Planning Board of Adjustment Action Minutes

12/2/2025

The action minutes provide an overview of the Planning Board of Adjustment agenda items and actions that occurred during the meeting, excluding the evidentiary hearing portion of the meeting. Minutes for the evidentiary hearing agenda items are at the end of the action minutes. Please refer to the video recording for more details about the meeting or the Planning Board of Adjustment webpage for meeting materials. Due to technical issues the video does not have any audio. Please reach out to the Woodfin Town Clerk for a copy of the audio recording by emailing clerk@woodfin-nc.gov.

Board Members Present: Chair Michael Hayes, Jerry VeHaun, Larry Hopkins, Kennedy Young, Michael Valentine, and Chris DeRonne
Board Members Absent: Vice Chair Scott Hanson
Town of Woodfin Staff Present: Ricky Hurley, Marie Biddix

Meeting Start Time: 6:00 PM	*Meeting End Time:* 7:39 PM
AGENDA ITEM	ACTION
Approval of Agenda *December 2, 2025*	**Motion:** Approve Minutes 1ST: Member Valentine 2ND: Member Hopkins **Vote: 6-0 (approved)** **Notes:** (Video 2:09)
Approval of Minutes *October 7, 2025*	**Motion:** Approve Minutes 1ST: Member Hopkins 2ND: Member DeRonne **Vote: 6-0 (approved)** **Notes:** (Video 2:24)
New Business – Legislative Public Meeting **Review and adoption of the Buncombe County Helene Recovery Plan**	**Motion:** Approve **1ST:** Member Hopkins **2ND:** Member DeRonne **Vote: 6-0 (approved)** **Notes:** (Video 3:03) (Motion 24:41)
New Business – Evidentiary Public Hearings Public Hearing **Variance from Sec. 54-145(c)** **R-43** *PIN 9721-80-2052*	**Motion:** Approve Variance **1ST:** Member Hopkins **2ND:** Member Valentine **Vote: 5-0 (approved)** **Notes:** (Video 28:10) (Motion 43:29)
Other Business *Progress update -Land Development Code*	**No motion or vote was taken.** **Notes:** (Video 47:28)
2026 Meeting Calendar	Staff reviewed the proposed 2026 Planning Board of Adjustment meeting calendar, noting minor adjustments to avoid scheduling Conflicts.

Adjourn	**Motion:** Adjourn
	1ST: Member DeRonne
	2ND: Member Valentine
	Vote: 6-0 (approved)
	Notes: (Motion 38:57)

Planning Board of Adjustment Minutes
Evidentiary Public Hearing Summary

Zoning and Use	Zoning Requirement	Applicant Request	Variance
R-43 Residential	30’ Setback (rear)	22’ Setback (rear)	8’ reduction (≈27%)

Variance Request – 48 Gosnell Road

The Planning Board of Adjustment conducted an **evidentiary public hearing** to consider a request by **Geek Construction**, on behalf of the property owner, for a variance from **Section 54-145(c)** of the Town of Woodfin Code of Ordinances to reduce the **minimum rear setback from 30 feet to 22 feet**. The subject property is zoned **R-43 Residential** and is located at **48 Gosnell Road**.

Quorum and Procedure
The Chair confirmed that a quorum of **five voting members** was present for the quasi-judicial hearing. One alternate member recused from deliberation for this item and rejoined the Board following the conclusion of the evidentiary hearing.

All individuals who provided testimony, including staff and the applicant, were **sworn in** prior to presenting evidence.

Staff Presentation
Planning staff presented the staff report and exhibits, including:

- A site plan depicting the existing residence, proposed addition, property boundaries, and required rear setback;
- Zoning and aerial maps showing the property’s location and surrounding land uses;
- Photographs of the site illustrating topography and development constraints;
- Correspondence from Duke Energy confirming no objection to the proposed one-story addition in proximity to an existing power line.

Staff explained that:

- The existing residence predates current zoning regulations;
- The lot is constrained by topography, septic location, and limited buildable area;
- The proposed addition would replace or expand upon an existing nonconforming structure encroaching into the rear setback;
- The requested variance represents an **8-foot (approximately 27%) reduction** of the required rear setback;
- The proposed addition would be limited to **one story**, and staff recommended this limitation as a condition should the variance be approved.

Applicant Testimony
The property owner testified regarding:

- Long-term ownership and residency on the property;
- The original construction and subsequent additions to the home;

- The intent of the proposed addition to allow **single-level living** to accommodate aging in place;
- Constraints limiting alternative locations for expansion due to slope, parking needs, and utility connections;
- Confirmation that the property would remain a **primary residence** and not be used as a rental unit.

Board Questions and Discussion

Board members asked questions related to:

- Proximity of neighboring structures;
- Existing encroachments into the rear setback;
- Safety considerations related to the nearby power line;
- Potential buffering or screening requirements;
- Project timing and scope.

Staff clarified that no additional buffering is required between residential uses and that the proposed addition would not increase building height or create additional safety concerns.

Public Comment

No members of the public requested to speak, and **no public comment** was received.

Findings and Decision

Following the close of the evidentiary hearing, the Board deliberated and made findings addressing the statutory variance standards, including:

- The existence of unnecessary hardship resulting from the strict application of the ordinance due to site-specific conditions;
- That the hardship was not self-created;
- That the variance was consistent with the spirit, purpose, and intent of the ordinance and would secure public safety and substantial justice.

Outcome

The Planning Board of Adjustment **approved the variance request**, allowing a reduction of the rear setback from 30 feet to 22 feet, **subject to the condition that the addition be limited to one story**.

The approval was **unanimous (5–0)**.

The applicant was advised of the applicable appeal period and the timeframe within which the variance must be exercised.

New Business – Evidentiary Public Hearings	*Motion: Approve Variance*
Public Hearing	1ST: Member Hopkins
Variance from Sec. 54-145(c)	2ND: Member Valentine
R-43	**Vote: 5-0 (approved)**
PIN 9721-80-2052	**Notes:** (Video 28:10) (Motion 43:29)