VARIANCE APPLICATON www.townofblackmountain.org

PROPERTY OWNER INFORMATION

Owner Name
Richard & Heidi King

Owner Address (Number, Street, City, State, ZIP)
1104 N. Fork Rd. Black Mtn. NC 28711

Home Phone	Cell Phone	Email Address
Richard 230.7972	828-450-3367	heidink@gmail.com

APPLICATION FOR VARIANCE

I request a variance/variances from the following provisions of the ordinance:

Section Number(s): 4.7. 15 Chap. 4 **Section Title(s):** HB-8 setbacks

Subsection letter(s) and/or number(s): _____ **Subsection Title(s):** _____

So that the below mentioned property can be used in a manner indicated by the plan attached to this form, or if the plan does not adequately reveal the nature of the variance, as more fully described herein ***(if applying for a variance in dimensional requirements, state the revised setbacks or height limitations desired below)***:

We are requesting a variance to the rear and side setbacks as seen on plat.

PROPERTY INFORMATION

Parcel Number	Current Zoning	Acreage
061946241000000	HB-8	.25

Address
131 S. Ridgeway Ave.

Average Slope %	Use of Property
	residential

CERTIFICATION

I hereby certify that all of the information presented by me on this application is accurate to the best of my knowledge, information and belief. I acknowledge that withdrawal of this application after notice has been made will result in forfeiture of any application fees associated with said application. I acknowledge that attendance at the Zoning Board of Adjustment meeting is mandatory for the review of this application.

Petitioner Signature	Date
	9/10/25

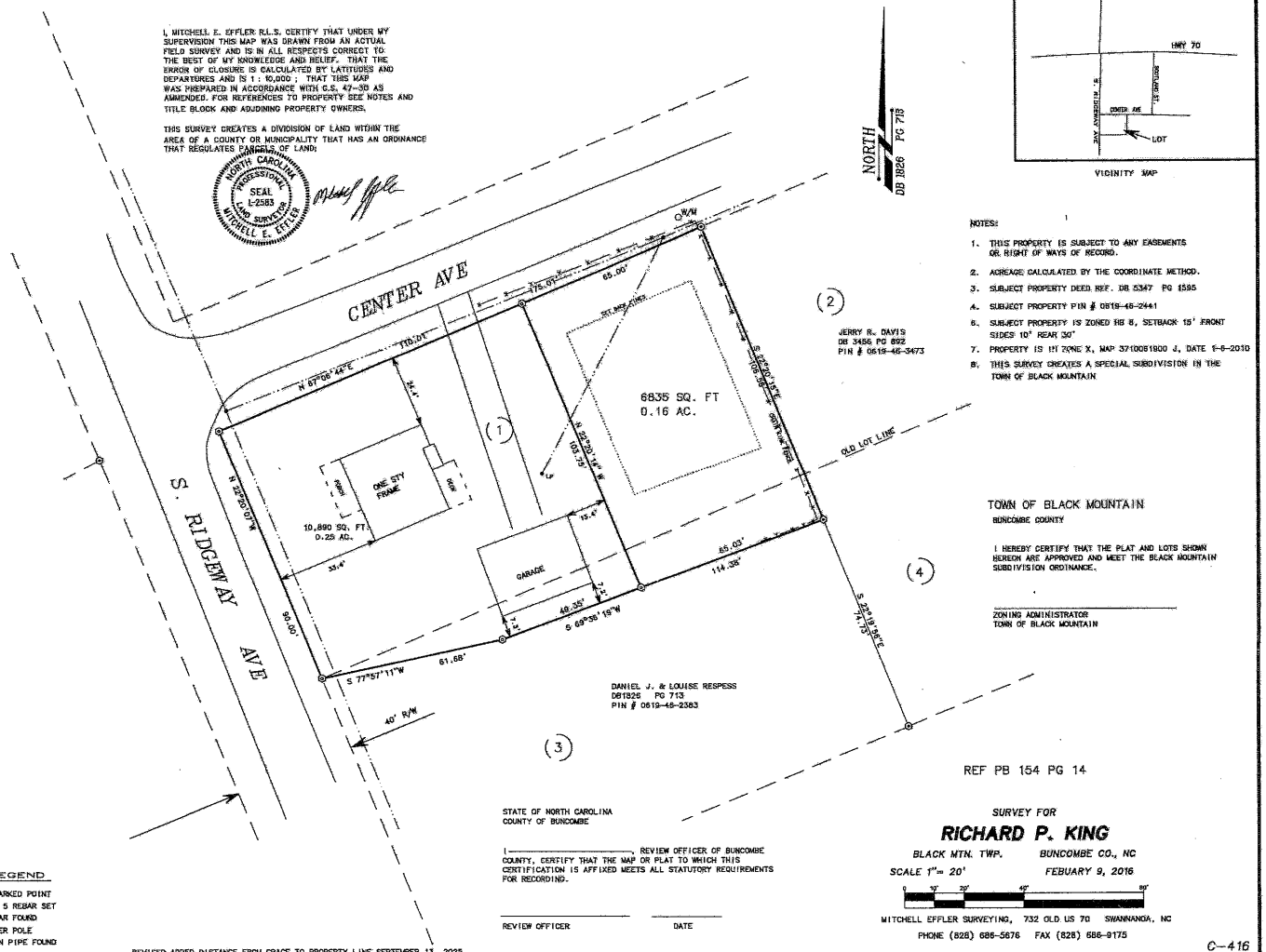
OFFICE USE ONLY

Date Received:	Fee: ~~$600.00~~ XXXXXX SEE CURRENT FEE SCHEDULE
9/16/2025 Russell	Cash: ☐ Check: ☐ # _____ Credit: ☐
Case Number:	Meeting Date:

I, MITCHELL E. EFFLER R.L.S. CERTIFY THAT UNDER MY SUPERVISION THIS MAP WAS DRAWN FROM AN ACTUAL FIELD SURVEY AND IS IN ALL RESPECTS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. THAT THE ERROR OF CLOSURE IS CALCULATED BY LATITUDES AND DEPARTURES AND IS 1 : 10,000 ; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMMENDED. FOR REFERENCES TO PROPERTY SEE NOTES AND TITLE BLOCK AND ADJOINING PROPERTY OWNERS.

THIS SURVEY CREATES A DIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND;

NORTH CAROLINA PROFESSIONAL LAND SURVEYOR SEAL L-2583 MITCHELL E. EFFLER



VICINITY MAP

NOTES:

1. THIS PROPERTY IS SUBJECT TO ANY EASEMENTS OR RIGHT OF WAYS OF RECORD.
2. ACREAGE CALCULATED BY THE COORDINATE METHOD.
3. SUBJECT PROPERTY DEED REF. DB 5347 PG 1595
4. SUBJECT PROPERTY PIN # 0619-46-2441
5. SUBJECT PROPERTY IS ZONED HS S, SETBACK 15' FRONT SIDES 10' REAR 30'
7. PROPERTY IS IN ZONE X, MAP 3710061900 J, DATE 9-6-2018
8. THIS SURVEY CREATES A SPECIAL SUBDIVISION IN THE TOWN OF BLACK MOUNTAIN

TOWN OF BLACK MOUNTAIN
BUNCOMBE COUNTY

I HEREBY CERTIFY THAT THE PLAT AND LOTS SHOWN HEREON ARE APPROVED AND MEET THE BLACK MOUNTAIN SUBDIVISION ORDINANCE.

ZONING ADMINISTRATOR
TOWN OF BLACK MOUNTAIN

LEGEND

- O UNMARKED POINT
- ◎ NO. 5 REBAR SET
- ⊙ REBAR FOUND
- • POWER POLE
- ◎ IRON PIPE FOUND

REVISED ADDED DISTANCE FROM GRAGE TO PROPERTY LINE SEPTEMBER 13, 2025

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE

I _____, REVIEW OFFICER OF BUNCOMBE COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER _____ DATE _____

REF PB 154 PG 14

SURVEY FOR

RICHARD P. KING

BLACK MTN. TWP. BUNCOMBE CO., NC

SCALE 1"= 20' FEBUARY 9, 2016

0 10' 20' 40' 80'

MITCHELL EFFLER SURVEYING, 732 OLD US 70 SWANNANOA, NC
PHONE (828) 686-5676 FAX (828) 686-9175

C-416

VARIANCE BURDEN OF PROOF

In the spaces provided below, indicate the facts you intend to demonstrate and the arguments that you intend to make to demonstrate to the ZBA that it can properly grant the variance as provided for in Chapter 1, Section 1.7.3 Variances. The Zoning Board of Adjustment does not have unlimited discretion in deciding whether to grant a variance.

Please indicate how the proposed project meets the below requirements. If additional space is required, please provide the information on a separate sheet of paper.

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

   The current house is only 2 bedrooms, 1 bath. In order for us to add living space while maintaining the original character and foot print of the historic home in a cost effective way we would like to convert the garage to livable space.

2. Indicate how 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.

   The historic homes around us have all been torn down and giant homes without historic character have been built in their place. In order for us to maintain value and livability we need to make more bedrooms/bathroom.

3. Indicate how 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.

   When we purchased the home it had the same foot print it does now. We have improved and maintained the historic home without changing the footprint. The original setbacks were less then required now.

4. Indicate how the requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured and substantial justice is achieved.

   We want to continue to provide walkable housing downtown and keep making historic homes beautiful and relevant in a day and age when more bedroom/bathrooms are standard. We want to keep the character of our downtown and add beautiful modifications in keeping with the aesthetic as we did with Pure & Proper.

One additional and important reason that we'd like to add on to our home is to be able to continue providing affordable housing options in the downtown area. Just on our block alone the last 3 homes that were built are over 3,500 sq ft each. Each one of these homes were built by tearing down a smaller, older home. These homes, and ones similar to these in Black Mtn. are driving the cost of real estate up to the point that locals are struggling to purchase or rent homes in or near Black Mtn. We think its important to keep these smaller and often times more charming homes around.

Thank You