STAFF REPORT
Board of Adjustment, Tuesday, March 3, 2026

Title:	VAR-26-0001 - 775 Camptown Rd.
Speaker:	Katherine Poe
Prepared by:	Katherine Poe, Planner/Assistant Zoning Administrator
Approved by:	Paul Ray, Planning Director

Background
The applicant, Connie Mields-Perry, owns property at 775 Camptown Rd, which is located in the General Residential-8 (GR-8) zoning district and in the City's municipal limits. The parcel identification number is 8597-90-2186-000.

The applicant is requesting a variance from UDO Chapter 2.8.D(1), to allow a chain link fence in their front yard. The ordinance language states that fences must be made of "brick, stone stucco, wrought iron, wood, or other materials similar in appearance and durability." It further states that chain link fences may only be used in the side and rear yard.

*"**D.** Fence and wall materials shall conform to the following requirements:*

1. *GR and RMX districts:*
    1. *All fences and walls must be of **brick, stone, stucco, wrought iron, wood, or other materials similar in appearance and durability,** except that **chain link or woven wire may be used in the side and rear yards**.*
    2. *All other wire fences, including barbed wire or concertina wire, are prohibited.*
    3. *Nothing in this chapter shall prevent the administrator from approving architecturally variant uses of material to allow creative fence design, such as the contemporary look of heavy-gauged welded wire panels framed in timber.*
    4. *The use of plastic plumbing pipe is a prohibited fence material."*

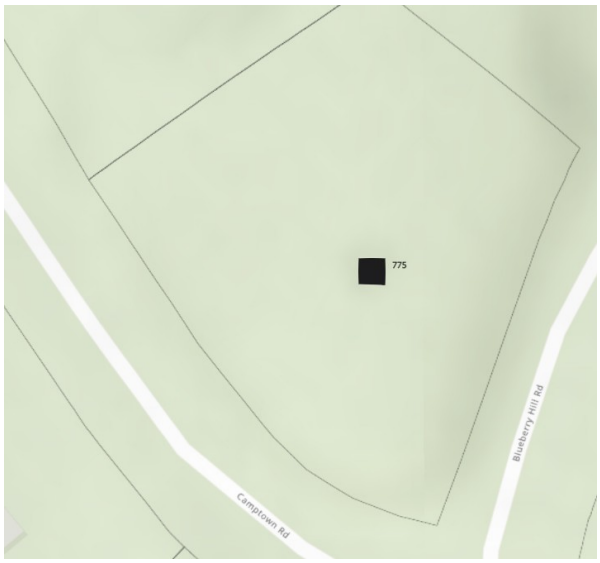
The ordinance defines the front, side, and rear yards based on the location of the public right-of-way, not the direction the structure is facing. The applicant's property fronts city streets - Camptown Road and Blueberry Hill Road - on two property lines. Per the ordinance, this property is a multi-frontage lot with two front yards (defined as the portion of the lot between the front building line and the right-of-way). The applicant's fence is currently positioned along the entire frontage of Blueberry Hill Road and the majority of the frontage along Camptown Road.

