



**AMMENDED MAY 29, 2025 AGENDA**  
**BREVARD BOARD OF ADJUSTMENT - REGULAR MEETING**  
**Tuesday, June 3, 2025 - 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. Draft Minutes - May 6th, 2025

**VI. Approval of Orders**

**VII. New Business**

- a. Consideration of SUP-25-001 - Wolf Pen Cove Rd.
- b. Consideration of SUP-25-002 - 107 S. Johnson St.

**VIII. Unfinished Business**

**IX. Remarks**

**X. Adjourn**

---

Agenda Posted, Website (May 27, 2025)  
M. Baker, Clerk to the Board

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

**STAFF REPORT**  
**Board of Adjustment, Tuesday, June 3, 2025**

**Title:** Consideration of SUP-25-001 - Wolf Pen Cove Rd.  
**Speaker:** Aaron Bland, Asst Planning Director  
**Prepared by:** Aaron Bland, Asst Planning Director  
**Approved by:** Paul Ray, Planning Director

**Background**

Melanie Spreen, as agent for Charles Taylor, has submitted an application to the City for a Special Use Permit (SUP) to operate a *Campground and Special Event Venue* on a parcel located off of Wolf Pen Cove Road. Notice of the hearing was advertised and posted on the property in accordance with North Carolina General Statute §160D-406(b) and the City of Brevard Unified Development Ordinance (UDO) Section 16.8.B.2.

The *Campground/Recreational Vehicle Park* use is defined by the City’s UDO as “Establishments accommodating campers and their equipment, including tents, tent trailers, travel trailers, and recreational vehicles. Facilities and services may include washrooms and food services. The property shall be used for recreational purposes and retain an open air or natural character. This definition shall not include manufactured homes, manufactured home parks, or the storage of recreational equipment or vehicles.”

The *Special Event Venue* is defined 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.”

**Site and Surrounding Conditions**

The subject parcel is zoned General Residential – 4 (GR4) and is only partially inside the City’s extra-territorial jurisdiction (ETJ). Much of the proposed use of the property falls outside the City’s jurisdiction. However, some of the campground and event use will occur inside the ETJ portion of the property, necessitating the application for the SUP. The subject parcel is 45 acres in size and is part of a larger development area of multiple parcels, totaling an area of over 130 acres.

The surrounding land uses are primarily residential single-family housing and vacant lots. The City’s Bracken Preserve is nearby but not adjacent. Many of the adjacent and surrounding properties are also owned by the subject property’s owner. While the property has a small amount of frontage on Wolf Pen Cove Road, which is a state-owned and maintained street (SR-1341), there is also frontage on private roads within the larger scope of the development. However, it is Staff’s assumption that most of the traffic will access the proposed campground and special event venue uses via Wolf Pen Cove Road.

**Policy Analysis**

The Future Land Use Map of the *2030 Comprehensive Land Use Plan* identifies this parcel as identified as the “Conservation Design/Low Density” character area. This is defined as “Lower density areas that have significant natural resources and/or constraints. Conservation Design is encouraged to protect natural resources. This type of development clusters structures and site improvements together on a portion of a site while reserving the remainder of the site for open space.” Typical uses include outdoor recreation and lodging (CLUP, p 28-31).

**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. Application Details
2. Application Form
3. Appointment of Agent
4. Site Plan



SUP File # \_\_\_\_\_

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

**Applicant/Agent:**

Name \_\_\_\_\_

Mailing Address **170 South Broad Street, 2B** \_\_\_\_\_

City/State/Zip Code \_\_\_\_\_

Telephone Number \_\_\_\_\_ Email Address \_\_\_\_\_

**Property Owner (if different from the applicant):**

Name \_\_\_\_\_

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:** \_\_\_\_\_

**Transylvania County Property Identification # (PIN):** \_\_\_\_\_

**Request SUP as permitted in Unified Development Ordinance Section(s):**  
3.6.2 Camping Use B. Campground; 3.14.1 Outdoor Special Event Venue  
\_\_\_\_\_

**Proposed Special Use to Allow:** \_\_\_\_\_

**Zoning District:** \_\_\_\_\_ **Located within City Limits? (Y/N)** \_\_\_\_\_

**Flood Hazard Area? (Y/N):** \_\_\_\_\_

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 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. 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.

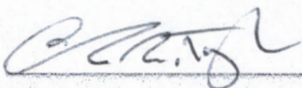
In the spaces provided below, indicate the facts that you intend to show and the arguments that you intend to convince the Brevard Board of Adjustment that it can properly reach the three (3) required conclusions:

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.
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.

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 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: 4/17/2025

Signature of Applicant/Agent:  Date: 4/14/2025

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: \_\_\_\_\_



Application For Special Use Permit (SUP) Brevard Board Of Adjustment  
Wolf Pen Cove Road, Brevard

April 18, 2025

**A. Property Information**

**PIN:** 8576-72-1310-000

*Owner:* Monte Vista Inc.

*Calculated Acreage :* 45.15 Acres

*Zoning Classification -* West of Bracken’s Creek – No Zoning (County Jurisdiction)

East of Bracken’s Creek – General Residential (ETJ)

*General Description of the Parcel*

The specified parcel, PIN# 8576-72-1310-000, is characterized by heavily forested terrain with generally steep slopes (>25%) down to relatively flat areas in a narrow valley, following Bracken’s Creek. The parcel straddles the City of Brevard’s Extra-Territorial Jurisdiction (ETJ) boundary, defined by the creek, which runs north to south. At the southern end of the parcel, the valley follows a pond and wetland to Wolf Pen Cove Road. Vestiges of former building sites are located north of the pond, along a private road (Bracken’s Creek Drive), beginning at the access to the property from Wolf Pen Cove Road.

The property historically had amenities and commercial lodging use as far back as 1974 when a 12-bedroom lodge addition was built beside an older single-family home and caretaker’s residence. Later in the mid-1980s a commercial kitchen was added, and a bed and breakfast operation ran until approximately 1995. The structures were demolished in 2001, and plans were made for an overnight camp facility to serve children with terminal illness. This redevelopment plan was begun but never completed and the property was dormant from approximately 2002 until the present project began project due diligence in 2021.

The specified parcel is part of a larger development area with multiple parcels owned by the developer with the intended purpose of a campground. The total development area is comprised of 135 acres, with the majority located in Transylvania County, not subject to zoning ordinance of the City of Brevard/ETJ. Due to the steep terrain, the campground development is concentrated along the existing or previously existing building sites, ponds, roads, and operating underground electrical infrastructure, located on the parcel outside of the ETJ.

The campground is a glamping concept comprised of high quality European designed and manufactured canvas tents on elevated wooden platforms, beginning with thirteen tent units along the existing road overlooking the pond and wetland. Planned expansion of twelve additional units will be located along the existing roadbed to be improved on the western portion of the parcel, outside of the ETJ. Each tent unit sleeps 2-5 depending on the size of the unit. Sites for travel trailers and recreational vehicles (RVs) will not be provided as part of this glamping concept.



Typical Tent Unit (courtesy of Tent Masters)

Central to the campground, located at the former lodge/bed and breakfast site, will be a small lodge and office (also built of canvas tents on wooden deck platform), and a comfort station with restrooms and showers for campers. Parking is dispersed along the road within proximity to each of the tent units and lodge.

A portion of the parcel, approximately 25 acres, is located east of the creek and within the ETJ. Most of this area is steep and heavily forested, however, about an acre of relatively flat land east of the creek and pond are located along the existing road within the central campground area and is ideally suited for accessory amenities and recreational use for the campground.

See Site Plan attached at end of document.

