Town of Black Mountain Staff Report
Board of Adjustment

Case No: V-25-07
Case Name: 204 Stafford St.

Hearing Date: December 18, 2025
Procedure: Variance Evidentiary Hearing

Address of Variance Request:
204 Stafford Street
Black Mountain, NC 28711
Property ID Number (PIN): 061905507800000

Applicant:
Dennis R. Gregory, Jr.
204 Stafford St.
Black Mountain, NC 28711

Request:
The applicant is seeking a variance from the Urban Residential (UR-8) zoning district's 20-foot front setback requirement. The context is the addition of a front porch that is to be 12 feet wide and eight feet deep. The applicant is seeking an eight-foot reduction in the front setback requirement; the front of the new porch is to be twelve feet from the front property line.

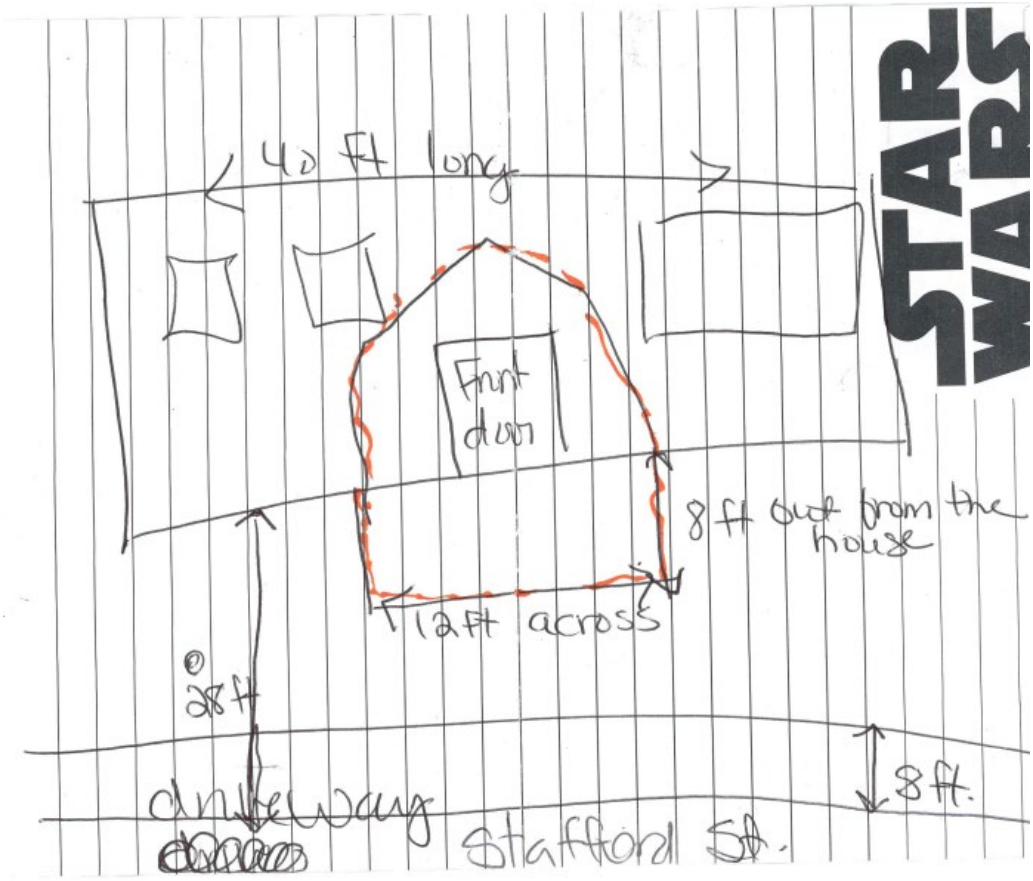
Town Staff:
Jennifer Tipton, Clerk to Board of Adjustment
Russell Cate, Planner 1/Zoning Administrator

I. SUMMARY OF REQUEST

The applicant is seeking an eight-foot variance from the front setback requirement of the Urban Residential (UR-8) zoning district of 20 feet. The context is the addition of a front porch to the home.

Section 4.4.3 of Chapter 4 explains that the setback measurement is taken from the right of way line or the property line, whichever is further back, and that the measurement is "to the nearest portion of the building or structure."

