



AGENDA
BREVARD BOARD OF ADJUSTMENT - REGULAR MEETING
Tuesday, January 6, 2026 - 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 09.02.2025

VI. Approval of Orders

VII. New Business

- a. VAR-25-0001 - Pisgah Social, 109 Hendersonville Hwy
- b. APP-25-0001: Administrative appeal of the Planning Department Decision Regarding Permits ENC-25-006 and ENC-25-007
- c. 2026 Calendar
- d. 2026 Chair & Vice-Chair Elections

VIII. Unfinished Business

IX. Remarks

X. Adjourn

Agenda Posted, Website December 30th, 2025
M. Baker, 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, September 2nd, 2025- 3:00 PM

The Brevard Board of Adjustment (BOA) met for a regular meeting on Tuesday September 2nd, 2025, at 3:00 PM.

Members Present: Peter Offen, Chair
Tad Fogel, Vice Chair
Reid Wood
Jackson Tate
Alan Mercaldo

Staff Present: Katherine Poe, Planner
Madalin Baker, Board Clerk
Paul Ray, Planning Director
Brian Gulden, Board Attorney

Guests: Mack McKeller, City Attorney
Tracy Harvey, Appellant, member/manager of 123 S. Johnson St. LLC
Emily Lowery, Executive Director, The Haven
Sam Wheeler, Attorney for The Haven
Linda Curran, Applicant, property owner at 188 Ashworth Ave.
Stephen Ashley Messer, property owner at 421 Turnpike

I. WELCOME

Chair, Peter Offen, called the meeting to order at 3:00 PM and welcomed those present.

II. INTRODUCTION OF BOARD MEMBERS

Board members and Staff introduced themselves.

III. CERTIFICATION OF QUORUM

P. Offen had the Clerk certify that a quorum of the Board was present.

IV. APPROVAL OF AGENDA

Motion to amend the agenda to take up APL-25-001 before VAR-25-001 instead of the originally published reverse order made by A. Mercaldo, seconded by R. Wood, carried unanimously.

V. APPROVAL OF MINUTES

T. Fogel motioned to approve the May minutes as written, J. Tate seconded, carried unanimously.

VI. NEW BUSINESS

A. Consideration of Administrative Appeal APL-25-001 – Tracy Harvey, 123 S. Johnson St.

P. Offen, Chair, explained quasi-judicial procedures and standing. B. Gulden followed, providing additional context regarding the function and procedure of appeal hearings.

Tracy Harvey, appellant, was sworn. Ethical considerations were made. J. Tate stated T. Harvey reached out to him earlier in the year seeking an appraisal of her property, and J. Tate stated he could not provide an appraisal as a Board member. Following questioning from B. Gulden, no ethical conflicts were found.

P. Offen stated that M. McKeller is his father-in-law. Following questioning from B. Gulden, no ethical conflicts were found.

T. Harvey shared she had reached out to B. Gulden earlier in the year requesting his representation, and he declined. No ethical conflicts were found.

T. Harvey was asked to state her standing in the case. She cited sharing a property line with the subject property in the appeal document, diminution in property value could be shared by an expert and cited health and safety concerns.

The Board considered T. Harvey's request for standing. B. Gulden provided Board with additional guidance. The Board asked T. Harvey additional clarifying questions.

J. Tate motioned to grant T. Harvey standing. A. Mercaldo seconded, and the motion passed unanimously.

The following were sworn: Pat Hawkins, Looking Glass Realty; Emily Lowery, The Haven; Paul Ray, Planning Director.

The City presented its case. P. Ray summarized his staff report, outlining the reasoning for the decision made in ZCD-25-008. He shared The Haven reduced the number of proposed tenants, would require residents to pay rent, would no longer provide social services to tenants, and would not keep surveillance cameras inside the unit. M. McKeller noted all of these were changes to the originally proposed operational model by the Haven. He noted property owners commonly change operational models on properties to better comply with standards outlined in the UDO.

The City turned to T. Harvey, appellant, for questions. T. Harvey asked P. Ray how the proposed residents of the Haven-operated property on 108 S. Johnson St. differ from the originally proposed residents of the property. P. Ray noted new proposal includes only Haven Alumni, who do not receive social services and are transitioning into more permanent housing by paying rent and signing a lease.

The City turned to The Board for questions, and the Board had none.

T. Harvey began to present her case. S. Wheeler, attorney for The Haven, shared an LLC cannot be represented by a member and must be represented by an attorney in quasi-judicial proceedings. B. Gulden provided additional knowledge and details, sharing the Board has historically allowed members of and LLC to represent themselves. He shared it is not the Board's responsibility to verify Ms. Harvey's ability to practice law in the state of North Carolina.

P. Offen, seeing that T. Harvey understood the potential for future conflict, motioned to allow T. Harvey to represent 123 S. Johnson St. LLC as a member. R. Wood seconded, passed unanimously.

T. Harvey presented her case. She asked E. Lowery a few questions. E. Lowery specified there are exterior cameras on the property. T. Harvey asked if E. Lowery intends to install a fence on the property at 108 S. Johnson St, which E. Lowery specified would be up to the property owner, and she was unsure. E. Lowery explained the score card system The Haven utilized to assess which Haven Alumni might be a good fit as tenants on the subject property. E. Lowery noted all Haven residents undergo background checks before they engage in their regular programming, before becoming Haven Alumni.

S. Wheeler questioned his client, E. Lowery. She noted the following: three women reside on the property at 108 S. Johnson St, they are all paying rent and up to date on payments, she is the Executive Director at The Haven and has been since 2017, prior to that role she was involved in working with the shelter since 2012, there have been no police calls regarding the property at 108 . Johnson St, and there have been no violent acts requiring police intervention at the Haven shelter operated on Oakdale in her 13 years working with The Haven. Additionally, she noted the following regarding her interest in the property: she is the executive director of The Haven, The Haven is leasing the subject property from the Children's Center, E. Lowery operates the property, she has the authority to make decisions regarding tenants and lease payments, and The Haven is operating as the entity that is leasing the property from the Children's Center and is in turn leasing to individual residents.

M. McKeller questioned E. Lowery. She noted the following: There are no on-site services being provided at the Johnson St. house, each tenant has separate written occupancy agreements, they each pay rent, there are no walk-in services provided, and all rooms are single occupancy.

T. Harvey asked if E. Lowery plans to put any signage on the building, and she said no.

The Board questioned E. Lowery. A. Mercaldo asked if the term “Haven Alumni” was in use before, and she said they’ve been using the term to reference graduates of their program for about a year and a half. A. Mercaldo asked if tenants will be subject to evictions if they are not paying rent, and E. Lowery responded yes.

B. Gulden indicated T. Harvey could make a closing statement. T. Harvey noted desire to “close the whole thing down” and dismiss her appeal. S. Wheeler indicated consent on behalf of The Haven; M. McKeller had no objections on behalf of the City. B. Gulden informed T. Harvey of the impact of her request, and she noted she was certain. The appeal was dismissed.

B. Consideration of Rehearing Request of Linda Curran – 188 Ashworth Ave, Var-25-001

P. Offen, Chair, explained quasi-judicial procedures and standing. B. Gulden followed, providing additional context regarding rehearing proceedings.

The following were sworn: K. Poe, L. Curran, S. Messer

L. Curran noted that her rehearing request is based on the fact that her requested variance is less distance than it was initially.

No ethical conflicts were found. P. Offen opened the rehearing.

K. Poe presented her staff report, a portion of which follows: The applicant, Linda Curran, owns property at 188 Ashworth Ave, which is located in the General Residential-8 (GR-8) zoning district and within the City’s municipal limits. The parcel identification number is 8585-46-5877-000. The applicant is requesting a variance of nine (9) feet from the Unified Development Ordinance’s (UDO) Chapter 2.7.2 principal structure setback of 15’ in the front yard, resulting in a six (6) foot setback. The previous variance request by the applicant was for fifteen (15) foot variance, which was denied by the Board. Notice of the hearing was advertised and posted on the property in accordance with North Carolina General Statute §160D-406. The applicant built a new deck that would require a 15’ setback off the property line that faces Turnpike Rd per the UDO. The deck has been reduced, and the maximum variance request is now for nine (9) feet. The applicant claims the house has drainage problems due to the slope of the surrounding houses and the path the stormwater flows. She will be presenting evidence of the stormwater problems at her house.

P. Offen looked to the Board for questions. A. Mercaldo asked when the initial hearing was, and K. Poe said it was in May.

L. Curran, Applicant, presented her case. She cited drainage issues from all surrounding lots, being situated at the bottom of a hill. She described difficulty with water leakage in the crawlspace. She cited the topography of the lot makes an alternative deck design or location dysfunctional. The applicant provided photos and showed video indicating the severity of the drainage issues on the property.

J. Tate clarified the nature of the request, and L. Curran cited desire to have available outdoor space to enjoy, where they currently have no other outside space to enjoy not plagued by excessive water drainage. L. Curran described a prior conversation with a contractor about possibly pouring a concrete slab instead of a deck, which the contractor said was ill-advised, would cause future issues, and be a waste of money.

The applicant called her neighbor, S. Messer, to testify. He noted that the lot is in fact exceptionally wet, that the house sits below the street grade of both Ashworth and Turnpike. He noted that the deck already exists and has posed no issue as far as he is concerned. He once again noted the unique topography of the lot at 188 Ashworth and argued for the reasonableness of L. Curran's request.

T. Fogel clarified that the deck is behind an existing fence on the property, which L. Curran said it is, that it is not obtrusive, and matches the style of the houses in the surrounding neighborhood. P. Offen clarified that on all sides of the property, standing water presents an issue, and L. Curran responded yes, as well as under the house.

P, Offen closed the hearing.

The Board discussed. A. Mercado made the following motion:

With regard to variance request **25-001**, the application of Lindy Curran, seeking a variance from Chapter 2.7.2 of the UDO for property located 188 Ashworth Avenue, Brevard, North Carolina, within the General Residential-8 (GR-8) 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, rendering much of the property unusable, with the knowledge that concrete material is not advisable on the property and decking is more appropriate;
- b) the hardship results from conditions that are peculiar to the property such as location size or topography, including multiple sources of water drainage and the fact that the lot is "double fronted";
- c) the hardship did not result from actions taken by the applicant or the property owner; it is natural and perhaps exacerbated by neighboring properties;
- 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, as fence isolates deck from any public safety considerations.

Accordingly, I further move the board to **GRANT** the requested variance to allow for a maximum nine (9) foot reduction of the front yard setback resulting in a six (6)

foot front yard setback for the subject property in accordance with and only to the extent and within the area represented in the application and plans.

R. Wood seconded the motion and it passed unanimously.

VII. UNFINISHED BUSINESS

None.

IX. REMARKS

None.

X. ADJOURN

T. Fogel moved to adjourn the meeting, seconded by P. Offen. The motion carried unanimously. The meeting was adjourned at 4:27 PM.

Peter Offen, Chair

Madalin Baker, Board Clerk

DRAFT

STAFF REPORT
Board of Adjustment, Tuesday, January 6, 2026

Title: VAR-25-0001 - Pisgah Social, 109 Hendersonville Hwy

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

Background

Pisgah Social, a new tenant at 109 Hendersonville Hwy, is scheduled to open a multi-business food restaurant. The property is located in the Downtown Mixed-Use (DMX) zoning district and within the City’s municipal limits. The parcel identification number is 8597-55-3136-000 and is owned by Gumstand Gap LLC. The appointed agent, attorney Neal Stanifer, will be representing both the property owner and tenant.

The applicant is requesting a variance from the Unified Development Ordinance (UDO) Chapter 12.6.K, which prohibits awning signs on buildings and became effective in early November 2025. There is already one (1) awning sign, which was permitted prior to them becoming prohibited. The request is limited to two (2) additional signs mounted on the awning structure only, defined for the purpose of this request as the portion of the structure that is attached to the building façade but supported by vertical posts. The request does not include signage on the roof of the main building, which is considered a separate structural element and is not part of this variance request.

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

Discussion

The building is the former Fish Camp on Hendersonville Hwy, which sustained damage due to Hurricane Helene. The owners have been working with Pisgah Social to repair the structure and reopen it with two new restaurants operating within the premises: Cheef Eats Bar*B*Que and Smash NC.

There is already one awning sign for "Pisgah Social" and the applicant is requesting two additional signs, one for each restaurant housed within Pisgah Social. As clarified above, the proposed signage would be located exclusively on the awning structure at the front of the building and not on the main roof. The applicant states that visibility is inhibited due to the building’s location relative to Hendersonville Hwy and recent NCDOT roadway improvements.

