AGENDA
BREVARD BOARD OF ADJUSTMENT - REGULAR MEETING
Tuesday, May 2, 2023 - 3:00 PM
City Council Chambers

I. Welcome

II. Introduction of Board Members

III. Certification of Quorum

IV. Approval of Agenda

V. Approval of Minutes

a. February 7, 2023

VI. New Business

a. Request of Alan Boroshok VAR-23-002 for a variance from UDO Chapter 2.3.C for a 5 foot reduction of the rear setback requirement of 25 feet. The property is located in the zoning jurisdiction of the City of Brevard in the General Residential (GR) zoning district, further identified by PIN# 8586-54-3755-000.

b. Consideration of Application for Special Use Permit #SUP-23-001 by Scott & Dionne Hodgson, Hodgson Holdings, LLC to allow a Special Event Venue, UDO Section 2.2. revised in the General Residential "GR" zoning district on property owned by Hodgson Holdings, LLC, within the zoning jurisdiction of the City of Brevard, and further identified by PIN# 8585-60-4875-000.

VII. Unfinished Business

VIII. Remarks

IX. Adjourn

_____
Agenda Posted, Website (April 21, 2023)
J. Pinson, Clerk to the Board

To review Agenda materials, go to the City's website www.cityofbrevard.com. Select "Your Government" tab followed by "Agenda Packet" tab. Agenda packet materials are posted on Friday afternoon prior to the meeting.

MINUTES
BREVARD BOARD OF ADJUSTMENT REGULAR MEETING
Tuesday, February 7, 2023 – 3:00 PM

The Brevard Board of Adjustment (BOA) met for a regular meeting on Tuesday, February 7, 2023, at 3:00 PM.

Members Present:	Kevin Jones, Chair Judith Mathews Allen Delzell Peter Offen, Vice Chair Tad Fogel
Staff Present:	Aaron Bland, Assistant Planning Director Janice Pinson, Board Clerk Brian Gulden, Board Attorney
Others:	Trent Hardin, Applicant/Agent – Midgard Self Storage

I. WELCOME

Chair K. Jones called the meeting to order at 3:01 PM and welcomed those present.

II. INTRODUCTION OF BOARD MEMBERS

Board members, Board Attorney, and Staff introduced themselves.

III. CERTIFICATION OF QUORUM

Chair K. Jones had the Clerk certify that a quorum of the Board was present.

IV. APPROVAL OF AGENDA

Motion to approve the agenda by T. Fogel, second by J. Mathews, carried unanimously.

V. APPROVAL OF MINUTES

Motion to approve the minutes of the January 3, 2023, meeting by A. Delzell, second by P. Offen, carried unanimously.

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VI. NEW BUSINESS:

a) Consideration of application #VAR-23-001 by Trent Hardin, Agent, for a variance from UDO Chapter 10.5.G.2 to allow parking in the front. The property is located in the zoning jurisdiction of the City of Brevard in the Corridor Mixed Use (CMX) zoning district, further identified by PIN# 8597-43-0528-000.

Chair Jones went over the protocol for quasi-judicial proceedings.

He polled the board as to exparte communications and conflicts of interest, and there were none.

Applicant was polled as to conflicts with any board members, and there were none.

Trent Hardin, Applicant/Agent and Aaron Bland, Assistant Planning Director were sworn.

Chair Jones opened the hearing.

Aaron Bland, Assistant Planning Director presented his staff report a portion of which follows:

Background
The applicant, Trenton Hardin, agent for Todd Allen, owner of Midgard Self Storage, has applied for a variance for a parcel of land on Ecusta Road, which is located in the Corridor Mixed Use (CMX) zoning district within the corporate limits of the City of Brevard, further identified by the parcel identification number 8597-43-0528-000.

The applicant is requesting a variance from the requirement that off-street parking shall not be permitted between any principal structure and the street upon which the structure fronts, per Section 10.5.G.2 of the City's Unified Development Ordinance (UDO). The request is for a variance to allow parking between a future expansion of the storage facility and Ecusta Road. The subject parcel is a recombination of what was once three separate lots. The existing storage facility was built in two phases and now the owners desire to expand with a third phase built on the vacant portion of the land.

See Attachment 1 for the application materials and site plan, Attachment 1 for Section 10.5.G.2 of the UDO, and Attachment 3 for a vicinity map.

Discussion
The specific requirement that this request focuses on is 10.5.G.2 of the UDO. However, to fully understand the request and the development of this site, it is necessary to look at the context and history of this section of the UDO.

When the existing parking in the front of the building was permitted, there was an exemption in then-Section 10.5.G.3 for properties in the Corridor Mixed Use zoning

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district, which this property is in. This is the same exemption that allowed the Aldi development to have parking in the front. At that time, Section 10.5.G.3 read as follows (emphasis added):

Except for properties located in the Corridor Mixed Use (CMX) zoning district, off-street parking shall not be permitted between any principal structure and the street upon which such structure fronts. Where a structure fronts upon two or more streets, parking may be permitted between the principal structure and the adjacent street of lesser classification when parking cannot reasonably be placed in another location.

Following the Aldi development, City Council instructed Planning Staff to initiate a text amendment to remove the CMX exemption in Section 10.5.G.3. This was completed in September of 2021 by Ordinance No. 2021-41, which removed the CMX exemption and combined Sections 10.5.G.2 and 10.5.G.3 into the 10.5.G.2 that exists today. The applicant's request is, in essence, a request to develop Phase III of the building so that it may match previously built phases.

There are also some physical characteristics of the subject parcel that are of note. There is a city sewer line with raised manholes running the length of the parcel to the rear of the existing building, as well as a steep slope rising from this property to the adjoining rear parcels. There is also an existing stormwater retention system on the site that the owner wishes to utilize to control the additional runoff created by the development of Phase III.

As a reminder, the Board may consider adding conditions of approval that are reasonably related to the variance and the standards for its approval.

A. Bland stated that the matter was properly advertised, property posted and letters mailed to adjoining property owners in accordance with NC law.

T. Fogel asked A. Bland to explain the history of the original exemption for parking in the front.

A. Bland explained that the exemption was meant to allow parking in the front in the CMX auto oriented commercial district using the example of the Asheville Highway Corridor fast food restaurants. When further development began to happen City Council decided they wanted to not allow parking in the front.

K. Jones asked the Applicant if he owned the property before the exemption was eradicated in 2021.

T. Hardin responded that he did.

P. Offen asked if the UDO would allow a parking lot to be built over a sewer line.

A. Bland explained that an encroachment agreement would be required and that the developer would have to agree to allow the City to make any necessary repairs to the sewer line and then they would be responsible for repairing the parking lot after the sewer line repairs were completed.

Trent Hardin, Applicant/Agent explained that he developed the prior two storage facility buildings and that he since sold them to Midgard. That Midgard would like to complete the project with a third building and want the project to be uniform with the existing buildings. That the steep slope and sewer line that runs along the rear of the property prevents that being a place to build parking. He also explained that with the new development additional bioretention will be required and the far side of the property is the ideal location. He explained that 6 parking spaces would be along the front of the property to keep uniformity with the current parking for the other two buildings and is really the only place to accommodate the parking area.

After some brief questions by the board the hearing was closed.

Motion by P. Offen:

With regard to variance request **23-001**, the application of Trent Hardin, Agent for Midgard Self Storage and NC Two, LLC, seeking a variance from Chapter 10.5.G.2 of the UDO for property located at 196 Ecusta Road, Brevard, North Carolina, within the Corridor Mixed Use (CMX) Zoning District, I move the Board to make the following findings of fact:

a) that unnecessary hardship would result from the strict application of the regulations;

   Building a parking lot on top of a sewer line could incur additional future expense. Not feasible to configure building any other way, due to current conditions and cost of construction.

b) the hardship results from conditions that are peculiar to the property such as location size or topography;

   Steep slopes and existing infrastructure.

c) the hardship did not result from actions taken by the applicant or the property owner; and

   UDO exemption was in place when the first two buildings were constructed.

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d) the requested variance is consistent with the spirit purpose and intent of the regulations such that Public Safety is secured and substantial Justice achieved.

Former exemption focused on the Asheville Highway Corridor and this property is outside that area.

Accordingly, I further move the board to **GRANT** the requested variance to allow for off-street parking within the front yard setback area of the subject property in accordance with and only to the extent represented in the application and plans.

Second by J. Mathews carried unanimously.

The hearing was closed.

VII. UNFINISHED BUSINESS

None.

VIII. REMARKS

None.

IX. ADJOURN

K. Jones moved to adjourn the meeting, seconded by T. Fogel. The motion carried unanimously. Meeting adjourned at 3:26 PM.