## B. Request for Special Use Permit

- Ordinance 3.6 - Lodging uses

### 3.6.2 Camping Use Category

#### B. Campground / recreational vehicle park.

*1. Definition: Establishments accommodating campers and their equipment, including tents, tent trailers, travel trailers, and recreational vehicles. Facilities and services may include washrooms and food services. The property shall be used for recreational purposes and retain an open air or natural character. This definition shall not include manufactured homes, manufactured home parks, or the storage of recreational equipment or vehicles.*

*2. Additional Standards:*

*a. Individual campsites or recreational vehicle sites shall be set back a minimum of 100 feet from all lot lines.*

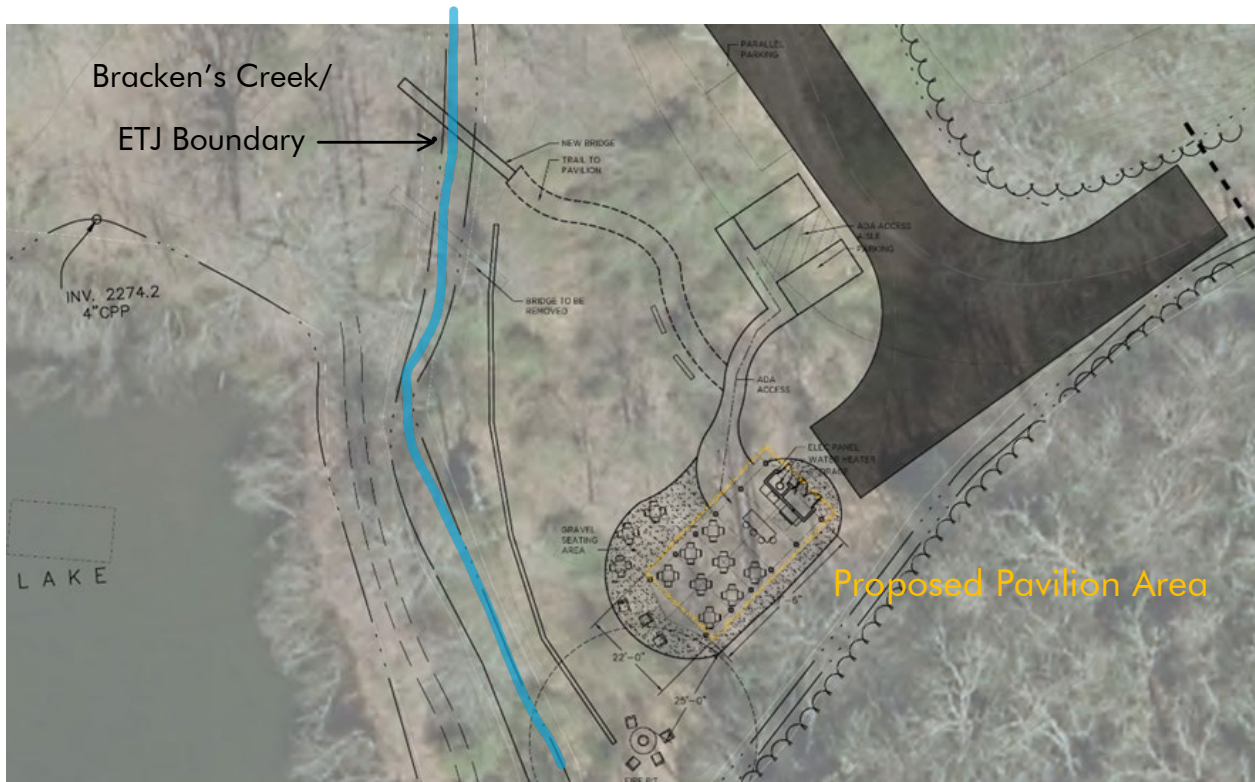
A Special Use Permit for the specified parcel is requested for 'Camping Use' for the purpose of offering compatible, accessory structures and uses on the ETJ portion of the parcel immediately adjacent to Brackens Creek. The areas of the parcel most likely to be utilized as part of the project include the limited flat land (approximately an acre), adjacent to Brackens Creek to function as common space with the possibility of a pavilion and fire ring. This is one of the only flat portions of the larger parcel and while much of it will be left as open green space, the proposed use will include a moderately-sized, open-air pavilion, comprised of canvas tent structure similar to other site features. The pavilion, approximately 800 square feet, will primarily be used by individuals seeking shade or relief from the weather with occasional group use expected. Based on the size of the pavilion, total occupancy will be limited to less than 50 occupants. Adjacent to the pavilion will be a fire pit as well as some limited parking, including an ADA space with coinciding ADA accessibility.

It is important that such an amenity be in close proximity to the project's central campus to make use of the bathroom facilities, located just across Bracken's Creek (on the county-side of the parcel).

Beyond the portion of the parcel being discussed, the current plans for the remainder of the ETJ portion of the parcel are limited to passive recreational use accessory to the campground, with a planned hike/bike trail. The trail corridor is currently flagged well away from any of the private lots on Laurel Falls Road not owned by the developer, or the Taylor family.



*Similar Tent Structure for Pavilion Use*



Proposed Pavilion Site Plan

- **Ordinance 3.14.1 – Temporary Events and Structures**

*Definition: Outdoor Special event venue: 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.*

At the recommendation of COB Planning Staff, a Special Use Permit for Outdoor Special Event Venue is requested in order to accommodate occasional use of the proposed pavilion for group events such as gatherings and special events. The pavilion will be a permanent tent structure with limited seating. No catering kitchen or plumbed facilities will be provided at the pavilion. Due to the size of the pavilion, overall capacity of the campground, and limited parking on the site, the total number of occupants of the pavilion is limited to less than 50 occupants.

### C. Justification

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.*

Per the UDO, *The General Residential District is intended for the city's existing predominately-residential neighborhoods as well as provide for new primarily-residential development in*

accordance with this pattern. These districts are differentiated only by the density of the overall development relative to the planning goals of the city as set forth in the Comprehensive Land Use Plan.

Per the Future Land Use Map in the City's 2030 Comprehensive Land Use Plan (CLUP), the specified parcel/project site is recommended for Conservation Design/Low Density and is constrained by steep slopes of greater than 25%. (See CLUP plan at end of document).

The requested use is consistent with the purpose and intent of the Land Use Plan as a typical use (outdoor recreation and lodging) recommended for the Conservation Design/Low Density area, in particular where topography presents significant constraints on development of the site. See excerpt from Comprehensive Land Use Plan description below.

**Conservation Design / Low Density**

These areas include lower density areas that have significant natural resources and/or constraints. Conservation Design is encouraged to protect natural resources. This type of development clusters structures and site improvements together on a portion of a site while reserving the remainder of the site for open space. Smaller lots are typically used in the developed portion of the site and density transfers from constrained areas of the site are encouraged in zoning regulations. This type of neighborhood design provides flexibility, particularly in areas with challenging topography. There is also often a savings in development costs due to less road surface, shorter utility runs, and reduced grading and site preparation. The preserved land may be owned and managed by a homeowners association or land trust.



**Typical uses:** Single- and multi-family residential; agriculture; outdoor recreation; lodging

*Excerpt from Brevard CLUP, courtesy City of Brevard*

Additionally, the proposed use meets 2 of the goals specified in the CLUP:

- 5. Celebrate Brevard's natural resources through conservation of environmentally sensitive areas, improving access to recreation, and restoration of native ecosystems.
  
- 7. Support economic vitality and grow the tax base, cultivate local businesses, and attract sustainable industry.

The campground is a low density use on a small portion of the development area with natural areas and resources being preserved and used for responsible recreation, providing an

alternative lodging experience to support visitors to the local area. The close proximity of the campground to downtown Brevard will also support local businesses and economic vitality.