Below is the applicant's site plan:

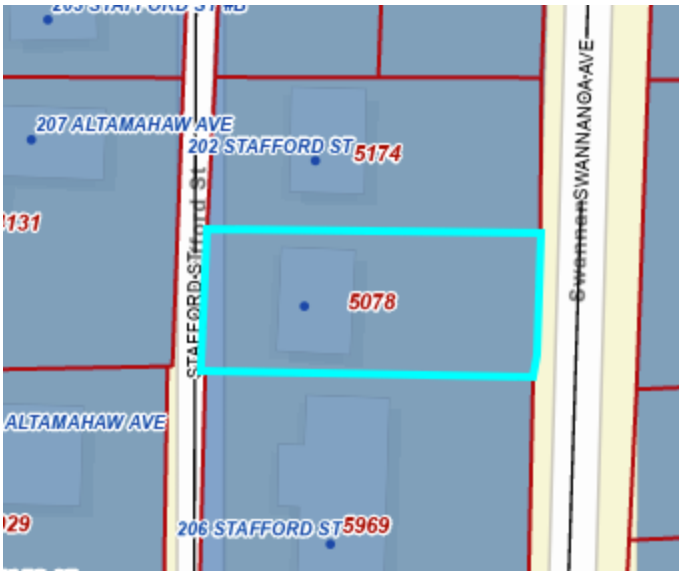


II. PROCESS – REQUIRED CITY APPROVALS

In addition to this variance, the applicant will need to obtain zoning compliance approval and a building permit that demonstrates compliance with all applicable standards of the Zoning Ordinance and the North Carolina Building Codes.

III. ZONING AND LAND USE

The property is in the Urban Residential (UR-8) zoning district. This clip is from Buncombe GIS *(**5078** is the subject property)*:



The *Minimum Yard Requirements* in UR-8 are:

Front: 20 feet
Side: 10 feet
Rear: 15 feet

Reference: Section 4.7.15 (Dimensional Requirements by Zoning District) of Chapter 4.

The surrounding lots are:

	North	South	East	West
Adjacent Zoning Designation	UR-8	UR-8	UR-8	UR-8
Adjacent Land Uses	Single-family home	Single-family home	Single-family home	Single-family home

The *Purpose and Intent* of the UR-8 zoning district is:

> The mixed residential district is established to provide a variety of housing types, promote density in the more urbanized and developable areas or town, and structure the orderly development of residential neighborhoods.

Reference: Section 4.7.4 (Urban Residential District – UR-8) of Chapter 4.

Existing Conditions

According to the Buncombe County Property Record Card for 204 Stafford Street, the parcel has a three-bedroom, single family home that has a total finished area of 1,200 square feet. The county lists the lot size as .18 acre. The overall slope of the lot is 15.9 percent (according to https://www.mapwnc.org/find-slope-for-parcel).

Below is a clip from Buncombe GIS with the 5 Foot Contours, *Stream & River* and *2020 – DFIRM Flood Data* layers turned on (the property does not have any NC DEQ-classified surface waters and is not in the 100-year flood zone). **5078** is the subject property. Note: image is *Post Helene 2024*.



Below is a street view of the lot (photo taken on 12/3/2025).



IV. NOTIFICATION

Notice of the variance request and hearing was mailed to all property owners within 200 feet of the project site. Public notice was posted on the Town bulletin board and on the Town of Black Mountain website on December 1, 2025. Legal notice appeared in *Black Mountain News* the weeks of December 4, 2025, and December 11, 2025. The property was posted with a notice listing the time and date of the hearing.

V. ANALYSIS

The context of the variance request is addition of a front porch that is to be 12 feet wide and eight feet deep. Front porches are common features on homes in the Town of Black Mountain.

Section 4.4.3 (A) of the Land Use Code states that "Yard and setback requirements shall be met unless a variance is granted by the Board of Adjustment."

Per Section 2.1.4 of the Land Use Code, a permit is required before work is begun and a permit shall not be issued until the town zoning administrator has provided authorization that the proposed structure is in compliance with the zoning district in which it is located.

Section 1.7.3 (A) of the Land Use Code states that the board of adjustment shall authorize upon application in specific cases such variance from the terms of the town's land use code as will not be contrary to the public interest and where owing to special conditions, a literal enforcement of the provisions of the town ordinances will, in an individual case, result in practical difficulty or unnecessary hardship. Variances are not intended to provide limited relief from regulations in those cases where strict application of a particular requirement will create a practical difficulty or unnecessary hardship prohibiting the use of land in a manner otherwise allowed in the land use code and in a way that the spirit of the town regulations shall be preserved, public safety and welfare secured, and substantial justice done.

Town staff has determined that the applicants' request to hear the variance is in accordance with Section 1.7.1 (A).