_____
Kevin Jones, Chair

_____
Janice H. Pinson, Board Clerk

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STAFF REPORT
Board of Adjustment, Tuesday, May 2, 2023

Title:	Request of Alan Boroshok VAR-23-002 for a variance from UDO Chapter 2.3.C for a 5 foot reduction of the rear setback requirement of 25 feet. The property is located in the zoning jurisdiction of the City of Brevard in the General Residential (GR) zoning district, further identified by PIN# 8586-54-3755-000.
Speaker:	Emily Brewer, AICP, Senior Planner
Prepared by:	Emily Brewer, Senior Planner
Approved by:	Paul Ray, Planning Director

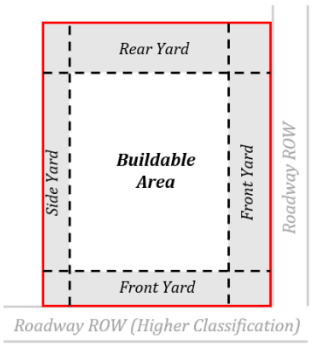
Background
An application for a variance has been submitted by Norman Roach on behalf of Alan Boroshok, owner of 33 Kilpatrick Street. The subject property is a single-family home in the General Residential-8 (GR-8) zoning district within the corporate limits of the City of Brevard. The parcel identification number is 8586-54-3755-000.

The applicant is requesting a variance from the typical rear setback requirement for the GR-8 zoning district of 25 feet, per Section 2.3.C of the City's Unified Development Ordinance. The request is for a variance of 5 feet, which would result in a setback of 20 feet. See Attachment 1 for the application materials and Attachment 2 for a site map.

Notice of the hearing was advertised and posted on the property in accordance with North Carolina General Statute §160D-406.

Discussion
The subject property is considered multi-fronted, with two sides of the property abutting public rights-of-way – Tinsley Road and Kilpatrick Street. According to the Unified Development Ordinance Section 2.3, all lots are required to have a rear yard. For a multi-frontage lot, the rear yard is determined to be the portion of the lot opposite the front yard on the street of higher classification. The illustration of multi-frontage lots in the UDO is included for reference.

Setbacks from Multi-frontage Lots



The administrator is responsible for determining the road of higher classification for setback purposes. When determining the street of higher classification, the administrator considers the following factors:

- The ownership of each of the roads (e.g., State roads are always considered higher classification than local roads.)
- The speed limits on the roads;
- The estimated traffic volumes on the roads;
- The length of the roads (e.g., a road that is 2 miles long in total verses a road that only extends ¼ mile); and
- The width of the rights-of-way on the roads.

The administrator determined that Tinsley Road would be considered the street of higher classification. Thus, the rear yard setback of 25 feet applies to the property line facing Kilpatrick Street, despite this being considered the front of the structure by the applicant.

The applicant is requesting a variance to construct a new deck, replacing the pre-existing concrete pad accessible from the front of the structure. This new deck would encroach into the 25-foot rear yard setback. The requested variance of 5 feet would allow the applicant to construct the structure.

Standards for the Granting of Variances
In order to grant the variance, *all* the following conditions must be met:

1. Unnecessary hardship would result from the strict application of the regulations. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
2. The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.

3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
4. The requested variance is consistent with the spirit, purpose, and intent of the regulations, such that public safety is secured, and substantial justice achieved. Substantial justice is not achieved when granting the variance would be injurious to the neighborhood or to the general welfare.

Economic hardship or the fact that property may be utilized more profitably with a variance shall not constitute an unnecessary hardship. In its motion the Board should include Findings of Fact to support each of the items listed above.

Attachments:

1. VAR-23-002 Application Materials
2. VAR-23-002 Map

City of Brevard Planning Department
95 West Main Street
Brevard, North Carolina 28712
Phone (828) 885-5630
Fax (828) 885-5625
cityofbrevard.com

VAR File #_____

APPLICATION FOR A VARINACE (VAR)
BREVARD BOARD OF ADJUSTMENT

PURPOSE OF VARIANCE – A variance is the official allowance of a variation from the dimensional requirements of the City of Brevard Unified Development Ordinance or other development regulations. An applicant for a variance must demonstrate valid reasons which create a need for a Variance. These reasons cannot be strictly economic in nature and must generally involve some physical problem with the subject property which will not allow it to be developed in a reasonable manner if City development regulations are followed literally, such as a lot which is substandard in area or width.

BOARD OF ADJUSTMENT - The Board of Adjustment or BOA, is the official City Board that considers request for variances. The BOA receives sworn testimony at its meetings and issues decisions on variance requests based on this testimony. It is the responsibility of each applicant for a variance to attend the BOA meeting and present sworn testimony in support of the request. Authority to grant a variance is found in 16.8.E of the City of Brevard's Unified Development Ordinance pursuant to North Carolina General Statute's 160D-705. The Unified Development Ordinance requires that the Brevard Board of Adjustment, when granting a variance must find that all four (4) of the following standards found in UDO Chapter 16.8.E.2. exist. In the spaces provided below, indicate the standards that you intend to show and the arguments that you intend to convince the Brevard Board of Adjustment that it can properly reach the four (4) required conclusions:

REASONS FOR VARIANCE REQUEST - Explain in your own words why you are requesting a Variance. Be sure to clearly indicate the problem(s) you will experience in complying with the City development regulations. (Attach additional sheets if needed.)

I am requesting a permit to construct a small deck (16 x 12) to replace the pre-existing deck which is used as a landing out of my front door. The present deck was poorly constructed by parties unknown prior to my purchase of the home in July 2017. Furthermore, the present deck was built on top of a pre-existing concrete pad that has been in place for well over 30 years according to neighbors. My intention is to remove the old deck and have the new deck cover the pre-existing concrete pad.

The reason for a variance request is that my property is an older irregular shaped/multi-frontage lot and thus the rear yard of the property is determined as the portion of the lot on the opposite side of the lot from the front yard on the street with the higher classification. (See attachment)

The BOARD OF ADJUSTMENT is required to make the following four (4) findings before granting a Variance. Write a thorough response to each of these items.

1. Unnecessary hardship would result from the strict application of the regulations. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.

2. The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.

3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.

4. The requested variance is consistent with the spirit, purpose, and intent of the regulations, such that public safety is secured, and substantial justice achieved. Substantial justice is not achieved when granting the variance would be injurious to the neighborhood or to the general welfare.

ATTACH SITE PLAN DESCRIBING VARIANCE REQUEST

PROPERTY LOCATION INFORMATION

Street address of subject property 33 Kilpatrick Street

Tax Parcel Number of subject property 8586-54-3755-000

ATTACH TAX PARCEL & OWNERSHIP INFORMATION FOR ADJACENT PROPERTIES

APPLICANT INFORMATION

Name: Alan Boroshok

Address: 33 Kilpatrick St
Brevard, NC 28712

Phone: 443-250-6216

OWNER INFORMATION

Name: Alan Boroshok

Address: 33 Kilpatrick St
Brevard, NC 28712

Phone: 443-250-6216

ATTACH AGENT FORM IF THE APPLICANT IS NOT OWNER

DATE: 3/12/23

APPLICANT'S SIGNATURE_____Alan Boroshok_____

Please refer to the City of Brevard Planning Department Board of Adjustment Category III Application Timeline for Variances.

VARIANCE REQUEST TO BE HEARD BY BOA ON:_____.

Request for Zoning Variance Supplement:

I am requesting a permit to construct a small deck (16' x 12') constructed of pressure treated lumbers. This deck will replace the pre-existing deck which is accessible from my front door, which was poorly constructed by parties unknown without a permit, prior to my purchase of 33 Kilpatrick Street in July 2022. Furthermore, this deck was built on top of a pre-existing concrete pad that according to neighbors has been in place about as long as the house has existed (1950's). My intention is to remove the poorly constructed deck, and replace it with a properly built deck, that covers the unsightly pre-existing concrete pad.

The reason for my zoning request is that my property is an older irregular shaped/multi-frontage lot, and thus the rear yard of the property is determined as the portion of the lot on the opposite side of the lot from the front street with the higher classification. This is confusing to me, but what I learned is that while I have a Kilpatrick Street address which is where my front door and mailbox is located, Kilpatrick is considered an alley or rear lane for zoning purposes (as of 2006 when the ordinance was modified by the City of Brevard), thus the rear of my property which faces Tinsley Road is considered the front yard. As such, the setback distance for structures on a front yard is 15 feet while a rear yard has a 25 foot setback.

To make it simple, I need a variance to grant me approximately 3' to 5' to reduce the required setback in order to construct this 12' x 16' deck. Once completed, the deck will be approximately 18' to 22' from the street (Kilpatrick Street). My deck would be constructed in an aesthetically pleasant manner, with planters and shrubbery to beautify the view from the street. This deck would not create any environmental concerns, or hazards to the neighborhood or to the general welfare.

Presently, Neighbors of mine on Kilpatrick Street have concrete landings, stairs, fences, and porches which are much closer than 15' from the road. These structures are not all asthetically pleasing, some are in a state of disrepair. I understand that since these structures are considered pre-existing, they are not subject to the 2006 ordinance. I also request that the concrete stairs and pad on my property that faces Kilpatrick Street be considered pre-existing for purposes of this application.

Please approve my request for a zoning variance. My contractor is Norman Roach of Big Moose Construction Company, who is familiar Brevard City Zoning and Transylvania County Zoning. I shall furnish additional information and photographs if necessary, I also welcome the board to visually inspect the front of my property.

