



To: Members of the Board of Adjustment, Applicants & Neighboring Property Owners
From: Jonathan B. Kanipe, Town Manager
Date: November 8, 2023
Re: **Board of Adjustment Meeting – November 20, 2023**

Applicants:

You or a representative **MUST** attend the meeting to have the matter considered.

Members of the Board of Adjustment & staff will conduct a site visit, as noted on the agenda, prior to the meeting. The applicant or their representative **MUST** be present for this site visit.

Neighbors:

You are receiving this notice because your property is adjacent to an applicant on this month's agenda.

You may review applications & plans for the projects on this agenda at <http://www.biltmoreforest.org/board-of-adjustment>

You are invited to attend the scheduled meeting at the Town Hall and make comment when called upon.

Additional information regarding the meeting will be provided on the Town's website no later than November 15, 2023.

*****PROPOSED AGENDA*****

The following items of business will be considered by the Biltmore Forest Board of Adjustment on Monday, November 20, 2023 at 4:00 p.m at the Biltmore Forest Town Hall at 355 Vanderbilt Road, Biltmore Forest, NC 28803.

1. The meeting will be called to order and roll call taken.
2. The minutes of the October 23, 2023 regular meeting will be considered.
3. Recognition of Outgoing Board Member, Lowell Pearlman
4. Hearing of Cases (Evidentiary Hearings, Deliberations & Determinations).

Case 1: 8 White Oak Road – Special Use Permit request for Accessory Structure and Variance Request for Intrusion into Side and Rear Yard Setbacks.

Case 2: Cedar Hill Drive, Lot 1 - Parcel 9646-42-14-1900000 – Special Use Permit request for Multiple Accessory Structures and Variance Request to Exceed Maximum Roof Coverage and Maximum Roof Height.

5. Adjourn



BOARD OF ADJUSTMENT MEETING
STAFF MEMORANDUM
NOVEMBER 20, 2023

CASE

Property Address: 8 White Oak Rd

Property Owner: John D. and Lizabeth P. Kimberly

Request: Special Use Permit request for Accessory Structure

Variance for structure within rear and side setbacks

Background

The property owners request permission to construct a two car carport on an existing driveway area. The proposed carport would be in the side yard near the rear of the home and would be within the rear and side yard setbacks.

Variance

The Variance requested would be for the proposed structure to be allowed within the side and rear setbacks, located 8 feet from the rear property line and 7 feet from the side property line.

Special Use Permit

Section 153.029 (attached) of the Town's Zoning Ordinance regulates accessory structures and requires a special use permit from the Board of Adjustment.

153.029 ACCESSORY STRUCTURES AND BUILDINGS.

(A) Accessory structures and/or necessary buildings shall not detract from nor interfere with adjacent properties. No accessory structure or building shall be constructed, erected, or located within any front yard or within any side yard or rear yard setback.

(B) (1) In addition, the following standards are established for accessory structures and accessory buildings:

- (a) The maximum number of accessory buildings permitted on a lot shall be one;
- (b) The maximum roof coverage area for accessory buildings shall be 750 square feet;

- (c) The maximum height for accessory buildings shall be 25 feet;
- (d) The accessory building must be screened by vegetation or other buffer as set forth in [§ 153.008](#);
- (e) The accessory building must be located behind a line parallel to the rear of the principal structure on the lot;
- (f) The accessory building must be designed in the same architectural style as the principal structure;
- (g) Any accessory structure and/or accessory building shall be included in the calculation of allowable roof coverage and allowable impervious surface coverage on the lot pursuant to [§§ 153.043](#) and [153.048](#); and
- (h) Solar collectors shall be regulated in accordance with G.S. § 160D-914.

Zoning Compliance Application

Town of Biltmore Forest

Name

John D. and Lizbeth P. Kimberly

Property Address

8 White Oak Rd

Phone

(828) 713-8630

Email

john.kimberly@parknationalbank.com

Parcel ID/PIN Number

9647 90 1549

ZONING INFORMATION

Current Zoning

R-2

Lot Size

.715 acres 31,159 sf

Maximum Roof Coverage

3,520 square feet (Up to .75 acres)

Proposed Roof Coverage Total

3,470 sf

Maximum Impervious Surface Coverage

Up to 1 acre (27.5 percent of lot area)

Proposed Impervious Surface Coverage

Site plan provided with prior approval. No increase.

Front Yard Setback

50 feet (R-2, R-3, R-4, and R-5 Districts)

Side Yard Setback

15 feet (R-2, R-3, R-4, and R-5 Districts)

Rear Yard Setback

20 feet (R-2, R-3, R-4, and R-5 Districts)

Building Height

25-3"

Description of the Proposed Project

This is an addition to the renovation plan previously approved by the Town that includes a carport at the end of the existing driveway.

Estimated Start Date

2/1/2024

Estimated Completion Date

4/5/2024

Estimated Cost of Project

\$50,000.00

Supporting Documentation (Site Plan, Drawings, Other Information)

Applicant Signature

Date
10/18/2023

John Kimberly

Special Use Permit Application

Town of Biltmore Forest

Name

John D. and Lizbeth P. Kimberly Kimberly

Address

8 White Oak Rd

Phone

(828) 713-8630

Email

john.kimberly@parknationalbank.com

Please select the type of special use you are applying for:

Accessory Structures

The applicant must show that the proposed use will not materially endanger public health or safety or injure value of adjoining or abutting property. In addition, the proposed use must be in general conformity with the plan of development of the town and be in harmony with scale, bulk, height, coverage, density, and character of the neighborhood.

Please provide a description of the proposed project:

2 car carport at the end of the existing driveway.

Explain why the project would not adversely affect the public interest of those living in the neighborhood:

Structure will allow cars to park under roof and will be built in a manner that is consistent with the architecture of the home. Location will be at the end of the driveway.

I hereby certify that all of the information set forth above is true and accurate to the best of my knowledge.

Signature

Date



VARIANCE APPLICATION

Town of Biltmore Forest

Name

John D. and Lizbeth P. Kimberly

Address

8 White Oak Rd

Phone

(828) 713-8630

Email

john.kimberly@parknationalbank.com

Current Zoning/Use

R

Requested Use

R

APPLICATION REQUIREMENTS: An application to the Board of Adjustment for a variance must be submitted to the Town of Biltmore Forest Town Manager at least 21 days prior to the meeting at which the application will be considered. A pre-application meeting with Town staff is required prior to application submittal to the Board of Adjustment.

What would you like to do with your property?

Build a carport that will accommodate two vehicles.

What does the ordinance require?

The carport will be located within the rear setback which is the reason for the variance request. The carport will align with the eastern side of the which was built in 1923. In other words, the home is within the rear set back as well.

BOARD OF ADJUSTMENT: N.C.G.S. 160A-388(D) requires that the Board of Adjustment shall vary the provisions of the Zoning Ordinance only upon a showing of ALL the items below. The Board of Adjustment must follow strict procedure and all determinations must be decided by a concurring vote of four-fifths of the members of the Board. It is important to provide detailed supporting documentation for the Board of Adjustment to review. If necessary, additional sheets may be attached to this application.

REQUIRED FINDINGS: Please provide a thorough response to each.**Unnecessary hardship would result from the strict application of the ordinance.**

Cars are parked in open air with numerous large oaks on and around the lot. We have had several occurrences of limb damage to cars over the years with older hardwoods shedding limbs and other debris. Simply speaking, the carport will allow for protection of vehicles parked in the driveway.

The hardship results from conditions that are peculiar to the property, such as location, size, or topography.

The challenge or peculiarity of the property relates to the location of the house and the existing setback. The home was built in 1923 at a time when there were no setback requirements. The house sits at the rear of the lot and within the setback. The proposed carport would align with the home without protruding further into the setback.

The hardship did not result from actions taken by the applicant or the property owner.

We purchased the home in 2004. As previously stated, the home was built in 1923. There was a carport in the same location we are proposing when the home was originally built.

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.

Approval of the proposed carport would allow us to protect our vehicles under roof and provide for more efficient parking for residents and guests. Architecturally, the carport will be consistent with the style, character, and materials of the home and will add to its curb appeal.

I hereby certify that all of the information set forth above is true and accurate to the best of my knowledge.

Signature

Date

10/18/2023

John Kimberly



**Proposed 20x26
carport**

Proposed Site Plan
Scale: 1" = 20'-0"



DATE:
03-19-20

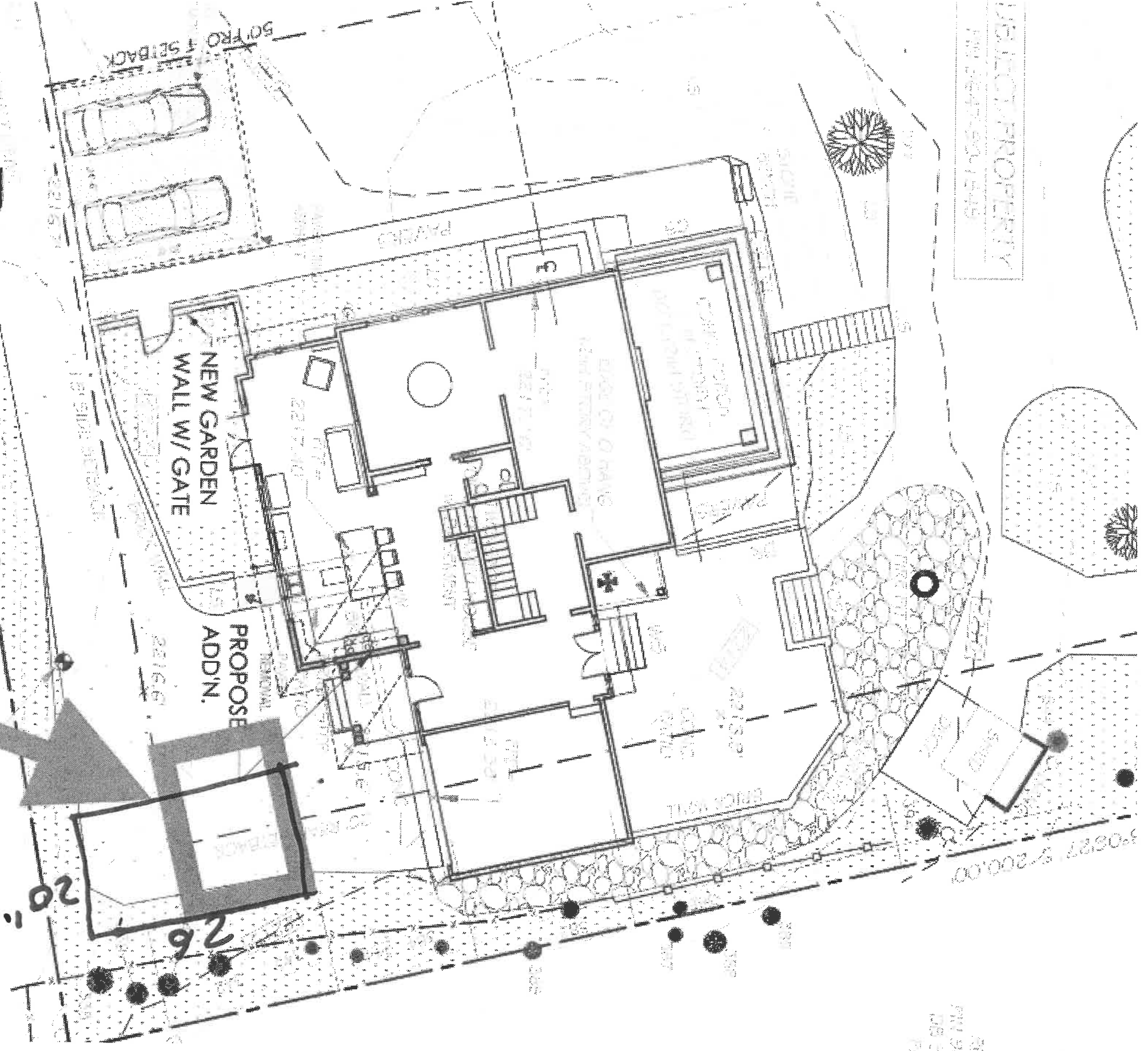
Additions & Alterations to:
KIMBERLY RESIDENCE

GEORGE STOWE • ARCHITECT
member, American Institute of Architects
184 East Chestnut Street • Asheville NC, 28801
828-251-2357 • gstowearchitect@bellsouth.net



Proposed 20x26

carport



Proposed Site Plan

Scale: 1" = 20'-0"