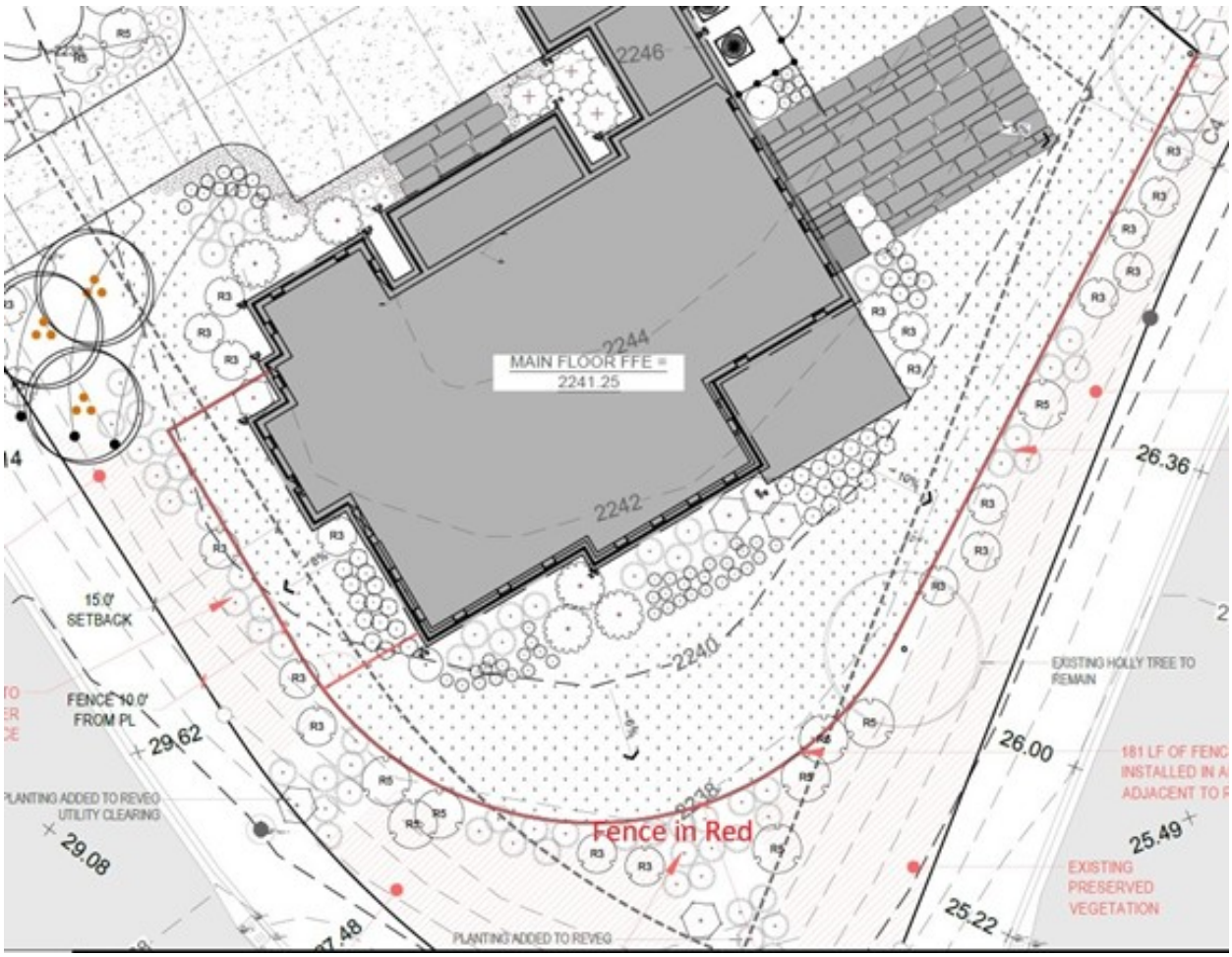
If the variance is not granted, the applicant will need to remove the fence or replace the fence with approved materials (brick, stone, wood, etc.).

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

Discussion
In January 2026, the City received a complaint that the property owners had erected a black chain link fence without a permit. The City verified the complaint and contacted the owner of the property. The owner inquired about obtaining a fence permit and started the online application, but the City was unable to approve the application as chain link fences are not allowed in any front yard in the GR districts.

The applicant's property has street frontage along two City Streets, Camptown Rd and Blueberry Hill Rd. This lot is considered double-fronted per the UDO, and the new fence is along both streets.





The applicant did go through the approval process with Straus Park's Environmental Control Committee (ECC), and the fence was approved by this committee; however, the owner was unaware of the City's requirements.

The owner states that black chain link fencing is a requirement by the ECC and will discuss this at the hearing.

Investigation

Upon inspection, the fence has been erected and is currently along both street frontages.



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 Files
2. UDO 2.8 fences and walls
3. Parcel Map

City of Brevard
828-885-5630

95 West Main Street
Brevard, NC 28712

Record Report for Variance #VAR-26-0001

Record Overview

Record Number: VAR-26-0001

Record Type: Variance

Record Status: In Progress

Record Submitted At: Friday January 9, 2026

Record Address: 775 Camptown Rd, Brevard NC 28712

Record Owner: Katherine Poe

Record Applicant: Connie Mields-Perry

Form Submission

Applicant:
Connie Mields-Perry
connie.mieldsperry@gmail.com, (954) 553-8308

Property Owner (if different):
Connie Mields-Perry
connie.mieldsperry@gmail.com, (954) 553-8308

Property Address: 775 Camptown Rd, Brevard NC 28712

Parcel Identification Number (PIN): 8587-90-2186-000

Zoning District: General Residential - 8 (GR8)

Overlay District: None

Description of Variance Request:

Regulations:
Chain Link or woven wire fencing is allowed in the side and rear yards behind the front building line.
Chain link is not allowed as a primary front yard fence material on residential lots.