Sincerely,
Alan Boroshok
443-250-6216
Al0184x@gmail.com
33 Kilpatrick St.,
Brevard, NC 28712

The City of Brevard North Carolina

City of Brevard Planning Department
95 West Main Street
Brevard, North Carolina 28712
Phone (828) 885-5630
Fax (828) 885-5625
cityofbrevard.com

VAR File# _____

BREVARD BOARD OF ADJUSTMENT – VARIANCE

APPOINTMENT OF AGENT

I ALAN BOROSHOK, owner of property located at (street address) 33 KILPATRICK CT. and identified by the Transylvania County Tax Identification Number (PIN#):

8586-54-3755-000, located in Transylvania County, North Carolina, do hereby appoint NORMAN ROACH to represent me in filing an application for Variance before the Brevard Board of Adjustment.

I further authorize NORMAN ROACH to act as my agent in all matters, formal and informal, and to receive all official correspondence as it relates to the VARIANCE request and hearing.

Property Owner Signature: _____ Date: 3/15/23
Mailing Address: ALBAX@gmail.com 33 KILPATRICK ST
Phone: 443 250-6216 Email: BREVARD, NC 28712

Agent Name: NORMAN ROACH
Mailing Address: _____
Phone: 828-708-3362 Email: _____

Variance Request VAR-23-002: 33 Kilpatrick Street

Feet
0 10 20 40 60 80
1 inch = 39 feet

This map was prepared by the City of Brevard Planning Department, April 2023.

Disclaimer: The information contained on this page is NOT to be construed or used as a survey or legal description. Map information is believed to be accurate, but accuracy is not guaranteed.

STAFF REPORT
Board of Adjustment, Tuesday, May 2, 2023

Title:	Consideration of Application for Special Use Permit #SUP-23-001 by Scott & Dionne Hodgson, Hodgson Holdings, LLC to allow a Special Event Venue, UDO Section 2.2. revised in the General Residential "GR" zoning district on property owned by Hodgson Holdings, LLC, within the zoning jurisdiction of the City of Brevard, and further identified by PIN# 8585-60-4875-000.
Speaker:	Katherine Buzby
Prepared by:	Katherine Buzby, Planner/Assistant Zoning Administrator
Approved by:	Paul Ray, Planning Director

Background
Scott and Dionne Hodgson, of Hodgson Holdings LLC submitted an application to the City on March 15, 2023 for a Special Use Permit (SUP) to operate a *Special Event Venue* at Deerwoode Reserve at 395 Riversedge Rd in Brevard. The property is currently zoned General Residential-4 and the proposed use requires a Special Use Permit.

Special Event Venue is defined in the Unified Development Ordinance (UDO) as:
"A multipurpose venue facility designed largely for hosting special events such as graduations, weddings, gatherings, trade shows, corporate function or meetings, and other similar functions. The facility may have a catering kitchen, indoor and outdoor seating, a stage or event area, and meeting/conference facilities."

The property has a long history here in Brevard; it was originally developed into a summer camp in the 1920s, and became Camp Deerwoode for Girls in the mid 1930s. In 1969, it changed owners and became Camp Deerwoode for Boys. Finally, in 1991, it became a short-term vacation rental business called the Deerwoode Lodge & Cabins. The Hodgson's purchased the property in 2021 and currently run Deerwoode Reserve as short-term vacation rental cabins. They would like to renovate an existing building on their property to be run as a *Special Event Venue*. The goal is to host events such as weddings, family reunions, etc. The property is rather large and the proposed building to become the *Special Event Venue* sits a good distance away from any adjoining neighbors.

The only additional standard listed in the City's UDO for this use is no open fires without a permit from the Fire Chief.

A Notice of Hearing was mailed to adjacent property owners, the property was posted, and the meeting was advertised per General Statue 160D-406(b).

Special Use Permits
Special uses are generally compatible with the land uses permitted by right in a zoning

district, but require individual review of their location, design, and configuration so as to evaluate the potential for adverse impacts on adjacent property and uses. Special uses ensure the appropriateness of the use at a particular location within a given zoning district. Only those uses enumerated as Special Uses in a zoning district, including but not limited to hours of operation, height, bulk, mass, intensity of use, etc. shall be authorized by the BOA.

The evaluation and approval of the Special Use Permit shall be based upon the sworn testimony and evidence presented at the hearing relevant to the following findings of fact:

1. The use meets all requirements and specifications of the Ordinance and any adopted land use plans and is in harmony with the general purpose and intent and preserves its spirit; and

2. The proposed use or structure will, if developed according to the plan submitted and approved, be visually and functionally compatible to the surrounding area; and

3. The proposed use or structure will not be injurious to the public health, safety, and welfare, and will not be detrimental to the value of adjoining property and associated uses.

In approving an application for a Special Use Permit, the BOA may attach fair and reasonable conditions which support the required Findings of Fact; however, the Board may not require the landowner to waive a vested right. The burden of proof of producing evidence to support these Findings and to overcome any challenges that approval of the plan would be contrary to one or more of these Findings rests entirely with the applicant.

Attachments:
1. Hodgson Holdings Application and Site Plans
2. Selected Section of UDO
3. Proposed Motion SUP-23-001

The City of Brevard North Carolina

City of Brevard Planning Department
95 West Main Street
Brevard, North Carolina 28712
Phone (828) 885-5630
Fax (828) 885-5625
cityofbrevard.com

SUP File # 23-001

APPLICATION FOR SPECIAL USE PERMIT (SUP)
BREVARD BOARD OF ADJUSTMENT

Applicant/Agent:

Name Scott & Dionne Hodgson / Hodgson Holdings LLC

Mailing Address 514 Eagle Lake Drive

City/State/Zip Code Brevard, NC 28712

Telephone Number 863-899-1810 Email Address dhodgson5@verizon.net

Property Owner (if different from the applicant):

Name N/A

Address _____

City/State/Zip Code _____

Telephone Number _____ Email Address _____

Property information: The following information is required to provide the necessary information to process the Special Use Permit application:

Address of requested site: Deerwoode Reserve, 395 Riversedge Rd, Brevard, NC 28712

Transylvania County Property Identification # (PIN): 8585604875000

Request SUP as permitted in Unified Development Ordinance Section(s):
Revised UDO Section 2.2

Proposed Special Use to Allow: Special Event Venue

Zoning District: ETJ **Located within City Limits? (Y/N)** No

Flood Hazard Area? (Y/N): No

Special Use permits add flexibility to the Land Development Code. Subject to high standards of planning and design, certain property uses may be allowed in several districts where these uses would not otherwise be acceptable. By means of controls exercised through the special use permit procedures, property uses which would otherwise be undesirable in certain districts can be developed to minimize any adverse effects they might have on surrounding properties.

Authority to grant Special Use Permits is found in 16.8 of the City of Brevard's Unified Development Ordinance pursuant to North Carolina General Statute's 160D-406. The Unified Development Ordinance requires that the Brevard Board of Adjustment, when granting a Special Use Permit must find that all three (3) of the following factors found in UDO Chapter 16.8.C.3 exist. In the spaces provided below, indicate the facts that you intent to show and the arguments that you intend to convince the Brevard Board of Adjustment that it can properly reach the three (3) required conclusions:

1. The use meets all requirements and specifications of the ordinance and any adopted land use plans and is in harmony with the general purpose and intent and preserves its spirit.
2. The proposed use or structure will, if developed according to the plan submitted and approved, be visually and functionally compatible to the surrounding area; and
3. The proposed use or structure will not be injurious to the public health, safety, and welfare, and will not be detrimental to the value of adjoining property and associated uses.

In the spaces provided below, indicate the facts that you intend to show and the arguments that you intent to convince the Brevard Board of Adjustment that it can properly reach the three (3) required conclusions:

1. That the use meets all requirements and specifications of the ordinance and any adopted land use plans and is in harmony with the general purpose and intent and preserves its spirit.

   See Attached

2. That the proposed use or structure will, if developed according to the plan submitted and approved, be visually and functionally compatible to the surrounding area.

   See Attached

3. That the proposed use or structure will not be injurious to the public health, safety, and welfare, and will not be detrimental to the value of adjoining property and associated uses.

See Attached

The following must be included with the Application:

1. Site Plan
2. Listing of names and mailing address of all property owners within two-hundred feet (200') from the boundaries of the property in question.
3. Application filing fee $250.00 – Zoning

Signature of Property Owner: _____ Date: 3/15/2023

Signature of Applicant/Agent: _____ Date: 3/15/2023

Please refer to the City of Brevard Planning Department Board of Adjustment Category III Application Timeline for Special Use Permit.

SPECIAL USE PERMIT REQUEST TO BE HEARD BY BOA ON: 5/2/23 @ 3pm.