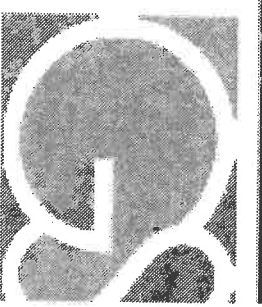


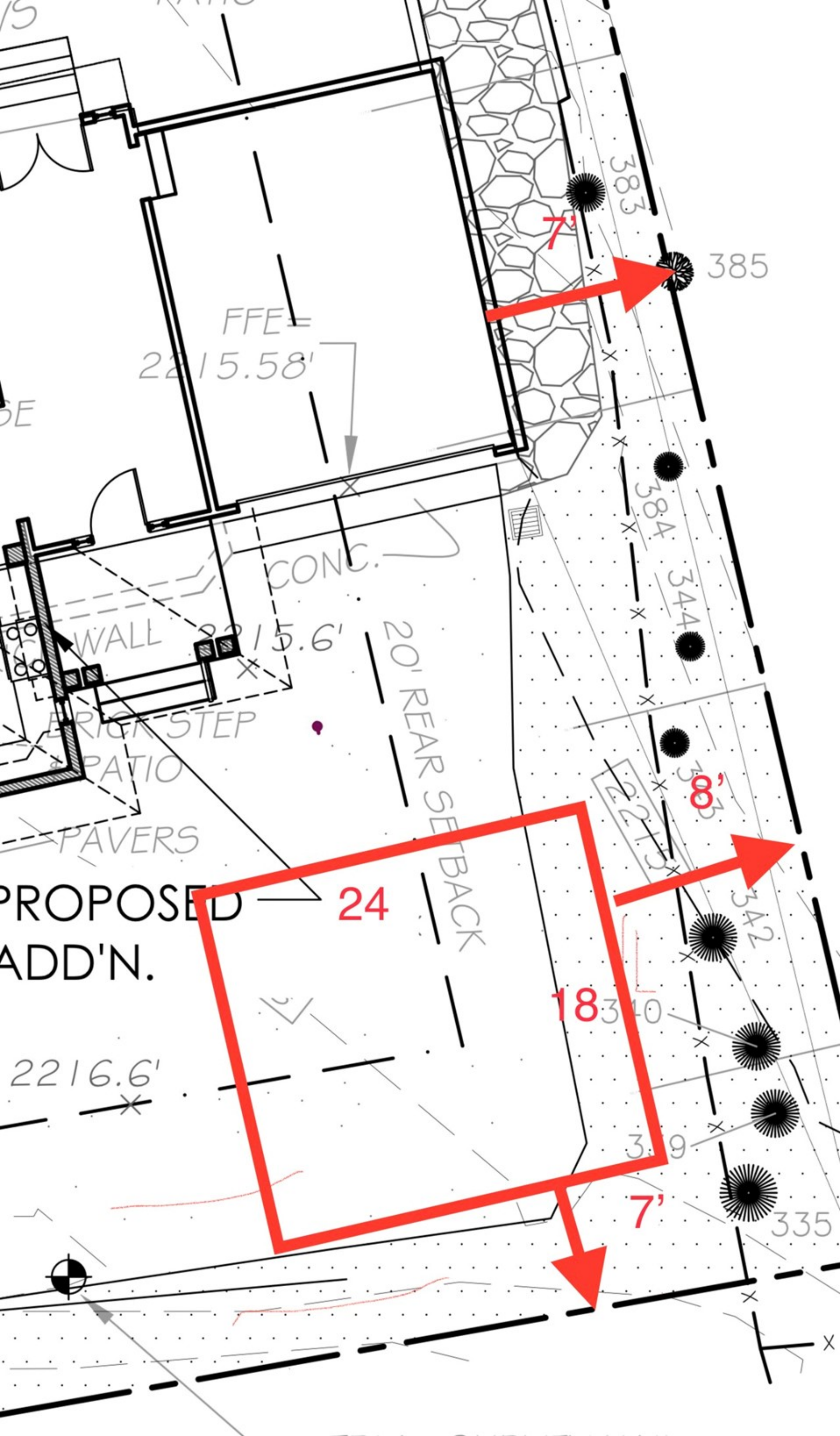
to:
FINCE

GEORGE STOWE • ARCHITECT

Member, American Institute of Architects

184 East Chestnut Street • Asheville NC, 28801
828-251-2357 • gstowearchitect@bellsouth.net









BOARD OF ADJUSTMENT MEETING

STAFF MEMORANDUM

NOVEMBER 20, 2023

CASE 2

Property Address: Vacant lot (Lot 1) next to 23 Cedar Hill Drive

Property Owner: Konstandin Barlas

Request: Plan Review for New Construction

Special Use Permit request for a Swimming Pool in Rear Yard and the Following Accessory Structures (Pool Pavilion, Privacy Wall, Retaining Wall, Multipurpose Court, Raised Garden Beds, and Driveway Entrance Pillars) for a new residence.

Variance Request to Exceed the Maximum Roof Coverage Requirement and to Exceed the Maximum Roof Height.

Background

The property owners are presenting plans for a new home construction. As part of this construction, they request a special use permit from the Board of Adjustment for a swimming pool and the following accessory structures: pool pavilion, privacy wall, retaining wall, multipurpose court, raised garden beds, and driveway entrance pillars. The items on the list above are considered accessory structures per the Town's Zoning Ordinance and require approval by the Board of Adjustment as a special use.

The owners also request a variance for the max roof coverage and a variance to exceed the Ordinance's maximum height requirement in one area of the home where it opens to the basement.

Board of Adjustment Review for New House Construction

Chapter 153.034 requires Board of Adjustment approval for land disturbing activity greater than twenty (20) percent of the lot area. These plans are attached for the Board's review, as is Chapter 153.034 of the Town's Zoning Ordinance.

Special Use Permit Requirements

The proposed swimming pool is located within the rear yard and does not encroach upon any setbacks. Swimming pools are deemed an accessory structure per the Town's Zoning Ordinance and must follow the standards as set forth in Chapter 153.029. This chapter of the Zoning Ordinance is attached as well for the Board's review. Please note, fences are required by state law to be installed around swimming pools. Consequently, the Board may consider the swimming pool, fence, and associated gates as one cohesive proposal and not separate applications for special uses for each.

The Town's Zoning Ordinance governs new fences, gates, and walls in Chapter 153.049.

Section 153.007 (Footnote 4) allows the Board of Adjustment the ability to approve driveway entrance columns without regard to the setback. This footnote is specifically stated as follows:

Footnote 4. Accessory structures, including driveways, shall meet all setback requirements. Notwithstanding the foregoing, setback requirements for driveway entrance columns or driveway entrance walls may be waived or modified by the Board of Adjustment with the granting of a special use permit in accordance with § 153.110(C), without the need for a variance pursuant to § 153.110(D).

Special Use Request

The property owners are presenting plans for a new home construction. As part of this construction, they also request a special use permit from the Board of Adjustment for a swimming pool, pool pavilion, privacy wall, retaining wall, multipurpose court, raised garden beds, and (4) driveway entrance pillars. The items on the list above are considered accessory structures per the Town's Zoning Ordinance and require approval by the Board of Adjustment as a special use. All items shown on plan, and all are within the setbacks except for the driveway columns. I have listed the column dimensions below.

Column Dimensions

Front Setback for R-1 District = 60 feet

Distance from Cedar Hill Dr. =Left side on plan 14.8' & 15.3' and right side on plan 12.8' & 12.8' from edge of pavement (Town right of way is 10')

Column height = 6 feet

Column Length = 3 feet

Column Depth = 3 feet

Variance Information

The property owners request a variance to exceed the maximum roof coverage allowed by the ordinance. The property is 1.31 acres. The allowable maximum amount of roof coverage is located below:

Maximum Roof Coverage: over 1.3 to 1.4 acres = maximum of 5459 square feet (roof coverage)

The second request is for a variance to exceed the max roof height.

Max roof height is 40' not counting the chimney.

Variance Request

The owners are requesting a variance for the max roof coverage. The ordinance requires a max of 5459 sqft and the owners are requesting 5500 sqft, for a total of 41 additional square feet. As part of the variance application, they are requesting a variance to the max height. The ordinance calls for a max of 40, they are requesting a variance of 2' 8 1/2" from the ordinance, for a total height of 42' 8 1/2".

Zoning Compliance Application

Town of Biltmore Forest

Name

Konstandin & Antonia Barlas

Property Address

000000 Cedar Hill Drive

Phone

(828) 777-5550

Email

barlasdino752@aol.com

Parcel ID/PIN Number

9646-42-1419

ZONING INFORMATION

Current Zoning

R-1

Lot Size

1.3

Maximum Roof Coverage

5,500 square feet (Up to 1.5 acres)

Proposed Roof Coverage Total

5500

Maximum Impervious Surface Coverage

1-3 acres (25 percent of lot area)

Proposed Impervious Surface Coverage

13631

Front Yard Setback

60 feet (R-1 District)

Side Yard Setback

20 feet (R-1 District)

Rear Yard Setback

25 feet (R-1 District)

Building Height

34'-6"

Description of the Proposed Project

New Single Family Residence

Estimated Start Date

1/1/2024

Estimated Completion Date

12/1/2024

Estimated Cost of Project

\$2,200,000.00

Supporting Documentation (Site Plan, Drawings, Other Information)

Barlas Residence Preliminary Arch.pdf

Barlas - Final Site Plans_10-18-23-1.pdf

Applicant Signature

A handwritten signature in black ink, consisting of several fluid, connected strokes. The signature is positioned below the 'Applicant Signature' label.

Date

10/19/2023

Special Use Permit Application

Town of Biltmore Forest

Name

Konstandin Barlas

Address

23 Cedar Hill Drive

Phone

(828) 777-5550

Email

barlasdino752@aol.com

Please select the type of special use you are applying for:

Accessory Structures

The applicant must show that the proposed use will not materially endanger public health or safety or injure value of adjoining or abutting property. In addition, the proposed use must be in general conformity with the plan of development of the town and be in harmony with scale, bulk, height, coverage, density, and character of the neighborhood.

Please provide a description of the proposed project:

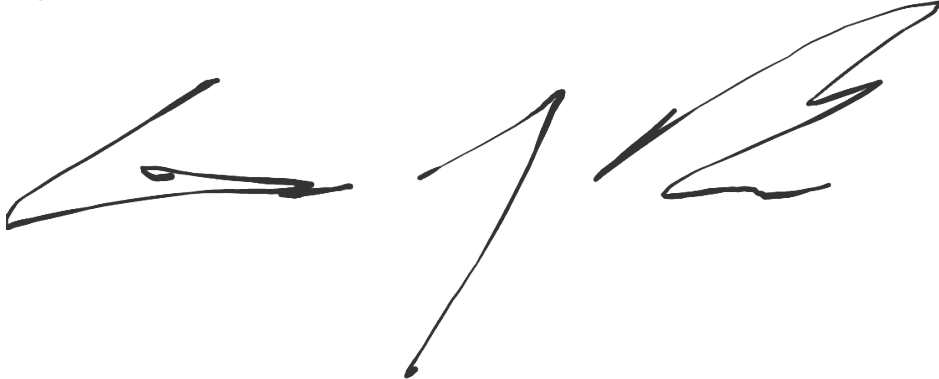
Swimming pool, pool pavilion, privacy wall, retaining wall, multipurpose court, raised garden bed, driveway entrance pillars

Explain why the project would not adversely affect the public interest of those living in the neighborhood:

The public interests will not adversely affect those living in the neighborhood because everything we are proposing is in the back yard except the entrance pillars that will be tasteful done like others in the neighborhood. These projects are meant to enhance the homes day to day functions, provide safety, multiple family activities, and help maintain the character of a Biltmore Forest home.

I hereby certify that all of the information set forth above is true and accurate to the best of my knowledge.

Signature



Date

11/3/2023

VARIANCE APPLICATION

Town of Biltmore Forest

Name

Konstandin Barlas

Address

23 Cedar Hill Drive

Phone

(828) 777-5550

Email

barlasdino752@aol.com

Current Zoning/Use

Requested Use

APPLICATION REQUIREMENTS: An application to the Board of Adjustment for a variance must be submitted to the Town of Biltmore Forest Town Manager at least 21 days prior to the meeting at which the application will be considered. A pre-application meeting with Town staff is required prior to application submittal to the Board of Adjustment.

What would you like to do with your property?

5500 under roof construction

What does the ordinance require?

5250 under roof construction

BOARD OF ADJUSTMENT: N.C.G.S. 160A-388(D) requires that the Board of Adjustment shall vary the provisions of the Zoning Ordinance only upon a showing of ALL the items below. The Board of Adjustment must follow strict procedure and all determinations must be decided by a concurring vote of four-fifths of the members of the Board. It is important to provide detailed supporting documentation for the Board of Adjustment to review. If necessary, additional sheets may be attached to this application.

REQUIRED FINDINGS: Please provide a thorough response to each.

Unnecessary hardship would result from the strict application of the ordinance.

When we bought this property the ordinance called for 5500 square feet under roof construction

The hardship results from conditions that are peculiar to the property, such as location, size, or topography.

In the the beginning of our design the ordinance still called for 5500 under roof construction

The hardship did not result from actions taken by the applicant or the property owner.

The reason the property was purchased was to built a 5500 under roof construction home which is what the ordinance allowed

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.

Yes it is in the spirit, purpose, and the intent of the ordinance because the hardship was created well after we started our design and after the purchase of the site. We met with biltmore forest and we're advised after our initial proposal to add an additional addition to our current home wasn't feasible and we were advised to build a new home for what we wanted to do to be able to get what went and be able to abide by the ordinance. Changing the under roof size requirements well after the purchase and design process

started would be impossible for us. We checked throughout the process where it still stated we were allowed up to 5500 under roof construction up til and through the submission process. It's not fair to now say we are not allowed to build this size home. The application still states we are allowed up to 5500 und roof construction so that what we did.

I hereby certify that all of the information set forth above is true and accurate to the best of my knowledge.

Signature

Date

10/30/2023

A handwritten signature in black ink, consisting of several fluid, overlapping strokes that form a stylized, cursive-like shape.

REVIEW OFFICER

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.

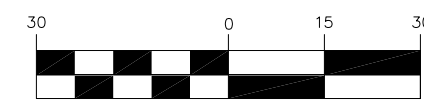
REVIEW OFFICER _____

DATE _____

TREE LEGEND

- OAK TREE
- MAPLE TREE
- POPLAR TREE
- SOURWOOD TREE
- LOCUST TREE
- PINE TREE
- HICKORY TREE
- BLACK GUM TREE
- HEMLOCK TREE
- CHERRY TREE
- HOLLY TREE

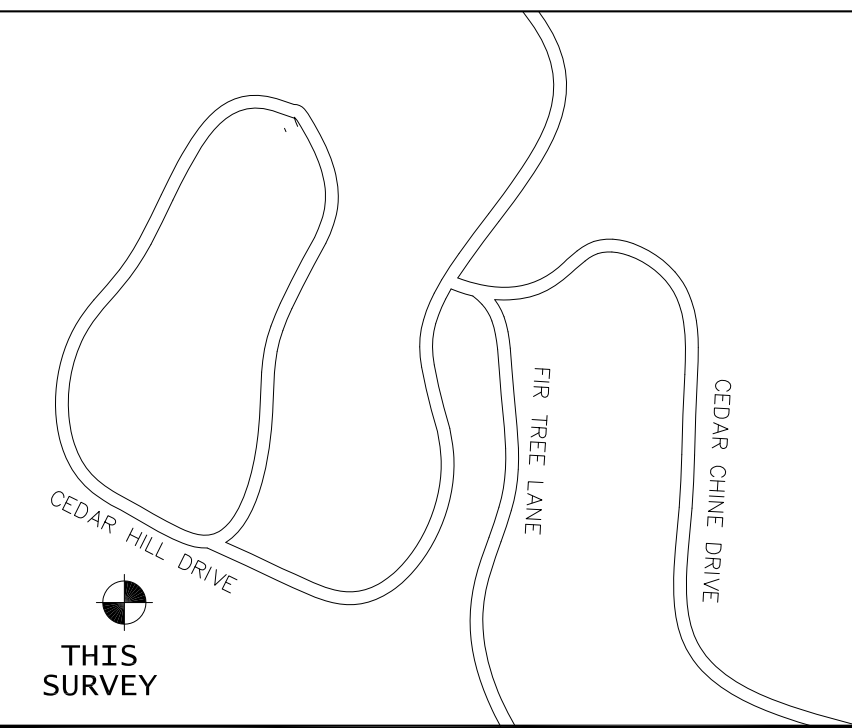
GRAPHIC SCALE



(IN FEET)
1 inch = 30 ft.