Request: Use of black chain link fence on back and side of house (181 linear feet), which is technically considered front yard in both cases according to zoning map. Our lot faces two streets, but the house was built so the actual front of the house does not face either street.

Reasons for Variance Request:

Request: Use of black chain link fence on back and side of house, which is technically considered front yard in both cases according to zoning map. Our lot faces two streets, but the house was built so the actual front of the house does not face either street.
See attached supplemental document responding to the four hardship criteria.

Signature: 

Signed in GovWell: Friday January 9, 2026, 1:13pm

Details of Hardships that Compliance with Brevard Fence Regulations would Cause

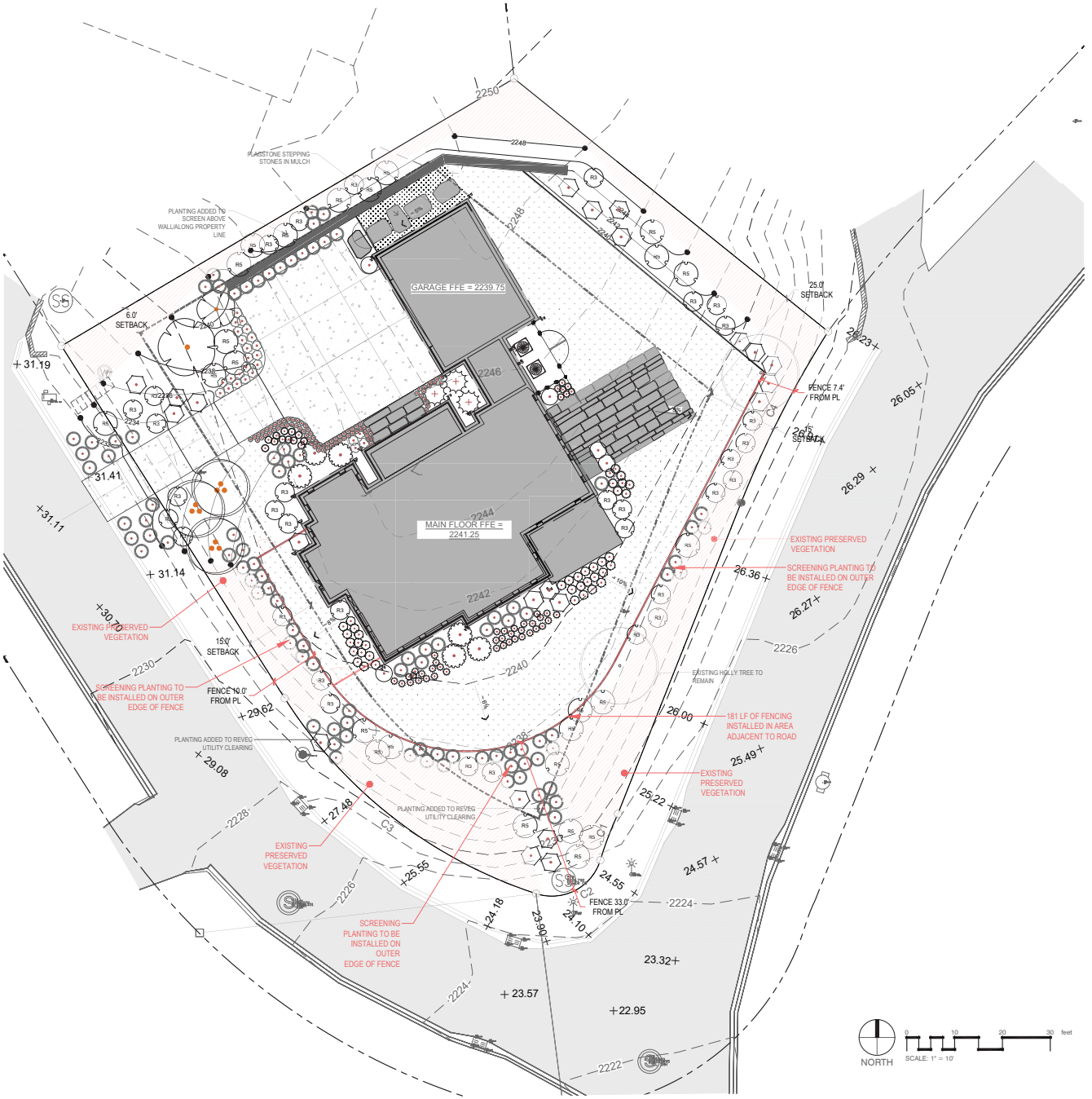
1) The overriding goal of the Straus Park Environmental Control Committee (ECC) is to maintain to the greatest extent possible the 'Natural', undisturbed aspects of each individual property within the community. To this end, it is only permitted to use 4', black, vinyl coated fencing because it is the least obtrusive fencing option, being the building material that is most easily buffered with vegetative screening, to preserve the natural appearance of the site. Use of other materials, ornamental or prominent architectural designs, are prohibited. None of the City of Brevard's approved fencing materials for use in front yards (wood, brick, stucco, etc.), which border street fronting side and rear yards are permitted.
2) There is no other suitable orientation of the house on the lot, due to its size, configuration and topography, resulting in the side and rear yards both facing streets, triggering the city's prohibition of chain link fencing in these areas: The orientation of the house is the only possible way to incorporate a garage. Plus, any other orientation would have caused significant disturbance to the site, which is discouraged by the Straus Park ECC. Any other orientation of the house would have also either required substantial "cutting in" for a driveway, which is also discouraged, or constructing a driveway that would be unreasonably steep and unsafe.
3) The only possible design/orientation of the house could not have been anticipated prior to purchasing the lot and was only discovered during the Preliminary Plan Review with the ECC and not caused by any actions taken by the owner/applicants. No other site plans were deemed possible during this approval phase, as they would have substantially disturbed the site, contrary to the overarching building precepts of the Straus Park ECC.
4) The requested variance is consistent with the spirit, purpose and intent of both the City of Brevard and the community of Straus Park. Both entities are pursuing the same goal of preserving the city's natural beauty, by only allowing less obtrusive, visually appealing fence designs, in keeping with the environment of the greater rural mountain community. The only disagreement is over what materials best achieve this objective and whether a variance should be granted to be consistent with the community's guidelines, or whether the city's permitted materials should supersede those of the community. We believe that there are also a couple other factors that should be considered that may help mitigate the conflict between the two sets of requirements. First: When approaching the house from either of the two streets it faces, whether by car or foot, there is a berm around the property, bordering the frontage streets, ranging approximately 12-18 feet in height, so not in