SPECIAL USE PERMIT APPLICATION FOR HODGSON HOLDINGS LLC (DEERWOODE RESERVE)

In the spaces provided below, indicate the facts that you intend to show and the arguments that you intend to convince the Brevard Board of Adjustment that it can properly reach the three (3) required conclusions:

1. **That the use meets all requirements and specifications of the ordinance and any adopted land use plans and is in harmony with the general purpose and intent and preserves its spirit.**

   The property was developed into a summer camp in the 1920's. Many cabins were built for lodging, along with buildings for general assembly, a craft building, an infirmary, a kitchen and dining hall. The owners of the property changed a few times early on, along with the name of the camp. It became Camp Deerwoode for Girls in the mid-1930's and was owned & operated by Gordon & Annette Sprott. Then in 1969, Bill & Elizabeth Mayes purchased the property and took over managing the camp, now called Camp Deerwoode for Boys. They continued running the summer camp through 1991. From then, the Mayes worked to maintain this large tract of land and opened it up to the community, as a pasture golf course and a workout gym with a membership of 300. People. Mr. Mayes took down the camp cabins and used the reclaimed lumber to construct new cabins, and operated a short-term vacation rental business, Deerwoode Lodge & Cabins. The Mayes were great caregivers and stewards of this historical property. They planted thousands of trees, created waterways and canals to reduce erosion when flooding occurs, they met standards to become a certified natural wildlife habitat, and in 2013 they put all the 175 acres into a conservation easement. The Mayes closed the cabin rental business in 2019 and listed the property for sale in 2020. Scott & Dionne Hodgson purchased the property in April 2021, under the business name Hodgson Holdings LLC. Since then, we've worked to update & refurnish the existing cabins, and re-opened the short-term vacation rental business, changing the name to Deerwoode Reserve.

   The purpose of obtaining a Special Use Permit is to remodel an existing commercial metal building into an event center in order to host special

events, such as weddings, family reunions, corporate retreats, hobby groups, and other large gatherings. In addition, we envision the event center being utilized by the local community to host fundraisers, community events, concerts, and business & non-profit meetings. Under our agreement with Conserving Carolina, we have agreed to allow educational and volunteer opportunities on our property. We strive to be a great resource for the community.

This property has a long history of being enjoyed by the public in a variety of ways. We strive to continue to share its natural beauty with others while giving our guests and the community a place to host large gatherings.

2. **That the proposed use or structure will, if developed according to the plan submitted and approved, be visually and functionally compatible to the surrounding area.**

The current metal commercial building, built in the 1970's, was used for the camp's physical fitness activities and later as a community workout gym. This building is aged, has a leaking roof and needs some love. Our plan is to repurpose the building into an event center, giving it an updated look and adding modern amenities. Remodeling will include all new electrical, plumbing, HVAC, new roof, new windows & doors, and any other structural or foundation work to bring it up to the current building codes. We will add a caterer's prep kitchen, lobby, office, restrooms, a bridal suite and laundry room. The exterior will be enhanced with a timber frame carport and entry, along with new paint and siding that will make it visually more appealing and blend in with the natural setting and other existing cabins on property.

We are working closely with Conserving Carolina on the building design and septic plans to ensure that we follow all the guidelines & requirements set forth in the conservation easement. They will review all design plans and approve them prior to the start of construction. Torry Nergart, Stewardship Manager with Conserving Carolina, has been provided the design plans, preliminary septic plans and has completed a site visit to discuss the construction plans for the event center. Torry has not expressed any issues with the proposed renovation.

3. **That the proposed use or structure will not be injurious to the public health, safety, and welfare, and will not be detrimental to the value of adjoining property and associated uses.**

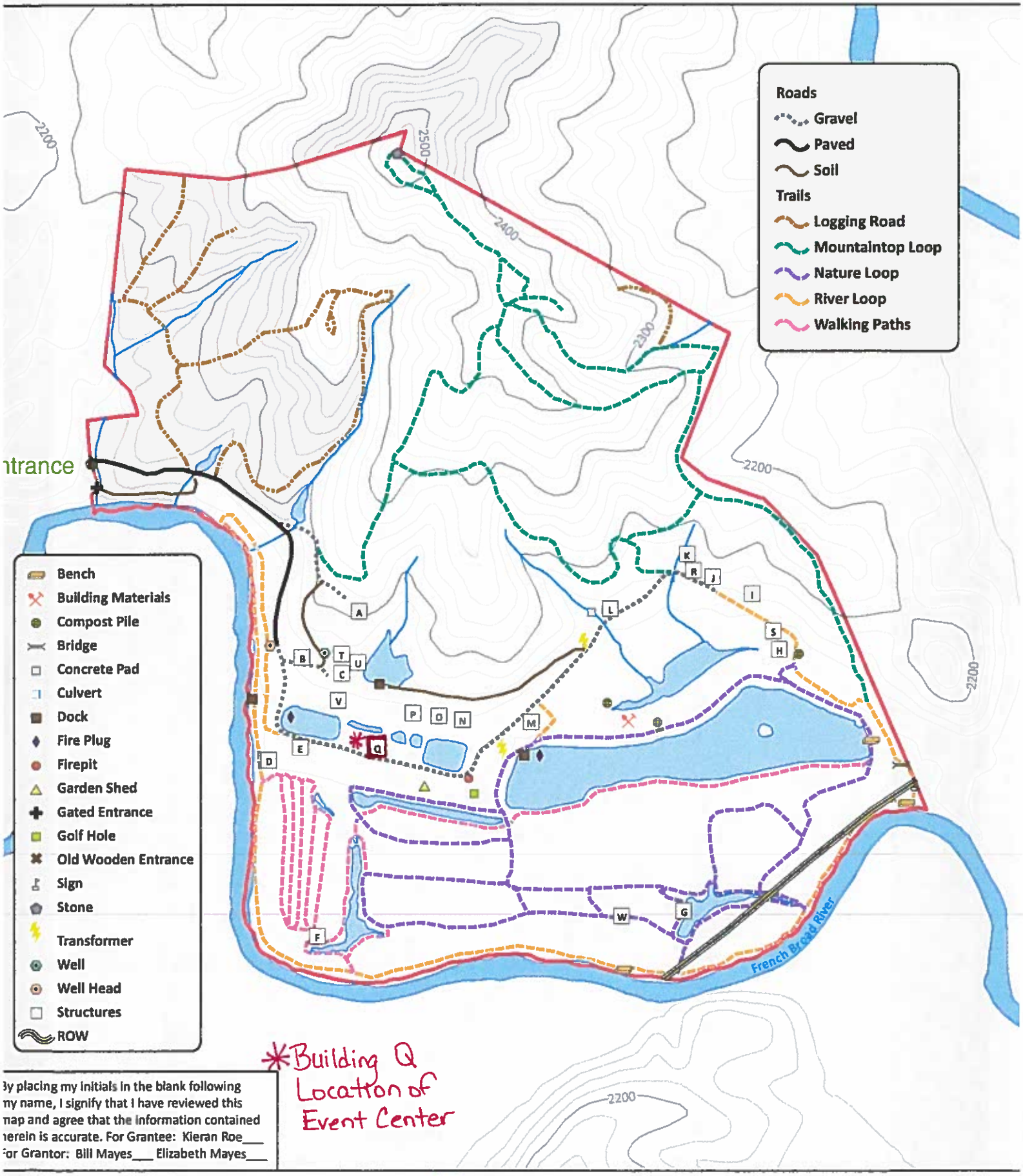
The structure is currently in need of repair and updating. By completing this remodeling project, the building will be brought up to all current building and occupancy codes. This will ensure that it is not detrimental to the public health, safety or welfare.

The building is situated away from the neighboring properties. It is located ½ mile from the nearest home on Deerwoode Lane. The closest property line is the French Broad River on the West side, and the building is approximately 600 feet away from there, with farmland on the other side of the river. The property line on the North side is Sugarloaf Mountain, which is forest land. The South and East property lines are thick with trees.

The improvements we have made thus far have only increased the value of the property, since we purchased it. The appraisal completed in 2021 for the purchase, valued the property at $2,510,000. The appraisal just completed in January of 2023, currently values the property at $5,340,000. When the event center remodel is finished, the "as complete" value is appraised to be $6,465,000.

The proposed remodel to construct an event center will not negatively affect any neighboring properties and falls in line with the history of how this land has been utilized for various groups. It will be a good fit for the property, for visitors and for the community.