PLAT BOOK 78, PAGE 77



LOCATION SKETCH
NOT TO SCALE

LEGEND

- | | |
|------------------|---------------------|
| CENTRAL ANGLE | CHD CHORD |
| ARC LENGTH | BRG BEARING |
| RADIUS | DRAINAGE MANHOLE |
| R/W RIGHT OF WAY | SANITARY MANHOLE |
| FOUND IRON PIN | WATER METER |
| FOUND STONE | WATER VALVE |
| SET BENCHMARK | CATCH BASIN |
| WOOD POWER POLE | CLEAN OUT |
| CENTERLINE | TELEPHONE RISER |
| PROPERTY LINE | ELECTRIC METER |
| FIRE HYDRANT | CMP CULVERT |
| WELL | N/F NOW OR FORMERLY |
| GAS METER | —OH— OVERHEAD WIRE |
- BOUNDARY LINE NOT SURVEYED
 RIGHT OF WAY LINE POINT NOT SET
 SET 5/8" IRON ROD WITH L-4379 CAP UNLESS NOTED
 LINE NOT TO SCALE

NOTES

- 1.) THIS SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND OR ONE OR MORE EXISTING EASEMENTS AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.
- 2.) THE BEARINGS SHOWN HEREON ARE BASED ON PLAT BOOK 78, PAGE 77.
- 3.) THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS, RIGHT OF WAYS OR OWNERSHIPS.
- 4.) THE RATIO OF PRECISION OF THE UNBALANCED TRAVERSE MEETS OR EXCEEDS 1 : 10,000.
- 5.) THE SUBJECT PROPERTY IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY F.E.M.A. FLOOD INSURANCE RATEMAP # 3700964600J EFFECTIVE DATE: 01/06/2010.
- 6.) THE FEATURE SYMBOL LOCATIONS ARE TO THE CENTER OF THE SYMBOL AND MAY BE ENLARGED FOR CLARITY.
- 7.) UNDERGROUND FOUNDATIONS AND/OR UNDERGROUND UTILITIES HAVE NOT BEEN LOCATED.
- 8.) BEARINGS AND DISTANCES SHOWN IN PARENTHESIS REPRESENT DEED AND OR PLAT VALUES.
- 9.) ACREAGE COMPUTED BY THE COORDINATE METHOD.
- 10.) THERE ARE NO NORTH CAROLINA GEODETIC CONTROL POINTS WITHIN 2000 FEET OF THIS SITE.

REFERENCES

DEED BOOK 6312, PAGE 1843
PLAT BOOK 78, PAGE 77

ZONING

PER PLAT BOOK 78, PAGE 77
SETBACKS:
FRONT: 60' FROM EDGE OF PAVEMENT
SIDE: 20'
REAR: 25'

CERTIFICATE

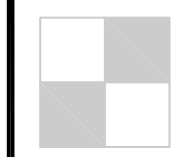
I, KEITH R. SANDERS, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY DIRECT SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 6312, PAGE 1843, BUNCOMBE COUNTY REGISTRY); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN THE BUNCOMBE COUNTY REGISTRY (SEE REFERENCES); THAT THE RATIO OF PRECISION AS CALCULATED IS 1 : 10,000+; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 23RD DAY OF MAY, A.D. 2023.

Keith R. Sanders

KEITH R. SANDERS
PROFESSIONAL LAND SURVEYOR # L-4379
STATE OF NORTH CAROLINA

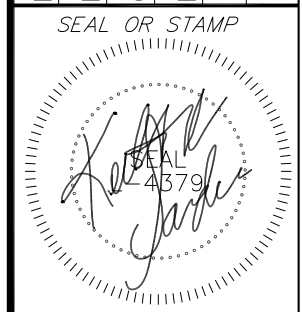
**SANDERS
SURVEYING & MAPPING
SERVICES, INC.**
(828) 669-2777
C-2384



510 AVENA ROAD, BLACK MOUNTAIN, NORTH CAROLINA, 28711

BOUNDARY & TOPOGRAPHIC SURVEY FOR:
KONSTANDIN & ANTONIA BARLAS
PIN # 9646-42-1419
DEED BOOK 6312, PAGE 1843
BILTMORE FOREST,
BUNCOMBE COUNTY, NORTH CAROLINA

DATE: 05/20/23
DRAWN: KRS
CHECKED: KRS
F.B.#: TDS
SCALE: 1" = 30'
23-0075.DWG



PROJECT:
23-0075
SHEET:
1 OF 1

NO.	REVISION	DATE	BY

N/F
THOMAS & CECILIA GLEASON
DEED BOOK 6201, PAGE 1775
PIN 9646-32-8444
LOT 2
PLAT BOOK 60, PAGE 39

10' UTILITY & DRAINAGE EASEMENT

FOUND 2" CONCRETE FILLED IRON PIPE (TYPICAL)

20' RESERVED STRIP BILTMORE FARMS, INC.

N/F
THE BILTMORE COMPANY
DEED BOOK 295, PAGE 425
PIN 9635-98-5386

LOT 1
PLAT BOOK 78, PAGE 77
57,154 SQUARE FEET
1.31 ACRES

N/F
KONSTANDIN & ANTONIA BARLAS
DEED BOOK 5489, PAGE 1697
PIN 9646-42-3424
LOT 19
PLAT BOOK 60, PAGE 39

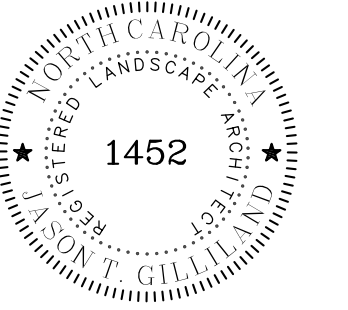
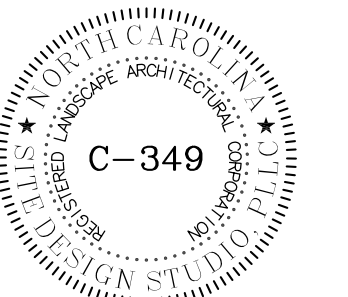
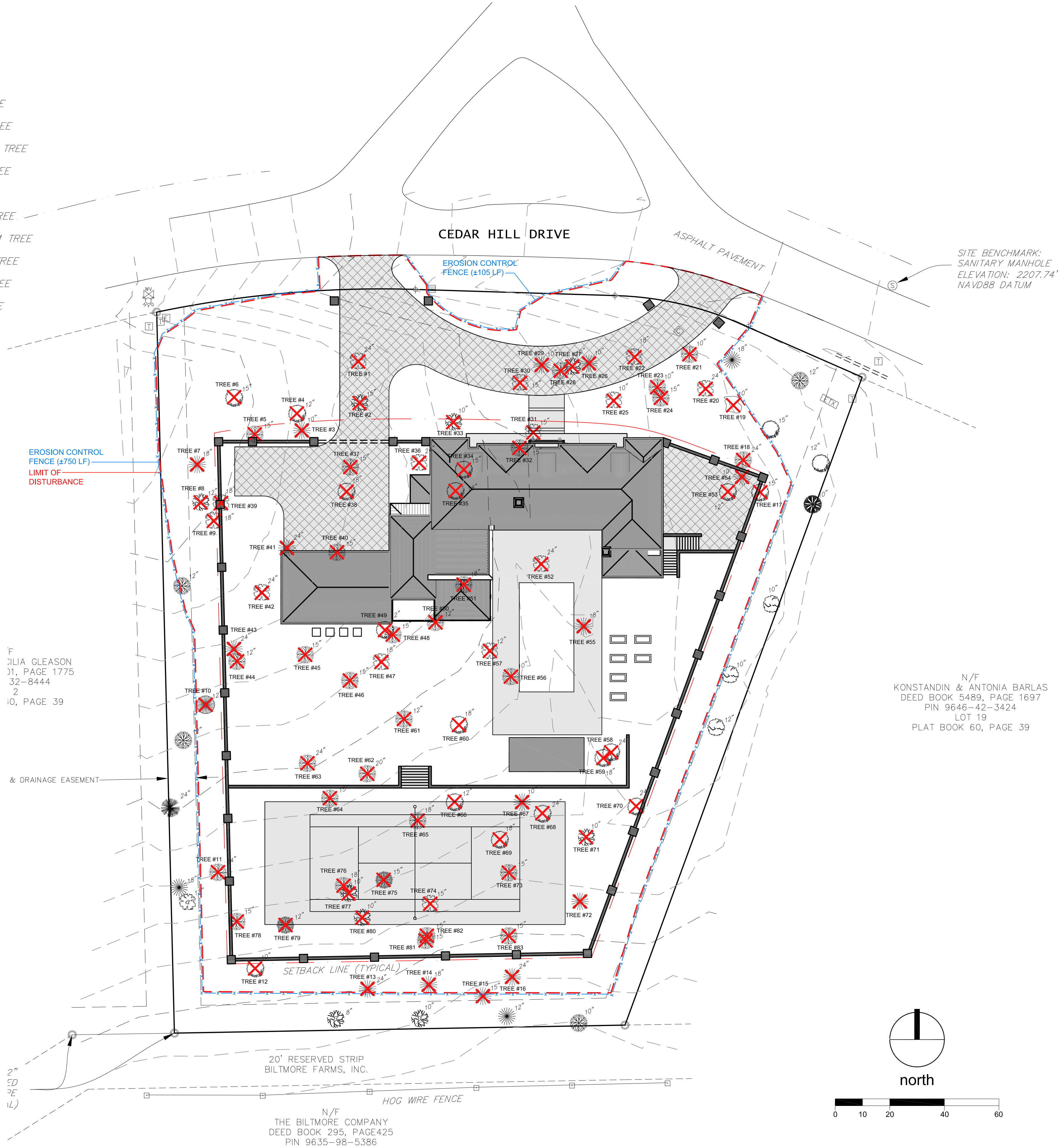
SITE BENCHMARK:
SANITARY MANHOLE
ELEVATION: 2207.74'
NAVD88 DATUM

TREE #	TREE TYPE	SIZE	PROTECTED INSIDE SETBACK	PROTECTED OUTSIDE SETBACK	REPLACEMENT QTY.	ADDITIONAL REQUIREMENTS
1	POPLAR	24"	X		2	3 SCREEN TREES
2	SOURWOOD	15"	X		2	
3	PINE	10"	X		1	
4	OAK	12"	X		1	
5	MAPLE	15"	X		2	
6	OAK	15"	X		2	
7	PINE	18"	X		2	
8	SOURWOOD	12"	X		1	
9	POPLAR	18"	X		2	
10	HICKORY	12"	X		1	
11	MAPLE	24"	X		2	3 SCREEN TREES
12	OAK	10"	X		1	
13	PINE	24"	X		2	3 SCREEN TREES
14	PINE	18"	X		2	
15	PINE	15"	X		2	
16	PINE	24"	X		2	3 SCREEN TREES
17	OAK	15"	X		2	
18	MAPLE	24"	X		2	3 SCREEN TREES
19	HOLLY	10"	X		1	
20	POPLAR	24"	X		2	3 SCREEN TREES
21	MAPLE	10"	X		1	
22	POPLAR	18"	X		2	
23	MAPLE	10"	X		1	
24	MAPLE	15"	X		2	
25	POPLAR	10"	X		1	
26	PINE	10"	X		1	
27	SOURWOOD	10"	X		1	
28	MAPLE	24"	X		2	3 SCREEN TREES
29	PINE	10"	X		1	
30	POPLAR	15"	X		2	
31	POPLAR	15"		X	2	
32	MAPLE	15"		X	2	
33	MAPLE	10"		X	1	
34	OAK	15"		X	2	
35	OAK	18"		X	2	
36	POPLAR	24"		X	2	
37	MAPLE	15"		X	2	
38	OAK	18"		X	2	
39	POPLAR	18"		X	2	
40	MAPLE	15"		X	2	
41	PINE	24"		X	2	
42	POPLAR	24"		X	2	
43	PINE	24"		X	2	
44	MAPLE	12"		X	1	
45	MAPLE	15"		X	2	
46	MAPLE	15"		X	2	
47	POPLAR	18"		X	2	
48	MAPLE	15"		X	2	
49	OAK	12"		X	1	
50	MAPLE	12"		X	1	
51	MAPLE	18"		X	2	
52	POPLAR	24"		X	2	
53	OAK	12"		X	1	
54	PINE	10"		X	1	
55	PINE	18"		X	2	
56	MAPLE	10"		X	1	
57	POPLAR	12"		X	1	
58	OAK	24"		X	2	
59	OAK	18"		X	2	
60	OAK	18"		X	2	
61	MAPLE	12"		X	1	
62	MAPLE	20"		X	2	
63	MAPLE	24"		X	2	
64	MAPLE	15"		X	2	
65	MAPLE	18"		X	2	
66	OAK	12"		X	1	
67	PINE	10"		X	1	
68	OAK	24"		X	2	
69	OAK	18"		X	2	
70	OAK	24"		X	2	
71	MAPLE	10"		X	1	
72	PINE			X	1	
73	MAPLE	15"		X	2	
74	POPLAR	15"		X	2	
75	BLACK GUM	15"		X	2	
76	MAPLE	18"		X	2	
77	SOURWOOD	10"		X	1	
78	MAPLE	15"		X	2	
79	BLACK GUM	12"		X	1	
80	SOURWOOD	10"		X	1	
81	MAPLE	15"		X	2	
82	MAPLE	15"		X	2	
83	MAPLE	15"		X	2	
TOTAL TREES					138	21

TREE REMOVAL CHART:

TREE LEGEND

- OAK TREE
- MAPLE TREE
- POPLAR TREE
- SOURWOOD TREE
- LOCUST TREE
- PINE TREE
- HICKORY TREE
- BLACK GUM TREE
- HEMLOCK TREE
- CHERRY TREE
- HOLLY TREE