direct line of sight. Second: There is already considerable vegetation on the front face of the berm (excluding areas where utilities were installed during construction and will be re-vegetated as part of the landscape installation). In addition, we went through a very rigorous approval process for the landscape design with the community, requiring substantial screening around the fencing. Aside from the community's requirement, there was considerable effort on our part to source the most mature plant material possible, to minimize the time for the landscaping to "grow in". These measures were not only a requirement, but also our preference, to provide us with the maximum enjoyment of the property from the beginning. We believe that all the above will contribute to the fence being barely visible from the street.

PLANT SCHEDULE

SYMBOL	BOTANICAL / COMMON NAME	SIZE	QTY
TREES			
	Amelanchier x grandiflora 'Autumn Brilliance' / Autumn Brilliance Apple Serviceberry	6` Ht.	3
	Cornus florida 'Cherokee Princess' / Cherokee Princess Dogwood	12` Ht.	1
	Ilex x 'Nellie R. Stevens' / Nellie R. Stevens Holly	6` Ht.	1
SHRUBS			
	Athyrium filix-femina / Common Lady Fern	3 gal.	25
	Cornus sericea / Red Twig Dogwood	7 gal.	3
	Dennstaedtia punctilobula / Hay-scented Fern	3 gal.	8
	Dryopteris erythrosora / Autumn Fern	3 gal.	31
	Echinacea purpurea / Coneflower	1 gal.	12
	Hydrangea paniculata 'Limelight' / Limelight Panicle Hydrangea	5 gal.	6
	Hydrangea quercifolia / Oakleaf Hydrangea	3 gal.	22
	Ilex glabra 'Shamrock' / Shamrock Inkberry Holly	5 gal.	5
	Pachysandra terminalis / Japanese Pachysandra	4"	79
	Panicum virgatum 'Heavy Metal' / Heavy Metal Switch Grass	3 gal.	97
R3	Rhododendron maximum / Rosebay Rhododendron	3` Ht.	33
R5	Rhododendron maximum / Rosebay Rhododendron	5` Ht.	25
	Rudbeckia hirta / Black-eyed Susan	1 gal.	44