Figure 6: Anthropogenic Features of the Deerwoode Conservation Easement Area

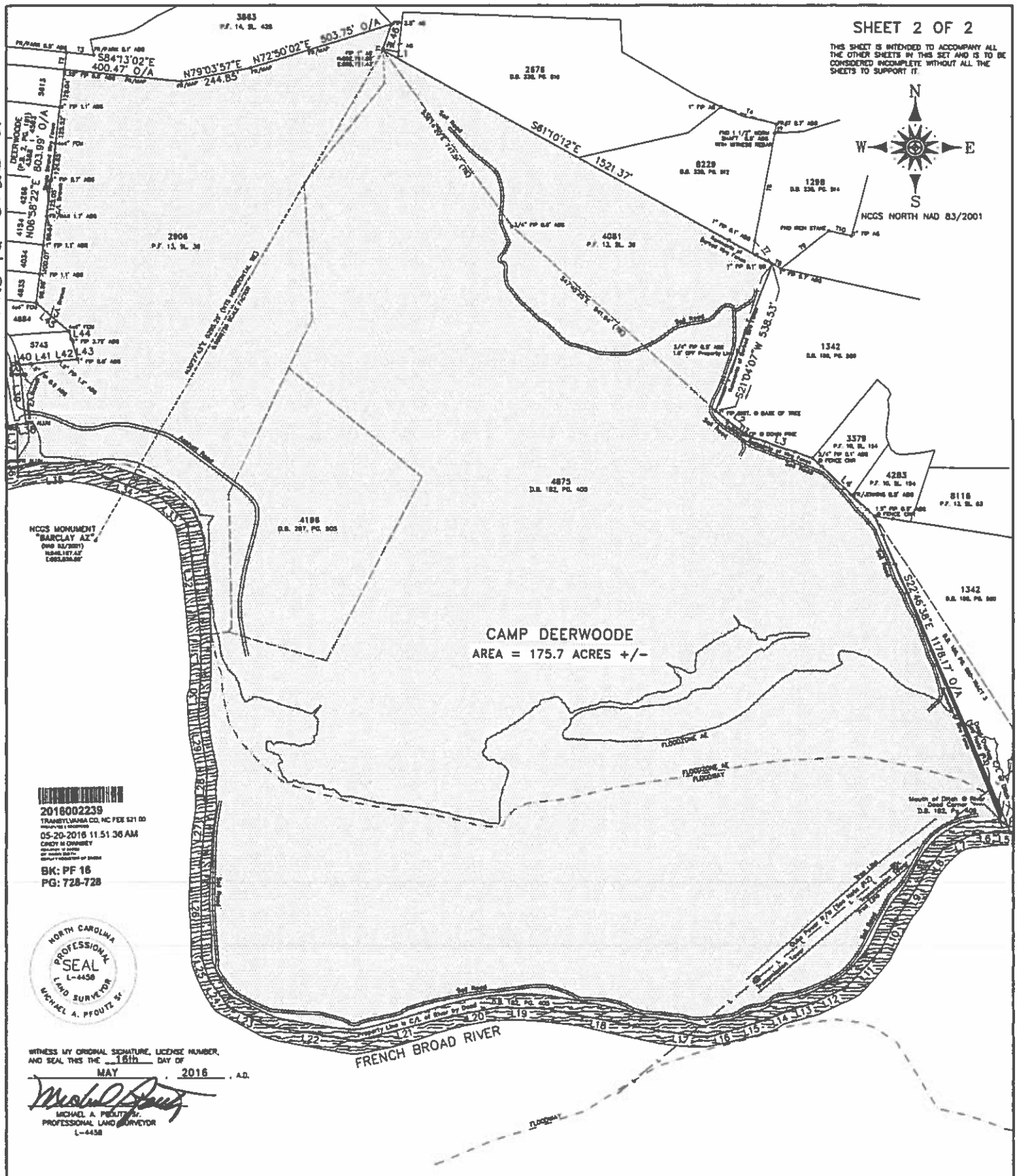


16,728

File 16 Slide 728

SHEET 2 OF 2

THIS SHEET IS INTENDED TO ACCOMPANY ALL THE OTHER SHEETS IN THIS SET AND IS TO BE CONSIDERED INCOMPLETE WITHOUT ALL THE SHEETS TO SUPPORT IT.



2016002239
TRANSYLVANIA CO, NC FEE $21.00
05-20-2016 11:51:36 AM
CINDY H CHAMBLEY
BK: PF 16
PG: 728-728

NORTH CAROLINA PROFESSIONAL SEAL L-4458 LAND SURVEYOR MICHAEL A. PFOUTZ JR.

WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER, AND SEAL THIS THE 16th DAY OF MAY, 2016, A.D.

MICHAEL A. PFOUTZ JR.
PROFESSIONAL LAND SURVEYOR
L-4458

PREPARED BY CAROLINA MOUNTAIN SURVEYING FIRM LICENSE NUMBER #F-1205 137 NORTH BROAD STREET; SUITE 2 BREVARD, NORTH CAROLINA 28712 (828) 883-2670 CMSURVEYING@COMPORIUM.NET	SURVEY AND RECOMBINATION PLAT PREPARED FOR BILL J. MAYES and ELIZABETH T. MAYES H/W and CAROLINA MOUNTAIN LAND CONSERVANCY	DATE FEBRUARY 21, 2014 MAY 16, 2016 FIELD RECORDS DATA COLLECTOR 200 0 200 400 800 GRAPHIC SCALE - FEET WRITTEN SCALE: 1"=200'	DRAWING NUMBER CMS14004-COMBO COORDINATE FILE CMS10036.CRD PROJECT NUMBER CMS14004 REF: CMS10036

16, 727

File 16, Slide 727

Book 16 Page 727

NOTES:

1) SURVEYED IN JANUARY – APRIL 2011 AND JANUARY–FEBRUARY 2014. THIS IS NOT AN UPDATED BOUNDARY SURVEY. THIS PLAT DELINEATES THE EXTENT OF A RECOMBINATION PLAT FROM THE SURVEY REFERENCED ABOVE. NOT ALL IMPROVEMENTS ARE SHOWN ON THIS PLAT.
2) AREA = 173.7 ACRES +/– (SURVEY); INCLUDES OVERLAP
3) AREAS CALCULATED BY COORDINATE COMPUTATION
4) THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE SEARCH. THUS THIS PROPERTY IS SUBJECT TO ALL RIGHT-OF-WAYS; COVENANTS; EASEMENTS; AND RESTRICTIONS OF RECORD BOTH SHOWN AND NOT SHOWN HEREON.
5) DEED REFERENCES – D.B. 182, PG. 405; D.B. 102, PG. 77; D.B. 238, PG. 518; D.B. 287, PG. 505; D.B. 287, PG. 505; DOC. BK. 632, PG. 329; DOC. BK. 681, PG. 289
6) PLAT REFERENCES: P.B. 2, SL. 181; P.F. 6, SL. 297; P.F. 10, SL. 154; P.F. 13, SL. 36; P.F. 13, SL. 83; P.F. 14, SL. 428
7) UNRECORDED SURVEY REFERENCES:
   A) PARTIAL BOUNDARY SURVEY OF PARCEL 4081 DONE BY ROBERT E. PARKER, PLS L-1479 AND DATED NOVEMBER 1, 1978
   B) PARTIAL BOUNDARY SURVEY OF PARCEL 2908 DONE BY ROBERT E. PARKER, PLS L-1479 AND DESIGNATED AS DRAWING 85125-B1, DATED NOVEMBER 29, 1985
8) TAX PARCEL IDENTIFICATION NUMBERS: 8585-51-2906; 8585-62-4081; 8585-51-4198; 8585-60-4875
9) PROPERTY CORNERS IN THE C/L OF THE FRENCH BROAD RIVER ARE CALCULATED POINTS THE C/L OF THE RIVER IS THE PROPERTY LINE BY DEED – D.B. 182, PG. 405 BEARINGS AND DISTANCES SHOWN ARE FROM THE LOCATION OF THE RIVER AS SURVEYED IN FEBRUARY 2014.
10) ADJOINING PROPERTIES ARE LABELED BY THE LAST FOUR DIGITS OF THEIR RESPECTIVE TAX PARCEL IDENTIFICATION NUMBERS.
11) THIS PROPERTY IS WITHIN THE ONE MILE EXTRA TERRITORIAL JURISDICTION OF THE CITY OF BREVARD
12) THERE IS AN UNDELINEATED DEEDED EASEMENT (D.B. 85, PG. 156) TO DUKE ENERGY FOR THE HIGH TENSION POWER LINE AS SHOWN HEREON IN THE SOUTHEASTERN PORTION OF THIS PLAT NEAR THE RIVER. THE CLEARED AREA ON EACH SIDE OF THE TOWERS IS SHOWN, BUT THIS DOES NOT DELINEATE THE EXTENT OF THE EASEMENT.
13) DEED BOOK 182, PAGE 405 (DEED FOR MAYES) CALLS FOR THE SOUTHEAST CORNER OF THE MAYES PROPERTY AS BEING THE MOUTH OF THE DITCH ON THE NORTH SIDE OF THE FRENCH BROAD RIVER AS SHOWN HEREON (BY SURVEY). DEED BOOK 188, PAGE 580 TRACT 3 (TABOR DEED) CALLS FOR THE CORNER AS BEING A STAKE ON THE NORTH BANK OF THE FRENCH BROAD RIVER. BOTH DEEDS CALL FOR THE 1.5" FIP AT THE FENCE CORNER AT THE INTERSECTION OF PINS 4875, 4283 AND 1376 AS BEING A DEEDED CORNER. HOWEVER, WHEN THE DEED FOR TABOR IS ALIGNED WITH THE LINES SHOWN IN P.F. 10, SL. 154 AND P.F. 13, SL. 83 THERE IS A RESULTING OVERLAP BETWEEN TABORS DEED AND THE LINE AS SHOWN BETWEEN THE FIP AND THE MOUTH OF THE DITCH. NEITHER LINE FOLLOWS ALONG THE REMNANTS OF A OLD WIRE FENCE LOCATED IN FEBRUARY 2014.
14) THE FLOODWAY, AND PORTIONS OF THE FLOOD AREAS WERE ELECTRONICALLY DIGITIZED FROM FLOOD INSURANCE RATE MAP 3700853500J, DATED OCTOBER 2, 2009. DIGITAL MAPS WERE OBTAINED FROM TRANSYLVANIA COUNTY TAX MAPPING. CAROLINA MOUNTAIN SURVEYING MAKES NO GUARANTEE AS TO THE ACCURACY OF THIS INFORMATION.
15) TRANSYLVANIA COUNTY SHOWS A PARCEL, IDENTIFIED AS 8585-52-8327 AT THE INTERSECTION OF PARCELS 2908 & 4081 NO EVIDENCE OF THIS PARCEL WAS FOUND DURING THE BOUNDARY SURVEY. PLAT FILE 13 SLIDE 36 DOES NOT SHOW IT. IF PARCEL 8327 EXISTED IT IS POSSIBLE THAT TAX MAPPING HAS POSITIONED IT INCORRECTLY. REGARDLESS MAYES HAS MAINTAINED THE PROPERTY BY OWNERSHIP AND IMPROVEMENTS FROM 1969 TO THE PRESENT AND CLAIMS THE PROPERTY IN THIS AREA AND DELINEATED BY THIS SURVEY BY ADVERSE POSSESSION.