BARLAS RESIDENCE
 PARCEL PIN# 9646-42-1419
 99999 CEDAR HILL DRIVE
 BILTMORE FOREST, NORTH CAROLINA

DATE: NOVEMBER 1, 2023
 DESIGNED BY: JTG
 CHECKED BY: JNG
 SCALE: 1" = 20'
 PROJECT #: 23-062

REVISED:
 NOVEMBER 6, 2023

SHEET TITLE
TREE REMOVAL PLAN

SHEET NUMBER
L100

DEVELOPMENT DATA

PROPERTY OWNER: KONSTANDIN & ANTONIA BARLAS
23 CEDAR HILL DRIVE
ASHEVILLE, NC 28803

PARCEL PIN: 9646-42-1419
57,154 SF OR 1.31 AC

ZONING: R-1

FRONT SETBACK: 60'
SIDE SETBACK: 20'
REAR SETBACK: 25'

GRADING & EROSION CONTROL NOTES:

1. PROPERTY OWNER IS RESPONSIBLE FOR COMPLYING WITH ALL APPLICABLE LOCAL, STATE AND FEDERAL STORM WATER POLLUTION PREVENTION LAWS AND ORDINANCES. PROPERTY OWNER SHALL BE RESPONSIBLE FOR ALL REQUIRED PERMITS.
2. EROSION AND SEDIMENT CONTROL MEASURES INDICATE THE MINIMUM MEASURES REQUIRED. ALL EXISTING STORMWATER MEASURES SHALL BE PROTECTED DURING CONSTRUCTION. IT IS THE PROPERTY OWNERS RESPONSIBILITY TO ADD ADDITIONAL MEASURES AS REQUIRED BY FIELD CONDITIONS AND/OR ON-SITE INSPECTION.
3. EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSPECTED DAILY AND AFTER ANY RAINFALL. ANY REPAIRS OR DEFICIENCIES SHALL BE CORRECTED IMMEDIATELY. A RECORD LOG SHALL BE MAINTAINED ON THE SITE BY THE PROPERTY OWNER AND WILL RECORD ANY DEFICIENCIES AND THE CORRECTIVE MEASURES TAKEN. REFERENCE THE NORTH CAROLINA EROSION AND SEDIMENT CONTROL MANUAL FOR ADDITIONAL INFORMATION.
4. ALL FILL SLOPES SHALL BE COMPACTED FULL DEPTH TO NOT LESS THAN 95 PERCENT MAXIMUM DENSITY (STANDARD PROCTOR), SHALL BE PLACED ON A SURFACE CLEAR OF GROWTH AND DEBRIS, AND BE PROPERLY BENCHED AND DRAINED.
5. ALL CONSTRUCTED SEVERE SLOPES GREATER THAN 2:1 SHALL BE DESIGNED BY A NORTH CAROLINA REGISTERED PROFESSIONAL ENGINEERING. ADDITIONALLY FOR CONSTRUCTED SEVERE SLOPES GREATER THAN FIVE FEET IN HEIGHT, AN INSPECTION AND A STABILITY CERTIFICATE ARE REQUIRED BY A NORTH CAROLINA REGISTERED PROFESSIONAL ENGINEER WITH GEOTECHNICAL EXPERTISE SUFFICIENT TO PERFORM THE INSPECTION AND STABILITY ANALYSIS.
6. EXISTING SURFACE DRAINAGE PATTERNS AND STRUCTURES SHALL BE PRESERVED. ALL 3:1 AND STEEPER SLOPES AND PERIMETER AREAS SHALL BE REVEGETATED WITHIN 7 CALENDAR DAYS OF DISTURBANCE. OUT SLOPES SHALL NOT EXCEED 1.5:1 AND FILL SLOPES SHALL NOT EXCEED 2:1.
7. ALL DISTURBED AREAS NOT PAVED SHALL BE FINE GRADED AND SEEDED WITH REBEL II TALL FESCUE SEED MIX OR EQUIVALENT. ALL SLOPES 4:1 OR GREATER SHALL RECEIVE EROSION CONTROL MATTING PRIOR TO SEEDING.
8. BEFORE THE YOU DIG CALL 1-800-632-4849 N.C. ONE-CALL CENTER IT'S THE LAW. THE CONTRACTOR SHALL NOTIFY THE APPROPRIATE UTILITY COMPANIES REGARDING THE PROPOSED CONSTRUCTION. IN ADDITION, THE CONTRACTOR IS TO BE NOTIFIED WHICH UTILITIES, BUT NO LIMITED TO WATER, SANITARY SEWER, STORM SEWER, ELECTRICAL, TELEPHONE, CABLE, FIBER OPTICS AND GAS, ARE LOCATED IN THE VICINITY OF THE PROPOSED WORK. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING AND STAKING THE LOCATION OF ALL EXISTING UTILITIES AND PROTECTING THEM DURING THE WORK AND SHALL BEAR ANY COSTS TO REPAIR UTILITIES DAMAGED AS A CONSEQUENCE OF PERFORMING THE WORK.

POOL NOTES:

POOL & RETAINING WALLS DESIGNED AND CONSTRUCTED BY STRUCTURAL ENGINEER. POOL AND GENERAL CONTRACTORS. SDS SHALL NOT BE HELD RESPONSIBLE FOR THE DESIGN, CONSTRUCTION METHODS AND INSTALLATION OF THE POOL & RETAINING WALLS.

STANDARDS FOR RESIDENTIAL SWIMMING POOLS SHALL BE AS FOLLOWS:

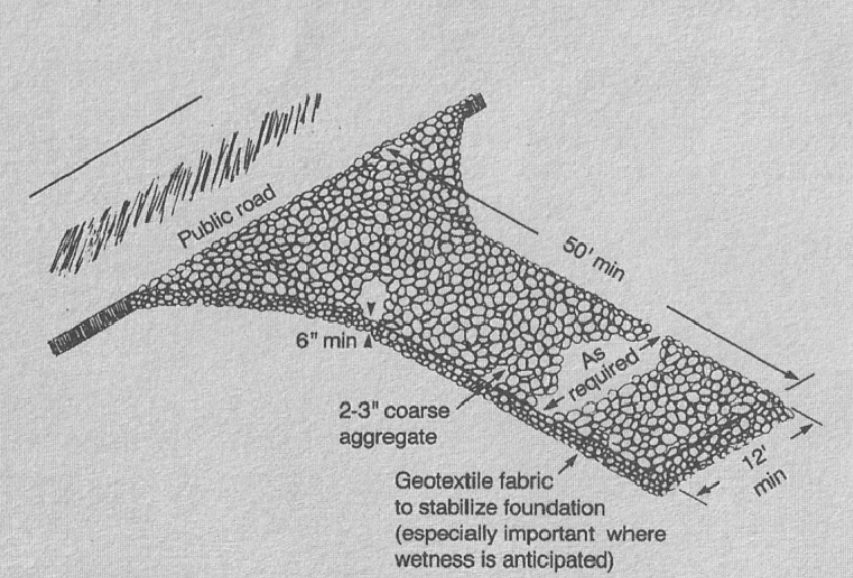
- A. RESIDENTIAL SWIMMING POOLS SHALL BE OF A GENERALLY ACCEPTED AND APPROVED STRUCTURAL DESIGN.
- B. ANY RESIDENTIAL POOL MUST BE LOCATED AT LEAST FIVE FEET FROM THE PROPERTY OR LOT LINE.
- C. THERE SHALL BE A WALK AROUND THE ENTIRE PERIMETER OF ANY OUTDOOR POOL WITH A MINIMUM WIDTH OF THREE FEET OF UNOBSTRUCTED CLEAR DISTANCE FROM THE POOL EDGE, EXCEPT FOR THE INFINITY EDGE.
- D. ALL PERMANENT INSTALLATIONS TO INTRODUCE WATER INTO THE POOL FROM A POTABLE WATER SUPPLY SHALL BE DONE ONLY THROUGH AN AIR GAP OF AT LEAST 1½ THE DIAMETER OF THE INTRODUCING PIPE. IN THOSE INSTANCES WHERE A PERMANENT WATER INTRODUCTION SYSTEM IS NOT INSTALLED AND WATER FROM A POTABLE WATER SUPPLY IS INTRODUCED INTO THE POOL BY MEANS OF A HOSE, THE HOSE BIB TO WHICH THE HOSE IS CONNECTED SHALL BE EQUIPPED WITH A BACKFLOW PREVENTER APPROVED BY THE PLUMBING INSPECTOR.
- E. ALL OUTDOOR RESIDENTIAL SWIMMING POOL AREAS SHALL BE ENCLOSED BY AN ORNAMENTAL WIRE, WOOD STAVE OR OTHER TYPE BARRIER AT LEAST FOUR FEET IN HEIGHT, DESIGNED TO MINIMIZE THE POSSIBILITY OF UNAUTHORIZED OR UNWARY PERSONS FROM ENTERING THE POOL AREA. ENTRANCES THROUGH THE BARRIER SHALL BE PROVIDED WITH SELF-CLOSING GATES OR OTHER ACCEPTABLE ENTRANCES OF THE SAME HEIGHTS, BOTTOM AND TOP, ABOVE THE ADJACENT GROUND SURFACE, HAVING LATCHES. THE BOTTOM EDGE OF THE BARRIER SHALL BE NOT MORE THAN SIX INCHES FROM THE ADJACENT GROUND SURFACE AND THE HEIGHT OF THE BARRIER SHALL BE NOT LESS THAN FOUR FEET FROM THE ADJACENT GROUND SURFACE.

THIS SHALL APPLY TO ALL RESIDENTIAL SWIMMING POOLS CONSTRUCTED AFTER THE EFFECTIVE DATE OF THE ORDINANCE FROM WHICH THIS SECTION IS DERIVED (ORDINANCE NO. 964, 7-7-77).

NOTE:

SITE, GRADING & EROSION CONTROL PLANS PREPARED FROM BASE BOUNDARY, TOPOGRAPHIC & TREE SURVEY INFORMATION PROVIDED BY SANDERS SURVEYING & MAPPING SERVICES, INC. DATED 05-20-2023

Temporary Gravel Entrance/Exit



The gravel entrance/exit provides a stable entrance condition from the construction site and keeps sediment off public roads.

Inspect entrance/exit pad and sediment disposal area weekly and after heavy rains or heavy use.

Reshape pad as needed for drainage and runoff control.

Topdress with clean stone as needed.

Immediately remove sediment tracked or washed onto public roads.

CONSTRUCTION SEQUENCE:

1. INSTALL ALL EROSION CONTROL MEASURES AS SHOWN;
2. ON-SITE INSPECTION BY INSPECTOR TO APPROVE PERIMETER EROSION CONTROL DEVICES;
3. PROCEED WITH GRADING;
4. CLEAN SEDIMENT BASINS WHEN ONE-HALF FULL;
5. REPAIR OR REPLACE ALL EROSION CONTROL MEASURES AS NEEDED;
6. SEED AND MULCH DENUDED AREA, AS REQUIRED, AFTER FINISHED GRADES ARE ESTABLISHED;
7. MAINTAIN SOIL EROSION CONTROL MEASURES UNTIL PERMANENT GROUND COVER ESTABLISHED;
8. REQUEST FINAL APPROVAL BY CONSTRUCTION INSPECTOR; AND,
9. REMOVE ALL TEMPORARY SOIL EROSION CONTROL MEASURES AND STABILIZE THESE AREAS.

IMPERVIOUS CALCULATIONS:

ROOF AREA = 5,500 SF
FRONT PORCH / WALKWAY = 409 SF
POOL DECK = 2,200 SF
MULTI-PURPOSE SPORT COURT = 4,950 SF
ESTATE WALL = 763 SF
TERRACE WALLS & STEPS = 249 SF
COURTYARD WALLS & STEPS = 154 SF
TOTAL IMPERVIOUS AREA = 14,225 SF (24.89%)