Investigation

Upon inspection, the building sits below the ground level of the newly repaved section of Hendersonville Hwy, resulting in reduced visibility from the roadway (see attached photographs). Due to the configuration of the building, the awning is the most prominent

architectural feature visible from the street, while the wall surface behind the awning is largely obscured. Under these conditions, placement of signage on the awning structure is logical.

Standards for the Granting of Variances

In order to grant the variance all of the conditions below 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. Application Materials
2. Appointment of Agent VAR - executed
3. Photos



Record Report for Variance #VAR-25-0001

Record Overview

Record Number: VAR-25-0001

Record Type: Variance

Record Status: In Progress

Record Submitted At: Monday November 17, 2025

Record Address: 109 Hendersonville Hwy

Record Owner: Katherine Poe

Record Applicant: Jeffrey Johnson

Form Submission

Applicant:

Josh McKinney

josh1a@gmail.com, (704) 239-1717

Property Owner (if different):

Gumstand Gap, LLC

Property Address: 109 Hendersonville Hwy

Parcel Identification Number (PIN): 8597-55-3136-000

Zoning District: Downtown Mixed Use (DMX)

Overlay District: Corridor Sign Overlay District

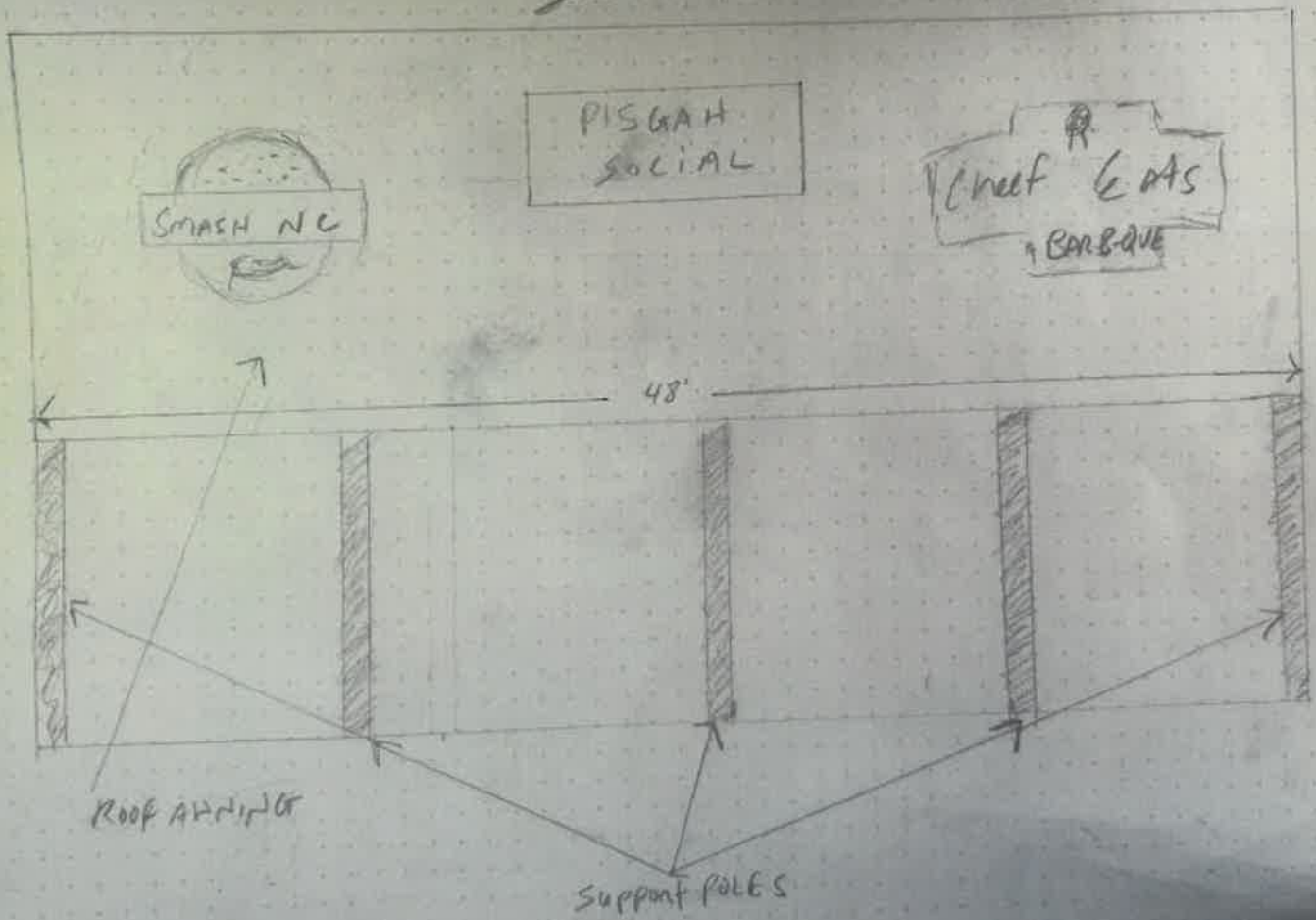
Description of Variance Request: UDO 12.6.K-Prohibited Signs- Awning Signs

Reasons for Variance Request: 3 different businesses operating in one building

Signature:

Signed in GovWell: Tuesday November 25, 2025, 2:40pm

109 HENDERSONVILLE Hwy
SITE PLAN







PISGAH SOCIAL



#1 The stand alone building is the house for two separate businesses. We would like to advertise both businesses for the building. The building is called Pisgah Social that houses two businesses (SmashNC) and (Cheef Eats BBQ). There is not enough room on the property for alternative signage.

#2 Because of the new road guard rails that were installed, plus the topography of the property, we would like to advertise our businesses on that awning for people to see the building better. Its hard to see any signage without putting them on the awning.

#3 After renting the property (the old Pisgah Fish Camp) the existing sign was taken down by the old owner and we were under the impression that we could put our new signage on that awning. It would be hard for potential customers to see what businesses are in the building without putting up all three signs on the awning.

#4 All three signs were professionally made and properly installed by a local machinist Chuck Calvin. They are built to with stand storms and bad weather. They are safe and sturdy. They bring a nice compliment to the entire property and fits well with the neighborhood and community. By allowing these signs, it will help promote our businesses and help the community know whats in the building.



VAR File# _____

BREVARD BOARD OF ADJUSTMENT - VARIANCE

APPOINTMENT OF AGENT

I _____, owner of property located at
(street address) _____ and
identified by the Transylvania County Tax Identification Number (PIN#):

_____, located in Transylvania County, North Carolina, do
hereby appoint _____ to represent me in
filing an application for Variance before the Brevard Board of Adjustment.

I further authorize _____ 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: _____
Mailing Address: _____
Phone: _____ Email: _____

Agent Name: _____
Mailing Address: _____
Phone: _____ Email: _____



Proposed additional 2 sign locations (in red on awning only)



View from Hendersonville Hwy



View from parking lot

STAFF REPORT

Board of Adjustment, Tuesday, January 6, 2026

- Title:** APP-25-0001: Administrative appeal of the Planning Department Decision Regarding Permits ENC-25-006 and ENC-25-007
- Speaker:** Paul Ray, Planning Director
Aaron Bland, Assistant Planning Director
- Prepared by:** Paul Ray, Planning Director, Aaron Bland, Asst Planning Director
- Approved by:** Paul Ray, Planning Director

Background

Two driveway applications for neighboring parcels located in the vicinity of the end of Pinnacle Road, near but beyond the parking lot and trailhead for the City-owned Bracken Preserve trails, were submitted on August 6, 2025. One for 231 Pinnacle Road (PIN 8576-83-5643-000) was submitted by owner James Veal, and one for 245 Pinnacle Road (PIN 8579-83-4791-000) by owner Roy Robinson. These were assigned to Assistant Planning Director Aaron Bland for review.

The two subject parcels are "landlocked" in that they have no frontage on a public street right-of-way. The Transylvania County tax map shows that the Pinnacle Drive ROW continues beyond the Bracken parking lot to the front of these parcels, however this is a mapping error. The exact extent of NCDOT maintenance and ownership of Pinnacle Drive is unclear. Different surveys show state maintenance ending in different places, but none show it extending as far as the subject parcels, and it is not improved beyond the parking lot. The official NCDOT State Maintained Network Map does not include Pinnacle Road at all, meaning that it is not maintained by NCDOT. This listing shows SR-1350 (the number attached to Pinnacle Road on surveys) as only being the 0.2-mile-long paved Music Camp Road, from Probart Street to Bishops Knoll. The entire unpaved Pinnacle Road is listed as "non-system" on official NCDOT maps.

The City's Bracken Mountain Trail leaves the parking lot and ascends to Bracken Preserve through a 50-foot wide right-of-way that crosses several private properties between the parking lot and the City-owned Bracken Preserve parcel. This ROW was obtained by the City in 2008 and the public hiking/biking trail was opened to the public in July 2012. Properties in the area were once served by a small private road called Mackey Ridge Road, which was located in the vicinity of the current trail, but it is no longer in existence and never had a public right-of-way. This area is outside the City's corporate limits in the extraterritorial jurisdiction and all subject parcels are zoned General Residential - 4 (GR4).

Administrative Decision

Below is a summary of the email correspondence between Mr. Bland and Mr. Veal regarding the review of the applications. The full email chain, including referenced

attachments, is included in this packet.

The applications were submitted on August 6, 2025. On August 8th, Mr. Bland emailed Mr. Veal and Mr. Robinson that he had some confusion reading the submitted site plans and that additional information was needed. Namely, the location of the City's Bracken Mountain Trail and the ROW that the trail lies within, in an effort to determine if the proposed driveways would be within the trail ROW and how close they would come to the trail.

On August 28th, Mr. Veal responded by providing copies of portions of the legal documents from the establishment of the trail ROW, but did not include the requested information regarding the ROW and the trail's location as they relate to the location of the proposed driveways.

On August 29th, Mr. Bland responded, again asking for information about the location of the trail and trail ROW in relation to the proposed driveways. Mr. Bland cited the concern of potential conflicts with the driveway and the trail/trail users. To illustrate his concerns, Mr. Bland included an attachment with his own markup on the original site plans illustrating how much of the proposed driveways were seemingly shown within the City's trail ROW. Additionally, Mr. Bland pointed out that each driveway was shown to be constructed beyond the property lines.

On September 11th, Mr. Veal responded with additional site plans, however, they did not include the requested information of the location of the Bracken Mountain Trail. Mr. Veal indicated that the driveways would connect to Mackey Ridge Road as if it was still in existence. Mr. Veal's email also suggested that there could be "shared access" from the Bracken parking lot to the new driveways, presumably indicating that trail users on bike and foot would share the same travel corridor as vehicles using the driveways. However, nothing was shown on the site plans between the "mouth" of the driveways and the end of the public street of Pinnacle Road to show how this shared access portion would be improved to allow for a vehicle to traverse it. Nor was any evidence of an access easement across the properties required to reach the subject properties from Pinnacle Road.

On September 19th, Mr. Bland responded that given the materials provided, he was unable to fully review the applications and had no option but to deny them. He cited a lack of information about how the proposed driveways would interact with and possibly impact the Bracken Mountain Trail and the safety of users on it, as well as a lack of information about how vehicles would get to the driveways from the end of Pinnacle Road.

On October 6th, Mr. Veal and Mr. Robison both filed an appeal of their denials with the City Clerk (submissions are attached).

Discussion

The Unified Development Ordinance has some standards for driveways, however these are predicated on the notion that the driveway is connecting to a public street within a public

right-of-way, neither of which is the case for these permits. For example, Section 13.8.B states (emphasis added) “No driveway or curb cut shall be less than 12 feet nor greater than 24 feet in width at the point of intersection with the margin of the right-of-way of any street located in the city...”

Many provisions of the ordinance assume frontage on a public street, which these subject parcels do not have, a condition known as “landlocked parcels.” Section 14.6 of the UDO discusses nonconforming lots such as the subject parcels. Subsection D states that “the administrator may permit the establishment of a private right-of-way or access easement in order to facilitate access to pre-existing land-locked parcels.” The City’s trail ROW does not convey private use to access these parcels, but rather public use to access Bracken Preserve. No evidence of other access easements for such private use to access the subject parcels was provided.