THE NC GRID COORDINATES ON THIS PLAT WERE DERIVED BY STATIC DIFFERENTIAL GPS OBSERVATIONS USING THREE SOKKIA LOCUS RECEIVERS. THE VECTORS WERE ADJUSTED USING THE FIXED STATION NCGS "BARCLAY AZ", USING LOCUS PROCESSOR SOFTWARE, PRODUCING A WEIGHTED LEAST SQUARES ADJUSTMENT OF THE NAD 83/2001 POSITIONS. THE MEDIAN VECTOR ERROR IS COMPUTED TO BE 1.9 PPM. A LOOP OF 12,188 FEET USING THE UNADJUSTED VECTORS PASSING THROUGH THE FIXED AND DERIVED CONTROL STATIONS YIELDS A LOOP PRECISION OF 1:499,012

THIS SURVEY WAS PREPARED FOR BILL AND ELIZABETH MAYES AND CAROLINA MOUNTAIN LAND CONSERVANCY AND IS PROVIDED AS PART OF THE WORK PRODUCT TO OUR CLIENTS. THIS PLAT IN PART OR IN WHOLE IS NOT TRANSFERABLE AND SHALL NOT BE ALTERED IN ANY WAY OR REUSED IN ANY FORM BY ANY INDIVIDUAL OR ENTITY WITHOUT WRITTEN AUTHORIZATION BY MICHAEL A. PFOUTZ SR. AND IS INTENDED SOLELY FOR THE USE OF THE ORIGINAL CLIENT

G.S. 47-30 f(11) d.
I, MICHAEL A. PFOUTZ Sr., PROFESSIONAL LAND SURVEYOR, CERTIFY THAT THIS SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION
I, MICHAEL A. PFOUTZ, Sr., PROFESSIONAL LAND SURVEYOR, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL FIELD SURVEY PERFORMED UNDER MY DIRECTION FROM INFORMATION FOUND IN RECORDED DOCUMENTS LISTED ABOVE; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION REFERENCED HEREON; THAT THE RATIO OF PRECISION AS CALCULATED BY LATITUDES AND DEPARTURES BEFORE ADJUSTMENT IS NOT LESS THAN 1 : 5,000 ; AND THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER, AND SEAL THIS THE 16th DAY OF MAY , 2016 , A.D.

MICHAEL A. PFOUTZ Sr.
SURVEYOR L-4458

NORTH CAROLINA PROFESSIONAL SEAL L-4458 LAND SURVEYOR MICHAEL A. PFOUTZ Sr.

LEGEND

NCGS	NORTH CAROLINA GEODETIC SURVEY
NAD	NORTH AMERICAN DATUM
PIN	TAX PARCEL IDENTIFICATION NUMBER
FR/RAK	FOUND REBAR WITH ROBERT RAKTER ID CAP
FR/PARK	FOUND REBAR WITH GENE PARKER ID CAP
FR/JENK	FOUND REBAR WITH CLARENCE JENKINS ID CAP
FR/MAP	FOUND REBAR WITH MICHAEL PFOUTZ ID CAP
FCM	FOUND CONCRETE MONUMENT
FR	FOUND REBAR
FRR	FOUND RAIL ROAD SPIKE
FIP	FOUND IRON PIPE
ABG	ABOVE GRADE
AG	AT GRADE
BG	BELOW GRADE
H/W	HIS WIFE
D.B. , PG.	DEED BOOK, PAGE
DOC. BK., PG.	DOCUMENT BOOK, PAGE
P.B. , PG.	PLAT BOOK, PAGE
P.F., SL.	PLAT FILE, SLIDE
NTS	NOT TO SCALE
O/A	OVERALL
C/L	CENTERLINE
ALUM	ALUMINUM CAP
	DRAINAGE CULVERT
— F —	FENCELINE
— L —	OVERHEAD WIRE
	DEED OVERLAP

SHEET 1 OF 2

THIS SHEET IS INTENDED TO ACCOMPANY ALL THE OTHER SHEETS IN THIS SET AND IS TO BE CONSIDERED INCOMPLETE WITHOUT ALL THE SHEETS TO SUPPORT IT.

2016002238
TRANSYLVANIA CO, NC FEE $21.00
05-20-2016 11:51:35 AM
BK: PF 16
PG: 727-727

STATE OF NORTH CAROLINA
COUNTY OF TRANSYLVANIA

I, Daniel Cobb REVIEW OFFICER OF TRANSYLVANIA COUNTY, CITY OF BREVARD, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER — DATE 5/19/16

CERTIFICATE OF APPROVAL FOR RECORDING

I HEREBY CERTIFY THAT THE COMBINATION PLAT SHOWN IS EXEMPT FROM THE SUBDIVISION PROVISIONS OF THE BREVARD REGULATING ORDINANCE, AND IS THEREFORE EXEMPT FROM ITS PROVISIONS PURSUANT TO N.C. GENERAL STAUTE 160A-376(1) AND HAS BEEN APPROVED BY THE CITY OF BREVARD FOR RECORDING IN THE OFFICE OF THE REGISTER OF DEEDS OF TRANSYLVANIA COUNTY

5/19/16 DATE — REVIEW OFFICER, CITY OF BREVARD

CERTIFICATE OF OWNERSHIP AND DEDICATION

I (WE) HEREBY CERTIFY THAT I AM (WE ARE) THE OWNER(S) OF THE PROPERTY LOCATED WITHIN THE SUBDIVISION-REGULATION JURISDICTION OF THE CITY OF BREVARD AS SHOWN AND DESCRIBED HEREON, AND THAT I (WE) HEREBY ADOPT THIS PLAN OF RECOMBINATION WITH MY (OUR) FREE CONSENT, AND DEDICATE ALL ROADS AND OTHER SITES AND EASEMENTS TO PUBLIC OR PRIVATE USE AS NOTED IN THE DISCLOSURE OF PRIVATE ROADWAYS, WHERE APPLICABLE.

5-19 2016 DATE — Bill J. Mayes OWNER(S)

5/18/16 DATE — Elizabeth T. Mayes OWNER(S)

DATE — OWNER(S)

FLOOD CERTIFICATION

PORTIONS OF THIS PROPERTY ARE LOCATED IN ZONE "AE" PER FEMA FLOOD INSURANCE RATE MAP NUMBER 3700853500J, EFFECTIVE DATE OF OCTOBER 2, 2009. THESE AREAS ARE DETERMINED TO BE WITHIN THE 1.0% ANNUAL CHANCE FLOOD (100-YEAR FLOOD).

THIS FLOOD INFORMATION HAS BEEN DIGITALLY REPRODUCED FROM A DIGITAL COPY OF THE FEMA MAP SUPPLIED BY TRANSYLVANIA COUNTY TAX MAPPING AND IS POSITIONED BASED ON THE TRANSYLVANIA COUNTY GIS WEB SITE AERIAL DATA. CAROLINA MOUNTAIN SURVEYING MAKES NO GUARANTEE AS TO THE ACCURACY OF THIS INFORMATION.

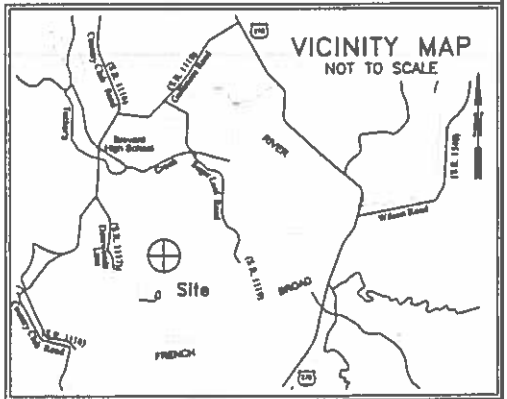
BOUNDARY CALL TABLE

Course	Bearing	Distance
L1	S04°53'16"W	5.88'
L2	S15°01'43"E	134.21'
L3	S76°47'37"E	211.46'
L4	S48°56'35"E	284.83'
L5	N67°57'40"W	127.51'
L6	S87°42'54"W	84.17'
L7	S83°43'44"W	172.69'
L8	S78°37'22"W	104.36'
L9	S86°07'54"W	110.97'
L10	S78°10'37"W	118.84'
L11	S73°51'15"W	171.15'
L12	S64°55'08"W	128.89'
L13	S74°54'04"W	88.18'
L14	S69°07'28"W	107.03'
L15	S72°43'41"W	88.30'
L16	S73°07'48"W	110.82'
L17	N81°54'41"W	118.11'
L18	N78°31'01"W	188.83'
L19	N88°47'47"W	154.83'
L20	S78°41'13"W	154.29'
L21	S76°55'31"W	144.04'
L22	N89°53'06"W	101.82'
L23	N83°45'58"W	114.98'
L24	N76°51'07"W	110.74'
L25	N78°58'20"W	84.34'
L26	N80°50'51"W	93.83'
L27	N89°07'48"E	208.34'
L28	N01°01'17"E	109.44'
L29	N08°30'25"W	186.20'
L30	N03°24'54"E	131.08'
L31	N00°01'13"E	131.08'
L32	N08°30'30"W	183.81'
L33	N44°58'35"W	124.60'
L34	N68°31'55"W	251.40'
L35	S88°31'20"W	264.58'
L36	N01°07'13"W	131.01'
L37	N01°07'13"W	128.88'
L38	N04°28'12"E	30.02'
L39	N05°21'47"W	201.86'
L40	N84°31'51"E	37.54'
L41	N84°31'51"E	88.40'
L42	N84°31'51"E	43.81'
L43	N17°08'48"W	70.86'
L44	N17°08'48"W	93.13'
L45	N48°58'13"W	146.39'
L46	S11°27'11"W	97.48'