DRIVEWAY = PERVIOUS PAVERS
PARKING COURT = PERVIOUS PAVERS
COURTYARD = PERVIOUS PAVERS
POOL PAVILION = OPEN-AIR TRELLIS

N/F
THOMAS & CECILIA GLEASON
DEED BOOK 6201, PAGE 1775
PIN 9646-32-8444
LOT 2
PLAT BOOK 60, PAGE 39

N/F
KONSTANDIN & ANTONIA BARLAS
DEED BOOK 5489, PAGE 1697
PIN 9646-42-3424
LOT 19
PLAT BOOK 60, PAGE 39

10' UTILITY & DRAINAGE EASEMENT

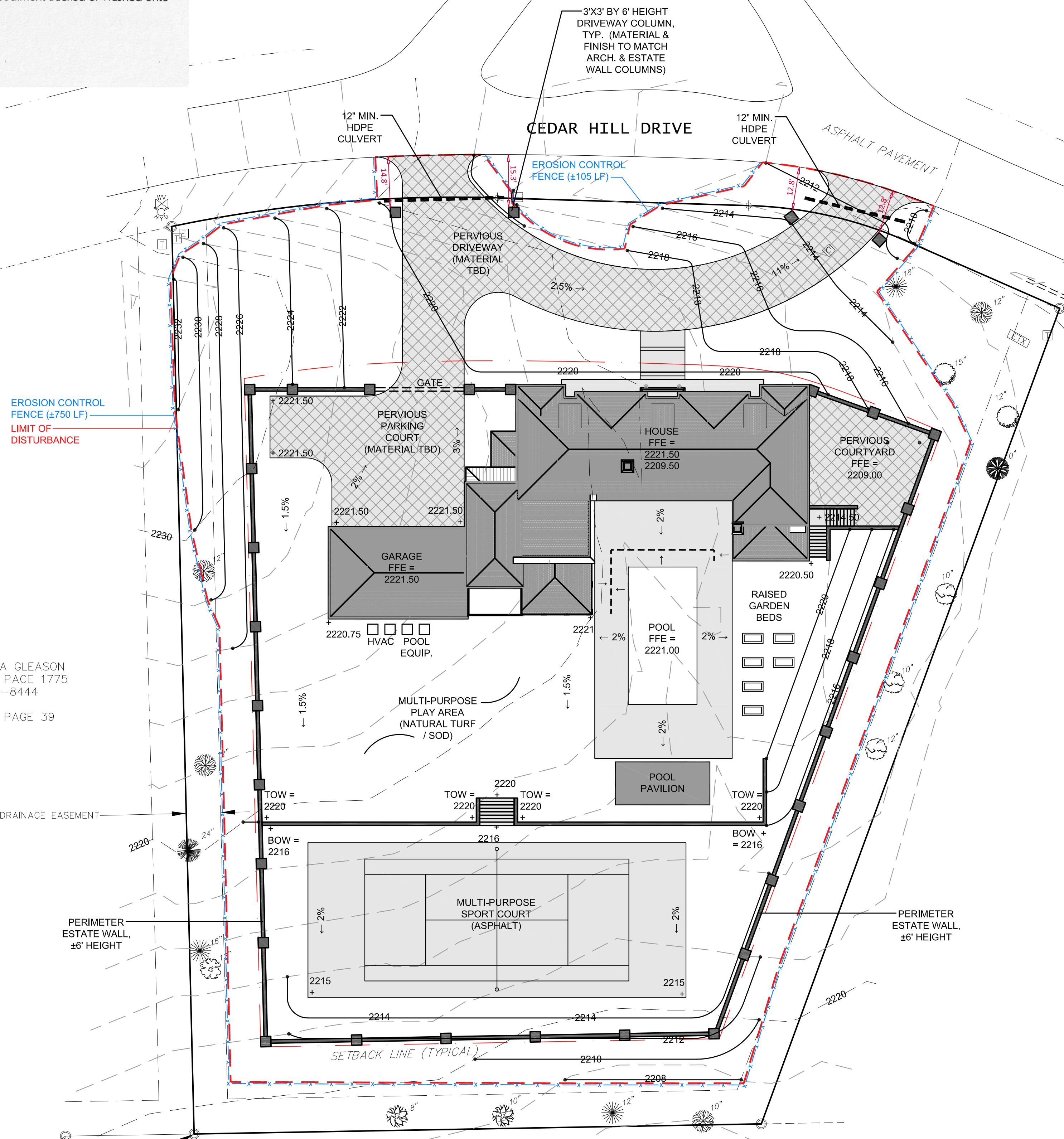
PERIMETER ESTATE WALL, ±6' HEIGHT

PERIMETER ESTATE WALL, ±6' HEIGHT

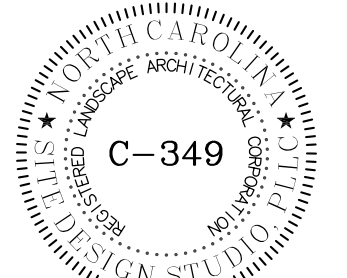
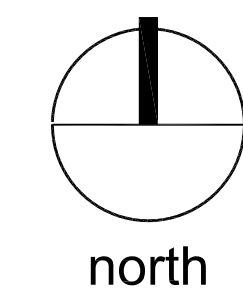
FOUND 2" CONCRETE FILLED IRON PIPE (TYPICAL)

20' RESERVED STRIP BILTMORE FARMS, INC.

N/F
THE BILTMORE COMPANY
DEED BOOK 295, PAGE 425
PIN 9635-98-5386



SITE BENCHMARK:
SANITARY MANHOLE
ELEVATION: 2207.74'
NAVD88 DATUM



BARLAS RESIDENCE
PARCEL PIN# 9646-42-1419
99999 CEDAR HILL DRIVE
BILTMORE FOREST, NORTH CAROLINA

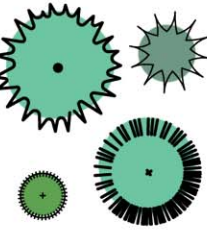
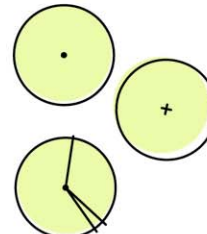
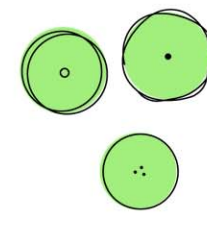

DATE: NOVEMBER 1, 2023
DESIGNED BY: JTG
CHECKED BY: JNG
SCALE: 1" = 20'
PROJECT #: 23-062

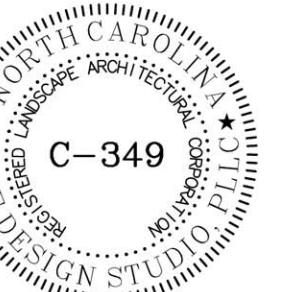
REVISED:
NOVEMBER 6, 2023
NOVEMBER 7, 2023

SHEET TITLE
SITE, GRADING & EROSION CONTROL PLAN

SHEET NUMBER
L101

LANDSCAPE LEGEND

	EVERGREEN TREES
	LAREG DECIDUOUS TREES
	ORNAMENTAL TREES
	SHRUB BED AREAS



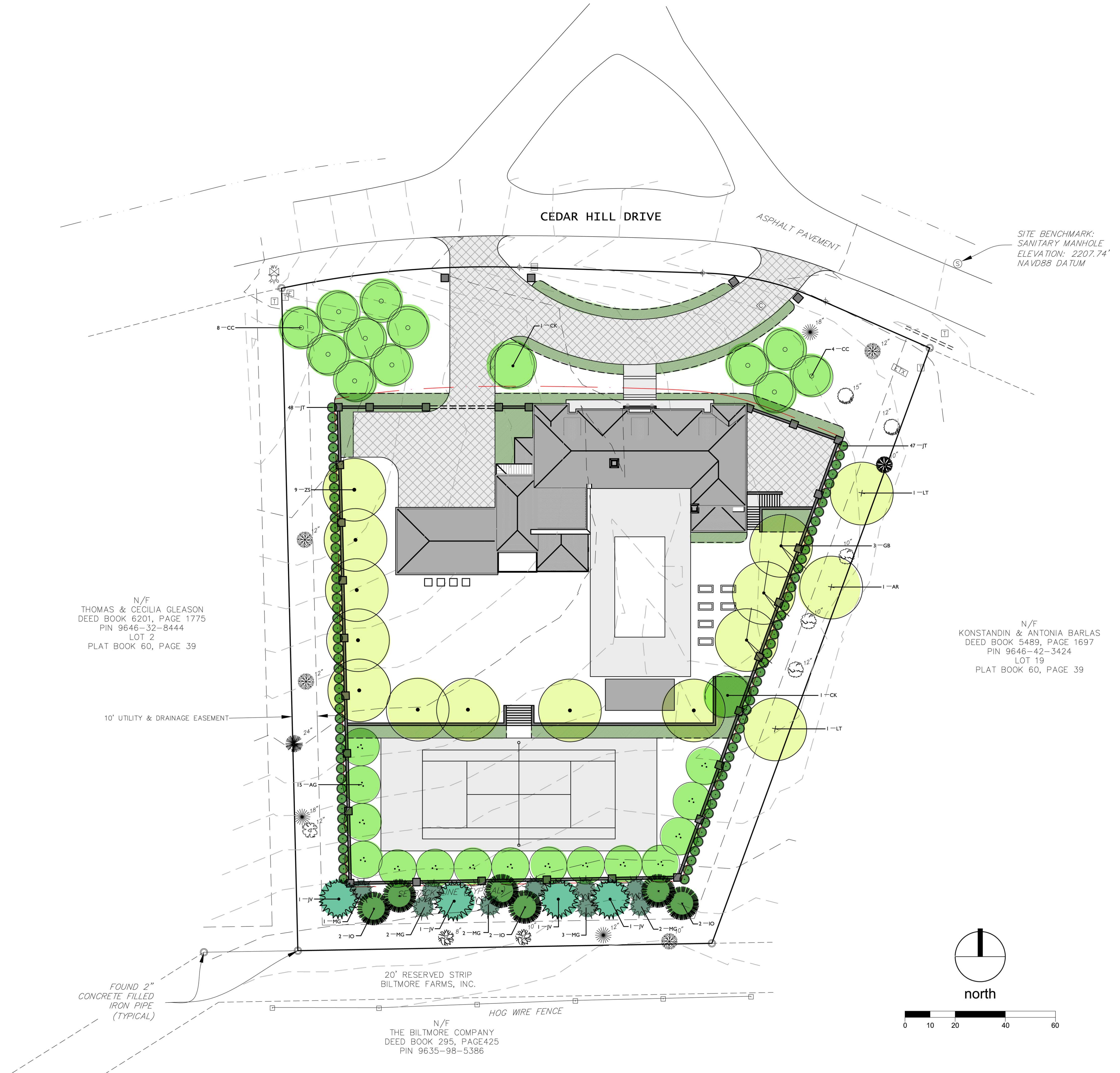
BARLAS RESIDENCE
 PARCEL PIN# 9646-42-1419
 99999 CEDAR HILL DRIVE
 BILTMORE FOREST, NORTH CAROLINA

DATE: NOVEMBER 1, 2023
 DESIGNED BY: JTG
 CHECKED BY: JNG
 SCALE: 1" = 20'
 PROJECT #: 23-062

REVISED:
 NOVEMBER 6, 2023

SHEET TITLE
TREE REPLACEMENT & LANDSCAPE PLAN

SHEET NUMBER
L102

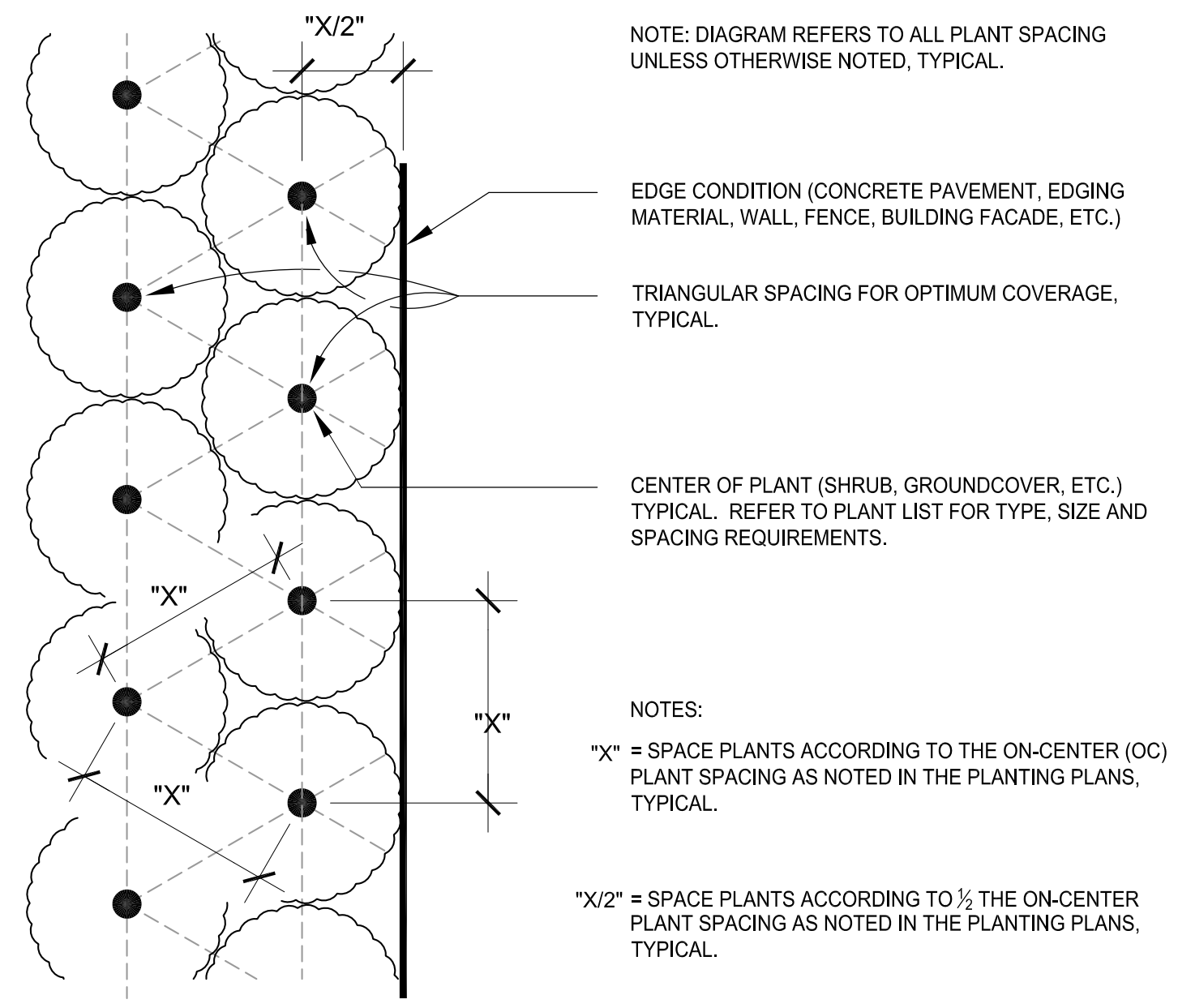


PLANT LIST

Key	Qty.	Evergreen Trees	Size
IO	6	Ilex 'Nelle R Stevens' Nelle Stevens Holly	8-10' high at planting. B&B. Single straight leader; well branched
JT	95	Juniperus virginiana 'Taylor' Taylor Eastern Red Cedar	8-10' high at planting. B&B. Single straight leader; well branched
JV	4	Juniperus virginiana Eastern Red Cedar	8-10' high at planting. B&B. Single straight leader; well branched
MG	10	Magnolia grandiflora 'Little Gem' American Holly	8-10' high at planting. B&B. Single straight leader; well branched