The overarching goal and purpose of the City’s UDO and regulations in general, as well as the enabling state legislation that allows for zoning authority, is to promote public health, safety, and general welfare (UDO Section 1.2). Therefore, ensuring the safety of Bracken Preserve trail users, as well as any potential users of the driveways, was a primary concern when reviewing these applications. Mr. Bland’s request for the location of the existing trail within the ROW was in order to ascertain if the vehicular traffic using the driveways would cross over or otherwise conflict with trail users. Without the location of the trails shown on the site plan, this was not able to be evaluated. Section 17.2.C of the UDO states that “The administrator shall have the authority to deny and return any submitted land development permit application and associated development plans upon a determination that such submitted items are insufficient...” Mr. Bland determined that the submitted plans were insufficient because they did not show 1) the location of the trail to determine potential user conflicts, 2) how cars could legally access the driveways from Pinnacle Road where it ends at the Bracken parking lot, and 3) how cars could physically traverse the terrain from the parking lot to the subject parcels.

Further, UDO Section 16.5.C.1 states that applications must contain “all information and materials required by this ordinance for submittal of the applicable type of application, and in sufficient detail, format, and readability for city staff to evaluate the application for compliance with applicable review standards.” It is the Planning Department’s position that these applications did not contain such “sufficient detail” for review of both potential safety conflicts with trail users and legal/physical access from where Pinnacle Road ends in the parking lot.

There is a gap between where Pinnacle Road stops being a public street and the proposed driveways. How large this gap is varies by source, but there is undoubtedly a gap. The applicant seemed to indicate that it was acceptable to connect to the trail ROW, as if it was a public street ROW, due to the language of the legal documents establishing the City's trail ROW. These are written to allow for "all vehicular and pedestrian travel across the property" in order to "serve [Bracken Preserve], providing ingress, egress and regress thereto."

The inclusion of vehicular travel gives the City the *right and ability* to allow such use of the ROW, but not the *obligation* to install a road capable of providing such use. The City cannot establish a City street outside the corporate limits. Thus, to date, the City has chosen to only allow travel through the ROW to Bracken Preserve by foot and bike. The decision to exercise the right to allow vehicles is a policy decision that cannot be made by Planning Staff. Again, no evidence of additional access easements for the purpose of traversing the private properties between the end of Pinnacle Road and the subject parcels was provided. Therefore, Staff assumes there is no such guaranteed access to these parcels from Pinnacle Road.

Board Decision

North Carolina General Statutes 160D-406(j) states "When hearing an appeal, the board may reverse or affirm, wholly or partly, or may modify the decision appealed from and shall make any order, requirement, decision, or determination that ought to be made. The board shall have all the powers of the official who made the decision." The decision must be based on competent, material, and substantial evidence in the record.

Attachments:

1. Application - Veal
2. Application - Robinson
3. Email Chain Between Mr. Veal and Mr. Bland
4. Attachment to Mr. Blands Aug 29 email
5. Attachment to Mr Veals Sept 11 email
6. Easement Plat File 11 Slide 922
7. Easement Plat File 11 Slide 923
8. Appeal - Veal, James 231 Pinnacle Rd.
9. Appeal - Robinson, Roy 245 Pinnacle Rd.
10. Vicinity Map



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

APPLICATION FOR DEMOLITION, GRADING OR LAND DISTURBANCE

Contact Information (To be completed by Applicant)

Applicant/Agent/Contractor Name: →	Property Owner: JAMES VEAL
Mailing Address: →	Mailing Address: 627 Bayshore Dr
City: State: Zip: →	City: Pensacola FL State: FL Zip: 32507
Phone: →	Phone: 850-450-3295
Email: →	Email: jve@jvealarchitect.com

Property/Project Information

Contractor Hauling Debris: T.B.D.	Property PIN (Tax id #): 8576-83-5643-000
Mailing Address:	Property Location/Address: 231 Pinnacle Rd
City/State	Date applicant desires to being project: 10-31-2025
Phone:	Disposal location:
Email:	Note: As a part of the final inspection you may be required to produce evidence of location of disposal of demolition waste.

Project Type/Description: Residential

- Note: Site/Project plans are required to be submitted as a part of this application. Demolition/Grading and Other Land Disturbance Permit Holder is Responsible to:
- Demolition: \$500 reimbursable bond per structure. Lots with multiple structures requiring Bonds exceeding \$500 shall be based upon a qualified professional's estimate of cleanup clean cost + 25%
 - Grading & Other Land Disturbance: \$500 reimbursable bond per lot up to one acre. Lots larger than one acre requiring Bonds exceeding \$500 shall be based upon a qualified professional's estimate of cleanup clean cost + 25%
 - Contact City Utility Department to insure water/sewer utility services have been disconnected from structure(s).
 - Contact ALL Utility Companies (electric, gas, telephone, cable, etc) to insure services are disconnected from structure.
 - Cleanup debris from demolition.
 - Sow grass seed on property following cleanup of all debris.

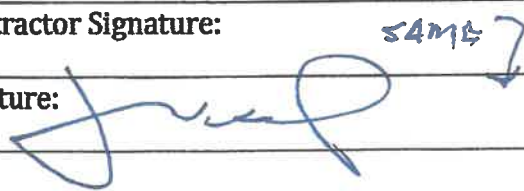

Demolition: Administrator may require a bond in excess of \$500 if such is deemed necessary in the interests of public health or safety. These bonds shall be prepared and administered in accordance with the improvement guarantee procedures set forth in the Procedure for the Installation & Dedication of Public Improvements. The Administrator

may require a demolition, in association with any development activity for which such bond is relevant.

Grading & Other Land Disturbance: Administrator may require a bond in excess of \$500 if such is deemed necessary in the interests of public health or safety. These bonds shall be prepared and administered in accordance with the improvement guarantee procedures set forth in the Procedure for the Installation & Dedication of Public Improvements. The Administrator may require a grading or land disturbance bond in association with any development activity for which such bond is relevant.

I affirm and certify that I understand and will comply with all regulations and requirements of the City of Brevard. I further certify that the above statements and the statements and showings made in any paper or plans submitted herewith are true to the best of my knowledge and belief. Further, I understand that the application, attachments and fees become a part of the Official Records of the City of Brevard Planning Department, are not returnable and are subject to NC Public Records Law. I also recognize that if one or more deficiencies exist in this application, I will be notified of the deficient items, and the department shall take no further action on the application until the required information is submitted. I understand that misrepresentation of information contained within this application may be cause to void any development approvals associated with this application. I grant permission to the Zoning Administrator, and designees thereof, to enter upon the property represented herein for the purposes of administering this application.

If the Applicant is other than the property owner, proof of owner's consent is required. Owner's signature proves consent. The applicant will be the liaison with the City and will be the party to receive official notice. Notice communicated to the applicant will be deemed communicated to the owner. By signing this application, the applicant is consenting to the designation for these purposes.

Applicant/Agent/Contractor Signature:		Date:	
Property Owner Signature:		Date:	8/1/25



186 PINNACLE RD

185 PINNACLE RD UNIT A

185 PINNACLE RD UNIT B

187 PINNACLE RD UNIT B

187 PINNACLE RD UNIT A

159 PINNACLE RD

PINNACLE RD

125 PINNACLE RD

N63°30'00"E 48.0'
'RUNNING WITH SAID ROAD'

EXIST ROADBED N88°00'00"E 12

N83°30'47"W 1

MACKE

U 150.83'

N83°00'00"W 4.00'

L5 = 20

NO OTHER WORK

25.56'
315.00'

N83°30'47"E 203.88'

3" CRUSHED ROCK
- ACCESS DRIVE
GRADE as REQUIRED

S39°54'00"W 57.60'

PARCEL 2
LEGAL FROM 1947 DEED
DB 111 FG 61
8576-83-5643

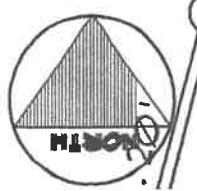
N32°30'00"E
S32°30'00"W

301.00'

S24°43'38"W

PARCEL 2 DRIVEWAY

1/8" = 1' - 0"



TRANSYLVANIA COUNTY
EMERGENCY SERVICES
155 PUBLIC SAFETY WAY
BREVARD, NC 28712
828-884-3108



TRANSYLVANIA
COUNTY
NORTH CAROLINA

May 2, 2024

Parcel 2

Dear Property Owner,

Transylvania County Emergency Services Addressing Division has assigned an address to property that you own. The address is listed below for your convenience. If it is a change of address, please follow through as soon as you can notifying others of the new address.

Each location is mapped using global positioning system (GPS) technology, eliminating confusion for emergency service providers and delivery services. Benefits of the addressing system include:

- *Reduced emergency response times for firemen, law enforcement, and ambulance services.*
- *Integration of cell phones into the 911 GPS system, enabling emergency care providers to locate callers even when they are not at an assigned address (e.g. in the forest).*
- *Improved package delivery services.*
- *Greater ease of compliance when applying for a home loan, building permit, or utilities connection.*

You should put your new address number on your house and on your mailbox at your earliest convenience. This will not only help your mail carrier but will also assist the emergency services in locating you if you need help.

Your Old Address:

PREVIOUSLY UNASSIGNED

PIN#8576-83-5643-000

(If your old address is listed incorrectly, please contact the Transylvania County Communications Office at the number below.)

Your New Address:

231 PINNACLE RD
BREVARD, NC 28712

ASSIGNED 05/02/.2024

Property owners should notify their renters of the new address change.

Thank you for your cooperation. If you have any questions or concerns, we are happy to help you in any way possible. For assistance contact the Transylvania County Emergency Services business office at (828) 884-3108.

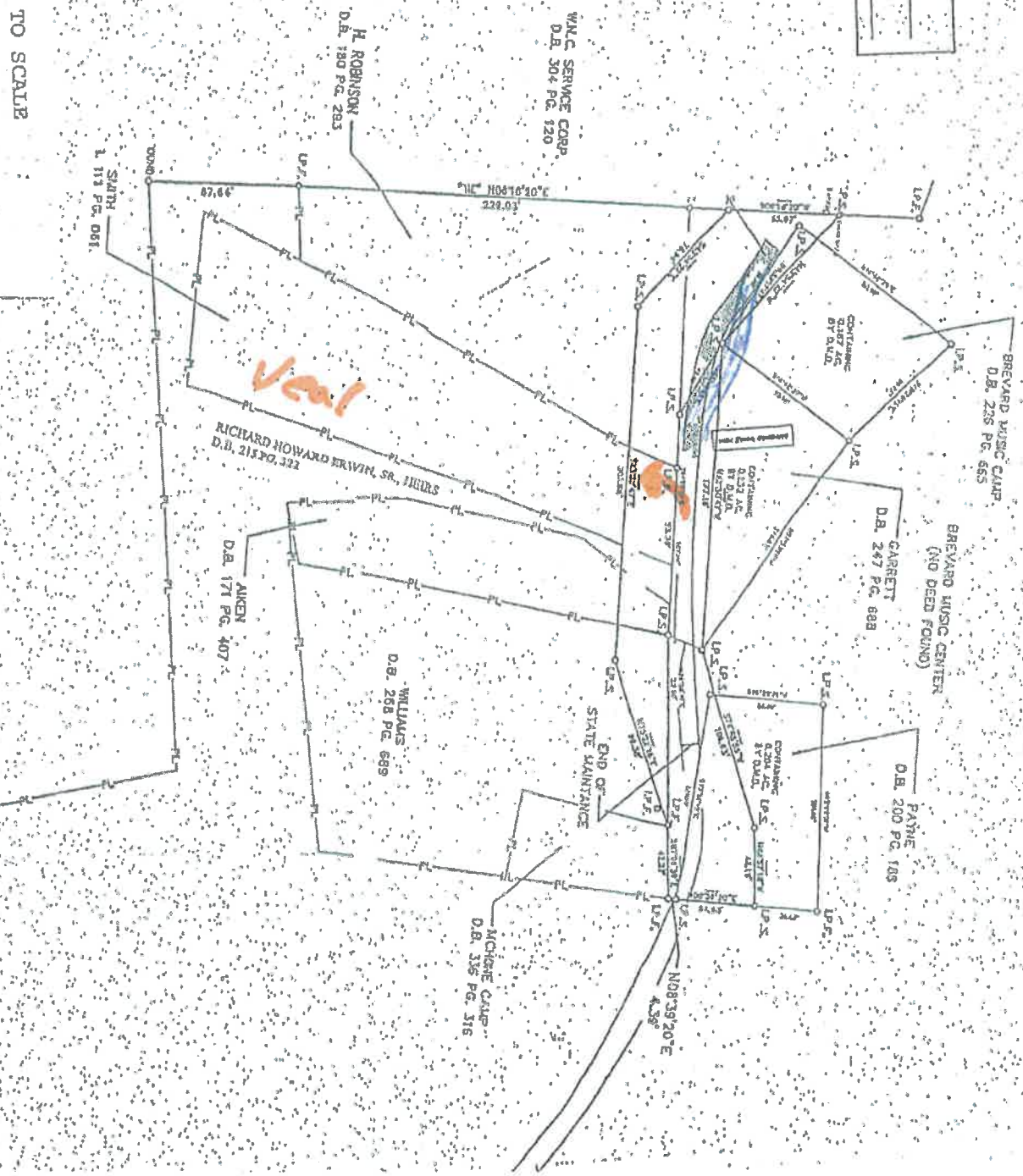
Assigned By: _____

KRS

jv@jvealarchitect.com

CITY OF BREVARD
RIGHT OF WAY ACQUISITION TO BRACKEN CREEK
From a plat recorded in File 11, Slide 922