TIE CALL TABLE

Course	Bearing	Distance
T1	N04°53'25"E	5.88'
T2	N08°37'54"E	99.82'
T3	S44°08'11"E	81.14'
T4	S72°47'07"E	108.58'
T5	S10°03'43"E	40.25'
T6	S10°03'43"E	30.00'
T7	S78°37'22"W	104.04'
T8	S86°13'53"E	99.83'
T9	S83°43'44"E	54.03'
T10	N01°47'09"E	209.98'
T11	S17°27'28"E	75.43'
T12	S07°58'18"E	217.20'
T13	S11°55'41"E	8.32'

VICINITY MAP
NOT TO SCALE



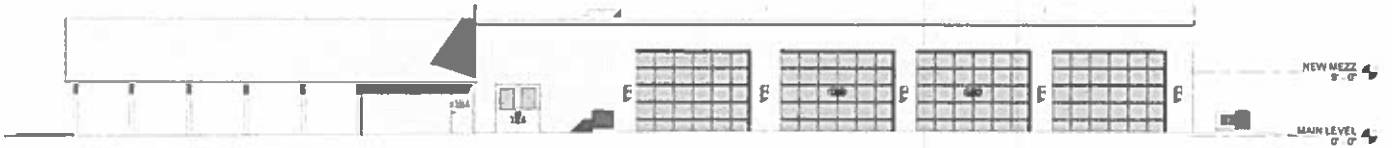
PREPARED BY
CAROLINA MOUNTAIN SURVEYING
FIRM LICENSE NUMBER #F-1205
137 NORTH BROAD STREET; SUITE 2
BREVARD, NORTH CAROLINA 28712
(828) 883-2670
CMSURVEYING@COMPORIUM.NET

COVER SHEET for a
SURVEY AND RECOMBINATION PLAT
PREPARED FOR
BILL J. MAYES and
ELIZABETH T. MAYES H/W and
CAROLINA MOUNTAIN
LAND CONSERVANCY

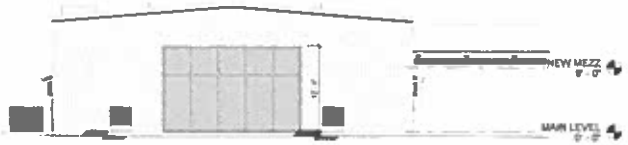
DATE: FEBRUARY 21, 2014; MAY 16, 2016
FIELD RECORDS: DATA COLLECTOR
DRAWING NUMBER: CMS14004-COVR
COORDINATE FILE: CMS10036.CRD
PROJECT NUMBER: CMS14004

200 0 200 400 600
GRAPHIC SCALE – FEET WRITTEN SCALE: 1"=200'

