

**BOARD OF ADJUSTMENT  
MINUTES  
Thursday, September 27, 2001**

The Blowing Rock Board of Adjustment met in regular session Thursday, September 27, 2001 at 7:30 p.m. Chairperson Lisle Snyder called the meeting to order at 7:30 p.m. Members present were Albert Yount, Lowell Thomas, Barbara Wright, Jim Stines, Mark Klein, and Jim Thirtle.

Mr. Thomas made a motion to approve the minutes of the August 23, 2001 meeting, seconded by Mr. Yount. All were in favor of the motion.

**Public Hearing**

**Mr. and Mrs. Jerry Starnes - Variance #2001-04**

Mr. Rothrock stated the request was for two (2) street setback variances, one from Hilltop Way and one from Ridge Crest Lane. The subject property is located at 204 Hilltop Way and is zoned R15 (single family) with a standard street setback of 40 feet. Mr. and Mrs. Starnes would like to build an addition to their house that would encroach fourteen (14) feet into the 40 foot street setback on Hilltop Way, resulting in a setback of 26 feet. The proposed addition would also encroach twelve (12) feet into the 40 foot setback on Ridge Crest Drive, resulting in a setback of 28 feet.

Mr. Klein asked about the adjoining property setbacks. Mr. Rothrock stated the planning staff tried to work with the applicant in issuing an administrative variance but the amount of variance was over what the administrator could grant. Mr. Starnes stated that the Smith's house was somewhere between 50-54 feet back and the Gentry's house was somewhere between 34-36 feet back off of the street.

Mr. Hardin clarified that the applicant was not proposing to encroach on the side setbacks. Mr. Rothrock agreed with that. Mr. Thirtle pointed out that the applicant was already encroaching with the current house. Mr. Rothrock agreed with that and stated the house was built before there were setback requirements.

Mr. Thomas pointed out that the rear deck was not an issue with the Board due to the fact that the house was grandfather in. Mr. Rothrock stated that the deck was not as big of a structure as the house would be and due to the extent of work beyond the current setbacks the variance would be needed.

Mr. Yount stated the question was whether the applicant could extend the existing deck. Mr. Rothrock explained that the Board needed to also look at how the setback line is on the property and how the encroachment would affect the property.

Mr. Starnes handed out additional pictures of surrounding properties and pictures of where he marked off the setback variances if approved.

With no further questions for the applicant nor Mr. Rothrock, Mr. Thomas made a motion to close the pul

Lowell moved the public hearing be closed, seconded by Albert. All were in favor.

Only the full voting members can vote.

Albert is an real estate appraiser by trade and would enhance the neighborhood

1. Charles, Albert, Lowell, Lisle Yes

Barbara No

2. All yes

3. All yes

4. No Barbara

5. No Lowell

6. All yes

Charles made a mtoino to grant the variance, seconded by Lowell. All were in favor of the motion.

The Board discussed the draft ordinance.

Barbara – the staff needs to tell the board what is coming up at the meetings.

Kevin – only applies on CUP and that’s all. All other variances will still come to the BOA.

The Board discussed certain cases and they did not agree with this draft ordinance.

Jim requested that the Board take a vote on how they feel about the draft ordinance.

Lisle – feels like the Town Council is taking away the Boards duties like other Boards.

Listen to the tape I left at 8:21

Albert made a motion