Exhibit A
Page of



NOTE: THIS DRAWING IS NOT TO SCALE
THIS DRAWING IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS. GS 547-30 (n)



APPLICATION FOR DEMOLITION, GRADING OR LAND DISTURBANCE

Contact Information (To be completed by Applicant)

Applicant/Agent/Contractor Name: <i>Roy Ray Robinson</i>	Property Owner: <i>Roy R Robinson</i>
Mailing Address: <i>8232 19th Ave. Vero Bch. Fl. 32960</i>	Mailing Address: <i>8232 19th Ave</i>
City: <i>Brevard</i> State: <i>NC.</i> Zip: <i>28712</i>	City: <i>vero Bch.</i> State: <i>Fl.</i> Zip: <i>32960</i>
Phone: <i>229-264-3575</i>	Phone: <i>229-264-3575</i>
Email: <i>royrobinson0669@gmail.com</i>	Email: <i>royrobinson0669@gmail.com</i>

Property/Project Information

Contractor Hauling Debris: <i>To be determined</i>	Property PIN (Tax id #):
Mailing Address:	Property Location/Address <i>245 Pinnacle Rd.</i>
City/State	Date applicant desires to being project:
Phone:	Disposal location:
Email:	Note: As a part of the final inspection you may be required to produce evidence of location of disposal of demolition waste.

Project Type/Description:

Note: Site/Project plans are required to be submitted as a part of this application. Demolition/Grading and Other Land Disturbance Permit Holder is Responsible to:

- Demolition: \$500 reimbursable bond per structure. Lots with multiple structures requiring Bonds exceeding \$500 shall be based upon a qualified professional's estimate of cleanup clean cost + 25%
- Grading & Other Land Disturbance: \$500 reimbursable bond per lot up to one acre. Lots larger than one acre requiring Bonds exceeding \$500 shall be based upon a qualified professional's estimate of cleanup clean cost + 25%
- Contact City Utility Department to insure water/sewer utility services have been disconnected from structure(s).
- Contact ALL Utility Companies (electric, gas, telephone, cable, etc) to insure services are disconnected from structure.
- Cleanup debris from demolition.
- Sow grass seed on property following cleanup of all debris.

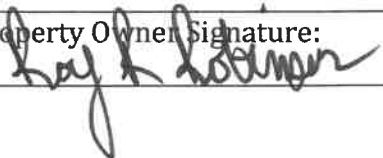
Demolition: Administrator may require a bond in excess of \$500 if such is deemed necessary in the interests of public health or safety. These bonds shall be prepared and administered in accordance with the improvement guarantee procedures set forth in the Procedure for the Installation & Dedication of Public Improvements. The Administrator

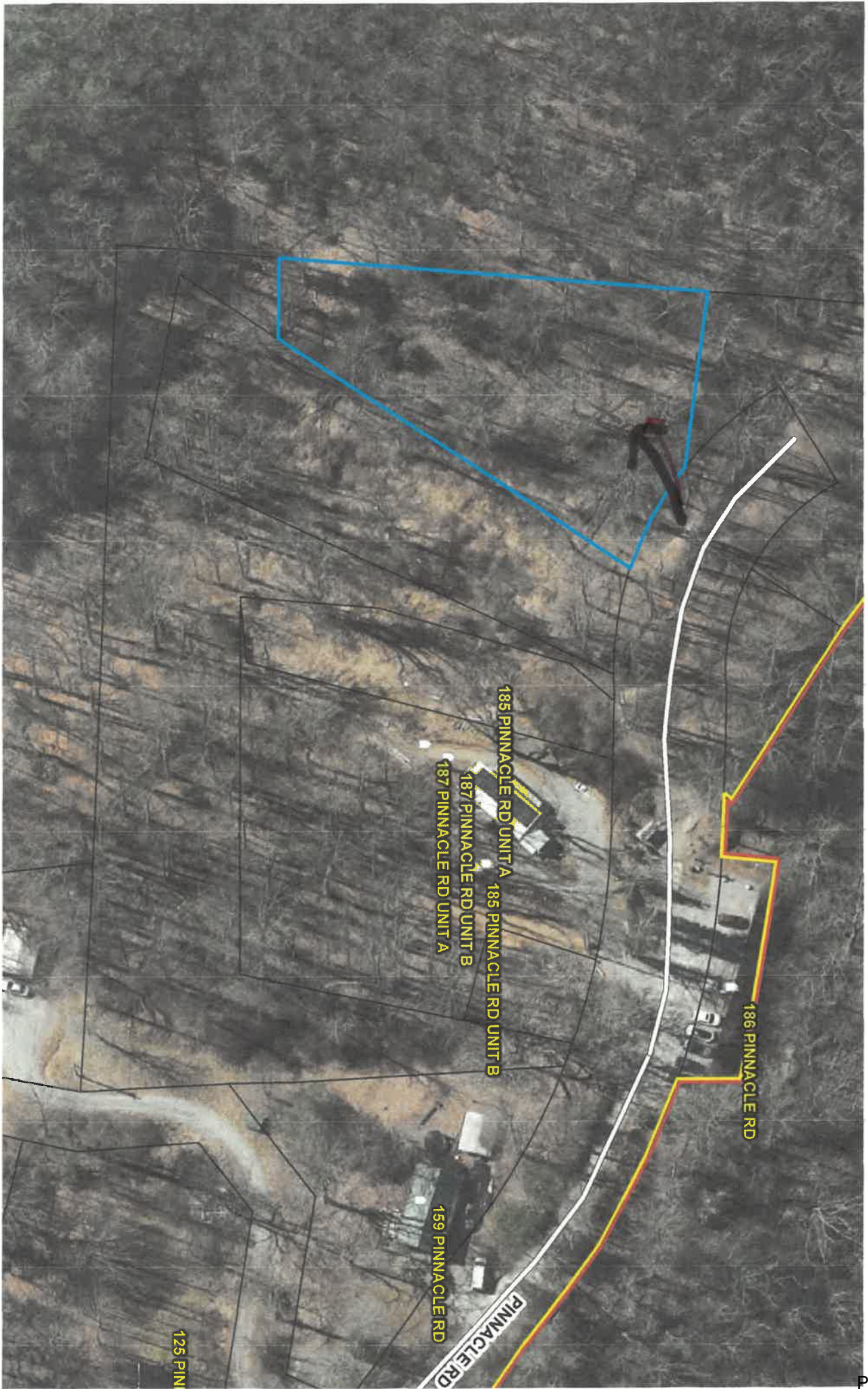
may require a demolition, in association with any development activity for which such bond is relevant.

Grading & Other Land Disturbance: Administrator may require a bond in excess of \$500 if such is deemed necessary in the interests of public health or safety. These bonds shall be prepared and administered in accordance with the improvement guarantee procedures set forth in the Procedure for the Installation & Dedication of Public Improvements. The Administrator may require a grading or land disturbance bond in association with any development activity for which such bond is relevant.

I affirm and certify that I understand and will comply with all regulations and requirements of the City of Brevard. I further certify that the above statements and the statements and showings made in any paper or plans submitted herewith are true to the best of my knowledge and belief. Further, I understand that the application, attachments and fees become a part of the Official Records of the City of Brevard Planning Department, are not returnable and are subject to NC Public Records Law. I also recognize that if one or more deficiencies exist in this application, I will be notified of the deficient items, and the department shall take no further action on the application until the required information is submitted. I understand that misrepresentation of information contained within this application may be cause to void any development approvals associated with this application. I grant permission to the Zoning Administrator, and designees thereof, to enter upon the property represented herein for the purposes of administering this application.

If the Applicant is other than the property owner, proof of owner's consent is required. Owner's signature proves consent. The applicant will be the liaison with the City and will be the party to receive official notice. Notice communicated to the applicant will be deemed communicated to the owner. By signing this application, the applicant is consenting to the designation for these purposes.

Applicant/Agent/Contractor Signature:	Date:
Property Owner Signature: 	Date: 10/31/2005



185 PINNACLE RD UNIT A
187 PINNACLE RD UNIT B
187 PINNACLE RD UNIT A

186 PINNACLE RD

159 PINNACLE RD

PINNACLE RD

125 PIN

ROW

EXIST
ROADBED

S63°30'00"E 48.0'
"RUNNING WITH SAID ROAD"

3" CRUSHED ROCK
ACCESS DRIVE
GRADE as REQUIRED

Mackey Ridge Rd

S43°54'22"E
75.94'

N83°21'28"W

150.83'

23' 10"

NO OTHER
WORK

(R.O.W)

PARCEL 1

LEGAL FROM 2003 DEED
DB 140 PG 378
8576-83-4791

S83°

251.56'
315.00'

N32°30'00"E
S32°30'00"W

PARCEL 1 aka TRACT 1

LEGAL FROM 2003 DEED
DB 140 PG 378
8576-83-4791

PARCEL 1 - DRIVEWAY

1/16" = 1' 0"



TRANSYLVANIA COUNTY
EMERGENCY SERVICES
155 PUBLIC SAFETY WAY
BREVARD, NC 28712
828-884-3108



May 2, 2024

Parcel 1 (one)

Dear Property Owner,

Transylvania County Emergency Services Addressing Division has assigned an address to property that you own. The address is listed below for your convenience. If it is a change of address, please follow through as soon as you can notifying others of the new address.

Each location is mapped using global positioning system (GPS) technology, eliminating confusion for emergency service providers and delivery services. Benefits of the addressing system include:

- *Reduced emergency response times for firemen, law enforcement, and ambulance services.*
- *Integration of cell phones into the 911 GPS system, enabling emergency care providers to locate callers even when they are not at an assigned address (e.g. in the forest).*
- *Improved package delivery services.*
- *Greater ease of compliance when applying for a home loan, building permit, or utilities connection.*

You should put your new address number on your house and on your mailbox at your earliest convenience. This will not only help your mail carrier but will also assist the emergency services in locating you if you need help.

Your Old Address:

PREVIOUSLY UNASSIGNED

PIN#8576-83-4791-000

(If your old address is listed incorrectly, please contact the Transylvania County Communications Office at the number below.)

Your New Address:

245 PINNACLE RD
BREVARD, NC 28712

ASSIGNED 05/02/.2024

Property owners should notify their renters of the new address change.

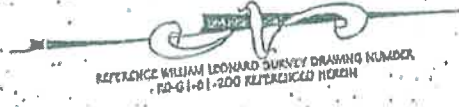
Thank you for your cooperation. If you have any questions or concerns, we are happy to help you in any way possible. For assistance contact the Transylvania County Emergency Services business office at (828) 884-3108.