- 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.*

The campground will be designed in a manner which is compatible with the natural features and topography of the tract undergoing development, and in a manner which provides safe, healthful and convenient camping facilities for campground users consistent with minimum land disturbance. Utilization of existing features and previously developed building sites limits disturbance of natural areas for development. The wood frame tent structure and canvas cover blends into the natural surrounds and will have limited visibility from the central area of the camp. The proposed amenities in the valley near the pond are located at approximately 2,275 feet base flood elevation (B.F.E.). The ridgelines to the northeast and southeast at the property boundary are approximately 140 feet above the elevation in the valley. Bordering private properties will have limited to no visibility of the proposed campground amenities in the ETJ due to the difference in elevation, steep topography, and dense forests.

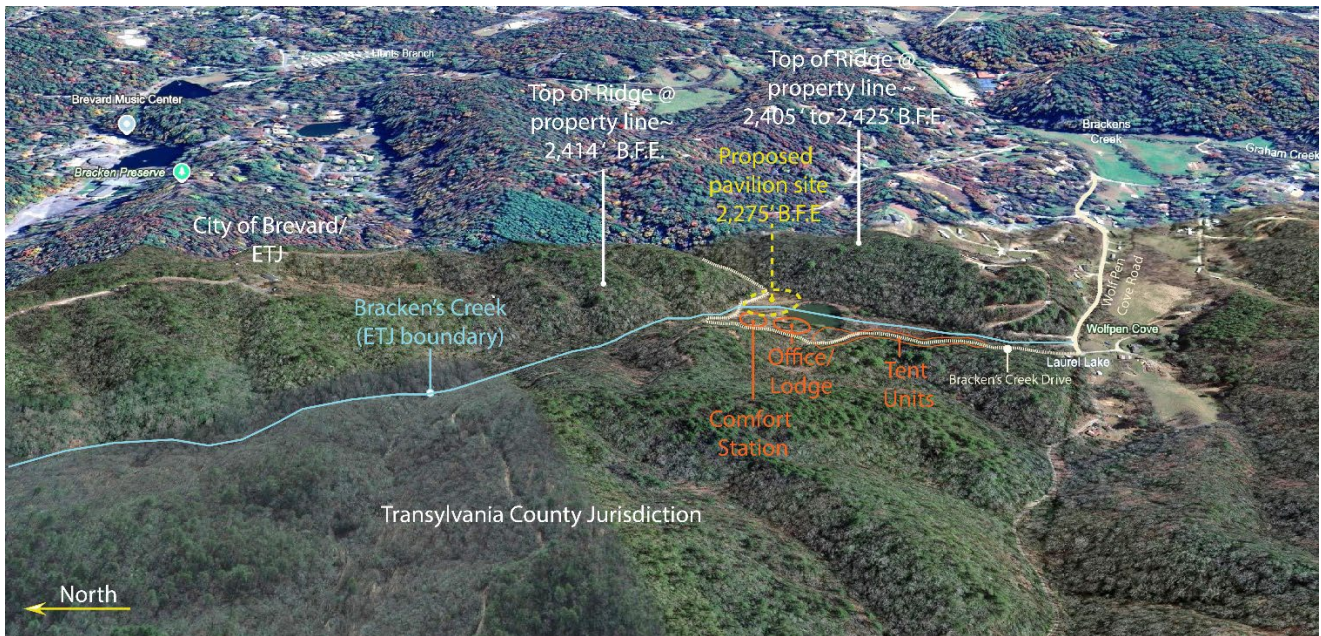


Diagram of Site and Terrain looking East (3D imagery from Google Earth)

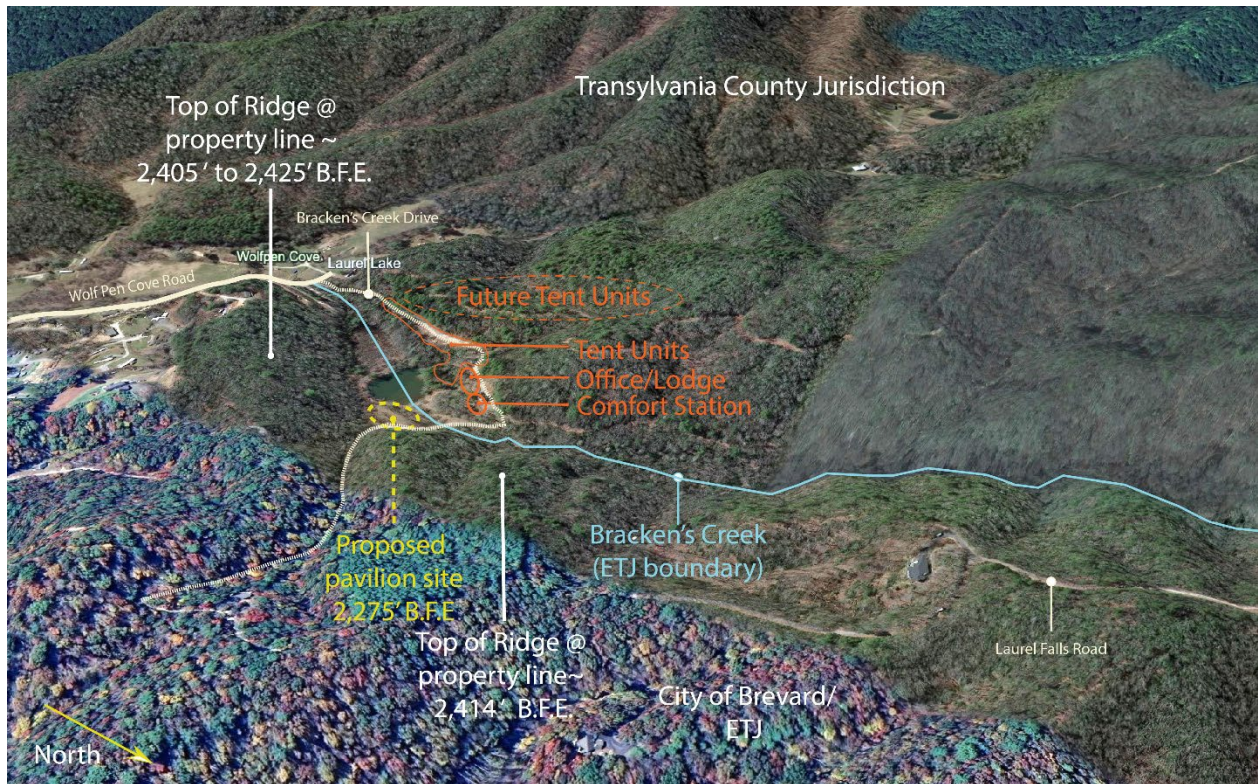


Diagram of Site and Terrain looking Southwest (3D imagery from Google Earth)

The project goal is to preserve a secluded experience in nature for all visitors to the glamping project. This will be achieved by appropriately buffering campers/visitors, as much as possible, from any outside development amenity from neighboring residential and road infrastructure. The majority (95%) of the ETJ portion of this parcel will be left in its natural, forested state for the enjoyment of guests and as a buffer from land/lot owners on Laurel Falls Road. The goal is to create a true conservation development where an intact corridor is left between the valley and Bracken Preserve and Pisgah National Forest.

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.*

The proposed Camping Use will not be injurious to public health, safety, and welfare. Access to the amenities will be restricted to use by campers and monitored by the campground operator. The location of these amenities is easily accessible by all campers, with extensive buffers from adjacent private property. The proposed amenity area on the ETJ portion of the parcel is located 650 feet from adjacent properties to the north/east, 375 feet from the south/east, and 560 feet from the west.

The low density of the proposed camping use with limitation on type of camping units is more compatible with the existing adjacent single family residential properties in comparison to potential development for higher density lodging uses and/or multi-family residential development.

