Mr. Hardin as vice chairman. With no further nominations, Mr. Yount asked that nominations be closed. All were in favor of the nominations; therefore Dr. Snyder will serve as chairman and Mr. Hardin as vice chairman.

**Public Hearing**

**Mr. Ira Wilson – Variance # 2001-01**

Chairman, Snyder asked that anyone that would like to speak regarding this case, to step forward and be sworn in. The following were the people that were sworn in, Mr. and Mrs. Ira Wilson and Mr. Don Collins.

Chairman Snyder stated to the Board that Mr. Wilson was requesting a Variance from the front yard setback due to the applicant encroaching into that setback with his deck. He explained that the applicant had received an administrative variance due to topography earlier, which reduced his setback from 40-feet to 32-feet. The applicant is now encroaching 8-12 feet into the already reduced setback of 32 feet.

Mr. Wilson stated that due to a mistake on the builder's part, the deck had been built to close to the front property line. He explained that he would like to see the Town require people to stake out houses, decks etc. so that this type of mistake wouldn't occur.

Mr. Wilson explained that although the deck is within the setback it is no closer than other houses along the same street and did not change the character of the neighborhood. He stated that if the Board of Adjustments did not allow him to keep the deck, it would cause a great hardship on him financially. He would have to pay someone to tear the deck off, install new windows,

and new doors. This would also decrease the value of his new home. Mr. Wilson submitted letters from adjoining property supporting the variance.

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The Board discussed that Mr. Green found this violation upon an inspection he was doing on the site. Mr. Collins stated that he was building a home in the neighborhood and that he was representing the owners. They saw no problems with the variance being granted.

*With no further discussion, Mr. Thirtle made a motion to close the public hearing, seconded by Ms. Wright. All were in favor of the motion.*

Chairperson, Snyder explained to the Board that they must go through the 6 Variance steps. With no further comment, the Board proceeded in answering the following questions.

1. If the applicant complies strictly with the provisions of the ordinance, he can make no reasonable use of his property. **All members in favor.**
2. The hardship of which the applicant complains is one suffered by the applicant rather than by neighbors or the general public. **All members in favor.**
3. The hardship related to the applicant's land, rather than personal circumstances. **All members in favor.**
4. The hardship is unique, or nearly so, rather than one shared by many surrounding properties. **All members in favor.**
5. The hardship is no the result of the applicant's own actions; and **All members in favor.**
6. The variances will neither result in the extension of a nonconforming situation in violation of Article VIII nor authorize the initiation of a nonconforming use of land. **All members in favor.**

**Variance was granted.**

**Adjourn**

*With no further business, Ms. Wright made a motion to adjourn at 8:06 p.m., seconded by Mr. Thirtle. All were in favor of the motion.*

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Chairman, Virginia Stacks

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Minutes Recorded by:  
Sonya Long, Administrative Assistant