Assigned By: _____

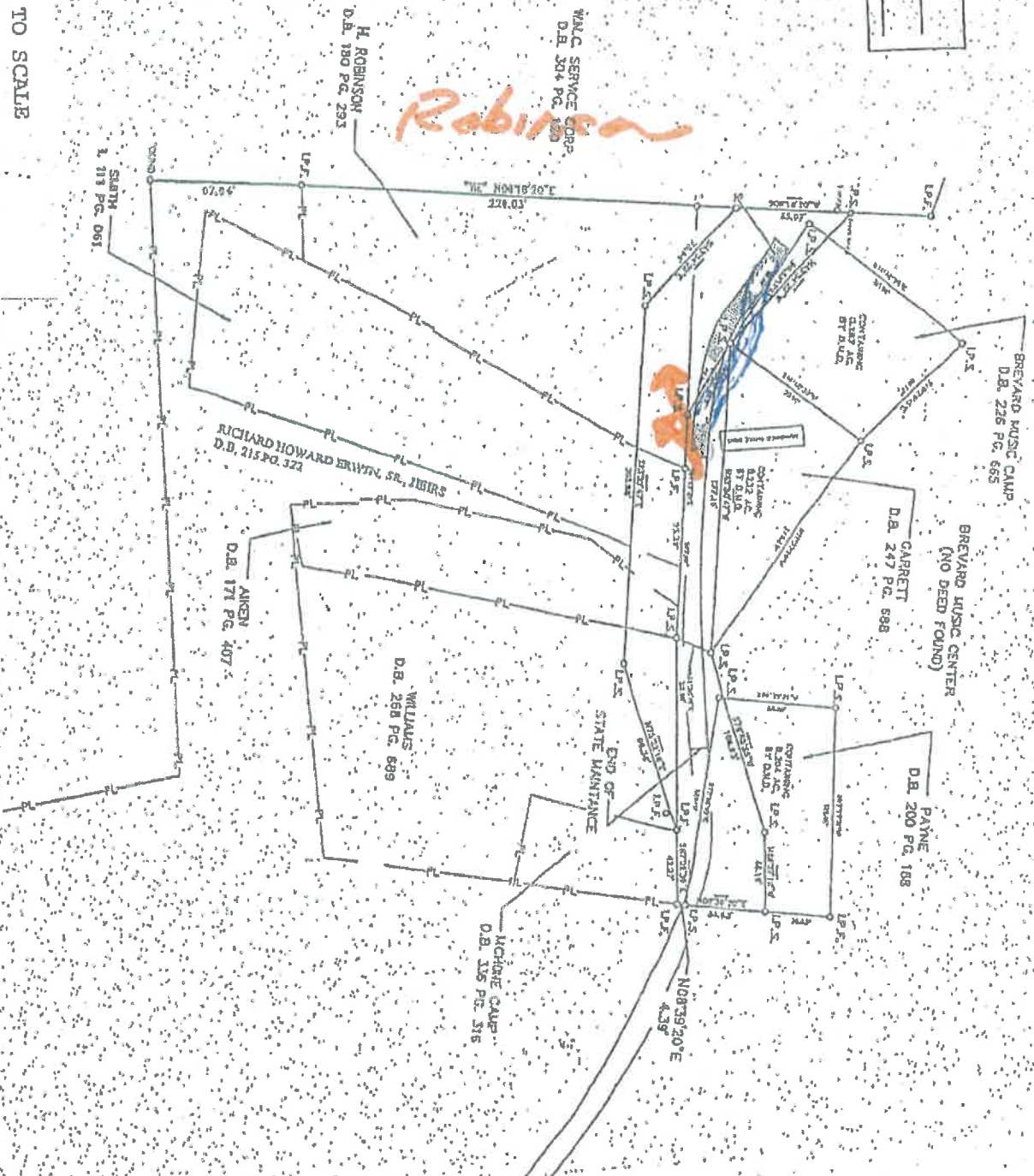
KRS

Exhibit A
 Page 1 of 1

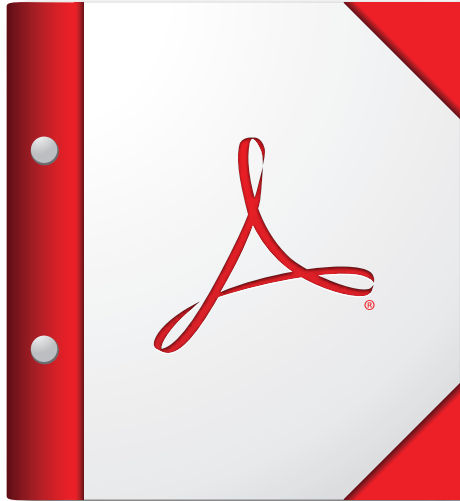
CITY OF BREVARD
 RIGHT OF WAY ACQUISITION TO BRACKEN CREEK
 From a plat recorded in File 11, Slide 922



Robinson

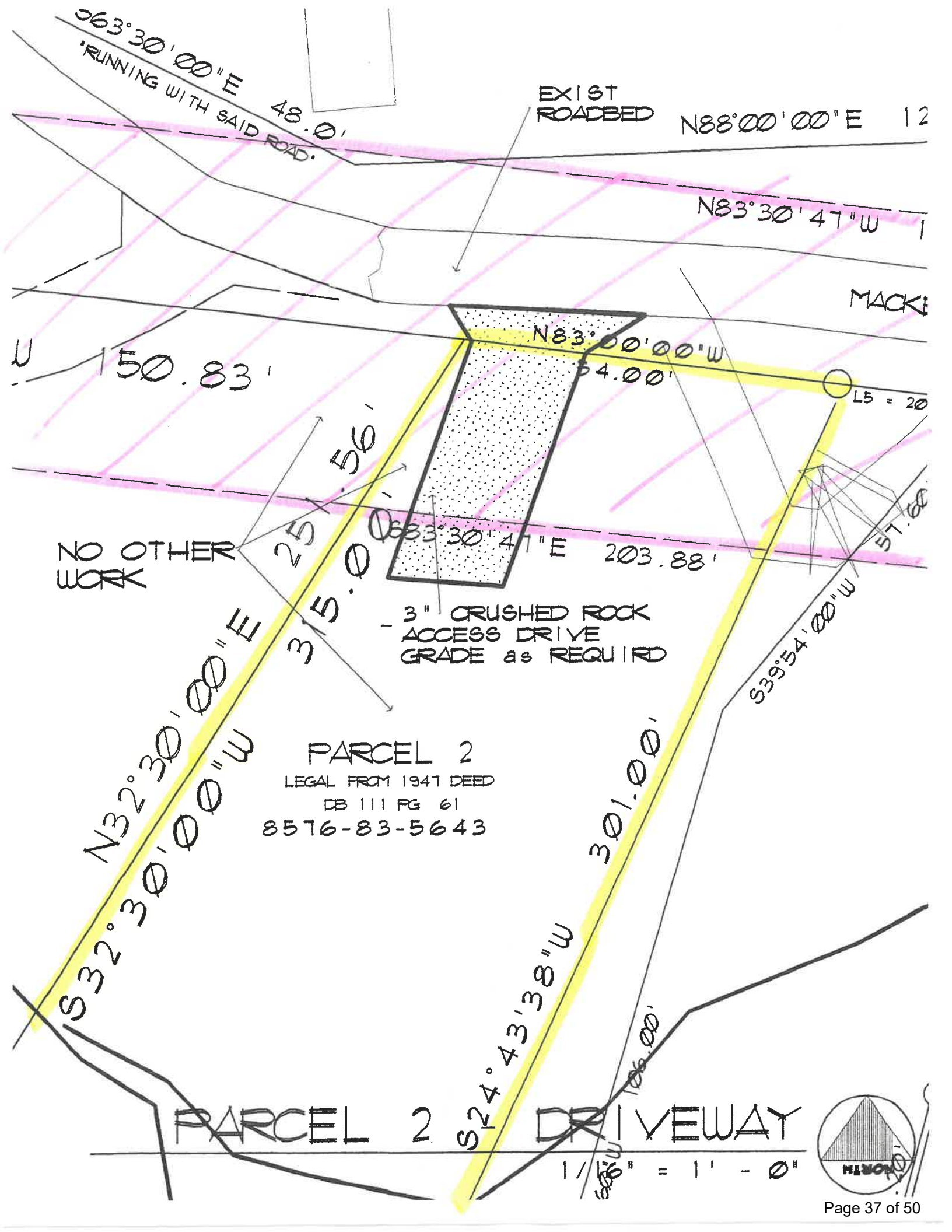


NOTE: THIS DRAWING IS NOT TO SCALE
 THIS DRAWING IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS. GS 547-30 (1)



**For the best experience, open this PDF portfolio in
Acrobat X or Adobe Reader X, or later.**

[Get Adobe Reader Now!](#)



063°30'00"E
 'RUNNING WITH SAID ROAD' 48.0'

EXIST ROADBED N88°00'00"E 12

N83°30'47"W 1

MACK

150.83'

N83°00'00"W
 64.00'

L5 = 20

NO OTHER WORK

25'
 315.00'
 56'

N83°30'47"E 203.88'

3" CRUSHED ROCK
 ACCESS DRIVE
 GRADE as REQUIRED

S39°54'00"W
 57.00'

PARCEL 2
 LEGAL FROM 1947 DEED
 DB 111 PG 61
 8576-83-5643

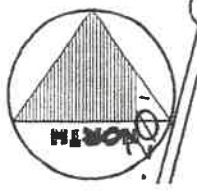
N32°30'00"E
 S32°30'00"W

301.00'

S24°43'38"W
 106.00'

PARCEL 2 DRIVEWAY

1/32" = 1' - 0"



ROW

EXIST
ROADBED

S63°30'00"E 48.0'
"RUNNING WITH SAID ROAD"

3" CRUSHED ROCK
ACCESS DRIVE
GRADE as REQUIRED

Mackey Ridge Rd

S43°54' 70.94'

22.22'

N83°21'28"W

(R.O.W)

NO OTHER
WORK

PARCEL 1
LEGAL FROM 2003 DEED
DB 140 PG 378
8576-83-4791

251.56'
315.00'

383

N32°30'00"E
S32°30'00"W

PARCEL 1 aka TRACT 1
LEGAL FROM 2003 DEED
DB 140 PG 378
8576-83-4791

PARCEL 1 - DRIVEWAY

1/16" = 1' 0"



File 11 Side 922

File 11 Side 922



VICINITY MAP

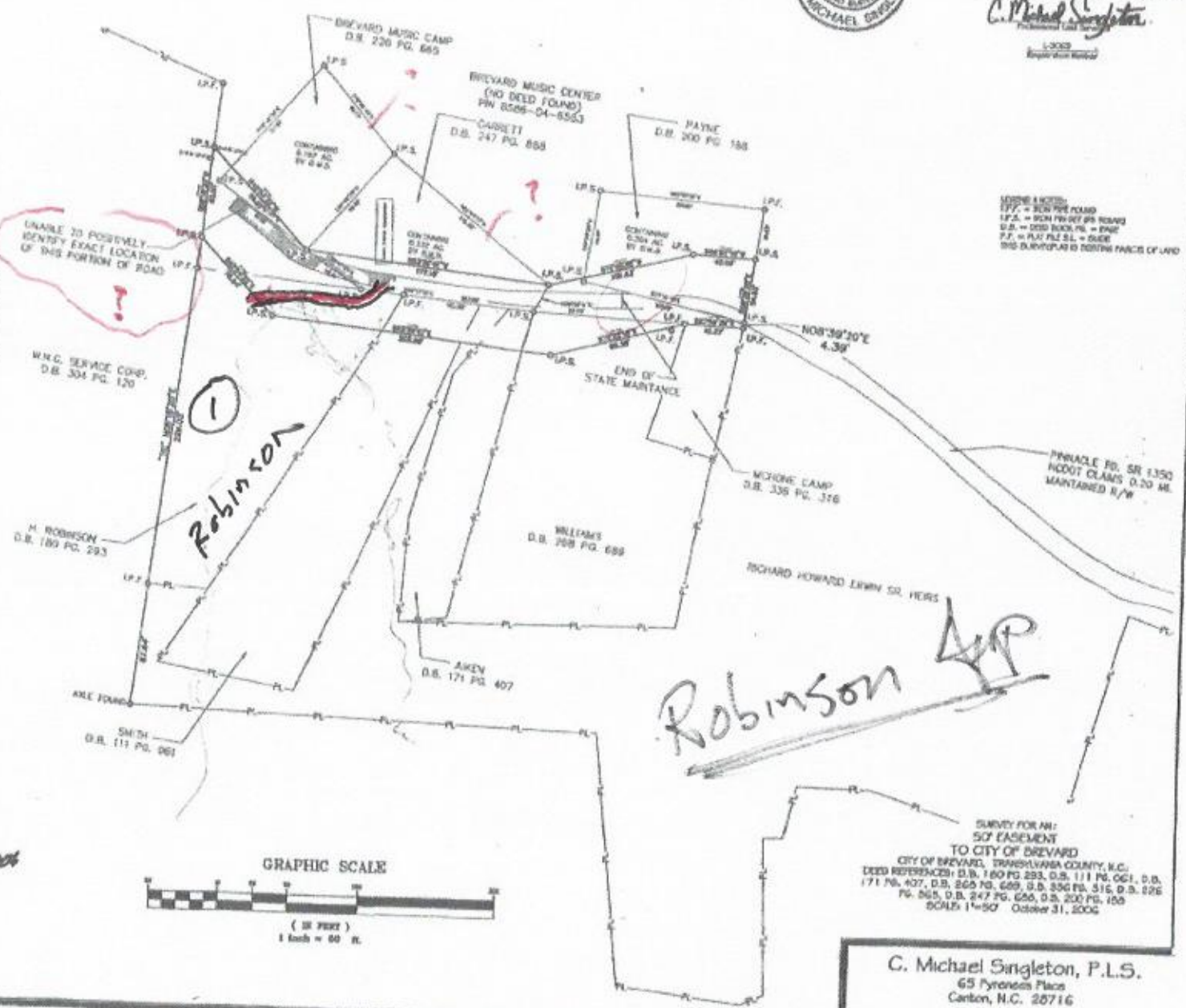


State of North Carolina Transylvania County

I, C. Michael Singleton, certify that the plat was drawn under my supervision and as such survey made under my direction and supervision please acceptances recorded in D.B. 454 PG. 2045; that the presence of the survey, before adjustment, show not exceed one (1) part in 8,000 as indicated by stadia and departures; that the foundation not surveyed are shown as location best; and that the plat was prepared in accordance with G.S. 47-20 as amended. Witness my original signature, registration number, and seal on the 31st day of October A.D. 2006.