Hike/bike trails will also be located a safe distance from adjacent private properties. Signage will be posted to keep campers/visitors utilizing trails from veering too close to private property. One of the few adjacent neighbors in the ETJ are the Hartmans on Laurel Falls Road. Jared Hartman, a trail expert and Trails Program Director with Pisgah SORBA, is aware of the trail plans and has been consulted on the siting of the trails noted.

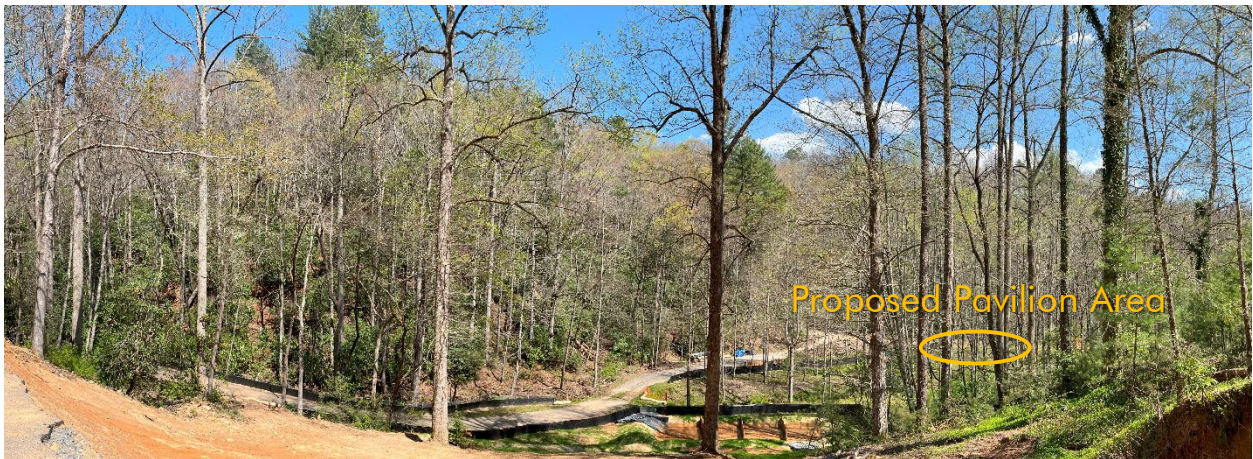
#### D. Photos – Context



*Site Photo 1 - Brackens Creek (ETJ Boundary) looking southeast*



Site Photo 2 - View of Pavilion Site



Site Photo 3 - View from future Comfort Station (Restrooms) looking southeast



Site Photo 4 - Bracken's Creek (ETJ Boundary) looking north toward Transylvania County Jurisdiction



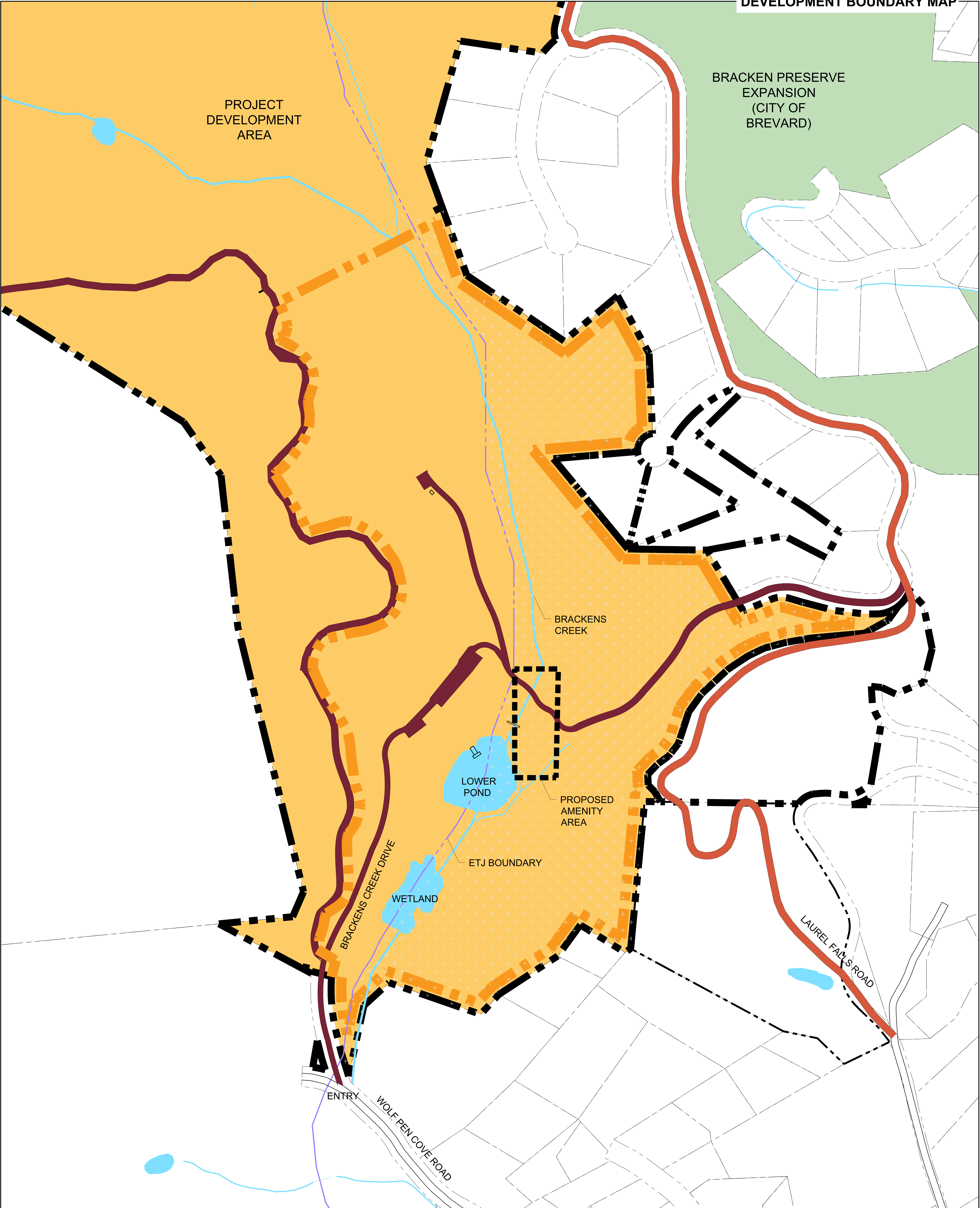
Site Photo 5 - View from Pavilion Site looking north

**E. Tax Parcel & Ownership Information For Properties within 200 Feet (to be verified)**

<b>PIN</b>	<b>OWNER_NAME</b>	<b>ADDRESS</b>	<b>CITY</b>	<b>STATE</b>	<b>ZIP_CODE</b>
8575-69-5704-000	Raines Barbara F Trustee ETAL	1197 Island Ford Rd	Brevard	NC	28712
8576-32-2691-000	Sons LLC The	PO Box 66	Brevard	NC	28712
8576-41-8737-000	Berman Adam B &	1761 Atlantic Ave	Sullivans Island	SC	29482
8576-60-9659-000	McCall Cynthia P	201 Austin Ridge	Brevard	NC	28712
8576-63-2201-000	Sons LLC The	PO Box 66	Brevard	NC	28712
8576-70-3724-000	Monte Vista Inc	PO Box 66	Brevard	NC	28712
8576-70-4568-000	Wood Dean M &	248 Dillingham Rd	Brevard	NC	28712
8576-70-4846-000	Campbell Paula	Po Box 1056	Flat Rock	NC	28731
8576-70-7609-000	Wood Dean M &	248 Dillingham Rd	Brevard	NC	28712
8576-70-9901-000	Sons LLC The	PO Box 66	Brevard	NC	28712
8576-71-7292-000	Geoghegan Edward J & Dian K	Po Box 903	Bryson City	NC	28713
8576-72-1310-000	Monte Vista Inc	PO Box 66	Brevard	NC	28712
8576-72-1987-000	Monte Vista Inc	PO Box 66	Brevard	NC	28712
8576-72-2871-000	Sons LLC The	PO Box 66	Brevard	NC	28712
8576-72-4853-000	Monte Vista Inc	PO Box 66	Brevard	NC	28712
8576-72-5203-000	Monte Vista Inc	PO Box 66	Brevard	NC	28712
8576-72-6198-000	Monte Vista Inc	PO Box 66	Brevard	NC	28712
8576-72-6756-000	Monte Vista Inc	PO Box 66	Brevard	NC	28712
8576-72-7517-000	Monte Vista Inc	PO Box 66	Brevard	NC	28712
8576-72-9062-000	Monte Vista Inc	PO Box 66	Brevard	NC	28712
8576-73-1121-000	Monte Vista Inc	PO Box 66	Brevard	NC	28712
8576-73-5025-000	Monte Vista Inc	PO Box 66	Brevard	NC	28712
8576-81-2938-000	Hartman Jared &	475 Laurel Falls Rd	Brevard	NC	28712

