MINUTES
BREVARD BOARD OF ADJUSTMENT
April 8, 2014

The Brevard Board of Adjustment met in regular session on Tuesday, April 8, 2014 at 7:00 PM in Council Chambers of City Hall.

Members Present:	Carl Brown, Chair Dr. Allen Delzell, Vice Chair Judy Mathews Carol Dillingham Josh Burdette Mike Young Tad Fogel
Staff Present:	Brad Burton, Asst. Planning Director Aaron Bland, Planner Michael Egan, Board Attorney Janice H. Pinson, Board Secretary
Others:	Will Buie, Lapsley & Associates Stephen Jackson, Designer Trent Hardin, Developer and Co-Owner Moonyean and Risdon Wood, Developer and Co-Owners

Welcome and Introduction of Board Members –

Chair, Carl Brown called the meeting to order at 7:00 PM and Board and Staff Members introduced themselves.

Approval of Minutes

Motion was made by J. Mathews to approve Minutes of the December 10, 2013 meeting, seconded by A. Delzell, unanimously carried.

Approval of Agenda

Motion was made by A. Delzell to approve the Agenda with the amendment to add the Election of Officers, seconded by J. Mathews and unanimously carried.

J. Burdette moved that the election be moved to the end of the meeting, seconded by A. Delzell and unanimously carried.

C. Brown, Chair, explained the quasi-judicial hearing process. The Chair then polled the Board as to exparte communications and there were none. C. Brown then polled the parties in the case as to whether or not they had any objections to any of the Board Members, there were none. All parties to the matter were sworn. A quorum of the Board was present and it was established that the Alternate Board Members, Josh Burdette and Tad Fogel would not have voting rights in the hearing.

New Business – Proposed Special Use Permit Application #14-103 Forestgate Self Storage. Applicant has proposed the establishment of an indoor storage facility of greater than 20,000 square feet on Ecusta Road.

Aaron Bland, Planner, presented his Staff Report which is attached hereto, labeled Exhibit "A" and incorporated herein by reference.

He explained to the Board that the project would still be required to go through the permitting process with Staff. A. Bland explained that the site has access to water and sewer and that the type of use is consistent with the current Land Use Plan.

B. Burton, Assistant Planning Director, explained the Davidson River Village plan as it stands today. He further stated that the City of Brevard's approved 2006 Pedestrian Plan does require that the Applicant's meet the sidewalk requirements.

It was stated that the Technical Review Committee felt that the 10 foot buffer meets the spirit of the ordinance in that it allows for a safer environment. B. Burton stated that the ordinance does allow the Administrator to adjust the buffer requirements.

Aaron Bland, Planner, gave an overview of the project and stated that Staff recommended a sidewalk in lieu of fee versus requiring the Applicants to build a sidewalk due to the fact that the Davidson River Village Connector Road will have direct impacts on the right of way and is on the NC Department of Transportation's list to construct in the near future.

W. Buie, Engineer for the project explained that Steve Cannon from NC Department of Transportation attended the Technical Review Committee meeting and had no problem with the conceptual plan. He further stated that the Davidson River Connector Road project has an estimated start date of 2016.

W. Buie displayed and explained renderings of the project. He explained that the 20,000 square foot storage facility would be constructed in two (2) phases. He went over the plans with the Board and answered their questions.

Staff's Suggested Conditions of Approval are attached hereto, labeled, "Exhibit B" and incorporated herein by reference.

M. Egan, Board Attorney asked Staff questions about Suggested Condition #8 and it was explained that the Applicant had ask for flexibility and that the facility will be sprinkled.

M. Young made motion to approve subject to the Staff's Suggested Conditions for Approval as follows:

1. Staff-level approval of full UDO compliant standard construction drawings which indicate how the project will be phased, including but not limited to: an existing conditions plan including topography, a proposed grading plan that indicates positive drainage from the site to the storm water BMPs, a storm water management plan with appropriate hydrological data providing time and concentration calculations, an isolux lighting plan, and a dumpster detail.
2. Project must obtain NCDOT storm water encroachment agreement and driveway connection permits.
3. Changing the 9'x18' parking spaces as shown on the submitted plans to UDO-compliant 12'x40' off-street loading zones.
4. Centering of the easement on the sewer line and presentation of Plat of Dedication and Dedication Agreement.
5. A waiver of the 500-foot driveway connection/access management requirement of the Brevard UDO.
6. Reduction of 20' buffer requirement on the north side of the property to the 10' buffer recommended by Chief Harris to achieve CPTED design goals.
7. Construct 5' UDO-compliant sidewalk along property frontage on Ecusta Road, or, prior to the issuance of a certificate of occupancy for Phase I, pay a fee-in-lieu for sidewalk construction or provide irrevocable letter of credit that would cover the cost of the sidewalk as per an approved engineer's cost estimate for construction.
8. Prior to the issuance of a certificate of occupancy for Phase II, establishment of one of the following to satisfy the 150-foot access requirement of the North Carolina Fire Code: a connection to the future Davidson River Village road for fire access (an all-weather surface with easement), internal hallway connectivity, or any other option that is acceptable to the Transylvania County Fire Marshal.

   Motion seconded by J. Mathews, unanimously carried.

Election of Officers

Allen Delzell nominated Carl Brown for Chair. Carl Brown declined due to the fact that he may soon be moving out of the County and would no longer be able to serve on the Board.

Mike Young nominated Judy Mathews for the Chair, seconded by Carol Dillingham, unanimously carried. M. Young nominated A. Delzell as Vice Chair seconded by Carl Brown. Tad Fogel made motion to close nominations seconded by C. Brown. A. Delzell unanimously elected as Vice Chair.

J. Mathews, as new Chair thanked Carl Brown for his service to the Board.

Adjourn

There being no further business the meeting adjourned at 8:17 PM upon motion made by J. Burdette, seconded by M. Young and unanimously carried.

Carl Brown, Chair

Janice H. Pinson, Board Secretary