SYMBOL	BOTANICAL / COMMON NAME	SIZE	SPACING	QTY
GROUND COVERS				
	Festuca arundinacea 'Black Beauty' / Black Beauty Tall Fescue	sod		3,121 sf



PROGRESS PRINT - NOT FOR CONSTRUCTION

copyright © 2024, halloran design studio, llc

PERRY RESIDENCE

HALLORAN design studio
Asheville, NC
p: 413.244.0661
e: kyle@hallorandesignstudio.com

Preliminary
For Review Purposes Only
Not for Construction

PERRY RESIDENCE

Camptown Road, Lot M102
Brevard, NC 28712
Transylvania County

NO.	DATE	REVISION
1	11/13/24	PRELIM ECC
2	12/9/24	FINAL ECC
3	1/29/25	FINAL ECC REV 1
4	10/13/25	FINAL ECC REV 2
5	10/27/25	FINAL ECC REV 3
6	1/9/26	FENCE NOTES

DATE: January 9, 2026

PLANTING PLAN

SHEET TITLE

L 1.04

SHEET NUMBER



Image courtesy of the Straus Park Development Corp.

Straus Park
Environmental Control Committee

PO Box 580
Arden, NC 28704

Design Manual

Guidelines
Including Application and Approval Procedures, Construction Aspects,
And General Policies

May 2023 Edition

5.6 Permanent Fences

The ECC requires that above ground fences shall be reviewed on a case-by-case basis. Each site is unique and requests for approval of fences shall be reviewed based on the project's site-specific conditions and its compliance with general objectives and site planning concepts and goals of Straus Park. Approval of any fence does not establish precedent or have bearing on future requests. Generally, Straus Park is intended to be a natural, open landscape, emphasizing the natural over the manmade.

a. Fences shall not be permitted in front yards or side yards, except for small wooden fences serving to obscure HVAC equipment. These fences require ECC authorization.

b. Functional fences shall be as unobtrusive as possible and shall be allowed only when they are not visually prominent. Setbacks for fences are equal to the required building setbacks.

c. Maximum fence height shall be sixty (60) inches.

d. Functional fences shall be black or bronze vinyl-coated steel chain link. Generally, no other materials will be allowed. Decorative fences are discouraged but may be considered as part of an overall landscape plan. Materials shall be natural and shall blend with the natural landscape and the overall architecture of the house. Overly formal or grand fences are prohibited.

The presence and maintenance of existing vegetation visually screening the fence is strongly encouraged and will be considered in the review of any request. Maintenance of such landscape buffers is an on-going condition for fence approval. Removal of landscape buffers will revoke approval of a fence and the ECC may require the Owner to remove the fence.

5.7 Landscape Structures and Site Amenities

According to the original Straus Park Design Manual paragraph 1.3.1, Planning, "Preservation of Straus Park's existing natural beauty and heritage was the design team's first priority". The current amendment to the covenants for Straus Park recorded on November 14, 2012, paragraph 5.4 states:

> "Proper Condition. No part of Straus Park shall be used in a manner, nor shall any condition be allowed to exist thereon, which would constitute a fire hazard, a nuisance or which would produce or allow emanating therefrom noxious odors or fumes, excessive noise or vibrations."

A goal of Straus Park is to promote and protect the subtle sounds of the outdoors, such as birdsong, the rustling of wind through the trees, and the trickle of flowing streams. This is in keeping with the overall intent of the Design Guidelines to create and maintain a Mountain Park Architecture evocative of the natural environment.