C. Michael Singleton
Professional Land Surveyor

L-3068
Registration Number



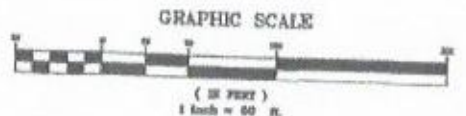
UNABLE TO POSITIVELY IDENTIFY EXACT LOCATION OF THIS PORTION OF ROAD

LEGEND & NOTES:
 L.P.S. = 3/4 IN. PER FOOT
 L.P.A. = 3/4 IN. PER 100' OR ROUND
 D.B. = DEED BOOK, PG. = PAGE
 P.N. = PLAT NUMBER, S.L. = SECTION
 THIS SURVEY PLAT IS DIVIDING PARCELS OF LAND

2006009060
 TRANSLYVANIA CO., N.C. P.L.S. 811
 10-31-2006 10:51:11 AM
 CITY OF BREVARD
 507 EASEMENT
 PF 11
 PG:922-922

REFERENCE MAP:
 1.) PLAT ENTITLED MAP OF BOUNDARY OF PROPERTY OF CITY OF BREVARD, LOCATED ON BRANCHING CREEK AND BRANCH CREEK, BY MERRILL LUDWIG, 1850 LEGAL, DATED SEPTEMBER 14, 1864.
 DRAWING NUMBER: 10-21-21-000.

John Freeman, REVIEW CERTIFICATION THE CITY OF BREVARD, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL REQUIREMENTS AND IS ACCURATE FOR RECORDING. PLAT PROVIDED NO SUBSTANCES OR OBJECTIONS OF LAND.
 REVIEW CERTIFICATE *John Freeman* DATE *October 31, 2006*



STATE OF NORTH CAROLINA, COUNTY OF TRANSLYVANIA
 FILED FOR REGISTRATION ON THE 30th DAY OF OCTOBER 2006
 AT THE OFFICE OF THE REGISTER OF DEEDS TRANSLYVANIA COUNTY BY
 _____ CLERK

SURVEY FOR AN:
 507 EASEMENT
 TO CITY OF BREVARD
 CITY OF BREVARD, TRANSLYVANIA COUNTY, N.C.
 DEED REFERENCES: D.B. 180 PG. 293, D.B. 111 PG. 061, D.B. 171 PG. 407, D.B. 265 PG. 688, D.B. 336 PG. 376, D.B. 326 PG. 065, D.B. 247 PG. 656, D.B. 200 PG. 100
 SCALE: 1"=50' October 31, 2006

C. Michael Singleton, P.L.S.
 65 Pyronon Place
 Canton, N.C. 28716

(228) 646-1180
 C. SINGLETON - R.O.W.

File 11 Side 922

File 11 Side 922



VICINITY MAP

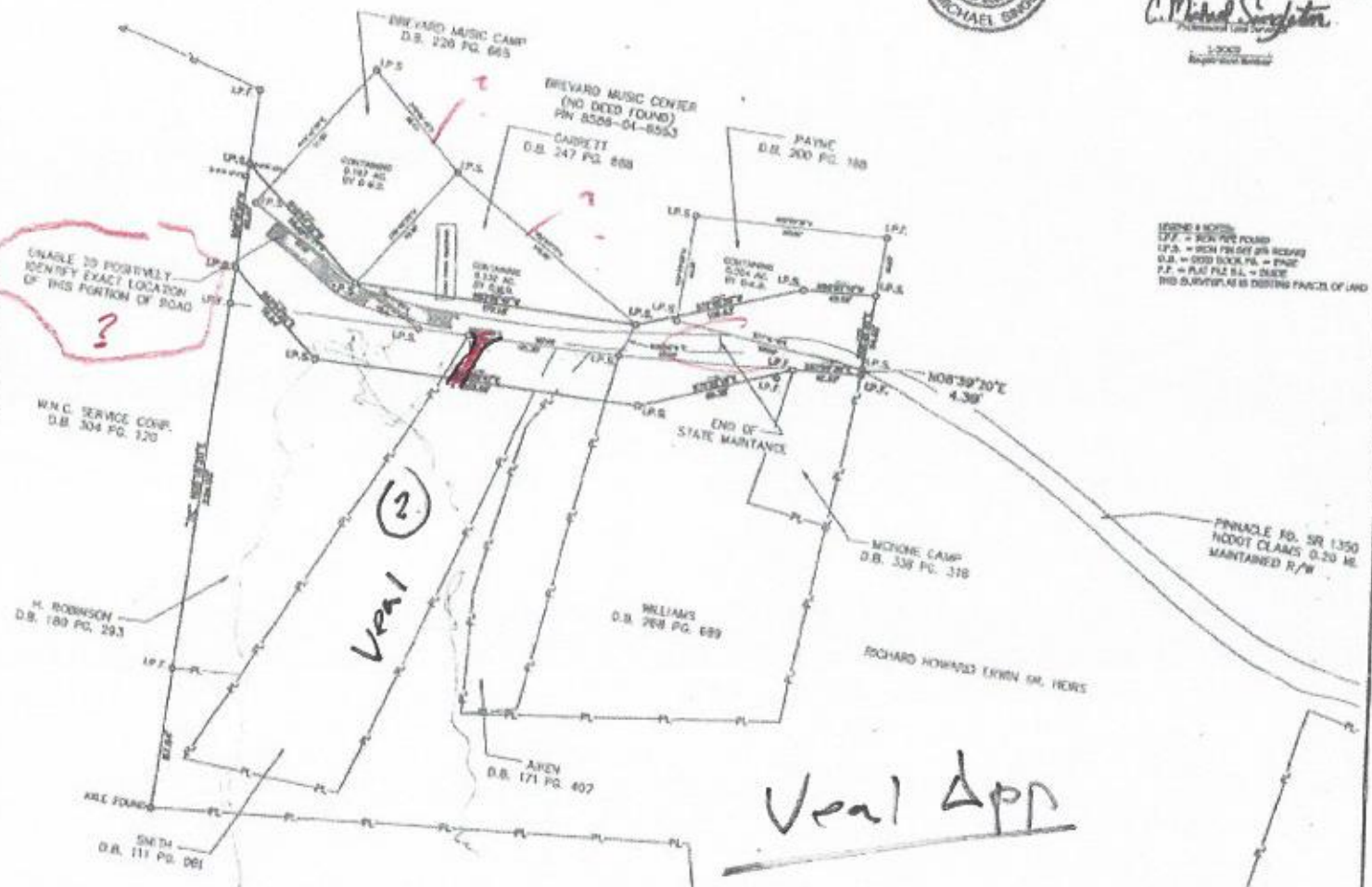


State of North Carolina, Transylvania County

I, C. Michael Singleton, certify that this plat was drawn under my supervision from an actual survey made under my direction and appropriate labels described recorded in (1) N.C. 150 P.C. 2005; that the purpose of the survey, before adjustment, shall not exceed one (1) acre or 0.0001 as calculated by latitude and departments; that the boundaries not surveyed are shown as broken lines and that this plat was prepared in accordance with G.S. 47-50 as amended, passed by original signature, registration or seal, on or after the 1st day of October, A.D. 2006.

C. Michael Singleton
Professional Land Surveyor

1-2005
Registration Number



LEGEND & NOTES:

DP.F. = 200' PER FOOT

DP.S. = 100' PER FOOT (ON RECORD)

D.B. = DEED BOOK NO. = PAGE

P.F. = PLAT PAGE NO. = DATE

THIS SURVEY PLAT IS DIVIDING PARCELS OF LAND

2006009060

TRANSMITTED TO THE REG. OF LAND SURVEYING

10-21-2006 10:58:11 AM

STATE OF NORTH CAROLINA

PLAT 11

PG: 922-922

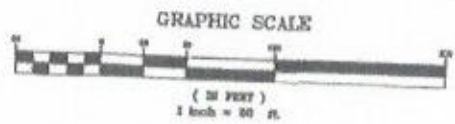
REFERENCE HERE:

1. PLAT ENTITLED "MAP OF SURVEY OF PROPERTY OF CITY OF BREVARD LOCATED ON BRANCHES CREEK AND BRANCH CREEK" BY WILLIAM LEWIS, NO 1655 DATED DECEMBER 14, 1961 DRAWING NUMBER: NC-91-01-200.

JOHN FREEMAN, REVIEW OFFICER FOR THE CITY OF BREVARD, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS APPLIED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING. PLAT PROVIDES NO SUBDIVISION OR DISSECTION OF LAND.

REVIEW OFFICER: *John Freeman* DATE: *October 31, 2006*

STATE OF NORTH CAROLINA, COUNTY OF TRANSYLVANIA FILED FOR REGISTRATION ON THE 31ST DAY OF OCTOBER, 2006 AT _____ AND RECORDS TO BE FILED IN THE OFFICE OF THE REGISTER OF DEEDS, TRANSYLVANIA COUNTY BY _____ COUNTY



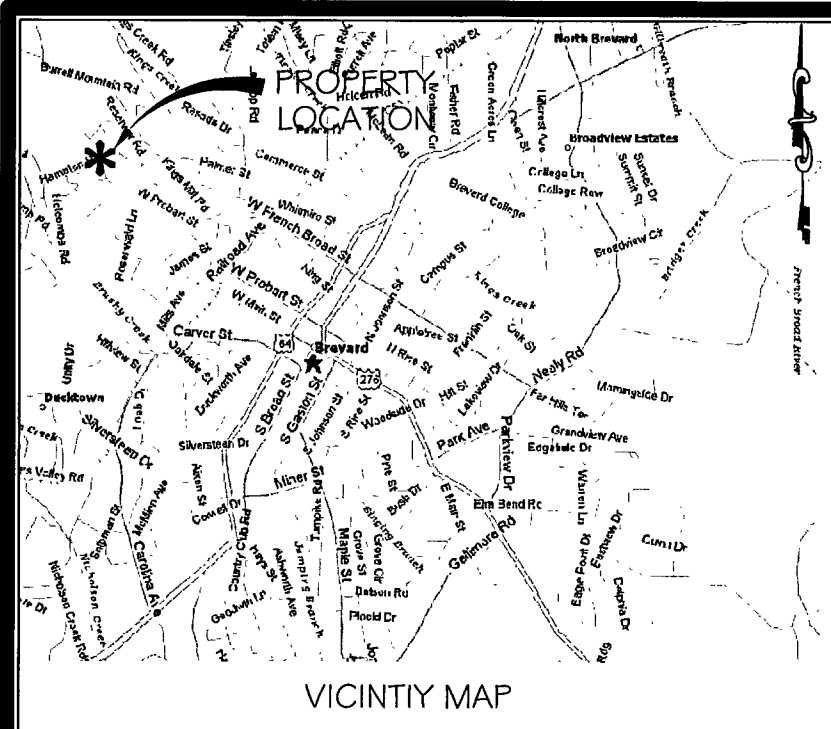
SURVEY FOR AN EASEMENT TO CITY OF BREVARD, TRANSYLVANIA COUNTY, N.C. DEED REFERENCES: D.B. 160 PG. 253, D.B. 111 PG. 061, D.B. 171 PG. 407, D.B. 269 PG. 688, D.B. 338 PG. 318, D.B. 220 PG. 665, D.B. 247 PG. 888, D.B. 200 PG. 188 SCALE 1"=50' October 31, 2006