**F. Site Plan (see following page)**

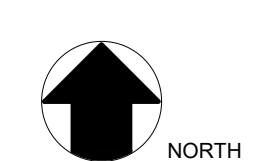
**G. City of Brevard Comprehensive Land Use Plan (see end of document)**



**LEGEND**

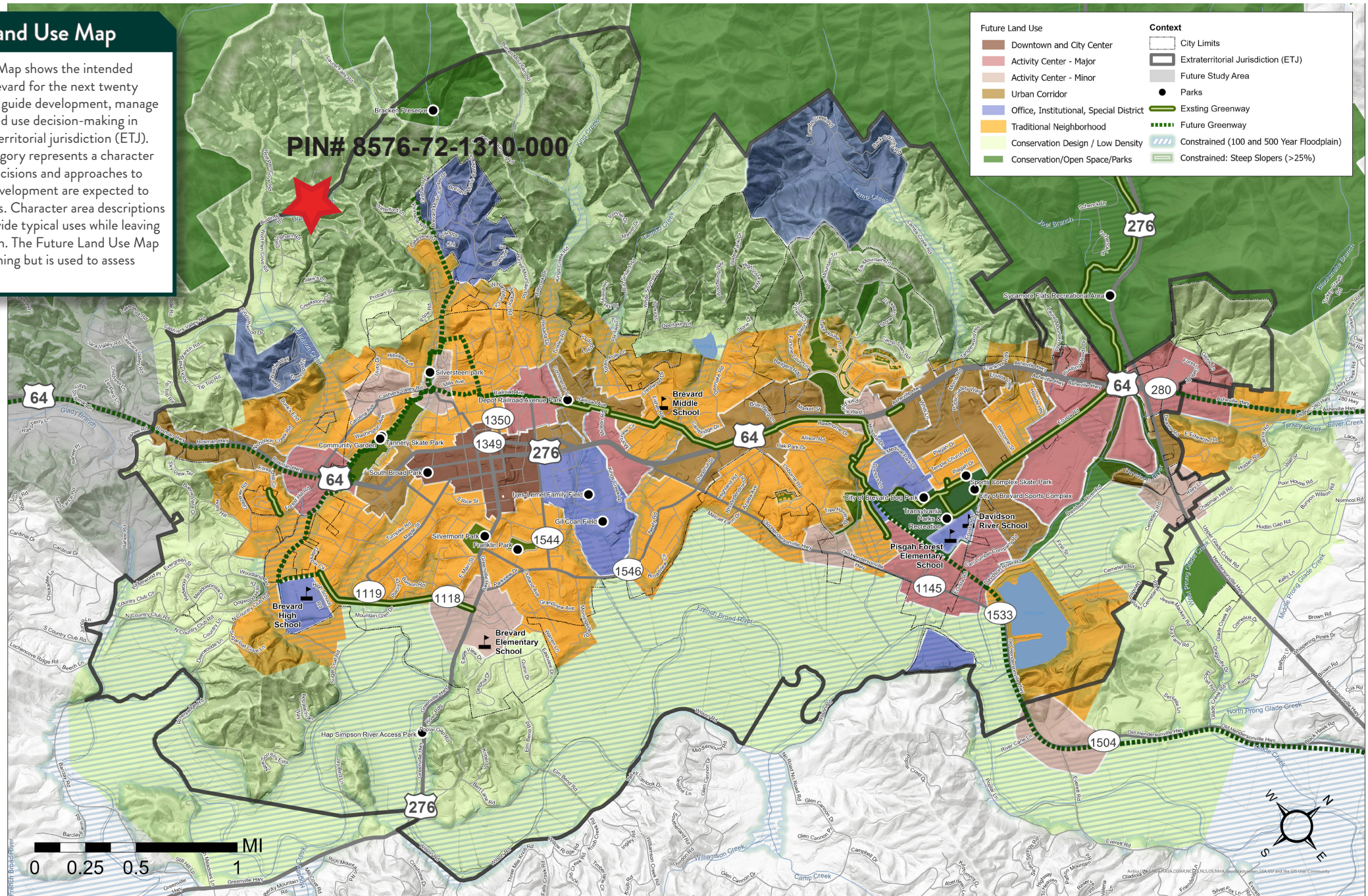
- |  |  |  |   |
|--|--|--|---|
|  | CURRENT PROJECT DEVELOPMENT AREA                   |  | PRIMARY DEVELOPMENT ROAD                      |
|  | EXTRA- TERRITORIAL JURISDICTION (ETJ) ON PARCEL    |  | LAUREL FALLS DEVELOPMENT ROAD                 |
|  | BRACKEN MOUNTAIN PRESERVE/CITY OF BREVARD PROPERTY |  | EXTRA-TERRITORIAL JURISDICTION (ETJ) BOUNDARY |
|  | BREVARD MUSIC CENTER PROPERTY                      |  | DEVELOPMENT PROPERTY BOUNDARY                 |
|  | PRIVATE PROPERTY                                   |  | PARCEL PIN# 8576721310000 BOUNDARY            |

©Copyright 2025, May Collaborative PLLC. All Rights Reserved



## Future Land Use Map

The Future Land Use Map shows the intended land use pattern in Brevard for the next twenty years. It is designed to guide development, manage growth, and inform land use decision-making in the City and its extraterritorial jurisdiction (ETJ). Each color-coded category represents a character area where land use decisions and approaches to development and redevelopment are expected to follow similar principles. Character area descriptions explain intent and provide typical uses while leaving room for interpretation. The Future Land Use Map is not as detailed as zoning but is used to assess rezoning requests.





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-  
25-001  
SUP File #

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

**Applicant/Agent:**

Name Melanie Spreen, May Collaborative

Mailing Address 170 South Broad Street, 2B

City/State/Zip Code Brevard, NC 28712

Telephone Number 828-866-3104 Email Address melanie@designwithmay.com

**Property Owner (if different from the applicant):**

Name Monte Vista Inc

Address PO Box 66

City/State/Zip Code Brevard, NC 28712

Telephone Number 828-393-4868 Email Address CRTaylor@FGCRealty.com

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

**Address of requested site:** Wolf Pen Cove Rd.

**Transylvania County Property Identification # (PIN):** 8576721310000

**Request SUP as permitted in Unified Development Ordinance Section(s):**  
3.6.2 Camping Use B. Campground; 3.14.1 Outdoor Special Event Venue

**Proposed Special Use to Allow:** Campground and Outdoor Special Event Venue

**Zoning District:** GR **Located within City Limits? (Y/N)** ETJ

**Flood Hazard Area? (Y/N):** N

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 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. 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 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.