In accordance with Straus Park's covenants regarding lessening noise while enhancing our natural environment, permanent private basketball courts, platform tennis courts, one-wall paddleball courts, or the like are prohibited. Permanent or temporary basketball, soccer, or football goal posts (or similar) within public view are prohibited on private property. Likewise, amenities not deemed by the ECC to blend-in with our natural setting, such as putting greens or synthetic turf dog runs, etc., may be prohibited at the sole and absolute discretion of the ECC. See also paragraphs 6.1.10 and 6.2.10, Landscape Structures and Site Amenities.

2.8. Fences and walls.

A. All fences and walls shall be constructed so that the best face faces outward from the parcel upon which it is constructed and towards adjacent properties. The "best face" shall generally mean the side opposite to framing members.

B. Fences and walls shall not be placed within public utility easements or public right-of-way without first securing an encroachment agreement from the City of Brevard, the North Carolina Department of Transportation, or other appropriate entity.

C. Fence or wall height shall be measured from the side of the fence or wall that is exterior to the property as the vertical distance between the lowest adjacent ground level, natural or filled, and the top of the fence material. Fence heights are restricted as follows:

1. In the General Industrial district, and public safety and other critical facilities. Fences or walls shall be no greater than six feet in height in the front yard(s) and no greater than eight feet in height in the side and rear yards.
2. All other districts and uses. Fences or walls shall be no greater than four feet in height in the front yard(s) and no more than eight feet in the side and rear yards.
3. No closed fence or wall shall be greater than two-and-a-half feet in height when placed within the sight triangle of any intersection as specified in Section 9.5 of this ordinance. Open fences are exempt from this provision.

D. Fence and wall materials shall conform to the following requirements:

1. *GR and RMX districts:*
   a. All fences and walls must be of brick, stone, stucco, wrought iron, wood, or other materials similar in appearance and durability, except that chain link or woven wire may be used in the side and rear yards.
   b. All other wire fences, including barbed wire or concertina wire, are prohibited.
   c. Nothing in this chapter shall prevent the administrator from approving architecturally variant uses of material to allow creative fence design, such as the contemporary look of heavy-gauged welded wire panels framed in timber.
   d. The use of plastic plumbing pipe is a prohibited fence material.
2. *CMX, DMX, PGX, NMX, and IC districts:*
   a. All fences and walls must be of brick, stone, stucco, wrought iron, wood, or other materials similar in appearance and durability.
   b. Chain link wire fences may be used as secure enclosures internal to the property or site subject to the following requirements:
      i. Chain link fences shall not be visible from a public right-of-way,
      ii. Chain link fences shall not serve as a perimeter fence or property line fence unless buffered by a type A buffer yard on all sides, and then only in the side or rear yard behind the front building line.
   c. All other wire fences, including barbed wire or concertina wire, are prohibited.
   d. All walls and fences shall be materially similar to other walls and fences in the same block or general vicinity.
3. *General Industrial district~~s~~, public safety facilities, and other critical facilities:*
   a. All fences and walls must be of brick, stone, stucco, wrought iron, wood, or other materials similar in appearance and durability, and shall be materially similar to other walls and fences on the same block or general vicinity.
   b. Vinyl coated, chain link fencing may be approved by the administrator as perimeter fencing with additional filtering through openings using opaque or semi opaque slats or screening or by installing a type A landscaping buffer between incompatible uses, between different zoning districts or where visible from a public street.
4. *Barbed wire:* Barbed wire may be permitted within agricultural operations with livestock and any bona-fide agricultural operations within any zoning district.