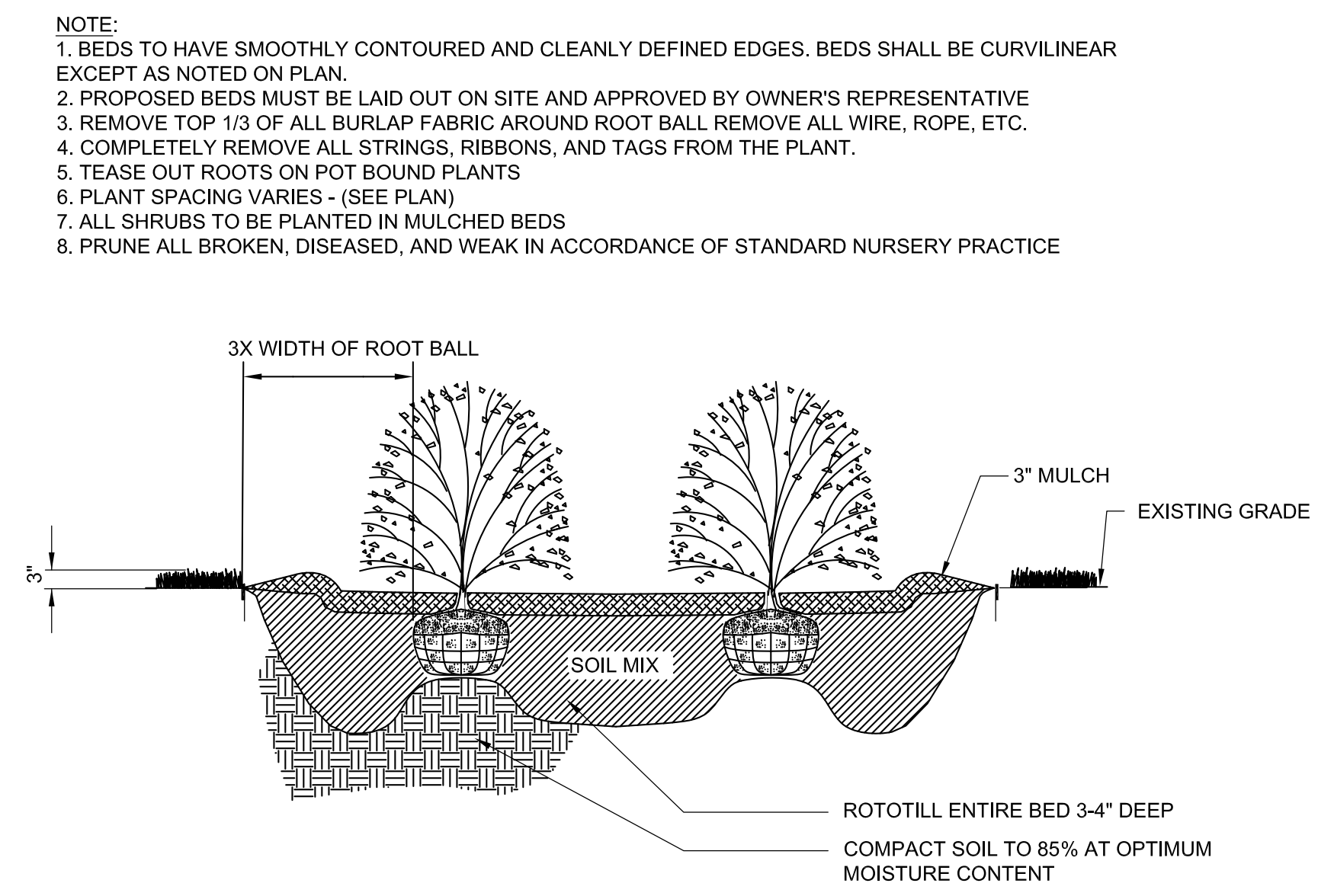
Key	Qty.	Large Deciduous Trees	Size
AR	1	Acer rubrum Red Maple	2" cal. min. 8-10' ht. B&B. Single straight leader; well branched
GB	3	Ginkgo biloba 'Princeton Sentry' Princeton Sentry Ginkgo	2" cal. min. 8-10' ht. B&B. Single straight leader; well branched
LT	2	Liriodendron tulipifera Tulip Poplar	2" cal. min. 8-10' ht. B&B. Single straight leader; well branched
ZS	9	Zelcova serrata Zelcova	2" cal. min. 8-10' ht. B&B. Single straight leader; well branched

Key	Qty.	Small Deciduous Trees	Size
AG	15	Acer griseum Eastern Redbud	1 1/2" cal. min. 8-10' ht. B&B. Single straight leader; well branched
CC	12	Cercis canadensis Eastern Redbud	1 1/2" cal. min. 8-10' ht. B&B. Single straight leader; well branched
CK	2	Cornus kousa Kousa Dogwood	1 1/2" cal. min. 8-10' ht. B&B. Single straight leader; well branched



1 SHRUB PLANTING PLAN
L103

N.T.S.

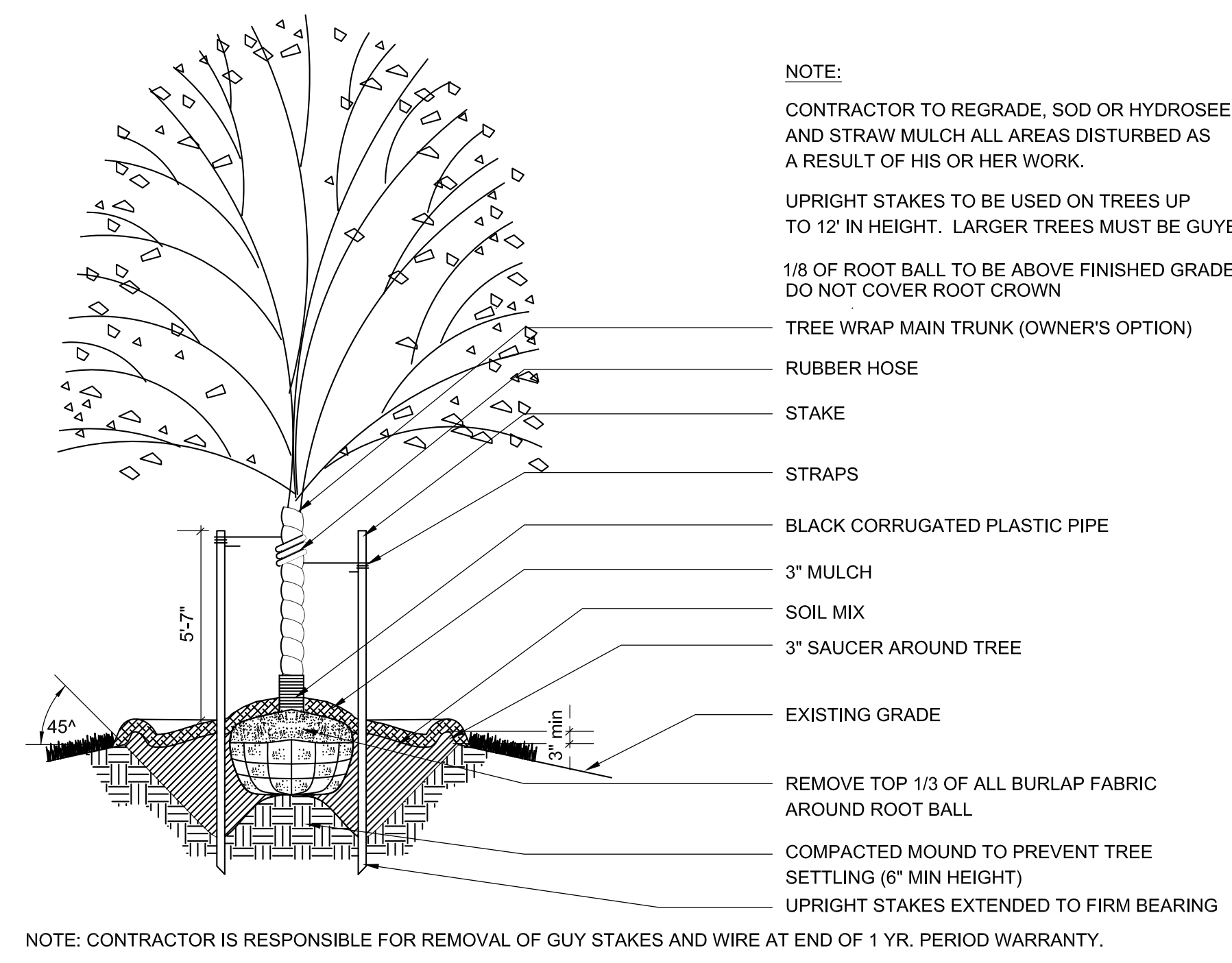


2 SHRUB PLANTING DETAIL
L103

N.T.S.

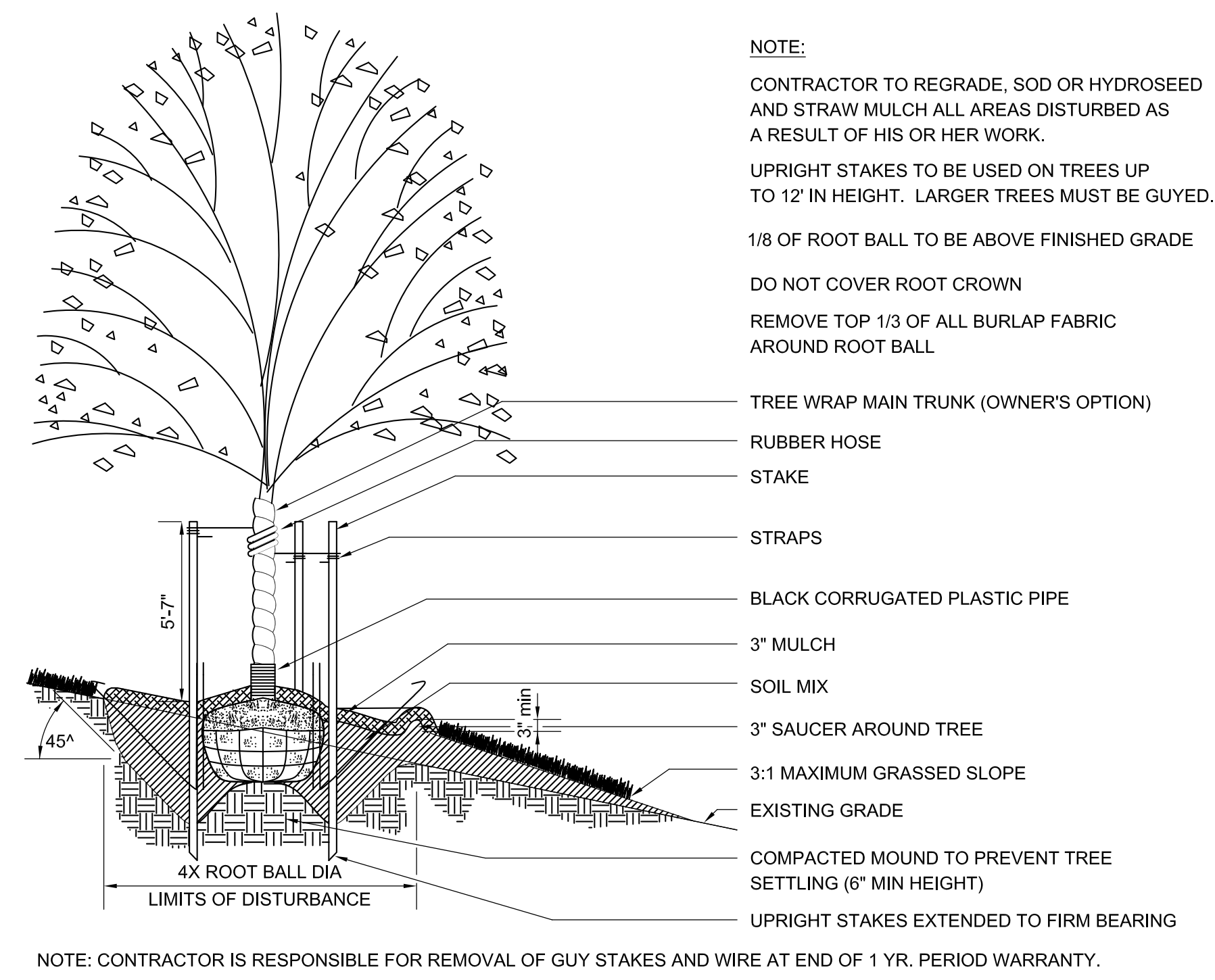
LANDSCAPE NOTES:

- IF INSTALLED OR EXISTING SITE WORK VARIES FROM CONDITIONS SHOWN IN THIS PLAN, CONTRACTOR IS TO NOTIFY PROJECT COORDINATOR PRIOR TO BEGINNING WORK IN THOSE AREAS.
- THE LANDSCAPE CONTRACTOR SHALL INSURE THAT THE LANDSCAPE PLAN IS COORDINATED WITH THE PLANS PREPARED BY OTHER CONSULTANTS SO THAT THE PROPOSED GRADING, STORM DRAINAGE, OR ANY OTHER CONSTRUCTION DOES NOT CONFLICT WITH, NOR PRECLUDE INSTALLATION AND MAINTENANCE OF LANDSCAPE ELEMENTS AS DESIGNATED ON THIS PLAN.
- THE CONTRACTOR SHALL NOTIFY UTILITY LOCATION COMPANY OF THE PROPOSED CONSTRUCTION. IN ADDITION, THE CONTRACTOR IS TO BE NOTIFIED WHICH UTILITIES, INCLUDING STORM AND SANITARY SEWERS ARE LOCATED IN THE VICINITY OF THE PROPOSED WORK. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING AND STAKING THE LOCATION OF ALL EXISTING UTILITIES AND PROTECTING THEM DURING THE WORK AND SHALL BEAR ANY COSTS TO REPAIR UTILITIES DAMAGED AS A CONSEQUENCE OF HIS WORK.
- ALL WORK SHALL MEET OR EXCEED THE REQUIREMENTS OF ALL APPLICABLE FEDERAL, STATE AND LOCAL LAWS.
- NO SUBSTITUTIONS OF PRODUCTS, PLANT TYPES OR SIZES SHALL BE MADE WITHOUT THE WRITTEN APPROVAL OF THE OWNER, LANDSCAPE ARCHITECT AND CITY REVIEW AGENCY. REQUESTS SHALL BE IN WRITING AND SHALL STATE THE REASON FOR THE SUBSTITUTION REQUEST, THE SUGGESTED ALTERNATIVE AND THE CHANGE IN COST.
- ALL TREES SHALL BE BE PLANTED A MINIMUM OF 5 FEET AWAY FROM UTILITY LINES.
- ALL TREES ARE TO BE SECURELY STAKED OR GUYED FOR ONE YEAR PER THE TREE PLANTING DETAILS AND INSTALLED WITH A 3" DIAMETER, 3" DEEP WOOD MULCH RING AROUND THE BASE OF THE TREE.
- ALL SHRUB BEDS ARE TO BE MULCHED WITH ± 3" DEPTH, WOOD CHIP MULCH. NO WEED CONTROL FABRIC IS REQUIRED IN THESE AREAS.
- SOIL PREPARATION UNDER ALL AREAS TO BE SEEDDED, SODDED OR PLANTED SHALL RECEIVE AN APPROVED COMPOST SOIL AMENDMENT AND SHALL BE APPLIED AT A RATE THREE CUBIC YARDS PER ONE THOUSAND SQUARE FEET AND TILLED INTO THE SOIL.
- THE CONTRACTOR SHALL GUARANTEE ALL LANDSCAPE IMPROVEMENTS, INCLUDING SEEDING, FOR ONE FULL YEAR. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL PLANT MAINTENANCE DURING THE GUARANTEE PERIOD.
- ALL DISTURBED AREAS NOT LOCATED IN PLANTER BEDS SHALL BE FINE GRADED AND SEEDDED WITH "NO MOW" SEED MIX.