*See emailed application packet.*

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 emailed application packet.*

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 emailed application packet.*

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: *[Signature]* Date: 4/17/2025

Signature of Applicant/Agent: *Melanie Green* Date: 4/14/2025

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: June 3, 2025



SUP File# \_\_\_\_\_


**BREVARD BOARD OF ADJUSTMENT – SPECIAL USE PERMIT**

**APPOINTMENT OF AGENT**

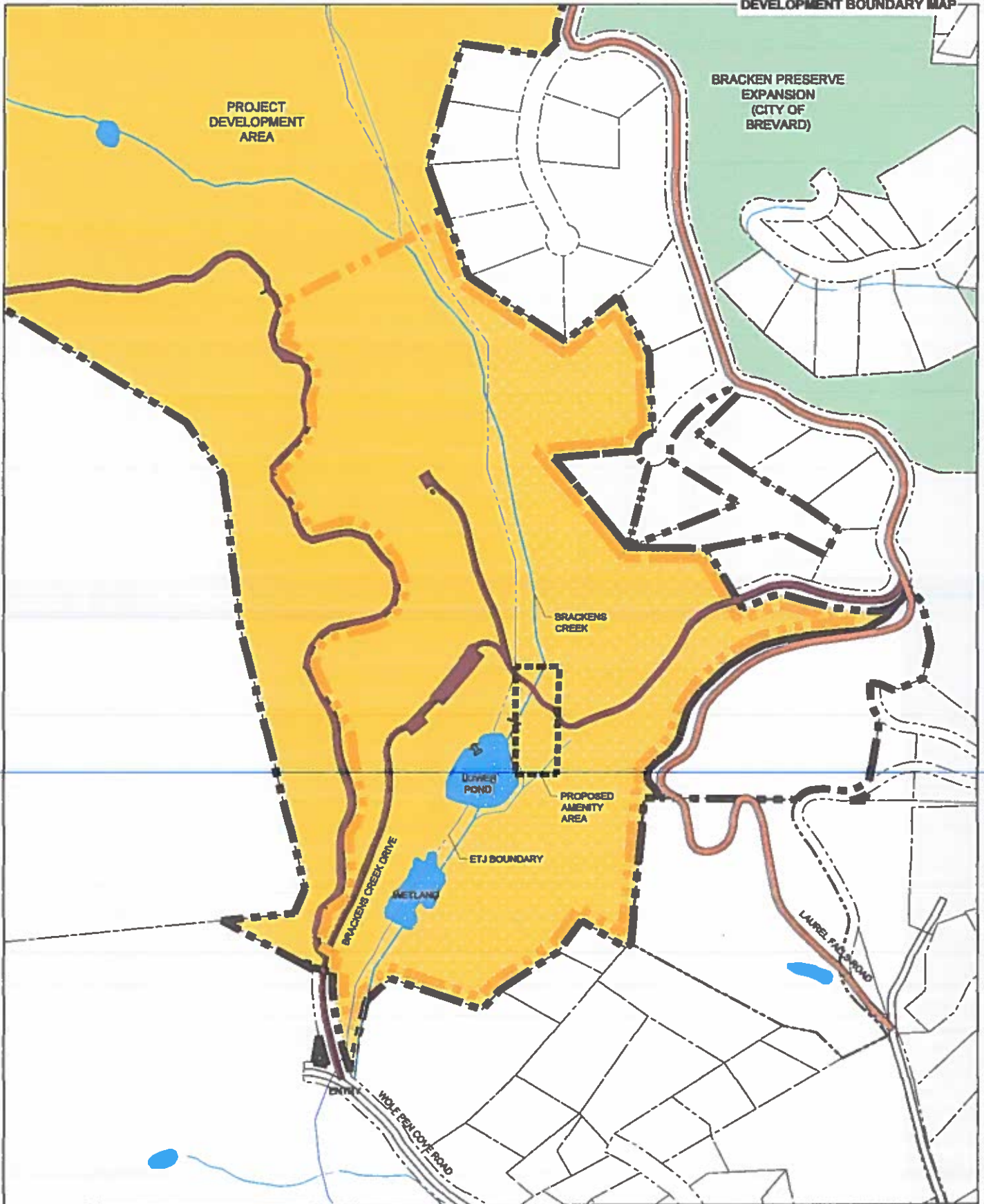
I Charles R. Taylor, owner of property located at  
(street address) Wolf Pen Cove Rd. and  
identified by the Transylvania County Tax Identification Number (PIN#):

8576721310000, located in Transylvania County, North Carolina, do  
hereby appoint Melanie Spreen, May Collaborative to represent me in  
filing an application for Special Use Permit before the Brevard Board of Adjustment.

I further authorize Melanie Spreen, May Collaborative to act as my agent in  
all matters, formal and informal, and to receive all official correspondence as it relates to  
the SPECIAL USE PERMIT request and hearing.

Property Owner Signature:  Date: 4/21/2025  
Mailing Address: PO Box 66  
Phone: 828-788-8729 Email: crtaylor@fgcrealty.com

Agent Name: Melanie Spreen, May Collaborative  
Mailing Address: 170 S. Broad Suite 2-B Brevard, NC 28712  
Phone: 828.866.3104 Email: melanie@designwithmay.com



**LEGEND**

- |   |  |   |   |
|---|--|---|---|
|  | CURRENT PROJECT DEVELOPMENT AREA                   |  | PRIMARY DEVELOPMENT ROAD                      |
|  | EXTRA-TERRITORIAL JURISDICTION (ETJ) ON PARCEL     |  | LAUREL FALLS DEVELOPMENT ROAD                 |
|  | BRACKEN MOUNTAIN PRESERVE/CITY OF BREVARD PROPERTY |  | EXTRA-TERRITORIAL JURISDICTION (ETJ) BOUNDARY |
|  | BREVARD MUSIC CENTER PROPERTY                      |  | DEVELOPMENT PROPERTY BOUNDARY                 |
|  | PRIVATE PROPERTY                                   |  | PARCEL PIN# 8576721310000 BOUNDARY            |

Copyright © 2025 by the City of Brevard, FL. All Rights Reserved.

BREVARD, NC

**STAFF REPORT**  
**Board of Adjustment, Tuesday, June 3, 2025**

**Title:** Consideration of SUP-25-002 - 107 S. Johnson St.

**Speaker:** Katherine Buzby  
**Prepared by:** Katherine Buzby, Planner/Assistant Zoning Administrator  
**Approved by:** Paul Ray, Planning Director

**STAFF REPORT**  
Board of Adjustment, June 3, 2025

**Title: Special Use Permit Request SUP-25-002**  
The Board will hear a request for a Special Use Permit to operate a *Shelter* at 107. S Johnson Street.

**Background**

Emily Lowery, of the Haven of Transylvania County, submitted an application to the City on April 17, 2025, for a Special Use Permit (SUP) to operate a *Shelter* at 107 S. Johnson Street in Brevard. The property is currently zoned General Residential-8 and the proposed use requires a Special Use Permit.

*Shelter* is defined in the Unified Development Ordinance (UDO) Chapter 3.5.3.C as: “A nonprofit, charitable, or religious organization providing boarding and/or lodging and ancillary services on its premises primarily to persons temporarily in crisis such as those experiencing family violence, natural disaster, fire, economic distress, neighborhood violence, and homelessness.”

The Haven is proposing to run a women’s shelter that provides “supportive and transitional housing programs” for women facing homelessness, which is considered a residential use by the UDO. While the UDO does specify a Special Use Permit is required, it does not have any other specific conditions for the permit.

A Neighborhood Compatibility Meeting was conducted on May 29, 2025. The main topics discussed have been summarized and a copy will be provided to the Board for review.

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).

**Investigation**

The property is a residential house that is adjacent to the Downtown Development Overlay District and the uses are a combination of commercial and residential in the neighborhood.