C. Michael Singleton, P.L.S.
65 Pyreness Place
Canton, N.C. 28716

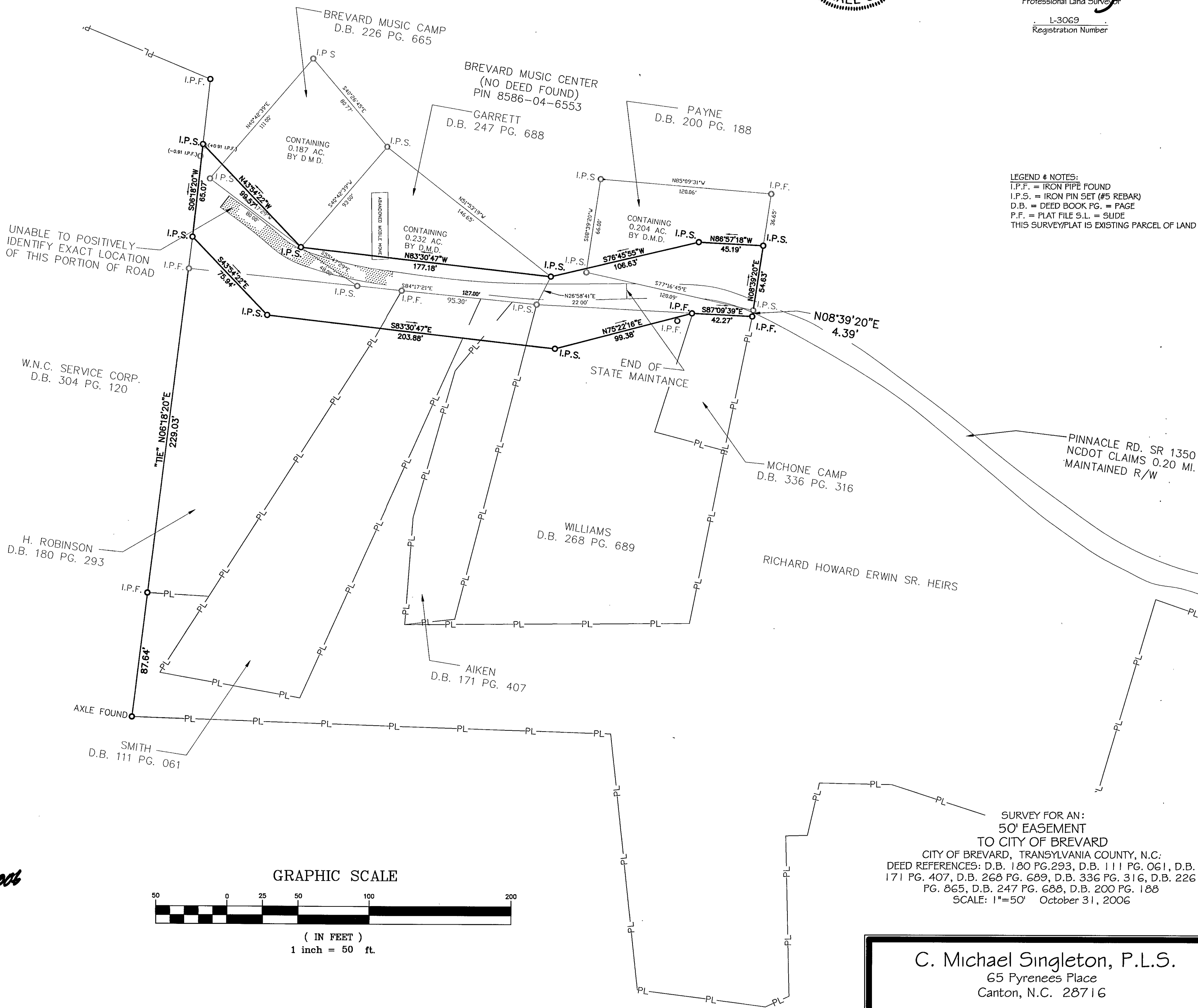
(828) 646-1180

← SINGLETON - R.O.N.

File 11 Slide 922



REFERENCE WILLIAM LEONARD SURVEY DRAWING NUMBER RO-G1-81-200 REFERENCED HEREIN



UNABLE TO POSITIVELY IDENTIFY EXACT LOCATION OF THIS PORTION OF ROAD

END OF STATE MAINTANCE

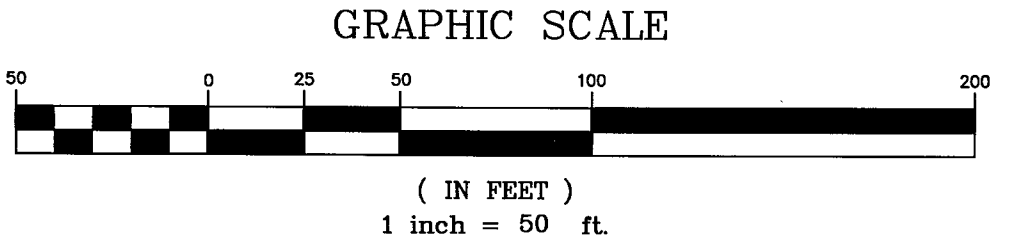
2006009060
 TRANSYLVANIA CO, NC FEE \$21.00
 PREPARED & RECORDED
 10-31-2006 03:53:34 PM
 BY: TERESA D MORTON
 DEPUTY REGISTER OF DEEDS
 PF 11
 PG:922-922

REFERENCE NOTE:
 1.) PLAT ENTITLED "MAP OF SURVEY OF PROPERTY OF CITY OF BREVARD LOCATED ON BRACKENS CREEK AND BRUSHY CREEK", BY WILLIAM LEONARD, RLS L693, DATED SEPTEMBER 14, 1981, DRAWING NUMBER RO-G1-81-200.

Joshua Freeman, REVIEW OFFICER FOR THE CITY OF BREVARD, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING. PLAT PROVIDES NO SUBDIVISION OR DEDICATION OF LAND.

REVIEW OFFICER: *Joshua Freeman* DATE: *October 31, 2006*

STATE OF NORTH CAROLINA, COUNTY OF TRANSYLVANIA
 FILED FOR REGISTRATION ON THE _____ DAY OF _____, 2006
 AT _____ AND RECORDED IN SLIDE _____
 REGISTER OF DEEDS TRANSYLVANIA COUNTY BY _____, DEPUTY



I, C. Michael Singleton, certify that this plat was drawn under my supervision from an actual survey made under my direction and supervision (deed description recorded in D.B. 438 PG. 598); that the precision of the survey, before adjustment, does not exceed one (1) part in 8,000 as calculated by latitudes and departures; that the boundaries not surveyed are shown as broken lines; and that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, registration number, and seal this 31st day of October A.D. 2006.

C. Michael Singleton
 Professional Land Surveyor

L-3069
 Registration Number

LEGEND & NOTES:
 I.P.F. = IRON PIPE FOUND
 I.P.S. = IRON PIN SET (#5 REBAR)
 D.B. = DEED BOOK PG. = PAGE
 P.F. = PLAT FILE S.L. = SLIDE
 THIS SURVEY/PLAT IS EXISTING PARCEL OF LAND

SURVEY FOR AN:
 50' EASEMENT
 TO CITY OF BREVARD
 CITY OF BREVARD, TRANSYLVANIA COUNTY, N.C.
 DEED REFERENCES: D.B. 180 PG.293, D.B. 111 PG. 061, D.B. 171 PG. 407, D.B. 268 PG. 689, D.B. 336 PG. 316, D.B. 226 PG. 865, D.B. 247 PG. 688, D.B. 200 PG. 188
 SCALE: 1"=50' October 31, 2006

C. Michael Singleton, P.L.S.
 65 Pyrenees Place
 Canton, N.C. 28716

(828) 648-1198

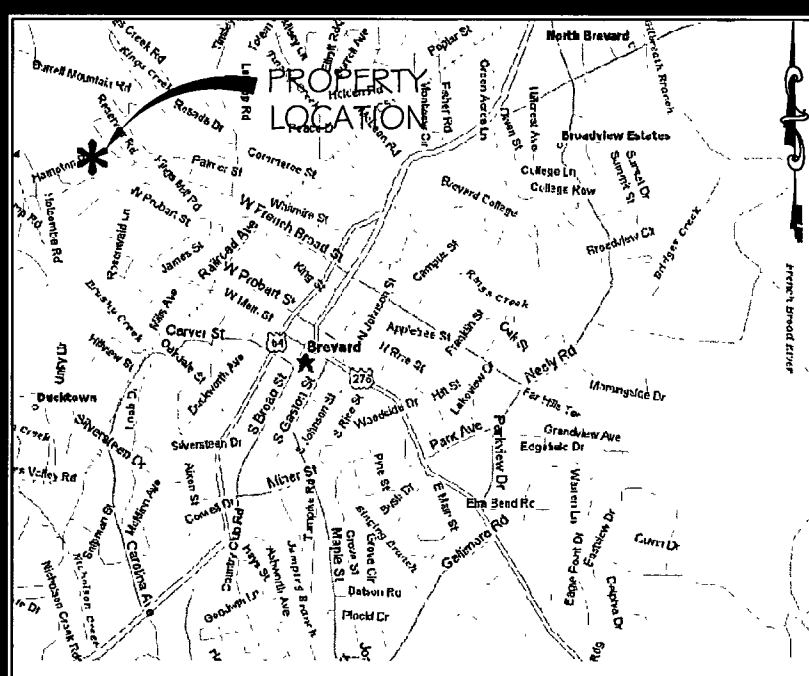
I. C. Michael Singleton, certify that this plat was drawn under my supervision from an actual survey made under my direction and supervision (deed description recorded in D.B. 438 PG. 598); that the precision of the survey, before adjustment, does not exceed one (1) part in 8,000 as calculated by latitudes and departures; that the boundaries not surveyed are shown as broken lines; and that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, registration number, and seal this 31st day of October A.D. 2006.



C. Michael Singleton
Professional Land Surveyor
L-3069
Registration Number

LEGEND & NOTES:
I.P.F. = IRON PIPE FOUND
I.P.S. = IRON PIN SET (#5 REBAR)
D.B. = DEED BOOK PG. = PAGE
P.F. = PLAT FILE S.L. = SLIDE

File 11 Slide 923



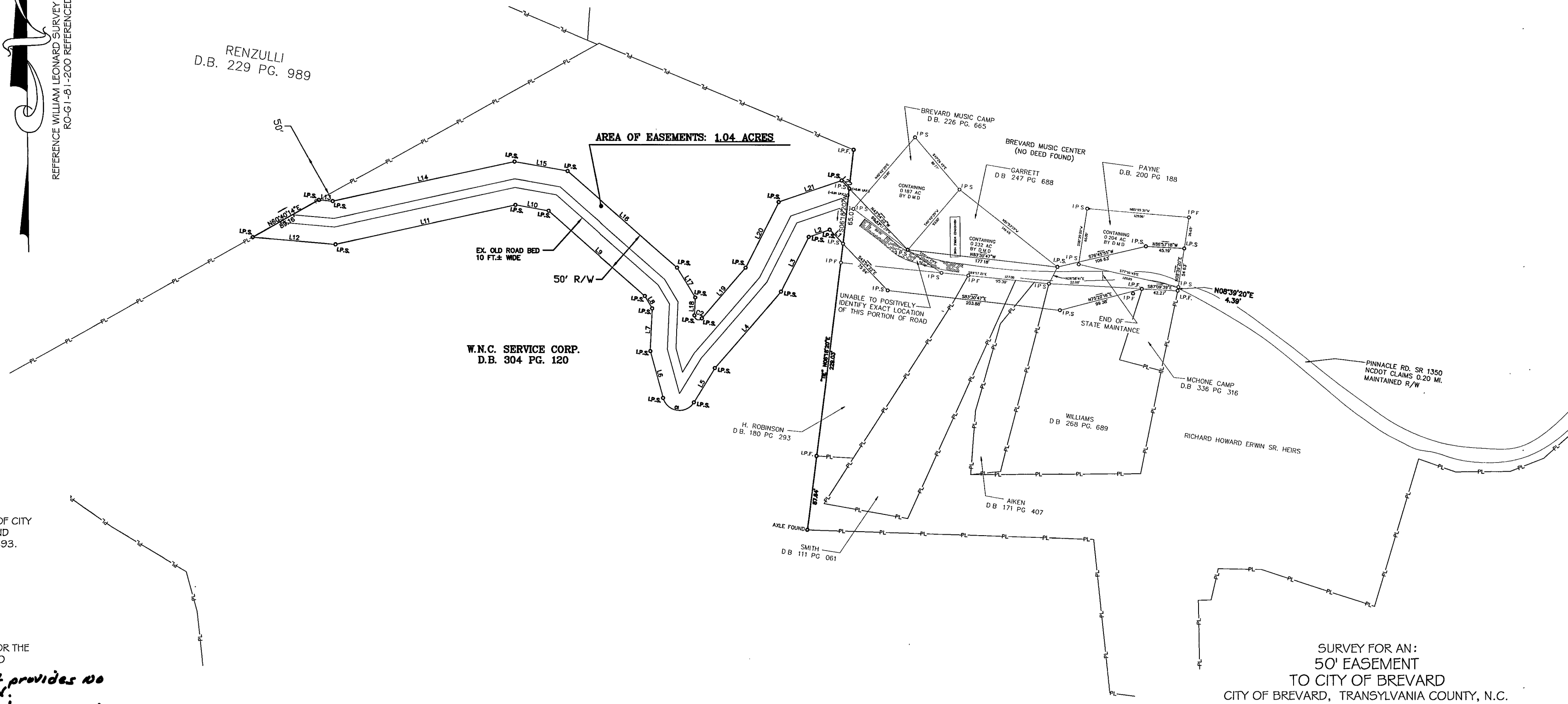
VICINITY MAP

LINE TABLE		
LINE	LENGTH	BEARING
L1	22.61	N43°54'22"W
L2	26.10	S71°07'34"W
L3	71.98	S26°55'13"W
L4	118.84	S40°51'09"W
L5	47.16	S31°24'11"W
L6	57.12	N15°23'23"E
L7	50.18	N02°23'30"E
L8	16.94	N31°02'58"W
L9	151.48	N48°57'08"W
L10	39.73	N80°03'36"W
L11	217.04	S77°32'05"W
L12	97.91	N85°13'07"W
L13	16.51	S85°13'07"E
L14	219.36	N77°32'05"E
L15	63.55	S80°03'36"E
L16	172.08	S48°57'08"E
L17	40.97	S31°33'38"E
L18	21.02	S02°23'30"W
L19	78.62	N40°51'09"E
L20	86.17	N26°55'13"E
L21	78.24	N71°07'34"E
L22	12.81	S43°54'22"E

CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD DIRECTON	CHORD LENGTH
C1	46.50	20.00	N81°59'36"W	36.71
C2	12.35	5.00	S68°22'40"E	9.44

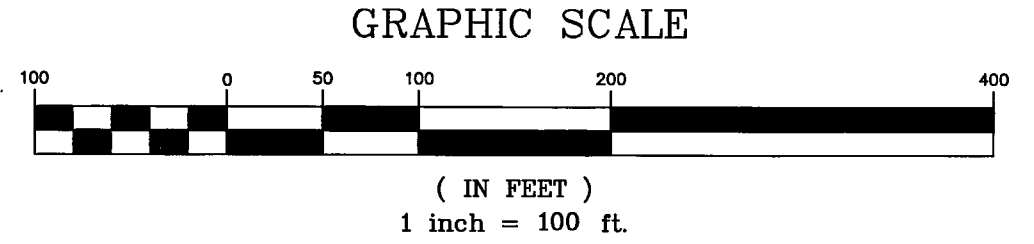
REFERENCE WILLIAM LEONARD SURVEY DRAWING NUMBER RO-G1-81-200 REFERENCED HEREIN

2006009061
 TRANSLYVANIA CO, NC FEE \$21.00
 PRESENTED & RECORDED:
 10-31-2006 03:53:35 PM
 CINDY M OWNBREY
 REGISTER OF DEEDS
 BY: TERESA D MORTON
 DEPUTY REGISTER OF DEEDS
 PF 11
 PG:923-923



REFERENCE NOTE:
 1.) PLAT ENTITLED "MAP OF SURVEY OF PROPERTY OF CITY OF BREVARD LOCATED ON BRACKENS CREEK AND BRUSHY CREEK", BY WILLIAM LEONARD, RLS L693, DATED SEPTEMBER 14, 1981.
 DRAWING NUMBER RO-G1-81-200.

Joshua Freeman, REVIEW OFFICER FOR THE CITY OF BREVARD, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING. Plat provides no subdivision or dedication of land.
 REVIEW OFFICER: *Joshua Freeman* DATE: October 31, 2006



SURVEY FOR AN:
 50' EASEMENT
 TO CITY OF BREVARD
 CITY OF BREVARD, TRANSLYVANIA COUNTY, N.C.
 DEED REFERENCES: D.B. 180 PG. 293, D.B. 111 PG. 061, D.B. 171 PG. 407, D.B. 268 PG. 689, D.B. 336 PG. 316, D.B. 226 PG. 865, D.B. 247 PG. 688, D.B. 200 PG. 188
 SCALE: 1"=100' October 31, 2006

STATE OF NORTH CAROLINA, COUNTY OF TRANSLYVANIA
 FILED FOR REGISTRATION ON THE _____ DAY OF _____, 2006
 AT _____ AND RECORDED IN SLIDE _____
 REGISTER OF DEEDS TRANSLYVANIA COUNTY BY _____, DEPUTY

C. Michael Singleton, P.L.S.
 65 Pyrenees Place
 Canton, N.C. 28716
 (828) 648-1198

10-06-25

Denise Hodsdon, City Clerk
City of Brevard, NC

RE: Appeal to Denial of Driveway Permit Application (231 Pinnacle Road)

Denise

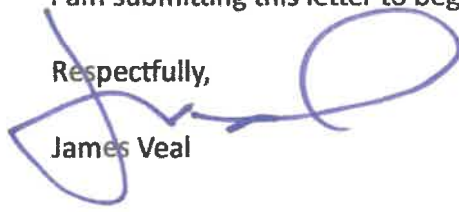
I submitted for a driveway located @ 231 Pinnacle Road on August 8th, 2025

After responding to request for additional information, etc. I received an email from Aaron Bland, Assistant Planning Director on September 19, 2025... stating "I must deny them (the application) so they do not sit open in our permitting system". I have attached the email.

I am submitting this letter to begin the process of appealing that decision

Respectfully,

James Veal

A handwritten signature in blue ink, appearing to read "James Veal", is written over the typed name. The signature is stylized with a large loop and a long horizontal stroke.

95 West Main Street
Brevard, NC 28712
Phone: 828-885-5630
aaron.bland@cityofbrevard.com

E-mail correspondence to and from this address may be subject to North Carolina Public Records Law and may be disclosed to third parties by an authorized City or Law Enforcement official.

From: James Veal <jv@jvealarchitect.com>
Sent: Monday, September 29, 2025 10:49 AM
To: Aaron Bland <Aaron.Bland@cityofbrevard.com>
Subject: RE: Driveway Permits

9/30/25

Denise
I would like to
appeal

Aaron
Thanks

I would like to preserve the option of appealing your decision
Could you please forward to me, what are the step-by-step procedure required to pursue an appeal.
Thanks

Thank you

J. Veal, Architect
627 Bayshore Drive
Pensacola, FL 32507
850.450.3295 jvealarchitect.com

From: Aaron Bland <Aaron.Bland@cityofbrevard.com>
Sent: Friday, September 19, 2025 3:55 PM
To: James Veal <jv@jvealarchitect.com>; Roy Robinson <royrobinson0669@gmail.com>
Cc: Paul Ray <paul.ray@cityofbrevard.com>; Wilson Hooper <Wilson.Hooper@cityofbrevard.com>; Mack McKeller <mack.mckeller@cityofbrevard.com>
Subject: RE: Driveway Permits

Mr. Veal and Mr. Robinson,

Given the materials you have provided I am unable to fully review these applications. Without site plans that show not only the easement but the location of the trail within it, how the proposed driveways will interact with and possibly impact the City's Bracken Mountain Trail cannot be determined. The site plans also do not show where or how vehicles would get to the proposed driveways from where Pinnacle Road ends at the Bracken parking lot. You are correct about driveways typically extending into ROWs to connect to a road, however in this case there is no road to connect to.

Since I cannot approve the permits, I must deny them so they do not sit open in our permitting system.

Best,

Aaron N. Bland, AICP, CZO
Assistant Planning Director
City of Brevard
95 West Main Street
Brevard, NC 28712
Phone: 828-885-5630
aaron.bland@cityofbrevard.com

② ↑ 5

CITY OF BREVARD
CASH RECEIPT
DUPLICATE

Receipt No: 724927
Date: 10/6/2025
Time: 1:31:06PM

Received From:
JAMES VEAL

Received: 100.00

For
ZONING ADMIN 100.00
ZONING APPEAL

Credit 100.00
AMEX 1005
RECEIVED BY WINDOW

10-06-25

Denise Hodsdon, City Clerk
City of Brevard, NC

RE: Appeal to Denial of Driveway Permit Application (245 Pinnacle Road)

Denise

I am Roy Robinson; I have owned & paid taxes on Parcel 1 since 2003. This land has been in my family since 1892 and passed down. Jake & Sarah Mackey were my great great grandparents.

I submitted for a driveway located @ 245 Pinnacle Road on August 8th, 2025

After responding to request for additional information, etc. I received an email from Aaron Bland, Assistant Planning Director on September 19, 2025... stating "I must deny them (the application) so they do not sit open in our permitting system". I have attached the email.

I am submitting this letter to begin the process of appealing that decision'

Sincerely, 

95 West Main Street
Brevard, NC 28712
Phone: 828-885-5630
aaron.bland@cityofbrevard.com

E-mail correspondence to and from this address may be subject to North Carolina Public Records Law and may be disclosed to third parties by an authorized City or Law Enforcement official.

From: James Veal <jv@jvealarchitect.com>
Sent: Monday, September 29, 2025 10:49 AM
To: Aaron Bland <Aaron.Bland@cityofbrevard.com>
Subject: RE: Driveway Permits

9/30/25

Denise
I would like to
appeal

Thank you

Aaron
Thanks

I would like to preserve the option of appealing your decision
Could you please forward to me, what are the step-by-step procedure required to pursue an appeal.
Thanks

J.Veal, Architect
627 Bayshore Drive
Pensacola, FL 32507
850.450.3295 jvealarchitect.com

From: Aaron Bland <Aaron.Bland@cityofbrevard.com>
Sent: Friday, September 19, 2025 3:55 PM
To: James Veal <jv@jvealarchitect.com>; Roy Robinson <royrobinson0669@gmail.com>
Cc: Paul Ray <paul.ray@cityofbrevard.com>; Wilson Hooper <Wilson.Hooper@cityofbrevard.com>; Mack McKeller <mack.mckeller@cityofbrevard.com>
Subject: RE: Driveway Permits

Mr. Veal and Mr. Robinson,

Given the materials you have provided I am unable to fully review these applications. Without site plans that show not only the easement but the location of the trail within it, how the proposed driveways will interact with and possibly impact the City's Bracken Mountain Trail cannot be determined. The site plans also do not show where or how vehicles would get to the proposed driveways from where Pinnacle Road ends at the Bracken parking lot. You are correct about driveways typically extending into ROWs to connect to a road, however in this case there is no road to connect to.

Since I cannot approve the permits, I must deny them so they do not sit open in our permitting system.

Best,

Aaron N. Bland, AICP, CZO
Assistant Planning Director
City of Brevard
95 West Main Street
Brevard, NC 28712
Phone: 828-885-5630
aaron.bland@cityofbrevard.com

② ↑ 5

CITY OF BREVARD
CASH RECEIPT
DUPLICATE

Receipt No: 724928
Date: 10/6/2025
Time: 1:34:07PM

Received From:
JAMES VEAL

Received: 100.00

For
ZONING ADMIN 100.00
ZONING APPEAL

Credit 100.00
AMEX 1005
RECEIVED BY WINDOW

APP-25-0001 Vicinity Map



Map prepared by the City of Brevard Planning Department 11/25/2025



BREVARD BOARD OF ADJUSTMENT

2026 MEETING SCHEDULE

MEETINGS ARE HELD THE FIRST TUESDAY OF EACH MONTH

MEETINGS ARE HELD WHEN THERE ARE MATTERS TO BE HEARD

Date	Time	Type	Location
January 6, 2026	3:00 PM	Regular Meeting	Council Chambers
February 3, 2026	3:00 PM	Regular Meeting	Council Chambers
March 3, 2026	3:00 PM	Regular Meeting	Council Chambers
April 7, 2026	3:00 PM	Regular Meeting	Council Chambers
May 5, 2026	3:00 PM	Regular Meeting	Council Chambers
June 2, 2026	3:00 PM	Regular Meeting	Council Chambers
No meeting July	3:00 PM	Customary to cancel	Council Chambers
August 4, 2026	3:00 PM	Regular Meeting	Council Chambers
September 1, 2026	3:00 PM	Regular Meeting	Council Chambers
October 6, 2026	3:00 PM	Regular Meeting	Council Chambers
November 3, 2026	3:00 PM	Regular Meeting	Council Chambers
December 1, 2026	3:00 PM	Regular Meeting	Council Chambers

Adopted:

Distribution: Posted