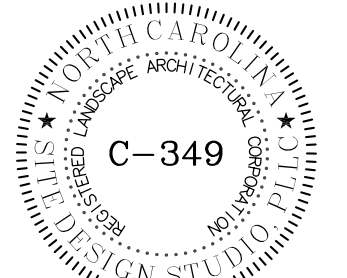
3 TREE PLANTING
L103

N.T.S.



4 TREE PLANTING ON SLOPE
L103

N.T.S.



BARLAS RESIDENCE
 PARCEL PIN# 9646-42-1419
 99999 CEDAR HILL DRIVE
 BILTMORE FOREST, NORTH CAROLINA

DATE: NOVEMBER 1, 2023
 DESIGNED BY: JTG
 CHECKED BY: JNG
 SCALE: 1" = 20'
 PROJECT #: 23-062

REVISED:
 NOVEMBER 6, 2023

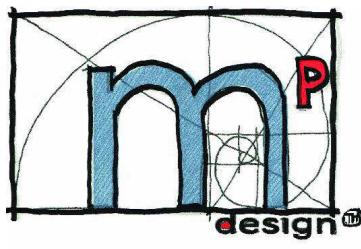
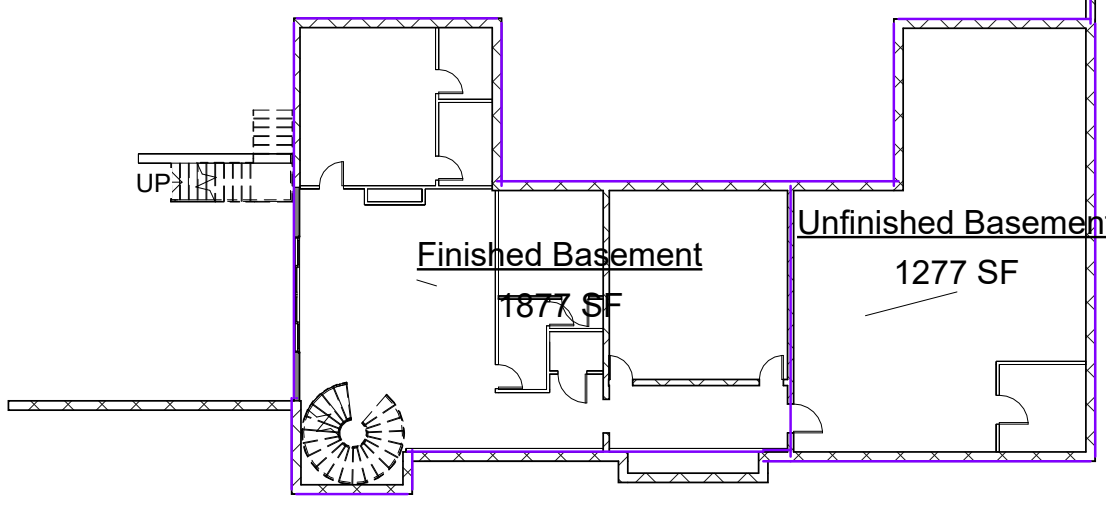
SHEET TITLE

PLANT LIST,
 DETAILS &
 NOTES

SHEET NUMBER
L103

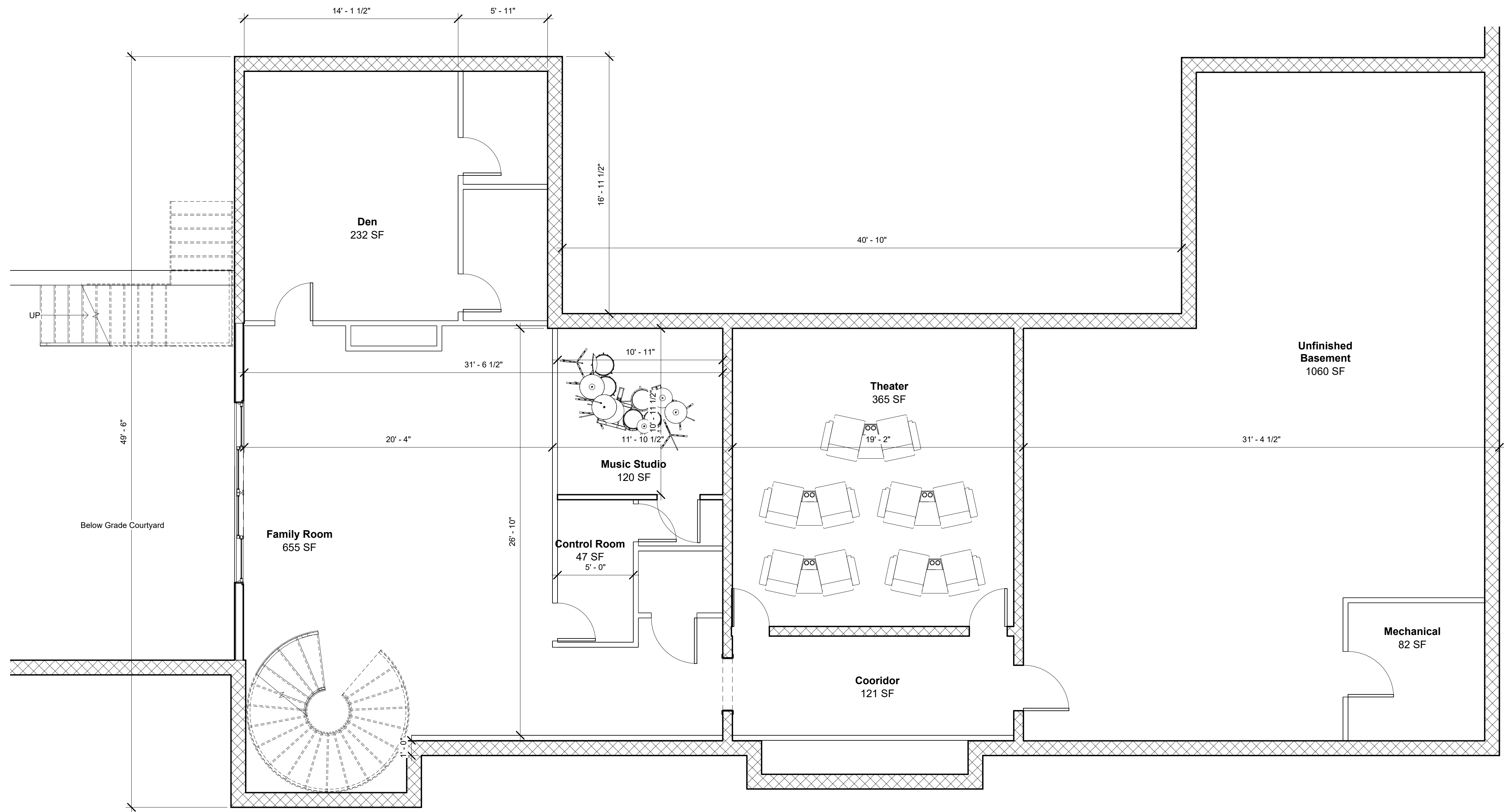
Plan A

Preliminary NOT FOR CONSTRUCTION



Mario Piccolo
828.747.0597
themariopiccolo@gmail.com

Barlas Residence



No.	Description	Date

Single Family Residence
Basement Plan

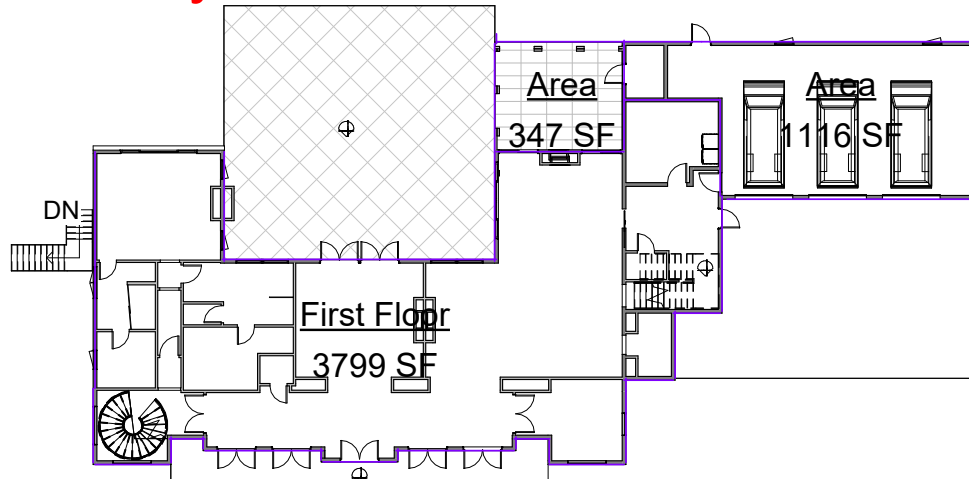
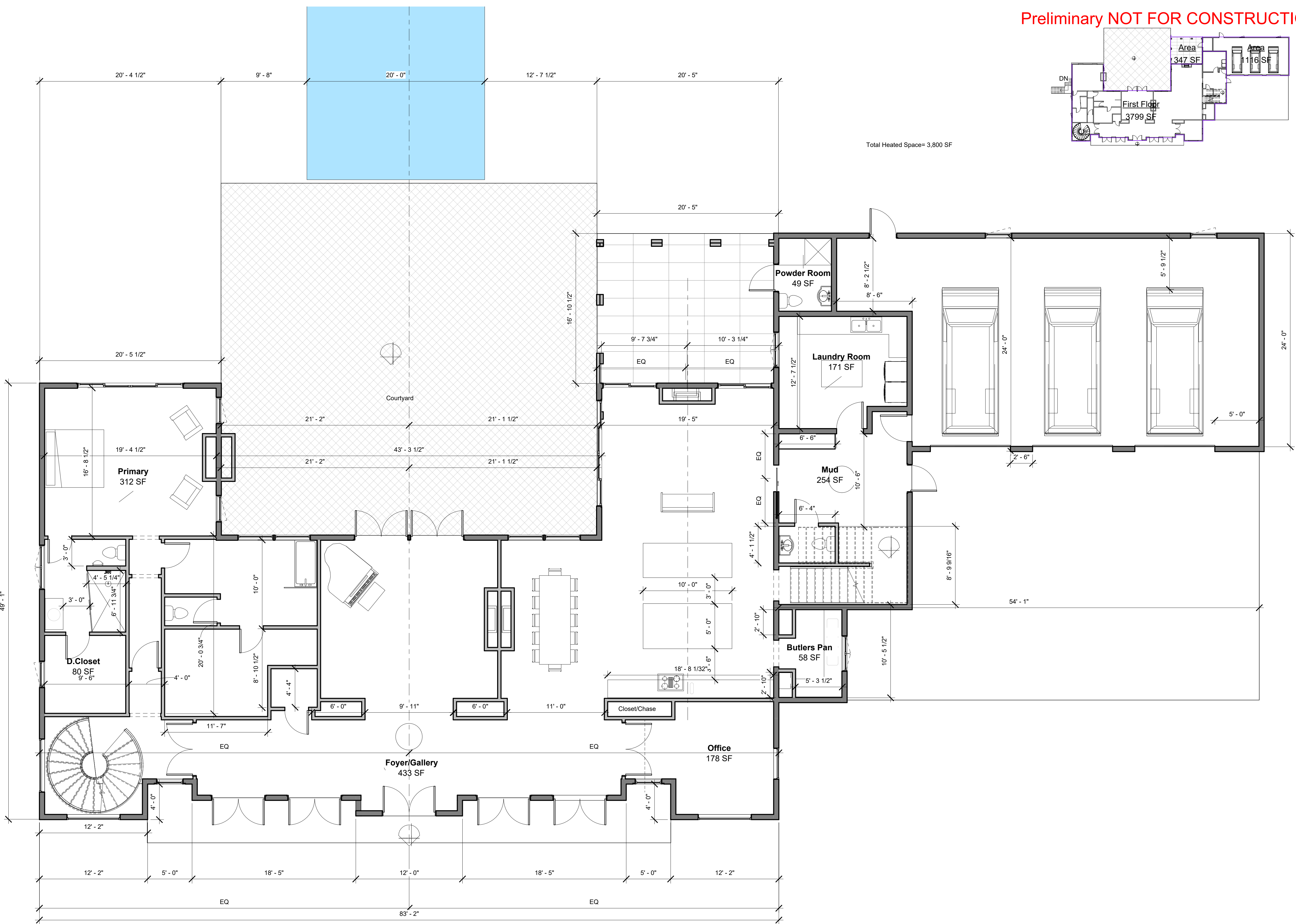
Project number _____
Date _____
Drawn by _____
Checked by _____
A0
Scale As indicated