The Children’s Center is adjacent to the north, and adjacent to the south is Pisgah Tax &

Accounting which was granted a Special Use Permit in 2022 to operate. To the west is Grace Church, and slightly southwest is the Social Services building for the County.

Staff received correspondence (letters and emails) from neighbors related to the application.

### **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. Application and Site Plan- Attachment A

2. Site Location and Pictures- Attachment B



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 # SUR-25-002

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

**Applicant/Agent:**

Name The Haven of Transylvania County

Mailing Address \_\_\_\_\_

City/State/Zip Code P.O. Box 25, Brevard, NC 28712

Telephone Number 828.877.2040 Email Address admin@havenoftc.org

# 7

**Property Owner (if different from the applicant):**

Name The Children's Center

Address 95 S. Johnson St.

City/State/Zip Code Brevard, NC 28712

Telephone Number 828.885.7286 Email Address sherri.childrenscenter@gmail.com

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

**Address of requested site:** 107 S. Johnson St.

**Transylvania County Property Identification # (PIN):** 8586-50-5093-000

**Request SUP as permitted in Unified Development Ordinance Section(s):**  
\_\_\_\_\_

**Proposed Special Use to Allow:** Women's transitional shelter

**Zoning District:** General Residential-8 **Located within City Limits? (Y/N)** Y

**Flood Hazard Area? (Y/N):** N

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 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. 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 intend to convince the Brevard Board of Adjustment that it can properly reach the three (3) required conclusions:

### **SEE ATTACHMENTS**

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.
  
  
  
  
  
  
  
  
  
  
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.

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 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: Roberta Hallinan Date: <sup>pt</sup> ~~4/~~ 17/25

Signature of Applicant/Agent: Emily Lowery Date: 4/17/25

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: June 3, 2028

## **Attachment to SUP**

We respectfully submit this zoning application to request a Special Permit Use for the establishment of a dedicated women's shelter that will serve as a critical resource for our community. Our organization is committed to bridging the gap between homelessness and permanent housing for both families and individuals by providing safe, transitional shelter and essential support services.

At present, we house both men and women in a shared facility. While this has allowed us to meet immediate needs, it is far from ideal—especially for our female guests, who currently make up nearly half of our population. Many of these women are overcoming traumatic circumstances. A dedicated women's shelter will provide the safety, dignity, and focused support they need to heal, grow, and take the next steps toward lasting independence.

Our vision is to eliminate homelessness in our county and surrounding areas—creating lasting change, one guest at a time. By opening a shelter designed specifically for women, we aim to provide a nurturing and empowering environment that truly supports their journey from crisis to stability. We are deeply committed to working collaboratively with local officials, service providers, and community members to ensure that this project meets both urgent needs and long-term goals.

---

Question 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.

**Our proposed women's supportive and transitional shelter fully complies with all UDO zoning requirements, land use regulations, and the broader goals outlined in any adopted land use plans as defined below:**

**Chapter 2.2.A.1 permitted uses for social services such as shelters are allowed with a SUP.**

**Chapter 3.5.3.C. Shelter is defined as** A nonprofit, charitable, or religious organization providing boarding and/or lodging and ancillary services on its premises primarily to persons temporarily in crisis such as

those experiencing family violence, natural disaster, fire, economic distress, neighborhood violence, and homelessness.

**Specifically, The Haven and this Women's Shelter:**

- **Meets All Ordinance Requirements:** The supportive and transitional shelter will operate within the zoning district's allowed uses (or as a permitted special use), following all setbacks, parking, safety, and occupancy standards required by the ordinance.
- **Is In Harmony with the Land Use Plan:** The supportive and transitional shelter supports key priorities in the comprehensive plan—such as increasing housing stability, promoting public health, and addressing the needs of underserved populations.
- **Preserves the Spirit and Intent of the Ordinance:** At its core, zoning aims to protect health, safety, and welfare. Our shelter does exactly that by reducing homelessness, promoting safety for vulnerable women, and offering structured, well-managed services that strengthen—not strain—the surrounding area.

This use is not only compatible with the existing fabric of the community—it is a compassionate, responsible, and thoughtful response to a pressing need, delivered in a way that respects neighbors, adheres to policy, and uplifts the whole community.

In November 2021, City Council held an affordable housing summit to reaffirm its commitment to address the local housing crisis. Since then, housing affordability has become even more of a crisis, leading to an increase in the need to help those who have found their way into homelessness. In addition, the City of Brevard has proactively been taking steps to remove regulatory barriers to housing that existed within the City's zoning and development regulation. During one of the more recent summits, housing was identified as the most important goal for the future of Brevard, specifically, "Expand housing opportunities for all residents while preserving the character of Brevard and its neighborhoods."

Since 2011, The Haven has successfully operated shelters within the city limits of Brevard without any documented disruptions to the surrounding community. Our existing shelters are governed by strict rules and regulations that all residents must follow. The use of drugs is strictly prohibited, and drug testing is conducted as needed to ensure compliance. These facilities are not walk-in shelters, but supportive and transitional housing programs designed to offer longer-term aid.

Our goal is to help individuals stabilize their lives, access essential services, and ultimately transition into permanent housing and a brighter future.

Question 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 proposed use will not alter the visual character of the property and will remain fully compatible with the surrounding neighborhood.**

There will be **no changes to the exterior** of the structure or the property itself. The building will retain its current residential appearance, maintaining harmony with neighboring homes and preserving the overall streetscape.

All planned renovations are **entirely interior**, and include:

- **A completely upgraded kitchen** with modern appliances such as an induction stove and washer/dryer,
- **Modest repairs** to improve safety and comfort, and
- **Fresh paint** throughout to create a welcoming, clean environment for residents.

Functionally, the transitional shelter will operate quietly and respectfully, with no increase in traffic or activity beyond what would be expected of a typical residence.

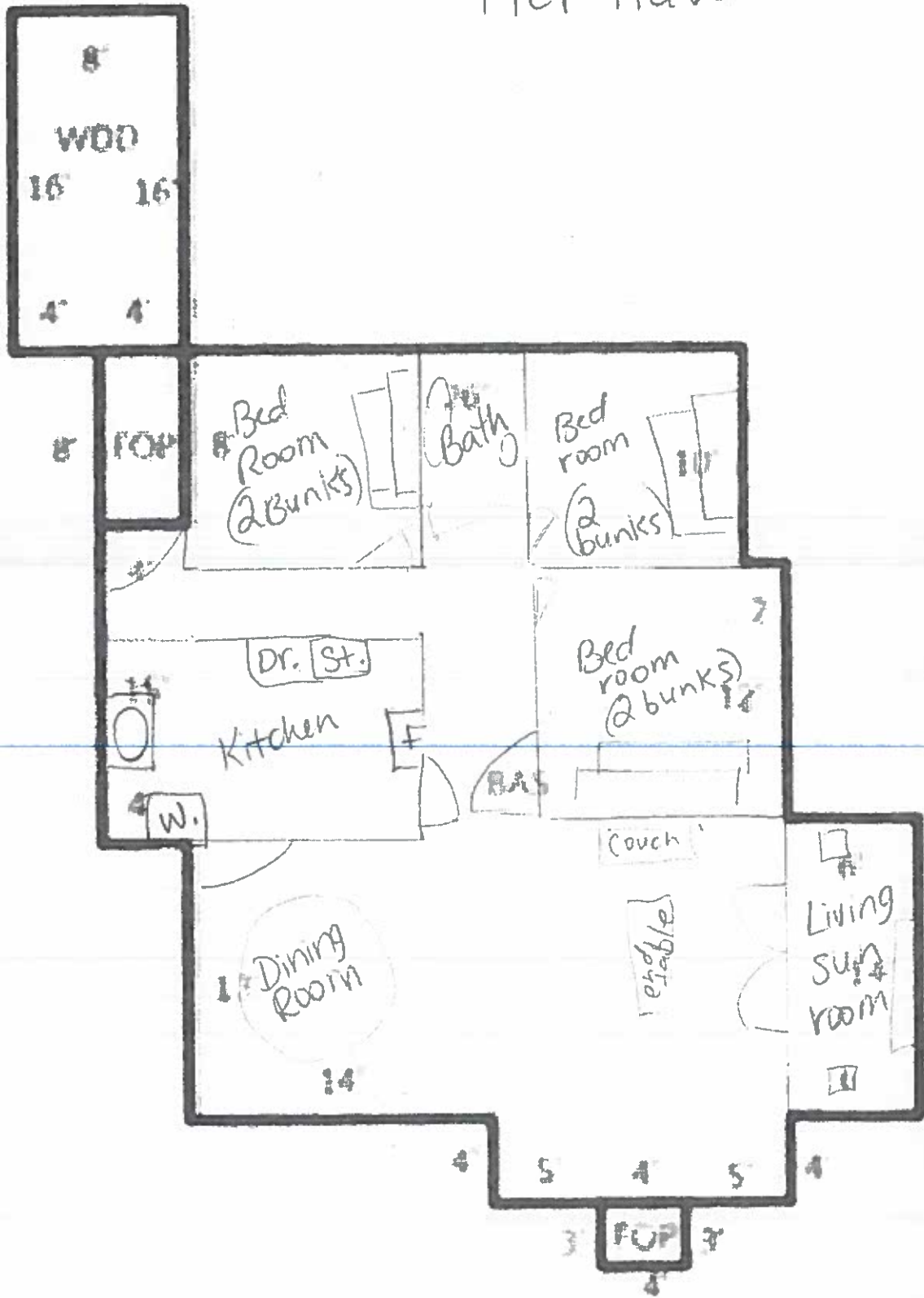
**In every way—visually, operationally, and in spirit—the shelter is designed to integrate seamlessly into the neighborhood.**