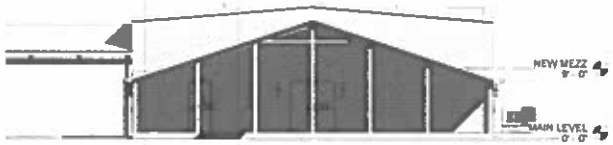
1 FRONT ELEVATION



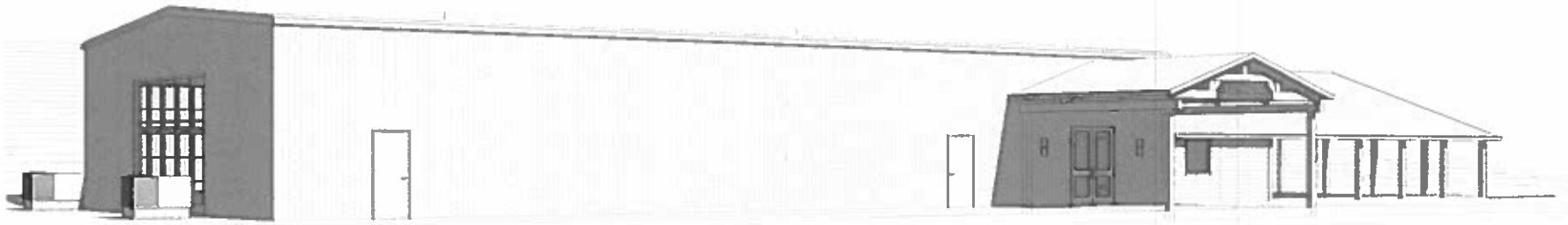
2 REAR ELEVATION



4 LEFT ELEVATION



3 RIGHT ELEVATION



5 EXTERIOR RENDERING

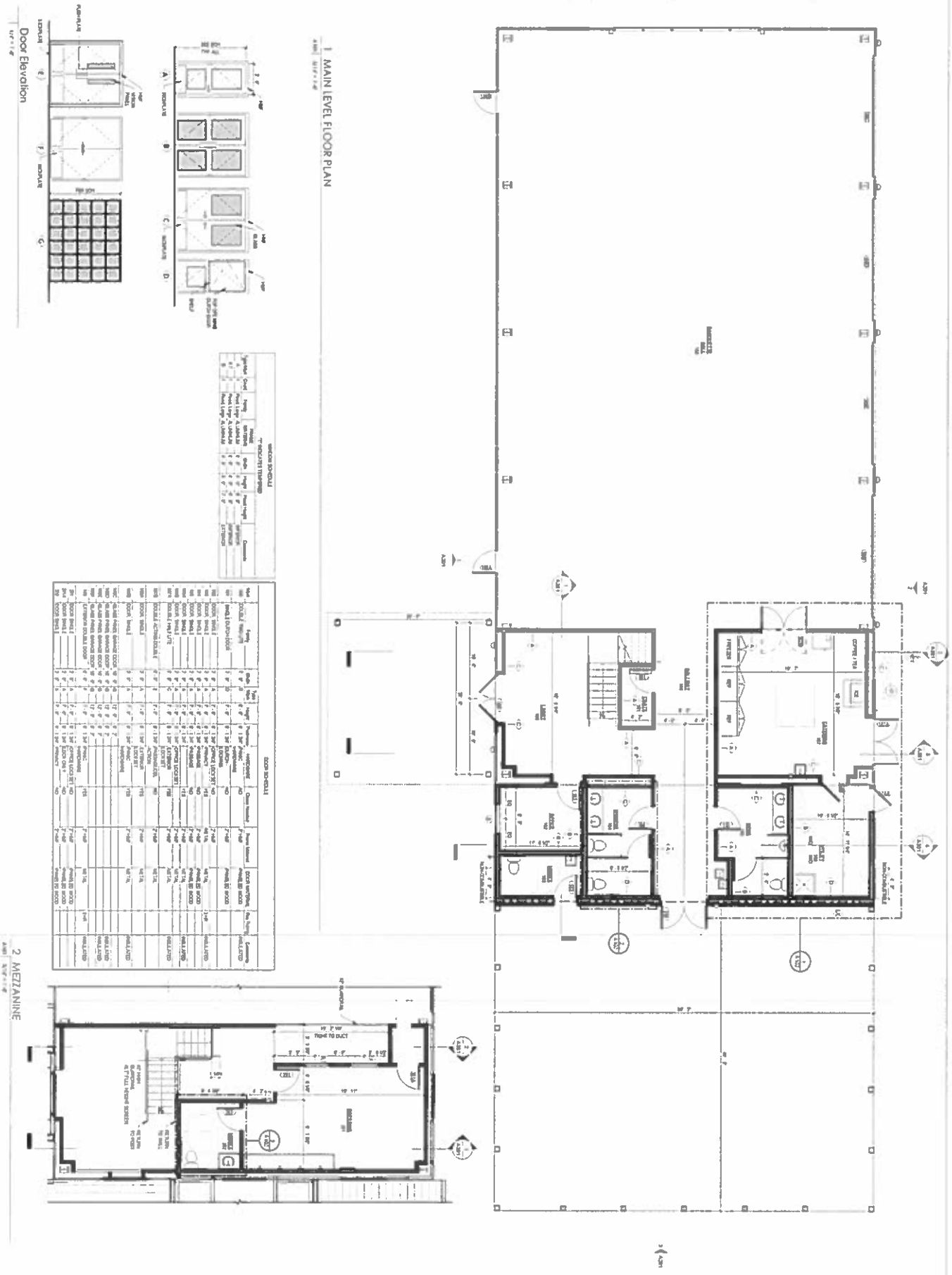
FORM & FUNCTION
ARCHITECTURE

DEERWOODE EVENT CENTER
315 RIVERSEDGE RD, MELBOURNE, FL 32940

ELEVATIONS

Issue Date: 01.06.23

A201



Issue Date: 01.06.23

A101

FLOOR PLAN

DEERWOODE EVENT CENTER
395 RIVERSEDGE RD, BREVARD, NC 28712

FORM & FUNCTION
ARCHITECTURE

WebGIS_Export

PIN	OWNER_NAME	ADDRESS_1	ADDRESS_3	CITY	STATE	ZIP_CODE	ACRES	LEGAL_ADDR
8585-41-2506-000	Gilfillin Eugene II		137 Angel Oak Dr	Pawleys Island	SC	29585	6.28517079	SR 1117
8585-41-4935-000	Wood Michael G &	Wood Ann H	295 Deerwoode Ln	Brevard	NC	28712	0.47321857	DEERWOOD LANE
8585-42-4034-000	Wood Michael G &	Wood Ann H	295 Deerwoode Ln	Brevard	NC	28712	0.50481752	DEERWOOD LANE
8585-42-5613-000	BIRDSONG HENRY W &	BIRDSONG TOWNSEND W	PO BOX 210	CEDAR MTN	NC	28718	0.57922446	DEERWOOD LANE
8585-42-6937-000	Schell Leigh Trustee		1629 Queens Rd West	Charlotte	NC	28207	2.19777096	OFF SR 1117
8585-62-2676-000	Cofer Mickey Duane		131 Cofer's Cove Rd	Brevard	NC	28712	9.9199573	OFF SUGAR LOAF ROAD
8585-71-2974-000	Hughey Larry Eugene		115 Bud Smith Ln	Brevard	NC	28712	2.202	OFF SUGAR LOAF ROAD 2.00
8585-71-4283-000	Sorrells Cameron B &	Sorrells Cadence B	PO Box 125	Brevard	NC	28712	0.97	TR B OFF SUGARLOAF RD .99
8585-72-1298-001	Massingale Betty Lou		590 Sugarloaf Rd	Brevard	NC	28712	3.92798971	ODD SUGAR LOAF ROAD
8585-74-1661-000	McCall June Allison		PO Box 856	Brevard	NC	28712	61.465	SUGAR LOAF ROAD
8584-78-4810-000	RAMSEY GAYLE E & VIRGINIA W						97.14786586	HWY 276
8585-41-4884-000	JACKSON MARY CAROL LAY		321 DEERWOODE LN	BREVARD	NC	28712	0.56111	DEERWOOD LANE
8585-42-5855-000	Wells Ora J &	Wells Susan S	50 Ashton Ln	Brevard	NC	28712	1.49583634	STATE ROAD # 1117
8585-71-3379-000	Sorrells James David		98 New Sorrells Est	Brevard	NC	28712	1.21	TR A OFF SUGARLOAF RD 1.22
8585-80-5159-000	Tabor Steven Walter		1195 See Off Mountain Rd	Brevard	NC	28712	55.215	off Sugarloaf Rd
8584-79-1121-000	RAMSEY GAYLE E & VIRGINIA W						2.021	OFF US HWY 276
8585-42-4154-000	Donaldson Wharton L III &	Donaldson Sara C CoTrustees	241 Deerwoode Ln	Brevard	NC	28712	0.48568108	DEERWOOD LANE
8585-42-4266-000	Hodgson Timothy A &	Hodgson Jessica J	235 Deerwoode Ln	Brevard	NC	28712	0.57724519	DEERWOOD LN
8585-42-4388-000	Robinson Mark Edward &	Robinson Susan Harris	213 Deerwoode Ln	Brevard	NC	28712	0.55672905	DEERWOODE LANE
8585-42-4593-000	Field Robert D &	Field Jayne G	189 Deerwoode Ln	Brevard	NC	28712	0.5686292	DEERWOOD LANE
8585-52-3863-000	Groves Jimmy E		100 Sugarloaf Cove LN	Brevard	NC	28712	6.12	OFF DEERWOOD LAND
8585-62-8327-000	McCall June Allison &	Mccall James Plato	PO Box 856	Brevard	NC	28712	2.22462578	OFF DEERWOOD LANE
8585-53-6584-000	Wood Risdon S &	Wood Moonyean C Trustees	181 Burning Bush Ln	Brevard	NC	28712	16.62452722	OFF SR 1119
8585-71-7375-000	Sorrells James R &	Sorrells Jenna L	1714 Trowbridge	High Point	NC	27265	5.63	TR-C SUGARLOAF ROAD
8585-71-8116-000	Sorrells Cameron B &	Sorrells Cadence B	PO Box 125	Brevard	NC	28712	2.15	TR-D SUGARLOAF RD
8584-48-4752-000	Sons LLC The		PO Box 66	Brevard	NC	28712	127.45999602	OFF SR 1114
8585-41-5743-000	JACKSON MARY CAROL LAY		321 DEERWOODE LN	BREVARD	NC	28712	0.46464402	DEERWOOD LANE
8585-62-8229-000	Massingale Nickey	Massingale Nickey D	592 Sugar Loaf Rd	Brevard	NC	28712	4.27337246	OFF SUGAR LOAF ROAD
8585-63-0071-000	McCall June Allison &	Mccall James Plato	PO Box 856	Brevard	NC	28712	1.73578119	OFF SUGAR LOAF RD 1.75
8585-71-1675-000	Hooper Brenda		115 BUD SMITH LN	Brevard	NC	28712	5.669	Bud Smith Ln

1. By a decibel meter of 85DB;
2. Located on the same parcel of land as the range;
3. Located at all entrances, windows, ventilation outlets, and any other outlet to the external environment;
4. Located at any shared wall, on the opposite side of such wall from the range;
5. Wielded by an independent, third party engineer or other qualified professional.
6. The applicant shall submit documentation from a licensed professional engineer with relevant experience, certifying that the range and the structure within which such range is to be housed has been designed to satisfy all requirements set forth above as well as any additional requirements of the BOA.

iv. At least one qualified individual in the sponsoring club or organization shall be certified (NRA or equivalent, or NC Criminal Justice standards) for shooting range supervision. Each facility shall adopt safety rules and regulations as determined by the sponsoring club or organization.

E. Live Performance Theater:

a. Definition: A building or space in which plays and other dramatic performances are given. This term includes concert halls and other structures typically with fixed seats arranged on a sloped or stepped floor.

F. Movie Theater:

a. Definition: A specialized theater for showing movies or motion pictures on a projection screen. This category also includes cineplexes and megaplexes, complex structures with multiple movie theaters, each theater capable of an independent performance.

G. Special Event Venue:

a. Definition: A multipurpose venue facility designed largely for hosting special events such as graduations, weddings, gatherings, trade shows, corporate function or meetings, and other similar functions. The facility may have a catering kitchen, indoor and outdoor seating, a stage or event area, and meeting/conference facilities.

b. Additional Standards:

i. Open burning of fires is prohibited without first obtaining a permit to do so from the fire chief (Brevard City Code Section 30-3).

H. Studios, Galleries, and Workshops – high impact:

a. Definition: Facilities for the creation and sale of artist products whose creation involves a substantial level of noise, vibrations, or use of heat that can be detected beyond the walls of the place, such as but not limited to metal work, stone sculpture, glass work and sculpture, fired ceramics, or woodworking.

I. Studios, Galleries, and Workshops – low impact:

a. Definition: Small facilities for the creation and sale of artistic products whose creation involves little or no noise, vibrations, or use of heat that can be detected beyond the walls of the building. These artisans may include painters, sculptors, craft-persons, musicians, dancers, martial artists, writers, and others that create works of aesthetic value. These spaces may provide individual and/or group instruction and training in the arts. This term also includes the processing of photographs produced only by users of the studio facilities,

CITY OF BREVARD BOARD OF ADJUSTMENT
SUGGESTED MOTION
SPECIAL USE PERMIT SUP-23-001

With regard to Case No. SUP-23-001, seeking a Special Use Permit to allow Special Event Venue in the General Residential-4 (GR-4) zoning district on property located at 395 Riversedge Rd, within the City of Brevard, I move the Board to make the following findings of fact:

a) The use meets/**(does not meet)** all requirements and specifications of the Ordinance and any adopted land use plans and is in harmony with the general purpose and intent and preserves its spirit;

List FINDINGS OF FACT for this element per the testimony received

b) The proposed use or structure will/**(will not)**, if developed according to the plan submitted and approved, be visually and functionally compatible with the surrounding area; and

List FINDINGS OF FACT for this element per the testimony received

c) The proposed use or structure will not be/**(will be)** injurious to the public health, safety, and welfare, and will not be/**(will be)** detrimental to the value of adjoining property and associated uses.

List FINDINGS OF FACT for this element per the testimony received

Accordingly, I further move the Board to **GRANT/(DENY)** the requested special use permit to allow a *Special Event Venue* on property located at 395 Riversedge Rd, within the City of Brevard in accordance with and only to the extent represented in the application and plans.

[IF, AND ONLY IF, YOU WISH TO ADD CONDITIONS, THEN STATE THE FOLLOWING]

"and subject to the following conditions:"

[THEN LIST CONDITIONS]