Preliminary NOT FOR CONSTRUCTION



Mario Piccolo
828.747.0597
themariopiccolo@gmail.com

Barlas Residence



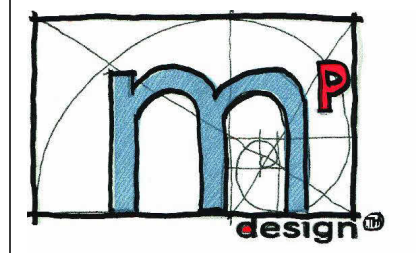
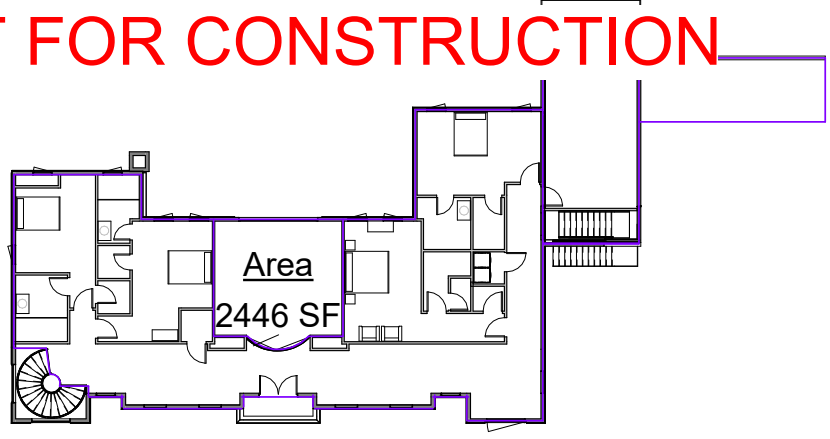
No.	Description	Date

Single Family Residence
First Floor Plan

Project number
Date
Drawn by
Checked by
A1
Scale As indicated

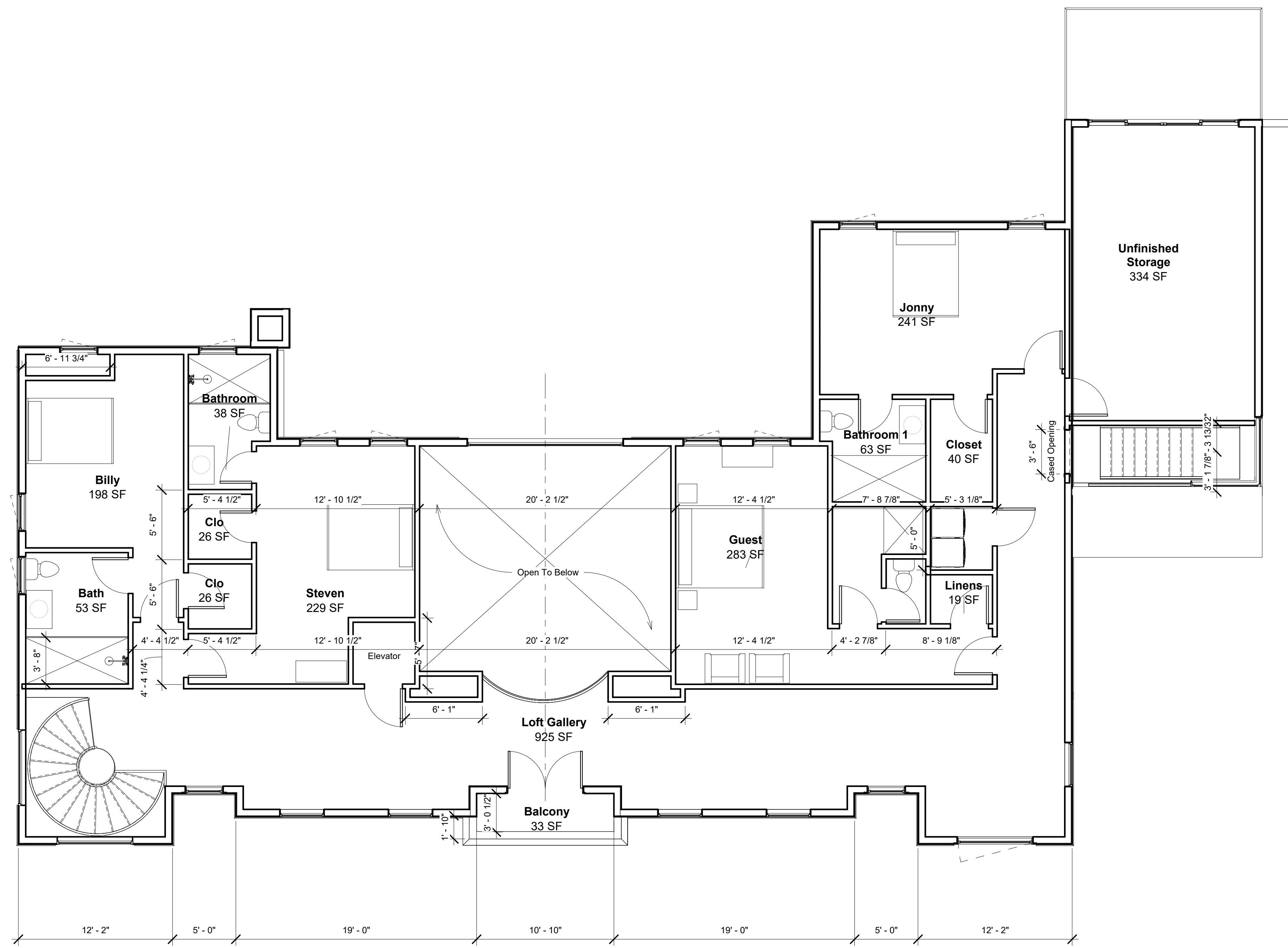
1/17/2023 2:03:14 PM

Preliminary NOT FOR CONSTRUCTION



Mario Piccolo
828.747.0597
themariopiccolo@gmail.com

Barlas Residence



No.	Description	Date

Single Family
Residence
Second Floor Plan

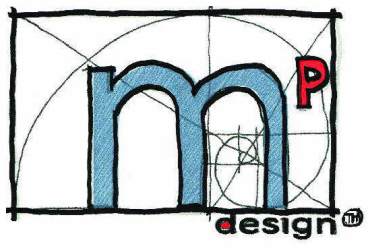
Project number _____
Date _____
Drawn by _____
Checked by _____

A2

Scale _____ As indicated

137' - 9"

Preliminary NOT FOR CONSTRUCTION



Mario Piccolo
828.747.0597
themariopiccolo@gmail.com

Barlas Residence



No.	Description	Date

Single Family Residence Elevations

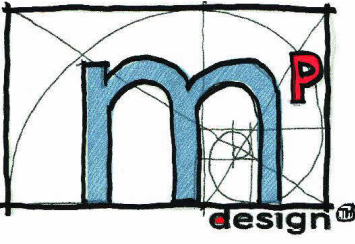
Project number
Date
Drawn by
Checked by

A5

Scale 3/16" = 1'-0"

11/7/2023 2:03:27 PM

Plan B



Mario Piccolo
 828.747.0597
 themariopiccolo@gmail.com

Barlas Residence



No.	Description	Date

Single Family Residence Elevations

Project number	
Date	
Drawn by	
Checked by	
<h1>A5</h1>	
Scale	3/16" = 1'-0"

11/7/2023 2:14:58 PM

Letter from Adjoining Property Owner

To: Jonathan Kanipe, Town Manager and the Members of the Board of Adjustment, Town of Biltmore Forest

From: Cecilia and Tom Gleason, Owners of Cedar Hill Lot #2

Date: November 20, 20223

Re: **Board of Adjustment Meeting, November 20, 2023,
Case #2: Cedar Hill Drive, Lot 1**

Dear Mr. Kanipe and Members:

Thank you for providing the materials for the upcoming Nov 20 meeting for the Board of Adjustment. The information regarding Cedar Hill Lot #1 plans did come as a surprise as we had previously bid together with the Barlas to purchase Cedar Hill Drive Lot #1 with the aim of preserving the aesthetic of the land next to our lot, while at the same time providing the Barlas with the extra acreage needed for an expansion project on their property. Up until Wednesday of this week, we were aware that they had recently purchased the full lot but had assumed they would be executing on their prior plan.

We want to state for the record that we do feel strongly that as a property owner, one should have the right to build as one wishes, but at the same time, one builds within the context of a community with its own "feel" and amongst other households. Biltmore Forest is wooded, with generous lots and spaced houses. We cherish the lot we purchased for its privacy, natural setting and serenity.

This said, we feel compelled to voice a concern about the plans, primarily as it relates to **potential sound and lighting from the multi-use sport court**. As we all are aware, with the rise in popularity of pickleball, noise pollution within a community from such activity is a hotly debated topic. Given the position of our house, we will have this court right outside our master bedroom and my office (from which I work during the days).

As you will see in the attachment, my architect has overlaid the position of our house relative to the Barla plans for Lot#1. We took great care to position the house in the back to take advantage of the gradient of the lot to optimize walkout capability of the lower level, "tuck us away" from the street and most importantly, minimize overall site disturbance. As you can see, given the location of the sport court, our house will be about as close as it can be to the court. To be clear, I love the sound of kids playing, but we are very concerned about the level of sound that we will have to absorb from such proximity to the court. Further, having moved recently from a neighborhood in Fox Chapel, PA where one neighbor had a sport court, the night lights were a big point of controversy as they lit up the

neighborhood like a stadium...that is, of course, by design so they function as night lights for the court. This is fine on 4 or 5 acres of land, but not appropriate for 1.3 acres.

Lastly, we would like to address the impact of their plans as it relates to the overall aesthetic of the neighborhood and environment given the request for a 6-foot perimeter wall and the number of trees that need to be taken down. This does not seem to be in keeping with the spirit of the neighborhood, so we would hope that trees be removed only as necessary. As to the wall, the meeting materials don't address the actual need for one or provide details on what it will look like. Given that there is a wall on their current property next door, it seems redundant on that side. On our side of the property I guess it provides privacy, but the aesthetics of it would make a huge difference in keeping with the community.

Thank you for giving us the opportunity to weigh in on these plans. We wish the Barlas the best.

Sincerely,

Cecilia and Tom Gleason

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as needed.
ment tracked or washed onto

TBM
TOP OF FIRE HYDRANT
100 FT. (ASSUMED) ELEVATION

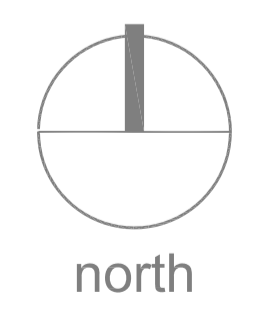
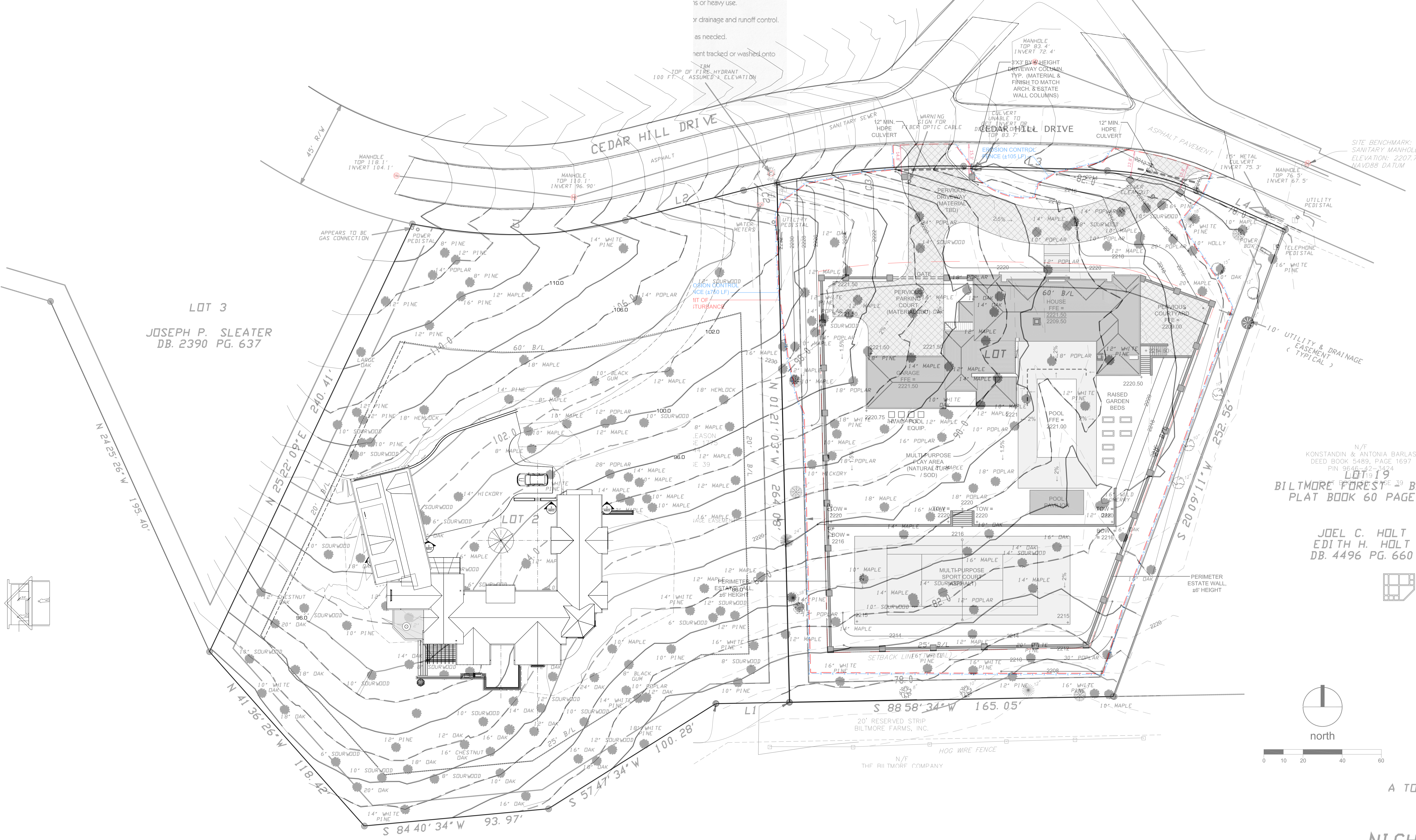
MANHOLE
TOP 83.4'
INVERT 72.4'
3'X3' BY 6' HEIGHT
DRIVEWAY COLUMN,
TYP. (MATERIAL &
FINISH TO MATCH
ARCH. & ESTATE
WALL COLUMNS)

SITE BENCHMARK
SANITARY MANHOLE
ELEVATION: 2207.7'
NAVD88 DATUM

LOT 3
JOSEPH P. SLEATER
DB. 2390 PG. 637

N/F/
KONSTANDIN & ANTONIA BARLAS
DEED BOOK 5489, PAGE 1697
PIN 9646-42-3424
LOT 19
BILTMORE FOREST ESTATE
PLAT BOOK 60 PAGE 39

JOEL C. HOLT
EDITH H. HOLT
DB. 4496 PG. 660



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