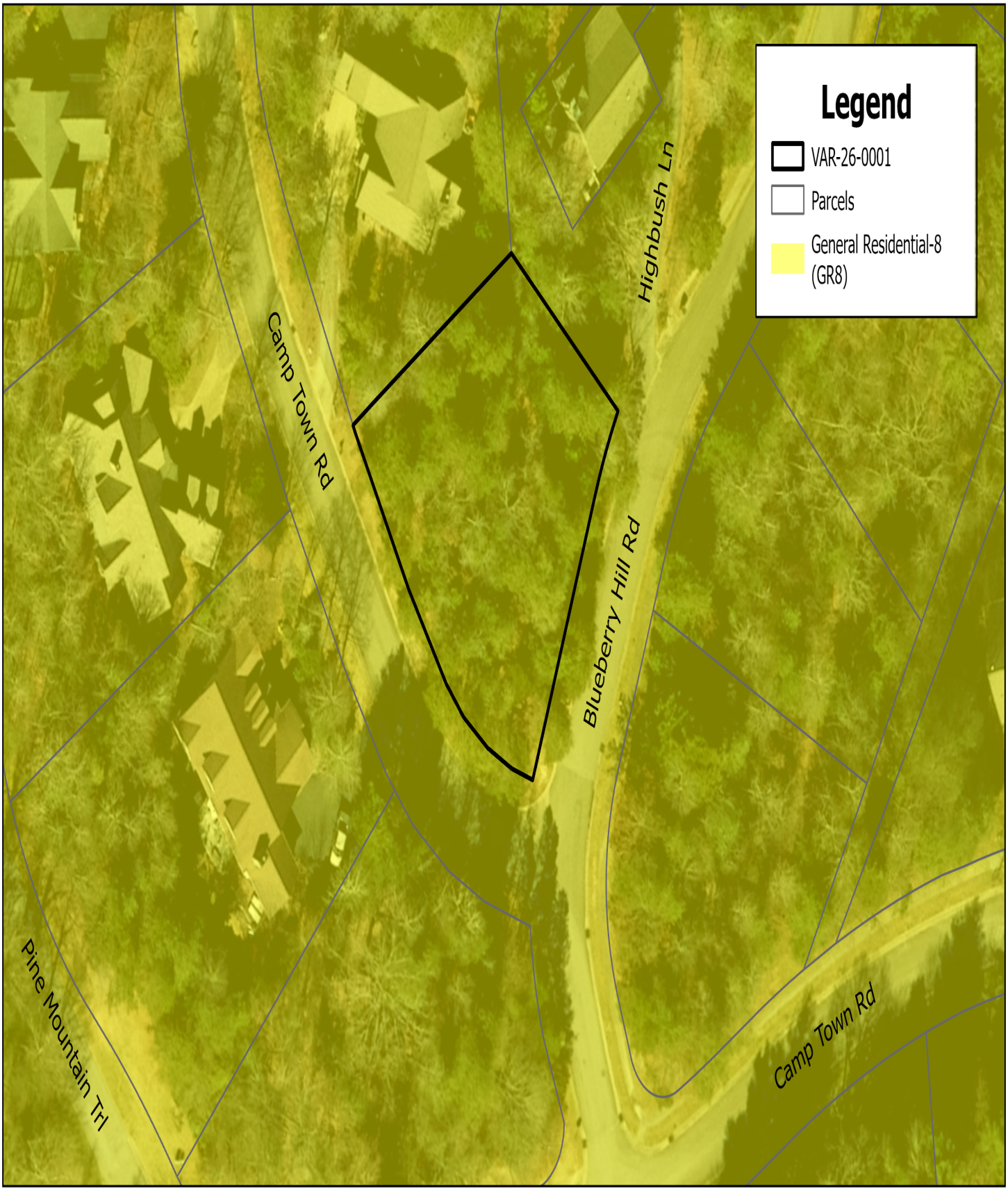
E. Retaining walls shall also conform to the following requirements:

1. Retaining walls should minimize the impacts of cut and fill on a site.
2. The height of any retaining wall should not exceed five feet unless required to be higher for engineering reasons.
    a. An increase in retaining wall height may be allowed if the proposed design minimizes the cut and fill impacts and enhances the existing landscape.
3. In areas where cuts are steeper, a stepped or terraced wall should be used. Large, unbroken retaining walls in a uniform plane should be avoided.

(Ord. No. 2022-76, § 1(Exh. A), 12-5-22; Ord. No. 2023-22, § 1(Exh. A), 6-4-23; Ord. No. 2023-61, § 1(Exh. A), 12-18-23; Ord. No. 2024-23, § 1(Exh. A), 6-3-24; Ord. No. 2024-46, § 1(Exh. A), 12-2-24; Ord. No. 2025-39, § 1 (Exh. A), 8-4-25)

Effective on: 8/4/2025

VAR-26-0001: 775 Camptown Rd



0 0.01 0.01 0.02 Miles

Prepared by City of Brevard Planning Department using Transylvania County parcel data.