Answer to question 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.

### **1. Professional Management & Careful Design**

Our shelter will be professionally managed, thoughtfully maintained, and intentionally designed to blend into the neighborhood. It is not a walk in shelter but rather a safe, clean, and secure place where women can regain stability.

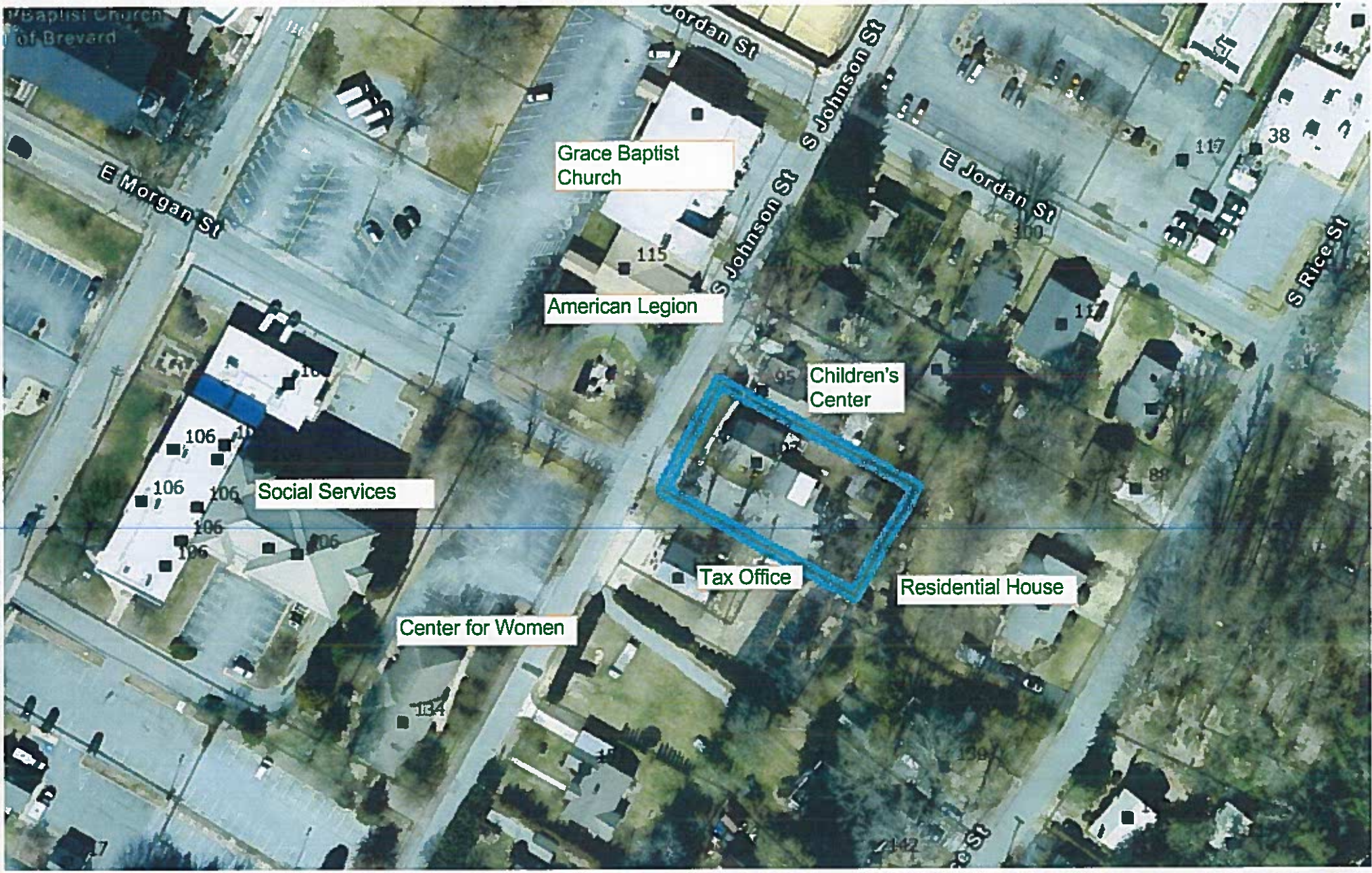
# "Her Haven"



# Property Owners

## (200 Ft. of 107 S. Johnson St.)

1. 123 S. Johnson St. LLC – 123 S. Johnson St., Brevard, NC 28712
  2. The Children's Center – 95 S. Johnson St. Brevard, NC 28712
  3. American Legion – 115 E. Morgan St. Brevard, NC 28712
  4. Robert Alexis Green – 142 S. Rice St. Brevard, NC 28712
  5. Janice Lee – 104 S. Rice St. Brevard, NC 28712
  6. John Conley – 88 S. Rice St. Brevard, NC 28712
  7. Michael Guggino – 64 S. Rice St. Brevard, NC 28712
  8. Prentice Singleton – 112 E. Jordan St. Brevard, NC 28712
  9. Mary Rogers – 100 E. Jordan St. Brevard, NC 28712
  10. Julia Edwards – 75 S. Johnson St. Brevard, NC 28712
  11. Jillian Sapp – 87 S. Johnson St. Brevard, NC 28712
  12. Bryan Cooper - 130 S. Rice St. Brevard, NC 28712
  13. Sanctity of Life of TC – 134 S. Johnson St. Brevard, NC 28712
  14. Roseann Dorsch – 151 S. Johnson St. Brevard, NC 28712
  15. Linda Hafler – 166 S. Rice St. Brevard, NC 28712
  16. Department of Social Services – 106 E. Morgan St., Brevard, NC 28712
-



## Pictures of Property



Front of Residential House



**Grace Baptist Church/American Legion west of the property**



The Children's Center adjacent to the north



**Pisgah Tax & Accounting adjacent to the south (by Special Use Permit granted 2022)**